

(Summary Published in the Leavenworth Times on June 17, 2022)

ORDINANCE NO. 8187

AN ORDINANCE AMENDING THE DEVELOPMENT REGULATIONS, APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS BY REZONING 1830 S. BROADWAY STREET FROM PLANNED UNIT DEVELOPMENT (PUD) TO RESIDENTIAL MIXED USE DISTRICT (R-MX).

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 9th day of May 2022 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 16th day of April 2022 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 1830 S. Broadway Street, Leavenworth Kansas from Planned Unit Development (PUD) to Residential Mixed Use District (R-MX); 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 District (R-MX).

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 9 SOUTH, RANGE 22 EAST OF THE 6TH PM, CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 89° 40' 31" WEST, ALL BEARINGS ARE FROM GPS OBSERVATION A DISTANCE OF 927.33 FEET, THENCE SOUTH 01° 02' 02" WEST A DISTANCE OF 885.60 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT OF WAY OF PENNSYLVANIA AVENUE AND ALSO BEGINNING THE NORTHWEST CORNER OF A TRACT OF LAND RECORDED IN DEED BOOK 982, PAGE 704; THENCE SOUTH 01° 02' 02" WEST FOR A DISTANCE OF

270.70 FEET ALONG THE WEST LINE OF SAID TRACT, DEED BOOK 982, PAGE 704, AND ALONG THE WEST LINE OF A TRACT OF LAND RECORDED IN DEED BOOK 716, PAGE 706 TO THE SOUTHWEST CORNER OF SAID TRACT BOOK 716, PAGE 706; THENCE NORTH 89° 42' 58" EAST FOR A DISTANCE OF 139.88 FEET ALONG THE SOUTH LINE OF SAID TRACT, DEED BOOK 716, PAGE 706 TO THE WESTERLY RIGHT OF WAY OF SOUTH BROADWAY, THENCE SOUTH 01° 02' 02" WEST FOR A DISTANCE OF 548.00 FEET ALONG SAID WESTERLY RIGHT OF WAY TO THE NORTH RIGHT OF WAY LINE OF REES STREET; THENCE SOUTH 89° 33' 52" WEST FOR A DISTANCE OF 544.01 FEET ALONG SAID NORTH RIGHT OF WAY LINE TO THE EAST RIGHT OF WAY OF GARLAND STREET, ALSO BEING THE EAST LINE OF S.H. HOLMES PLEASANT VIEW SUBDIVISION; THENCE NORTH 01° 32' 06" EAST FOR A DISTANCE OF 819.71 FEET ALONG SAID RIGHT OF WAY TO THE SOUTH RIGHT OF WAY LINE OF PENNSYLVANIA AVENUE, THENCE NORTH 89° 42' 58" EAST FOR A DISTANCE OF 396.92 FEET ALONG SAID SOUTH RIGHT OF WAY LINE, TO THE POINT OF BEGINNING. TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD.

And **more commonly referred to as 1830 S. Broadway 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 June 2022.

/s/ Camalla M. Leonhard
Camalla M. Leonhard, Mayor

{Seal}

ATTEST:

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