
PLANNING COMMISSION REPORT
Consent Agenda - Non-Public Hearing Item

PC Staff Report
06/21/10

ITEM NO. 2A: FINAL PLAT; BAUER FARM; 4.9 ACRES; 4700 W 6TH ST (MKM)

PF-4-3-10: Consider a Final Plat for Bauer Farm, a one lot residential subdivision containing approximately 4.9 acres, located at 4700 W 6th St. Submitted by Landplan Engineering, for Free State Holdings, Inc and Bauer Farms Residential, LLC, property owners of record.

STAFF RECOMMENDATION: Planning staff recommends approval of the Final Plat for the Bauer Farm 4th Plat Subdivision and forwarding it to the City Commission for acceptance of easements and rights-of-way, subject to the following conditions:

1. Recordation of revised maintenance agreement prior to the recording of the Final Plat with the Register of Deeds Office.
2. Provision of a revised Master Street Tree Plan and graphic which includes street trees for the street right-of-way being shown along the west property line on the Preliminary Development Plan. A note may be added to the street tree plan clarifying the status of the street to the west.
3. Provision of a revised final plat with the following changes:
 - a. Planning Commission chairperson signature blank updated to 'Charles Blaser'.
 - b. Dimensions of the access break on Overland Drive included on the plat.
4. Provision of the following fees and documentation:
 - a. Recording fees made payable to the Douglas County Register of Deeds.
 - b. Street sign fees as determined by the City Traffic Engineer.
5. Pinning of lots in accordance with Section 20-811(g)(8) of the Subdivision Regulations.
6. Submission of public improvement plans prior to the recording of the Final Plat with the Register of Deeds Office.

Applicant's Reason for Request: Subdivision necessary prior to development of retirement facility in portion of Bauer Farm PRD.

KEY POINTS

- The Preliminary Development Plan, which also serves as the preliminary plat for the Bauer Farm Development, was submitted prior to the 2006 Development Code. Easements and rights-of-way were not dedicated with the preliminary plat in the pre-2006 Development Code; therefore, the final plat will be submitted to the City Commission for acceptance of easements and rights-of-way.
- The Bauer Farm PRD will be developed in phases. This plat will provide one lot for a retirement facility which is the first phase of the residential portion of the development.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 1, 2007.

ASSOCIATED CASES/OTHER ACTION REQUIRED

Associated Cases

- Z-06-08-07: 16.53 acres from PRD-2 to PRD-3 to increase maximum density from 15 to 25 dwelling units per acre. Approved by City Commission on August 8, 2007; [pending recordation of final plat].
- PDP-1-1-10; Revised Preliminary Development Plan for Bauer Farm PUD, to replace the residential structures in the northeast corner of the development with a residential retirement facility. Approved by City Commission on April 6, 2010.
- FDP [FDP-4-6-10], also being considered by the Planning Commission at the June meeting, supersedes this previously approved plan.

Cases requiring action:

- City Commission acceptance of dedication of easements and rights-of-way as shown on the final plat.
- Execution and recordation of maintenance agreement with revised Exhibit B.
- Planning Commission approval of Final Development Plan for Bauer Farms-Phase IV, also being considered at the June Planning Commission meeting.
- Submittal and approval of public improvement plans prior to recording the final plat.
- Recordation of final plat at the Douglas County Register of Deeds.
- Recordation of final development plan at the Douglas County Register of Deeds.
- Publication of rezoning ordinance for the pending rezoning: Z-06-08-07 (PRD-3)].

GENERAL INFORMATION

Current Zoning and Land Use:

PRD-Bauer Farm (Planned Residential Development) District. Property is being prepared for development, but is currently undeveloped.

Surrounding Zoning and Land Use:

To the west:

PRD-[Bauer Farm] the remainder of the Bauer Farm Residential Development; development pending approval of a final development plan and final plat.

To the north:

RSO (Single-Dwelling Residential-Office) District across Overland Drive; apartments.

To the east:

PRD-[Briarwood Cottages] (Planned Residential Development) District across Folks Road; Multi-dwelling residences.

To the south:

A parcel in the southeastern corner of the Bauer Development, currently zoned PRD-[Bauer Farm] has POD Zoning (Planned Office Development) District pending; undeveloped land with office uses shown on the approved preliminary development plan. and

PRD-[Bauer Farm] a portion of the multi-family residential development planned along W 6th Street

frontage as part of Bauer Farm.

Site Summary

Number of lots proposed: 1 Lot
Lot area: 231.833 sq. ft. (4.909 acres)
Drainage easements: 50,356 sq. ft
Rights-of-way: 60' right-of-way for Bauer Farm Drive

STAFF REVIEW

The Bauer Farm Addition, 4th Plat proposes a 1 lot subdivision for development of a retirement facility within the residential portion of the Bauer Farm Planned Development. The subject property is located at the southwest corner of the Overland Drive and Folks Road intersection.

The Bauer Farm Preliminary Development Plan, which also serves as the preliminary plat, was originally submitted prior to the adoption of the 2006 Development Code. Prior to the 2006 Development Code and Subdivision Regulations, the City Commission did not accept dedications with the preliminary plat. The final plat must therefore be forwarded to the City Commission for acceptance of dedication of easements and rights-of-way.

Rezoning to the PRD-3 District has been approved, pending recordation of a final plat and the rezoning ordinance will be published for this lot following the recordation of the plat.

Street and Access

The development will take access from Folks Road with Bauer Farm Drive and from Overland Drive through a driveway. Access to Overland Drive is limited to this one access point and no direct access to Folks Road is permitted. The final plat shows access restrictions along Folks Road and Overland Drive as required in Section 20-915(e)(2)(ii) of the Development Code. The access break on Overland Drive is shown on the final plat, but dimensions have not been included. The final plat should be revised with the dimensions of the access break. A maintenance agreement for the streets and alleys located in the Bauer Farm Residential Development was recorded with the previous preliminary development plan. This agreement was revised to reflect the revised street and alley layout approved with the revised Preliminary Development Plan with the retirement facility. The revised maintenance agreement shall be recorded prior to the recording of the final plat.

Master Street Trees

The Master Street Tree Plan and graphic provided with the plat lists required street trees for Folks Road, Bauer Farm Drive, and Overland Drive, but does not list the trees required for the future street shown on the west of Lot 1, on the Preliminary Development Plan. The applicant indicated that the street tree requirement is being met with the landscaping shown with the Final Development Plan. The street tree plan should be revised to note the number and species of trees required for this future street right-of-way with this plat, as there will be no future trigger to revise the street tree plan when this right-of-way is dedicated in the future. A note may be added to the street tree plan regarding the status of the street to the west.

Utilities and Infrastructure

The Preliminary Development Plan, which serves as the Preliminary Plat, was approved with a sanitary sewer line being provided along the western boundary of Lot 1 to serve the lots upstream from the subject lot. This sanitary sewer line has been removed from the Final Plat. The City Utility Department indicated that it is necessary for each development to extend public infrastructure to the development limits so that future development upstream may be accommodated. The applicant indicated that there are various options for providing sanitary sewer to the lots beyond this proposed development, (lots along the W 6th Street frontage and at the northwest corner of W 6th Street and Folks Road). This situation is rather unique in that all the property is under a common ownership and the land use to the immediate west is currently in question; therefore, the Planning Director determined the sanitary sewer line would not be required at this time provided the current property owner provide a letter indicating that they would commit to extending sanitary sewer lines for the lots beyond this proposed development in the future. The property owner provided the letter and it is included in the Commissioner's agenda packet.

The stormwater drainage study and the stormwater features on the final plat have been approved by the City Stormwater Engineer.

Public improvements

Public improvements include the extension of the sanitary sewer and water mains, stormwater management facilities, and the construction of Bauer Farm Drive. Adequate guarantee of improvements shall be provided prior to the recording of the final plat.

Easements

A 10 ft wide utility easement is being proposed along the north and east property lines, adjacent to Overland Drive and Folks Road. An off-site drainage easement for the detention pond serving this lot is being recorded with this plat and the Book and Page Number will be noted on the face of the plat. A 15 ft wide off-site utility easement is being dedicated for the underground stormwater facilities linking Lot 1 with the detention pond in the drainage easement.

Compliance with preliminary plat

The final plat conforms to the approved preliminary development plan [PDP-1-1-10] with the exception of the removal of the sanitary sewer line along the west property line. The Planning Director indicated that a letter indicating the property owner's commitment to extend sanitary sewer to the lots south of the subject property would be acceptable in lieu of extending the line at this time.

Summary

The proposed subdivision is in conformance with the minimum lot area and dimension requirements for the Planned Residential Development in the 1966 Zoning Ordinance. The final plat, as submitted, is consistent with the requirements of the subdivision regulations.