ORDINANCE NO. 17942

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 Old Town Neighborhood of the City of Topeka, Kansas requesting to amend the District Zoning Classification from "M-1" Two-Family Dwelling District, "M-2" Multiple Family Dwelling District, and "M-3" Multiple Family Dwelling District ALL TO "R-2" Single-Family Dwelling District, inclusive of Special Permits located at 920 SW Buchanan, 802 SW Buchanan, 1015 SW 9th Street, 815 SW Fillmore, 824 SW Fillmore, and 828 SW Fillmore. (Z03/4) (Council District 1)

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:

A district composed of lots and tracts in the Northeast and Southeast Quarters of Section 36, Township 11 South, Range 15 east of the 6th P.M., and in the Northwest and Southwest Quarters of Section 31, Township 11 South, Range 16 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, the boundary of said district is described as: Beginning at the Northwest corner of Lot 193 on Lincoln Street in Horne's Addition; thence east-southeasterly, on the South line of an alley, to the Northwest corner of Lot 193 on Buchanan Street, in Horne's Addition; thence north-northeasterly, on an extension of the East line of an alley, to the North line of the South Half of a vacated alley, the South line of which is coincident with the North line of the last said Lot 193; thence east-southeasterly, on the North line of the South Half of said vacated alley, and its extension, to an intersection with an extension of the East line of Buchanan Street; thence south-southwesterly, to the Northwest corner of Lot 194 on Buchanan Street, in Horne's Addition; thence east-southeasterly, to the Northwest corner of Lot 193 on Clay Street, in Horne's Addition; thence north-northeasterly, on an extension of the East line of an alley, to the North line of the South Half of a vacated alley, the South line of which is coincident with the North line of the last said Lot 193; thence east-southeasterly, on the North line of the South Half of said vacated alley, and its extension, to an intersection with an extension of the East line of Clay Street; thence south-southwesterly, to the Northwest corner of Lot 194 on Clay Street, in Horne's Addition; thence east-southeasterly, on the South line of an alley, and its extensions, to the Northeast corner of Lot 193 on Western Avenue, in the Original Town of Topeka; thence south-southwesterly, on the West line of Western Avenue, and its extension, to the Northeast corner of Lot 217 on Western Avenue, in the Original Town of Topeka; thence west-
218 on Fillmore Street, in the Original Town of Topeka; thence south-southwesterly, on the West line of an alley, and its extension, to the Northeast corner of Lot 110 on Eighth Avenue West, in the Original Town of Topeka; thence east-southeasterly, on the South line of an alley, and its extension, to the Northeast corner of Lot 108 on Eighth Avenue West, in the Original Town of Topeka; thence south-southwesterly, on the East line of Lot 108, and its extension, to an intersection with the South line of Eighth Avenue West, thence east-southeasterly, to the Northwest corner of Lot 103 on Eighth Avenue West, in the Original Town of Topeka; thence south-southwesterly, to the Northwest corner of the South Half of the last said Lot 103; thence east-southeasterly, to the Northeast corner of the South Half of Lot 97 on Eighth Avenue West, in the Original Town of Topeka; thence south-southwesterly, on the West line of Western Avenue, and its extension, to the Southeast corner of Lot 281 on Western Avenue, in the Original Town of Topeka; thence west-northwesterly, to the Southwest corner of the last said Lot 281; thence south-southwesterly, to the Southwest corner of Lot 287 on Western Avenue, in the Original Town of Topeka; thence west-northwesterly, on the North line of 9th Street, and its extension, to the Southeast corner of Lot 287 on Fillmore Street, in Young's Addition; thence south-southwesterly, on the West line of Fillmore Street, and its extension, to the Southeast corner of Lot 307 on Fillmore Street, in Young's Addition; thence west-northwesterly, on the South line of Lot 307, and its extension, to an intersection with the West line of an alley; thence south-southwesterly, on the West line of an alley, and its extension, to the Northeast corner of Lot 134 on Tenth Avenue West, in Young's Addition; thence west-northwesterly, on the South line of an alley, and its extensions, to an intersection with the West line of Buchanan Street, in Session's Subdivision; thence south-southwesterly, to the Southeast corner of Lot 2 in Session's Subdivision; thence west-northwesterly, to the Southwest corner of said Lot 2; thence north-northeasterly, on the West line of Lot 2, to the Southeast corner of a tract recorded in Volume 3529, at page 568; thence west-northwesterly, on the South line of the last said tract, and its extension, to an intersection with the West line of Lincoln Street, in Case's Addition; thence south-southwesterly, to the Southeast corner of Lot 311 in Case's Addition; thence west-northwesterly, northwesterly and west-northwesterly, on the South lines of Lot 311, to the Southwest corner of said lot; thence north-northeasterly, on the East line of an alley, and its extensions, to the point of beginning; LESS: All existing street and alley right of way; ALSO LESS: Lots 133 through 143 odd on Eighth Avenue West, in Horne's Addition; Lot "A" in Tappen and Gleason Subdivision; Lot 1, Block "A" in Tappen and Gleason Subdivision No.2; Lot 1, Block "A" in Coughlin Subdivision No. II, Lots 1, 2 and 3 on Lincoln Street and Lot 4 on Buchanan Street in Ronald McDonald Subdivision; Lot 1, Block A in Coughlin Subdivision.

The lots included in this district are listed as:

In the Original Town of Topeka, Kansas:
Lots 193 through 215 odd and Lots 265 through 281 odd, all on Western Avenue; Also: a vacated east to west alley, the South line of which is coincident with the North line of Lot 265 on Western Avenue;
Lots 194 through 240 even, on Fillmore Street;
Fractional Lots 266 through 288 even, on Fillmore Street;
Lot 105 and Lots 107 through 120, on Eighth Avenue West; Also: a vacated north to south alley, the East line of which is coincident with the West line of Lot 108 on Eighth Avenue West;
The South Half of Lots 97 through 103 odd, on Eighth Avenue West;
Lots 193 through 215 odd, on Fillmore Street;
Fractional Lots 217 through 239 odd, on Fillmore Street;
Fractional Lot 122 on Eighth Avenue West.

In Horne’s Addition:
Lots 265, 267 and 269 on Fillmore Street;
Fractional Lots 271, 273, 275 and 277 on Fillmore Street;
Fractional Lots 194 through 214 even, on Clay Street;
Lots 193 through 215 odd, on Clay Street; Also: the South Half of an east to west vacated alley, the South line of which is coincident with the North line of Lot 193 on Clay Street;
Lots 216 through 240, on Clay Street;
Lots 265 through 281 odd, on Clay Street;
Lots 266 through 276 even, on Clay Street;
Fractional Lots 278, 280, 282, 283, 285 and 287 on Clay Street;
Lots 193 through 240 on Buchanan Street; Also: the South Half of an east to west vacated alley, the South line of which is coincident with the North line of Lot 193 on Buchanan Street; Also: an east to west vacated alley, the North line of which is coincident with the South line of Lot 239 on Buchanan Street;
Lots 266 through 286 even, on Buchanan Street; Also: an east to west vacated alley, the South line of which is coincident with the North line of Lot 266 on Buchanan Street;
Fractional Lot 288 on Buchanan Street;
Lots 193 through 240 on Lincoln Street;
Fractional Lot 122 on Eighth Avenue West;
Lots 121 and 123 through 132, on Eighth Avenue West;
Lots 134 through 144 even, on Eighth Avenue West;
Lots 145 through 168 on Eighth Avenue West;
Lots 170 through 204 even, on Eighth Avenue West.

In Westlawn Addition:
Lots 283 through 303 odd, on Lincoln Street.

In Session’s Subdivision:
Lot 1 and 2.

In Case’s Addition:
Lots 309 and 311 on Lincoln Street.

In Young’s Addition:
Fractional Lots 270 through 288 even, on Fillmore Street;
Fractional Lots 271, 273, 275 and 277 odd, on Fillmore Street;
Lots 279 through 307 odd, on Fillmore Street;
Fractional Lots 278, 280, 282, 283, 285 and 287 on Clay Street;
Lots 284 through 312 even, on Clay Street; Also: a vacated east to west alley, the North line of which is coincident with the South line of Lot 312 on Clay Street;
Lots 289, 295, 301 and 307 on Clay Street; Also: a vacated east to west alley, the North line of which is coincident with the South line of Lot 307 on Clay Street;
Fractional Lot 288 on Buchanan Street;
Lots 290, 296, 302, and 308 on Buchanan Street.

The tracts included in this district are:
A tract recorded in Volume 2440 at page 193;
A tract recorded in Volume 1766 at page 807;
Tracts V, VI and VII recorded in Volume 3361 at page 538;
A tract recorded in Volume 3728 at page 728;
A tract recorded in Volume 2091 at page 867;
A tract recorded in Volume 3397 at page 467;
A tract recorded in Volume 3443 at page 606;
A tract recorded in Volume 2887 at page 737;
A tract recorded in Volume 1757 at page 602;
A tract recorded in Volume 2434 at page 096;
A tract recorded in Volume 2990 at page 903;
A tract recorded in Volume 3529 at page 836;
A tract recorded in Volume 1489 at page 128;
A tract recorded in Volume 3388 at page 821;
A tract recorded in Volume 3529 at page 568.

from "M-1" Two-Family Dwelling District, "M-2" Multiple Family Dwelling District, and "M-3" Multiple Family Dwelling District ALL TO "R-2" Single-Family Dwelling District, inclusive of Special Permits located at 920 SW Buchanan, 802 SW Buchanan, 1015 SW 9th Street, 815 SW Fillmore, 824 SW Fillmore, and 828 SW Fillmore.

Section 2. That the "District Map" (F-8, F-9, E-8, E-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. 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,  


Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified

Not To Be Codified  X