

(Published in the Topeka Metro News October 24, 2016)

ORDINANCE NO. 20032

AN ORDINANCE introduced by Interim City Manager Douglas Gerber, amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code, by providing for certain changes in zoning on property located at 1701 SW 37th Street by amending and expanding the boundary of the Master PUD Plan for the Carriage House Apartments at 1601 SW 37th Terrace (Multiple-Family Dwelling uses) to include property currently zoned “R-1” Single Family Dwelling District, located at 1701 SW 37th Street. (Z66/20D) (Council District No. 5)

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 following described property:

LOTS 5A & 5B, THIEME SUBDIVISION IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

AND

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING) ADJOINING THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 390.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ADJOINING SAID EAST LINE A DISTANCE OF 831.75 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 470; THENCE NORTH 82 DEGREES 57 MINUTES 41 SECONDS WEST ADJOINING SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 500.37 FEET TO A POINT ON THE WEST LINE OF THE EAST 15 ACRES OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ADJOINING SAID WEST LINE A DISTANCE OF 769.81 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 39 SECONDS EAST A DISTANCE OF 496.60 FEET TO THE POINT OF BEGINNING, SAID LAND BEING FORMERLY DESCRIBED AS THE FOLLOWING TWO TRACTS:

TRACT A:

THE SOUTH 390 FEET OF THE NORTH 780 FEET OF THE EAST 15 ACRES OF THE

NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS BEGINNING ON THE EAST LINE OF SAID NORTHWEST QUARTER, 390 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG SAID EAST LINE 390 FEET; THENCE WEST 496.96 FEET TO (AND THE SAME BEING) THE WEST LINE OF SAID EAST 15 ACRES; THENCE NORTH ALONG SAID WEST LINE, 390 FEET; THENCE EAST 496.96 FEET TO THE POINT OF BEGINNING.

TRACT B:

A TRACT OF LAND IN THE EAST 15 ACRES OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., IN SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING ON THE EAST LINE OF SAID NORTHWEST QUARTER, 780 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG SAID EAST LINE 441.99 FEET TO THE NORTH RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 470; THENCE WESTERLY ON AN ANGLE OF 82 DEGREES 57 MINUTES 20 SECONDS IN THE NORTHWEST QUADRANT, ALONG SAID RIGHT OF WAY FOR 500.37 FEET TO THE WEST LINE OF SAID EAST 15 ACRES; THENCE NORTH ALONG SAID WEST LINE, 380.03 FEET; THENCE EAST 496.96 FEET TO THE POINT OF BEGINNING, WHICH TRACT IS ALSO DESCRIBED AS THE EAST 15 ACRES OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., IN SHAWNEE COUNTY, KANSAS, EXCEPT THE NORTH 780 FEET THEREOF AND EXCEPT THE PORTION OF THE SOUTH WHICH HAS BEEN TAKEN FOR INTERSTATE HIGHWAY NO. 470.

THE ABOVE DESCRIBED TRACT CONTAINS 9.76 ACRES, MORE OR LESS.

from "R-1" Single Family Dwelling District to "PUD" Planned Unit Development (M-3 uses).

subject to:

- 1. Use and development of the site in accordance with the Master Planned Unit Development Plan for the Carriage House Apartments.**

Section 2. The Master PUD Plan for Carriage House Apartments 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 building permit and/or land development on the site, site development plans shall be submitted for review and administrative approval by the Planning Director.

Section 3. This Ordinance Number shall be fixed upon the “District Map”.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Topeka, October 18,

2016.

ATTEST:

Larry E. Wolgast, Mayor

Brenda Younger, City Clerk