

(Summary Published in the Leavenworth Times on December 16, 2023)

ORDINANCE NO. 8230

AN ORDINANCE ALLOWING A SPECIAL USE FOR ASSISTED LIVING FACILITY IN R1-9, MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL ZONING DISTRICT LOCATED AT 2103 METROPOLITAN AVENUE 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 November 6, 2023 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

WHEREAS, upon a motion made, duly seconded, and passed, the Planning Commission adopted findings of fact and recommended approval of the request for an Assisted Living Facility in R1-9, Medium Density Single Family Residential, located at 2103 Metropolitan Avenue, 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 Assisted Living Facility on the following described property:

A tract of land in the Northwest Quarter of Section 27, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at a point of the South line of the United States Military Reservation 1190 feet Westerly from the Northwest corner of the Bull Tract of the Gist Survey; thence running South 523 feet to the North line of Dakota Street as said street is laid out, opened, and used in the City of Leavenworth, Kansas; thence East along the North line of said Dakota Street 250 feet; thence North parallel with the West line of Twentieth Street to the South line of said Military Reservation a distance of 535.73 feet; thence Westerly along the said South line of said Military Reservation to the point of beginning; less any part thereof taken or used for road or street purpose. LESS AND EXCEPT The West half of a tract of land in the Northwest Quarter of Section 27, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at a point 618

feet West of the Northwest corner of Twentieth and Dakota Street thence West 250 feet to a point thence North parallel to the West line of Twentieth Street 523 feet to a point on the South line of Metropolitan Avenue; thence Easterly along the South line of Metropolitan Avenue to a point that is 535.73 feet North of the point of beginning; thence South and parallel to the West line of Twentieth Street 535.73 feet to the point of beginning. ALSO LESS AND EXCEPT The South half of the East half of a tract of land in the Northwest Quarter of Section 27, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at a point 618 feet West of the Northwest corner of Twentieth Street and Dakota Street; thence West 250 feet to a point; thence North parallel to the West line of Twentieth Street 523 feet to a point on the South line of Metropolitan Avenue; thence Easterly along the South line of Metropolitan Avenue thence South and parallel to the West line of Twentieth Street 535.73 feet to the point of beginning. More commonly referred to as: 2103 Metropolitan Avenue, Leavenworth, Kansas.

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

- a. Obtain an active registration of an Assisted Living Facility with the State of Kansas

Section 3. 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 12th day of December, 2023.

/s/ Griff Martin _____
Mayor

ATTEST:

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