ORDINANCE NO. 18280

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 1235 SW Wanamaker Road in the City of Topeka, Kansas from “C-4” Commercial District TO “PUD” Planned Unit Development District (“C-4” use group). (PUD04/4) (Council District No. 9)

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 located in the SE ¼ of Section 32, Township 11 South, Range 15 East of the 6th P.M., in the City of Topeka, Shawnee County Kansas described as follows: Commencing at the SE corner of the SE ¼ of said Section 32; thence on a Kansas State Plane Grid bearing of south 87 degrees 53 minutes 43 seconds west along the south line of said SE ¼ a distance of 50.00 feet; thence north 01 degrees 33 minutes 33 seconds west parallel with the east line of said SE ¼ a distance of 135.00 feet to the point of beginning, said point being on the northeasterly right-of-way line of Interstate Highway 470; thence along said northeasterly right-of-way line, south 87 degrees 53 minutes 04 seconds west a distance of 262.08 feet; thence continuing along said right-of-way, north 66 degrees 54 minutes 14 seconds west a distance of 892.98 feet; thence continuing along said right-of-way on a non-tangent curve to the right having a radius of 5564.58 feet, a chord which bear north 52 degrees 07 minutes 41 seconds west a chord distance of 241.81 feet an arc distance of 241.83 feet; thence north 87 degrees 53 minutes 03 seconds east a distance of 213.38 feet to a point on the south right-of-way line of SW 12 Street; thence along said south right-o-way line on a non-tangent curve to the left having a radius of 130.00 feet, a chord which bears south 72 degrees 15 minutes 30 seconds east a chord distance of 88.32 feet, an arc distance of 90.11 feet; thence continuing along said south right-of-way line, north 87 degrees 53 minutes 03 seconds east a distance of 963.73 feet to a point on the west right-of-way line of SW Wanamaker Road; thence along said west right-of-way line south 01 degrees 33 minutes 33 seconds east a distance of 505.80 feet to the point of beginning.

Said tract contains 9.30 acres of land, more or less.

from “C-4” Commercial District TO “PUD” Planned Unit Development District (“C-4” use group)

subject to:
1. Use and development of the site in accordance with the recorded Master PUD Plan of Wanamaker Crossing.
2. Add plan note "Allow for construction of no more than two commercial buildings and then re-evaluate the need for a median through an updated TIA".

**Section 2.** That the "District Map" (Identification No. F-1a 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, __July 13__, 2004.

James A. McClinton, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified ___
Not To Be Codified X

APPROVED AS TO FORM & LEGALITY
CITY ATTORNEY'S OFFICE
JUN 28 2004