RESOLUTION NO. 8766

CONDITIONAL USE PERMIT

A RESOLUTION introduced by City Manager Jim Colson, in accordance with Section 18.60.010 of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to allow for a “Day Care Center Type II” on property zoned “R-1” Single Family Dwelling District and located at 1833 SW Fillmore Street within the City of Topeka, Shawnee County, Kansas. (CU16/3) (Council District No. 3)

BE IT RESOLVED by the Governing Body of the City of Topeka, Kansas, that the application under the provisions of TMC 18.60.010, approving a Conditional Use Permit to allow for a “Day Care Center Type II” on property zoned “R-1” Single Family Dwelling District and located at 1833 SW Fillmore Street in the City of Topeka, Kansas and legally described as

Lots, 685, 687, 689, 691, Block 13, Martin & Dennis Subdivision

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

1. Use and development of the site in accordance with the approved Conditional Use Permit (CU16/3) and Statement of Operations dated March 4, 2016.

2. The Conditional Use Permit is based on the use as described in the Statement of Operations from the applicant dated March 4, 2016. In the event of substantial changes in operations, the applicant shall submit a revised Statement of Operations to the Planning Department to allow staff to ascertain compliance with the Conditional Use Permit.

3. “One (1) wall sign shall be permitted per building not exceeding 40 sq. ft. per sign face. No free-standing permanent, temporary or portable signs shall be permitted on the property.”

4. “The property owner shall provide a minimum of four (4) parking stalls meeting City standards located off the alley within one (1) year of CUP approval by the Governing Body. A site plan depicting this required parking area shall be approved by the Planning Department at the time of Parking Lot Permit issuance by City of Topeka Development Services Division.”

5. “All drop off and pick up parking shall occur along the west side of SW Fillmore only.”

6. “Pursuant to TMC 18.215.060 The Planning Commission may recommend revocation of any Conditional Use Permit to the Governing Body if the use either fails to comply with any of the conditions of the permit; or the use has expanded or deviated from its original use and
purpose; or the use has been found by a court of law, federal or state agency to be an illegal
activity or nuisance.”

ADOPTED AND APPROVED by the Governing Body of the city of Topeka, Kansas,

May 10, 2016.

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Larry E. Wolgast, Mayor

ATTEST:

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Brenda Younger, City Clerk