

(Summary Published in the Leavenworth Times on September 17, 2021)

ORDINANCE NO. 8174

AN ORDINANCE AMENDING THE DEVELOPMENT REGULATIONS, APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS BY REZONING 410 S. 2ND STREET FROM LIGHT INDUSTRIAL DISTRICT (I-1) TO CENTRAL BUSINESS DISTRICT (CBD).

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 2ND day of August 2021 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 8TH day of July 2021 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 410 S. 2ND Street, Leavenworth Kansas from light industrial district (I-1) to Central Business District (CBD); 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 light industrial district (I-1) to Central Business District (CBD).

Lots 1, 2, 3 and 4, Block 83, LEAVENWORTH CITY PROPER, City of Leavenworth, Leavenworth County, Kansas, EXCEPT the North 43 feet of the West 24.09 feet of Lot 4, ALSO EXCEPT, A tract described as beginning at the Northeast corner of Lot 1, thence South 115.89 feet; thence West 61.60 feet; thence North 115.89 feet; thence East 61.60 feet to the beginning. Lots 1, 2, 3, 4, 5 and 6, Block "M", and that part of Lots 7, 8, 9, 10, 11 and 12, Block "M", CALAGHAN, SMITH AND HURD'S ALLOTMENT OF SUBDIVISION OF FRACTIONAL BLOCK "K, L & M", NORTH OF THREE MILE CREEK, City of Leavenworth, Leavenworth County, Kansas, as lies Easterly of the Easterly line of said Lot 5, in Block 83, LEAVENWORTH CITY PROPER, extended southerly from the Southeast corner of said Lot 5 in a straight line across said Lots 7 through 12. Less the following tract of land. Part of Lots 2, 3 and 4, Block 83, LEAVENWORTH CITY PROPER, City of Leavenworth, Leavenworth County, Kansas, more fully described as follows: Commencing at the Northeast corner of Lot 1, Block 83, Leavenworth City Proper; thence West for a distance of 61.60 feet along the Southerly right of way line of Choctaw Street to the TRUE

POINT OF BEGINNING; thence South for a distance of 115.89 feet along the building line; thence East for a distance of 9.75 feet along the building line; thence South for a distance of 15.60 feet along the building line; thence West for a distance of 140.95 feet to the Westerly line of Lot 4; thence North 00 degrees 31 minutes 05 seconds East for a distance of 88.49 feet along said Westerly line; thence North for a distance of 24.09 feet; thence East for a distance of 43.00 feet to the Southerly right of way of Choctaw Street; thence North 90 degrees 00 minutes 00 seconds East for a distance of 106.31 feet along said right of way line to the point of beginning.

And **more commonly referred to as 410 S 2nd 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 14th day of September 2021.

/s/ Nancy D. Bauder

Nancy D. Bauder, Mayor

{Seal}

ATTEST:

/s/ Carla K. Williamson

Carla K. Williamson, CMC, City Clerk