AN ORDINANCE introduced by Mayor Joan Wagonon amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at the southeast corner of SW 23rd Street and SW Topeka Boulevard in the City of Topeka, Kansas from “M-1” Two-Family Dwelling District to “PUD” Planned Unit Development District (Z99/39)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That the “District Map” referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, be, and the same is hereby amended, making the following changes in zoning classification:

A part of the Northwest Quarter of Section 7, Township 12 South, Range 16 East of the 6th P.M., Shawnee County, Kansas, described as follows: Beginning at a point which is 975.82 feet West and 766.6 feet South of the Northeast corner of said Quarter Section; thence South parallel to the East line of said Quarter Section 45 feet; thence North 83 degrees 14 minutes West, 214 feet more or less to the centerline of the Topeka Avenue Road; thence Northerly along the centerline of the Topeka Avenue Road, 56.8 feet; thence Easterly, 204.8 feet more or less to the point of beginning, except the following described tract: A part of Tract No. 931.8 in the Northwest Quarter of Section 7, Township 12 South, Range 16 East, the point of beginning of said tract is described as follows: Beginning 975.82 feet West and 811.6 feet South of the Northeast corner of the above Quarter Section; thence North 83 degrees 14 minutes West along a line to a point 40 feet Easterly of and measured at right angles from the centerline of Topeka Avenue, said point being the place of beginning for the part of tract referred to above; thence continuing North 83 degrees 14 minutes, West to the centerline of Topeka Avenue; thence Northerly along the centerline of Topeka Avenue 56.8 feet; thence South 79 degrees 54 minutes, East along a line to a point 40 feet Easterly of and measured at right angles from the centerline of Topeka Avenue; thence Southerly to the place of beginning, Shawnee County, Kansas, AND also, A tract of land in the Northeast Quarter of the Northwest Quarter of Section 7, Township 12 South, Range 16 East of the 6th P.M. described as follows: Beginning at a point 660 feet South and 975.82 feet West of the Northeast corner of the said Northwest Quarter; thence South 106.6 feet; thence North 79 degrees 54 minutes, West 204.8 feet to the center of the Topeka Avenue Road; thence Northerly along the center of said Road 71.27 feet; thence East and parallel to the North line of said Northwest Quarter, 186.6 feet to the place of beginning, EXCEPT the East 20 feet thereof, and EXCEPT the North 25 feet thereof, and EXCEPT that portion taken for Topeka Avenue, Shawnee County, Kansas.
be, and the same is hereby rezoned from “M-1” Two-Family Dwelling District to “PUD” Planned Unit Development District, subject to:

1. Use and development of the site in compliance with the recorded Master Planned Unit Development Plan for Noller East Planned Unit Development Master Plan.

2. Use Group Category: “C-3” Commercial Use limited to vehicle sales as per Section 48-17.02(a)(4).

Section 2. That the “District Map” (Identification No. I-9) shall reflect the boundaries of this amendment as incorporated by this Ordinance. This Ordinance Number shall be fixed upon the “District Map”.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Council of the City of Topeka, ___FEB 08___

Joan Wagnon, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified ____

Not To Be Codified X