

RESOLUTION 7534

CONDITIONAL USE PERMIT

A RESOLUTION

introduced by Mayor James A. McClinton in accordance with Section 48-4.02(c)(9)(12)(14) of the Code of the City of Topeka, approving a Conditional Use Permit to establish a commercial broadcasting and/or receiving tower; private utility structure communications tower; telecommunication equipment and accessory facility on property currently zoned "O&I-2" Office and Institutional District and located at 1607 SW Washburn Avenue in the City of Topeka, Kansas. (CU04/7) (Council District No. 6)

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)(9)(12)(14) of the Code of the City of Topeka, Kansas, for a Conditional Use Permit to establish a commercial broadcasting and/or receiving tower; private utility structure communications tower; telecommunication equipment and accessory facility on property currently zoned "O&I-2" Office and institutional District and located at 1607 SW Washburn Avenue in the City of Topeka, Kansas, and legally described as follows:

All of Lots 1 and 2, except the west 112 feet thereof, Christian Lots in the City of Topeka, Shawnee County, Kansas. And Lots 25, 27, 29 and 31, Washburn Avenue, formerly West Street, formerly Wilson Street, Young's Subdivision of College Hill, in the City of Topeka, Shawnee County, Kansas.

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 Cox Communications Master Cable Telecommunications Facility.
2. Compliance with the Operation Plan of Cox Communications Master Cable Telecommunications Facility.
3. Revise the legal description on the site plan.
4. Change the landscaping plan for the property consistent with staff's recommendations.
5. Add a privacy fence to the north property line in order to mitigate the impact of the new building on the residential neighbor.
6. Provide a note on the plan stating the color of the new building will be a natural earth tone color.
7. Designate a "dish farm" area on the site plan and add a note that clarifies that general maintenance and adjustment of the dishes will not require an amendment to the Conditional Use Permit.
8. Provide an "Amendment" note on the plan that states new towers will require a major amendment to the Conditional Use Permit.
9. Coordination with City Engineer regarding tree plantings and street light installation.
10. The Planning staff to work with applicant during site plan review of new structure. The aesthetics of the new building to be in a manner harmonious with surrounding neighborhood.
11. Replace existing chain link fence along SW Washburn Avenue with decorative fencing.

ADOPTED AND APPROVED by the Council of the City of Topeka, October 12, 2004.

James A. McClinton
James A. McClinton, Mayor

ATTEST:

Iris E. Walker
Iris E. Walker, City Clerk

To Be Codified _____
Not To Be Codified X

