AMMENDED

KUHN CO. COMMERCIAL

COMMUNITY UNIT PLAN
(D.P. 223)

TDP-223 KUHN CO CUP
AMENDMENT #1
PER ADMINISTRATIVE ADJUSTMENT dated 01/02/01
APPROVED CUP
MAPC 04/29/99
BCC 05/26/99
MAPD Copy 2 of 2

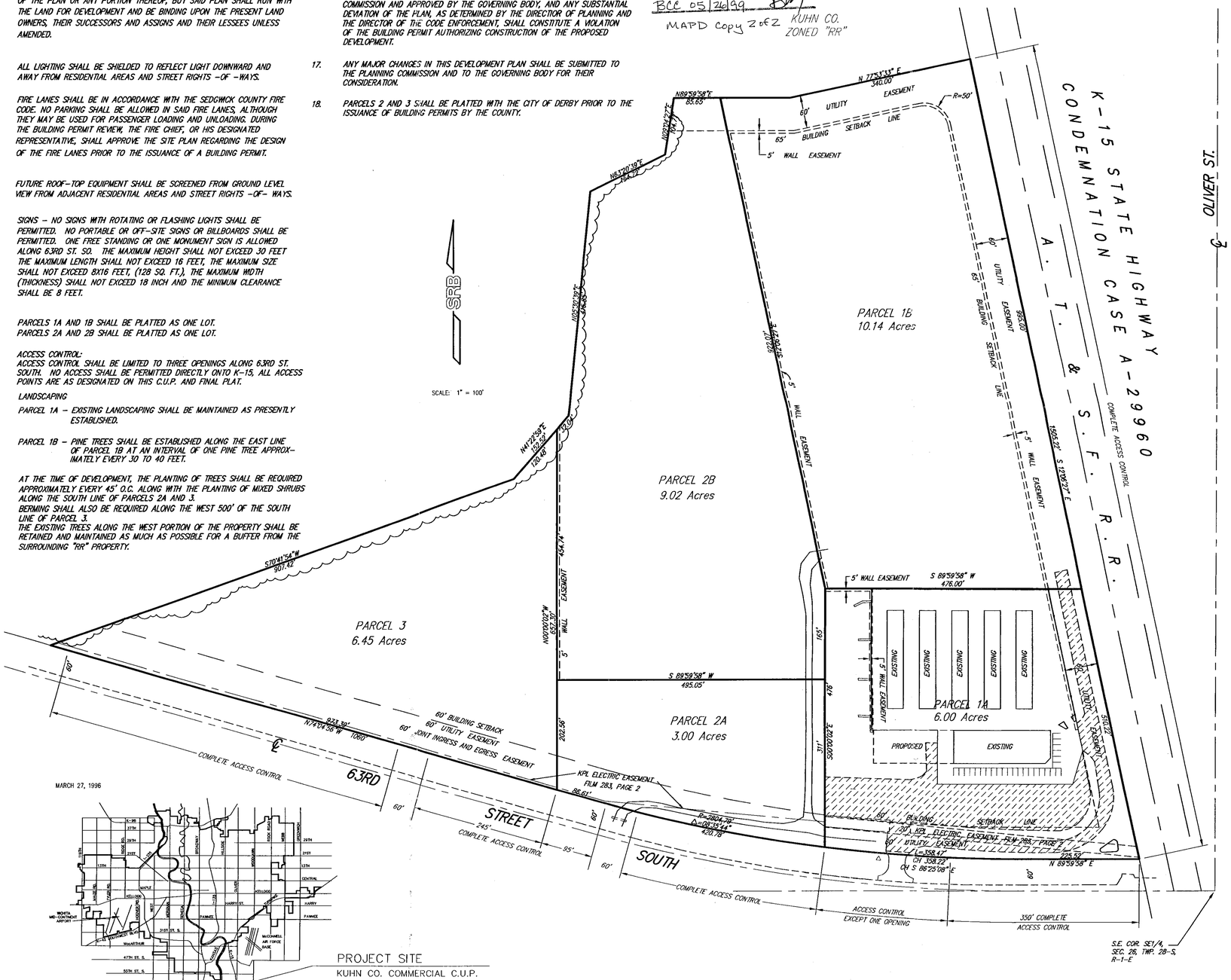
KUHN CO. ZONED "RR"

GENERAL PROVISIONS

1. THIS DEVELOPMENT CONTAINS 34.61± NET ACRES.
2. THE C.U.P. SHALL CONTAIN 3 PARCELS, WITH PARCELS 1 AND 2 BEING SEPARATED INTO TWO PORTIONS, AND WITH COMMERCIAL USES RESTRICTED TO THOSE USES IDENTIFIED WITHIN THE PARCEL DESCRIPTIONS ON THIS PLAN.
3. A DRAINAGE PLAN AND GUARANTEES FOR THE DRAINAGE IMPROVEMENTS SHALL BE PROVIDED AT THE TIME OF PLATTING.
4. PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE STANDARDS OF THE UNIFIED ZONING CODE.
5. THE TRANSFER OF THE TITLE ON ALL OR ANY PORTION OF THE LAND INCLUDED IN THE DEVELOPMENT 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 LAND OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED.
6. ALL LIGHTING SHALL BE SHIELDED TO REFLECT LIGHT DOWNWARD AND AWAY FROM RESIDENTIAL AREAS AND STREET RIGHTS -OF -WAYS.
7. FIRE LANES SHALL BE IN ACCORDANCE WITH THE SEDGWICK COUNTY FIRE CODE. NO PARKING SHALL BE ALLOWED IN SAID FIRE LANES, ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING. DURING THE BUILDING PERMIT REVIEW, THE FIRE CHIEF, OR HIS DESIGNATED REPRESENTATIVE, SHALL APPROVE THE SITE PLAN REGARDING THE DESIGN OF THE FIRE LANES PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
8. FUTURE ROOF-TOP EQUIPMENT SHALL BE SCREENED FROM GROUND LEVEL VIEW FROM ADJACENT RESIDENTIAL AREAS AND STREET RIGHTS -OF- WAYS.
9. SIGNS - NO SIGNS WITH ROTATING OR FLASHING LIGHTS SHALL BE PERMITTED. NO PORTABLE OR OFF-SITE SIGNS OR BILLBOARDS SHALL BE PERMITTED. ONE FREE STANDING OR ONE MONUMENT SIGN IS ALLOWED ALONG 63RD ST. SO. THE MAXIMUM HEIGHT SHALL NOT EXCEED 30 FEET THE MAXIMUM LENGTH SHALL NOT EXCEED 16 FEET, THE MAXIMUM SIZE SHALL NOT EXCEED 8X16 FEET, (128 SQ. FT.), THE MAXIMUM WIDTH (THICKNESS) SHALL NOT EXCEED 18 INCH AND THE MINIMUM CLEARANCE SHALL BE 8 FEET.
10. PARCELS 1A AND 1B SHALL BE PLATTED AS ONE LOT. PARCELS 2A AND 2B SHALL BE PLATTED AS ONE LOT.
11. ACCESS CONTROL:
    ACCESS CONTROL SHALL BE LIMITED TO THREE OPENINGS ALONG 63RD ST. SOUTH. NO ACCESS SHALL BE PERMITTED DIRECTLY ONTO K-15, ALL ACCESS POINTS ARE AS DESIGNATED ON THIS C.U.P. AND FINAL PLAT.
12. LANDSCAPING
    PARCEL 1A - EXISTING LANDSCAPING SHALL BE MAINTAINED AS PRESENTLY ESTABLISHED.

    PARCEL 1B - PINE TREES SHALL BE ESTABLISHED ALONG THE EAST LINE OF PARCEL 1B AT AN INTERVAL OF ONE PINE TREE APPROXIMATELY EVERY 30 TO 40 FEET.

    AT THE TIME OF DEVELOPMENT, THE PLANTING OF TREES SHALL BE REQUIRED APPROXIMATELY EVERY 45' O.C. ALONG WITH THE PLANTING OF MIXED SHRUBS ALONG THE SOUTH LINE OF PARCELS 2A AND 3.
    BERMING SHALL ALSO BE REQUIRED ALONG THE WEST 500' OF THE SOUTH LINE OF PARCEL 3.
    THE EXISTING TREES ALONG THE WEST PORTION OF THE PROPERTY SHALL BE RETAINED AND MAINTAINED AS MUCH AS POSSIBLE FOR A BUFFER FROM THE SURROUNDING "RR" PROPERTY.
13. A 6 FOOT MASONARY WALL SIMILAR TO THE EXISTING MASONRY WALL ON PARCEL 1A SHALL BE CONSTRUCTED WITHIN THE 5' WALL EASEMENT ON PARCEL 1B, AND WITHIN THE WALL ESMT. ON THE COMMON PROPERTY LINE BETWEEN 2B AND 3, AS SHOWN ON THE C.U.P. AND PLAT.
14. NO DISPLAY, OUTDOOR STORAGE, OR PARKING SHALL BE PERMITTED WITHIN THE 60' EASEMENTS ALONG THE SOUTH LINE OF PARCELS 2A AND 3.
15. CIRCULATION BETWEEN PARCELS SHALL BE PERMITTED WITH A CROSS-LOT AGREEMENT OR JOINT INGRESS AND EGRESS EASEMENTS.
16. 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 DIRECTOR OF PLANNING AND THE DIRECTOR OF THE CODE ENFORCEMENT, SHALL CONSTITUTE A VIOLATION OF THE BUILDING PERMIT AUTHORIZING CONSTRUCTION OF THE PROPOSED DEVELOPMENT.
17. ANY MAJOR CHANGES IN THIS DEVELOPMENT PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION AND TO THE GOVERNING BODY FOR THEIR CONSIDERATION.
18. PARCELS 2 AND 3 SHALL BE PLATTED WITH THE CITY OF DERBY PRIOR TO THE ISSUANCE OF BUILDING PERMITS BY THE COUNTY.



MARCH 27, 1996

PROJECT SITE
KUHN CO. COMMERCIAL C.U.P.

VICINITY MAP

PARCEL DESCRIPTIONS:

PARCEL 1A

USES: VEHICLE SALES, EQUIPMENT RENTAL AND SALES, AND OTHER USES ALLOWED IN THE G.C. ZONING DISTRICT WITH ALL USES BEING LIMITED TO ON-SITE SEWAGE FOR DOMESTIC USES ONLY AND BEING LIMITED TO LESS THAN 1000 GALLONS PER DAY. THE EXCEPTIONS NOT ALLOWED ARE RESIDENTIAL USES WITH LESS ACREAGE THAN 4.5 ACRES, TRANSIENT LODGING, HOTELS, MOTELS, RECREATIONAL VEHICLE PARKS, RESTAURANTS, TAVERNS, DRINKING ESTABLISHMENTS, CLUBS, ADULT ENTERTAINMENT, RETAIL FOOD STORES WITH GROSS FLOOR AREA EXCEEDING 3,000 SQUARE FEET, HOSPITALS, SANITARIUMS, NURSING HOMES, MEDICALS SERVICES, DAY CARE CENTERS, HALFWAY HOUSES AND GROUP HOMES, PUBLIC AND PRIVATE SCHOOLS (ALL LEVELS), LIBRARIES, MUSEUMS, CHURCHES AND RELATED FACILITIES, ALL INDOOR/OUTDOOR ENTERTAINMENT AND/OR RECREATIONAL FACILITIES THAT WOULD ATTRACT MORE THAN 25 SPECTATORS AND/OR PARTICIPANTS PER ACRE AT ANY ONE TIME.

GROSS AREA - 6.00 ACRES (261,434 SQ. FT.)
MAX. BUILDING COVERAGE - 78,430 SQ. FT. (30%)
MAX. GROSS FLOOR AREA - 104,573 SQ. FT. (40%)
FLOOR AREA RATIO - 0.400
MAX. BUILDING HEIGHT - 35'
PARKING - PER CODE
SETBACKS - 60' ADJACENT TO 63RD ST. SO.
65' ALONG EAST PROPERTY LINE

PARCEL 1B

USES: G.C. ZONING DISTRICT LIMITED TO ENCLOSED AND OUTDOOR STORAGE FOR RECREATIONAL EQUIPMENT AND OPERABLE VEHICLES SUCH AS R.V. BOATS, CAMPERS, AND TRAILERS.

GROSS AREA - 10.14 ACRES (441,540 SQ. FT.)
MAX. BUILDING COVERAGE - 132,462 SQ. FT. (30%)
MAX. GROSS FLOOR AREA - 132,462 SQ. FT. (30%)
FLOOR AREA RATIO - 0.300
MAX. BUILDING HEIGHT - 35'
PARKING - PER CODE
SETBACKS - 65' ALONG NORTH & EAST PROPERTY LINE

PARCEL 2A

USES: VEHICLE SALES, EQUIPMENT RENTAL AND SALES, AND OTHER USES ALLOWED IN THE G.C. ZONING DISTRICT WITH ALL USES BEING LIMITED TO ON-SITE SEWAGE FOR DOMESTIC USES ONLY AND BEING LIMITED TO LESS THAN 1000 GALLONS PER DAY. THE EXCEPTIONS NOT ALLOWED ARE RESIDENTIAL USES WITH LESS ACREAGE THAN 4.5 ACRES, TRANSIENT LODGING, HOTELS, MOTELS, RECREATIONAL VEHICLE PARKS, RESTAURANTS, TAVERNS, DRINKING ESTABLISHMENTS, CLUBS, ADULT ENTERTAINMENT, RETAIL FOOD STORES WITH GROSS FLOOR AREA EXCEEDING 3,000 SQUARE FEET, HOSPITALS, SANITARIUMS, NURSING HOMES, MEDICALS SERVICES, DAY CARE CENTERS, HALFWAY HOUSES AND GROUP HOMES, PUBLIC AND PRIVATE SCHOOLS (ALL LEVELS), LIBRARIES, MUSEUMS, CHURCHES AND RELATED FACILITIES, ALL INDOOR/OUTDOOR ENTERTAINMENT AND/OR RECREATIONAL FACILITIES THAT WOULD ATTRACT MORE THAN 25 SPECTATORS AND/OR PARTICIPANTS PER ACRE AT ANY ONE TIME.

GROSS AREA - 3.00 ACRES (130,695 SQ. FT.)
MAX. BUILDING COVERAGE - 12,000 SQ. FT. (9.2%)
MAX. GROSS FLOOR AREA - 15,000 SQ. FT.
FLOOR AREA RATIO - 0.115
MAX. BUILDING HEIGHT - 35'
PARKING - PER CODE
SETBACKS - 60 ALONG SOUTH PROPERTY LINE

PARCEL 2B

USES: G.C. ZONING DISTRICT LIMITED TO ENCLOSED AND OUTDOOR STORAGE FOR RECREATIONAL EQUIPMENT AND OPERABLE VEHICLES SUCH AS R.V. BOATS, CAMPERS, AND TRAILERS.

GROSS AREA - 9.02 ACRES (392,941 SQ. FT.)
MAX. BUILDING COVERAGE - 117,882 SQ. FT. (30%)
MAX. GROSS FLOOR AREA - 117,882 SQ. FT. (30%)
FLOOR AREA RATIO - 0.300
MAX. BUILDING HEIGHT - 35'
PARKING - PER CODE

PARCEL 3

USES: VEHICLE SALES, EQUIPMENT RENTAL AND SALES, AND OTHER USES ALLOWED IN THE G.C. ZONING DISTRICT WITH ALL USES BEING LIMITED TO ON-SITE SEWAGE FOR DOMESTIC USES ONLY AND BEING LIMITED TO LESS THAN 1000 GALLONS PER DAY. THE EXCEPTIONS NOT ALLOWED ARE RESIDENTIAL USES WITH LESS ACREAGE THAN 4.5 ACRES, TRANSIENT LODGING, HOTELS, MOTELS, RECREATIONAL VEHICLE PARKS, RESTAURANTS, TAVERNS, DRINKING ESTABLISHMENTS, CLUBS, ADULT ENTERTAINMENT, RETAIL FOOD STORES WITH GROSS FLOOR AREA EXCEEDING 3,000 SQUARE FEET, HOSPITALS, SANITARIUMS, NURSING HOMES, MEDICALS SERVICES, DAY CARE CENTERS, HALFWAY HOUSES AND GROUP HOMES, PUBLIC AND PRIVATE SCHOOLS (ALL LEVELS), LIBRARIES, MUSEUMS, CHURCHES AND RELATED FACILITIES, ALL INDOOR/OUTDOOR ENTERTAINMENT AND/OR RECREATIONAL FACILITIES THAT WOULD ATTRACT MORE THAN 25 SPECTATORS AND/OR PARTICIPANTS PER ACRE AT ANY ONE TIME.

GROSS AREA - 6.45 ACRES (280,875 SQ. FT.)

MAX. BUILDING COVERAGE RETAIL - 12,000 SQ. FT. (4.3%)
MAX. BUILDING COVERAGE FOR NURSERIES AND OTHER USES WHICH WILL NOT CAUSE DOMESTIC SEWAGE USAGE IN EXCESS OF 1000 GALLONS PER DAY. - 60,000 SQ. FT. (21%)
MAX. BUILDING HEIGHT - 35'
PARKING - PER CODE
SETBACKS - 60' ALONG SOUTH PROPERTY LINE

DWG FILE: 00414CUP-R.C.
PROJECT NO. 96A00414P

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REV. 30 OCT. 2000
27 MARCH 1996