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 in the neighborhood commonly known as Oakland, in the City of Topeka, Kansas from "C-2" Commercial District and "C-4" Commercial District ALL TO "X-1" Mixed Use District. (Z04/13) (Council District No. 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:

A district composed of lots and tracts in the Southeast Quarter of Section 28 and in the Northwest and Northeast Quarters of Section 33, all in Township 11 South, Range 16 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, the boundary of which is described as: Beginning at the Northwest corner of Lot 397 on Seward Avenue, in Bernier Addition; thence southerly, on the East line of Scotland Avenue, and its extension, to the Northeast corner of Lot 102 on Scotland Avenue, in Bernier Addition; thence easterly, on the South line of an alley, and its extension, to the Northeast corner of Lot 101 on Woodruff Avenue, in Bernier Addition; thence easterly, to the Southwest corner of a tract described in Volume 2337 at page 129; thence easterly, on the North line of an alley, to the Southeast corner of a tract recorded in Volume 3771 at page 764; thence southerly, to the Southwest corner of the North 21 feet of Lot 11 on Grattan Street, formerly Oak Street, formerly Norris Street, in Norris Subdivision; thence easterly, to the Southeast corner of the North 21 feet of said Lot 11; thence northeasterly, to the Southwest corner of Lot 8 on Grattan Street, in Norris Subdivision; thence easterly, to the Southeast corner of said Lot 8; thence easterly, to the Southwest corner of Lot D on Freeman Avenue, formerly Elliott Avenue, in the Amended Plat of Elliott Place; thence easterly, on the South line of Lot D, and its extension, to an intersection with the East line of Freeman Avenue; thence southerly, on the East line of Freeman Avenue, to the Centerline of a vacated alley, the South line of which is coincident with the North line of Lot 2 on Freeman Avenue, in Elliott Place; thence easterly, on the Centerline of said vacated alley, and its extension, to an intersection with the East line of Rowley Street; thence northerly, on the East line of Rowley Street, and its extension, to the Southwest corner of Lot 499 on Seward Avenue, in C.R. Jones Addition; thence easterly, on the North line of an alley, and its extension, to the Southeast corner of Lot 519 on Seward Avenue, in C.R. Jones Addition; thence northerly, to the Northeast corner of said Lot 519; thence northwesterly, to the Southeast corner of Lot 125 on Twiss Avenue, in John Norton's 2nd Addition; thence northerly, to the Northeast corner of Lot 131 on Twiss Avenue, in John Norton's 2nd Addition; thence westerly, to the Northwest corner of Lot 132 on Freeman Street, formerly Logan Avenue, in John Norton's 2nd Addition; thence
westerly, to the Northeast corner of Lot 131 on Freeman Street, in John Norton's 2nd Addition; thence westerly, to the Northwest corner of said Lot 131; thence northerly, on the East line of an alley, to an intersection with the Centerline of an 18 feet wide alley, the North line of which is coincident with the South line of Lot 138 on Grattan Street, in Heery's Subdivision; thence westerly, on the Centerline of said alley, and its extensions, to an intersection with the East line of Lot 12 on Scotland Avenue, in Gordon's Addition; thence southerly, on the West line of an alley, to the Southeast corner of Lot 2 on Scotland Avenue, in Gordon's Addition; thence west-southwesterly, to the point of beginning; LESS: All existing street and alley right of way.

from "C-2" Commercial District and "C-4" Commercial District ALL TO "X-1" Mixed Use District.

Section 2. That the "District Map" (Identification No. D-12, D-13, E-12 and E-13) 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, March 9, 2004.

James A. McClinton, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified X
Not To Be Codified