PLANNING COMMISSION REPORT
Public Hearing Item

ITEM NO. 7  FINAL DEVELOPMENT PLAN FOR BAUER FARM MULTI-DWELLING;
NORTHWEST NORTH OF W 6TH STREET/ HWY 40 WEST OF THE
INTERSECTION WITH FOLKS ROAD (MKM)

FDP-15-00066: Consider a Final Development Plan for Bauer Farm-Multi-Family, a 100 unit multi-dwelling residential development containing approximately 4.0 acres, located at 4700 Overland Drive. Submitted by Treanor Architects, for Bauer Farms Residential LLC, property owner of record.

STAFF RECOMMENDATION: Planning staff recommends approval of the Final Development Plan based upon the findings of fact presented in the body of the Staff Report subject to the following conditions:

1. A revised photometric plan shall be provided and approved prior to release of the plan for building permits.
2. The final plat for the subject property, Bauer Farm Seventh Plat, shall be recorded with the Register of Deeds, prior to the recordation or release of the Final Development Plan.
3. Provision of a revised Maintenance Agreement reflecting the revised development for recording with the Register of Deeds.
4. Provision of a revised plan with minor changes per Fire Code Officials approval.

Reason for Request: The Final Development Plan serves as a site plan for the development of a Multi-Dwelling Structure and accessory recreational uses in a portion of the Bauer Farm Planned Residential Development.

Design Standards to Consider
- Consistency with approved Preliminary Development Plan, PDP-14-00055.
- Consistency with Article 10 of the 1966 Zoning Ordinance.
- Consistency with standards in the 2006 Development Code.

KEY POINTS:
- Final Development Plans for projects with preliminary approvals prior to the adoption of the 2006 Development Code require Planning Commission approval.
- The most recent approved Preliminary Development Plan for Bauer Farms [PDP-14-00055] modified the commercial portion of the development to include the addition of a 108 room hotel and two retail stores and one mixed use building in Bauer Farm Northwest. The plan increased retail uses from 14,440 sq ft to 45,024 sq ft. The Preliminary Development Plan revised the number of residential dwelling units from 272 to 342, removed a street connection to Overland Drive, and revised the building form from row houses to apartments along W 6th Street and Overland Drive.
- The proposed development is in substantial conformance with the approved Preliminary Development Plan, PDP-14-00055.
A Final Development Plan with apartments on 6th Street, FDP-01-02-09, was approved by the Planning Commission on May 18, 2009; however, the conditions of approval weren’t met within the required time frame and the approval expired.

ASSOCIATED CASES
- PF-15-00094, Bauer Farm Seventh Plat. This plat will complete the platting of the Bauer Farm property. The plat shall be recorded with the Register of Deeds prior to release of Final Development Plan.

OTHER ACTION REQUIRED
- The final plat will be recorded at the Register of Deeds prior to the release of the Final Development Plans.
- When conditions have been met, the Final Development Plan will be recorded at the Douglas County Register of Deeds Office and released.
- Submittal of building permit application and construction plans. Construction may commence after building permits have been issued.

PUBLIC COMMENT
- No public comment was received prior to the printing of this staff report. A Lawrence Theatre representative requested copies of the plans and asked if adequate parking was provided for the development.

PLANS AND STUDIES REQUIRED
- Traffic Study - Study provided and accepted with preliminary development plan.
- Downstream Sanitary Sewer Analysis - Provided and accepted with preliminary development plan.
- Drainage Study - Provided and accepted with preliminary development plan.
- Retail Market Study - Not applicable to application.

GENERAL INFORMATION
Current Zoning and Land Use: PRD-Bauer Farm (Planned Residential Development) District. Undeveloped, although a portion of Bauer Farm Drive has been constructed on the property.

Surrounding Zoning:
- To the west: PCD-Bauer Farm (Planned Commercial Development) District; Entertainment and Spectator Sports (Community Theater), Fast Order Food with Drive-In, and undeveloped.
- To the north: PRD-Bauer Farm (Planned Residential Development) District; Undeveloped, with preliminary approval for both single- and duplex- residential development as part of the Bauer Farm development. A Multi-Dwelling Structure, Meadowlark Estates Retirement Community, is located northeast of the subject property.
- To the east: POD-Bauer Farm (Planned Office Development) District; Undeveloped, with preliminary approval for office development as part of the Bauer Farm
development. A Final Development Plan (FDP-15-00066) submitted for development of a **Health Care Office/Clinic** use at this location is also on the June Planning Commission agenda. (Figure 1)

**STAFF SUMMARY**

This Final Development Plan proposes the development of a multi-dwelling residential complex along W 6th Street south of Bauer Farm Drive, extended. The development will contain 5 multi-dwelling structures (48 one-bedroom units, 30 two-bedroom units and 22 three-bedroom units for a total of 100 dwelling units and 174 bedrooms) and a clubhouse with pool. These uses were originally included on the revised Final Development Plan in 2009 and have been included on the revised Preliminary Development Plans submitted since that time; however, the location of the recreational uses/common open space is being shifted south of Bauer Farm Drive with this proposal. The relocation of the Common Open Space and modification to the Bauer Farm Drive exceed the criteria for ‘substantial compliance’ with the previously approved Preliminary Development Plan outlined in Section 20-1013(b) of the pre-2006 Code; therefore, a public hearing is required for this Final Development Plan. The other change is a reduction in the number of dwelling units from 150 to 100.

The following table compares the development shown on the most recently approved Preliminary Development Plan and the current Final Development Plan.

<table>
<thead>
<tr>
<th>Building</th>
<th>No of Units and Bedrooms (on PDP)</th>
<th>No of Units and Bedrooms (on FDP)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A1</strong></td>
<td>24 Units 48 Bedrooms 6 one-bedroom 12 two-bedroom 6 three-bedroom</td>
<td>14 Units 30 Bedrooms 4 one-bedroom 4 two-bedroom 6 three-bedroom</td>
</tr>
<tr>
<td><strong>A2</strong></td>
<td>21 Units 39 Bedrooms 9 one-bedroom 6 two-bedroom 6 three-bedroom</td>
<td>14 Units 30 Bedrooms 4 one-bedroom 4 two-bedroom 6 three-bedroom</td>
</tr>
<tr>
<td><strong>A3</strong></td>
<td>27 Units 54 Bedrooms 9 one-bedroom 9 two-bedroom 9 three-bedroom</td>
<td>14 Units 30 Bedrooms 4 one-bedroom 4 two-bedroom 6 three-bedroom</td>
</tr>
</tbody>
</table>
PARKING SUMMARY

The approved Preliminary Development Plan, PDP-14-00055 provided parking based on these standards; therefore, the parking requirements will continue to be calculated using the pre-2006 standards of 1.5 parking spaces per each one- and two-bedroom units and 2.5 parking spaces per each three-bedroom unit. Bicycle parking will also continue to be required at the pre-2006 Code standards. ADA parking must comply with the current regulations, as this is regulated by the federal government. The parking requirements are provided in Table 2 followed by a comparison of the parking required with the previous and current Codes.

<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Requirement</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>78 One- and Two-Bedroom units</td>
<td>1.5 spaces per unit</td>
<td>117 spaces required</td>
<td>197 spaces (157 surface, 16 garage, 24 south side of Bauer Farm Drive)</td>
</tr>
<tr>
<td>22 Three Bedroom units</td>
<td>2.5 spaces per unit</td>
<td>55 spaces required</td>
<td></td>
</tr>
<tr>
<td>Club House/pool:</td>
<td>No additional pkg req</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td>172 spaces</td>
<td></td>
</tr>
<tr>
<td>Bicycle</td>
<td>15% of required parking for 1 and 2 bedroom units</td>
<td>18 spaces</td>
<td>34 spaces</td>
</tr>
<tr>
<td>25% of required parking for 3 bedroom units</td>
<td>14 spaces</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td>32 spaces</td>
<td></td>
</tr>
<tr>
<td>ADA</td>
<td>6 ADA spaces when between 151 and 200 spaces are provided w/one being van accessible</td>
<td>6 ADA spaces with one being van accessible</td>
<td>8 spaces with four being van accessible</td>
</tr>
</tbody>
</table>

Table 1. Development comparison between approved PDP and proposed FDP.
### Comparison

<table>
<thead>
<tr>
<th></th>
<th>PRE-2006 standards</th>
<th>CURRENT CODE standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle</td>
<td>172 required</td>
<td>184 required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1 per bedroom + 1 per 10 units for guest)</td>
</tr>
<tr>
<td>Bicycle</td>
<td>32 spaces</td>
<td>51 spaces required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1 for 4 parking spaces)</td>
</tr>
</tbody>
</table>

*Table 2. Parking comparison between previous and current Codes.*

### Site Summary

<table>
<thead>
<tr>
<th>Lot 2, Bauer Farm 7th Plat</th>
<th>Existing</th>
<th>Proposed</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>174,029 sq ft</td>
<td>174,029 sq ft</td>
<td>--</td>
</tr>
<tr>
<td>Building Coverage</td>
<td>0</td>
<td>52,243 sq ft</td>
<td>+52,243 sq ft</td>
</tr>
<tr>
<td>Pavement Coverage</td>
<td>0</td>
<td>106,341 sq ft</td>
<td>+106,341 sq ft</td>
</tr>
<tr>
<td>Impervious Coverage</td>
<td>0</td>
<td>158,584 sq ft</td>
<td>+158,584 sq ft</td>
</tr>
<tr>
<td>Pervious Coverage</td>
<td>174,029 sq ft</td>
<td>15,445 sq ft</td>
<td>-158,584 sq ft</td>
</tr>
</tbody>
</table>

### Residential Density
- Meadowlark Estates: 125 dwelling units
- Multi-Family (subject project): 100 dwelling units
- Future Residential: 68 dwelling units shown on most recently approved Preliminary Development Plan.

**TOTAL:** 293 dwelling units on 15.34 acres = 19.1 dwelling units per acre. PD-[Bauer Farm] zoning permits a maximum of 25 dwelling units per acre.

### Staff Review
The Bauer Farm Development was proposed and planned as a New Urbanism type of development which would utilize several Traditional Neighborhood Design concepts. The waivers which were approved by the Planning Commission were necessary to accommodate these TND concepts such as smaller lots, narrower rights-of-way, and reduced peripheral setbacks. These waivers were revised in response to the development proposed with the 2014 Preliminary Development Plan and these are listed on the plan.

Several Development Plans have been approved for both the commercial and residential portions of the development. Figure 3 shows the areas with approved development plans, the developed area, and the subject property. The area in gray is the Sprouts Grocery Store and out lots recently approved with FDP-14-00207. Properties have beenplattedas development has been proposed. As the subject property is not yet platted, the approval of the Final Development Plan is contingent upon the recording of a final plat. A final plat has been submitted and is also on the June Planning Commission agenda for consideration.
Variation from Approved Preliminary Development Plan [PDP-14-00055]
The items on the Final Development Plan which vary from the approved Preliminary Development Plan include the following:

1) Reconfiguration of Bauer Farm Drive, extended.
2) Reduction in number of dwelling units from 150 to 100.
3) Relocation and reduction of the Common Open Space. (The remainder of the required Common Open Space will be provided on the development to the north.)

The Planning Commission is responsible for the final decision-making of a Final Development Plan processed under the pre-2006 Code. The changes meet the criteria of a substantial change from the Preliminary Development Plan; therefore, a public hearing is required.

Common Open Space

Figure 4a. Common Open Space designated with the approved Preliminary Development Plan: 3.08 acres.
Figure 4b. Common Open Space exhibit showing the common open space provided with the previously approved FDP for Meadowlark Estates and the subject FDP.

A minimum of 20% of the area in the Planned Development is required to be placed into Common Open Space. The 2014 Preliminary Development Plan included a graphic which showed the location of the Common Open Space, and the plan noted that 3.07 acres of Common Open Space was required and 3.08 acres was provided. (Figure 4) The Common Open Space exhibit indicates that 1.49 acres of Common Open Space was provided with the Meadowlark Estates and .68 acres will be provided with the subject development. The remaining Common Open Space, .90 acres, will be provided with the development of the remaining residential portion of Bauer Farm. In staff’s opinion, the relocation of the Common Open Space is acceptable, as the total amount of Common Open Space will be provided when the residential area is fully developed.

Access and Circulation
Two access points on Bauer Farm Drive, extended, will provide access to the apartment parking areas. Bauer Farm Drive is proposed to run straight from Folks Road to Champion Road without the jog that had been shown in the approved Preliminary Development Plan. Speed humps will be installed on the west portion of Bauer Farm Drive to control traffic.

Pedestrian Connectivity
Internal pedestrian connections are provided throughout the development. Sidewalks will be installed on Bauer Farm Drive and are currently in place along W 6th Street. Pedestrian walkways border the apartment buildings and provide connections to the parking lots and the
interior of the buildings. Walkways will provide connection from the apartments to the sidewalk along W 6th Street and 4 walkways connect the interior network with the 6th Street sidewalk.

**Lighting**
A point by point illumination array was provided for the parking lot lighting being proposed with this development. The lighting levels were compliant with the standards in Section 20-1103(d)(3) with the exception of the lighting levels along Bauer Farm Drive. A revised photometric plan should be provided and approved prior to release of the plan for building permits. The lighting will include pedestrian scale street lighting as previously approved along Bauer Farm Drive through the development.

**Landscaping**
The required number of street trees and parking lot trees and shrubs are provided on the plan. An administrative waiver from the interior parking lot landscaping requirement from the 6,880 sq ft required by Code to 5,273 sq ft has been approved based on the parking demand in the area. The landscaping area will accommodate the required landscaping while providing as many off-street parking spaces as possible.

**BUILDING ELEVATIONS**
The Bauer Farm Development proposed new urbanism concepts such as walkability and a mix of housing types including row houses. The apartments along W 6th Street have been designed to maintain the row house character, while those in the interior may have a more typical apartment appearance.

![Figure 5. Elevation of apartments along W 6th Street](image)

**Conclusion**
The development proposed with this Final Development Plan varies from the approved Preliminary Development Plan but the changes are compliant with the provisions of the pre-2006 Zoning Ordinance and the current land Development Code.
STREET TREES REQUIRED:  1 TREE PER 40 L.F.

REQUIRED:  PROVISED:

6TH STREET FRONTAGE 767 L.F./40 = 20 TREES
20 TREES

BAUER FARM DRIVE 767 L.F./40 = 20 TREES
20 TREES

TOTAL = 40 TREES
40 TREES

INTERIOR PARKING LANDSCAPE SUMMARY

Landscaping required:  2' STUMP X 4' CIRCLE X 3' X 10 STALLS

Required:  Provided

172 STALLS x 40 S.F. = 6,880 S.F.
*5,273 S.F.

REQUESTING AN ADMINISTRATIVE WAIVER IN ORDER TO MAINTAIN AS MUCH PARKING AS POSSIBLE

TREES & SHRUBS REQUIRED: 1 TREE & 3 SHRUBS / 10 STALLS

REQUIRED:  PROVIDED:

162 STALLS = 17 TREES, & 49 SHRUBS
18 TREES, & 56 SHRUBS

TYPE 1 BUFFER YARD REQUIRED:  REQUIRED ON EAST SIDE (ADJACENT TO POD ZONING)

THE AMOUNT OF PLANT MATERIAL REQUIRED WITHIN BUFFER YARD IS DEPENDANT ON THE WIDTH OF THE BUFFER YARD THAT IS PROVIDED.

REQUIRED:  PROVIDED:

TYPE I BUFFER YARD
BUFFER YARD WILL BE PROVIDED FOR ON XPRESS MEDICAL OFFICE LOT

TYPE 2 BUFFER YARD REQUIRED:  REQUIRED ON WEST SIDE (ADJACENT TO PCD ZONING)

THE AMOUNT OF PLANT MATERIAL REQUIRED WITHIN BUFFER YARD IS DEPENDANT ON THE WIDTH OF THE BUFFER YARD THAT IS PROVIDED.

REQUIRED:  PROVIDED:

25' BUFFER WIDTH = 4 TREES, & 10 SHRUBS/100 L.F.
227 L.F./100 L.F. = 2.27  2.27x(4)=9 TREES 2.27x(10)=23 SHRUBS
(50% OF REQUIRED TREES AND SHRUBS TO BE EVERGREEN)

25' BUFFER WIDTH WITH 9 TREES AND 23 SHRUBS
(80% EVERGREEN)

COMMON OPEN SPACE SUMMARY

INTERIOR LANDSCAPE AREA EXHIBIT

COMMON OPEN SPACE SUMMARY

INTERIOR PARKING LANDSCAPE SUMMARY

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25' BUFFER WIDTH WITH 9 TREES AND 23 SHRUBS
(80% EVERGREEN)

INTERIOR LANDSCAPE AREA EXHIBIT

COMMON OPEN SPACE SUMMARY
THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY—NOT FOR CONSTRUCTION

COMMON OPEN SPACE

PROD COMMON OPEN SPACE
REQUIRED: 3.07 AC.

EXISTING MEADOWLARK: 1.49 AC.

PROPOSED MULTI-FAMILY: 0.68 AC.

FUTURE DEVELOPMENT: 0.90 AC.