

RESOLUTION 7800

CONDITIONAL USE PERMIT

A RESOLUTION

introduced by City Manager Norton N. Bonaparte, Jr. in accordance with Section 48-23a.03(2)(I) of the Code of the City of Topeka, approving a Conditional Use Permit to establish a motor vehicle sales lot on property currently zoned "X-1" Mixed Use District and located at 1005 NW Topeka Boulevard in the City of Topeka, Kansas. (CU06/3) (Council District No. 2)

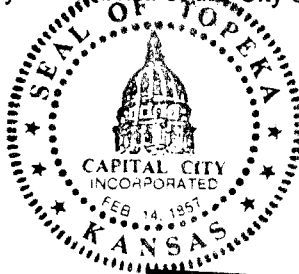
BE IT RESOLVED by the Council of the City of Topeka, Kansas, that the application of City of Topeka under the provisions of Section 48-23a.03(2)(I) of the Code of the City of Topeka, Kansas, for a Conditional Use Permit to establish a motor vehicle sales lot on property currently zoned "X-1" Mixed Use District and located at 1005 NW Topeka Boulevard in the City of Topeka, Kansas, and legally described as follows:

Beginning at a point on the west line of Eugene Street, formerly Topeka Avenue, 67.00 feet north of the NW corner of Topeka Avenue and Gordon Street according to recorded plat of William Curtis Addition, in Shawnee County, Kansas; thence north along the west line of Eugene Street a distance of 104.84 feet to a point, said point being 3.00 feet north of the SE corner of Lot 351; thence west parallel with the south line of said Lot 351 a distance of 159.97 feet; thence south a distance of 113.64 feet to the north line of Gordon; thence southeasterly along said north line to a point 76.00 feet northwesterly of the NW corner of said Topeka Avenue and Gordon Street; thence on a curve to the left having a radius of 50.00 feet to the Point of Beginning, except that part deeded to the City of Topeka in Book 711 Page 146.

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

1. Display of vehicles for sale are only allowed to the south of the existing Hair Port building/canopy. The driveway from NW Gordon should remain open and clear, as well as driveway access to alley. Parking directly south of the existing sales office building and on the public right-of-way is prohibited. A major amendment to the CUP is required if display areas are expanded.
2. No banners, streamers, temporary signs, or portable signs shall be allowed on the property for advertising and all other signs shall comply with "X" District regulations.
3. The landscape planter box in the front of the property shall be maintained with perennial bushes or flowers throughout the year. A landscaped area shall be established directly south of the existing sales office building to the property line and a Landscape Plan submitted to the Planning Department for approval prior to its establishment. Should any portion of this landscape material die or become damaged, it shall be replaced by the next planting season to maintain an attractive landscape amenity.

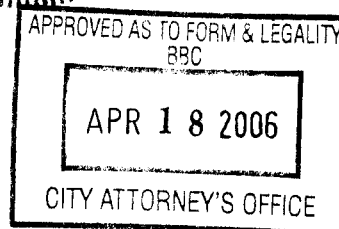
ADOPTED AND APPROVED by the Council of the City of Topeka, May 9, 2006.



William W. Bunten
William W. Bunten, Mayor

ATTEST:

Iris E. Walker
Iris E. Walker, City Clerk



To Be Codified _____
Not To Be Codified X