ORDINANCE NO. 17544

AN ORDINANCE introduced by Mayor Joan Wagnon 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 within the Historic North Topeka neighborhoods of the City of Topeka, Kansas amending the District Zoning Classification from "I-1" Light Industrial District, "C-4" Commercial District, "C-2" Commercial District, and "M-2" Multiple Family District ALL TO "X-3" Single Family District. (Z00/16)

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, by making the following changes in zoning classification:

A district composed of lots and tracts in Kaw Half Breed Reserve Number 4, in the City of Topeka, Shawnee County, Kansas, the boundary of said district is described as: Beginning at the Northwest corner of Lot 300 on Topeka Boulevard, in Wm. Curtis Addition; thence east-southeasterly, on the South line of Gordon Street, and its extension, to the Northeast corner of Lot 299 on Harrison Street, in Wm. Curtis Addition; thence east-southeasterly, to the Northwest corner of Lot 100 on Harrison Street, in the former Town of Eugene; thence east-southeasterly, on the South line of Gordon Street, and its extensions, to the Northeast corner of Lot 99 on Quincy Street, in Eugene; thence south-southwesterly, on the West line of Quincy Street, and its extensions, to the Northeast corner of Lot 73 on Quincy Street, in Eugene; thence west-northwesterly, on the North line of said Lot 73, to the Northwest corner of said lot; thence south-southwesterly, on the East line of an alley, to an intersection with an extension of the North line of the South 50 feet of Lot 66 on Kansas Avenue, in Eugene; thence west-northwesterly, on the North line of the South 50 feet of said Lot 66, and its extensions, to an intersection with the East line of Lot 65 on Kansas Avenue, in Eugene; thence south-southwesterly, to the Southeast corner of said Lot 65; thence west-northwesterly, on the South line of Lot 65, to the Southeast corner of the West 71.25 feet of the South 14.5 feet of said Lot 65; thence north-northeasterly, to the Northeast corner of the West 71.25 feet of the South 14.5 feet of said Lot 65; thence west-northwesterly, on the North line of the South 14.5 feet of said Lot 65, and its extension, to an intersection with the East line of Lot 66 on Jackson Street, in Eugene; thence south-southwesterly, to the Northeast corner of the South 12 ½ feet of said Lot 66; thence west-northwesterly, on the North line of the South 12 ½ feet of said Lot 66, and its extension, to an intersection with the Centerline of Jackson Street; thence south-southwesterly, on the Centerline of Jackson Street, to an intersection with an extension of the South line of Lot 65 on Jackson Street, in Eugene; thence west-northwesterly, on the South line of the last said
Lot 65, and its extensions, to the Northeast corner of Lot 64 on Van Buren Street, in Eugene; thence south-southwesterly, on the East line of said Lot 64, 16.15 feet; thence west-northwesterly, to a point on the West line of said Lot 64 which is 22.82 feet south-southwesterly of the Northwest corner of said lot; thence west-northwesterly, to a point on the East line of Lot 63 on Van Buren Street, in Eugene, which is 30.49 feet south-southwesterly from the Northeast corner of said lot; thence west-northwesterly, to a point on the West line of said Lot 63 which is 40.68 feet south-southwesterly from the Northwest corner of said lot; thence west-northwesterly, to a point on the East line of Lot 64 on Harrison Street, in Eugene, which is 8.16 feet north-northeast from the South line of the North 50 feet of said Lot 64; thence west-northwesterly, to a point on the South line of the North 50 feet of said Lot 64 which is 140.16 feet west-northwest of the Southeast corner of the North 50 feet of said lot; thence west-northwesterly, to the Southwest corner of the North 50 feet of said Lot 64; thence west-northwesterly, to the Southeast corner of Lot 129 on Harrison Street, in Curtis' Addition; thence west-northwesterly, to the Southwest corner of said Lot 129; thence southwesterly, to a point on the East line of Lot 128 on Topeka Boulevard which is 8.42 feet north-northeasterly from the Southeast corner of said lot; thence west-northwesterly, to a point on the South line of said Lot 128 which is 73.40 feet west-northwesterly from the Southeast corner of said lot; thence west-northwesterly, to the Southwest corner of said Lot 128; thence north-northeasterly on the platted East line of Topeka Boulevard, and its extensions, to the Northwest corner of Lot 1 on Railroad Street East, in Curtis' Addition; thence east-southeasterly, on the North lines of Lots 1 through 23 odd, on Railroad Street East, in Curtis' Addition, and their extension, to an intersection with the East line of Harrison Street; thence north-northeasterly, on the East line of Harrison Street, to a point which is 35 feet south of the Centerline of the Main Line Track of the Union Pacific Railroad, as measured normally from said track centerline; thence east-southeasterly, parallel with said track centerline, to an intersection with an extension of the West line of Kansas Avenue; thence northerly, on the West line of Kansas Avenue extended, to a point which is 35 feet north of the Centerline of said Main Line Track, as measured normally from said track centerline; thence west-northwesterly, parallel with said track centerline, 575 feet, more or less; thence north-northeasterly, normal from said track centerline, 165 feet, more or less, to an intersection with the North line of Norris Street; thence west-northwesterly, on the North line of Norris Street, and its extensions, to the Southwest corner of Lot 78 on Van Buren Street, in Eugene; thence north-northeasterly, on the East line of Van Buren Street, and its extension, to the Southwest corner of Lot 90 on Van Buren Street, in Eugene; thence west-northwesterly, on the North line of Laurent Street, and its extensions, to the Southeast corner of fractional Lot 265 on Harrison Street, in Curtis' Addition; thence west-northwesterly, on the North line of Laurent Street, to an intersection with the North line of Curtis' Addition; thence west-northwesterly, on the North line of Laurent Street, in Wm. Curtis Addition, to the Southwest corner of Lot 266 on Topeka Boulevard, in Wm. Curtis Addition; thence north-northeasterly, on the platted East line of Topeka Boulevard and its extension, to the point of beginning; EXCEPT: All public street and alley rights of way; ALSO EXCEPT: the East 30 feet of the Center 25 feet of Lot 91 On Quincy Street, the South 30 feet of the East 100 feet, and the East 30 feet of the North 45 feet of Lot 89 on Quincy Street, and the East 30 feet of the South 25 feet of Lot 89 on Quincy Street, in Eugene; The lots and tracts within this district are: In Eugene: all of Lots 75 through 87 odd, on Quincy Street; portions of Lots 89 and 91 odd, on Quincy Street; all of Lots 93 through 99 odd, on Quincy Street; part of Lot 66 and all of Lots 68 through 100 even, on Kansas Avenue; part of Lot 65 and all of Lots 67 through 99 odd, on Kansas Avenue; Part of Lot 66 and all of Lots 68 through 100 even on Jackson Street; that part of a vacated alley adjoining Lots 71 and 73 on Kansas
Avenue and Lots 72, 74 and 76 on Jackson Street; Lots 65 through 99 odd, on Jackson Street; that part of vacated Jackson Street adjoining Lots 65, 66, 67 and 68; that part of vacated Jackson Street adjoining Lots 71, 72, 73, 74, 75 and 76; part of Lot 64 and all of Lots 66 through 100 even, on Van Buren Street; that part of a vacated alley adjoining Lots 65 and 67 on Jackson Street and Lots 66 and 68 on Van Buren Street; that part of a vacated alley adjoining Lots 69, 71, 73 and 75 on Jackson Street and Lots 70, 72, 74 and 76 on Van Buren Street; part of Lot 63 and all of Lots 65 through 77 odd, on Van Buren Street; Lots 89 through 99 odd, on Van Buren Street; that part of vacated Van Buren Street adjoining Lots 63, 64, 65, 66, 67 and 68; that part of vacated Van Buren Street adjoining Lots 73, 74, 75, 76 and 77; part of Lot 64 and all of Lots 66 through 78 even, on Harrison Street; Lots 90 through 100 even, on Harrison Street; that part of a vacated alley adjoining Lots 63, 65 and 67 on Van Buren Street, and Lots 64, 66 and 68 on Harrison Street; that part of a vacated alley adjoining Lots 69, 71, 73, 75 and 77 on Van Buren Street, and Lots 70, 72, 74, 76, and 78 on Harrison Street; in Curtis’ Addition: Lots 129 through 177 odd, on Harrison Street; part of Lot 128, and all of Lots 130 through 180 even, on Topeka Boulevard; Lots 1 through 23 odd, on Railroad Street East; a vacated alley adjoining Lots 11 and 13 on Railroad Street East; that part of vacated Harrison Street which adjoins the East line of Lot 23 on Railroad Street East and the West line of property of the Union Pacific Railroad; fractional Lots 265, 267 and 269 on Harrison Street; in Wm. Curtis Addition: fractional Lots 265, 267 and 269 on Harrison Street; Lots 271 through 299 odd, on Harrison Street; Lots 266 through 300 even on Topeka Boulevard; in Midwest Furniture Subdivision: Lot 1; a tract bounded on the north by a line which is 35 feet south of the Centerline of the Main Line Track of the Union Pacific Railroad, on the east by a line which is an extension of the West line of Kansas Avenue, on the south by a line which is 200 feet south of said track centerline and on the west by the East line of Harrison Street and the East line of vacated Harrison Street; a tract within the last described tract which is recorded in Volume 3295 at page 385; a tract described as:
Beginning at a point on an extension of the West line of Kansas Avenue which is 35 feet north of the Centerline of the Main Line Track of the Union Pacific Railroad, as measured normally from the centerline of said track; thence north-northeasterly, on an extension of the West line of Kansas Avenue, 104 feet more or less, to the South line of Norris Street; thence west-northwesterly, on the South line of Norris Street, 553 feet more or less; thence south-southwesterly, normal to the centerline of said track, to a point which is 35 feet north-northeast of said centerline, as measured normally; thence east-southeasterly, 575 feet, more or less, to the point of beginning; a tract described as: Beginning at a point on an extension of the East line of Kansas Avenue which is 35 feet north-northeast of the Centerline of the Main Line Track of the Union Pacific Railroad, as measured normally from the centerline of said track; thence north-northeasterly, on an extension of the East line of Kansas Avenue, 104 feet, more or less, to the South line of Norris Street; thence east-southeasterly, on the South line of Norris Street, 345 feet, more or less; thence south-southwesterly, normal to the centerline of said track, to a point which is 35 feet north-northeast of said centerline, as measured normally; thence west-northwesterly, 340 feet, more or less, to the point of beginning; a tract described as: Beginning at a point on an extension of the East line of Kansas Avenue which is 35 feet south-southwest of the Centerline of the Main Line Track of the Union Pacific Railroad, as measured normally from the centerline of said track; thence south-southwesterly, on an extension of the East line of Kansas Avenue, to the Northwest corner of Lot 74 on Kansas Avenue in the former Town of Eugene; thence east-southeasterly, on a line which is 200 feet south-southwest from the centerline of said track, as measured normally, 300 feet, more or less; thence north-northeasterly, normal to the centerline of said track, to a point which is 35 feet south-
southwest of said centerline, as measured normally; thence west-northwesterly, parallel with the centerline of said track, 305 feet, more or less, to the point of beginning.

be, and the same is hereby rezoned from "I-1" Light Industrial District, "C-4" Commercial District, "C-2" Commercial District, and "M-2" Multiple Family District ALL TO "X-3" Mixed Use District.

Section 2. That the “District Map” (Identification No. C-10, C-11, D-10 and D-11) shall reflect the boundaries of this amendment as incorporated by this Ordinance. This Ordinance Number shall be fixed upon the “District Map”.

Section 3. The prospective use and development of real property located within the boundaries of the above described district shall be governed by City of Topeka Code Section 48-1.03 as may be amended; provided said real property was in conformity with zoning regulations in existence prior to the adoption of this ordinance.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.


ATTEST:

Iris E. Walker, City Clerk

To Be Codified ___
Not To Be Codified X