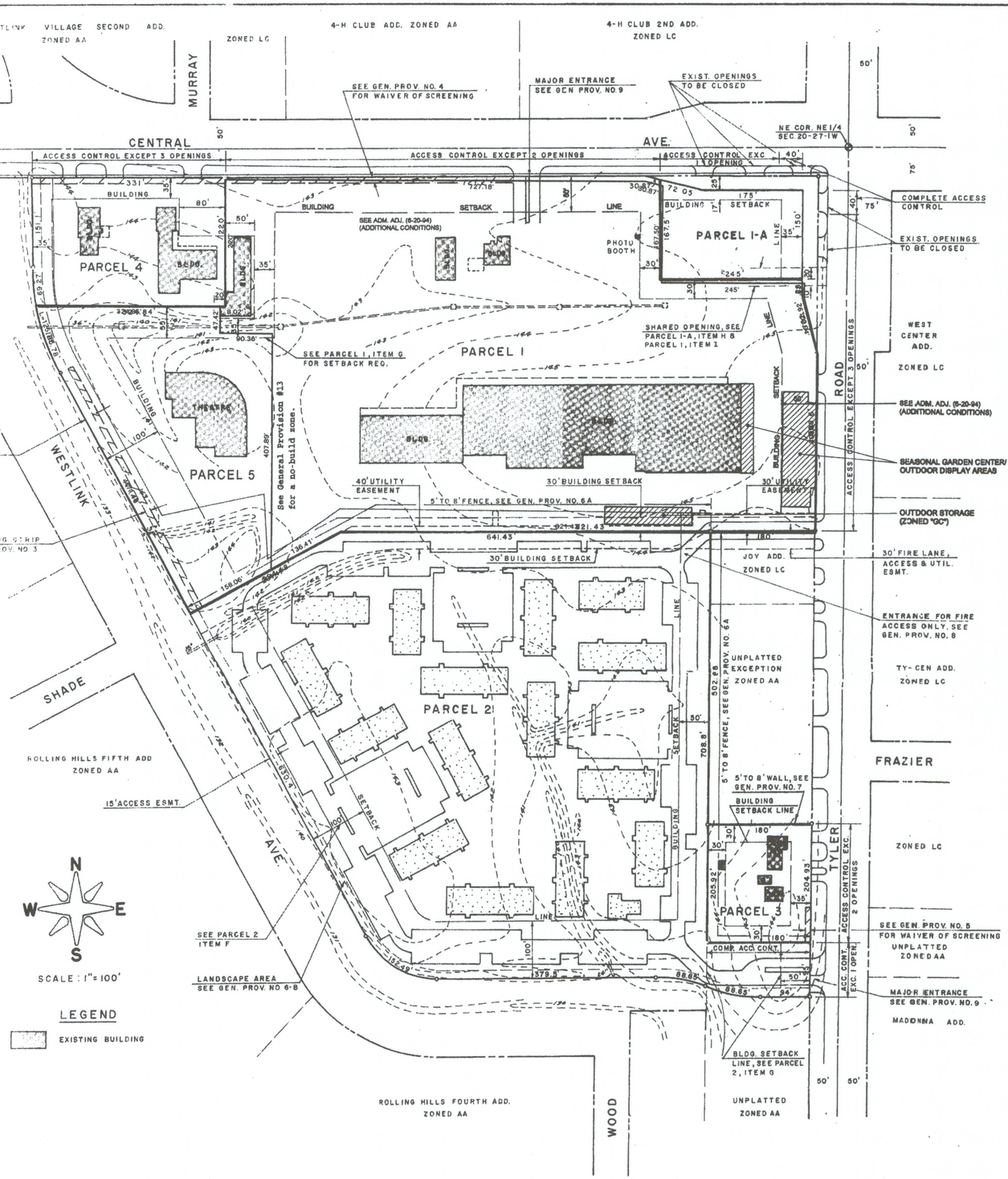


REVISED COMMUNITY UNIT PLAN

WESTLINK CENTER

GENERAL PROVISIONS

1. Total Net Land Area 1,417,725 sq.ft. or 32.25 Acres
2. Signs as permitted by zoning ordinance. Pole or ground signs shall be spaced a minimum of 150 feet apart, irrespective of how land is leased or owned. (See additional restrictions in Adm. Adj. Letter 6-20-94) (see additional restrictions for Parcel 1, per Amendment #4 (CUP2008-06)).
3. A planting strip no less than 10 feet in width as indicated over the east 10 feet of the west 25 feet as shown on plan of Parcel 5.

   A landscape plan for the planting screen adjacent to the west line of Parcel 5 was submitted and approved on March 16, 1978, by the Planning Department. (See additional landscape restrictions and restrictions in Adm. Adj. Letter 6-20-94)
4. Waiver of screening and landscape along the north boundary of Parcels 1 and 4 were approved by the Planning Commission, August 5, 1965.
5. Approval of this C.U.P. shall constitute a waiver of screening and landscape requirements under 8a. and 8b. of the C.U.P. regulations along Tyler Road for Parcel 3.

6A. A 5 to 8 foot wood fence used in conjunction with a minimum of 10 feet of landscaped area and earth berms shall be constructed adjacent to the north and east boundary of Parcel 2 and the south boundary of Parcel 3. The design of such shall be submitted to and approved by the MAPD prior to the issuance of a building permit on Parcel 2. Above construction and installation shall be completed prior to final certificate of occupancy for all buildings on this parcel. The property owner shall be responsible for maintaining the fence and landscaping of Parcel 2 and such obligation shall run with the land. Any relocation or construction of the fence and landscaping necessitated by its location within a utility easement shall be without cost to the City or any utility company. Failure to maintain said fence and landscaping shall constitute a violation of the C.U.P.

6B. A landscaped strip, including berms, shall be required along the west and south boundaries of Parcel 2. A landscape plan shall be prepared and submitted to the Planning Department and Flood Control for their review and approval prior to the issuance of any building permits on Parcel 2.

7. A 5 to 8 foot high solid or semi-solid wall of brick, stone, masonry, architectural stone or similar materials, shall be constructed along the north line of Parcel 3. Such wall to be reduced to 3 feet in height within 35 feet of Tyler Road. Construction of said wall shall be completed prior to final certificate of occupancy of buildings for total development of Parcel 3.

   The fence, landscaping and berms as described in General Provision #6 shall be in lieu of the required masonry wall along the west and south boundaries of Parcel 3.
8. The access point at the northeast corner of Parcel 2 is for a fire access, not general circulation.
9. Access Controls shall be as follows:

   6 points of access to Central Avenue

   One of which shall be constructed to major entrance standard on Parcel 1.

   6 points of access to Tyler Road

   The southern opening to Tyler Road from Parcel 2 shall be constructed to major entrance standard.

   The major openings shall be guaranteed at the time of replatting.
10. Utilities shall be installed underground on Parcels 2 and 3.
11. Drainage shall be handled at the time of replatting.
12. The transfer of title of all or any portion of the land included within the Community Unit Plan (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
13. There shall be a 30-foot wide "no-build zone" centered along the common parcel line of Parcels 1 and 5.

PARCEL # 1

(A) Net Area 551,580 sq.ft., or 12.66 acres

(B) Maximum Building Coverage shall not exceed 30 per cent of the net land area or 165,474 Sq. Ft.

(C) Maximum Gross Floor Area 220,632 Sq. Ft.

(D) Floor Area Ratio 40%

(E) Maximum Building Height 35 feet

(F) Existing Building Coverage Sq. Ft.

(G) Setbacks Central Avenue 60 feet
(See Adm. Adj. Letter 6-20-94)

Tyler Road 60 feet

South Property Line 30 feet

Expansion of the building located adjacent to Parcel 4 is limited to an area bounded by the east and south boundaries of Parcel 4 and a line parallel to and 50 feet east of the east boundary of Parcel 4 and a line parallel to and 20 feet south of the south boundary of Parcel 4 and a line 20 feet west of the east boundary of Parcel 4. No other buildings on Parcel 1 shall be permitted within 35 feet of the above described line.

Above setbacks except as noted on plan.

(H) Parking ratio as per zoning ordinance.

(I) Access Points 2 to Central Avenue
3 to Tyler Road, one which is to be shared with Joy Addition and one shared with Parcel 1-A.
No access to Westlink Avenue

(J) Proposed General Uses: Shopping Center Facilities, Retail uses, Theater, Liquor Store, Financial Institutions, Restaurant, Offices, and Recreation and Entertainment, Indoor subject to parking study approval. Outdoor Display and Storage, subject to the following conditions:

1. The seasonal nursery and garden center shall operate for no more than 150 days during a calendar year.
2. Display and storage of merchandise, nursery stock, landscaping materials must be within an enclosed building or within an area designated on the C.U.P. and approved by the Planning Commission.
3. The seasonal nursery and garden center shall conform to all requirements of Section III-D.6a of the Unified Zoning Code, except that no setback for the outdoor display area shall be required along Tyler.
4. The applicant shall annually submit a report to the Zoning Enforcement Division of the Office of Central Inspection that demonstretes compliance with the approved site plan and conditions specified in this amendment.
5. The applicant shall provide landscaping along Tyler Road adjacent to the area designated for the seasonal nursery and garden center. The location of said landscaping is to be determined at the time of site plan approval.
6. The west, south and east lines of the outdoor storage area shall be screened by an eight-foot wooden fence, at minimum, while the north line may be screened by chain link fence with heavy-gauge mesh or similar material. All outdoor storage on the subject property shall be limited to the designated area. The height of the items stored within the outdoor storage area shall not exceed the height of the fence.
7. Non-living material shall only be displayed in the 3,900 square-foot seasonal display area located immediately east of and abutting the building.

PARCEL #1-A

(A) Net Area 37,360 Sq. Ft. or 0.86 Acres

(B) Maximum Land Coverage shall not exceed 30 per cent of the net land area or 11,210 Sq. Ft.

(C) Maximum Gross Floor Area 14,945 Sq. Ft.

(D) Floor Area Ratio 40%

(E) Maximum Building Height 35 Feet

(F) Building Setbacks Central 17 feet
Tyler 35 Feet

(G) Parking Ratio as per zoning ordinance

(H) Access Points 1 to Tyler shared with Parcel 1
1 to Central

(I) Proposed General Uses: Financial Institutions

PARCEL # 3

(A) Net Area 36,975 Sq. Ft. or 0.85 Acre

(B) Maximum Building Coverage shall not exceed 30 per cent of the net land area or 11,090 Sq. Ft.

(C) Maximum Gross Floor Area 16,600 Sq. Ft.

(D) Floor Area Ratio 45%

(E) Maximum Building Height 30 feet

(F) Parking Ratio as per Zoning Ordinance

(G) Building Setback Tyler Road 35 feet
North, South, and West 30 feet

(H) Access Point Two to Tyler Road

(I) Proposed General Uses: Offices, Restaurant, Private Club, Medical Offices and Clinic, Retail and Service Commercial not including, Storage Garage Mini Warehouse, Hotel - Motel.

(J) Two Buildings

PARCEL # 2

(A) Net Area 578,790 Sq. Ft. or 13.29 Acres

(B) Proposed Use - Garden Apartments and/or Townhouses with related Garages or Carports and Accessory Community Facilities

(C) Maximum Building Height - 2 Stores or 35 feet

(D) Density - 22 D.U./Acre or 290 units

(E) Parking Ratio - 1.5 Spaces/D.U. (two if units are to be owner occupied)

(F) Building Setback Line

West and South 100 feet except open carport structures shall be allowed to within 50 feet of the property line and open parking or drives to within 15 feet of the property line.

East 50 feet (as shown on the plan), except open parking shall be allowed to within 15 feet of the property line.

North 30 feet

(G) One Project Sign not to exceed 35 feet in height or 150 Sq. Ft. per face and architectural screening walls, may be placed at the Tyler Road entrance at the southeast corner of the Parcel. A guard house not to exceed 250 Sq. Ft., and a Security Gate may be allowed at this entrance, within the setback lines as indicated on the plan.

(H) The entrance at the S.E. Corner of the parcel at Tyler Road shall be constructed to major entrance width, and shall be guaranteed at the time of platting.

PARCEL # 4

(A) Net Area 72,830 or 1.67 Acres

(B) Maximum Land Coverage shall not exceed 30 per cent of the net land area or 21,850 Sq. Ft.

(C) Existing Building Area 10,915 Sq. Ft.

(D) Maximum Gross Floor Area 21,850 Sq. Ft.

(E) Floor Area Ratio 30%

(F) Maximum Building Height 35 feet

(G) Building Setbacks as shown on the plan

(H) Parking Ratio as per zoning ordinance

(I) Access Points 3 to Central Avenue

(J) Proposed General Uses: Offices, Restaurant, Private Club, Medical Offices and Clinic, Retail and Service Commercial not including, Storage Garage, Mini Warehouse, Motel-Hotel. (See Adjustment 6-8-86, for Midas Muffler Shop)

PARCEL # 5

(A) Net Area 140,620 sq.ft., or 3.23 acres

(B) Maximum Building Coverage shall not exceed 30 per cent of the net land area or 42,186 Sq. Ft.

(C) Maximum Gross Floor Area 56,248 Sq. Ft.

(D) Floor Area Ratio 40%

(E) Maximum Building Height 35 feet

(F) Existing Building Coverage Sq. Ft.

(G) Setbacks Central Avenue 60 feet
(See Adm. Adj. Letter 6-20-94)

West Property Line 100 feet
South Property Line 30 feet

Expansion of the building located adjacent to Parcel 4 is limited to an area bounded by the east and south boundaries of Parcel 4 and a line parallel to and 50 feet east of the east boundary of Parcel 4 and a line parallel to and 20 feet south of the south boundary of Parcel 4 and a line 20 feet west of the east boundary of Parcel 4. No other buildings on Parcel 1 or 5 shall be permitted within 35 feet of the above described line.

Above setbacks except as noted on plan.

(H) Parking ratio as per zoning ordinance.

(I) Access Points 1 to Central Avenue

No access to Westlink Avenue

(J) Proposed General Uses: Shopping Center Facilities, Retail uses, Theater, Liquor Store, Financial Institutions, Restaurant, Offices, Church or place of worship, and day care associated with a church or place of worship.

REVISIONS:

ADMINISTRATIVE ADJUSTMENT APPROVED OCTOBER 2, 2009
AMENDMENT #4: MAPC APPROVED MARCH 13, 2008
AMENDMENT #3: CITY COUNCIL APPROVED AUGUST 5, 2003
REVISED SEPTEMBER 26, 1994
REVISED AUGUST 23, 1983
APPROVED JULY 2, 1980

Dated 3/18/25
APPROVED CUP
MAPC Per Admin Adjustment
CUP25-11 2 of 4

DP-9 AMEND #4
Per Admin Adjust. 10-02-09
APPROVED CUP
MAPC 03-13-08 DM
WCC
MAPC Copy 1 of 2
DP-9 Admin Strike Adjustment
CUP2014-39 2-6-2015 KM

SUPERSEDED

DP-9
WESTLINK CENTER COMMUNITY UNIT PLAN

Baughman
ENGINEERING SURVEYING PLANNING LANDSCAPE ARCHITECTURE

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

March 18, 2025

Westlink Partners, LLC
Attn: Doug Malone
301 N. Main St., Ste. 1400
Wichita, KS 67202

Ben Suellentrop & Alex Ibarra
1551 N. Waterfront Pkwy., Ste. 301
Wichita, KS 67206

Ashli Weatherby
10425 W. University Ct.
Wichita, KS 67209

RE: CUP2025-00011 – Administrative Adjustment in the City to the Westlink Center Community Unit Plan CUP DP-9, to permit Recreation and Entertainment, Indoor on Parcel 1, on property zoned LC Limited Commercial District; generally located on the southwest corner of West Central Avenue and North Tyler Road (8915 West Central Ave.).

Legal Description: Lot 1, Westlink Center 4th Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We received and reviewed your request for an Administrative Adjustment to CUP DP-9 to permit a Recreation and Entertainment, Indoor as a permitted use on Parcel 1. The subject site is zoned LC Limited Commercial District for which Recreation and Entertainment, Indoor would typically be a use permitted by-right. The CUP does not specifically prohibit the proposed use. Furthermore, the proposed use is not deemed to be more intensive then existing, permitted uses within the CUP. The proposed use for Parcel 1 include the following: Shopping Center Facilities, Retail uses, Theater, Liquor Store, Financial Institutions, Restaurant, Offices.

Item "H" under Parcel 1 requires parking ratio to adhere to the Unified Zoning Code. The parking requirement for Recreation and Entertainment, Indoor must be determined by a parking study. A condition of approval of this Administrative Adjustment is that a parking study be submitted to the Zoning Administrator for review and approval prior to receiving occupancy permits.

Our understanding is that the proposed use would occupy an existing space within existing buildings and would not alter the development standards on Parcel 1.

The following reflects staff's approved text modifications identified in red letters.

GENERAL PROVISIONS

Parcel No. 1

J. Proposed General Uses: Shopping Center Facilities, Retail uses, Theater, Liquor Store, Financial Institutions, Restaurant, Offices, and Recreation and Entertainment, Indoor subject to parking study approval.

On the basis of our review, we find that adjusting the CUP in the manner stated above is consistent with the approved CUP and will not have an adverse effect on the CUP or adjacent properties, nor will it be a substantial deviation of the original plan. Section V-E.14.c. of the Unified Zoning Code permits adjusting a CUP to permit uses that are not more intensive than the other uses approved as part of the CUP. Uses within Parcel 1—particularly permitting the use of Theater—are deemed to be compatible with the requested use of Recreation and Entertainment, Indoor, and the proposed use is not considered more intensive than those already permitted. Permitting the use on Parcel 1 does not violate Section V-E.14.c.of the Unified Zoning Code.

Our signatures below indicate that the CUP shall be adjusted as stated in this letter. This CUP adjustment shall not be deemed to alter any other provisions of the CUP except as expressly stated herein.

The "Development Application" sign should now be removed from the property. Please submit one (1) electronic copy and four (4) full-sized paper copies of the revised CUP drawing within 60 days in order for this adjustment to be considered final.

J.R. Cox, Jr. for

Scott Wadle, Director
Metropolitan Area Planning Department

for

John R. Cox, Jr., Zoning Administrator
Metropolitan Area Planning Department

cc: MABCD
J.V. Johnston, CM District V
Teresa Veazey, CSR District V