

(Summary Published in the Leavenworth Times on May 18, 2024)

ORDINANCE NO. 8244

AN ORDINANCE ALLOWING A SPECIAL USE TO ALLOW A COLLEGE OR UNIVERSITY USE IN A MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL ZONING DISTRICT LOCATED AT 4100 SOUTH 4TH STREET IN THE CITY OF LEAVENWORTH, KANSAS.

WHEREAS, under the 2016 Development Regulations of the City of Leavenworth, Kansas, as amended, the Governing Body of the City of Leavenworth, Kansas was given the power to locate special uses in each zoning district by ordinance; 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 1st day of April 2024 in the Commission Chambers, 1st Floor of City Hall, 100 N. 5th Street, Leavenworth, Kansas, the official date and time set out 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 March 2024.

WHEREAS, upon a motion made, duly seconded, and passed, the Planning Commission adopted findings of fact and recommended approval of the request for a College or University use in the Medium Density Single Family Residential Zoning District, located at 4100 South 4th Street, Leavenworth, Kansas.

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

Section 1. That a special use permit be issued for a College or University use in the Medium Density Single Family Residential Zoning District on the following described property:

Tract of land in the Southeast Quarter of Section 12, Township 9 South, Range 22 East of the 6th P.M., City of Leavenworth, Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 13, 2024, more fully described as follows: Beginning at the Southwest corner of said Southeast Quarter; thence North 01 degrees 47'23" West for a distance of 2653.38 feet along the West line of said Southeast Quarter to the Northwest corner of said Southeast Quarter; thence North 87 degrees 28' 39" East for a distance of 1926.32 feet along the South line of ST. JOHN'S MEDICAL PLAZA SUBDIVISION, said line also along the established North line of said Southeast Quarter, to the Westerly right of way of U.S. Highway 7-73 as it exists today; thence South 16 degrees 50'19" East for a distance of 169.57 feet along said right of way; thence South 28 degrees 30'10" East for a distance of 40.00 feet along said right of way; thence South 48 degrees 50'22" East for a distance of 101.20 feet along said right of way; thence South 28 degrees 41'20" East for a distance of 956.39 feet along said right of way; thence along a curve to the right having a radius of 894.93 feet and an arc length of 425.29 feet along said right of way, being subtended by a chord bearing South 15 degrees 04'29" East and a chord distance of 421.30 feet; thence South 01 degrees 27'37" East for a distance of 313.30 feet along said right of way; thence South 37 degrees 13'39" West for a distance of 120.30 feet; thence South 01 degrees 38'52" East for a distance of 32.00 feet; thence South 38 degrees 11'31" East for a distance of 117.20 feet along said right of way; thence South 01 degrees 27'43" East for a distance of 571.50 feet along said right of way to the

South line of said Southeast Quarter; thence South 87 degrees 16' 36" West for a distance of 2580.77 feet along said South line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 146.92 acres, more or less, including road right of way. And more commonly referred to as 4100 S. 4th Street, Leavenworth, Kansas; And, All of Lot 4, ST. JOHN'S MEDICAL PLAZA, a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas, according to the recorded plat thereof; And more commonly referred to as 3639 Hughes Rd., Leavenworth, Kansas.

Section 2. That this Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper of the City of Leavenworth, Kansas, as provided by law.

Passed by the Leavenworth City Commission on this 14th day of May, 2024.

/s/ Griff Martin
Griff Martin, Mayor

ATTEST:

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