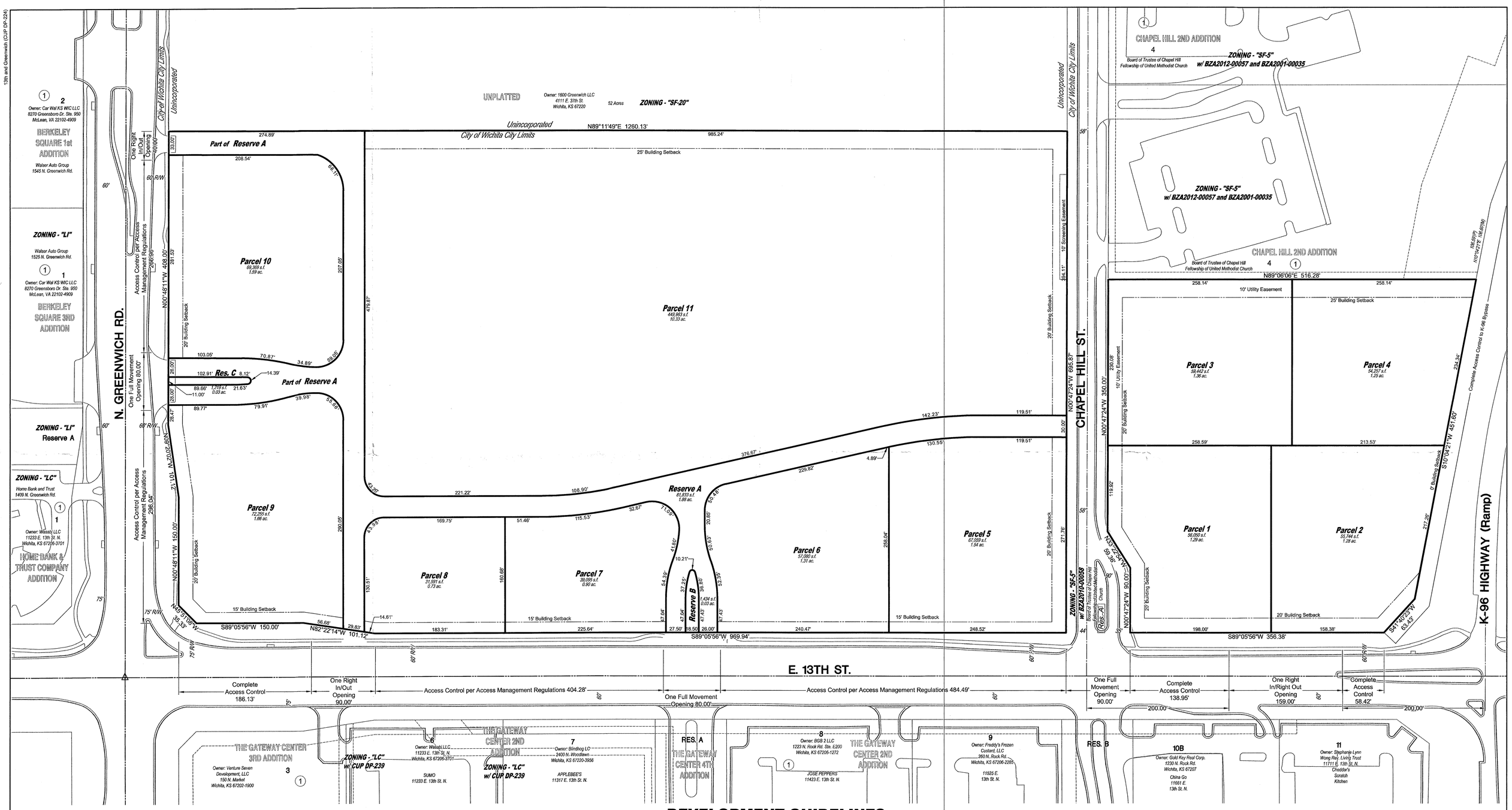


DEVELOPMENT GUIDELINES

General Provisions

1. This development contains 25.17 acres or 1,096,391 square feet, more or less.

2. Parcel Descriptions:

Parcel 1
Gross Area = 1.29 ac. or 56,050 sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Max. Bldg. Coverage = 30% (16,815 sf.)
Max. Gross Floor Area = 35% (19,618 sf.)

Parcel 2
Gross Area = 1.28 ac. or 55,744 sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Max. Bldg. Coverage = 30% (16,723 sf.)
Max. Gross Floor Area = 35% (19,510 sf.)

Parcel 3
Gross Area = 1.36 ac. or 59,442 sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Max. Bldg. Coverage = 30% (17,833 sf.)
Max. Gross Floor Area = 35% (20,805 sf.)

Parcel 4
Gross Area = 1.25 ac. or 54,257 sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Max. Bldg. Coverage = 30% (16,277 sf.)
Max. Gross Floor Area = 35% (18,990 sf.)

Parcel 5
Gross Area = 1.54 ac. or 67,059 sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Max. Bldg. Coverage = 30% (20,118 sf.)
Max. Gross Floor Area = 35% (23,471 sf.)

Parcel 6
Gross Area = 1.31 ac. or 57,080 sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Max. Bldg. Coverage = 30% (17,124 sf.)
Max. Gross Floor Area = 35% (19,978 sf.)

Parcel 7
Gross Area = 0.90 ac. or 39,095 sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Max. Bldg. Coverage = 30% (11,729 sf.)
Max. Gross Floor Area = 35% (13,683 sf.)

Parcel 8
Gross Area = 0.72 ac. or 31,591sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Max. Bldg. Coverage = 30% (9,477 sf.)
Max. Gross Floor Area = 35% (11,057 sf.)

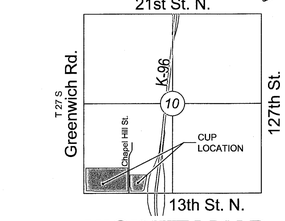
Parcel 9
Gross Area = 1.66 ac. or 72,255 sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Max. Bldg. Coverage = 30% (21,677 sf.)
Max. Gross Floor Area = 35% (25,289 sf.)

Parcel 10
Gross Area = 1.59 ac. or 69,369 sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Max. Bldg. Coverage = 30% (20,811 sf.)
Max. Gross Floor Area = 35% (24,279 sf.)

Parcel 11
Gross Area = 10.33 ac. or 449,963 sf.
Maximum Height = shall be as per LC Zoning Code. See Airport Hazard Note #1.
Maximum Height of Pole Structures for Driving Range: 150 feet (if within compliance with the Airport Hazard Note #2)
Max. Bldg. Coverage = 30% (134,989 sf.)
Max. Gross Floor Area = 50% (224,982 sf.)

Reserves A, B, and C
Gross Area = 1.92 ac. or 83,469 sf.

APPROVED CUP
MAPD Mark S. 2020
MAPC 2 of 2

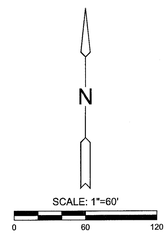


VICINITY MAP

AIRPORT HAZARD NOTE:

1.) 80 feet, plus two feet of additional height for each foot of Setback beyond the minimum required Setback (if within compliance with the Airport Hazard Note), otherwise 75 feet.

2.) This property is within Zone B on the Airport Hazard Zone Map for Raytheon Airport. Maximum height of all buildings and structures is restricted to 75 feet. Modifications to the height of any and all buildings and/or structures shall be subject to the provisions of the Wichita-Sedgwick County Airport Hazard Zoning Code, Section 28-08 of the Wichita Municipal Code, and amendments thereto.



LEGAL DESCRIPTION

Lots 1, 2, 3, and 4, Block 1, Chapel Hill Third Addition, an addition to Wichita, Sedgwick County, Kansas,
TOGETHER WITH,
Lots, 1, 2, 3, 4, 5, 6, and 7, Block 1, and Reserves A, B, and C, 13th and Greenwich Addition, an addition to Wichita, Sedgwick County, Kansas.

3. Land Uses:
The following uses are permitted for Parcels within the CUP:
A. All allowed uses permitted within the LC Limited Commercial Zoning District with the following EXCEPTIONS; No Parcels within this CUP shall allow: Manufactured Home; Group Residence, Limited and General; Cemetery; Correctional Placement Residence, Limited and General; Recycling Collection Station, Private and Public; Reverse Vending Machine; Animal Care, General; Funeral Home; Marine Facility, Recreational; Monument Sales; Parking Area, Commercial; Pawn Shop; Recreational Vehicle Campground; Riding Academy or Stable; Rodeo in the City; Sexually Oriented Business in the City; Tattooing and Body Piercing Facility; Construction Sales and Service; Kennel - Hobby; Kennel - Boarding/Breeding/Training; Asphalt or Concrete Plant, Limited and General; Manufacturing, Limited and General; Mining or Quarrying; Rock Crushing; Solid Waste Incinerator; Storage, Outdoor, as a primary use; and Vehicle Storage Yard; Welding or Machine Shop; Agricultural Sales and Services.
B. The uses of Taverns and Drinking Establishments, Clubs, Nightclubs in the City, Entertainment Establishments in the City, and Recreation & Entertainment Outdoor are allowed on Parcels 1, 2, 5, 6, 7, 8, 9, 10, and 11. Outdoor uses shall cease operations by 2:00 A.M. A site plan for Outdoor Recreation & Entertainment shall be submitted for approval by the Director of Planning prior to the issuance of a building permit. If used for an outdoor golf driving range, the height of poles devoted to protecting the surrounding area shall be permitted to a height of 150 feet, subject to the provisions of the Wichita-Sedgwick County Airport Hazard Zoning Code, Section 28-08 of the Wichita Municipal Code, and amendments thereto. The uses of Golf Driving Range, Full-Service Restaurant and Bar, Event Space, Entertainment Complex, Mini Golf, and outdoor seating/dining are permitted.
C. On Parcels 3 and 4, the north facade of buildings shall prohibit overhead doors within the west 400 feet. All overhead doors shall be screened from ground view from the adjoining property to the north.
D. The compatibility setback standards, compatibility height standards, and compatibility noise standards are waived on all Parcels.
E. Internal Parcel compatibility shall be managed by the developer with covenants, conditions, and restrictions.
F. The uses permitted by the CUP are only those uses permitted by right and not by Conditional Use, unless specifically identified herein.

4. Architectural Controls: All buildings within the CUP shall share a uniform architectural character, color, and similar predominate exterior building material, as determined by the Director of Planning. The exterior building materials may include metal as façade if it is not the only exterior building material.

5. Landscaping for this site shall be required as follows:
A. Landscaped street yards, buffers, and parking lot landscaping and 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).
C. A financial guarantee for the plant material approved on the landscape plan for that portion of the CUP being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
D. Failure to properly maintain the required landscaping shall be considered a violation of the CUP after the determination by the Director of Planning.

6. Lighting:
A. Lighting shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV; as well as the provisions of the Wichita-Sedgwick County Airport Hazard Zoning Code, Section 28-08 of the Wichita Municipal Code, and the amendments thereto.
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 MAPD.
C. All Parcels are allowed light poles up to 30 feet including the ground bases. This 30-foot height allowances shall be permitted within the north 200 feet of Parcels 3, 4, 10 and 11 including where adjoining the existing place of worship and agricultural land uses.
D. Parcel 11, if developed as an outdoor driving range and entertainment facility shall be allowed to have exposed LED lighting strips at each hitting bay in conjunction with its regular operation. Such LED lights are not full cut-off light fixtures, but rather directionally oriented lights (generally in an easterly direction). A lighting master plan shall be provided and approved by the Director of Planning and MABCD prior to the installation of any exterior lighting.
E. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.

7. Screening for this site shall be required as follows:
A. Rooftop mechanical equipment shall be screened from ground level view per Wichita-Sedgwick County Unified Zoning Code.
B. Trash receptacles, loading docks, and loading areas shall be appropriately screened to reasonably hide them from ground view with fencing and/or landscaping.
C. Unless otherwise noted screening shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV and Section III-C.2.b.
D. A 6 to 8 foot tall screening wall shall be provided along the north property line. The screening wall may be substituted with a dense landscape buffer consisting of a mix of evergreen trees on to of a berm, shrubs, deciduous trees. At the time of planting, deciduous trees shall be a minimum of 2 inch in diameter and evergreen trees shall be a minimum of 6 feet in height. A landscape installation and maintenance plan for the dense landscape buffer shall be prepared by a Kansas Landscape Architect and submitted for review and approval by the Director of Planning. As needed, the screening wall may be used in combination with the dense landscape buffer.
E. Screening shall be provided along the east 20 feet of the north 205.75 feet of Parcel 11, except the north 60 feet thereof consistent with the provisions of 7.D.
F. Failure to properly maintain the required landscape buffer shall be considered a violation of the CUP after a joint determination by the Director of Planning and the Superintendent of the MABCD

8. Building Setbacks are as shown hereon; 15 foot along 13th Street, 20 foot along Greenwich Road and Chapel Hill Street frontages, 25 foot along the north lines of Parcels 3 and 4, if not shown they shall be as specified in Wichita-Sedgwick County Unified Zoning Code for the corresponding base zoning district property development standards or as specified below. If contiguous Parcels are developed under the same ownership, setbacks between such Parcels will not be required. If not contiguously owned the minimum side/rear setback shall be 10 feet.

9. Parking: All Parcels, shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV-A, and amendments thereto, unless otherwise specified. Parcel 11, if developed as a single-story outdoor driving range and entertainment facility shall have a minimum of four parking spaces per hitting bay.

10. Utilities: No occupancy permits shall be issued for any development without services by municipal water and sewer. All proposed new utilities shall be installed underground; unless it is prohibitive due to groundwater depth.

11. Signs: Are as permitted under the current Sign Code of the City of Wichita, and amendments thereto. Additionally, the following conditions apply:
All tenant and development signs shall be either monument or pylon type signs.
There shall be five sizes of signage allowed within the CUP.
A. Highway Frontage - Two signs having a maximum height of 70 feet and an area each not exceeding 468 square feet is allowed.
B. Arterial Frontage - Three signs having maximum heights of 30 feet and an area each not exceeding 281 square feet are allowed.
C. Arterial Frontage - Four signs having maximum heights of 21 feet and an area each not exceeding 255 square feet are allowed.
D. Arterial Frontage - Seven signs having maximum heights of 10 feet and an area each not exceeding 28 square feet are allowed.
E. Chapel Hill Frontage - Seven signs having maximum heights of 15 feet and an area each not exceeding 85 square feet are allowed.
The developer/owners shall be responsible for allocating the sign areas per the below frontage limitations.
Chapel Hill Street Frontage: The maximum allowable sign area is 598 square feet. (0.5 x linear frontage)
Greenwich Road, 13th Street and K-96 Frontages: The maximum allowable sign area is 2,994 square feet (0.8 x linear frontage).
Sign area square footages shall be defined by the tenant advertising area. Development identification areas shall be excluded from the area calculation.
F. Temporary signs are permitted on all Parcels; said temporary signs may also be further restricted by declarations of covenants conditions and restrictions on file with the Sedgwick County Register of Deeds.
G. Flashing signs, rotating or moving signs, signs with moving lights, signs which create illusion of movement are not permitted; provided however, electronic message signs are allowed along Greenwich Road, 13th Street and K-96 frontages.
H. Portable, billboards, and off-site signs are prohibited.
I. Window display signs are limited to 25% of the window area.
J. No building signs shall be allowed on the north side of any buildings on Parcel 3, 4, 10, or 11.
K. Building signage shall be permitted within the CUP. Building signage shall be limited to 20% of the wall area of each building elevation and no individual sign shall exceed 400 square feet in area.
L. Accent lighting of monument and monument signs shall be permitted.
M. Two temporary signs, one on Greenwich frontage and one on 13th/ frontage, having square footage of 120 square feet each, that will have its message replaced three times during a 90-day time period are allowed. The 90-day time period shall begin running from the time the sign permit is issued.
N. Prior to the installation of a monument or pylon type sign in the development, an overall sign concept plan for the development indicating the proposed location, height, and size of permitted signage shall be submitted to the Planning Director for review and approval. All The signs within the development shall conform to the general location, height, and size as indicated on the approved sign plan. The signs shall not exceed the maximum areas, height, and spacing as set forth herein. Revisions to the sign plan can be submitted for review and approval by the Director of Planning provided the overall signage permitted by the CUP is maintained.

12. Transportation improvements and Parcel access shall be provided as follows:
A. A cross-lot circulation agreement shall be required prior to the issuance of building permits.
B. Access controls are as shown and/or on the revised upon the CUP
C. A median extension shall be provided at the west intersection of 13th Street and K-96 Highway prior to the opening of the right/in-right/out drive east of Chapel Hill Street. Such median extension shall be extended west of the right/in-right/out drive to prohibit full turning movements.
D. An overall site circulation plan shall be submitted for review and approval by the Director of Planning, in concurrence with the Zoning Administrator, Fire Chief/Marshal and Traffic Engineer. The circulation plan shall assure smooth internal vehicular and pedestrian movements, pedestrian connectivity to major arterial and within buildings on the CUP and may provide connections to adjoining properties, and ensure that the main drives are not blocked by parking spaces directly backing onto the main drive aisles.
E. A plan for a pedestrian walk system shall be a requirement of the CUP. The walk system shall link proposed buildings with the entrances and sidewalks to 13th Street and Greenwich Road and shall be assured by required submission and approval of circulation plans by the Director of Planning prior to issuing building permits.

13. Title: The transfer of the title on all or any portion of the land included in the Community Unit Plan does not constitute a termination of the plan or any portion thereof; but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns and amended. However, the Director of the MAPD, with the concurrence of the Zoning Administrator, may approve minor adjustments to the conditions in this overlay, consistent with the approved development plan, without filing a formal ordinance amendment.

14. 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.

15. 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 CUP shall be done in accordance with the Unified Zoning Code.

16. Amendment CUP2020-00003 merged Chapel Hill CUP DP-349 and Dillons 13th and Greenwich CUP DP-244. It also supersedes both CUP's as 13th and Greenwich CUP DP-224 as approved/amended. ZZT 6/1/2020

MAPD STAMP

COMMUNITY UNIT PLAN DP-224

13TH AND GREENWICH

OWNER / DEVELOPER:
CH Partners, LLC, Woodlawn 37, LLC, and Venture Seven Development Company, LLC, Attn: Amy J. Liebau 150 N. Main St. Wichita, KS 67202 316.262.6400

CASE HISTORY

Orig. Case No. CUP_____ Date: June, 26 1996
CUP Adj. CUP2005-00051 Date: 2005
Orig. Case No. CUP2018-00039 Date: Approved October 18, 2018 (CUP DP-348)
Amendment CUP2020-00003 Date: Approved March 5, 2020
Merged DP-348 into DP-224

MKEC
Wichita, KS • 316.684.9600

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13th and Greenwich (CUP DP-224)