

(Published in the Topeka Metro News October 17, 2011)

ORDINANCE NO. 19657

AN ORDINANCE introduced by Daniel R. Stanley, Interim City Manager 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 generally bound on the west by I-470, on the east by SW Arrowhead Road (extended), on the south by SW 17th Street and on the north by SW Drury Lane from "R-1" Single Family Dwelling District and "O&I-2" Office and Institutional District **ALL TO** "PUD" Planned Unit Development District ("O&I-2" use group, with limited "C-1" and "C-2" use group uses). **(PUD10/11) (Council District No. 9)**

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 follow described property:

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M. IN SHAWNEE COUNTY, KANSAS BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED RECORDED IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS IN BOOK 1466, AT PAGE 633 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 4; THENCE ON AZ. 90 DEGREES 34 MINUTES 48 SECONDS, 1,631.87 FEET; THENCE ON AZ. 344 DEGREES 55 MINUTES 48 SECONDS, ALONG AN EXTENSION OF THE EAST RIGHT OF WAY LINE OF INTERSTATE 470, 41.54 FEET TO THE INTERSECTION OF SAID RIGHT OF WAY AND THE NORTH RIGHT OF WAY LINE OF SW 17TH STREET, SAID INTERSECTION BEING THE POINT OF BEGINNING; THENCE ON AZ. 344 DEGREES 55 MINUTES 48 SECONDS, ALONG SAID EAST RIGHT OF WAY LINE, 444.50 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 3045.37 FEET, AN ARC DISTANCE OF 442.06 FEET, A CHORD AZ. OF 340 DEGREES 46 MINUTES 17 SECONDS, A CHORD DISTANCE OF 441.68 FEET TO THE SOUTH LINE OF SHAWNEE HILLS SUBDIVISION AS RECORDED IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS IN BOOK 31 AT PAGE 36; THENCE ON AZ. 02 DEGREES 36 MINUTES 06 SECONDS, ALONG SAID SOUTH SUBDIVISION LINE, 41.31 FEET TO THE SOUTHWEST CORNER OF LOT 5, BLOCK D, SHAWNEE HILLS SUBDIVISION; THENCE ON AZ. 90 DEGREES 30 MINUTES 19 SECONDS, ALONG SAID SOUTH SUBDIVISION LINE AND THE SOUTH LINE OF SAID LOT 5, 139.96 FEET; THENCE ON AZ. 02 DEGREES 29 MINUTES 16 SECONDS, ALONG SAID SOUTH SUBDIVISION LINE AND THE EAST LINE OF SAID LOT 5, 363.60 FEET TO THE NORTHEAST CORNER OF

LOT 5, BLOCK D, SHAWNEE VILLAGE SUBDIVISION; THENCE ON AZ. 90 DEGREES 42 MINUTES 24 SECONDS, ALONG SOUTH RIGHT OF WAY LINE OF SW DRURY LANE ACCORDING TO SAID PLAT, 312.46 FEET; THENCE ON AZ. 180 DEGREES 42 MINUTES 24 SECONDS, PERPENDICULAR TO SAID RIGHT OF WAY LINE, 97.51 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 355.00 FEET, AN ARC DISTANCE OF 92.26 FEET, A CHORD AZ. 188 DEGREES 09 MINUTES 08 SECONDS AND A CHORD DISTANCE OF 92.00 FEET; THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 600.00 FEET, AN ARC DISTANCE OF 301.46 FEET, A CHORD AZ. 181 DEGREES 12 MINUTES 13 SECONDS, A CHORD DISTANCE OF 298.31 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 525.00 FEET, AN ARC DISTANCE OF 120.67 FEET, A CHORD AZ. 173 DEGREES 23 MINUTES 39 SECONDS, A CHORD DISTANCE OF 120.40 FEET; THENCE ON AZ. 179 DEGREES 58 MINUTES 44 SECONDS, 56.67 FEET; THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 525.00 FEET, AN ARC DISTANCE OF 163.26 FEET, A CHORD AZ. 171 DEGREES 04 MINUTES 12 SECONDS, A CHORD LENGTH OF 162.61 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 355.00 FEET, AN ARC LENGTH OF 239.03 FEET, A CHORD AZ. 181 DEGREES 27 MINUTES 01 SECONDS, A CHORD DISTANCE OF 234.54 FEET; THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 355.00 FEET, AN ARC DISTANCE OF 124.91 FEET, A CHORD AZ. 190 DEGREES 39 MINUTES 35 SECONDS, A CHORD DISTANCE OF 124.27 FEET; THENCE ON AZ. 180 DEGREES 34 MINUTES 48 SECONDS, 67.40 FEET TO THE NORTH RIGHT OF WAY LINE OF SW 17TH STREET; THENCE ON AZ. 270 DEGREES 34 MINUTES 48 SECONDS, ALONG SAID RIGHT OF WAY LINE, 198.03 FEET TO THE EAST RIGHT OF WAY OF INTERSTATE 470 AND THE POINT OF BEGINNING.

SAID TRACT CONTAINS 407,503 SQUARE FEET (9.35 ACRES) OF LAND, MORE OR LESS.

Section 2. The development of the site is from "R-1" Single Family Dwelling District and "O&I-2" Office and Institutional District **ALL TO** "PUD" Planned Unit Development District ("O&I-2" use group, with limited "C-1" and "C-2" use group uses). **Subject to:**

- 1. Use and compliance of the site in accordance with the recorded Master Planned Unit Development Plan for Homestead Addition.**

Section 3. The Master PUD Plan for Homestead Addition 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 the Master PUD Plan and 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.

PASSED AND APPROVED by the Governing Body of the City of Topeka, October 11, 2011.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____

Not To Be Codified **X**