

(Published in the Topeka Metro News January 24, 2007)

ORDINANCE NO. 18799

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the Master PUD Plan of Pioneer Adams Towne Homes, which will bring a commercial property into the multi-family development, increasing the total number of units to 47 and adding garages to the town home units (total of 38 garages) on the properties located on the northeast corner of SE 21st Street and SE Adams Street and along SE 21st Street, between SE Massachusetts and SE Pennsylvania Avenues in the City of Topeka, Kansas. **(Z03/46A) (Council District No. 3)**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That the Master PUD Plan of Pioneer Adams Towne Homes, is hereby amended in accordance with Section 48-24.06(b) of the Comprehensive Zoning Regulations which will bring the previous commercial portion of the property into the multi-family development, increasing the total number of units to 47 and adding garages to the town home units (total of 38 garages) on the properties located on the northeast corner of SE 21st Street and SE Adams Street and along SE 21st Street, between SE Massachusetts and SE Pennsylvania Avenues and described as follows:

**Lots 705, 707, 709, 711, 713, 715, 717, 719, 721, 723, 725, 727 and 729 on Pennsylvania Avenue, formerly Hancock Avenue; Lots 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728 and 730 on Massachusetts Avenue, formerly Washington Avenue, in Stevenson's Addition to the City of Topeka, Shawnee County, Kansas, together with the vacated alley lying between said Lots in said Addition.
Containing approximately 1.888 Acres**

Except that part taken for right-of-way in Condemnation Case Number 91-CV-1365

TRACT 1

Lots 705, 707, 709, 711, 713, 715, 717, 719, 721, 723, 725, 727 and 729 on Massachusetts Avenue, formerly Washington Street all in Stevenson's Subdivision to the City of Topeka, Shawnee County, Kansas, less that part taken in Condemnation Case 122881.

TRACT 2

Lots 706, 708, 710, 712, 714, 716, 718, 720 and 722 on Adams Street, all in Stevenson's Subdivision to the City of Topeka, Shawnee County, Kansas.

TRACT 3

Lots 724, 726, 728 and 730 on Adams Street, all in Stevenson Subdivision to the City of Topeka, Shawnee County, Kansas.

Together with vacated alley between said lots in said addition.

Containing 3.682 acres more or less.

Section 2. That the development of the site which will bring the previous commercial portion of the property into the multi-family development, increasing the total number of units to 47 and adding garages to the town home units (total of 38 garages) shall be in accordance with the Master PUD Plan of Pioneer Adams Towne Homes and **subject to:**

- 1. Use and development of the site in accordance with the recorded Amended Master PUD Plan of the Pioneer Adams Town Homes Master Planned Unit Development Plan.**

Section 3. That the amended Master PUD Plan of Pioneer Adams Towne Homes shall be filed of record with the Shawnee County Register of Deeds. Following the recording of the Master PUD Plan and in accordance with Topeka Code Section 48-24.04, prior to any building and/or land development on the site, a site development plan shall be submitted for review and

administrative approval by the Planning Director.

Section 4. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

Section 5. This Ordinance Number shall be fixed upon the "District Map".

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. 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, January 16, 2007.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, Interim City Clerk

To Be Codified _____

Not To Be Codified X