

(Summary Published in the Leavenworth Times on December 16, 2022)

ORDINANCE NO. 8205

AN ORDINANCE AMENDING THE DEVELOPMENT REGULATIONS, APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS BY REZONING 28 LIMIT STREET AND 2 VILAS STREET FROM MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (R1-9) TO PLANNED UNIT DEVELOPMENT (PUD).

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 7th day of November 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 12th day of October 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 28 Limit Street and 2 Vilas Street, Leavenworth Kansas from Medium Density Single Family Residential District (R1-9) to Planned Unit Development (PUD); 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 Medium Density Single Family Residential District (R1-9) to Planned Unit Development (PUD).

A TRACT OF LAND BEING A PART OF LOTS 1 AND 2, RIVER VIEW REPLAT, A SUBDIVISION OF LAND IN THE CITY OF LEAVENWORTH, AND ALSO BEING APART OF LOTS 2, 3, AND 4, RIVER VIEW ROAD SUBDIVISION, A SUBDIVISION OF LAND IN THE CITY OF LEAVENWORTH, AND ALSO BEING A PART OF LOT 8, NEW VIEW SUBDIVISION, A SUBDIVISION OF LAND IN THE CITY OF LEAVENWORTH, AND ALSO BEING A PART OF LOTS 21, 22, AND 23, BLOCK 27, SOUTHSIDE PARK, A SUBDIVISION OF LAND IN THE CITY OF LEAVENWORTH, AND ALSO BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 9 SOUTH, RANGE 23 EAST OF THE

6TH PRINCIPAL MERIDIAN, ALL BEING IN LEAVENWORTH COUNTY, KANSAS, A DESCRIPTION WRITTEN BY D. STEVEN WEST, PS NO. 1614, ON SEPTEMBER 22, 2022 AND BEIN MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1 RIVER VIEW REPLAT, SAID CORNER ALSO BEING THE EAST-MOST SOUTHEAST CORNER OF LOT 7 NEW VIEW SUBDIVISION, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF FORMER LOT 4 RIVER VIEW ROAD SUBDIVISION, AND ALSO FORMER LOT 8 NEW VIEW SUBDIVISION; THENCE N 48°35'54" E ALONG THE SOUTHEAST LINE OF SAID LOT 7, A DISTANCE OF 178.82 FEET TO THE NORTHEAST CORNER OF SAID LOT 7, SAID CORNER ALSO BEING AN INFLECTION POINT ALONG THE WEST LINE OF SAID LOT 1 RIVER VIEW REPLAT, SAID CORNER ALSO BEING AN INFLECTION POINT ALONG THE WEST LINE OF FORMER LOT 4 RIVER VIEW ROAD SUBDIVISION, AND ALSO AN INFLECTION POINT ALONG THE WEST LINE OF FORMER LOT 8 NEW VIEW SUBDIVISION; THENCE N 40°40'22" W ALONG THE EAST LINES OF LOTS 3-7 OF SAID NEW VIEW SUBDIVISION, IN COMMON WITH THE WEST LINE OF FORMER LOT 4 RIVER VIEW ROAD SUBDIVISION, AND THE WEST LINE OF SAID RIVER VIEW REPLAT, A DISTANCE OF 436.20 FEET TO THE NORTHWEST CORNER FORMER LOT 4 RIVER VIEW ROAD SUBDIVISION, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING N 40°40'22" W ALONG THE EAST LINES OF LOTS 2 AND 3 OF NEW VIEW SUBDIVISION, IN COMMON WITH THE WEST LINE OF THE REMAINING PORTION OF SAID FORMER LOT 8, NEW VIEW SUBDIVISION, A DISTANCE OF 161.90 FEET TO THE NORTH-MOST CORNER OF LOT 2 NEW VIEW SUBDIVISION, SAID CORNER ALSO BEING THE EAST-MOST NORTHEAST CORNER OF LOT 1 NEW VIEW SUBDIVISION, SAID CORNER ALSO BEING AN INFLECTION POINT ON THE WEST LINE OF THE REMAINING PORTION OF SAID FORMER LOT 8, NEW VIEW SUBDIVISION; THENCE N 08°09'04" W CONTINUING ALONG SAID WEST LINE OF LOT 8, A DISTANCE OF 21.83 FEET TO THE NORTH-MOST NORTHEAST CORNER OF SAID LOT 1 NEW VIEW SUBDIVISION, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID LOT 8 NEW VIEW SUBDIVISION, SAID POINT ALSO BEING ON THE SOUTH LINE OF VILAS STREET AS SHOWN ON PLATS OF SOUTH SIDE PARK, NEW VIEW SUBDIVISION, AND RIVER VIEW REPLAT; THENCE N 23°15'41" W, A DISTANCE OF 32.53 FEET TO A POINT ON THE CENTERLINE OF VILAS STREET AS NOW ESTABLISHED; THENCE N 89°28'18" E ALONG SAID CENTERLINE, A DISTANCE OF 349.90 FEET THENCE N 00°52'52" W, A DISTANCE OF 186.44 FEET TO THE NORTHWEST CORNER OF THE LOT 23, BLOCK 27, SOUTH SIDE PARK, SAID POINT ALSO BEING ON THE SOUTH SIDE OF A 16.5 FEET WIDE ALLEY IN BLOCK 27, SOUTH SIDE PARK; THENCE N 89°05'38" E ALONG THE NORTH LINES OF LOTS 23, 22, AND 21, BLOCK 27, SOUTH SIDE PARK, A DISTANCE OF 180.85 FEET TO THE NORTHEAST CORNER OF LOT 21, BLOCK 27, SOUTH SIDE PARK; THENCE S 43°08'53" E, A DISTANCE OF 214.21 FEET TO THE SOUTHEAST CORNER OF LOT 21, BLOCK 27, SOUTH SIDE PARK, ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF VILAS STREET AS NOW ESTABLISHED,

AND SAID POINT ALSO BEING THE NORTH-MOST NORTHWEST OF LOT 2 RIVER VIEW REPLAT; THENCE S 39°32'59" E ALONG THE WEST LINE OF SAID LOT 2 RIVER VIEW REPLAT, A DISTANCE OF 77.23 FEET TO AN INFLECTION CORNER ALONG THE WEST LINE OF SAID LOT 2 RIVER VIEW REPLAT, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF THE REMAINING PORTION OF SAID FORMER LOT 8, NEW VIEW SUBDIVISION, AND ALSO BEING ON THE SOUTH LINE OF SAID VILAS STREET; THENCE S 39°32'59" E ALONG THE EAST LINE OF SAID FORMER LOT 8 NEW VIEW SUBDIVISION, A DISTANCE OF 191.07 FEET TO THE NORTHEAST CORNER OF FORMER LOT 2 RIVER VIEW ROAD SUBDIVISION; THENCE S 89°12'15" W ALONG THE NORTH LINE OF SAID FORMER LOT 2 RIVER VIEW ROAD SUBDIVISION, A DISTANCE OF 90.28 FEET TO THE NORTHWEST CORNER OF SAID FORMER LOT 2 RIVER ROAD SUBDIVISION; THENCE S 89°47'08" W ALONG THE NORTH LINES OF FORMER LOTS 3 AND 4 RIVER VIEW ROAD SUBDIVISION, A DISTANCE OF 633.45 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 RIVER VIEW ROAD SUBDIVISION, SAID POINT ALSO BEING THE POINT OF BEGINNING, AND CONTAINING 177,448.63 SQ. FT.

And **more commonly referred to as 28 Limit Street and 2 Vilas 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 13th day of December 2022.

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

{Seal}

ATTEST:

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