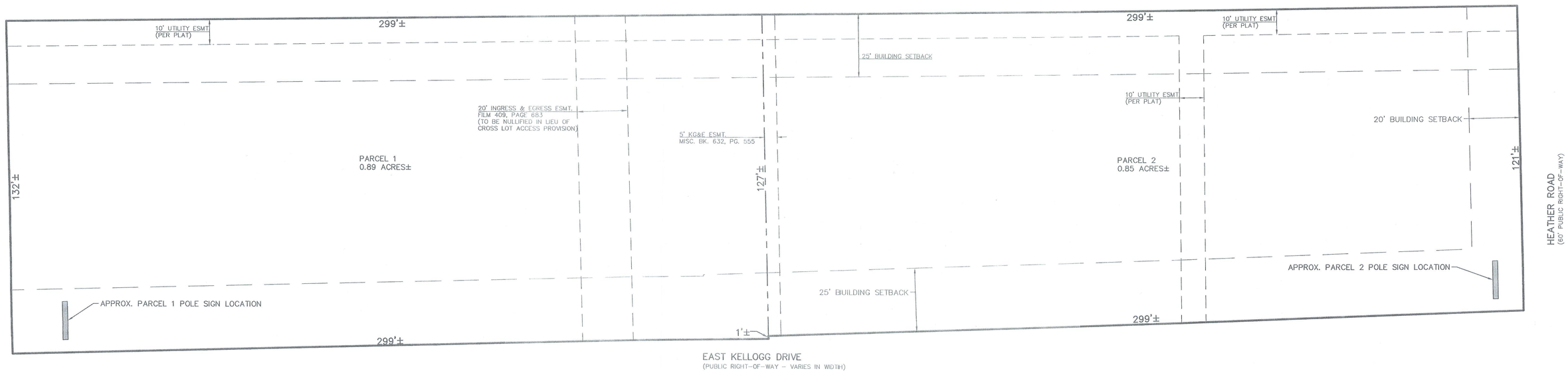
KELLOGG DRIVE AND HEATHER CUP

SW 1/4, SECTION 20, TOWNSHIP 27, RANGE 2 EAST
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS



GENERAL PROVISIONS

TOTAL GROSS AREA = 1.74 ACRES±
TOTAL NET AREA = 1.74 ACRES±

THIS DEVELOPMENT IS PROPOSED TO CONTAIN 1.74 NET ACRES ± OF "LC" LIMITED COMMERCIAL ZONING.

IF DEVELOPED TO THE MAXIMUM PERMITTED, THIS DEVELOPMENT WOULD CONTAIN THE FOLLOWING:

1. ACCESS CONTROL:
   PARCEL 1 – ACCESS CONTROL TO EAST KELLOGG DRIVE SHALL BE LIMITED TO TWO (2) RIGHT-IN, RIGHT-OUT PARTIAL MOVEMENT OPENINGS.
   PARCEL 2 – ACCESS CONTROL TO EAST KELLOGG DRIVE SHALL BE LIMITED TO TWO (2) RIGHT-IN, RIGHT-OUT PARTIAL MOVEMENT OPENING. ACCESS CONTROL TO HEATHER ROAD SHALL BE LIMITED TO ONE FULL MOVEMENT OPENING FOR PARCEL 2.
2. ALL NEW UTILITIES SHALL BE INSTALLED UNDERGROUND.
3. DRAINAGE: DRAINAGE SHALL BE IN ACCORDANCE WITH DRAINAGE PLANS APPROVED BY THE ENGINEERING DIVISION OF THE CITY OF WICHITA.
4. BUILDING SETBACKS: MINIMUM BUILDING SETBACKS SHALL BE 25' ALONG THE EXISTING PROPERTY LINE FOR KELLOGG AND A 20' SIDE YARD SETBACK ALONG THE EXISTING PROPERTY LINE FOR HEATHER ROAD, AND 25' ALONG THE NORTH PROPERTY LINE, PROVIDED THAT ONE TRASH ENCLOSURE SHALL BE PERMITTED WITHIN 20 FEET OF THE NORTH PROPERTY LINE. IF SETBACKS ARE NOT SHOWN, UNDERLYING ZONING DISTRICT SHALL DETERMINE. THESE SETBACKS SHALL ONLY APPLY TO NEW CONSTRUCTION.
5. PARKING RATIO SHALL BE IN ACCORDANCE WITH THE APPROPRIATE CODE OF THE CITY OF WICHITA.
6. PRIOR TO FINAL APPROVAL OF THE PARKING PLAN, THE FIRE CHIEF, OR HIS DESIGNATED REPRESENTATIVE, AND THE ZONING ADMINISTRATOR, SHALL APPROVE THE PLAN AS TO THE LOCATION AND DESIGN OF ANY REQUIRED FIRE LANE(S).
7. SIGNAGE:

   PARCEL 1: TWO (2) SIGNS SHALL BE ALLOWED IN PARCEL 1.

   ONE (1) POLE SIGN SHALL BE ALLOWED ALONG THE KELLOGG FRONTAGE IN THE APPROXIMATE LOCATION SHOWN. THIS SIGN SHALL BE ALLOWED A MAXIMUM HEIGHT OF 60 FEET. THIS SIGN SHALL BE ALLOWED UP TO 300 SQ. FT. OF SIGNAGE. SIGN PANELS MAY BE LOCATED AT ANY HEIGHT UP TO 60 FEET.

   PARCEL 2: TWO (2) SIGNS SHALL BE ALLOWED IN PARCEL 2.

   ONE (1) POLE SIGN SHALL BE ALLOWED ALONG THE KELLOGG FRONTAGE IN THE APPROXIMATE LOCATION SHOWN. THIS SIGN SHALL BE ALLOWED A MAXIMUM HEIGHT OF 60 FEET. THIS SIGN SHALL BE ALLOWED UP TO 300 SQ. FT. OF SIGNAGE. SIGN PANELS MAY BE LOCATED AT ANY HEIGHT UP TO 60 FEET.
8. SCREENING AND LANDSCAPING: SHALL BE PER THE UNIFIED ZONING CODE AND THE CITY OF WICHITA LANDSCAPE ORDINANCE.

   A EIGHT-FOOT MASONRY SCREENING WALL SHALL BE REQUIRED ALONG THE NORTH PROPERTY LINE. CONSTRUCTION OF SAID WALL SHALL ONLY BE REQUIRED UPON BUILDING PERMIT APPLICATION FOR NEW CONSTRUCTION OR IF EXISTING STRUCTURES HAVE A REMODEL THAT IS 50 PERCENT OF THE VALUE OR GREATER, OR IS 30 PERCENT OF THE SQUARE FOOTAGE OR GREATER ON INDIVIDUAL PARCELS. TRASH RECEPTACLES, LOADING DOCKS, AND GROUND LEVEL MECHANICAL EQUIPMENT SHALL BE APPROPRIATELY SCREENED TO REASONABLY HIDE THEM FROM GROUND VIEW.
9. A LANDSCAPE PLAN, PREPARED BY A REGISTERED LANDSCAPE ARCHITECT, FOR THE REQUIRED PLANTING STRIPS, INDICATING THE TYPE, LOCATION, AND SPECIFICATION OF PLANT MATERIALS, AND METHOD OF PROVIDING WATER, SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF BUILDING PERMIT(S).

   A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED IN THE LANDSCAPE PLANS SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.
10. A PLAN FOR A PEDESTRIAN WALK SYSTEM SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING PRIOR TO THE ISSUANCE OF BUILDING PERMITS. THE PEDESTRIAN WALK SYSTEM SHALL PROVIDE PEDESTRIAN CONNECTIONS AMONG THE BUILDINGS WITHIN THE DEVELOPMENT AND, AS DETERMINED BY THE DIRECTOR OF PLANNING, SHALL MAKE PROVISIONS TO CONNECT THE BUILDINGS IN THE DEVELOPMENT TO FUTURE SIDEWALKS ALONG HEATHER ROAD AND EXISTING SIDEWALKS ALONG KELLOGG DRIVE.
11. CROSS LOT ACCESS SHALL BE PROVIDED BETWEEN PARCELS 1 AND 2. THE EXISTING 20' INGRESS & EGRESS EASEMENT RECORDED ON FILM 409, PAGE 683 SHALL BE NULLIFIED IN LIEU OF THIS CROSS LOT ACCESS PROVISION.
12. 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.
13. 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. 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 IN ACCORDANCE WITH THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE.
14. A NOTICE OF A CUP NOTING THE CONDITIONS PLACED ON THIS LAND SHALL BE FILED WITH THE SEDGWICK COUNTY REGISTER OF DEEDS.

PARCEL 1
PROPOSED USES – ALL PERMITTED USES BY RIGHT IN THE "LC" ZONING DISTRICT INCLUDING RESTAURANTS WITH DRIVE-THROUGH WINDOWS.

GROSS AREA 0.89 ACRES OR 38,916 ± SQ. FT.
MAXIMUM BUILDING COVERAGE – 30% OR 12,871 ± SQ. FT.
FLOOR AREA RATIO – 0.40
MAXIMUM GROSS FLOOR AREA – 17,162 ± SQ. FT.
MAXIMUM BUILDING HEIGHT – 45 FT.

PARCEL 2
PROPOSED USES – ALL PERMITTED USES BY RIGHT IN THE "LC" ZONING DISTRICT INCLUDING RESTAURANTS WITH DRIVE-THROUGH WINDOWS AND VEHICLE SALES/RENTAL.

GROSS AREA 0.85 ACRES OR 37,095 ± SQ. FT.
MAXIMUM BUILDING COVERAGE – 30% OR 9,916 ± SQ. FT.
FLOOR AREA RATIO – 0.40
MAXIMUM GROSS FLOOR AREA – 13,222 ± SQ. FT.
MAXIMUM BUILDING HEIGHT – 45 FT.

RECORD DESCRIPTION (DEED FLM-PG: 29173060)

(PARCELS WITHIN THIS DESCRIPTION ARE IN REFERENCE TO THE DEED ONLY, NOT THE CUP PARCELS)

PARCEL 1:
PART OF LOT 1, MARK 8 ADDITION, WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS BEGINNING AT THE NORTHWEST COMER OF SAID LOT 1; THENCE NORTH 89°11'58" EAST, A DISTANCE OF 50.02 FEET (MEASURED), 50 FEET (DESCRIBED) ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00°58'08" EAST, A DISTANCE OF 127.44 FEET ALONG THE EAST LINE OF SAID LOT 1 TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 203.46 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 87°52'17" WEST, A DISTANCE OF 50.11 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE WEST LINE OF SAID LOT 1, AND SAID POINT BEING 202.29 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°56'05" WEST, A DISTANCE OF 128.60 FEET ALONG THE WIEST LINE OF SAID LOT L TO THE POINT OF BEGINNING.

PARCEL 2:
PART OF LOT 1, TACO GRANDE 2ND ADDITION, WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89°11'58" EAST, A DISTANCE OF 80.04 FEET (MEASURED), SOUTH 89°51'30" EAST, 80 FEET (DESCRIBED) ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00°54'37" EAST, A DISTANCE OF 125.59 FEET, ALONG SAID EAST LINE OF SAID LOT 1, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 205.33 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 87°52'17" WEST, A DISTANCE OF 79.93 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE WEST LINE OF SAID LOT 1, SAID POINT BEING 203.46 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°58'08" WEST, A DISTANCE OF 127.44 FEET ALONG THE WEST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING.

PARCEL 3:
PART OF LOT 1, MCDONALD'S FIRST ADDITION, WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89°11'58" EAST, A DISTANCE OF 220.11 FEET (MEASURED), SOUTH 89°51'30" EAST, A DISTANCE OF 220 FEET (DESCRIBED) TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00°52'51" EAST, A DISTANCE OF 120.52 FEET TO A POINT ON THE NORTH RIGHT-OF- WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 210.43 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 89°24'24" WEST, A DISTANCE OF 1.16 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE; THENCE SOUTH 87°52'17" WEST, A DISTANCE OF 134.03 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE WEST LINE OF SAID LOT 1, AND SAID POINT BEING 207.31 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°55'24" WEST, A DISTANCE OF 13.68 FEET ALONG THE WEST LINE OF SAID LOT 1 TO AN ANGLE POINT OF SAID LOT 1, AND SAID POINT BEING 220.99 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89°12'30" WEST, A DISTANCE OF 84.88 FEET TO THE WEST LINE OF SAID LOT 1, AND SAID POINT BEING 220.99 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°54'37" WEST, A DISTANCE OF 109.92 FEET ALONG SAID WEST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING.

PARCEL 4:
PART OF THE WEST 85 FEET OF THE EAST 220 FEET OF THE SOUTH 140 FEET OF LOT 7, RUTH ADDITION TO WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 89°12'54" WEST, A DISTANCE OF 219.98 FEET (MEASURED) AND 220 FEET (DEEDED); THENCE NORTH 00°54'37" WEST, A DISTANCE OF 124.37 FEET TO THE POINT OF BEGINNING, SAID POINT BEING 205.33 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS;

RECORD DESCRIPTION CONTINUED...

THENCE NORTH 00°54'37" WEST, A DISTANCE OF 15.66 FEET, THENCE NORTH 89°12'30" EAST, A DISTANCE OF 84.88 FEET PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00°55'24" EAST, A DISTANCE OF 13.68 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 207.31 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 87°52'17" WEST, A DISTANCE OF 84.91 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

PARCEL 5:
PART OF THE WEST 120 FEET OF THE EAST 170 FEET OF LOT 8, RUTH ADDITION TO WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8; THENCE NORTH 89°12'38" EAST, A DISTANCE OF 129.98 FEET (MEASURED), 130 FEET (DESCRIBED) FOR THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE OF SAID LOT 8, NORTH 89°12'34" EAST, A DISTANCE OF 119.96 FEET (MEASURED), 120 FEET (DESCRIBED); THENCE SOUTH 00°56'05" EAST, A DISTANCE OF 128.60 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 202.29 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 87°52'17" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 119.96 FEET TO A POINT THAT IS 199.49 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°56'51" WEST, PARALLEL WITH THE WEST LINE OF SAID LOT 8, A DISTANCE OF 131.40 FEET TO THE POINT OF BEGINNING.

PARCEL 6:
PART OF THE WEST 130 FEET OF LOT 8, RUTH ADDITION TO WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS BEGINNING AT THE NORTHWEST COMER OF SAID LOT 8; THENCE NORTH 89°12'38" EAST, A DISTANCE OF 129.98 FEET (MEASURED), 130 FEET (DESCRIBED) ALONG THE NORTH LINE OF SAID LOT 8; THENCE SOUTH 00°56'51" EAST, A DISTANCE OF 131.40 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 199.49 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 87°52'17" WEST, ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 22.15 FEET; THENCE SOUTH 89°24'08" WEST ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 107.83 FEET TO A POINT ON THE WEST LINE OF SAID LOT 8, AND SAID POINT BEING 199.34 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°56'51" WEST ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 131.56 FEET TO THE POINT OF BEGINNING.

SUBJECT TO: (A) EASEMENTS, RESTRICTIONS, DECLARATIONS, AND RESERVATIONS OF RECORD IF ANY; (B) TAXES AND ASSESSMENTS, GENERAL AND SPECIAL, NOT NOW DUE AND PAYABLE; AND (C) THE RIGHTS OF THE PUBLIC IN AND TO PARTS THEREOF IN STREETS, ROADS, AND ALLEYS.

APPROVED CUP
DATE 6/22/23 DP-356
Cynthia Keath
1 OF 1

KAW VALLEY ENGINEERING
200 N. EMPORIA, SUITE 100
WICHITA, KANSAS 67202
PH. (316) 440-4304 | FAX (316) 440-4309
wh@kveng.com | www.kveng.com

PROJECT NO.	G20D1726
DRAWN BY	MLT
CHECKED BY	SB
CFN	1726CUP
SHEET	1 OF 1

PROJECT:
KELLOGG AND HEATHER
8144 E KELLOGG
WICHITA, KANSAS 67207

PREPARED FOR:

THIS DRAWING SHALL NOT BE UTILIZED BY ANY PERSON, FIRM, OR CORPORATION IN WHOLE OR IN PART WITHOUT THE SPECIFIC PERMISSION OF KAW VALLEY ENGINEERING, INC.

Wichita-Sedgwick County Metropolitan Area Planning Department

July 12, 2023

Rock and 21st LLC
8110 East 32nd St North
Suite 156
Wichita, KS 67226

Kim Edgington
2532 North Cardinal
Wichita, KS 67204

RE: **CUP2023-00019:** Request in the City to amend CUP DP-356 to permit Vehicle Sales/Rental, Outdoor on Parcel 2, Increase height of masonry screening to 8 feet, and increase size of Parcel 2, located on the north side of East Kellogg Drive, within one-quarter mile east of South Rock Road.

Dear Applicant;

At its regular meeting on **June 22, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request with the following conditions:

1. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
2. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised 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.

No protests were received for this case. Therefore, the decision of the MAPC is final. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Christina Rieth

Christina Rieth
Current Plans
Associate Planner

Copies to: Becky Tuttle, Council Member District II
Teresa Veazey, CSR, District II
MABCD

MAPC Recommended Language

GENERAL PROVISIONS

8. Screening and landscaping: shall be per the Unified Zoning Code and the City of Wichita Landscape Ordinance.

An eight-foot masonry screening wall shall be required along the north property line. Construction of said wall shall only be required upon building permit application for new construction or if existing structures have a remodel hat is 50 percent of the value or greater, or is 30 percent of the square footage or greater on individual parcels. Trash receptacles, loading docks, and ground level mechanical equipment shall be appropriately screened to reasonably hide them from ground view.

Parcel 2

Proposed uses – all permitted uses by right in the "LC" zoning district including restaurants with drive-through windows and vehicle sales/rental.

Gross area 0.85 acres or 37,095 square feet
Maximum building coverage – 30% or 9,916 square feet
Floor area ratio – 0.40
Maximum gross floor area – 13,222 square feet
Maximum building height – 45 feet

Wichita-Sedgwick County Metropolitan Area Planning Department

June 27, 2023

Rock and 21st LLC
8110 East 32nd St North
Suite 156
Wichita, KS 67226

Kim Edgington
2532 North Cardinal
Wichita, KS 67204

RE: **CUP2023-00019:** Request in the City to amend CUP DP-356 to permit Vehicle Sales/Rental, Outdoor on Parcel 2, Increase height of masonry screening to 8 feet, and increase size of Parcel 2, located on the north side of East Kellogg Drive, within one-quarter mile east of South Rock Road.

Dear Applicant;

At its regular meeting on **June 22, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request with the following conditions:

1. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
2. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised 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.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on **July 6, 2023**. 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 located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **July 6, 2023 at 5:00 p.m.**

This is a reminder that the District Advisory Board (DAB) II will meet on **Monday, July 10**, at the Rockwell Branch Library, 5939 East 9th Street North, at 6:30pm. For more information on the upcoming meeting, please contact Teresa Veazey at TVeazey@wichita.gov or 316-352-4886.

If this application is not protested, or if the District Advisory Board recommendation is the same, the MAPC decision will be 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,

Christina Rieth
Current Plans
Associate Planner

Copies to: Becky Tuttle, Council Member District II
Teresa Veazey, CSR, District II
MABCD

MAPC Recommended Language

GENERAL PROVISIONS

8. Screening and landscaping: shall be per the Unified Zoning Code and the City of Wichita Landscape Ordinance.

An eight-foot masonry screening wall shall be required along the north property line. Construction of said wall shall only be required upon building permit application for new construction or if existing structures have a remodel hat is 50 percent of the value or greater, or is 30 percent of the square footage or greater on individual parcels. Trash receptacles, loading docks, and ground level mechanical equipment shall be appropriately screened to reasonably hide them from ground view.

Parcel 2

Proposed uses – all permitted uses by right in the "LC" zoning district including restaurants with drive-through windows and vehicle sales/rental.

Gross area 0.85 acres or 37,095 square feet
Maximum building coverage – 30% or 9,916 square feet
Floor area ratio – 0.40
Maximum gross floor area – 13,222 square feet
Maximum building height – 45 feet

RESOLUTION No. **CUP2023-00019**

A RESOLUTION AUTHORIZING AN AMENDMENT TO DP-356 KELLOGG DRIVE AND HEATHER COMMUNITY UNIT PLAN TO ALLOW VEHICLE AND EQUIPMENT SALES TO LIST OF ALLOWED USES ON PARCEL 2, INCREASE THE HEIGHT OF THE REQUIRED MASONRY SCREENING FROM 6 FEET TO 8 FEET, AND INCREASE THE SIZE OF PARCEL 2; ON PROPERTY ZONED LC LIMITED COMMERCIAL DISTRICT; GENERALLY LOCATED ON THE NORTHWEST CORNER OF EAST KELLOGG DRIVE AND SOUTH HEATHER ROAD, IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-E, AS ADOPTED BY ORDINANCE NO. 44-975 AS AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS:

SECTION 1. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-E of the Wichita-Sedgwick County Unified Zoning Code, for an approximately 0.85-acre property zoned LC Limited Commercial District with CUP DP-356, legally described below:

CUP2023-00019
DP-356

Part of Lot 1, Taco Grande 2nd Addition, Wichita, Sedgwick County, Kansas, described as: Beginning at the Northwest corner of said Lot 1, thence East 80.04 feet along the North line of Lot 1 to the Northeast corner of said Lot 1; thence South a distance of 125.59 feet to a point on the North right-of-way line of US Highway 54; thence West a distance of 79.93 feet along said right-of-way line to the West line of said Lot 1; thence North a distance of 127.44 feet along the West line of said Lot 1 to the point of beginning.

AND

Part of Lot 1, McDonald's First Addition, Wichita, Sedgwick County, Kansas, described as: Beginning at the Northwest corner of said Lot 1, thence East a distance of 220.11 feet to the Northeast corner of said Lot 1; thence South a distance of 120.52 feet to a point on the North right-of-way line of US Highway 54; thence West a distance of 1.16 feet along said North right-of-way line; thence West a distance of 134.03 feet along said right-of-way line to the West line of said Lot 1; thence North a distance of 13.68 feet along the West line of said Lot 1 to an angle point of said Lot 1; thence West a distance of 84.88 feet to the West line of said Lot 1; thence North a distance of 109.92 feet along the West line of said Lot 1 to the point of beginning.

Amended text to CUP DP-356 shall read as follows:

GENERAL PROVISIONS

8. Screening and landscaping: shall be per the Unified Zoning Code and the City of Wichita Landscape Ordinance.

An eight-foot masonry screening wall shall be required along the north property line. Construction of said wall shall only be required upon building permit application for new construction or if existing structures have a remodel hat is 50 percent of the value or greater, or is 30 percent of the square footage or greater on individual parcels. Trash receptacles, loading docks, and ground level mechanical equipment shall be appropriately screened to reasonably hide them from ground view.

Parcel 2

Proposed uses – all permitted uses by right in the "LC" zoning district including restaurants with drive-through windows and vehicle sales/rental.

Gross area 0.85 acres or 37,095 square feet
Maximum building coverage – 30% or 9,916 square feet
Floor area ratio – 0.40
Maximum gross floor area – 13,222 square feet
Maximum building height – 45 feet

The amendment is hereby GRANTED, subject to the following conditions:

1. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
2. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised 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.

SECTION 2. That upon the taking effect of this Resolution, the notation of such Community Unit Plan Amendment shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION 3. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

Adopted this 11th Day of August, 2023.

METROPOLITAN AREA PLANNING COMMISSION

Ann M. Fox, Chairman

ATTEST:

Scott Wadle, Secretary

McClatchy

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	425993	Print Legal Ad-IPL01245720 - IPL0124572	OCA 150004	$251.68	3	100 L

Attention: MANDY HEBERT

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

kgonzalez@wichita.gov

LEGAL PUBLICATION
OCA 150004
Published in The Wichita Eagle on June 1, 2023
(One Time Only)
MAPC/BZA June 22, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 22, 2023, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

CON2023-00013: Conditional Use request in the City to permit Nightclub in the City on property zoned Limited Commercial, within 300 feet of a park; generally located on the southeast corner of West Douglas Avenue and South Seneca Street (1019 W. Douglas Ave).

CON2023-00024: Conditional Use request in the City to allow Vehicle and Equipment Sales, Outdoor; generally located on the northeast corner of East 13th Street North and North Topeka Avenue (404 East 13th Street North).

CON2023-00025: Conditional Use request in the City to allow Wrecking and Salvage (with ZON2023-00035 to change SF-5 to LI), to bring existing use into compliance; generally located on the northwest corner of West Esthner Avenue and South Baehr Street.

CUP2023-00018: Request in the City to Amend the Chelsea Station CUP DP-62 to allow a 40.47 square foot mural on the north elevation of the building on Parcel 11; generally located west of North Broadmoor Street and south of East 21st Street North (2023 N. Broadmoor).

CUP2023-00019: Request in the City to amend CUP DP-356 to permit Vehicle Sales/Rental, Outdoor on Parcel 2, Increase height of masonry screening to 8 feet, and increase size of Parcel 2; located on the north side of East Kellogg Drive, within one-quarter mile east of South Rock Road.

PUD2023-00006: Zone change request in the City from TF-3 Two-Family Residential to PUD Planned Unit Development #114 to for custom development standards and allow shipping containers to be used for residence; located on the southeast corner of East 1st Street North and North Poplar Avenue (158 North Poplar).

VAC2023-00019: Vacation request in the City to vacate a portion of a platted access control to allow access to a community boat ramp for the Rennick Addition; located on the north side of West 45th Street North and one-half mile west of North Hoover Road.

VAC2023-00020: Vacation request in the City to vacate a portion of a platted alley to allow for future redevelopment; generally located south of East 21st Street North, between North Market Street and North Park Place.

VAC2023-00021: Request in the City to vacate a portion of an easement in which the existing building encroaches 2.26 feet; located on the northwest corner of South Lulu Avenue and East 49th Street (4999 S. Lulu Ave).

VAC2023-00022: Vacation request in the City to vacate 100 linear feet of alley south of Lot 1 to allow better use of property and control access to owner's buildings; generally located south of East Central Avenue and east of North Mosely Avenue. (448 & 430 N Mosley Avenue).

ZON2023-00029: Zoning change request in the City from Single-Family Residential SF-5 to Two-Family Residential TF-3; generally located west of Young Street and 283.5 feet north of West 1st Street North (225 N Young).

ZON2023-00030: Zone change request in the City from Single-Family Residential SF-5 to Two Family Residential TF-3; generally located on the west of North Arkansas Avenue and north of West 38th Street North (3825 N Arkansas).

ZON2023-00031: Zone change request in the City from General Office GO to Neighborhood Retail NR; generally located on the south side of East English Street and east side of South Hillside Avenue (200 S Hillside).

ZON2023-00033: Zone change request in the City from TF-3 Two-Family Residential District to GO General Office District for a medical office; generally located south of East Elm Street and north of East Central Avenue, on the west side of North Lorraine Avenue and the east side of North Chautauqua Avenue.

ZON2023-00034: Zone change request in the City from SF-5 to MF-18, subject to Protective Overlay #413 to allow multiple duplexes on one lot; generally located west of North Clara Street, within 180 feet south of West Elm Street (741 North Clara).

ZON2023-00035: Zone change request in the City from SF-5 Single-Family Residential to LI Limited Industrial (with CON2023-25 for Wrecking/Salvage) to bring a property into compliance; generally located on the west side of South Baehr Street, north of West Esthner Ave (1701 & 1721 S Baehr St).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate (see below):
1) Participate virtually
2) Attend in-person at the Ronald Reagan Building
3) Submit comments ahead of time

Participate Virtually
Join Zoom Meeting
https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySlBNbFJQTDFyV0xPVDBXUT09
Meeting ID: 408 986 6967
Passcode: 094136
One tap mobile
+16699006833,,4089866967#,,,,*094136# US (San Jose)
+17193594580,,4089866967#,,,,*094136# US
Meeting ID: 408 986 6967
Passcode: 094136
Find your local number: https://us06web.zoom.us/u/kc65codfb1

Attend In-Person
You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email Planning@wichita.gov
Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department
Attn: Scott Wadle
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

WITNESS MY HAND on June 1, 2023
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0124572
Jun 1 2023

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:
06/01/23

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 06/01/2023 to 06/01/2023.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 06/01/2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

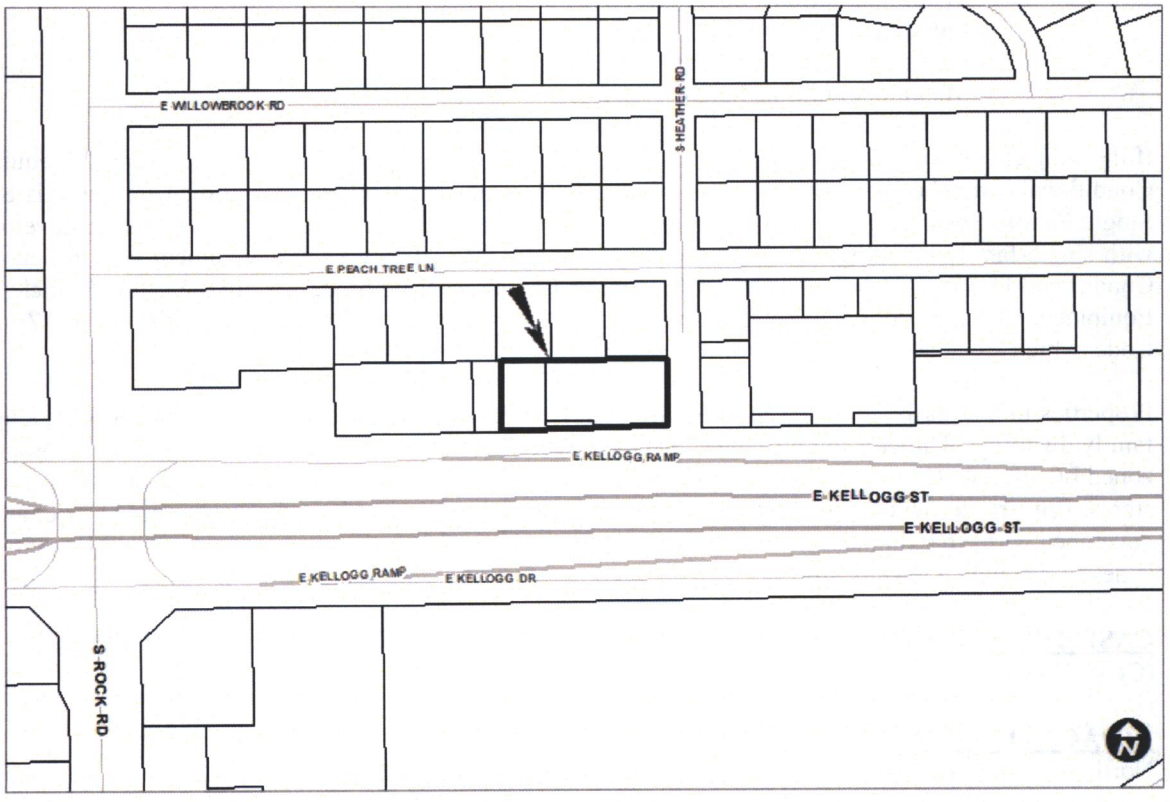
Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO: 4.4

STAFF REPORT
MAPC: June 22, 2023
DAB II: July 10, 2023

CASE NUMBER:	CUP2023-00019 (City)
APPLICANT/AGENT:	Rock and 21st LLC (Applicant)/Kim Edgington (Agent)
REQUEST:	Minor Amendment to CUP DP-356
CURRENT ZONING:	LC Limited Commercial District
SITE SIZE:	0.85 acres
LOCATION:	Generally located on the northwest corner of East Kellogg Drive and South Heather Road (8144 East Kellogg).
PROPOSED USE:	Add Vehicle and Equipment Sales to list of allowed uses on Parcel 2; increase the height of the required masonry screening from 6 to 8 feet; increase the size of Parcel 2
RECOMMENDATION:	Approve with conditions.



BACKGROUND: The applicant is requesting a minor amendment to CUP DP-356, Kellogg Drive and Heather Community Unit Plan. The subject site is 0.85 acres in size, is zoned LC Limited Commercial District, and is generally located on the northwest corner of East Kellogg Drive and South Heather Road (8144 East Kellogg). The applicant seeks to add Vehicle and Equipment Sales to list of allowed uses on Parcel 2, increase the height of the required masonry screening from 6 feet to 8 feet, and increase the size of Parcel 2. The CUP is currently developed with a jewelry store and a vacant restaurant.

The applicant seeks to make the following revisions to CUP DP-356's General Provisions in red:

> 8. Screening and landscaping: shall be per the Unified Zoning Code and the City of Wichita Landscape Ordinance.
>
> An eight-foot masonry screening wall shall be required along the north property line. Construction of said wall shall only be required upon building permit application for new construction or if existing structures have a remodel that is 50 percent of the value or greater, or is 30 percent of the square footage or greater on individual parcels. Trash receptacles, loading docks, and ground level mechanical equipment shall be appropriately screened to reasonably hide them from ground view.
>
> Parcel 2
>
> Proposed uses – all permitted uses by right in the "LC" zoning district including restaurants with drive-through windows and vehicle sales/rental.
>
> Gross area 0.85 acres or 37,095 square feet
> Maximum building coverage – 30% or 9,916 square feet
> Floor area ratio – 0.40
> Maximum gross floor area – 13,222 square feet
> Maximum building height – 45 feet

If the subject site was not located within a CUP, Vehicle and Equipment Sales would normally require a Conditional Use when the subject site is within 300 feet of a residentially zoned district. There is SF-5 Single-Family Residential zoning directly behind (north of) the subject site, and the parcels are developed with single-family dwellings. Because the subject site is in a CUP, a CUP amendment acts in lieu of a Conditional Use request because the notification and public hearing processes are the same. Vehicle and Equipment Sales, Outdoor in LC will be subject to the Supplemental Use Regulations of the Unified Zoning Code, which are attached to the end of this report.

Properties to the north are zoned SF-5 Single-Family Residential District and are developed with single-family dwellings. Directly south of the subject site is Kellogg Drive. South of Kellogg Drive is a property zoned LC Limited Commercial District, is part of CUP DP-22, and is developed with a strip mall and retail stores. Property to the east, across South Heather Road, is zoned LC Limited Commercial District and is developed with a parking lot for a hotel. Property to the west of the subject site is part of CUP DP-356 and is developed with a jewelry store.

CASE HISTORY: On February 2, 2021, the Kellogg Drive – Heather CUP DP-356 was created (CUP2021-00002).

ADJACENT ZONING AND LAND USE:

North:	SF-5	Single-family dwellings

South:	LC (CUP DP-22)	Strip mall, retail stores
East:	LC	Parking lot
West:	LC (CUP DP-356)	Jewelry store

PUBLIC SERVICES: The site has access to East Kellogg Drive, a paved one-way local street with a sidewalk on the north side. Wichita Transit serves this site within one block northwest of the subject site, on the southeast corner of East Peachtree Lane and South Rock Road. Municipal services, such as water and sewer, already exist on site.

CONFORMANCE TO PLANS/POLICIES: The proposed application is in conformance with the *Community Investments Plan.* The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for "New Residential." This category is described as "*areas of land that likely will be developed or redeveloped by 2035 with uses predominately found in the Residential category. Pockets of Major Institutional and Commercial uses likely will be developed within this area as well, based upon market-driven location factors.*"

The CUP amendment is in conformance with the Design Guidelines of the *Community Investments Plan.* The General Guidelines state that "Except in mixed-use development areas, non-residential uses should provide appropriate screening and buffering from residential uses." Similarly, the *Plan*'s Locational Guidelines state that "Except in mixed-use developments, residential and non-residential development areas generally should be separate and distinct with appropriate screening and buffering to ensure compatibility among land uses while maintaining connectivity among uses." The applicant is proposing an eight-foot masonry screening wall that will serve as a buffer between the proposed commercial uses and the existing residential zoning to the north.

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends the amendment to CUP DP-356 be **APPROVED** subject to the development guidelines of the amended CUP and the following conditions:

1. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
2. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised 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 character of the neighborhood is residential with low-intensity commercial uses. Properties to the north are zoned GO General Office District, are within CUP DP-62, and are either undeveloped or developed with a medical office. Properties to the south are zoned MF-18 Multi-Family Residential District and are developed with single-family dwellings. Properties to the east are zoned MF-18 Multi-Family Residential District, are located within CUP DP-62, and are developed with townhomes. Property to the west is zoned MF-18 Multi-Family Residential District and is undeveloped.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned LC Limited Commercial District, which serves a wide number of residential and commercial uses. The applicant is requesting Vehicle and Equipment Sales, Outdoor, which normally requires a Conditional Use. Because the subject site is in a CUP, a CUP amendment acts in lieu of a Conditional Use request because the notification and public hearing processes are the same.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Staff

anticipates that the proposed CUP amendment and zone change will not detrimentally affect nearby property. The screening and landscaping requirements of the revised CUP should help mitigate potential negative impacts associated with the proposed land uses.

4. Length of time subject property has remained vacant as zoned: The subject property has been vacant for at least two years.

5. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request represents a gain to the public in that it brings additional business to the area. Approval of this application may bring noise and light pollution to the area. However, the proposed eight-foot masonry screening wall, along with the Supplemental Use Regulations of the Unified Zoning Code, may mitigate these impacts. Denial of the request could represent a loss in the use and enjoyment of the applicant's property.

6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed application is in conformance to the *Community Investments Plan*, as noted above.

7. Impact of the proposed development on community facilities: Staff does not anticipate that the proposed development will have any negative or additional impact on community facilities.

8. Opposition or support of neighborhood residents: At the time the staff report was prepared, staff received two comments from the public that were neither in support of or in opposition to the requested CUP amendment. The members of the public wanted to know more about the proposed development.

Attachments:

1. Applicant Proposed CUP Amended Language
2. Article III, Section D.6-x of the Unified Zoning Code
3. CUP DP-356
4. Aerial Map
5. Zoning Map
6. Land Use Map
7. Site Photos

Applicant Proposed CUP Language

The applicant seeks to make the following changes to CUP DP-356 in red.

GENERAL PROVISIONS

8. Screening and landscaping: shall be per the Unified Zoning Code and the City of Wichita Landscape Ordinance.

An eight-foot masonry screening wall shall be required along the north property line. Construction of said wall shall only be required upon building permit application for new construction or if existing structures have a remodel hat is 50 percent of the value or greater, or is 30 percent of the square footage or greater on individual parcels. Trash receptacles, loading docks, and ground level mechanical equipment shall be appropriately screened to reasonably hide them from ground view.

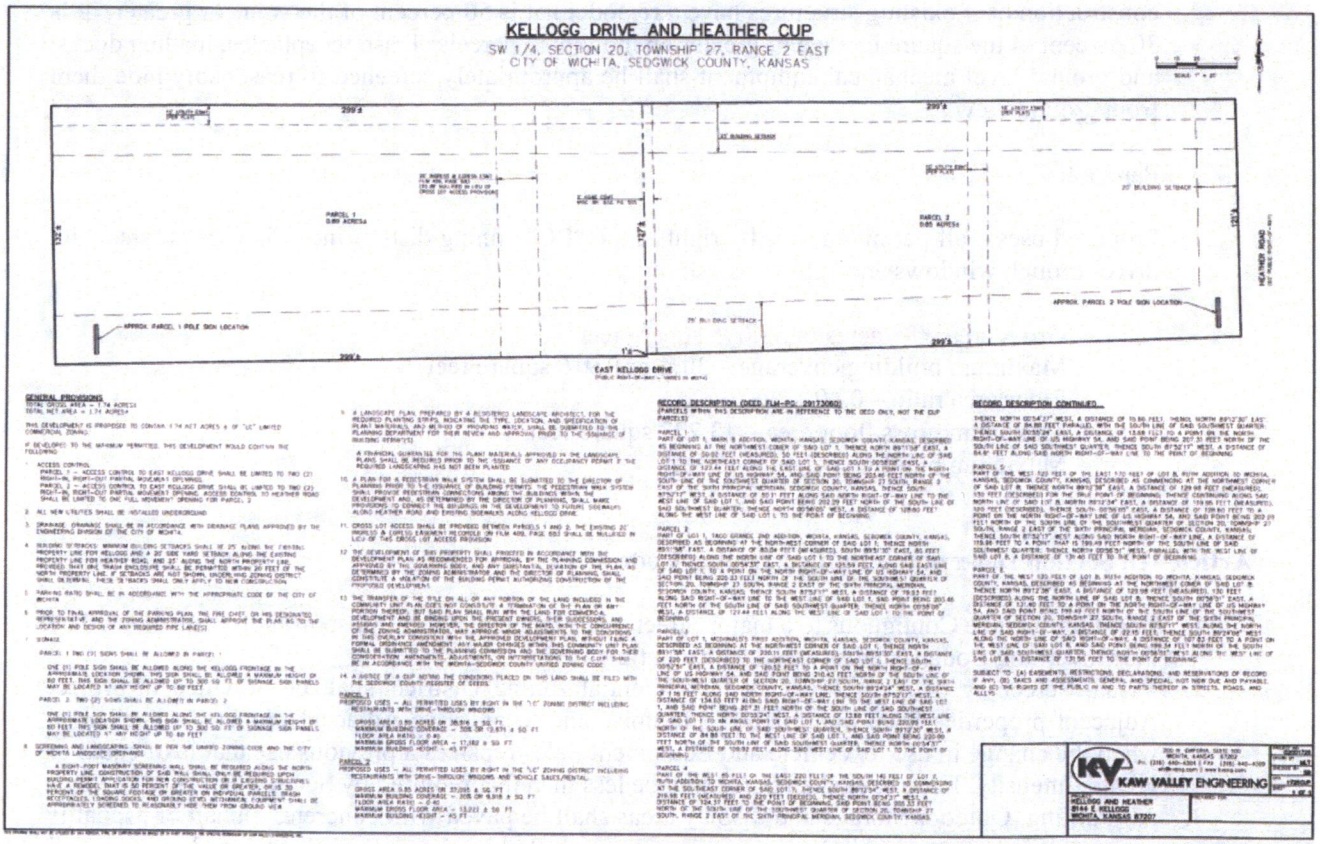
Parcel 2

Proposed uses – all permitted uses by right in the "LC" zoning district including restaurants with drive-through windows and vehicle sales/rental.

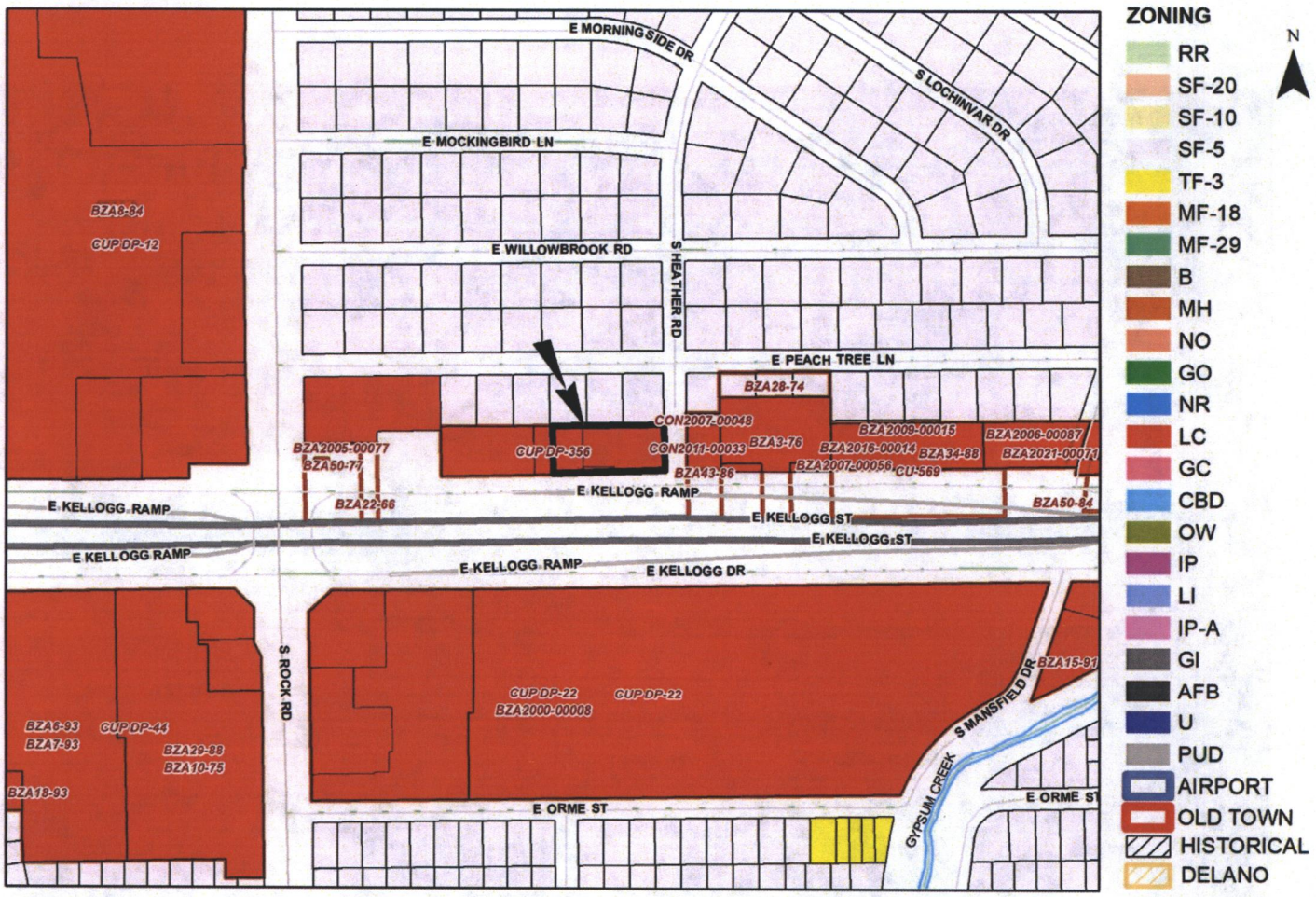
Gross area 0.85 acres or 37,095 square feet
Maximum building coverage – 30% or 9,916 square feet
Floor area ratio – 0.40
Maximum gross floor area – 13,222 square feet
Maximum building height – 45 feet

Article III, Section D.6-x of the Unified Zoning Code

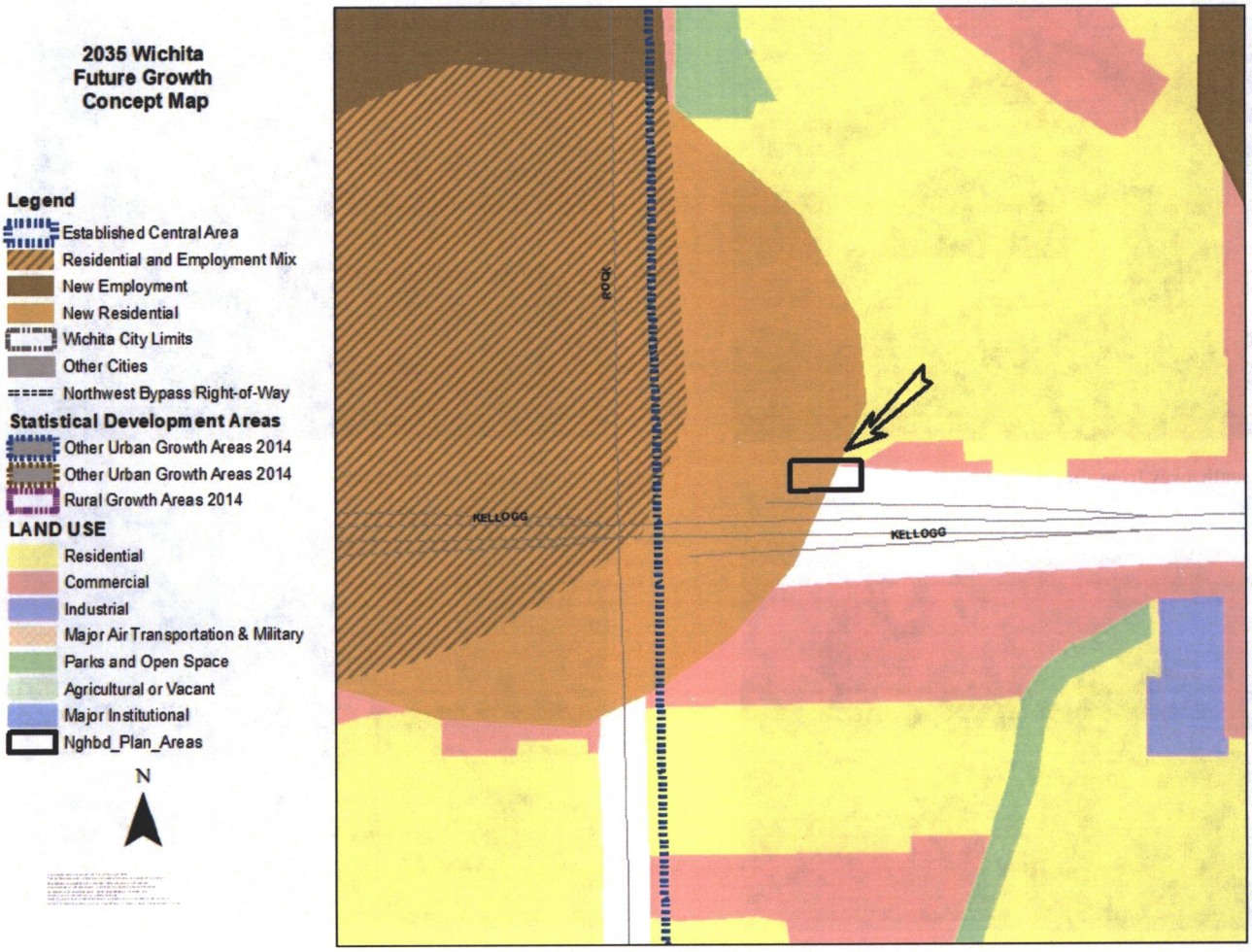
1. Location shall be Contiguous to a major Street as designated in the Transportation Plan adopted by the Governing Bodies, and as amended from time to time.
2. Visual Screening of areas Adjacent to residential zoning Districts shall be provided to protect Adjacent properties from light, debris and noise and to preserve Adjacent property values even when the change in use to Vehicle and Equipment Sales replaces a previous use that is of equal or greater intensity. In no case shall Screening be less than that required by Sec. IV-B.1-3.
3. All Parking, Outdoor Storage and display areas shall be paved with concrete, asphalt or asphaltic concrete or any comparable hard surfacing material. Parking barriers shall be installed along all perimeter boundaries Abutting streets, except at driveway entrances or where Fences are erected, to ensure that parked Vehicles do not encroach onto public Street Right-of-Way.
4. The lighting shall be in compliance with the lighting requirements of Sec. IV-B.4. No string-type or search lighting shall be permitted.
5. The noise levels shall be in compliance with the compatibility noise standards of Sec. IV-C.6. Outdoor speakers and sound amplification systems shall not be permitted.
6. No repair work shall be conducted except in an enclosed Building, and further provided that no body or fender work is done.
7. Only those Signs permitted in the LC District shall be permitted on this Site, except that no portable, flashing, moving or off-site Signs shall be permitted and no streamers, banners, pennants, pinwheels, commercial flags, bunting or similar devices shall be permitted.
8. There shall be no use of elevated platforms for the display of Vehicles.


KELLOGG DRIVE AND HEATHER CUP
SW 1/4, SECTION 20, TOWNSHIP 27, RANGE 2 EAST
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS
PARCEL 1
0.89 ACRES±
PARCEL 2
0.85 ACRES±
APPROX. PARCEL 1 POLE SIGN LOCATION
APPROX. PARCEL 2 POLE SIGN LOCATION
25' BUILDING SETBACK
EAST KELLOGG DRIVE
HEATHER ROAD
GENERAL PROVISIONS
RECORD DESCRIPTION (DEED FILM-PG: 20173060)
RECORD DESCRIPTION CONTINUED


E WILLOWBROOK RD
S HEATHER RD
E PEACH TREE LN
E KELLOGG RAMP
E KELLOGG ST
E KELLOGG ST
E KELLOGG RAMP
E KELLOGG DR
S ROCK RD
N


E MORNINGSIDE DR
S LOCHINVAR DR
E MOCKINGBIRD LN
E WILLOWBROOK RD
S HEATHER RD
E PEACH TREE LN
BZA8-84
CUP DP-12
BZA28-74
CON2007-00048
BZA2009-00015
BZA2006-00087
BZA2005-00077
BZA50-77
CUP DP-356
CON2011-00033
BZA3-76
BZA2016-00014
BZA34-88
BZA2021-00071
BZA13-86
BZA2007-00056
CU-569
E KELLOGG RAMP
BZA22-66
E KELLOGG ST
BZA50-84
E KELLOGG DR
S ROCK RD
BZA15-91
CUP DP-22
BZA2000-00008
S MANSFIELD DR
BZA6-93
BZA7-93
CUP DP-44
BZA29-88
BZA10-75
BZA18-93
E ORME ST
GYPSUM CREEK
ZONING
N
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
GC
CBD
OW
IP
LI
IP-A
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AFB
U
PUD
AIRPORT
OLD TOWN
HISTORICAL
DELANO

2035 Wichita Future Growth Concept Map



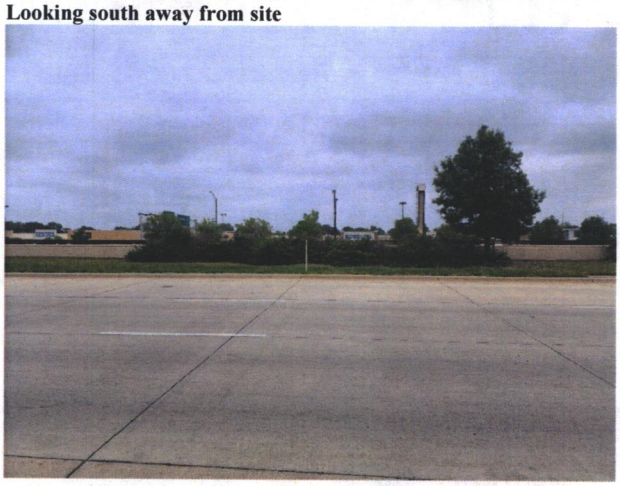
Looking north towards site



Looking north towards site



Looking south away from site



Looking south away from site

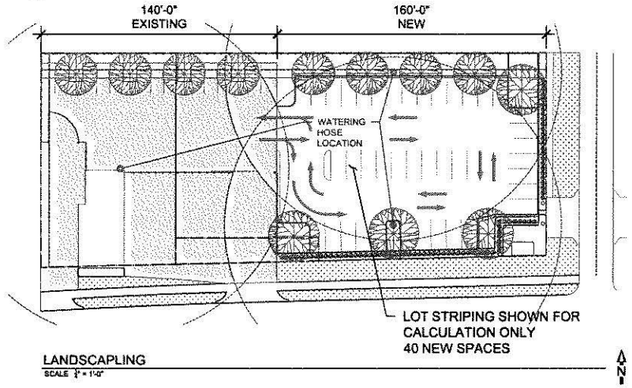


LANDSCAPE PLAN

APPROVED 11/17/23 BY

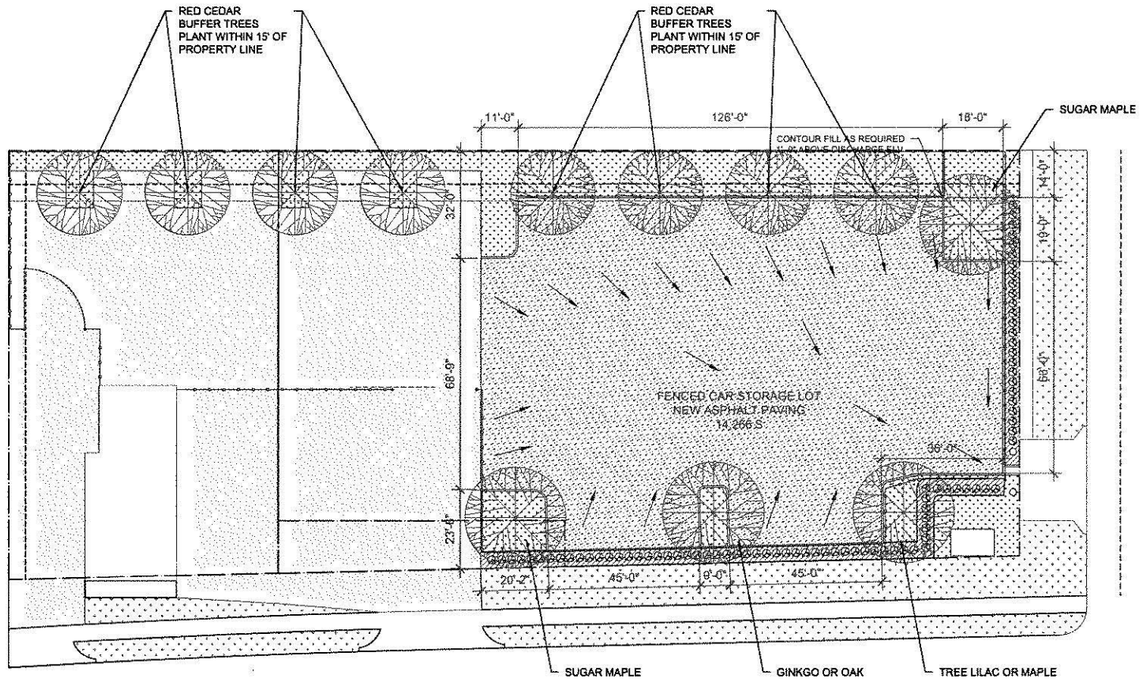
DP-356

QUANTITY	TREES DESCRIPTION	SIZE	REMARKS
1	*SYRINGA RETICULATA* JAPANESE TREE LILAC OR *ACER BUERGERIANUM* TRIDENT MAPLE	2" CAL. MIN.	PROVIDE STAKING
1	*GINKGO BILOBA* GINKGO 'Autumn gold' male or *QUERCUS BICOLOR* SWAMP OAK	2" CAL. MIN.	PROVIDE STAKING
2	*ACER SACCHARUM* SUGAR MAPLE		
8	*Juniperus virginiana* EASTERN RED CEDAR	2" CAL. MIN.	PROVIDE STAKING
QUANTITY	**PARKING SCREENING SHRUBS DESCRIPTION**	**SIZE**	
30	*BERBERIS THUNBERGI 'ATROPURPUREA'* RED LEAF BARBERRY	MIN. 18" HT.	APROX 30" SPACING
30	*PYRACANTHA ANGUSTIFOLIA 'GNOME'* GNOME PYRACANTHA	MIN. 18" HT.	APROX 30" SPACING
23	*EUONYMUS FORTUNEI 'EMERALD GAIETY'* EMERALD GAIETY EUONYMUS	MIN. 18" HT.	36" O.C.



LANDSCAPLING

SCALE 1" = 1'-0"



SITE/NEW PAVING

SCALE 1" = 1'-0"

Budget Car Rental lot Project

8144 E Kellogg street

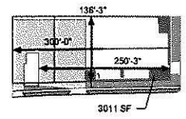
Wichita, KS 67207

LEGAL DESCRIPTION

BEG NW COR LOT 1 E TO NE COR S 120.52 FT W TO E LI RUTH ADD TH N 13.68 FT W TO W LI N TO BEG MC DONALD'S FIRST ADDITION

Landscaping calculations

LANDSCAPED STREET YARD



Kellogg Street Frontage = 300' lot depth is 136.25'

Heather remnant Street Frontage = 136.25' lot depth is 300'

Average lot depth = 218.125'

table 2.1 factor = 10 sq. ft. per lin. foot

longest perpendicular distance prop; line to street wall line 250.25'

Adjusted street frontage = 186'

186' @ 10 SQ. FT. PER LINEAL FOOT = **1,860 sq. ft. REQUIRED**

Total Shown = 3,011 sq. ft.

STREET YARD TREES

REQUIRED STREET YARD TREES: 1,860 SQ. FT. @ 1 SHADE TREE PER 500 SQ. FT. = 4 SHADE TREES

PROVIDED:

4 SHADE TREES

TOTAL PROVIDED EQUIVALENT TO 8 SHADE TREES

PARKING LOT TREES

40 SPACES @ 1 PER 20 = 2.0 SHADE TREES

UP TO ½ OF THE STREET YARD TREES MAY USE TO SATISFY REQUIREMENT

2.0 - ½(4) = 0.0 NO ADDITIONAL SHADE TREE REQUIRED.

PARKING LOT SCREENING

83 SHRUBS PROVIDED FOR SCREENING PLAN INDICATES PLANTING AT ¾ OF MATURE SPREAD AS RECOMMENDED IN CITY GUIDELINES

BUFFER & BUFFER TREES

North lot line adjoins SF-5 residential zoning

300' @ 1 per 40' = 7.5 shade trees required

Existing solid screening fence

WATERING

SEEDED LAWN AREAS

PROVIDE AUTOMATIC WATERING SYSTEM WITH MOISTURE SENSING DEVICE

SCREENING AND PLANTER BEDS

PROVIDE IN GROUND QUICK-COUPLING SYSTEM FOR USE WITH 100' HOSE

SEE PLAN FOR LOCATION OF CONNECTION POINTS

ERU INFORMATION

	PIRVIOSE (%)	IMPERVIOS (%)	TOTAL
BEFORE	20,465 (54.95%)	16,779 (45.05%)	37,244
AFTER	6,199 (16.64%)	31,045 (83.36%)	37,244
CHANGE	-14,266 (-38.30%)	14,266 (38.30%)	

SITE GRADING WILL NOT CAUSE ADDITIONAL ADVERSE DRAINAGE IMPACTS ONTO NEIGHBORING PROPERTIES

NEW DEVELOPMENT

Stormwater Permit #: WILL BE ISSUED

NOI Permit #: N/A

These construction plans were prepared in accordance with the current Stormwater Management Regulations as set forth in the city of Wichita's Stormwater Management Ordinance 16.32 and the policies/guildelines presented in the Wichita/Sedgwick County Stormwater Manual

Site Area = 0.855 ACRES
Disturbed Area = 0.450 ACRES
Water Quality Treatment: OBPM
30% of existing impr 100% = 19,300 SF
Downstream Channel Protection: N/A
Detention: N/A
The BMP used for this development is: OBMP

MAX CHRISTENSEN ARCHITECT
410 N WOODLAWN BLVD #10
WICHITA, KANSAS 67208
(316) 393-1256
ocsmax@gmail.com

VEHICLE STORAGE LOT
for BUDGET CAR RENTAL
8144 E KELLOGG
WICHITA, KANSAS 67207

MAX CHRISTENSEN ARCHITECT 1966 KANSAS PROFESSIONAL

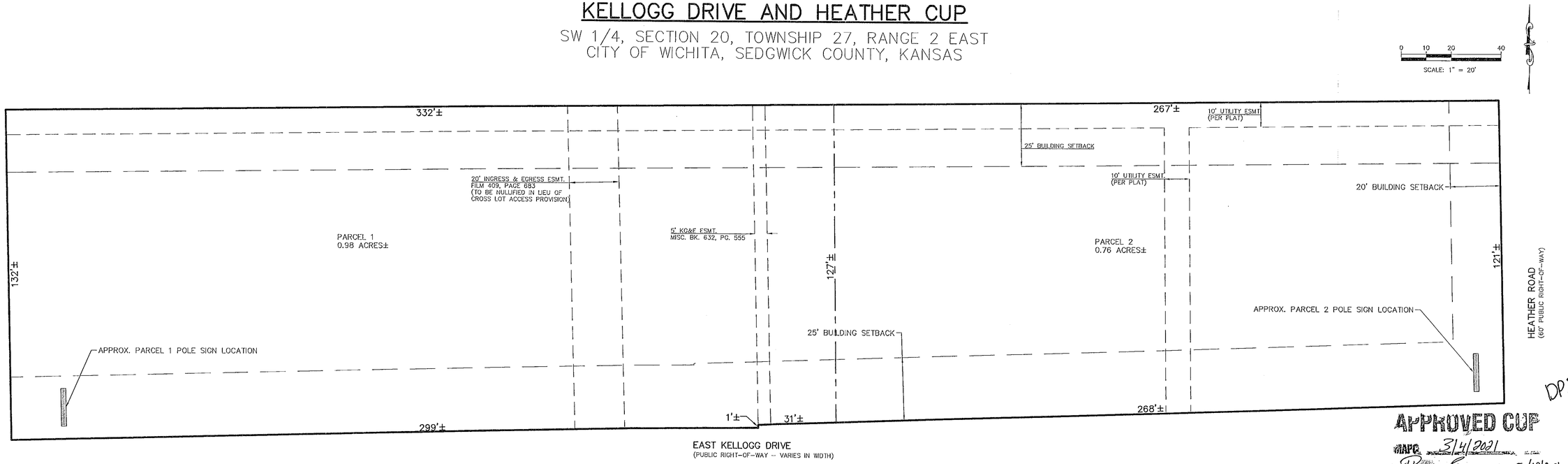
DATE: 8-28-2023

REV: 11-17-2023

SHEET NUMBER: SA101

KELLOGG DRIVE AND HEATHER CUP

SW 1/4, SECTION 20, TOWNSHIP 27, RANGE 2 EAST
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS



DP356

APPROVED CUP
MAPC 3/4/2021
5/10/2021
Copy 1 of 4

GENERAL PROVISIONS

TOTAL GROSS AREA = 1.74 ACRES±
TOTAL NET AREA = 1.74 ACRES±

THIS DEVELOPMENT IS PROPOSED TO CONTAIN 1.74 NET ACRES ± OF "LC" LIMITED COMMERCIAL ZONING.

IF DEVELOPED TO THE MAXIMUM PERMITTED, THIS DEVELOPMENT WOULD CONTAIN THE FOLLOWING:

1. ACCESS CONTROL:
   PARCEL 1 – ACCESS CONTROL TO EAST KELLOGG DRIVE SHALL BE LIMITED TO TWO (2) RIGHT-IN, RIGHT-OUT PARTIAL MOVEMENT OPENINGS.
   PARCEL 2 – ACCESS CONTROL TO EAST KELLOGG DRIVE SHALL BE LIMITED TO TWO (2) RIGHT-IN, RIGHT-OUT PARTIAL MOVEMENT OPENING. ACCESS CONTROL TO HEATHER ROAD SHALL BE LIMITED TO ONE FULL MOVEMENT OPENING FOR PARCEL 2.
2. ALL NEW UTILITIES SHALL BE INSTALLED UNDERGROUND.
3. DRAINAGE: DRAINAGE SHALL BE IN ACCORDANCE WITH DRAINAGE PLANS APPROVED BY THE ENGINEERING DIVISION OF THE CITY OF WICHITA.
4. BUILDING SETBACKS: MINIMUM BUILDING SETBACKS SHALL BE 25' ALONG THE EXISTING PROPERTY LINE FOR KELLOGG AND A 20' SIDE YARD SETBACK ALONG THE EXISTING PROPERTY LINE FOR HEATHER ROAD, AND 25' ALONG THE NORTH PROPERTY LINE, PROVIDED THAT ONE TRASH ENCLOSURE SHALL BE PERMITTED WITHIN 20 FEET OF THE NORTH PROPERTY LINE. IF SETBACKS ARE NOT SHOWN, UNDERLYING ZONING DISTRICT SHALL DETERMINE. THESE SETBACKS SHALL ONLY APPLY TO NEW CONSTRUCTION.
5. PARKING RATIO SHALL BE IN ACCORDANCE WITH THE APPROPRIATE CODE OF THE CITY OF WICHITA.
6. PRIOR TO FINAL APPROVAL OF THE PARKING PLAN, THE FIRE CHIEF, OR HIS DESIGNATED REPRESENTATIVE, AND THE ZONING ADMINISTRATOR, SHALL APPROVE THE PLAN AS TO THE LOCATION AND DESIGN OF ANY REQUIRED FIRE LANE(S).
7. SIGNAGE:

   PARCEL 1: TWO (2) SIGNS SHALL BE ALLOWED IN PARCEL 1.

   ONE (1) POLE SIGN SHALL BE ALLOWED ALONG THE KELLOGG FRONTAGE IN THE APPROXIMATE LOCATION SHOWN. THIS SIGN SHALL BE ALLOWED A MAXIMUM HEIGHT OF 60 FEET. THIS SIGN SHALL BE ALLOWED UP TO 300 SQ. FT. OF SIGNAGE. SIGN PANELS MAY BE LOCATED AT ANY HEIGHT UP TO 60 FEET.

   PARCEL 2: TWO (2) SIGNS SHALL BE ALLOWED IN PARCEL 2.

   ONE (1) POLE SIGN SHALL BE ALLOWED ALONG THE KELLOGG FRONTAGE IN THE APPROXIMATE LOCATION SHOWN. THIS SIGN SHALL BE ALLOWED A MAXIMUM HEIGHT OF 60 FEET. THIS SIGN SHALL BE ALLOWED UP TO 300 SQ. FT. OF SIGNAGE. SIGN PANELS MAY BE LOCATED AT ANY HEIGHT UP TO 60 FEET.

8. SCREENING AND LANDSCAPING: SHALL BE PER THE UNIFIED ZONING CODE AND THE CITY OF WICHITA LANDSCAPE ORDINANCE.

   A SIX-FOOT MASONRY SCREENING WALL SHALL BE REQUIRED ALONG THE NORTH PROPERTY LINE. CONSTRUCTION OF SAID WALL SHALL ONLY BE REQUIRED UPON BUILDING PERMIT APPLICATION FOR NEW CONSTRUCTION OR IF EXISTING STRUCTURES HAVE A REMODEL THAT IS 50 PERCENT OF THE VALUE OR GREATER, OR IS 30 PERCENT OF THE SQUARE FOOTAGE OR GREATER ON INDIVIDUAL PARCELS. TRASH RECEPTACLES, LOADING DOCKS, AND GROUND LEVEL MECHANICAL EQUIPMENT SHALL BE APPROPRIATELY SCREENED TO REASONABLY HIDE THEM FROM GROUND VIEW.
9. A LANDSCAPE PLAN, PREPARED BY A REGISTERED LANDSCAPE ARCHITECT, FOR THE REQUIRED PLANTING STRIPS, INDICATING THE TYPE, LOCATION, AND SPECIFICATION OF PLANT MATERIALS, AND METHOD OF PROVIDING WATER, SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF BUILDING PERMIT(S).

   A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED IN THE LANDSCAPE PLANS SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.
10. A PLAN FOR A PEDESTRIAN WALK SYSTEM SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING PRIOR TO THE ISSUANCE OF BUILDING PERMITS. THE PEDESTRIAN WALK SYSTEM SHALL PROVIDE PEDESTRIAN CONNECTIONS AMONG THE BUILDINGS WITHIN THE DEVELOPMENT AND, AS DETERMINED BY THE DIRECTOR OF PLANNING, SHALL MAKE PROVISIONS TO CONNECT THE BUILDINGS IN THE DEVELOPMENT TO FUTURE SIDEWALKS ALONG HEATHER ROAD AND EXISTING SIDEWALKS ALONG KELLOGG DRIVE.
11. CROSS LOT ACCESS SHALL BE PROVIDED BETWEEN PARCELS 1 AND 2. THE EXISTING 20' INGRESS & EGRESS EASEMENT RECORDED ON FILM 409, PAGE 683 SHALL BE NULLIFIED IN LIEU OF THIS CROSS LOT ACCESS PROVISION.
12. 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.
13. 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. 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 IN ACCORDANCE WITH THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE.
14. A NOTICE OF A CUP NOTING THE CONDITIONS PLACED ON THIS LAND SHALL BE FILED WITH THE SEDGWICK COUNTY REGISTER OF DEEDS.

PARCEL 1
PROPOSED USES – ALL PERMITTED USES BY RIGHT IN THE "LC" ZONING DISTRICT INCLUDING RESTAURANTS WITH DRIVE-THROUGH WINDOWS.

GROSS AREA 0.98 ACRES OR 42,904 ± SQ. FT.
MAXIMUM BUILDING COVERAGE – 30% OR 12,871 ± SQ. FT.
FLOOR AREA RATIO – 0.40
MAXIMUM GROSS FLOOR AREA – 17,162 ± SQ. FT.
MAXIMUM BUILDING HEIGHT – 45 FT.

PARCEL 2
PROPOSED USES – ALL PERMITTED USES BY RIGHT IN THE "LC" ZONING DISTRICT INCLUDING RESTAURANTS WITH DRIVE-THROUGH WINDOWS.

GROSS AREA 0.76 ACRES OR 33,054 ± SQ. FT.
MAXIMUM BUILDING COVERAGE – 30% OR 9,916 ± SQ. FT.
FLOOR AREA RATIO – 0.40
MAXIMUM GROSS FLOOR AREA – 13,222 ± SQ. FT.
MAXIMUM BUILDING HEIGHT – 45 FT.

RECORD DESCRIPTION (DEED FLM-PG: 29173060)

(PARCELS WITHIN THIS DESCRIPTION ARE IN REFERENCE TO THE DEED ONLY, NOT THE CUP PARCELS)

PARCEL 1:
PART OF LOT 1, MARK 8 ADDITION, WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS BEGINNING AT THE NORTHWEST COMER OF SAID LOT 1; THENCE NORTH 89°11'58" EAST, A DISTANCE OF 50.02 FEET (MEASURED), 50 FEET (DESCRIBED) ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00°58'08" EAST, A DISTANCE OF 127.44 FEET ALONG THE EAST LINE OF SAID LOT 1 TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 203.46 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 87°52'17" WEST, A DISTANCE OF 50.11 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE WEST LINE OF SAID LOT 1, AND SAID POINT BEING 202.29 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°56'05" WEST, A DISTANCE OF 128.60 FEET ALONG THE WEST LINE OF SAID LOT L TO THE POINT OF BEGINNING.

PARCEL 2:
PART OF LOT 1, TACO GRANDE 2ND ADDITION, WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89°11'58" EAST, A DISTANCE OF 80.04 FEET (MEASURED), SOUTH 89°51'30" EAST, 80 FEET (DESCRIBED) ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00°54'37" EAST, A DISTANCE OF 125.59 FEET, ALONG SAID EAST LINE OF SAID LOT 1, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 205.33 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 87°52'17" WEST, A DISTANCE OF 79.93 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE WEST LINE OF SAID LOT 1, SAID POINT BEING 203.46 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°58'08" WEST, A DISTANCE OF 127.44 FEET ALONG THE WEST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING.

PARCEL 3:
PART OF LOT 1, MCDONALD'S FIRST ADDITION, WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89°11'58" EAST, A DISTANCE OF 220.11 FEET (MEASURED), SOUTH 89°51'30" EAST, A DISTANCE OF 220 FEET (DESCRIBED) TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00°52'51" EAST, A DISTANCE OF 120.52 FEET TO A POINT ON THE NORTH RIGHT-OF- WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 210.43 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 89°24'24" WEST, A DISTANCE OF 1.16 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE; THENCE SOUTH 87°52'17" WEST, A DISTANCE OF 134.03 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE WEST LINE OF SAID LOT 1, AND SAID POINT BEING 207.31 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°55'24" WEST, A DISTANCE OF 13.68 FEET ALONG THE WEST LINE OF SAID LOT 1 TO AN ANGLE POINT OF SAID LOT 1, AND SAID POINT BEING 220.99 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89°12'30" WEST, A DISTANCE OF 84.88 FEET TO THE WEST LINE OF SAID LOT 1, AND SAID POINT BEING 220.99 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°54'37" WEST, A DISTANCE OF 109.92 FEET ALONG SAID WEST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING.

PARCEL 4:
PART OF THE WEST 85 FEET OF THE EAST 220 FEET OF THE SOUTH 140 FEET OF LOT 7, RUTH ADDITION TO WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 89°12'54" WEST, A DISTANCE OF 219.98 FEET (MEASURED) AND 220 FEET (DEEDED); THENCE NORTH 00°54'37" WEST, A DISTANCE OF 124.37 FEET TO THE POINT OF BEGINNING, SAID POINT BEING 205.33 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS;

RECORD DESCRIPTION CONTINUED...

THENCE NORTH 00°54'37" WEST, A DISTANCE OF 15.66 FEET, THENCE NORTH 89°12'30" EAST, A DISTANCE OF 84.88 FEET PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00°55'24" EAST, A DISTANCE OF 13.68 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 207.31 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 87°52'17" WEST, A DISTANCE OF 84.91 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

PARCEL 5:
PART OF THE WEST 120 FEET OF THE EAST 170 FEET OF LOT 8, RUTH ADDITION TO WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8; THENCE NORTH 89°12'38" EAST, A DISTANCE OF 129.98 FEET (MEASURED), 130 FEET (DESCRIBED) FOR THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE OF SAID LOT 8, NORTH 89°12'34" EAST, A DISTANCE OF 119.96 FEET (MEASURED), 120 FEET (DESCRIBED); THENCE SOUTH 00°56'05" EAST, A DISTANCE OF 128.60 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 202.29 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 87°52'17" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 119.96 FEET TO A POINT THAT IS 199.49 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°56'51" WEST, PARALLEL WITH THE WEST LINE OF SAID LOT 8, A DISTANCE OF 131.40 FEET TO THE POINT OF BEGINNING.

PARCEL 6:
PART OF THE WEST 130 FEET OF LOT 8, RUTH ADDITION TO WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS, DESCRIBED AS BEGINNING AT THE NORTHWEST COMER OF SAID LOT 8; THENCE NORTH 89°12'38" EAST, A DISTANCE OF 129.98 FEET (MEASURED), 130 FEET (DESCRIBED) ALONG THE NORTH LINE OF SAID LOT 8; THENCE SOUTH 00°56'51" EAST, A DISTANCE OF 131.40 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY 54, AND SAID POINT BEING 199.49 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 87°52'17" WEST, ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 22.15 FEET; THENCE SOUTH 89°24'08" WEST ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 107.83 FEET TO A POINT ON THE WEST LINE OF SAID LOT 8, AND SAID POINT BEING 199.34 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°56'51" WEST ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 131.56 FEET TO THE POINT OF BEGINNING.

SUBJECT TO: (A) EASEMENTS, RESTRICTIONS, DECLARATIONS, AND RESERVATIONS OF RECORD IF ANY; (B) TAXES AND ASSESSMENTS, GENERAL AND SPECIAL, NOT NOW DUE AND PAYABLE; AND (C) THE RIGHTS OF THE PUBLIC IN AND TO PARTS THEREOF IN STREETS, ROADS, AND ALLEYS.

200 N. EMPORIA, SUITE 100
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KAW VALLEY ENGINEERING

PROJECT NO: 02001726
DRAWN BY: MLT
CHECKED BY: SB
CFN: 1726CUP
SHEET: 1 OF 1

PROJECT:
KELLOGG AND HEATHER
8144 E KELLOGG
WICHITA, KANSAS 67207

PREPARED FOR:

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