

(Published in the Topeka Metro News October 11, 2006)

ORDINANCE NO. 18723

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 between SW 13th Street and SW Byron Street and between SW Washburn Avenue and SW Lane Street also to include property at the NW corner of SW 17th Street and SW Washburn Avenue and the SE corner of SW 14th Street and SW Lane Street in the City of Topeka, Kansas from "M-1" Two Family Dwelling District, "C-2" Commercial District, "C-4" Commercial District and "O&I-2" Office and Institutional District **TO** "PUD" Planned Unit Development District ("M-2" and "C-2" use groups). **(PUD06/1) (Council District No. 1 and 6)**

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:

LOT 1 BLOCK A

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., INCLUDING LOTS 1,2,3,4,5,6, OF HARRISON PLACE SUBDIVISION, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AZIMUTH (WORLD GEODETIC SYSTEM 1984) 0 DEGREES 24 MINUTES 41 SECONDS, COINCIDENT WITH THE WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1135.22 FEET; THENCE ON AZIMUTH 90 DEGREES 24 MINUTES 41 SECONDS A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE EAST LINE OF WASHBURN AVENUE AND THE NORTH LINE OF 15TH STREET, AND THE POINT OF BEGINNING; THENCE ON AZIMUTH 0 DEGREES 24 MINUTES 41 SECONDS, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 815.62 FEET TO THE SOUTH LINE OF 13TH STREET; THENCE ON AZIMUTH 89 DEGREES 47 MINUTES 22 SECONDS, COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 276.19 FEET TO THE WEST LINE OF LANE STREET; THENCE ON AZIMUTH 180 DEGREES 20 MINUTES 48 SECONDS, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 816.50 FEET TO THE NORTH LINE OF 15TH STREET; THENCE ON AZIMUTH 269 DEGREES 58 MINUTES 30 SECONDS, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 277.10 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 5.18 ACRES MORE OR LESS.

LOT 1 BLOCK B

LOTS 570,572,574,576,578,580,582, IN THROOPS SECOND ADDITION, CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS

LOT 1 BLOCK C

LOTS 598,600,602,604,606,608,610,612,614 IN CHAMBERLAIN'S SUBDIVISION, AND LOTS 597,599,601,603,605,607,609,611,613,615, AND FRACTIONAL LOTS 617,619,621, IN BATTEY AND JANSEN'S SUBDIVISION AND FRACTIONAL LOT 8 IN RURAL HOMES SUBDIVISION, ALL IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M. IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AZIMUTH 0 DEGREES 24 MINUTES 41 SECONDS (WORLD GEODETIC SYSTEM 1984), COINCIDENT WITH THE

WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1055.29 FEET; THENCE ON AZIMUTH 90 DEGREES 24 MINUTES 41 SECONDS, A DISTANCE OF 40.00 FEET TO THE NORTHWEST CORNER OF LOT 598 IN CHAMBERLAIN'S SUBDIVISION AND THE POINT OF BEGINNING; THENCE ON AZIMUTH 89 DEGREES 58 MINUTES 30 SECONDS, COINCIDENT WITH THE SOUTH LINE OF 15TH STREET, A DISTANCE OF 267.19 FEET (266.87 PLAT) TO THE NORTHEAST CORNER OF LOT 597 IN BATTEY AND JANSEN'S SUBDIVISION AND THE WEST LINE OF LANE STREET; THENCE ON AZIMUTH 180 DEGREES 20 MINUTES 48 SECONDS COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 259.51 FEET TO A POINT 12.5 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 617 IN BATTEY AND JANSEN'S SUBDIVISION; THENCE ON AZIMUTH 212 DEGREES 50 MINUTES 37 SECONDS, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 14.89 FEET TO A POINT ON THE NORTH LINE AND 8 FEET WEST OF THE NORTHEAST CORNER OF LOT 619 IN BATTEY AND JANSEN'S SUBDIVISION; THENCE ON AZIMUTH 204 DEGREES 32 MINUTES 07 SECONDS, COINCIDENT WITH SAID WEST LINE A DISTANCE OF 29.05 FEET TO THE NORTH LINE OF 16TH STREET; THENCE ON AZIMUTH 264 DEGREES 40 MINUTES 20 SECONDS, COINCIDENT WITH SAID NORTH LINE A DISTANCE OF 248.87 FEET TO THE EAST LINE OF WASHBURN AVENUE; THENCE ON AZIMUTH 0 DEGREES 24 MINUTES 41 SECONDS, COINCIDENT WITH SAID EAST LINE A DISTANCE OF 321.44 FEET TO THE POINT OF BEGINNING. CONTAINING 1.89 ACRES MORE OF LESS.

LOT 1 BLOCK D

TRACT I

LOT 9 (FRACTIONAL) IN RURAL HOMES ADDITION TO THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT WHICH IS 72 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF LOT 9 TO THE SOUTH LINE OF 16TH STREET; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF 16TH STREET, 119.28 FEET, MORE OF LESS, TO THE NORTHEAST CORNER OF LOT 9; THENCE SOUTH ALONG THE EAST LINE OF LOT 9, TO A POINT 167 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 9, AS FORMERLY PLATTED; THENCE SOUTHWESTERLY ALONG THE WESTERLY LINE OF PROPERTY CONVEYED TO THE CITY OF TOPEKA FOR STREET, TO A POINT 72 FEET NORTH OF THE SOUTH LINE OF LOT 9 AS FORMERLY PLATTED; THENCE WEST TO THE POINT OF BEGINNING, IN SHAWNEE COUNTY, KANSAS, ALSO THE NORTH AND SOUTH ALLEY LYING EAST OF AND ADJACENT TO SAID TRACT, NOW VACATED.

TRACT II

A PART OF LOT 10 ON 16TH STREET, IN RURAL HOMES ADDITION TO THE CITY OF TOPEKA, SHAWNEE COUTNY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 108.75 FEET WEST AND 175.6 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 10, SAID POINT ALSO BEING ON THE EAST LINE OF A NORTH AND SOUTH ALLEY; THENCE NORTH ALONG THE EAST LINE OF SAID NORTH AND SOUTH ALLEY TO THE SOUTH LINE OF 16TH STREET; THENCE EAST ALONG THE SOUTH LINE OF 16TH STREET, TO A POINT 30.5 FEET WEST OF THE EAST LINE OF SAID LOT 10; THENCE SOUTHWESTERLY TO A POINT 37.5 FEET WEST AND 271.6 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 10; THENCE CONTINUING SOUTHWESTERLY TO A POINT 75 FEET WEST AND 213.6 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 10; THENCE CONTINUING SOUTHWESTERLY TO THE POINT OF BEGINNING; ALSO THE NORTH AND SOUTH ALLEY LYING WEST OF AND ADJACENT TO THE ABOVE TRACT, NOW VACATED, BEING ALL OF SAID LOT 10, LYING NORTH AND WEST OF LANE STREET EXTENSION, SHAWNEE COUNTY, KANSAS.

TAX ROLL SHOWS PROPERTY ADDRESS AS: 1600 SW WASHBURN AVENUE, TOPEKA, KANSAS 66604

LOT 1 BLOCK E

LOT 2, BLOCK A, WASHBURN NORTH SUBDIVISION, AND ALSO A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING 40 FEET NORTH AND 40 FEET WEST OF THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE WEST 107 FEET; THENCE NORTH 150 FEET; THENCE WEST 50 FEET; THENCE NORTH 37.5 FEET; THENCE EAST 7 FEET; THENCE NORTH 37.5 FEET; THENCE EAST 150 FEET; THENCE SOUTH 225 FEET TO THE POINT OF BEGINNING.

TAX ROLL SHOWS PROPERTY ADDRESS AS: 1510 SW 17TH STREET, TOPEKA, KANSAS 66604.

from "M-1" Two Family Dwelling District, "C-2" Commercial District, "C-4" Commercial District and "O&I-2" Office and Institutional District **TO** "PUD" Planned Unit Development District ("M-2" and "C-2" use groups). **subject to:**

- 1. Use and development of the site in accordance with the recorded Master PUD Plan of College Hill Redevelopment Subdivision.**

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, October 3, 2006.

Mayor William W. Bunten

ATTEST:

Iris E. Walker, City Clerk

To Be Codified _____

Not To Be Codified X