

(Summary Published in the Leavenworth Times on January 21, 2020)

ORDINANCE NO. 8121

AN ORDINANCE ALLOWING A SPECIAL USE FOR AN ADULT DAYCARE CENTER TO BE LOCATED AT 729 PENNSYLVANIA STREET IN THE CITY OF LEAVENWORTH, KANSAS.

WHEREAS, under the 2016 Development Regulations of the City of Leavenworth, Kansas, the Governing Body of the City of Leavenworth is given the power to locate special uses in each zoning district by ordinance within said City; and

WHEREAS, the City Planning Commission, after fully complying with the requirements of the Ordinances of the City of Leavenworth, Kansas, held a public hearing on the 2nd day of December, 2019 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 and mailed to all property owners within 200 feet of the said property on the 8th day of November 2019; and

WHEREAS, upon a motion made, duly seconded, and passed, the City Planning Commission adopted findings of fact and recommended approval of the request for an adult daycare center at 729 Pennsylvania Street, Leavenworth, Kansas.

WHEREAS, upon a roll call vote duly passed, the Governing Body adopted the findings of fact and conclusions to allow special use for an adult daycare center for the property described herein.

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

Section 1. That a special use permit be issued for an adult daycare center at the following described property:

A tract of land beginning at a point in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 2 in Township 9 Range 22, 708 feet West of the Section line running between Sections 1 and 2 in said Township 9 and also 227 feet South of the North line of the South Half of the Northeast Quarter of the Northeast Quarter of Section 2 thence South to a line parallel to said Section line 200 feet, thence East 203 feet, thence North 200 feet, thence West 203 feet to the place of beginning. ALSO Commencing at a point on the South line of Pennsylvania Street 369 feet West of the East line of the Northeast 1/4 of Section 2, Township 9, Range 22 and running thence West along the South line of Pennsylvania Street 136 feet to the East line of land owned by Henry Breuggeu, thence South along the East line of said Breuggeu land and parallel to the East line of said 1/4 Section 200 feet, thence East parallel to Pennsylvania Street 136 feet to the West line of land owned by Keith, thence South along the West line of Keith's land and parallel to the East line of said 1/4 Section 200 feet to the place

of beginning. **More commonly known as 729 Pennsylvania, Leavenworth, Kansas.**

Section 2. That this special use permit is subject to the following:

- a.) The Operation shall be limited to a maximum of sixteen (16) adult participants;
- b.) No medical services shall be offered in conjunction with the facility; and
- c.) The hours of operation are to be between the hours of 8:00 a.m. – 5:00 p.m.

Section 3: That this Ordinance shall take effect and be in force from and after its passage by the Governing Body, and its publication once in the official City newspaper.

PASSED AND APPROVED by the Leavenworth City Commission of the City of Leavenworth, Kansas on this 14th day of January 2020.

/s/ Myron J. (Mike) Griswold
Myron J. (Mike) Griswold, Mayor

{Seal}

ATTEST:

/s/ Carla K. Williamson
Carla K. Williamson, CMC, City Clerk