

(Published in the Topeka Metro News April 9, 2012)

ORDINANCE NO. 19718

AN ORDINANCE introduced by 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 located south of I-70 and west of 201 NW Macvicar from "PUD" Planned Unit Development District ("I-1" Light Industrial use group) **ALL TO** "PUD" Planned Unit Development District ("C-4" Commercial District). **(PUD12/1) (Council District No. 1)**

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 Ordinance by Section 18.50.050 of the Topeka Municipal Code (TMC), be and the same is hereby amended, by reclassifying the following described property:

A tract of land in the Northeast Quarter of Section 26, Township 11 South, Range 15 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows:

Beginning at a point which is North 00 degrees 08 minutes 53 seconds West, along the East line 1,470.64 feet, and South 89 degrees 51 minutes 07 seconds West, 508.95 feet from the Southeast corner of said Quarter Section, said point being on the South right-of-way line of Interstate Route 70; thence South 07 degrees 08 minutes 27 seconds West, 581.83 feet; thence North 78 degrees 48 minutes 28 seconds West, 889.16 feet; thence North 00 degrees 08 minutes 08 seconds West, 213.32 feet, to the South right-of-way line of said Interstate Route 70; thence along said South right-of-way line, on a 2,720.37 foot radius curve to the right, with a 593.15 foot chord bearing North 68 degrees 24 minutes 35 seconds East, an arc distance of 594.33 feet; thence South 89 degrees 21 minutes 03 seconds East, along South right-of-way line, 196.00 feet; thence South 82 degrees 51 minutes 33 seconds East along said South right-of-way line, 198.08 feet to the Point of Beginning.

Said tract of land contains 9.59 acres (417,768.06 square feet) of land more or less.

Section 2. The development of the site is from "PUD" Planned Unit Development District ("I-1" Light Industrial use group) **ALL TO** "PUD" Planned Unit Development District ("C-4" Commercial District). **Subject to:**

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

Section 3. The PUD Master Plan for Macvicar Development 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 PUD Master 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, April 3, 2012.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____

Not To Be Codified X