

**RESOLUTION NO. 8030**

**CONDITIONAL USE PERMIT**

**A RESOLUTION**

introduced by City Manager Norton N. Bonaparte, Jr. in accordance with Section 48-23a.03(2)(l) of the Code of the City of Topeka, approving a Conditional Use Permit to establish allow for motor vehicle sales on property currently zoned "X-1" Mixed Use District and located at 2900 SE 6<sup>th</sup> Avenue in the City of Topeka, Kansas. **(CU077) (Council District No. 3)**

**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)(l) of the Code of the City of Topeka, approving a Conditional Use Permit to allow for motor vehicle sales on property currently zoned "X-1" Mixed Use District and located at 2900 SE 6<sup>th</sup> Avenue in the City of Topeka, Kansas, and legally described as follows:

**The west 122 feet of Lot 18, less the right-of-way, Victory Place Subdivision, City of Topeka, Shawnee County, Kansas.**

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

1. **Use of the property for Motor Vehicle Sales (State-licensed).**
2. **A site plan shall be submitted at the time of building permit approval in accordance with the City Site Plan Regulations and depicting property lines, setbacks, fencing, landscaping buffers, proposed structures, vehicle sales parking, adequate drive aisles, employee/customer parking, on-site detention (if required), and all other conditions indicated by the Conditional Use Permit.**
3. **All landscaping shall be in accordance to City Landscape Regulations. A Landscape Plan shall be approved by the Planning Department at the time of building permit approval.**
4. **Vehicle parking density shall be limited to 1 vehicle per 250 sq. ft. of parking area.**
5. **All vehicle parking areas shall be paved in accordance with City standards. No vehicles shall be parked on non-paved areas or within the public rights-of-way. No driveway access shall be permitted from SE 6<sup>th</sup> Avenue.**
6. **All outdoor storage of supplies, equipment, materials, vehicles not for sale, inoperable vehicles, and vehicle repair is prohibited.**
7. **All parking areas and vehicles shall be setback a minimum of 10' from the west property line and 15' from the south property line to provide for landscaping along public streets.**
8. **Hours of operation shall be 8:00 am to 8:00 pm.**
9. **Only wall and monument signs shall be permitted consistent with "X" District regulations. No banners, streamers, portable or temporary signs shall be permitted on the property.**
10. **All lighting shall be in accordance with City Regulations and no source of illumination should be visible from adjacent properties.**

**ADOPTED AND APPROVED** by the Council of the City of Topeka, January 15, 2008.

\_\_\_\_\_  
William W. Buntten, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Younger, City Clerk

*\*This resolution shall take effect without the Mayor's signature.*