RESOLUTION NO. 8767

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 “Outdoor Recreation, Type III” on property zoned “C-4” Commercial District and located at 2134 N. Kansas Avenue within the City of Topeka, Shawnee County, Kansas. (CU16/4) (Council District No. 2)

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 “Outdoor Recreation, Type III” on property zoned “C-4” Commercial District and located at 2134 N Kansas Avenue and located in the City of Topeka, Kansas and legally described as

Beginning at a point on the West line of the Southeast Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M., which is 462.74 feet North of the Southwest corner of said Quarter Section; thence East parallel with the South line of said Quarter Section 485.09 feet; thence North 340.06 feet; thence West 485.09 feet to the West line of said Quarter Section; thence South 340.06 feet to the place of beginning, in Shawnee County, Kansas.

EXCEPT the following tract: Part of the Southeast Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M., described as follows; Beginning at a point on the West line of the Southeast Quarter of Section 17, Township 11 South, Range 16 East, which is 462.74 feet North of the Southwest Corner of said Quarter Section; thence East parallel with the South line of said Quarter Section, 485.09 feet; thence North 200 feet; thence West 485.09 feet to the West line of said Quarter Section; thence South 200 feet to the point of beginning, In Shawnee County, Kansas.

AND EXCEPT A tract of land in the Southeast Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Southwest Corner of said Southeast Quarter; thence North 01 degrees 05 minutes and 23 seconds West, on the West line of said Southeast Quarter, 662.74 feet; thence North 87 degrees 39 minutes and 12 seconds East, 30.01 feet to the point of beginning; thence continuing on North 87 degrees 39 minutes and 12 seconds East, on the North Line of Lot 1, Block A, Hafenstine Subdivision No. 3, 5.00 feet; thence North 01 degree 05 minutes and 23 seconds West, 140.06 feet; thence South 87 degrees 39 minutes and 12 seconds West, 5.00 feet; thence South 01 degree, 05 minutes and 23 seconds East, 140.06 feet to the point of beginning as set out in Warranty Deed recorded in Book 3171, Page 986.

be, and the same is hereby approved, subject to:
1. Use and development of the site in accordance with the approved Conditional Use Permit (CU16/4) site plan as on file with the Planning Department.

2. The applicant shall submit a “drainage statement” describing any storm water impacts and what will be done to address those impacts. The drainage statement is subject to review and approval by City of Topeka departments of Public Works and Utilities.

3. Tents or other temporary or portable structures are subject to licensing and permit requirement of the departments and divisions of Fire, Development Services, the City Clerk, and other divisions. Serving of alcohol and operation of a drinking establishment is subject to licensing requirements administered by the City Clerk.

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