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City Council Agenda

City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 12, 2010
6:00 PM

City Manager: Norton N. Bonaparte, Jr.

Mayor: William W. Bunten

Councilmembers

Karen A. Hiller	District No. 1	Deborah Swank	District No. 6
John Alcala	District No. 2	Robert E. Archer	District No. 7
Sylvia E. Ortiz	District No. 3	Jeff Preisner	District No. 8
Jack Woelfel	District No. 4	Richard Harmon	District No. 9
Larry Wolgast	District No. 5		

Addressing the Council: No person shall address the Council during a Council Meeting, unless they have notified the City Clerk by 5:00 P.M. on the day of any Council Meeting of their desire to speak on a specific matter on the published meeting agenda or during the public comment portion of the Council Meeting. This limitation shall not apply to items added during the course of a meeting. The Council does not take action with respect to any subject not on the agenda unless added to the agenda by a two-thirds vote of the Council

Persons addressing the City Council will be limited to four (4) minutes of public address on a particular agenda item. Debate, question/answer dialogue or discussion between Councilmembers will not be counted towards the four (4) minute time limitation. The Chair may extend time with the unanimous consent of the Council or the Council by affirmative vote of five (5) members may extend the four (4) minute limitation.

Persons will be limited to addressing the City Council one (1) time on a particular matter unless otherwise allowed by an affirmative vote of five (5) members of the City Council.

Citizens wishing to offer Public Comment may sign up by phoning the City Clerk's office at 368-3940.

To make arrangements for special accommodations please call 785-368-3940. A 48-hour advance notice is preferred.

The Federal Communications Commission (FCC) has adopted use of the 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. To reach the City Clerk's office using the TRS, please dial 711.

(Agendas are available on Thursday afternoon in the City Clerk's office, 215 SE 7th – Room 166 and on the City's web site at <http://www.topeka.org>)

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. PROCLAMATIONS:

"None scheduled at this time."

2. PRESENTATIONS:

"Status of Complete Streets"

3. ROLL CALL:

4. CONSENT AGENDA:

A. Tort Claim Appeal - Tyler Hockenbury

DENIAL OF A TORT CLAIM APPEAL by Tyler Hockenbury in the amount of \$769.82.

B. MINUTES of the regular meeting of October 5, 2010

C. APPLICATIONS:

5. NEW BUSINESS:

A. Applications - Retail Cereal Malt Beverage License

APPROVAL of Retail Cereal Malt Beverage License Applications.

Voting Requirement: Majority of the Governing Body, including the Mayor.

(Pursuant to K.S.A. 41-2702 application for license must be approved by the Governing Body prior to the issuance of the license.)

B. Ordinance - Weekly Expenditures - September 20-26, 2010

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of September 20, 2010, through September 26, 2010, and enumerating said expenditures therein. First and Final Reading.



[ATTACHMENTS](#)

6. ZONING:

A. Resolution - Roman Catholic Archdiocese of Kansas City, Kansas (CU10/5)

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., in accordance with Section 18.75.030(c)(2) of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to allow for a vehicle surface parking lot in association with a principal use on property currently zoned "R-2" Single Family Dwelling District and located on the east side of NE Rowley Street approximately 250 feet north of NE Fantine Street in the City of Topeka, Kansas. (CU10/5) (Council District No. 2)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow use of the site for a vehicle surface parking lot in association with a principal use.)



[ATTACHMENTS](#)

7. FIRST READINGS:

A. Ordinance - Kansas Rebuilders, LLC (PUD10/9)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., 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 2056 SW Central Park Avenue from "O&I-1" Office and Institutional District TO "PUD" Planned Unit Development District ("O&I-1" use group,



[ATTACHMENTS](#)

plus a contractor's office and home improvement/building supply store with only interior display, inventory, processing and servicing for non-O&I-1 uses). First Reading.
(PUD10/9) (Council District No. 3)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow a vacant building to be remodeled and enlarged so the site can be redeveloped as a building supply store and contractor's office.)

B. Ordinance - Minor Plat Definition (ASR10/2)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Section 18.30.010 of the Topeka Municipal Code, concerning the definition of "minor plat approval" and specifically repealing said original section. First Reading.
(ASR10/2)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow smaller and/or more simple plats for properties located outside the city limits but within the City's three-mile extraterritorial jurisdiction, to be reviewed and approved administratively.)

C. Ordinance - Unlawful Carrying of a Firearm

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Councilmember Bob Archer, creating City of Topeka Code Section 9.40.005 concerning the unlawful carrying of a firearm. First Reading.

(Approval would make it unlawful for persons other than those specifically exempted, to carry a firearm in designated City owned and operated buildings and facilities. The ordinance would not prohibit a person from carrying a loaded firearm on the person's land, in the person's abode or in the person's fixed place of business.)

8. MISCELLANEOUS:

-

9. PRESENTATIONS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL:

-

10. PUBLIC COMMENT:

-

11. ADJOURNMENT:

-



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 8, 2010

 [+ Back](#)  [Print](#)

DATE: October 12, 2010

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

"None scheduled at this time."

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

"Status of Complete Streets"

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 24, 2010

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DATE:	October 12, 2010	
CONTACT PERSON:	Ken Benjamin	DOCUMENT #:
SECOND PARTY/SUBJECT:	Tyler Hockenbury/Tort Claim Appeal	PROJECT #:
CATEGORY/SUBCATEGORY	001 Appeals / 003 Other	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

DENIAL OF A TORT CLAIM APPEAL by Tyler Hockenbury in the amount of \$769.82.

POLICY ISSUE:

Whether there was prior notice of a road hazard and a corresponding failure to act to correct it in a timely fashion so as to create a liability on the part of the City sufficient to justify payment of damages.

STAFF RECOMMENDATION:

Affirmation of claim denial.

BACKGROUND:

The Appellant, Tyler Hockenbury, of 1735 NW Lyman Rd. #7, filed Claim #10-102 on June 4, 2010, seeking reimbursement of \$769.82 in wheel alignment and tie rod, ball joint, strut, and oil drain replacement costs necessitated by his hitting of a pothole near SE 29th and Adams at 11:00 a.m. on April 1, 2010. Although there had been several work orders at that location during the two months preceding his mishap, all had been completed with no service request pending at the time. Accordingly, his claim was denied on September 2, 2010. He then filed his written appeal for Council review on September 7, 2010.

BUDGETARY IMPACT:

If the claim denial is disapproved, thereby amounting to action in favor of the appellant, the cost would be \$769.82.

SOURCE OF FUNDING:

General Liability Fund, with chargeback to Street Section.

ATTACHMENTS:

No Attachments Available



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DATE: October 12, 2010

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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DATE: October 12, 2010

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DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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September 8, 2010

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DATE: October 12, 2010
CONTACT PERSON: Brenda Younger
SECOND PARTY/SUBJECT: Applications
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of Retail Cereal Malt Beverage License Applications.

Voting Requirement: Majority of the Governing Body, including the Mayor.

(Pursuant to K.S.A. 41-2702 application for license must be approved by the Governing Body prior to the issuance of the license.)

POLICY ISSUE:

None

STAFF RECOMMENDATION:

Approve the licenses.

BACKGROUND:

Pursuant to K.S.A. 41-2702 as amended, license applications for retail cereal malt beverage must be approved by the governing body prior to issuance of the license.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 28, 2010

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DATE: October 12, 2010
CONTACT PERSON: JIM LANGFORD/KEJ **DOCUMENT #:**
SECOND PARTY/SUBJECT: WEEKLY EXPENDITURES **PROJECT #:**
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of September 20, 2010, through September 26, 2010, and enumerating said expenditures therein. First and Final Reading.

POLICY ISSUE:

Approve and allow weekly payments of valid operating expenditures, pursuant to Resolution No. 7607.

STAFF RECOMMENDATION:

Adopt as presented.

BACKGROUND:

Pursuant to Resolution No. 7607, adopted on April 12, 2005, which provides authorization to pay for certain expenditures prior to approval by the Council in an expenditure ordinance, the expenditures being authorized by this ordinance have been previously paid, in accordance with established procedures and policies for such payments.

BUDGETARY IMPACT:

Approves expenditures for the period September 20, 2010 through September 26, 2010, in the amount of \$3,825,692.94.

SOURCE OF FUNDING:

Appropriated funds and fees-for-service revenues of various City departments.

ATTACHMENTS:

[Weekly Expenditures](#)

[DETAIL REPORT AP WEEK ENDING 9/26/10](#)

[DETAIL REPORT CB55 WEEK ENDING 9/26/10](#)

Item #10

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte Jr., allowing and approving City expenditures for the period of September 20, 2010, through September 26, 2010, and enumerating said expenditures herein.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. All expenditures made or authorized to be made by issuance of checks or electronic transfers as enumerated herein, are in accordance with City of Topeka Resolution No. 7607.

Section 2. The claims and expenditures listed in Exhibit A, which is on file in the City Council Office and the City Clerk's Office and incorporated herein by said reference, are hereby allowed and approved for payment.

<u>Section 3.</u>	Total of 190 vendor checks written this period	1,337,922.27
	Total vendor payments voided in this period (net)	(589,718.49)
	Total of 114 electronic transfers to vendors this period	497,050.95
	Total net payroll to employees this period	1,636,512.11
	Total payroll related electronic transfers this period	<u>943,926.10</u>
	Total for expenditures in this period	<u>\$3,825,692.94</u>

Section 4. This ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council _____.

ATTEST:

William W. Bunten, Mayor

Brenda Younger, City Clerk

COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/20/2010 and 9/26/2010

Attachment number 2
Page 1 of 22

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
Electronic Payments			
7323	09/22/2010	NICHOLS & WOLFE CHARTERED	3676
SALE 9/22/10	BONDS	EXPENSE/SERVICE-BOND SALE 9/22	18,175.85
7324	09/22/2010	AAA ALLIED GROUP INC	22
260349	558632		38.50
261193	558632		38.50
261194	558632		38.50
261388	558632		38.50
261389	558632		38.50
261390	558632		38.50
261952	558632		38.50
261760	558632		38.50
261904	558632		38.50
261905	558632		38.50
261616	558632		38.50
261735	558632		38.50
261736	558632		38.50
261570	558632		38.50
261573	558632		38.50
261574	558632		38.50
261579	558457		38.50
261391	558632		38.50
261523	558632		38.50
7325	09/22/2010	CUSIP GLOBAL SERVICES	1212
34913865	BONDS	SER 2010A, 2010B, 2010C	619.00
34915367	TEMP NOTES	SERIES 2010-B	227.00
34915393	TEMP NOTES	SERIES 2010-A	227.00
7326	09/22/2010	DANKO EMERGENCY EQUIPMENT COMP	1248
29562	559390		96.85
29627	559390		44.70
7327	09/22/2010	DELTA DENTAL OF KANSAS INC	1323
W/E 09/09/10	558705		10,938.11
WE 09/16/10	558705		8,813.22
7328	09/22/2010	EMERGENCY FIRE EQUIPMENT	1526
22755	558485		188.14
7329	09/22/2010	GRANT STREET GROUP	1965
6076	BONDS	SER 2010-A/2010-B/2010-C	1,750.00
6085	TEMP NOTE	SER 2010-A	1,250.00
6086	TEMP NOTE	SER 2010-B	1,750.00
6087	BONDS	SER 2010-A/REFUND BONDS 2010-B	1,750.00
6089	BONDS	TAXABLE BONDS SER 2010-C	1,250.00
7330	09/22/2010	COCHRAN, GREGORY W	6854
10705 1	10705		57.58
10705 2	10705		57.58
7331	09/22/2010	HALL PUBLICATIONS INC	2055
L21437	BONDS	BOND SALE NOTICE 2010C	77.00
L21439	BONDS	BOND SALE NOTICE 2010A-B	84.00
7332	09/22/2010	HENRYS EQUIPMENT INC	2197
15213	558497		8.05
7333	09/22/2010	INTERSTATE ELEVATOR INC	2438
6105	10368		969.62

COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/20/2010 and 9/26/2010

Attachment number 2
Page 2 of 22

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
7334	09/22/2010	ISS FACILITY SERVICES INC	2447
11416	10409		1,399.35
			1,399.35
7335	09/22/2010	KANSAS GAS SERVICE INC	2707
510000343 145209		Kansas Gas Service 9/10	141.18
510000343 154370		Kansas Gas Service 9/10	28.95
510007702 155014		Kansas Gas Service 9/10	26.21
510011915 145208		Kansas Gas Service 8/10	27.13
510017088 144744		Kansas Gas Service 8/10	26.21
510046402 144744		Kansas Gas Service 9/10	30.79
510727541 144744		Kansas Gas Service 9/10	66.79
510732910 144747		Kansas Gas Service 8/10	39.51
510735655 156651		Kansas Gas Service 9/10	77.43
510760382 144747		Kansas Gas Service 9/10	39.00
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	47.69
510614036 144748		Kansas Gas Service 9/10	60.95
510667775 144746		Kansas Gas Service 9/10	158.83
510675212 164897		Kansas Gas Service 9/10	73.26
510713734 144747		Kansas Gas Service 9/10	69.19
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	28.69
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	59.08
510611451 144747		Kansas Gas Service 9/10	30.59
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	32.53
510611451 144747		Kansas Gas Service 9/10	53.37
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	26.79
510611451 144747		Kansas Gas Service 9/10	28.69
510513689 144745		Kansas Gas Service 9/10	60.05
510587863 144746		Kansas Gas Service 9/10	33.52
510587863 144746		Kansas Gas Service 9/10	37.36
510589914 144746		Kansas Gas Service 8/10	95.06
510591032 144746		Kansas Gas Service 9/10	42.68
510609427 142366		Kansas Gas Service 9/10	451.03
510420955 144743		Kansas Gas Service 9/10	59.14
510441614 144746		Kansas Gas Service 9/10	10.81
510441614 144746		Kansas Gas Service 9/10	11.14
510441614 144746		Kansas Gas Service 9/10	10.81
510455781 144745		Kansas Gas Service 9/10	29.84
510464264 144752		Kansas Gas Service 8/10	26.21
510318238 144744		Kansas Gas Service 9/10	39.94
510329678 144745		Kansas Gas Service 9/10	65.52
510368562 144748		Kansas Gas Service 9/10	69.19
510400187 144745		Kansas Gas Service 8/10	276.97
510401863 155014		Kansas Gas Service 8/10	26.21
510415912 144744		Kansas Gas Service 9/10	26.21
510299199 144747		Kansas Gas Service 9/10	45.43
510303639 145210		Kansas Gas Service 9/10	8.93
510303639 145210		Kansas Gas Service 9/10	8.93
510303639 145210		Kansas Gas Service 9/10	60.25

COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/20/2010 and 9/26/2010

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
510303639	145210	Sept Gas Bill	17.85
510303639	145210	Kansas Gas Service 9/10	127.19
510209001	144744	Kansas Gas Service 8/10	37.19
510232026	144743	Kansas Gas Service 9/10	53.86
510260313	144748	Kansas Gas Service 9/10	37.19
510266764	144743	Kansas Gas Service 9/10	15.85
510266764	144743	Kansas Gas Service 9/10	18.60
510296590	160108	Kansas Gas Service 9/10	68.27
510145087	164248	Kansas Gas Service 8/10	26.21
510170494	144748	Kansas Gas Service 9/10	103.95
510177657	166329	Kansas Gas Service 9/10	189.87
510179895	142508	Kansas Gas Service 9/10	13.53
510184195	162940	Kansas Gas Service 8/10	28.03
510202667	144745	Kansas Gas Service 9/10	39.00
510060279	144746	Kansas Gas Service 9/10	43.56
510078322	164679	Kansas Gas Service 8/10	592.76
510113449	144748	Kansas Gas Service 8/10	37.46
510125094	144747	Kansas Gas Service 9/10	26.21
510136295	144743	Kansas Gas Service 9/10	32.61
510145087	155014	Kansas Gas Service 9/10	26.21
7336	09/22/2010	KEY STAFFING INC	2849
3010850	559609		500.00
3011016	559609		500.00
7337	09/22/2010	LIBERTY FRUIT COMPANY INC	3057
433317	10683		280.00
7338	09/22/2010	MID-STATES SUPPLY CO INC	3402
1292862 02	558932		459.48
1294300 01	558932		150.42
1294300 02	558932		316.45
1294300 03	558932		26.28
1295972 01	558932		277.64
7339	09/22/2010	MISSISSIPPI LIME CO INC	3471
920099	560180		2,857.08
920310	560180		2,844.32
7340	09/22/2010	O REILLY AUTO PARTS	3714
0152 169065	558519		18.93
0152 171202	558610		8.99
0152 171337	558582		4.92
0152 171338	558582		26.12
0152 172524	558519		10.58
0152 172620	558519		130.47
0152 172651	558519		102.74
0152 171679	558519		7.92
0152 171700	558519		8.93
0152 172037	558519		43.96
0152 172279	558519		11.39
0152 172297	558519		150.22
0152 172300	558519		-32.56
7341	09/22/2010	PEPSI COLA OF TOPEKA	3887
16049089	10552		223.50
16049089	10552		-0.75
16049247	10552		119.26
7342	09/22/2010	POE & ASSOCIATES INC	3964
3641	554825		9,650.02

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7343 PCARD09172010	09/22/2010	UMB BANK NA 5127	32,514.97
			32,514.97
7344 114985	09/22/2010 10543	VANDERBILT'S NO 6 5199	129.99
			129.99
7345 1283956 1284520 1285136	09/22/2010 558927 558620 558927	WALKER TOWEL & UNIFORM SERVICE 5266	123.10
			94.85
			12.45
			15.80
7346 1008 130	09/22/2010 10407	BETTIS ASPHALT & CONSTRUCTION 470	6,482.06
			6,482.06
7347 13916 13917 13918 13919	09/22/2010 10743 10778 10775 10744	C-HAWKK CONSTRUCTION INC 911	13,627.45
			1,298.25
			2,986.75
			9,116.70
			225.75
7348 86039	09/22/2010 558621	CAPITAL CITY OIL CO INC 778	26,113.67
			26,113.67
7349 6793415 6858381 6872699	09/22/2010 10732 10732 10732	HACH COMPANY 2038	213.73
			90.00
			33.80
			89.93
7350 R590104	09/22/2010 559862	LINWELD INC 3073	129.76
			129.76
7351 0663516 IN	09/22/2010 10704	MCELROY'S INC 3289	381.90
			381.90
7352 30734	09/22/2010 558926	TOPEKA ELECTRIC MOTOR REPAIR I 5025	279.79
			279.79
7353 0822112 IN	09/22/2010 10540	WATER PRODUCTS INC 5324	4,200.60
			4,200.60
7354 558989 9	09/24/2010 558989	WHITNEY B DAMRON PA 5418	1,035.71
			1,035.71
7355 40444.5183	09/24/2010	CORONEL, DORA A 1123	244.00
		ADV-ATLANTA GA 9/26-30/10	244.00
7356 40438.6851	09/24/2010	DANIEL B WILSON 6199	56.10
		CAMP DODGE IA 9/12-17/10	56.10
7357 40431.3964	09/24/2010	JAMES ANDERSON 6201	254.80
		ADV-ARLINGTON, TX 9/26-30/10	254.80
7358 40438.5007	09/24/2010	LESTER, LISA K 3038	244.00
		ADV - ATLANTA GA 9/26-30/10	244.00
7359 40435.5733	09/24/2010	GLOR, THOMAS A 6287	291.20
		ADV-ARLINGTON, TX 9/26-10/1/10	291.20
7360 40438.5503	09/24/2010	VEGA-RETANA, RACHELLE 5213	244.00
		ADV - ATLANTA GA 9/26-30/10	244.00

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7361 12363	09/24/2010 10132	A-1 RENTAL INC 20	170.00 170.00
7362 261741 261742 261771 261624 261625 261626 261532 261578 261397 261398 261426 261499	09/24/2010 558632 558632 558632 558632 558632 558632 558632 558632 558632 558632 558632 558632	AAA ALLIED GROUP INC 22	487.00 38.50 38.50 38.50 38.50 38.50 63.50 38.50 38.50 38.50 38.50 38.50 38.50
7363 T707623 T708066 T708086 T708568 T708569 T708570 T708571	09/24/2010 558591 10127 558591 10127 10127 10127 10127	AMERIPRIDE 197	374.30 17.75 66.55 29.75 128.63 63.35 54.40 13.87
7364 A6428 JUL 10	09/24/2010 558819	ANSWER TOPEKA 237	1,055.80 1,055.80
7365 5632	09/24/2010 559408	APEX TECHNOLOGY SOLUTIONS LLC 239	127.00 127.00
7366 2006	09/24/2010 10330	ARMSTRONG CONSTRUCTION 255	1,800.00 1,800.00
7367 730026063	09/24/2010 556766	BARTLETT & WEST ENGINEERS 391	7,757.00 7,757.00
7368 W/E 9/21/10	09/24/2010 DE	BLUE CROSS BLUE SHIELD INC 528	92,007.37 92,007.37
7369 114166	09/24/2010 10438	BOBS JANITORIAL SERVICE & SUPP 539	1,500.00 1,500.00
7370 647496 1	09/24/2010 558545	BOETTCHER SUPPLY INC 543	150.00 150.00
7371 41213 41867 41868 41869 41892	09/24/2010 559362 559362 559362 559362 559362	CONCRETE SUPPLY OF TOPEKA 1066	2,095.00 220.00 550.00 225.00 550.00 550.00
7372 15064 15116 15158 15211 15256	09/24/2010 559861 559861 559861 559861 559861	CREATIVE LANDSCAPING 1166	2,850.00 570.00 570.00 570.00 570.00 570.00

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7373	09/24/2010	CROSS MIDWEST TIRE INC 1183	1,754.37
20140048	558477		31.50
20140484	558477		1,131.12
20140542	558477		15.75
20140551	558477		21.00
20140619	558477		186.25
20140859	558477		232.10
20141118	558477		117.90
20141205	558477		18.75
7374	09/24/2010	DANKO EMERGENCY EQUIPMENT COMP 1248	344.63
30071	560154		344.63
7375	09/24/2010	DIAMOND INTERNATIONAL INC 1347	456.60
T153512	558481		-144.00
T153453	558481		90.37
T153512	558481		448.39
T153538	558563		61.84
7376	09/24/2010	EMERGENCY FIRE EQUIPMENT 1526	205.71
22774	558485		205.71
7377	09/24/2010	FOLEY EQUIPMENT COMPANY INC 1734	58.26
PCSL0840529	559016		58.26
7378	09/24/2010	HARCROS CHEMICALS INC 2090	17,020.00
010161995	560179		17,020.00
7379	09/24/2010	HERNLY ASSOCIATES INC 2214	695.00
9569	10470		695.00
7380	09/24/2010	INTERSTATE ELEVATOR INC 2438	1,892.59
6281	558684		1,892.59
7381	09/24/2010	ITG CONSULTING INC 2449	5,020.00
2864	558732		5,020.00
7382	09/24/2010	J W LAWN SERVICE 2468	743.99
77801	559518		851.28
77801CR	559518	CASE 1410 - JULY 21 CUT LIST	-107.29
7383	09/24/2010	JAYHAWK FILE EXPRESS LLC 2502	1,053.00
N537200	DE	WO N013570 6/23/10	23.00
N537203	DE	WO N013188 6/2/10	229.00
N537204	DE	WO N013558 6/23/10	109.00
N537205	DE	WO N013198/N013561 6/2 & 23/10	74.00
N537208	DE	WO N013567 6/23/10	37.00
N539391	DE		36.00
N539393	DE	WO N013838 7/7/10	61.00
N539394	DE	WO N013818 7/7/10	277.00
N539395	DE	WO N014207 7/28/10	133.00
N539396	DE	WO N013959 7/14/10	37.00
N539399	DE	WO N014214 7/28/10	37.00
7384	09/24/2010	K-5 MAINTENANCE & REPAIR LLC 2610	2,338.00
2010 2	10504		2,338.00
7385	09/24/2010	KAN EQUIPMENT INC 2621	133.51
58157	558504		-23.63
6 163957	558504		69.74

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6 164125	558504		87.40
7386	09/24/2010	KANSAS DEPT OF REVENUE	2691
0265 9796 1120	DE	Park and Rec Sales Tax for Aug	3,197.86
7387	09/24/2010	LANGUAGE LINE SERVICES INC	2967
2589411	558627		107.25
7388	09/24/2010	LIBERTY FRUIT COMPANY INC	3057
436649	10683		245.75
7389	09/24/2010	MANGROVE	3186
34561	558553		467.40
7390	09/24/2010	MISSISSIPPI LIME CO INC	3471
920719	560180		2,843.16
920748	560180		2,842.00
920962	560180		2,842.00
921069	560180		2,842.00
921306	560180		2,874.48
7391	09/24/2010	NEENAN COMPANY	3649
S1704239 001	558449		61.78
S1705162 001	558449		61.78
7392	09/24/2010	O REILLY AUTO PARTS	3714
0152 173514	558519		25.20
7393	09/24/2010	PEPSI COLA OF TOPEKA	3887
3044434	559778		683.03
3044491	559778		120.00
7394	09/24/2010	POE & ASSOCIATES INC	3964
3654	554825		6,477.24
7395	09/24/2010	POLYDYNE INC	5879
548252	560181		12,782.44
29408	560181		1,977.14
7396	09/24/2010	PROTECTION ONE	6532
79058331	DE		110.00
79257930	DE		1,438.00
79275087	DE		-53.95
7397	09/24/2010	RED THE UNIFORM TAILOR INC	4131
00R8768	560183		141.80
7398	09/24/2010	SANTA FE SIDING COMPANY	4373
1477	10347		2,000.00
7399	09/24/2010	SELLERS EQUIPMENT INC	4470
IC213955	558522		2,679.35
7400	09/24/2010	SPARKS, HARLEY E	4685
559134 8	559134		5,434.58
7401	09/24/2010	STAPLES CONTRACT & COMMERCIAL	4725
104363816	10442		3.86
7402	09/24/2010	STIRLING LAWN & LANDSCAPE INC	6542
4897	559832		160.00

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7403 12947	09/24/2010 10373	TOM OWENS PLUMBING INC 5006	960.00 960.00
7404 44430 44523	09/24/2010 558530 558530	TOPEKA TRANSMISSION SERVICE IN 5057	2,484.68 399.41 2,085.27
7405 267274 267276 267428 267451 267473 267550 267818 267852 267903 268003 268121	09/24/2010 558586 558586 558586 558531 558531 558531 558531 558531 558531 558586 558586	TRUCK PARTS & EQUIPMENT INC 5102	632.26 6.24 189.01 40.34 102.66 52.08 29.98 12.36 10.81 4.02 96.84 87.92
7406 349038	09/24/2010 558784	UNIVERSAL SYSTEMS INC 5161	2,813.64 2,813.64
7407 10079 1	09/24/2010 10079	VANUM CONSTRUCTION 5905	18,418.00 18,418.00
7408 1287364 1287921 1287922	09/24/2010 558620 558620 558620	WALKER TOWEL & UNIFORM SERVICE 5266	44.00 12.45 7.65 23.90
7409 2010005569	09/24/2010 558271	WOOLPERT INC 5533	4,650.00 4,650.00
7410 9/19/10AVBPB	09/24/2010	BECK, PAUL Adult Volleyball 415	144.00 144.00
7411 9/19/10ASBRD 9/19/10AVBRD	09/24/2010	DEAN, ROBERT Adult Softball Adult Volleyball 1290	144.00 45.00 99.00
7412 9/19/10ASBAJ 9/19/10AVBAJ	09/24/2010	JONES, ANTWAUN Adult Softball Adult Volleyball 2580	79.00 39.00 40.00
7413 9/19/10AVBBK	09/24/2010	KENNEDY, BRIAN Adult Volleyball 2832	108.00 108.00
7414 9/19/10ABBEL 9/19/10ASBEL 9/19/10AVBEL	09/24/2010	LUTTERMAN, ERIC Adult Basketball Adult Softball Adult Volleyball 3144	152.00 34.00 34.00 84.00
7415 9/19/10AVBPR	09/24/2010	RUTTER, PAM Adult Volleyball 4318	48.00 48.00
7416 559028 FINAL	09/24/2010 559028	WALKER, ANDREW 5267	125.00 125.00
7417	09/24/2010	ALLSTATE WORKPLACE DIV / SHORT 147	2,003.83

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
AKINS9/24/10	PAYROLL ADJ		-9.36
DOUCETTE9/24/10	PAYROLL ADJ		23.92
EHALT9/24/10	PAYROLL ADJ		1.69
KNOWLES9/24/10	PAYROLL ADJ		35.10
ROUNDING9/24/10	PAYROLL ADJ		-0.24
SCHNEIDER9/24/10	PAYROLL ADJ		-1.49
SD50100924101916		Short-Term Disability EE - AT	275.36
SD50100924101916		Short-Term Disability EE - AT	208.92
SD50100924101916		Short-Term Disability EE - AT	18.33
TRUSTY9/24/10	PAYROLL ADJ		22.23
SD10100924101916		Short-Term Disability EE - PT	98.67
SD10100924101916		Short-Term Disability EE - PT	14.04
SD50100924101916		Short-Term Disability EE - AT	551.41
SD50100924101916		Short-Term Disability EE - AT	237.14
SD50100924101916		Short-Term Disability EE - AT	102.98
SD50100924101916		Short-Term Disability EE - AT	425.13
7418	09/24/2010	ALLSTATE WORKPLACE DIV/CANCER	148
CA10100924101916		Cancer EE Single - PT	349.38
CA10100924101916		Cancer EE Single - PT	560.48
CA10100924101916		Cancer EE Single - PT	793.36
CA10100924101916		Cancer EE Single - PT	83.46
CA10100924101916		Cancer EE Single - PT	212.32
CA10100924101916		Cancer EE Single - PT	117.48
KAMS9/24/10	PRICE ADJ		7.22
TRUSTY9/24/10	PAYROLL ADJ		12.28
CA11100924101916		Cancer EE Family - PT	234.08
CA11100924101916		Cancer EE Family - PT	154.92
CA11100924101916		Cancer EE Family - PT	163.80
CA11100924101916		Cancer EE Family - PT	24.56
CUEVAS9/24/10	PAYROLL ADJ		7.22
DICKEY9/24/10	PAYROLL ADJ		42.32
CA10100924101916		Cancer EE Single - PT	160.80
CA10100924101916		Cancer EE Single - PT	7.22
CA11100924101916		Cancer EE Family - PT	412.24
CA11100924101916		Cancer EE Family - PT	885.88
CA11100924101916		Cancer EE Family - PT	355.56
CA11100924101916		Cancer EE Family - PT	79.16
7419	09/24/2010	CITY OF TOPEKA FRIENDSHIP FUND	948
FR10100924101916		Friendship Fund	101.50
FR10100924101916		Friendship Fund	19.00
FR10100924101916		Friendship Fund	61.00
FR10100924101916		Friendship Fund	24.80
FR10100924101916		Friendship Fund	56.90
FR10100924101916		Friendship Fund	25.00
FR10100924101916		Friendship Fund	21.00
FR10100924101916		Friendship Fund	3.00
7420	09/24/2010	ING AETNA FINANCIAL SERVICES	2397
DC10100924101916		Def Comp EE - Regular Amt	3,928.62
DC10100924101916		Def Comp EE - Regular Amt	13,821.18
DC10100924101916		Def Comp EE - Regular Amt	14,149.17
DC10100924101916		Def Comp EE - Regular Amt	1,445.08
DC10100924101916		Def Comp EE - Regular Amt	2,873.91
DC10100924101916		Def Comp EE - Regular Amt	1,678.08
DL02100924101916		Def Comp Loan - 2	27.37
DL02100924101916		Def Comp Loan - 2	302.00
DL02100924101916		Def Comp Loan - 2	28.16
DL02100924101916		Def Comp Loan - 2	66.63
DL03100924101916		Def Comp Loan - 3	165.86

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DL03100924101916		Def Comp Loan - 3	79.44
DL01100924101916		Def Comp Loan - 1	701.45
DL01100924101916		Def Comp Loan - 1	563.88
DL01100924101916		Def Comp Loan - 1	307.89
DL01100924101916		Def Comp Loan - 1	107.19
DL01100924101916		Def Comp Loan - 1	49.51
DL02100924101916		Def Comp Loan - 2	296.22
DC10100924101916		Def Comp EE - Regular Amt	1,426.60
DC10100924101916		Def Comp EE - Regular Amt	100.00
DC15100924101916		Def Comp EE - Regular Pct	278.05
DC15100924101916		Def Comp EE - Regular Pct	211.56
DC15100924101916		Def Comp EE - Regular Pct	89.03
DL01100924101916		Def Comp Loan - 1	492.04
7421	09/24/2010	INTERNATIONAL ASSOC OF FIREFIG	2424
ADMIN FEE 9/24/10	PAYROLL ADJ		-13.74
DORSEY9/24/10	PAYROLL ADJ		-29.29
STEWARD9/24/10	PAYROLL ADJ		-29.29
UNI1100924101916		Union Dues - IAFF	6,736.70
7422	09/24/2010	SECURITY BENEFIT GROUP	5742
FC10100924101916		FSA Dependent Care EE	230.78
FC10100924101916		FSA Dependent Care EE	259.64
FC10100924101916		FSA Dependent Care EE	1,384.65
FM10100924101916		FSA Medical Spending EE	1,583.43
FM10100924101916		FSA Medical Spending EE	1,058.97
FM10100924101916		FSA Medical Spending EE	1,058.55
FM10100924101916		FSA Medical Spending EE	178.46
FC10100924101916		FSA Dependent Care EE	23.08
FC10100924101916		FSA Dependent Care EE	192.30
FM10100924101916		FSA Medical Spending EE	3,882.99
FM10100924101916		FSA Medical Spending EE	3,764.55
FM10100924101916		FSA Medical Spending EE	4,171.68
FM10100924101916		FSA Medical Spending EE	795.56
7423	09/24/2010	UNITED WAY OF GREATER TOPEKA	5157
UW10100924101916		United Way	396.04
UW10100924101916		United Way	230.30
UW10100924101916		United Way	90.00
UW10100924101916		United Way	78.50
UW10100924101916		United Way	145.50
UW10100924101916		United Way	43.50
UW10100924101916		United Way	92.00
UW10100924101916		United Way	15.00
7424	09/24/2010	ACE ELECTRIC JONES COMPANY INC	35
8772	10738		3,468.76
7425	09/24/2010	BETTIS ASPHALT & CONSTRUCTION	470
1007 077	559904		16,339.57
7426	09/24/2010	C-HAWKK CONSTRUCTION INC	911
14008	10795		233.00
7427	09/24/2010	CAPITAL BELT & SUPPLY INC	776
38053	558834		75.07
38268	558834		76.90
39408	558834		31.94
40011	558472		15.72
7428	09/24/2010	FERGUSON ENTERPRISES INC	1639
			50.34

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1580272	558844		50.34
7429	09/24/2010	FLU CON INC 1729	405.11
I 71032 0	558569		292.65
P 70998 0	558489		112.46
7430	09/24/2010	IBT 2377	3,587.55
5395103	10692		3,587.55
7431	09/24/2010	LINDYSPRING WATER LLC 3071	38.00
559947	559403		8.00
560063	559403		30.00
7432	09/24/2010	M & M EXCAVATING 3157	8,265.00
62785	10290		8,265.00
7433	09/24/2010	MCELROY'S INC 3289	224.23
0661684 IN	10843		224.23
7434	09/24/2010	SALISBURY SUPPLY COMPANY INC 4352	1,678.89
00955515	559273		30.36
00956518	558861		269.50
00957587	558861		1,328.93
00959292	558861		48.00
00960288	558521		2.10
7435	09/24/2010	SOWARDS GLASS 4679	36.23
14959	10820		36.23
7436	09/24/2010	WHITE STAR MACHINERY & SUPPLY 5408	555.90
06044930	558928		61.94
06045040	558928		78.72
06045397	558928		69.93
06046180	558928		52.11
06046282	558928		61.98
06046284	558928		22.99
06046669	558442		167.26
06047733	558442		12.98
06048221	558535		27.99
Total for Electronic Payments			497,099.28
Check Payments			
678326	09/20/2010	GRAINGER 1964	231.00
9335873379	10528		231.00
678327	09/20/2010	MCCRAY LUMBER COMPANY 3280	31.31
162198	558440		31.31
678328	09/20/2010	MEIERS READY MIX 3338	437.75
297798	10406		437.75
678329	09/20/2010	MUELLER COMPANY 3565	38,157.65
2051818	10227		22,429.75
2056175	10227		7,674.30
2056922	10227		5,606.50
2057774	10227		2,447.10
678330	09/20/2010	SAFETY CONSULTING INC 4335	1,200.00
100842	10624		1,200.00
678331	09/20/2010	SHAWNEE COUNTY REFUSE DEPT 4518	540,370.24

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AUGUST 2010	DE		540,370.24	
678332	09/20/2010	TFM COMM INC	4914	655.36
89114	558925		425.00	
90189	558441		230.36	
678333	09/20/2010	TOPEKA BLUE PRINT INC	5015	8,281.18
154725	10081		65.76	
154744	10497		1,032.86	
154750	10497		34.72	
154835	10497		71.40	
154952	10497		714.61	
156118	10497		37.72	
154246	10081		5,553.77	
154697	10081		770.34	
678334	09/20/2010	WESTERN EXTRALITE COMPANY INC	5382	354.00
S4060181 001	558929		59.86	
S4074675 001	558929		197.24	
S4101501 001	558929		96.90	
678335	09/22/2010	ABOUDS AT WESTERN HILLS	27	138.75
10695	10695		138.75	
678336	09/22/2010	ELECTRONICS SUPPLY CO INC	1505	346.99
1329370	558876		346.99	
678337	09/22/2010	ENVISION	1549	25.00
0003111959	558840		25.00	
678338	09/22/2010	FEDEX	1632	181.18
7 211 21386	558841		181.18	
678339	09/22/2010	GENUINE PARTS COMPANY	1873	28.46
0039356	DE		-27.50	
746359	558492		55.96	
678340	09/22/2010	JACOBSON ASBESTOS COMPANY	2487	50.00
10 19	10637		50.00	
678341	09/22/2010	KANSAS REGISTER	2740	378.00
38628	BONDS	BONDS SER 2010C	182.00	
38629	BONDS	BOND SER 2010A-B	196.00	
678342	09/22/2010	LANKFORD ENTERPRISES INC	2969	3,205.40
12895	559741		3,205.40	
678343	09/22/2010	MID WEST FIRE TRAINING	6897	4,942.80
10020	10737		4,942.80	
678344	09/22/2010	OZARK INTEGRATED PEST SERVICE	3791	530.00
8034	10733		35.00	
8035	10733		230.00	
8726	10733		35.00	
8727	10733		230.00	
678345	09/22/2010	SPRING CITY ELECTRICAL MFG CO	6553	196,638.00
610537	560080		40,950.00	
610558	560080		54,054.00	
610585	560080		45,864.00	
610591	560080		55,770.00	

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678346	09/22/2010	US FOODSERVICE KANSAS CITY 6572	1,808.49
4044612	10684		394.39
4152170	10684		344.58
4231196	10684		160.36
4340717	10684		633.25
4350318	10684		275.91
678347	09/22/2010	RICK'S CONCRETE SAWING 4207	800.00
10 4926	10691		800.00
678348	09/22/2010	TFM COMM INC 4914	31.91
90184	558617		31.91
678349	09/22/2010	WESTERN EXTRALITE COMPANY INC 5382	670.40
S4105099 001	558929		670.40
678350	09/24/2010	FISHER PATTERSON SAYLER & 1690	100.00
61252	550248		100.00
678351	09/24/2010	CORBIN, RON 6892	765.36
TTD BENEFITS 9/1	DE		765.36
678352	09/24/2010	ACTION SIGNS TO GO 43	400.00
42133	558458		200.00
42179	558458		200.00
678353	09/24/2010	AUTO ZONE INC 310	33.54
1635001031	558543		33.54
678354	09/24/2010	BOZARTH CHEVROLET 578	122.60
574348	558467		122.60
678355	09/24/2010	BRATWEAR LLC 595	590.00
317746	559979		590.00
678356	09/24/2010	BRIDGESTONE FIRESTONE NORTH 617	556.56
15332	558469		556.56
678357	09/24/2010	BRIGGS DODGE INC 621	160.23
100444	558470		160.23
678358	09/24/2010	BROWNS SUPER SERVICE INC 670	175.00
79817	558471		175.00
678359	09/24/2010	BRUNDAGE-BONE CONCRETE 6859	254.25
0124186	10835		254.25
678360	09/24/2010	CBS MANHATTAN LLC 854	1,493.25
0605499 IN	10770		1,493.25
678361	09/24/2010	CCG SYSTEMS 855	15,079.00
13568	10811		15,079.00
678362	09/24/2010	COMMUNITY ACTION INC 1051	1,122.11
08302010	560205		1,122.11
678363	09/24/2010	CONSOLIDATED RURAL WATER 1076	1,153.00
10791 AUG 2010	10791		1,153.00
678364	09/24/2010	CONSTRUCTION SOLUTIONS LLC 6931	620.00

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
2116	10767		620.00
678365	09/24/2010	COYOTE CANYON 1153	118.68
69802	558832		39.56
69803	558832		39.56
69804	558832		39.56
678366	09/24/2010	FACTORY MOTOR PARTS COMPANY 5676	3,317.70
14 647513	558565		142.44
2 2806076	558486		696.46
2 2807777	558565		685.02
35 306332	558565		35.61
46 101221	558565		35.61
8 465111	558486		52.82
8 465853	558565		201.66
8 465859	558486		14.00
8 465867	558486		170.44
8 465142	558565		298.66
8 465446	558565		397.58
8 465632	558486		133.21
8 465652	558565		232.20
8 465706	558486		86.16
8 465851	558486		135.83
678367	09/24/2010	FINANCIAL PRINTING RESOURCE 1662	1,780.84
38449	BONDS	DOCUMENT PRINTING-REV BONDS	1,780.84
678368	09/24/2010	GE CAPITAL 6772	11,618.96
73030989	10462		11,618.96
678369	09/24/2010	GUIDANCE SOFTWARE INC 6855	2,864.07
3018610	10537		2,864.07
678370	09/24/2010	HEARTLAND AUTO BODY 2153	1,008.20
1669	10435		1,008.20
678371	09/24/2010	HERITAGE CRYSTAL CLEAN LLC 2200	1,043.37
11542954	558600		347.79
11542955	558600		347.79
11542956	558600		347.79
678372	09/24/2010	HERITAGE TRACTOR INC 2202	32.99
86253	558498		32.99
678373	09/24/2010	HERRMAN'S EXCAVATING INC 2218	199,314.07
555903 11	555903		29,692.33
557946 5	557946		169,621.74
678374	09/24/2010	HONEYWELL FIRST RESPONDER PROD 2296	258.30
648626	559008		258.30
678375	09/24/2010	INFOSEAL LLC 2396	540.00
83586	10865		540.00
678376	09/24/2010	JAYHAWK AUTO INC 2501	493.60
12829 1	10566		493.60
678377	09/24/2010	JERRY'S SPORTS INC 6952	974.59
J166844	10802		189.27
S703563	10551		785.32

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678378	09/24/2010	JOHN HOFFER CHRYSLER PLYMOUTH 2541	1,621.40
139487	558503		85.67
78040	10742		1,535.73
678379	09/24/2010	KANSAS AUTOMOTIVE INC 2639	2,591.47
2324792	558602		118.85
2324894	558602		243.49
2325205	558603		10.16
2325330	558603		46.00
2326306	558505		3.52
2326308	558505		50.06
2329256	558602		1.18
2329297	558505		45.96
2329332	558602		17.47
2329382	558602		294.09
2329418	558575		15.84
2329490	558505		37.11
2328827	558505		7.65
2328958	558602		1.63
2329035	558505		6.42
2329104	558575		13.79
2329160	558602		100.75
2329246	558505		5.20
2328635	558505		1.28
2328733	558602		30.22
2328745	558505		2.80
2328772	558603		54.00
2328794	558505		4.56
2328820	558505		29.29
2328368	558505		32.13
2328382	558575		19.00
2328466	558505		6.53
2328468	558505		88.92
2328552	558505		7.69
2328561	558505		1.55
2327910	558505		18.24
2327923	558505		51.99
2327936	558505		1.80
2328128	558575		28.57
2328235	558575		57.14
2328268	558505		11.58
2327600	558505		80.30
2327639	558575		13.06
2327843	558505		20.74
2327880	558575		6.53
2327887	558505		7.32
2327890	558575		85.76
2327322	558505		15.28
2327404	558505		8.68
2327461	558505		51.80
2327494	558575		7.94
2327537	558575		111.34
2327598	558505		45.82
2326554	558505		17.97
2326716	558505		12.84
2326753	558603		33.48
2326827	558505		49.64
2327034	558505		7.32
2327185	558505		1.81
2326370	558505		2.40
2326377	558505		37.11

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2326492	558575		358.51
2326494	558575		106.96
2326510	558505		7.88
2326549	558575		34.52
678380	09/24/2010	KANSAS DEPT OF HEALTH & ENVIR 2676	2,070.00
10792 #12225 RISH	10792		35.00
10792 #14012 FINC	10792		35.00
PERMIT M KS72 S	10837		2,000.00
678381	09/24/2010	KANSAS DEPT OF HEALTH & ENVIRO 2680	40.00
10785 FACILITY ID	10785		40.00
678382	09/24/2010	KANSAS HUMAN RIGHTS COMMISSION 2715	75.00
WHITE, CINDY	10676		75.00
678383	09/24/2010	KANSAS STATE TREASURER 2757	31,563.65
AUGUST 2010	DE		31,563.65
678384	09/24/2010	KANSAS DEPARTMENT OF REVENUE 6510	1,690.95
0000005581009241		Garnishment - Pct of Net	359.62
0000008671009241		Garnishment - Pct of Net	1,331.33
678385	09/24/2010	LAIRD NOLLER FORD INC 2939	1,920.60
1067452	558510		604.61
1067479	558510		49.34
1067516	558510		151.84
1067520	558510		27.26
1067846	558510		604.60
1067906	558510		58.50
1067991	558577		56.38
1068022	558510		7.28
1067543	558510		70.78
1067592	558577		36.16
1067641	558510		70.78
1067687	558510		37.41
1067774	558510		74.88
1067786	558510		70.78
678386	09/24/2010	LYON COUNTY SHERIFF'S OFFICE 3150	2,790.00
558909 8	558909		2,790.00
678387	09/24/2010	MHC KENWORTH 3375	221.67
T29560062465	558514		221.67
678388	09/24/2010	MIDWAY WHOLESALE TOPEKA 3405	30.40
1553892	558448		30.40
678389	09/24/2010	MIGHTY OF NE KANSAS 3422	32.16
025758	558578		32.16
678390	09/24/2010	MIZE HOUSER & CO INC 3481	967.50
00007471	10305		967.50
678391	09/24/2010	MWH LABORATORIES 3593	930.00
L0036648	10496		930.00
678392	09/24/2010	OZARK INTEGRATED PEST SERVICE 3791	265.00
9140	10733		35.00
9141	10733		230.00

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
678393	09/24/2010	RESER'S FINE FOODS 6932	161.70
10654 PREPAYMEI	10654	FOOD FOR DIVERSITY LUNCH	161.70
678394	09/24/2010	RFB CONSTRUCTION CO INC 4187	108,768.48
1194	557845		188,218.10
1194	557845		-79,449.62
678395	09/24/2010	STROUD, SANDRA K 6999	55.00
9/20/10	DE	CAKE-DUCHESENEAU	55.00
678396	09/24/2010	SCHENDEL SERVICES INC 4390	392.30
21035772	560087		196.15
21035773	560087		196.15
678397	09/24/2010	SHAWNEE COUNTY DISTRICT ATTORN 4505	348.12
692	10155		187.81
693	10155		160.31
678398	09/24/2010	SHAWNEE COUNTY DISTRICT COURT 4506	14,000.00
RES 8285	10845		14,000.00
678399	09/24/2010	SPRING CITY ELECTRICAL MFG CO 6553	64,740.00
610591B	560080		64,740.00
678400	09/24/2010	STANDARD BATTERY INC 4718	897.52
K79144	558584		53.70
K79448	558584		504.65
R19594	558584		149.90
R19595	558584		189.27
678401	09/24/2010	THE TIRE CUTTERS 5633	492.30
1051	10379		492.30
678402	09/24/2010	TIFCO INDUSTRIES 4988	601.53
70633792	559580		601.53
678403	09/24/2010	TOPEKA FOUNDRY & IRON WORKS IN 5029	349.17
6502 BS10	10360		336.10
6600 BS10	10360		13.07
678404	09/24/2010	TOPEKA HARLEY DAVIDSON 5031	612.59
156180	558529		453.69
156185	558529		79.45
156195	558529		79.45
678405	09/24/2010	TRAVELERS INSURANCE COMPANY 5089	5,726.00
1489786	560152		5,726.00
678406	09/24/2010	UNITED PARCEL SERVICE INC 5140	25.02
000018W497340	558730		25.02
678407	09/24/2010	UNITED STATES POSTAL SERVICE 5150	300.00
10809	10809		300.00
678408	09/24/2010	US FOODSERVICE KANSAS CITY 6572	912.60
4474961	10684		912.60
678409	09/24/2010	WELLTRAK LLC 6938	750.00
WT165	10808		750.00
678410	09/24/2010	WYNN'S 5559	248.04

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0003282389	558590		248.04
678448 9/19/10AVBLB	09/24/2010	BECK, LOREN Adult Volleyball 412	96.00 96.00
678449 9/19/10AVBVC	09/24/2010	CARTER, VICTOR R Adult Volleyball 829	64.00 64.00
678450 9/19/10AVBPC	09/24/2010	CLOUSE, PHILLIP J Adult Volleyball 981	72.00 72.00
678451 9/19/10AVBDW	09/24/2010	WALKER, DAMON Adult Volleyball 6927	112.00 112.00
678452 9/19/10ASBGD	09/24/2010	DITCH, GREG Adult Softball 1363	34.00 34.00
678453 9/19/10ABBET	09/24/2010	EDWARD A THOMAS Adult Basketball 6086	51.00 51.00
678454 9/19/10ABBHE 9/19/10AVBHE	09/24/2010	EZELL, HARRY Adult Basketball Adult Volleyball 1597	154.00 34.00 120.00
678455 9/19/10AVBRH	09/24/2010	HUNT, RON Adult Volleyball 6013	84.00 84.00
678456 10817	09/24/2010 10817	ZHAO-BOGGS, JINDI 6943	60.00 60.00
678457 9/19/10AVBJP	09/24/2010	POWELL, JOHNNIE G Adult Volleyball 6928	72.00 72.00
678458 9/19/10ASBKC	09/24/2010	CARY SR, KANONAE S Adult Softball 6803	26.00 26.00
678459 9/19/10ASBKL	09/24/2010	LEWIS, KYLE N 3053	156.00 156.00
678460 9/19/10ABBCL 9/19/10AVBCL	09/24/2010	LOBB, CAREY 3083	64.00 16.00 48.00
678461 9/19/10ABBNL 9/19/10ASBNL	09/24/2010	LUNA, NARCISO Adult Basketball Adult Softball 3138	136.00 51.00 85.00
678462 9/19/10AVBMP	09/24/2010	PERRY, MICHAEL 6147	59.00 59.00
678463 9/19/10ASBCM	09/24/2010	MOCK, CLYDE Adult Softball 3485	34.00 34.00
678464 9/19/10AVBRP	09/24/2010	PATTERSON, RICHARD A Adult Volleyball 3845	108.00 108.00
678465 9/19/10AVBPW	09/24/2010	PAUL WOBUS Adult Volleyball 6165	24.00 24.00
678466 9/19/10AVBNQ	09/24/2010	QUARLES II, NORMAN W Adult Volleyball 4051	90.00 90.00

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<u>Check No.</u>	<u>Check Date/PO #</u>	<u>Vendor Name and Number</u>		<u>Check Amount</u>
678467 9/19/10AVBTR	09/24/2010	ROSS, THOMAS L Adult Volleyball	4296	88.00
678468 9/19/10ASBCS 9/19/10AVBCS	09/24/2010	SMITH, CARL E	4616	66.00
				42.00
				24.00
678469 9/19/10AVBES	09/24/2010	SMITH, ERNEST E Adult Volleyball	6156	180.00
				180.00
678470 9/19/10AVBKT	09/24/2010	THEIS, KENNY Adult Volleyball	4947	48.00
				48.00
678471 9/19/10AVBDW2	09/24/2010	WRIGHT, DENNIS Adult Volleyball	5547	48.00
				48.00
678472 0000008981009241	09/24/2010	CALIFORNIA STATE DISBURSEMENT Child Support - Amt	753	86.54
				86.54
678473 9/19/10ASBCS2 9/19/10AVBCS2	09/24/2010	SMITH, CARL E	4616	33.00
				21.00
				12.00
678474 9/19/10ASBCS3 9/19/10AVBCS3	09/24/2010	SMITH, CARL E	4616	16.50
				10.50
				6.00
678475 9/19/10ASBCS4 9/19/10AVBCS4	09/24/2010	SMITH, CARL E	4616	16.50
				10.50
				6.00
678476 0000010271009241	09/24/2010	FAMILY SUPPORT PAYMENT CENTER Child Support - Amt	6780	225.00
				225.00
678477 UNF110092410191 UNF110092410191	09/24/2010	FRATERNAL ORDER OF POLICEMEN Union Dues - FOP Union Dues - FOP	1773	8,815.47
				126.46
				8,689.01
678478 0000000231009241 0000000301009241 0000000441009241 0000001131009241 0000002041009241 0000008061009241 0000009751009241 0000010031009241 000001161009241 BASS9/24/10 0000005461009241 0000005911009241 0000006861009241 0000007051009241 0000007381009241 0000007811009241 0000002321009241 0000002921009241 0000002971009241 0000003751009241 0000003761009241	09/24/2010 PAYROLL ADJ 	JAN HAMILTON CHAPTER 13 TRUSTE Bankruptcy - Amt 26 PP	2494	5,793.56
				646.62
				50.00
				40.00
				593.08
				70.00
				212.31
				101.54
				162.00
				141.69
				150.70
				150.00
				214.61
				488.31
				276.92
				636.92
				135.00
				296.77
				78.00
				150.00
				95.00
				773.17

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0000005271009241		Bankruptcy - Amt 26 PP	330.92
678479	09/24/2010	KANSAS PAYMENT CENTER 2732	296.40
0000006191009241		Child Support - Amt	296.40
678480	09/24/2010	KANSAS PAYMENT CENTER 2732	84.92
0000009241009241		Child Support - Amt	84.92
678481	09/24/2010	KANSAS PAYMENT CENTER 2732	124.15
0000010221009241		Child Support - Amt	124.15
678482	09/24/2010	KANSAS PAYMENT CENTER 2732	55.85
0000011891009241		Child Support - Amt	55.85
678483	09/24/2010	KANSAS PAYMENT CENTER 2732	113.11
0000011891009241		Child Support - Amt	113.11
678484	09/24/2010	KANSAS PAYMENT CENTER 2732	140.31
0000011931009241		Child Support - Amt	140.31
678485	09/24/2010	KANSAS PAYMENT CENTER 2732	17,712.47
0000000151009241		Child Support - Amt	423.82
0000000231009241		Child Support - Amt	207.23
0000000741009241		Child Support - Amt	357.80
0000000831009241		Child Support - Amt	42.94
0000000861009241		Child Support - Amt	149.08
0000000861009241		Child Support - Amt	163.43
WARD9/24/10	PAYROLL ADJ		11.54
0000018701009241		Child Support - Amt	29.08
0000018701009241		Child Support - Amt	97.85
0000019181009241		Child Support - Amt	69.23
0000019181009241		Child Support - Amt	41.54
BERRY9/24/10	PAYROLL ADJ		-26.54
MARKER9/24/10	PAYROLL ADJ		-11.08
0000011931009241		Child Support - Amt	147.74
0000012001009241		Child Support - Amt	56.31
0000017681009241		Child Support - Amt	20.31
0000018471009241		Child Support - Amt	69.69
0000018541009241		Child Support - Amt	92.31
0000018671009241		Child Support - Amt	191.54
0000011811009241		Child Support - Amt	158.54
0000011921009241		Child Support - Amt	169.43
0000011921009241		Child Support - Amt	23.93
0000010561009241		Child Support - Amt	155.54
0000010731009241		Child Support - Amt	184.61
0000010931009241		Child Support - Amt	138.50
0000010931009241		Child Support - Amt	153.69
0000011321009241		Child Support - Amt	279.78
0000011811009241		Child Support - Amt	335.64
0000009721009241		Child Support - Amt	115.42
0000010021009241		Child Support - Amt	351.80
0000010151009241		Child Support - Amt	144.51
0000010401009241		Child Support - Amt	235.92
0000010431009241		Child Support - Amt	182.83
0000008631009241		Child Support - Amt	314.31
0000008661009241		Child Support - Amt	238.15
0000009241009241		Child Support - Amt	102.69
0000009381009241		Child Support - Amt	287.08
0000009591009241		Child Support - Amt	304.15
0000007911009241		Child Support - Amt	122.77
0000007911009241		Child Support - Amt	153.69

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0000008151009241		Child Support - Amt	461.68
0000008181009241		Child Support - Amt	115.42
0000008271009241		Child Support - Amt	446.45
0000008411009241		Child Support - Amt	46.15
0000007261009241		Child Support - Amt	184.67
0000007321009241		Child Support - Amt	121.88
0000007341009241		Child Support - Amt	415.51
0000007461009241		Child Support - Amt	190.15
0000007651009241		Child Support - Amt	73.41
0000007741009241		Child Support - Amt	86.31
0000005881009241		Child Support - Amt	143.08
0000006241009241		Child Support - Amt	74.10
0000006411009241		Child Support - Amt	267.69
0000006671009241		Child Support - Amt	415.51
0000007171009241		Child Support - Amt	16.15
0000004521009241		Child Support - Amt	198.98
0000004891009241		Child Support - Amt	184.62
0000005151009241		Child Support - Amt	164.36
0000005361009241		Child Support - Amt	385.50
0000005531009241		Child Support - Amt	627.89
0000005861009241		Child Support - Amt	258.54
0000003801009241		Child Support - Amt	50.32
0000003851009241		Child Support - Amt	368.88
0000004001009241		Child Support - Amt	201.52
0000004171009241		Child Support - Amt	169.38
0000004471009241		Child Support - Amt	185.13
0000004521009241		Child Support - Amt	361.85
0000002791009241		Child Support - Amt	172.67
0000002941009241		Child Support - Amt	288.09
0000003181009241		Child Support - Amt	253.92
0000003241009241		Child Support - Amt	957.79
0000003431009241		Child Support - Amt	498.61
0000003761009241		Child Support - Amt	97.54
0000001881009241		Child Support - Amt	256.24
0000001911009241		Child Support - Amt	257.16
0000001931009241		Child Support - Amt	177.75
0000002041009241		Child Support - Amt	383.08
0000002421009241		Child Support - Amt	53.08
0000002421009241		Child Support - Amt	131.08
0000000961009241		Child Support - Amt	230.84
0000001141009241		Child Support - Amt	196.68
0000001191009241		Child Support - Amt	510.16
0000001451009241		Child Support - Amt	481.53
0000001711009241		Child Support - Amt	114.50
0000001721009241		Child Support - Amt	149.82
678486	09/24/2010	PERRY, MICHAEL	6147
8/29/10ASBMP2			25.00
9/12/10AVBMP2			25.00
9/19/10AVBMP2			25.00
678487	09/24/2010	ROSANNE "SOTO" REYES	4283
0000008981009241		Child Support - Amt	286.15
678488	09/24/2010	SUPPORT PAYMENT CLEARINGHOUSE	4831
0000001371009241		Child Support - Amt	239.08
678489	09/24/2010	UNITED STATES TREASURY	5155
0000005581009241		Tax Levy Federal - Pct	1,199.96
KNOWLES9/24/10	PAYROLL ADJ		-9.94

COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/20/2010 and 9/26/2010

Attachment number 2
Page 22 of 22

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
678490	09/24/2010	UNITED STATES TREASURY 5156	92.31
0000011281009241		Tax Payment Agreement	92.31
678491	09/24/2010	WILLIAM GRIFFIN CHAPTER 13 TRU 5446	1,537.69
0000007591009241		Bankruptcy - Amt 26 PP	768.00
TONNIGES9/24/10	PAYROLL ADJ		652.00
0000004751009241		Bankruptcy - Amt 26 PP	117.69
678492	09/24/2010	WISCONSIN SUPPORT COLLECTIONS 5503	87.69
SACHS9/24/10	PAYROLL ADJ		87.69
678493	09/24/2010	A S C PUMPING EQUIPMENT 17	1,009.37
IN0016788	10655		1,009.37
678494	09/24/2010	DAVIS FENCE CO INC 1267	400.00
10736	10736		400.00
678495	09/24/2010	FASTENAL COMPANY 1619	24.71
KSTOP140655	558487		4.26
KSTOP140815	558594		4.73
KSTOP140930	558595		15.72
678496	09/24/2010	GRAINGER 1964	118.26
9341913359	558879		118.26
678497	09/24/2010	NORTHEAST KANSAS HYDRAULICS IN 3705	2,099.95
25312	558517		2,099.95
678498	09/24/2010	ROACH HARDWARE 4230	262.00
133979	558859		15.55
133984	558859		3.65
133991	558859		1.99
134221	558859		8.49
134250	558859		7.48
134292	558859		2.49
135442	558859		1.50
135467	558859		8.45
339511	558859		2.25
135079	558859		3.30
135096	558859		11.92
135149	558859		7.96
135381	558859		10.11
135433	558859		23.19
135435	558859		6.98
134442	558859		3.38
134670	558859		5.30
134804	558859		6.95
134835	558859		103.44
134920	558859		7.63
135022	558859		19.99
678499	09/24/2010	TFM COMM INC 4914	148.85
89260	558752		148.85

Total for Check Payments

1,334,685.17

TOTAL OF PAYMENTS

1,831,784.45

Payment Listing

CB255 Date: 09/27/10
Time: 09:30

JOB SUBMISSION PARAMETERS

User Name: HALL\chartman
Job Name : CB255CH
Step Nbr : 1

Cash Code: 02 OPERATING ACCOUNT
or Cash Code Group:

Transaction Code: SYS AP SYSTEM PAYMENT
Check Date: 092010 - 092610
Check Nbr: -
Company: 1

Transaction Status: All
Report Sequence: C By Transaction Code
Detail Option: Summary

Payment Listing

CB255 Date 09/27/10
Time 09:30

Page 1

Payment Listing
Cash Code 02 OPERATING ACCOUNT
By Transaction Code (Status: All)

Transaction Code SYS AP SYSTEM PAYMENT

Reference Number	Payment Nbr	Co.	Post Date	Pay Date	Void Date	Amount	Status	Payee Name	Pay Group	Proc Grp
ARNOLD JR	678411	1	09/20/10	09/24/10		4.85	Historical	JACKIE W ARNOLD JR	COT	
BARTLETT &	678412	1	09/10/10	09/24/10		50.00	Historical	BARTLETT & WEST ENGI	COT	
HAWK SYSTE	678413	1	09/13/10	09/24/10		865.43	Historical	HAWK SYSTEMS INV	COT	
MASSEY WIL	678414	1	09/08/10	09/24/10		62.49	Historical	WILLIAM MASSEY	COT	
GORRELL MI	678415	1	09/16/10	09/24/10		134.00	Historical	MICA GORRELL	COT	
HERNANDEZ	678416	1	09/01/10	09/24/10		100.00	Historical	THOMAS J HERNANDEZ	COT	
STEWART BR	678417	1	09/01/10	09/24/10		66.00	Historical	BRANDON N STEWART	COT	
REYNOLDS J	678418	1	09/01/10	09/24/10		39.50	Historical	JAMES HAROLD REYNOLD	COT	
LASSITER M	678419	1	09/10/10	09/24/10		6.00	Historical	MICHELLE LASSITER	COT	
BEACH ANNA	678420	1	09/10/10	09/24/10		26.25	Historical	ANNA CORRICK BEACH	COT	
CHURCH OF	678421	1	09/08/10	09/24/10		322.50	Historical	CHURCH OF THE GREAT	COT	
DUSEK DENN	678422	1	09/09/10	09/24/10		10.00	Historical	DENNIS DUSEK	COT	
FRANCIS MA	678423	1	09/09/10	09/24/10		50.00	Historical	MARGARET FRANCES	COT	
GEIL ROBIN	678424	1	09/03/10	09/24/10		18.00	Historical	ROBIN GEIL	COT	
KRUG HOPE	678425	1	09/13/10	09/24/10		17.50	Historical	HOPE KRUG	COT	
MARINEZ LA	678426	1	09/01/10	09/24/10		18.00	Historical	LATOYA MARINEZ	COT	
MILLER JAM	678427	1	09/13/10	09/24/10		200.00	Historical	JAMES MILLER	COT	
SIMON KAYC	678428	1	09/09/10	09/24/10		20.00	Historical	KAYCEE SIMON	COT	
SMITH LISA	678429	1	09/09/10	09/24/10		10.00	Historical	LISA SMITH	COT	
SUNFLOWER	678430	1	09/08/10	09/24/10		15.00	Historical	SUNFLOWER STRIDERS R	COT	
SUNFLOWER	678431	1	09/07/10	09/24/10		50.00	Historical	SUNFLOWER STRIDERS R	COT	
LONGSTAFF	678432	1	09/02/10	09/24/10		18.00	Historical	LORA LONGSTAFF	COT	
RAYE AMY	678433	1	09/03/10	09/24/10		80.00	Historical	AMY RAYE	COT	
LORSON THO	678434	1	09/07/10	09/24/10		355.00	Historical	THOMAS LORSON	COT	
CLEMENS FA	678435	1	09/13/10	09/24/10		50.00	Historical	FAWN CLEMENS	COT	
CUMMINGS D	678436	1	09/07/10	09/24/10		50.00	Historical	DONNA CUMMINGS	COT	
DARBY SHIR	678437	1	09/12/10	09/24/10		50.00	Historical	SHIRLEY DARBY	COT	
DRAIN HELE	678438	1	09/12/10	09/24/10		50.00	Historical	HELEN DRAIN	COT	
GONZALEZ M	678439	1	09/07/10	09/24/10		50.00	Historical	MARIA GONZALEZ	COT	
HAMPTON RO	678440	1	09/07/10	09/24/10		50.00	Historical	ROBERT HAMPTON	COT	
PERKINS CA	678441	1	09/13/10	09/24/10		50.00	Historical	CASSIDY PERKINS	COT	
RUIZ LYNEL	678442	1	09/13/10	09/24/10		50.00	Historical	LYNELLE RUIZ	COT	
SACHS SUSI	678443	1	09/07/10	09/24/10		50.00	Historical	SUSIE SACHS	COT	
SALAS MARI	678444	1	09/13/10	09/24/10		50.00	Historical	MARIA SALAS	COT	
TOLEDO ALI	678445	1	09/07/10	09/24/10		50.00	Historical	ALICIA TOLEDO	COT	
WILLIAMS J	678446	1	09/13/10	09/24/10		50.00	Historical	JANAE WILLIAMS	COT	
MEIER JULI	678447	1	09/07/10	09/24/10		100.00	Historical	JULIE MEIER	COT	
Transaction Code SYS Total						3238.52				
Cash Code 02 Total						3238.52				
Report Total						3238.52				

*** REPORT COMPLETED ***



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www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 21, 2010

+ Back Print

DATE: October 12, 2010

CONTACT PERSON: Bill Hoover/David Thurbon **DOCUMENT #:**

SECOND PARTY/SUBJECT: Roman Catholic Archdiocese of KCK **PROJECT #:** CU10/5

CATEGORY/SUBCATEGORY 020 Resolutions / 001 Special Permits

CIP PROJECT: No

ACTION OF COUNCIL: **JOURNAL #:**

PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., in accordance with Section 18.75.030(c) (2) of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to allow for a vehicle surface parking lot in association with a principal use on property currently zoned "R-2" Single Family Dwelling District and located on the east side of NE Rowley Street approximately 250 feet north of NE Fantine Street in the City of Topeka, Kansas. (CU10/5) (Council District No. 2)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow use of the site for a vehicle surface parking lot in association with a principal use.)

POLICY ISSUE:

Request is consistent with the land use principles of the Comprehensive Plan. See attached Planning Commission minutes for a detailed discussion of the issues.

STAFF RECOMMENDATION:

The Planning Commission recommended this proposal be conditionally **APPROVED** by a vote of **7-0-0** at their **September 20, 2010** meeting as referenced in their attached minutes. The Planning Department recommended that this request be conditionally **APPROVED** as referenced in the attached staff report dated September 20, 2010.

BACKGROUND:

See Staff Report and Governing Body Options.

Adopt the recommendation of the Planning Commission by Resolution (6 votes); Override the Planning Commission's recommendation by a two-thirds majority (7 votes) of the Governing Body membership; or Return such recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

Item #11

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Resolution](#)

[Staff Report](#)

[Site Plan](#)

[Aerial](#)

[Zoning Map](#)

[Application 5 pages](#)

[Planning Commission Minutes](#)

RESOLUTION _____

CONDITIONAL USE PERMIT

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr. in accordance with Section 18.75.030 of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to allow for a vehicle surface parking lot in association with a principal use on property currently zoned "R-2" Single Family Dwelling District and located on the east side of NE Rowley Street approximately 250 feet north of NE Fantine Street in the City of Topeka, Kansas. **(CU10/5) (Council District No. 2)**

BE IT RESOLVED by the Governing Body of the City of Topeka, Kansas, that the application under the provisions of TMC 18.75.030(c)(2), approving a Conditional Use Permit to allow for a vehicle surface parking lot in association with a principal use on property currently zoned "R-2" Single Family Dwelling District and located on the east side of NE Rowley Street approximately 250 feet north of NE Fantine Street in the City of Topeka, Kansas and legally described as follows:

Lots 90, 92 and 94 on Rowley Street in C.R. Jones Addition to the City of Topeka, Shawnee County, Kansas.

Lots 96, 98 and the south ½ of Lot 100 on Rowley Street in C.R. Jones Addition to the City of Topeka, Shawnee County, Kansas.

be, and the same is hereby approved, **subject to:**

- 1. Use and development of the site in accordance with the approved Conditional Use Permit site plan for the site.**

ADOPTED AND APPROVED by the Governing Body of the City of Topeka,

_____, 2010.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

September 20, 2010
Agenda Item #G-2

CONDITIONAL USE PERMIT REPORT

TOPEKA PLANNING DEPARTMENT

CASE NO: CU10/5

by: Roman Catholic Archdiocese of KCK

PROPOSAL: Roman Catholic Archdiocese of KCK, as property owner, requests a Conditional Use Permit "CUP" to establish a *vehicle surface parking lot*, on property zoned "R-2" Single-Family Dwelling District, located on the eastside of NE Rowley Street between NE Seward Avenue and NE Fantine Street the centerline of the subject property is approximately 280' north of NE Fantine Street. The *vehicle surface parking lot* is located on property zoned "R-2" Single Family Dwelling District and is in association with a principal use (Sacred Heart Church & Parochial School) on property zoned "X-1" Mixed Use District, located at 1725 NE Seward Avenue.

LOCATION: Eastside of NE Rowley Street between NE Seward Avenue and NE Fantine Street the centerline of the subject property is approximately 280' north of NE Fantine Street.

PRESENT USE: The subject property is vacant land.

PROPOSED USE: In accordance with Topeka Municipal Code TMC 18.75.030(c)(2), the applicant requests a Conditional Use Permit "CUP" to allow for a vehicle surface parking lot in an "R-2" Single-Family Dwelling District. The CUP is located on property zoned "R-2" Single Family Dwelling District and is in association with a principal use located at 1725 NE Seward Avenue, being Sacred Heart Church & Parochial School, which is in an "X-1" Mixed-Use District. The parking lot is to be used solely in conjunction with activities of the church/school located at 1725 NE Seward Avenue.

CHARACTER OF NEIGHBORHOOD: The subject property is located within the Oakland NIA District. The neighborhood consists primarily of residential dwellings.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	"R-2" Single-Family Dwelling District	Residential/Sacred Heart Church & Parochial School
South:	"R-2" Single-Family Dwelling District	Residential
East:	"R-2" Single-Family Dwelling District	Residential

September 20, 2010
Agenda Item #G-2

West: "R-2" Single-Family Dwelling District

Residential

GUIDELINES FOR EVALUATION: In considering an application for a CUP, the Planning Commission and Governing Body will give consideration to the following criteria in order to protect the integrity and character of the zoning district in which the proposed use is located; and to minimize adverse effects on surrounding properties and the neighborhood, all conditional use permit applications shall be evaluated in accordance with the guidelines established in TMC 18.215.030.

1. **The conformance of the proposed use to the Comprehensive Plan and other adopted planning policies:** The Comprehensive Plan designates this area as *Urban/Suburban Low Density Residential* land use. The subject property also lies within the Oakland Neighborhood Improvement Association (NIA) District. The adopted Oakland Neighborhood Plan element of the Comprehensive Plan (adopted in February 2004) designates the subject site for *Residential - Low Density (Urban)* land use and states: *"New development in this area should be compatible with the existing single-family character, which could include such uses as churches..."* As the vehicle surface parking facility proposed by this CUP is in conjunction with a principal use, the Sacred Heart Church & Parochial School the proposal is found to be compliant with the Oakland Neighborhood Plan. Therefore, the site plan as proposed is viewed as being consistent with the Comprehensive Plan.
2. **The character of the neighborhood including but not limited to: land use, zoning, density, architectural style, building materials, height, structural mass, sitting, open space and floor-to area ratio:** The surrounding neighborhood is made up primarily of the church and school site and single-family residential properties.
3. **The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning and uses:** The Sacred Heart Church & Parochial School has been a vital part of the neighborhood and community for decades. It is evident the Oakland Neighborhood Plan acknowledges that these types of uses play an important role in the community as the plan's Profile Summary of the Oakland –South area which lists the strengths of the neighborhood states: *"The neighborhood contains an number of important institutions – Chase Middle, State Street Elementary...and a number of churches – that provide community anchors and quality of life amenities for the neighborhood."* This plan further indicates that within the *Residential - Low Density (Urban)* land use classification (within which the church and subject site are located) uses such as churches, small-scale day-cares and like institutional uses are considered compatible with the existing single-family character of the neighborhood. The plan recognize the expansion of institutional uses will occur within the residential areas but should pose minimal adverse impact as the plan states: *"Anticipated expansions are within low-density residential areas and should not pose any negative impacts on surrounding blocks."* The proposal is therefore, viewed as being in harmony with the surrounding zoning classifications and land uses.
4. **The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations:** The site's proximity makes it a viable area for future residential development as indicated by the areas underlying "R-2" Single-Family Dwelling

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District zoning designation. However, the proposed use as a parking lot exclusively for use by the Church and school will serve to help strengthen the churches position as a community anchor which provides quality of life amenities for the neighborhood by providing much needed parking for the church and school.

5. **The length of time the property has remained vacant as zoned:** The property has remained undeveloped since it was platted.
6. **The extent to which the approval of the application would detrimentally affect nearby properties:** As conditioned there is anticipated to be no detrimental affects on any surrounding properties. The Oakland Neighborhood Improvement Association met on August 16, 2010 and expressed support for the Conditional Use Permit as proposed; and the drainage report as submitted by the Consultant to the City of Topeka Department of Public Works was approved pursuant memo dated September 1, 2010.
7. **The extent to which the proposed use would substantially harm the value of nearby properties:** Staff is unaware of any harm the proposed parking lot area would have on the nearby properties. The landscaping proposed with the development should improve the sites appearance and have a positive affect on the surrounding area.
8. **The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the use, or present parking problems in the vicinity of the property:** No adverse affects are anticipated.
9. **The extent to which the proposed use would create excessive air pollution, water pollution, noise pollution or other environmental harm:** None anticipated.
10. **The economic impact of the proposed use on the community:** No detrimental economic impact to the community is anticipated.
11. **The gain, if any, to the public health, safety and welfare due to denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application:** There appears to be no particular public gain in respect to health, safety and welfare by denying the requested application.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Application: **Complete**

Minimum Lot Area: **Compliant.**

Setbacks: **Compliant.**

Platting: **Compliant** – C.R. Jones Addition.

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CONCERNS OF STAFF AND REVIEWING AGENCIES: All essential public utilities, services and facilities are presently available to the site and will not be overburdened by this proposal. This request has been submitted to all applicable reviewing agency staff for consideration and comment. No significant issues or concerns were expressed by reviewing staff relative to code compliance or the provisions of public services.

ADDITIONAL FACTORS:

1. Neighborhood Improvement Association: Oakland.
2. Capitol Plaza Area: Not Applicable.
3. Flood Hazard Area: Not Applicable.
4. Airport Hazard Area: Not Applicable.
5. Historic Properties: No Registered Properties within 500-feet.

STAFF RECOMMENDATION:

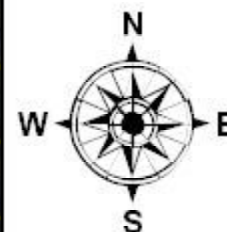
Based upon the above findings and analysis Planning Staff recommends **APPROVAL** of this proposal, subject to the following conditions:

1. Use and development of the site in accordance with the Conditional Use Permit site development plan approved by the Planning Commission.
2. Applicant is to obtain the necessary "Parking Lot Permit" for construction of the proposed parking facility from the City of Topeka Development Services Department prior to construction and is to meet all conditions required by said permit.

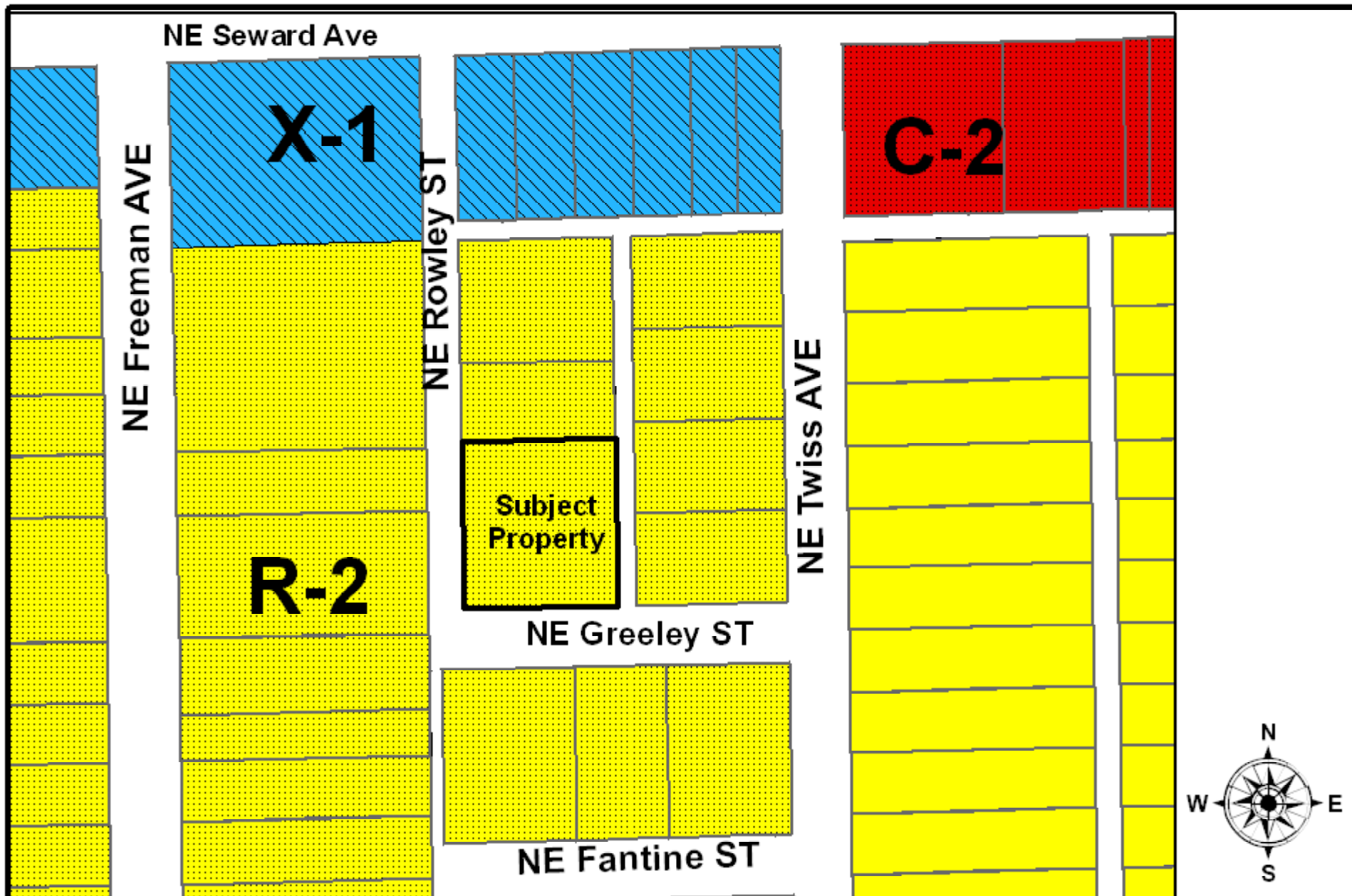
Prepared by: Dean W. Diediker
Planner II

CONDITIONAL USE PERMIT FOR SACRED HEART CHURCH PARKING LOT

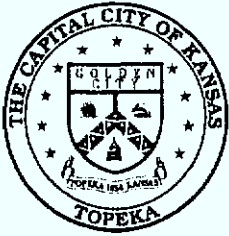
1. 1/2" = 1' SCALE
 2. 1/4" = 1' SCALE
 3. 1/8" = 1' SCALE
 4. 1/16" = 1' SCALE
 5. 1/32" = 1' SCALE
 6. 1/64" = 1' SCALE
 7. 1/128" = 1' SCALE
 8. 1/256" = 1' SCALE
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 12. 1/4096" = 1' SCALE
 13. 1/8192" = 1' SCALE
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 15. 1/32768" = 1' SCALE
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 17. 1/131072" = 1' SCALE
 18. 1/262144" = 1' SCALE
 19. 1/524288" = 1' SCALE
 20. 1/1048576" = 1' SCALE
 21. 1/2097152" = 1' SCALE
 22. 1/4194304" = 1' SCALE
 23. 1/8388608" = 1' SCALE
 24. 1/16777216" = 1' SCALE
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CU10/5 by Roman Catholic Archdiocese of KCK



CU10/5 by Roman Catholic Archdiocese of KCK



Zoning Application Form

(including PUDs and CUPs)

City of Topeka Planning Department
620 SE Madison, 3rd Floor (Unit #11)
Topeka, KS 66607-1118
Phone 785-368-3728 Fax 785-368-2535
www.topeka.org/planning

Applicant Information

Property Owner(s): Roman Catholic Archdiocese of Kansas City in Kansas
c/o Leon Roberts, Construction and Real Estate

Street Address: 12615 Parallel Ave

City: Kansas City State: KS Zip: 66109 E-mail: _____

Work phone: 913.647.0361 Home phone: _____ Fax: _____

Authorized Owner Representative (if any): _____

Street Address: _____

City: _____ State: _____ Zip: _____ E-mail: _____

Work phone: _____ Home phone: _____ Fax: _____

Authorized Professional Agent (Engineer, Architect, Attorney, etc.) – if different from above _____

Street Address: _____

City: _____ State: _____ Zip: _____ E-mail: _____

Work phone: _____ Home phone: _____ Fax: _____

Authorization

I (we) am (are) the owner(s) of record for the subject property and hereby authorize filing of this application and any agent listed in this application to represent the owner(s). I (we) allow posting of signage on the property by the City of Topeka for the requested zoning change. I (we) declare that all submitted information is complete and accurate. I (we) hereby acknowledge that all zoning application procedures have been reviewed and understood as part of this submittal.

Owner 1 Name: The Catholic Archdiocese of Kansas City in Kansas

Owner 1 Signature: Rev. Patrick Riley Date: 08/05/2010

Owner 2 Name: _____

Owner 2 Signature: _____ Date: _____

Requested Action and Site Information

Address or Location of Property to be Re-Zoned: No address.On East side of NE Pawley St, ± 250' north of NE Fentine St.
90-98 evenLegal Description of Property*: lot(s) 1/2 100 block C.R. Jones Add.

lot(s) _____ block _____ subdivision _____

*if unplatted, attach metes and bounds description

Total Area (acres/square feet): 0.39 Ac.

Type of Application:

1. Re-zoning from: _____ to: _____
2. Planned Unit Development (PUD) zoning use group(s): _____
3. Conditional Use Permit (CUP) proposed use: Paved parking lot, detached from main property, Church.

Existing Use(s) on the property: Unpaved parking lot on property zoned as R2How long has the existing use been active on the property? ± 45 years

Proposed Use(s), if known (please describe to ensure conformity to the proposed zoning):

Paved parking lotWas a Pre-Application Meeting or Zoning Inquiry completed with Staff? yes If Yes, when? May 27, 2010

FOR OFFICE USE ONLY

Date submitted: 8/6/10Date notice sent: 8/27/10Application no.: CU10/5Date advertised: 8/30/10Filing fee: 700⁰⁰ ^{Dep.} Receipt no.: 1109Date of hearing: 9/30/10Council district: #2NIA/NA: Oakland NIA

Items Missing? Yes ___ No ___ List any incomplete items:

Applicant Justification

This section is intended to provide you with the opportunity to present information in support of your request. It is important to bear in mind that the presumption of validity rests with the present zoning and use of the property. It is the burden of the applicant to demonstrate that the proposed change in zoning or proposed conditional use is appropriate. Please attach additional sheets if necessary.

1. How is the land more suitable for the uses allowed under your proposed zoning vs. the uses allowed under the current zoning?

Current usage is an unpaved parking lot on land zoned R2. Our proposal is to obtain a conditional use permit to allow construction of a paved parking lot because the property is separated from the main property site of 312 NE Freeman St by Rowley St. right of way.

The usage will not change, but the property will be improved from unpaved parking lot to paved parking lot w/ landscaping.

2. What effect would the proposed zoning have on the character of the neighborhood and surrounding properties?

It will improve the character of the neighborhood through development of vacant land to improved land and will help improve surrounding land values, stabilize neighborhood decay.

3. If known, how does the proposed zoning conform to the City's Comprehensive Plan?

unknown

Real Property Tax Status

As part of the official application for a zoning amendment, the Zoning Regulations of the City of Topeka require:

"Proof that all real property taxes are paid to date and are current for the subject property. In the event real property taxes including any special assessments are delinquent, the application shall not be scheduled for public hearing until such time all taxes are paid or satisfactory escrow arrangements for the payment of such taxes or special assessment have been made and presented to the City Attorney's Office for approval."

There are two ways to provide proof with this application:

1. Submit a copy of the property's tax status found on-line at the Shawnee County Appraiser's web-site (<http://www.co.shawnee.ks.us/Api/>). Click on "residential search" or "commercial search", input the address, and follow the links to the property's tax information. Print off the Shawnee County Treasurer's page indicating the amount of any unpaid property tax.

OR

2. Complete the information below at the Shawnee County Register of Deeds and the Shawnee County Treasurer for verification of real property tax/special assessment status. Both offices must sign the form below for it to be complete. The Register of Deeds and Treasurer of Shawnee County, Kansas, are located in the Shawnee County Courthouse, 200 S.E. 7th Street, Topeka, Kansas, Rooms 108 and 101, respectively

Applicant

Property Address: East of Rowley St, 250 ft N of Fantine St

Owner of Record Name(s): Roman Catholic Archdiocese in KCK

Legal Description: _____

Shawnee County Register of Deeds

Property Identification Number (PIN): _____

X _____
Shawnee County Register of Deeds

Date

Shawnee County Treasurer

As of this date, I hereby certify that the real property tax liabilities and special assessments applicable to the property described and identified above, to be of the following status:

Paid in Full _____ Current _____ Delinquent _____ In Dispute _____ Exempt _____

X _____
Shawnee County Treasurer

Date

Property tax exempt.
8/6/10
Amur, Planning.

Infrastructure Availability (optional)

Please consult the Engineering Division of Topeka Public Works Department for information below (368-3842)

1. Water

- a. Location and size of water main serving site:
2" on South and East sides
- b. Does the current system have adequate capacity?
N/A

2. Sanitary Sewer

- a. Location and size of sewer main serving site:
8" on East side
- b. Does the current system have adequate capacity? If not, are improvements anticipated?
N/A

3. Storm Drainage

- a. How will storm water run-off be handled on site?
Storm sewer system and on site detention/retention
- b. Does the current storm sewer system have adequate capacity for proposed use?
Yes, with proposed mitigation listed in 3a above.

4. Traffic Circulation

- a. What are the site's existing and proposed access points?
*Existing - open access from East side of unimproved Rowley St.
open access from North side of unimproved Greeley St.
Proposed - one access point at Northwest corner of proposed parking lot,
at West line of Lot 98 on Rowley St, C.R. Jones Add.*
- b. Are any street or traffic control improvements proposed?
*Not on public street. Traffic flow in parking lot is proposed as
one-directional, to improve ingress-egress at Rowley St. access.*

DRAFT

**Minutes of the
Topeka Planning Commission
Monday, September 20, 2010**

CU10/5 by Roman Catholic Archdiocese of Kansas City in Kansas requesting a Conditional Use Permit to allow for a vehicle surface parking lot in association with a principal use on property currently zoned "R-2" Single Family Dwelling District located on the east side of NE Rowley Street approximately 250 feet north of NE Fantine Street. **(Diediker)** Dean Diediker summarized the staff report.

Proponents:

Joe Singer, member of the parish, spoke in favor of the proposal. He said in recent years two churches combined to make one large congregation. He stated the property is currently a grassy lot and has been being used as a parking lot which needs to be surfaced. This will benefit the community. It is closed in on all sides by houses, it is not easily seen from a major through fare and the adjoining properties will benefit from the lighting.

Pablo Cortez, neighbor of the parish, spoke in favor of the proposal. Mr. Cortez stated he currently mows the lot and it is a good idea to surface it. It will be a good area for the children to play during the daytime.

Mr. Jaramillo, member of Guadalupe Church, had a few questions. He asked exactly where this is located. Mr. Diediker stated southeast of the church. A map was given to Mr. Jaramillo. He said he owns a property on NE Seward Avenue. He stated he understands the plan now and is in agreement with it.

Peter Hancock asked what about water drain-off and retention/detention on the property? Mr. Diediker replied there will be rain gardens on site to deal with the runoff. It is on the site plan, located in the southeast corner of the lot.

No one spoke in opposition to the proposal.

John Federico moved approval as written by staff, seconded by Dawn Wright. **APPROVAL. (7-0-0)**

Item #12

- Governing Body membership; or,
- Return such recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Staff Report](#)

[Application](#)

[PUD Master Plan](#)

[Aerial Map](#)

[Zoning Map](#)

[Ordinance](#)

[Planning Commission Minutes](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. 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 2056 SW Central Park Avenue from "O&I-1" Office and Institutional District **TO** “PUD” Planned Unit Development District (“O&I-1” use group, plus a contractor’s office and home improvement/building supply store with only interior display, inventory, processing and servicing for non-O&I-1 uses). **(PUD10/9) (Council District No. 3)**

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 follow described property:

Part of the SE ¼ of Section 1, Township 12 south, Range 15 east of the 6th P.M., corresponding to all of Lots 796, 798 and 800, and Lots 802 except the south 11 feet thereof, Central Park Avenue, formerly Clay Street, Block 13, Steele’s Addition (now vacated) to the City of Topeka, Shawnee County, Kansas.

Section 2. The development of the site is from "O&I-1" Office and Institutional District **TO** “PUD” Planned Unit Development District (“O&I-1” use group, plus a contractor’s office and home improvement/building supply store with only interior display, inventory, processing and servicing for non-O&I-1 uses). **Subject to:**

- 1. Use and compliance of the site in accordance with the recorded Master Planned Unit Development Plan for Kansas Rebuilders, L.L.C.**

Section 3. The Master PUD Plan for Kansas Rebuilders, L.L.C. 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 4. This Ordinance Number shall be fixed upon the "District Map".

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED by the Governing Body of the City of Topeka,
_____, 2010.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____

Not To Be Codified **X**

September 20, 2010
Agenda Item #G-1

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: PUD10/9 Kansas Rebuilders, LLC PUD

by: Larry D. McCollum

PROPOSAL: A request to amend the District Zoning Classification from “O&I-1” Office and Institutional District to “PUD” Planned Unit Development District (“O&I-1” use group plus a home improvement and building supply store and contractor’s office with all product display, inventory, processing, and servicing for these additional uses within completely enclosed buildings and with a reduced front yard setback).

LOCATION: 2056 SW Central Park Avenue (NE corner of SW 21st Street and SW Central Park Avenue).

PRESENT USE: The subject property is 12,121 square feet with a small one-story building of about 815 square feet within its SE corner. The building has been vacant for more than 5 years and is currently boarded up.

PROPOSED USE: The applicant desires to remodel the existing building and either enlarge this building or add a second attached building to the west in order to utilize the site for a home improvement and building supply store and contractor’s office, with all display and inventory within a fully enclosed structure. Additionally, the applicant said he may lease out a portion of the structure for a CPA or other professional office. The applicant is requesting a variance for the front yard setback along SW 21st Street with it being reduced from 25 feet to the same setback for the existing building (estimated at 7 feet).

BACKGROUND/EXISTING CONDITIONS: A very small home/garage that was built in 1960, sits in the very SE corner of this lot. The applicant said the building was used for a saw sharpening business about 12 to 15 years ago. The building has been boarded up and vacant for over the last five years.

CHARACTER OF NEIGHBORHOOD: This area is along the southern boundary of the Chesney Park NIA. Within a few blocks of the subject property commercial uses are found on the north side of SW 21st Street and as one travels north it generally transitions into residential uses. According to the 2007 Neighborhood Health Map, the Chesney Park Neighborhood is designated as “Intensive Care”. Commercial uses and a Westar sub-station make up most of the uses on the south side of SW 21st Street in this neighborhood.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	”M-1” Two-Family Dwelling District	Single-family home
South:	”M-1” Two-Family Dwelling District	Social assistance facility
East:	”M-2” Multi-Family Dwelling District	Skilled nursing facility (Rose Villa)
West:	”C-3” Commercial District	Car wash

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LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The subject property has been boarded up and been vacant for over five years.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The site's present classification is consistent with the established pattern of zoning and land use in the area and can be viewed as being suitable for uses to which it has been restricted. However, since the building has been vacant and boarded up for over five years other uses may be more suitable for the land.

CONFORMANCE TO COMPREHENSIVE PLAN: This property is within the Chesney Park Neighborhood Improvement Association and the Chesney Park Neighborhood Plan serves this neighborhood. The Neighborhood Plan designates this area as *Office/Residential* and a *Transitional Area* on its future land use map. The Plan suggests that if non-residential development is pursued within the Transitional Areas that it be done via a PUD, so the site can be tailored with proper land uses, building design and buffering. This proposal is viewed as being consistent with our Comprehensive Plan.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: The proposed amendment would permit the subject property to redevelop consistent with the established pattern of zoning and land use in the area and the proposed changes should have positive impacts on nearby properties.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: As no detrimental effects are anticipated, there would appear to be no particular gain to the public health, safety, and welfare by maintaining the present restrictions.

AVAILABILITY OF PUBLIC SERVICES: All essential public utilities, services and facilities are presently available to this property and will not be overburdened by this proposal.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Application: **Complete.**

Minimum Lot Area: **Compliant.**

Setbacks: **Compliant** with approval of this PUD rezoning.

Platting: **Compliant.**

CONCERNS OF STAFF AND REVIEWING AGENCIES: This request has been submitted to all applicable reviewing agency staff for consideration and comment. The reviewing staff, outside the Planning staff, had no concerns related to the proposed changes for this project. Planning staff made the following suggestions to the applicant and those suggestions are shown on the latest site plan: have a

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stone monument sign, relocate the dumpster to just north of the existing building, provide a 6' wide residential buffer along the north property line, improve the parking layout, relocate the proposed building expansion area to the west so it extends the building frontage along SW 21st Street, and add architectural review standards for any proposed new buildings or building additions.

ADDITIONAL FACTORS:

1. Neighborhood Improvement Association: This site is within the Chesney Park NIA and the proposed changes are compatible with the Chesney Park Neighborhood Plan. At the Chesney Park NIA weekly meeting on September 7, 2010, they discussed this proposed rezoning and advised two City Planners in attendance, that they "strongly supported" it.

2. Capitol Plaza Area: Not applicable.

3. Flood Hazard Area: The proposed 2009 FEMA maps show the subject property and all nearby properties to be within the AE Flood Zone (1% annual chance of flooding) with a base flood elevation of 906.5 feet. Development Services has recommended that all new structures and any improvements to the existing building that are 50% or more of its currently Shawnee County's appraised value of \$5500 meet the AE Flood Zone standards.

4. Airport Hazard Area: Not applicable.

5. Historic Properties: Not applicable.

STAFF RECOMMENDATION:

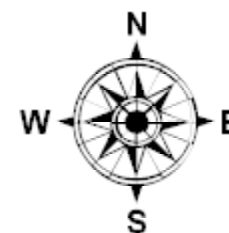
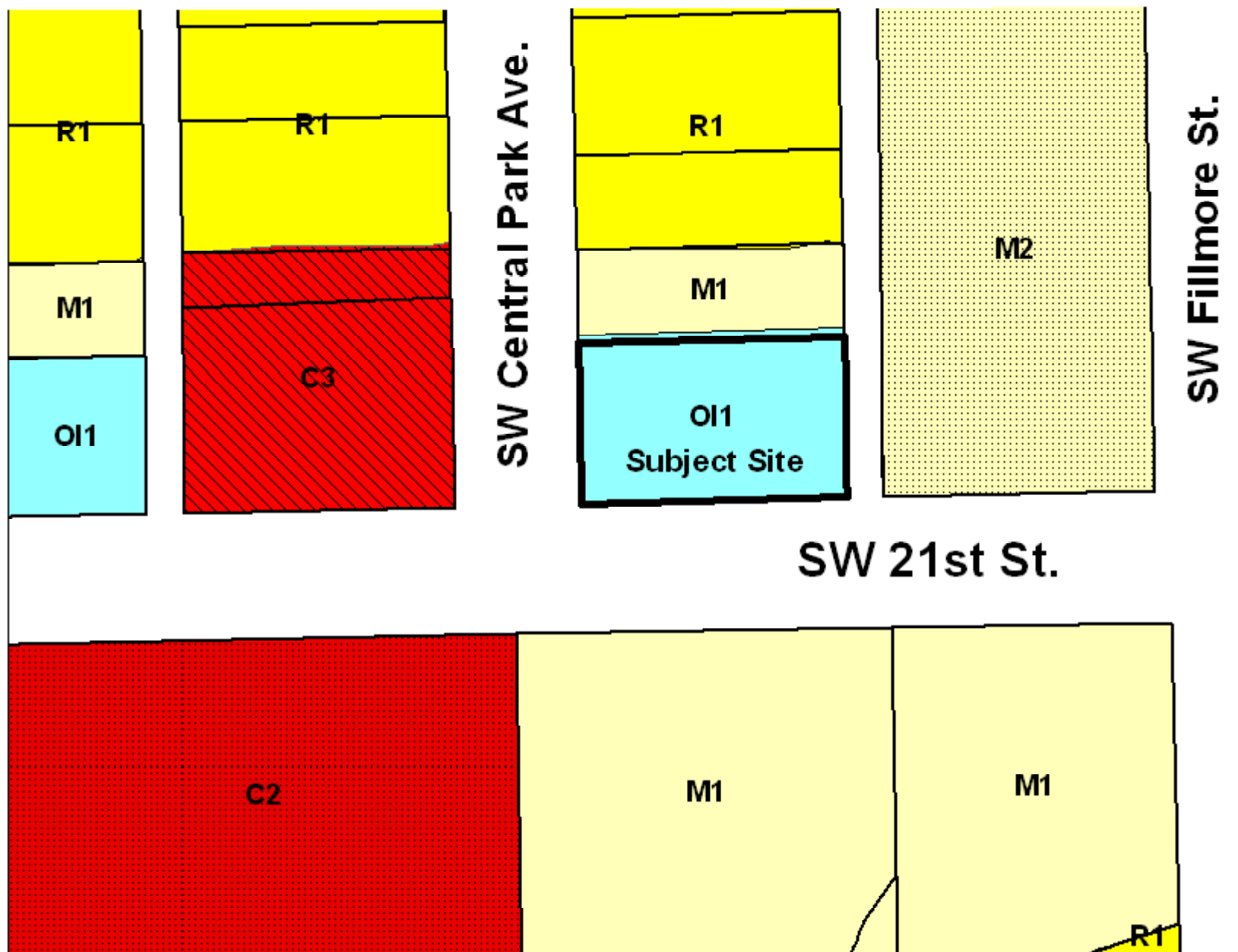
Based upon the above findings and analysis Planning Staff recommends **APPROVAL** of the proposal subject to the following conditions:

1. Use and development of the site in substantial accordance with the recorded PUD Master Plan of the Kansas Rebuilders Planned Unit Development Plan.
2. Remove "chain link with slats" as one of the options for the gate and fence around the dumpster area on the PUD Master Plan and such fence/gate to be a minimum of at least 6' in height.

Prepared by: Bill Hoover, AICP
Planner III



PUD10/9 by Kansas Rebuilders, LLC

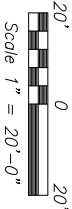


PUD10/9 by Kansas Rebuilders, LLC

LEGAL DESCRIPTION: A tract of land part of the Southeast Quarter of Section 1, Township 12 South, Range 15 East of the 6th P.M., corresponding to all of Lots 796, 798 and 800, and Lot 802 except the South 11 feet thereof, Central Park, Avenue, formerly Clay Street, Block 13, STEELERS ADDITION (now vacated) to the City of Topeka, Shawnee County, Kansas, SITE AREA +/- 12,121 square feet.

LEGAL DESCRIPTION: A tract of land part of the Southeast Quarter of Section 1, Township 12 South, Range 15 East of the 6th P.M., containing to all of Lots 796, 798 and 800, and Lot 802 except the South 11 feet thereof, Central Park Avenue, formerly Clay Street, Block 13, STEELES ADDITION (now vacated) to the City of Topeka, Shawnee County, Kansas. SITE AREA +/- 12,121 square feet.

Western sub-station	Social Assistance Facility
---------------------	----------------------------



Notary Public _____

My Commission Expires: _____

OWNERS CERTIFICATE: Kansas Rebuilder's, LLC, agrees to comply with the conditions and restrictions as set forth on the PUD Master Plan.

In Testimony Whereof:

The Owner(s) of the above described property, Kansas Rebuilder's, LLC, have signed these presents this _____ day of _____, 2010.

Notary Public _____
My Commission Expires: _____.

Project Program:
O&L-1 Use Group plus home improvement and building supply store and contractor's office with all product display, inventory, processing, and servicing within completely enclosed buildings for the additional uses.

Project Performance Objective:

Develop a home improvement and building supply store and contractor's office with all product display, inventory, processing, and servicing within completely enclosed buildings. An office for professional use, such as accountant, insurance, etc., may also be included.

Landscaping Notes:

1. A Landscape Plan shall be submitted prior to any building permits being issued for a new parking lot or building expansion. Such Landscape Plan shall meet the requirements of Chapter 18.235 Landscape Requirements of the TMC.
2. All evergreen trees within the 6' residential buffer shall be at least 4" high at time of planting.

Building and Structure Notes:

Prior to issuance of any building permit for a renovation of the existing building or any new buildings, building elevation drawings shall be submitted to the Planning Department for review and approval showing the proposed vertical construction is compatible with quality residential and office structures in this neighborhood. Total building area shall not exceed 3,215 sq. ft. and one-story in height.

Parking, Circulation & Traffic Note:

1. Required parking = 1 space for 400 sq. ft. Required parking = 7-9 spaces. Total provided = 9 spaces.
2. Parking area shall be paved and striped but fenced dumpster area may be gravel to minimize noise upon pick up and delivery.

Variance:

Pursuant to Section 18.125.040(c) of the TMC, the Topeka Planning Commission hereby grants a variance for front yard setbacks along SW 21st Street from 25 feet to its current location (approximately 7 feet).

General Notes:

1. Prior to any building permits being pulled for a new building or for building expansion a PUD site plan shall be submitted and approved.
2. All applicable use group regulations apply unless stated otherwise.
3. Pursuant to Section 18.190.006(b) of the TMC the applicant must record the PUD Master Plan with the Shavane County Register of Deeds within 60 days of approval by the Governing Body. Failure by the applicant to record the Plan within the prescribed time period or to provide the Planning Department 15 copies of the recorded plan within 90 days of the approval date by the Governing Body shall deem the zoning petition null and void.
4. Use and development of the subject site shall be in substantial accordance with the recorded PUD Master Plan.

DATE:	DRAWN BY:	CHECKED BY:	REV: SEPT.21, 2010
SEPT. 2, 2010	KDC	CSP	-

A circular professional engineer seal for Charles Stanley Peterson. The outer ring contains the text "CHARLES STANLEY PETERSON" at the top and "PROFESSIONAL ARCHITECT" at the bottom. The inner circle contains the text "KANSAS" on the left and "LICENSED" on the right, with the license number "2299" in the center.

PAG JOB NO. 2010-013

PUD PLAN



Zoning Application Form

(including PUDs and CUPs)

City of Topeka Planning Department
620 SE Madison, 3rd Floor (Unit #11)
Topeka, KS 66607-1118
Phone 785-368-3728 Fax 785-368-2535
www.topeka.org/planning

Applicant Information

Property Owner(s): Larry D. McCollum

Street Address: 3937 SW Garden Lane

Attachment number 6
Page 1 of 5

City: Topeka State: KS Zip: 66614 E-mail: ldmccollum@hotmail.com

Work phone: 806-0089

Home phone: _____

Fax: _____

Authorized Owner Representative (if any): NA

Street Address: _____

City: _____ State: _____ Zip: _____ E-mail: _____

Work phone: _____ Home phone: _____ Fax: _____

Authorized Professional Agent (Engineer, Architect, Attorney, etc.) – if different from above

NA

Street Address: _____

City: _____ State: _____ Zip: _____ E-mail: _____

Work phone: _____ Home phone: _____ Fax: _____

Authorization

I (we) am (are) the owner(s) of record for the subject property and hereby authorize filing of this application and any agent listed in this application to represent the owner(s). I (we) allow posting of signage on the property by the City of Topeka for the requested zoning change. I (we) declare that all submitted information is complete and accurate. I (we) hereby acknowledge that all zoning application procedures have been reviewed and understood as part of this submittal.

Owner 1 Name: Larry D. McCollum

Owner 1 Signature: [Signature]

Date: 8-6-10

Owner 2 Name: _____

Owner 2 Signature: _____

Date: _____

Requested Action and Site Information

Address or Location of Property to be Re-Zoned: 2056 SW Central Park
(NE corner of SW Central Ave. + SW 21st St.)

Legal Description of Property*: lot(s) _____ block _____ subdivision Steele's

lot(s) _____ block _____ subdivision _____
*See attached deed
*if unplatted, attach metes and bounds description

Total Area (acres/square feet): 12,121 $\frac{1}{2}$ s.f.

Type of Application:

1. Re-zoning from: O+I-1 to: PUD

2. Planned Unit Development (PUD) zoning use group(s): O+I-1 uses plus home improvement

+ building supply store with only interior display, inventory, processing and servicing.

3. Conditional Use Permit (CUP) proposed use: -

Existing Use(s) on the property: Boarded up small building

How long has the existing use been active on the property? MORE THAN 5 YEARS

Proposed Use(s), if known (please describe to ensure conformity to the proposed zoning):

Home improvement and building supply store with all display, inventory, processing and servicing within an enclosed building.

Was a Pre-Application Meeting or Zoning Inquiry completed with Staff? Yes If Yes, when? 7-21-10

FOR OFFICE USE ONLY

Date submitted: 8/10/10

Application no.: PUD10/9

Filing fee: 950@ deposit Receipt no.: 1109

Date notice sent: 8/27/10

Date advertised: 8/30/10

Date of hearing: 9/20/10

Council district: H3

NIA/NA: Chesney Park NIA

Items Missing? Yes ___ No ___ List any incomplete items:

Applicant Justification

This section is intended to provide you with the opportunity to present information in support of your request. It is important to bear in mind that the presumption of validity rests with the present zoning and use of the property. It is the burden of the applicant to demonstrate that the proposed change in zoning or proposed conditional use is appropriate. Please attach additional sheets if necessary.

1. How is the land more suitable for the uses allowed under your proposed zoning vs. the uses allowed under the current zoning?

Existing building is boarded up.

Attachment number 6
Page 3 of 5

2. What effect would the proposed zoning have on the character of the neighborhood and surrounding properties?

Improve it.

3. If known, how does the proposed zoning conform to the City's Comprehensive Plan?

*Conforms to Chesney Park Neighborhood Plan
as a Transitional Use.*

Real Property Tax Status *NA*

As part of the official application for a zoning amendment, the Zoning Regulations of the City of Topeka require:

"Proof that all real property taxes are paid to date and are current for the subject property. In the event real property taxes including any special assessments are delinquent, the application shall not be scheduled for public hearing until such time all taxes are paid or satisfactory escrow arrangements for the payment of such taxes or special assessment have been made and presented to the City Attorney's Office for approval."

There are two ways to provide proof with this application:

1. Submit a copy of the property's tax status found on-line at the Shawnee County Appraiser's web-site (<http://www.co.shawnee.ks.us/Api/>). Click on "residential search" or "commercial search", input the address, and follow the links to the property's tax information. Print off the Shawnee County Treasurer's page indicating the amount of any unpaid property tax.
2. Complete the information below at the Shawnee County Register of Deeds and the Shawnee County Treasurer for verification of real property tax/special assessment status. Both offices must sign the form below for it to be complete. The Register of Deeds and Treasurer of Shawnee County, Kansas, are located in the Shawnee County Courthouse, 200 S.E. 7th Street, Topeka, Kansas, Rooms 108 and 101, respectively

OR

Attachment number 6

Applicant

Property Address: 8056 SW Central Park Ave

Owner of Record Name(s): Larry McCollum

Legal Description: _____

Shawnee County Register of Deeds

Property Identification Number (PIN): _____

X _____
Shawnee County Register of Deeds

Date

Shawnee County Treasurer

As of this date, I hereby certify that the real property tax liabilities and special assessments applicable to the property described and identified above, to be of the following status:

Paid in Full _____ Current _____ Delinquent _____ In Dispute _____ Exempt _____

X _____
Shawnee County Treasurer

Date

Property taxes current 8/16/10
City of Topeka Planning Department

Infrastructure Availability (optional)

Please consult the Engineering Division of Topeka Public Works Department for information below (368-3842)

1. Water

- a. Location and size of water main serving site:

- b. Does the current system have adequate capacity?

Attachment number 6
Page 5 of 5

2. Sanitary Sewer

- a. Location and size of sewer main serving site:

- b. Does the current system have adequate capacity? If not, are improvements anticipated?

3. Storm Drainage

- a. How will storm water run-off be handled on site?

- b. Does the current storm sewer system have adequate capacity for proposed use?

4. Traffic Circulation

- a. What are the site's existing and proposed access points?

- b. Are any street or traffic control improvements proposed?

DRAFT

**Minutes of the
Topeka Planning Commission
Monday, September 20, 2010**

PUD10/9 Kansas Rebuilders L.L.C. PUD by Larry D. McCollum requesting to amend the District Zoning Classification from “O&I-1” Office and Institutional District **TO** “PUD” Planned Unit Development (“O&I-1” use group, plus a contractor’s office and home improvement/building supply store with only interior display, inventory, processing and servicing) on property located at 2056 SW Central Park Avenue. **(Hoover)** Bill Hoover summarized the staff report.

Proponents:

Larry McCollum, applicant, stated he is available for questions. He said this proposal is good for the neighborhood and he has the support of the NIA.

Opponents:

Seth Brackman, spoke on behalf of aunt that lives next door, they had concerns but wasn’t necessarily against the proposal. He stated it isn’t clear what type of business is proposed. He said their main concerns are how this will affect property values in the area, how much traffic will it generate and will there be a privacy fence put in? He added all of these things will affect my aunt’s quality of life.

John Federico asked Mr. Brackman if his aunt had issues with the noise from the car wash? Mr. Brackman said he doesn’t know.

Lee Williams asked what the 6 foot residential buffer that is on the plans? Mr. Hoover said it could be fence or evergreens. Mr. Williams asked if it will be a solid buffer? Mr. Hoover said there is some flexibility in what can be put in. The applicant had talked about putting a fence there but the problem is they can only have 4 foot in the front of the property. After discussing this with the applicant they were talking about evergreens rather than the fence. David Thurbon stated maintenance could become an issue. Mr. Federico asked if they could do a combination of the two? He suggested where the fence has to dip to 4 feet the evergreen trees could be planted. Mr. Thurbon replied, yes. Mr. Hoover stated that would help them to get their required landscaping points. He added this building has been boarded for 5 years and the applicant is planning to add on to it. He said the applicant is not anticipating a lot of traffic but will have some showings after 5pm. Staff will review the building plans, etc.

Mr. Williams asked Mr. Brackman if that answered his questions. Mr. Brackman stated there will be more traffic compared to a boarded building. He said it still isn’t clear what type of business is going in. Bill Hoover said is a building supply store with a contractor’s office with no outside storage.

Howard Blackmon asked what are the hours of operation? Mr. McCollum said he just wants to make the neighborhood better. He went on to say there will be some traffic. There will be no retail sales. The majority of jobs are done on site at the homes where the work will be done. I will have my office and one or two employees at this location. He said he would like to put an 8 foot fence to buffer his business from the residential but will have to lower it to 4 feet in the front. He said he has walked the neighborhood telling the neighbors of the plan. There will be a showroom of windows and siding and there will be some after 5pm appointments. Mr. McCollum said an insurance agency may also take up part of the building. Mr. Blackmon said headlights do not seem to be a problem since the buffer will be there. Mr. McCollum said he will work to make sure there aren’t

lights in the neighbor's house. He said the car wash is very busy and he feels his business will be a noise barrier for the residential area.

Peter Hancock asked if there will be exterior lighting? Mr. McCollum replied there will be security lighting. The carwash basically lights up his whole property. Mr. Hancock asked if there will be product for sale at this location? Mr. McCollum replied, no, just displays to show our product.

Mr. Hancock asked why O&I zoning? Mr. Hoover replied the PUD adds contractor office and home improvement/building supply store with no outside storage. There are lighting standard requirements on the landscape plan that limits the lighting so it doesn't affect the residential.

Mr. Hancock stated businesses come and go but zoning stays. What about the next guy? Mr. Hoover stated the PUD gives the commission more control than straight zoning. Any changes by the "next guy" would have to be reviewed by the commission. The car wash was originally rezoned for high end car sales lot and it ended up being a car wash. That is the reason we won't let straight zoning go here.

Mr. Hancock asked a stone monument sign is being proposed? Mr. Hoover said they went for more of an office type sign.

Mr. Federico asked the applicant if he is willing to work with staff regarding landscaping and the fence? Mr. McCollum replied yes, I want to separate myself from the residential community as much as possible but be a good contribution to the neighborhood.

Howard Blackmon moved approval, seconded by Rich Beardmore.

Mr. Thurbon asked Mr. Federico if he wanted to place a condition requiring fencing/landscaping along the north property line? Mr. Federico replied yes, I would like to make it part of the motion requiring a six foot fence to the front edge of the building and then shrubbery. Both Commissioner Blackmon and Beardmore accepted the amendment.

RESTATED MOTION: Howard Blackmon moved approval as written by staff and adding a condition requiring a 6 foot fence along the north property line to the properties front setback line then trees or shrubbery thereafter, seconded by Rich Beardmore. **APPROVAL. (7-0-0)**



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www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 21, 2010

+ Back Print

DATE: October 12, 2010
CONTACT PERSON: David Thurbon **DOCUMENT #:** ASR10/2
SECOND PARTY/SUBJECT: Definitions- Subdivisions **PROJECT #:** N/A
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 134 Subdivisions
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Section 18.30.010 of the Topeka Municipal Code, concerning the definition of "minor plat approval" and specifically repealing said original section. First Reading. (ASR10/2)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow smaller and/or more simple plats for properties located outside the city limits but within the City's three-mile extraterritorial jurisdiction, to be reviewed and approved administratively.)

POLICY ISSUE:

Most plats within the City's three-mile extraterritorial area would still not qualify for this administrative review and would still be reviewed by the Planning Commission and forwarded to the Governing Body. However, a few simple and small plats would qualify and would save the applicant time and money in processing those while also saving staff time.

Consistent with the land use policies and principles of *Topeka Land Use and Growth Management Plan- 2025*.

STAFF RECOMMENDATION:

The Planning Commission recommended **APPROVAL** by a vote of **6-1-0** at its September 20, 2010 meeting, as referenced in the attached minutes. The Planning Department recommended **APPROVAL**, as referenced in the attached staff report.

BACKGROUND:

- See attached staff report and minutes.
- Governing Body options:
- **Adopt** the recommendation of the Planning Commission by Ordinance;
- **Override** the Planning Commission's recommendation by a two-thirds majority (7 votes) of Governing Body membership; or,
- **Return** such recommendation to the Planning Commission with a statement specifying the Governing Body's failure to approve or disapprove.

Item #13

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Ordinance](#)

[staff report](#)

[Legal Ad](#)

[minor plat administrative criteria](#)

[Planning Commission Minutes](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code § 18.30.010, concerning the definition of minor plat approval and specifically repealing said original section.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA:

Section 1. That section 18.30.010, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Alley” means a public thoroughfare which affords only a secondary means of access to abutting property.

“Block” means a piece or parcel of land entirely surrounded by public highways, streets, streams, railroad rights-of-way, parks, etc., or a combination thereof.

Collector Streets.

(1) Primary. This class of street serves the internal traffic movement within an area of the city such as a subdivision and connects this area with the arterial system. It is intended to equally serve abutting property while at the same time serving traffic movements for commercial and transit vehicles, and is normally spaced at one-half intervals between the major traffic thoroughfares in the normal gridiron system.

(2) Secondary. This class of street serves the internal traffic movement within an area of the city such as a subdivision and connects this area with the primary and

arterial system. It is intended to serve abutting property while at the same time serving traffic movements excluding commercial and transit vehicles.

“Cul-de-sac” means a street having one end open to traffic and being permanently terminated by a vehicle turnaround at the closed end.

“Design” means the location of streets, alignment of streets, grades and widths of streets, alignment and widths of easements and rights-of-way for drainage and sanitary sewers, and the designation of minimum lot area and width.

“Easement” means a grant by the property owner to a person or to the public of the right to the use of a strip of land for specific purposes.

“Final plat” means a plan or map prepared in accordance with the provisions of this division and those of any other applicable city ordinances, which plat is prepared to be placed on record in the office of the county register of deeds for counties in which the subdivision is located.

“Improvements” means any improvement and all street work, utilities, trafficways and drainage facilities that are to be installed, or which the subdivider agrees to install on the land for public or private streets, highways, ways and easements as are necessary for the general use of the lot owners in the subdivision and local neighborhood.

“Lot” means a portion of land in a subdivision, or other parcel of land, intended as a unit for the purposes of transfer of ownership or development.

“Major plat approval” means a plan or map prepared in accordance with the provisions of this division and those of any other city ordinance which requires the approval of the planning commission and the city council.

Major Traffic Thoroughfares.

(1) "Primary" means a street or road of great continuity with either a single roadway or a dual roadway which serves or is intended to serve major traffic flow, and is designated in the master plan or is otherwise designated as a limited access highway or freeway, highway, boulevard, parkway or other equivalent term, to identify those streets comprising the basic street system of the city.

(2) "Secondary" means a street or road of considerable continuity which serves or is intended to serve principal traffic flow between separated areas or districts and which is the main means of access to the residential street or roadway system.

"Marginal access streets" or "frontage roads" mean a minor street which is generally parallel to or adjacent to a major traffic thoroughfare highway or railroad right-of-way and provides access to abutting properties.

"Master plan" means the comprehensive plan made and adopted by the planning commission for the physical development of the metropolitan area and its environs indicating the general location, character and extent of streets, alleys, sewers, ways, viaducts, bridges, subways, parkways, parks, playgrounds, waterways, waterfronts, boulevards, squares, aviation fields and other public ways, grounds and open spaces, the general location of public buildings and other public property, and the general location and extent of public utilities and terminals; also the removal, location, widening, narrowing, vacating, abandonment, change of use, or extension of any public ways, grounds, open spaces, buildings, property, utilities or terminals, as well as a zoning plan for the control of the height, area, bulk, location, use and intensity of use of buildings and premises.

75 “Minor plat approval” means a plan or map of an area ~~within the city~~ prepared in
76 accordance with the provisions of this division and those of any other ordinance which
77 requires only the joint approval of the planning director and public works director.

78 “Minor street” means a street of limited continuity, which serves or is intended to
79 serve the local needs of a neighborhood.

80 “Municipal service area” is that area established by resolution of the city council
81 which is located outside of the corporate boundaries of the city but within the city’s
82 three-mile jurisdiction which is suitable for development and growth by the provision of
83 municipal services including but not limited to municipal water, stormwater and sanitary
84 sewer. Said municipal service area may from time to time be altered by resolution of the
85 city council to provide for additional orderly growth; provided, however, that said
86 municipal service area shall not extend beyond the city’s three-mile extraterritorial
87 jurisdiction.

88 “Pedestrian way” means a right-of-way dedicated to public use, which cuts
89 across a block to facilitate pedestrian access to adjacent streets and properties.

90 “Planning commission” means the city of Topeka planning commission.

91 “Preliminary plat” means a map made for the purpose of showing the design of a
92 proposed subdivision and existing conditions in and around it; the map need not be
93 based on an accurate or detailed final survey of the property.

94 “Public water company” means any person who has a written permit from the
95 state to supply water for domestic purposes to the public.

96 “Setback line” or “building line” means a line on a plat generally parallel to the
97 street right-of-way, indicating the limit beyond which buildings or structures may not be
98 erected or altered.

99 “Street” means a right-of-way dedicated to the public use, or a private right-of-
100 way serving more than one ownership, which provides principal vehicular and
101 pedestrian access to adjacent properties.

102 “Subdivider” means any person who causes land to be divided into a subdivision,
103 for themselves or for others.

104 “Subdivision” means the division of a parcel of land into two or more lots or
105 parcels for the purpose of transfer of ownership or building development, or, if a new
106 street is involved, any division of a parcel of land; provided, the division of land for
107 agricultural purposes into lots or parcels each of which is three acres or more and not
108 involving a new street or the division of land into parcels or tracts of land containing
109 three acres or more with a minimum frontage dimension of 200 feet on a public road or
110 way where the use is to be for purposes other than agricultural shall not be deemed a
111 subdivision.

112 Section 2. That original § 18.30.010 of The Code of the City of Topeka,
113 Kansas, is hereby specifically repealed.

114 Section 3. This ordinance shall take effect and be in force from and after its
115 passage, approval and publication in the official City newspaper.

116 Section 4. All ordinances, resolutions or rules, or portions thereof, inconsistent
117 with the provisions of this ordinance are hereby rescinded or repealed.

Section 5. Should any section, clause or phrase of this ordinance be declared
invalid by a court of competent jurisdiction, the same shall not affect the validity of this
ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

Amendment to the Subdivision Regulations – ASR10/2 Minor Plats

September 20, 2010 Planning Commission

Purpose: To amend the current definition of “minor plat approval,” which currently restricts the administrative plat procedure to only properties within the city limits. Planning staff believes it may be appropriate in some cases to allow plats for properties outside the City limits to be reviewed and approved administratively (i.e. only the Planning Director and Public Works Director signing off on the plat), as long as they still meet the minor plat criteria.

History: On January 24, 2006, the City Council approved Ordinance # 18558, which amended the Subdivision Regulations and established procedures for administrative plat approval (i.e. See attached minor plat procedures). In the past, the Planning Commission has typically reviewed these smaller subdivisions as preliminary and final plats at one hearing, as permitted under TMC 18.35.130. A review of subdivision cases from 2008-2010 indicates that out of the twenty previous subdivisions located outside the city limits, only two would have met the administrative plat criteria. The common criteria the eighteen subdivisions did not meet was right-of-way dedication (Criteria #1- See attached list.)

Analysis: The current definition for a “minor plat approval” specifically states the subject property must be located “within the city”, so the amendment to the Subdivision Regulations is a relatively small amendment to the Definitions portion of the regulations. (Attached is a preliminary draft ordinance amending Line 75 to remove “within the city”.) However, the change would allow for all those properties lying within the City’s three-mile extraterritorial jurisdiction, as defined by State Law, to then be eligible for administrative plat approval.

If a plat is eligible for administrative plat approval, this amendment will shorten the platting process for the subdivider. Even if the the proposed plat meets the criteria for administrative approval, the Planning Director may refer the plat to the Planning Commission if there are issues associated with the plat that may conflict with the Comprehensive Plan, such as density or infrastructure issues. The Planning Commission may choose to continue reviewing these smaller plats outside the city since the Commission does not approve rezoning cases outside the city. This can assist the Planning Commission in keeping abreast of development changes occurring within the City’s Municipal Service Area (i.e. that area where urban services are planned to be extended in the future) and and/or its three-mile extraterritorial jurisdiction.

Recommendation: Planning staff recommends the Planning Commission approve the attached Ordinance amending Line 75 to exclude “within the city” from the definition of minor plat approval.

Attachments: Subdivision submittals (2008-2010)
Minor plat criteria

Ordinance

To be published in the Topeka Metro News, Legal Section, one time, no later than **Monday, August 30, 2010.**

**CITY OF TOPEKA PLANNING COMMISSION
NOTICE OF PUBLIC HEARING**

Notice is hereby given to all interested persons that the Topeka Planning Commission will hold a Public Hearing on **September 20, 2010 at 6:00 P.M** in the 2nd Floor, City Council Chambers located at 214 SE 8th Street, Topeka, Kansas, to consider amending **Section 18.30.010 Definitions** contained in the Subdivision Regulations of the Topeka Municipal Code to **modify the definition for "Minor plat approval" so that the administrative plat procedure would also apply to those eligible properties that are located outside the City limits, but within the City's three-mile extraterritorial jurisdiction.** All interested persons are invited to attend and make comments. For additional information concerning this proposal, please contact the Topeka Planning Department, 620 SE Madison, 3rd Floor, Topeka, Kansas, 66607, or contact by phone (785) 368-3728.

David Thurbon, AICP
Secretary to the Planning Commission.

Checklist and Administrative Rules – Minor Plats

Pre-Application and Eligibility

The proposed plat must be located within the City limits.

A pre-application meeting with staff is encouraged, but not required, to help determine if a proposal will be eligible for the minor plat process. The criteria for eligibility include:

1. No new street right-of-way shall be proposed or required to serve the lots or tracts resulting from subdivision
2. The subdivision includes the total contiguous tract of land owned, or under control of, the subdivider(s)
3. A drainage study has been completed and approved for the proposed plat (i.e., approved by City Engineer)
4. The plat includes no more than five (5) lots or tracts of land
5. No dedication of land for public purposes is required including but not limited to public parks, open spaces, or rights-of-way
6. All new lots or tracts front onto existing street right-of-way which is improved to City specification
7. No extensions of water or sewer mains are required to serve those lots or tracts
8. Existing easements for utilities are not altered, removed or realigned unless expressly agreed to in writing by the Utility
9. The plat is consistent with the Comprehensive Plan.

Submission

The following submittal items are part of the minor plat application:

- **Application Form** - A complete "Application for Subdivision" form must be submitted to the Planning Department for all minor plats.
- **Fees** - Fees are set at 50% of major plat fees (*refer to Department's master fees list*).
- **Plat Map Contents** – 15 paper copies (24"x36") and an acceptable electronic copy of the plat map shall include:
 - All contents required on a preliminary and final plat according to the City's Subdivision Regulations.
 - A location or vicinity map (to be removed prior to recording).
 - All structures (showing dimensions to boundaries to be removed prior to recording).
 - The plat map shall also include topographic information and names of adjacent subdivisions or owners of un-subdivided land consistent with preliminary plat requirements (to be removed prior to recording).
 - If previously platted, the new plat map shall be titled with the same subdivision name of the previous plat followed by the next sequential number. For example, a lot split within "Menninger Subdivision #2" would be re-titled as "Menninger Subdivision #3" with a sub-title "a minor re-plat of lot __ Menninger Sub. #2..."
 - A signature block for the Public Works and Planning Directors only. No

other signers for the City are needed.

- **Utility Approvals** – If an existing utility easement is proposed to be re-aligned, altered, or removed, the corresponding utility will need to provide their expressed written approval. This could be submitted at the time of application or during the review process. Removal of a platted R-O-W must either go through major plat process or vacation + minor plat process.
- **Drainage Report** – A certified drainage report should be submitted for approval or a waiver to the drainage report requirement is to be obtained from Jennifer Harrell, City Engineering Department.

Completed minor plat applications will be accepted by the Department at any time, but processed in coordination with any pre-application, preliminary, or final plat deadline. An application will be considered complete when all required information is accurately provided on the application form and plat including required signatures and fees.

Review and Approval

The minor plat application will be routed to the appropriate reviewing agencies for comment. Within two weeks, Planning staff will respond back to the applicant in writing with any changes or missing information needed. This includes staff's determination that the proposal is/is not eligible to be approved as a minor plat. If the changes are of a minor or technical nature, then the applicant will be asked to submit an owner-signed Mylar for signatures by the Planning Director and Public Works Director. If the changes are more substantial, the applicant will be instructed to submit a certain number of copies for further review prior to the signed Mylar submission.

Once the applicant has recorded the minor plat, they have ten (10) days to submit fifteen (15) copies to the Planning Director who will distribute the recorded copies to various agencies and utilities. Once the required copies are on file with the Planning Director, building permits may be issued for the newly created lots.

DRAFT

**Minutes of the
Topeka Planning Commission
Monday, September 20, 2010**

ASR10/2 The Topeka Planning Commission will consider amendments to Section 18.30.010, Definitions, contained in the Subdivision Regulations of the Topeka Municipal Code to modify the definition for “Minor plat approval” so that the administrative plat procedure would also apply to those eligible properties that are located outside the City limits, but within the City’s three-mile extraterritorial jurisdiction. **(Driver)** David Thurbon summarized the staff report.

Discussion by members:

Lee Williams asked if an applicant is denied the minor plat process do they have the option of going through the normal platting process? Mr. Thurbon replied, yes.

Lee Williams moved approval, seconded by Howard Blackmon. **APPROVAL. (6-1-0)**
Commissioner Hancock voted no.



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 27, 2010

[Back](#) [Print](#)

DATE: October 12, 2010

CONTACT PERSON: Councilmember Bob Archer **DOCUMENT #:**

SECOND PARTY/SUBJECT: unlawful carrying of a firearm **PROJECT #:**

CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 090 Law Enforcement

CIP PROJECT: No

ACTION OF COUNCIL: **JOURNAL #:**

PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Councilmember Bob Archer, creating City of Topeka Code Section 9.40.005 concerning the unlawful carrying of a firearm. First Reading.

(Approval would make it unlawful for persons other than those specifically exempted, to carry a firearm in designated City owned and operated buildings and facilities. The ordinance would not prohibit a person from carrying a loaded firearm on the person's land, in the person's abode or in the person's fixed place of business.)

POLICY ISSUE:

Whether to make it unlawful for persons, other than those specifically exempted, to carry a firearm in designated City owned and operated buildings and facilities.

STAFF RECOMMENDATION:

BACKGROUND:

Approval of the ordinance would make it unlawful for any person, except persons exempted under K.S.A. 21-4201(b), as amended, or security personnel authorized by the city manager, to carry any firearm in designated buildings or facilities owned and operated by the City. The ordinance would not prohibit a person from carrying a loaded firearm on the person's land, in the person's abode or in the person's fixed place of business.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

Item #14

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Councilmember Bob Archer, creating City of Topeka Code § 9.40.005 concerning the unlawful carrying of a firearm.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section to be numbered 9.40.005, which said section reads as follows:

Unlawful Carrying.

(a) It shall be unlawful for any person, except those persons exempted under K.S.A. 21-4201(b), as amended, or security personnel authorized by the city manager, to carry any firearm in any of the following buildings or facilities owned and operated by the City:

Blaisdell Family Aquatic Center

Central Park Community Center

Creative Play Day Care Center

Crestview Community Center

Crestview Community Pool

Cyrus K. Holliday Building

Garfield Community Center

Garfield Community Pool

Helen Hocker Center for Performing Arts

Hillcrest Community Center

Hillcrest Community Pool

Oakland Community Center

Oakland Community Pool

Rice Community Center

Topeka Zoological Park

Topeka/Shawnee County Law Enforcement Center

Topeka City Council Chambers

Topeka City Hall

Topeka Fire Headquarters

Topeka Fire Station #1

Topeka Fire Station #2

Topeka Fire Station #3

Topeka Fire Station #4

Topeka Fire Station #5

Topeka Fire Station #6

Topeka Fire Station #7

Topeka Fire Station #8

Topeka Fire Station #9

Topeka Fire Station #10

Topeka Fire Station #11

Topeka Fire Station #12

Topeka Municipal Court



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 8, 2010

+ Back Print

DATE: October 12, 2010

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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ATTACHMENTS:

No Attachments Available



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No Attachments Available



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No Attachments Available