ORDINANCE NO. 18283

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 on the north side of SE 29th Street, the centerline of which is approximately 1,530-feet west of SE Croco Road in the City of Topeka, Kansas from "R-1" Single Family Dwelling District, "R-1" Single Family Dwelling District with Resolution of Intent for "M-2" Multiple Family Dwelling District and "R-1" Single Family Dwelling District with Resolution of Intent for "C-2" Commercial District ALL TO "PUD" Planned Unit Development District ("O&I-2", "C-2" and "R-1" use groups). (Z02/23) (Council District No. 4)

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:

Lots 1 through 10, Block C, lots 1 through 8, Block F, and lots 1 through 10, Block H, in Aquarian Acres Subdivision located in the Southeast Quarter of Section 10, Township 12 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas described as follows:

Beginning at the Southwest corner of lot 1, Block C, Aquarian Acres Subdivision; thence North 00 degrees 20 minutes 38 seconds East (measured and platted) a distance of 405.48 feet (measured), 405.15 feet (platted) to a point on the South right-of-way line of Southeast Pisces Avenue; thence South 89 degrees 39 minutes 22 seconds East, (measured and platted) along said South right-of-way line a distance of 227.10 feet (measured and platted); thence continuing along said right-of-way line, on a curve to the left having a radius of 130.00 feet an arc distance of 204.20 feet (measured and platted) to a point on the East right-of-way line of Southeast Scorpio Avenue; thence along said East right-of-way line North 00 degrees 20 minutes 38 seconds East a distance of 275.91 feet (measured and platted); thence North 77 degrees 05 minutes 25 seconds East a distance of 640.67 feet (measured), North 77 degrees 02 minutes 57 seconds East, 640.61 feet (platted); thence South 85 degrees 48 minutes 44 seconds East a distance of 457.79 feet (measured), South 85 degrees 51 minutes 00 seconds East (platted); thence North 00 degrees 27 minutes 48 seconds West (measured), North 00 degrees 28 seconds 40 seconds West (platted), a distance of 408.88 feet; thence South 85 degrees 36 minutes 26 seconds East, a distance of 144.12 feet (measured), South 85 degrees 33 minutes 30 seconds East, 144.16 feet (platted); thence South 00 degrees 44 minutes 12 seconds East, a distance of 547.64 feet (measured), South 00 degrees 44 minutes 00 seconds East, 547.74 feet
(platted); thence South 00 degrees 06 minutes 10 seconds East, a distance of 755.96 feet (measured), South 00 degrees 07 minutes 06 seconds East, 756.40 feet (platted) to a point on the North right-of-way line of Southeast 29th Street; thence along said North right-of-way line South 89 degrees 31 minutes 30 seconds West, a distance of 1591.83 feet (measured), South 89 degrees 31 minutes 20 seconds West, 1591.64 feet (platted) to the point of beginning. Containing 30.09 acres of land more or less.

from "R-1" Single Family Dwelling District, "R-1" Single Family Dwelling District with Resolution of Intent for "M-2" Multiple Family Dwelling District and "R-1" Single Family Dwelling District with Resolution of Intent for "C-2" Commercial District ALL TO "PUD" Planned Unit Development District ("O&I-2", "C-2" and "R-1" use groups), subject to:

1. Use and development of the site in accordance with the recorded Master PUD Plan of the Aquarian Center Subdivision.

**Section 2.** That the "District Map" (Identification No. J-16) 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.

ATTEST:

Iris E. Walker, City Clerk

James A. McClinton, Mayor

To Be Codified

Not To Be Codified X