

(Summary Published in the Leavenworth Times on July 13, 2024)

ORDINANCE NO. 8245

AN ORDINANCE AMENDING THE DEVELOPMENT REGULATIONS, APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS BY REZONING 300 SANTA FE STREET FROM PLANNED UNIT DEVELOPMENT (PUD) TO RESIDENTIAL MIXED USE (RMX).

WHEREAS, under the Development Regulations, Appendix A of the Code of Ordinances of the City of Leavenworth, Kansas, the Governing Body of the City of Leavenworth is given the power to amend, supplement or change existing zoning regulations within said City; and

WHEREAS, the City Planning Commission, after fully complying with the requirements of the Code of Ordinances of the City of Leavenworth, Kansas, held a public hearing on the 3rd day of June 2024 in the Commission Room, 1st Floor of City Hall, 100 N. 5th Street, Leavenworth, Kansas. The official date and time set as was published in the Leavenworth Times newspaper on the 9th day of May 2024 and notice of the public hearing was mailed to all property owners as required by K.S.A. 12-757(b); and

WHEREAS, upon a motion made, duly seconded, and passed, the Planning Commission adopted findings of fact and recommended approval of the request Rezoning of 300 Santa Fe Street, Leavenworth Kansas from Planned Unit Development (PUD) to Residential Mixed Use (RMX); and

WHEREAS, upon a roll call vote duly passed, the Governing Body adopted the findings of fact and conclusions to rezone the property described herein.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1: That the following described property, to-wit, is hereby rezoned from Planned Unit Development (PUD) to Residential Mixed Use (RMX).

All of Lots 9 to 15, both inclusive, Block 20, and all of Lots 12 to 18 both inclusive, Block 21, both in SOUTH SIDE PARK SUBDIVISION, in the City of Leavenworth. All of Blocks number 19 and 22, in SOUTH SIDE PARK SUBDIVISION, in the City of Leavenworth, together with that part of Santa Fe Street, lying between said Blocks, and the alleys in said Blocks vacated by the City of Leavenworth, Kansas, said tracts of land being bounded on the North by Sherman Avenue, on the East by Second Street, on the South by Sheridan Avenue, and on the West by the right-of-way of The Kansas City Northwestern Railroad Company, and containing in all 5.31 acres, more or less; and

All that part of Blocks number 30 and 31 in SOUTH SIDE PARK SUBDIVISION, in the City of Leavenworth, lying East of the right-of-way of The Kansas City

Northwestern Railroad Company, together with that part of Vilas Street lying between said part of said Blocks and the alley is said Block numbered 30 which have been vacated by the City of Leavenworth, Kansas, said tract being bounded on the North by Sheridan Avenue, on the East by Second Street, running to a point at the South and bounded on the West by the said right-of-way of The Kansas City Northwestern Railroad Company, containing 1.42 acres, more or less. Excepting the South 80 feet of Block 30, lying West of Second Street and East of the R.O.W. of the Kansas City Northern Railroad Co., SOUTH SIDE PARK SUBDIVISION and all of Block 31 lying West of Second Street and East of the R.O.W. of The Kansas City Northern Railroad Co., SOUTH SIDE PARK SUBDIVISION, and that part of vacated Vilas Street and alleys between Second Street and abandoned R.O.W. of Kansas City Northern Railroad Co., and the East half of the abandoned Railroad R.O.W. lying adjacent to the above described land. Contains 1.29 acres; and All that part or portion of Sheridan Street, in the City of Leavenworth, Kansas, lying between the East line of the right-of-way of The Kansas City Wyandotte and Northwestern Railroad (now Missouri Pacific Railroad), and the West line of Second Street, vacated by Ordinance No. 4901, and recorded in Book 342, at Page 598, on record in the office of the Register of Deeds in and for said County of Leavenworth; All according to the map or plat of said subdivision on record in the office of the Register of Deeds in and for said County of Leavenworth. Excepting however, all coal underlying the land herein above described, and subject to a certain easement to The Kansas City Northwestern Railroad Company, filed on record in Book 206, at Page 219, in the office of the Register of Deeds of Leavenworth County, Kansas, and to subject to any and all other easements, restrictions, covenants and agreements of record. And **more commonly referred to as 300 Santa Fe Street**, Leavenworth, Kansas

Section 2: That the “Zoning District Map” adopted under the Development Regulations, Appendix A of the Code of Ordinances of the City of Leavenworth, Kansas shall be and the same is hereby amended to conform to the rezoning as set forth in Section 1 above.

Section 3: That this Ordinance shall take effect and be in force from and after its passage, approval and summary publication in the official City newspaper of the City of Leavenworth, Kansas, as provided by law.

PASSED and APPROVED by the Governing Body on the 9th day of July, 2024.

/s/ Griff Martin
Griff Martin, Mayor

{Seal}

ATTEST:

/s/ Sarah Bodensteiner
Sarah Bodensteiner, CMC, City Clerk