

PLANNING COMMISSION REPORT
Regular Agenda – Non Public Hearing Item

PC Staff Report
08/26/13

ITEM NO. 2: ANNEXATION OF 25.81 ACRES; SE OF MARY’S LAKE BETWEEN HASKELL AVE & O’CONNELL RD (SMS)

A-13-00296: Consider annexation of approximately 25.81 acres located southeast of Mary’s Lake between Haskell Avenue and O’Connell Road for the construction of the extension of E 31st Street to tie into N 1300 Road east of the E 1600 Road/O’Connell Road intersection. The property owner of record is the Kansas Secretary of Transportation. *Initiated by City Commission on 8/6/13.*

STAFF RECOMMENDATION:

Staff recommends approval of the requested annexation [A-13-00296] of approximately 25.81 acres located southeast of Mary’s Lake between Haskell Avenue and O’Connell Road based on the findings in the body of the staff report and forwarding this request to the City Commission with a recommendation for approval.

Reason for Request:

Applicant’s response: *“The City is constructing 31st Street from Haskell to O’Connell. The Kansas Department of Transportation and the City have entered into an agreement authorizing the State to acquire the property needed for the project and bid the project. The property will eventually be deeded to the City for right-of-way. The request for annexation is so that the City can proceed to approve necessary funding for 31st Street.”*

KEY POINTS

- The property being annexed consists of portions of five parcels that have been acquired by KDOT for right-of-way for either the 31st Street project or the completion of K-10 Highway project.
- The majority of the property abuts the southern city limits.
- The property is located within Service Area 4 of the Urban Growth Area, an area that has been identified for future urbanization.
- Annexation requests of more than 10 acres require a Planning Commission recommendation.
- The property is not within any Rural Water District service area.

COMPREHENSIVE PLAN FACTORS TO CONSIDER

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

ASSOCIATED CASES/OTHER ACTION REQUIRED

- There are no associated cases. Eventually this property, and any additional property deeded from KDOT related to the street construction, will need to be zoned to a city designation. Rezoning can be postponed until the remainder of the corridor is annexed and the street improvements are complete.

Other action required:

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

PUBLIC COMMENT

- Telephone inquiry from property owner on Goodell Court concerned about noise impacts from new road.
- No written public comments were received prior to the printing of this staff report.

ATTACHMENTS

- 8/5/13 Public Works Memo describing project scope

EXISTING CONDITIONS

Current Zoning and Land Use: A (County-Agricultural) and F-F (Floodway Fringe Overlay) Districts; woodland and rural residential uses.

Surrounding Zoning and Land Use: To the north:
OS (Open Space) and RS7 (Single-Dwelling Residential) Districts; wooded open space in Prairie Park and residential uses in Prairie Park neighborhood.

To the west:
A (County-Agricultural) and I-3 (County-Heavy Industrial) Districts; woodland south of Mary's Lake and asphalt plant.

To the south and east:
A (County-Agricultural) and F-F (Floodway Fringe Overlay) Districts; agriculture and rural residences.

Site Summary

Gross Area: 25.81 acres, portions of parcels acquired by KDOT for the 31st Street project and the completion of K-10 project

Project Summary

The Kansas Department of Transportation has acquired a number of parcels in the vicinity for two construction projects: the completion of K-10/SLT and the extension of 31st Street between Haskell Avenue and O'Connell Road. The western portion of this new arterial street will be constructed by KDOT as part of the highway project. The City will construct the eastern segment. In order for the City to finance the improvement, the property must be located within the city limits.

KDOT will eventually deed all of the property to the City. The portion of the property not improved with the new roadway will be added to the city park system as an extension of Mary's Lake and Prairie Park. This will allow the retention of significant wooded areas which will provide a noise buffer to the residential uses to the north.

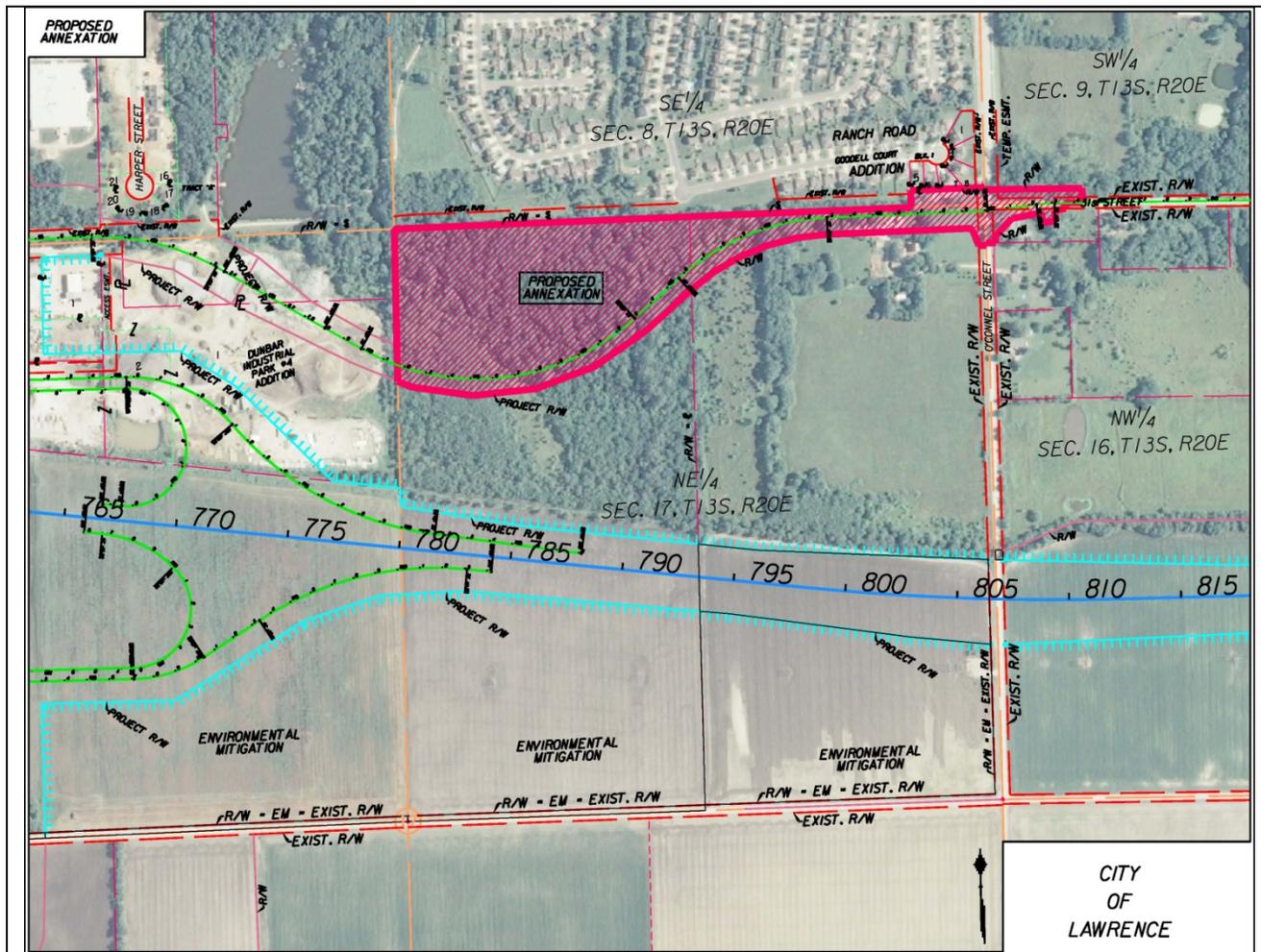


Figure 1. Proposed annexation of properties for 31st Street extension to O'Connell Road shown in pink highlighted area. Right-of-way for K-10/SLT completion shown in highlighted blue with surrounding land uses.

Annexation Procedure

Kansas Law [K.S.A. 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 all annexation requests in excess of ten acres. Following a recommendation from the Planning Commission, the City Commission will consider the request and adopt an ordinance.

Typically, property is rezoned to a city zoning designation following annexation. Because portions of the properties will be improved for the street system and portions will become part of the parks and open space system, Staff suggests that the rezoning action occur after the road improvements are in place. Additional properties in the vicinity will be remainder parcels from the K-10 construction and will also be added to the open space system. Staff will request the City Commission initiate rezoning following completion of these projects.

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 Kansas Statutes. The properties included in this request are located in a part of the county that is not served by any Rural Water District; therefore, no additional action is required for compliance.

General Location

The properties requested for annexation are located south of the Prairie Park neighborhood and at the intersection of O'Connell Road/E 1600 Road and N 1300 Road. Arterial streets typically are located along section lines. Due to the topography in the area, the 31st Street alignment drops south approximately an eighth of a mile mid-way between Haskell and O'Connell in the area south of Mary's Lake. This acreage makes up the majority of the area within the requested annexation. Small parcels have also been acquired from the property owners north and south of N 1300 Road on the east side of O'Connell Road/E 1600 Road in order to accommodate intersection improvements.

Infrastructure and Utility Extensions

The project improvements include medians and ditch sections through this portion of the corridor. A new water main will be installed and a multi-use path will be constructed on the north side to tie into Prairie Park.

Public Right-of-Way: 31st Street is classified as a future arterial on the Thoroughfares Map. The right-of-way will be 150' wide to accommodate future expansion. As noted above, the remainder of the property will also be deeded to the city as part of the parks & open space network.

COMPREHENSIVE PLAN

The subject property is located within Service Area 4 of the Lawrence Urban Growth Area. The majority of Service Area 4 is located south of the city and extends south of the Wakarusa River. As city services become available, properties will be encouraged to annex prior to development in this service area. Annexation Policy No. 1 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 Transportation Chapter of *Horizon 2020* since it will accommodate the development of an expansion to the existing transportation network. Construction of this section of 31st Street will implement multi-modal improvements and congestion management action steps identified in *Transportation 2040*.

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

COMPLIANCE WITH ADOPTED AREA PLANS

The subject property is not located within a specific sector plan. This corridor is in the one mile section between the *Revised Southern Development Plan* and the *Southeast Area Plan*. The 31st Street project is consistent with improvements identified in the Metropolitan Transportation Plan, *T2040*.

Annexation of the area and planned 31st Street improvements provide the opportunity for improved connectivity and reduced congestion in the southern part of the city. The multi-modal improvements and additional open space/parkland will provide increased recreational opportunities for citizens and visitors. These improvements comply with the goals and strategies identified in *Transportation 2040*.

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.