

(Published in the Topeka Metro News August 9, 2006)

ORDINANCE NO. 18690

AN ORDINANCE

introduced by City Manager Norton N. Bonaparte, Jr. 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 3720 SW 45th Street and on the south side of SW 45th Street across from said property in the City of Topeka, Kansas from "R-1" Single Family Dwelling District and "O&I" Office and Institutional District and "R-1" Single Family Dwelling District with Resolution of Intent for "D&O" Multiple Family and Office District and Special Use Permits for a golf pro-shop, clubhouse and driving range **ALL TO** "PUD" Planned Unit Development ("R-1" Single Family Dwelling District use group for use as a golf course and driving range subject to provisions of Section 48-26.00(i) and "C-3" Commercial District use group limited to a commercial fitness center and clubhouse facility licensed to sell and dispense alcoholic beverages for consumption within the clubhouse facility). **(PUD05/6) (Council District No. 7)**

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:

All of Lot 1, Block "A" Berkshire Subdivision, City of Topeka, Shawnee County, Kansas, and all of Lot 1, Block "A" Colly Creek Subdivision No. 5, City of Topeka, Shawnee County, Kansas.

from "R-1" Single Family Dwelling District and "O&I" Office and Institutional District and "R-1" Single Family Dwelling District with Resolution of Intent for "D&O" Multiple Family and Office District and Special Use Permits for a golf pro-shop, clubhouse and driving range **ALL TO** "PUD" Planned Unit Development ("R-1" Single Family Dwelling District use group for use as a golf course and driving range subject to provisions of Section 48-26.00(i) and "C-3" Commercial District use group limited to a commercial fitness center and clubhouse facility licensed to sell and dispense alcoholic beverages for consumption within the clubhouse facility), **subject to:**

- 1. Use and development of the site in accordance with the recorded Master PUD Plan of Berkshire Country Club.**

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 1, 2006.

Mayor William W. Bunten

ATTEST:

Iris E. Walker, City Clerk

To Be Codified _____
Not To Be Codified X