ORDINANCE NO. 17858

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 "C-2" Commercial District, “C-4” Commercial District, “M-2” Multi-Family Dwelling District, and “M-1” Two Family Dwelling District, ALL TO “X-1” Mixed Use District. (Z.02/21) (Council Districts 2 and 3)

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:
Beginning at the northwest corner of Lot 104 on Klein Avenue in Crane’s Addition to the City of Topeka; thence east-southeasterly, to the Northeast corner of Lot 104; thence east-southeasterly, to the Northwest corner of Lot 103 on Branner Street South, in Topeka Bank and Savings Institution Subdivision; thence east-southeasterly, to the Northeast corner of Lot 103 on Branner Street South, in Klein’s Addition; thence east-southeasterly, on an extension of the North line of said Lot 103, to an intersection with the East line of Branner Street South; thence north-northeasterly, to the Northwest corner of Lot 100 on Branner Street South, in Klein’s Addition; thence south-southwesterly, to the Southwest corner of Lot 108 on Branner Street, in Metsker’s 2nd Addition; thence west-northwesterly, to the Southeast corner of said Lot 108; thence west-northwesterly, to the Southeast corner of Lot 107 on Branner Street, in Metsker’s 2nd Addition; thence west-northwesterly, to the Southwest corner of Lot 107 on Branner Street South, in Topeka Bank and Savings Institution Subdivision; thence west-northwesterly, to the Southwest corner of Lot 108 on Klein Avenue; thence north-northeasterly, 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 Crane's Addition:
Lots 104, 106, and 108, on Klein Avenue;
In Topeka Bank and Savings Institution Subdivision:
Lots 103, 105 and 107 on Branner Street South;
In Metsker's 2nd Addition:
Lots 100, 102, 103, 104, 105, 106, 107 and 108 on Branner Street South.
Area II:
A district composed of lots in Parkdale Addition in the City of Topeka, Shawnee County, Kansas, the boundary of which is described as: Beginning at the Northeast corner of Lot 235 on Lafayette Place, formerly Lafayette Avenue; thence west-northwesterly, to the Northwest corner of Lot 235; thence southwesterly, on the East line of an alley, and its extension, to an intersection with the North line of Lot 430 on Tenth Avenue; thence west-northwesterly, to the Northwest corner of Lot 420; thence south-southwesterly, to the Southwest corner of Lot 420; thence easterly, to the Southeast corner of Lot 440 on Tenth Avenue; thence north-northeasterly, on the West line of Lafayette Place, 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 Parkdale Addition:**
Lots 235 through 245 odd on Lafayette Place, formerly Lafayette Avenue;
Lots 420 through 440 even on Tenth Avenue.

Area III:
A district composed of lots and tracts in Block 2 in Mulvane & Chase's First Addition to the City of Topeka, Shawnee County, Kansas, the boundary of which is described as: Beginning at, the Northwest corner of Lot 51 on Tenth Avenue; thence easterly, to the Northeast corner of Lot 69 on Tenth Avenue; thence southerly, to the Southeast corner of Lot 69; thence westerly, to the Southwest corner of Lot 51; thence northerly, 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 Block 2 of Mulvane and Chase's First Addition:**
Lots 51 through 69 odd on Tenth Avenue;
A vacated alley, adjoining Lots 59 and 61 on Tenth Avenue, extending from an extension of the North line of Lot 59 to an extension of the South line of Lot 59.

Area IV:
A district composed of lots in the City of Topeka, Shawnee County, Kansas, the boundary of which is described as: Beginning at the Southeast corner of Lot 288 on Tenth Street, in Metsker's Addition No. 3; thence westerly, to the Southwest corner of Lot 48 on Tenth Street, in Tenth Avenue Addition; thence northerly, to the Northwest corner of Lot 48; thence easterly, to the Northeast corner of said Lot 288; thence southerly, 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 Metsker's Addition No. 3:**
Lots 276 through 288 even on Tenth Street;
**In Tenth Avenue Addition:**
Lots 48 and 50 on Tenth Avenue.

Area V:
A district composed of lots in East Park Addition in the City of Topeka, Shawnee County, Kansas, the boundary of which is described as: Beginning at the Southeast corner of Lot 17
on Tenth Avenue; thence westerly, to the Southwest corner of Lot 1 on Tenth Avenue; thence northerly, to the Northwest corner of Lot 1; thence easterly, to the Northeast corner of said Lot 17; thence southerly, 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 East Park Addition:**
Lots 1 through 17 odd, on Tenth Avenue.

from "C-2" Commercial District, "C-4" Commercial District, "M-2" Multi-Family Dwelling District, and "M-1" Two Family Dwelling District, ALL TO "X-1" Mixed Use District.

**Section 2.** That the “District Map” (E-11, E-12, F-11 and 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, _________________, 2002.

![Seal of Topeka]

**JUL 09 2002**

Harry Pellegr, Mayor

ATTEST:

**Iris E. Walker**
Iris E. Walker, City Clerk

To Be Codified

Not To Be Codified **X**