

(Published in the Topeka Metro News \_\_\_\_\_)

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE** introduced by Interim City Manager William E. Cochran 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 properties located within Downtown Topeka from “M-2” Multiple Family Dwelling District, “C-4” Commercial District, and “O&I-2” Office and Institutional District, “D-1” Downtown District, “I-1” Light Industrial District, “I-2” Heavy Industrial District TO “D-3” Downtown District. **(Z22/02) (Council District No. 1)**

**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 properties identified in Exhibits A and B, which are attached hereto and incorporated by reference, **FROM** “M-2” Multiple Family Dwelling District, “C-4” Commercial District, and “O&I-2” Office and Institutional District, “D-1” Downtown District, “I-1” Light Industrial District, “I-2” Heavy Industrial District **TO** “D-3” Downtown District.

**Section 2.** This Ordinance Number shall be fixed upon the “District Map”.

**Section 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** 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, City of Topeka, Kansas,

\_\_\_\_\_, 2022.

CITY OF TOPEKA, KANSAS

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Michael A. Padilla, Mayor

ATTEST:

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

### **Exhibit A: Downtown D-3 Rezone Parcels, May 2022**

**D3-1** A tract of land bound by the East right of way line of Topeka Boulevard, the South right of way line of Crane Street, the West right of way line of Harrison Street and the North right of way line of 1<sup>st</sup> Street in the Southeast Quarter of Section 30, Township 11 South, Range 16 East of the 6<sup>th</sup> P.M., which includes Lot 2, Block A, Shrake Subdivision to Topeka, Shawnee County, Kansas and Lot 1, Block A, Shrake Subdivision 2 to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto.

**D3-2** A tract of land bound by the East right of way line of Topeka Boulevard, the Kansas River on the North, the West right of way line of Kansas Avenue and the North right of way line of Crane Street in the Southeast Quarter of Section 30, Township 11 South, Range 16 East of the 6<sup>th</sup> P.M., which includes Lot 1, Block A, Degginger Subdivision to Topeka, Shawnee County, Kansas and Lots 1 and 2, Block A, Topeka Transit Subdivision to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto and EXCEPT for that part of Harrison Street that is North of Crane Street.

**D3-3** A tract of land bound by the East right of way line of Harrison Street, the South right of way line of Crane Street, the West right of way line of Van Buren Street and the North right of way line of 1<sup>st</sup> Street in the Southeast Quarter of Section 30, Township 11 South, Range 16 East of the 6<sup>th</sup> P.M., which includes Lot 1, Block A, Levin Subdivision to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto.

**D3-4** Lots 73 through 107, odd, on Jackson Street between 4<sup>th</sup> Street and 3<sup>rd</sup> Street and any vacated street and alley rights of way accruing thereto, in the Original Town of Topeka, Shawnee County, Kansas.

**D3-5** Lots 37 through 72 and any vacated street and alley rights of way accruing thereto, in a block bound by Van Buren Street, Jackson Street, 3<sup>rd</sup> Street and 2<sup>nd</sup> Street in the Original Town of Topeka, Shawnee County, Kansas.

**D3-6** A tract of land bound by the East right of way line of Van Buren Street, the South right of way line of Crane Street, the West right of way line of Jackson Street and the North right of way line of 1<sup>st</sup> Street in the Southeast Quarter of Section 30, Township 11 South, Range 16 East of the 6<sup>th</sup> P.M., which includes Lots 1 through 35, odd, on Jackson Street in Sells Block Subdivision to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto.

**D3-7** Lots 74 through 108, even, on Jackson Street between 4<sup>th</sup> Street and 3<sup>rd</sup> Street and any vacated street and alley rights of way accruing thereto, in the Original Town of Topeka, Shawnee County, Kansas.

**D3-8** Lots 38 through 72, even, on Jackson Street between 3<sup>rd</sup> Street and 2<sup>nd</sup> Street and any vacated street and alley rights of way accruing thereto, in the Original Town of Topeka, Shawnee County, Kansas.

**D3-9** Lots 73 through 95, odd, on 1<sup>st</sup> Street between Jackson Street and Kansas Avenue and any vacated street and alley rights of way accruing thereto in the Original Town of Topeka, Shawnee County, Kansas and a tract of land lying in the Original Town of Topeka, Shawnee County, Kansas described as follows:

Beginning at the Northeast corner of Lot 95 in the Original Town, City of Topeka; thence Northerly along the West right of way line of Southwest Kansas Avenue extended Northerly a distance of 14.38 feet to a point 50.00 feet south at right angle to the center line of the existing Union Pacific Railroad Company track; thence Westerly parallel to said railroad track a distance of 320.06 feet to the East right of way line of Southwest Jackson extended Northerly; thence Southerly a distance of 14.25 feet to the Northwest corner of Lot 73 of said Subdivision; thence Easterly along the North lot lines of 73 through 95, odd, of said Subdivision a distance of 320.08 feet to the Point of Beginning and EXCEPT the following described tract; Beginning at the Southwest corner of Lot 73; thence Easterly along the North line of alley a distance of 142.20 feet (Deed), 142.27 feet (Measured), thence Northwesterly on a curve to the left a distance of 189.50 feet (Deed) 191.40 feet (Measured) to the East line of Southwest Jackson Street, said curve to the left having a chord of 184.43 feet and radius of 203.62 feet; thence Southerly along the East line of Southwest Jackson Street a distance of 117.40 feet (Deed), 117.52 feet (Measured) to the Point of Beginning.

**D3-10** Lot A and Lots 2 through 34, even, on Jackson Street between 1<sup>st</sup> Street and Crane Street and any vacated street and alley rights of way accruing thereto, in Mill Block Subdivision to Topeka, Shawnee County, Kansas and Lots 31, 33, 35 and a part of Lots 27 and 29 in Mill Block Subdivision to Topeka, Shawnee County, Kansas described as follows; Commencing at the Southwest corner of said Lot 29; thence North 0 degrees 00 minutes 00 seconds East, 0.53 feet along the West line of said Lot 29 for the point of beginning, said point being the center of a party wall; thence continuing North 0 degrees 00 minutes 00 seconds East, 99.65 feet to the Northwest corner of said Lot 35; thence North 89 degrees 59 minutes 11 seconds East 150.00 feet to the Northeast corner of said Lot 35; thence South 0 degrees 00 minutes 00 seconds West 100.20 feet along the East line of said Lots to the center of a party wall, said point being 0.02 feet South of the Northeast corner of said Lot 27; thence North 89 degrees 48 minutes 07 seconds West, 150.00 feet along the centerline of said wall to the point of beginning and any vacated street and alley rights of way accruing thereto.

**D3-11** A tract of land in Lots 97 through 109, odd, on 1<sup>st</sup> Street between Kansas Avenue and Quincy Street in the Original Town of Topeka, Shawnee County, Kansas, described as follows; Beginning at the Southwest Corner of said Lot 97; thence Northerly on the West line of said Lot 97, on an Azimuth of 14 degrees 39 minutes 55 seconds, a distance of 55.08 feet; thence Easterly coincident with the common wall of 108 Kansas Avenue and 100 Kansas, on an Azimuth 104 degrees 41 minutes 39 seconds, to the Westerly right of way line of the Rock Island Railroad Spur Track; thence Southwesterly along said Westerly right of way line to the South line of Lot 107; thence Westerly along the South line of said Lots 107 through 97, odd, to the point of beginning and any vacated street and alley rights of way accruing thereto.

**D3-12** Lot 4, Block E, in Keyway Subdivision to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto.

**D3-13** Lots 38 through 58, even, on North Kansas Avenue in Cranes Addition to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto; Except the West 30 feet of said Lots 56 and 58 and Also Except part of said Lot 58, described as follows; Beginning at a point on the North line and 120 West of the Northeast corner of said Lot 58; thence East, along said North line, 23 feet, thence Southwesterly to a point 15 feet South and 120 feet West of the Northeast corner of said Lot 58; thence North 15 feet to the point of beginning.

**D3-14** Lots 194 through 216, even, on 8<sup>th</sup> Street between Jefferson Street and Adams Street and Lots 217

through 239, odd, on Adams Street between 8<sup>th</sup> Street and 7<sup>th</sup> Street in C. K. Holliday's Addition to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto.

**D3-15** A tract of land bound by the East right of way line of Jefferson Street, the South right of way line of 6<sup>th</sup> Street, the West right of way line of Adams Street and the North right of way line of 7<sup>th</sup> Street in C. K. Holliday's Addition to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto.

**D3-16** A tract of land bound by the East right of way line of Jefferson Street, the South right of way line of 5<sup>th</sup> Street, the West right of way line of Adams Street, and the North right of way line of 6<sup>th</sup> Street in Keyway Subdivision to Topeka, Shawnee County, Kansas and in C. K. Holliday's Addition Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto.

**D3-17** Lots 1 through 16, Block T, in Keyway Subdivision to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto, Except for part of Lot 8 described as follows; Beginning at the Northeast corner of said Lot 8; thence Southerly along the East line of said Lot 8 to the Southeast corner of said Lot 8, thence Westerly along the South of said Lot 8 to the Southwest corner of said Lot 8; thence Northeasterly to the point of beginning.

**D3-18** Block S in Keyway Subdivision to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto.

**D3-19** Lots 217 through 223, odd, on 5<sup>th</sup> Street and Lots 154 through 180, even on Adams Street between 5<sup>th</sup> Street and 6<sup>th</sup> Street in C. K. Holliday's Addition to Topeka, Shawnee County, Kansas and any vacated street and alley rights of way accruing thereto.

**D3-20** Lot 26 on Harrison Street between 2<sup>nd</sup> Street and 1<sup>st</sup> Street and any vacated street and alley rights of way accruing thereto, in the Original Town of Topeka, Shawnee County, Kansas.

**D3-21** Lots 37, 39 and the North 4 feet of Lot 41 on Kansas Avenue between 3<sup>rd</sup> Street and 2<sup>nd</sup> Street and any vacated street and alley rights of way accruing thereto, in the Original Town of Topeka, Shawnee County, Kansas.

**D3-22** A tract of land bound by the West right of way line of Topeka Boulevard, the Kansas River on the North, the East right of way line of the existing Union Pacific Railroad and the North right of way line of First Street and Interstate Highway 70 in the Southeast Quarter of Section 30, Township 11 South, Range 16 East of the 6<sup>th</sup> P.M., and any vacated street and alley rights of way accruing thereto.

Exhibit B: Downtown D-3 Rezone Parcels Map

