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ORDINANCE NO. 20552

ORDINANCE

introduced by City Manager Robert Perez amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code on property located at 2845 SE Indiana Avenue from “R-2” Single Family Dwelling District with a Conditional Use Permit for Automobile Service Station Type II ALL TO “PUD” Planned Unit Development with “O&I-2” Office and Institutional District Uses, Contractor Shop, Personal Services, Auto Sales, and Automobile Service Station Type II. **(PUD 25/01) (Council District No. 4)**

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

Section 1. That the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), be, and the same is hereby amended, by reclassifying the following described property:

Lots 283, 285, 287 Less right of way for SE 29th Street, Highland Park Addition Subdivision

FROM “R-1” Single Family Dwelling District with a Conditional Use Permit for Automobile Service Type II ALL TO “PUD” Planned Unit Development with “O&I-2” Office and Institutional District Uses, Contractor Shop, Personal Services, Auto Sales, and Automobile Service Station Type II

Subject to:

1. O&I-2 Office and Institutional uses are permitted in accordance with the use standards in Section 18.60.010 of the Topeka Municipal Code. In addition to O&I-2 uses, the sale of cars and light duty trucks; Contractor Office and Shop; Automobile Service Station, type II uses; and Personal Services are permitted. The building was constructed for automobile service (radiator shop) in 1950 and the use of the site will continue to allow automobile services that are included in the definition of Automobile Service Station, Type II.
2. The use and dimensional standards applicable to O&I-2 zoning shall apply except as stated in these conditions.
3. The sale of cars and light duty trucks, hereafter referred to as “auto sales”, is permitted in accordance with the attached Statement of Operations and with these stated conditions.
4. Automobile sales, leasing, and service of vehicles are restricted to automobiles, light duty trucks, motorcycles and other vehicles will not exceed a gross vehicle weight rating of 12,000 pounds.
5. No more than five cars and light duty trucks for sale may be parked or displayed on the site at any single time. Cars or light duty trucks parked or displayed must be operable and have current registration and license with the Kansas Department of Motor Vehicles. All other parking of vehicles on the property is for customers and employees of business conducted on the site.
6. The inventory of vehicles for sale, lease, or service shall be parked only on hard surfaced areas and shall not displace the minimum required number of off-street parking spaces.

7. Automobile repair, whether accessory to auto sales or as a principal use, shall be conducted inside the building and there shall not be any wrecking or dismantling of vehicles on the site or inside the building. No parking of vehicles being repaired shall be outside the building.
8. Use of feather signs, or balloons as defined by the Topeka sign regulations (section 18.10.170) is not permitted.
9. Any new fencing requires a fence permit approved by the Topeka Planning and Development Department. A 6 ft. tall privacy fence shall be maintained along the north property line adjacent to the residential property. If and when the existing fence on the adjoining property is removed a new 6' privacy fence or a combination of fencing and landscaping meeting the residential buffer requirements of the zoning code (section 18.235.060) shall be installed along the north property line. Substantial redevelopment of the site will be required to comply with the "residential buffer zone" requirements of the landscape requirements (section 18.235.060). Furthermore, any fencing within the front yards along SW 29th Street or Indiana Avenue shall be of a decorative metal material.
10. All work in the Public Right of Way shall be to City of Topeka Design Criteria, Standard Specifications and Details

PASSED AND APPROVED by the Governing Body, City of Topeka, Kansas on
March 18, 2025.

ATTEST:

Michael A. Padilla, Mayor

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X

Exhibit

Statement of Operations:

Address of operation

2845 SE Indiana Ave Topeka KS 66605

2 Guys car lot is looking to provide reliable affordable transportation to the Residents in Topeka. We would also provide services for the vehicles as a repair shop and contractor shop. In the future the Property listed above could be used as a barber shop, tattoo shop, rental management office. We have no immediate plans to change the building or property.

Hours of operation will be mon-friday 8am-5pm and Saturdays 8am-1pm. As we get established in the community the hours of operation may need to be extended or shortened.

Number of customers on the property at a time max would be 6 daily. That includes car sales, repair shop and contractor shop.

We have planned to have 5 cars on the car lot at a time. Parking will be on the side of the building facing 29th St. Customer parking will be in front of the office or the additional parking area on the end of the lot facing the alley way. We also have room in the shop for one or 2 cars to fit in the shop as well for repair.

Office in the building faces 29th St and will be able to fit two ADA cubicles in the office as well as have a customer bathroom available and have seating for customers as well.

Project benefits: Giving the residents of Topeka a reliable and affordable car sales location as well as an affordable repair shop and contractor shop.
