ORDINANCE NO. 18487

AN ORDINANCE introduced by City Manager Neil Dobler 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 west side of SE Croco Road, the centerline of which is approximately 2,000 feet north of the intersection of SE 45th Street & SE Croco Road in the City of Topeka, Kansas from "RR-1" Residential Reserve District, "M-1" Two Family Dwelling District and "M-2" Multiple Family Dwelling District ALL TO "PUD" Planned Unit Development District (M-2, O&I-1 and C-2 use groups). (PUD05/2) (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:

A tract of land in the SE ¼ of Section 22, Township 12 south Range 16 east of the 6th P.M., City of Topeka Shawnee County, Kansas, more particularly described as follows:

Commencing at the NE corner of said SE ¼; thence, coincident with the north line of said SE ¼, on an azimuth of 269 degrees 56 minutes 57 seconds, a distance of 52.50 feet, to the point of beginning; thence, parallel with the east line of said SE ¼, on an azimuth of 179 degrees 58 minutes 43 seconds, a distance of 1177.40 feet; thence, parallel with the south line of said SE ¼, on an azimuth of 270 degrees 08 minutes 00 seconds, a distance of 318.02 feet; thence, on an azimuth of 29 degrees 59 minutes 44 seconds, a distance of 247.09 feet; thence, on an azimuth of 300 degrees 35 minutes 36 seconds, a distance of 1668.74 feet; thence, on an azimuth of 359 degrees 54 minutes 58 seconds, a distance of 111.92 feet, to a point on the north line of said SE ¼; thence, coincident with said north line, on an azimuth of 89 degrees 56 minutes 57 seconds, a distance of 1630.67 feet, to the point of beginning; containing 23.27 acres, more or less.

from "RR-1" Residential Reserve District, "M-1" Two Family Dwelling District and "M-2" Multiple Family Dwelling District ALL TO "PUD" Planned Unit Development District (M-2, O&I-1 and C-2 use groups), subject to:

1. Use and development of the site in accordance with the recorded Master PUD Plan of RockFire at the Lake Active Adult Community.

2. Add one of the following notes to the Master PUD Plan:

   a. "Until such time as a second means of access approved by the City Traffic Engineer is provided to the development connecting any proposed internal road system with the entrance located on SE Croco Road no building permit is to be issued for any structure located more than a 500' travel distance within the development upon an internal road system as measured from the centerline of SE Croco Road."
b. The Planning Commission granting a variance to Section 134-135(c) regarding the 500' maximum cul-de-sac length and restricting the total number of dwelling units and square footage of non-residential land uses to an equivalent density not to exceed 200 vehicle trips per day as determined by the City Traffic Engineer until such time as an approved second means of access is provided. (Note: This standard for dead-end streets is supported by the International Transportation Engineers, National Association of Home Builders, American Society of Civil Engineers, and the Urban Land Institute, "Residential Streets"; 3rd Editions, 2001).

3. Note No. 1 on page one of the plan should be placed under the heading GENERAL NOTES: and should be changed to read as follows: "A conceptual layout of the streets and buildable areas within the planned unit development is depicted. The final layout shall be submitted at the time of site plan approval."

Section 2. 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, August 9, 2005.

Mayor William W. Bunten

ATTEST:

Iris E. Walker, City Clerk

To Be Codified

Not To Be Codified X