

(Published in the Topeka Metro News May 15, 2023)

ORDINANCE NO. 20424

ORDINANCE introduced by City Manager Stephen Wade amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code on property located at 1921 SE Indiana Avenue *from* “R-1” Single Family Dwelling District *to* “PUD” Planned Unit Development with “R-1” Single Family Dwelling District and operation of an independent living resources center. *(PUD 23/03)*
(Council District No. 3)

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), be, and the same is hereby amended, by reclassifying the following described property:

Tract 1:

A tract of land in the Southeast Quarter of the Southwest Quarter of Section 5, Township 12 South, Range 16 East of the 6th P.M., described as follows: Beginning at a point on the East line of said Quarter Section and 662.53 feet North of the Southeast corner of said Quarter Section; thence West 365.89 feet; thence North 327.85 feet, parallel with the East line of Lime Street (Washington), extended, to the South line of Nineteenth Street, extended; thence East 377.47 feet, along the South line of Nineteenth Street, extended, to the East line of said Quarter Section; thence South along said East line 335.82 feet to the place of beginning, in Shawnee County, Kansas; and

Tract 2:

A tract of land in the Southeast Quarter of the Southwest Quarter of Section 5, Township 12 South, Range 16 East of the 6th P.M., described as follows: Beginning at a point 662.53 feet North and 365.89 feet West of the Southeast corner of said Southwest Quarter which is the Southeast corner of the C.R. Milliken tract; thence West along the South line of said tract 114.94 feet more or less to a point 155.1 feet East of the East line of Washington (Lime) Street; thence North 70 feet; thence East 115.04 feet; thence South 70 feet to the place of beginning, in Shawnee County, Kansas; and

Tract 3:

A tract of land in the Southeast Quarter of the Southwest Quarter of Section 5, Township 12 South, Range 16 East of the 6th P.M., described as follows: Beginning at a point on the East line of said Quarter Section 662.53 feet North of the Southeast corner of said Quarter Section; thence West 470.83 feet more or less to a point on the South line of the C.R. Milliken tract which is 155.1 feet East of the East line of Washington (Lime) Street; thence South parallel to the East line of Washington Street

176 feet; thence East 475 feet more or less to the East line of said Quarter Section; thence North 176 feet more or less to the place of beginning, in Shawnee County, Kansas; and

Tract 4:

A tract of land in the Southeast Quarter of the Southwest Quarter of Section 5, Township 12 South, Range 16 East of the 6th P.M., described as follows: Beginning at a point which is 487 feet North and 454.1 feet West of the Southeast corner of said Quarter Section; thence West 20.9 feet; thence North 41 feet; thence West 155.1 feet more or less to the East line of Washington (Lime) Street; thence South along the East line of Washington Street 55 feet; thence East 176 feet; thence North 14 feet to the place of beginning, in Shawnee County, Kansas; and

Tract 5:

Lot 4, Brunswick Subdivision to the City of Topeka, Shawnee County, Kansas.

FROM “R-1” Single Family Dwelling District TO “PUD” Planned Unit Development with “R-1” Single Family Dwelling District and operation of an independent living resources center.

Subject to:

1. R-1 uses permitted. In addition to R-1 uses, administrative offices and operations as described per the attached *Exhibit: Statement of Operations for the Lois Curtis Campus, Topeka Independent Living Resource Center (TILRC)*. Accessory uses not specifically identified in the Statement of Operations are permitted provided they are of a similar or lesser intensity.
2. Substantial changes to the operations as described in the Statement of Operations, or a substantial change to the site plan, may require an amendment to the this Planned Unit Development in accordance with the amendment procedures in TMC 18.190.070.
3. The use and dimensional standards applicable to R-1 zoning shall apply except as stated in these conditions.
4. A fruit and vegetable garden is permitted. The garden shall be of a size and character that is accessory to the principal use. The garden and any accessory structures and equipment shall be set back a minimum of 30 feet from all property lines. The primary use of the garden is by clients of TILRC.
5. Outdoor storage of materials or inoperable vehicles is not permitted.
6. Reuse and occupancy of the building requires compliance with City of Topeka Off-street Parking Requirements (TMC 18.240). 56 striped parking stalls will be required. A reduction of up to 10 percent may be approved if the owner or occupant can provide additional information to demonstrate that such a

reduction complies with Off-street Parking Requirements.

7. Any expansion of the parking areas will require permits and application for permits must include a site plan. Fencing or landscaping will be required where parking areas are immediately adjacent to neighboring residential property.
8. Existing mature and healthy trees on the property shall be maintained and preserved unless replaced with an equivalency of landscaping based on species, quantity, current size, and size at maturity.

Section 2. This Ordinance shall be recorded with the Shawnee County Register of Deeds in accordance with Section 18.190.060(b) of the Topeka Municipal Code (TMC). Following the recording of this Ordinance and prior to building permit and/or land development on the site, site development plans as required by this Ordinance shall be submitted for review and administrative approval by the Planning Director.

Section 3. This Ordinance Number shall be fixed upon the “District Map”.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 Governing Body, City of Topeka, Kansas on May 9, 2023.

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk

EXHIBIT

Statement of Operations for the Lois Curtis Campus

Ordinance No. 20424

(Topeka Independent Living Resource Center)
1921 SE Indiana Avenue, Topeka, KS 66607

From Ami Hyten, Executive Director, Topeka Independent Living Resource Center
January 10, 2023

The building will provide a place for community members, in particular, Black and brown disabled members of the community, a chronically and historically underserved group of people, to access programs, services, and supports they need to live in the community. The building will host the operations and programs of the Topeka Independent Living Resource Center. As a federally-recognized not-for-profit, services and programs will be provided to qualified individuals at no cost to them.

Services and Programs include the following:

Independent Living Skills Training; one-on-one or small group training to learn skills needed to live in the community, such as cooking, budgeting, finding housing or employment, American Sign Language, how to using voting equipment, or using public transportation.

Assistive Technology Access Site; medical equipment is made available to disabled people through a statewide equipment re-use and exchange program; people can come into the facility to look at assistive technology devices ranging from phones for people who are hard of hearing to computers and peripherals for people with limited finger dexterity or who are Blind. Help in finding funding for needed technology purchases and training on how to use assistive equipment and technology is also provided.

George Wolfe Youth Intern Program; 10-16 young people aged 14 – 19 participate in a paid internship each summer and other times through the year as is possible; the interns develop job skills, perform community services specifically designed to promote accessibility for disabled people in all areas of community life.

Financial Independence Technical Assistance Center; specifically equipped space in the style of employment “incubators” will be available for people exploring self-employment to learn more about the process, and to develop skills or products to promote financial independence.

Advocacy Assistance; individuals needing help working through systems receive direct assistance from trained advocates or an attorney to address barriers that violate their rights or threaten benefits or entitlements.

Resources and Direct Assistance; the agency will offer a hygiene and food pantry in collaboration with Harvesters and other donating organizations. Greenspace at the location will be used to develop accessible community gardens so people can be involved in growing, harvesting, and using produce from the space.

Family Support Center; support through peer-to-peer relationships, development of specialized educational interventions, and making resources available to help stabilize families such as direct assistance will help families with one or more disabled member to remain together as a unit, and support the well-being of the entire family.