



City of Lawrence

CITY MANAGER'S OFFICE

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CITY COMMISSION

MAYOR
MIKE AMYX

COMMISSIONERS
LESLIE SODEN
STUART BOLEY
MATTHEW J. HERBERT
LISA LARSEN

January 26, 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, Commissioner Larsen, and Vice Mayor Soden present.

A. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Read Across Lawrence Presentation.

B. CONSENT AGENDA

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

1. Receive minutes from various boards and commissions:

Affordable Housing Advisory Board meeting of 12/14/15
Community Development Advisory Board meeting of 11/12/15
eXplore Lawrence Board meetings of 11/18/15, 11/30/15, 12/09/15, and 12/16/15
Homeless Issues Advisory Committee meeting of 10/13/15

2. Approve claims to 150 vendors in the amount of \$3,023,535.78.
3. Approve licenses as recommended by the City Clerk's Office.

Drinking Establishment

Morningstars NY Pizza
ColoKan LLC
4931 West 6th St.

Expiration

January 23, 2016

Eldridge Hotel
Eldridge Holding LLC
701 Massachusetts St.

January 31, 2016

El Potro Mexican Café 2
El Potro Mexican Café 2 LLC
3333 Iowa St.

February 9, 2016

Retail Liquor

Sawyers

February 3, 2016



Big Mary's LLC
4811 Bob Billings Pkwy, D

4. Bid and purchase items:
 - a) Set bid date of February 9, 2016 for Bid No. B1422 - HERE Addition (11th Street and Mississippi Street) Public Improvements, Project No. PW1534.
 - b) Authorize the Interim City Manager to approve a purchase order for design services for the Bob Billings Corridor Improvements; Project No. PW1503, to BG Consultants in the amount of \$145,870.
 - c) Award the bid for two (2) F150 trucks for wastewater operations for the Utilities Department to the low bidder, Shawnee Mission Ford, in the amount of \$63,350.
 - d) Approve request to modify Bid No. B1546 for ferric chloride chemicals for the Utilities Department by awarding the bid to the next lowest bidder, Kemira Water Solutions, Inc., for a unit price of \$1.3162/gallon.
 - e) Approve change order for \$7,000 to Spencer Turbine for freight charges associated with the shipping of a blower for the Kansas River Wastewater Treatment Plant.
 - f) Authorize the sole source purchase of two (2) utility transformers for the Utilities Department from Kaw Valley Electric Cooperative in the amount of \$42,768.42 for the Clinton Water Treatment Plant Raw Water Pump Station Improvements, Project No. UT1417.
 - g) Authorize approval of blanket purchase orders from the Utilities Operations and Maintenance Budget and capital fund budget to Hick's Classic Concrete for \$50,000 each pursuant to Bid No. B1204, with the option to increase each by \$50,000 as needed for concrete work, repair and replacement related to watermain repair and replacement.
 - h) Approve the purchase of a JCB 3CX Compact Backhoe, for the Parks & Recreation Department, in the amount of \$70,987 from Sellers Equipment, utilizing the NJPA cooperative purchasing contract.
5. Adopt on second and final reading, Ordinance No.9192, authorizing a grant from the City to Menard, Inc., for \$549,350, to be paid over a 10 year period and a City special assessment prepayment grant not to exceed \$250,000, subject to the terms and conditions specified within the Development Agreement.
6. Receive Bert Nash Community Mental Health Center 2015 3rd Quarter Performance Report.
7. Approve as "Signs of Community Interest" a request from the Lawrence Home Builders Association to place signs at various locations from February 15 through February 22, 2016, promoting the Lawrence Home Show.

8. Authorize the Mayor to sign a letter of support for the Watkins Museum application for grants from the Douglas County Community Foundation, the Freedom's Frontier National Heritage Area, and the Douglas County Natural and Cultural Heritage Conservation Grant Program for an interactive computer kiosk that will be added to its second floor core exhibit. *The letter will be posted once it's available.*

C. CITY MANAGER'S REPORT:

Diane Stoddard, Interim City Manager, presented the report regarding December 2015 Monthly Building Permit Reports; and the Eagle Bend Golf Course Business Plan.

Mayor Amyx: Diane, have we had discussion about what that discount card is going to be or what it's going to look like or what the discount is going to be?

Diane Stoddard:
Interim City Manager I'm going to ask Mark or Darren to address that.

Mark Hecker:
Assistant Director
Parks & Recreation We're going to have a full series of the discount cards. Basically, what it entails is you can purchase 10 and you get a 20% discount or you can purchase 50, get a bigger discount, or if you want to purchase 100 rounds at one time, you can get up to a 50% discount. What we need to do with that is control our discount levels, so we don't want to get away from the folks who want to come out and play a whole bunch of golf, but we need to control the discounts because basically we're getting down to about \$8 a round on some of those annual passes. This way we control it and we keep it about \$20 a round. This is our lowest round we're going to allow on the course. That's especially important on the weekend rounds, when we're trying to sell a weekend round for \$49 and we have people playing for \$8, then that doesn't help us very much on the bottom line revenue.

Commissioner Larsen: You said we're projecting an increase of 119,000, is that correct?

Mark Hecker:
Assistant Director
Parks & Recreation Mm-hmm (affirmative).

Commissioner Larson: How does that work towards our bottom line?

Mark Hecker:
Assistant Director
Parks & Recreation Basically this year, we lost money. We spent a little bit more than we brought in, so that's something we need to correct. We don't want to do that more than one year. We can do it one year because we have a fund balance there, but basically looking at small fee increases there, looking at changing this annual pass, we need to work on sponsorships more, we need to recruit more tournaments. There's a whole range of things that would go into that \$119,000. What we want to do ... Last

year was a bad year for weather too. We lost, I think, six or seven weekends that just swamped us out, which we'd normally get \$10,000 to \$15,000 on a weekend, so that hurt us more than anything, but going forward, we want to make that a little more profitable, because there is equipment pieces that we need to replace and there's just things we want to do to run that business out there.

Mayor Amyx: Other questions of Mark?

Mark Hecker:
Assistant Director
Parks & Recreation

If you have any hard questions, Darren's here. He's actually the one with all the answers. He just tells me what to say.

Mayor Amyx: Matt, you're going to run out and buy 100 rounds of golf, aren't you?

Commissioner Herbert: This may come as a surprise to you, but I've never played golf in my life.

Mayor Amyx: Oh!

Mark Hecker:
Assistant Director
Parks & Recreation

I think you better start with 10 then.

Mayor Amyx: I don't play well, so there we go. Thanks Mark.

Mark Hecker:
Assistant Director
Parks & Recreation

Thanks.

Mayor Amyx: Any other questions of Diane on either one of the items. (none) Thanks Diane.

D. PUBLIC COMMENT:

Dan Dannenberg: Two things, number one, I took a little walk around the neighborhood bounded by Crestline on the east, 9th Street on the north, Kasold on the west, and Bob Billings Parkway on the south, today, and I didn't cover every street or every area, but as a result of that, I did come up with four instances where I thought code violations were happening, and I made reports via the City's website. Yesterday, I was driving west on 8th Street, West 8th Street, and there was about three different City trash carts overturned right next to the sidewalk, and trash scattered everywhere. I reported it to the Code Enforcement Office via the website and went by there today and it was cleaned up. The upshot of this is the neighborhood is deteriorating. I know you don't care, but there are too many

instances where properties, particularly rental properties, are heaped with trash, they have too many cars parked on the lawns, and of course we've had, not far from where I live, we had a great narcotics adventure about a year ago. I think we need a different regimen for policing and monitoring neighborhoods. What we have now is not working. I know you are all working in essence for landlords and developers and like that, but we need to do something to conserve these neighborhoods, because to see something like this deteriorate and go downhill is not good. I recently sent a photograph of a truck and a trailer that are parked in driveways about three houses west of where I live. That shouldn't be allowed. Trucks and trailers and boats should not be parked on residential property. That's ridiculous. We have places around town, around the community, where you can park those things, for a fee of course, but I think these people who own these fancy boats and trailers and whatnot are evidently too cheap or too disrespectful of the neighborhood. The second thing I want to comment on is the amount of trash and clothing along Massachusetts Street. I just, as I walked up here, I noticed on the northeast corner of 8th and Massachusetts in the planter, there was a broken package of clothes just spewed on the planter, and this is not an uncommon sight. A couple of weeks ago, I happened to be downtown, it was about 10:30 pm, and on the west side of the 800 block of Massachusetts street, there were two trash bags full of what looked to be clothing just sitting there in a planter. Now are people dumping these clothes so transients and homeless can access them? I don't know, or how do they come to be there. I can tell you they're not adding to the appearance and ambiance of Massachusetts Street. I think we need a better system of monitoring behaviors and activities along Massachusetts Street. Now I know the police don't want to do it, they've got other things to do, but there needs to be something else done to make sure that Massachusetts Street doesn't become a slum, because it's well on its way, I can tell you that. I spend enough time downtown and see enough, particularly when the weather is warm. The final point is, last summer I talked to a Lawrence police officer about this, and he said he had lived in Lawrence his entire life, and he said Massachusetts is the worst he had ever seen it. I share that view. Now that's one of the things I know you don't care about either, but I think it's something that needs to be given attention, because sooner or later, somebody is going to get the idea that, well, wait a minute, we're coming down to a blighted area, and I don't know, people may decide to go elsewhere with their business. Another point I'll bring up, not tonight, but another point I'll bring up, the northeast corner of the intersection of Kentucky and 9th Street, somebody got favored treatment on that. As I say, I'll talk about that at a later time.

Mayor Amyx: Other public comment? Any other general public comment?
Thank you.

E. REGULAR AGENDA ITEMS:

1. **Consider approving Findings of Fact regarding the City's disapproval of Zoning Map Amendment Application, No. Z-15-00327, seeking to rezone approximately 59.8 acres from RS10 (Residential) District to CR (Regional Commercial) District, and Zoning Map Amendment Application, No. Z-15-00328, seeking to rezone approximately 6.7 acres from RS10 (Residential) District to OS (Open Space) District, all of which is located on the southeast corner of the interchange of K-10 and US 59 Highways.**

Randy Larkin, City Senior Attorney, and Sandra Day, Planner, presented the staff report.

Mike Amyx: Questions of Randy? Randy, thank you. Thanks for making that change on paragraph eight. Is there any public comment on this item? Public comment? Then back to the Commission. I thank all the members of the Commission who chimed in and worked with City staff, and specifically the City Manager and the Legal Office, in coming up with, I think, a solid set of findings of fact.

Commissioner Herbert: My only question on that was on page seven, which is, what's that section? I guess that would be the section that we present our evidence that we find to be credible. Sub-point C, we talk about characteristic of the neighborhood, and it talks about that the area will include medium density residential use, and so we're finding that because of the character of the neighborhood, we think that's going to be residential, but then two pages later, we find that the area will probably need to be rezoned as residential is not likely. I'm wondering if, given that we state in the paper that the subject property is appropriate for rezoning, if it makes sense under character of the neighborhood, to describe the residential as being the usage in the future. Does that make sense?

Mayor Amyx: On your two pages later, what ...

Commissioner Herbert: Page seven, yeah. Let's see here. It's more than two pages, I lied to you. Page 12, at the very end, it says, I'm reading from it here, "The City Commission is of the opinion that rezoning of the subject property may be appropriate," but we say for characteristic of the neighborhood that it's going to be medium density residential. We're saying in the report that it's going to be residential, but also that it will need to be rezoned, not residential, right?

Randy Larkin:
Senior City Attorney Right. I believe that's from Horizon 2020. A large portion of, but not the complete track there, is set aside for auto-related commercial. Then there's going to be medium density out

beyond that.

Commissioner Herbert: South of that?

Randy Larkin:
Senior City Attorney: Yeah, south, and to the east of that was set aside for medium residential, and so I think the finding was that it's probably not right there on the corner is probably not going to be really good for residential, but that commercial regional then would be. Anyway, that was the point of that.

Mayor Amyx: I talked with Randy about the other day too.

Commissioner Herbert: If we envision that the piece of land we're debating about will not be residential, I just question the appropriateness of stating that it should be residential, if we know that it won't be. That's the only thing.

Mayor Amyx: Any other questions or comments? Yes, sir?

Commissioner Boley: I just wanted to expand a little bit on what I said at the time. That is that the community essentially has adopted Horizon 2020 as the vision for the future. If we want to change that vision, we should do it through a planning process, not through a process of exception, which is, I think, what we're faced with here. If there's interest in doing something different than what Horizon 2020 provides, then I think that needs to come through say, revision of the 2020 or another plan.

Mayor Amyx: That is not something that's part of the discussion tonight as far as the option. Is that something that you plan on ...

Commissioner Boley: No, I didn't do a very good job of explaining where I was coming from, so that's why I wanted to take this opportunity.

Mayor Amyx: Anyone else? Lisa, you have anything?

Commissioner Larsen: No, I thought it was very well outlined as to what we thought and what we discussed.

Mayor Amyx: Me too. If there is nothing else, then again, thank you, Toni, Randy, and the work that you have done. Randy, thanks for all the work that was put into the findings of fact.

Moved by Vice Mayor Soden, seconded by Commissioner Larsen, to approve the findings of fact regarding the City's disapproval of Zoning Map Amendment Application, No. Z-15-00327, seeking to rezone approximately 59.8 acres from RS10 (Residential) District to CR (Regional Commercial) District, and Zoning Map Amendment Application, No. Z-15-00328, seeking to rezone approximately 6.7 acres from RS10 (Residential) District to OS (Open Space) District, all of which is located on the southeast corner of the interchange of K-10 and US 59 Highways. Motion carried unanimously.

2. **Consider FDP-15-00642 for revisions to the approved plan for a mixed-use development located at 1101 Indiana Street (HERE Project), reducing the number of parking spaces by 69, adding an access point to the parking garage from 11th Street, and limiting occupancy to only those uses supported by the reduced parking. This application does not include related rezoning and preliminary development plan requests to construct a parking garage on property immediately south located at 1137 Indiana Street. Those requests will be considered by the City Commission upon a recommendation of the Planning Commission and after Historic Resources Commission decision.**

Scott McCullough, Planner, presented the staff report.

Sandra Day, Planner, presented the details of the plan.

Mayor Amyx: Sandy, there is, in our code, I could ask what page valet parking is on.

Sandra Day:
Planner You would not find it.

Mayor Amyx: I would not find it, yeah.

Sandra Day:
Planner The code is silent on valet parking.

Commissioner Herbert: What does it say about tandem parking?

Mayor Amyx: Tandem parking?

Commissioner Herbert: Or stacked parking? Or stacked tandem?

Sandra Day:
Planner On the tandem parking, we have some regulation and some interpretation as that applies to specific residential forms, and I think Scott can address that as well. In the building, when we talk about stacked parking for this project, we're talking about stacking one on top of the other. That is applicable to the 1137 property, not to the garage, so I'm trying to remember to use the word "tandem parking" so that we're going back to front.

Scott McCullough:
Planning & Development
Services Director Yeah, if this were a patron, consumer-oriented parking structure, it would fall short, drastically, of our code standards and our design, and we would not be supportive of it. It's the valet nature that has to be there with this proposal to have any validity at all with the parking design proposed.

Vice Mayor Soden: Are the stalls narrower than a standard stall?

Scott McCullough:
Planning & Development The code requires eight-and-a-half-foot-wide stalls for a typical parking garage, to maneuver cars in and out and to be

Services Director convenient for door access. Some codes go as low as eight for compact cars, and so the majority of these are at eight feet, at least it scales out on the plan like that. The middle section that Sandy showed you appears to be less than eight feet.

Commissioner Herbert: How does one park an automobile in seven and a half feet and get out of it?

Scott McCullough:
Planning & Development
Services Director There're a couple things there.

Commissioner Herbert: Roll down the window?

Scott McCullough:
Planning & Development
Services Director It's going to be a challenge, the Dukes of Hazard way. You would have to reserve those for the sub-compact model cars. I think there's a strong debate about whether they're usable in terms of being in practice used, or whether the valet attendants would double-park, park over lines, and not use them.

Commissioner Herbert: If you eliminated the spots that are seven and a half feet wide, how many spots are they short?

Scott McCullough:
Planning & Development
Services Director We did not do that calculation.

Commissioner Herbert: Hundreds?

Scott McCullough:
Planning & Development
Services Director It would be, there's two layers, so essentially each row would lose-

Commissioner Herbert: Because I'm even looking at that one, if you go to the bottom right-hand corner, how do you get a car out of that spot? The bottom right-hand corner, if I park my car-

Scott McCullough:
Planning & Development
Services Director Down here?

Commissioner Herbert: There appears to be some sort of structure in front of that, right?

Scott McCullough:
Planning & Development
Services Director A meter room.

Commissioner Herbert: If I have a car parked to my left, how do I get out of that spot?

Scott McCullough:
Planning & Development
Services Director

Right, it's going to take some maneuvering of the cars to the side to be able to get in there, have this vacant, and then maneuver into these spots.

Commissioner Herbert:

You leave spots vacant is the answer to that, right?

Scott McCullough:
Planning & Development
Services Director

I think what you would be able to do is maneuver the spots here to get cars situated here and then fill in as they get situated. It would not be convenient. Again, this would not meet our code in terms of a patron-oriented parking lot.

Commissioner Larsen:

Does that mean we're given them an exception to the code?

Scott McCullough:
Planning & Development
Services Director

This is before you to weigh in on these very issues. That's why we've provided this to you, to strike the balance between trying to facilitate the program uses and try to establish that balance. I would also recommend, Mayor that you provide ex parte communications for this project when it's convenient.

Sandra Day:
Planner

Commissioner Larsen, regarding your question about whether or not this is from the code, this same type of layout is exactly the same, I guess with more parking spaces, as the robotic plan had been. It was still doing this type of layout in the robotic example.

Commissioner Herbert:

The robotic doesn't require anybody get out of a car.

Scott McCullough:
Planning & Development
Services Director

Correct.

Sandra Day:
Planner

This is true.

Commissioner Larsen:

I see a lot of dinged doors.

Mayor Amyx:

We have other places in town doing valet parking right now. Are they parking in a similar size space to this?

Scott McCullough:
Planning & Development
Services Director

We'd have to get out those plans, Mayor, and compare the examples, and we haven't done that for you.

Mayor Amyx:

Other than a couple of the places that I can think of, which would be two hotels that are doing it, do we have anybody else that is in residential real estate apartments that does anything like this?

Scott McCullough:
Planning & Development

Not to my knowledge. This would be the third valet system that I'm aware of in the city.

Services Director

Mayor Amyx:

Any other questions of staff right now?

Vice Mayor Soden:

I'd like to see how many spaces, even with the tandem valet, but more of a standard width of a parking stall. I'm also curious, below the pink, the row that goes horizontal, it looks like cars are blocking it in the blue section, so if your car was parked just below the pink box, and presumably they were going to be facing straight up like they are now, and they pull out, but aren't the blue and the orange and the yellow and the orange car in the way of them getting-

Scott McCullough:
Planning & Development
Services Director

No, you would have to-

Vice Mayor Soden:

... the car out? It's a little confusing.

Scott McCullough:
Planning & Development
Services Director

You would have to back up and get this car out to then go through the access point. To answer, to provide a little perspective on the ... What's hampering the area here appears to be the columns, the double column here, for example. About 28 spaces would be lost to go the full eight feet here. You would take out the third space between the bay, seven times four there, and so that's that layer, and then probably something similar here, so it would be a reduction of ...

Commissioner Herbert:

56.

Scott McCullough:
Planning & Development
Services Director

Yeah.

Commissioner Herbert:

That leaves us 120 short.

Vice Mayor Soden:

If they're backing out, is that row below them then the standard width of a horizontal-

Mayor Amyx:

Driveway?

Vice Mayor Soden:

Yeah, a drive. I don't know the right vocabulary to use.

Scott McCullough:
Planning & Development
Services Director

It would accommodate the circulation for the valet system, yes.

Vice Mayor Soden:

Is it a standard width though?

Scott McCullough:
Planning & Development

It's not, it's about 16 feet, and our standard for two-way traffic in a consumer-oriented garage is 24 feet.

Services Director

Sandra Day:
Planner It would meet one-way circulation.

Vice Mayor Soden: What was that? Sorry.

Sandra Day:
Planner Sorry. It would meet one-way circulation.

Mayor Amyx: It can't just be one way.

Sandra Day:
Planner I know.

Commissioner Herbert: Not if you want to go anywhere for a while.

Sandra Day:
Planner You're right, and the expectation is that it's not all of us in this garage; it is designated employee valet people doing this. I'm sure the applicant can address more specifically how they understand the operation to be.

Vice Mayor Soden: Scott mentioned the ex parte. I guess we should mention that I and the Mayor met with the developer, and I think you were there, and I think you were there, but I don't remember, to talk about this. At that time, I didn't realize it wasn't just a standard parking garage, I have to say that. Somehow I got the idea that it was just a regular parking garage. I didn't know that it was this tandem valet business.

Mayor Amyx: I was going to bring that up. We were never shown the reduced spaces.

Commissioner Herbert: This map wasn't part of the packet until this afternoon.

Commissioner Larsen No, that's right.

Mayor Amyx: Yeah, that's right.

Sandra Day:
Planner That's my error. I did not realize when the plans went out that those pages were missing.

Vice Mayor Soden: Over the summer, when we heard that they had a new solution, it was, "Thank goodness," but now I see this solution and it's like, "Oh boy." Oh boy.

Mayor Amyx: Any questions of staff right now before we get into ex parte? Thank you. Lisa, do you have any ex parte?

Commissioner Larsen: I do not.

Mayor Amyx: Vice Mayor, any others?

Vice Mayor Soden: I just had the same emails everyone got.

Mayor Amyx: Is that the ones that came from Dennis Brown? I know that ...

Commissioner Larsen: Candice.

Mayor Amyx: Yeah, so everybody got those?

Vice Mayor Soden: They were all ... Dale Slesser.

Commissioner Boley: Dale Slesser.

Vice Mayor Soden: Carrie Altenbrand.

Commissioner Boley: Scott White.

Vice Mayor Soden: Scott White.

Mayor Amyx: The ones that came today?

Vice Mayor Soden: Yeah.

Commissioner Boley: Mm-hmm (affirmative).

Mayor Amyx: I did have a question in regards; it came from Steve Schwada, about the stacked parking or tandem parking or what, and a question about valet parking also. I had those, and also the ones this summer with the gentleman from LAN Plan and the applicants. Stuart?

Commissioner Boley: I just had the same emails.

Commissioner Herbert: Same emails and I did talk to Steve Schwada and I also talked to Charles Jones, but it just came up in passing conversation, he didn't have any insider information or anything like that.

Mayor Amyx: Thank you all. Mr. Heffernan?

Jim Heffernan, HERE, Kansas LLC, presented his report

Mayor Amyx: How many people does it take to run this valet operation?

Jim Heffernan:
HERE, Kansas LLC That is a function, staffing is a function of learning, the nature of the demand curve. The beauty of what this site represents to the university and to the neighborhood is that it's a walkable solution. These kids will walk to class, they'll walk to downtown. Unlike living in other areas, getting into their car

will not be as convenient as either getting on the bus, which is free for all students of the university, which are right there. To answer your question, it's a function of learned demand. That's what these companies that do this professionally, that's part of what they do, it's labor scheduling. They'll see patterns develop. In the beginning, they over-staff, and then they learn, and then they staff appropriately. If there's no demand in the morning until the kids start going to job, let's say at noon, or there's increased demand on weekends, they'll learn from that, and the system will respond appropriately. Having a student get their car when and how they want is critical to that experience that we want to provide. I think there was a comment in the newspaper that said if they don't deliver on that service, the kids won't be back. That was a very insightful comment. That's exactly true. That's why we have to deliver the experience as it relates to getting their car with no door dings all the time. The interface of this, the students will learn, and the patrons of this garage will learn, that their experience will exponentially get better with the accuracy of their information. If they tell us they want the car in an hour and they don't come back for 10 hours, obviously, they're not going to have a good experience, and as a resident of the building, they will be reprimanded that they have to give us accurate information. That's the beauty of the smartphones. If something changes and they identify us, they can re-categorize the car, everything works perfectly. That answer your question right, Mayor?

Mayor Amyx:

Yeah. Then go back to what you had said about KU and being able to get space.

Jim Heffernan:
HERE, Kansas LLC

Yes. Specifically how that will work is KU has parameters in which they can do this, so either the city would require confirmation that we've actually gotten the 25 spaces. What we would do is to have 25 of our residents, and we would pay for the, I believe it's a yellow parking pass, to go across, correct me if I'm wrong on that, if anyone knows, but whatever color it is, I believe it's yellow, a yellow parking pass to park across the street, we would pay for that for our resident, so as an incentive for them to do that, and then we would show the university and you that they are, number one, a resident of our building, and number two, have secured a parking pass. This parking pass obligation will be for a year. If everything goes perfectly, we will have these other spaces up and operating with a two-month leg period of time. Should there be a delay, we're allowing for that. Should, for whatever reason, we don't deliver on the 96 other spots, that's why we're making it a year, so that student isn't penalized and has to move out, but they'll have the one year and then we'll be penalized because we have to come before you and say, "Hey, this is what we're doing," or, "This is what we're not." I

hope it's a thoughtful solution.

Mayor Amyx:

We had received a letter, I think, from Tim Caboni?

Diane Stoddard:
Interim City Manager

Yes, Mayor and Commissioners, and I'm sorry that I see that it's not uploaded as part of the packet, but I think you all received a letter this morning from Tim Caboni with KU, and in the letter, he clarifies that the university would not be able to directly lease spaces to Mr. Heffernan's company, but he did say in the last paragraph of the letter is, "What the university offered to Mr. Heffernan is that any KU student in his development would be eligible to purchase a parking pass, as is the case with any student who lives off campus. Beyond that, we are also willing, with the appropriate authorization from the student, to have KU Parking and Transit confirm their purchase of the parking permit."

Commissioner Herbert:

That's true with any apartment complex, correct?

Diane Stoddard:
Interim City Manager

Yes, I think he says any case with any student that lives off campus. I think what Mr. Heffernan is saying is that the project would actually purchase that for the student.

Jim Heffernan:
HERE, Kansas LLC

Yes. For the student to authorize us to get that information to be able to provide it for you, that would be the reason.

Commissioner Herbert:

Have we ever provided an apartment complex a variance to parking requirements based on KU parking tickets being sold?

Diane Stoddard:

I don't believe that has been the case.

Jim Heffernan:
HERE, Kansas LLC

The unique thing in your code, and that's why we originally brought this up a year ago, is in the MU district, it specifically states, unlike any other district, is that parking can be provided off site, within a certain lineal feet of the perimeter of the property.

Commissioner Herbert:

You have to own the lot.

Jim Heffernan:
HERE, Kansas LLC

No. It specifically states you do not. That was why the KU solution worked, up until the City wanted it in perpetuity. That's why KU could not do that, and rightfully so. They don't know what, forever, that land will be used for, what enhancements to the stadium they would want.

Scott McCullough:
Planning & Development
Services Director

Commissioners, there were several challenges to concluding that that wasn't a very viable option at the time, because there was no guarantee of close proximity to the building, essentially. Any student can get a permit and park in a number of parking lots that are available to them per the level

of parking permit.

Jim Heffernan:
HERE, Kansas LLC

KU has multiple colors of lot for different lots. We would be getting the lot specifically for the Memorial Stadium lot.

Mayor Amyx:

Any other questions of the applicant?

Vice Mayor Soden:

Yeah. You said the valet parking would be not just for the residents, it would be for others, which I assume you mean the commercial portion of the building.

Jim Heffernan:
HERE, Kansas LLC

Yes. The aspect of the parking that is unique to our building is that we as an applicant are spending over \$1,000,003 on public infrastructure. Part of that is creating the 106 parking stalls on the perimeter. Unlike any other district, again, the MU district allows for the parking to be accommodated by street parking. Did I answer your question?

Vice Mayor Soden:

Is the garage dedicated to the residents?

Jim Heffernan:
HERE, Kansas LLC

See, the nature of that is your code infers, or allows for the possibility of actually 100% of our beds having residents with cars. We are significantly along in our leasing, and that is not the case. That will change over time. Do we have the spaces for 100% of the residents to park? Yes. Will they use that garage? From our experience, if you recall, back when we were trying to convince the City that a one-to-one ratio is very unique, we had the university's traffic department analyze parking demand for their portfolio of properties over the last 20 years, and they concluded that a 75% parking ratio would be more than sufficient for our building. We're at 100%, so there's somewhere between 75 and 100 I think will be the answer to that. We're at 82% within the building itself.

Vice Mayor Soden:

If I were to go to that restaurant to have dinner or something, would I be able to park in the garage and would I pay for that or is that validated by the restaurant, or how would that work?

Jim Heffernan:
HERE, Kansas LLC

On the street, those are public, metered stalls. It would be a similar experience to downtown.

Vice Mayor Soden:

I would not be able to park in the garage if I were a commercial user, retail user?

Jim Heffernan:
HERE, Kansas LLC

I think it would be better if we actually parked in the proposed parking building on 11th Street, yes.

Commissioner Herbert:

Was that a no?

Mayor Amyx:

So I'm not eligible to go ... If I'm going to one of those restaurants, I cannot park in the garage?

Jim Heffernan:
HERE, Kansas LLC

Which garage are you talking about?

Mayor Amyx:

The one under your building.

Commissioner Herbert:

The one with the 600 spots.

Jim Heffernan:
HERE, Kansas LLC

The parking demand that's associated with those spots doesn't call for that.

Commissioner Larsen:

So, no?

Jim Heffernan:
HERE, Kansas LLC

We're supplying enough parking for the commercial spaces on the street. If there is additional demand for those, we want to attract good commercial tenants. It's an operational thing. There are so many variables to this. I know you want very specific answers ... We'll do what's in the best interest of the project at all times. Our number one commitment is to the residents, due to the commercial spaces. We want those to be viable, successful and highly desirable for everybody. It would make more sense, because we have more parking on Mississippi already, with only one user and we have more users on Indiana Street with less parking ... That's another reason why we picked where we did is that helps supplement that imbalance. We have more spots on Mississippi, with less use, more use on Indiana. Now we have more than enough use. If the exactly parking count on the Indiana side of the building-I don't want to tell you wrong-is 49 stalls and now we're proposing an additional 96. On the other side, Mississippi, where we have the one user, we already have 57. It's an imperfect science.

Vice Mayor Soden:

If I was a student and I was just going to KU to go to class, what would stop me from just using the garage, not the Indiana garage, but the Mississippi entrance? Would there be anything that would stop me from using the garage?

Jim Heffernan:
HERE, Kansas LLC

The one on Indiana Street?

Vice Mayor Soden:

No, the one on Mississippi Street that faces the football stadium.

Jim Heffernan:
HERE, Kansas LLC

Yeah, right. The city is asking for 100 percent parking and you're saying we don't have enough spots, and now you're saying we're going to let other people in there?

Vice Mayor Soden:

That's what I'm asking.

Jim Heffernan:

That's a challenge then, because we're assuming it'll be 100

HERE, Kansas LLC percent full with our residents. The answer would be no.

Vice Mayor Soden: Nothing really would stop anyone from just using the garage. Like a regular student that doesn't live in the building or isn't going to the restaurant could just pull up to Mississippi.

Jim Heffernan:
HERE, Kansas LLC If they're not a resident of the building, the likelihood of them doing that is not going to be cost-effective, because they can go out anywhere in the neighborhood for free. They're not going to do that inside the building.

Vice Mayor Soden: You'd have to pay to use the valet parking?

Jim Heffernan:
HERE, Kansas LLC You have to pay to use valet parking and you have to pay to use the metered stalls. Correct.

Commissioner Larsen: Every student that lives in that apartment complex is guaranteed a parking space for their car, is that correct?

Jim Heffernan:
HERE, Kansas LLC Yes. If they want...

Commissioner Larsen: In that garage?

Jim Heffernan:
HERE, Kansas LLC If they want a spot, we have it.

Commissioner Larsen: Okay.

Jim Heffernan:
HERE, Kansas LLC Yes.

Commissioner Larsen: I had a question about the entrance on 11th Street.

Jim Heffernan:
HERE, Kansas LLC Yes.

Commissioner Larsen: I don't know if this should go to you or somebody else in the City is there any issues with that being such a steep hill?

Jim Heffernan:
HERE, Kansas LLC Very good question. I don't know if it was readily shared with the Commission, but we had a supplement to our traffic study done that analyzed the slope of that road, as well as the distance from the intersection and the queuing, as well as its orientation to the Varsity House entrance. The conclusion of that parking study was that it functioned well and it was not a safety problem at all. If you recall, the apartment complex that we tore down had an entrance very similar to the place we are now proposing as the project is...

Commissioner Larsen: It was down just a little bit, yeah. Is that going to cost the City

any more money to adjust on the street for that entrance, Chuck, at all? We're okay?

Jim Heffernan:
HERE, Kansas LLC

That's a very interesting question, too, and I'm glad you brought it up. Since we got approved 19 months ago, the City had some issues. One was that they realized that the Oread Hotel currently dumps the five levels of water from the bowels of that building on to Indiana Street. They pump it out. We're widening that road so all that snow, and now then it becomes ice in the wintertime would be in the center of our spots. They asked us to fix that problem and we agreed, so we're actually going to be improving the storm sewer on 11th Street. Several months later, there was a problem with the storm sewer on Mississippi Street. It's very old. We've also agreed to replace that. That's the storm sewer that handles a lot of the water from the parking deck of the university, as well as ours, and everyone else's, so we're also replacing that. They also said that 11th Street is in a lot worse shape than they thought and we agreed to split that cost with the city. All of the roads around the perimeter of us ... Oh, and they also said the middle of Mississippi needed to be redone and we agreed to split that with the City, as well. Over and above, after our approval, the City wanted us to spend more money and we agreed. We're estimating it's between \$270,000 and \$300,000 of additional public improvement monies that we're spending over and above the million-plus dollars that we had already agreed to when you guys approved the project 19 months ago. I hope that shows that we're partners, too.

Commissioner Larsen:

Sure.

Commissioner Herbert:

When did you pour the footings for your current project?

Jim Heffernan:
HERE, Kansas LLC

The footings? There are hundreds of footings for a project that size, so we started construction right in January. If your question is pointed out as to when we were done with the super-structure...

Commissioner Herbert:

I'm just trying to figure out when you finished the structure, relative to when you discovered your robotic system wasn't going to work.

Jim Heffernan:
HERE, Kansas LLC

Right. We were done. I can get you the exact dates-the announcement of that-but the challenges of a PT deck, and maybe I didn't go into the ... I don't know if it's important, but why that is so ... it's virtually impossible to change. If you start saw cutting that floor, all the sudden, the tension in those strands that holds that whole building together, in addition to the columns, it starts becoming very unstable. The nature of its construction doesn't allow for changes. We think that the project represents an unprecedented example of

resourcefulness in its original implementation, as well as this solution. Many people have told us that it's really a good solution. We hope you feel the same.

Commissioner Herbert: Okay.

Mayor Amyx: Anything else? Okay, thank you. We will take public comment now and if people would limit your comments to about four minutes, I'll keep you going, okay? If we could have your name.

Jim Slow: I'm the property owner closest to the project. My buildings are right to the south. I did have some comments to begin with and then listening to his presentation, have some other things, too. I feel that the City's first obligation is to the neighborhood and the public and not to the developer. They've gotten themselves in a pinch, but it seems to me that their pinch is going to pinch everybody else, too. Keep the focus on minimizing the impact of the project. It's an already tight situation in the neighborhood. About the parking, you know, it's really going to be important that these kids get their cars in a timely manner, because if they don't, they're not going to use the garage. They're going to find any other place they can find to park if they've got to wait 10 minutes to get their car. About changing this all to restaurants that serve alcohol and stuff, I mean, it could become a little Aggieville down there, and there's also a sidewalk that's proposed that goes between my properties and here from Mississippi to Indiana and I'm really not looking forward to hundreds of drunks on game days, let alone the Cave times 10 going on up there. I do have some concern about the traffic coming out on 11th Street because one of my properties is in the neighborhood, so I drive that quite often. When I'm stopped at 11th Street and Mississippi heading east, there's no stop sign there. The stop sign is on the 11th Street there, and even trying to get out, there's a constant stream of cars down 11th Street now, so it concerns me, people being able to get out on that. Those are the things that concerned me, before I listened. I think there needs to be some verification about the actual number of cars that are going to park in here. They can say, "We got 642 cars," but these seven and a half spots, , and people not being able to get in and out of the cars ... They may end up only using a certain percentage of what there should be ... Even though they say they have this many, that may not actually be the case. Like these 25 spots in the yellow zone. Those yellow stickers don't guarantee a spot there. They're a license to hunt. Really, they could be a total nothing. This urbanite thing, well, I may be a Kansas boy, but I really don't want a taste of downtown Chicago in Oread. Urbanization is great, but I think that it's really detrimental to the neighborhood and everyone else who's a

property owner. That's all I had to say, thank you.

Mayor Amyx:

Thanks, Jim.

Dale Slusser

I wanted to specifically register my objection to the transference of 7,679 square feet from retail sales to food and drink and the corresponding requirement of 36 additional spaces. As it is right now, the reason we're here is that HERE is not able to satisfy their approved development plan, nor the NRA agreement, and I don't think we should compound that problem by adding additional parking requirements. I also want to note that the solution proposed by HERE, which has been submitted to the City, calls for the new parking lot on 1137 Indiana. 96 spots, if that is approved to go forward, the plan right now, as written, is planning to do a building or surface parking on 91 percent of that lot, which is almost the entire lot will be blacktop or some type of impervious. The other thing, since Jim with HERE did reference the Oread plan, the Oread neighborhood plan does talk about mixed use and overlay districts. In section 4.2, I will call your attention to the statement, "The overlay districts are intended to encourage development that conforms to the size, orientation and setting of existing buildings in a neighborhood or area." Going on further, "To foster development that is compatible with the scale and physical character of original buildings in a neighborhood." I think it's quite clear that that is not being followed with these suggestions. I urge you to keep their parking level as it is and we will move on to other meetings of the City to actually discuss the degree of negative impact on our community of demolishing a house and adding another parking lot. Thank you.

Mayor Amyx:

Mayor Amyx: Thanks, Dale.

Dennis Brown:
Lawrence Preservation
Alliance

Good evening, Commissioners. You should not approve this design, this revised development plan tonight. You should deny it, as this plan is contingent upon approvals from the Planning Commission, and the Historic Resources Commission to even be viable. Your approval tonight could be seen as a tacit endorsement of the overall plan before those two bodies ever see it as an official agenda item. I know the staff says otherwise. I think that's a disingenuous thing to say. Further, regarding the bait and switch, and I will use that term, from spectacular retail to eating and drinking, which would require even more parking spaces that they don't currently have, your approval would, again, send an inaccurate message. The correct message to send here is parking is the problem. You need to tell the development group they need to think inside the box, their box. Their very big box that they have constructed and redesign their interior spaces to reduce bedrooms until they can meet the required

parking spaces within their own footprint. Perhaps a trade-off of multiple apartments for a smaller number of luxury condos would bring the number of bedrooms down without much reduction in income, or maybe they come up with another solution that reduces their density. For them to look to the city and surrounding neighborhood for a solution implies that this is our problem. It's not our problem. It's their problem. Don't take action on this revised development plan or deny it, and if denial action leads to increased pressure to demolish 1137 Indiana, and construct an even bigger garage, you should call the NRA into question. Tell them they need to come back when they can provide their required parking within their own footprint as they originally promised. I'm a Kansas boy, too, like Jim. I look at the schematics. I couldn't afford to live in this development, but I wouldn't give my 1997 Villager to a valet to park in that schematic.

Mayor Amyx:

Thanks, Dennis. Other public comment?

Frank Janzen

Good evening, As was mentioned already, the yellow parking permit that any student that buys a permit at KU is, as they say, a hunting license, because there's no guarantee that if they have a yellow permit on-it's a city street-there'll be a place for them to park because somebody else might already have that spot. I didn't know if there was going to be metered parking on the east side of Mississippi. Currently, it's free parking and I park there now and then, because you can park there. A lot of students were parking there. It's going to be pretty full up and even on the yellow parking; it'll be full up, too. Two questions that the City Commission did not ask you, I don't know if they will. If a student is living in this complex, where do their visitors park if somebody comes to visit them? The other question they didn't ask is if you've got five or six cars coming in at the same time, how do you handle that? Thanks.

Mayor Amyx:

Thank you. Candice?

Candice Davis:

I'm a resident in the Oread neighborhood. I live just about a block away from this development, at 10th and Louisiana. I just want to say that we have, in our neighborhood, struggled for years to bring about stability to the neighborhood, because the zoning just hasn't conformed to most of the actual structures, which are houses. The numbers before you are so complicated that, honestly, it reminds me of one of these extra-credit math problems we got in high school that you tried to figure out all the variables and come up with a solution. This is so confusing. The other thing is our neighborhood plan. I want to speak to that. We worked two years on our neighborhood plan and, indeed, we did designate this particular area to be higher density. However, I

would say what you see now is nothing like we would have visualized, density wise. I want you to think about this. There are 624 bedrooms. We all know what young people, how active they are today and they have partners. I can't imagine that these bedrooms will all be having one person in them. There'll be a lot of visitors. Maybe there're 620 possibilities or 24, whatever the number is of cars. This is a high-end development. I can't imagine a lot of these young people wouldn't have cars. If you look at some of their automobiles, they're large. They're not modest. What we have in our neighborhood as a tool has been parking, and this project, I personally don't necessarily blame this developer for proposing all of this. It was a shiny object that City Commissioners apparently thought sounded really nice. I had assumed, I think I mentioned in my letter that our Oread residents didn't get involved with this because we anticipated that the Planning Department and the Commissioners would be following City Code and the City Code would largely dictate the size of this unit. What we have now, to me, is totally not practical. It's beyond my comprehension about automated parking; the kind of stacked parking that you're looking at doesn't seem viable. We've been working for several years to try and do away with stacked parking in the entire neighborhood. I would love to see our City, our Planning Department, our Commissioners, and Planning Commission, follow the codes that are in place and if they're not working or if they're outdated, then we update them. This, to me, needs to be looked at. I think there are some good ideas here about reworking the interior to reduce the density. It's a mess, and I'm very sorry that you have to figure it out because it would overwhelm me. Thank you very much.

Mayor Amyx:

Thank you. Other comment? Any other public comment?

Janet Gerstner:

I currently live at 413 Vine Drive, but I did live for nearly 10 years at 11th and Ohio. That's three blocks from this location. I have no idea how busy 11th Street is, but I can sure tell you from living there almost 10 years, that this is an amazingly busy street. It has cycles. It's busy, of course, during the school day, and then it seems to have ... There's different peaks, early in the day and then there's a peak about mid-day, maybe people are running out to lunch or are done with classes. I'm not sure. Interestingly enough, there's another peak that is about 2:00 to 3:00 in the morning and that's probably almost the busiest one, sometimes, when the bars close and when the students are coming and going up and down 11th. It's just an amazing corridor. There's also a cycle in Oread, too. The parking, itself. This is going back a number of years but the neighborhood actually did a very detailed and extensive parking study, where they went out and wrote down license plate numbers and monitored blocks to get some feel

with what was going on with the parking on the street. They found that there was a peak in parking in the morning, on the street, in the Oread, when students were coming to class and didn't want to have to buy permits, they parked on the streets. Then classes tended to taper down in the afternoon, so you began to see later morning, or afternoon, a lot of those folks leaving. There was usually a peak, again, in the evening, as all resident, whether they were dorm residents or rental residents or homeowner residents, a lot of those being home or at least bringing their cars home for the evening. There's kind of really another peak where they go back out for the evening, some of the students, then they come back home either really, really late at night or early in the morning. Unbeknownst to me, until I got home this evening, my husband actually ... He's been thinking about this and we both have, and we've been concerned about this, so when he did his walk ... He runs or walks usually most days, so he made a point to walk and run through this area, and I don't know if I can show you what he found or not. Here, of course, is the Oread Hotel, right here, actually, and then the project in question would be in this block. The only open spaces that he saw that were within a block were these two and this was between 2:00 and 3:00 this afternoon, which would be one of the lower parking times of the day, actually. The peak being in the morning, generally, in Oread. He did find spots further out, as you can see. He found a total of 42, but that's going out about three to four blocks away and even five in all directions, or even sometimes six blocks. I'm afraid as we have increased the density here, we will be pushing cars increasingly out, so those spots will be impacting even more and more residents further out from the site. So many people have made comments that I had intended to make and I agree with those. One I had not even thought of until I heard Jim say it tonight, was that if people have trouble parking there, which is completely what I always have seen in our neighborhood, the students will simply go and try to find spots on the street. It's going to have a huge impact on the neighborhood. I did want to express condolences to the Committee. Oh, I'm sorry. I know you've had to do a lot of cleanup with earlier projects and earlier City Commission approvals. This one is just kind of amazing to me. I was too busy at the time. I did not get involved then, and I didn't realize how intense this was, but it seems too intense for what was intended even in high-density for this neighborhood and that's not compatible. I really hope there's some lessons we can take away from this and look at what we can learn, that good planning is essential and that we always be realistic as we look at each situation, and that we don't get carried away by the new shiny thing, like the skating rink or whatever it might be, without being grounded in our decisions. Thank you very much.

Mayor Amyx: Thank you. Other public comment?

Dan Dannenberg: This will probably even affect where I live, which is west of Iowa Street. KU students, like most other wildlife, tend to be nocturnal. The real happenings don't start until after the sun sets. What's going to happen in this humongous things when two or three or four or five, six apartments decide to have a party? It's a football game weekend. Let's all celebrate. Where are the people who come to the parties going to park? Are they ... Going to be access for them? What about graduation weekend when the three or four or five or six apartments want to have parties for family and friends to celebrate graduation or escape, whichever is appropriate? Is there going to be enough parking to accommodate all of those cars? The persons who go out to the parties in the neighborhoods or other apartment complexes when they come back to this facility at 4:00 in the morning or 3:00 in the morning, whichever, depends on when the kegs and the condoms and the weed run out, is there going to be enough valet or whatever it is that they're going to do? I don't know, boy, this has turned into a real boondoggle. I know many of you are not on the Commission when this was approved, and I don't know how deep the city's in with tax incentives and rebates, which Lawrence City Commissioners seem to be addicted to, but this needs to go back to the first chart, and it needs to be redone, because this is just unbelievable.

Mayor Amyx: Okay. Other public comment? Okay back to the Commission. I tell you what we're going to take about 10 minutes, okay? About. We'll be back in about 10 minutes.

The City Commission recessed at 7:52.

The City Commission resumed at approximately 8:02

Mayor Amyx: Thank you. It's been about 10 minutes. We're back to the Commission. Does the Commission have any other questions about any of the information that's been provided?

Commissioner Larsen: About that commercial aspect of this, where they're changing over just to restaurant, 100 percent restaurant, is that my understanding?

Jim Heffernan:
HERE, Kansas LLC We are not asking for any change of commercial use whatsoever. We are just providing more parking. Can staff confirm that?

Commissioner Larsen: It was in a memo-

Jim Heffernan:
HERE, Kansas LLC It allows us to have a broader range of uses, but we're not asking for any zoning change or any change to our approval in that aspect.

Commissioner Larsen: As I said, it was information in the staff report about it, so I was wondering why-

Scott McCullough:
Planning & Development
Services Director I can explain, Commissioner Larsen. With the original ... With the plan that's approved today, the entitlements today; it was acknowledged that of the 13,000 square feet of commercial space, only a portion of that could be parked with the number of spaces on the original plan. The way we would practice that is as tenants come in for occupancy and building permits, we would have to analyze, which we do with any commercial project, whether or not there's enough parking to accommodate the use. We understood that parking was limiting the number of restaurants at this project with the number of spaces that are entitled today. What the applicant is doing with the application to the south of this project is proposing additional spaces, mainly to be able to accommodate if all the commercial space was gone to restaurant use and not retail use, because there are different ratios. Restaurants are highest ratio parking demand.

Commissioner Larsen: Right. Okay. I just wanted to clarify that.

Vice Mayor Soden: Yeah.

Jim Heffernan:
HERE, Kansas LLC Does the Council not want restaurants?

Commissioner Larsen: No, I just was curious as to why that was in the report. I figured it had something to do with the parking ratio, but I just wanted to clarify. That's all.

Scott McCullough:
Planning & Development
Services Director It was new in order for us, in how we calculated the demand for parking. We were asked to calculate it based on full restaurant use

Commissioner Larsen: Okay.

Mayor Amyx: Other questions of anyone?

Vice Mayor Soden: I've got one for staff. Does the NRA performance agreement contain language that ensures the valet parking exists into the future, especially since they'll be contracting? Is there anything in there?

Diane Stoddard: Good question, Vice Mayor. The performance agreement and

Interim City Manager

NRA plan currently don't talk about anything with valet and the reason is, of course, that is just a new development. The NRA plan and the performance agreement do describe the project with the number of bedrooms, the approximate commercial uses there, and then also talks about a robotic parking system in that building. There is a memo from staff that is in the Commission's packet and it will be a policy decision, I think, to look at that issue and decide if ultimately Mr. Heffernan's plan is approved, that would enable there to be more parking provided than described in the plan that's approved for the NRA. Will there be, even though it's not a robotic parking system, will that be an important issue, as far as how the project is described, because the performance agreement requires the building of the project as substantially described and again, that description says "Robotic." That will really be a policy distinction. Is it important that it be robotic or that it have at least that number of spaces or more and that's really a policy question? When this project was originally discussed, there was a lot of discussion about the robotic parking system, and I think Mr. Heffernan had presented it as an exciting new feature. It was going to be the first in Kansas and that kind of thing. Was it of key importance to the governing body at the time? Again, I think that would be up to those individual members to relay. It certainly describes it in the context of the description of the project, but it also has a number of other descriptors. There was a lot of discussion about the fact that it was a mixed-use project. That was desirable by the governing body at the time, in its location, given where it was located with KU, and being able to provide that kind of density close to campus. I think there was definitely a lot of discussion about that. Those would be my general comments. I think there isn't now any description of valet because it's not contemplated and that would also be, I think, a policy decision if we needed to write an amendment into the NRA. That really does require us to go through a process which involves other governing bodies because that document is approved by the County Commission. It is approved by the School District. I think any amendments that would be contemplated, we would need to spell out in there ... it definitely does describe a number of parking spaces.

Vice Mayor Soden:

Yeah. One of the fears that I have is, of course, when you think of contracts, you go through what-if scenarios in your head. Don't take offense to any of these what-if scenarios, it's just me speculating. Let's just say that in three years, it's determined that the valet company that they're using, that they're contracting, that they'd like to cut costs in some fashion, so they either get rid of that valet company entirely and get a new one or just somehow revert back to self-parking. We want to make sure that the NRA regulates the actual number and regular use of those spaces, not just the

initial existence of them, especially considering they're definitely smaller than self-parking.

Diane Stoddard:
Interim City Manager

I think the fact that it does specify the number in the description, there was a very clear reason for that and I do think that the applicant, and under the performance agreement, those spaces have to be provided. I don't think that it would be sufficient to have that number fall short as far as usable parking spaces. As to whether that would require an amendment to discuss those as being valet or whether ... If, down the road, we learned that there wasn't a valet system; that they were, in fact, short of parking, I think that we have the ability with the performance agreement to re-look at the issue and they have to comply with that agreement in order to get the NRA, and that's something that every year, we are looking at.

Vice Mayor Soden:

I think that we should definitely, bare minimum, and edit the NRA so that it more appropriately reflects what we're doing now, especially with another issue that we have with a different developer. We need to definitely have our "T's" crossed and our "I's" dotted. That's really important. .

Commissioner Boley:

Tying that to the NRA, ties it to a shorter lifespan than the building is anticipated to have. The NRA will expire in 2026? Tying the valet to the NRA is a limited direction. Is that the only thing we can tie it to?

Scott McCullough:
Planning & Development
Services Director

That's the zoning link, so that if parking goes away, it's a zoning enforcement matter.

Vice Mayor Soden:

One of the public commenters mentioned just because the map itself shows three rows of stalls or columns of stalls, I guess it might say, doesn't mean in practice that perhaps a year from now, that's actually what's being used in there, and how would we even regulate that? How would we even enforce that? I think that's an excellent point that if they can't get parking in an appropriate timeline for their use, which, as an 18-year-old, that foresight is ... At least for me, I'll just say it was extremely limited and variable, that's for sure. It is true; they're just going to go to the easiest parking, which could be on the street. Could be the metered. Could be free parking that's not metered a block or so away. I just don't know how we're going to enforce it.

Commissioner Larsen:

Are the lease agreements ... Do they actually stipulate in there that they are guaranteed a parking spot?

Jim Heffernan:
HERE, Kansas LLC

The leasing agreements are actually two different things, because not all students want a car, but they lease their

apartment, their bed, and then on the second agreement, they lease their car, because not all students want a car, not that they want to pay for a parking space.

Commissioner Larsen: They have to pay extra if they want to get parking privileges?

Jim Heffernan:
HERE, Kansas LLC Uh hm [affirmative]

Commissioner Larsen: If they don't want to have to pay extra, then they're going to possibly park on the street?

Jim Heffernan:
HERE, Kansas LLC Or not bring their car.

Commissioner Larsen: Oh.

Jim Heffernan:
HERE, Kansas LLC The whole idea of the, and why we got the density that we got, is the green nature of how people don't want to use their car. That was the conundrum that was discussed when this was approved is that we're wanting a one-to-one parking ratio and yet everything in our aspirations as a community is to be more green and to use more bikes. We have, I believe, the largest, and correct me if I'm wrong, staff, and the largest bike holding facility/storage facility in the city. I hope people are going to be using that. We're paying for a brand new bus stop that was vetted thoroughly, over months of negotiation with the city, as well as the university, to have that function well; we want that bus to function well. That is a differentiator to our location, the fact that you can walk to work or school and you can bike or you can take the bus. All those are green things and those are all goals specifically stated in the 2020 plan of your community. We're trying to actually implement that by building this project and facilitating that type of non-mobile use.

Commissioner Herbert: I don't see Frank here, still, but just for the record, I'd like you to answer ... Oh, you are here, sorry. Would you be willing to answer his question that he asked in public comment? If I'm the boyfriend of somebody living in this unit, am I allowed to park in this 600-spot garage?

Jim Heffernan:
HERE, Kansas LLC If there's room. The first priority is to the residents.

Commissioner Herbert: But you said that a resident has to pay extra for parking privileges. How would I do that as a boyfriend who doesn't have a lease with you?

Jim Heffernan:
HERE, Kansas LLC Okay, our lease will be very specific. There have been several comments as it relates to destructive behaviors of

college students. Unlike, perhaps, some other leases in the immediate area; we regulate behaviors through personal guarantees.

Commissioner Herbert: I'm not going to destroy anything, I just want...

Jim Heffernan:
HERE, Kansas LLC In addition, there'll be very specific language in the lease that also doesn't allow double occupancy within a bedroom. That would be a gross violation of the lease.

Commissioner Herbert: So none of your tenants can have their girlfriend stay the night? You might tell them that when they go to sign the lease. That might be a deal breaker.

Jim Heffernan:
HERE, Kansas LLC They can't stay there permanently. There's language in there that ... You're distinguishing between a visitor and a full...

Commissioner Herbert: I'm just trying to figure out if I want to go sleep, cohabitate with my girlfriend, where do I park my car? That's all I'm asking. I'm not going to destroy anything. I'm not going to be there permanently.

Jim Heffernan:
HERE, Kansas LLC Sure. You have, within our project, you have three options. One, at least as conceived, 106 spots on the street. If we have room with our garage in the building or we hope to have an ancillary parking facility with an additional 96 or so.

Commissioner Herbert: So I can park in that garage.

Jim Heffernan:
HERE, Kansas LLC Yes, if it's not full, but the community is concerned that we don't have enough parking in our building, so we have 81 percent capacity within our building. If it's less than 81 percent, and there's room in the building, the answer is yes.

Commissioner Herbert: Okay.

Mayor Amyx: If I lease a parking space, is there an identifier of some kind that I can put on my car that allows me to park in that garage?

Jim Heffernan:
HERE, Kansas LLC There'll be something that we provide you that actually allows the garage door to open when you drive there, up close to it.

Mayor Amyx: Okay, so this guest is not going to have that right?

Jim Heffernan:
HERE, Kansas LLC These are very specific operational questions. This is not a unique problem to this building. We are hiring professionals, so if the resident is stating, "I'm going to have a guest there," and make arrangements for that, that could be one scenario, that we identify that, actually ... What we don't want is someone just meandering through the halls of the building.

When they're coming through the lobby, we want to know what they're doing, as a safety consideration and a security consideration of the building. There are multiple aspects to that. The bottom line as to how we solve all of this, the number one guiding principle of all of these operational policies, yet to be because let's say we only have 50 percent demand. All of the sudden, the options that are possible are significantly different than if there's 100 percent occupancy. The number one guiding principle, though, is us to be the facilitator of a good experience, where people like staying here. They want a view and they talk about how great the experience is. That's what will make us successful. That will be the number one guiding principle of how we operate our building, so as it relates to all these very specific parking issues, we're going to do the best things for the project and the residents. They're intertwined. I hope I'm answering your question.

Commissioner Herbert: I'm not trying to be very specific, I'm just trying to help you see that if you're renting to college students, the vast majority of 18-year-olds are not married, and I would dare say the vast majority of 18-year-olds are ...

Jim Heffernan:
HERE, Kansas LLC As an example, what-

Commissioner Herbert: ... looking for companionship.

Jim Heffernan:
HERE, Kansas LLC There's a huge parking problem in the entire neighborhood. What happens in that scenario where there's no space within a two, three-block radius of a house that someone wants to sleep in, what do they do then?

Someone from the audience: Park in the back yard.

Jim Heffernan:
HERE, Kansas LLC Park in the back yard?

Commissioner Herbert: Very good.

Mayor Amyx: Any other questions of Mr. Heffernan? I have one.

Jim Heffernan:
HERE, Kansas LLC Yes?

Mayor Amyx: How much was that robotic system going to cost?

Jim Heffernan:
HERE, Kansas LLC I don't have the figure on that. The thing that I know for sure we can represent is that this solution in totality is more expensive than the robotic. That I can tell you, and we can show you the numbers, I just don't want to misrepresent

anything right now.

Commissioner Herbert: I think it was on the original sheet though, a year ago.

Jim Heffernan:
HERE, Kansas LLC Yeah. You got a better memory than I.

Mayor Amyx: The only company that builds these is the one that you ... the Boomerang company?

Jim Heffernan:
HERE, Kansas LLC As we are learning, the promise of robotic parking is great. This project, to the best of my knowledge, would've been the largest robotic parking garage in the United States, or one of the very close, if it's not the, very close to that. Technology that it's failing and not delivering on the experience that's desired that everyone's saying that it will, and much smaller applications, it puts the project in a worse condition than we are today.

Mayor Amyx: The reason that I bring that up is that I do know that the discussion that we had a couple years ago with the NRA based on what you had said, and you've been right along with what you said, yeah, it's going to be the biggest and probably the most expensive of the robotic systems. Is that how much of that cost allowed commissioners to make up their mind on the amount of the NRA given? I just bring that up now because you had said that it was going to be one of the greatest expenses that you were going to face in this.

Jim Heffernan:
HERE, Kansas LLC One of the greatest, I'm not sure I said that. It's a \$74,000,000 building. The NRA goes through a lot of detail as it relates to what we're going to build. Ironically, or to our detriment, we built exactly what we said we were going to build, exactly. The part that we're missing is the software and the system that actually makes that all work, and now we're going to something that we know will work, because it's done everywhere. In any urban area, there are tons of companies that do this. This, we know we can deliver. We thought we could deliver the other one. Obviously in hindsight it was a bad idea.

Commissioner Larsen: I got one question. You've built the garage to fit this robotic system. If sometime in the future the robotics get better or they get the kinks worked out, the company's no longer bankrupt, and can you retrofit it back to your garage?

Jim Heffernan:
HERE, Kansas LLC The modifications that we're actually making to the garage are quite nominal. As staff represented, it involves the induction of a new drive, curb cut, and two garage doors on the 11th Street elevation. Then there were elevators shafts, if you see on your drawing, that we're planning on filling in. As it

relates to ventilation and lighting, with the exception of lighting at the entrances, up to this new entrance, there are virtually no other changes to it, to the garage. As a hypothetical, that's certainly a possibility. At what time? It's imponderable as to when. This is such an important, integral part of this project, this parking, as we all know that we're not going to make the same mistake twice. We're going to be more than sure that what we're proposing is going to work. Right now we can't have any confidence in that.

Commissioner Herbert: I know you're going to the food and restaurant idea. Will there be any retail or is it just going to be food and restaurant?

Jim Heffernan:
HERE, Kansas LLC We do not know. We do not know for sure any of the uses at this time. We have the opportunity to increase parking, which apparently everyone wants. We just want, like we've wanted, we're trying to deliver what we've said is the best retail, commercial space, whatever use that is that is interested in coming to this location. Now with more parking, all uses are possible, so that's what we're providing.

Mayor Amyx: Anything else?

Vice Mayor Soden: I just have a question for staff.

Mayor Amyx: Go ahead. Thank you, Mr. Heffernan. Thank you.

Vice Mayor Soden: The NRA, was it 10 years and 85%? What was it?

Diane Stoddard:
Interim City Manager Correct.

Vice Mayor Soden: Is there a possibility to perhaps reduce it, the percentage, in some fashion?

Diane Stoddard:
Interim City Manager Commissioner, I would say that the agreement was approved by all the bodies, if the agreement is, and the plan is revisited, I suppose there are opportunities to change the plan as it stands currently. That again is a policy decision that I think this body would need to make, and then that agreement and the plan have to be approved by all three of the bodies. Any changes to it I think would have to go through that process.

Jim Heffernan:
HERE, Kansas LLC May I speak? You made a very good observation. If the concern of the body is that we will have integrity as it relates to the continuous valet operation of our garage, I think there are perhaps other mechanisms that will maybe not be quite as time-consuming as having three more public meetings on that subject, to protect the City and the voracity of our commitment to this valet. The garage was intended for valet

service, machinery or human. We're using human. We will somehow figure out, I'm not smart enough to figure out what that is right now, but there's a commitment on our part that we will run this garage, not just for the duration of the NRA, but beyond that, as a human valet garage.

Commissioner Larsen:

I got one question. The parking that you would charge students to park there, is it more expensive to park under your garage than it would be if they bought a parking pass?

Jim Heffernan:
HERE, Kansas LLC

I'm not conversant with all the costs of that. There again, we're trying to balance the whole thing. We want to make these kids; the convenience that we provide here will be a compelling attribute to the building. Once they get the use of human valet service and their capacity to say, "I want my car in 10 minutes," and it's there, it will be not only a great thing, it will be an amenity to the building. It's something that we will facilitate. It's very important to us that we deliver on this parking. We will price it accordingly as it relates to that, but performance is a function of cost, so this valet system, if it's going to perform, we got to make sure that it's up to the expectations of the kids. It's a lost leader as an idea.

Commissioner Larsen:

I'm just concerned that there's a separate charge for the parking. I can just see the potential for students trying to cut costs, you know students, as they do, as I did when I was a student, and parking elsewhere, just parking their car down in the neighborhood.

Jim Heffernan:
HERE, Kansas LLC

The nature of what these kids are buying is the whole experience. It's not consistent with what they're buying. It's like buying a brand new Mercedes and putting it on the public street, it usually doesn't happen. You're going to be living in something that is fully furnished, has all these amenities, unlike any other building, and then you're going to say you don't want to park your car?

Commissioner Larsen:

The parking is not a part of it, you got to pay separate.

Jim Heffernan:
HERE, Kansas LLC

What about if I don't want to, if I don't bring a car, because I had access to the bus, or my roommate and I are sharing? The whole idea was to have walkability. So density that Diane mentions, the reason why the City wanted it, the reason why the university wants it, is to increase the foot traffic in and around the university. We're wanting people to, and yet we can't get rid of our car, because they got to use their car. That's what urban living is like. That's what a mixed-use development does is it encourages walkability, or using your bike or using public transportation. We will provide the cars, but I think at the end of the day, if we're doing our job right, these kids will store their cars here. They won't necessarily

use them. If we're delivering groceries to them, they can get their laundry done if they want it, they can go out to eat downstairs, they can walk to downtown, they can walk to school, the nature of the uses will be certainly less than if they had to commute from inside and every day bring their car into that neighborhood. That's a huge benefit to this project. None of these kids have to drive their car to school. It would seem very unlikely that someone would hop in their car to go a block, two blocks, three blocks, when the bus will take them there for free and its right outside their front door. I think it will work, like something that you've ... Mass transportation and major metros are a phenomenal thing.

Mike: Any other questions?

Commissioner Boley:

I've got a question for Scott. Can you comment on the feasibility of the seven-and-a-half-foot-wide parking places, stacked however deep they're stacked?

Scott McCullough:
Planning & Development
Services Director

Yeah, it is certainly tight. I'd rather the applicant comment on the feasibility. It misses our code, or some codes, by six inches. It misses our code by greater than six inches wide. Again, I've seen codes as small as eight feet wide for compact cars. Our code requires eight and a half feet wide for a typical parking lot, whether it's in a garage or on a surface lot, so that gives enough width of a car to park conveniently and open doors and get out and the like.

Jim Heffernan:
HERE, Kansas LLC

I can address that. That's why it's very important. We don't have any issue at all saying that this is going to be a valet-parked garage. Part of the metrics of a standard parking stall implies use from both sides. This will only be one valet driver operating one car, so maneuvering those cars and parking them accordingly, there will not be public use of this garage, so someone that's not familiar with all the intricacies of the garage will not be parking those. These will be professional drivers. They're licensed and they work for professional companies that do this for a living. They don't want door dings.

Commissioner Herbert:

I was going to say-

Jim Heffernan:
HERE, Kansas LLC

These residents will not want door dings.

Commissioner Herbert:

You said its part of the experience; you don't buy a Mercedes and park it downtown. I also don't let you park my new Mercedes in a seven-and-a-half-foot spot.

Commissioner Boley:

I guess next, the follow-up question for Scott is, what happens if the City becomes aware that they're not actually configuring the parking lot the way and using it the way

they've said they would?

Scott McCullough:
Planning & Development
Services Director

That becomes an enforcement issue, a zoning enforcement issue. If we get reports from tenants or from others, from the...

Commissioner Herbert:

How do we ever know? We're not allowed in the guy's garage. You just said that that's the whole security.

Scott McCullough:
Planning & Development
Services Director

Yeah, and it's going to be tough to enforce. We don't actively enforce any of our valet systems, but if we get reports, then we investigate. We would have the ability to investigate certainly and request a presence in the garage, and if found to have, if we step in and find it half full and we have evidence showing that tenants are parking out in the neighborhood, that's something that we will need to act on, and that's true of any complex in the city.

Mayor Amyx:

We can what if this thing all night long. Bottom line of the deal is that we're being asked to approve a valet parking, approve a revised final development plan with a reduction of parking by 69 spaces. We're going to base that on a valet parking system of which we don't have in the code.

Scott McCullough:
Planning & Development
Services Director

Correct.

Mayor Amyx:

We're also being asked to approve tandem parking, of which we don't have a whole lot in the code. We do have some, I guess, as you said. We're also being asked to reduce the size of parking spaces in this entire project, of which it sounds to me like that there's real concern here by doing this. Mr. Heffernan, you have a real problem.

Jim Heffernan:
HERE, Kansas LLC

Jim: Mayor, we're not reducing the spaces. They were narrow to begin with. They were tandem spaces to begin with. None of those are changes to our plan, none. The operation of the garage is changing, that's it.

Mayor Amyx:

Are we changing the size of any of the spaces as I seen them drawn on this thing?

Scott McCullough:
Planning & Development
Services Director

There's a difference in the operation of the ability for humans to get in and out of the car, where the robots could just slip them in.

Mayor Amyx:

All of that said, all of that said, you do have a plan, I guess, as you're going to proceed with trying to ask for approval of your structure next door, and is going to apply, you're going to be asked to show, at that time, and that you're going to end

up with more parking. That's not what's being considered tonight. The choices that we have are to approve or deny, approve with conditions...

Scott McCullough:
Planning & Development
Services Director

Or deferral with direction.

Mayor Amyx:

... or deferral with whatever the direction may be, and which part of that direction could be, wait until the rest of this comes forward, correct?

Scott McCullough:
Planning & Development
Services Director

Could be, if you'd like to see this all as a complete development application.

Mayor Amyx:

One of the concerns that I have is, by not having a code to approve something, that really concerns me, because I think we're opening the door for all kinds of things to happen, and that there's people who say, "Well they got it, why can't I do it?" I think that...

Jim Heffernan:
HERE, Kansas LLC

This was approved with no robotic code. It's not approved with a code.

Mayor Amyx:

Okay. Your opinion. That's where we are. I think that we've been very good under the agreements that we have. I think the Commission made a decision on the 85% NRA based on all kinds of things. I heard the parking lot, maybe I have different, bad hearing, I don't know, but I think that I just can't see changing this final development plan, I really can't.

Commissioner Herbert:

Hey, Mike, can I read something from the original minutes?

Mayor Amyx:

Sure, please.

Commissioner Herbert:

The question came up in the original minutes, and I happen to know, because I sat right there when it happened. I recognize you from the Commission, I don't recognize anybody else. The question came up, are we really going to incentivize an apartment complex? Because that's not something we do in Lawrence, Kansas. I think as a group we've agreed, that's not something we do. As someone who runs rental units, that's not something I would ever expect we do. Your response was this, and I'm reading from the minutes, "The NRA had been used several times, and those examples didn't involve any mixed-use projects or unique retail, and yet they were handcuffed by what had been done in the past as it related to the utilization of the NRA as a tool. The NRA language was very specific, and I read in the paper about apartments and a precedent, and would like to be on

the record very clearly that this was not an apartment project, but a mixed-use project, which was extremely different. One of the differences was that it involved a \$17,000,000 parking structure, and there wasn't a parking structure in this community with a \$17,000,000 parking structure. The other reason was because it also had retail. Whoever wrote the NRA and this idea to attract unique retail had an understanding as to the power of what actual sales dollars meant to the city's coffers." The two things that make this not an apartment project, we don't have anymore. We have no more unique retail, because we don't know what's going in there. We have no idea what's going in there. We no longer have a \$17,000,000 parking structure. The two answers that were given as to why this should be approved no longer exist. That's from you on the public minutes.

Jim Heffernan:
HERE, Kansas LLC

With regard to the issue, is the issue the NRA or is the issue the parking? As though they're two different things.

Commissioner Herbert:

I think the issue is that you have a \$5.7 million incentive from the City and we're asking you to uphold the agreement.

Mayor Amyx:

That's all it is.

Jim Heffernan:
HERE, Kansas LLC

The agreement is very specific as it relates to how it is interpreted. It specifically states in the agreement that it's a loose interpretation, as long as the purpose of it is ascertained. We are building a 454,000-square-foot building, and it says it has to be substantially as we presented it. You're saying an operational, the operation of how we park the cars, goes to that level, on a 454,000-square-foot building with the enormity of the complexity of actually executing this project, on a project that has six stories that fall on the same building? There are very few developers that could actually even execute this project. We have substantially delivered everything and then some. We are even offering to give you more parking than is required. What we're asking for is completely consistent with the 2020 Plan, which is exactly what is guiding this new Commission, the 2020 Plan. We're using the exact land use and the highest density the City wanted, that they wanted, and now all of a sudden it's a bad idea, on a project that takes years to implement? The performance agreement is very specific as to how that document is construed. The nature of that is it's trying to describe something that's in the future with thousands and thousands of details. We have substantially delivered what we promised, and we're still trying to do that today. I just hope that you guys allow us to do it.

Mayor Amyx:

Thank you. Back to the Commission.

Vice Mayor Soden: I want to see a map that has stalls that are wider, that would accommodate one valet person getting in and out of the car to move it, because from what I understand, this is still the same width as the robotic parking. Am I understanding that wrong? Perhaps I am.

Commissioner Larsen: I'm not sure. It's very comparable.

Mayor Amyx: It's comparable in width?

Jim Heffernan:
HERE, Kansas LLC They're wider. The restricting factor in the robotic garage parking layout was the structural columns of the building. They remain the restricting factor on the width of the space. There are two size spaces in that garage, some that are eight feet and some that is seven and a half. If you look at the proportion of smaller cars on the road today, there are more small cars, particularly in this age demographic, than there are large. We got here today because we needed to partner with the City. We still need to partner with the City. This location is a very prominent location, directly across from Memorial Stadium, at the entrance of the university. This building will be one of the most remarkable buildings in your community if you allow us to finish it. That's what we're asking you to do today. This is a very unique conundrum for all of us.

Vice Mayor Soden: Leslie: I feel a little snookered, I have to admit, because we had, in the fall, or the late summer, I don't remember when it was, when we started learning that the robotic parking, that that was not going to work, and so that you guys had a new proposal that provided more parking with the lot to the south, and like I said at the time, it was just like, "Thank god." We should've been having this conversation several months ago when the size of the building was, as you said in your speech, that is now almost substantially complete, and so now we are forced, and the only real solution that I have seen someone say is to reduce the density in the building. Parking is really important. As someone that actually became really involved in politics because of the uses incentives, and when you look at the people that are sitting up here, the reason they're all different was because of what we're talking about, that a lot of them were voted out. I understand that you feel like you had an agreement with the City, but this is definitely not the same people sitting here that were then, and you really need to recognize that, because it doesn't help when you get really upset, that you feel like the City is reneging on their agreement, when it's actually you guys that are, and we were elected because of that. I'm getting a little upset, so I might not eloquent, but you cannot get upset when you're standing behind there, when we were voted in because of the creation and the approval of your NRA.

Jim Heffernan:
HERE, Kansas LLC

You started your discussion with what we presented to you and the Mayor. What we presented to you and the Mayor at that meeting was that we were going to have human valet. Is that in dispute?

Vice Mayor Soden: I did not know that.

Mayor Amyx: I never did hear that.

Vice Mayor Soden: I did not know that.

Commissioner Larsen: No, I don't ... Yeah.

Vice Mayor Soden: I did not know that.

Jim Heffernan:
HERE, Kansas LLC

Jim: We had several other people in the meeting, human valet.

Scott McCullough:
Planning & Development
Services Director

I know we talked about a solution where you were going to pursue-

Jim Heffernan:
HERE, Kansas LLC

Human valet. Human valet office.

Vice Mayor Soden: I didn't know it was stacked, tandem-

Scott McCullough:
Planning & Development
Services Director

We didn't talk about details of the valet.

Vice Mayor Soden:

Whatever words were describing, five deep, three deep, but I did not know any of that.

Jim Heffernan:
HERE, Kansas LLC

We presented drawings at that time that represented materially what we're presenting today, three deep, I can produce all of that. I know that I'm in a situation where there have been a lot of bad circumstances with the development community, but our actions today have been nothing but forthright and true. If they had not gone bankrupt, had the technology not proven to be not what they were saying it was, we would've delivered the robotic garage, but we can't, so-

Vice Mayor Soden: When I looked at that map-

Jim Heffernan:
HERE, Kansas LLC

Now what do we do? We're trying to work together, like we did since the beginning. Although the politics of this community have changed, we're stuck dealing with the politics. We're still dealing with the community. We're still trying to serve the people that we were trying to serve when

we started this building, those students interested in living here. We're trying to take consideration of the neighborhood. We've already had a neighborhood meeting as it relates to the 1137 building, got us a lot of good input, and have revised that. I think what we're going to be providing, when you see the totality of what we're talking about, is it even makes more sense than what we're presenting now. It's actually a better solution than we had before.

Vice Mayor Soden:

With the maps that we were shown in the summer or the fall-

Mayor Amyx:

We were shown 1137. That's what I saw.

Jim Heffernan:
HERE, Kansas LLC

Jim: In addition, we showed the other ... We showed it all. We showed the configurations of the first and second...

Mayor Amyx:

I'm not going to argue with you.

Vice Mayor Soden:

I don't have it, because...

Jim Heffernan:
HERE, Kansas LLC

We had other people in the meeting, so it's all right if you don't remember.

Vice Mayor Soden:

Because you wanted us to turn it back in so that the media wouldn't get a hold of it and perhaps misconstrue what you were trying to do, so we did not keep those maps. I don't know if Planning kept them.

Jim Heffernan:
HERE, Kansas LLC

Planning saw them immediately after that meeting. If the concern is that we showed something different than we're showing you now, that is not the case.

Vice Mayor Soden:

I am trying to relate to you my feeling that when I see someone getting really upset with us, then I'm going to tell you why I'm really upset with you.

Jim Heffernan:
HERE, Kansas LLC

I'm sorry that you...

Vice Mayor Soden:

This is my reason. It's a valid reason.

Jim Heffernan:
HERE, Kansas LLC

When someone says something that's not correct though, that's where I just want to make sure that I understand.

Vice Mayor Soden:

That is the issue I'm having with you right now.

Mayor Amyx:

Okay, guys, enough. Back to this Commission.

Vice Mayor Soden:

One of the things that concerns me is this is not dedicated parking for the building, and they have to pay for it on top of that.

Commissioner Larsen: Correct. I have a real problem with that. I have a real problem with that. There's no really guarantee they can have parking unless they pay extra money. As far as partnerships go, I know the City has a partnership with you and we're partnering back and forth. We also have a partnership with the neighborhood, and we need to protect that neighborhood and the parking that is limited as it is now.

Jim Heffernan:
HERE, Kansas LLC We were always going to have the tenants-

Commissioner Herbert: I thought it was back to the-

Mayor Amyx: Wait, wait.

Jim Heffernan:
HERE, Kansas LLC I'm sorry.

Mayor Amyx: We're back to the Commission.

Jim Heffernan:
HERE, Kansas LLC Pardon me. Excuse me.

Commissioner Larsen: I was just talking about partnerships. We also have a neighborhood that we're also a partner with.

Mayor Amyx: Scott, were you going to bring something up?

Scott McCullough:
Planning & Development
Services Director I was going to state my recollection that that part of the original approval hasn't changed, they were going to lease units and parking separate, as I understood the conclusion of that. I just wanted to draw that into the discussion. Mayor, I might suggest that if you have some discussion points or direction on some of these elements that you want to provide that you want staff and the applicant to work on and present something different back to you, that may be a prudent step, because if the robotic parking is truly just a dead issue, then we have to find out where the balance is and what standards we're going to impose on this project.

Mayor Amyx: I was just going to ask the Commission the question, is the valet parking that is proposed, as it's shown right here, does that meet the intent of being able to provide parking on that side?

Vice Mayor Soden: That's the question.

Commissioner Herbert: I think there's an even easier question, and even easier for the developer to respond to. I don't know, certainly the seven and a half versus eight versus eight and a half is a discussion

you can have, valet versus just open community, separate parking, whatever, but the bigger issue to me is, I feel like the tension here is that the developer feels that we're trying to renege on our agreement, and we feel that they're trying to renege on theirs. I think for me at least, the reality is, I want this project to succeed, but my expectation is that it succeeds within City code. I don't think we need to talk about seven-and-a-half versus eight-foot spaces. I think we need to talk about, "The City Code requires X number of spaces, do you provide X number of spaces?" The answer right now is no, so our answer needs to be no. We just got done with the findings of fact, where Stuart said very eloquently, he said, "Look, if we want to change something, let's change it, but we're not moving forward with a proposal that violates our code or our master plan." If we accept this, we are moving forward with something that violates our code. If we want this to succeed, the number of parking spots have to match City Code.

Mayor Amyx: Then the only other thing that he has to do is a ... Does he continues to proceed down the path of trying to find the additional parking, an adjacent site?

Vice Mayor Soden: Reduce density of the building.

Mayor Amyx: Or reduce density.

Commissioner Larsen: Yeah, reduce density.

Commissioner Herbert: If he can get spots to match the code, then it meets our code, if that means an adjacent building, if that means reducing density. As it stands now, it does not meet our code. It is significantly short. We can debate all day and night whether or not our code is, whether we should have 100% or 75%, but...

Mayor Amyx: We've been through that.

Commissioner Larsen: We don't, yeah.

Commissioner Herbert: We're not changing the law, we're applying the law, that's our job.

Mayor Amyx: You're absolutely right, we have no code that supports it.

Commissioner Herbert: None.

Mayor Amyx: Do we want to give staff direction in working with the developer?

Commissioner Herbert: My direction would be to get the project to meet code.

Commissioner Larsen: Reduce density or find parking. It seems like if they found parking, they would've brought it to us tonight.

Mayor Amyx: I don't think they can because it has started the process, right?

Commissioner Larsen: Right.

Scott McCullough:
Planning & Development
Services Director

Correct. My question for clarity is, to meet the code, because we didn't have a code for the robotic parking necessarily, it was uncharted territory for us, and a very unique system. We worked and believed that it would work, the applicant believed it would work, and we worked very closely with their designers to make sure that it was meeting building code and the number of spaces met the zoning code. To clarify, the direction is a meeting of the standards of the code would remove the valet, though there is some precedent in the city for that, remove the valet, apply all of the two-way traffic aisle standards, all the eight, eight-and-a-half-foot space standards, no tandem parking, it would significantly reduce the number of spaces in the building. The approach that the applicant took to this point was to try to modify that from robotic to valet and recapture, or keep, I guess, as much parking as possible, which a valet system, in many instances, can do, because tandem parking is a pretty common element in valet parking. I just wanted to clarify whether valet is off the table for the discussion we have with the developer and we're applying the code in terms of, we're going to get a typical parking lot designed by our code, or whether it's just a few of those components that are causing some trouble with it.

Mayor Amyx: In your recommendation, you see a strong similarity between the human valet versus the robotic, correct, except for the number of spaces, the ones that are lost?

Scott McCullough:
Planning & Development
Services Director

Yeah, I think there is a, for a couple of spots, we've identified that aren't convenient for valet attendance, but maybe able to be parked for them, and the seven and the under eight-foot width, if that's a debatable width for valet spaces, and we trust that that can be done practically and not cause the garage to go un-parked and then push cars out into the neighborhood. That's the concern I see with that. If the direction is, we support valet parking, we think it can work in this situation as a modification to the robotic parking, but we don't believe that it's practically going to be parked at seven and a half foot wide, and we'd like to see all the spaces eight feet wide. That clarifies some of that direction.

Mayor Amyx: We would have to change the code so it would allow for valet parking, correct?

Scott McCullough:
Planning & Development
Services Director

Again, what we're doing is granting some waivers, and in the plan development overlay, the Commission has some authority to grant reductions in parking. From a very technical level, we didn't have the authority to do the robotic parking, but it was something that was a very unique system and a component that we were going to join the developer in the experiment, if you will, as that gets introduced into the Lawrence community.

Commissioner Boley:

I guess I'd be interested in you identifying the similar valet codes and other jurisdictions in other cities. Since we don't have any experience with that, I think there are other communities that do, I think it'd be very useful for us to consider their experience and their codes.

Mayor Amyx:

As Matt, Commissioner Herbert, brought up a second ago, it has got to meet code.

Commissioner Herbert:

That's just a bare minimum. The reality of the situation is, we're housing 18-to-22-year-olds, if you've got 624 beds, and you're going to have 400 boyfriends sleeping over.

Scott McCullough:
Planning & Development
Services Director

From a numbers standpoint, if you take away the width issue, it does meet code, but at a reduced use. As you see it from our memo, the project isn't parking all of the uses of the mixed-use building. It's only parking a portion of the residential use. We account for visitor parking by code. Now we can debate too whether that the code is providing the right number of visitor spaces for a student housing project, but it's the same code we apply to all of our student housing projects.

Mayor Amyx:

Do you need any other specific direction? Do we want staff to be able to work with this developer on the valet parking system and being able to meet the code?

Commissioner Larsen:

Yes.

Mayor Amyx:

Being able to allow for tandem parking, those kinds of things? Is that the goal of the Commission?

Commissioner Larsen:

Yes, I'm fine with it.

Mayor Amyx:

As long as it meets the code.

Scott McCullough:
Planning & Development
Services Director

As long as it meets the width for the spaces so that they are practically able to be used. I hear that's the value that we're aiming for. We don't want spaces on paper that don't need practical use.

Vice Mayor Soden: Right. Yeah.

Mayor Amyx: In the end, all I want it is written in the code book so that somebody can read it so that everybody has the same opportunity.

Scott McCullough:
Planning & Development
Services Director That's a different issue.

Mayor Amyx: It may be, but I'm just telling you that I think people's going to come forward and say, "We've done it once. What does it take to do that?" I think that we need to be very careful of that.

Scott McCullough:
Planning & Development
Services Director We'll address that for you.

Vice Mayor Soden: Do we need to amend the NRA to say that we're using a different parking if that does come to happen?

Commissioner Boley: That's another issue.

Mayor Amyx: That's another deal. In the end, this still has to pass with all of the other things that are involved with it. The item before us then is, Scott's got direction that he would be able to work on with the developer, of the adjoining properties, and that process has begun, and it's going to be back to us at some date in the future.

Scott McCullough:
Planning & Development
Services Director It will be back to you in a couple months. It will be to you in a couple of months. Again, we're not deciding any of that, no foregone conclusions on approval or denial or disapproval of that particular... That one has a different set of challenges, in my opinion.

Mayor Amyx: Let's don't clutter. Let's don't clutter this.

Scott McCullough:
Planning & Development
Services Director I think how to view this is that this would provide, what we really would be looking at is a situation and a determination that allows the building to sit for short to medium period of time, hopefully not much more than a short period of time, in a state where it's parked to some level of the use, but not fully. That's how I viewed it, because I don't know, but I think Jim feels like if he gets his zoning entitlements for a parking structure off-site, he'll try to very quickly catch up that project with delivering this project for an August move-in date. If that doesn't happen, then there's going to be some time period there that the interim state is a partially occupied building.

Vice Mayor Soden: Are you saying we need to do option one through three, pick one?

Scott McCullough:
Planning & Development
Services Director
Ultimately, you'll still have those options coming back to you, yes.

Vice Mayor Soden: Do we need to do that tonight or in the future?

Scott McCullough:
Planning & Development
Services Director
That would be good to give some direction that way Jim hears it and I hear it and we can both work on it the same way. From the discussion, meeting the standards of the code is to park it fully to the ... We'll have partial occupancy. We'll withhold occupancy of whatever use isn't accommodated with the parking.

Vice Mayor Soden: Yeah, because if you get code, that changes the width of the parking stalls, and that's going to change your numbers.

Scott McCullough:
Planning & Development
Services Director
That's going to change the number, it's going to reduce that even further, the occupant's level that can't be accommodated by the parking.

Vice Mayor Soden: Right, because number one here spells out specifically 23 bedrooms, but we can't really say that right now.

Scott McCullough:
Planning & Development
Services Director
That will change, correct. The options just represent whether we withhold occupancy, that the use has to be accommodated with parking, or it can be reduced from parking standards, or this idea that they get parking in an interim way from KU. What I've heard tonight is, go with option one.

Vice Mayor Soden: Mm-hmm (affirmative). Yep.

Mayor Amyx: No, don't do that. Don't try to guess or pick and choose what those numbers are going to be on what you're going to withhold occupancy for. I think that we need to deal with this revised plan, number one. I think Matt makes a great point, this does not meet code. Scott, you have some direction, you can talk with Mr. Heffernan and try to work this out, but I think rather than pick one of these three, we deal with this revised plan tonight. Does it meet what our expectations are and what our code says? As Commissioner Herbert said, no, it does not.

Vice Mayor Soden: You're saying that we should outright deny it?

Mayor Amyx: Yeah. Then you can go back, you have the right or the opportunity to be able to visit with Mr. Heffernan, based on the items that we just gave you, you have the right to talk to

him and work with this valet parking system, the width of those spaces. It allows the rest of this project to come back forward, or the next-door project, to go through the process, and that we deal with that, so that they can ultimately meet the deal. I just don't feel comfortable in picking one of these tonight.

Scott McCullough:
Planning & Development
Services Director

I think the option we're talking about is that you are directing us to only provide occupancy when it gets to that part of the construction, to the uses that are accommodated with the parking, once we understand what that parking is, finally. What I would recommend is that we defer this item, that we redraw the spaces to meet code and work out a code standard issue, bring it back for a decision on whether or not this revised final development plan can stand on its own by only accommodating part of the building's uses that were originally approved.

Mayor Amyx:

How long is that deferral then? Any idea?

Scott McCullough:
Planning & Development
Services Director

I would think it would be in a few weeks at least.

Jim Heffernan:
HERE, Kansas LLC

May I speak again? I apologize. This is a very unique situation, where you want us to succeed, but you need to give us the opportunity to succeed. We have built a garage that facilitates valet parking. You didn't have a valet parking code, robotic or otherwise, for this project, and yet it was approved. Now we're before you saying that we're still going to have valet parking and now it's human, and you still don't have a code. We're just asking you to give us the same as we did before, and we're working to the best of our ability to actually come up with the rest of the count. This is a building that you can't modify this column spacing that the nature of which it was designed was for valet parking. We are perfectly fine with providing that we will use human valet parking in perpetuity for this building. It's designed that way. It only can function that way. You didn't have a code for that when you approved it. You allowed us to start construction, build this building, and now you're saying have it meet code. It can't. It didn't begin with. That's the conundrum we find ourselves in.

Scott McCullough:
Planning & Development
Services Director

Mayor, I understand the direction that you're looking for.

Vice Mayor Soden:

Are we going to defer it or deny it?

Mayor Amyx:

It's the choice of the Commission.

Commissioner Boley: I think Scott's asked us to defer it.

Mayor Amyx: Deferral?

Commissioner Herbert: I'm okay with that.

Commissioner Larsen: I'm going to defer.

Mayor Amyx: I would entertain a motion then to defer this item.

Moved by Commissioner Vice Mayor Soden, seconded by Commissioner Larsen, to defer the Final Development Plan (FDP-15-00642) for revisions to the approved plan for a mixed-use development located at 1101 Indiana Street (HERE Project). Motion carried unanimously.

3. **Consider adopting on first reading, Ordinance No. 9184, authorizing the issuance of \$14.5 million in Industrial Revenue Bonds for the Pioneer Ridge Project, a senior independent living facility near Harvard Road and Wakarusa Drive.**

Kevyn Gero, City Management Intern, presented the staff report.

Mayor Amyx: Questions of Kevyn

Commissioner Boley: On the chart that you got there, we're showing the county 1%. What portion of that do you anticipate the City would receive as its share of the County's 1% tax?

Diane Stoddard:
Interim City Manager: 67% or something around that area.

Commissioner Boley: Essentially, what the City is forgoing is the \$83,000, almost \$84,000, plus essentially more than half, up to two-thirds of the \$54,000

Commissioner Herbert: I think it's about \$110,000, altogether.

Mayor Amyx: \$115,111

Commissioner Boley: I'd like for us to update our formulas for showing this for future IRB's because it really doesn't reveal to me, what the foregone revenue to the City is.

Mayor Amyx: You mean the total of the \$115,000.

Diane Stoddard:
Interim City Manager: I think the breakdown there...

Commissioner Boley: ...it's right down there; it's the 115, so it's down at the bottom. So it's divided down below

Diane Stoddard:
Interim City Manager

Yeah, it's kind of in that shaded...can you point that out Kevyn

Kevyn Gero:
City Management Intern

Yeah, it's right here.

Diane Stoddard:
Interim City Manager

It also says County and City portion

Commissioner Boley:

That accounts for it right there. I was focused on that upper part and thought wow. So it's really 19 for the County instead of 54 at 115 instead of 83. So you've done it, I just didn't look that far down.

Diane Stoddard:
Interim City Manager

It's a little bit confusing.

Kevyn Gero:
City Management Intern

Sorry about that. I think it's based on Britt's template and she actually updated it so I tried to use that...

Commissioner Boley:

No you disclosed what I asked for, it's just that I didn't see it, so thank you

Mayor Amyx:

Other questions of Kevyn? (None) Okay Kevyn thank you, good report and congratulations on the new job.

Kevyn Gero:
City Management Intern

Kevyn Thank you

Mayor Amyx:

Any public comment on this item? (None) Okay, back to the Commission. Well, I'll be right up front with this, this is a great project for our community and this allows the company to expand in independent living. Pioneer Ridge has a great track record in Lawrence Kansas and so I think this is a super opportunity. You know, here again, I think they just provide great service and I think it's a good investment.

Vice Mayor Soden:

Yeah, it has full time jobs and it has an affordable housing component to it. You know, I'm not going to sit here and say that I would have approved it initially, but this one doesn't give me heart palpitations like the Eldridge did, so I'm happy to continue approving it.

Commissioner Larsen:

Does it have affordable housing?

Vice Mayor Soden:

Medicare or Medicaid

Commissioner Boley:

It's not part of this project, is it?

Diane Stoddard:
Interim City Manager

The existing part and the existing project, the firsts two phases.

Commissioner Boley: This phase doesn't have that

Diane Stoddard:
Interim City Manager That's are understanding from the applicant's comments

Mayor Amyx: It still allows somebody to go through the process of moving until that time comes, that's part of living needs. Gentlemen, do you have anything extra?

Commissioner Boley: I see this as kind of a missed opportunity. With the standalone IRB's, I think we have an opportunity to try to get some payments in lieu of taxes, specifically for affordable housing, like the Affordable Housing Trust Fund. I think Pioneer Ridge is great. I don't have a problem with what they are doing, I just see this as a missed opportunity and I would like to make a consistent effort to fund the Affordable Housing Trust Fund, with this kind of opportunity.

Mayor Amyx: Okay. Matt do you have anything.

Commissioner Herbert: I think that's a good point. We've spent a lot of time over the last 6 or 7 or 8 months cleaning up, is how I would refer it. I'm really looking forward to a time when we can actually start on some of our own ideas and projects and quit sweeping the floor over a year ago, but we made a commitment to them and I think that we honor that tonight.

Commissioner Larsen: Yeah, I would be a nice opportunity to explore that a little bit further, but I also agree that we need to figure out some sort of consistent way to deal with these incentives down the road for us.

Diane Stoddard:
Interim City Manager I just wanted to make a comment that as you all have discussed the Industrial Revenue Bond policy and some policy direction, generally to us, I also visited with Gary Anderson this morning about some of the mechanisms that we might consider and I know that you all were interested in payments that kind of defrayed the City's efforts in these projects so he had talked with me a little bit about a number of cities that have origination fees and that will be something as we're looking at application fees and other things related to these projects, in the neighboring cities, we'll be bringing that information back to you.

Mayor Amyx: Anything else? Okay. Gentlemen thank you for the commitment to the residence of this community and the service that you provide. Gary, thank you for coming out tonight. The item before us is to adopt on first reading, Ordinance 9184, authorizing the issuance of 14.5 million in Industrial Revenue Bonds for the Pioneer Ridge Project.

Moved by Vice Mayor Soden, seconded by Commissioner Herbert, to adopt on first reading, Ordinance No. 9184, authorizing the issuance of \$14.5 million in Industrial Revenue Bonds for the Pioneer Ridge Project. Aye: Amyx, Soden, Larsen and Herbert: Nay: Boley. Motion carried

4. **Consider adopting on first reading, Joint City Ordinance No. 9197/County Resolution No. 16-01, authorizing the increase of ambulance rates, beginning January 1, 2016 by fifteen percent (15%), January 1, 2017 by twenty percent (20%), and January 1, 2018 by twenty-five percent (25%).**

Fire Chief Bradford presented the staff report.

Mayor Amyx: As we talked yesterday, all of that money goes to the County

Mark Bradford:
Fire Chief: Yes sir, 100%.

Casey Toomay:
Assistant City Manager: The County does pay for 2 staff people that help.

Mark Bradford:
Fire Chief: Right, the County pays for two staff people that do the medical claims. They're City employees, but we bill them their salaries and benefits and of course the County pays 25.46% of our operating budget, minus fire capital, they pay 100% of the ambulance capital and receive 100% of the revenues

Mayor Amyx: Okay and what is the age of that agreement again? What year?

Mark Bradford:
Fire Chief: 1996

Mayor Amyx: Okay. Is it time we have a discussion about that agreement?

Diane Stoddard:
Interim City Manager: There has been some general thought along those lines. I have visited with the County Administrator about that. We thought it would be good to have a new City Manager on board when we launch those discussions

Mayor Amyx: Okay, when it comes to the rates, I mean this need to be updated from time to time. I see the Medicaid assignment is still being used, pretty much as a standard there, but our cost, even though the reflection we're still about midway price wise with the other communities that we're being compared against.

Mark Bradford:
Fire Chief: Right, this will put us slightly below the median for that regional study.

Mayor Amyx: Okay. That's good, we're not the highest. Questions? Kevyn, did he forget anything? Thanks, Mark.

E. PUBLIC COMMENT:

K.T. Walsh

Good evening. I just have a question for the Chief. This is just anecdotal, but my little sister incurred an ambulance fee in Topeka and it took us years to pay it off, it was so high. There was no provision for people who are super low income. I wondered if there is a provision in our county to write-off, like Lawrence Memorial will do, for people who are very low income. I was hoping he could answer that. Thank you.

Mayor Amyx:

We'll get you an answer to that. Any other public comment? Chief?

Mark Bradford:
Fire Chief

Currently, we do allow for payments, and those payments are agreed upon between the individual and the department. We have a number of individuals that pay as much as \$5 a month and have been paying for years. We find that the older population wants to pay off their debt, they will not take discounts, even though we've offered, or to eliminate their bill after it gets down to 50%, so we continue to work with them. We have others that have submitted paperwork that indicates their inability to pay, and we use a very, I think, open judgment, and in those cases, we do look at waiving parts, if not all of those bills.

Mayor Amyx:

Thank you very much. Back to the Commission. We've got an ambulance service and we got to pay for it. It's like code, right? Sorry. That was for you, Matt.

Moved by Commissioner Boley, seconded by Commissioner Herbert, to adopt on first reading, Joint City Ordinance No. 9197/County Resolution No. 16-01, authorizing the increase of ambulance rates. Motion carried unanimously.

F. FUTURE AGENDA ITEMS:

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

G: COMMISSION ITEMS:

Vice Mayor Soden:

I have several. First of all, I had Diane email all of you because in March of course we have the National League of Cities Conference, and Lisa and I will be at that, which is the first Tuesday in March. Our traditional day off is the spring break, because there's five Tuesdays in March, so if you want to change it instead so that we're off, or we can keep it at spring break, whatever you guys want to do, just keep it in mind. Then someone complained to me that at Rock Chalk Park, there was a roof leak, and so I was just curious if that building was still under warranty, if just someone could check that out and just let us know what's going on. I don't know the details of it, I'm sorry.

Diane Stoddard:
Interim City Manager

It's not under warranty. I haven't heard about a leak recently. We had some leaks right after the building opened, but those were resolved, so I'm not aware of one, but I'll certainly check into it and let you know.

Vice Mayor Soden:

It was Leadership Lawrence Day, whatever day that was. Then of course, the first week of February, the Mental Health Court perhaps walk through exercises of what that would even look like, the County's going to be doing that. Lisa is going to be able to go and hopefully I'll be able to go. We should probably put it on the calendar in case any other commissioners are interested in that. It seems to be an exercise. Toni, I don't know if you-

Commissioner Larsen:

A staging event, just to show ...

Vice Mayor Soden:

... are taking part in it or ...

Toni Wheeler:
City Attorney

I'm not participating at this point.

Vice Mayor Soden:

We should probably get that on the calendar.

Mayor Amyx:

What date is it?

Commissioner Larsen:

I thought I had it down here.

Vice Mayor Soden:

Let me look at my email. I click on the email and it doesn't have all of the below stuff. It just has his last response.

Mayor Amyx:

If you can find it, we can get it there.

Vice Mayor Soden:

Yeah, we need to dig that up.

Mayor Amyx:

We'll get it added.

Casey Toomay:
Assistant City Manager

The County's hosting it?

Vice Mayor Soden:

Yeah, I think so. I think, was it February 3rd?

Commissioner Larsen:

Yeah, it seemed like it was right the first time. I thought I had it on my calendar but I don't.

Vice Mayor Soden:

At noon? We'll double-check, but I think that's what it was, February 3rd at noon. I think it was a Wednesday. Then I just wanted to get, if Casey could get the latest updates of the public transit amenities that they have planned for the spring, I'm sure that there's not a lot to be done over the winter, but I'm just curious what their plan is. Sorry I had so many things, guys.

Mayor Amyx: The question about the March 8th meeting, is it March 8th?

Vice Mayor Soden: I think, is it ...

Lisa: Yep. March 8th.

Vice Mayor Soden: I should look on the calendar right in front of us.

Lisa: Yeah, March 8th.

Mayor Amyx: Do you guys have plans already for spring break?

Matthew: We can just get together and figure out which issues we're going to disagree on and make sure we put them on that week's agenda.

Vice Mayor Soden: Yeah, the 8th.

Mayor Amyx: I would rather that we go ahead and meet on March 8th and take off the spring break week.

Vice Mayor Soden: Whatever you guys want to do.

Mayor Amyx: Don't worry, we'll take care of you.

Commissioner Herbert: Yes.

Vice Mayor Soden: You'll have HERE come back on March 8th.

Mayor Amyx: That's right.

Commissioner Larsen: March 8th will be [inaudible 00:57:10].

Mayor Amyx: I doubt it. Anyway, okay, any other Commission items?

Commissioner Herbert: Yeah, real fast, I had the opportunity last week to attend the Pipeline Innovator of the Year Awards. Pipeline is an organization serving Midwest entrepreneurs. It's not just Lawrence, it's not just Kansas, and it's quite a large circle. In 2011, Lawrence resident, Kyle Johnson, was the Innovator of the Year. I only bring it up because they announced the nominees for next year, one of which is BTBC's own Blake Holly, so we have the opportunity to win two Innovator of the Year Awards right here in Lawrence in a five-year period, and that's neat.

Mayor Amyx: That is cool.

Vice Mayor Soden: Nice. We should put that on Twitter.

Mayor Amyx: Very good.

Vice Mayor Soden: If Megan's still here.

Mayor Amyx: Anybody else?

H: 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 Vice Mayor Soden, to adjourn at 9:33 p.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON MARCH 1, 2016.



Brandon McGuire, Acting City Clerk