ORDINANCE NO. 17478

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 commonly known as the Topeka State Hospital Complex and generally bounded by S.W. 6th Street, I-70, S.W. MacVicar Avenue and S.W. Oakley Street to the south, north, east and west respectively, in the City of Topeka, Kansas, FROM "R-1" Single Family Dwelling District ALL TO "PUD" Planned Unit Development District (mixed land use). (Z00/1) (Council District No. 9)

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:

Kanza Business and Technology Park (Overall PUD Boundary)

A tract of land in the Southeast Quarter, the East Half of the Southwest Quarter, Lot 3 of the Northwest Quarter, and the Northeast Quarter, and the Northeast Quarter, all in Section 26, Township 11 South, Range 15 East of the Sixth Principal Meridian, Shawnee County, Kansas, more particularly described as: Commencing at the Southeast corner of said Southeast Quarter; thence on an assumed bearing of North 00 degrees 00 minutes 22 seconds East, 30.00 feet, along the East line of said Southeast Quarter; thence South 89 degrees 36 minutes 04 seconds West, 23.50 feet to the Point of Beginning; thence South 89 degrees 36 minutes 04 seconds West, 2611.74 feet to a point on the West line of said Southeast Quarter, 30.00 feet North of the Southwest corner of said Southeast Quarter; thence North 00 degrees 06 minutes 23 seconds West, 1118.90 feet along the West line of said Southeast Quarter; thence South 86 degrees 16 minutes 38 seconds East, 130.48 feet; thence North 42 degrees 55 minutes 39 seconds East, 233.28 feet; thence North 01 degrees 25 minutes 17 seconds West, 497.95 feet; thence South 88 degrees 46 minutes 41 seconds West, 278.01 feet to the West line of said Southeast Quarter; thence South 00 degrees 06 minutes 23 seconds East, 120.24 feet along the West line of said Southeast Quarter to the North line of Arlington Heights Subdivision; thence South 89 degrees 54 minutes 32 seconds West, 1309.28 feet along the North line of said Subdivision to the West line of the East Half of said Southwest Quarter; thence North 00 degrees 11 minutes 27 seconds East, 953.94 feet along the West line of the East Half of said Southwest Quarter; thence North 00 degrees 18 minutes 11 seconds East, 663.92 feet along the West line of said Lot 3 to the Southerly right-of-way line of Interstate Highway No. 70; thence North 88 degrees 53 minutes 30 seconds East,
883.63 feet along said right-of-way line; thence on a curve to the left, along said right-of-way line, a radius of 1579.22 feet, an arc distance of 683.95 feet, with a chord which bears North 76 degrees 29 minutes 04 seconds East, 678.62 feet; thence North 64 degrees 04 minutes 38 seconds East, 1046.28 feet, along said right-of-way line; thence South 00 degrees 08 minutes 08 seconds West, 213.32 feet; thence South 78 degrees 48 minutes 28 seconds East, 1483.53 feet to the East line of the Northeast Quarter of said Section; thence South 00 degrees 08 minutes 53 seconds East, 87.25 feet along the East line of said Northeast Quarter; thence South 16 degrees 33 minutes 51 seconds West, 156.49 feet; thence South 00 degrees 08 minutes 53 seconds East, 539.57 feet to a point on the South line of said Northeast Quarter, 45.00 feet West of the Southeast corner of said Northeast Quarter; thence South 00 degrees 00 minutes 22 seconds West, 35.43 feet; thence South 89 degrees 59 minutes 38 seconds East, 21.50 feet; thence South 00 degrees 00 minutes 22 seconds West, 2570.01 feet to the Point of Beginning. The above described tract contains 258.943 acres, more or less.

Except: A tract of land situated in the Southeast Quarter of Section 26, Township 11 South, Range 15 East of the Sixth Principal Meridian, Shawnee County, Kansas, more particularly described as follows: Commencing at the Southeast corner of the Southeast Quarter of Section 26; thence along the South line of said Quarter on an assumed bearing of South 89 degrees 35 minutes 38 seconds West, a distance of 825.36 feet; thence on a bearing of North 00 degrees 24 minutes 22 seconds West, a distance of 40.00 feet to the point of beginning; thence parallel with the South line of said Quarter on a bearing of South 89 degrees 35 minutes 38 seconds West, a distance of 515.96 feet; thence on a bearing North 00 degrees 25 minutes 19 seconds West, a distance of 2033.61 feet; thence on a bearing of North 44 degrees 27 minutes 37 seconds East, a distance of 68.73 feet; thence on a bearing of South 63 degrees 56 minutes 06 seconds East, a distance of 18.56 feet; thence on a bearing of North 19 degrees 56 minutes 13 seconds East, a distance of 44.30 feet; thence on a bearing of North 34 degrees 34 minutes 08 seconds East, a distance of 25.22 feet; thence on a bearing of North 72 degrees 13 minutes 53 seconds East, a distance of 27.65 feet; thence on a bearing of South 37 degrees 05 minutes 32 seconds East, a distance of 14.75 feet; thence on a bearing of South 54 degrees 25 minutes 19 seconds East, a distance of 16.30 feet; thence on a bearing of South 80 degrees 46 minutes 21 seconds East, a distance of 23.15 feet; thence on a bearing of South 87 degrees 13 minutes 11 seconds East, a distance of 11.70 feet to a point on a curve to the right; thence along said curve to the right (said curve having a radius of 75.00 feet, a chord bearing of South 74 degrees 03 minutes 00 seconds East, and a chord distance of 34.18 feet) a distance of 34.48 feet; thence on a bearing of South 60 degrees 52 minutes 49 seconds East, a distance of 42.96 feet; thence on a bearing of South 53 degrees 28 minutes 55 seconds East, a distance of 108.90 feet; thence on a bearing of South 31 degrees 54 minutes 18 seconds East, a distance of 87.45 feet; thence on a bearing of South 26 degrees 44 minutes 08 seconds East, a distance of 158.72 feet; thence on a bearing of South 28 degrees 30 minutes 48 seconds East, a distance of 137.12 feet; thence on a bearing of South 35 degrees 51 minutes 47 seconds East, a distance of 63.86 feet; thence on a bearing of South 44 degrees 53 minutes 50 seconds East, a distance of 71.01 feet; thence on a bearing of South 00 degrees 10 minutes 26 seconds East, a distance of 305.26 feet; thence on a bearing of South 41 degrees 48 minutes 53 seconds West, a distance of 216.94 feet to a point on a curve to the left; thence along said curve to the left (said curve having a radius of 75.00 feet, a chord bearing of South 19 degrees 54 minutes 50 seconds East, and a chord distance of 97.23 feet) a distance of 105.78 feet; thence on a bearing of South 00 degrees 01 minutes 58 seconds East, a distance of 78.63 feet; thence on a bearing of South 34 degrees 02 minutes 36 seconds East, a distance of 118.96 feet; thence on a bearing of South 00 degrees 17 minutes 22 seconds West, a distance of 227.41 feet to a point on a curve.
to the right; thence along said curve to the right (said curve having a radius of 60.00 feet, a chord bearing of South 45 degrees 46 minutes 21 seconds West, and a chord distance of 77.15 feet) a distance of 83.79 feet; thence on a bearing of South 00 degrees 06 minutes 58 seconds East, a distance of 142.97 feet; thence on a bearing of South 86 degrees 22 minutes 32 seconds West, a distance of 30.69 feet; thence on a bearing of South 01 degree 46 minutes 13 seconds East, a distance of 80.18 feet; thence on a bearing of South 89 degrees 57 minutes 22 seconds West, a distance of 20.82 feet; thence on a bearing of South 00 degrees 15 minutes 55 seconds West, a distance of 130.86 feet; thence on a bearing of South 89 degrees 40 minutes 17 seconds East, a distance of 21.15 feet; thence on a bearing of South 00 degrees 20 minutes 17 seconds West, a distance of 28.30 feet to a point on a curve to the left; thence along said curve to the left (said curve having a radius of 118.49 feet, a chord bearing of South 21 degrees 22 minutes 45 seconds East, a chord distance of 60.15 feet) a distance of 60.82 feet; thence on a bearing of South 32 degrees 29 minutes 33 seconds East, a distance of 24.43 feet to a point on a curve to the right; thence along said curve to the right (said curve having a radius of 194.67 feet, a chord bearing of South 12 degrees 51 minutes 45 seconds East, and a chord distance of 80.56 feet) a distance of 81.15 feet; thence on a bearing of South 01 degree 52 minutes 31 seconds East, a distance of 26.20 feet to the point of beginning. The above described tract of land contains 24.081 acres, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

AND

**Legal Description – Print Shop Property**

A tract of land in the Northeast Quarter of Section 26, Township 11 South, Range 15 East of the Sixth Principal Meridian in Shawnee County, Kansas, described as follows: Commencing at the Southeast corner of said Northeast Quarter; thence North 00 degrees 08 minutes 12 seconds West, 776.62 feet along the East line of said Quarter for the Point of Beginning; thence North 00 degrees 08 minutes 12 seconds West, 559.88 feet to a point on the South right-of-way of I-70 Highway; thence North 31 degrees 50 minutes 28 seconds West, 88.10 feet; thence North 82 degrees 50 minutes 52 seconds West, 664.50 feet; thence North 89 degrees 20 minutes 22 seconds West, 196.00 feet; thence on a 2720.37 foot radius curve left 595.40 feet, along said right-of-way, said curve having a long chord bearing South 68 degrees 26 minutes 21 seconds West, 594.22 feet; thence South 00 degrees 08 minutes 12 seconds East, 213.10 feet; thence South 78 degrees 47 minutes 47 seconds East, 1483.33 feet to the point of beginning. Containing 17.19 acres, more or less.

AND

**Print Shop Property East**

The North half of Lot 135; all of Lots 137, 139, 141, 143, 147, 149, 151, 153, and 155; and a Part of Lots 157, 159, 161, 163, 165, and 167 described as follows: Beginning at the Northwest corner of Lot 167; thence Easterly along the North line of Lot 167, a distance of 40 feet; thence Southeasterly 157.08 feet, more or less, to a point on the South line of Lot 157, point being 73.33 feet more or less, Westerly of the Southeast corner of said Lot 157; thence Northerly to the place of beginning; all Lots being on Storey Street in Sam Cross' Addition to the City of Topeka, Shawnee County, Kansas, except that part of said Lots taken by Condemnation in District Court Case #83886 to provide a controlled access facility for a connecting link within said City to Interstate Highway U.S. 70.
be, and the same is hereby rezoned FROM “R-1” Single Family Dwelling District TO “PUD” Planned Unit Development District, as depicted and set forth in the attached Master PUD Plan of Kanza Business and Technology Park, which is attached hereto and incorporated by reference as if fully set forth herein, subject to:

1. Use and development of the site in accordance with the recorded Master PUD Plan of Kanza Business and Technology Park.

2. Providing additional information as requested by the Planning and Public Works Departments in a report dated February 15, 2000, on file in the Planning Department, to conclude the projects’ impact on all streets and highways.

3. The Administration Building cannot be demolished before April 1, 2001.

Section 2. That the "District Map" (Identification No. C-6 AND D-6) 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 MAR 1 4 2000, 2000.

Joan Wagonon, Mayor

ATTEST:

Iris E. Walker, City Clerk