

PLANNING COMMISSION REPORT
Regular Agenda – Non Public Hearing Item

PC Staff Report
11/12/12

ITEM NO. 2A: ANNEXATION OF 110 ACRES; E OF K-10 & N OF W 6TH ST (MKM)

A-12-00190: Consider a request to annex two parcels of approximately 110 acres (90 and 20 acres individually), located east of Kansas Highway 10 (K-10) and north of W 6th Street adjacent to the Baldwin Creek City Park, generally bounded by E 902 Rd on the west and George Williams Way extended on the east. Submitted by Paul Werner Architects, for Fairway, LC, Property owner of record. *Initiated by City Commission on 9/18/12.*

STAFF RECOMMENDATION: Staff recommends approval of the requested annexation of approximately 110 acres located in the northeast quadrant of the intersection of W 6th Street/US Hwy 40 and K-10 subject to the following condition:

1. *City shall comply with state law requirements in relation to Rural Water District No. 1 pursuant to K.S.A 12-527.*

Reason for Request:

Applicant's response: *"The annexation request is being submitted in order to provide an alternative site for the Sports Village project. The project may contain a recreation center for the City of Lawrence, track and field, softball and soccer facilities for KU and other ancillary uses appropriate in this area to serve the City of Lawrence. Additional uses similar to the proposed uses would also be allowed."*

KEY POINTS

- The property being annexed consists of 2 parcels which are separated by a City park. (Figure 1)
- The subject property is not located within Service Area 1 of the Urban Growth Area; therefore, annexation is not required prior to development. Annexation is encouraged when City services are available to serve the property. The property owner has voluntarily consented to annexation.
- Annexation requests of more than 10 acres require a Planning Commission recommendation.
- This annexation request is accompanied by a rezoning request which is also being considered at the November Planning Commission meeting.
- The subject property is adjacent to the Lawrence city limits; therefore, it is not an island annexation.
- The property is within Rural Water District No. 1 service area. The water district has been notified of the annexation request.



Figure 1. Parcels included in annexation request shown in black, parkland is identified with hatchmarks.

COMPREHENSIVE PLAN FACTORS TO CONSIDER

- The annexation request is compliant with the Growth Management policies of the Comprehensive Plan.

ASSOCIATED CASES/OTHER ACTION REQUIRED

Associated cases

- Rezoning request [Z-12-00191] for the area included in the annexation request from A (Agricultural) District to the GPI (General Public and Institutional Uses) District is also on the November Planning Commission agenda.
- Preliminary Plat [PP-12-00223] for Rock Chalk Park Addition No. 1 and Preliminary Plat [PP-12-00224] for Rock Chalk Park Addition No. 2 are scheduled for the December Planning Commission meeting.
- Special Use Permit/Institutional Development Plan [SUP-12-00225] for the proposed recreational facility is scheduled for the December Planning Commission meeting.

Other action required:

- City Commission approval of annexation and adoption/publication of ordinance.

Action required prior to development:

- City Commission approval of rezoning request and adoption/publication of ordinance.
- Platting of the property through the Major Subdivision process.
- Public hearing and Planning Commission recommendation on the Special Use Permit. City Commission approval of Special Use Permit and publication of ordinance shall occur prior to release of plans for building permits.

PUBLIC COMMENT

- No written public comments were received prior to the printing of this staff report.

EXISTING CONDITIONS

Current Zoning and Land Use: A (County-Agricultural); undeveloped.

Surrounding Zoning and Land Use: (Figure 2) The property being annexed consists of 2 separate parcels which are divided by a City park. The dividing park land will be described first in the list below and the remaining list will treat the parcels as one unit.

Between the two parcels:

OS (Open Space); *Open Space*, a City Park.

To the north:

A (County-Agricultural) District; Agriculture, wooded open space, and rural residential

To the west:

A (County-Agricultural) District; K-10 Hwy, agriculture and rural residences.

To the south:

RS7 (Single-Dwelling Residential) District; undeveloped land with preliminary approval for residential development.

To the east:

A (County-Agricultural) District; RM12-PD (Multi-Dwelling Residential, conditioned with maximum density limited to 6 dwelling units per acre, with Planned Development Overlay) District; Woodland and agriculture; proposed multi-dwelling residential development and golf course have preliminary approval on portion zoned RM12-PD (The Links).

Site Summary

Gross Area: 108.8 acres, (parcel north of parkland: 89.6 acres; parcel south of parkland: 19.2 acres)

Area Requested for Annexation: 108.8 acres

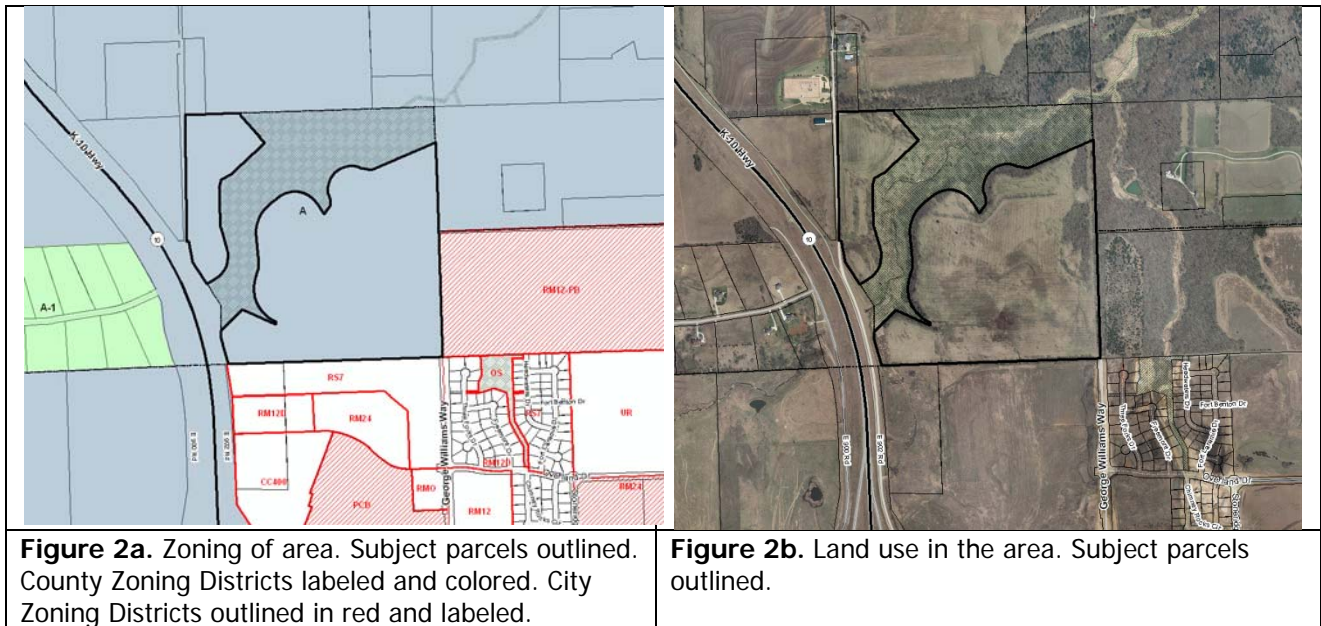


Figure 2a. Zoning of area. Subject parcels outlined. County Zoning Districts labeled and colored. City Zoning Districts outlined in red and labeled.

Figure 2b. Land use in the area. Subject parcels outlined.

Project Summary:

The proposed annexation is for approximately 108 acres located north of W 6th and east of K-10. The annexation and associated rezoning are intended to accommodate KU and City recreation facilities. The project will be a public /private partnership involving Kansas University, the City, and private parties. While details have not yet been determined, the project is currently planned to include KU track and field arena, soccer, softball and lacrosse fields; tennis courts for both the City and KU; a City recreation center; an amphitheater and other entertainment and recreation uses for private or institutional use.

Annexation Procedure

City policy requires the Lawrence-Douglas County Metropolitan Planning Commission to review all annexation requests in excess of ten acres. The City of Lawrence Administrative Annexation Policy (AP-74) requires that the costs associated with compensation to a Rural Water District be paid pursuant to K.S.A 12-527. The Water District has been notified of the annexation request as required by State Statute and adherence to local policy and state law is a condition of approval for the annexation request.

General Location:

The property requested for annexation is located adjacent to the K-10 frontage road, E 902 Road, on the west and the extension of George Williams Way on the east. Primary access into the property would be from George Williams Way. The frontage road may provide secondary or emergency access.

Infrastructure and Utility Extensions

A city sanitary sewer interceptor main has been extended through the parkland between the 2 subject parcels. Mains could be extended from this line to serve the properties. A water main is located at the southeast corner of the bottom parcel. (Figure 3) City utilities are available to serve this property.

Public Right-of-Way: The subject property abuts E 902 Road on the west. E 902 Road is classified as a future collector on the Thoroughfares Map. Within the county, permanent easement for road right-of-way is typically provided rather than right-of-way; therefore, right-of-way will be required with the platting of the property.

George Williams Way is also classified as a collector street in this location and half of the required right-of-way will be dedicated with the platting of the property. Half of this right-of-way will be dedicated with the platting of the property to the east, currently in process of being platted as The Links, or may be dedicated by separate instrument in conjunction with this project. (Figure 4)



Figure 3 Utilities in area. City sanitary sewer mains shown in orange, city water mains shown in blue.



Figure 4. Current and future transportation network in area. Solid orange lines are current collector streets, dashed lines are future collector streets.

COMPREHENSIVE PLAN:

The subject property is located within the Lawrence Urban Growth Area. The Annexation Policies listed on page 4-5 of *Horizon 2020* states that Lawrence will actively seek voluntary annexation of land within the UGA as development is proposed.

This annexation request is also considered under the Community Facilities Chapter of *Horizon 2020* since it will accommodate the development of a community recreation center. Community Facilities Policy 2.1: (page 10-17, *Horizon 2020*) Public facilities that serve community or regional populations and are used directly by the general public should be located on arterial, collector, or access/frontage streets in non-residential areas.

The annexation request is consistent with the growth management and community facilities policies found in *Horizon 2020*.

COMPLIANCE WITH ADOPTED AREA PLANS

The subject property is located within the planning area of the Northwest Area Plan. The plan recommends low density residential or office uses in this area and notes the following regarding institutional uses:

“Public and Semi-Public Land Use

Institutional land uses are included with this category of land use. Institutional land uses include governmental or quasi-governmental facilities, schools, churches, hospitals, and other public and semi-public lands. Parks and open space may be public land uses, and are discussed in a later section.

Often it is difficult to project the need for institution space. The proposed land use map indicates areas reserved for institutions planned at this time. If conditions change, office land use would be an appropriate substitute. In addition, Horizon 2020 states that residential areas are ...appropriate for many public and semi-public uses, provided access and buffering are considered in their location.”

Annexation of the area and use as a general public and institutional use is in compliance with adopted area plans and is appropriate.

CONCLUSION

The proposed annexation is compliant with recommendations of *Horizon 2020*. The subject property is located within the Lawrence Urban Growth Area and City services are available to serve the property; therefore, annexation is appropriate.