ORDINANCE NO. 18172

AN ORDINANCE introduced by Mayor James A. McClinton 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 at the northeast corner of SE 37th Street and S Kansas Avenue in the City of Topeka, Kansas from "I-1" Light Industrial District TO "PUD" Planned Unit Development District (I-1" use group). (Z03/32) (Council District No. 5)

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 SW ¼ of Section 18, Township 12 South, Range 16 East of the 6th P.M. in the City of Topeka, Shawnee County, Kansas, described as follows: beginning at a point which is north 90 degrees 00 minutes 00 seconds west 169.84 feet and north 0 degree 00 minutes 00 seconds west 40.00 feet from the southeast corner of said SW ¼, said point being on the north right-of-way line of SE 37th Street and on the west right-of-way line of the Abandoned Missouri Pacific Railroad; thence north 90 degrees 00 minutes 00 seconds west 767.43 feet along the north right-of-way of SE 37th Street to the east right-of-way line of the Atchison, Topeka and Santa Fe Railroad; thence north 15 degrees 05 minutes 30 seconds east 1,663.83 feet along said east right-of-way to a point on the west right-of-way of the abandoned Missouri Pacific Railroad; thence continuing along said west right-of-way on a curve to the left with a radius of 1,735.42 feet, an arc distance of 129.09 feet; thence continuing along said west right-of-way south 19 degrees 39 minutes 30 seconds east 579.70 feet; thence continuing along said west right-of-way on a curve to the right with a radius of 1,860.08 feet, an arc distance of 897.64 feet; thence continuing along said west right-of-way on a curve to the right with a radius of 3,239.91 feet, an arc distance of 61.56 feet to the point of beginning.

from "I-1" Light Industrial District TO "PUD" Planned Unit Development District (I-1" use group) subject to:

1. Use and development of the site in accordance with the recorded Master PUD Plan of Hanrahan South Subdivision.
2. Plan note No. 1 shall be changed to read: "Maximum of one (1) monument sign to be located at the entrance to the property east of SE South Park Avenue, signage height not to exceed 8 feet above finish grade and shall not contain more than 75 square feet per single sign face, and (1) pole sign to be located at the west entrance to the property, signage height not to exceed 35 feet above finish grade and shall not contain more than 250 square feet per single sign face. Individual businesses internal to the site may each
have a monument sign as is allowed within industrial districts. Directional traffic signs and wall signs within the facility shall not be included within these restrictions. Portable, temporary or roof mounted signs shall not be permitted."

3. Add plan note stating: "Individual storage units are for personal storage only and no business activities shall be allowed in conjunction with individual storage units, no garage sales shall be conducted from units, storage units shall not be used for storage of hazardous materials and no electrical service is to be provided to any individual storage unit."

4. Remove reference to 35-foot access opening from plan.

5. Add plan note stating: "Addressing scheme is to be provided at the time of site plan review."

6. Add a plan note stating: "A city standard sidewalk along SE 37th Street shall be constructed from the main entrance drive to the west property line prior to occupancy of the initial building in Tract 1, and east from the main entrance drive to the east property line prior to occupancy of the initial building in Tract 2. Any fencing constructed along SE 37th Street shall be decorative and limited to a maximum height of 6 feet."

7. Add a plan note stating: "A six-foot chain link fence shall be maintained extending along the east boundary of the property adjacent to the Landon Trail from the front setback line of the property to prevent illegal dumping. No outside storage shall be permitted within 20-feet of the fence."

8. Add plan note detailing maintenance responsibility for green space and all common areas.

Section 2. That the "District Map" (Identification No.L-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. 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, February 17, 2004.

James A. McClintock, Mayor

ATTEST:

Iris E. Walker, City Clerk