AN ORDINANCE introduced by Mayor Harry Felker 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 East Topeka neighborhood of the City of Topeka, Kansas requesting to amend the District Zoning Classification from "M-1" Two-Family Dwelling District, "C-2" Commercial District, “C-4” Commercial District, and “I-1” Light Industrial District to "R-2" Single-Family Dwelling District. (Z02/18) (Council District 2)

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 reclassifying the following described property:

Area 1:
A district composed of Lots and Tracts in the City of Topeka, Shawnee County, Kansas, the boundary of which is described as: Beginning at the Southwest corner of Lot 107 on Klein Avenue, in Crane's Addition to the City of Topeka; thence east-southeasterly, on the South line of Lot 107, and its extension, to the Southeast corner of Lot 108 on Klein Avenue in Crane's Addition; thence north-northeasterly, to the southeast corner of Lot 102; thence east-southeasterly, to the Southwest corner of Lot 101, on Branner Street, in Topeka Bank and Savings Institution Subdivision; thence east-southeasterly, to the Southeast corner of Lot 101 on Branner Street, in Klein's Addition; thence north-northeasterly, to the Northeast corner of Lot 37 on Branner Street, in Klein's Addition; thence north-northeasterly to a point on the West line of Branner Street which is 190 feet north-northeast of the North line of Second Street; thence west-northwesterly, 125 feet, to a point on the East line of an alley which is 190 feet north-northeast of the North line of Second Street; thence southwesterly, to the Northeast corner of a tract recorded in Volume 2176 at page 699; thence west-northwesterly, to the Northwest corner of said tract; thence south-southwesterly, on the East line of Klein Street, and its extension, to the Northeast corner of Lot 38 on Klein Avenue, in Klein's Addition; thence west-northwesterly, on the South line of 2nd Street, to the Northwest corner of Lot 37 on Hancock Street, in the Revised Plat of a Part of Crane's Addition; thence south-southwesterly, on the East line of an alley, and its extension, to the Southwest corner of Lot 89 on Hancock Street, in the Revised Plat of a Part of Crane's Addition; thence east-southeasterly, on the South line of Lot 89, and its extension, to an intersection with the East line of Hancock Street; thence south-southwesterly, to the Southwest corner of Lot 108 on Hancock Street, in Crane's Addition; thence east-southeasterly, to the point of beginning; LESS: all existing street and alley right of way.

The lots and tracts included in this district are listed as:
In the Revised Plat of a Part of Crane's Addition:
Lots 37 through 89 odd, on Hancock Street;

In Crane's Addition:
Lots 38 through 108 even, on Hancock Street;
Lots 37 through 107 odd, on Klein Avenue South;
Fractional Lots 56 through 80 even, and Lots 82 through 108 even, on Klein Avenue South;

In Topeka Bank and Savings Institution Subdivision:
Fractional Lots 81 through 101 odd, on Branner Street South;

In Klein's Addition:
Lots 38 through 54 even, and Fractional Lots 56 through 80 even, on Klein Avenue South;
Lots 37 through 83 odd, and Fractional Lots 85 through 101 odd, on Branner Street South;

Tracts in the Northeast Quarter of Section 32, Township 11 South, Range 16 east of the 6th P.M.:
A tract recorded in Volume 2176 at page 699;
A tract recorded in Volume 2136 at page 742;
A tract recorded in Volume 2060 at page 844;
A tract recorded in Volume 2176 at page 698;
A tract recorded in Volume 2493 at page 484;
A tract recorded in Volume 3501 at page 464;
A tract described as: Beginning at the intersection of the North line of Second Street with the West line of Branner Street South; thence north-northeasterly, on the West line of Branner Street South, 190 feet; thence west-northeasterly 125 feet; thence south-southwesterly, on the East line of an alley, 190 feet; thence east-southeasterly, on the North line of Second Street, 125 feet, to the point of beginning.

Area II:
A district composed of Lots and Tracts in the City of Topeka, Shawnee County, Kansas, the boundary of which is described as: Beginning at the Northwest corner of Lot 73 on Chandler Street South, in Klein's Addition; thence south-southwesterly, on the East line of an alley, to an intersection with the North line of Metsker's 2nd Addition; thence south-southwesterly, on the East line of said alley, and its extensions, to an intersection with the Centerline of Fifth Street; thence west-northwesterly, on the Centerline of Fifth Street, to an intersection with the West line of Metsker's 2nd Addition; thence southerly, on the West line of a vacated alley, to an intersection with an extension of the South line of the North 17.83 feet of Lot 151 on Chandler Street, in Metsker's 2nd Addition; thence east-southeasterly, to a point on the East line of Lot 151 which is 17.83 feet south-southwest of the Northeast corner of said lot; thence east-southeasterly, to a point on the West line of Lot 152 on Chandler Street, in Metsker's 2nd Addition, which is 17.53 feet south-southwest of the Northwest corner of said lot; thence east-southeasterly, to a point on the East line of Lot 152 which is 16.78 feet south-southwest of the Northeast corner of said lot; thence east-southeasterly, to a point on the West line of Fifth Street, in Metsker's 2nd Addition, which is 91.70 feet south-southwest of the Northwest corner of said lot; thence east-southeasterly, to a point on the East line of Lot 351 on Fifth Street, in Metsker's 2nd Addition, which is 90.95 feet south-southwest of the Northeast corner of said lot; thence east-southeasterly, to a point on the West line of Lot 357 on Fifth Street, in Metsker's 2nd Addition, which is 88.02 feet south-southwest of the Northwest corner of said lot; thence east-southeasterly, to a point on the East line of the West Half of Lot 359 on Fifth Street, in Metsker's 2nd Addition, which is 88.0 feet south-southwest of the Northeast corner of said West Half of Lot 359; thence east-southeasterly, to a point on the East line of Lot 361 on Fifth Street, in Metsker's 2nd Addition, which is 87.90 feet south-southwest of the Northeast corner of said lot; thence east-southeasterly, to a point on the East line of Lot 365 on Fifth Street, in Metsker's 2nd Addition, which is 86.32 feet south-southwest of the Northeast corner of said lot; thence east-
southeasterly, to a point on the West line of Lot 367 on Fifth Street, in Metsker's 2nd Addition, which is 87.50 feet south-southwest of the Northwest corner of said lot; thence east-southeasterly, to a point on the East line of said Lot 367 which is 79.70 feet south-southwest of the Northeast corner of said lot; thence east-southeasterly, to a point of curvature of a curve on the North line of right of way for Shunganunga Creek, part of the Topeka Oakland Ring Dike System; thence easterly, on a curve concave northerly, having a radius measure of 470.55 feet and an arc length of 47.5 feet, to a point on the East line of Lot 371 on Fifth Street, in Metsker's 2nd Addition, which is 73.6 feet south-southwest of the Northeast corner of said lot; thence easterly, on said curve, to a point on the East line of Lot 375 on Fifth Street, in Metsker's 2nd Addition, which is 57.4 feet south-southwest of the Northeast corner of said lot; thence north-northeasterly, to the Northeast corner of said Lot 375; thence north-northeasterly, to the Southeast corner of Lot 143 on Lime Street, in Metsker's 2nd Addition; thence east-southeasterly, to the Southwest corner of Lot 144 on Lime Street, in Metsker's 2nd Addition; thence east-southeasterly, to a point on the South line of said Lot 144 which is 41.89 feet west-northwesterly of the Southeast corner of said lot; thence northeasterly, to a point on the East line of Lot 142 on Lime Street, in Metsker's 2nd Addition, which is 41.78 feet north-northeast of the Southeast corner of Lot 144; thence north-northeasterly, on the West line of an alley, to the Northeast corner of Lot 110 on Lime Street, in Metsker's 2nd Addition; thence west-northwesterly, on the South line of Fourth Street, and its extensions, to the Northeast corner of Lot 110 on Lake Street, in Metsker's 2nd Addition; thence north-northeasterly, to the Southeast corner of Lot 108 on Lake Street, in Metsker's 2nd Addition; thence north-northeasterly, on the West line of an alley, to an intersection with the South line of Klein's 3rd Addition; thence north-northeasterly, on the West line of said alley, and its extension, to the Southeast corner of Lot 72 on Lake Street, in Klein's 3rd Addition; thence east-southeasterly, on the North line of 3rd Street, and its extensions, to an intersection with the West line of Klein Grove Addition; thence east-southeasterly, on the North line of 3rd Street, and its extension, to the Southeast corner of Lot 66 on Lime Street, formerly Locust Street, in Klein Grove Addition; thence north-northeasterly, to the Northeast corner of Lot 32 on Lime Street, in Klein Grove Addition; thence west-northwesterly, on the South line of 2nd Street, and its extension, to an intersection with the East line of Klein's 3rd Addition; thence west-northwesterly, on the South line of 2nd Street, and its extensions, to an intersection with the East line of Klein's 2nd Addition; thence west-northwesterly, on the South line of 2nd Street, and its extension, to the Northwest corner of Lot 37 on Lake Street, in Klein's 2nd Addition; thence south-southwesterly, on the East line of an alley, and its extension, to the Northwest corner of Lot 73 on Lake Street, in Klein's 2nd Addition; thence west-northwesterly, on the South line of 3rd Street, and its extensions, to an intersection with the East line of Klein's Addition; thence west-northwesterly, on the South line of 3rd Street, and its extension, to the point of beginning; LESS: all existing street and alley right of way.

The lots and tracts included in this district are listed as:

**In Klein's Addition:**
Lots 73 through 97 odd and Fractional Lots 99 and 101 on Chandler Street South;

**In Klein's 2nd Addition:**
Lots 74 through 92 even and Fractional Lots 96 and 98 on Chandler Street South;
Lots 37 through 87 odd and Fractional Lots 89, 91 and 93 on Lake Street;

**In Klein's 3rd Addition:**
Lots 38 through 84 even and Fractional Lots 86 and 88 on Lake Street;
Lots 37 through 71 on Lime Street, formerly Locust Street;

**In Klein Grove Addition:**
Lots 32 through 66 even on Lime Street, formerly Locust Street;
In Metsker’s 2nd Addition:
Lots 103 through 143 odd and Fractional Lots 99, 145, 147, 149 and a part of Fractional Lot 151 on Chandler Street;
A vacated alley adjoining Fractional Lots 145, 147, 149 and a part of Fractional Lot 151, extending from the Centerline of Fifth Street to an extension of the South line of the North 17.83 feet of Lot 151;
Lots 100 through 150 even, Fractional Lots 94, 96 and 98 and a part of Lot 152, all on Chandler Street;
Lots 95 through 143 odd, Lots 92 through 144 even and Fractional Lots 86, 88, 89, 90, 91 and 93, all on Lake Street;
Lots 109 through 143 odd, Lots 110 through 140 even and parts of Lots 142 and 144, all on Lime Street;
Parts of Lots 343 through 375 odd, on Fifth Street.

from "M-1" Two-Family Dwelling District, "C-2" Commercial District, “C-4” Commercial District, and “I-1” Light Industrial District to "R-2" Single Family Dwelling District.

Section 2. That the “District Map” (E-11, E-12, F-12) 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.

PASSED AND APPROVED by the Council of the City of Topeka, JUL 09 2002, 2002.

ATTEST:

Harry Felker, Mayor
Iris E. Walker, City Clerk

To Be Codified ______

Not To Be Codified X