

(Published in the Topeka Metro News March 28, 2011)

ORDINANCE NO. 19541

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 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property within the Central Highland Park neighborhood from "M-1" Two-Family Dwelling District, "M-2" Multiple-Family Dwelling District, and "C-2" Commercial District ALL TO "R-2" Single-Family Dwelling District. **(Z11/1) (Council District Nos. 3 & 4).**

BE IT ORDAINED by the Governing Body of the City of Topeka, Kansas, on this 22nd day of March, 2011, as follows:

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 classifying the following described property:

Two districts in the Southwest Quarter of Section 5, and four districts in Section 8, all of which are in Township 12 South, Range 16 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, said districts are composed of platted lots, the descriptions of said districts are:

District I, in the Southwest Quarter of said Section 5, the boundary of which is described as: Beginning at the Northwest corner of Lot 4 in Drake Subdivision; thence easterly on the North line of Drake Subdivision to the Northeast corner of Lot 1 in said subdivision; thence south-southeasterly on the West line of Maryland Avenue, formerly Branner Street, to the Southeast corner of Lot 49 in the Replat of Southeast Heights Subdivision; thence westerly to the Northeast corner of Lot 1 in Gucker-Pence Subdivision; thence southerly to the Southeast corner of said Lot 1; thence westerly to the Southwest corner of said Lot 1; thence southerly to the Northeast corner of Lot 105 in the Replat of Southeast Heights Subdivision; thence southerly on the West line of an alley to the Southeast corner of Lot 106 in the Replat of Southeast Heights Subdivision; thence southerly on the West line of an alley to the Southeast corner of Lot 1 in Addition "A" to Orchard Subdivision; thence southerly to the Northeast corner of Lot 706 on Pennsylvania Avenue, formerly Hancock Street, in Stevenson's Subdivision; thence southerly on the West line of an alley to an intersection with a westerly prolongation of the North line of the South 18 ¾ feet of Lot 713 on Maryland Street, formerly Klein Avenue in Stevenson's Subdivision; thence easterly to the Northeast corner of the South 18 ¾ feet of said Lot 713; thence

southerly to the Southeast corner of Lot 729 on said Maryland Avenue in Stevenson's Subdivision; thence westerly on the North line of 21st Street as platted in Stevenson's Subdivision to the Southwest corner of Lot 730 on Pennsylvania Avenue, formerly Hancock Street, thence northerly to the Northwest corner of Lot 706 on said Pennsylvania Avenue in Stevenson's Subdivision; thence westerly on the North line of Stevenson's Subdivision to the Southwest corner of Lot 68 in the Replat of Southeast Heights Subdivision; thence northerly on the East line of Adams Street, to the Northwest corner of Lot 1 in the Replat of Southeast Heights Subdivision; thence easterly on the North line of the Replat of Southeast Heights Subdivision to the Southwest corner of Lot 25 in Drake Subdivision; thence northerly on the West line of Drake Subdivision to the Northwest corner of Lot 19 in the Replat of Southeast Heights Subdivision; thence easterly on the South line of Seventeenth Street to an intersection with a southerly prolongation of the West line of Lot 4 in Drake Subdivision; thence northerly on said prolongation and the West line of Lot 4, to the point of beginning; EXCEPT: All public street and alley rights of way.

The lots within District I are:

In Drake Subdivision:

Lots 1, 2, 3, 4, Lots 6 through 25;

In the Replat of Southeast Heights Subdivision:

Lots 1 through 106;

In Gucker-Pence Subdivision:

Lots 1, 2 and 3;

In Addition "A" to Orchard Subdivision:

Lots 1 through 20;

In Stevenson's Subdivision, on Pennsylvania, formerly Hancock Street:

Lots 706 through 730 even;

In Stevenson's Subdivision on Maryland Avenue, formerly Klein Avenue:

the South 18 $\frac{3}{4}$ feet of Lot 713, all of Lots 715 through 729 odd.

District II, in the Southwest Quarter of said Section 5, the boundary of which is described as: Beginning at the Northwest corner of Lot 696 on Hudson Boulevard, formerly Branner Street, in Stevenson's Subdivision; thence southerly on the East line of Hudson Boulevard to the Southwest corner of Lot 722 on Hudson Boulevard in Stevenson's Subdivision; thence easterly to the Southeast corner of Lot 721 on Ohio Street, formerly Lake Street, in Stevenson's Subdivision; thence easterly to the Southwest corner of Lot 722 on Ohio Avenue in Stevenson's Subdivision; thence southerly on the East line of Ohio Avenue to the Southwest corner of Lot 730 on Ohio Avenue in Stevenson's Subdivision; thence easterly to the Southwest corner of Lot 729 on Washington Street, formerly Lime Street, in Stevenson's Subdivision; thence northerly to the Southwest corner of Lot 725 on Washington Street in Stevenson's Subdivision; thence easterly to the Southeast corner of said Lot 725; thence northerly on the West line of Washington Street, to the Northeast corner of Lot 695 on Washington

Street in Stevenson's Subdivision; thence westerly on the South line of 20th Street to the point of beginning: EXCEPT: All public street and alley rights of way;

The lots within District II are:

In Stevenson's Subdivision, on Hudson Boulevard, formerly Branner Street:

Lots 696 through 722 even;

In Stevenson's Subdivision on Ohio Avenue, formerly Lake Street:

Lots 695 through 722, Lots 724, 726, 728 and 730;

In Stevenson's Subdivision on Washington Street, formerly Lime Street:

Lots 695 through 725 odd.

District III, in the Northwest Quarter of said Section 8, the boundary of which is described as: Beginning at the Northwest corner of the East 78 feet of Lot 1 in Brunker's Addition to Highland Park; thence easterly on the South line of 21st Street as platted, to the Northeast corner of Lot 1 in Dodds Addition to Highland Park; thence southerly on the West line of Kentucky Avenue to an intersection with a westerly prolongation of the North line of Lot 10 in Dodds Addition to Highland Park; thence easterly to the Northeast corner of said Lot 10; thence southerly to the Southeast corner of Lot 18 in Dodds Addition to Highland Park; thence westerly on the North line of 22nd Street as platted, to a point on the Centerline of vacated Branner Street, also being the West line of Webster Heights Addition to the City of Topeka; thence northerly on the West line of said Webster Heights Addition to a westerly prolongation of the North line of Lot 2125 in the last said addition; thence easterly to the Southeast corner of Lot 1, Block "A" in Tilton Subdivision; thence northerly on the West line of Virginia Avenue, to an intersection with a westerly prolongation of Lot 2116 in Webster Heights Addition to the City of Topeka; thence easterly to the Northeast corner of said Lot 2116; thence northerly to the Northwest corner of the South 37 feet of Lot 3 in Brunker's Addition to Highland Park; thence easterly on the North line of the South 37 feet of said Lot 3, to an intersection with the West line of the East 78 feet of said Lot 3; thence northerly on the West line of the East 78 feet of Lot 3 and 1 in Brunker's Addition to Highland Park, to the point of beginning; EXCEPT: All public street and alley rights of way.

The lots within District III are:

In Webster Heights Addition to the City of Topeka:

Lots 2116 through 2124 even, Lots 2125 through 2148, and that part of vacated Branner Street within Webster Heights Addition to the City of Topeka adjoining Lots 2125 through 2147 odd;

In Brunker's Addition to Highland Park:

the East 78 feet of Lot 1, the East 78 feet of Lot 3, except the South 37 thereof, the South 37 feet of Lot 3, Lot 2, Lots 4 through 20;

In Dodd's Addition to Highland Park:

Lots 1 through 7 odd, Lots 9 through 19.

District IV, in the Southwest and Southeast Quarters of said Section 8, the boundary of which is described as: Beginning at the Northwest corner of Lot 146 on Ohio Avenue in Highland Park; thence easterly on the South line of Twenty-sixth Street, formerly Goldfinch Avenue, to the Northeast corner of Lot 145 on Indiana Avenue; thence east-northeasterly to the Northwest corner of Lot 146 on Indiana Avenue in Sunnyside Addition to Highland Park Subdivision; thence easterly to the Northeast corner of said Lot 146; thence southerly on the West line of an alley to the Northeast corner of the South 13 feet of Lot 160 on Indiana Avenue in Sunnyside Addition to Highland Park Subdivision; thence westerly to the Northwest corner of the South 13 feet of said Lot 160; thence westerly on an extension of the North line of the South 13 feet of said Lot 160, to an intersection with the West line of Indianan Avenue; thence southerly on the West line of Indiana Avenue to the Southeast corner of Lot 239 on Indiana Avenue in Highland Park; thence westerly on the North line of Twenty-eighth Street, formerly Eagle Avenue, to the Southwest corner of Lot 240 on Ohio Avenue in Highland Park; thence northerly on the East line of Ohio Avenue to an intersection with an easterly prolongation of the South line of Lot 173 on Ohio Avenue in Highland Park; thence westerly to the Southwest corner of said Lot 173; thence northerly to the Northwest corner of Lot 169 on Ohio Avenue in Highland Park; thence easterly on the North line of said Lot 169 and its extension to an intersection with the East line of Ohio Avenue; thence northerly to the point of beginning; EXCEPT: All public street and alley rights of way; AND EXCEPT: Beginning at the Northwest corner of Lot 184 on Ohio Avenue in Highland Park; thence easterly to the Northeast corner of said Lot 184; thence southerly to the Southeast corner of Lot 192 on Ohio Avenue in Highland Park; thence southerly to the Northeast corner of Lot 194 on Ohio Avenue in Highland Park; thence southerly to the Southeast corner of lot 200 on Ohio Avenue in Highland Park; thence westerly to the Southwest corner of the East 75 feet of said Lot 200; thence northerly to the Northwest corner of the East 75 feet of said Lot 194; thence westerly to the Northwest corner of said Lot 194; thence northerly to the Southwest corner of said Lot 192; thence northerly on the East line of Ohio Avenue to the point of beginning; ALSO EXCEPT: Beginning at the Northwest corner of Lot 179 on Indiana Avenue in Highland Park: thence easterly to the Northeast corner of said Lot 179, thence southerly on the West line of Indiana Avenue to the Southeast corner of Lot 211 on Indiana Avenue in Highland Park; thence westerly to the Southwest corner of said Lot 211; thence northerly to the Southwest corner of Lot 197 on Indiana Avenue in Highland Park; thence westerly to the Southeast corner of Lot 198 on Kentucky Avenue in Highland Park; thence westerly to the Southwest corner of said Lot 198; thence northerly to the Northwest corner of Lot 194 on Kentucky Avenue in Highland Park; thence easterly on the South line of Twenty-seventh Street, formerly Swan Avenue, to the Northwest corner of Lot 193 on Indiana Avenue in Highland Park; thence northerly to the Southwest corner of Lot 191 on Indiana Avenue in Highland Park; thence northerly to the point of beginning.

The lots within District IV are:

In Highland Park, on Ohio Avenue:

Lots 169, 171 and 173, Lots 146 through 182 even, Lots 194 through 200 even except the East 75 feet thereof; Lots 202 through 240 even;

In Highland Park, on Kentucky Avenue:

Lots 145 through 239 odd, Lots 146 through 192 even, Lots 200 through 242 even;

In Highland Park, on Indiana Avenue:

Lots 145 through 177 odd, Lots 213 through 239 odd;

In Sunnyside Addition to Highland Park Subdivision, on Indiana Avenue:

Lots 146 through 158 even, Lot 160 less the South 13 feet thereof.

District V, in the Southeast Quarter of said Section 8, the boundary of which is described as: Beginning at the Northwest corner of Lot 1 in Whaley's Replat of Sunnyside Addition; thence easterly to the Northeast corner of Lot 2 in Whaley's Replat; thence easterly to the Centerline of a vacated alley adjoining the East line of said Lot 2; thence southerly on the Centerline of said vacated alley to an intersection with the North line of 26th Street; thence southerly to the Northeast corner of Lot 146 on Colorado Avenue in Sunnyside Addition to Highland Park Subdivision; thence southerly to the Southeast corner of Lot 162 on Colorado Avenue in Sunnyside Addition to Highland Park Subdivision; thence southerly to the Northeast corner of Lot 164 on Colorado Avenue in Highland Park; thence southerly to the Southeast corner of Lot 192 on Colorado Avenue in Highland Park; thence westerly to the Southwest corner of said Lot 192; thence northerly to the Northwest corner of said Lot 164; thence northerly to the Southwest corner of said 162; thence northerly to the Northwest corner of said Lot 146; thence northerly to the Southwest corner of Lot 3 in Whaley's Replat of Sunnyside Addition; thence northerly to the point of beginning; EXCEPT: All public street and alley rights of way.

The lots within District V are:

In Whaley's Replat of Sunnyside Addition:

Lots 1, 2, 3 and 4;

In Sunnyside Addition to Highland Park Subdivision, on Colorado Avenue:

Lots 112 through 136 even, Lots 146 through 162 even;

In Highland Park, on Colorado Avenue:

Lots 164 through 192 even.

District VI, in the Southeast Quarter of said Section 8, the boundary of which is described as: Beginning at the Northwest corner of Lot 242 on Iowa Avenue in Highland Park; thence easterly to the Northeast corner of said Lot 242; thence southerly to the Southeast corner of Lot 280 on Iowa Avenue in Highland Park; thence westerly to the Southwest corner of said Lot 280; thence northerly to the point of beginning; EXCEPT: All public street and alley rights of way.

The Lots within District VI are:

In Highland Park, on Iowa Avenue:

230 Lots 242 through 280 even.
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232 **Section 2.** This Ordinance Number shall be fixed upon the “District Map”.

233 **Section 3.** All ordinances or parts of ordinances in conflict herewith are hereby
234 repealed.

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

237 PASSED and APPROVED by the Governing Body March 22, 2011.
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240 _____
241 William W. Bunten, Mayor

242 ATTEST:
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244 _____
245 Brenda Younger, City Clerk