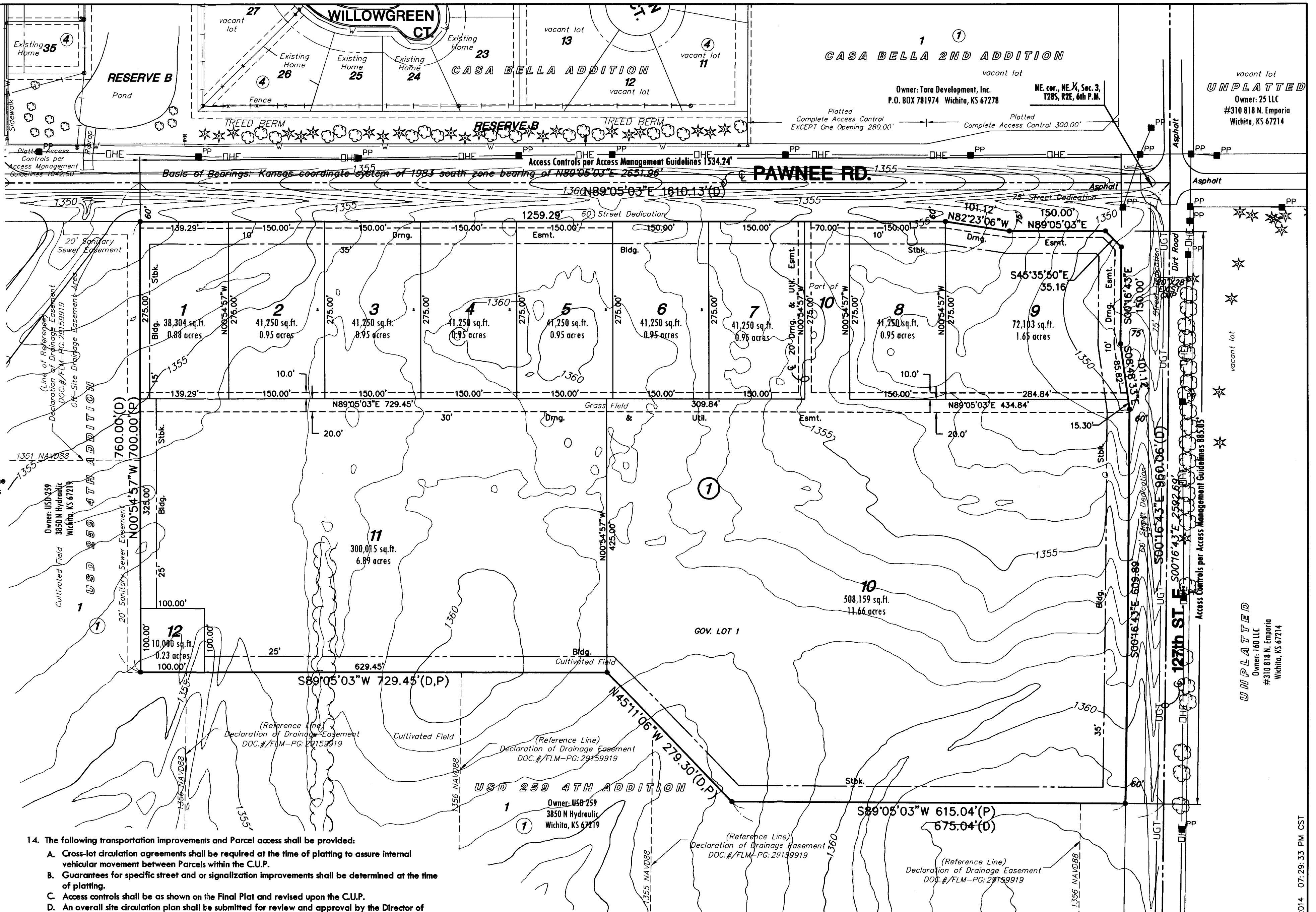


DEVELOPMENT GUIDELINES

General Provisions

- Area:
The total development contains 27.95 net acres of land more or less.
- Parcel Descriptions:
Summary:
Total allowable floor ratio = 30
Minimum Building Setbacks (applies to all Parcels as shown except Parcel 12)
Arterial street setback = 35'
Interior side setback = 10' (See G.P. #9)
- Parcel 1
Gross Area= 0.87 Ac. or 38,304 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 14,438 s.f.
Floor Area Ratio=0.30
- Parcel 2
Gross Area= 0.95 Ac. or 41,250 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 14,438 s.f.
Floor Area Ratio=0.30
- Parcel 3
Gross Area= 0.95 Ac. or 41,250 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 14,438 s.f.
Floor Area Ratio=0.30
- Parcel 4
Gross Area= 0.95 Ac. or 41,250 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 14,438 s.f.
Floor Area Ratio=0.30
- Parcel 5
Gross Area= 0.95 Ac. or 41,250 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 14,438 s.f.
Floor Area Ratio=0.30
- Parcel 6
Gross Area= 0.95 Ac. or 41,250 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 14,438 s.f.
Floor Area Ratio=0.30
- Parcel 7
Gross Area= 0.95 Ac. or 41,250 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 14,438 s.f.
Floor Area Ratio=0.30
- Parcel 8
Gross Area= 0.95 Ac. or 41,250 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 14,438 s.f.
Floor Area Ratio=0.30
- Parcel 9
Gross Area= 1.65 Ac. or 72,103 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 25,236 s.f.
Floor Area Ratio=0.35
- Parcel 10
Gross Area= 11.66 Ac. or 508,158 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 177,855 s.f.
Floor Area Ratio=0.30
- Parcel 11
Gross Area= 6.89 Ac. or 300,015 s.f.
Maximum Height=35 feet
Max. Building Coverage=30%
Max. Gross Floor Area=35% or 108,505 s.f.
Floor Area Ratio=0.30
- Parcel 12
Gross Area= 0.23 Ac. or 10,000 s.f.
Maximum Height of Wireless Com.=150 feet
Max. Building Coverage=N/A.
Max. Gross Floor Area=N/A.
- The following uses permitted in LC, Limited Commercial District are permitted for all of the Parcels:
 - Multi-Family Residential, Assisted Living, Church or Place of Worship, College or University, Convalescent Care Limited and General, Day Care Limited and General, Government Service, Hospital, Library, Parks and Recreation, Animal Care Limited, Automated Teller Machine, Bank or Financial Institution, Bed and Breakfast Inn, Broadcast / Recording Studio, Car Wash, Construction Sales and Services, Convenience Store, Funeral Home, Hotel or Motel, Indoor Kennels and Boarding for household pets, Medical Service, Monument Sales, Nurseries and Garden Centers and associated Outdoor Storage, Office General, Parking Area and/or Accessory Drive Andillary, Parking Area Commercial, Personal Care Service, Personal Improvement Service, Post Office Substation, Printing and Copying Limited, Recreation and Entertainment Indoor, Restaurant, Retail General, Service Station, Vehicle Repair Limited, Vocational School, Warehouse Self-service Storage, Storage Outdoor, and Agriculture.
 - Parcel 12 is also allowed the use of a Wireless Communication Facility containing a single monopole type facility having co-located equipment. (Per CUP2014-00003, March 20, 2014)
 - The uses permitted by the C.U.P. are only those uses permitted by right and not by conditional use.
- Architectural Controls:
All buildings within the C.U.P. shall share a uniform architectural character, color, and some predominate exterior building material, as approved by the Director of Planning. The building(s) walls shall not utilize metal as a predominant exterior facade material, EXCEPT for rear building facades on Parcels 10 and 11. If metal facade material is utilized on the rear of structures on Parcels 10 and 11, it shall be painted a neutral earth tone color. Parcel 12 is exempt from architectural controls.
- Title:
The transfer of the title on all or any portion of the land included in the Community Unit Plan does not constitute a termination of the plan or any portion thereof; but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns and amended. However, the Director of the MAPD, with the concurrence of the Zoning Administrator, may approve minor adjustments to the conditions in this overlay, consistent with the approved development plan, without filing a formal ordinance amendment.
- Landscaping for this site shall be required as follows:
 - Landscaped street yards, buffers, and parking lot landscaping/screening, shall utilize a shared palette of landscape materials and shall be in accordance with the City of Wichita Landscape Ordinance.
 - A landscape plan shall be prepared by a Kansas Landscape Architect for the above referenced landscaping, indicating the type, location, and specifications of all plant material. This plan shall be submitted to the Metropolitan Area Planning Department (MAPD) for its review and approval prior to issuance of any building permit(s).
 - A financial guarantee for the plant material approved on the landscape plan for that portion of the C.U.P. being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
 - Parcel 12 shall have evergreen landscaping planted at a rate of one evergreen spaced every 10 feet on center around the perimeter of Parcel 12 provided one access opening to the facility. Plantings shall be installed at the time of construction.

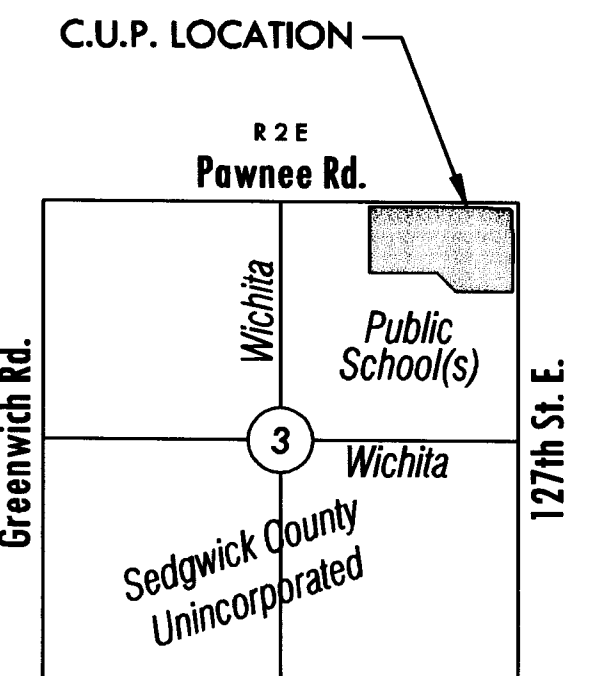
APPROVED CUP
DATE: March 20, 2014
BY: Bill Longenecker



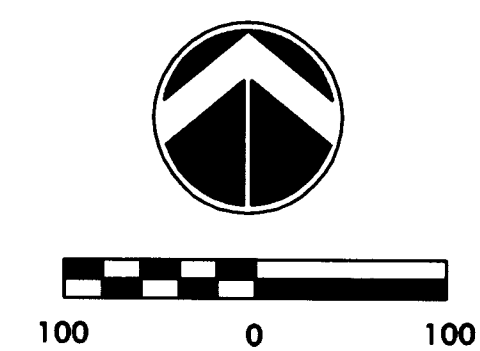
LEGAL DESCRIPTION

A tract of land lying in a portion of Government Lots 1 and 2, Section 28 South, Range 2 East, of the 6th Principal Meridian, Wichita, Sedgwick County, Kansas; said tract being more particularly described as follows:
BEGINNING at the northeast corner of said Northeast Quarter, thence along the east line of said Quarter on a Kansas coordinate system of 1983 south zone grid bearing of 500°16'43"E, 960.04 feet; thence parallel with and 960.00 feet south of the north line of said Quarter, S89°05'03"W, 675.04 feet; thence N45°11'06"W, 270.30 feet to a point lying 760.00 feet south of said north line; thence S89°05'03"W, 729.45 feet; thence N00°54'57"W, 760.00 feet to said north line; thence along said north line, N89°05'03"E, 1610.13 feet to the POINT OF BEGINNING.

Said tract CONTAINS: 1,217,331 square feet or 27.946 acres of land, more or less.



VICINITY MAP



COMMUNITY UNIT PLAN DP-322 SIERRA POINTE

Owner / Developer: 127 PAW, LLC, a Kansas limited liability company 8111 E. 32nd St., Suite 101, Wichita, KS, 67226 316.262.3331

Amendment #1 - CUP2014-00003 (March 20, 2014)



Wichita-Sedgwick County Metropolitan Area Planning Department

March 21, 2014

127 PAW, LLC
8111 E. 32nd Street North, Ste. 101
Wichita, KS, 67226

SSC
Justin Anderson
900 W. 109th St.
Overland Park, KS, 66210

CUP2014-00003 - City Amendment to the Sierra Pointe Community Unit Plan DP-322 to allow a wireless communication facility with 150-ft. tall wireless, galvanized steel, monopole cell tower and to reconfigure Parcel 11 on LC Limited Commercial zoned property generally located west of 127th Street East on the south side of Pawnee Road.

Dear Applicant

At its regular meeting on March 20, 2014, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to APPROVE the request, subject to the following conditions:

- A. This request must have the approval by the FAA in determining the proposed wireless communication facility with its 150-foot tall galvanized steel, monopole tower carrying AT&T's 4G LTE poses no hazard to air navigation or interferes with other radio/communication frequencies. The applicant shall submit a current copy of FAA approval to the MAPD and the MABCD prior to the issuance of a building permit.
- B. Waive the compatibility height standard, contingent upon no protest to the waiver by USD 259.
- C. No building permits shall be issued until SUB2010-00032 is approved by the City Council and subsequently recorded with the Sedgwick County Register of Deeds.
- D. All requirements of Art. III Sec. III.D.6.g. of the Unified Zoning Code shall be met.
- E. The applicant shall obtain all permits necessary to construct the wireless communication facility, and the wireless communication facility shall be erected within one year of approval of the Conditional Use by the MAPC or governing body, as applicable.
- F. The support structure shall be a monopole design, as shown on the elevation and that generally conforms to the approved site elevation and that is silver or gray or a similar unobtrusive color with a matte finish to minimize glare.
- G. The support structure shall not exceed 150 feet in height and shall be designed and constructed to accommodate communication equipment for at least three (3) wireless service providers.
- H. The tower site shall be developed in general conformance with the approved revised site and a landscape plan. These plans must show the type and size of fencing around the site, parking, all light poles, lights, power poles, cabinets, equipment or buildings within the fenced in site or in the immediate area if it is to be used by the site. The plan must identify existing and/or proposed trees and shrubs, give their total numbers and their general size to determine if it meets screening requirements of the Unified Zoning Code (UZC) Art. IV, Sec. IV-B.3.b.1. If evergreens are planted they must be a minimum size of 5-foot at the time of their planting (but be

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taller than 5-foot when mature) and planted on 10-foot centers. The site plan must identify the all utility and or access easements. The proposed access/utility easement must be recorded and its surface approved by MABCD and Fire. All improvements and construction of the facility/tower shall be completed within a year and before the facility becomes operational.

- I. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations. Provide the Stormwater Engineer with any required plans for review and approval of the site.
- J. Approve the proposed amendments to DP-322 in the creation of Parcel 12, limiting the uses of Parcel 12 to a wireless communication facility with its 150-foot tall galvanized steel, monopole tower, and; Provision 9, that Parcel 12 shall have no building setbacks, and; add Provision 6.D., establishing the landscaping requirements for Parcel 12 to provide evergreens to be planted at the time of construction at the rate of one evergreen every 10 feet (center to center) around the perimeter of the site with the exception of a space for access onto the site, and; add provision 8.F addressing screening around Parcel 12, and; change a portion of provision 7.D. to allow light poles, including their base, to be 25-foot tall (rather 30-foot tall) and that in this 'instance a school is not considered a residential use.'
- K. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

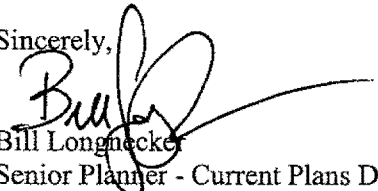
Property owners may file written protest petitions on zoning related items heard by the MAPC. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by April 3, 2014, at 5 PM. If there are no valid protests or appeals the recommendation of the MAPC on an Amendment to a CUP request is final.

Valid protest petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area located within 200 feet of the perimeter of the application area, unless the City Council overrides such a protest and approves the application by a vote of six (6) of its members. If there are valid protests, or appeals, this case will be scheduled for final action by the City Council at their May 6, 2014 meeting as a non-consent item.

This is a reminder that the zoning notification signs should now be removed from the property. This is also a reminder that District Advisory Board II (DAB) will consider this case at their meeting to be held at 6:30 p.m., Monday, April 1, 2014, at Fire Station #20, 2255 S. Greenwich Rd., Wichita, KS. It is advised that the applicant And/or their agent attend this meeting. Additional information regarding the DAB meeting may be obtained by calling the Neighborhood Assistant, Alana Haynes at 268-4531, or ahaynes@wichita.gov.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,


Bill Longnecker
Senior Planner - Current Plans Division

BL/mc

Copies to: Christian Strella, 1642 Timothy, Wichita, KS 67212

MKEC Engineering Consultants, Inc., c/o Brian Lindebak, 411 N. Webb Rd., Wichita, KS, 67206

Black & Veatch, c/o Matt Wells, Telecom Division, 10950 Grandview Road Bldg #34, Overland Park, KS, 66210

Sierra Hills, PO Box 780224, Wichita, KS, 67278

Casa Bella, PO Box 781974, Wichita, KS, 67278

Pete Meitzner, WCC II, Mail Stop 1-13