

RESOLUTION 9508

CONDITIONAL USE PERMIT

RESOLUTION introduced by Interim City Manager Richard U. Nienstedt in accordance with Section 18.60.010 of the Topeka Municipal Code (TMC), approving a Conditional Use Permit for a “Public Utility Facility Type II” (sanitary sewer pump station) on property located at 3500 NE Sardou Avenue and zoned “R-1” Single Family Dwelling District, all being within the City of Topeka, Shawnee County KS (CU23/06) (Council District #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 the replacement of a “Public Utility Facility Type II” (sanitary sewer pump station) on property zoned “R-1” Single Family Dwelling District, located at 3500 NE 6th Avenue and more specifically legally described as follows:

PERMANENT EASEMENT DESCRIPTION:

A PORTION OF LOT 1, BLOCK 'A', BILLARD AIRPORT SUBDIVISION, RECORDED IN PLAT BOOK:30, PAGE:4, RECORDED IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS, TOPEKA, KANSAS, SITUATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, DESCRIBED BY STEPHEN I. MARINO, II, PS 1380, ON SEPTEMBER 14, 2022, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING; AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN; THENCE, COINCIDENT WITH THE WEST LINE OF SAID NORTHWEST QUARTER, ALSO BEING THE WEST LINE OF LOT 1, BLOCK 'A', BILLARD AIRPORT SUBDIVISION, RECORDED IN PLAT BOOK:30, PAGE:4, RECORDED IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS, TOPEKA, KANSAS, NORTH 00 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 771.31 FEET; THENCE DEPARTING SAID WEST LINE, SOUTH 88 DEGREES 57 MINUTES 11 SECONDS EAST, A DISTANCE OF 1331.82 FEET **TO THE POINT OF BEGINNING**

THENCE NORTH 00 DEGREES 12 MINUTES 58 SECONDS EAST, A DISTANCE OF 74.72 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 30 SECONDS EAST, A DISTANCE OF 40.11 FEET; THENCE NORTH 45 DEGREES 31 MINUTES 29 SECONDS EAST, A DISTANCE OF 35.78 FEET; THENCE NORTH 01 DEGREES 07 MINUTES 22 SECONDS WEST A DISTANCE OF 18.28 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 20.03 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 41 SECONDS EAST, A DISTANCE OF 26.54 FEET; THENCE SOUTH 44 DEGREES 47 MINUTES 40 SECONDS WEST, A DISTANCE OF 21.39 FEET; THENCE SOUTH 01 DEGREES 02 MINUTES 49 SECONDS WEST, A DISTANCE OF 57.64 FEET; THENCE SOUTH 88 DEGREES 57 MINUTES 11 SECONDS EAST, A DISTANCE OF 46.89 FEET; THENCE SOUTH 01 DEGREES 02 MINUTES 49 SECONDS WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 88 DEGREES 57 MINUTES 11 SECONDS WEST, A DISTANCE OF 74.89 FEET; THENCE SOUTH 00 DEGREES 26 MINUTES 51 SECONDS WEST, A DISTANCE OF 40.37 FEET; THENCE SOUTH 38 DEGREES 12 MINUTES 29 SECONDS WEST, A DISTANCE OF 77.04 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 09 SECONDS WEST, A DISTANCE OF 25.54 FEET; THENCE NORTH 38 DEGREES 12 MINUTES 29 SECONDS EAST, A DISTANCE OF 86.01 FEET; THENCE NORTH 00 DEGREES 26 MINUTES 51 SECONDS EAST, A DISTANCE OF 33.80 FEET; THENCE NORTH 88 DEGREES 57 MINUTES 11 SECONDS WEST, A DISTANCE OF 21.15 FEET **TO THE POINT OF BEGINNING**

SAID PARCEL CONTAINING **0.22 ACRES** OR **9,609 SQUARE FEET**, MORE OR LESS.

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

1. Use and development of the site in accordance with the approved Site Plans and Statement of Operations for the CU23/06 City of Topeka Utilities – MTAA Billard Pump Station

ADOPTED AND APPROVED by the Governing Body of the City of Topeka, March 19, 2024.

Michael Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk