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ORDINANCE NO. 49-847

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

**BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.**

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2008-00021

Zone change request from SF-5 Single-family Residential to LC Limited Commercial on property described as:

Life Church Addition, Wichita, Sedgwick County, Kansas.

Generally located on the Southeast Corner of Central and 127th Street East.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

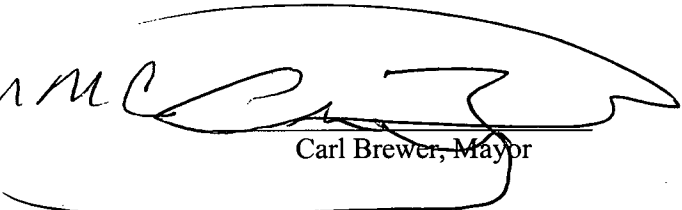
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 21 day of Oct, 2014.

ATTEST:


Karen Sublett, City Clerk




Carl Brewer, Mayor

APPROVED AS TO FORM:


Sharon L. Dickgrafe, Interim City Attorney
& Director of Law

STAFF REPORT

MAPC June 19, 2008

DAB II June 16, 2008

CASE NUMBER: CUP2008-15 AND ZON2008-21 DP-313 Parker Addition Community Unit Plan

APPLICANT/AGENT: Todd Parker (owner); Poe and Associates, Inc. c/o Tim Austin (agent), Christian Ablah (agent)

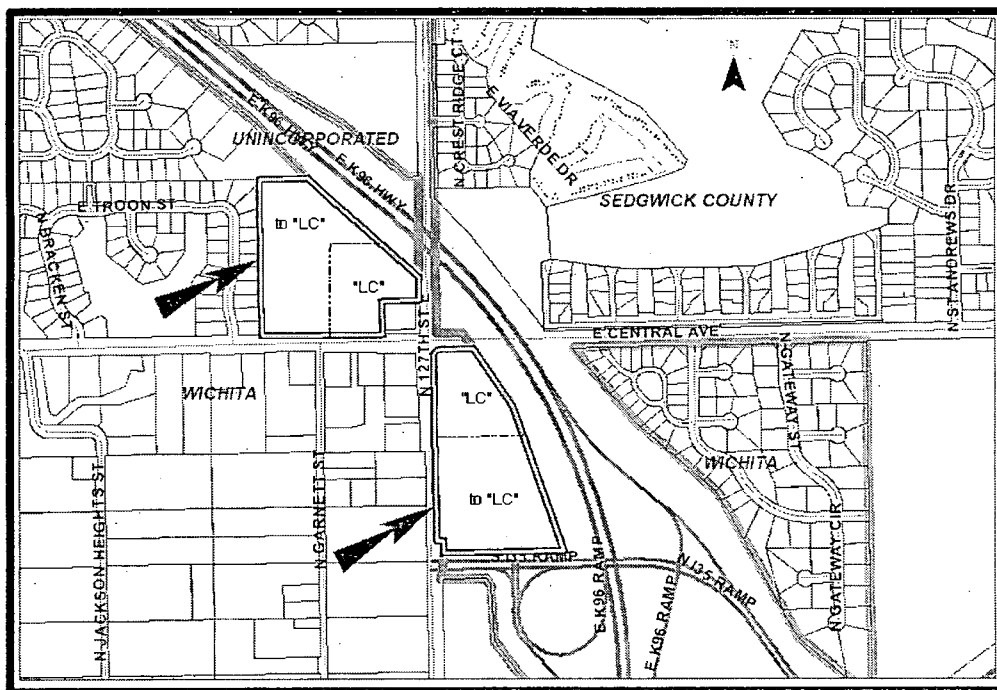
REQUEST: Create DP-313 Parker Addition Community Unit Plan; zone change to LC Limited Commercial

CURRENT ZONING: SF-5 Single-family Residential ("SF-5"), LC Limited Commercial ("LC")

SITE SIZE: 29.5 acres (19.4 acres zoned SF-5, 10.1 acres zoned LC)

LOCATION: Northwest corner and southeast corner of Central Avenue and 127th Street East

PROPOSED USE: Commercial development



BACKGROUND: The applicant proposes to create a commercial community unit plan ("CUP") containing 29.5 acres with nine parcels located on the northwest and southeast corners of the intersection of Central Avenue and 127th Street East and running parallel to K-96. Ten acres (10.1) of the CUP is zoned "LC" Limited Commercial and the applicant has requested to rezone the balance of the CUP (19.4 acres) from SF-5 Single-family Residential to LC. Parcels 1-7 would comprise the property to the northwest of the intersection, except for the 0.8 acre corner tract that is under separate ownership and already developed as a convenience store with gas islands and a single-bay car wash. Parcels 8 and 9 would comprise the property bordered by Central Avenue, K-96, the south I-135 ramp and 127th Street East.

All parcels except Parcel 2 would allow uses permitted by right in the LC district. Parcel 2, located on the western edge of the CUP along Central adjacent to Crestlake Addition, would be restricted to NR Neighborhood Retail ("NR") uses. Uses prohibited on the entire CUP are: cemetery, correctional placement residences, taverns, nightclubs, drinking establishments or adult entertainment establishments (sexually oriented businesses). Additional prohibitions are on auto-oriented uses (service stations, convenience stores with gas islands, restaurants with drive-in or drive through facilities and vehicle repair) within 200 feet of residential zoning, overhead doors facing residential districts, and screening of these types of trash, mechanical equipment, loading docks and service areas.

The CUP provides architectural standards, consistent design of lighting elements and height limitation of 20 feet, landscape palette consistency and more stringent planting ratios, avoidance of neon and florescent lighting on buildings. A standard masonry wall is required on the north and west property lines of Parcels 1, 2 and 7. Additional signage and lighting provisions are suggested to protect the adjacent residential development under construction from the commercial uses.

Perimeter setbacks are 35 feet. However, the CUP proposes reducing the front setback to 20 feet if the area between the right-of-way line and the street wall line (defined as a line extending from the front building façade) is limited to landscaped area only. Only one drive aisle (defined as a two way drive aisle with parking spaces on one or two edges, which is a paved area of approximately 60 feet for two lines of parking and 42 feet for one line of parking spaces).

Pedestrian connectivity and internal site circulation and cross circulation are required. Maximum building coverage would be 30 percent; maximum gross floor area would be 35 percent of total land area, and maximum building height would be 35 feet. The requested number of buildings is large, being ten for Parcel 9, eight for Parcels 1 and 8, five for Parcels 5, 6 and 7, and three for Parcels 2, 3 and 4.

The CUP proposes a sign plan consisting of a more limited number of sign locations, and specifies the maximum sizes permitted. Continuous movement signs are prohibited, temporary banners/pennants are allowed per specific guidelines. Building wall signage is limited to use of individual letters, with three feet height of letters for

Parcel 1 and two feet for other parcels, and otherwise would seem to be per Wichita Sign Code.

The property is vacant. The tract excluded from the CUP on the northwest corner of Central Avenue and 127th Street East has a convenience store with gas islands and a single-bay car wash on property zoned LC. The property on the southwest corner of Central and 127th is zoned LC and has a strip commercial building with retail/personal service types of uses and a bank, but over half of this CUP (DP-247) is undeveloped. A warehouse, self-service storage facility and a vacant tract is located on the next property to the west of DP-247. The land to the north and west of Parcels 1, 2 and 7 is zoned SF-5 and is being developed in single-family residences in Crestlake Subdivision and Preston Trails. The property to the west of Parcel 8 along 127th Street East is held in large residential lots. The property to the south of Parcel 9 is vacant land with OW Office Warehouse ("OW") zoning and is part of DP-248. The KTA southbound ramp forms the southern boundary of Parcel 9. K-96 borders the property on the east. The land east of K-96 is zoned SF-5 and consists of single-family development in Bridgefield Subdivision and Crestview, an assisted living facility and a church.

CASE HISTORY: The property is not platted. DP-255 KTP Center Addition Community Unit Plan (CUP2001-00005) and an associated zone change to LC and GO General Office ("GO") (ZON2001-00009), was approved in 2001 for a larger tract of 51 acres, but which included the northwest 12 acres in Parcels 1-7 of this request. This case was denied and closed for failure to plat.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5,	Single-family residential, assisted living, church
EAST:	SF-5	Single-family residential
SOUTH:	LC, OW	Commercial strip center (retail/personal services, bank, warehouse, self-service storage, vacant
WEST:	SF-5	Single-family residential

PUBLIC SERVICES: Central Avenue is classified as a minor arterial street and constructed as a four-lane arterial with a center turn lane from Garnett Street, which is located one block west 127th Street East, and continuing past the bridge over K-96. Traffic counts on 127th in 2007 were 11,000 vehicles per day (ADTs). 127th Street East is classified as a minor arterial street. North of Central, it is constructed as a four-lane arterial with a center turn lane, and had traffic counts of 4,875 ADTs in 2007. South of Central, it is constructed as a two-lane arterial with a center turn lane, and had traffic counts of 3,738 in 2007. The KTA ramp is a divided four lane entrance/exit to the Turnpike and K-96. K-96 is classified and constructed as a four-lane limited access freeway.

The state has complete access control along the KTA ramp bordering the south boundary of Parcel 9. It is recommended that the drive alignment between Parcel 2 and Parcel 3 be shifted to align with Garnett Street, that drive openings shall be aligned with existing drives on 127th Retail Addition and that the remaining frontage shall be platted

per Access Management Policy.

Other normal public services are available.

CONFORMANCE TO PLANS/POLICIES: The "2030 Wichita Functional Land Use Guide, Map as amended May 2005" of the *1999 Update to the Wichita-Sedgwick County Comprehensive Plan* identifies this area as appropriate for "local commercial." This CUP would be in conformance with this guideline.

In terms of conformance with commercial goals/objectives/strategies and locational guidelines, it partially conforms to **Commercial Goal/Objective B** of "Develop future retail/commercial areas which complement existing commercial activities, provide convenient access to the public and minimize detrimental impacts to other adjacent land uses." It conforms to **Strategy III.B.1** of locating local commercial development (neighborhood centers) in areas shown on the Land Use Guide at the intersection of two arterial streets and it is within the area shown for urban expansion. The CUP incorporates provisions conforming to **Strategy III.B.2** of integrating out parcels to planned centers through shared internal circulation, similar landscaping and building materials, and combined ingress/egress. **Strategy III.B.3** seeks to reduce access points along arterial streets; which would be accomplished through alignment of the drive with Garnett Street and following access management for the other access points. **Commercial Locational Guideline #1** of the *Comprehensive Plan* recommends that commercial sites should be located adjacent to arterial streets. The proposed development complies with this guideline. **Commercial Locational Guideline #3** recommends site design features that limit noise, lighting and other aspects that may adversely affect residential use, and **#4** recommends compact clusters versus extended strip development. The proposed CUP incorporates provisions related to architectural, landscape, signage, lighting, screening and other features to comply with this guideline.

RECOMMENDATION: Based on these factors, plus the information available prior to the public hearing, staff recommends the request be APPROVED subject to platting within one year and subject to the following conditions:

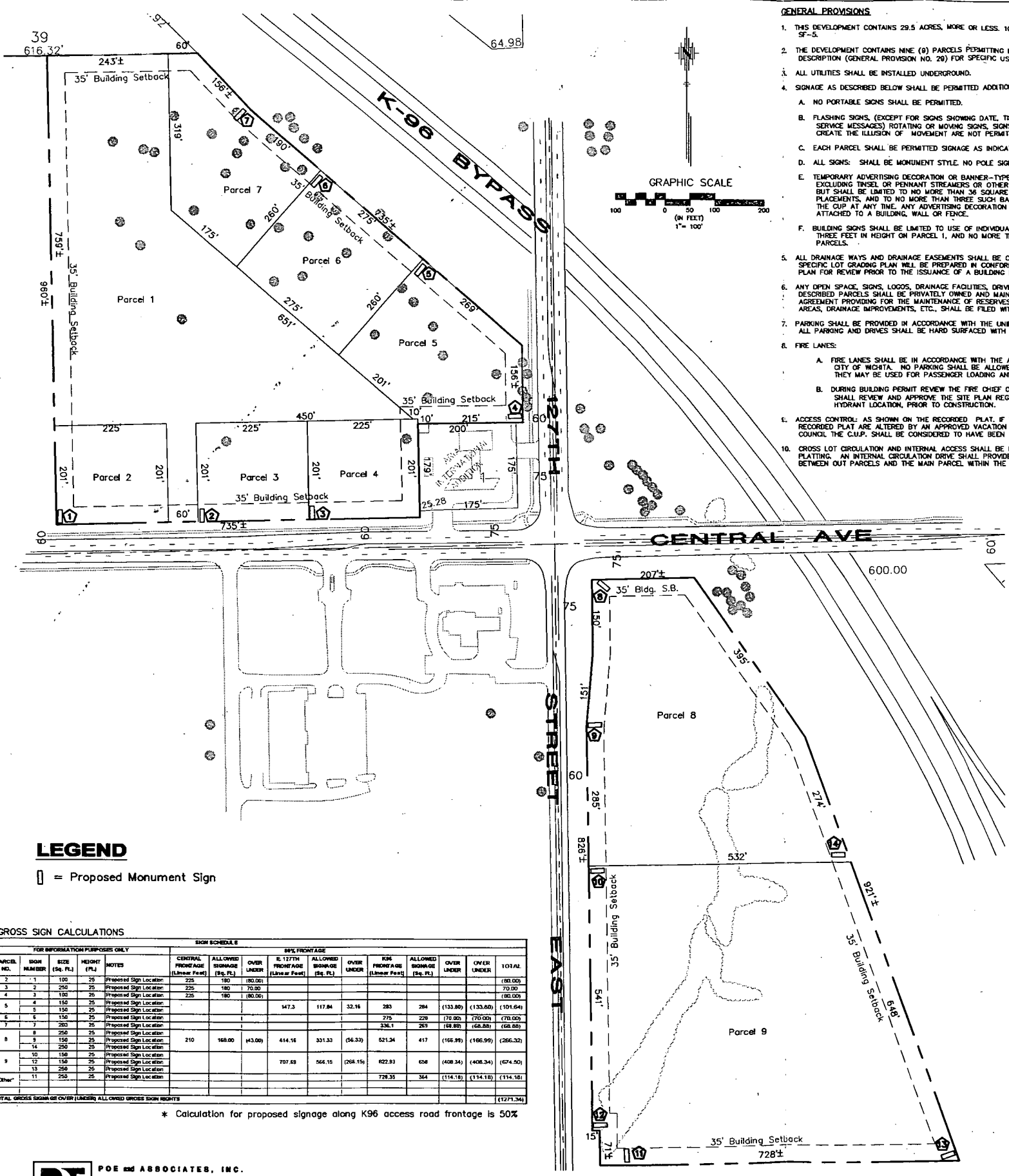
- A. APPROVE the zone change (ZON2008-00021) to LC for the property zoned SF-5 subject to platting within one year.
- B. APPROVE the Community Unit Plan (DP-313), subject to the following conditions:
 - 1. Revise General Provision #4 to state: "Signage will be permitted as allowed by the Sign Code, City Code Title 24.04, with the following additional conditions/limitations."
 - 2. Revise General Provision #4A to prohibit off-site signs and billboards.
 - 3. Clarify that General Provision #4C to state: "Each parcel shall be permitted monument style ground signage as indicated in the Sign Schedule. Please refer to 'Legend: Proposed Monument Sign' schedule on this document."
 - 4. Limit the height of monument sign on Parcel 2 to 15 feet.

5. Add to General Provision #4F: "Prohibit building wall signs facing residential on Parcels 1-7."
6. Revise General Provision #13 to limit height of lighting to 15 feet within 100 feet of residential zoning.
7. Revise General Provision #23 to require construction of the masonry wall when any portion(s) of Parcels 1, 2 and/or 7 are developed.
8. Provide guarantees for left turn center lanes and right turn decel lanes to all full movement approaches at time of platting.
9. It is recommended that the drive alignment between Parcel 2 and Parcel 3 be shifted to align with Garnett Street, that drive openings shall be aligned with existing drives on 127th Retail Addition and that the remaining frontage shall be platted per Access Management Policy.
10. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
11. The transfer of title of all or any portion of the land included within 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, unless amended.
12. The ordinance/resolution establishing the zone change shall not be published until the platting has been recorded with the Register of Deeds.
13. Prior to publishing the ordinance/resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating that this tract (referenced as DP-313) includes special conditions for development on this property.
14. The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The property is vacant. The tract excluded from the CUP on the northwest corner of Central Avenue and 127th Street East has a convenience store with gas islands and a single-bay car wash on property zoned LC. The property on the southwest corner of Central and 127th is zoned LC and has a strip commercial building with retail/personal service types of uses and a bank, but over half of this CUP (DP-247) is undeveloped. A warehouse, self-service storage facility and a vacant tract is located on the next property to the west of DP-247. The land to the north and west of Parcels 1, 2 and 7 is zoned SF-5 and is being developed in single-family residences in Crestlake Subdivision and Preston Trails. The property to the west of Parcel 8 along 127th Street East is held in large residential lots. The property to the south of Parcel 9 is vacant land with OW Office Warehouse ("OW") zoning and is part of DP-248. The KTA southbound ramp forms the southern boundary of Parcel 9. K-96 borders the property on the east. The land east of K-96 is zoned SF-5 and consists of a single-family development in Bridgefield Subdivision and Crestview Subdivision, an assisted living facility and a church.

2. The suitability of the subject property for the uses to which it has been restricted: The current zoning, SF-5 and LC, is suited for development although the presence of commercial use to the south of Parcels 1-4 may deter the viability of residential uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The CUP provisions should diminish the detrimental effects of the development on nearby residential property.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The "2030 Wichita Functional Land Use Guide, Map as amended May 2005" of the *1999 Update to the Wichita-Sedgwick County Comprehensive Plan* identifies this area as appropriate for "local commercial." This CUP would be in conformance with this guideline. In terms of conformance with commercial goals/objectives/strategies and locational guidelines, it partially conforms to **Commercial Goal/Objective B** of "Develop future retail/commercial areas which complement existing commercial activities, provide convenient access to the public and minimize detrimental impacts to other adjacent land uses." It conforms to **Strategy III.B1** of locating local commercial development (neighborhood centers) in areas shown on the Land Use Guide at the intersection of two arterial streets and it is within the area shown for urban expansion. The CUP incorporates provisions conforming to **Strategy III.B.2** of integrating out parcels to planned centers through shared internal circulation, similar landscaping and building materials, and combined ingress/egress. **Strategy III.B.3** seeks to reduce access points along arterial streets; which would be accomplished through alignment of the drive with Garnett Street and following access management for the other access points. **Commercial Locational Guideline #1** of the *Comprehensive Plan* recommends that commercial sites should be located adjacent to arterial streets. The proposed development complies with this guideline. **Commercial Locational Guideline #3** recommends site design features that limit noise, lighting and other aspects that may adversely affect residential use, and **#4** recommends compact clusters versus extended strip development. The proposed CUP incorporates provisions related to architectural, landscape, signage, lighting, screening and other features to comply with this guideline.
5. Impact of the proposed development on community facilities: The development will add traffic to the arterial streets, but the improvements on Central are adequate. If significant activity occurs on 127th, the street may need expansion. Other municipal services are available.



GENERAL PROVISIONS

- THIS DEVELOPMENT CONTAINS 29.5 ACRES, MORE OR LESS. 10.1 ACRES ZONED "LC", 19.4 ACRES ZONED "SF-3".
- THE DEVELOPMENT CONTAINS NINE (9) PARCELS PERMITTING LIMITED COMMERCIAL USES. SEE PARCEL DESCRIPTION (GENERAL PROVISION NO. 29) FOR SPECIFIC USES.
- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- SIGNAGE AS DESCRIBED BELOW SHALL BE PERMITTED ADDITIONALLY THE FOLLOWING CONDITIONS APPLY:
 - NO PORTABLE SIGNS SHALL BE PERMITTED.
 - FLASHING SIGNS, (EXCEPT FOR SIGNS SHOWING DATE, TIME, TEMPERATURE, AND OTHER PUBLIC SERVICE MESSAGES) ROTATING OR MOVING SIGNS, SIGNS WITH MOVING LIGHTS, OR SIGNS WHICH CREATE THE ILLUSION OF MOVEMENT ARE NOT PERMITTED.
 - EACH PARCEL SHALL BE PERMITTED SIGNAGE AS INDICATED IN THE SIGN SCHEDULE ON SHEET 1.
 - ALL SIGNS: SHALL BE MONUMENT STYLE. NO POLE SIGNS SHALL BE PERMITTED.
 - TEMPORARY ADVERTISING DECORATION OR BANNER-TYPE SIGNS AS ALLOWED BY THE SIGN CODE, EXCLUDING TENSEL OR PENDANT STREAMERS OR OTHER SIMILAR DECORATION, SHALL BE PERMITTED, BUT SHALL BE LIMITED TO NO MORE THAN 30 SQUARE FEET IN SIZE, TO NO MORE THAN 15 DAY PLACEMENTS, AND TO NO MORE THAN THREE SUCH BANNER OR ADVERTISING DECORATION SIGNS IN THE CUP AT ANY TIME. ANY ADVERTISING DECORATION OR BANNER SIGNS SHALL BE SECURELY ATTACHED TO A BUILDING, WALL, OR FENCE.
 - BUILDING SIGNS SHALL BE LIMITED TO USE OF INDIVIDUAL LETTERS THAT AVERAGE NO MORE THAN THREE FEET IN HEIGHT ON PARCEL 1, AND NO MORE THAN TWO FEET IN HEIGHT ON ALL OTHER PARCELS.
- ALL DRAINAGE WAYS AND DRAINAGE EASEMENTS SHALL BE CONFIRMED AT THE TIME OF PLATTING. A SPECIFIC LOT GRADING PLAN WILL BE PREPARED IN CONFORMANCE WITH THE GENERAL DRAINAGE CONCEPT PLAN FOR REVIEW PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
- ANY OPEN SPACE, SIGNS, LOGOS, DRAINAGE FACILITIES, DRIVES OR PARKING AREAS CONTAINED WITHIN THE DESCRIBED PARCELS SHALL BE PRIVATELY OWNED AND MAINTAINED. IF MULTIPLE OWNERSHIP OCCURS AN AGREEMENT PROVIDING FOR THE MAINTENANCE OF RESERVES, OPEN SPACE, INTERNAL DRIVES, PARKING AREAS, DRAINAGE IMPROVEMENTS, ETC., SHALL BE FILED WITH THE PLAT.
- PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE UNIFIED ZONING CODE OF THE CITY OF WICHITA. ALL PARKING AND DRIVES SHALL BE HARD SURFACED WITH CONCRETE OR ASPHALT.
- FIRE LANES:
 - FIRE LANES SHALL BE IN ACCORDANCE WITH THE APPROPRIATE FIRE CODE OF THE CITY OF WICHITA. NO PARKING SHALL BE ALLOWED IN SAID FIRE LANES, ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING.
 - DURING BUILDING PERMIT REVIEW THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE SHALL REVIEW AND APPROVE THE SITE PLAN REGARDING FIRE LANE(S) AND FIRE HYDRANT LOCATION, PRIOR TO CONSTRUCTION.
- ACCESS CONTROL: AS SHOWN ON THE RECORDED PLAT. IF THE ACCESS CONTROLS OF THE RECORDED PLAT ARE ALTERED BY AN APPROVED VACATION ORDER OF THE WICHITA CITY COUNCIL THE C.U.P. SHALL BE CONSIDERED TO HAVE BEEN ADJUSTED ACCORDINGLY.
- CROSS LOT CIRCULATION AND INTERNAL ACCESS SHALL BE PROVIDED AT THE TIME OF PLATTING. AN INTERNAL CIRCULATION DRIVE SHALL PROVIDE CROSS-LOT ACCESS ALONG THE LINE BETWEEN OUT PARCELS AND THE MAIN PARCEL WITHIN THE CUP.
- THE TRANSFER OF TITLE ON ALL OR ANY PORTION OF THE LAND INCLUDED IN THE C.U.P. DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF. BUT SAID PLAN SHALL RUN WITH THE LAND AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED. ANY MAJOR CHANGES IN THIS DEVELOPMENT PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION FOR ITS CONSIDERATION.
- NO DEVELOPMENT OF THE CUP SHALL OCCUR UNTIL MUNICIPAL WATER AND SEWER SERVICES HAVE BEEN EXTENDED TO SERVE THE SITE.
- ALL LIGHTS SHALL BE SHIELDED TO REFLECT LIGHT DOWNWARD OR DIRECT LIGHT AWAY FROM RESIDENTIAL AREAS. LIGHT POLES ON PARCELS SHALL BE LIMITED TO 20 FEET IN HEIGHT. ALL PARKING LOT LIGHTING WITHIN THE CUP SHALL SHARE CONSISTENT DESIGN (I.E. FIXTURES, POLES, LAMP BASES).
- TRASH RECEPTACLES SHALL BE APPROPRIATELY SCREENED TO REASONABLY HIDE THEM FROM GROUND VIEW. SCREENING SHALL BE CONSTRUCTED OF MATERIALS AND/OR LANDSCAPING COMPATIBLE WITH AND COMPLEMENTARY TO THE EXTERIOR OF THE BUILDINGS TO WHICH THE TRASH RECEPTACLE PROVIDES SERVICE. LOADING DOCKS AND SERVICE AREAS SHALL ALSO BE SCREENED FROM CENTRAL AVE, 127TH EAST, AND SURROUNDING RESIDENTIAL AREAS WITH SCREENING WALLS AND/OR LANDSCAPING APPROVED BY THE PLANNING DIRECTOR.
- ON ALL PARCELS ROOF-TOP EQUIPMENT SHALL BE SCREENED FROM GROUND LEVEL VIEW FROM ADJACENT RESIDENTIAL AREAS; NO ROOF-TOP FENCING ALLOWED.
- DEVELOPMENT OF ALL PARCELS WITHIN THE CUP SHALL COMPLY WITH THE LANDSCAPE ORDINANCE OF THE CITY OF WICHITA. A LANDSCAPE PLAN SHALL BE PREPARED BY A STATE OF KANSAS REGISTERED LANDSCAPE ARCHITECT FOR THE REQUIRED LANDSCAPING, INDICATING THE TYPE, LOCATION AND SPECIFICATIONS OF ALL PLANT MATERIAL. THIS PLAN SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT.
- REQUIREMENTS FOR LANDSCAPED STREET YARD AND BUFFER STRIP TREES SHALL BE CALCULATED AT 1.5 TIMES THE MINIMUM ORDINANCE REQUIREMENTS. REQUIREMENTS FOR PARKING LOT LANDSCAPING SHALL COMPLY WITH THE LANDSCAPE ORDINANCE FOR PARCEL 1. PARKING LOT LANDSCAPING SHALL BE PROVIDED AT A RATE OF 1 TREE FOR EVERY 20 PARKING SPACES.
- A FINANCIAL GUARANTEE FOR THE PLANT MATERIAL APPROVED ON THE LANDSCAPE PLAN FOR THAT PORTION OF THE CUP BEING DEVELOPED SHALL BE REQUIRED PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT, IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.
- ALL PARCELS IN THE CUP SHALL SHARE A SIMILAR OR COMPATIBLE PLANT PALETTE, AS DETERMINED BY THE REGISTERED LANDSCAPE ARCHITECT PREPARING REQUIRED PLAN.
- ALL BUILDINGS SHALL HAVE CONSISTENT EXTERIOR BUILDING MATERIALS WITH CONSISTENT ARCHITECTURAL CHARACTER, FORM, OR AND TEXTURE. BUILDING WALLS SHALL BE BROKEN UP BY PROJECTIONS, RECESSES, CHANGES IN ROOF LINE, AND CHANGES IN COLORS, TEXTURES AND/OR MATERIALS, RELATING TO INTERIOR BUILDING FUNCTIONS WHERE FEASIBLE. BUILDINGS SHOULD HAVE A RECOGNIZABLE "BASE" AND "TOP". PREFABRICATED METAL PANELS SHALL NOT BE PERMITTED ON THE SIDE OF BUILDINGS FACING CENTRAL AVE, 127TH STREET AND SHALL NOT BE THE PREDOMINANT WALL MATERIAL ON ANY OTHER SIDE OF THE BUILDING. NO BUILDING PERMITS SHALL BE ISSUED UNTIL SITE ELEVATIONS ARE APPROVED BY THE PLANNING DIRECTOR.
- BUILDINGS IN PARCELS ALONG THE ARTERIAL STREETS SHOULD BE SITED WITH A PRIMARY BUILDING FACADE ALONG THE STREET AND NO MORE THAN ONE DRIVING AISLE. MINIMUM SETBACK ALONG ARTERIAL STREETS SHALL BE REDUCED TO A MINIMUM OF 20 FEET IF THE FRONT YARD AREA IS LANDSCAPED. A MINIMUM OF 50 PERCENT OF THE BUILDING FRONTAGE FACING THE ARTERIAL STREETS MUST HAVE WINDOWS OR DOOR OPENINGS.
- GAS ISLANDS, ATMs, BANK DRIVE-THROUGH WINDOWS, OVERHEAD DOORS AND SIMILAR UTILITARIAN ITEMS SHALL BE SCREENED OR SITED BEHIND BUILDINGS TO MINIMIZE THEIR VIEW FROM THE STREET.
- A SIX (6) FOOT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG THE WESTERN LINE OF PARCELS 1 AND 2 AND THE NORTHERN LINE OF PARCEL 1 AND 7 IN THE EVENT THAT PROPERTY TO THE NORTH, SOUTH AND EAST OF THE CUP IS DEVELOPED WITH RESIDENTIAL USES. NO UTILITIES SHALL BE PLACED WITHIN THE 5 FOOT WALL EASEMENT.
- EXTENSIVE USE OF BACKLIT CANOPIES AND NEON OR FLUORESCENT TUBE LIGHTING ON BUILDINGS IS NOT PERMITTED.
- THIS C.U.P. DOCUMENT IS GENERAL IN CHARACTER AND WILL REQUIRE THE SUBMISSION OF A SITE PLAN AND A LANDSCAPE PLAN FOR EACH PARCEL OR PORTION THEREOF. THIS SITE PLAN WILL REQUIRE ADMINISTRATIVE APPROVAL AT THE PLAN REVIEW STAGE PRIOR TO ISSUANCE OF A BUILDING PERMIT. THE SITE PLAN SHALL SHOW LAND USE RELATIONSHIPS, ACCESS POINTS AND/OR CONTROL SETBACKS, INTERIOR CIRCULATION, PARKING, SCREENING AND OTHER SIMILAR DESIGN CONSIDERATIONS.
- PRIOR TO ISSUING BUILDING PERMITS FOR EACH PARCEL OR PORTION THEREOF, A PLAN FOR VEHICULAR CIRCULATION AND A PEDESTRIAN WALK SYSTEM SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PLANNING. THE PLAN SHALL LINK SIDEWALKS ALONG CENTRAL AVE, AND/OR 127TH STREET EAST WITH THE MAJOR ENTRANCES TO THE DEVELOPMENT, AND SHALL LINK WITH THE PROPOSED BUILDINGS WITHIN THE DEVELOPMENT AND FUTURE ADJACENT RESIDENTIAL DEVELOPMENT. THE SITE PEDESTRIAN CIRCULATION SYSTEM, WHICH MAY BE CONSTRUCTED INCREMENTALLY, SHALL BE APPROVED BY THE PLANNING DIRECTOR. WALKWAYS ACROSS PARKING LOTS SHALL BE DESIGNATED BY CHANGES IN MATERIAL, TEXTURE AND COLOR.
- THE DEVELOPMENT OF THIS PROPERTY SHALL PROCEED IN ACCORDANCE WITH THE DEVELOPMENT PLAN AS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION AND APPROVED BY THE GOVERNING BODY. ANY SUBSTANTIAL DEVIATION OF THE PLAN AS DETERMINED BY THE ZONING ADMINISTRATOR AND THE DIRECTOR OF PLANNING SHALL CONSTITUTE A VIOLATION OF THE BUILDING PERMIT AUTHORIZING CONSTRUCTION OF THE PROPOSED DEVELOPMENT.
- THE FOLLOWING USES SHALL BE PROHIBITED IN ALL PARCELS: CEMETARY, CORRECTIONAL PLACEMENT RESIDENCES, NIGHT CLUB IN THE CITY, AND NIGHT CLUB IN THE COUNTY. ANY USES ALLOWED ONLY BY CONDITIONAL USE SHALL NOT BE ALLOWED EXCEPT BY CUP AMENDMENT. THE FOLLOWING USES SHALL BE PROHIBITED WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY: SERVICE STATIONS, CONVENIENCE STORES WITH GAS ISLANDS, RESTAURANTS WITH DRIVE-IN OR DRIVE-THROUGH FACILITIES AND VEHICLE REPAIR. THERE SHALL BE NO OVERHEAD DOORS FOR AUTO SERVICES OR REPAIR USES FACING RESIDENTIAL DISTRICTS.
- PARCEL DESCRIPTIONS:

PARCEL NO. 1 PROPOSED USES: ALL PERMITTED USES IN THE "LC" LIMITED COMMERCIAL ZONING DISTRICT EXCEPT: TAVERNS, NIGHT CLUBS, DRINKING ESTABLISHMENTS OR ADULT ENTERTAINMENT NET AREA - 301,924 SQ. FT. (6.93 ACRES) MAXIMUM BUILDING COVERAGE - 30% TOTAL NUMBER OF BUILDINGS - 8 PARKING - SEE GENERAL PROVISION NUMBER 7 MAXIMUM BUILDING HEIGHT-35 FEET GROSS FLOOR AREA RATIO: 35%	PARCEL NO. 5 PROPOSED USES: SAME AS PARCEL 1 NET AREA - 79,770 SQ. FT. (1.83 ACRES) MAXIMUM BUILDING COVERAGE - 21,288 SQ. FT. (30% MAX.) TOTAL NUMBER OF BUILDINGS - 5 PARKING - SEE GENERAL PROVISION NUMBER 7 MAXIMUM BUILDING HEIGHT-35 FEET GROSS FLOOR AREA RATIO: 35%
PARCEL NO. 2 PROPOSED USES: ALL PERMITTED USES IN THE "NR" NEIGHBORHOOD RETAIL ZONING DISTRICT. NET AREA - 45,236 SQ. FT. (1.04 ACRES) MAXIMUM BUILDING COVERAGE - 30% TOTAL NUMBER OF BUILDINGS - 3 PARKING - SEE GENERAL PROVISION NUMBER 7 MAXIMUM BUILDING HEIGHT-35 FEET GROSS FLOOR AREA RATIO: 30%	PARCEL NO. 6 PROPOSED USES: SAME AS PARCEL 1 NET AREA - 71,516 SQ. FT. (1.64 ACRES) MAXIMUM BUILDING COVERAGE - 30% TOTAL NUMBER OF BUILDINGS - 5 PARKING - SEE GENERAL PROVISION NUMBER 7 MAXIMUM BUILDING HEIGHT-35 FEET GROSS FLOOR AREA RATIO: 35%
PARCEL NO. 3 PROPOSED USES: SAME AS PARCEL 1 NET AREA - 45,236 SQ. FT. (1.04 ACRES) MAXIMUM BUILDING COVERAGE - 30% TOTAL NUMBER OF BUILDINGS - 3 PARKING - SEE GENERAL PROVISION NUMBER 7 MAXIMUM BUILDING HEIGHT-35 FEET GROSS FLOOR AREA RATIO: 30%	PARCEL NO. 7 PROPOSED USES: SAME AS PARCEL 1 NET AREA - 77,143 SQ. FT. (1.77 ACRES) MAXIMUM BUILDING COVERAGE - 30% TOTAL NUMBER OF BUILDINGS - 5 PARKING - SEE GENERAL PROVISION NUMBER 7 MAXIMUM BUILDING HEIGHT-35 FEET GROSS FLOOR AREA RATIO: 35%
PARCEL NO. 4 PROPOSED USES: SAME AS PARCEL 1 NET AREA - 45,236 SQ. FT. (1.04 ACRES) MAXIMUM BUILDING COVERAGE - 30% TOTAL NUMBER OF BUILDINGS - 3 PARKING - SEE GENERAL PROVISION NUMBER 7 MAXIMUM BUILDING HEIGHT-35 FEET GROSS FLOOR AREA RATIO: 30%	PARCEL NO. 8 PROPOSED USES: SAME AS PARCEL 1 NET AREA - 231,202 SQ. FT. (5.31 ACRES) MAXIMUM BUILDING COVERAGE - 77,056 SQ. FT. (30% MAX.) TOTAL NUMBER OF BUILDINGS - 8 PARKING - SEE GENERAL PROVISION NUMBER 7 MAXIMUM BUILDING HEIGHT-45 FEET GROSS FLOOR AREA RATIO: 40%
PARCEL NO. 9 PROPOSED USES: SAME AS PARCEL 1 NET AREA - 388,117 SQ. FT. (8.93 ACRES) MAXIMUM BUILDING COVERAGE - 121,742 SQ. FT. (30% MAX.) TOTAL NUMBER OF BUILDINGS - 10 PARKING - SEE GENERAL PROVISION NUMBER 7 MAXIMUM BUILDING HEIGHT-41 FEET GROSS FLOOR AREA RATIO: 40%	

LEGEND

= Proposed Monument Sign

GROSS SIGN CALCULATIONS

FOR INFORMATION PURPOSES ONLY				SIGN SCHEDULE									
PARCEL NO.	SIGN NUMBER	SIZE (Sq. Ft.)	HEIGHT (Ft.)	NOTES	CENTRAL FRONTAGE (Linear Feet)		ALLOWED SIGNAGE (Sq. Ft.)		OVER UNDER		K-96 FRONTAGE (Linear Feet)		TOTAL
					225	180	180	(80.00)			147.3	117.84	
2	1	180	25	Proposed Sign Location	225	180	180	(80.00)					(80.00)
3	2	255	25	Proposed Sign Location	225	180	180	(80.00)					(80.00)
4	3	150	25	Proposed Sign Location	225	180	180	(80.00)					(80.00)
5	4	150	25	Proposed Sign Location							147.3	117.84	(101.64)
6	5	150	25	Proposed Sign Location							275	229	(70.00)
7	6	150	25	Proposed Sign Location							336.1	287	(68.88)
8	7	250	25	Proposed Sign Location							336.1	287	(68.88)
9	8	250	25	Proposed Sign Location	210	160.00	(43.00)				414.16	331.33	(56.33)
10	9	150	25	Proposed Sign Location							707.69	566.15	(268.15)
11	10	150	25	Proposed Sign Location							707.69	566.15	(268.15)
12	11	150	25	Proposed Sign Location							707.69	566.15	(268.15)
13	12	250	25	Proposed Sign Location							707.69	566.15	(268.15)
Other	13	250	25	Proposed Sign Location							707.69	566.15	(268.15)
TOTAL GROSS SIGNAGE OVER UNDER ALLOWED GROSS SIGN HEIGHTS													(1271.34)

* Calculation for proposed signage along K96 access road frontage is 50%