PLANNING COMMISSION REPORT
Non-Public Hearing Item
PC Staff Report 09/21/2015
ITEM NO. 3 FINAL DEVELOPMENT PLAN FOR BAUER FARM CREDIT UNION; 4851 BAUER FARM DR (SLD)

FDP-15-00373: Consider a Final Development Plan for Bauer Farm Credit Union, located at 4851 Bauer Farm Dr. Submitted by Landplan Engineering, for Free State Holdings, Inc., 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. Applicant shall submit a photometric plan including a point by point illumination array to show the lighting levels and fixture type are compliant with the standards in Section 20-1103(d)(3) prior to release of the Final Development Plan for issuance of a building permit.
2. Applicant shall submit a copy of the written permission from the adjacent property owner for shared access along the south property line prior to the release of the Final Development Plan.

Reason for Request: The contract purchaser of the property intends to develop this site into a full-service branch building for Mid America Credit Union. In addition to the typical interior office and customer service areas, the 2,110 GSF building will also feature two (2) drive-through teller lanes and one (1) drive-through ATM lane. The site will feature one curb cut on Bauer Farm Drive and a connection to the CVS Pharmacy parking lot to the south. The site will provide twelve (12) automobile parking spaces, two (2) bicycle parking spaces and a pedestrian connection to the existing sidewalk located on the south side of Bauer Farm Drive.

Attachment:
A. Proposed Final Development Plan.
B. Existing Land Use and Zoning Exhibit.
C. Drive-thru exhibit and summary.

Design Standards to Consider
- Consistency with approved Preliminary Development Plan, PDP-14-00055.

KEY POINTS:
- Final Development Plans for projects with preliminary approvals prior to the adoption of the 2006 Land Development Code require Planning Commission approval.
- A revised Preliminary Development Plan for Bauer Farms [PDP-14-00055] was approved by the Planning Commission on April 21, 2014 and by the City Commission on May 6, 2014.
- The proposed development revises the use of the lot from an automotive service use to a bank use, permitted in an alternative location per the approved Preliminary Development Plan.
ASSOCIATED CASES
- PDP-14-00055; Bauer Farm Preliminary Development Plan.
- PF-05-04-08; Final Plat Bauer Farms First Plat.

OTHER ACTION REQUIRED
- Applicant’s submittal of a revised development plan addressing the conditions of approval for recording at the Douglas County Register of Deeds Office.
- Applicant shall apply for and obtain Building Permits prior to development.

PUBLIC COMMENT
- No public comment was received prior to the printing of this staff report.

PLANS AND STUDIES REQUIRED
- Traffic Study – a Revised Traffic Impact Study (TIS) was provided and accepted.
- Downstream Sanitary Sewer Analysis – 2. The March 7, 2007 DSSA was updated on January 20, 2010 with the PDP-01-01-10 submittal. Subsequent submittals have not required additional revisions to this DSSA so the January 20, 2010 DSSA is acceptable for this project.
- Drainage Study – The drainage letter dated 7-20-2015 meets the specified requirements and is approved.
- Retail Market Study – Not applicable to application.

GENERAL INFORMATION
Current Zoning and Land Use: PCD [Bauer Farm] (Planned Commercial Development) District; Undeveloped.

Surrounding Zoning:

To the north and South:
PCD [Bauer Farm] (Planned Commercial Development) District. A Car Wash facility is located on the north side of Bauer Farm Drive. A Retail Sales, General use building located to the south known as CVS Pharmacy.

To the northeast:
PCD [Bauer Farm Northwest] (Planned Commercial Development) located on the north side of Bauer Farm Drive; existing and developing Retail Sales uses, known as Sprouts and future multi-tenant retail commercial building.

To the west:
PCD [6Wak] (Planned Commercial Development) located on the west side of Wakarusa Drive; Undeveloped.

STAFF SUMMARY
This Final Development Plan proposes the development of a 2,110 sq ft single story bank use with drive-thru lanes including an ATM lane on approximately 22,119 sq ft parcel located on the southeast corner of Bauer Farm Drive and Wakarusa Drive. The property is platted. Access to the site will be taken from Bauer Farm Drive. This plan includes a new driveway connection between the proposed development and the existing commercial development to the south.
Figure 1 compares the lot layout on the approved Preliminary Development Plan (1A) and the proposed layout with the Final Development Plan (1B). The bank use was originally included in the Bauer Farm Planned Development as use in the POD portion of the development on the southwest corner of Bauer Farm Drive and Folks Road. This application relocates the use to the west end of the Planned Development. The previous plan shows this lot developed for an auto service use such as a quick lube type business.

![Figure 1A. Development as shown on most recent approved Preliminary Development Plan, PDP-14-00055](image)

![Figure 1B. Development as shown on subject Final Development Plan, FDP-15-00373](image)

<table>
<thead>
<tr>
<th>Site Summary:</th>
<th>Area (sq ft)/% of site</th>
<th>Subject property:</th>
<th>22,135 sq ft (100%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Footprint:</td>
<td>2,300 sq ft (11%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proposed Pavement:</td>
<td>10,259 sq ft (46%)</td>
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</tr>
<tr>
<td>Total Impervious:</td>
<td>12,559 sq ft (57%)</td>
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<td>Total Pervious:</td>
<td>9,576 sq ft (43%)</td>
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<table>
<thead>
<tr>
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<th>Area (sq ft)/% of site</th>
<th>Subject property:</th>
<th>22,119 sq ft (100%)</th>
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<tr>
<td>Building Footprint:</td>
<td>2,110 sq ft (10%)</td>
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</tr>
<tr>
<td>Proposed Pavement:</td>
<td>12,598 sq ft (56%)</td>
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<tr>
<td>Total Impervious:</td>
<td>14,708 sq ft (66%)</td>
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</tr>
<tr>
<td>Total Pervious:</td>
<td>7,411 sq ft (34%)</td>
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</table>

Figure 2. Bank Location in approved PDP, 6th Street and Folks Road.

The approved Preliminary Development Plan included a bank use located on Lot 5, Block 9 with 5,000 sq ft, 3 drive-thru lanes, 1 ATM lane and 42 parking spaces. This application reduces the intensity of the planned bank use and relocates it to the west side (PCD) of the Bauer Farm Planned Development.

**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. Several Development Plans have been approved for both the commercial and residential portions of the development. The Planning Commission approved revised waivers with their consideration of the 2014 revised Preliminary Development Plan, PDP-14-00055, based on the type of development being proposed. The revised waivers are listed on the plan.

**Off-Street Parking**
In the pre-2006 Zoning Code off-street parking is calculated at a different ratio and an alternative methodology was specifically applicable to planned Developments. Per the 1966 Code, parking was based on net square feet of building space rather than gross square feet in the current Code. Additionally, Planned Development off-street parking was calculated at a rate of 1 space per 200 net square feet regardless of use. The following table summarizes and compares the off-street parking for the subject property between the approved Preliminary Development Plan and the proposed Final Development Plan.

<table>
<thead>
<tr>
<th>Approved Preliminary Development Plan</th>
<th>Proposed Final Development Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Auto Sales and Service</strong></td>
<td><strong>Financial, Insurance and Real Estate</strong></td>
</tr>
<tr>
<td>Parking Requirements: 1 SP/ per 200 sq ft (All Uses in Planned Development)</td>
<td>Parking Requirements: 1 SP/ per 300 sq ft (Parking Requirements: 1 SP/200 sq ft (PUD))</td>
</tr>
<tr>
<td>Required Parking: 1,610 sq ft/200 sq ft: 9 SP</td>
<td>Required Parking: 2,110 sq ft/300 sq ft: 8 SP (Required Parking: 2,110 sq ft/200 sq ft: 11 SP (PUD))</td>
</tr>
<tr>
<td>Proposed Parking: 15 Spaces</td>
<td>Proposed Parking: 12 Spaces</td>
</tr>
</tbody>
</table>

The proposed parking is less intensive than the previously approved use shown on the Preliminary Development Plan. Based on off-street parking requirements, the intensity of the use is less for the *Financial, Insurance and Real Estate* (bank) use than the *Auto Sales and Service Use* (auto service) use shown on the Preliminary Development Plan.

**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. Change in use from *Automotive Sales and Service Use* to *Financial, Insurance, Real Estate Office Use*.
2. Reduction of the overall building size from 2,300 sq ft to 2,110 sq ft.
3. Reduction of overall off-street parking from ‘9 required/15 provided’ to ‘8 required/12 provided’.
4. Addition of cross access between subject property and commercial development to the south.

The Planning Commission is responsible for the final decision-making of a Final Development Plan of the pre-2006 Code. Applications submitted for Final Development Plan approval must be in substantial compliance with the approved Preliminary Development Plan. This section of the report provides a summary of the proposed development’s “substantial compliance the approved Preliminary Development Plan” based on the 1966 Zoning Code for which it was originally approved and for the current Land Development Code standards.
Section 20-1013 (b) of the 1966 Zoning Code states that a plan submitted for final approval shall be in substantial compliance with the plan previously given preliminary approval and that modifications may not:

1. Increase gross residential density or intensity by more than 5% or involve a reduction in the area set aside for common open space.
2. Increase the total floor area proposed for non-residential or commercial uses by more than 10%.
3. Increase the total ground area covered by a building by more than 5% or involves a substantial change in the height of buildings.

The proposed modification:
1. Does not impact the residential density. Land use intensity is reduced based on the off-street parking requirement between the two uses.
2. Reduces the total building area with this application.
3. Reduces the total area covered by a building by this application.

The proposed development meets the requirements of being in substantial compliance with the plan previously given preliminary approval. The approved Preliminary Development Plan included a bank use. This application relocates that use from the Planned Office Development portion of the project to the Planned Commercial Development portion.

An application that meets the definition of a Major Change per Section 20-1305 (e) (iv) of the Land Development Code requires “rehearing and reapproval by the Planning Commission.” Major changes are those that result the following:

a. An increase in the residential density or intensity of use by more than 5%.
b. Result in a reduction of area set aside for common open space in general or recreational open space in particular.
c. Increases the floor area of non-residential uses by more than 10%.
d. Increases the ground covered by a building by more than 5%.
e. Change a residential use or building type.
f. Increases the height of a building by more than 5’.
g. Represent a change to the PDP that creates a substantial adverse impact on surrounding land owners.
h. Change the residential building type or non-residential structure by more than 10% in size.

The proposed Modifications:
1. Does not impact the residential density. Land use intensity is reduced based on the off-street parking requirement between the two uses.
2. Does not alter the Common Open Space or Recreational Open Space within the development. Common Open Space in the original development was not a defined element for the PCD in the original Planned Development.
3. Does not increase the building floor area. It is reduced in this application.

1 Included “private or public courts, gardens, or parking for open space uses but not streets and parking spaces.”
d. Reduces the ground area covered by the development.

e. Residential buildings are not altered by this application.

f. Building Height was not specified in the approved Preliminary Development Plan other than to indicate that the Auto Service use would be the equivalent of 1 story. Specific building elevations were not available. The proposed building is one story with architectural features to meet the Commercial Design Guidelines. Overall building height is comparable to the approved Preliminary Development Plan.

g. The proposed Final Development Plan does not represent a change that will be substantially adverse to the surrounding land owners. The use was approved within the development but located on the east side of the development.

h. The overall building is smaller than the approved building footprint for this lot.

This application complies with both the 1966 Zoning Code and the Land Development Code for consideration of a Final Development Plan. While, in staff's opinion, a new public hearing is not required the 1966 Code requires the Planning Commission to approve a Final Development Plan as the determining authority.

**Drive thru Uses in Bauer Farm Planned Development**

A significant feature of the Traditional Neighborhood Design concept is the limited number of vehicle oriented uses, specifically drive-thru uses. The development plan, including all the areas zoned PCD, PRD and POD, was modified in 2008 to restrict drive-thru uses to the following mix:

- 3 restaurant uses (3)
- One Bank (1)
- One other non-restaurant such as a pharmacy (1)

The plan included automotive service uses that did not count toward these “drive-thru” restrictions.

The CVS, 4841 Bauer Farm Drive, and Taco Bell, 4721 Bauer Farm Drive, buildings were the first in the area to be developed with a drive-thru. To date, two other restaurant uses have been developed with a drive-thru.

- 4701 Bauer Farm Drive, Starbucks
- 4671 Bauer Farm Drive, Burger King

Approval of this request consumes the last remaining drive-thru use, excluding automotive service uses, within the Bauer Farm Planned Development (inclusive). The drive-thru associated with a bank use is being swapped from the approved POD to the PCD portion of the development plan. See Attachment C.

**Common Open Space**

A minimum of 20% of the area in the Planned Development is required to be placed into Common Open Space. The majority of common open space for the Bauer Farm Planned Development is located within the residential portions of the project. The site includes 34% of the total area as pervious (green space). This application increases the area of open space in the northwest corner of the site from the previous plan.
Access and Circulation
Vehicular access to this site is provided from Bauer Farm Drive and is consistent with that approved on the Preliminary Development Plan. Adequate bicycle parking is being provided and is being located near the main entrance. In addition to the access to Bauer Farm Drive this site includes a new access between the subject property and the adjacent commercial property to the south. This increases the internal site circulation. A condition of approval related to the access is to revise the plan to include a reference to the shared access easement between the two properties.

Pedestrian Connectivity
A pedestrian walkway connects the building with the sidewalks on Bauer Farm Drive. The walkway provides access to the building entrance.

Lighting
A photometric plan including a point by point illumination array is required to show the lighting levels and fixture type are compliant with the standards in Section 20-1103(d)(3). This requirement is reflected as a condition of approval.

Landscaping
Peripheral boundaries are not required between PUDs in the same development. Parking lots are also required to be screened. This application revises the parking lot design to orient spaces to the interior of the site. The previous plan included parking along Bauer Farm Drive. Interior parking lot islands are provided. Current design standards require 480 SF of interior green space. The proposed plan includes 907 SF of green space. This application exceeds the minimum required interior green space.

The plan notes that all mechanical equipment will be building mounted and will be screened per City Code.

Solid Waste is typically stored in a screened dumpster area designated on the property. This use, typical of other financial institutions, will not include a traditional dumpster. Instead solid waste will be provided in residential style service. A future change of use that needs a traditional commercial type service would require a revision to the plan to include an appropriately located dumpster and enclosure. This site includes excess parking spaces that could accommodate a future dumpster if necessary.

Commercial Design Guidelines
Planned Developments provide the developer greater flexibility to achieve their desired design and development. They also allow for greater control over the aesthetics of a site. Proposed Building elevations include variation in material, building planes, and a strongly defined main entry. The proposed building meets the intent of the Design Guidelines.

Conclusion
The development proposed with this Final Development Plan is consistent with the intent of the development that was approved with the Preliminary Development Plan and is compliant with the provisions of the Development Code.
SITE SURFACE SUMMARY:

<table>
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<tr>
<th>CATEGORY</th>
<th>EXIST. CONDITIONS</th>
<th>AREA (SF)</th>
<th>PROP. CONDITIONS</th>
<th>AREA (SF)</th>
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<tr>
<td>TOTAL BUILDING</td>
<td>0 (0%)</td>
<td>2,110</td>
<td>0 (0%)</td>
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<tr>
<td>TOTAL PAVEMENT</td>
<td>242 (1%)</td>
<td>12,598</td>
<td>242 (1%)</td>
<td>12,598</td>
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<td>TOTAL IMPERVIOUS</td>
<td>242 (1%)</td>
<td>14,708</td>
<td>242 (1%)</td>
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<tr>
<td>TOTAL PERVIOUS</td>
<td>21,877 (99%)</td>
<td>7,411</td>
<td>21,877 (99%)</td>
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<tr>
<td>TOTAL PROPERTY</td>
<td>22,119 (100%)</td>
<td>22,119</td>
<td>22,119 (100%)</td>
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GRADING & DRAINAGE LEGEND:

- A.D.: Area Drain
- F.F.E.: Finish Floor Elevation
- C.I.: Curb Inlet
- J.B.: Junction Box
- T/BOX: Top of Box
- FL: Flowline
- TC: Top of Curb
- TP: Top of Pavement
KEYED NOTES:

1. **EXISTING 8" PVC WATER MAIN**
   - Coordinate with City of Lawrence Utility Dept. to connect 1" domestic water service line, per City Standards.

2. **EXISTING 12" DUCTILE IRON WATER MAIN**
   - Coordinate with City of Lawrence Utility Dept. to connect 1" domestic water service line, per City Standards.

3. **PROPOSED 1" DOMESTIC WATER SERVICE LINE**

4. **EXISTING 8" PVC SANITARY SEWER MAIN**
   - Coordinate with City of Lawrence Utility Dept. to connect to existing 4" sanitary sewer service stub, per City Standards.

5. **PROPOSED 4" SCH. 40 PVC SAN. SEWER SERVICE LINE**

6. **EXISTING 2" PLASTIC HIGH-PRESSURE GAS MAIN**
   - Coordinate with Black Hills Energy for installation of underground gas service piping and installation of gas meter at location shown.

7. **EXISTING UNDERGROUND ELECTRIC LINE**
   - Tentative location of concrete transformer pad, coordinate final location and service connection to building with Westar Energy.
LANDSCAPE SUMMARY:

STREET TREES

REQUIRED: 1 TREE / 40 FEET OF R.O.W. FRONTAGE
145 LF WAKARUSA DRIVE R.O.W. FRONTAGE / 40 = 4
240 FEET OF BAUER FARM DRIVE R.O.W. FRONTAGE / 40 = 6
10 TREES

EXISTING: 2 TREES

PROVIDED: 8 TREES

INTERIOR PARKING LOT LANDSCAPING

REQUIRED: 40 SF LANDSCAPING AREA / PARKING SPACE
40 SF * 12 PARKING SPACES = 480 SF LANDSCAPING AREA
1 SHADE TREE & 3 SHRUBS / 10 PARKING SPACES
1 SHADE TREE & 3 SHRUBS * (12 PARKING SPACES / 10) = 2 & 6
2 TREES & 6 SHRUBS

PROVIDED: 908 SF LANDSCAPING AREA
2 TREES & 11 SHRUBS

PLANT SCHEDULE:

<table>
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<tr>
<th>SYMBOL</th>
<th>QTY.</th>
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<th>SIZE</th>
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<td>12.00</td>
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<td>5 GAL.</td>
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Turf Type Tall Fescue

6,750 SF
**Surrounding Zoning**

Figure 1: Existing Zoning

**Surrounding Land Use**

Figure 2: Existing Land Use
**Drive-thru Permitted in Bauer Farm**

CC 3.4.2008; Bauer Farm PDP Drive-thru uses
- 3 restaurant uses (3)
- One Bank (1)
- One other non-restaurant such as a pharmacy (1)

Total – 5 drive-thru permitted

Automotive related uses determined to not count toward drive-thru: i.e. tunnel car wash and tire store.

<table>
<thead>
<tr>
<th>Address</th>
<th>Use</th>
<th>Type of drive-thru</th>
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<tbody>
<tr>
<td>4851 Bauer Farm Drive</td>
<td>Proposed Bank</td>
<td>Bank Drive-thru (1)</td>
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<tr>
<td>4841 Bauer Farm Drive</td>
<td>CVS Pharmacy</td>
<td>Non-Restaurant (1)</td>
</tr>
<tr>
<td>4801 Bauer Farm Drive</td>
<td>In-Line Building</td>
<td>No Drive-Thru</td>
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<tr>
<td>4741 Bauer Farm Drive</td>
<td>Tire Store</td>
<td>Non-Restaurant/Auto Related</td>
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<tr>
<td>4721 Bauer Farm Drive</td>
<td>Taco Bell</td>
<td>Restaurant drive-thru (1)</td>
</tr>
<tr>
<td>4701 Bauer Farm Drive</td>
<td>In-Line Building/Starbucks</td>
<td>Restaurant drive-thru (2)</td>
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<tr>
<td>4671 Bauer Farm Drive</td>
<td>Burger King</td>
<td>Restaurant drive-thru (3)</td>
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<tr>
<td>4661 Bauer Farm Drive</td>
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<td>4651 Bauer Farm Drive</td>
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<td>4700 Overland Drive</td>
<td>Vacant Lot (residential)</td>
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<td>4430 Bauer Farm Drive</td>
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<td>4710 Bauer Farm Drive</td>
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<td>4740 Bauer Farm Drive</td>
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<td>4820 Bauer Farm Drive</td>
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<td>510 Wakarusa Drive</td>
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<tr>
<td>4850 Bauer Farm Drive</td>
<td>Tunnel Carwash</td>
<td>Non-Restaurant/Auto Related</td>
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