

**PLANNING COMMISSION REPORT**  
**Regular Agenda -Public Hearing Item**

PC Staff Report  
4/21/14

**ITEM NO. 6B PRELIMINARY DEVELOPMENT PLAN FOR BAUER FARM; 4700 OVERLAND DR (SLD)**

**PDP-14-00055:** Consider a Revised Preliminary Development Plan for Bauer Farm and Bauer Farm Northwest, and Bauer Farm Residential to include the addition of a 108 room hotel and two retail stores and one mixed use building in Bauer Farm Northwest, located at 4700 Overland Drive. The plan proposes 45,048 SF of retail uses where 14,440 SF was previously approved. Changes to Bauer Farm Residential include a revision to the number of residential dwelling units from 272 to 342, removing a street connection to Overland Drive, and revising the building form from row houses to apartments along W. 6<sup>th</sup> Street and Overland Drive. Submitted by Treanor Architects, for Free State Group, LLC and Bauer Farms Residential, LLC, property owners of record.

**STAFF RECOMMENDATION ON PRELIMINARY DEVELOPMENT PLAN:** Planning Staff recommends approval of the Revised Preliminary Development Plan for Bauer Farm Planned Development 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 plan that includes the following notes and changes:
  - a. Revise General Note 39 to correctly reflect the variances and waivers granted with this revised Preliminary Development Plan.
  - b. Show the extension of the Access and Utility Easement in Block 1 north to Overland Drive.
  - c. Label the water line on the north side of Bauer Farm Drive as existing or proposed, as applicable.
  - d. Show and label all proposed easements such that all proposed water lines are located within right-of-way or in a utility easement.
  - e. Provide additional easement along the south side of Overland Drive to complete a total of 15' wide utility easement for the sanitary sewer.
  - f. Show and label the sanitary sewer service line for the proposed hotel use.
  - g. Revise the sanitary sewer alignment extension to Block 9, Lot 5 so that it is not located within the Bauer Farm Drive right-of-way.
  - h. Show and label all sanitary sewer easements.
  - i. Revise General Notes on page 4 as they related to the proposed duplex uses.
  - j. Show and note the correct off-street parking summary for the residential uses.
  - k. Revise General Note 43 on page 4 to indicate that the maintenance agreement shall be reviewed, modified and re-executed as applicable to each Final Development Plan for Bauer Farm.
2. Provision of an exhibit to show the location and amount of open space in the commercial and residential portions of the development.

**Reason for Request:** *See Description of project below.*

**KEY POINTS**

- The focus of this application is on the commercial portion of the Bauer Farm Development Plan to be known as PD-[Bauer Farm Northwest].
- Approved uses on the south side of Bauer Farm Drive are not altered by this application.
- Changes to the residential portion of Bauer Farm PD are proposed with this application.
- The Preliminary Development Plan also serves as the Preliminary Plat for the remaining undeveloped property.

**FACTORS TO CONSIDER**

- Compliance with the 1966 Zoning Code for Planned Developments.
- Compliance with the Subdivision Regulations.
- Conformance with *Horizon 2020*.

**ASSOCIATED CASES/OTHER ACTION REQUIRED**

**Associated Cases**

- CPA-14-00055; Comprehensive Plan Amendment to revise Chapter 6 and the 6<sup>th</sup> & Wakarusa Nodal Plan.
- Z-14-00057; amending the uses and retail square foot limitation of existing PCD
- **PDP-14-00055; Revised Preliminary Development Plan**
- PF-14-00054; Final Plat Bauer Farm 6<sup>th</sup> Plat

**Other Action Required**

- City Commission approval of Preliminary Development Plan.
- City Commission approval of rezoning and publication of ordinance.
- Submittal and approval of Final Development Plan.
- Approval of a Final Plat.
- Submission and approval of public improvement plans.
- Recording of Final Development Plan and Final Plat with the Douglas County Register of Deeds.
- Submission and approval of building permits prior to construction.

**ATTACHMENTS**

Attachment A: Area Map

Attachment B: Proposed Preliminary Development Plan

Attachment C: Residential Neighborhood Map

**PUBLIC COMMENT RECEIVED PRIOR TO PRINTING**

Jonathan Becker – Briarwood Home Owners Association indicating opposition to the request.  
Kirk McClure - Letter

**Project Summary:**

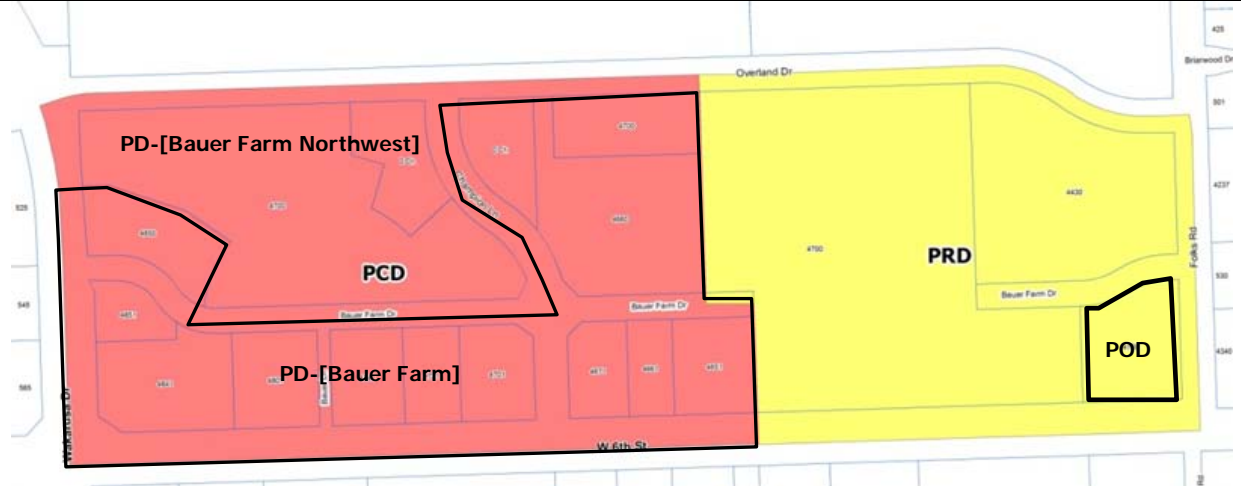
This Planned Development (PD) known as Bauer Farm includes three distinct zoning districts.

**Table 1: Project Summary**

Commercial PCD	Residential PRD	Office –POD
<ul style="list-style-type: none"> <li>31.29 Acres of PCD – Planned Commercial Development</li> <li>PD-[Bauer Farm PCD] Bauer Farm Phase I, IA, IB, IC and V,</li> <li>14.100 Acres (excluding ROW); developed and undeveloped land</li> <li>PD-[Bauer Farm Northwest PCD] Bauer Farm Phase III, VI and VII</li> <li>8.009 Acres (excluding ROW); Undeveloped land</li> </ul>	<ul style="list-style-type: none"> <li>21.42 Acres of PRD – Planned Residential Development (includes ROW)</li> <li>Bauer Farm Phase IV- Retirement</li> <li>4.23 Acres; 124 units</li> <li>Bauer Farm Phase VII – Mixed residential</li> <li>11.6 acres 218 units</li> <li>Total area includes future ROW for Bauer Farm Drive Connection.</li> </ul>	<ul style="list-style-type: none"> <li>2.3 Acres of POD - Planned Office Development</li> <li>Bauer Farm Phase VI – Office</li> <li>Z-3-16-05; (pending publication)</li> <li>PDP-03-02-05; approved for single use; vacant land</li> </ul>

No change to the Office portion of the development plan is proposed with this application. The original condition of approval for the POD included approval of a preliminary development plan and platting of the property. To date this lot is not platted.

**Table 2: General Summary**

GENERAL INFORMATION	
Current Zoning and Land Use:	<p>PD [Bauer Farm PCD]; developing commercial area between Wakarusa Drive and Champion Lane and between Overland Drive and W 6<sup>th</sup> Street.</p> <p>PD-[Bauer Farm PRD] west of Folks Road. Existing retirement facility and undeveloped land.</p> <p>PD-[Bauer Farm POD] northwest corner of W. 6<sup>th</sup> Street and Folks Road (pending publication upon Final Plat). Undeveloped land.</p>
 <p>The map illustrates the Bauer Farm Planned Development. It is divided into three main colored regions: a red-shaded area on the left labeled 'PCD' (Planned Commercial Development) containing sub-labels 'PD-[Bauer Farm Northwest]' and 'PD-[Bauer Farm]'; a yellow-shaded area on the right labeled 'PRD' (Planned Residential Development); and a small yellow-shaded area at the bottom right labeled 'POD' (Planned Office Development). The map shows surrounding streets including Overland Dr, W 6th St, Folks Rd, and Briarwood Dr. Various lot numbers are also visible within the development boundaries.</p>	

Surrounding Zoning and Land Use:	<p>To the north: GPI (General Public and Institutional) District and RSO (Single-Dwelling Residential and Office) District along the north side of Overland Drive. Existing Free State High School campus and apartment development.</p> <p>To the west: CO (Commercial Office) District and PD-[6Wak PCD] along the west side of Wakarusa Drive. Existing undeveloped commercial pad sites.</p> <p>To the south: PD-[Westgate PCD] District, RMO (Multi-Dwelling Residential-Office) District, PD-Westgate 2 PCD] District and CO (Commercial Office) District along the south side of W. 6<sup>th</sup> Street. Existing commercial and apartment development.</p> <p>To the east: PD – [Briarwood/Briarwood Cottages PRD] District and RSO (Single-Dwelling Residential) District along the east side of Folks Road. Existing residential and office uses.</p>
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**REASON FOR THE REQUEST:**

**Applicant's Response:**

- 1. An additional 40,000 sf of retail use has been added to the development. Please refer to the comprehensive plan amendment application concurrently submitted with this application.*
- 2. The nw quadrant of the development, block 6, has been revised (minus the area of the existing Hurricane Car Wash) to reflect the following:  
A 108 room hotel site at the far nw corner of the development along Overland Drive, north of the Hurricane Car Wash;  
New 11,623 sf in-line retail and 27,275 sf grocery store with associated parking; and  
Re-configured office-retail use at the nw corner of Bauer Farm Drive and Champion Lane.*

*The private drive to the east of the hurricane car wash, linking Bauer Farm Drive and Overland Drive, will remain as previously planned.*

- 3. The residential section to the east of the theatre Lawrence has been revised to reflect an increase in the number of units from the previously shown PDP within the area east of the theatre, as the residential component west of Champion Lane has been shifted to this area. The changes include the following:  
a. Multi-family units to the south, north of 6th Street, 6 buildings  
b. Removal of the "mansion homes"*

*The remaining residential types of units remains the same within an updated layout. Only the connection of Bauer Farm Drive through the residential portion of the development will be dedicated as a public street. The streets north and south of Bauer Farm Drive will be private streets.*



4. *The existing detention wet basins along the east and west sides of Champion Lane will be modified in order to maintain the required volume needed for the basins draining to these two ponds. With the modifications to the west pond for the proposed grocery and in-line retail, the west pond will be re-shaped and segmental retaining walls (such as redi-rock ledgestone units) installed along the perimeter of the pond to maximize storage volume. The east pond will be slightly modified with walls constructed along the north and northeast sides of the basin. These modifications will provide the necessary on-site storage volume, as detailed in the revised/updated storm water management study.*

### **Staff's Response:**

This report addresses changes to the commercial and residential portions of the Bauer Farm Planned Development. The proposed plan revises the uses and development pattern for the commercial area and to a lesser degree the residential configuration.

### **STAFF ANALYSIS**

The Preliminary Development Plan for Bauer Farm [PDP-03-02-05], approved by the City Commission at their March 4, 2008 meeting was represented as a New Urbanism style of development that employed Traditional Neighborhood Design (TND). The Preliminary Development Plan contains three sections: a Planned Commercial Development (PCD), Planned Residential Development (PRD), and a Planned Office Development (POD).

The approval of the original Preliminary Development Plan and the approval of a revised Preliminary Development Plan [PDP-06-01-09] included reconsideration and re-approvals of several waivers/variances. These waivers and variances, listed below, require re-approval with this revised Preliminary Development Plan and will be discussed later in this report.

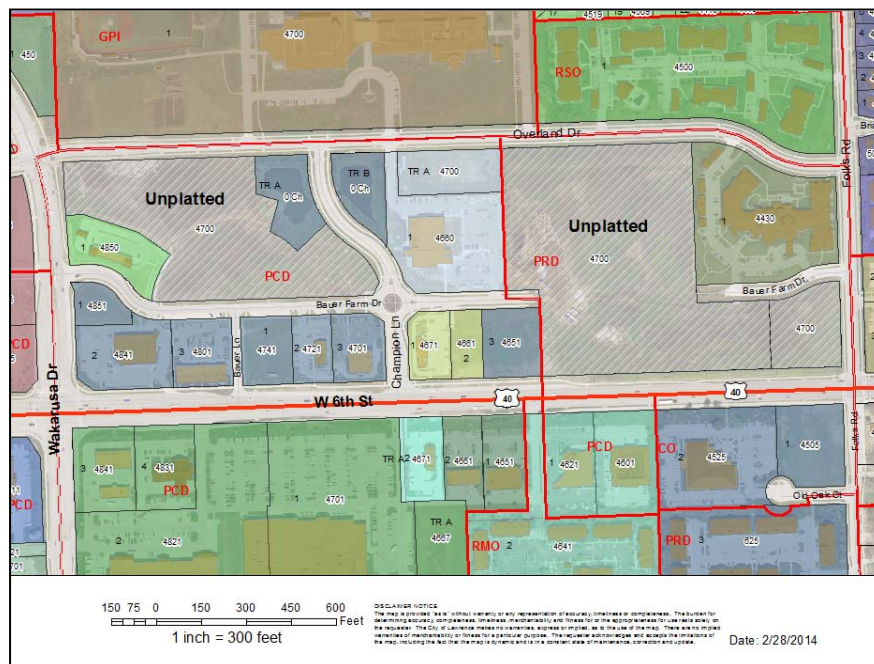
- Waiver 1. Lot Size: Reduction in lot size to permit lots with less than 4000 sq ft of area.
- Waiver 2. Periphery Boundary: Reduction in periphery boundary to reduce the 20 ft of commercial peripheral to 10 ft along W 6<sup>th</sup> Street, 17 ft along Wakarusa Drive, and 10 ft on Overland Drive and Folks Road. 35 ft residential periphery boundary reduced to 10 ft setback on Overland Drive and Folks Road and 16 ft setback on W 6<sup>th</sup> Street. No periphery boundary is required between the PUD areas within Bauer Farm.
- ~~Waiver 3, Residential Setbacks: Distances less than 10 ft between the A Custom Homes and B Starter Homes and between the cottages above the A garages and the B Starter Homes, and residential front yard setbacks of approximately 10 ft and side and rear yard setbacks less than 10 ft; providing the structures are designed to meet the building code requirements for zero setback.~~ There are no "Custom Homes" included in this revised Preliminary Development Plan.
- Waiver 4. Commercial Setbacks: Commercial building setback as close as 10 ft on W 6<sup>th</sup> Street, 17 ft on Wakarusa Drive, and 10 ft on Champion Lane.
- Subdivision Design Standard 1: Local streets intersecting opposite sides less than 125 feet.
- Subdivision Design Standard 2. Alleyways permitted within the residential areas of the subdivision.

- Subdivision Design Standard 3. Local private street widths of 20 feet back of curb to back of curb. (~~Revision of the private streets to public streets was approved by the City Commission and the width waiver remains.~~)

These variances were approved as part of previous Preliminary Development Plans and require reapproval with this revision. This report is divided into two parts. Part one will address subdivision elements applicable to this development project for the remaining unplatted land in both the commercial and residential portions of the property. Part two will address the Development Plan as it relates to the commercial and residential portions of the property.

## PART ONE – SUBDIVISION REVIEW

This application is being submitted concurrently with a Final Plat (PF-14-00054). If approved, the area south of Overland Drive and north of Bauer Farm Drive between Wakarusa Drive and Champion Lane will be platted. This will complete the subdivision requirements for the PCD portion of the Bauer Farm Development Project. A final plat has not been submitted for the residential portion of the development plan.



**Figure 1: Undeveloped Land in Bauer Farm**

The proposed plan does not alter the existing right-of-way for Bauer Farm Drive or for Champion Lane within the commercial portion of the Planned Development. Streets in the residential portion, with the exception of Bauer Farm Drive, will be dedicated as access easements for private streets and drives within the interior part of the residential area.

This development plan has used a consistent Block and Lot numbering through the project. As land is Final Platted, different block and lot numbers are assigned. These do not alter the naming convention of the preliminary development plan.

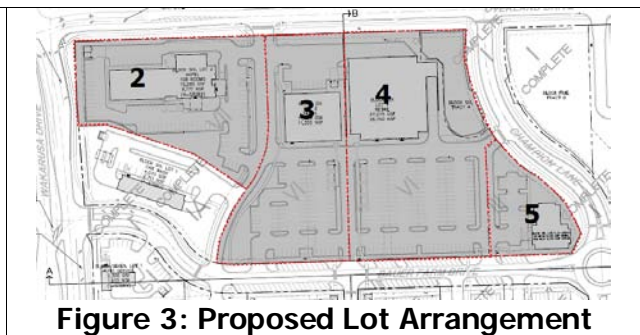
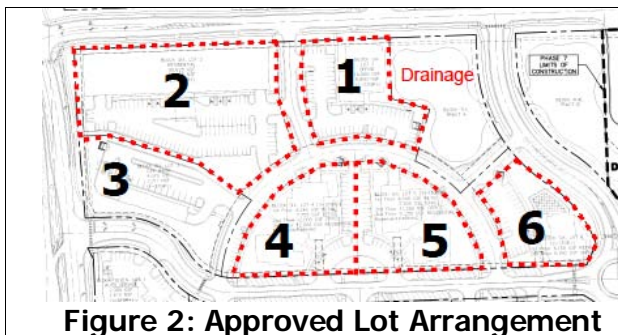
### Commercial Summary

The proposed lot arrangement is different from the previously approved plan with fewer and larger lots from originally planned for this portion of the development. The proposed lot arrangement is consistent with a more conventional retail development form. The proposed changes occur within the currently unplatted portion of the Bauer Farm Planned Development. This area is generally located on the north side of Bauer Farm Drive and west of Champion Lane.

The following table shows the lot arrangement using the lot numbering in the Preliminary Development Plan. Lot 3 in the “Approved Lot Arrangement” image on the left was developed as the Hurricane Car Wash and is not impacted by the this revised Preliminary Development Plan.

**Table 3: Commercial Lot Summary**

Proposed Lot and use configuration		
Lot	Area	General use
Block 6, Lot 2	91,570 SF	Hotel
Block 6, Lot 3	92,723, SF	Retail
Block 6, Lot 4	116,528 SF	Retail
Block 6, Lot 5	31,055 SF	Retail/ Office



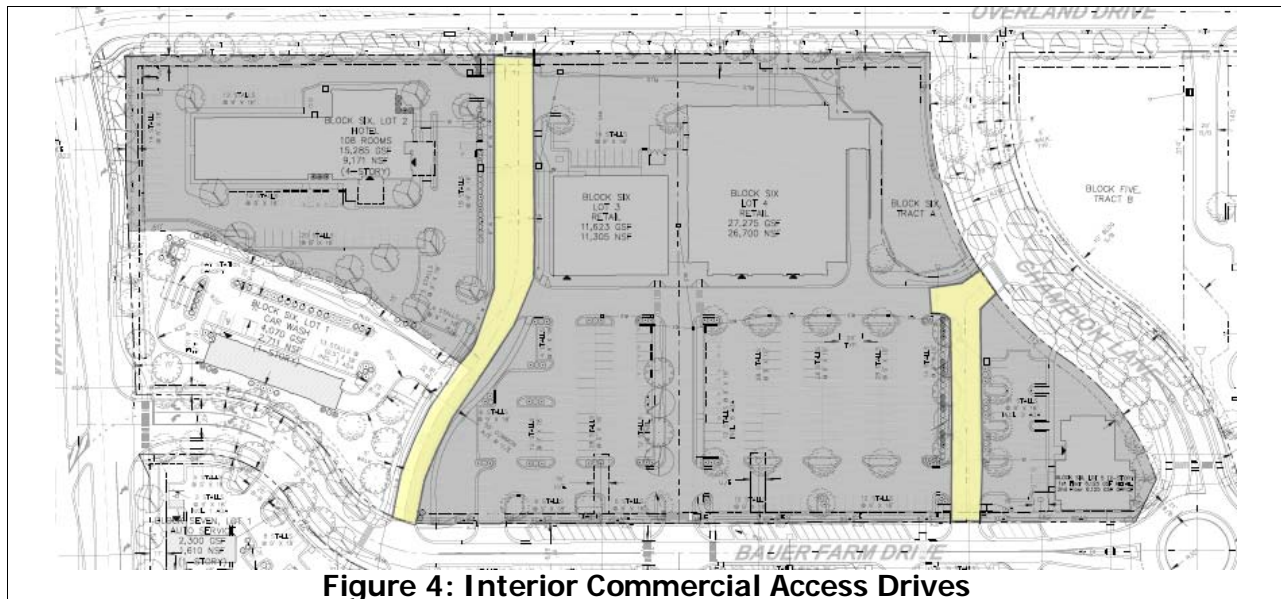
A minimum lot size for a PCD is not established in the 1966 Development Code for commercial uses. Peripheral setbacks and building separations are required and are addressed later in this report. The proposed lots meet or exceed the minimum area requirements for lots in the CC (Community Commercial) District of the Land Development Code if a base zoning district were applicable to this development. There are no proposed subdivision waivers or variances associated with the proposed lot configuration for the commercial portion of Bauer Farm.

Each lot is adjacent to an existing public street. The interior circulation is modified by the proposed lot arrangement and proposed development pattern but is retained. An interior access drive between Bauer Farm Drive and Overland Drive is located between proposed Lots 2 and 3 providing a north-south connection parallel to Champion Lane. The east west connection in the northwest quadrant is provided in a conventional block style arrangement with cross access easements through parking lots rather than the previously proposed private street in the approved plan configuration.

The proposed plan includes a 42' wide to a 24' wide private street between Overland Drive and Bauer Farm Drive east of Wakarusa Drive. The plan also includes an access easement between Champion Lane and Bauer Farm Drive in the southeast portion of the commercial area. There is



no parking along this drive. Interior sidewalks are proposed on both sides of the drive. An additional evaluation of street trees will be included in a review of the Final Development Plan as this area is developed.



**Figure 4: Interior Commercial Access Drives**

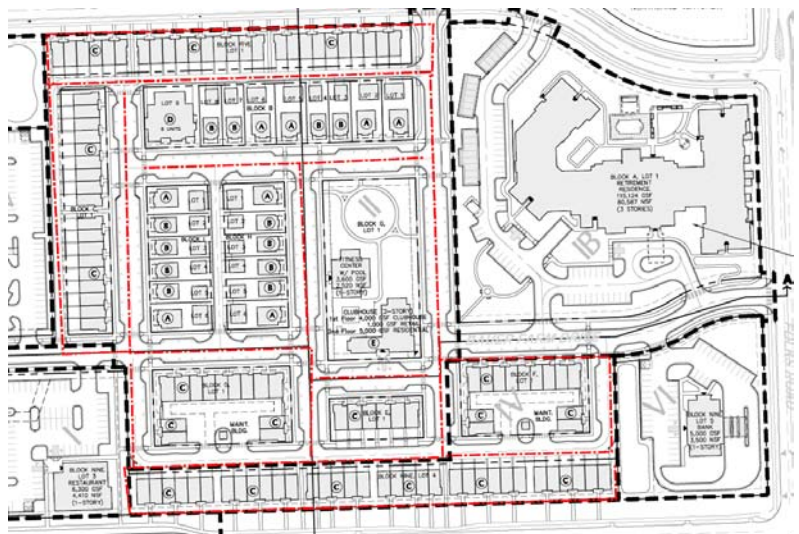
There is no new dedication of right-of-way for this portion either. Interior utility easements and cross access easements are modified by the proposed configuration. These elements will continue to be reviewed as part of a Final Plat for the remaining property.

### Residential Summary

The residential portion of the plan includes the developed retirement facility located in the northeast portion of the Planned Development and the office use (phase VI – Block 9, Lot 5) for context. These lot boundaries are not altered by this proposed revision.

This project includes changes in the housing type planned for the remaining residential portion of the Bauer Farm Development. The number of units has been increased along W. 6<sup>th</sup> Street. The plan also removes the “mansion Homes” included in the previous version. The approved plan included a private street connection to Overland Drive that the revised plan does not. Access to the residential area is only provided via Bauer Farm Drive in the revised plan.

The proposed plan indicates that Bauer Farm Drive is intended as a public street. The street is off-set within the development to discourage cut-through traffic. This is consistent with previous plans for the area. Additionally, the interior access has been revised from a public street configuration to a private street arrangement.



**Figure 5: Approved Residential Block Pattern**

The comparison of the proposed plan to the approved plan is complicated by the change in residential typology and unit naming. The following table is provided to show the general unit and lot mix within the residential portion of the development.

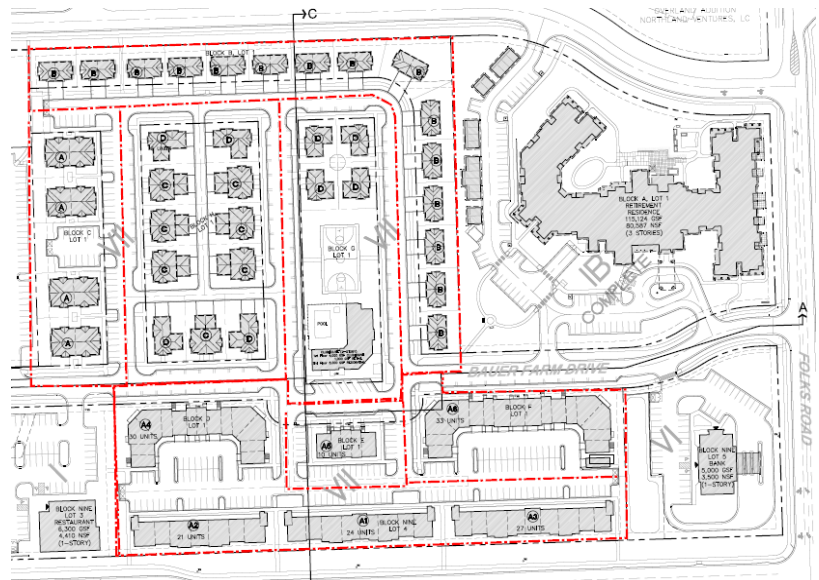
The clubhouse area represents a single block within the proposed development. The general lot dimensions of the area in the approved plan were 145' by 285'. The proposed plan shows this area on a parcel generally 126' by 260'. The following table provided a brief summary of the clubhouse area and the retirement housing with the PRD portion of the development. Table 8, at the end of the report provides a comparison of the approved and proposed residential units for the proposed residential portion of the development.

**Table 4: Residential Use Summary**

Approved PDP Clubhouse area		Proposed PDP	
Use	Area	Use	Area
"E" Clubhouse (CH)	4,000 SF	Clubhouse (CH)	5,000 SF
Retail	1,000 SF	Retail	1,000 SF
Residential Units in CH	4-units	Residential Units in CH	5-units
Fitness Center	3,600 SF	Fitness Center	3,600 SF
Retirement Residence	124	Retirement Residence	124
Total Units	272		342

Interior private streets are approximately 24' wide with on street parking. The alley located in the central portion of the residential area are approximately 17' wide. These dimensions will be further evaluated with a final plat, utility and access easement review and final development plans as the area is developed.

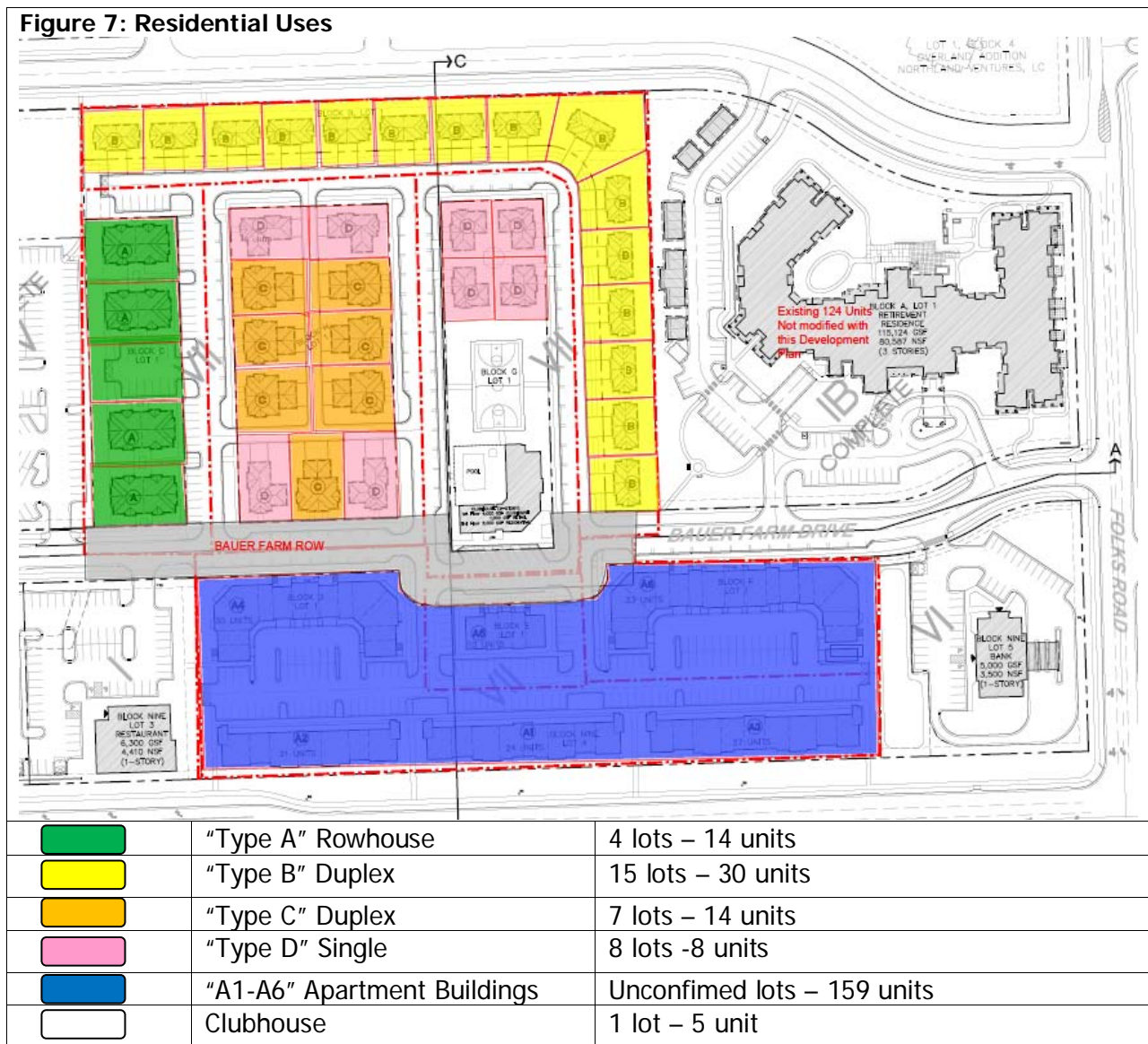
The proposed residential development includes a type of housing that is located on lots less than 4,000 SF. (Unit types "B" and "D") as shown on Page 3 of the revised Preliminary Development Plan. Section 20-1006 requires a minimum of 4,000 SF per lot for individual residential buildings. These lots require a variance as part of the development plan if they are intended as individual lots.



**Figure 6: Proposed Block Pattern**

In addition to variances from the minimum lot size requirement, this proposed development includes variances from the street design standards for off-set streets and a "T-intersection" alley design. The off-set street, Bauer Farm Drive, is consistent with previously approved designs for this Planned Development.

**Figure 7: Residential Uses**



### Easements and Rights-of-way

The Preliminary Plat elements include an initial evaluation of the easements and rights-of-way needed to support the proposed lot arrangements. Additional easements are needed for the proposed development and are reflected as conditions of approval. Easements will continue to be evaluated as part of the Final Plat for the remaining undeveloped portions of the land in the Bauer Farm Planned Development including the commercial, residential and office lots.

### Subdivision Variances:

1. Residential lot size
2. Off-set street for Bauer Farm Drive
3. Alley with T-intersection

Staff recommends reapproval of the subdivision variances associated with this revised Preliminary Development Plan. Additionally, staff recommends that General Note 39 on page 4 of the Preliminary Development Plan be revised to correctly reflect the subdivision variances granted by this revised plan.



## **PART TWO -PRELIMINARY DEVELOPMENT PLAN REVIEW**

The proposed Preliminary Development Plan for Bauer Farm Planned Development has been evaluated based upon findings of fact and conclusions per Article 10 of the 1966 Zoning Code for the City of Lawrence, requiring consideration of the following nine items:

***1) In what respects the plan is or is not in general conformity with the provisions of the Comprehensive Plan of the City.***

This application is being considered concurrently with the proposed rezoning and Comprehensive Plan Amendment to increase the retail limit for the commercial portion of Bauer Farm. The residential use is not changed by the related Comprehensive Plan Amendment (CPA-14-00059) or rezoning (Z-14-00047). The evaluation of compliance with the Comprehensive Plan is considered for the broad topic of land use in general.

Recommendations for commercial development from Chapter 6 of *Horizon 2020* are listed below.

“Require commercial development to occur in “nodes”, by avoiding continuous lineal and shallow lot depth commercial development along the city’s street corridors and Douglas County roads.”

“Encourage infill development and/or redevelopment of existing commercial areas with an emphasis on Downtown Lawrence and existing commercial gateways. Sensitivity in the form of site layout and design considerations shall be given to important architectural or historical elements in the review of development proposals.”

This development plan does not modify or expand the physical boundary of the commercial node in which it is located. This property is not subject to important architectural or historical resources within the immediate area. However, the plan has historically been presented as a New Urbanism product that was located at the edge of the urban area when originally considered for development in the late 1990’s and early 2000’s. Since then the area has developed to the north and west of this property. The remaining commercial area has been vacant since the original land use approvals were granted in 2003. This project does represent infill development of a designated commercial area and thus is compliant with these basic land use recommendations of *Horizon 2020*.

Recommendations for medium- and higher-density residential development from Chapter 5 of *Horizon 2020* are listed below.

“Development proposals shall be reviewed for compatibility with existing land uses. The review should include use, building type, density and intensity of use, architectural style, scale, access and its relationship to the neighborhood, and the amount and treatment of screening and open space.” (Policy 1.1, page 5-23)

“Encourage new and existing medium- and higher-density residential development which is compatible in size, architectural design, orientation, and intensity with the surrounding land uses in established areas.” (Policy 3.4, page 5-29)

***Residential Density:***

The approved residential zoning district, PRD-3, allows a maximum density of 25 dwelling units per acre. Residential density is calculated based on Net Residential Area. Net Residential Area for a Planned Unit Development includes the area within the district less; “commercial

development, public streets, parks, and school sites, major drainage courses, and other areas not retained for the exclusive use of the benefit of the residents in the planned residential development” per Section 20-1007.

Approved Preliminary Development Plan (PDP-1-1-10 amending the residential uses for the retirement housing development) shows the density for the PRD area as follows:

**Table 5: Approved Residential Density**

PRD RESIDENTIAL DENSITY, PER SECTION 20-1007(A):

GROSS PRD ACREAGE	COMMERCIAL BLDG. AREA, R/W, TRACTS & D/E	NET RESIDENTIAL ACREAGE	TOTAL DWELLING UNITS	DWELLING UNIT DENSITY
16.44	5.36	11.08	272	24.55

The proposed Revised Preliminary Development Plan (PDP-14-00055) shows the revised summary as follows:

**Table 6: Proposed Residential Density**

GROSS PRD ACREAGE	COMMERCIAL BLDG. AREA, R/W, TRACTS & D/E	NET RESIDENTIAL ACREAGE	TOTAL DWELLING UNITS	DWELLING UNIT DENSITY
16.44	1.07	15.37	342	22.25

The revised plan includes more land area in the Net Residential Area resulting in a lower overall density. This change results from the modification of the development plan to include private streets rather than public streets. As the residential development is, refined density will continue to be reviewed with a future final plat and final development plan for these uses. Overall, the plan is consistent with the land uses proposed for this area.

**Staff Finding\_** The proposed development complies with the land use goals and policies for the land uses proposed assuming the corresponding Comprehensive Plan Amendment and the Rezoning are approved for this development.

**2) In what respects the plan is or is not consistent with the Statement of Objectives of Planned Unit Development. [The statement of objectives of planned unit developments per Section 20-1002 of the 1966 Zoning Ordinance]**

- (1) To promote and permit flexibility that will encourage innovative and imaginative approaches in residential, commercial, and industrial development which will result in a more efficient, aesthetic, desirable and economic use of land while maintaining density and intensity of use consistent with the adopted comprehensive plan for the city;
- (2) To promote development within the city that can be conveniently, efficiently and economically served by existing municipal utilities and services or by their logical extension;
- (3) To promote design flexibility including placement of buildings, and use of open space, pedestrian and vehicular circulation facilities to and through the site, and off-street parking areas in a manner that will best utilize potential on-site characteristics such as, topography, geology, geography, size or proximity.
- (4) To provide for the preservation of historic or natural features where they are shown to be in the public's interest including but not limited to such features as: drainageways, floodplains, existing topography or rock outcroppings, unique areas of vegetation, historic landmarks or structures



One objective noted in Section 20-1002 (1966 Code) is that a Planned Unit Development will permit design flexibility and encourage innovative and imaginative approaches to development which will result in a more efficient, aesthetic, desirable and economic use of land. The PD zoning provides the maximum flexibility to the developer in tailoring the uses and the project to community desires. Waivers/variances previously approved are also included with this request to clearly indicate the intent of development and to provide the Planning Commission the opportunity to re-evaluate and re-approve the waivers/variances they determine are warranted.

This revised Preliminary Development Plan has used this flexibility to provide buildings along W. 6<sup>th</sup> Street that frame the street with reduced peripheral setbacks. This technique was also used for the retirement facility along Folks Road. The plan continues to use this flexibility in the residential portion of the Bauer Farm Planned Development.

The remaining commercial area proposes a more conventional design but is no less part of the overall development project and is not easily separated from developed elements that provide the peripheral and interior street network. A significant change to the commercial area is the removal of the vertical mixed uses north of Bauer Farm Drive.

The overall development plan remains a mixed-use development with direct connections between aggregate land uses rather than integrated mixed-use development envisioned in previously approved development plans for this property.

**Staff Finding –** The overall development is a mixed-use, residential, office, and commercial development that is consistent with the objectives of a Planned Unit Development. The developed portion of the property has established a pattern of reduced setbacks along public streets and includes a strong pedestrian connection between uses within the development.

***3) The nature and extent of the common open space in the Planned Unit Development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and function of the common open space in terms of the densities and dwelling types proposed in the plan.***

Section 20-1006 (1966 Zoning Code) lists the general development standards applicable to all Planned Unit Developments. The Code specifically requires a minimum of 20% of the land area devoted to residential uses be set aside for open-air recreation uses and other common open spaces. Common open space is defined as an open area designed and developed primarily for the use and benefit of the residents of the development for recreation (whether private or public, courts, gardens, or parking for open space uses; it shall not include space devoted to streets and parking for residential and nonresidential uses).

**Residential Open Space:**

- Previous residential area included 16.44 Acres.
- Previous street and off-street parking area included 7.23 Acres.
- The developed retirement housing area includes 4.24 acres
- The remaining gross residential area includes 11.62 Acres including Bauer Farm Drive ROW.

This revised Preliminary Development Plan removes residential uses from the PCD portion of the development. All residential uses are located east of Champion Lane. Common open space provided in the residential area, excluding the retirement housing ,includes all of the clubhouse

area and common sidewalk areas along the front of the row houses and other units similar to the front yard areas throughout the development.

The net residential area for the undeveloped portion of the PRD area, excluding public streets, is 10.08 acres. The required 20% open space for the undeveloped residential portion of the PRD is 2.016 acres. The original clubhouse area represented 41,325 SF (.94 Acres) within the residential portion of the Bauer Farm Planned Development. The revised clubhouse area includes approximately 32,760 SF (.75 Acres). Staff recommends the applicant provide a revised exhibit showing the location of Common Open Space for the residential area of the Bauer Farm Development.

Open space will be managed by a homeowners association as part of the residential portion of the development.

### **Commercial Open Space:**

Common open space within the commercial portion can be evaluated on a per lot and total development plan area. The approval of the rezoning establishes a boundary between the developed and undeveloped commercial land within Bauer Farm. Since each area will have, a separate zoning district, open space should be provided for each of the two developments. Approved development plans for the existing commercial development have demonstrated the lots met or exceeded the open space requirements.

The site summary provided for the undeveloped commercial portion notes that Block 6, Lot 3 and Block 6, Lot 4 both include less than the required 20% open space (18% and 12% respectively). Block 6, Lot 2 and Block 6, Lot 5 both exceed the required 20% open space requirement (26% and 35% respectively).

**Table 7: Site Summary Per Lot**

<b>BLOCK 6 SF</b>	<b>Lot 2</b>	<b>Lot 3</b>	<b>Lot 4</b>	<b>Lot 5</b>	<b>TOTAL</b>
<b>Buildings</b>	15,285	11,623	27,275	6,125	60,308
<b>Pavement</b>	52,027	64,573	75,354	13,891	205,845
<b>Imperious</b>	67,312	76,196	102,629	20,016	266,153
<b>Pervious</b>	24,258	16,527	13,899	11,039	65,723
<b>Lot Size</b>	91,570	92,723	116,528	31,055	331,876

<b>BLOCK 6 %</b>	<b>Lot 2</b>	<b>Lot 3</b>	<b>Lot 4</b>	<b>Lot 5</b>	<b>TOTAL</b>
<b>Buildings</b>	17%	13%	23%	20%	18%
<b>Pavement</b>	57%	70%	65%	45%	62%
<b>Imperious</b>	74%	82%	88%	64%	80%
<b>Pervious</b>	26%	18%	12%	36%	20%
<b>Lot Size</b>	100%	100%	100%	100%	100

The total commercial area includes 65,723 SF (20%) open space within the development.

**Staff Finding** – This plan does not clearly show where common open space is provided for the undeveloped residential portions of the development. The commercial portion relies on a shared amount of common open space to meet the minimum required standard.

***4) Whether the plan does or does not make adequate provisions for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.***

This revised Preliminary Development Plan modifies the interior circulation for both the commercial and residential portion of the Bauer Farm Planned Development. The plan does retain connectivity throughout the development. An access point from Overland Drive to the residential portion of the development, west of the retirement housing, is removed with this plan. The street network surrounding the property will be enhanced with the addition of the traffic signal at Champion Lane and W. 6<sup>th</sup> Street within the next year. Additional evaluation of open space and amenities within the development will continue to be reviewed with each successive Final Development Plan for this property.

Adequate public facilities are generally available to this property. Public improvement plans are required with a Final Plat for this property as a pre-construction development requirement.

**Staff Finding –** The proposed plan complies with the requirements for public services and provides adequate control over vehicular traffic.

***5) Whether the plan will or will not have a substantial adverse effect on adjacent property and the development or conservation of the neighborhood area.***

As discussed in the rezoning report, the remaining vacant land within the Planned Development is surrounded by developed portions of Bauer Farm or existing development along the perimeter streets outside of the development. The substantial changes within this development are the:

1. Change in retail format from a mixed-use retail, residential office development to a conventional retail form as shown in the drawing.
2. Increase in the total square feet of retail space within the development from 71,756 SF to 158,903 SF)
3. Removal of residential uses from the commercial side of the development.
4. Change in the housing type within the residential part of the development.
5. Change from public to private streets within the residential part of the development.

This revised Preliminary Development Plan continues the mix of housing types. However, the residential form includes fewer detached homes and more apartment style units within the residential portion of the development. Duplex units have also been added to the plan as a housing type.

The proposed residential development pattern is similar to the surrounding development and is relatively insular as are the other development areas to the north and northwest. See Attached Residential Neighborhood Map.

The additional retail square footage added to the development is addressed in the Comprehensive Plan Amendment and the Rezoning staff reports. The likely adverse effect on existing development is one of perception by the change from the mixed-use new urbanism form of development to one of a conventional commercial format.

**Staff Finding –**The proposed plan will not have a substantial adverse effect on adjacent property other than one of perception regarding the typology and form of the commercial use proposed west of Champion Lane.

***6) In what respects the plan is or is not in conformance with the development standards and criteria of this article.***

Specific waivers and variances are associated with this proposed development including a reduction in the peripheral setback, building setback reductions related to the commercial development and lot size setback reductions related to the residential (PRD) portion of the development. The Planning Commission approved these waivers/variances as part of their action to approve the original Preliminary Development Plan in December 2006. The variances and reductions are listed in General Note 39 on page 4 of the proposed development plan. This note should be revised to reflect the specific uses and variances associated with this application. Approval of this Preliminary Development Plan will reconfirm these deviations from the development standards of the applicable zoning code. A parking reduction was previously approved for the retirement facility use per the approved preliminary development plan in 2010. There are no changes to that variance previously granted as the phase has been constructed.

**Commercial Compliance:**

**Off-Street Parking:** Within the commercial area, off-street parking is provided on an individual lot basis. Extra parking spaces are provided along the public street. Non-residential uses in a planned unit development shall provide off-street parking at a ratio of one space per 200 net square feet. The proposed revised Preliminary Development Plan shows compliance with off-street parking for all uses with the exception of the hotel use. Off-street parking for this use required one space per guest room and one space for every two employees [.5 spaces per employee]. As proposed, the hotel use provides 85 spaces to the required 111 spaces. As a planned development, off-street parking is generally shared throughout the development. The total commercial development proposed requires 558 spaces 896 spaces are provided throughout the development.

**Residential Compliance:**

**Off-Street Parking:** Off-street parking is required on a per bedroom unit calculation with the exception of detached and duplex residential uses. Attached dwellings (apartments) required 1.5 spaces per bedroom for studio, 1-Br units and 2-Br units and 2.5 spaces per 3-BR units or larger. Two spaces per dwelling unit are required for detached and duplex type housing. The 1966 Zoning Code does not require guest parking for multi-dwelling development.

The proposed plan includes eight detached dwelling units, 8 accessory dwelling, and 44 duplex units. Sixteen (32) spaces must be provided for detached dwelling units. Staff recommends the plan be revised to show and note the correct off-street parking space requirement for the remaining undeveloped residential portion of the development. Additional review with the submission of a Final Development Plan is needed to assure adequate parking is provided for the residential portion.

A separate off-street parking reduction was granted for the retirement housing in the northeast corner of the property. That development is not modified with this proposed change but is shown for context.

**Staff Finding –** As conditioned and with the approved and recommended waivers/variances, this Preliminary Development Plan is in conformance with the provisions of the 1966 Zoning Regulations.

***7) In what respects the plan is or is not in compliance with the requirements for application for tentative approval of the Planned Unit Development. [This finding refers to Section 20-1005 (1966 Zoning Code) of the Zoning Ordinance.]***

This finding is applicable to new Planned Units Developments. This application is for a revision to an approved Preliminary Development Plan. Multiple approvals have been granted for this property including Final Development Plan Approval for the developed portions of Bauer Farm.

This revised Preliminary Development Plan specifically amends the commercial portion by increasing the total retail area and removing the residential use within the PCD portion of the development. The plan assumes approval of the related comprehensive plan amendment and the rezoning associated with the retail increase.

The revised Preliminary Development Plan amends the residential portion by changing and increasing the type and number of residential units within the undeveloped portion of Bauer Farm. Additionally, access is modified by removing a direct access to Overland Drive and reverting the interior streets from public streets to private streets. The related Comprehensive Plan Amendment and the rezoning do not affect these changes.

**Staff Finding –** The plan proposes revisions to a previously approved Preliminary Development Plan. The plan meets the four criteria noted in Section 20-1005 (1966 Zoning Code) for tentative approval.

***8) The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the Planned Unit Development in the case of a plan that proposes development over a period of years.***

This revised Preliminary Development Plan represents an evolution of a development concept that began many years ago. Each revision and iteration of the plan has sought to respond to changing conditions in both the retail and residential conditions within the community. Undeveloped land must be maintained in a reasonable manner including weed management and nuisance controls. The approval of this Preliminary Planned Development and previous versions provide a scope of development intent that has evolved from a mixed-use new urbanism form of development to a conventional form within the commercial portion of the development. The residential portion has retained the mixed-use residential form but has varied in the type of housing proposed since the original approvals.

The applicant executed an agreement with the City relating to maintenance elements with the planned development. The agreement will need to be modified with the future submission of a Revised Final Development Plan for Bauer Farm. Staff recommends the plan be revised to add a note that the maintenance agreement shall be revised as appropriate to the applicable Final Development Plan.

**Staff Finding –** A revised phasing schedule has been noted on the face of the Revised Preliminary Development Plan.

***9) Stormwater detention calculations and storage of excess stormwater drainage as per City Policy.***

The City Stormwater Engineer has reviewed this revised Preliminary Development Plan. The plan meets the requirements for stormwater management for this development. The Plan proposes a modification to the detention pond in the northwest portion of the commercial area

west of Champion Lane. The details of the change will continue to be reviewed as part of the final plat and the final development plan for that phase of the development.

### Staff Review and Conclusion

This property was originally approved prior to the adoption of the Land Development Code. There are technical changes needed to the plan and these have been listed in the conditions of approval.

Elements such as commercial design review of the retail buildings, photometric plans and final landscape plans will be reviewed in detail with final development plans for each phase of the development. Subdivision approval and applicable public improvement plans are required prior to development of this property.

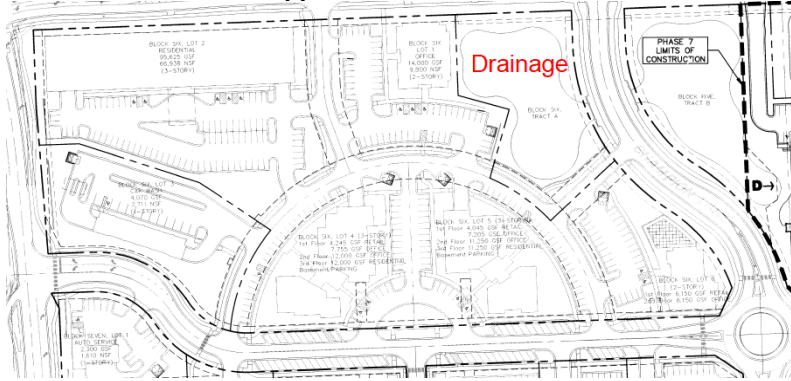
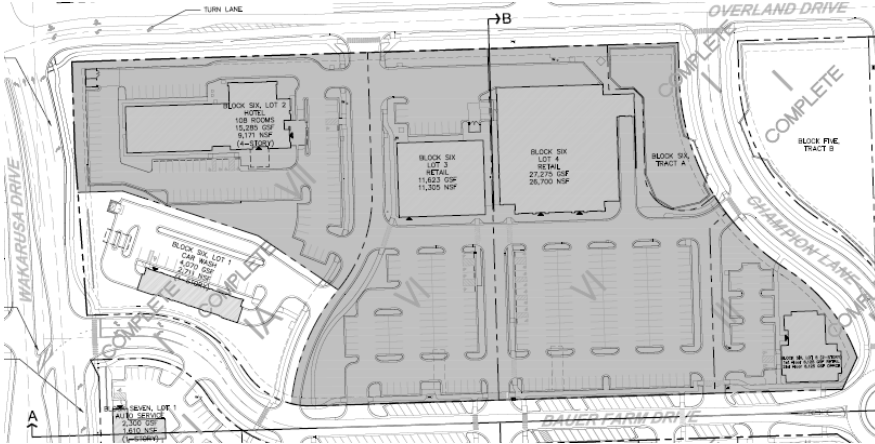
**Table 8: Residential Comparison Table**

Approved		Proposed	
Lot/Use type	Number units	Lot/Use Type	Number Units/Lots
"A" Custom Home	8/8	Not in this plan	0
Carriage House	8/0 Accessory use	Not in this plan	0
"B" Starter Home	12/12	Not in this plan	0
"C" Row Home	110/6	"A" Rowhouse [4-plex]	14/4
"D" Mansion Home	6/1	Not in this plan	0
Duplex	0	"B" Duplex	30/15
		"C" Duplex	14/7
		"D" Single	8/8
Apartment Building	0	A1-Apartment Building	24
		A2-Apartment Building	21
		A3-Apartment Building	27
		A4-Apartment Building	30
		A5-Apartment Building	10
		A6-Apartment Building	33
Residential Lot total-partial	27 lots	Residential Lot total-partial	35 lots

*Table Notes*

1. "C" Row Homes in the approved plan were shown as individual units each with direct access to the abutting public or private street. These units were located along the periphery of the residential portion of the development.
2. The plan labels building type "A" as rowhouse. The design and configuration of the units and lot arrangement are more conventionally referred to as 4-plex, a type of multi-dwelling residential use.
3. Lot count assumes all apartments exclusive of the clubhouse are located on a single lot.

**Table 9: Commercial Comparison Table**

Approved Commercial								
								
BLOCK 6	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Total	
<b>Buildings</b>	7,000	31,875	4,070	12,000	11,250	6,150	72,345	
<b>Pavement</b>	29,329	44,766	25,227	27,480	29,654	21,201	177,657	
<b>Imperious</b>	36,329	76,641	29,297	39,480	40,904	27,351	250,002	
<b>Pervious</b>	14,652	27,995	22,664	13,879	12,493	11,806	103,489	
<b>Lot Size</b>	50,981	104,636	51,961	53,359	53,359	39,157	353,453	
<b>Use</b>	2 Story Office	3 Story Apartment	Tunnel Car Wash	3 Story Mixed-Use Retail; Office; Residence	3 Story Mixed-Use Retail; Office; Residence	2 Story Retail Office	Mixed	
Proposed Commercial								
								
BLOCK 6	LOT 1	Lot 2	Lot 3	Lot 4	Lot 5	NA	TOTAL	
<b>Buildings</b>	NA	15,285	11,623	27,275	6,125	NA	60,308	
<b>Pavement</b>	NA	52,027	64,573	75,354	13,891	NA	205,845	
<b>Imperious</b>	NA	67,312	76,196	102,629	20,016	NA	266,153	
<b>Pervious</b>	NA	24,258	16,527	13,899	11,039	NA	65,723	
<b>Lot Size</b>	NA	91,570	92,723	116,528	31,055	NA	331,876	
<b>Use</b>	NA	Hotel	Retail	Retail	Retail/Office	NA		



# BAUER FARM

1040 Vermont Street  
Lawrence, Kansas 66044  
Office: 785.842.4858  
Fax: 785.842.7536  
www.treanorarchitects.com

**TREANOR**  
ARCHITECTS P.A.  
ARCHITECTURE • INTERIOR PLANNING • LUTHERAN MINISTRIES • CIVIL ENGINEERING

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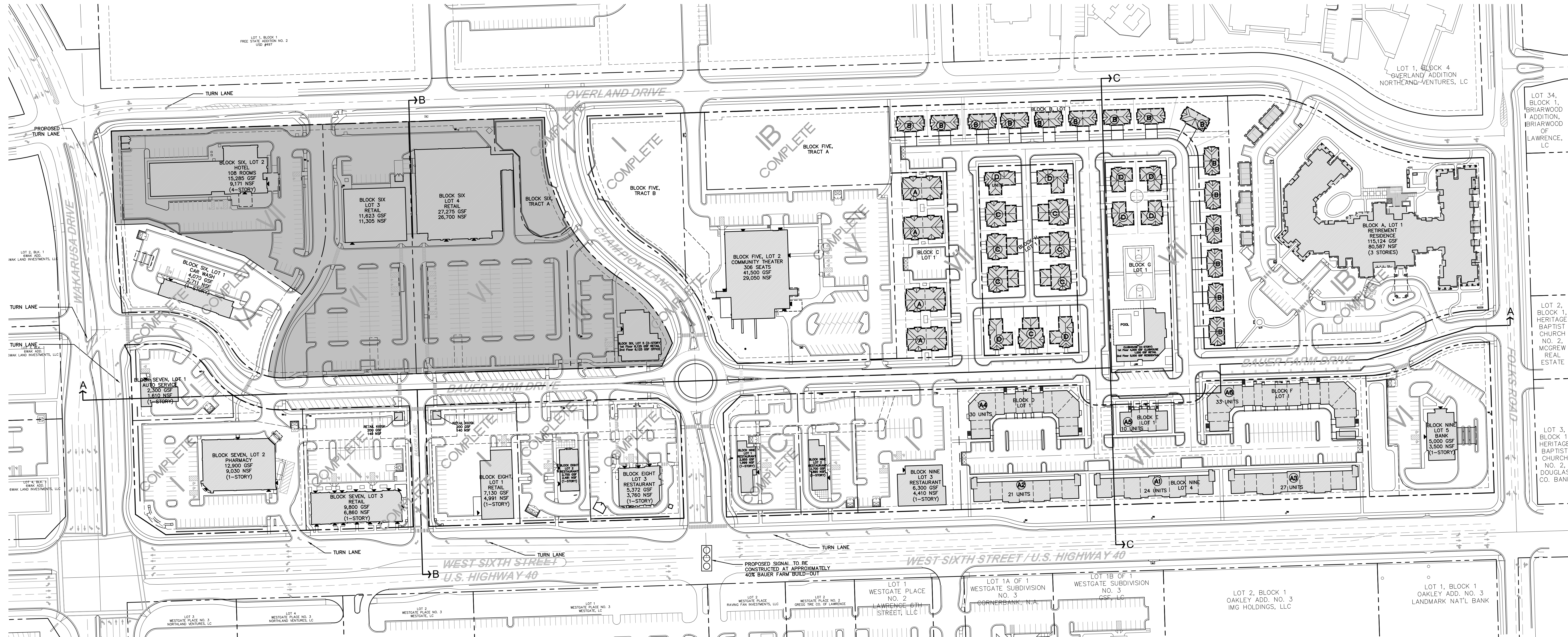
**BAUER FARM**  
6TH STREET & WAKARUSA DRIVE  
LAWRENCE, KANSAS

OVERALL  
PLAN

REVISIONS		
7.6.05 - RIGHT-IN ONLY		
1.11.06 - CHAMPION LANE		
10.03.06 - PHARMACY, COMM. THEATER		
3.07.07 - PER CC CONDITIONS		
6.27.07 - PHARMACY		
7.6.07 - PER DEPT. COMMENTS		
8.3.07 - PER DEPT. COMMENTS		
11.29.07 - WAKARUSA MEDIAN BREAK		
1.18.08 - PER DEPT. COMMENTS		
5.09.08 - PER CC CONDITIONS		
6.22.09 - B6, L2,3,4,5, B6, L2		
7.22.09 - PER DEPT. COMMENTS		
8.24.09 - PER CC CONDITIONS		
1.20.10 - RETIREMENT RESIDENCE		
2.25.10 - PER DEPT. COMMENTS		
3.10.10 - PER DEPT. COMMENTS		
4.12.10 - PER CC CONDITIONS		
12.15.10 - BLOCK 6, LOTS 1 & 2		
1.27.11 - PER DEPT. COMMENTS		
2.18.14 - GROCERY/RETAIL/RESIDENTIAL		
5.31.14 - PER CITY COMMENTS		

DATE: 3/9/2005  
PROJECT NO.: 20101027  
DESIGNED BY: MTA/PLP  
DRAWN BY: BS  
CHECKED BY: BS

SHEET NO.  
1  
OF 6 SHEETS



## COMMERCIAL (PCD) BUILDING INFORMATION + PARKING SUMMARY

BLOCK LOT	BUILDING AREA (SF)	LOT AREA (SF)	GROSS FLOOR AREA (SF)	NET FLOOR AREA (SF)	PARKING RATIO	PARKING REQUIRED	PARKING PROVIDED	ADA PARKING REQUIRED	ADA PARKING PROVIDED
BLOCK FIVE LOT 2 THEATER	19,029	128,089	41,500 (300 SEATS)	N/A	1 SP / 3 SEATS	100	139	5	5
BLOCK SIX LOT 1 CAR WASH	4,070	51,961	4,070 RETAIL	2,711	1 SP / 500 N.S.F.	6	13	1	1
BLOCK SIX LOT 2 HOTEL	15,285	91,570	61,140	N/A	1 ROOM + 111.5 EMPLOYEES	111	85	4	4
BLOCK SIX LOT 3 RETAIL	11,623	92,723	11,623 - RETAIL	11,305	1 SP / 200 N.S.F.	57	91	4	5
BLOCK SIX LOT 4	27,275	116,528	27,275 - RETAIL	26,700	1 SP / 200 N.S.F.	134	141	5	8
BLOCK SIX LOT 5 OFFICE/RETAIL	6,125	31,055	6,125 - RETAIL 6,125 - OFFICE	5,818 5,818	1 SP / 200 N.S.F. 1 SP / 200 N.S.F.	29 29	21	2	2
BLOCK SEVEN LOT 1 MOBILE	2,300	22,135	2,300 - RETAIL	1,610	1 SP / 200 N.S.F.	9	15	1	1
BLOCK SEVEN LOT 2 DISPENSARY	12,900	70,200	12,900 - RETAIL	9,030	1 SP / 200 N.S.F.	46	70	3	3
BLOCK SEVEN LOT 3 RETAIL	9,800	45,622	9,800 - RETAIL	7,252	1 SP / 200 N.S.F.	37	54	3	4
BLOCK EIGHT LOT 1 THE STORE	7,130	38,735	7,130 - RETAIL	4,991	1 SP / 200 N.S.F.	25	31	2	2
BLOCK EIGHT LOT 2 MOBILE	2,755	30,191	2,755 - RESTAURANT	2,481	1 SP / 200 N.S.F.	13	24	2	2
BLOCK EIGHT LOT 3 RETAIL/RESTAURANT	5,372	39,074	5,372 - RESTAURANT	3,760	1 SP / 200 N.S.F.	19	26	2	2
BLOCK NINE LOT 1 BURGERS	2,855	31,233	2,855 - RESTAURANT	1,999	1 SP / 200 N.S.F.	10	39	2	2
BLOCK NINE LOT 2 MOBILE	2,700	24,262	2,700 - RESTAURANT	1,890	1 SP / 200 N.S.F.	10	20	1	1
BLOCK NINE LOT 3 MOBILE	6,300	44,038	6,300 - RESTAURANT	4,410	1 SP / 200 N.S.F.	23	61	3	3
MISC. ON-STREET PARKING	N/A	N/A	N/A	N/A	N/A	N/A	66	N/A	3
TOTAL	167,426	206,538				558	686	40	48
TOTAL COMMERCIAL/RETAIL			198,903						
TOTAL OFFICE/BANK			6,125						
TOTAL CIVIC/CULTURAL			41,500						

PCD RESIDENTIAL DENSITY, PER SECTION 20-100B(A)

GROSS PCD ACREAGE	COMMERCIAL BLDG. AREA, RW, TRACTS & D/E
25.89	9.22 AC

PRD RESIDENTIAL DENSITY, PER SECTION 20-100B(C)

GROSS PRD ACREAGE	COMMERCIAL BLDG. AREA, RW, TRACTS & D/E	NET RESIDENTIAL ACREAGE	TOTAL DWELLING UNITS	DWELLING UNIT DENSITY
16.44	1.07	15.37	342	22.25

PRD COMMON OPEN SPACE, PER SECTION 20-100B(G)

GROSS PRD ACREAGE	R/W & OFF-STREET PKG.	NET RESIDENTIAL USE ACREAGE	REQUIRED OPEN SPACE ACREAGE (20% OF NET)	PROVIDED OPEN SPACE ACREAGE
16.44	1.07	15.37	3.07	3.36

## RESIDENTIAL (PRD) BUILDING INFORMATION + PARKING SUMMARY

BUILDING TYPE	TOTAL UNITS	1 BEDROOM	2 BEDROOM	3 BEDROOM	PARKING RATIO	PARKING REQUIRED	PARKING PROVIDED
"M" ROWHOUSE	16		N/A		1.5 SP / UNIT	24	49
"B" 12 BEDROOM DUPLEX	30	8	0	0	1.5 SP / UNIT	45	80
"C" 20 BEDROOM DUPLEX	14		N/A		1.5 SP / UNIT	21	24
"D" 12 BEDROOM SINGLE	8		N/A		1.5 SP / UNIT	12	12
A1 - APARTMENT BUILDING	24	6	12		1.5 SP / 1 BR UNIT 2.5 SP / 2 BR UNIT	9 18	14 14
A2 - APARTMENT BUILDING	21	9	6		1.5 SP / 1 BR UNIT 2.5 SP / 2 BR UNIT	14 9	12 7
A3 - APARTMENT BUILDING	27	9	9		1.5 SP / 1 BR UNIT 2.5 SP / 2 BR UNIT	14 23	12 18
A4 - APARTMENT BUILDING	30		2		1.5 SP / 1 BR UNIT 2.5 SP / 2 BR UNIT	3 10	2 8
A5 - APARTMENT BUILDING	10	5	3		1.5 SP / 1 BR UNIT 2.5 SP / 2 BR UNIT	8 5	6 4
A6 - APARTMENT BUILDING	33	24	2		1.5 SP / 1 BR UNIT 1.5 SP / 2 BR UNIT 2.5 SP / 3 BR UNIT	36 3 18	28 2 14
CLUBHOUSE (5,000 GSF/2,800 NSF)	N/A		N/A		N/A		
RETAIL (1,000 GSF/700 NSF)	N/A		N/A		1.5 SP / 200 NSF	18	18
RESIDENTIAL (5,000 GSF)	5	3	2	0	1.5 SP / 1.2 BR UNIT		
FITNESS CENTER (3,600 GSF/2,500 NSF)	N/A		N/A		N/A	N/A	0
RETIREMENT RESIDENCE	124	106	18	0	1 SP / 3 BEDS	48	77
MISC. ON-STREET PARKING	N/A		N/A		N/A	N/A	47
TOTAL	342					423	483

## OFFICE (POD) BUILDING INFORMATION + PARKING SUMMARY

BLOCK LOT	BUILDING AREA (SF)	LOT AREA (SF)	GROSS FLOOR AREA (SF)	NET FLOOR AREA (SF)	PARKING RATIO	PARKING REQUIRED	PARKING PROVIDED
BLOCK NINE LOT 5	5,000	59,888	5,000	3,500	1 SP / 200 N.S.F.	18	42

## GENERAL NOTES

- Owners: Free State Holdings, Inc. 1040 Vermont Street Lawrence, KS 66044  
Bauer Farm Retail Pad 2, LLC PO Box 1797 Lawrence, KS 66044  
Theatre Lawrence, LLC 1501 New Hampshire St Lawrence, KS 66044  
Lawrence Tunnel Wash, LLC 602 Indian Trail Court Smithville, MO 64089
- Land Planner: Treanor Architects 1040 Vermont Street Lawrence, KS 66044
- Engineer/Surveyor: Landplan Engineering, P.A. 1310 Wakarusa Drive Lawrence, KS 66049
- Existing Land Use: Undeveloped/Retail
- Proposed Land Use: Mixed Use Commercial/Retail/Residential
- Existing Zoning: PCD-2 and PRD-2
- Proposed Zoning to amend only portion of PCD.

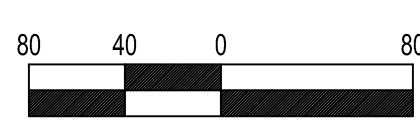
## ESTIMATED PHASING SCHEDULE

PHASE	ESTIMATED TIME OF CONSTRUCTION
I	2008
IA	2010*
IB	2010/2011**
IC	2011**
II	2012/2013
III	2015
IV	2011/2012
V	2012*
VI	2012
VIA	2014
VB	2014
VII	2015/2016

\* Development phasing lines as shown are preliminary and are subject to modification at developer's discretion.  
Alphabetical [sub]phase designations do not denote sequence of construction.  
Public improvements associated with each phase to be provided via private funding or via benefit district financing [subject to public hearing].  
\*\* Complete

## LEGAL DESCRIPTION

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 18 EAST, DOUGLAS COUNTY, KANSAS; THENCE NORTH 88°11'38" EAST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION FOR A DISTANCE OF 126.82 FEET; THENCE NORTH 01°48'22" WEST FOR A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 58°14'38" WEST FOR A DISTANCE OF 68.54 FEET; THENCE NORTH 01°44'48" WEST FOR A DISTANCE OF 295.42 FEET; THENCE NORTH 28°04'13" WEST FOR A DISTANCE OF 27.64 FEET; THENCE NORTH 01°55'21" WEST FOR A DISTANCE OF 30.87 FEET; THENCE NORTH 04°18'08" WEST FOR A DISTANCE OF 85.37 FEET; THENCE NORTH 04°13'20" WEST FOR A DISTANCE OF 160.25 FEET; THENCE NORTH 01°55'21" WEST FOR A DISTANCE OF 123.60 FEET; THENCE NORTH 88°11'38" EAST FOR A DISTANCE OF 2139.53 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 38°33'23" A RADIUS OF 280.00 FEET FOR A LENGTH OF 174.98 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 38°34'21" A RADIUS OF 340.00 FEET FOR A LENGTH OF 228.93 FEET TO A POINT OF TANGENCY; THENCE NORTH 88°11'38" EAST FOR A DISTANCE OF 59.09 FEET; THENCE SOUTH 01°47'22" EAST FOR A DISTANCE OF 629.06 FEET; THENCE SOUTH 88°11'38" WEST FOR A DISTANCE OF 2494.89 FEET TO THE POINT OF BEGINNING; CONTAINING 43.88 ACRES OR LESS.



NORTH

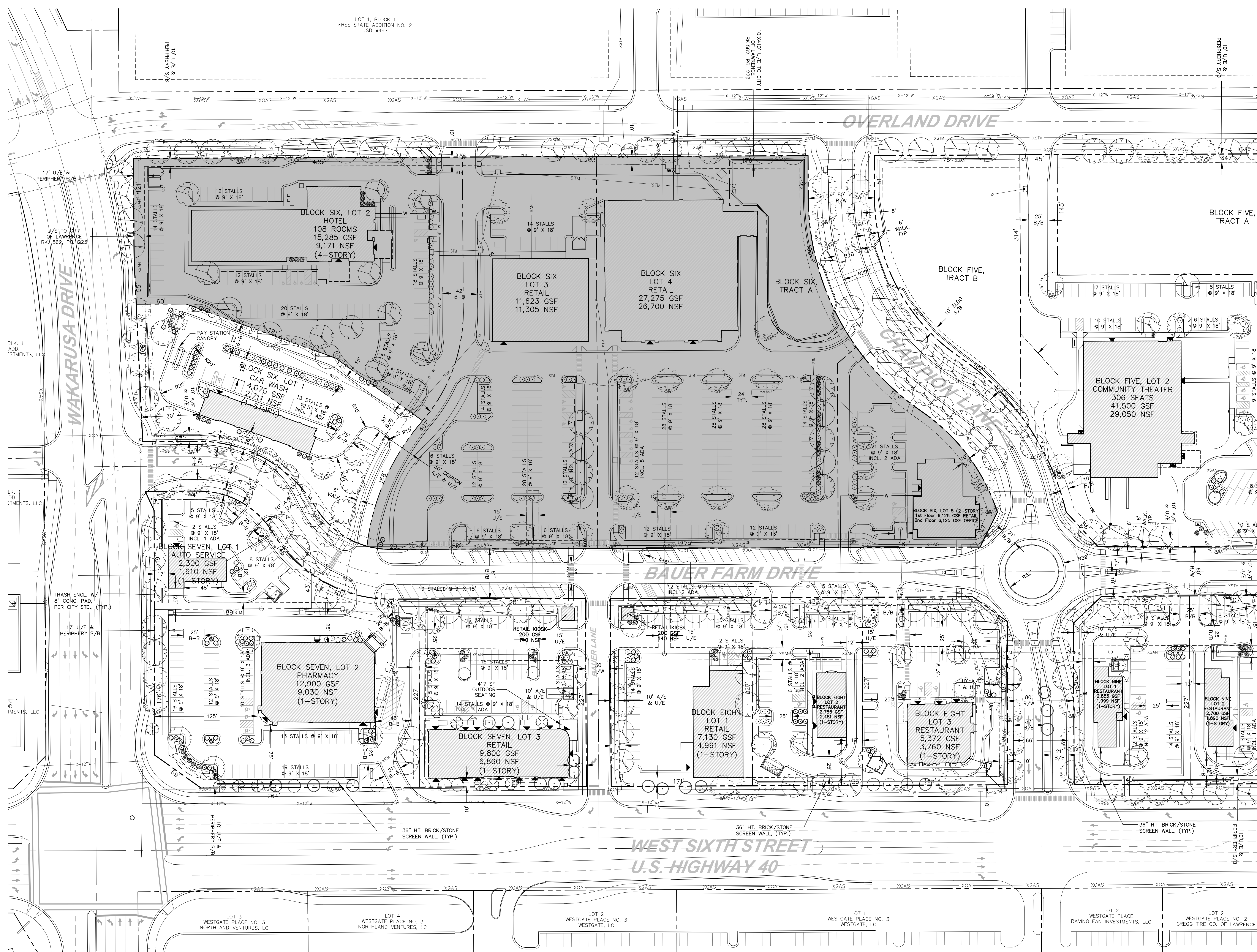
SCALE: 1" = 80'

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PLANNING PURPOSES ONLY--NOT  
FOR CONSTRUCTION

A Preliminary Development Plan for

**BAUER FARM**  
Lawrence, Kansas





## PLANT SCHEDULE

SYMBOL	NAME	CONDITION	SIZE
	Dynasty Elm - <i>Ulmus parvifolia</i> 'Dynasty'	B&B	2" CAL.
	Skyline Thornless Locust - <i>Gleditsia tricanthos</i> 'Skyline'	B&B	2" CAL.
	Northern Red Oak - <i>Quercus rubra</i>	B&B	2" CAL.
	Pacific Sunset Maple - <i>Acer glabrum</i> 'Pacific Sunset'	B&B	2" CAL.
	Amur Maple - <i>Acer ginnala</i>	B&B	2" CAL.
	Eastern Redbud - <i>Coronil canadensis</i>	B&B	2" CAL.
	Goldcrest - <i>Koeleria paniculata</i>	B&B	2" CAL.
	Snowdrift Crabapple - <i>Malus Snowdrift</i>	B&B	2" CAL.
	Eastern White Pine - <i>Pinus strobus</i>	B&B	6" HT.
	Colorado Blue Spruce - <i>Picea pungens</i>	B&B	6" HT.
	American Holly - <i>Ilex opaca</i>	B&B	6" HT.
	Eastern Red Cedar - <i>Juniperus virginiana</i>	B&B	6" HT.
	Compact Pfitzer Juniper - <i>Juniperus chinensis</i> 'Pfitzeriana Compacta'	CONT.	36" HT.
	Dwarf Korean Lilac - <i>Syringa meyeri</i> 'Palibin'	CONT.	36" HT.
	Goldmound Spirea - <i>Spiraea japonica</i> 'Goldmound'	CONT.	36" HT.
	Mowhawk Viburnum - <i>Viburnum x burkwoodii</i> x <i>coffesi</i> 'Mowhawk'	CONT.	36" HT.

## INTERIOR PARKING LANDSCAPE SUMMARY

BLOCK, LOT	PARKING STALLS PROVIDED	LANDSCAPE AREA REQUIRED (8' x 6' x 8')	LANDSCAPE AREA PROVIDED	TREES & SHRUBS REQUIRED (1 tree & 3 shrubs/10 stalls)	TREES & SHRUBS PROVIDED
BLOCK FIVE, LOT 2	139	8,340 sf	8,655	14, 42	23, 65
BLOCK SIX, LOT 1	13	780	1,039	2, 6	0, 33
BLOCK SIX, LOT 2	85	5,100	6,625	9, 26	11, 31
BLOCK SIX, LOT 3	91	5,460	4,215	10, 28	10, 30
BLOCK SIX, LOT 4	141	8,460	3,417	15, 45	15, 45
BLOCK SIX, LOT 5	21	1,260	1,299	3, 9	3, 9
BLOCK SEVEN, LOT 1	15	900	2,317	2, 6	2, 6
BLOCK SEVEN, LOT 2	70	4,200	5,458	7, 21	6, 29
BLOCK SEVEN, LOT 3	54	3,240	4,475	6, 18	6, 18
BLOCK EIGHT, LOT 1	31	1,860	4,348	4, 12	5, 15
BLOCK EIGHT, LOT 2	24	1,440	3,890	3, 9	3, 12
BLOCK EIGHT, LOT 3	36	2,160	2,880	4, 11	15, 18
BLOCK NINE, LOT 1	29	1,740	1,770	3, 9	3, 9
BLOCK NINE, LOT 2	20	1,200	2,369	2, 6	2, 6
BLOCK NINE, LOT 3	61	3,660	4,002	7, 21	9, 15
BLOCK NINE, LOT 5	42	2,520	5,729	5, 15	5, 15
BLOCK A, LOT 1	77	4,620	7,545	8, 24	18, 4

## LANDSCAPING REQUIREMENTS

Section 20-14A04.3 - Street Trees Required: 503  
Street Trees Provided: 503

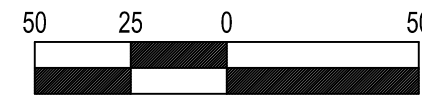
Section 20-14A04.3(g) - 1 Tree per 3,000 of open space  
358,127 sf/3000 = Site Trees required: 120  
Site Trees provided: 128

PRD-3  
Section 20-14A04.3(d) - 1 Tree per 2.5 units  
213 units/2.5 = Site Trees required: 86  
Site Trees provided: 96

POD-1  
Section 20-14A04.3(g) - 1 Tree per 3,000 of open space  
27,938 sf/3000 = Site Trees required: 10  
Site Trees provided: 10



NORTH



SCALE: 1" = 50'

THIS DOCUMENT IS FOR  
PLANNING PURPOSES ONLY-NOT  
FOR CONSTRUCTION

A Preliminary Development Plan for

BAUER FARM

Lawrence, Kansas

## SITE SUMMARY

GROSS AREA: 1,911,428 S.F. / 43.88 ACRES  
RWA AREA: 433,364 S.F. / 9.94 ACRES  
NET AREA: 4,477,502 S.F. / 102.82 ACRES

EXISTING	PROPOSED	Area (SF)	Area (SF)
PCD/BLOCK FIVE, TRACT A	BLOCK FIVE, TRACT A	Area (SF)	Area (SF)
Existing Buildings	0	0	0 (0%)
Existing Pavement	0	0	646 (1%)
Existing Impervious	0	0	646
Existing Permeous	50,356	50,356	40,710 (80%)
Property Area	50,356	50,356	50,356
PCD/BLOCK FIVE, TRACT B	BLOCK FIVE, TRACT B	Area (SF)	Area (SF)
Existing Buildings	0	0	0 (0%)
Existing Pavement	0	0	0 (0%)
Existing Impervious	0	0	0
Existing Permeous	38,107	38,107	38,107 (100%)
Property Area	38,107	38,107	38,107
PCD/BLOCK FIVE, LOT 2	BLOCK FIVE, LOT 2	Area (SF)	Area (SF)
Existing Buildings	0	0	19,303 (15%)
Existing Pavement	0	0	6,391 (5%)
Existing Impervious	0	0	42,330
Existing Permeous	126,099	126,099	45,169 (35%)
Property Area	126,099	126,099	126,099
PCD/BLOCK SIX, TRACT A	BLOCK SIX, TRACT A	Area (SF)	Area (SF)
Existing Buildings	0	0	4,500 (15%)
Existing Pavement	0	0	4,500
Existing Impervious	0	0	4,500
Existing Permeous	46,562	46,562	41,973 (90%)
Property Area	46,562	46,562	46,562
PCD/BLOCK SIX, LOT 1	BLOCK SIX, LOT 1	Area (SF)	Area (SF)
Existing Buildings	0	0	4,070 (8%)
Existing Pavement	0	0	25,227 (48%)
Existing Impervious	0	0	29,297
Existing Permeous	51,981	51,981	22,894 (44%)
Property Area	51,981	51,981	51,981
PCD/BLOCK SIX, LOT 2	BLOCK SIX, LOT 2	Area (SF)	Area (SF)
Existing Buildings	0	0	15,282 (17%)
Existing Pavement	0	0	52,027 (57%)
Existing Impervious	0	0	67,312
Existing Permeous	91,570	91,570	24,258 (26%)
Property Area	91,570	91,570	91,570
PCD/BLOCK SIX, LOT 3	BLOCK SIX, LOT 3	Area (SF)	Area (SF)
Existing Buildings	0	0	11,603 (12%)
Existing Pavement	0	0	64,573 (70%)
Existing Impervious	0	0	76,176
Existing Permeous	92,723	92,723	16,527 (18%)
Property Area	92,723	92,723	92,723
PCD/BLOCK SIX, LOT 4	BLOCK SIX, LOT 4	Area (SF)	Area (SF)
Existing Buildings	0	0	27,275 (23%)
Existing Pavement	0	0	75,254 (65%)
Existing Impervious	0	0	102,529
Existing Permeous	116,528	116,528	13,889 (12%)
Property Area	116,528	116,528	116,528
PCD/BLOCK SIX, LOT 5	BLOCK SIX, LOT 5	Area (SF)	Area (SF)
Existing Buildings	0	0	6,125 (20%)
Existing Pavement	0	0	13,891 (45%)
Existing Impervious	0	0	20,016
Existing Permeous	31,055	31,055	11,539 (35%)
Property Area	31,055	31,055	31,055
PCD/BLOCK SEVEN, LOT 1	BLOCK SEVEN, LOT 1	Area (SF)	Area (SF)
Existing Buildings	0	0	2,300 (11%)
Existing Pavement	0	0	10,259 (48%)
Existing Impervious	0	0	12,559
Existing Permeous	22,135	22,135	9,576 (43%)
Property Area	22,135	22,135	22,135
PCD/BLOCK SEVEN, LOT 2	BLOCK SEVEN, LOT 2	Area (SF)	Area (SF)
Existing Buildings	0	0	12,800 (18%)
Existing Pavement	0	0	43,102 (62%)
Existing Impervious	0	0	55,902
Existing Permeous	70,200	70,200	14,189 (20%)
Property Area	70,200	70,200	70,200
PCD/BLOCK SEVEN, LOT 3	BLOCK SEVEN, LOT 3	Area (SF)	Area (SF)
Existing Buildings	0	0	9,800 (21%)
Existing Pavement	0	0	27,180 (61%)
Existing Impervious	0	0	37,405
Existing Permeous	45,622	45,622	8,277 (18%)
Property Area	45,622	45,622	45,622
PCD/BLOCK EIGHT, LOT 1	BLOCK EIGHT, LOT 1	Area (SF)	Area (SF)
Existing Buildings	0	0	11,030 (11%)
Existing Pavement	0	0	21,780 (57%)
Existing Impervious	0	0	28,810
Existing Permeous	38,735	38,735	9,825 (25%)
Property Area	38,735	38,735	38,735
PCD/BLOCK EIGHT, LOT 2	BLOCK EIGHT, LOT 2	Area (SF)	Area (SF)
Existing Buildings	0	0	2,759 (18%)
Existing Pavement	0	0	18,849 (68%)
Existing Impervious	0	0	21,640
Existing Permeous	30,191	30,191	8,751 (29%)
Property Area	30,191	30,191	30,191
PCD/BLOCK EIGHT, LOT 3	BLOCK EIGHT, LOT 3	Area (SF)	Area (SF)
Existing Buildings	0	0	5,372 (14%)
Existing Pavement	0	0	22,803 (59%)
Existing Impervious	0	0	28,175
Existing Permeous	39,074	39,074	10,739 (27%)
Property Area	39,074	39,074	39,074
PCD/BLOCK NINE, LOT 1	BLOCK NINE, LOT 1	Area (SF)	Area (SF)
Existing Buildings	0	0	2,855 (8%)
Existing Pavement	0	0	17,760 (57%)
Existing Impervious	0	0	20,615
Existing Permeous	31,233	31,233	10,368 (30%)
Property Area	31,233	31,233	31,233
PCD/BLOCK NINE, LOT 2	BLOCK NINE, LOT 2	Area (SF)	Area (SF)
Existing Buildings	0	0	2,700 (11%)
Existing Pavement	0	0	15,269 (57%)
Existing Impervious	0	0	17,969
Existing Permeous	24,282	24,282	6,234 (26%)
Property Area	24,282	24,282	24,282
PCD/BLOCK NINE, LOT 3	BLOCK NINE, LOT 3	Area (SF)	Area (SF)
Existing Buildings	0	0	6,300 (14%)
Existing Pavement	0	0	26,759 (59%)
Existing Impervious	0	0	33,059
Existing Permeous	44,038	44,038	11,939 (27%)
Property Area	44,038	44,038	44,038
PRD/BLOCK A, LOT 1	BLOCK A, LOT 1	Area (SF)	Area (SF)
Existing Buildings	0	0	40,801 (25%)
Existing Pavement	0	0	19,362 (28%)
Existing Impervious	0	0	97,963
Existing Permeous	194,610	194,610	86,647 (44%)
Property Area	194,610	194,610	194,610
PRD (REMAINING)	PRD (REMAINING)	Area (SF)	Area (SF)
Existing Buildings	0	0	125,940 (34%)
Existing Pavement	0	0	104,076 (28%)
Existing Impervious	0	0	230,024
Existing Permeous	372,051	372,051	142,057 (38%)
Property Area	372,051	372,051	372,051
POD/BLOCK NINE, LOT 5	BLOCK NINE, LOT 5	Area (SF)	Area (SF)
Existing Buildings	0	0	5,000 (8%)
Existing Pavement	0	0	27,000 (45%)
Existing Impervious	0	0	32,000
Existing Permeous	59,000	59,000	27,889 (47%)
Property Area	59,000	59,000	59,000

1040 Vermont Street  
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BAUER FARM  
6TH STREET & WAKARUSA DRIVE  
LAWRENCE, KANSAS

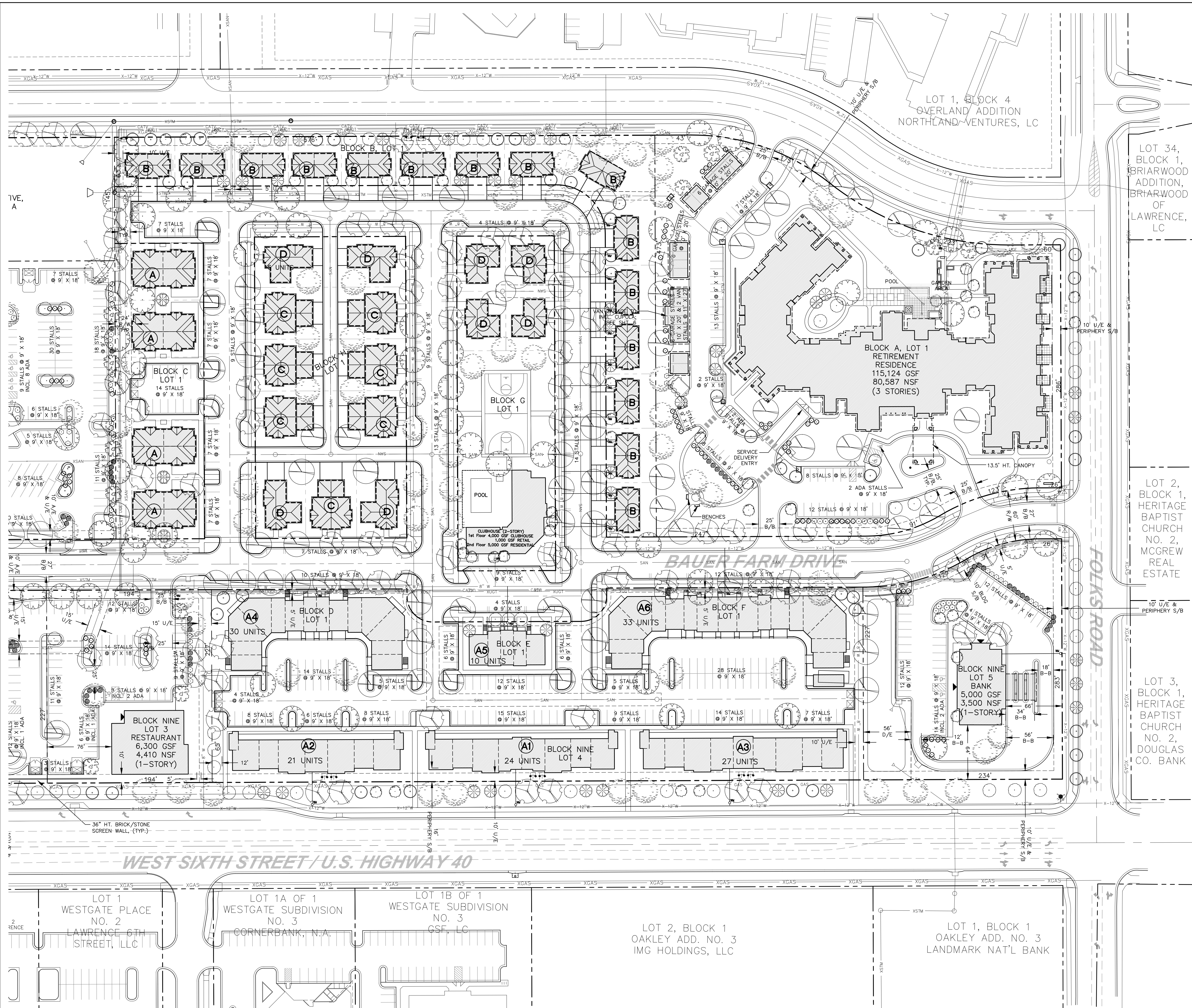
WEST LAYOUT  
&  
LANDSCAPE  
PLAN

REVISIONS  
7.6.05 - RIGHT-IN ONLY  
1.11.06 - CHAMPION LANE  
10.03.06 - PHARMACY, COM. THEATER  
5.07.07 - PER CC CONDITIONS  
6.27.07 - PHARMACY  
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5.31.14 - PER CITY COMMENTS

DATE: 3/9/2005  
PROJECT NO.: 2003.808  
DESIGNED BY: MTA/PAE  
DRAWN BY: BS  
CHECKED BY: BS

SHEET NO.  
2  
OF 6 SHEETS





TYPICAL ARCHITECTURAL STYLES



RESIDENCE CONCEPTS



CLUBHOUSE CONCEPT



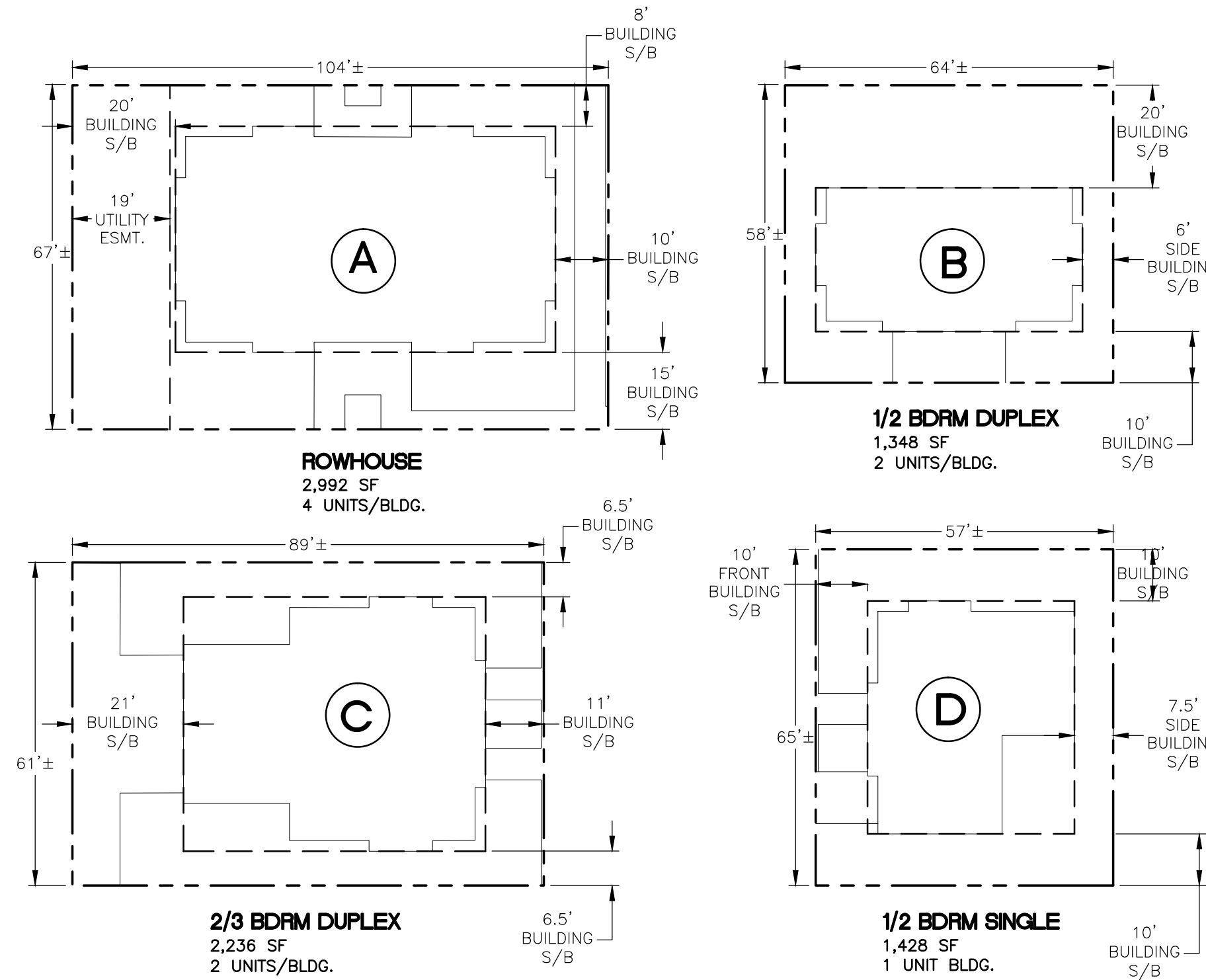
MULTI-FAMILY HOUSING CONCEPT

PLANT SCHEDULE			
SYMBOL	NAME	CONDITION	SIZE
	Dynasty Elm - Ulmus parvifolia 'Dynasty'	B&B	2" CAL.
	Skyline Thornless Locust - Gleditsia tricanthos 'Skyline'	B&B	2" CAL.
	Northern Red Oak - Quercus rubra	B&B	2" CAL.
	Pacific Sunset Maple - Acer rubrum 'Pacific Sunset'	B&B	2" CAL.
	Amur Maple - Acer ginnala	B&B	2" CAL.
	Eastern Redbud - Cercis canadensis	B&B	2" CAL.
	Goldschmidt's Yellow - Koeleria paniculata	B&B	2" CAL.
	Snowdrift Crabapple - Malus 'Snowdrift'	B&B	2" CAL.
	Eastern White Pine - Pinus strobus	B&B	6' HT.
	Colorado Blue Spruce - Picea pungens	B&B	6' HT.
	American Holly - Ilex opaca	B&B	6' HT.
	Eastern Red Cedar - Juniperus virginiana	B&B	6' HT.
	Compact Pfitzer Juniper - Juniperus chinensis 'Pfitzeriana Compacta'	CONT.	36" HT.
	Dwarf Korean Lilac - Syringa meyeri 'Palibori'	CONT.	36" HT.
	Goldmound Spruce - Spiraea japonica 'Goldmound'	CONT.	36" HT.
	Mowhawk Viburnum - Viburnum x burkwoodii x corseoli 'Mowhawk'	CONT.	36" HT.

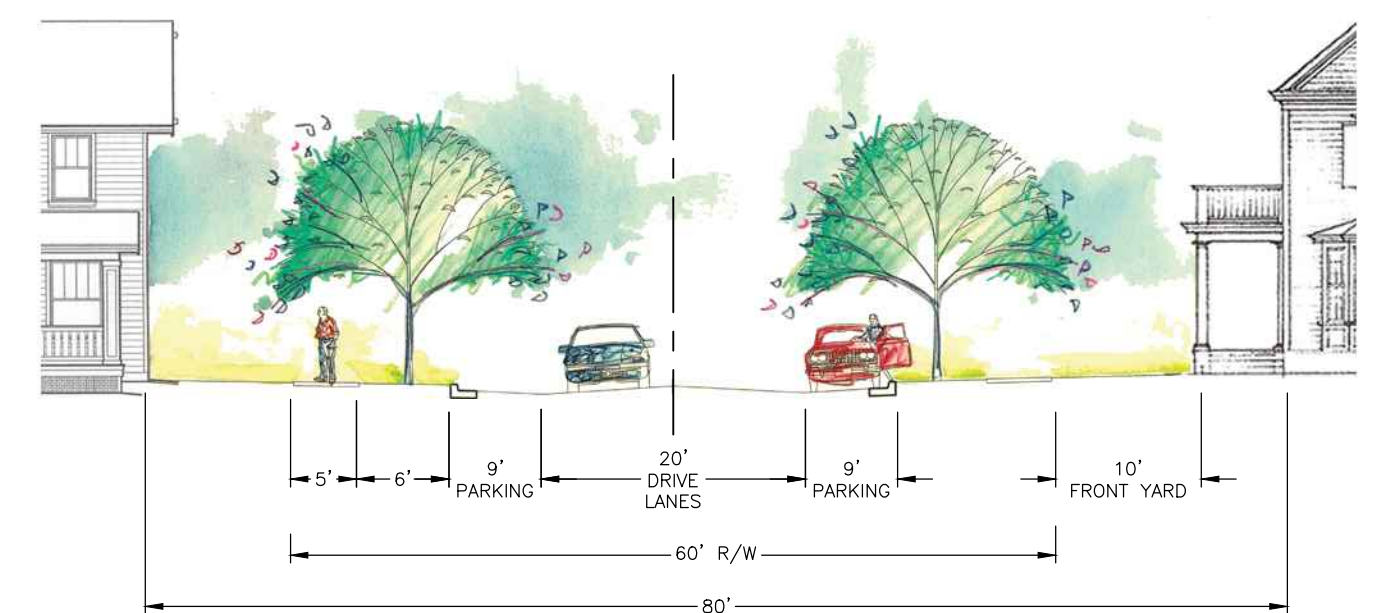
LANDSCAPING REQUIREMENTS

Section 20-14A04.3 - Street Trees Required: 503  
Street Trees Provided: 503  
PCD-2  
Section 20-14A04.3(g)-1 Tree per 3,000 of open space  
358,127 sq/3000 = Site Trees required: 120  
Site Trees provided: 128  
PRD-3  
Section 20-14A04.3(d)-1 Tree per 2.5 units  
218 units/2.5 = Site Trees required: 88  
Site Trees provided: 100  
POD-1  
Section 20-14A04.3(g)-1 Tree per 3,000 of open space  
27,936 sq/3000 = Site Trees required: 10  
Site Trees provided: 10

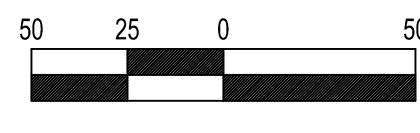
TYPICAL RESIDENTIAL LOT LAYOUTS



TYPICAL RESIDENTIAL STREET SECTION



NORTH



SCALE: 1" = 50'

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A Preliminary Development Plan for

BAUER FARM  
Lawrence, Kansas

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BAUER FARM  
6TH STREET & WAKARUSA DRIVE  
LAWRENCE, KANSAS

EAST LAYOUT  
&  
LANDSCAPE  
PLAN

REVISIONS	
7.6.05 - RIGHT-IN ONLY	
1.11.06 - CHAMPION LANE	
10.03.06 - PHARMACY, COM. THEATER	
3.07.07 - PER CC CONDITIONS	
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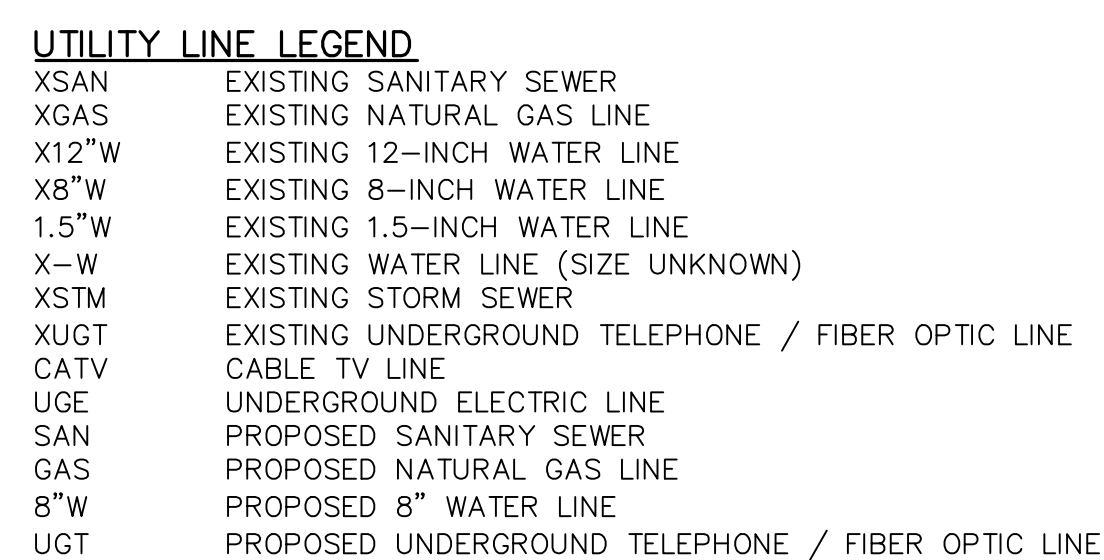
DATE: 3/9/2005  
PROJECT NO.: 2003-008  
DESIGNED BY: MTA/PE  
DRAWN BY: BS  
CHECKED BY: BS

SHEET NO.  
3  
OF 6 SHEETS



COMPUTER ID:





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**BAUER FARM**  
6TH STREET & WAKARUSA DRIVE  
LAWRENCE, KANSAS

EAST GRADING  
&  
UTILITY  
PLAN

REVISIONS  
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 8:07:07 - PER DEPT. COMMENTS  
 11:29:07 - WAKARUSA MEDIAN BREAK  
 1:18:08 - PER DEPT. COMMENTS  
 5:08:08 - PER CC CONDITIONS  
 6:22:09 - BE, L2,3,4,5, 9B, L2  
 7:22:09 - PER DEPT. COMMENTS  
 8:24:09 - PER PG CONDITIONS  
 12:10:10 - RETIREMENT RESIDENCE  
 2:26:10 - PER DEPT. COMMENTS  
 3:10:10 - PER DEPT. COMMENTS  
 4:12:10 - PER CC CONDITIONS  
 12:15:10 - BLOCK 9, LOTS 1 & 2  
 1:27:11 - PER DEPT. COMMENTS  
 2:18:14 - GROCERY/RETAIL/RESIDENTIAL  
 3:31:14 - PER CITY COMMENTS

DATE:	3/9/2005
PROJECT NO.:	2003.695
DESIGNED BY:	MTA/LPE
DRAWN BY:	BS
CHECKED BY:	BS

SHEET NO.

5

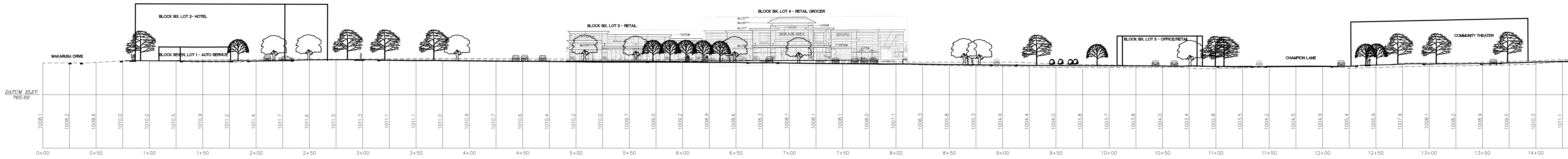
OF 6 SHEETS

BAUER FARM

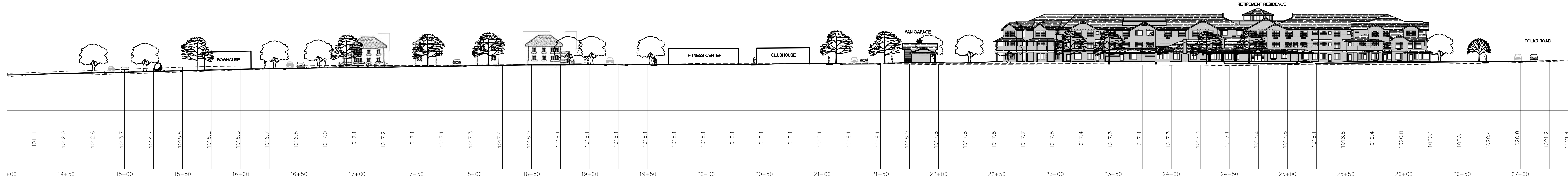
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Lawrence, Kansas

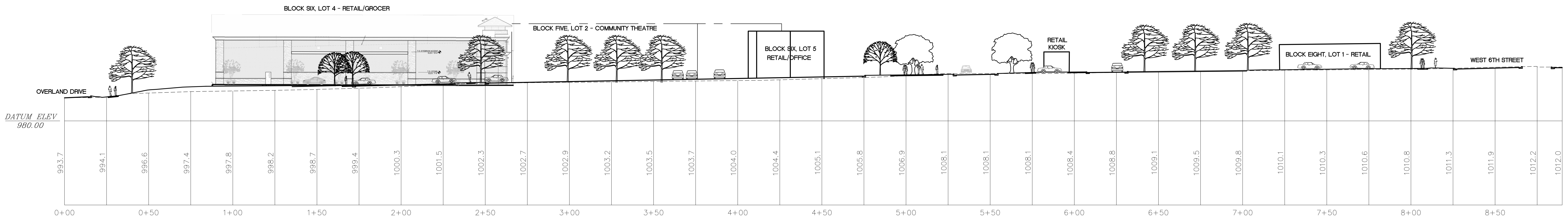




WEST/EAST SECTION 'A' - WEST HALF



WEST/EAST SECTION 'A' - EAST HALF



NORTH/SOUTH SECTION 'B'



NORTH/SOUTH SECTION 'C'

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NOTE: SEE SHEET 1 OF 6 FOR  
SECTION LOCATIONS

A Preliminary Development Plan for

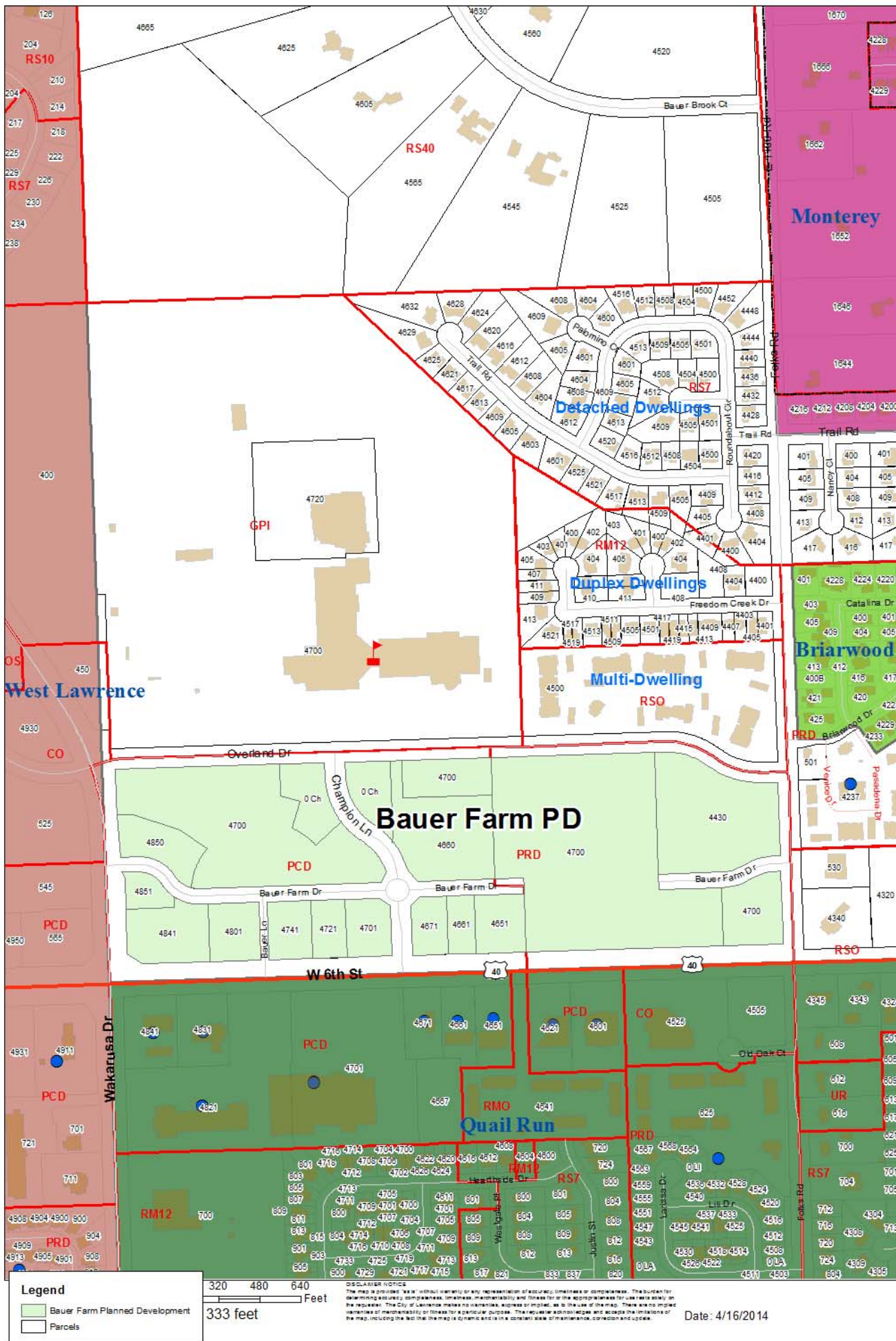
# BAUER FARM

Lawrence, Kansas

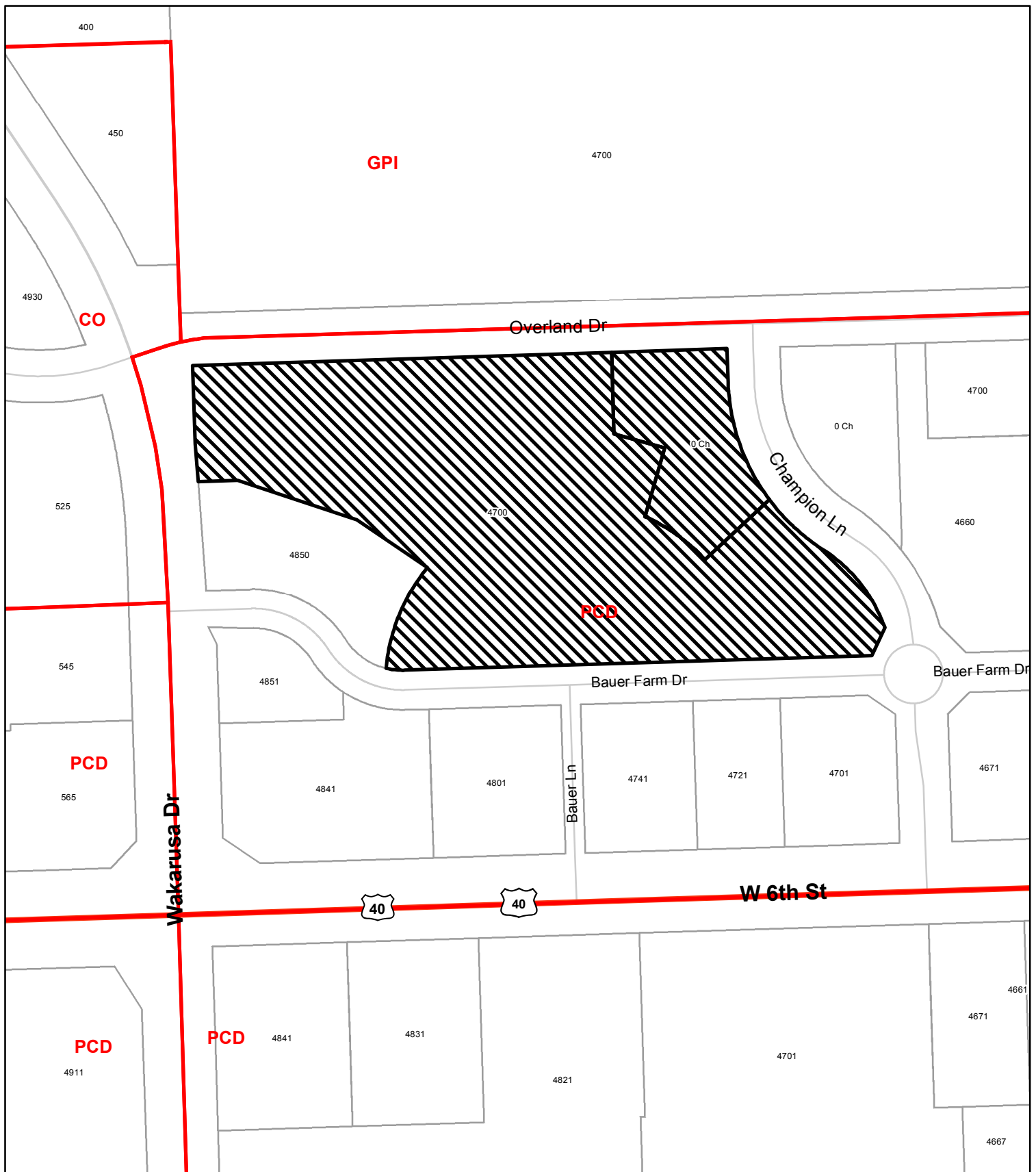
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DATE:	3/9/2005
PROJECT NO.:	2003-008
DESIGNED BY:	MTALPE
DRAWN BY:	BS
CHECKED BY:	BS

# Residential Neighborhood Map







**Z-14-00057: Rezoning (Map Amendment) of 8 acres of PD**  
**PDP-14-00055: Preliminary Development Plan for Bauer Farm**  
**Located at 4700 Overland Drive**

**Kirk McClure, Ph.D.**  
**707 Tennessee Street**  
**Lawrence, KS 66044**  
mcclurefamily@sbcglobal.net

April 14, 2014

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**Jim Denney**  
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**Bryan Culver (Vice-Chair)**  
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**Bruce Liese (Vice-Chair)**  
[bruce@kansascitysailing.com](mailto:bruce@kansascitysailing.com)

**Re: ITEM NO. 6B PRELIMINARY DEVELOPMENT PLAN FOR BAUER FARM;  
4700 OVERLAND DR (SLD) PDP-14-00055:**  
Consider a Revised Preliminary Development Plan for Bauer Farm and Bauer Farm

Dear Members of the Lawrence Douglas County Metropolitan Planning Commission,

Three issues are raised by the application for a revised preliminary development plan for Bauer Farm.

*Addition of a 108 Room Hotel Competed with Taxpayer Subsidized Hotels*

The City of Lawrence, Kansas, has invested approximately \$11 million in the Oread Hotel through Tax Increment Financing. The City invested an additional \$10 million in the 9<sup>th</sup> and New Hampshire development with a large portion of that investment financing another hotel. Sadly, the City invested in this second hotel without any market analysis to determine whether or not the city can absorb this additional hotel space without risking the viability of the initial investment. To further compound this problem, the City voted zoning for yet another hotel in the North Mass development. These actions all threaten to viability of this large amount of public investment.

Now the Bauer Farm development proposes another hotel. It would be poor planning to follow a path that would further threaten the existing taxpayer investment in hotels.



Recommendation: The Planning Commission should not approve any additional hotels until a detailed and unbiased market analysis demonstrates that there is latent demand for all of the hotels that are in operation, under construction, and proposed.

#### *Addition of Retail Space to an Already Saturated Market*

The retail market of Lawrence is overbuilt. The City's own 2012 retail report indicates that the supply of retail space grew dramatically since 2000 while inflation adjusted retail spending has actually fallen during the same time period. This means that the retail market is not absorbing the surplus space but is suffering from a growing excess.

The total value of all retail space in the market is a function of the total spending in that market. Adding more space does not add more value or jobs or sales taxes to the market. Only growth in retail spending can stimulate growth in the market's value, jobs and tax revenues.

Recommendation: The retail market is overbuilt. The Planning Commission should not, except in very compelling circumstances, add to an already overbuilt market.

#### *Deviations from Promised Development*

The node at 6<sup>th</sup> Street and Wakarusa Avenue has a history that is a textbook of poor planning with incremental mistakes followed by more incremental mistakes. The planned amount of retail space for the entire node was given to the southeast corner of the node. Then the developer of the southwest corner of the node asked for retail space beyond what the node needed, and it was granted. Then the developer of the northwest corner of the node asked for retail space far beyond what the node needed, and it was granted. Finally, Bauer Farm in the northeast corner asked for retail space very far beyond what the node needed, and it was granted.

Part of the reason that Bauer Farm received any retail space was in response to the promise that Bauer Farm would develop a mixed-use new urbanism design. Bauer Farm has not only failed to deliver on this promise, it has rendered the promises meaningless. The developer has pursued every form of commercial development from drive-through fast food vendors to home improvement centers without regard to the promises made to the city and the neighborhood. This leaves the City powerless in any future negotiations because developers learn to promise what will gain approval with the knowledge that the developer need not deliver. The developer can simply alter the design later to anything they want.

Recommendation: The Planning Commission should withhold accepting any additional changes to the development plan and press for a return to the original development proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk McClure", with a stylized flourish at the end.

Kirk McClure