

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

ORDINANCE NO. 8246

AN ORDINANCE AMENDING THE DEVELOPMENT REGULATIONS, APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS BY REZONING 1820 SOUTH 4TH STREET FROM HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (R1-6) TO GENERAL BUSINESS DISTRICT (GBD).

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 1820 South 4th Street, Leavenworth Kansas from High Density Single Family Residential District (R1-6) to General Business District (GBD); 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 High Density Single Family Residential District (R1-6) to General Business District (GBD).

A tract of land beginning 80 feet South and 42 feet West of the Northeast corner of Block 5, CLARK'S ADDITION OF OUT LOTS TO LEAVENWORTH, a subdivision in the City of Leavenworth, Leavenworth County, Kansas: thence South 188.46 feet along the West right of way line of Fourth Street as laid out, opened and used, thence West 243 feet more or less, thence North 268.46 feet, thence East 118 feet more or less to the West line of the Adolph A. Sander Tract, thence South 80 feet, thence East 125 feet to the point of beginning. LESS THE FOLLOWING TRACT: A tract of land beginning at a point on the North line of Block 5, CLARK'S ADDITION OF OUT LOTS TO LEAVENWORTH, a subdivision in the City of Leavenworth, Leavenworth County, Kansas, said point being at the Southwest

Corner of Lot 12, Block 4, RIVERVIEW SUBDIVISION, thence East along the North line of said Block 5, CLARK'S ADDITION OF OUT LOTS TO LEAVENWORTH, parallel with said Lot 12, 108 feet, thence South 10 feet, thence West 108 feet, thence North 10 feet to the point of beginning. ALSO LESS AND EXCEPT THE FOLLOWING: A part of Block 5, CLARK'S ADDITION OF OUT LOTS TO LEAVENWORTH, a subdivision in the City of Leavenworth, Leavenworth County, Kansas more fully described as follows: Commencing at the Northeast corner of Block 5, CLARK'S ADDITION OF OUT LOTS TO LEAVENWORTH; thence South 88° 08' 51" West (BASIS OF BEARINGS) 42.00 feet to the West Right-of-Way of 4th Street; thence South 00° 24' 30" East 80.00 feet along the West line of 4th Street; thence South 88° 08' 51" West 125.00 feet to the point of beginning of this parcel; thence South 88° 08' 51" West 118.00 feet; thence North 00° 24' 30" West 70.00 feet; thence North 88° 08' 51" East 98.00 feet; thence North 00° 24' 30" West 10.00 feet to the Southeast corner of Lot 12, Block 4, RIVERVIEW SUBDIVISION; thence North 88° 24' 30" East 20.00 feet along the North line of CLARK'S ADDITION OF OUT LOTS TO LEAVENWORTH; and the South line of RIVERVIEW SUBDIVISION; thence South 00° 24' 30" East 80 feet to the point of beginning. And **more commonly referred to as 1820 South 4th 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