



Wichita-Sedgwick County Metropolitan Area Planning Department

November 17, 2021

Iron Horse Development, LLC
Levi Bond
142 N Emporia
Wichita, KS 67202

RE: CUP2021-00046 with ZON2021-00040: County request for a mixed use community unit plan (CUP) on property generally located on the northeast corner of East 29th Street North & North Greenwich Road (associated with zone change to LC Limited Commercial).

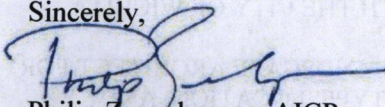
Dear Applicants;

At its regular meeting on **November 17, 2021**, the Sedgwick County Board of County Commissioners considered the above captioned request. The action of the BoCC was to **APPROVE** the request subject to the following conditions:

1. The Development Guidelines shall be modified to read in accordance with the attached recommendation.
2. The site shall be developed in substantial conformance with the revised development guidelines and general provisions of the approved CUP.
3. The applicant shall record a CUP certificate with the Register of Deeds indicating that this tract (referenced as DP-359 29th and Greenwich CUP) has special conditions for development on the property. A copy of the recorded certificate along with four copies of the approved CUP shall be submitted to the Metropolitan Area Planning Department within 60 days of final approval to the Metropolitan Area Planning Department.

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

Sincerely,


Philip Zevenbergen, AICP
Senior Planner

Copies to:

MABCD
Pete Meitzner, BoCC District 1
Tabbal Investment, LLC, 2109 N Clear Creek St., Wichita, KS 67230

BoCC APPROVED CUP TEXT FOR DP-359:

1. PROJECT DESCRIPTION:
AREA: THE TOTAL DEVELOPMENT CONTAINS 40.5 ACRES +/-
2. SUMMARY:
TOTAL ALLOWABLE FLOOR RATIO = 0.40 UNLESS NOTED OTHERWISE
MINIMUM BUILDING SETBACKS: (APPLIES TO ALL PARCELS)
ARTERIAL STREET SETBACK = 60'
REAR SETBACK= 10' (OR PER COMPATIBILITY SETBACK STANDARDS)
INTERIOR SIDE SETBACK= 10'
3. ALL USES PERMITTED IN THE LC, LIMITED COMMERCIAL DISTRICT, ARE PERMITTED FOR ALL OF THE PARCELS SUBJECT TO THE CONDITIONS BELOW, AND EXCEPT THE FOLLOWING USES: GROUP RESIDENCE, LIMITED; GROUP RESIDENCE, GENERAL; CORRECTIONAL PLACEMENT RESIDENCE, LIMITED; CORRECTION PLACEMENT RESIDENCE GENERAL; PARKS AND RECREATION; RECYCLING COLLECTION STATION, PRIVATE; RECYCLING COLLECTION STATION, PUBLIC; UTILITY, MAJOR; UTILITY, MINOR; HELIPORT; KENNEL, BOARDING/BREEDING/TRAINING; PAWN SHOP; SEXUALLY ORIENTED BUSINESS; CEMETERY; GOLF COURSE; MARINE FACILITY, RECREATIONAL; ALL COURSE; MARINE FACILITY, RECREATIONAL; ALL INDUSTRIAL/MANUFACTURING/EXTRACTIVE USES.

THE USES PERMITTED BY THE C.U.P. ARE ONLY THOSE PERMITTED BY RIGHT AND NOT BY CONDITIONAL USE. OUTDOOR STORAGE AND DISPLAY AS PERMITTED IN THE GC DISTRICT SHALL BE ALLOWED AS AN ACCESSORY USE TO AN APPROVED USE IN THE C.U.P. **PROVIDED THAT AREA OF OUTDOOR STORAGE DOES NOT EXCEED 20 PERCENT OF THE FLOOR AREA OF THE PRINCIPAL USE. OUTDOOR DISPLAY IS PERMITTED AS ALLOWED IN GC GENERAL COMMERCIAL ZONING.** OUTDOOR STORAGE AS A PRIMARY USE SHALL BE PROHIBITED.
4. THE NIGHTCLUB ~~IN THE CITY~~ USE SHALL BE PROHIBITED UNLESS ASSOCIATED WITH AN EVENT CENTER, RESTAURANT, OR CHURCH;
5. 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 SHALL BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS ~~AND AMENDED~~. HOWEVER, THE DIRECTOR OF THE PLANNING DEPARTMENT, 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.
6. LANDSCAPING FOR THIS SITE SHALL BE REQUIRED AS FOLLOWS:
 - A. LOT LANDSCAPED STREET YARDS, BUFFERS, AND PARKING LOT LANDSCAPING/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 SPECIFICATIONS OF ALL PLANT MATERIAL. THIS PLAN SHALL BE SUBMITTED TO THE METROPOLITAN AREA PLANNING DEPARTMENT (MAPD) FOR ITS REVIEW AND APPROVAL PRIOR TO ISSUANCE OF ANY BUILDING PERMIT(S)
7. LIGHTING
 - A. LIGHTING SHALL BE IN ACCORDANCE WITH THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION IV.
 - 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 PLANNING DEPARTMENT.
 - 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 25 FEET TALL, EXCEPT 15 FEET TALL WHEN WITHIN 100 FEET OF RESIDENTIAL ZONING DISTRICT.**SCHOOL IS NOT A RESIDENTIAL USE.**

8. SCREENING FOR THIS SITE SHALL BE REQUIRED AS FOLLOWS:
 - A. ROOFTOP MECHANICAL EQUIPMENT SHALL BE SCREENED FROM GROUND LEVEL VIEW. SCREENING MATERIALS SHALL MATCH THE BUILDING ROOF OR WALL MATERIALS.
 - B. TRASH RECEPTACLES, LOADING DOCKS, OUTDOOR STORAGE, AND LOADING AREAS SHALL BE APPROPRIATELY SCREENED WITH MATERIALS MATCHING OR SIMILAR TO THE BUILDING(S) FACADE MATERIALS TO REASONABLY HIDE THEM FROM GROUND VIEW.
 - C. UNLESS OTHERWISE NOTED SCREENING SHALL BE IN ACCORDANCE WITH THE WICHITA SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION IV-B.3 AND SECTION III-C.2.B
 - D. A SCREENING WALL ALONG THE EAST LINE OF THE DEVELOPMENT SHALL BE CONSTRUCTED IN CONFORMANCE WITH SECTION III.C.2.B; UNLESS, IF THE BUILDINGS ABUTTING THE RESIDENTIAL ZONED PROPERTY TO THE EAST ARE DESIGNED WITH NO OUTDOOR STORAGE, OR LOADING AREAS ON THE EAST SIDE OF THE BUILDINGS, THE SCREENING WALL MAY BE REPLACED WITH LANDSCAPING. THE LANDSCAPING SHALL CONSIST OF TREES PLANTED AT A MINIMUM OF ONE TREE PER 40 FEET OF PROPERTY LINE AND A THREE-FOOT-HIGH BERM AND SOLID EVERGREEN SCREENING OF ANY PARKING LOT AREA(S).
9. SIGNS: AS PERMITTED UNDER THE SIGN CODE OF THE CITY OF WICHITA AS PERMITTED UNDER THE SIGN CODE OF THE CITY OF WICHITA
 - A. NO PORTABLE, BANNER, OR PENNANT SIGNS SHALL BE PERMITTED
 - B. NO OFFSITE/BILLBOARD SIGNS SHALL BE PERMITTED
 - C. WINDOW SIGNAGE SHALL BE LIMITED TO 25% OF WINDOW AREA
 - D. RESERVE A AND B SHALL BE ALLOWED A MULTI-TENANT MONUMENT SIGN NOT TO EXCEED 400 SQ FT IN SIZE. NO SINGLE TENANT SHALL BE GREATER THEN 150 SQ FT.
10. PARKING: ALL PARCELS SHALL BE IN ACCORDANCE WITH THE WICHITA-SEDGWICK COUNTY CODE, SECTION IV-A, UNLESS OTHERWISE SPECIFIED.
11. NO OCCUPANCY PERMITS SHALL BE ISSUED FOR ANY DEVELOPMENT WITHOUT SERVICES BY WATER AND SEWER.
12. THE FOLLOWING TRANSPORTATION IMPROVEMENTS AND PARCEL ACCESS SHALL BE PROVIDED:
 - A. CROSS-LOT CIRCULATION AGREEMENTS SHALL BE REQUIRED AT THE TIME OF PLATTING TO ASSURE INTERNAL VEHICULAR MOVEMENT BETWEEN PARCELS WITHIN THE C.U.P.
 - B. ACCESS CONTROLS SHALL BE AS SHOWN ON THE FINAL PLAT.
 - C. AN OVERALL SITE CIRCULATION PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE DIRECTOR OF PLANNING, IN CONCURRENCE WITH THE FIRE MARSHAL AND TRAFFIC ENGINEER. THE TRAFFIC CIRCULATION PLAN SHALL ASSURE SMOOTH INTERNAL VEHICULAR MOVEMENTS, JOINT USE OF INGRESS/EGRESS OPENINGS AS REQUIRED BY THE ACCESS MANAGEMENT POLICY, AND ENSURE THAT THE MAIN DRIVES ARE NOT BLOCKED BY PARKING SPACES BACKING ONTO THE MAIN DRIVE AISLES.
 - D. A SITE TRAFFIC AND PEDESTRIAN CIRCULATION PLAN FOR EACH PARCEL, UPON REQUEST FOR A BUILDING PERMIT, SHALL BE REVIEWED AND APPROVED BY THE DIRECTOR OF PLANNING FOR COMPLIANCE WITH THE OVERALL SITE TRAFFIC AND PEDESTRIAN CIRCULATION PLAN.
13. ALL PROPOSED NEW UTILITIES SHALL BE INSTALLED UNDERGROUND.
14. ARCHITECTURAL CONTROLS: ALL BUILDINGS WITHIN THE C.U.P. SHALL SHARE COMPLIMENTARY ARCHITECTURAL CHARACTER AND COLORS. THE BUILDING(S) WALLS SHALL NOT UTILIZE METAL AS A PREDOMINANT EXTERIOR FACADE MATERIAL UNLESS DESIGNED TO MEET THE ABOVE ARCHITECTURAL CONTROLS AND APPROVED BY THE DIRECTOR OF PLANNING.
15. 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.

16. 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 UNIFIED ZONING CODE.

PARCEL 1

GROSS AREA = 16.57 ACRES OR 721,806 S.F.
MAXIMUM HEIGHT = 50 FEET MAX.
BUILDING COVERAGE = 30% OR 216,542 S.F.
MAX. GROSS FLOOR AREA = 50% OR 360,903 S.F.

PARCEL 2

GROSS AREA = 1.2 ACRES OR 52,583 S.F.
MAXIMUM HEIGHT = 35 FEET
MAX. BUILDING COVERAGE = 30% OR 15,775 S.F.
MAX. GROSS FLOOR AREA = 50% OR 26,291 S.F.

PARCEL 3 GROSS AREA = 1.24 ACRES OR 54,175 S.F.

MAXIMUM HEIGHT = 35 FEET MAX.
BUILDING COVERAGE = 30% OR 16,253 S.F.
MAX. GROSS FLOOR AREA = 35% OR 18,961 S.F.

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MAX. GROSS FLOOR AREA = 35% OR 17,365 S.F.

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MAX. BUILDING COVERAGE = 30% OR 23,696 S.F.
MAX. GROSS FLOOR AREA = 35% OR 27,645 S.F.

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GROSS AREA = 15.04 ACRES OR 655,427 S.F.
MAXIMUM HEIGHT = 35 FEET
MAX. BUILDING COVERAGE = 30% OR 196,628 S.F.

MAX. GROSS FLOOR AREA = 35% OR 229,399 S.F.

PARCEL 8

GROSS AREA = 1.22 ACRES OR 53,208 S.F.
MAXIMUM HEIGHT = 35 FEET
MAX. BUILDING COVERAGE = 30% OR 15,962 S.F.
MAX. GROSS FLOOR AREA = 35% OR 18,622 S.F.
PARCEL 9 GROSS AREA = 1.23 ACRES OR 53,923 S.F.
MAXIMUM HEIGHT = 35 FEET MAX.
BUILDING COVERAGE = 30% OR 16,177 S.F. MAX.
GROSS FLOOR AREA = 35% OR 18,873 S.F.



Wichita-Sedgwick County Metropolitan Area Planning Department

October 12, 2021

Iron Horse Development, LLC
Levi Bond
142 N Emporia
Wichita, KS 67202

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Dear Applicants;

At its regular meeting on **October 7 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request subject to the following conditions:

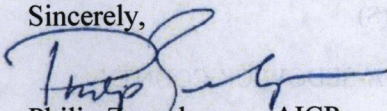
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Property owners opposed to the application may file with the County Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on October 21, 2021. 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 1000 feet of the property for which the application was filed—except where it abuts the City Limits of Wichita where a 200 foot radius will be applied—and must be submitted to the County Clerk by **October 21, 2021 at 5:00 p.m.**

This case is scheduled for consideration by the Board of County Commissioners on **Wednesday, November 17, 2021, beginning at 9:00 a.m.** The Board of County Commissioners meeting will be held in the Sedgwick County Court House, Third Floor, 525 N. Main, Wichita, Kansas.

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,


Philip Zevenbergen, AICP
Senior Planner

Copies to:

MABCD

Pete Meitzner, BoCC District 1

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RECOMMENDED CUP TEXT FOR DP-359:

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MAXIMUM HEIGHT = 50 FEET MAX.
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MAX. GROSS FLOOR AREA = 50% OR 360,903 S.F.

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(150004) Published in The Derby Informer on November 24, 2021
RESOLUTION NO. 233-2021

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984 AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

SECTION I. 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-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. ZON2021-00040 with CUP2021-00046

Zone change request from RR Rural Residential and SF-20 Single-Family Residential to LC Limited Commercial, subject to the development standards contained in Community Unit Plan DP-359, on property described as:

The South Half of the Southwest Quarter of Section 34, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, EXCEPT the North 250 feet of the West 350 feet of the South Half of said Southwest Quarter, and EXCLUDING the following:
Beginning at the Southeast Corner of the Southwest Quarter of Section 34, Township 26 South, Range 2 East of the Sixth P.M., Sedgwick County, Kansas; thence North along the East line of said SW/4 of Section 34, a distance of 30.00 feet to the Point of Beginning; thence West parallel with the South line of said SW/4 of Section 34, a distance of 300.00 feet; thence North parallel with said East line of SW/4 of Section 34, a distance of 300.00 feet; thence East parallel with said South line of SW/4 of Section 34, a distance of 300.00 feet, to a point on said East line of SW/4 of Section 34; thence South along said East line of SW/4 of Section 34, a distance of 300.00 feet to the Point of Beginning.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

[Remainder of page intentionally left blank]

Commissioners present and voting were:

PETER F. MEITZNER
SARAH LOPEZ
DAVID T. DENNIS
LACEY D. CRUSE
JAMES M. HOWELL

Aye
Aye
Aye
Aye
Aye

Dated this 17th day of November, 2021.

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

Peter F. Meitzner
PETER F. MEITZNER, Chairman
Commissioner, First District

Lacey D. Cruse
LACEY D. CRUSE, Chair Pro Tem
Commissioner, Fourth District

APPROVED AS TO FORM:

Justin M. Waggoner
JUSTIN M. WAGGONER
Assistant County Counselor

Sarah Lopez
SARAH LOPEZ
Commissioner, Second District

David T. Dennis
DAVID T. DENNIS
Commissioner, Third District

James M. Howell
JAMES M. HOWELL
Commissioner, Fifth District

Affidavit of Legal Publication

STATE OF KANSAS)

ss.

County of Sedgwick)

Emily Gillihan, being first duly
sworn, deposes and says:
That he/she is Legal Manager of

The Derby Informer

a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a weekly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

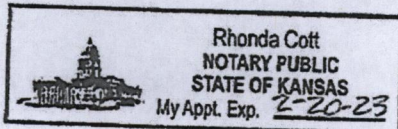
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 week the first publication thereof being made as aforesaid on the 24th day of November 2021, with subsequent publications being made on the following dates:

N/A

Emily Gillihan
Legal Manager

Subscribed and sworn to before me this
5th day of January, 2022.

Rhonda Cott
Notary Public



Resolution No. 233-2021

Printer's Fee: \$33.60

Additional copies: \$ _____

Legal Publication (Published in The Derby Informer on November 24, 2021)	
RESOLUTION NO. 233-2021 A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984 AND SUBSEQUENTLY AMENDED. BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS SECTION I. That after receiving a recommendation from the WichitaSedgwick 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-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows: Case No. ZON2021-00040 with CUP2021-00046 Zone change request from RR Rural Residential and SF-20 Single-Family Residential to LC Limited Commercial, subject to the development standards contained in Community Unit Plan DP-359, on property described as: The South Half of the Southwest Quarter of Section 34, Township 26 South, Range	2 East of the 6th P.M., Sedgwick County, Kansas, EXCEPT the North 250 feet of the West 350 feet of the South Half of said Southwest Quarter, and EXCLUDING the following: Beginning at the Southeast Corner of the Southwest Quarter of Section 34, Township 26 South, Range 2 East of the Sixth P.M., Sedgwick County, Kansas; thence North along the East line of said SW1/4 of Section 34, a distance of 30.00 feet to the Point of Beginning; thence West parallel with the South line of said SW1/4 of Section 34, a distance of 300.00 feet; thence North parallel with said East line of SW1/4 of Section 34, a distance of 300.00 feet; thence East parallel with said South line of SW1/4 of Section 34, a distance of 300.00 feet, to a point on said East line of SW1/4 of Section 34; thence South along said East line of SW1/4 of Section 34, a distance of 300.00 feet to the Point of Beginning. SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the WichitaSedgwick County Metropolitan Area Planning Department. SECTION III. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper. Commissioners present and voting were:
	PETER F. MEITZNER SARAH LOPEZ DAVID T. DENNIS LACEY D. CRUSE JAMES M. HOWELL Dated this 17TH day of NOVEMBER, 2021. BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS PETER F. MEITZNER, Chairman Commissioner, First District LACEY D. CRUSE, Chair Pro Tem Commissioner, Fourth District SARAH LOPEZ Commissioner, Second District DAVID T. DENNIS Commissioner, Third District JAMES M. HOWELL Commissioner, Fifth District ATTEST: KELLY B. ARNOLD, County Clerk APPROVED AS TO FORM: JUSTIN M. WAGGONER Assistant County Counselor

Affidavit of Legal Publication

STATE OF KANSAS)

ss.

County of Sedgwick)

Emily Gillihan, being first duly
sworn, deposes and says:
That he/she is Legal Manager of

The Derby Informer

a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a weekly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

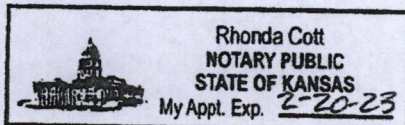
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 week the first publication thereof being made as aforesaid on the 15th day of September 2021, with subsequent publications being made on the following dates:

N/A

Emily Gillihan
Legal Manager

Subscribed and sworn to before me this
15th day of September, 2021.

Brenda Cott
Notary Public



Official Hearing Notice - MAPC - October 7, 2021

Printer's Fee: \$48.44

Additional copies: \$ _____

Legal Publication

OCA 150004

Published in The Derby Informer on September 15, 2021

MAPC October 7, 2021 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, October 7, 2021 no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission (Planning Commission) will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom 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.

CON2021-00040: County Conditional Use for an accessory apartment on 10 acres zoned RR Rural Residential; generally located 1400 feet north of E 119th Street S on the west side of Greenwich Road (11801 S Greenwich Rd).

CON2021-00041: County Conditional Use for an accessory apartment on property zoned RR Rural Residential; generally located 1300 feet north of W Pawnee Avenue and 1400 feet west of S 155th Street W. (15601 Highview Dr.)

CUP2021-00046: County request for a mixed use community unit plan (CUP) on property generally located on the northeast corner of East 29th Street North & North Greenwich Road (associated with zone change ZON2021-00040 to LC Limited Commercial).

ZON2021-00040: County request to rezone from RR Rural Residential & SF-20 Single-Family Residential to LC Limited Commercial on property generally located on the northeast corner of East 29th Street North & North Greenwich Road (associated with CUP2021-00046).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. 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.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have

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: <u>Scott Wadle</u> 271 W. 3rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

Participate Remotely

Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/651544141>

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Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitcityhall. 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.

WITNESS MY HAND on September 15, 2021

members to visit area



AGENDA ITEM NO. 4.3

STAFF REPORT

MAPC: September 23, 2021

CAB 1: September 20, 2021

CASE NUMBER: CUP2021-00046 and ZON2021-00040 (County)

APPLICANT/AGENT: Tabbal Investment, LLC (Applicant)/ Iron Horse Development c/o Levi Bond (agent)

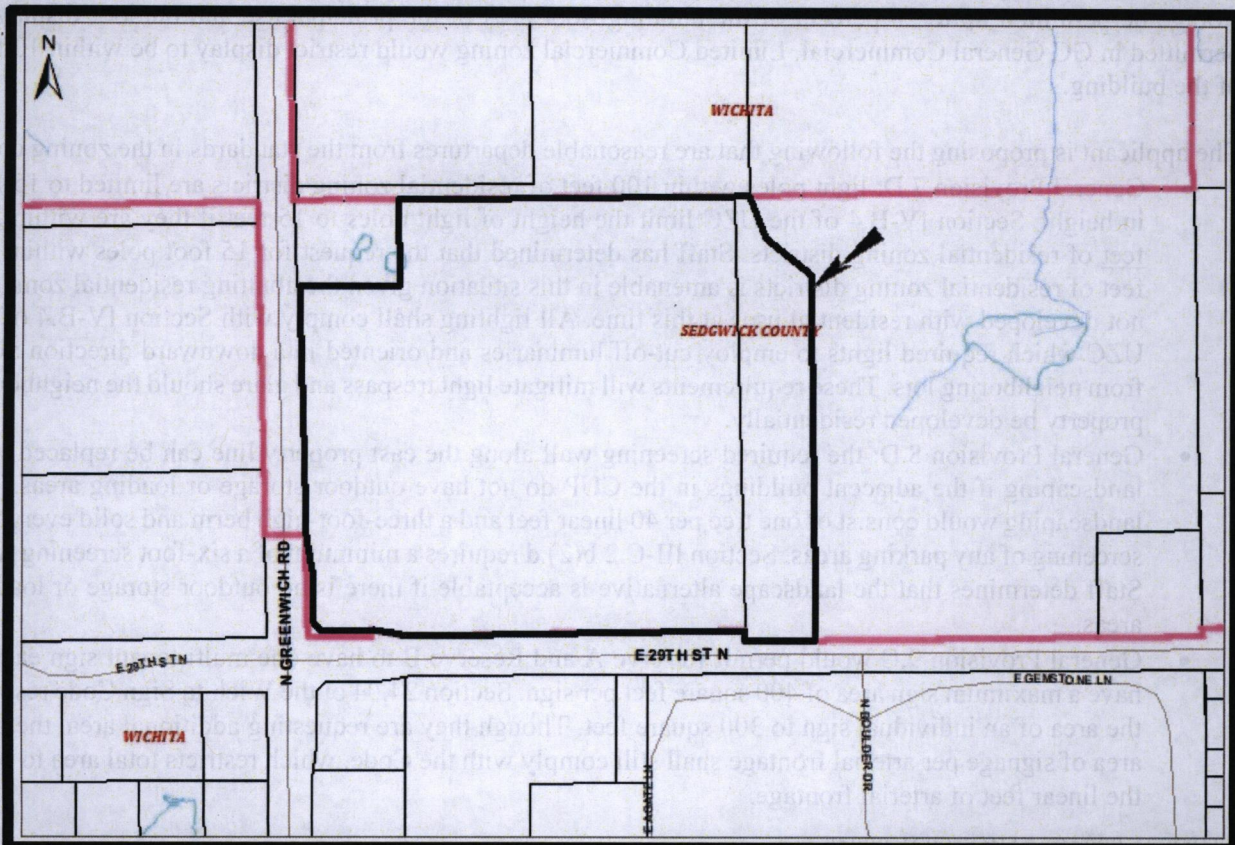
REQUEST: LC Limited Commercial, and CUP DP-359: 29th and Greenwich Community Unit Plan

CURRENT ZONING: RR Rural Residential and SF-20 Single-Family Residential

SITE SIZE: 40.5 acres

LOCATION: On the northeast corner of North Greenwich Road and East 29th Street North.

PROPOSED USE: Commercial uses, subject to restrictions of the CUP



BACKGROUND: This application is to change the zoning from RR Rural Residential and SF-20 Single-Family Residential to LC Limited Commercial and establish the 29th and Greenwich Community Unit Plan (DP-359) for the 40.5-acre parcel located on the northeast corner of East 29th Street North and North Greenwich Road. The subject property is unplatted and in unincorporated Sedgwick County. Platting the property will be required in order to obtain building permits. The applicant intends to submit a petition for annexation into the City Limits of Wichita in the near future.

The CUP will contain nine parcels: two large parcels occupying the middle and north eastern portion of the property and seven smaller parcels fronting East 29th Street and Greenwich Road. The drawing currently shows two full-movement access drives: one, 60-foot wide full access drive onto East 29th Street and one, 60-foot wide, full access drive onto North Greenwich. All parcels without access to the public street will be accessible through internal cross lot access. The CUP states a 60-foot building setback along arterial frontages. This is 25 feet greater than the minimum 35-foot building setback required for CUPs in Section III-C.2.b(2) of the Unified Zoning Code. The applicant states that this is to ensure uniform development, and it provides the minimum space for a single drive aisle and two rows of parking between the right-of-way and the building(s).

The text of the CUP states that all uses permitted by right in the LC Limited Commercial zoning district will be permitted on each parcel with several exceptions (see CUP text attached). The CUP permits a Night Club use if it is associated with an event center, restaurant, or church. In essence, this will permit an establishment to serve alcohol and provide entertainment (such as live music, etc.) as accessory to their main function. The CUP text also states that "outdoor storage and display as permitted in the GC General Commercial zoning district shall be allowed as an accessory use to an approved use in the CUP. Outdoor storage as a primary use shall be prohibited." The intent of this is to not be restricted by the maximum square footage requirements that LC Limited Commercial zoning places on accessory outdoor storage. LC zoning restricts the area of accessory outdoor storage to 10 percent of the floor area of the principal use within a building. Accessory outdoor storage area between 10-20 percent would require a Conditional Use. Staff is recommending that the area of outdoor storage be permitted up to 20 percent of the building floor area of the principal use and outdoor display as permitted in GC General Commercial. Limited Commercial zoning would restrict display to be within 10 feet of the building.

The applicant is proposing the following that are reasonable departures from the standards in the zoning code:

- General Provision 7.D: light poles within 100 feet of residential zoning districts are limited to 15 feet in height. Section IV-B.4 of the UZC limit the height of light poles to 15 feet if they are within 200 feet of residential zoning districts. Staff has determined that the request for 15 foot poles within 100 feet of residential zoning districts is amenable in this situation given the abutting residential zoning is not developed with residential uses at this time. All lighting shall comply with Section IV-B.4 of the UZC which required lights to employ cut-off luminaries and oriented in a downward direction away from neighboring lots. These requirements will mitigate light trespass and glare should the neighboring property be developed residentially.
- General Provision 8.D: the required screening wall along the east property line can be replaced with landscaping if the adjacent buildings in the CUP do not have outdoor storage or loading areas. The landscaping would consist of one tree per 40 linear feet and a three-foot-high berm and solid evergreen screening of any parking areas. Section III-C.2.b(2).d requires a minimum of a six-foot screening wall. Staff determines that the landscape alternative is acceptable if there is no outdoor storage or loading areas.
- General Provision 9.C would permit Reserve A and Reserve B to have one multi-tenant sign each to have a maximum sign area of 400 square feet per sign. Section 24.04 of the Wichita Sign Code restricts the area of an individual sign to 300 square feet. Though they are requesting additional area, the total area of signage per arterial frontage shall still comply with the Code, which restricts total area to 0.8 x the linear feet of arterial frontage.

The applicant's proposed CUP has the standard architectural, landscaping, cross-lot circulation, and parking language. All buildings within the CUP are to share uniform architectural character, color and similar predominate exterior building materials. Landscaping is to be per the Wichita Landscape Ordinance. Rooftop mechanical equipment, trash receptacles, and loading areas shall be reasonably screened from ground level view. Outdoor storage and work areas, mechanical equipment, heating and air conditioning units and dumpsters located within 150 feet of a street or residential zoning district require screening. Cross-lot circulation agreements between parcels will be provided. Parking is to be per code unless specified otherwise within the CUP.

There is a 1.7 acre, RR Rural Residential-zoned property abutting the subject site in the northwest corner that is not part of the CUP. It is developed with a single-family dwelling. Property to the north is zoned SF-20 Single-Family Residential and is developed with a school. Property to the south is zoned MF-18 Multi-Family Residential and is developed with an apartment complex. Additionally, property to the south, fronting Greenwich Road is zoned LI Limited Industrial with PO-74 and a Conditional Use (CON2019-00005) to permit an indoor/outdoor family entertainment complex including a multi-story golf driving range. Property to the east is zoned RR Rural Residential and is undeveloped land. Property to the west, across Greenwich Road, is zoned LI Limited Industrial and is undeveloped land.

CASE HISTORY: Other than the current CUP proposal with a request for zone change, no other cases have been filed. The property is unplatted. Platting will be required prior to the issuance of building permits.

ADJACENT ZONING AND LAND USE:

North:	SF-20 and LC:	School
South:	MF-18 and LI with PO-74:	Multi-Family development and undeveloped land
East:	RR:	Undeveloped land
West:	LI:	Undeveloped land

PUBLIC SERVICES: The property is located in unincorporated Sedgwick County, but abuts the City limits of Wichita on the north, south and west sides. Therefore, City water and sewer utilities are available, but will need to be extended to serve the development. The CUP shows one access point off of East 29th Street and North Greenwich. East 29th Street is a paved, two-lane arterial with a left turn lane at North Greenwich Road and no sidewalks. North Greenwich Road is a paved, five-lane arterial with a sidewalks on both side. The intersection is not signalized. Possible improvements to either street shall be determined at the time of platting. Wichita Transit has bus stops one-half mile south along North Greenwich Court serving the retail stores.

CONFORMANCE TO PLANS/POLICIES: The proposed zone change and Community Unit Plan are in conformance to the comprehensive plan. The adopted 2035 Wichita Future Growth Concept Map of the Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the subject property as appropriate for "residential/employment mix." This category is defined as "areas that likely will be developed or redeveloped by 2035 with use predominately of mixed nature. Due to proximity of higher intensity business uses, residential housing types within this area likely will be higher density. Due to the proximity of residential uses, employment use likely will have limited negative impacts associated with noise, hazardous emissions, visual blight, and odor." Furthermore, the Location Guidelines of the plan state that major commercial and employment centers should be located at intersections of arterial streets and along highways and commercial corridors. This develop is at the intersection of two arterial streets and along a commercial corridor.

RECOMMENDATION: Based upon the information available at the time the staff report was prepared it is recommended that the request for LC Limited Commercial and the creation of the 29th and Greenwich CUP be **APPROVED** subject to the following conditions:

1. The Development Guidelines shall be modified to read in accordance with the attached recommendation.
2. The site shall be developed in substantial conformance with the revised development guidelines and general provisions of the approved CUP.
3. The applicant shall record a CUP certificate with the Register of Deeds indicating that this tract (referenced as DP-359 29th and Greenwich CUP) has special conditions for development on the property. A copy of the recorded certificate along with four copies of the approved CUP shall be submitted to the Metropolitan Area Planning Department within 60 days of final approval to the Metropolitan Area Planning Department.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: There is a 1.7 acre, RR Rural Residential-zoned property abutting the subject site in the northwest corner that is not part of the CUP. It is developed with a single-family dwelling. Property to the north is zoned SF-20 Single-Family Residential and is developed with a school. Property to the south is zoned MF-18 Multi-Family Residential and is developed with an apartment complex. Additionally, property to the south, fronting Greenwich Road is zoned LI Limited Industrial with PO-74 and a Conditional Use (CON2019-00005) to permit an indoor/outdoor family entertainment complex including a multi-story golf driving range. Property to the east is zoned RR Rural Residential and is undeveloped land. Property to the west, across Greenwich Road, is zoned LI Limited Industrial and is undeveloped land. The area is suitable for a commercial development of this kind at the intersection of two arterial streets. The provisions of the CUP should mitigate any negative impacts.
2. The suitability of the subject property for the uses to which it has been restricted: The subject property is zoned RR Rural Residential and SF-20 Single-Family Residential and could remain such. However, given the growing commercial and residential development in the immediate area, it is likely for this land to be redeveloped with more intense residential or commercial uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: With the recommended development standards, approval of the proposed CUP is expected to minimize any potential detrimental impacts on nearby property.
4. 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 would add commercial and office development to this area, which is generally considered a gain to the public welfare in that it expands the employment and tax base. Denial would presumably represent a loss of economic opportunity to the applicant and/or land owner.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed zone change and Community Unit Plan are in conformance to the comprehensive plan. The adopted 2035 Wichita Future Growth Concept Map of the Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the subject property as appropriate for "residential/employment mix." This category is defined as "areas that likely will be developed or redeveloped by 2035 with use predominately of mixed nature. Due to proximity of higher intensity business uses, residential housing types within this area likely will be higher density. Due to the

proximity of residential uses, employment use likely will have limited negative impacts associated with noise, hazardous emissions, visual blight, and odor.” Furthermore, the Location Guidelines of the plan state that major commercial and employment centers should be located at intersections of arterial streets and along highways and commercial corridors. This development is at the intersection of two arterial streets and along a commercial corridor.

6. Impact of the proposed development on community facilities: The development in the immediate area of the intersection of East 29th Street and North Greenwich Road may cause the an unsafe environment for vehicles making left-turn movements from East 29th Street to North Greenwich Roach and pedestrians wishing to cross Greenwich Road at an un-signalized intersection. The platting of this property will provide guarantees for needed improvements to community facilities.

Attachment: Recommended CUP Text for DP-359
DP-359 29th and Greenwich CUP
Aerial Map
Zoning Map
Land Use Map
Site Pictures

RECOMMENDED CUP TEXT FOR DP-359:

1. PROJECT DESCRIPTION:

AREA: THE TOTAL DEVELOPMENT CONTAINS 40.5 ACRES +/-

2. SUMMARY:

TOTAL ALLOWABLE FLOOR RATIO = 0.40 UNLESS NOTED OTHERWISE

MINIMUM BUILDING SETBACKS: (APPLIES TO ALL PARCELS)

ARTERIAL STREET SETBACK = 60'

REAR SETBACK = 10' (OR PER COMPATIBILITY SETBACK STANDARDS)

INTERIOR SIDE SETBACK = 10'

3. ALL USES PERMITTED IN THE LC, LIMITED COMMERCIAL DISTRICT, ARE PERMITTED FOR ALL OF THE PARCELS SUBJECT TO THE CONDITIONS BELOW, AND EXCEPT THE FOLLOWING USES: GROUP RESIDENCE, LIMITED; GROUP RESIDENCE, GENERAL; CORRECTIONAL PLACEMENT RESIDENCE, LIMITED; CORRECTION PLACEMENT RESIDENCE GENERAL; PARKS AND RECREATION; RECYCLING COLLECTION STATION, PRIVATE; RECYCLING COLLECTION STATION, PUBLIC; UTILITY, MAJOR; UTILITY, MINOR; HELIPORT; KENNEL, BOARDING/BREEDING/TRAINING; PAWN SHOP; SEXUALLY ORIENTED BUSINESS; CEMETERY; GOLF COURSE; MARINE FACILITY, RECREATIONAL; ALL COURSE; MARINE FACILITY, RECREATIONAL; ALL INDUSTRIAL/MANUFACTURING/EXTRACTIVE USES.

THE USES PERMITTED BY THE C.U.P. ARE ONLY THOSE PERMITTED BY RIGHT AND NOT BY CONDITIONAL USE. OUTDOOR STORAGE AND DISPLAY AS PERMITTED IN THE GC DISTRICT SHALL BE ALLOWED AS AN ACCESSORY USE TO AN APPROVED USE IN THE C.U.P. **PROVIDED THAT AREA OF OUTDOOR STORAGE DOES NOT EXCEED 20 PERCENT OF THE FLOOR AREA OF THE PRINCIPAL USE. OUTDOOR DISPLAY IS PERMITTED AS ALLOWED IN GC GENERAL COMMERCIAL ZONING.** OUTDOOR STORAGE AS A PRIMARY USE SHALL BE PROHIBITED.

4. THE NIGHTCLUB ~~IN THE CITY~~ USE SHALL BE PROHIBITED UNLESS ASSOCIATED WITH AN EVENT CENTER, RESTAURANT, OR CHURCH;
5. 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 SHALL BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS **AND AMENDED**. HOWEVER, THE DIRECTOR OF THE PLANNING DEPARTMENT, 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.
6. LANDSCAPING FOR THIS SITE SHALL BE REQUIRED AS FOLLOWS:
- A. LOT LANDSCAPED STREET YARDS, BUFFERS, AND PARKING LOT LANDSCAPING/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 SPECIFICATIONS OF ALL PLANT MATERIAL. THIS PLAN SHALL BE SUBMITTED TO THE METROPOLITAN AREA PLANNING DEPARTMENT (MAPD) FOR ITS REVIEW AND APPROVAL PRIOR TO ISSUANCE OF ANY BUILDING PERMIT(S)
7. LIGHTING
- A. LIGHTING SHALL BE IN ACCORDANCE WITH THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION IV.
 - 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 PLANNING DEPARTMENT.
 - 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 25 FEET

- TALL, EXCEPT 15 FEET TALL WHEN WITHIN 100 FEET OF RESIDENTIAL ZONING DISTRICT. ~~SCHOOL IS NOT A RESIDENTIAL USE.~~
8. SCREENING FOR THIS SITE SHALL BE REQUIRED AS FOLLOWS:
 - A. ROOFTOP MECHANICAL EQUIPMENT SHALL BE SCREENED FROM GROUND LEVEL VIEW. SCREENING MATERIALS SHALL MATCH THE BUILDING ROOF OR WALL MATERIALS.
 - B. TRASH RECEPTACLES, LOADING DOCKS, OUTDOOR STORAGE, AND LOADING AREAS SHALL BE APPROPRIATELY SCREENED WITH MATERIALS MATCHING OR SIMILAR TO THE BUILDING(S) FACADE MATERIALS TO REASONABLY HIDE THEM FROM GROUND VIEW.
 - C. UNLESS OTHERWISE NOTED SCREENING SHALL BE IN ACCORDANCE WITH THE WICHITA SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION IV-B.3 AND SECTION III-C.2.B
 - D. A SCREENING WALL ALONG THE EAST LINE OF THE DEVELOPMENT SHALL BE CONSTRUCTED IN CONFORMANCE WITH SECTION III.C.2.B; UNLESS, IF THE BUILDINGS ABUTTING THE RESIDENTIAL ZONED PROPERTY TO THE EAST ARE DESIGNED WITH NO OUTDOOR STORAGE, OR LOADING AREAS ON THE EAST SIDE OF THE BUILDINGS, THE SCREENING WALL MAY BE REPLACED WITH LANDSCAPING. THE LANDSCAPING SHALL CONSIST OF TREES PLANTED AT A MINIMUM OF ONE TREE PER 40 FEET OF PROPERTY LINE AND A THREE-FOOT-HIGH BERM AND SOLID EVERGREEN SCREENING OF ANY PARKING LOT AREA(S).
 9. SIGNS: AS PERMITTED UNDER THE SIGN CODE OF THE CITY OF WICHITA AS PERMITTED UNDER THE SIGN CODE OF THE CITY OF WICHITA
 - A. NO PORTABLE, BANNER, OR PENNANT SIGNS SHALL BE PERMITTED
 - B. NO OFFSITE/BILLBOARD SIGNS SHALL BE PERMITTED
 - C. WINDOW SIGNAGE SHALL BE LIMITED TO 25% OF WINDOW AREA
 - D. RESERVE A AND B SHALL BE ALLOWED A MULTI-TENANT MONUMENT SIGN NOT TO EXCEED 400 SQ FT IN SIZE. NO SINGLE TENANT SHALL BE GREATER THEN 150 SQ FT.
 10. PARKING: ALL PARCELS SHALL BE IN ACCORDANCE WITH THE WICHITA-SEDGWICK COUNTY CODE, SECTION IV-A, UNLESS OTHERWISE SPECIFIED.
 11. NO OCCUPANCY PERMITS SHALL BE ISSUED FOR ANY DEVELOPMENT WITHOUT SERVICES BY WATER AND SEWER.
 12. THE FOLLOWING TRANSPORTATION IMPROVEMENTS AND PARCEL ACCESS SHALL BE PROVIDED:
 - A. CROSS-LOT CIRCULATION AGREEMENTS SHALL BE REQUIRED AT THE TIME OF PLATTING TO ASSURE INTERNAL VEHICULAR MOVEMENT BETWEEN PARCELS WITHIN THE C.U.P.
 - B. ACCESS CONTROLS SHALL BE AS SHOWN ON THE FINAL PLAT.
 - C. AN OVERALL SITE CIRCULATION PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE DIRECTOR OF PLANNING, IN CONCURRENCE WITH THE FIRE MARSHAL AND TRAFFIC ENGINEER. THE TRAFFIC CIRCULATION PLAN SHALL ASSURE SMOOTH INTERNAL VEHICULAR MOVEMENTS, JOINT USE OF INGRESS/EGRESS OPENINGS AS REQUIRED BY THE ACCESS MANAGEMENT POLICY, AND ENSURE THAT THE MAIN DRIVES ARE NOT BLOCKED BY PARKING SPACES BACKING ONTO THE MAIN DRIVE AISLES.
 - D. A SITE TRAFFIC AND PEDESTRIAN CIRCULATION PLAN FOR EACH PARCEL, UPON REQUEST FOR A BUILDING PERMIT, SHALL BE REVIEWED AND APPROVED BY THE DIRECTOR OF PLANNING FOR COMPLIANCE WITH THE OVERALL SITE TRAFFIC AND PEDESTRIAN CIRCULATION PLAN.
 13. ALL PROPOSED NEW UTILITIES SHALL BE INSTALLED UNDERGROUND.
 14. ARCHITECTURAL CONTROLS: ALL BUILDINGS WITHIN THE C.U.P. SHALL SHARE COMPLIMENTARY ARCHITECTURAL CHARACTER AND COLORS. THE BUILDING(S) WALLS SHALL NOT UTILIZE METAL AS A PREDOMINANT EXTERIOR FACADE MATERIAL UNLESS

DESIGNED TO MEET THE ABOVE ARCHITECTURAL CONTROLS AND APPROVED BY THE DIRECTOR OF PLANNING.

15. 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.
16. 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 UNIFIED ZONING CODE.

PARCEL 1

GROSS AREA = 16.57 ACRES OR 721,806 S.F.
MAXIMUM HEIGHT = 50 FEET MAX.
BUILDING COVERAGE = 30% OR 216,542 S.F.
MAX. GROSS FLOOR AREA = 50% OR 360,903 S.F.

PARCEL 2

GROSS AREA = 1.2 ACRES OR 52,583 S.F.
MAXIMUM HEIGHT = 35 FEET
MAX. BUILDING COVERAGE = 30% OR 15,775 S.F.
MAX. GROSS FLOOR AREA = 50% OR 26,291 S.F.

PARCEL 3 GROSS AREA = 1.24 ACRES OR 54,175 S.F.
MAXIMUM HEIGHT = 35 FEET MAX. BUILDING COVERAGE = 30% OR 16,253 S.F.
MAX. GROSS FLOOR AREA = 35% OR 18,961 S.F.

PARCEL 4 GROSS AREA = 1.14 ACRES OR 49,614 S.F.
MAXIMUM HEIGHT = 35 FEET
MAX. BUILDING COVERAGE = 30% OR 14,884 S.F.
MAX. GROSS FLOOR AREA = 35% OR 17,365 S.F.

PARCEL 5

GROSS AREA = 1.15 ACRES OR 50,239 S.F.
MAXIMUM HEIGHT = 35 FEET
MAX. BUILDING COVERAGE = 30% OR 15,072 S.F.
MAX. GROSS FLOOR AREA = 35% OR 17,583 S.F.

PARCEL 6

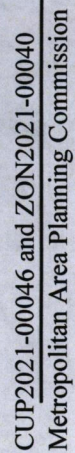
GROSS AREA = 1.8 ACRES OR 78,985 S.F.
MAXIMUM HEIGHT = 35 FEET
MAX. BUILDING COVERAGE = 30% OR 23,696 S.F.
MAX. GROSS FLOOR AREA = 35% OR 27,645 S.F.

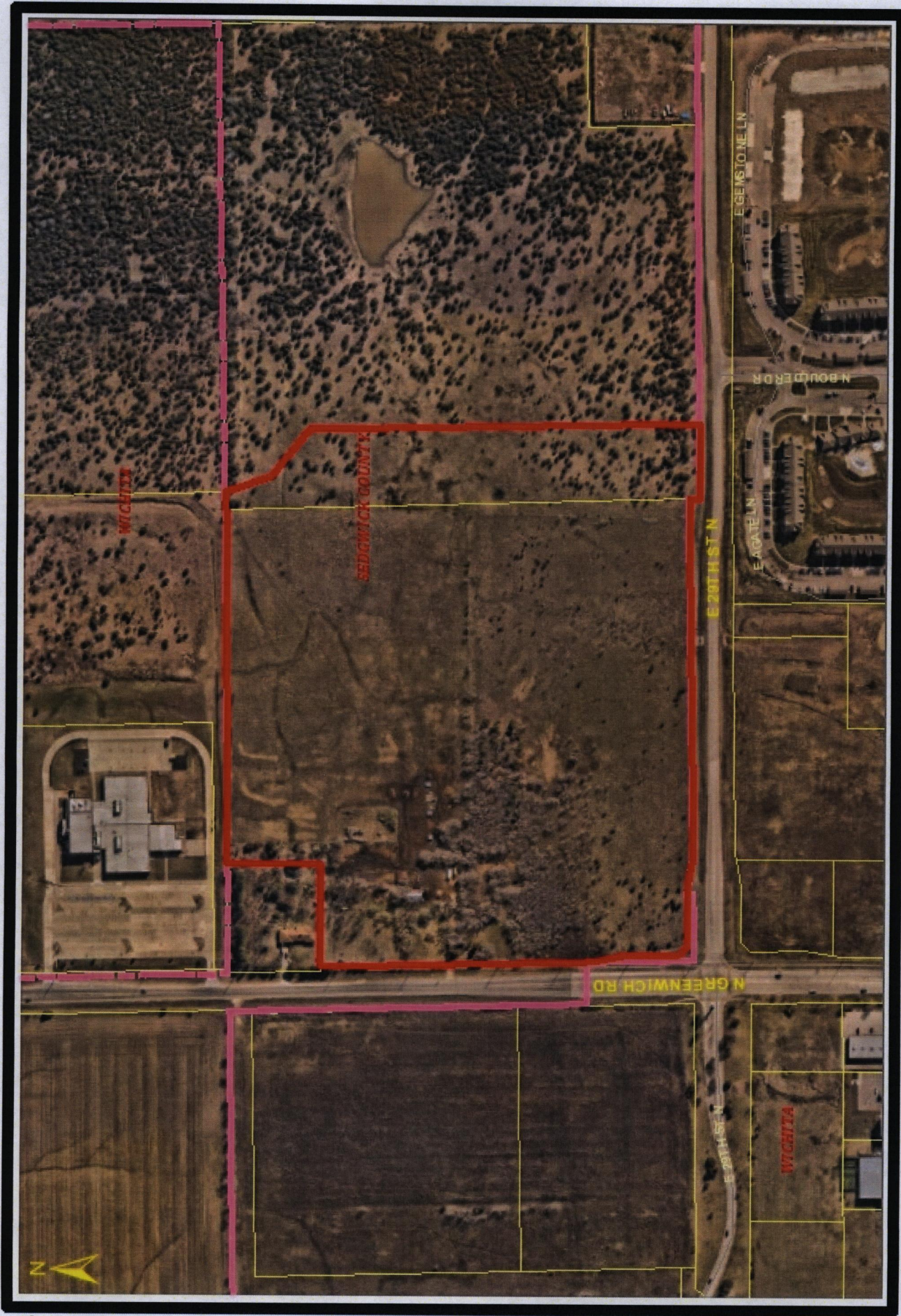
PARCEL 7

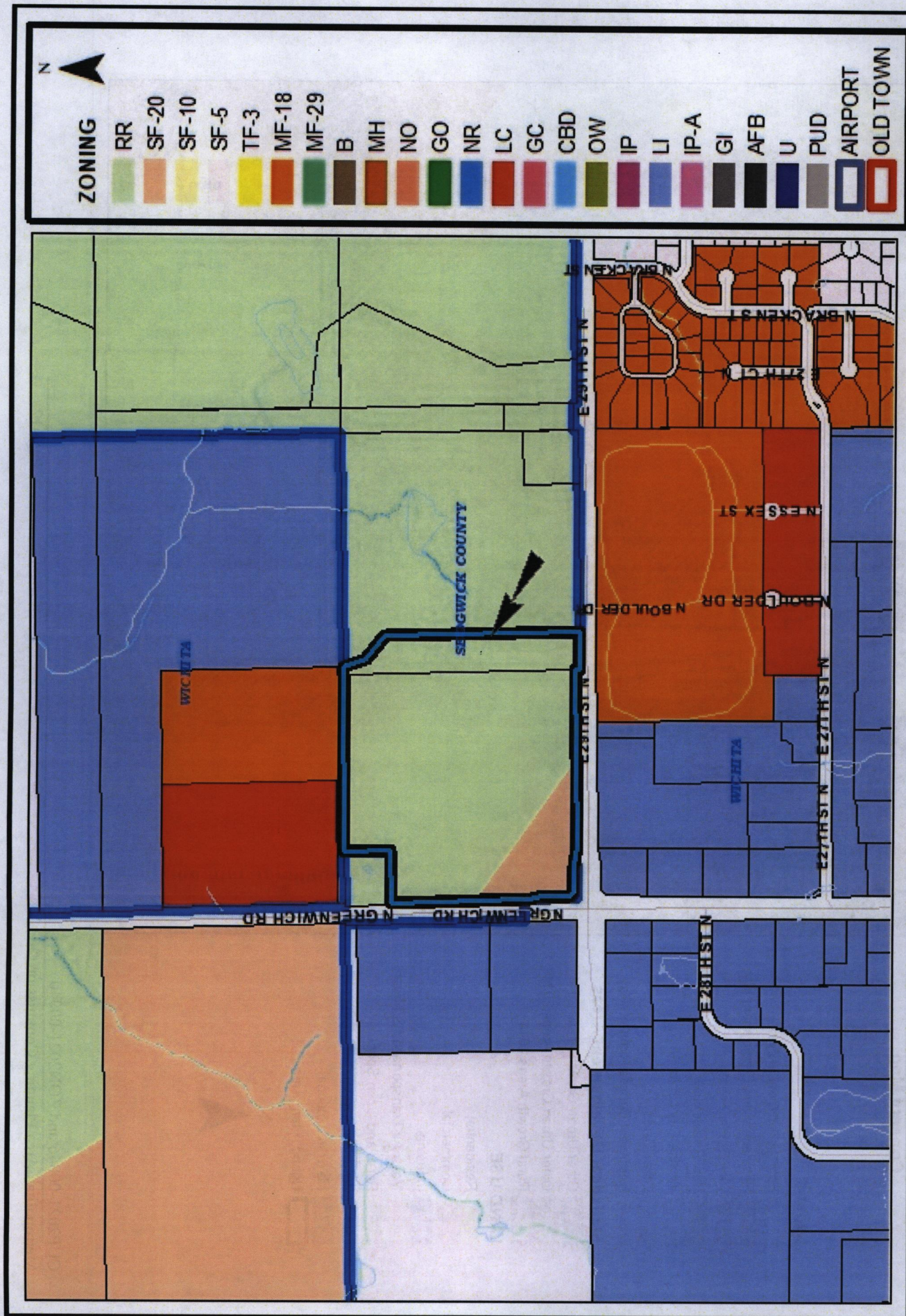
GROSS AREA = 15.04 ACRES OR 655,427 S.F.
MAXIMUM HEIGHT = 35 FEET
MAX. BUILDING COVERAGE = 30% OR 196,628 S.F.
MAX. GROSS FLOOR AREA = 35% OR 229,399 S.F.

PARCEL 8

GROSS AREA = 1.22 ACRES OR 53,208 S.F.
MAXIMUM HEIGHT = 35 FEET
MAX. BUILDING COVERAGE = 30% OR 15,962 S.F. MAX. GROSS FLOOR AREA = 35% OR 18,622 S.F. PARCEL 9 GROSS AREA = 1.23 ACRES OR 53,923 S.F. MAXIMUM HEIGHT = 35 FEET MAX. BUILDING COVERAGE = 30% OR 16,177 S.F. MAX. GROSS FLOOR AREA = 35% OR 18,873 S.F.





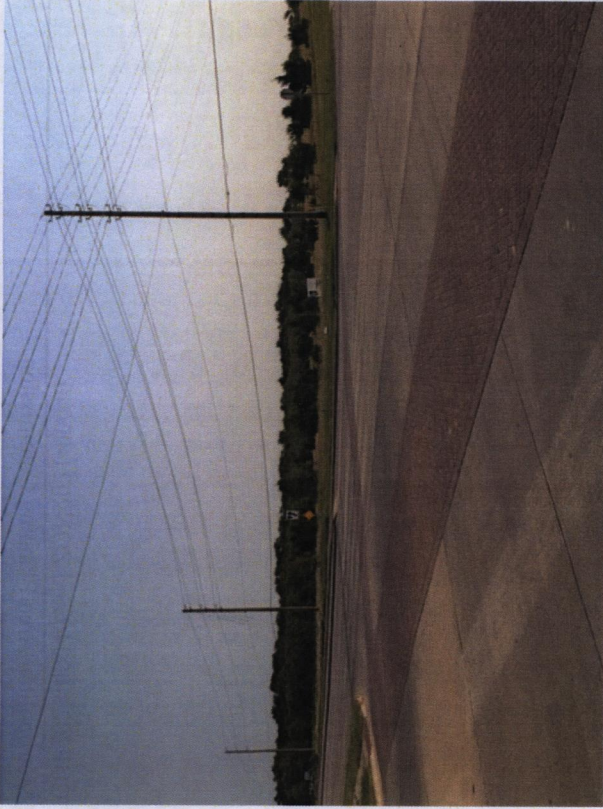


2035 Wichita Future Growth Concept Map

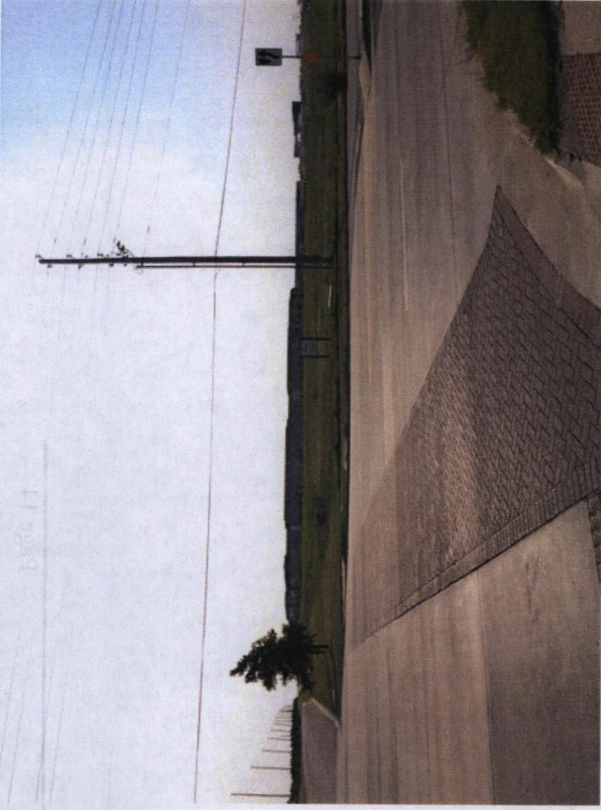
- Legend**
-  Established Central Area
 -  Residential and Employment Mix
 -  New Employment
 -  New Residential
 -  Wichita City Limits
 -  Other Cities
 -  Northwest Bypass Right-of-Way
 - Statistical Development Areas**
 -  Other Urban Growth Areas 2014
 -  Other Urban Growth Areas 2014
 -  Rural Growth Areas 2014
 - LAND USE**
 -  Residential
 -  Commercial
 -  Industrial
 -  Major Air Transportation & Military
 -  Parks and Open Space
 -  Agricultural or Vacant
 -  Major Institutional
 -  Nghbd_Plan_Areas



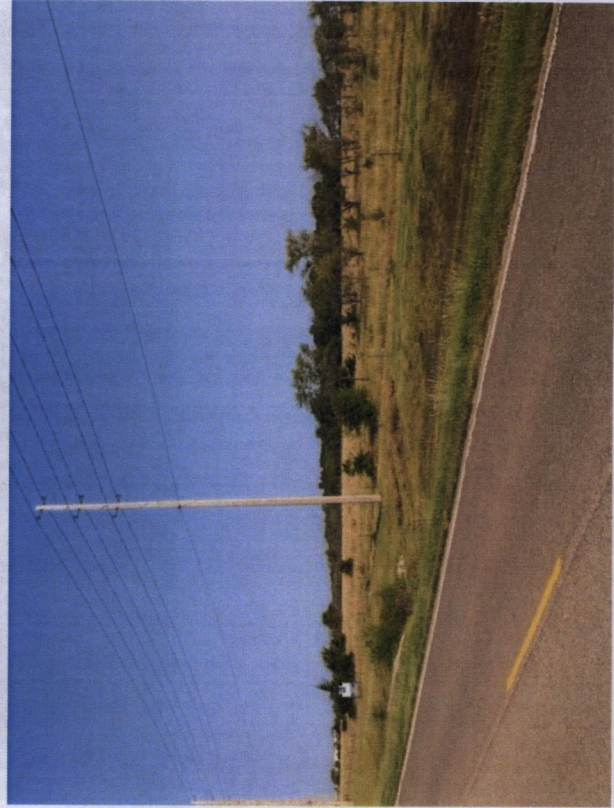
Looking northeast at site



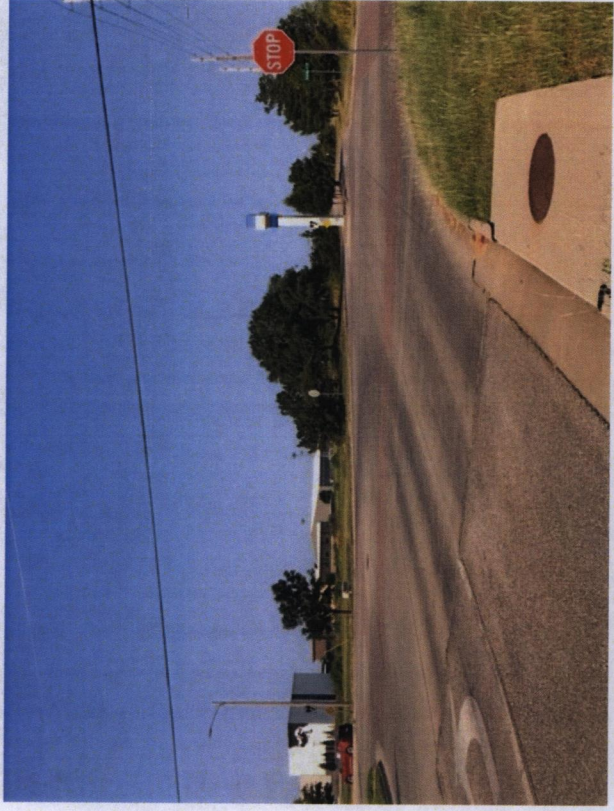
Looking east away from site



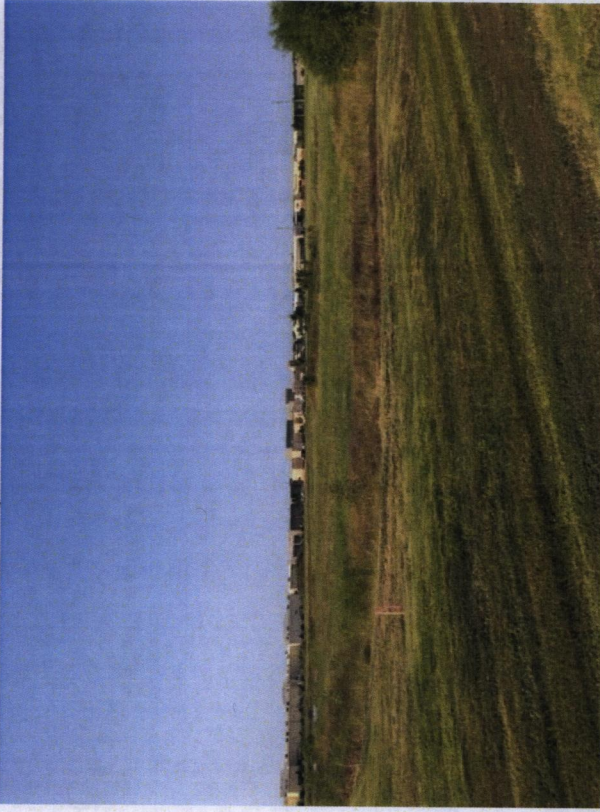
Looking northwest at site



Looking west away from site



Looking southwest away from site



Looking northeast away from site

