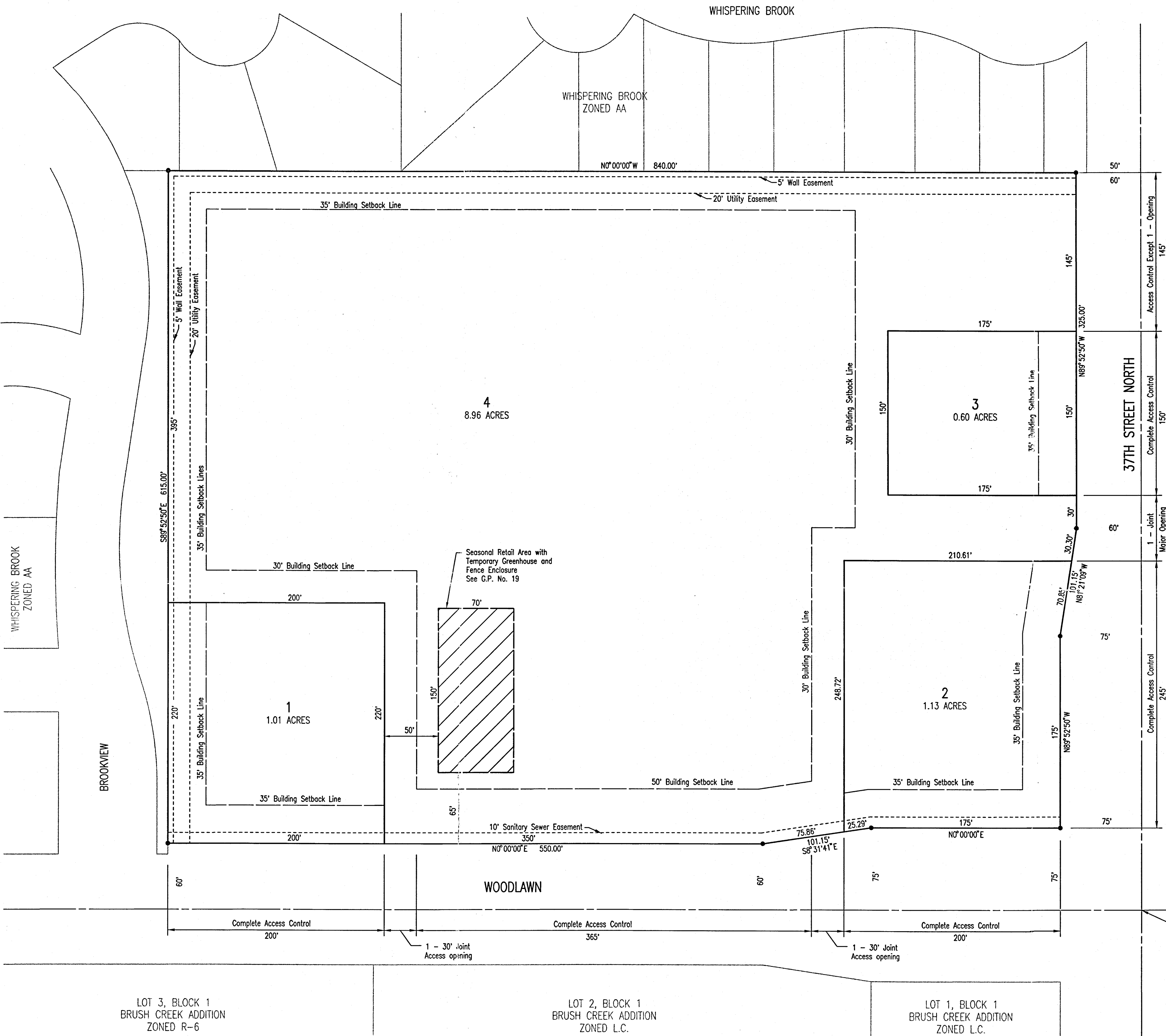


DP-203
AMENDMENT #1 Per AA 12-31-01, 10-20-03
APPROVED CUP
MAPC 09/21/00 DM
WCC 10/17/00 DM
MAPD Copy 1 of 2

COMMUNITY UNIT PLAN DP-203 (AMENDED OCTOBER, 2000)
WHISPERING BROOK COMMERCIAL
OWNER: NESTOR R. WEIGAND JR., LESLIE RUDD AND DEBORAH FREEMAN, 151 N. MARKET, WICHITA, KANSAS



- GENERAL PROVISIONS
- THIS DEVELOPMENT CONTAINS 11.7 ACRES.
 - THE PROPOSED DEVELOPMENT CONTAINS FOUR (4) PARCELS WITH LIGHT COMMERCIAL USES. FOR SPECIFIC USES SEE PARCEL DESCRIPTIONS.
 - SETBACKS ARE AS INDICATED ON PLAN VIEW OR SPECIFIED IN PARCEL DESCRIPTIONS BELOW. IN THE EVENT THAT CONTIGUOUS PARCELS ARE DEVELOPED UNDER THE SAME OWNERSHIP, SETBACKS BETWEEN THOSE PARCELS WILL NOT BE REQUIRED.
 - ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
 - A DRAINAGE PLAN SHALL BE SUBMITTED FOR APPROVAL TO THE CITY ENGINEER AND NECESSARY GUARANTEES FOR REQUIRED IMPROVEMENTS SHALL BE PROVIDED AT THE TIME OF PLATING.
 - SIGNS ARE PERMITTED IN ACCORDANCE WITH THE SIGN CODE OF THE CITY OF WICHITA. THE FOLLOWING CONDITIONS APPLY:
 - NO FLASHING OR MOVING SIGNS SHALL BE PERMITTED.
 - NO PORTABLE OR OFF-SITE SIGNS SHALL BE PERMITTED.
 - A TOTAL OF SIX FREESTANDING MONUMENT-TYPE SIGNS SHALL BE PERMITTED. EACH SIGN SHALL NOT EXCEED 150 SQUARE FEET PER SIGN FACE. THE MAXIMUM HEIGHT OF SIGNS SHALL BE 20 FEET. EXCEPT THAT THE MAXIMUM HEIGHT FOR ONE SIGN FOR PARCEL 4 ON WOODLAWN AND ONE SIGN FOR PARCEL 4 ON 37TH STREET NORTH SHALL BE 25 FEET. EACH SIGN SHALL BE SPACED A MINIMUM OF 150 FEET APART REGARDLESS OF PARCEL LINES OR PARCEL OWNERSHIP.
 - NO BUILDING SIGNS SHALL BE PERMITTED ON THE REAR FACADES OF BUILDINGS ALONG THE SOUTH AND WEST PROPERTY LINES.
 - PARKING SHALL BE IN ACCORDANCE WITH THE ZONING CODE OF THE CITY OF WICHITA.
 - THE TRANSFER OF TITLE ON ALL OR ANY PORTION OF THE LAND INCLUDED IN THE C.U.P. DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF, BUT SAID PLAN SHALL RUN WITH THE LAND FOR DEVELOPMENT AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED.
 - ALL LIGHTS SHALL BE SHIELDED TO REFLECT LIGHT DOWNWARD OR DIRECT LIGHT AWAY FROM RESIDENTIAL AREAS.
 - ACCESS CONTROL:
 - ACCESS TO WOODLAWN SHALL BE LIMITED TO TWO (2) OPENINGS. THERE SHALL BE ONE (1) JOINT ACCESS OPENING FOR PARCELS 1 AND 4 AND ONE (1) JOINT ACCESS OPENING FOR PARCELS 2 AND 4.
 - ACCESS TO 37TH STREET NORTH SHALL BE LIMITED TO TWO (2) OPENINGS. PARCEL NO. 4 SHALL HAVE ONE MAJOR OPENING BETWEEN PARCELS 2 AND 3, AND ONE OPENING ON THE WEST 145'. THERE SHALL BE COMPLETE ACCESS CONTROL FOR PARCELS 2 AND 3.
 - MASONRY WALLS:
 - A SIX (6) FOOT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG THE SOUTH AND WEST PROPERTY LINES OF THE C.U.P. WHERE ADJACENT TO RESIDENTIAL ZONING EXCEPT THAT THE SCREENING WALL ON THE WEST PROPERTY LINE PARALLEL TO AND EXTENDING THE LENGTH OF THE RETAIL BUILDING ON PARCEL 4 SHALL BE EIGHT (8) FEET IN HEIGHT.
 - THE ABOVE MENTIONED SOLID OR SEMI-SOLID WALL SHALL BE CONSTRUCTED OF STONE, MASONRY, BRICK, ARCHITECTURAL TILE OR SIMILAR MATERIAL (NOT INCLUDING WOOD OR WOVEN WIRE).
 - THE REQUIRED MASONRY WALL SHALL BE CONSTRUCTED WITHIN A FIVE (5) FOOT WALL EASEMENT PLATTED SEPARATELY FROM ALL OTHER EASEMENTS.
 - LANDSCAPING:
 - LANDSCAPING SHALL BE REQUIRED PER THE CITY OF WICHITA LANDSCAPE CODE.
 - A LANDSCAPE PLAN PREPARED BY A LANDSCAPE ARCHITECT FOR THE LANDSCAPING MENTIONED ABOVE INDICATING THE TYPE, LOCATION, AND SPECIFICATIONS OF PLANT MATERIALS AND METHOD OF PROVIDING WATER TO THE PLANT MATERIALS, SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
 - A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED ON THE LANDSCAPE PLAN FOR THE PORTION OF THE C.U.P. BEING DEVELOPED SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.
 - FAILURE TO PROPERLY MAINTAIN THE MASONRY WALLS OR LANDSCAPING MENTIONED ABOVE SHALL BE CONSIDERED A VIOLATION OF THE C.U.P. AFTER A JOINT DETERMINATION BY THE DIRECTOR OF PLANNING AND THE SUPERINTENDENT OF CENTRAL INSPECTION.
 - LOADING AREAS, TRASH RECEIPILES, OUTDOOR STORAGE, AND DOCKS IN THE C.U.P. SHALL BE SCREENED FROM GROUND LEVEL VIEW. SCREENING OF ALL TRASH DUMPSTERS OUTDOOR STORAGE, AND MECHANICAL EQUIPMENT WILL BE CONSTRUCTED OF MATERIAL TO MATCH AND PREFERABLY BE CONNECTED TO THE BUILDINGS THEY SUPPORT.
 - NOTE: ALL DRIVES AND PARKING AREAS SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE OWNERS ASSOCIATION(S).
 - ALL BUILDINGS SHALL HAVE THE SAME PREDOMINATE EXTERIOR BUILDING MATERIALS WITH CONSISTENT ARCHITECTURAL CHARACTER, COLOR AND TEXTURE, AND CONSISTENT LIGHTING DESIGN (FIXTURES, POLES, LAMPS, ETC.) AS APPROVED BY THE DIRECTOR OF PLANNING. METAL SHALL NOT BE PERMITTED AS A PREDOMINATE EXTERIOR BUILDING MATERIAL ON ANY FACADE FOR ANY BUILDING ON THE SITE, EXCEPT THAT PRESSED METAL MATERIAL DESIGNED TO APPEAR AS SPUT-FACED BLOCK, LOCATED ON THE LOWER HALF OF A KIOSK FOR A FUEL OUTLET SHALL BE PERMITTED.
 - AN OVERALL SITE TRAFFIC CIRCULATION PLAN SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING FOR APPROVAL PRIOR TO THE ISSUANCE OF BUILDING PERMITS. CROSS-LOT CIRCULATION AGREEMENTS SHALL BE REQUIRED AT THE TIME OF PLATING TO ASSURE INTERNAL VEHICULAR MOVEMENT BETWEEN PARCELS WITHIN THE C.U.P.
 - THE SEASONAL NURSERY AND GARDEN CENTER IN PARCEL 4 SHALL BE LOCATED IN A TEMPORARY STRUCTURE AND SHALL OPERATE FOR NO MORE THAN 120 DAYS DURING A CALENDAR YEAR. PRIOR TO UTILIZATION OF THE OUTDOOR GARDEN AREA, THE APPLICANT SHALL ANNUALLY SUBMIT A REPORT TO THE ZONING ENFORCEMENT DIVISION OF THE OFFICE OF CENTRAL INSPECTION THAT DEMONSTRATES COMPLIANCE WITH THE APPROVED SITE PLAN (SEE RESTRICTED AREA) AND CONDITIONS SPECIFIED HEREIN. A DETAILED SITE PLAN PER SEC. III-0.6.2 OF THE UNIFIED ZONING CODE FOR THE NURSERY/GARDEN CENTER SHALL BE SUBMITTED FOR APPROVAL BY THE DIRECTOR OF PLANNING PRIOR TO ISSUANCE OF THE PERMIT FOR THE TEMPORARY SEASONAL NURSERY/GARDEN CENTER SHOWN ON THE C.U.P.

NO PARCEL WITHIN THE C.U.P. SHALL ALLOW THE USE OF ADULT ENTERTAINMENT ESTABLISHMENTS, GROUP HOUSES, CORRECTIONAL PLACEMENT RESIDENCES, PRIVATE CLUBS, TAPROOMS, AND DRINKING ESTABLISHMENTS. RESTAURANTS THAT SERVE LIQUOR CAN BE DEVELOPED AS LONG AS FOOD IS THE PRIMARY SERVICE OF THE ESTABLISHMENT. IN ADDITION, NO RESTAURANTS WITH DRIVE IN OR DRIVE THROUGH SERVICE, CONVENIENCE STORES, SERVICE STATIONS, CAR WASH OR AUTO SUPPLY WITH OVERHEAD DOORS SHALL BE PERMITTED WITHIN 145 FEET OF THE WEST AND THE SOUTH PROPERTY LINES OF PARCEL 4 AND THE SOUTH 100 FEET OF PARCEL 1.

PRIOR TO ISSUING BUILDING PERMITS, A PLAN FOR A PEDESTRIAN WALK SYSTEM SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PLANNING. THIS WALK SYSTEM SHALL LINK SIDEWALKS ALONG 37TH STREET NORTH AND WOODLAWN WITH THE PROPOSED BUILDINGS WITHIN THE SUBJECT PROPERTY AS DETERMINED NECESSARY BY THE DIRECTOR OF PLANNING.

THE FOLLOWING TRANSPORTATION IMPROVEMENTS SHALL BE PROVIDED:

- EXTEND THE CENTER LEFT-TURN STORAGE LANE ON WOODLAWN TO BROOKVIEW.
- EXTEND THE CENTER LEFT-TURN STORAGE LANE ON 37TH TO THE WEST PROPERTY LINE. PROVIDE CONTINUOUS ACCEL/DECEL LINES WITH APPROPRIATE ENGINEERING STANDARDS TO SERVE OPENING TO ALL LOTS.

PARCEL DESCRIPTIONS:

PARCEL NUMBER 1:
PROPOSED USE: ALL USES ALLOWED IN "LC" ZONING EXCEPT FOR THOSE LISTED IN GENERAL PROVISION NO. 20.
GROSS AREA - 1.01 ACRES (44,000 S.F.)
MAXIMUM BUILDING COVERAGE - 13,200 S.F. (30% MAXIMUM)
MAXIMUM GROSS FLOOR AREA - 15,400 S.F.
FLOOR AREA RATIO - 0.350
MAXIMUM BUILDING HEIGHT - 35'
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING - AS PER CITY CODE
SETBACKS - 35' ALONG WOODLAWN AND THE SOUTH PROPERTY LINE. SEE NOTE 20 FOR ADDITIONAL REQUIREMENTS.

PARCEL NUMBER 2:
PROPOSED USE: ALL USES ALLOWED IN "LC" ZONING EXCEPT FOR THOSE LISTED IN GENERAL PROVISION NO. 20. *In addition, Nursery and Garden as per Sec. III-D.6.2 of the Unified Zoning Code are permitted (See Plan for restricted area and GP #19)*
GROSS AREA - 1.13 ACRES (49,397 S.F.)
MAXIMUM BUILDING COVERAGE - 14,819 S.F. (30% MAXIMUM)
MAXIMUM GROSS FLOOR AREA - 17,289 S.F.
FLOOR AREA RATIO - 0.350
MAXIMUM BUILDING HEIGHT - 35'
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING - AS PER CITY CODE
SETBACKS - 35' ALONG 37TH STREET NORTH AND WOODLAWN. *(Amendment CUP2003-01 3/17/2002)*

PARCEL NUMBER 3:
PROPOSED USE: ALL USES ALLOWED IN "LC" ZONING EXCEPT FOR THOSE LISTED IN GENERAL PROVISION NO. 20.
GROSS AREA - 0.60 ACRES (26,250 S.F.)
MAXIMUM BUILDING COVERAGE - 7,875 S.F. (30% MAXIMUM)
MAXIMUM GROSS FLOOR AREA - 9,188 S.F.
FLOOR AREA RATIO - 0.350
MAXIMUM BUILDING HEIGHT - 35'
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING - AS PER CITY CODE
SETBACKS - 35' ALONG 37TH STREET NORTH

PARCEL NUMBER 4:
PROPOSED USE: ALL USES ALLOWED IN "LC" ZONING EXCEPT FOR THOSE LISTED IN GENERAL PROVISION NO. 20. IN ADDITION, NURSERY AND GARDEN CENTERS AS PER SECTION III-0.6.2 OF THE UNIFIED ZONING CODE ARE PERMITTED. (SEE PLAN FOR RESTRICTED AREA AND GENERAL PROVISION NO. 19).
GROSS AREA - 8.96 ACRES (390,298 S.F.)
MAXIMUM BUILDING COVERAGE - 117,089 S.F. (30% MAXIMUM)
MAXIMUM GROSS FLOOR AREA - 136,604 S.F.
FLOOR AREA RATIO - 0.350
MAXIMUM BUILDING HEIGHT - 35'
MAXIMUM NUMBER OF BUILDINGS - 4
PARKING - AS PER CITY CODE
SETBACKS - 50' ALONG WOODLAWN, 35' ALONG SOUTH AND WEST PROPERTY LINE. SEE NOTE 20 FOR ADDITIONAL REQUIREMENTS.

APPROVED CUP
February 17, 2002
Amendment #2 - Parcel 2 +
CUP2003-00001 GP#19

A Seasonal Nursery and Garden Center shall be allowed on Parcels 2 and 4.
(Amendment CUP2003-01)
3/17/2002



Wichita-Sedgwick County Metropolitan Area Planning Department

March 8, 2022

Dillons Companies, LLC
Attn: Brandon Wiles
1014 Vine Street
Cincinnati, OH 45202

Kaw Valley Greenhouses, Inc.
Attn: Megan Pickford
360 Zeandale Road
Manhattan, KS 66502

RE: CUP20221-00001: City CUP minor amendment to DP-203 Parcel 2 to allow a nursery/seasonal garden center; generally located at the southwest corner of West 37th Street North and North Woodlawn Avenue (3707 N. Woodlawn)

Dear Applicants;

At its regular meeting on **February 17, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request with the following conditions:

1. The amendment shall apply only to Parcel 2 per General Provision No. 19.
2. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
3. **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.**

Please have amended CUP documents submitted to the Planning Department by Friday, May 6, 2022 or this case will be considered denied and closed.

No protests were received against this application. Therefore, the action of the Planning Commission is final.

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

Sincerely,



Philip Zevenbergen
Senior Planner

Copies to: Brandon Johnson, Council Member District I
Tasha Hayes, CSR, District I
MABCD
Jeff VanZandt, Assistant City Attorney, Mail Stop 1-72

The Ronald Reagan Building • 2nd Floor • 271 West Third Street • Wichita, Kansas 67202
316.268.4421 • www.wichita.gov

RESOLUTION No. **CUP2022-00001**

A RESOLUTION AUTHORIZING AN AMENDMENT TO DP-203 TO PERMIT SEASONAL GARDEN CENTER ON PARCEL 2; ON PROPERTY ZONED LC LIMITED COMMERCIAL; GENERALLY LOCATED ON THE SOUTHWEST CORNER OF EAST 37TH STREET NORTH AND NORTH WOODLAWN BOULEVARD, IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D, 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-D of the Wichita-Sedgwick County Unified Zoning Code, for an approximately 1.14-acre property zoned LC Limited Commercial ("LC") legally described below:

CUP2022-00001
DP-203

Lot 2, Block 1, Whispering Brook Commercial 2nd Addition, Wichita, Sedgwick County, Kansas
(PIN: 00495432)

General Provision 19 and Parcel 2 description for DP-203 Shall be amended as follows:

- General Provision No. 19: A seasonal nursery and garden center shall be allowed in Parcels 2 and 4. It shall be located in a temporary structure and shall operate for no more than 120 days during a calendar year. Prior to utilization of the outdoor garden area, the applicant shall annually submit a report to the zoning enforcement division of the Metropolitan Area Building and Construction Department that demonstrates compliance with the approved site plan (see restricted area) and conditions specified herein. A detailed site plan per Sec. III-D.6.z of the Unified Zoned Code for the Nursery/Garden Center shall be submitted for approval by the Director of Planning prior to issuance of the permit for the Temporary seasonal nursery/garden center shown on the C.U.P.
- Parcel 2
Proposed Use: All uses allowed in "LC" zoning except for those listed in General Provision No. 20. In addition, Nursery and Garden Centers as per Sec. III-D.6.z of the Unified Zoned Code are permitted. (See Plan for restricted area and General Provision No. 19)

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

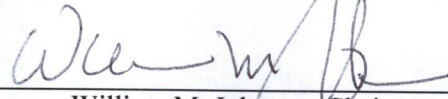
1. The amendment shall apply only to Parcel 2 per General Provision No. 19.
2. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
3. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised CUP to the Metropolitan 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.

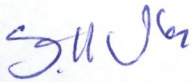
Adopted this 17th Day of March, 2022

METROPOLITAN AREA PLANNING COMMISSION



William M. Johnson, Chairman

ATTEST:



Scott Wadle, Secretary

37th St N



3707 N Woodlawn Blvd
57 parking stalls used



N Woodlawn Blvd

SITE PLAN

APPROVED 3/8/22 BY *[Signature]*

CVP2021-00068
DP 203



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
32521	207107	Print Legal Ad - IPL0057522		\$159.39	2	95L

Attention: Purchasing Office
CITY OF WICHITA /PURCHASING
455 N MAIN ST FL 12
WICHITA, KS 67202

LEGAL PUBLICATION MAPC/22A February 17, 2022 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, February 17, 2022, 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 virtually; public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). Masks are required at City Hall at this time. If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2022-00001: Conditional Use located in the City for a Major Utility, electrical substation, on Limited Commercial (LC) and General Office (GO) zoned property; generally located on the south side of East MacArthur Road and less than one-quarter east of South Hydraulic Avenue.
CUR2022-00001: City CUP minor amendment to DP-203 Parcel 2 to allow a seasonal garden center; generally located at the southwest corner of West 37th Street North and North Woodlawn Avenue (3707 N. Woodlawn).
PUD2022-00001: Zone change request in the City from LC Limited Commercial to PUD Planned Unit Development for General Commercial uses on property located on the east side of Southeast Boulevard (K-15) and one half mile south of East Pawnee Avenue (at the intersection of East Wessell and South Minnesota).
ZON2022-00001: City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential; generally located on the south side of West 37th Street North and 0.63 miles east of North Womer Street.

ZON2021-00002: Zone change in the City from LC Limited Commercial to OW Office Warehouse for warehousing and office uses on property; generally located on the south side of East Douglas Avenue and within one-quarter mile west of South Hillside Avenue (2911 E Douglas).

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.

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 multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below). 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: 316.658.7764

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

You can also dial in using your phone.
United States: +1 (571) 317-3112
Access Code: 651-544-141

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or intoomlink.goto.com
Meeting ID: 651 544 141

Or dial directly: 651544141 @ 67.217.95.2 or 67.217.95.2#651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/651544141>

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. Masks are required at City Hall at this time. For more information please visit www.wichita.gov/visitchill. 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 (316-268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on January 27, 2022
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0057522
Jan 27 2022

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

No. of Insertions: 1
Beginning Issue of: 01/27/2022
Ending Issue of: 01/27/2022

STATE OF KANSAS)

SS

County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, depose 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 01/27/2022 to 01/27/2022.

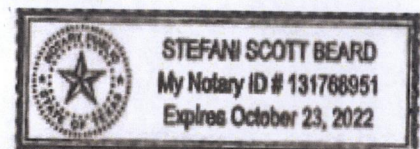
M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 01/27/2022

Stefani Beard

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

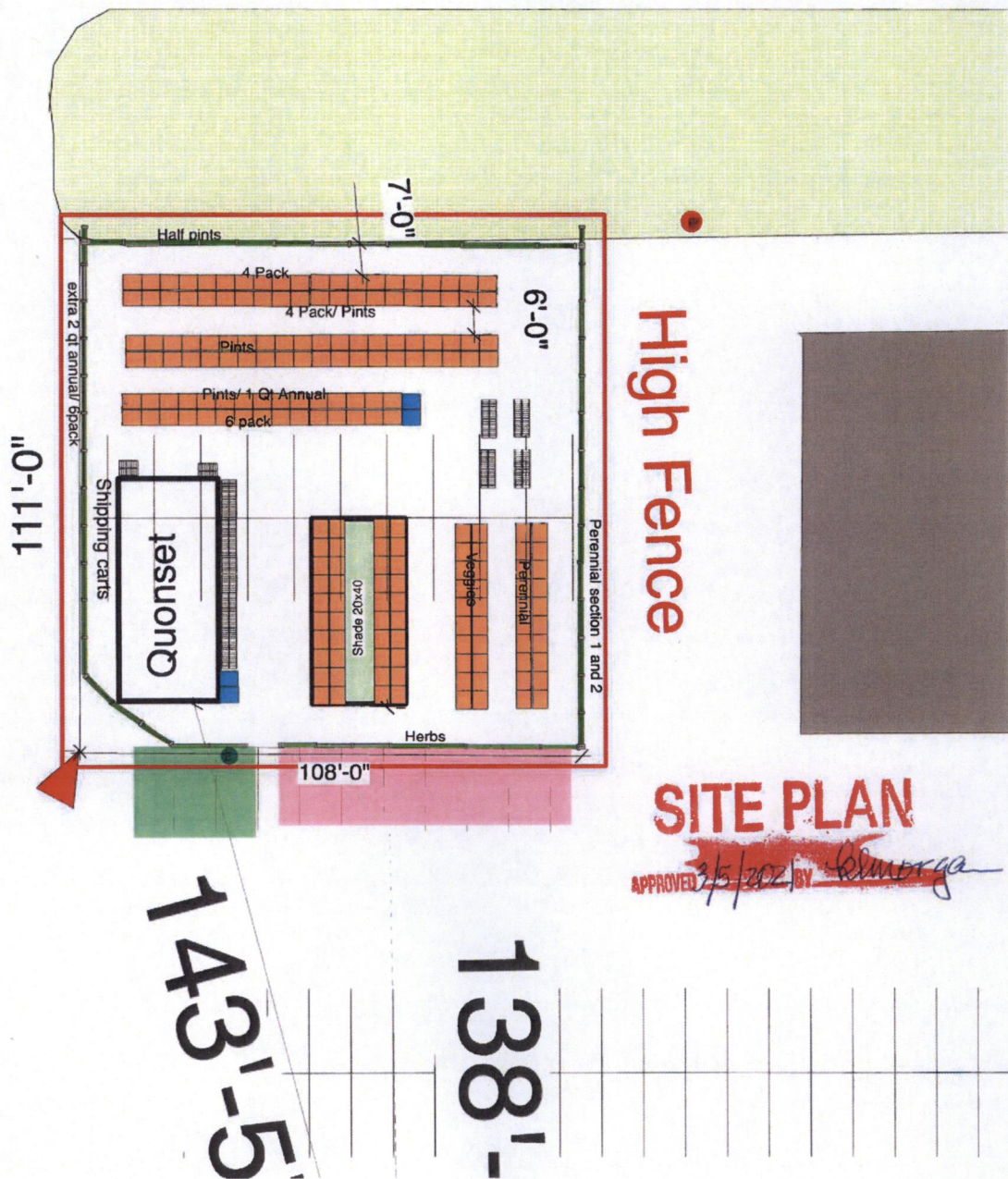


Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

CVP2021-00008

Superseded December, 2021

37th and Woodla



STAFF REPORT

MAPC February 17, 2022

DAB I February 7, 2022

CASE NUMBER: CUP2022-00001 (City)

APPLICANT/AGENT: Dillon Companies, LLC (owner) / Kaw Valley Greenhouses, Inc. (agent)

REQUEST: Minor Amendment #2 to CUP DP-203

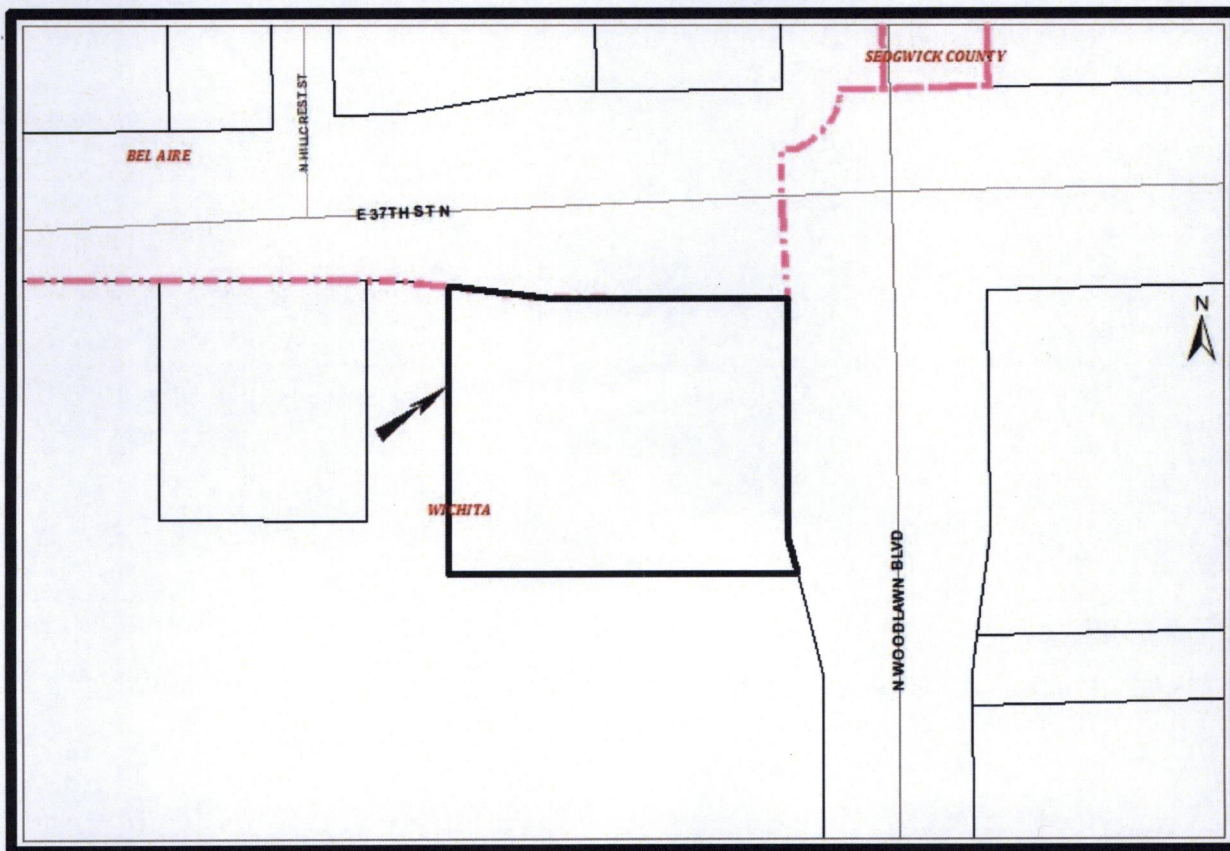
CURRENT ZONING: LC Limited Commercial

SITE SIZE: 1.14 acres

LOCATION: Located at the southwest corner of West 37th Street North and North Woodlawn Avenue (3707 N. Woodlawn)

PROPOSED USE: To allow a Seasonal Nursery and Garden Center on Parcel 2.

RECOMMENDATION: Approval subject to amended provision of CUP DP-203



BACKGROUND: The applicant is requesting an amendment to the Whispering Brook Commercial Community Unit Plan, CUP DP-203 to allow a nursery/seasonal garden center on Parcel 2. The property is zoned LC Limited Commercial and located at the southwest corner of East 37th Street North and North Woodlawn Avenue (3707 N. Woodlawn). A nursery/seasonal garden center has been allowed in CP-203 since 2000 on Parcel 4. Nurseries and Garden Centers require a Conditional Use in the LC Limited Commercial zoning district. The minor amendment to CUP DP-203 is required because the garden center is not a permitted use by right.

The proposed language is indicated in red, bold, and italicized text:

- General Provision No. 19: ***A seasonal Nursery and Garden Center shall be allowed in Parcels 2 and 4.*** It shall be located in a temporary structure and shall operate for no more than 120 days during a calendar year. Prior to utilization of the outdoor garden area, the applicant shall annually submit a report to the Zoning Enforcement Division of the Planning Department that demonstrates compliance with the approved site plan (see restricted area) and conditions specified herein. A detailed site plan per Sec. III-D.6.z of the Unified Zoned Code for the Nursery/Garden Center shall be submitted for approval by the Planning Department prior to issuance of the permit for the Temporary seasonal nursery/garden center shown on the C.U.P.
- Parcel 2
Proposed Use: All uses allowed in “LC” zoning except for those listed in General Provision No. 20. ***In addition, Nursery and Garden Centers as per Sec. III-D.6.z of the Unified Zoned Code are permitted. (See Plan for restricted area and General Provision No. 19)***

CUP DP-203 is developed with a grocery store, convenience/gas station and a bank. Property to the north of DP-203 is East 37th Street North right-of-way and a financial institution and rental car business that are located the City of Bel Aire. Property to the east is Brush Creek CUP DP-158 and is developed with a retail strip center and apartments. Property to the south and west of DP-203 is zoned SF-5 Single-Family Residential and is developed with single-family residences.

CASE HISTORY: In 2000, the Whispering Brook Commercial Community Unit Plan was approved. Amendment #1 was approved in 2003. In 2001, the property was platted as Whispering Brook Commercial 2nd Addition.

ADJACENT ZONING AND LAND USE:

CUP DP-203 is developed with a grocery store, convenience/gas station and a bank.

North:	East 37 th Street North Right-of-Way and the City of Bel Aire
South:	SF-5 Single-Family Residential, Whispering Brook Addition
West:	SF-5 Single-Family Residential, Whispering Brook Addition
East:	LC, MF-29 Retail strip center, apartments

PUBLIC SERVICES: East 37th Street is a paved, four-lane (with a dedicated center turn lane) arterial street and has sidewalks on both sides. North Woodlawn Boulevard is a paved, four-lane (with a dedicated center turn lane) arterial street and has sidewalks on both sides. Shared access is provided to both East 37th Street North and North Woodlawn Boulevard. The site is served by municipal water and sewer.

CONFORMANCE TO PLANS/POLICIES: The proposed application is in conformance to 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 “Residential and Employment Mix.” Locational guidelines for areas outside the Established Central Area include commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices, and personal service uses are located in proximity to, and potentially mixed with residential uses. Major destination areas (centers and corridors) containing concentrations of commercial, and office uses that have regional market areas and generate high volumes of traffic are located in proximity to major arterials or highways and typically are buffered from lower density residential areas by higher density housing types

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends the amendment to CUP DP-203 be **APPROVED** subject to the development guidelines of the amended CUP and the following conditions:

1. The amendment shall apply only to Parcel 2 per General Provision No. 19.
2. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
3. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised CUP to the 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: CUP DP-203 is developed with a grocery store, convenience/gas station and a bank. Property to the north of DP-203 is East 37th Street North right-of-way and a financial institution and rental car business that are located the City of Bel Aire. Property to the east is Brush Creek CUP DP-158 and is developed with a retail strip center and apartments. Property to the south and west of DP-203 is zoned SF-5 Single-Family Residential and is developed with single-family residences.
2. The suitability of the subject property for the uses to which it has been restricted: The subject property is suitable for the uses for which it has been restricted. The CUP supports commercial development along an arterial commercial corridor. The subject parcel of the CUP is a parking area for the CUP and will only be occupied by the nursery/seasonal garden center for four months of the year. The nursery/seasonal garden center is not a new use within the CUP.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed CUP amendment should not detrimentally impact nearby property owners to any greater extent than allowed in LC Limited Commercial zoning and uses existing in the area.
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 this application is not anticipated to have a significant detrimental impact to public health, safety, or welfare.
5. 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*. 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 "Residential and Employment Mix." Locational guidelines for areas outside the Established Central Area include commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices, and personal service uses are located in proximity to, and potentially mixed with residential uses. Major destination areas (centers and corridors) containing concentrations of commercial, and office uses that have regional market areas and generate high volumes of traffic are located in proximity to major arterials or highways and typically are buffered from lower density residential areas by higher density housing types.
6. Impact of the proposed development on community facilities: The proposed use is not anticipated to have negative impacts on community facilities.

Attachments:

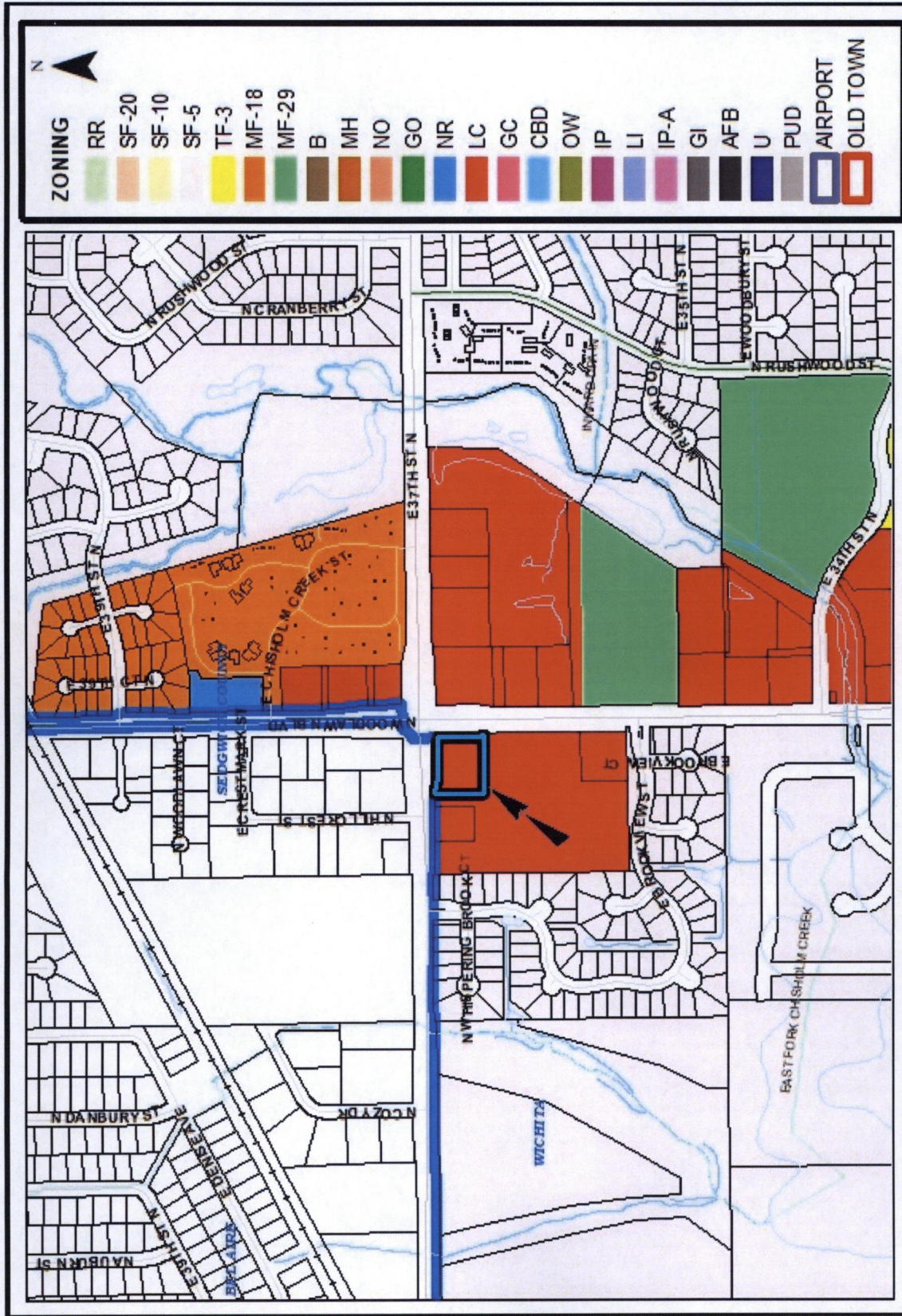
1. Recommended CUP amendment language
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Plan

6. Site Photos

Planning Staff Recommended Amended Language to CUP DP-203

- General Provision No. 19: *A seasonal nursery and garden center shall be allowed in Parcels 2 and 4.* It shall be located in a temporary structure and shall operate for no more than 120 days during a calendar year. Prior to utilization of the outdoor garden area, the applicant shall annually submit a report to the zoning enforcement division of the Metropolitan Area Building and Construction Department that demonstrates compliance with the approved site plan (see restricted area) and conditions specified herein. A detailed site plan per Sec. III-D.6.z of the Unified Zoned Code for the Nursery/Garden Center shall be submitted for approval by the Director of Planning prior to issuance of the permit for the Temporary seasonal nursery/garden center shown on the C.U.P.
- Parcel 2
Proposed Use: All uses allowed in “LC” zoning except for those listed in General Provision No. 20. *In addition, Nursery and Garden Centers as per Sec. III-D.6.z of the Unified Zoned Code are permitted. (See Plan for restricted area and General Provision No. 19)*





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

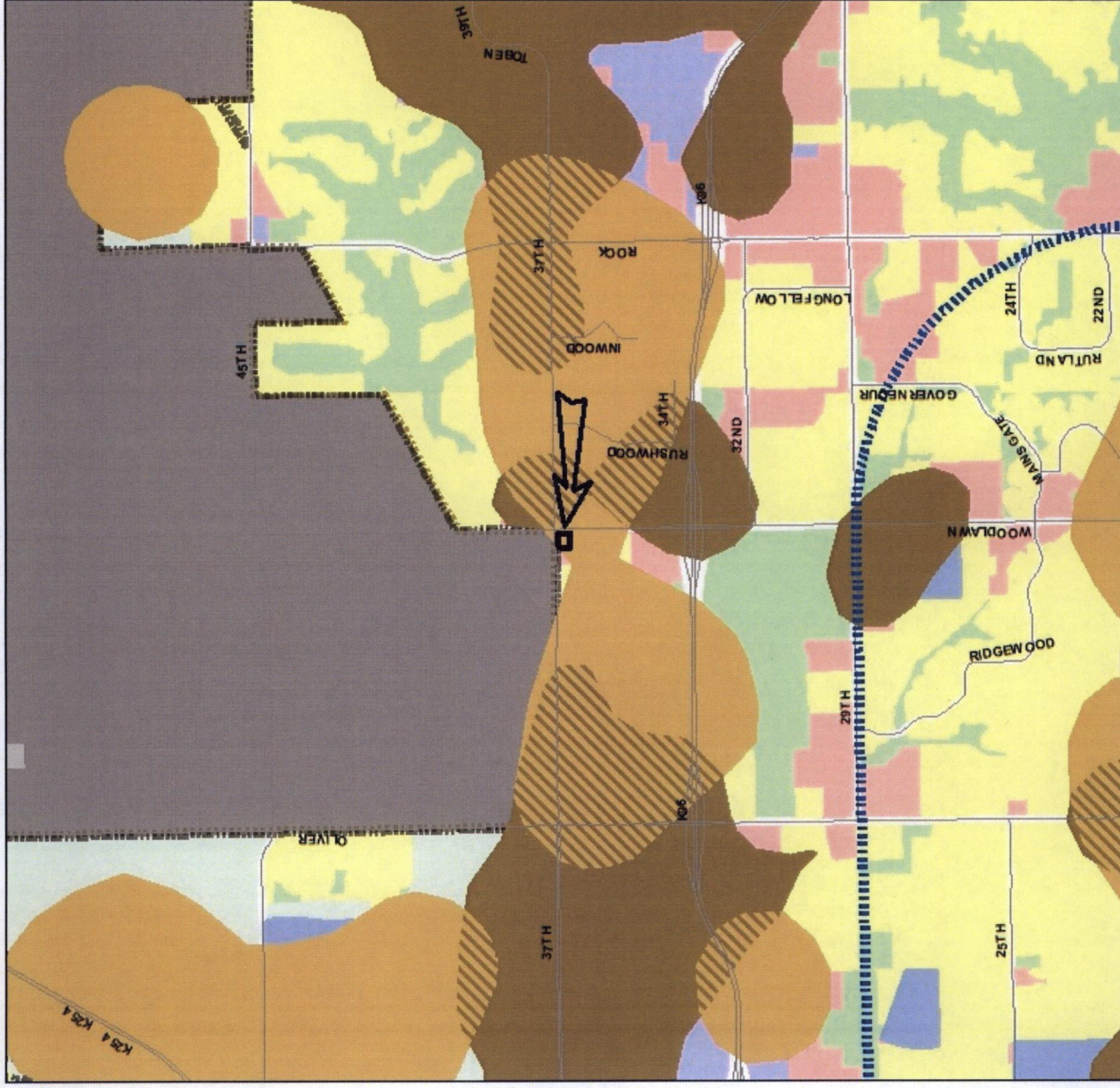
- ### Statistical Development Areas
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas 2014

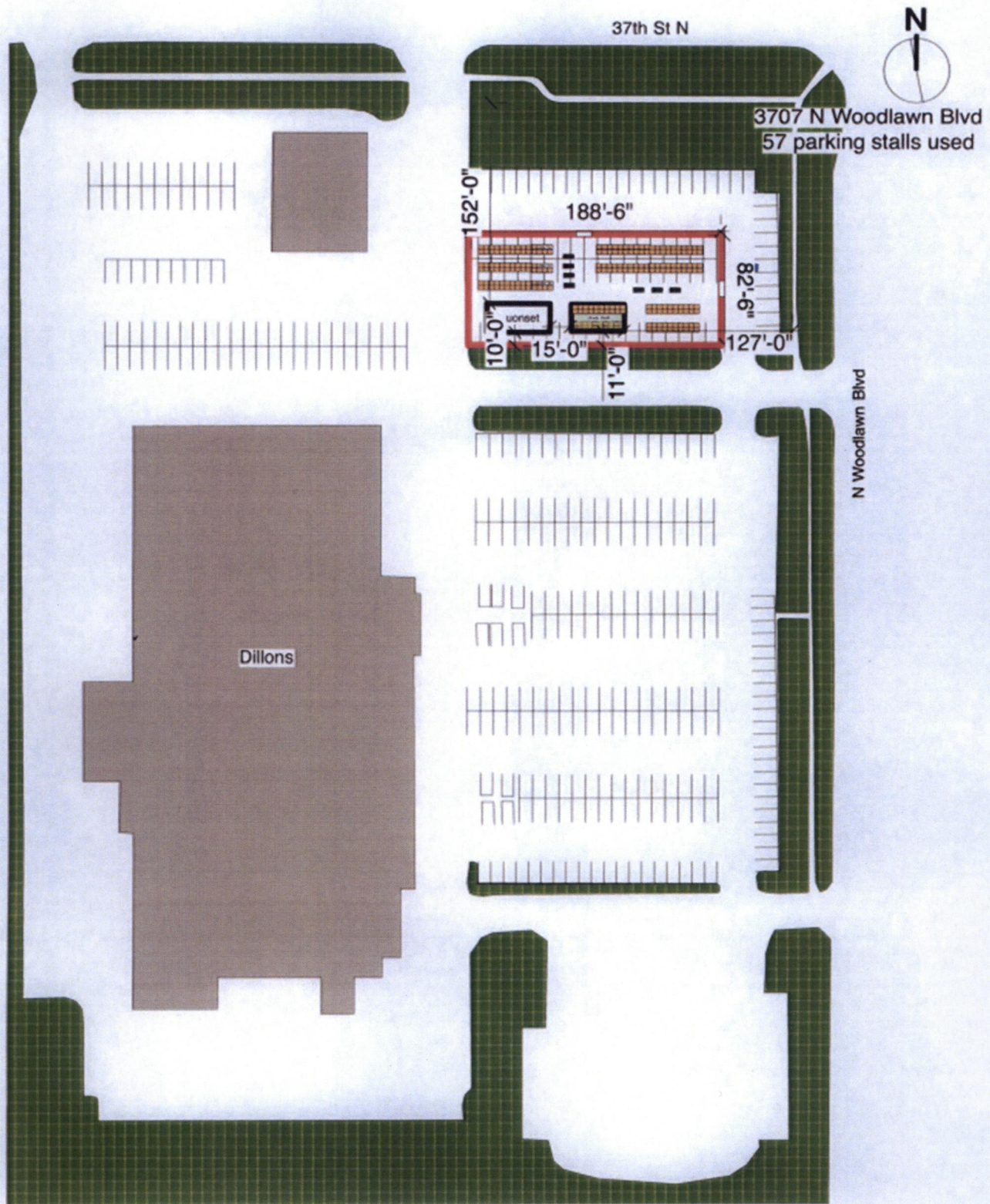
LAND USE

- Residential
- Commercial
- Industrial
- Major Air Transportation & Military
- Parks and Open Space
- Agricultural or Vacant
- Major Institutional
- Nghbd_Plan_Areas



Map prepared by the Metropolitan Area Planning Commission (MPC) for the City of Wichita, Kansas. The map is for informational purposes only and does not constitute a guarantee, warranty, or endorsement of any product or service by the MPC. The map is subject to change without notice. The map is not to be used for legal or financial purposes. The map is not to be used for any other purpose without the written consent of the MPC.









DP-203

AMENDMENT #1 Per AA 12-31-01, 10-20-03

APPROVED CUP

MAPC 09/21/00 DM

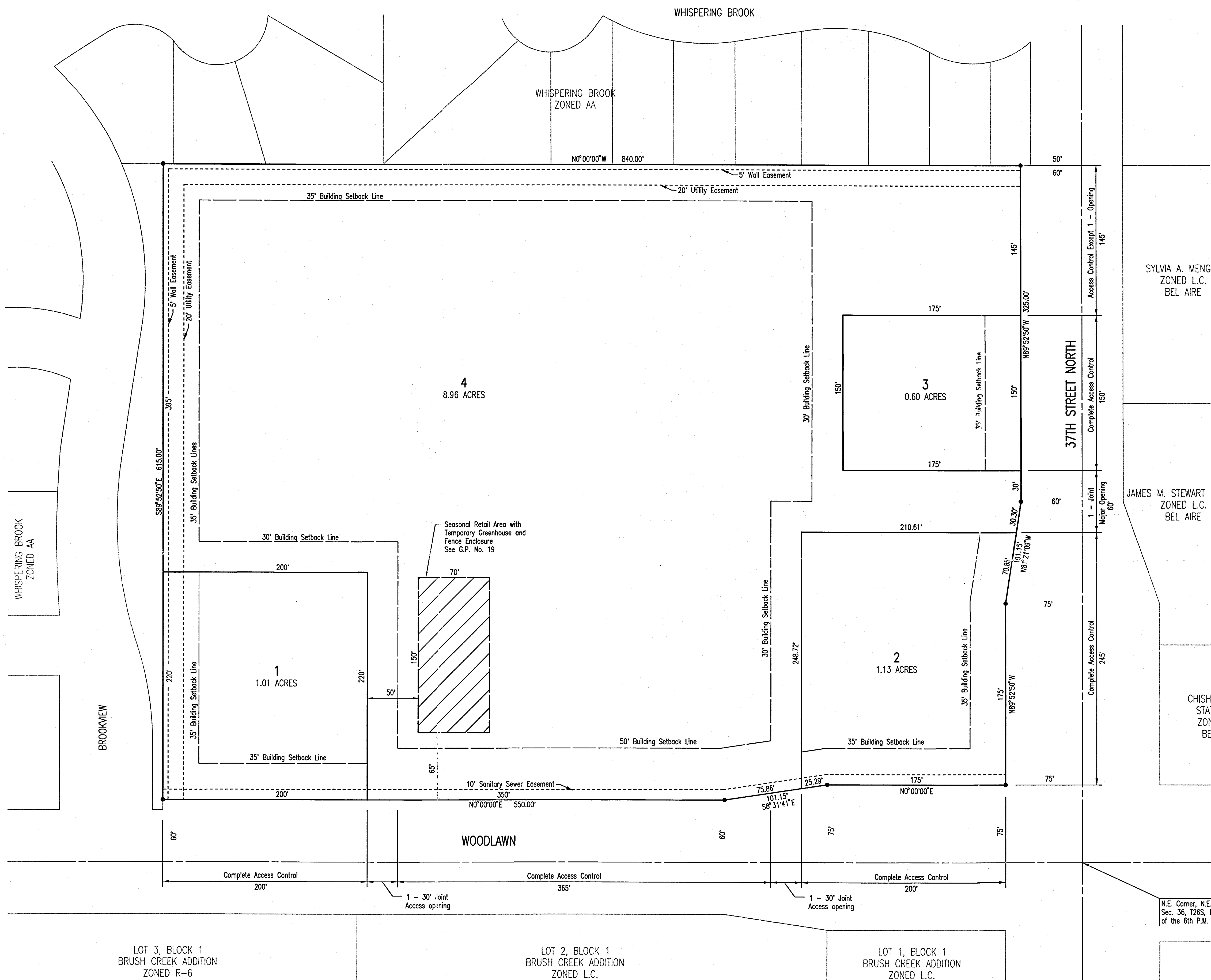
WCC 10/17/00 DM

MAPD Copy 1 of 2

COMMUNITY UNIT PLAN DP-203 (AMENDED OCTOBER, 2000)

WHISPERING BROOK COMMERCIAL

OWNER: NESTOR R. WEIGAND JR., LESLIE RUDD AND DEBORAH FREEMAN, 151 N. MARKET, WICHITA, KANSAS



GENERAL PROVISIONS

- THIS DEVELOPMENT CONTAINS 11.7 ACRES.
- THE PROPOSED DEVELOPMENT CONTAINS FOUR (4) PARCELS WITH LIGHT COMMERCIAL USES. FOR SPECIFIC USES SEE PARCEL DESCRIPTIONS.
- SETBACKS ARE AS INDICATED ON PLAN VIEW OR SPECIFIED IN PARCEL DESCRIPTIONS BELOW. IN THE EVENT THAT CONTIGUOUS PARCELS ARE DEVELOPED UNDER THE SAME OWNERSHIP, SETBACKS BETWEEN THOSE PARCELS WILL NOT BE REQUIRED.
- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- A DRAINAGE PLAN SHALL BE SUBMITTED FOR APPROVAL TO THE CITY ENGINEER AND NECESSARY GUARANTEES FOR REQUIRED IMPROVEMENTS SHALL BE PROVIDED AT THE TIME OF PLATING.
- SIGNS ARE PERMITTED IN ACCORDANCE WITH THE SIGN CODE OF THE CITY OF WICHITA. ADDITIONALLY, THE FOLLOWING CONDITIONS APPLY:
 - NO FLASHING OR MOVING SIGNS SHALL BE PERMITTED.
 - NO PORTABLE OR OFF-SITE SIGNS SHALL BE PERMITTED.
 - A TOTAL OF SIX FREESTANDING MONUMENT-TYPE SIGNS SHALL BE PERMITTED. EACH SIGN SHALL NOT EXCEED 150 SQUARE FEET PER SIGN FACE. THE MAXIMUM HEIGHT OF SIGNS SHALL BE 20 FEET. EXCEPT THAT THE MAXIMUM HEIGHT FOR ONE SIGN FOR PARCEL 4 ON WOODLAWN AND ONE SIGN FOR PARCEL 4 ON 37TH STREET NORTH SHALL BE 25 FEET. EACH SIGN SHALL BE SPACED A MINIMUM OF 150 FEET APART REGARDLESS OF PARCEL LINES OR PARCEL OWNERSHIP.
 - NO BUILDING SIGNS SHALL BE PERMITTED ON THE REAR FACADES OF BUILDINGS ALONG THE SOUTH AND WEST PROPERTY LINES.
- PARKING SHALL BE IN ACCORDANCE WITH THE ZONING CODE OF THE CITY OF WICHITA.
- THE TRANSFER OF TITLE ON ALL OR ANY PORTION OF THE LAND INCLUDED IN THE C.U.P. DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF, BUT SAID PLAN SHALL RUN WITH THE LAND FOR DEVELOPMENT AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED.
- ALL LIGHTS SHALL BE SHIELDED TO REFLECT LIGHT DOWNWARD OR DIRECT LIGHT AWAY FROM RESIDENTIAL AREAS.
- FIRE LANES SHALL BE IN ACCORDANCE WITH THE FIRE CODE OF THE CITY OF WICHITA. NO PARKING SHALL BE ALLOWED IN SAID FIRE LANES. ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING, THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE SHALL REVIEW AND APPROVE THE LOCATION AND DESIGN OF ALL FIRE LANES PRIOR TO FINAL APPROVAL OF THE PARKING PLAN.
 - FIRE HYDRANT INSTALLATION AND PAVED ACCESS TO ALL BUILDING SITES SHALL BE PROVIDED FOR EACH PHASE OF CONSTRUCTION PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
- ACCESS CONTROL:
 - ACCESS TO WOODLAWN SHALL BE LIMITED TO TWO (2) OPENINGS. THERE SHALL BE ONE (1) JOINT ACCESS OPENING FOR PARCELS 1 AND 4 AND ONE (1) JOINT ACCESS OPENING FOR PARCELS 2 AND 4.
 - ACCESS TO 37TH STREET NORTH SHALL BE LIMITED TO TWO (2) OPENINGS. PARCEL NO. 4 SHALL HAVE ONE MAJOR OPENING BETWEEN PARCELS 2 AND 3, AND ONE OPENING ON THE WEST 145'. THERE SHALL BE COMPLETE ACCESS CONTROL FOR PARCELS 2 AND 3.
- MASONRY WALLS:
 - A SIX (6) FOOT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG THE SOUTH AND WEST PROPERTY LINES OF THE C.U.P. WHERE ADJACENT TO RESIDENTIAL ZONING EXCEPT THAT THE SCREENING WALL ON THE WEST PROPERTY LINE PARALLEL TO AND EXTENDING THE LENGTH OF THE RETAIL BUILDING ON PARCEL 4 SHALL BE EIGHT (8) FEET IN HEIGHT.
 - THE ABOVE MENTIONED SOLID OR SEMI-SOLID WALL SHALL BE CONSTRUCTED OF STONE, MASONRY, BRICK, ARCHITECTURAL TILE OR SIMILAR MATERIAL (NOT INCLUDING WOOD OR WOVEN WIRE).
 - THE REQUIRED MASONRY WALL SHALL BE CONSTRUCTED WITHIN A FIVE (5) FOOT WALL EASEMENT PLATTED SEPARATELY FROM ALL OTHER EASEMENTS.
- LANDSCAPING:
 - LANDSCAPING SHALL BE REQUIRED PER THE CITY OF WICHITA LANDSCAPE CODE.
 - A LANDSCAPE PLAN PREPARED BY A LANDSCAPE ARCHITECT FOR THE LANDSCAPING MENTIONED ABOVE INDICATING THE TYPE, LOCATION, AND SPECIFICATIONS OF PLANT MATERIALS AND METHOD OF PROVIDING WATER TO THE PLANT MATERIALS, SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
 - A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED ON THE LANDSCAPE PLAN FOR THE PORTION OF THE C.U.P. BEING DEVELOPED SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.
- FAILURE TO PROPERLY MAINTAIN THE MASONRY WALLS OR LANDSCAPING MENTIONED ABOVE SHALL BE CONSIDERED A VIOLATION OF THE C.U.P. AFTER A JOINT DETERMINATION BY THE DIRECTOR OF PLANNING AND THE SUPERINTENDENT OF CENTRAL INSPECTION.
- LOADING AREAS, TRASH RECEPTACLES, OUTDOOR STORAGE, AND DOCKS IN THE C.U.P. SHALL BE SCREENED FROM GROUND LEVEL VIEW. SCREENING OF ALL TRASH DUMPSTERS OUTDOOR STORAGE, AND MECHANICAL EQUIPMENT WILL BE CONSTRUCTED OF MATERIAL TO MATCH AND PREFERABLY BE CONNECTED TO THE BUILDINGS THEY SUPPORT.
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APPROVED CUP

February 17, 2022

Amendment #2 - Parcel 2 + CUP 2022-00001 GP #19

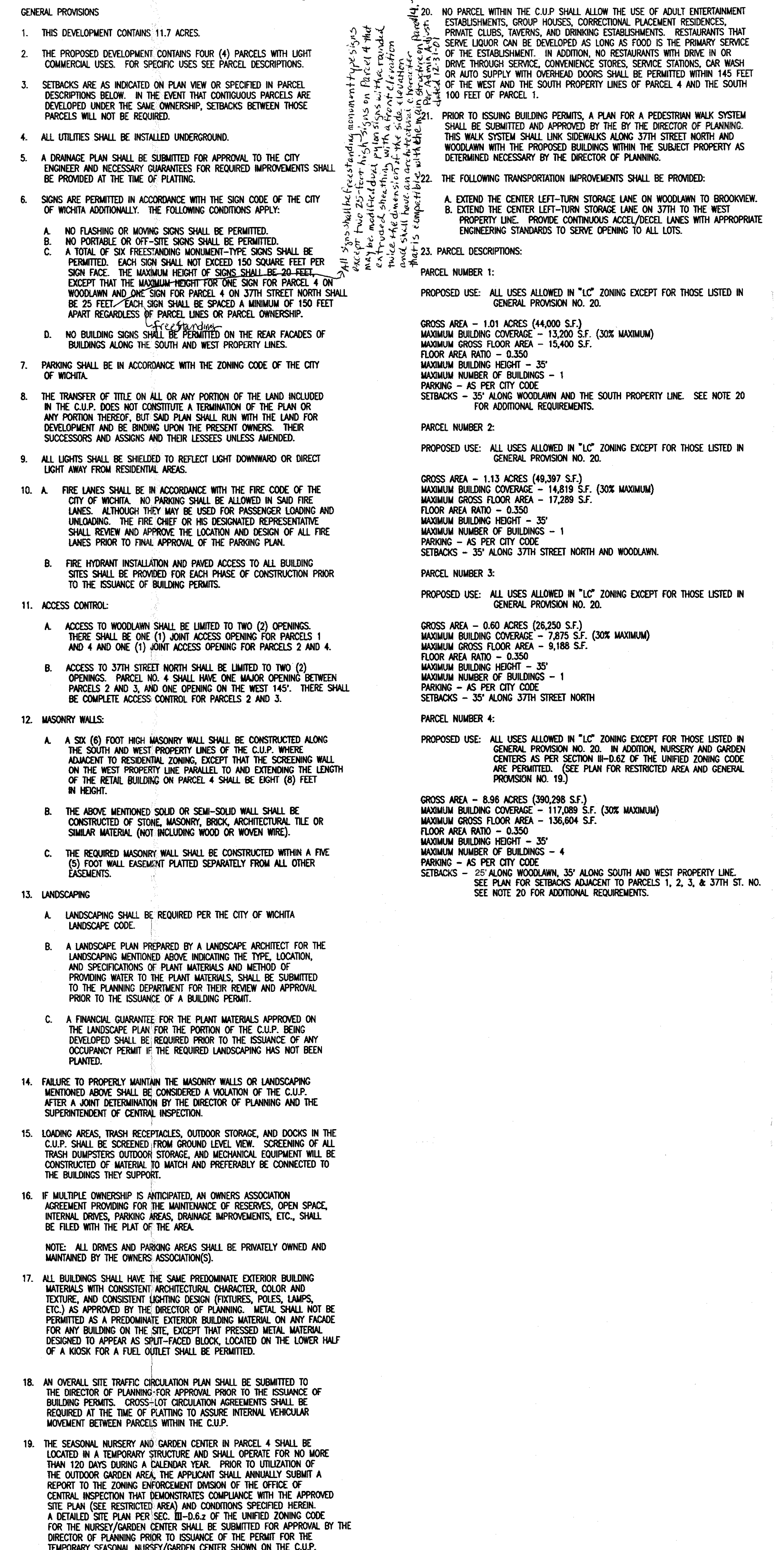
A Seasonal Nursery and Garden Center shall be allowed on Parcels 2 and 4. (Amendment CUP 2022-01) 3/17/2022

MAPD Copy 1 of 4

MAPD Copy 2 of 2

Amendment #2 Per CUP2021-00014 Parcel 4 setback reduced to 25' 3-23-2021

OWNER: NESTOR R. WEIGAND JR., LESLIE RUDD AND DEBORAH FREEMAN, 151 N. MARKET, WICHITA, KANSAS



USNRK: KMH UPRK: UFF SCALE: 1=30.00
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DP-203

AMENDMENT #1 Per AA 12-31-01, 10-20-03

APPROVED CUP

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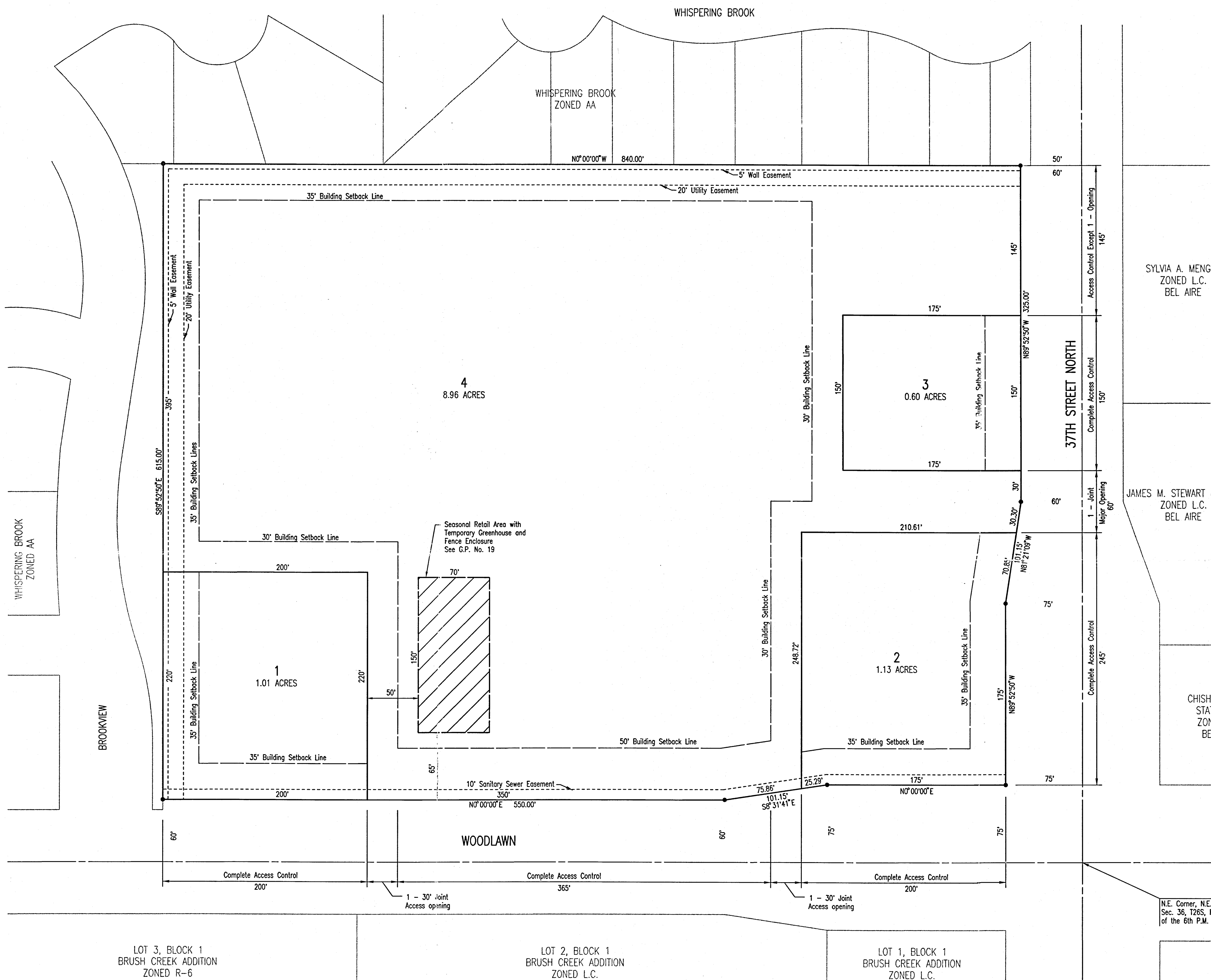
WCC 10/17/00 DM

MAPD Copy 1 of 2

COMMUNITY UNIT PLAN DP-203 (AMENDED OCTOBER, 2000)

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APPROVED CUP

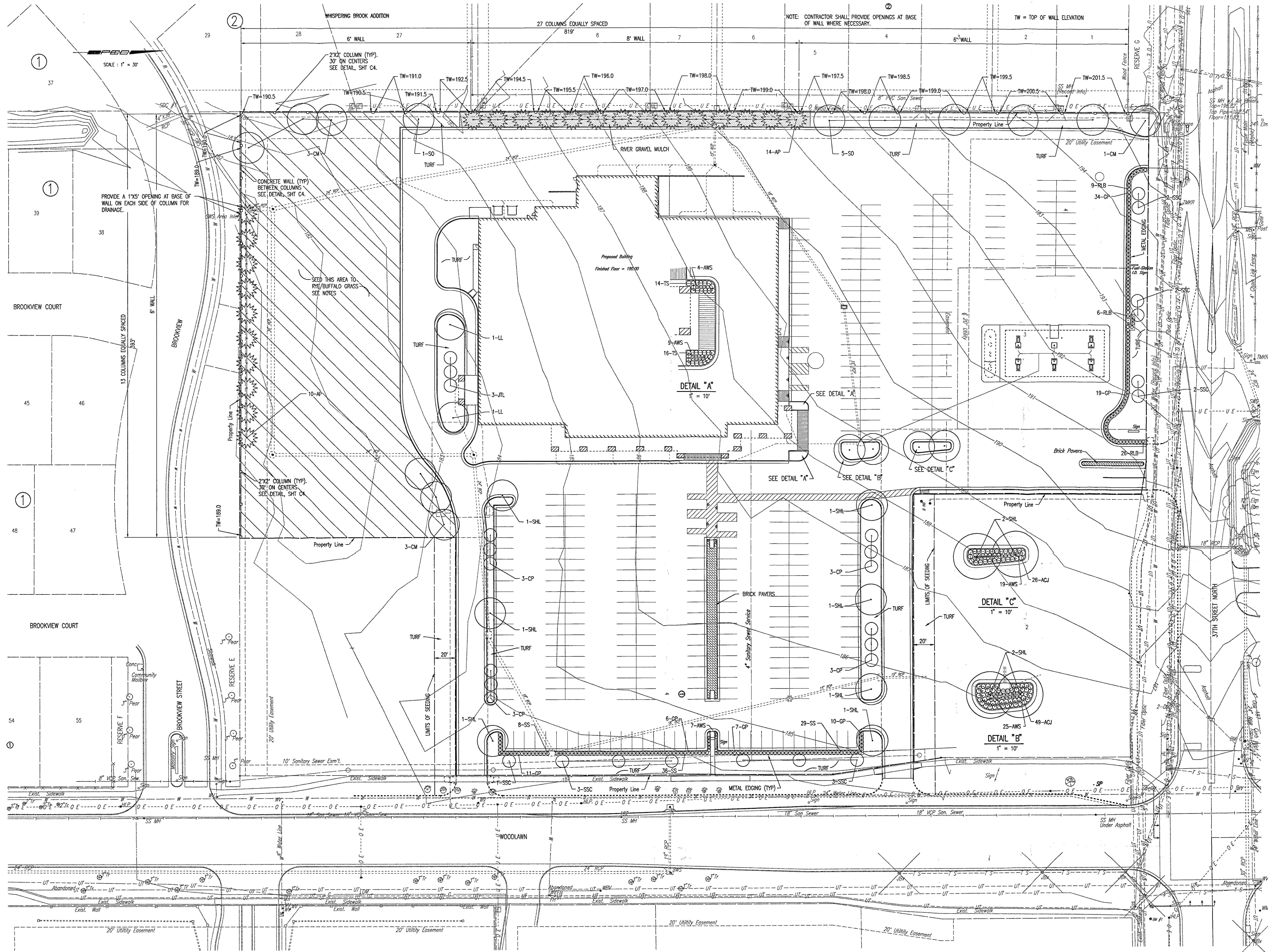
February 17, 2022

Amendment #2 - Parcel 2 +

CUP 2022-00001 GP#19

A Seasonal Nursery and Garden Center shall be allowed on Parcels 2 and 4.

(Amendment CUP 2022-01) 3/17/2022



PLANT MATERIAL LIST

KEY	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	CONDITION
TREES					
AP	24	AUSTRIAN PINE	PINUS NIGRA	6"-8"	B & B
CM	7	CHERRY SUGAR MAPLE	ACER SACCARUM "ORIOLO"	2'-2 1/2'	B & B
GP	12	CHANTICLEER PEAR	PIRUS CALLEANA "CHANTICLEER"	1 1/2'-2'	B & B OR CONTAINER
JTL	3	JAPANESE TREE LILAC	SIRYNGA RETICULATA	1 1/2'-2'	B & B OR CONTAINER
LL	2	LITTLELEAF LINDEN	TILIA CORDATA "GREENSPICE"	2'	B & B
SHL	11	SKYLINE HONEY LOCUST	GLADSTONIA TRACANTHOS "SKYLINE"	2'-2 1/2'	B & B
SDO	6	SHUMARD'S RED OAK	QUERCUS SHUMARDII	2'-2 1/2'	B & B
SSC	13	SPRING SNOW CRAB	MALUS SPP. "SPRING SNOW"	1 1/2'-2'	B & B OR CONTAINER
SHRUBS					
AWS	64	ANTHONY WATERER SPIREA	SPIREA BUNALDA "ANTHONY WATERER"	5 GAL.	CONTAINER
GP	87	GNOME PYRACANTHA	PYRACANTHA ANGUSTIFOLIA "GNOME"	5 GAL.	CONTAINER
RLB	41	RED LEAF BARBERRY	BERBERIS THUNBERGII ATROPURPUREA	5 GAL.	CONTAINER
SSI	73	SNOWMOUND SPIREA	SPIREA NIPPONICA "SNOWMOUND"	5 GAL.	CONTAINER
ACI	75	ANDORRA COMPACT JUNIPER	JUNIPERUS HORIZONTALIS "ANDORRA COMPACTA"	2 GAL.	CONTAINER
TS	30	TURKISH SPREADER	JUNIPERUS HORIZONTALIS "TURKISH SPREADER"	2 GAL.	CONTAINER

METAL EDGING - 650 LINEAL FEET (AS PER SPECS.)
SHREDDED CYPRESS MULCH - 700 C.F. (AS PER SPECS.)
WASHED RIVER GRAVEL MULCH - 24 C.Y. 3/4" - 1 1/2" DIA. AS PER SPECS.)
SEEDING - 112,192 S.F. (PREMIUM BLEND FESCUE PER SPECS.)
63,550 S.F. (ANNUAL RYE/BUFFALO GRASS PER SPECS.)
ALL TURF AREAS SHALL BE SEED WITH PREMIUM BLEND FESCUE UNLESS NOTED OTHERWISE.

- NOTES:
- PRIOR TO EXCAVATION FOR SCREENING OR LANDSCAPE PURPOSES THE LOCATION OF ALL UNDERGROUND UTILITIES SHALL BE DETERMINED BY CALLING THE "KANSAS ONE-CALL SYSTEM" AT 887-2470.
 - ALL LANDSCAPING & PLANT MATERIAL SHALL BE WATERED BY MEANS OF AN AUTOMATIC SPRINKLER SYSTEM EQUIPPED WITH A MOISTURE SENSING DEVICE.
 - PLANTS SHALL BE HIGH QUALITY NURSEY GROWN STOCK WHICH MEETS THE "AMERICAN ASSOCIATION OF NURSERIES" STANDARDS AS SPECIFIED BY THE "AMERICAN NATIONAL STANDARDS INSTITUTE" IN ANS 260.1-1986 OR AS MAY BE AMENDED IN THE FUTURE.
 - RYE/BUFFALO GRASS AREA TO BE TEMPORARILY SEED WITH RYE GRASS IN THE FALL AND THEN PERMANENTLY SEED WITH BUFFALO GRASS THE FOLLOWING SPRING. SEE SPECS. FOR PLANTING DATES AND APPLICATION RATES.
 - ALL SHRUB PLANTING AREAS AND AREAS WITH RIVER GRAVEL MULCH ARE TO HAVE A WEED BARRIER FABRIC INSTALLED BELOW THE MULCH.

LEGAL DESCRIPTION - LOT 3 AND LOT 4, BLOCK 1, WHISPERING BROOK COMMERCIAL 2ND ADDITION.
TOTAL STREET FRONTAGE - 780'
LESS BLDG. SETBACK - (-340')
440'

STREET YARD AREA REQUIREMENT - 440' X 20' = 8,800 S.F.
STREET YARD PROVIDED - 41,845 S.F.
TREE REQUIREMENT - 1 TREE PER 500 S.F. = 18 SHADE TREES OR 36 ORNAMENTALS.
PARKING LOT TREES - 1 TREE PER 20 SPACES (360 TOTAL SPACES) = 18 TREES (1/2 OR 3 TREES TO BE WITHIN INTERIOR OF PARKING LOT.)
TOTAL TREES PROVIDED - 18 SHADE AND 28 ORNAMENTALS.
PARKING LOT TREES PROVIDED - 22 (10 SHADE AND 12 ORNAMENTALS)

LANDSCAPE PLAN

DP-203 PARCEL 4
LANDSCAPE PLAN
APPROVED 02/15/01 WJD
R.A.P.D. 06/03/2001

Professional Engineering Consultants, P.A.
303 S. TORREY WICHITA, KANSAS 67203
316-262-2691 • FAX 316-262-3093



C18

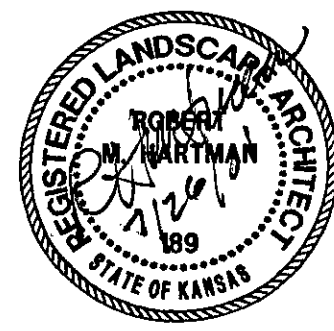
A NEW BUILDING FOR:

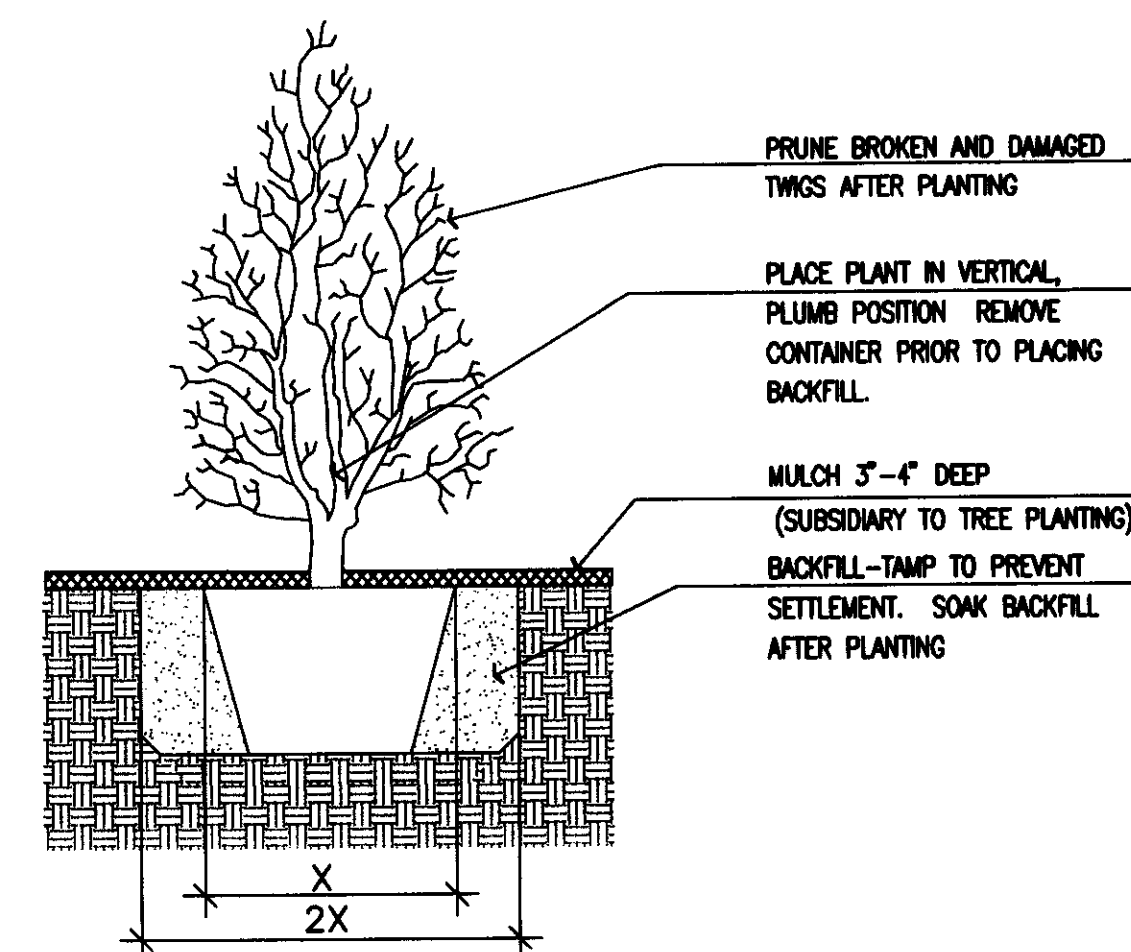
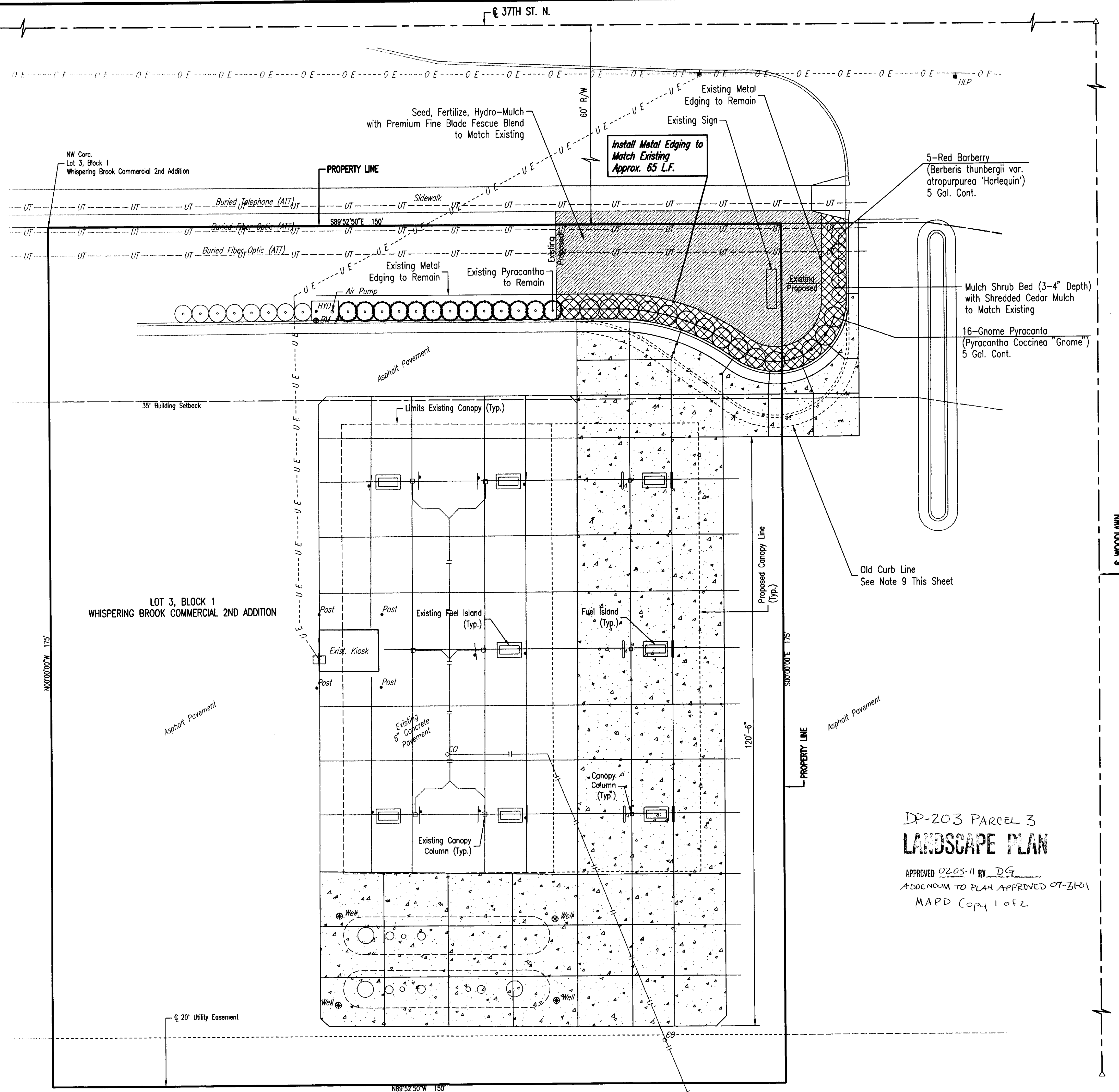
DILLONS SUPERMARKET NO.
37TH & WOODLAWN

56
WICHITA KS.

Pellens

STORES DIVISION
ARCHITECTURAL & ENGINEERING DEPARTMENT
2700 EAST FOURTH STREET
RICHMOND, KANSAS 67501 7316-665-5511
ED ATKINSON - A/E DEPARTMENT SUPERVISOR





- NOTES:**
1. CONTRACTOR SHALL PROVIDE A MINIMUM SEVENTY-TWO (72) HOURS ADVANCE NOTICE (EXCLUDING WEEKENDS AND HOLIDAYS) PRIOR TO BEGINNING ANY EXCAVATION, TO KANSAS ONE-CALL SYSTEM, A UTILITY LOCATION SERVICE, (OR THE APPROPRIATE LOCAL UTILITY LOCATION SERVICE) AT (316) 687-2470 TO REQUEST LOCAL UTILITY COMPANIES TO LOCATE ANY EXISTING LINES IN THE PROJECT AREA.
 2. CONTRACTOR SHALL SATISFY HIMSELF OF SURFACE AND SUBSURFACE CONDITIONS PRIOR TO BIDDING.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRESERVING PROPERTY IRONS. THE CONTRACTOR WILL BE REQUIRED TO RE-ESTABLISH ANY PROPERTY IRONS WHICH ARE DAMAGED OR DESTROYED BY HIS CONSTRUCTION OPERATIONS. SUCH IRONS SHALL BE RE-ESTABLISHED BY A LICENSED LAND SURVEYOR IN ACCORDANCE WITH STATE LAWS.
 4. THE CONTRACTOR WILL BE REQUIRED TO WORK AROUND IMPROVEMENTS CONSTRUCTED UNDER OTHER PROJECTS AND SHALL BE RESPONSIBLE FOR REPAIR OF DAMAGE TO IMPROVEMENTS IN PLACE. COSTS FOR COORDINATION AND REPAIRS TO IMPROVEMENTS IN PLACE, IF REQUIRED, SHALL BE BORNE BY THE CONTRACTOR.
 5. ALL PLANT MATERIAL SHALL BE HIGH-QUALITY NURSERY GROWN STOCK WHICH MEETS THE "AMERICAN ASSOCIATION OF NURSERYMEN" STANDARDS AS SPECIFIED BY THE "AMERICAN NATIONAL STANDARDS INSTITUTE" IN ANSI Z60.1-1986 OR AS MAY BE AMENDED IN THE FUTURE. ALL PLANT MATERIAL SHALL HAVE A ONE YEAR FREE REPLACEMENT WARRANTY PROVIDED BY THE CONTRACTOR.
 6. MULCH ALL SHRUB BEDS AND TREES WITH A MINIMUM OF 3" GRADE A SHREDDED CEDAR MULCH TO MATCH EXISTING (FIELD VERIFY TYPE)
 7. APPLY MYKE (OR SIMILAR) MYCORRHIZAL FUNGI WITH PLANT MATERIAL PER THE MANUFACTURERS INSTRUCTIONS.
 8. CONTRACTOR TO PROVIDE WARRANTY ON PLANT MATERIAL FOR ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION PER THE SPECIFICATIONS. (INCLUDING REPLACEMENT PLANTS AND LABOR AT NO ADDITIONAL CHARGE TO THE OWNER.)
 9. THE CONTRACTOR SHALL LOCATE AND ADJUST THE IRRIGATION SYSTEM WITHIN THE PROPOSED AREA OF WORK TO FIT NEW SHRUB BED ZONES AND TURF ZONES. THE CONTRACTOR SHALL TEST THE SYSTEM PRIOR TO BACKFILLING. ADJUST SPRAY PATTERNS AS NECESSARY FOR HEAD TO HEAD COVERAGE.

[illegible]

Project #:	36-06742-056-064
Designed By:	RM
Drawn By:	AE
Checked By:	
Date:	JANUARY 201
Scale:	
Disk File:	
Model:	
Address:	3707 N. WOODLAW
DILLONS #56	WICHITA, K

LANDSCAPE PLAN

Drawing No.: **C8**

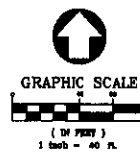
LEGEND	
	TYPICAL TREE PLANTING
	SLEEVE BEDDING
	TREE STAKING AND GUYING
	TYPICAL SHRUB PLANTING

LANDSCAPING CALCULATION NOTES:

NEW STREET FRONTAGE = 445'
 STREET YARD REQUIRED = 445' x 5' = 2,225 SF
 PROVIDED STREET YARD = 14,829 SF

STREET TREES REQUIRED = 1/500 SF = 8 SHADE OR 16 ORNAMENTAL TREES
 STREET TREES PROVIDED = 4 SHADE AND 8 ORNAMENTAL TREES

ADDITIONAL PARKING ADDED = 126
 PARKING TREES REQUIRED = 1/20 SPACES = 7 SHADE OR 14 ORNAMENTAL TREES
 PARKING TREES PROVIDED = 3 SHADE AND 10 ORNAMENTAL TREES



LANDSCAPE NOTES:

- SOLID SOIL ALL AREAS DISTURBED AND OUTSIDE LIMITS OF PAVING AS SHOWN.
- SOIL USED IN BACKFILLING PLANTING PITS SHALL BE TOPSOIL AND MIXED WITH 25% PEAT BY VOLUME. ALTERNATIVE RECOMMENDATIONS WILL BE CONSIDERED IF SUPPLEMENTED BY A SOIL TEST. SOIL HAVING A PH LESS THAN 6 SHALL BE THOROUGHLY MIXED WITH SUFFICIENT LIME TO PRODUCE A SLIGHTLY ACIDIC REACTION (A PH OF 6 TO 6.5). 15-15-15 COMMERCIAL FERTILIZER AT THE RATE OF 2 POUNDS PER CUBIC YARD SHALL BE ADDED. BOTH FERTILIZER AND PEAT SHALL BE THOROUGHLY MIXED BY HAND OR MECHANICAL MEANS. 4" MINIMUM THICKNESS OF TOPSOIL IS REQUIRED.
- THE LANDSCAPE CONTRACTOR SHALL INSPECT ALL BACKFILL AND PLACEMENT OF TOPSOIL TO DETERMINE WHETHER OR NOT A "HANDPICK" SITUATION EXISTS DUE TO PREVIOUS SOIL CONDITIONS, PLACEMENT AND COMPACTNESS OF FILL DURING CONSTRUCTION, OR ANY OTHER CONTRIBUTING FACTOR PRIOR TO INSTALLATION OF PLANT MATERIALS. IF SUCH A SITUATION IS INTERPRETED, IT SHALL BE BROUGHT TO THE ATTENTION OF THE CONSULTANT IMMEDIATELY. PRIOR TO THE INSTALLATION OF PLANT MATERIAL FOR A REMEDY.
- UPON SECURING PLANT MATERIAL, AND BEFORE INSTALLATION, THE CONTRACTOR SHALL NOTIFY THE CONSULTANT FOR A PRE-INSTALLATION INSPECTION TO VERIFY ALL PLANT MATERIALS CONFORMANCE TO SPECIFICATIONS.
- HERBICIDE PRE-EMERGENT (TRIFLURALIN OR EQUIVALENT) TO BE APPLIED TO ALL PLANT BEDS PRIOR TO PLANTING FOR NOXIOUS WEED CONTROL.
- ALL PLANTING BEDS TO HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. BARK CHIPS ARE NOT ACCEPTABLE.
- ALL TREES TO BE STAKED AS PER PLANTING DETAIL, AND SHALL REMAIN IN PLACE THROUGHOUT THE WARRANTY PERIOD OF ONE YEAR.
- DIMENSIONS FOR HEIGHTS, SPREAD, AND CALIPER OF TRUNK SPECIFIED ON THE DRAWING IS A GENERAL GUIDE FOR THE MINIMUM DESIRED SIZE OF EACH PLANT. EACH PLANT SHALL HAVE A UNIFORM AND CONSISTENT SHAPE AS IT PERTAINS TO THE PARTICULAR SPECIES. ANY PLANT MATERIAL WHICH FAILS TO CONFORM IS SUBJECT TO REJECTION BY THE CONSULTANT.
- THE QUANTITIES INDICATED ON THE MATERIAL SCHEDULE ARE PROVIDED FOR THE BENEFIT OF THE CONTRACTOR, BUT SHOULD NOT BE ASSUMED TO ALWAYS BE CORRECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN QUANTITY CALCULATIONS, FILLING PLANTED AREAS AT THE REQUIRED SPACING AND THE LIABILITY PERTAINING TO THOSE QUANTITIES AND ANY RELATED CONTRACT DOCUMENTS AND/OR PRICE QUOTATIONS.
- ALL EXISTING TREES TO REMAIN SHALL BE PRUNED TO A HEIGHT MEASURED 5' ABOVE FINISH GRADE. ALL DEAD TREES AND/OR LIMBS TO BE REMOVED.
- LANDSCAPE CONTRACTOR TO VERIFY LOCATION AND PROTECT ALL ABOVE AND BELOW GROUND UTILITIES. REPLACE DAMAGED UTILITIES AT NO EXPENSE TO THE OWNER. PROTECT AREAS FROM SILTATION AS NEEDED.
- MURDERY: COMPANY SPECIALIZING IN GROWING AND CULTIVATING THE PLANTS SPECIFIED IN THIS SECTION WITH MINIMUM TEN (10) YEARS' DOCUMENTED EXPERIENCE, INSPECTED AND APPROVED BY STATE PLANT INSPECTION AGENCIES. CONSIDER ALL NURSERIES WITHIN THE SOUTHEASTERN PORTION OF THE U.S. FOR PLANT MATERIAL WEEDS FOR THE PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR FURNISHING AND INSTALLING ALL PLANT MATERIAL SHOWN ON THE DRAWINGS AND PLANT LISTS. PRIOR TO ORDERING, THE CONTRACTOR SHALL HAVE INVESTIGATED THE SOURCES OF SUPPLY AND SATISFIED HIMSELF THAT HE CAN SUPPLY ALL THE PLANTS SPECIFIED ON THE DRAWINGS IN THE QUANTITY, SIZE, VARIETY, AND QUALITY NOTED. FAILURE TO TAKE THIS PRECAUTION WILL NOT RELIEVE THE CONTRACTOR FROM THE REQUIREMENT TO FURNISH AND INSTALL ALL PLANT MATERIAL IN STRICT ACCORDANCE WITH CONTRACT REQUIREMENTS AND WITHOUT ADDITIONAL EXPENSE TO THE OWNER.
- LIMITATIONS: DO NOT PROCEED WITH PLANT MATERIAL INSTALLATION UNTIL SITE UTILITY CONSTRUCTION AND FINISH GRADING IS COMPLETE. COORDINATE SCHEDULING OF PLANT MATERIAL INSTALLATION WITH OTHER CONTRACTORS INVOLVED IN THE AFORESAID CONSTRUCTION.
- PROVIDE HOSE AND PLANT MATERIAL WATERING EQUIPMENT AS REQUIRED.
- HANDLE PLANTS FROM BOTTOM OF BALL. PROTECT PLANT ROOTS AND TOPS FROM SUN OR DRYING WINDS UNTIL FINAL PLANTING. PLANTS WITH CRACKED, BROKEN OR LOOSELY WRAPPED BALLS SHALL BE REJECTED.
- DURING THE PROGRESS OF ALL OPERATIONS, PROTECT WALLS, WALKS, CURBS, BENCHES, AND OTHER STRUCTURES WITH WOOD STRIPS OR PADDING, OR OTHER APPROVED MEANS AS REQUIRED.
- LANDSCAPE AND SOIL INSTALLER AND SUPERVISOR QUALIFICATIONS: COMPANY SPECIALIZING IN LANDSCAPE DEVELOPMENT CONSTRUCTION, PARTICULARLY SOIL PREPARATION, LAMING, AND LINE PLANT MATERIALS, WITH AT LEAST FIVE (5) YEARS EXPERIENCE IN SUCH WORK.
- REPLACEMENT PLANT MATERIALS SHALL CARRY A ONE (1) YEAR WARRANTY PERIOD.
- ANY PLANTS THAT ARE 25 PERCENT OR MORE DEAD SHALL BE CONSIDERED DEAD. ONE YEAR WARRANTY SHALL COMMENCE AT FINAL ACCEPTANCE. WARRANTY SHALL EXTEND INTO NEXT GROWING PERIOD WHEN DORMANT PLANTS ARE INSTALLED.
- PLANTS SHALL BE SOUND, HEALTHY AND VIGOROUS, DISEASE FREE, WELL-BRANCHED, AND DENSELY FOLIATE WHEN IN LEAF. TREES SHALL NOT HAVE FORCED LEADERS.
- PLANTS SHALL CONFORM TO MEASUREMENTS SPECIFIED EXCEPT THAT PLANTS LARGER THAN SPECIFIED MAY BE USED IF APPROVED. LIST OF SUCH PLANTS SHALL NOT EXCEED CONTRACT SUM. PLANTS THAT MEET THE MEASUREMENTS SPECIFIED BUT DO NOT POSSESS A NORMAL BALANCE BETWEEN HEIGHT AND SPREAD SHALL BE REJECTED.
- TREES WHICH HAVE DAMAGED OR CROOKED LEADERS, OR MULTIPLE LEADERS, UNLESS SPECIFIED, WILL BE REJECTED. TREES WITH ABRACTIONS OF THE BARK, SUN SCALDS, DISFIGURING KNOTS, OR FRESH CUTS OF LIMBS OVER 3/4 INCH WHICH HAVE NOT COMPLETELY CALLEDUS, WILL BE REJECTED.
- PLANT SIZES AND QUALITY SHALL MEET OR EXCEED STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERMEN (LATEST EDITION).
- THE PERSON IN CHARGE OF OR IN CONTROL OF THE PROPERTY, WHETHER AS OWNER, LESSEE, TENANT, OCCUPANT OR OTHERWISE, SHALL BE RESPONSIBLE FOR THE CONTINUED PROPER MAINTENANCE OF ALL LANDSCAPING MATERIALS.
- PRIOR TO PLANTING TREES, CONTRACTOR TO VERIFY THAT NO CONFLICTS EXIST BETWEEN THE TREE AND ALL EXISTING AND PROPOSED UTILITIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MODIFICATION OF THE EXISTING IRRIGATION SYSTEM TO ENSURE ALL NEWLY LANDSCAPED AREAS ARE IRRIGATED.
- IRRIGATION SLEEVES TO BE INSTALLED PRIOR TO PAVING.

WOODLAWN BLVD

LANDSCAPE PLAN

APPROVED 12/9/13 BY NAB
 MAPD copy 1 of 2
 DP-207

LANDSCAPING RELOCATION/SUBSTITUTION NOTES:

- CONTRACTOR TO FIELD-VERIFY LOCATION OF EXISTING LANDSCAPING PLANTS.
- ALL EXISTING LANDSCAPING REMOVED DURING DEMOLITION IS TO BE RELOCATED & OR REPLACED ON SITE.
- THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT THE COMBINATION OF EXISTING, RELOCATED, AND PROPOSED LANDSCAPING IS SUFFICIENT ACCORDING TO THE CITY OF WICHITA LANDSCAPE ORDINANCE AND SHALL HAVE THE CITY OF WICHITA BUILDING DEPARTMENT APPROVE ANY CHANGES TO THIS PLAN.

LANDSCAPE LEGEND					
SYMBOL	COMMON NAME	BOTANICAL NAME	QUANTITY	SIZE AT PLANTING	NOTES
	LITTLELEAF LINDEN	<i>Tilia Cordata 'Greenspire'</i>	2	2" CALIPER	WELL BRANCHED NO BROKEN LEADERS
	JAPANESE TREE LILAC	<i>Syringa Reticulata</i>	2	2" CALIPER	WELL BRANCHED NO BROKEN LEADERS
	CHANTICLEER PEAR	<i>Pyrus Calleryana 'Chanticleer'</i>	8	2" CALIPER	WELL BRANCHED NO BROKEN LEADERS
	SKYLINE HONEY LOCUST	<i>Gleditsia Triacanthos 'Skyline'</i>	7	3" CALIPER	WELL BRANCHED NO BROKEN LEADERS
	SNOW MOUND SPIREA	<i>Spiraea Japonica 'Snow Mound'</i>	82	5 DALLON	
	SPRING SNOW CRAB	<i>Malus Spp. 'Spring Snow'</i>	8	2" CALIPER	WELL BRANCHED NO BROKEN LEADERS
	SOLID SOIL				

Pickering
 Pickering Firm, Inc.
 Paving Design - Civil Engineering - Surveying -
 Transportation - Interior / Water Resources
 8775 Lamar Avenue, Suite 300
 Kansas City, MO 64116
 816.734.0000

Dillon
 2700 E. 4TH
 HUTCHINSON, KS 67340

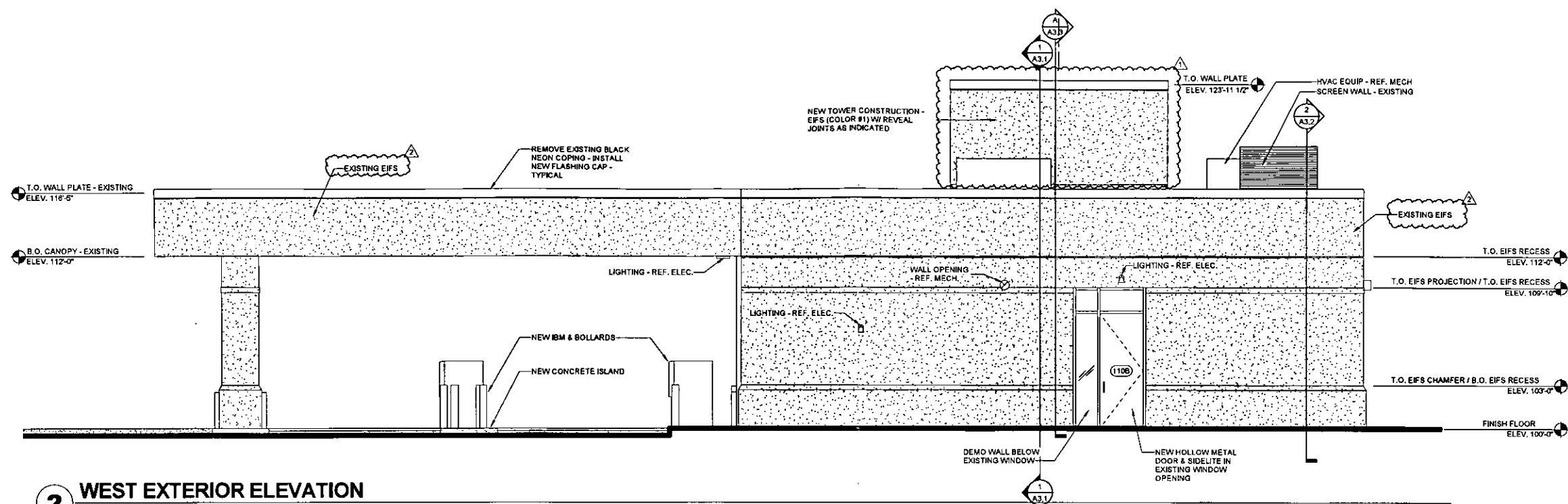
DILLONS DIL-056
EXPANSION
 3707 N WOODLAWN ST.
 WICHITA, KANSAS 67220

Kroger
 THE KROGER CO.
 GENERAL OFFICE
 1814 VINE STREET
 CHICAGO, IL 60602

SEAL

SHEET NUMBER
L1.1

DESCRIPTION
 LANDSCAPE PLAN



2 WEST EXTERIOR ELEVATION
1/4" = 1'-0"

APPROVED

DP-203 Arch Rev per GP#17

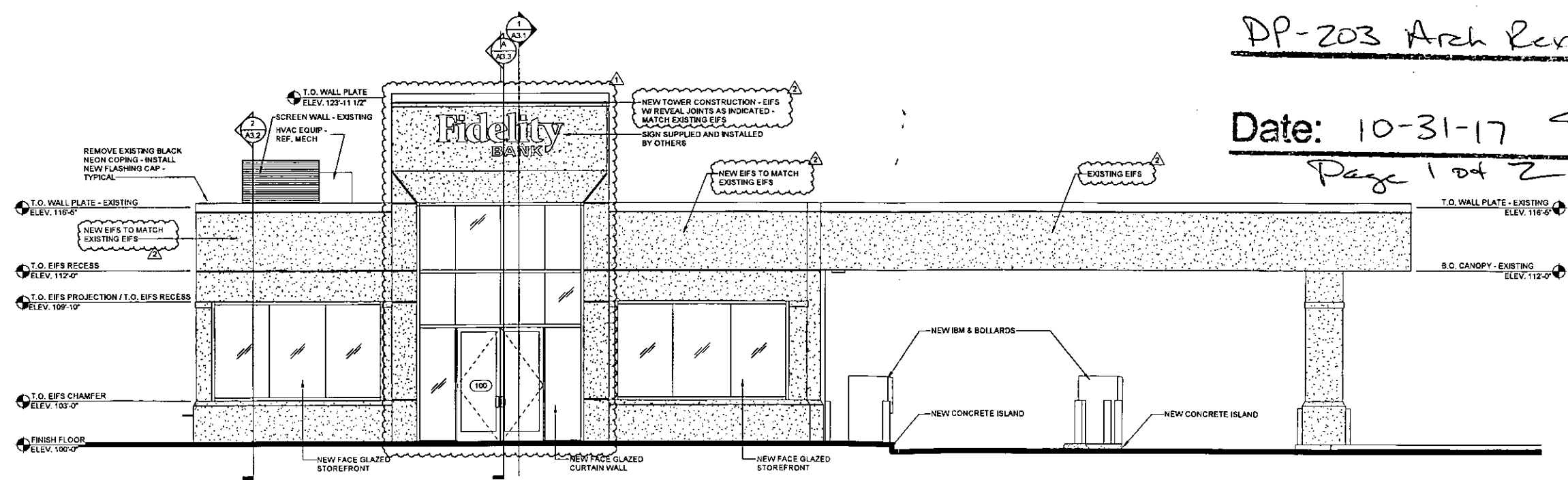
Date: 10-31-17
Page 1 of 2

**Fidelity Bank
37th & Woodlawn Reno**
3641 N Woodlawn St.
Wichita, KS 67220



wdm
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wdmarchitects.com



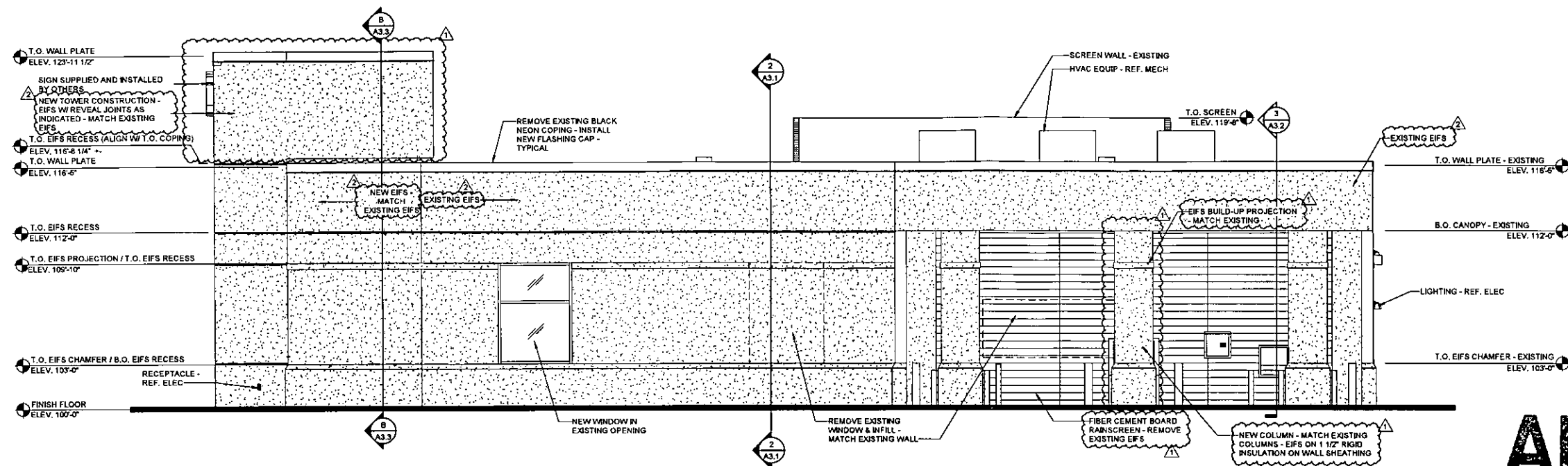
1 EAST EXTERIOR ELEVATION
1/4" = 1'-0"

PRINTS ISSUED
22 SEPT 2017 - FOR PERMIT

REV.		
NO.	DATE	DESC.
1	2017-10-24	PLAN REVIEW
2	2017-10-31	PLAN REVIEW 2

WDM No. 17037
drawn: Author
checked: Checker
EXTERIOR ELEVATIONS

A2.2



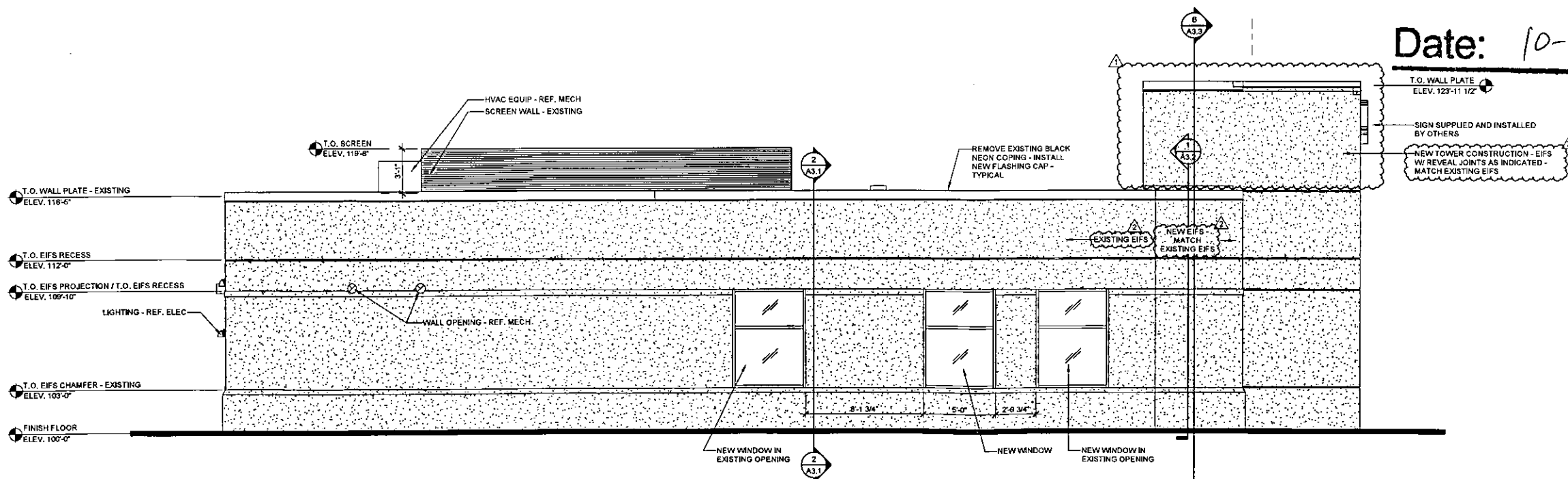
1 NORTH EXTERIOR ELEVATION
1/4" = 1'-0"

APPROVED

DP-203 Arch Revise per GI #1

Date: 10-31-17 *JK*

Page 2 of 2



2 SOUTH EXTERIOR ELEVATION
1/4" = 1'-0"



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37th & Woodlawn St
Wichita, KS 67220

PRINTS ISSUED
22 SEPT 2017 - FOR PERMIT

REV.		
NO.	DATE	DESC.
1	2017-10-24	PLAN REVIEW
2	2017-10-31	PLAN REVIEW 2

WDM No. 17037
drawn: Author
checked: Checker
EXTERIOR ELEVATIONS

A2.1