

Memorandum

City of Lawrence

Planning & Development Services

TO: David L. Corliss, City Manager
FROM: Planning Staff
Date: March 13, 2014
RE: Request to exclude certain land from the boundaries of the City of Lawrence and vacate the recorded plats of said land

On February 28, 2014, the Planning and Development Services Department received a letter from Matthew S. Gough with Barber Emerson, L.C., on behalf of his client, The Economic Development Corporation of Lawrence and Douglas County, formerly known as Douglas County Development, Inc., petitioning the City to exclude certain property from the boundaries of the City Limits of Lawrence, Kansas. Mr. Gough also petitions the City for the vacation of two recorded plats covering the subject property less any public right-of-way dedicated by said plats for Noria Road and East 23rd Street. The petition for excluding this property and vacating the recorded plats includes the following legally described land:

1. Lot One, Block One, A Final Plat of East Hills Business Park East, an Addition in the City of Lawrence, Douglas County, Kansas; and,
2. Lot One, Block One, A Final Plat of East Hills Business Park East No. 2, an Addition in the City of Lawrence, Douglas County, Kansas

Kansas Statutes 12-504 & 12-505 establish the procedures to be followed for requests to exclude land from the city. Kansas Statute (KSA 12-504 and 12-505) allows for the "Petition for vacation of site or addition, street or alley, or for exclusion of farm lands..." K.S.A. 12-504, sets forth public notice provisions and states that the city or planning commission can hold a hearing to consider the applicants requests. K.S.A. 12-505, establishes the proceedings for the hearing and provides factors by which to consider the petition. The procedure does require public notice and public hearing by the Planning Commission; where the PC will render a recommendation. Final decision on the petition outcome will be made by the City Commission.

The attached map illustrates the two properties in the petition request. The Planning Office has also received a rezoning application from the property owner seeking to change the city zoning designation from IG (General Industrial) District to a county zoning designation of A (Agriculture) District. The rezoning request is tentatively scheduled to be heard by the Planning Commission at the May 19th meeting along with the request to exclude the property and vacate plats (provided the City Commission refers the petition to the Planning Commission for recommendation).

Action Requested

Refer the petition to exclude certain land from the boundaries of the City of Lawrence and vacate plats to the Planning Commission for public hearing and recommendation, if appropriate.