

FAQs – The Monroe School Overlay District

Why is the Overlay District being developed? Georgia State University is leading a UNESCO serial nomination of ten U.S. Civil Rights locations. To be nominated, the property must have a buffer around the nomination site that provides long-term legislative, regulatory, and institutional protection. Adoption of the Overlay District would meet these standards for protection.

Where is the proposed overlay district; which properties will be affected by the proposed overlay district? Refer to the Monroe School Overlay District map.

What is an Overlay District? An Overlay District is a layer defined by a boundary over the existing zoning map. The Overlay District does not replace the current zoning but instead adds a layer of provisions or restrictions. The Monroe School Overlay District (M) is intended to preserve and enhance the character of the neighborhood surrounding the Monroe School.

What is the public process? And what methods of community outreach is the Planning Department undertaking to effectively communicate with Overlay District property owners? Planning Staff have carefully analyzed all existing uses within the Monroe School Overlay District to ensure minimal conflict with existing land uses. In addition, staff notified all affected property owners for information meetings prior to officially starting this process. The first step in the official process is for the Planning Commission to initiate the zoning process. Once that happens, the next step is for a second public meeting, with potential for a third, then the Planning Commission will hold a public hearing and make a recommendation. Notice of the neighborhood meetings and public hearing will be sent to property owners by regular mail. Property owners and other stakeholders are provided the opportunity to comment in writing and in person throughout the process. The Topeka Governing Body has the final action on the overlay district proposal.

Legal Non-Conforming (Grandfathered) Uses Any use which is not listed as a restricted use in the Overlay Districts but which was permitted for a specific parcel of property pursuant to the adoption of the Overlay District regulations in effect for such parcel, and which physically existed upon such parcel prior to the enactment of the Overlay District, is permitted as a legal nonconforming use in accordance with [Chapter 18.220 TMC](#). See Chapter [18.220 and Section 18.50.040 of the Topeka Municipal Code](#) for more information on expansion of legal non-conforming uses or structures.

How does the Overlay District affect the construction of new buildings or rehabilitation of existing buildings? Topeka's current zoning regulations include use standards and dimensional standards. Design standards for new construction are already dictated by the City of Topeka's non-residential design standards. The Overlay District may include setbacks, building height, fencing, and signage for non-residential and residential uses that add to or supersede current standards.

How does the Overlay District affect the renovation, remodel, or expansion of existing buildings? The overlay zoning is anticipated to include standards requiring residential projects be architecturally compatible in terms of materials and design. For non-residential projects, the standards of the overlay zoning are expected to require building setbacks and other dimensional standards that do not currently apply.

Will the proposed overlay district restrict land uses that are currently allowed? The proposed overlay district may include restrictions or requirements regarding traffic-intensive uses, outdoor storage as a principal use, and some industrial uses. The proposed overlay district may prohibit automobile wrecking and salvage yards, and other heavy industrial uses with the potential to negatively neighborhood character and detract from the Monroe School site. A draft of the proposed Monroe School Overlay District standards can be found online at www.topeka.org/planning under planning cases in progress.

Will adoption of an Overlay District impact the property owner's ability to utilize the Neighborhood Revitalization Plan (NRP) Property Tax Rebate program? No. The adoption of an Overlay District will not directly affect the utilization and participation in the NRP [tax rebate program](#).