

RESOLUTION 7581

CONDITIONAL USE PERMIT

A RESOLUTION

introduced by Mayor James A. McClinton in accordance with Section 48-4.02(c)(2) of the Code of the City of Topeka, approving a Conditional Use Permit to establish a yard waste composting facility on property currently zoned "R-1" Single Family Dwelling District and located east of the City of Topeka Forestry disposal site (600 NW Winter Street) in the City of Topeka, Kansas. (CU04/6) (Council District No. 1)

BE IT RESOLVED by the Council of the City of Topeka, Kansas, that the application of City of Topeka under the provisions of Section 48-4.02(c)(2) of the Code of the City of Topeka, Kansas, for a Conditional Use Permit to establish a yard waste composting facility on property currently zoned "R-1" Single Family Dwelling District and located east of the City of Topeka Forestry disposal site (600 NW Winter Street) in the City of Topeka, Kansas, and legally described as follows:

A tract of land in the NW ¼ and the NE ¼ of Section 25, Township 11 South, Range 15 East of the 6<sup>th</sup> P.M., Shawnee County, Kansas, more particularly described as follows: Commencing at the southeast corner of SW ¼ of Section 25; thence north 01 degree 21 minutes 35 seconds west for a distance of 2,651.17 feet to a point 10.00 feet east of a monument that is the northeast corner of said SW 1/4; thence continuing north 01 degree 21 minutes 35 seconds west for a distance of 1,427.6 feet; thence at a right angle westerly on a bearing of south 88 degrees 38 minutes 25 seconds west for a distance of 58.43 feet to the point of beginning; thence north 23 degrees 14 minutes 20 seconds east for a distance of 435.6 feet; thence south 66 degrees 45 minutes 40 seconds east for a distance of 1,000 feet; thence south 23 degrees 14 minutes 20 seconds west for a distance of 435.60 feet; thence north 66 degrees 45 minutes 40 seconds west for a distance of 1,000 feet to the point of beginning. Said tract contains 10.00 acres, more or less.

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

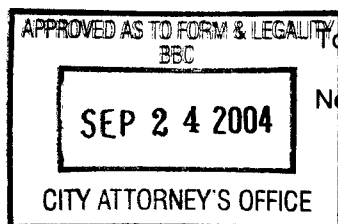
1. Use and development of the site in accordance with the site development plan of the Shawnee County Centralized composting Facility approved by the Planning Commission.
2. Compliance with the Operation Plan of Shawnee County Centralized Composting Facility.
3. Provide copy of Kansas Department of Health and Environment "Composting Permit".
4. Comply with all Federal, State and local requirements for building within the 100-year floodplain and provide a copy of any applicable permits relating thereto.
5. Provide a revised vicinity map on the site plan showing streets and street names in relation to the subject site. A title should also be added to the site plan, "Shawnee County Composting Facility – Conditional Use Permit".
6. Upgrade and maintain all weather surface access road through the City's compost site sufficient to accommodate city emergency vehicles and anticipated traffic loads, including an internal turnaround for emergency vehicles on the compost site. An engineer shall certify that the all weather surface road is capable of supporting all emergency vehicles and anticipated traffic loads. Such note shall be added to the site plan.

ADOPTED AND APPROVED by the Council of the City of Topeka, Feb. 22, 2005.

James A. McClinton  
James A. McClinton, Mayor

ATTEST:

Iris E. Walker  
Iris E. Walker, City Clerk



Be Codified \_\_\_\_\_

Not To Be Codified X

