



**PLANNING COMMISSION MEETING**  
**January 26, 2015**  
**Meeting Minutes**

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January 26, 2015 – 6:30 p.m.

Commissioners present: Britton, Culver, Denney, Graham, Josserand, Liese, Struckhoff, von Achen.

Commissioner Kelly was absent for a portion of the meeting.

Staff present: McCullough, Stogsdill, Crick, Day, Larkin, M. Miller, Pepper, Ewert

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**PLANNING COMMISSION MINUTES**

Receive and amend or approve the minutes from the Planning Commission meeting of December 15, 2014.

Motioned by Commissioner Britton, seconded by Commissioner Struckhoff, to approve the December 15, 2014 Planning Commission minutes.

Motion carried 8-0. Commissioner Kelly was not present for the vote.

**COMMITTEE REPORTS**

Receive reports from any committees that met over the past month.

Commissioner Britton said the Horizon 2020 Steering Committee met twice in January. He said they were working through the information they received and putting it into an issues action report that would identify things that they would like to do in the new plan. He said the governing bodies would see it in the future.

**EX PARTE / ABSTENTIONS / DEFERRAL REQUEST**

- No ex parte.
- No abstentions.

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**ITEM NO. 1 PRELIMINARY DEVELOPMENT PLAN FOR HUTTON FARMS WEST PHASE II; N SIDE OF PETERSON RD BETWEEN DAYLILLY DR & WILMA WAY (SLD)**

**PDP-14-00511:** Consider a Preliminary Development Plan for Hutton Farms West Phase II, located on 16.4 acres on the north side of Peterson Road between Daylily Drive and Wilma Way. The plan includes 87 units of duplex and detached residential units. Submitted by Paul Werner Architects, for North Forty LC, property owner of record.

**STAFF PRESENTATION**

Ms. Sandra Day presented the item.

**APPLICANT PRESENTATION**

Mr. Paul Werner, Paul Werner Architects, said this was an extension of a project that started over 10 years ago. He said most of the conditions on the staff report dealt with the Utility Department. He said the plan included 87 one-story units. He said access to Peterson made the project work better. He said there was a neighborhood meeting last week and concerns were expressed that traffic not cut through this development to get to Hutton Farms West. He said he agreed that the two properties should be divided with a gate system which would allow emergency access to Hutton Farms West and would also serve as a second exit for Hutton Farms West. He said regarding condition 1 in the staff report, there was not enough room to fit a sidewalk on both sides of the street. He said there were multiple pedestrian pathways in the project. He said if they had to put sidewalks on both sides they may have to consider creating a two-story development to make it fit.

**PUBLIC HEARING**

Mr. Jay Andrews said he was a resident of Hutton Farms West Phase I and that he was speaking on behalf of other residents. He said they were not opposed to the Phase II development but that they were concerned about the timing of the Phase II development. He said it sounded like the access issues would be mitigated. He said there were a number of empty lots in Phase I and it seemed those would stay empty for an indefinite amount of time. He said the Phase II proposal would have 87 units completed by August of this year which would be much quicker than the Phase I development. He wondered when Phase I would be completed. He felt that Phase II should not start until 80% of the units in Phase I have started construction. He played a short video that showed a dump site for cement and construction equipment. He expressed concern about the dump site growing if Phase II starts before Phase I ends. He said the access gate was important. He also expressed concern about the loss of greenspace.

**APPLICANT CLOSING COMMENTS**

Mr. Werner said the project would take about a year to build so that Phase II could be done in April or May of 2016. He said an access gate would be shown on the revised preliminary and final plat. He said most of the construction blight was on the side they were talking about tonight. He said the developer that constructed Hutton Farms West was disappointed with how sales had gone out there. He said the developer would like to build it and be done. He said he would remind the builder about picking up the site and that the builder should be doing a better job.

**COMMISSION DISCUSSION**

Commissioner Liese asked staff to comment about the sidewalks.

Mr. McCullough said sidewalks were recreational and a transportation system. He said the issue of safety was with crossing of the street. He said staff's position was that new development should have two sidewalks.

Commissioner Liese said Planning Commission had to think about making an exception to the two sidewalk requirement.

Ms. Day said the approved Final Development Plan did speculate that there would be sidewalks on both sides of the interior street. She said there was a design expectation that sidewalks would be there. She said regarding the utility easement staff could continue to work with the applicant.

Commissioner Culver asked staff about the access gate being part of the Final Development Plan.

Ms. Day said the gate was new to staff. She said there were a few issues with adding gates, such as public safety, that staff would need to discuss with other departments. She said the applicant could provide that with the Final Development Plan.

Mr. McCullough said if it was a required condition then there were ways to insure an access gate was included.

Commissioner Denney asked if the driveways were about 30' long from the front of the house to the street.

Ms. Day said in some cases they were less than 30'. She said under the old code there were design standards that required a minimum of 20' from the structure to the back of the sidewalk. She said staff would look at that in more detail with the Final Development Plan. She said adding another sidewalk to the other side would change things and that the building footprint may need to be adjusted.

Commissioner Denney encouraged staff to have Code Enforcement look at the blight on the site.

Mr. McCullough said he did not recall the issue being reported to Code Enforcement but that it was an issue that could be dealt with.

Commissioner Josserand asked if the market for Hutton Farms was short-term or long-term rental property.

Mr. Werner said both and that Hutton Farms has done well.

Commissioner Josserand asked who owned Hutton Farms.

Mr. Werner said it was owned by Tower Properties out of Kansas City.

Commissioner Josserand asked if there were many students living in Hutton Farms.

Mr. Werner said there was a little bit of everybody living there.

Commissioner Josserand asked how the new area would be distinguished or characterized in terms of the market place.

Mr. Werner said it would expand the availability of Hutton Farms. He said the new development would be all single level and all rental.

Commissioner Josserand asked if the structures would be sold off individually.

Mr. Werner said he would never anticipate that. He said it would be rental and was platted as one lot.

Commissioner Josserand inquired about parking.

Mr. Werner said there would be two car garages with the two-bedroom units.

Commissioner Josserand stated parking standards for duplexes was a concern of his. He asked if Mr. Larry Hatfield who sent a letter to Planning Commission was present this evening. An audience member said he was out of town.

Commissioner Josserand said Mr. Hatfield was known in the community and hardly an unsophisticated person in terms of knowledge of real estate.

Commissioner von Achen asked if there was a relationship between finishing the first development and going on to the second phase.

Mr. McCullough said from staff's perspective, no. He said staff does not necessarily control when the phases occur with market timing.

Commissioner Liese said it was coincidence that the owner owned both properties.

Mr. McCullough said they were different developments and different markets. He said there was no Code position that went one way or the other on the topic.

Commissioner Britton said he recalled a similar concern with property in the county that had multi-phases.

Mr. McCullough said that project was a quarry that had phasing. He said he would not necessarily want to compare this project to a quarry. He said they don't typically look at an adjacent project to see how far along it is when looking at the merits of a proposed project.

Commissioner Liese said Planning Commission could not take a position on where the greenspace was located.

Mr. McCullough said the greenspace was set by the previous plan and with the project from the beginning. He said Planning Commission should consider the gate issue and the sidewalk issue.

Commissioner Liese said the gate issue was mutually agreed upon by the applicant and neighborhood.

Commissioner Denney asked if there was a previous plat that laid out apartments. He wondered if it included sidewalks.

Ms. Day said the Final Development Plan showed the spin of the street and the designated areas of openspace and drainage because those were requirements upfront with Phase I. She said that plan showed sidewalks on both sides and that the street ended in a cul-de-sac.

Commissioner Josserand said a lot of history with land use planning was tied up with sidewalks and putting them into places where they weren't originally constructed. He suggested that if they waive the sidewalk they needed to have a good reason.

Commissioner Britton asked the applicant what could be done with the sidewalk issue. He asked if the solution would be to change the building footprint.

Mr. Werner said he would request the sidewalk be placed to the back of the curb which would get sidewalks on both sides.

Ms. Day said it was probably doable but the City Engineer would need to look at it before the Final Development Plan.

Commissioner Struckhoff felt it was important to have sidewalks on each side of the street. He said he was inclined to support the application.

Commissioner Britton felt it was good to address the access issue with a gate. He wished there was something they could do to make the Phase I development move more quickly but there was nothing that they could do. He said it was troubling to hear there were promises about development not occurring. He regretted there was confusion. He said he would support this development with the various conditions noted in the staff report. He asked staff what they needed for the utility issue.

Mr. McCullough asked that their motion have flexibility to work with the Utility Department.

### **ACTION TAKEN**

Motioned by Commissioner Britton, seconded by Commissioner Struckhoff, to approve Hutton Farms West Phase II Preliminary Development Plan, PDP-14-00511, based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

1. Provision of a revised Development Plan to show the following changes:
  - a. Show sidewalks on both sides of all streets within the development.
  - b. Revise note 1.9 to indicate street width and that street will be built to City Standards.
  - c. Revise note 3.1 to include off street parking provided in both garages and driveways within the development and note that 148 spaces are required and that 294 spaces are provided.
2. Provision of a note on the face of the plan indicating the Planning Commission approval of reduced setbacks for units A, B & C as shown in Figure 9 on page 1-10 of report.
3. Provision of a revised Development Plan that includes the following notes and changes:
  - a. A note stating who shall own and maintain the common open space within the Planned Development boundary.
  - b. Provision of a revised Preliminary Development Plan per the approval of the City Stormwater Engineer to include the following changes:
    - i. Show two new curb inlets to be installed over the existing 30" CMP on the south end of Lou Lou Lane. Provide one on the west side and one on the east side of Lou Lou Lane.
    - ii. Specify that all curb inlets will be constructed per City storm sewer standard details.

- iii. Label the existing storm sewer pipes including the length of pipe run, pipe diameter, material, and slope (i.e. 90 L.F. 15" HDPE @ 0.5%). Label the existing storm sewer structures, including structure dimensions, structure type and elevations (i.e. 4'x4' Curb Inlet, FL Out (S): 900.49 T/Inlet: 902.75).
- c. Provision of a revised Preliminary Development Plan per the approval of the City Utility Engineer to include the following changes:
  - i. ~~For the existing 15' utility easement east of the homes on the east side of Lou Lou Lane, add 2.5 feet of U/E on the west side of the existing U/E and 5 feet of U/E on the east side of the existing U/E. Utility easements to be revised per staff and applicant.~~
  - ii. Clarify how the two homes on the west side of Gertie Court nearest to Lou Lou Lane have access to the sanitary sewer for their service.
  - iii. For sanitary sewers that are allowed to be in front of the homes, confirm that manhole lids will not be located in driveways.
  - iv. Coordinate with Fire Medical if a fire hydrant needs to be located on or near the entrance of Gertie Court and show location of hydrants.
4. Gated access for egress to the neighborhood to the east.

Commissioner Denney asked if the motion was to include a sidewalk on both sides however it got worked out.

Commissioner Britton said yes.

Commissioner Denney expressed concern about the distance from the front of the building to the end of the curb. He said the applicant commented briefly about trying to keep the development to one-story. He suggested a few feet smaller would do the same thing.

Motion carried 8-0. Commissioner Kelly was not present for the vote.

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**ITEM NO. 2 SPECIAL USE PERMIT FOR LAWRENCE CREATES; 512 E 9<sup>TH</sup> ST (SLD)**

**SUP-14-00509:** Consider a Special Use Permit for Lawrence Creates, a multi-use facility that includes the following: Personal Improvement and Limited Manufacturing and Production uses, located at 512 E 9<sup>th</sup>. Submitted by Lawrence Creates Inc., for Hill Family Investments LLC, property owner of record.

**STAFF PRESENTATION**

Ms. Sandra Day presented the item.

**APPLICANT PRESENTATION**

Mr. Dave Klamet explained what makerspace meant. He said it was a grassroots movement that where people could learn, do, create and share.

**PUBLIC HEARING**

No public comment.

**COMMISSION DISCUSSION**

Commissioner Denney asked staff what activity required a variance.

Ms. Day said the woodworking cabinetry element of the use straddled the line of what would be found in a home shop versus the production of multiple units of the same thing. She said this was the best fit for the use.

Commissioner Denney asked if they were simply clarifying that this was okay.

Ms. Day said yes.

Commissioner Liese asked the applicant if the space had air conditioning.

Mr. Klamet said the space did not have air conditioning.

Commissioner Liese inquired about the staff report condition 2b regarding the doors remaining closed.

Mr. McCullough said noise would be an impact to the neighborhood and the proximity to a residential area was why the condition was recommended.

Commissioner Liese wondered how that would be enforced or controlled.

Mr. McCullough said enforcement on a Special Use Permit allowed for revocation if the conditions were not met. He said the doors were to the alley side which was directly out toward residential property. He said the use had been going on for some time without a complaint. He said the Special Use Permit would help mitigate issues related to the use.

Commissioner Liese said he would vote in favor of the item and felt it was good for the community.

Commissioner Denney said fabricating would include a 3-D printer or cutting a piece of tin with tin snips. He suggested they look at a different word than fabricating to get at the issue they were trying to address.

Commissioner Britton agreed with Commissioners comment about the word fabricating. He suggested using wording that addressed noise producing machinery, such as a table saw.

#### **ACTION TAKEN**

Motioned by Commissioner Denney, seconded by Commissioner Graham, to approve Special Use Permit, SUP-14-00509, for Lawrence Creates, a multi-use facility that includes Personal Improvement and Limited Manufacturing and Production uses, located at 512 E 9<sup>th</sup>, based upon the findings presented in the body of the staff report and subject to the following conditions:

1. Execution of a Site Plan Performance Agreement.
2. Provision of a revised site plan to include a note that states;
  - a. *"Exterior storage of materials, equipment or products is prohibited. Exterior fabrication of products is prohibited."*
  - b. *~~"Doors shall remain closed when operating noise emanating power equipment such as circular saws, table saws, ban saws, and sanders fabricating in working shop area."~~ The doors facing west (alley side) shall remain closed when operating noise-producing power equipment from within the building such as, but not limited to, circular saws, table saws, band saws, and electric sanders. The doors may remain open if low noise-producing tools and fabrication methods are used in the operation of the use.*

Motion carried 8-0. Commissioner Kelly was not present for the vote.



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**ITEM NO. 3      COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 14  
(JSC)**

**CPA-14-00516:** Consider a Comprehensive Plan Amendment to *Horizon 2020: Chapter 14 (An Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive)* to revise the maximum retail cap from 127,487 square feet to 137,490 square feet to permit a commercial/retail development, located at 525 Wakarusa Drive. Submitted by Schwerdt Design Group, Inc., for CPC Ventures, Inc., property owner of record.

**ITEM NO. 4A      CO TO CC600-PD; 2.982 ACRES; 525 WAKARUSA DR (MKM)**

**Z-14-00515:** Consider a request to rezone approximately 2.982 acres from CO (Office Commercial) District to CC600-PD (Community Commercial with Planned Development Overlay) District, located at 525 Wakarusa Drive. Submitted by Schwerdt Design Group, Inc. for CPC Ventures, Inc., property owner of record.

**ITEM NO. 4B      PRELIMINARY DEVELOPMENT PLAN FOR A RESTAURANT & RETAIL USE;  
525 WAKARUSA DR (MKM)**

**PDP-14-00517:** Consider a Preliminary Development Plan for a Restaurant and Retail use located on approximately 2.982 acres at 525 Wakarusa Dr. Submitted by Schwerdt Design Group, Inc., for CPC Ventures, Inc., property owner of record.

**STAFF PRESENTATION**

Mr. Jeff Crick presented item 3.

Ms. Mary Miller presented items 4A and 4B together.

**APPLICANT PRESENTATION**

Mr. Mike Hampton, Schwerdt Design Group, agreed with the staff recommendation.

**PUBLIC HEARING**

No public comment.

**COMMISSION DISCUSSION**

Commissioner von Achen asked staff about allowable square footage for each quadrant.

Mr. Crick said traditionally the values for quadrants were divided up to provide adequate spacing of square footage for the node. He said in the case of the CC600 the 600,000 square feet would be divided in some measure among the four quadrants. He said with this particular node when it was designated as a CC200 it was already in excess of 200,000 square feet. He said the number was derived from what was built already and what was expected to be built and was then rounded to the best guess.

Commissioner Josserand asked if the parcel was in the transportation district.

Mr. McCullough said no, it was not in the TDD for Bauer Farm.

Commissioner Britton asked if Wal-Mart was already there when it was zoned Commercial-Office in 2009.

Mr. McCullough said yes.

Commissioner Denney asked if this would bring it into line with the surrounding properties.

Mr. McCullough said in terms of zoning, yes.

Commissioner Denney asked what the area west of Wal-Mart was zoned.

Ms. Miller said it was zoned RM24 and RM15.

Commissioner Josserand said when the intersection was first designated to be a commercial node with limitations on property it was for CC200.

Mr. McCullough said that was the tool in the tool belt they had at the time.

Commissioner Josserand asked if it ever received a CC400 designation.

Mr. McCullough said no.

Commissioner Josserand said there was a node at 6<sup>th</sup> & K-10 and another node at 6<sup>th</sup> & Wakarusa. He said this would get them close to halfway between the two nodes.

Mr. McCullough said it was fully within the current node.

Commissioner Josserand said they were in some ways commercializing it more.

Mr. McCullough said the northwest corner of the node was called out in the nodal plan as the corner best suited for commercial retail uses. He said they were very careful on the Bauer Farm side to divide that property up with Champion Lane where there was a west commercial part and an east residential-office part. He said the southern corners of the node were essentially built out at the time of the planning exercises. He said they added a little bit to Congressional Way because they felt that boundary was a reasonable boundary.

Commissioner Josserand said single-family residential was wiped out on the east side.

Mr. McCullough said there was still a residential component east of Champion Lane.

Commissioner Josserand said it was all high-density multi-family. He said the development of the intersection and node caused him heartburn. He said he would make a symbolic vote against the project.

Commissioner Britton inquired about the proximity of the bar use to Free State High School.

Ms. Miller said the bar use was far enough away from the school.

### **ACTION TAKEN on Item 3**

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the Comprehensive Plan Amendment, CPA-14-00516, to *Horizon 2020*, Chapter 14: Specific Plans, and *An Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive* to revise the retail/commercial square-footage cap from 127,487 square feet to 143,637 square feet, and

recommends forwarding this Comprehensive Plan Amendment to the Lawrence City Commission with a recommendation for approval.

Motion carried 7-1, with Commissioner Josserand voting in opposition. Commissioner Kelly was not present for the vote.

Motioned by Commissioner Culver, seconded by Commissioner Struckhoff, to approve and sign Planning Commission Resolution PCR-14-00546.

Motion carried 8-0. Commissioner Kelly was not present for the vote.

#### **ACTION TAKEN on Item 4A**

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the rezoning request, Z-14-00515, from CO (Commercial Office) to CC600-PD (Community Commercial with Planned Development Overlay) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report subject to the following conditions:

- 1) Approval of the Comprehensive Plan Amendment, CPA-14-00459, revising the land use recommendations in the *Area Plan for the Intersection Area of West 6<sup>th</sup> Street & Wakarusa Drive* to increase the amount of Commercial/retail square footage permitted in the northwest quadrant of the intersection.
- 2) The maximum area of commercial/retail uses (as defined in the Comprehensive Plan) that may be located within this CC600 District boundary is 16,150 sq ft.

Commissioner Britton said he had heartburn about the idea that this was not too long ago rezoned. He said he was hesitant about tinkering with a highly planned area. He said he felt comfortable with this particular project and would support the motion.

Commissioner Josserand said he agreed with Commissioner Britton's comment and said he would vote in favor of the motion.

Commissioner Denney said he was hesitant about the closeness of this node to the 6<sup>th</sup> & K-10 node and the danger of this being a larger geographical area than the regional center on South Iowa. He said he would support the motion because it was the common sense thing to do.

Motion carried 8-0. Commissioner Kelly was not present for the vote.

#### **ACTION TAKEN on Item 4B**

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the Preliminary Development Plan, PDP-14-00517, based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

Approval of the Comprehensive Plan Amendment revising the *Area Plan for the Intersection Area of West 6<sup>th</sup> Street & Wakarusa Drive* to increase the amount of commercial area available for this corner of the intersection prior to the recording of the Final Development Plan with the Douglas County Register of Deeds.

Approval of the rezoning request and publication of the rezoning ordinance for the CC600-PD zoning prior to the recording of the Final Development Plan.

Provision of a revised Preliminary Development Plan with the following changes:

Addition of a continuous hedge of evergreen shrubs for perimeter parking lot landscaping along the Overland Drive and Wakarusa Drive parking area frontages.

Addition of a note indicating the amount of Commercial building area that is provided with this plan.

Minor technical changes per Planning approval.

Motion carried 8-0. Commissioner Kelly was not present for the vote.

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**ITEM NO. 5      TEXT AMENDMENT FOR SHORT-TERM LOAN OR CAR TITLE LOAN  
BUSINESS (MKM)**

**TA-14-00534:** Consider a Text Amendment to the City of Lawrence Land Development Code to create a use group for short-term loan or car title loan business, or similar business, and establish standards. *Initiated by Planning Commission on 11/17/14.*

**STAFF PRESENTATION**

Ms. Mary Miller presented the item.

**PUBLIC HEARING**

Ms. Cille King, League of Women Voters, said payday advance and car title loan businesses were not desirable and should have more restrictions on them.

**ACTION TAKEN**

Motioned by Commissioner Struckhoff, seconded by Commissioner Denney, to approve Text Amendment, TA-13-00534, to establish a use group for short-term loan or similar businesses amending Sections 20-402, 20-403, and 20-1744 of the Land Development Code and that the Planning Commission forward a recommendation for approval to the City Commission.

Motion carried 8-0. Commissioner Kelly was not present for the vote.

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**ITEM NO. 6 TEXT AMENDMENT FOR PARKING & ACCESS STANDARDS (SMS)**

**TA-13-00235:** Continue discussion related to proposed Text Amendments to the City of Lawrence Land Development Code, Article 9 and related sections of Chapter 20, for comprehensive revisions to parking and access standards. Proposed revisions include defining Major Recreational Equipment and identifying permitted parking locations for this equipment on residential properties. *Action on this item will not occur until after the commission completes their discussion on several of the elements of the code language and a final draft is available for their review.*

*Commissioner Patrick Kelly arrived back at the meeting at 8:47pm*

**STAFF PRESENTATION**

Ms. Sheila Stogsdill recapped the motions made by Planning Commission during past meetings.

**COMMISSION DISCUSSION**

Commissioner Denney said there were many driveways that were 30' or less from the curb line. He said they discussed previously that nothing should be parked 18' from the curb line. He said what they decided earlier would prevent any of the people living in duplexes from parking cars in their driveway. He wondered if they really wanted to do that.

Commissioner Liese said they were discussing RV type items, not cars.

Commissioner Denney asked if a car or truck could be parked there but not a camper.

Commissioner Liese said yes, that's what they were saying.

Commissioner Denney said a large pickup truck could block the view just as much as a pop-up camper.

Commissioner Liese asked staff if any of the discussion tonight was about cars.

Mr. McCullough said no. He said Commissioner Denney's point was well taken. He said they had to make some distinctions between RV type items that were big and tall and could obstruct views versus a vehicle.

Commissioner Denney said an SUV could be parked in a driveway back to the sidewalk but not a pop-up camper.

Mr. McCullough said that was correct. He said during last month's discussion they focused mainly on large RV's. He said they had not answered the question yet about if they wanted to see different sizes. He said Planning Commission answered yes to the question that motorized vehicles 22' long should be allowed in the driveway 18' from curb.

Commissioner Denney said even if it was a motorized RV.

Mr. McCullough said yes.

Commissioner Liese said he thought what they were trying to say was that vehicles used on a regular basis could be parked in the driveway. He said they were trying to prevent safety issues with long term parking of utility type vehicles.

Commissioner Graham asked if they had restricted the number of days of parking.

Mr. McCullough said no.

Commissioner Struckhoff said it would be easier to enforce if they produced a list of arbitrary lengths or types. He felt they needed to lump a bunch of stuff together.

Commissioner Kelly said according to the Recreational Vehicle Industry Association the definition of RV was: "A vehicle designed as temporary living quarters for recreational, camping, travel or season use. RVs may be motorized or towable." He said at some point they needed to talk about trailers and RV trailers.

Commissioner Denney expressed concern about restricting people who use trailers for mowing on the weekends, for example.

Commissioner Britton said unless they could find a way to make sure what was allowed was not obnoxious the best thing may be to not allow them in front. He said seeing a trailer in a neighbor's driveway long term could be as or more obnoxious than an RV that was twice as big. He said he would not want to see that in his neighbors drive.

Commissioner Graham agreed with Commissioner Britton. She said it would be easier to put trash or random things on trailers which could be seen versus inside a pop-up camper where it couldn't be seen.

Commissioner Denney felt they may be in danger of coming up with solutions for problems that didn't exist. He said when the issue first came up there were safety concerns involved but he wasn't comfortable with creating regulations for aesthetic purposes.

Commissioner Liese said they could not negate aesthetics in the community.

Commissioner Denney said he believed there were a large number of people in Lawrence who used trailers that don't cause safety hazards or wellbeing issues. He wanted to be sure they weren't creating a regulation that shut off people who weren't causing hazards. He said a 30' trailer parked out to the curb was a problem and there should be something done about those types of safety issues.

Commissioner Kelly said he struggled with this because he understood people use trailers for hauling things. He said what he did not want is a trailer sitting in one spot long term.

Mr. McCullough said the length of time would complicate enforcement.

Commissioner Kelly said from an aesthetic standpoint trailers could be uglier than RV's. He said that people also use utility trailers for good purposes. He said he was trying to weigh the possible use of trailers against it taking the place of a car in the driveway for months at a time.

Commissioner Josserand said parking in the Oread was so difficult that they didn't have a lot of trailers in that neighborhood. He said if they were talking aesthetics he invited them to assist in trying to keep hold of the few aesthetics in the Oread Neighborhood had. He said he could live with a wide variety of regulations on the issue but felt they should move it forward to City Commission.

Commissioner Struckhoff said when people purchase a trailer or RV they should have a place to store it and it shouldn't be out in the front yard at all. He wanted to accommodate people who needed and frequently used a trailer.

Commissioner Josserand said there were lots of communities that were much more strict with these kinds of vehicles and they looked better. He said some communities had no standards.

Commissioner von Achen said ideally there shouldn't be anything parked in the front driveway but that it wasn't realistic. She said some yards did not have access to areas on the side or back to park a trailer. She said she would not object to a small trailer in the front drive and felt they were less objectionable than a huge RV. She said she wouldn't necessarily like it but that some lots may not leave any other choice but to park in the front.

Commissioner Culver said he could support a utility trailer in front of the house with limitations.

**ACTION TAKEN**

Motioned by Commissioner Graham, seconded by Commissioner Britton, to prohibit parking non-motorized utility trailers of any size in front of the house.

Commissioner Denney asked if the motion excluded boat trailers or other types of trailers.

Commissioner Graham said that was correct.

Commissioner Liese said they were voting on utility trailers only.

Commissioner Denney asked if they would consider amending the motion to include some sort of time length.

Commissioner Graham said not at this time.

Motion carried 5-4, with Commissioners Britton, Graham, Josserand, Kelly, and Liese voting in favor of the motion. Commissioners Culver, Denney, Struckhoff, von Achen, voted in opposition.



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**MISCELLANEOUS NEW OR OLD BUSINESS**

Consideration of any other business to come before the Commission.

**MISC NO. 1      SIX MONTH REVIEW OF SPECIAL USE PERMIT FOR 603 TENNESSEE ST**

Six Month Review (June-December 2014) for the Special Use Permit, SUP-14-00049, of Runaway Pony Bed & Breakfast, 603 Tennessee Street.

**MISC NO. 2      APA NATIONAL CONFERENCE**

American Planning Association National Conference in Seattle April 18-21, 2015.

[www.planning.org/APA15](http://www.planning.org/APA15)

Mr. McCullough said staff was looking for another Planning Commissioner to be on the Oread Design Guidelines Committee.

Commissioner Liese nominated Commissioner Culver. Nomination approved 8-0-1 with Commissioner Culver abstaining.

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**ADJOURN 9:51pm**