

## RESOLUTION NO. 8399

### CONDITIONAL USE PERMIT

**A RESOLUTION** introduced by Daniel R. Stanley, Interim City Manager in accordance with Section 18.70.030(c)(11) of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to establish a public utility structure for a sanitary sewer pump station on property currently zoned “R-1” Single Family Dwelling District and located at 333 NE Spruce Lane in the City of Topeka, Kansas. **(CU11/2) (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 18.70.030(c)(11), approving a Conditional Use Permit to establish a public utility structure for a sanitary sewer pump station on property currently zoned “R-1” Single Family Dwelling District and located at 333 NE Spruce Lane in the City of Topeka, Kansas, and legally described as

A tract of land in the Northeast Fractional Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M., Shawnee County, Kansas, described as follows:

Commencing at the Northwest corner of said Fractional Quarter; thence on an assumed Azimuth 178 degrees 54 minutes 30 seconds, coincident with the West Line of said Fractional Quarter; 1569.77 feet; thence on an Azimuth 88 degrees 54 minutes 30 seconds, 1062.56 feet to the Southeast corner of Lot 27, Block C, Northland Subdivision B, also being the Southeast corner of said Subdivision; thence on a curve to right, coincident with the East Line of said Subdivision, having a radius of 3790.00 feet, a chord Azimuth of 10 degrees 07 minutes 29 seconds, a chord length of 323.09 feet, and an arc length of 323.19 feet to the Northeast corner of Lot 12, Block D, Northland Subdivision, also being the Northwest corner of a tract of land recorded in Deed Book 3637 Page 733 and the point of beginning; thence continuing on a curve to the right, coincident with the East line of said Subdivision, having a radius of 3790.00 feet, a chord Azimuth of 14 degrees 18 minutes 24 seconds, a chord distance of 230.01 feet and an arc length of 230.05 feet to the Southeast corner of Lot 12, Block E, Northland Subdivision B; thence on Azimuth 89 degrees 19 minutes 59 seconds, 200.00 feet; thence on an Azimuth 193 degrees 06 minutes 27 seconds, 258.24 feet to the North line of a tract of land recorded in Deed Book 3637 Page 733; thence on Azimuth 277 degrees 33 minutes 31 seconds, coincident with the North line of said tract, 200.00 feet to the point of beginning.

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

- 1. Use and development of the site in accordance with the approved Conditional Use Permit site plan and Statement of Use for City of Topeka Northland 1 Sanitary Sewer Pump Station.**
- 2. Statement of Use: “A public utility structure for a sanitary sewer pump station, with a back-up generator for emergency power and a maximum capacity of 1.1 million gallons per day, operated and maintained by the Water Pollution Control Division of the City of Topeka Department of Public Works.**

3. The “landscaped residential buffer zone” that is depicted on the site plan is for illustrative purposes only and the final location, type, and quantity of specific plantings shall be subject to approval by the Planning Director.

**ADOPTED AND APPROVED** by the Governing Body of the City of Topeka, December 13, 2011.

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William W. Bunten, Mayor

ATTEST:

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Brenda Younger, City Clerk