

C U P _



1. This proposed development contains 653,402 sq. ft. or 15.00 gross acres more or less. Exclusive of additional public street right-of-way for 13TH Street and Webb Road, this proposed development contains 628,671.9 sq. ft. or 14.43 net acres more or less.
2. Access, to and from 13TH Street, shall be limited to a maximum of three (3) points of Ingress/Egress as indicated on the plan. Access, to and from Webb Road, shall be limited to a maximum of four (4) points of Ingress/Egress as indicated on the plan.
3. Minimum building setbacks are as indicated on the plan. Said setback from Webb Road on Parcel 3 shall be the west line of the existing 30 feet sanitary sewer easement, or 36.62 feet west of the east line of said Parcel 3.

Minimum building setbacks from common parcel boundaries shall be 15 feet, except where two or more parcels are developed as one. In such event, no setback from said boundaries are required provided not less than 30 feet is maintained between structures on adjoining parcels for rear yard, alley, service drive or combination thereof.

See Parcel Descriptions relative to minimum building setbacks on Parcel 1 and 3, in the event said parcel(s) are developed under the residential alternate.

4. All utilities shall be installed underground.
5. Signs are permitted per Section 20.04.139 of The Code of the City of Wichita. Additionally, the following applies:
 - (a) The maximum height of freestanding signs shall be 16 feet.
 - (b) The maximum number of freestanding signs shall be no more than 3 on Webb Road frontage and 3 on 13th Street frontage.
 - (c) No individual sign shall exceed 150 square feet.
 - (d) No flashing or moving signs shall be permitted except for time/temperature type signs.
 - (e) No off-site or portable signs shall be permitted.
6. All non-public open space, signs, logos, drainage facilities, drives and parking areas shall be privately owned and maintained.
7. An overall, general drainage concept plan will be prepared and submitted at the time of platting. Specific grading plan(s) will be prepared and submitted for each lot or building site for review prior to the issuance of individual building permits.
8. Screening and landscaping. - Because of the Wichita Collegiate School property to the west and south and the athletic playfields and other institutional uses which do and can occur there, the owner shall have the option of:
 - (a) Providing a 10 foot planting strip or landscape buffer, consisting of a combination of grass, low shrubs and trees, as indicated along the west and south property lines; or,
 - (b) Providing a five (5) to eight (8) foot solid or semi-solid wall along the west and south property lines, constructed of stone, masonry, architectural tile, or other similar materials (not including wood or woven wire). If said wall is constructed, the 10 foot landscape buffer in (a) above shall be waived.

In the case of the 10 foot landscape buffer, a landscape plan, prepared by a landscape architect, shall be submitted to the Planning Department for their review and approval prior to the issuance of any building permit(s) on the parcel(s) involved. The landscape plan shall also depict the proposed method of providing irrigation to the plant materials within the landscape buffer.

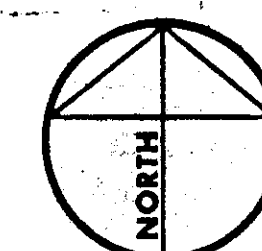
Failure to properly maintain the 10 foot landscape buffer shall be considered a violation of the building permit authorizing construction of the proposed development, after a joint determination by the Director of Planning and Superintendent of Central Inspection that the plants are not properly maintained. A financial guarantee for the plant materials approved for the landscape plan shall be required prior to the issuance of any occupancy permit if the required landscaping has not been planted.

Portions of the existing shelter belt adjacent to 13th Street will be integrated into the site plan and retained in the development of subject property. Portions are subject to clearing within street right-of-way, for sufficient visibility at points of ingress and egress, and where penetrated for siting of structures and parking. Retained areas will be thinned and pruned for removal of dead, damaged and less desirable plant materials.

Trash receptacles shall be appropriately screened to reasonably hide them from ground view. Trees and shrubs will be selectively chosen and placed to assist in screening of service areas from view, and additionally utilized within parking lot and throughout the property to soften and enhance the architectural elements of the development.

A minimum of 10 percent of each parcel area shall be maintained in water surface area and/or landscaped open space. Included in said count for said open space, 30 percent of the perimeter 50 feet adjacent to 13th Street and Webb Road, shall be maintained in landscaped open space. Said perimeter open space shall be planted with a minimum number of trees adjacent to each street equal to one tree for each 50 lineal feet of street frontage.

9. Off-street parking shall be provided on all parcels in accordance with the appropriate provisions and requirements of the Zoning Ordinance. Based on final development plans, distribution of required parking spaces may overlap common boundary lines between Parcels 1, 2 and 3.
10. The transfer of title of 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 for commercial development and be binding upon the present owners, their successors and assigns, and their lessees unless amended.



SCALE 1" = 50'

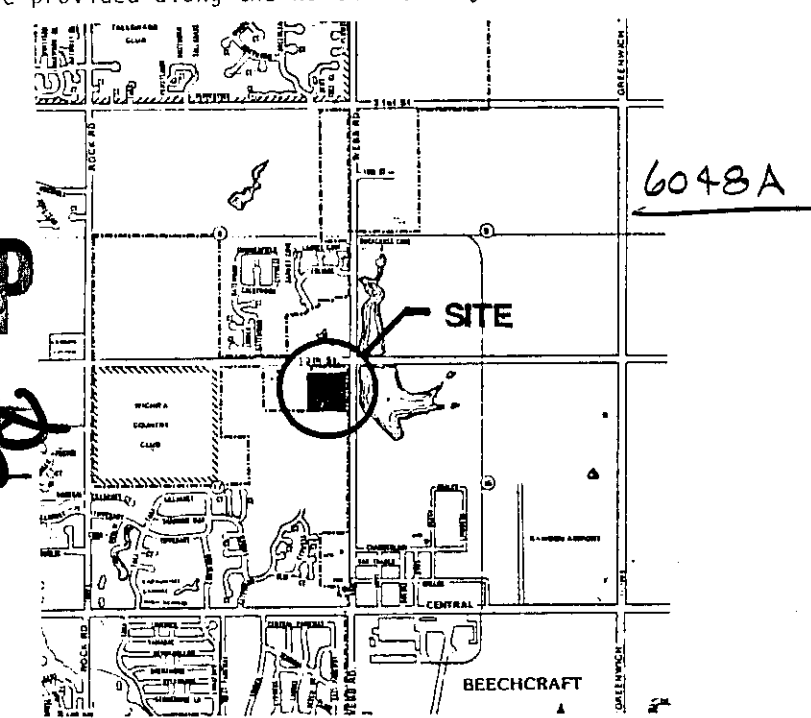
APPROVED CUP

MAPC APPROVED 7-21-89

8CC APPROVED 8-16-81

1. And $\phi(1) = 2$

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AREA MAP

TOPOGRAPHY - JUNE, 1985 CONTOUR INTERVAL @ 2 FEET

11. A traffic impact study will be provided. Final determination of necessary street right-of-way, required pavement widths and guarantees for required improvements will be resolved at the time of platting.
12. A site traffic circulation plan shall be submitted to the Director of Planning for review and approval during the building permit process.
13. On Parcel 2, any building constructed within 200 feet of street right-of-way for 13th Street and Webb Road shall have similar architectural character and predominant building materials.

PARCEL DESCRIPTIONS

PARCEL NO. 1
Proposed Uses: All uses permitted in the "BB" Office District zoning regulations such as offices, medical and dental facilities, optician, pharmacy and other similar uses; but excluding, hotels and motels
Gross Area - 3.13± acres or 136,268.4± sq.ft.
Net Area - 2.95± acres or 128,501.6± sq.ft.
Maximum building coverage - 30% or 38,550 sq.ft.
Maximum floor area ratio - 0.40
Maximum gross floor area - 51,400 sq.ft.
Maximum building height - 45 feet
Building setbacks - as shown on the plan and set forth under G.P. #3
Maximum number of buildings - 2

PARCEL 1E: 1 (ALTERNATE)
Proposed Uses: Residential community comprised of single family detached and/or single family attached dwelling units with private streets and common open space.
Gross Area - 3.131 acre (134,261 sq. ft.)
Net Area - .2957 acres or 128,501.61 sq. ft.
Maximum density - 8 D.U./acre or 24 dwelling units
Maximum building height - 35 feet
Minimum building setback - 10 feet
Parcel 1, building setbacks may be reduced to 20 feet from the east, south and west Parcel boundaries. The minimum building setback from 12th Street shall be 25 feet.
Minimum parking ratio - 2.0/D.U.
Screening - In the east (Parcel 1) is developed as residential, the 10 foot landscape buffer and five (5) to eight (8) foot screening wall along the west boundary of said Parcel shall be waived; and, a screening wall as described in G.P. #8 (B) shall be provided along the east boundary of Parcel 1, and along its south boundary as well should Parcel 3 be developed for offices.

PARCEL NO. 2
Proposed Uses: All uses permitted in the "LC" Light Commercial District zoning regulations such as shopping center, retail and service businesses, bakery, dry cleaning, photo and repro-
duction shops, drug stores, health and beauty salons, hair stylists, restau-
rants, service stations, theaters, offices and other similar
uses; excluding however, food locker facilities, hotels and
motels. No individual or single retail commercial use shall
exceed or occupy more than 60,000 square feet of gross floor
area.
Gross Area - 7.10 acres or 309,319 sq. ft.
Net Area - 6.71 acres or 292,357 sq. ft.
Maximum building coverage - 50% or 87,000 sq. ft.
Maximum floor area ratio - 0.40
Maximum gross floor area - 116,940 sq. ft.
Maximum building height - 65 feet
Building setbacks as shown on the plan and set forth under G.P. #3
Maximum number of buildings - 5

PARCEL NO. 3
Proposed Uses: All uses permitted in the "B8" Office District zoning regulations, such as offices, medical and dental facilities, restaurants, apparel, grocery and other similar uses; but excluding hotels and motels.
Gross Area - 4.774 acres or 207,814.6¹/₂ sq. ft.
Net Area - 4.772 acres or 207,814.6¹/₂ sq. ft.
Maximum building coverage - 30% or 62,340 sq. ft.
Maximum floor area ratio - 0.40
Maximum gross floor area - 83,125 sq. ft.
Maximum building height - 45 feet
Building setbacks - as shown on the plan and set forth under G.P. #3
Building number of buildings - 1

PARCEL NO. 3 (ALTERNATE)
Proposed Uses: Residential community comprised of single family detached and/or single family attached dwelling units with private streets and common open space.
Gross Area - 4.774 acres or 207,814.67 sq. ft.
Net Area - 4.777 acres or 207,814.67 sq. ft.
Maximum density - 8.0 U./acre or 38 dwelling units.
Maximum building height - 35 feet.
Minimum building setbacks - Under the residential alternate for Parcel 3, building setbacks may be reduced to 20 feet from the north, west and south Parcel boundaries. The setback from the Road side of the lot to the back line of the 30 feet sanitary sewer easement, or 35.6 feet west of the east Parcel boundary.
Minimum parking ratio - 2.0/0.0 U.
Screening: In the southeast corner 3 is developed as residential, the 10 foot landscape buffer and five (5) to eight (8) foot screening wall along the west and south boundaries of said Parcel shall be waived; and, a screening wall as described in G. 1. #8 (b) shall be provided along the north boundary.

COUNTRY CLUB PARK - COMMERCIAL COMMUNITY UNIT PLAN
PORTION OF NE1/4, SECTION 17, T-27-S, R-2-E

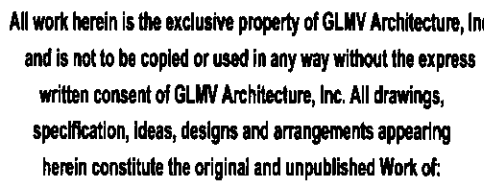
WICHITA, SEDGWICK COUNTY, KANSAS

OWNER / DEVELOPER: COUNTRY CLUB PARK L.P. 9920 E. HARRY WICHITA, KANSAS 67207 (316) 686-1222

DRAWN APRIL 1988
CHECKED

SHEET

OF ONE

The logo for CROSSfirst BANK. The word "CROSS" is in a bold, black, sans-serif font. The word "first" is in a black, italicized, serif font. The word "BANK" is in a bold, black, sans-serif font, positioned below "first". A vertical line passes through the center of the "CROSS" and "first" text.

GLMV Architecture, Inc.

CrossFirst Bank
9451 E. 13th Street N.
WICHITA, KS 67206

Eq. **18** of **11**





Wichita-Sedgwick County Metropolitan Area Planning Department

May 13, 2013

Country Club Park Association, LP
c/o Tom Jack
1313 N. Webb Rd
Wichita, KS 67206

RE: CUP2013-00011 - Request for Amendment #1 for the "GO" General Office zoned DP-186 to allow a "bank or financial institution" and a shift to the common parcel line of Parcels 1 (subject site) and 3, generally located south of 13th Street North and west of Webb Road.

Dear Applicants:

At its regular meeting on **May 9, 2013**, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to **APPROVE** the request, with the following provisions:

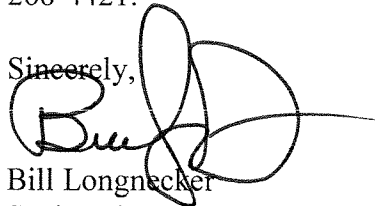
- (1) The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.
- (2) If the Zoning Administrator finds that there is a violation of any of the conditions of the amendment to the CUP, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the amendment to the CUP is null and void.

NOTICE: The public hearing on planning items is conducted by the MAPC under provisions of State Law. Adopted policy is that the City Council will not take additional testimony on zoning related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement with the City Clerk by 5:00 p.m. on the Wednesday preceding this meeting, providing new facts on the issue or alleging an unfair hearing. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

Property owners may also 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 **May 23, 2013, at 5 p.m.** Such petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area within 200 feet of the perimeter of the application area, unless the Council overrides such a protest and approves the application by a vote of 6 of its members.

If protests are filed, your application will be forwarded to the **June 11, 2013**, City Council meeting for review and final action. If there are no protests the recommendation by the MAPC is final. This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Longnecker", with a large, stylized flourish extending from the end of the signature.

Bill Longnecker
Senior Planner
Current Plans Division

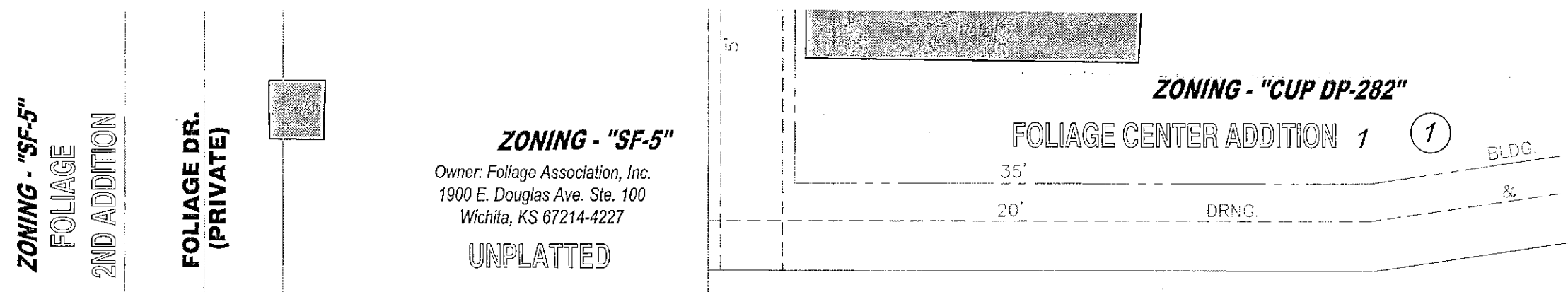
Cc: MKEC, c/o Brian Lindebak, 411 N. Webb Rd, Wichita, KS, 67206
Pete Meitzner, WCC II, (e-mail)
Janet Johnson, NA II, (e-mail)
Jeff Van Zandt, City Law, (e-mail)
Paul Hays, MABCD, Mail (e-mail)
JR Cox, Zoning Supervisor, MABCD, (e-mail)

DEVELOPMENT GUIDELINES

General Provisions

- The CUP contains a gross area of 14.44 acres of land more or less.
- Access Controls: As per plated access controls as shown hereon.
- Building Setbacks: The minimum building setbacks are as shown hereon.
 - 37 feet along Webb Road (Sanitary Sewer Easement)
 - 35 feet along 13th Street
 - 35 feet along the west line of Parcel 1
 - 20 feet along the west line of Parcel 6 (also see 6.F.)
 - 20 feet along the south line of the CUP (Parcels 5 and 6 - also see 6.F.)
 - If contiguous Parcels are developed under the same ownership, setbacks between such Parcels will not be required. If not contiguously owned the minimum side/rear setback shall be 10 feet.
- All utilities shall be installed underground.
- Signs are permitted per the Sign Code of the City of Wichita, and amendments thereto. Ten monument signs are permitted: Five along Webb Road and five along 13th Street. The sign areas shall be limited to a maximum of 150 square feet each along Webb Road and 150 square feet each along 13th Street. Standalone development identification signs shall count against the above total allowed ten monument signs. Development identification signs may also have tenant signage:
 - Parcel 1**
 - A. The maximum height of the freestanding signs shall be 16 feet.
 - B. No individual sign shall exceed 150 square feet.
 - C. No flashing or moving signs shall be permitted except for time/temperature type signs.
 - D. No off-site or portable signs shall be permitted.
 - Parcels 2, 3, 4, 5, 6 and 7**
 - A. No flashing, animated or moving, portable, billboard, banner, off-site, or pennant signs shall be permitted except, however, two electronic message signs are allowed along Webb Road.
 - B. All signs along and adjacent to 13th and Webb streets shall be monument-type signs with a maximum height of 25 feet.
 - C. The minimum distance between monument signs shall be 120 feet, except tenant signs may be located a minimum distance of 50 feet when adjacent to a development identification only sign.
 - D. Building signage shall be permitted within the C.U.P. Building signage shall be limited to 20% of the wall area with no single tenant sign exceeding 400 square feet in area, and there shall be no more than three signs for each tenant (business) on each building elevation. There shall be no building signage along the westerly or southern facades of any buildings directly facing the Wichita Collegiate School on Parcels 5 and 6 abutting the western and southern boundary of the CUP.
 - E. Accent lighting of monuments and directional/way-finding signs shall be permitted.
 - F. Window signage shall be limited to 25% of the window area.
 - G. Internal signage is permitted along the private drive on Parcel 7.

- Screening and Landscaping:
 - A. Landscape street yards, buffers, and parking lot landscaping and screening shall be in accordance with the City of Wichita Landscape Ordinance.
 - B. A landscape plan shall be prepared by a Kansas Landscape Architect for the above-referenced landscaping, indicating the type, location, and specification of all plant material. This plan shall be submitted to the Metropolitan Area Planning (MAPD) for its review and approval prior to the issuance of any building permit(s).
 - C. 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 the issuance of any occupancy permit(s) if the required landscape has not been planted.
 - D. Failure to properly maintain the required landscaping shall be considered a violation of the CUP after the determination of the Zoning Administrator with the concurrence of the Planning Director.
 - E. Trash receptacles shall be appropriately screened to reasonably hide them from ground view. Trees and shrubs will be selectively chosen and placed to assist in the screening of service areas from view, and additionally utilized within parking lots and throughout the property to soften and enhance the architectural elements of the development.
 - F. The screening requirements along the south and west lines are as follows:
 - Because of the Wichita Collegiate School property to the west and south and the athletic playfields and other institutional uses which do and can occur thereon, the owner(s) shall have the option of:
 - i. Providing a 10-foot planting strip or landscape buffer, consisting of a combination of grass, low shrubs, and trees, as indicated along the west and south property lines; or
 - ii. Providing a five (5) to eight (8) foot solid or semi-solid wall along the west and south property lines, constructed of stone, masonry, architectural tile, or other similar materials (not including wood or woven wire). If said wall is constructed of stone, masonry, architectural tile, or other similar materials (not including wood or woven wire), the 10-foot landscape buffer in (i) above shall be waived.
 - G. Rooftop mechanical equipment shall be screened from ground-level view per the Wichita-Sedgwick County Unified Zoning Code.
- Lighting:
 - A. Lighting shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV, and the amendments thereto.
 - B. All Parcels shall share similar or consistent parking lot lighting elements (i.e. fixtures, poles and lamps and etc.), as approved by the Director of the MAPD.
 - C. All lighting shall be shielded to direct light disbursement in a downward direction and directed away from residential areas.
 - D. Light poles including above-ground base shall be limited to 27 feet tall, except 15 feet tall when within 200 feet of residential zoning with residential use.
 - E. The Wichita Collegiate School property to the west and south shall not be considered residential for lighting standards.
 - F. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.
- Off-street parking shall be provided on all parcels in accordance with the appropriate provisions and requirements of the Zoning Ordinance. A parking reduction for Parcel 4 was approved as per BZA 9-89 requiring 115 spaces. Parcels 2, 3, 4, 5, and 7 may reduce the required parking further based upon the land usage and overall occupancy of the building. A parking study(s) shall be provided to the Zoning Administrator for review and approval for desired parking reductions.
- Transportation improvements and Parcel access shall be provided as follows:
 - A. A cross-lot circulation agreement shall be required prior to the issuance of building permits.
 - B. Access controls are as shown and/or on the revised upon the C.U.P.
- 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.
- 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, and 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.
- Any major changes within this Community Unit Plan shall be submitted to the Planning Commission and the Governing Body for their consideration. Amendments, adjustments, or interpretations to the C.U.P. shall be done in accordance with the Unified Zoning Code.



PARCEL DESCRIPTIONS

Parcel 1
Proposed Uses: All uses permitted in "BB" Office District zoning regulations such as a bank or financial institutions, offices, medical, and dental facilities, optician, apothecary, and other similar uses; but excluding hotels and motels.
Gross Area = 100,745 s.f. or 2.31 ac.
Maximum Building coverage = 30% or 30,223 s.f.
Max. Gross Floor Area = 40% or 40,298 s.f.
Maximum Height = 45 feet
Maximum number of buildings = 2

Parcel 2
A. Proposed Mixed-Uses Commercial and Residential: All allowed uses permitted within the LC Limited Commercial Zoning District with the following EXCEPTIONS:
Group Residence, Limited and General; Cemetery; Correctional Placement Residence, Limited and General; Golf Course; Recycling Collection Station, Private and Public; Reverse Vending Machine; Utility, Minor; Animal Care, General; Construction Sales and Service; Kennel - Boarding/Breeding/Training; Funeral Home; Marine Facility, Recreational; Monument Sales; Parking Area, Commercial; Pawn Shop; Recreational Vehicle Campground; Asphalt or Concrete Plant, Limited and General; Manufacturing, Limited; Mining or Quarrying; Rock Crushing; Solid Waste Incinerator; Agricultural Sales and Services.
B. Kennel Boarding Facilities are allowed for the exclusive use of owners/tenants/residents of Parcels 1, 2, 3, 4, 5, 6, and 7.

C. The following uses as defined by the UZC are permitted:
Event Center in the City, Entertainment Establishment in the City; Nightclub in the City that serve alcoholic beverages, and Tavern and Drinking Establishment. Entertainment Establishments shall provide security personnel and control of premises in conformance with City Code Sec. 3.30.120.
D. The compatibility setback standards, compatibility height standards, and compatibility noise standards are waived on Parcels 2, 3, 4, 5, 6, and 7.

E. The uses permitted by the C.U.P. are only those uses permitted by right and not by conditional use unless specifically identified.
Gross Area = 47,087 s.f. or 1.08 ac.
Maximum Building coverage = 35% or 16,480 s.f.
Max. Gross Floor Area = 100% or 47,087 s.f.
Maximum Height = As per LC Limited Commercial District. Property development standards not listed hereon shall be as per the LC Limited Commercial District.

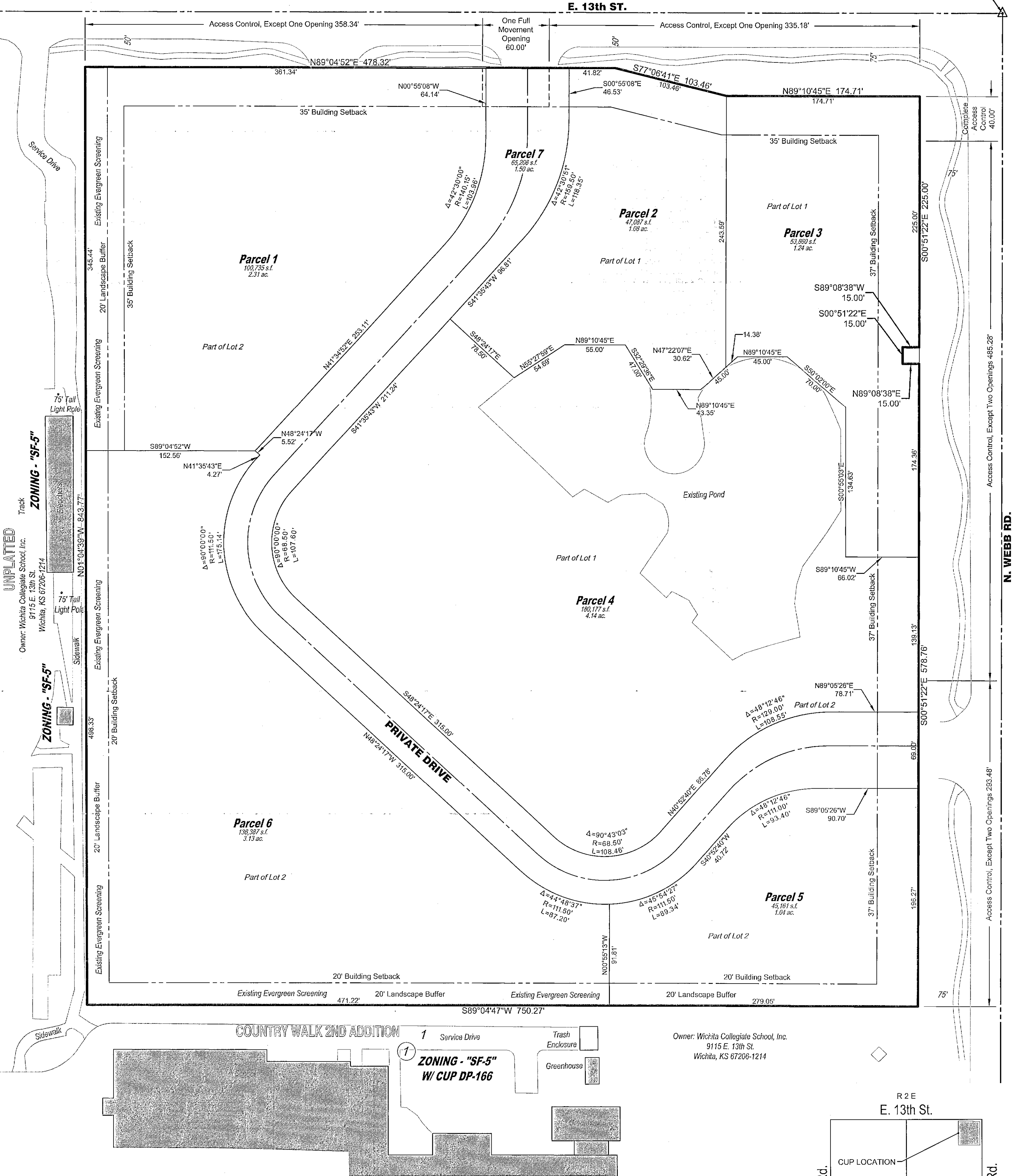
Parcel 3
Proposed Uses: Same as Parcel 2.
Gross Area = 53,860 s.f. or 1.24 ac.
Maximum Building coverage = 35% or 18,851 s.f.
Max. Gross Floor Area = 100% or 53,860 s.f.
Maximum Height = As per LC Limited Commercial District. Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 4
Proposed Uses: Same as Parcel 2.
Gross Area = 180,177 s.f. or 4.14 ac.
Maximum Building coverage = 30% or 54,053 s.f.
Max. Gross Floor Area = 50% or 90,089 s.f.
Maximum Height = As per LC Limited Commercial District. Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 5
Proposed Uses: Same as Parcel 2.
Gross Area = 45,161 s.f. or 1.04 ac.
Maximum Building coverage = 80% or 36,129 s.f.
Max. Gross Floor Area = 165% or 74,516 s.f.
Maximum Height = As per LC Limited Commercial District. Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 6
Proposed Uses: Same as Parcel 2.
Gross Area = 136,387 s.f. or 3.13 ac.
Maximum Building coverage = 80% or 109,110 s.f.
Max. Gross Floor Area = 165% or 225,039 s.f.
Maximum Height = As per LC Limited Commercial District. Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 7
Proposed Uses: Same as Parcel 2.
Access (may be relocated)
Gross Area = 65,206 s.f. or 1.50 ac.
Maximum Building coverage = 35% 22,822 s.f.
Max. Gross Floor Area = 35% 22,822 s.f.
Maximum Height = As per LC Limited Commercial District. Property development standards not listed hereon shall be as per the LC Limited Commercial District.

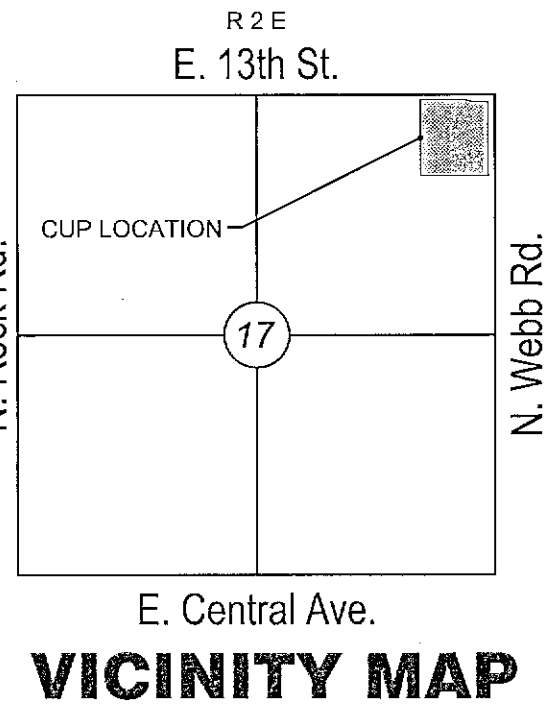


CASE HISTORY

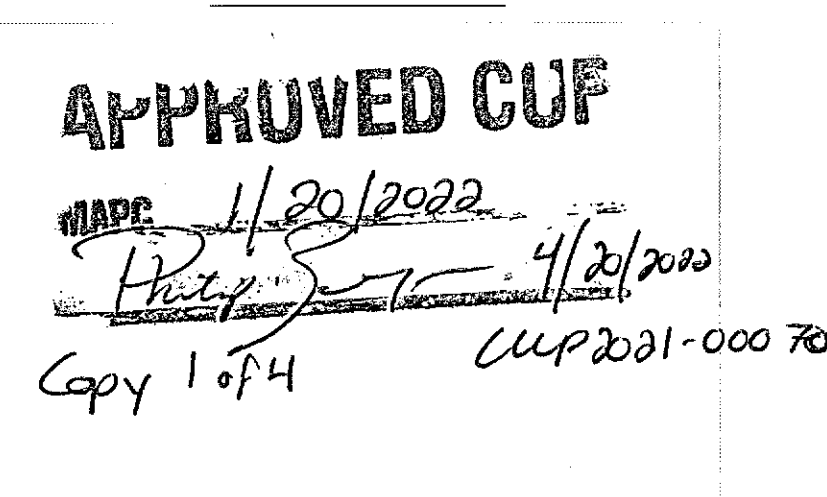
Orig. Case No. _____ Date: MAPC July 21, 1988
BCC Aug. 16, 1988
Amendment BAZ 9-89 April 10, 1989 (Parking Reduction)
Amendment: CUP2013-00011 #1 June 11, 2013 (Parcel 1)
Amendment: CUP2021-00070 #2 ZON2021-00062 Feb. 22, 2022

LEGAL DESCRIPTION

Lots 1 and 2, Country Club Park Addition, Wichita, Kansas.



MAPD STAMP

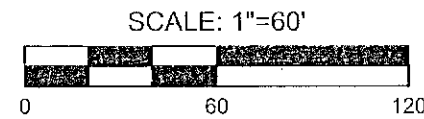
COMMUNITY UNIT PLAN DP-186
COUNTRY CLUB PARK

OWNER / DEVELOPER:

Country Club Park Associates, LP

P.O. Box 782170 Wichita, KS 67278-2170

316.634.1800



Wichita, KS • 316.684.9600



Wichita-Sedgwick County Metropolitan Area Planning Department

February 22, 2022

Country Club Park Associate, LP
Tom Mack
PO Box 782170
Wichita, KS 67278

RE: ZON2021-00062 with CUP2021-00070: City zone change to Country Club Park DP-186 to Parcels 2 and 3, GO General Office to LC Limited Commercial associated with CUP amendment (CUP2021-00070); generally located at the southwest corner of E. 13th Street N and N. Webb Rd.

Dear Applicant;

At its regular meeting on **February 22, 2022**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the request subject to the following conditions:

1. The site shall be developed in substantial conformance with the attached, recommended development guidelines and general provisions of the approved CUP.
2. 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.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen, AICP
Senior Planner

Copies to: MABCD
Becky Tuttle, City Council District II
Cory Buchta, CSR District II
MKEC Engineering, Brian Lindebak, 411 N Webb Rd., Wichita, KS 67206

MAPC RECOMMENDED CUP TEXT FOR DP-186:

DEVELOPMENT GUIDELINES

General Provisions

1. The CUP contains a gross area of 14.44 acres of land more or less.
2. Access Controls: As per platted access controls as shown hereon.
3. Building Setbacks: The minimum building setbacks are as shown hereon.
 - 37 feet along Webb Road (Sanitary Sewer Easement)
 - 35 feet along 13th Street
 - 35 feet along the west line of Parcel 1
 - 20 feet along the west line of Parcel 6 (also see 6.F.)
 - 20 feet along the south line of the CUP (Parcels 5 and 6 – also see 6.F.)If contiguous Parcels are developed under the same ownership, setbacks between such Parcels will not be required. If not contiguously owned the minimum side/rear setback shall be 10 feet.

4. All utilities shall be installed underground.

5. Signs are permitted per the Sign Code of the City of Wichita for LC Zoning District, and amendments thereto,

Additionally, the following conditions apply:

Ten monument signs are permitted: Five along Webb Road and five along 13th Street. The sign areas shall be limited to a maximum of 150 square feet each along Webb Road and 150 square feet each along 13th Street. Standalone development identification signs shall count against the above total allowed ten monument signs. Development identification signs may also have tenant signage.

Parcel 1

- A. The maximum height of the freestanding signs shall be 16 feet.
- B. No individual sign shall exceed 150 square feet.
- C. No flashing or moving signs shall be permitted except for time/temperature type signs.
- D. No off-site or portable signs shall be permitted.

Parcels 2, 3, 4, 5, 6 and 7

- A. No flashing, animated or moving, portable, billboard, banner, off-site, or pennant signs shall be permitted except, however, two electronic message signs are allowed along Webb Road.
- B. All signs along and adjacent to 13th and Webb streets shall be monument-type signs with a maximum height of 25 feet.
- C. The minimum distance between monument signs shall be 120 feet, except tenant signs may be located a minimum distance of 50 feet when adjacent to a development identification only sign.
- D. Building signage shall be permitted within the C.U.P. Building signage shall be limited to 20% of the wall area with no single tenant sign exceeding 400 square feet in area, and there shall be no more than three signs for each tenant (business) on each building elevation. There shall be no building signage along the westerly or southern facades of any buildings directly facing the Wichita Collegiate School on Parcels 5 and 6 abutting the western and southern boundary of the CUP.
- E. Accent lighting of monument and directional/way-finding signs shall be permitted.
- F. Window signage shall be limited to 25% of the window area.
- G. Internal signage is permitted along private drive on Parcel 7.

6. Screening and Landscaping:

- A. Landscape street yards, buffers, and parking lot landscaping and screening shall be in accordance with the City of Wichita Landscape Ordinance.

- B. A landscape plan shall be prepared by a Kansas Landscape Architect for the above-referenced landscaping, indicating the type, location, and specification of all plant material. This plan shall be submitted to the Metropolitan Area Planning Department (MAPD) for its review and approval prior to the issuance of any building permit(s).
- C. 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 the issuance of any occupancy permit(s) if the required landscape has not been planted.
- D. Failure to properly maintain the required landscaping shall be considered a violation of the CUP after the determination of the Zoning Administrator with the concurrence of the Planning Director.
- E. Trash receptacles shall be appropriately screened to reasonably hide them from ground view. Trees and shrubs will be selectively chosen and placed to assist in the screening of service areas from view, and additionally utilized within parking lots and throughout the property to soften and enhance the architectural elements of the development.
- F. The screening requirements along the south and west lines are as follows:
Because of the Wichita Collegiate School property to the west and south and the athletic playfields and other institutional uses which do and can occur thereon, the owner(s) shall have the option of:
 - i. Providing a 10-foot planting strip or landscape buffer, consisting of a combination of grass, low shrubs and trees, as indicated along the west and south property lines; or,
 - ii. Providing a five (5) to eight (8) foot solid or semi-solid wall along the west and south property lines, constructed of stone, masonry, architectural tile, or other similar materials (not including wood or woven wire). If said wall is constructed of stone, masonry, architectural tile, or other similar materials (not including wood or woven wire), the 10-foot landscape buffer in (a) above shall be waived.
- G. Rooftop mechanical equipment shall be screened from ground-level view per the Wichita-Sedgwick County Unified Zoning Code.

7. Lighting:

- A. Lighting shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV, and the amendments thereto.
- B. All Parcels shall share similar or consistent parking lot lighting elements (i.e. fixtures, poles and lamps and etc.), as approved by the Director of Planning.
- C. All lighting shall be shielded to direct light disbursement in a downward direction and directed away from Residential Zoning.
- D. Light poles including above-ground base shall be limited to 27 feet tall, except 15 feet tall when within 200 feet of Residential Zoning with residential use.
- E. The Wichita Collegiate School property to the west and south shall not be considered residential for lighting standards.
- F. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.

- 8. Off-street parking shall be provided on all parcels in accordance with the appropriate provisions and requirements of the Zoning Ordinance.

A parking reduction for Parcel 4 was approved as per BZA 9-89 requiring 115 spaces. Parcels 2, 3, 4, 5, 6, and 7 may reduce the required parking further based upon the land usage and overall occupancy of the buildings. A parking study(s) shall be provided to the Zoning Administrator for review and approval for any desired reductions.

- 9. Transportation improvements and Parcel access shall be provided as follows:

- A. A cross-lot circulation agreement shall be required prior to the issuance of building permits.
- B. Access controls are as shown and/or on the revised upon the C.U.P.

10. 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 Planning, 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.
11. 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, and 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.
12. Any major changes within this Community Unit Plan shall be submitted to the Planning Commission and the Governing Body for their consideration. Amendments, adjustments, or interpretations to the C.U.P. shall be done in accordance with the Unified Zoning Code.

PARCEL DESCRIPTIONS

Parcel 1

Proposed Uses: All uses permitted in "BB" Office District zoning regulations such as a bank or financial institutions, offices, medical, and dental facilities, optician, apothecary, and other similar uses; but excluding hotels and motels.

Gross Area = 100,745 s.f. or 2.31 ac.

Maximum Building coverage = 30% or 30,223 s.f.

Max. Gross Floor Area = 40% or 40,298 s.f.

Maximum Height = 45 feet

Maximum number of buildings = 2

Parcel 2

- A. Proposed Mixed-Uses Commercial and Residential: All allowed uses permitted within the LC Limited Commercial Zoning District with the following EXCEPTIONS:
Group Residence, Limited and General; Cemetery; Correctional Placement Residence, Limited and General; Golf Course; Recycling Collection Station, Private and Public; Reverse Vending Machine; Utility, Minor; Animal Care, General; Construction Sales and Service; Kennel - Boarding/Breeding/Training; Funeral Home; Marine Facility, Recreational; Monument Sales; Parking Area, Commercial; Pawn Shop; Recreational Vehicle Campground; Asphalt or Concrete Plant, Limited and General; Manufacturing, Limited; Mining or Quarrying; Rock Crushing; Solid Waste Incinerator; Agricultural Sales and Services.
- B. Kennel Boarding Facilities are allowed for the exclusive use of owners/tenants/residents of Parcels 1, 2, 3, 4, 5, 6 and 7.
- C. The following uses as defined by the UZC are permitted: Event Center in the City, Entertainment Establishment in the City, Nightclub in the City that serve alcoholic beverages, and Tavern and Drinking Establishment. Entertainment Establishments shall provide security personnel and control of premises in conformance with City Code Sec. 3.30.120.
- D. The compatibility setback standards, compatibility height standards, and compatibility noise standards are waived on Parcels 2, 3, 4, 5, 6, and 7.
- E. The uses permitted by the C.U.P. are only those uses permitted by right and not by conditional use unless uses requiring conditional use approval are specifically listed as permitted uses within this CUP.
Gross Area = 47,087 s.f. or 1.08 ac.
Maximum Building coverage = 35% or 16,480 s.f.

Max. Gross Floor Area = 100% or 47,087 s.f.

Maximum Height = As per LC Limited Commercial District.

Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 3

Proposed Uses: Same as Parcel 2.

Gross Area = 53,860 s.f. or 1.24 ac.

Maximum Building coverage = 35% or 18,851 s.f.

Max. Gross Floor Area = 100% or 53,860 s.f.

Maximum Height = 70 feet

Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 4

Proposed Uses: Same as Parcel 2.

Gross Area = 180,177 s.f. or 4.14 ac.

Maximum Building coverage = 30% or 54,053 s.f.

Max. Gross Floor Area = 50% or 90,089 s.f.

Maximum Height = As per LC Limited Commercial District.

Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 5

Proposed Uses: Same as Parcel 2.

Gross Area = 45,161 s.f. or 1.04 ac.

Maximum Building coverage = 80% or 36,129 s.f.

Max. Gross Floor Area = 165% or 74,516 s.f.

Maximum Height = As per LC Limited Commercial District.

Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 6

Proposed Uses: Same as Parcel 2.

Gross Area = 136,387 s.f. or 3.13 ac.

Maximum Building coverage = 80% or 109,110 s.f.

Max. Gross Floor Area = 165% or 225,039 s.f.

Maximum Height = As per LC Limited Commercial District.

Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 7

Proposed Uses: Same as Parcel 2.

Access (may be relocated)

Gross Area = 65,206 s.f. or 1.50 ac.

Maximum Building coverage = 35% 22,822 s.f.

Max. Gross Floor Area = 35% 22,822 s.f.

Maximum Height = As per LC Limited Commercial District.

Property development standards not listed hereon shall be as per the LC Limited Commercial District.

(Published in the Wichita Eagle, March 4, 2022)

ORDINANCE NO. 51-719

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. ZON2021-00062 with CUP2021-00070

Zone change from GO General Office to LC Limited Commercial District, subject to the development standards contained in Community Unit Plan DP-186, on property described as:

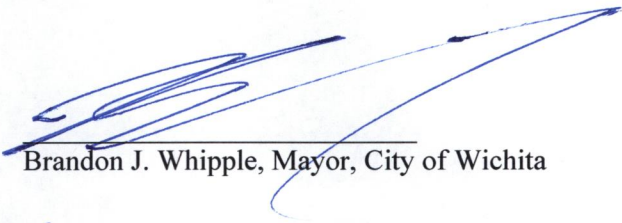
Lots 1 and 2, Country Club Park Addition, Wichita, Sedgwick County, Kansas.
EXCEPT,

A tract of land lying in Lot 2, Country Club Park Addition, Wichita, Sedgwick County, Kansas, being more particularly described as follows: Beginning at the Northwest corner of Lot 2, Country Club Park Addition, Wichita, Sedgwick County, Kansas; thence along the North line of said Lot 2 on a platted bearing of N89°56'00"E, 361.34 feet to a point lying 27.00 feet West of the Northernmost Northeast corner of said Lot 2; thence S00°04'00"E, 64.14 feet parallel with the East line of said Lot 2 to a point on a curve to the right having a radius of 140.15 feet, a central angle of 42°30'00", and a long chord of 101.59 feet, bearing S21°11'00"W; thence 103.96 feet along said curve and parallel with said East line; thence S42°26'00"W, 253.11 feet parallel with said East line; thence S89°56'00"W, 152.62 feet parallel with said North line to the West line of said Lot 2; thence N00°12'57"W, 345.44 feet along said West line to the Point of Beginning.

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.

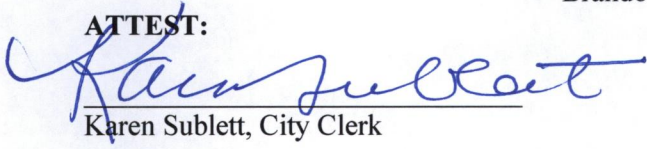
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

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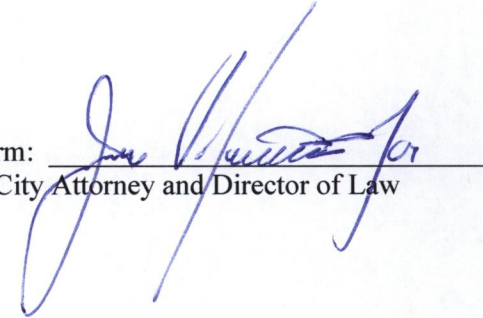
Brandon J. Whipple, Mayor, City of Wichita

ATTEST:



Karen Sublett, City Clerk



Approved as to form: 

Jennifer Magaña, City Attorney and Director of Law

Ordinance

Published in The Wichita Eagle on March 4, 2022

Location

Sedgwick County, Kansas

Notice Text

OCA 150004

(Published in the Wichita Eagle, March 4, 2022)

ORDINANCE NO. 51-719

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. ZON2021-00062 with CUP2021-00070

Zone change from GO General Office to LC Limited Commercial District, subject to the development standards contained in Community Unit Plan DP-186, on property described as:

Lots 1 and 2, Country Club Park Addition, Wichita, Sedgwick County, Kansas. EXCEPT, A tract of land lying in Lot 2, Country Club Park Addition, Wichita, Sedgwick County, Kansas, being more particularly described as follows: Beginning at the Northwest corner of Lot 2, Country Club Park Addition, Wichita, Sedgwick County, Kansas; thence along the North line of said Lot 2 on a platted bearing of N89 56'00"E, 361.34 feet to a point lying 27.00 feet West of the Northernmost Northeast corner of said Lot 2; thence S00 04'00"E, 64.14 feet parallel with the East line of said Lot 2 to a point on a curve to the right having a radius of 140.15 feet, a central angle of 42 30'00", and a long chord of 101.59 feet, bearing S21 11'00"W; thence 103.96 feet along said curve and parallel with said East line; thence S42 26'00"W, 253.11 feet parallel with said East line; thence S89 56'00"W, 152.62 feet parallel with said North line to the West line of said Lot 2; thence N00 12'57"W, 345.44 feet along said West line to the Point of Beginning.

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.

[Remainder of page intentionally left blank]

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Karen Sublett, City Clerk

(SEAL) Approved as to form:

Jennifer Magana, City Attorney and Director of Law

IPL0062791

Mar 4 2022