

PLANNING COMMISSION REPORT
Non-Public Hearing Item

PC Staff Report
06/22/2015

ITEM NO. 5: FINAL PLAT FOR BAUER FARM SEVENTH PLAT; 4700 OVERLAND DRIVE (MKM)

PF-15-00094: Consider a Final Plat for Bauer Farm Seventh Plat, a 4 lot planned commercial, residential, and office subdivision containing approximately 14.569 acres, located at 4700 Overland Drive. Submitted by Treanor Architects, for Bauer Farms Residential LLC and Free State Holdings, Inc., property owners of record.

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

1. Provision of revised, executed Master Street Tree Plan for recording.
2. Pinning of lots in accordance with Section 20-811(k) of the Subdivision Regulations.
3. Provision of a revised Final Plat with the following change:
 - a. Endorsements revised to reflect that the Planning Commission approved the Final Plat.

Applicant's Reason for Request: Subdivision is necessary prior to development.

KEY POINTS

- This final plat will complete the platting of the land that is zoned for residential (PRD) and office (POD) development, and will combine two commercially zoned (PCD) platted lots into one.
- This application was submitted concurrently with Final Development Plans for a *Multi-Dwelling* development on proposed Lot 2, Block One and a *Health Clinic/Office* on proposed Lot 3, Block One. Approval of the final plat is not contingent upon the approval of the related development plans.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 1, 2007. The new Subdivision Regulations included an administrative approval process for final plats; however, as the Bauer Farm development was preliminary platted in 2005 with Preliminary Development Plan PDP-03-02-05, the final plat requires Planning Commission approval.

ASSOCIATED CASES

- FDP-15-00066, Final Development Plan for a 100 unit *Multi-Dwelling Structure* on Lot 2, Block One. This plan is on the June 22nd Planning Commission agenda for consideration.
- FDP-15-00108, Final Development Plan for Xpress Wellness, a *Health Care Office/Clinic* use on Lot 3, Block One. This plan is on the June 22nd Planning Commission agenda for consideration.
- PDP-14-00055, revised Preliminary Development Plan for the Bauer Farm development, approved by the City Commission on May 6, 2014.

Other Action Required

- City Commission acceptance of dedication of easements and rights-of-way as shown on the final plat.
- Submittal and approval of Public Improvement Plans and provision and acceptance of means of assurance of completion prior to the recording of the final plat at the Douglas County Register of Deeds.
- Recordation of final plat at the Douglas County Register of Deeds.
- Final Development Plans must be approved prior to development. As this property is being processed under the Planned Unit Development processes in the pre-2006 Code, the Final Development Plan will require approval of the Planning Commission.

GENERAL INFORMATION

Current Zoning and Land Use: PCD-[Bauer Farm] (Planned Commercial Development); PRD-[Bauer Farm] (Planned Residential Development); and POD-[Bauer Farm] Districts. *Undeveloped.*

Surrounding Zoning and Land Use: To the west: PCD-Bauer Farm (Planned Commercial Development) District. The subject property is bounded on the west by additional property within the Bauer Farm Commercial Development; *Fast Order Food-Drive In and Entertainment and Spectator Sports* (Theatre Lawrence).

To the north: PRD-[Bauer Farm] (Planned Residential Development) District; *Multi-Dwelling Structure* (Meadowlark Estates). RSO (Single-Dwelling Residential-Office) District across Overland Drive; *Multi-Dwelling Structures.*

To the east: PRD-[Bauer Farm] (Planned Residential Development) District; *Multi-Dwelling Structure* (Meadowlark Estates). RSO (Single-Dwelling Residential-Office) Districts; *Health Care Office/Clinic* and *Financial, Insurance and Real Estate Office.*

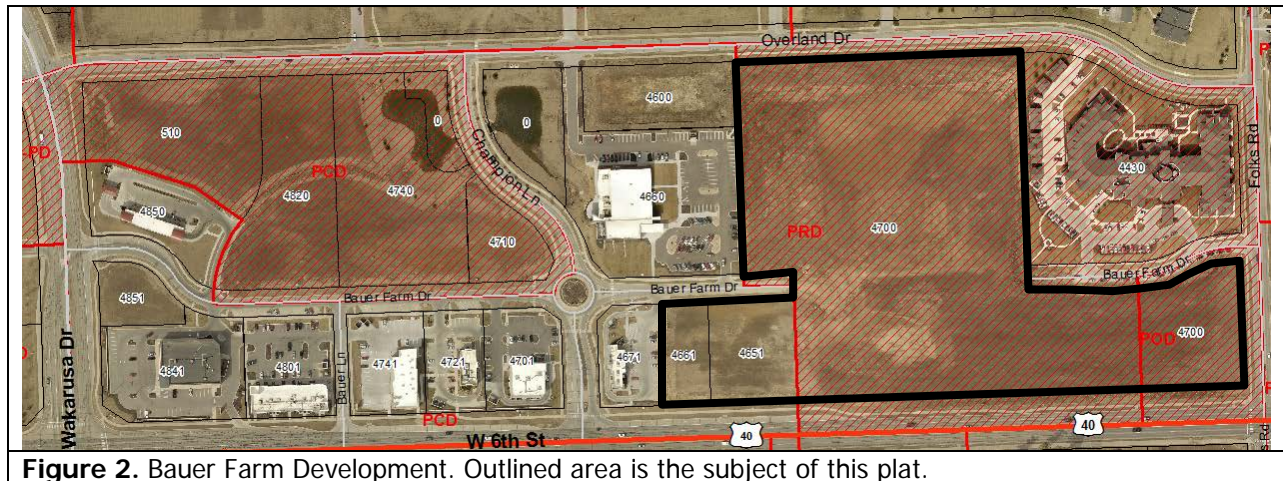
To the south: PCD-[Westgate] and PCD-[Westgate 2] (Planned Commercial Development) Districts; *Financial, Insurance and Real Estate Office; Health Care Office/Clinic; General Retail Sales.*
(Figure 1)

Site Summary

Site Area:	634,626 sq ft	(14.569 acres)
Number of lots proposed:	4	
Lot 1, Block One:	68,316 sq ft	(1.568 acres)
Lot 2, Block One:	174,061 sq ft	(3.996 acres)
Lot 3, Block One:	59,990 sq ft	(1.377 acres)
Lot 1, Block Two:	300,854 sq ft	(6.907 acres)
Right-of Way:	31,439 sq ft	(0.722 acres)

STAFF REVIEW

The Bauer Farm Addition, 7th Plat will complete the platting of the Bauer Farm Planned Development. The plat includes the unplatted portion that is zoned for residential development and the parcel at the corner of Folks and Bauer Farm Drive that is zoned for office development. The plat will also combine two commercial lots south of Bauer Farm and adjacent to the residentially zoned property into one lot. (Figure 2) The right-of-way for the extension of Bauer Farm Drive through the property will be dedicated with this plat, dividing the residentially zoned portion into two lots.



The Bauer Farm Preliminary Development Plan, which also serves as the preliminary plat, was originally submitted prior to the adoption of the 2006 Development Code. The Final Plat has been placed on the Planning Commission's agenda for approval, per the process in the pre-2006 Code and will be forwarded to the City Commission for acceptance of dedication of easements and rights-of-way.

Street and Access

The property has frontage on Overland Drive, Bauer Farm Drive, W 6th Street/ Hwy 40, and Folks Road. Access is available on all adjoining streets with the exception of W 6th Street/Hwy 40, a principal arterial, and 300 ft of Folks Road from the intersection with W 6th Street/Hwy 40 per the City Access Management Standards. These access restrictions are shown on the plat.

Master Street Tree Plan

The Master Street Tree Plan and graphic provided with the plat does not include street trees for all street frontages of the plat. The Master Street Tree Plan and graphic should be revised per Planning approval to include trees along Overland Drive, Folks Road, W 6th Street and the remainder of Bauer Farm Drive.

Utilities and Infrastructure

The utilities and infrastructure being provided with the final plat coincide with the Preliminary Development Plan with the exception of Lot 1, Block Two. The future development of this lot may change from the detached dwellings, row-houses and duplex residences currently shown on the Preliminary Development Plan. The utilities were removed from this lot in anticipation of the revised development proposal. Revising the residential development from the type previously approved will require the submittal and approval of a revised Preliminary Development Plan.

Public Improvements

Public improvements include the construction of Bauer Farm Drive to extend the street through the development and the extension of sanitary sewer and water mains to serve the development. Public Improvement Plans must be submitted and approved and the means of assurance of completion of improvements (letter of credit, funds in escrow, etc.) prior to the recording of the final plat with the Register of Deeds.

Easements and Rights-of-Way

Easements are being dedicated as shown on the Preliminary Development Plan with the exception of Lot 1, Block Two. As the future plans for this lot have changed, the utilities and easements have been revised. A revised Preliminary Development Plan will be required for the new development. Any additional easements needed at that time can be dedicated by separate instrument or through the replatting of the property.

Compliance with Preliminary Plat

The final plat conforms to the approved Preliminary Development Plan [PDP-14-00055] with the revisions to easements and utilities noted above.

Summary

The proposed subdivision is in conformance with the minimum lot area and dimension requirements for the Planned Commercial Development in the 1966 Zoning Ordinance with the revised waivers approved by the Planning Commission on April 21, 2014. The final plat, as submitted, is consistent with the requirements of the subdivision regulations.

FINAL PLAT

BAUER FARM SEVENTH PLAT

A REPLAT OF LOT 2 CHAMPION ADDITION, LOT 3 BAUER FARMS 1ST PLAT AND A PART OF THE SE 1 / 4 OF THE SE 1 / 4 OF SECTION 28-T12S-R19 IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS

LEGAL DESCRIPTION:

LOT 2, CHAMPION ADDITION, LOT 3 BAUER FARMS 1ST PLAT and a part of the Southeast Quarter of the Southeast Quarter of Section 28, Township 12 South, Range 19 East of the Sixth Principal Meridian, all in the City of Lawrence, Douglas County, Kansas more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 28; thence South 88°11'38" West, along the South line of the Southeast Quarter of said Section 28, a distance of 40.00 feet; thence North 01°47'22" West, a distance of 75.00 feet, to the intersection of the westerly right-of-way line of Folks Road, as now established and the northerly right-of-way line of U.S. Highway 40 (6th Street), as now established and to the Point of Beginning; thence South 88°11'40" West, coincident with the northerly right-of-way line of said U.S. Highway 40 (6th Street), a distance of 1,301.77 feet; thence North 01°48'22" West, a distance of 227.00 feet, to the southerly right-of-way line of Bauer Farm Drive, as now established; thence North 88°11'38" East, coincident with said southerly right-of-way line, a distance of 300.95 feet; thence North 01°48'22" West, a distance of 60.00 feet to the northerly right-of-way line of said Bauer Farm Drive; thence South 88°11'38" West, coincident with said northerly right-of-way line, a distance of 112.07 feet, to the southeast corner of BAUER FARM FIFTH PLAT; thence North 01°48'22" West, coincident with the east line of said BAUER FARM FIFTH PLAT, a distance of 473.00 feet, to the southerly right-of-way line of Overland Drive, as now established; thence North 88°11'38" East, coincident with said southerly right-of-way line, a distance of 636.06 feet to the northwest corner of BAUER FARM FOURTH PLAT; thence South 01°48'22" East, coincident with the west line of said BAUER FARM FOURTH PLAT, a distance of 533.00 feet to the southerly right-of-way line of said Bauer Farm Drive; thence North 88°11'38" East, coincident with said southerly right of way line, a distance of 247.05 feet, to a point of curvature; thence easterly and northeasterly, coincident with said southerly right-of-way line and along a curve to the left having a radius of 230.00 feet and a central angle of 30°41'08", an arc distance of 123.16 feet, to a point of reverse curvature; thence northeasterly and easterly, coincident with said southerly right-of-way line and along a curve to the right having a radius of 170.00 feet and a central angle of 30°42'08", an arc distance of 91.08 feet, to a point of tangency; thence North 88°12'38" East, coincident with said southerly right-of-way line, a distance of 25.73 feet to the westerly right-of-way line of said Folks Road; thence South 01°47'22" East, coincident with said westerly right-of-way line, a distance of 283.00 feet to the Point of Beginning. Containing 634.627 square feet or 14.569 acres, more or less.

DEDICATION

Be it known to all men that I (we), the undersigned owner(s) of the above described Tract of Land, have had cause for the same to be surveyed and platted under the name of "BAUER FARM SEVENTH PLAT" and have caused the same to be subdivided into lots and streets as shown and fully defined on this plat. All streets, drives, roads, etc. shown on this plat and not heretofore dedicated to public use are hereby so dedicated.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Lawrence, Kansas.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over, under and through those areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Lawrence, Kansas.

An easement or license to lay, construct, alter, repair, replace and operate one or more water lines and all appurtenances convenient for the distribution of water, together with the right of ingress and egress, over and through those areas designated as "Water Line Easement" or "W/L/E" on this plat is hereby granted to the City of Lawrence, Kansas.

Michael L. Treanor
Managing Member, Bauer Farms Residential, LLC

Michael L. Treanor
President, Free State Holdings, Inc.

ACKNOWLEDGEMENT:

STATE OF KANSAS
COUNTY OF DOUGLAS

Be it remembered that on this ____ day of _____, 2015, before me, the undersigned, a Notary Public, in and for said County and State, came Michael L. Treanor, Managing Member & President, Bauer Farms Residential, LLC and Free State Holdings, Inc., respectively, who is (are) personally known to me to be the same person(s) who executed the foregoing instrument of writing and duly acknowledge the execution of the same.

In witness whereof, I have hereunto set my hand and affixed my seal on the day and year last written above.

Notary Public

My Commission Expires

ENDORSEMENTS:

Approved as a Major Subdivision under the Subdivision Regulations of the City of Lawrence & the Unincorporated Areas of Douglas County

Associated Preliminary Development Plan Approved by the Lawrence-Douglas County Planning Commission, Douglas County, Kansas

Date	Date
Scott McCullough DIRECTOR, Planning Development Services	Clay Britton CHAIR

Rights-of-Way and Easements Accepted by City Commission, Lawrence, Kansas

Date	Date
Jerry Farmer MAJOR	Diane Bucia CITY CLERK

FILING RECORD:

STATE OF KANSAS
COUNTY OF DOUGLAS

This is to certify that this instrument was filed for record in the office of the Douglas

County Register of Deeds on this ____ day of _____, 2015, and is duly recorded at

am/pm, _____: Page _____.

Kay Pesnell
REGISTER OF DEEDS

COMPLIANCE:

Reviewed in Compliance with K.S.A. 58-2005

Michael D. Kelly, P.S. #869
DOUGLAS COUNTY SURVEYOR

CERTIFICATION:

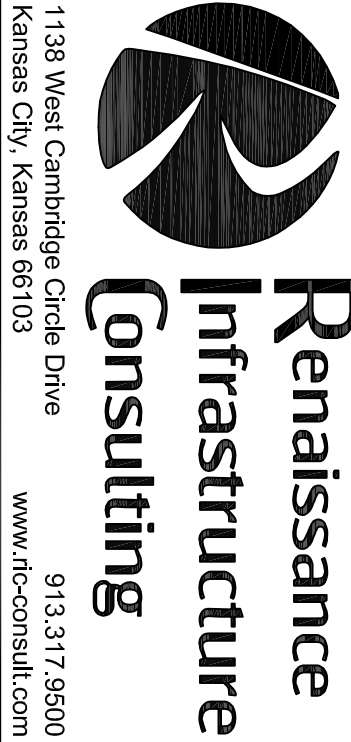
THIS IS TO CERTIFY that on this 27th day of February, 2015 a survey was made and monumented by me and that said survey meets or exceeds the "KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS"

Roger B. Dill, Kansas LS-1408

BAUER FARM SEVENTH PLAT

Prepared For:
Treanor Architects
Matthew L. Murphy
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Lawrence, Kansas 66044
(785) 842-4858

Date of Preparation: February 26, 2015



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