

(Published in the Topeka Metro News August 27, 2012)

ORDINANCE NO. 19757

AN ORDINANCE introduced by Pamela S. Simecka, 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 the northwest corner of SW 21st Street and SW Arvonla Place from "RR-1" Residential Reserve District **TO** "PUD" Planned Unit Development District ("C-1" uses, including residential above the ground floor). **(PUD12/4) (Council District No. 8)**

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 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 SOUTH HALF OF THE WEST 40 ACRES OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE ON AN ASSUMED NORTH AZIMUTH OF 01 DEGREES 38 MINUTES 43 SECONDS, 549.85 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTH RIGHT OF WAY LINE OF SW 20TH STREET; THENCE ON AN AZIMUTH OF 91 DEGREES 37 MINUTES 23 SECONDS, 174.26 FEET ALONG SAID RIGHT OF WAY LINE TO THE WEST RIGHT OF WAY LINE OF SW ARVONIA PLACE; THENCE ON AN AZIMUTH OF 181 DEGREES 37 MINUTES 23 SECONDS, 167.09 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE SOUTH LINE OF LEGEND RIDGE ESTATES, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE ON AN AZIMUTH OF 89 DEGREES 11 MINUTES 37 SECONDS, 25.02 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF WESTRIDGE BUSINESS PARK, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE ON AN AZIMUTH OF 181 DEGREES 37 MINUTES 23 SECONDS, 375.36 FEET ALONG SAID WEST LINE AND ITS EXTENSION TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE ON AN AZIMUTH OF 269 DEGREES 11 MINUTES 40 SECONDS, 199.65 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 2.40 ACRES, MORE OR LESS.

Section 2. The development of the site is from "RR-1" Residential Reserve District **TO** "PUD" Planned Unit Development District ("C-1" uses, including residential above the ground floor).

Subject to:

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

Section 3. The Master PUD Plan for Capital Ridge Center 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, August 21, 2012.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____

Not To Be Codified X