ORDINANCE NO. 18007

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 located on the south side of NW Broad Street, the centerline of which is approximately 540-feet west of NW Topeka Blvd. in the City of Topeka, Kansas from “R-1” Single Family Dwelling District and “C-4” Commercial District ALL TO “PUD” Planned Unit Development District. (Z03/19) (Council District No. 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 tract of land in the NW ¼ of Section 20, Township 11 South, Range 16 East of the 6th P.M. and also being a portion of a tract of land recorded in Book 2333 Page 518, and all of a tract of land recorded in Book 2511 Page 213, in the City of Topeka, Shawnee County, Kansas, being more particularly described as follows: Beginning at the southwest corner of the NW ¼ of said Section; thence on a bearing of north 01 degree 28 minutes 54 seconds west, coincident with the west line of said NW ¼, a distance of 410.02 feet to the southwest corner of Lot 1, Block A of Craver Subdivision No. 2; thence north 87 degrees 29 minutes 40 seconds east, coincident with the south line of Craver Subdivision No. 2, a distance of 200.06 feet to the southeast corner of Craver Subdivision No. 2; thence north 01 degree 29 minutes 50 seconds west, coincident with the east line of Craver Subdivision No. 2, a distance of 250.11 feet to the centerline of NW Broad Street; thence north 87 degrees 28 minutes 39 seconds east, coincident with the centerline of NW Broad Street, a distance of 149.11 feet to the northwest corner of Garrett Subdivision; thence south 01 degree 27 minutes 28 seconds east, coincident with the west line of Garrett Subdivision, a distance of 30.00 feet to the northwest corner of Lot 1, Block A of Garrett Subdivision; thence north 87 degrees 28 minutes 39 seconds east, coincident with the north line of said Lot 1, a distance of 128.61 feet; thence south 17 degrees 09 minutes 46 seconds west, parallel with the east line of said Lot 1, a distance of 238.85 feet to a point of curvature; thence along a curve, said curve being concave to the southeast and having a radius of 50.00 feet, an arc distance of 36.16 (chord bearing: south 73 degrees 02 minutes 35 seconds west; chord distance: 35.37 feet to a point on the south line of said Lot 1, said point being on the north line of Lot 2, Block A of Garrett Subdivision); thence continuing along said curve an arc distance of 98.08 feet (chord bearing: south 03 degrees 52 minutes 15 seconds east; chord distance: 83.10 feet); thence on a bearing of south 17 degrees 09 minutes 46 seconds west, parallel with the east line of said Lot 2, a distance of 74.04 feet to the south line of said Lot 2; thence south 87 degrees 44 minutes 53 seconds west, coincident with the south line of said Lot 2 a distance of 47.55 feet to the northwest corner of Lot 1, Block A of Autozone Subdivision; thence south 01 degree 16 minutes 22 seconds east coincident with the west line of said Lot 1, a distance of 247.86 feet to the south line of said NW ¼; thence south 87 degrees 43 minutes 35 seconds west, coincident with the south line of said NW ¼, a distance of 299.50 feet to the point of beginning. Said tract containing 4.36 acres, more or less.
AND ALSO

A tract of land in the NE ¼ of Section 19, Township 11, South, Range 16 East of the 6th P.M. in the City of Topeka, Shawnee County, Kansas, described as follows: Beginning at the southeast corner of the NE ¼ of said Section 19; thence north 00 degrees 02 minutes 27 seconds east, 495.26 feet along the east line of said NE ¼, thence south 89 degrees 49 minutes 15 seconds west, 50.00 feet; thence south 00 degrees 02 minutes 27 seconds west, 100.00 feet; thence south 89 degrees 49 minutes 15 seconds west, 140 feet, plus or minus, to the center of Old Soldier Creek; thence southerly 396 feet, plus or minus, along the center of Old Soldier Creek to the south line of the NE ¼ of Section 19; thence south 90 degrees 00 minutes 00 seconds east, 177 feet, plus or minus, along the south line of the NE ¼ of said Section 19 to the point of beginning. Said tract containing 1.77 acres, more or less.

from “R-1” Single Family Dwelling District and “C-4” Commercial District ALL TO “PUD” Planned Unit Development District, subject to:

1. Establishment of a permanent and irrevocable emergency access to be established off of NW Topeka Boulevard, and secured by a designated fire lane approved by the City of Topeka Fire Department. A fire lane access agreement with the adjoining property owner will need to be submitted with the final plat of Majestic Concrete Development and granting authority to the Zoning and Platting Committee to approve any changes to the agreement.

2. Use Group Category: “M-1a” Limited Multiple Family Dwelling District.

Section 2. That the “District Map” (Identification No. A-1) 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, May 13, 2003.

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified

Not To Be Codified X