

**PLANNING COMMISSION REPORT**  
**Regular Agenda – Non Public Hearing Item**

PC Staff Report  
1/23/12

**ITEM NO. 2      ANNEXATION; 17.4 ACRES; YANKEE TANK (MJL)**

**A-8-3-11:** Consider annexation of approximately 17.4 acres for Yankee Tank, located south of Bob Billings Pkwy, north of Clinton Parkway, east of Villa Drive, and west of Burning Tree Drive. Submitted by North Tank LC and Burning Tree LLC, property owners of record.

**ITEM NO. 3      ANNEXATION; 109 ACRES; YANKEE TANK/LAKE ALVAMAR (MJL)**

**A-8-4-11:** Consider annexation of approximately 109 acres for Yankee Tank (commonly known as Lake Alvamar), located north of Clinton Parkway, south & west of Lake Alvamar Drive, and east of E. 920 Road. Submitted by Alvamar Inc, and Kansas Athletics, Inc. property owners of record.

**STAFF RECOMMENDATION:** Staff recommends the following:

1. Approval of the requested annexation of approximately 126 acres located between Bob Billings and Clinton Parkways and east of the South Lawrence Trafficway (SLT).
2. Initiation of rezonings from county A (Agriculture) and A-1 Districts (Suburban Home Residential) Districts to OS (Open Space) and OS (Open Space)-FP (Floodplain) District.

**Reason for Request:** Burning Tree LLC, Alvamar Inc, and Kansas Athletics Inc own portions of Yankee Tank Lake and dam (commonly referred to as Lake Alvamar Dam) and the property owners have received federal money to rehabilitate the dam structure. The City is partnering with the property owners, the State Water Office, KDOT, Douglas County and the Wakarusa Watershed District to rehabilitate the dam. City involvement would include the requirement that the dam facility be annexed into the City of Lawrence.

**KEY POINTS**

- This is a voluntary annexation.
- The lake and dam are almost entirely surrounded by the city limits.
- The annexation is supported by *Horizon 2020*.
- The city benefits from this rehabilitation because the lake is used for stormwater control in the area.
- Water and sanitary sewer facilities currently run through the property. No new city services will be required for to the subject properties.

**COMPREHENSIVE PLAN FACTORS TO CONSIDER**

- Chapter 4 – Growth Management outlines annexation policies. The subject properties are located in Service Area 1 which Chapter 4 encourages annexation of these areas.
- Chapter 16 – Environment; Goal 1, Policy 1.2 discusses preservation and protection of surface watercourses. Specifically Policy 1.2(c) discusses dams and proper maintenance of the structures. Policy 1.6 discusses protection of floodplain areas. This area and Yankee Tank Lake is floodplain and used as stormwater detention for the surrounding areas.

### **ASSOCIATED CASES/OTHER ACTION REQUIRED**

- Initiation of rezoning from county A (Agriculture) and county A-1 (Suburban Home Residential) Districts to OS (Open Space) and OS-FP (Floodplain) District.

### **PLANS AND STUDIES REQUIRED**

- *Traffic Study* – Not required for rezoning.
- *Downstream Sanitary Sewer Analysis* – Not required for rezoning.
- *Drainage Study* – Not required for rezoning.
- *Retail Market Study* – Not applicable to this request.

### **ATTACHMENTS**

- Area map

### **PUBLIC COMMENT RECEIVED PRIOR TO PRINTING**

- None to date

### **EXISTING CONDITIONS**

Current Zoning and Land Use:	County A (Agriculture) and county A-1 (Suburban Home Residential) Districts; undeveloped lake and dam
Surrounding Zoning and Land Use:	To the north: RS10 (Single-Dwelling Residential), RS7, PRD-Villas at Alvamar (Planned Residential Development); residential structures
	To the south: RS20, UR (Urban Reserve), RS40; vacant property, single-dwelling homes, athletic fields
	To the east: RS10, GPI (General Public and Institutional); single-dwelling residential, water treatment plant
	To the west: RS20, county A-1; vacant land, single-dwelling residential

### **Site Summary**

Gross Area: 126 acres

Area Requested for Annexation: 126 acres

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

### **Project Summary:**

The dam was originally designed and constructed through a federal Soil Conservation Service (SCS) program as a low-hazard facility. Since construction, the program regulations have changed which has caused the dam to now be classified as high-hazard due to downstream development of Clinton Parkway, K-10 highway and the athletic fields. The reclassification does not reflect the integrity of the dam itself, only because of the development downstream. The dam currently meets state regulations but not federal regulations. The dam improvements will allow it to meet state and federal regulations and be reclassified back to a low-hazard facility. Generally the improvements are to increase the height of the dam. After the completion of the improvements, a Letter of Map Change will be submitted to FEMA to change the floodplain limits in relation to the improvements.

The property owners have secured federal earmark funds for this project and the Wakarusa Watershed District, KDOT, the State Water Office, Douglas County, adjacent property owners and

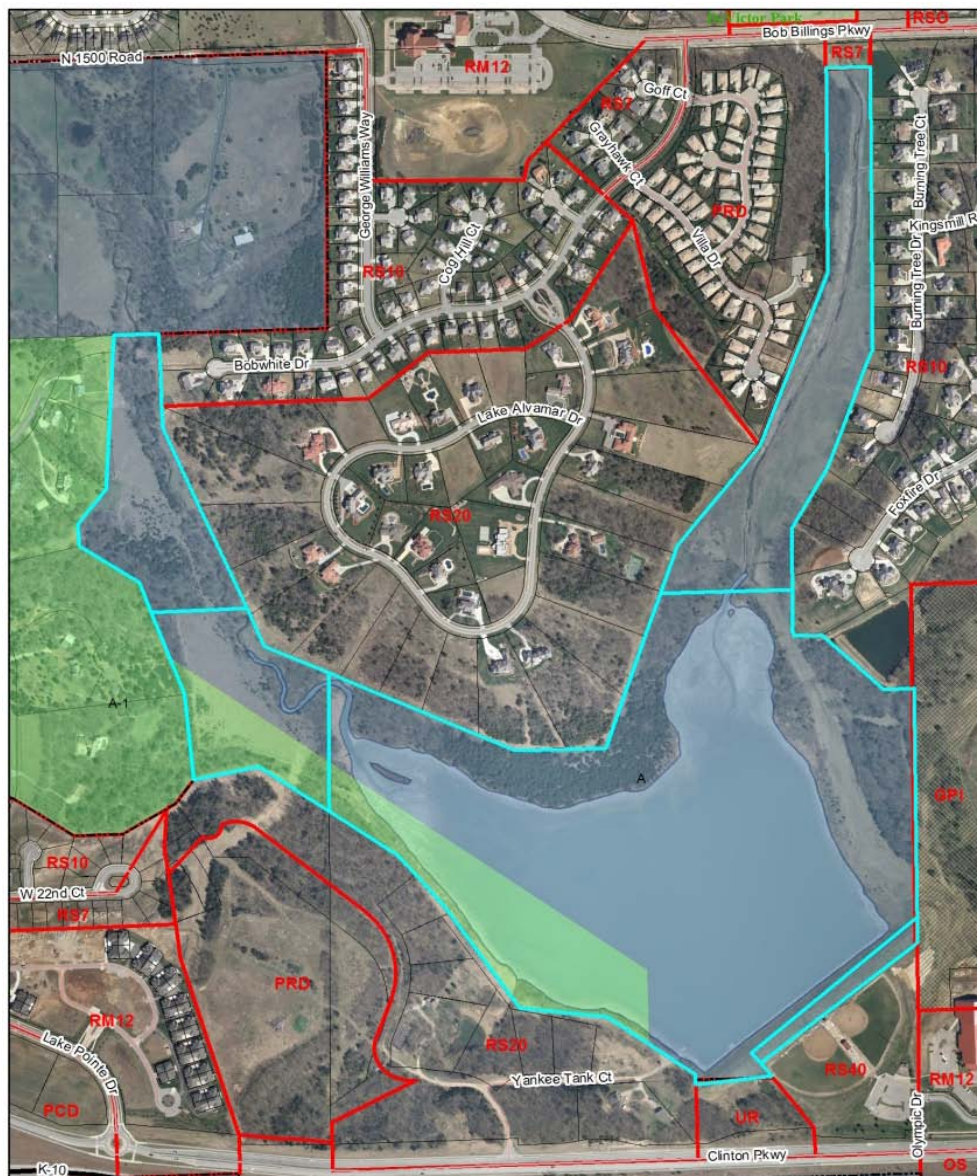
the City are also participating. In order for the city to participate, the property needs to be within the city limits.

### Annexation Procedure

Kansas Law [12-519 *et seq.*] provides for annexation by ordinance of the City Commission. Lawrence City policy requires the Lawrence-Douglas County Metropolitan Planning Commission to review and make recommendations on all annexation requests in excess of ten acres. Upon annexation, the property is required to be rezoned to a compatible City zoning district. The proposed request is not accompanied by a rezoning request.

### General Location and Site Characteristics

Yankee Tank Lake is located just southwest of Lawrence and is almost entirely surrounded by the city of Lawrence. The lake acts as stormwater retention for the surrounding area. These properties have relatively steep topography draining south to the lake. Currently the lake is dry because of the possible risk involved with the dam not meeting federal standards. Once the dam improvements are made, water will again be retained in the lake.



## **Infrastructure and Utility Extensions**

These properties are used for drainage for the watershed and city services are located within the properties currently. No development except for the dam improvements is proposed for these properties.

*Sanitary Sewer* - Sanitary sewer facilities currently exist throughout the area. No structure development is proposed to necessitate sewer facilities.

*Water* - Water facilities currently exist throughout the area. No structure development is proposed to necessitate water facilities.

*Stormwater* – Stormwater facilities currently exist throughout the area and the area itself is a stormwater retention area.

*Public Rights-of-way* – This area touches two rights-of-way. No new right-of-way is anticipated to be needed in the future.

*Private utilities* - No additional services are required for this area at this time.

*Other Services* – No additional services are required for this area.

*School facilities* – No residential development will be provided on these properties to require school facilities

## **COMPREHENSIVE PLAN**

### *Horizon 2020*

Chapter 4 – Growth Management outlines annexation policies. The subject properties are located in Service Area 1 of the Urban Growth Area. Chapter 4 encourages annexation of these areas.

Chapter 16 – Environment; Goal 1, Policy 1.2 discusses preservation and protection of surface watercourses. Specifically Policy 1.2(c) discusses dams and proper maintenance of the structures. Policy 1.6 discusses protection of floodplain areas. This area and Yankee Tank Lake is floodplain and used as stormwater retention for the surrounding areas.

Annexation of these properties is supported based on these goals and policies of *Horizon 2020*.

### *West of K-10 Plan*

Yankee Tank Lake (Lake Alvamar) is within the planning area of the *West of K-10 Plan*. The plan identifies the properties on the future land use map as Park/Open Space use.

## **DISCUSSION OF LAND USE AND REQUEST:**

The properties are part of the drainage and stormwater retention for the surrounding area and watersheds. The request allows for the city to participate in the improvement of the dam to allow for the continued use of the facility for stormwater. These properties are not public properties and no plans for recreation, either public or private are anticipated at this time nor are any structures anticipated.

## **CONCLUSION**

The request is to annex 5 parcels totaling approximately 126 acres that make up Yankee Tank Lake (Lake Alvamar). This proposal allows the city to participate in the improvements of the dam in order for it to meet state and federal requirements. The dam is not at risk of failing but does not meet current standards. The improvements will increase the height of the dam and as a result will remove certain properties adjacent to the lake out of the floodplain. These improvements benefit many people and properties in the community. New infrastructure and utilities are not needed as structure development is not anticipated (with the exception of the dam itself). Horizon

2020 supports the annexation with the properties being located in Service Area 1 and almost entirely surrounded by the city. *Horizon 2020* also supports the preservation and protection of dam and floodplain areas.

The recommendation also includes the initiation of the rezoning of these parcels to a city zoning designation. Rezoning to the FP Overlay District may be delayed until the LOMC (Letter of Map Change) is completed so that an accurate depiction of the floodplain limits is available.