

(Published in the Topeka Metro News March 26, 2008)

ORDINANCE NO. 19059

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 2625 NW Rochester Road in the City of Topeka, Kansas from "R-1 Single Family Dwelling District and "I-1" Light Industrial District **TO** "PUD" Planned Unit Development District ("C-4 Commercial District and "RR-1" Residential Reserve District limited to kennel and/or animal hospital with unenclosed structures containing animals and a pet cemetery). **(PUD08/1) (Council District No. 2)**

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 NORTHEAST QUARTER (NE ¼) OF SECTION 18, TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE SIXTH P.M. IN SHAWNEE COUNTY, KANSAS BEGINNING ON THE SOUTH LINE OF SAID ¼ SECTION 100' WEST OF THE CENTERLINE OF ROCHESTER ROAD; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID ¼ SECTION TO THE CENTERLINE OF OLD SOLDIER CREEK 541.19 FEET; THENCE NORTHEASTERLY ALONG CENTERLINE OF OLD SOLDIER CREEK 275.76 FEET TO THE SOUTH LINE OF THE NEW SOLDIER CREEK R/W; THENCE EASTERLY ALONG THE NEW SOLDIER CREEK R/W A DISTANCE OF 448.64 FEET BEING 100 WEST OF ROCHESTER ROAD CENTERLINE; THENCE SOUTH 275.0' PARALLEL TO THE CENTERLINE OF ROCHESTER ROAD TO THE POINT OF BEGINNING.

AND ALSO

A TRACT OF LAND IN THE NORTHEAST QUARTER SEC 18, TOWNSHIP 11 SOUTH, RANGE 16, EAST OF THE 6TH P.M., SHAWNEE COUNTY, KANSAS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID QUARTER 453.98 FEET EAST OF THE SW CORNER OF THE NORTHEAST QUARTER OF SAID SECTION TO THE POINT OF BEGINNING; THENCE ON ASSUMED NORTH AZIMUTH 358 DEGREES 24 MINUTES 01 SECONDS, 527.91 FEET TO THE SOUTH RIGHT OF WAY OF SOLDIER CREEK; THENCE AROUND A CURVE TO THE LEFT 640.04 FEET, HAVING A RADIUS OF 3009.79 FEET, A CHORD LENGTH OF 638.83 FEET, AND A CHORD AZIMUTH OF 112 DEGREES 13 MINUTES 10 SECONDS COINCIDENT WITH THE SOUTH RIGHT OF WAY OF SOLDIER CREEK TO THE CENTER LINE OF OLD SOLDIER CREEK; THENCE ON AZIMUTH 18 DEGREES 30 MINUTES 04 SECONDS, COINCIDENT WITH THE CENTER LINE OF OLD SOLDIER CREEK TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION SAID POINT BEING 641.19 FEET WEST OF THE

CENTER LINE OF ROCHESTER ROAD; THENCE ON AZIMUTH 268 DEGREES 24 MINUTES 01 SECONDS COINCIDENT WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION, 485.64 FEET TO THE POINT FO BEGINNING. THE ABOVE TRACT CONTAINS 4.88 ACRES MORE OR LESS.

from "R-1 Single Family Dwelling District and "I-1" Light Industrial District **TO** "PUD" Planned Unit Development District ("C-4 Commercial District and "RR-1" Residential Reserve District limited to kennel and/or animal hospital with unenclosed structures containing animals and a pet cemetery).

Subject to:

- 1. A PUD Master Plan will need to be approved by the Planning Director prior to the issuance of a building permit.**
- 2. Use and development of the site for "C-4" and "RR-1" use groups limited to kennel and/or animal hospital with unenclosed structures containing animals and a pet cemetery in accordance with the approved Master PUD Plan.**
- 3. Limiting the size of the facility to 20,000 square feet. An additional 28,000 square feet may be added, if needed, through a minor PUD amendment process.**
- 4. Meeting the dimensional requirements of the PUD Planned Unit Development District.**

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, March 18, 2008.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____

Not To Be Codified ____X____