

PLANNING COMMISSION REPORT
Regular Agenda – Non Public Hearing Item

PC Staff Report
2/29/12

ITEM NO. 8A: ANNEXATION; .34 ACRES; PUMP STATION 35 (MKM)

A-12-6-11: Consider annexation of approximately .34 acres located east of intersection of N Michigan Street and River Ridge Road to accommodate a sanitary sewer pump station. Submitted by the City of Lawrence, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the requested annexation of approximately .34 acres located east of the intersection of North Michigan Street and Riverridge Road.

Reason for Request: *“Property must be annexed for site planning/platting purposes required for use of property as a pump station site.”*

KEY POINTS

- Annexation of approximately .34 acre is being requested for the construction of a City sanitary sewer pump station which is classified as a ‘minor utility’ use.
- The subject property is located within Service Area 1 of the Urban Growth Area; therefore, annexation is required prior to development.
- Annexation requests less than 10 acres do not require a Planning Commission recommendation, but this annexation is being included with the other applications related to this project.
- This request is accompanied by a rezoning request, a preliminary plat and a special use permit application.
- The subject property is adjacent to the Lawrence city limits.

COMPREHENSIVE PLAN FACTORS TO CONSIDER

- The proposal is compliant with the Comprehensive Plan.

ASSOCIATED CASES/OTHER ACTION REQUIRED

Items being considered at the February Planning Commission meeting:

- Rezoning request [Z-12-31-11] from A (Agricultural) to OS-FP (Open Space and Floodplain Overlay) District
- Preliminary Plat [PP-12-13-11]; Pump Station No. 35 Subdivision.
- Special Use Permit [SUP-12-6-11] for the pump station.

Other action required:

- City Commission approval of annexation and adoption of ordinance.
- City Commission approval of rezoning request and adoption of ordinance.
- City Commission approval of the Special Use Permit and adoption of ordinance
- Publication of rezoning, annexation and special use permit ordinances.
- City Commission acceptance of dedication of easements and rights-of-way for the Preliminary Plat.
- Submittal of final plat for administrative approval and recordation.
- Administrative review and approval of Floodplain Development Permit for construction of pump station.

PUBLIC COMMENT

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

EXISTING CONDITIONS

Current Zoning and Land Use: A (County-Agriculture) and F-F (Floodway Fringe Overlay) Districts; undeveloped.

Surrounding Zoning and Land Use: To the north:
A (County-Agriculture) and F-F (County-Floodway Fringe Overlay) Districts; rural residence.

To the south and west:
A (County-Agriculture) District; rural residence located on the parent parcel from which the subject property was divided.

To the east:
A (County-Agriculture) and F-F (County-Floodway Fringe Overlay) Districts; undeveloped right-of-way.
RM12D (Multi-Dwelling Residential); townhouse development.

Site Summary

Gross Area: 14,700 sq ft (.337 acres)
Area Requested for Annexation: 14,700 sq ft (.337 acres)

Subject property is located within Service Area 1 of the Urban Growth Area as defined in *Horizon 2020*.

Project Summary:

The proposed annexation is for approximately 1/3 acre located east of the intersection of Michigan Street and Riverridge Road on N 1750 Road, a private County Road. The annexation is desired so that the property may be developed by the City with a sanitary sewer pump station, a *minor utility*.

Annexation Procedure

City policy requires the Lawrence-Douglas County Metropolitan Planning Commission to review all annexation requests in excess of ten acres. This annexation request is less than ten acres, but is being brought before the Planning Commission with the other related items for this proposal. A related rezoning request has been submitted for this property from A (County-Agriculture) to OS-FP (Open Space and Floodplain Management Regulations Overlay) District. Minor utilities are permitted uses in the Open Space District with either a site plan or a Special Use Permit, depending on the scope of the utility. As this minor utility will serve more than one specific subdivision, a Special Use Permit is required and is also on the February Planning Commission agenda.

The City of Lawrence Administrative Annexation Policy (AP-74) requires that the costs associated with compensation to a Rural Water District be paid to the City by the annexation applicant for Rural Water District facilities serving the property to be annexed. The City took over Rural Water District #1 facilities in this area when Riverridge Road was improved in 2000-2001. Rural Water District #1 confirmed that the property is no longer within their district; therefore, compensation is not necessary.

General Location and Site Characteristics:

The site requested for annexation is located east of the intersection of Riverridge Road and North Michigan Street. The property is bounded by City property on the east. The subject property is located on a private County Road, N 1750 Road. A utility/access easement provides access to the site. (Figure 1)

A portion of the property is encumbered with regulatory floodplain; therefore, a rezoning to the Floodplain Management Regulations Overlay District has been requested and an application for a Floodplain Development Permit has been submitted for the construction of the pump station.

Infrastructure and Utility Extensions

A pump station is currently located on 1206 Sunchase Drive just east of the subject property. With this proposal, the pump station will be relocated to City-owned property and improved. Sanitary sewer lines will be extended to the facility with the relocation of the pump station.

Public Right-of-Way: The subject property abuts a County private road to the north. Section 20-810(e) requires that the right-of-way for all boundary line and full maintenance roads that is under the applicant's ownership control be annexed into the city with the preliminary plat. The City does not own or control any right-of-way for the private road. The plat for the property to the east dedicated one-half of the right-of-way for a future local road, and the one-half of the required right-of-way for a local road is also being dedicated with the preliminary plat for this property, Pump Station 35 Addition.

COMPREHENSIVE PLAN:

The subject property is located within Service Area 1 of the Urban Growth Area as shown in Map 3-1 of *Horizon 2020*. This area includes lands which are proximate to the existing city limits and can be readily served by community facilities and services. The Annexation Policies listed on page 4-5 of *Horizon 2020* states that annexation shall be required prior to development in Service Area 1 of the Lawrence Urban Growth Area. This annexation request is also considered under the Community Facilities Chapter of *Horizon 2020* since it will facilitate the upgrade of public utility services.

Community Facilities Policy 2.4: Utilize locational Criteria for Utility Structures (page 10-17 *Horizon 2020*) recommends that utility location and design be such that impact on adjacent properties is minimized and that public uses that are potential nuisances should be buffered by screening, distance and/or landscaping. The proposed site is located east of the North Michigan Street/Riverridge Road intersection and is not adjacent to any public roadways. It is adjacent to a County private road. The pump station equipment will be installed underground and the only above ground features will be a meter board and vents. Screening will be considered with the review of the Special Use Permit site plan.

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

CONCLUSION

The subject property is located within Service Area 1 of the UGA. This land use proposal will accommodate an upgrade to utility facilities to maintain a high level of service for development in this area. The proposed annexation is compliant with recommendations of *Horizon 2020*.



Figure 1. Property included in this annexation request for relocation of Pump Station 35 is marked with a ★