

(Published in the Topeka Metro News April 30, 2012)

**ORDINANCE NO. 19724**

**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 located at 1001 SE 21<sup>st</sup> Street (Area A), 1015 SE 21<sup>st</sup> Street (Area B), and 2110 SE Virginia Avenue (Area C), from "C-2" Commercial District **TO** "PUD" Planned Unit Development District (Area A - "C-2" base zoning group and permitting the sale or leasing of new or used automobiles, light trucks, or recreational vehicles having a gross vehicle weight of 12,000 pounds or less, (Area B - "C-2" base zoning group allowing only for the sale or leasing of new or used automobiles, light trucks, or recreational vehicles having a gross vehicle weight of 12,000 pounds or less, and (Area C - "M-1" base zoning use group with Day Care Type II uses only). **(PUD10/12) (Council District No. 4)**

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

**Area A**

**Lots 2102, 2104, 2106 and 2108 on Virginia Avenue, Webster Heights Addition to the City of Topeka, Shawnee County, Kansas, EXCEPT the north 10 feet more or less of Lot 2102 on SE Virginia Avenue, in Webster Heights Addition conveyed to the City of Topeka in Book 2037 Page 187 and in Book 2735 Page 886.**

**AND**

**Area B**

**Lot 1, except the east 78 feet and all of the northeast 22 feet of the west 69 feet of Lot 3, on Ohio Street, Brunker's Addition to Highland Park, in the City of Topeka, Shawnee County, Kansas.**

**AND**

**Area C**

**Lots 2110, 2112 and 2114, Webster Heights Addition to the city of Topeka, Shawnee County, Kansas, according to the recorded plat thereof.**

**Section 2.** The development of the site is from "C-2" Commercial District **TO** "PUD" Planned Unit Development District, (Area A - "C-2" base zoning group and permitting the sale or leasing of new or used automobiles, light trucks, or recreational vehicles having a gross vehicle weight of 12,000 pounds or less, (Area B - "C-2" base zoning group allowing only for the sale or leasing of new or used automobiles, light trucks, or recreational vehicles having a gross vehicle weight of 12,000 pounds or less, and (Area C - "M-1" base zoning use group with Day Care Type II uses only). **Subject to:**

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

**Section 3.** The Master PUD Plan for Crocker Motors 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, April 17, 2012.

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William W. Bunten, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Younger, City Clerk

To Be Codified \_\_\_\_\_

Not To Be Codified **X**