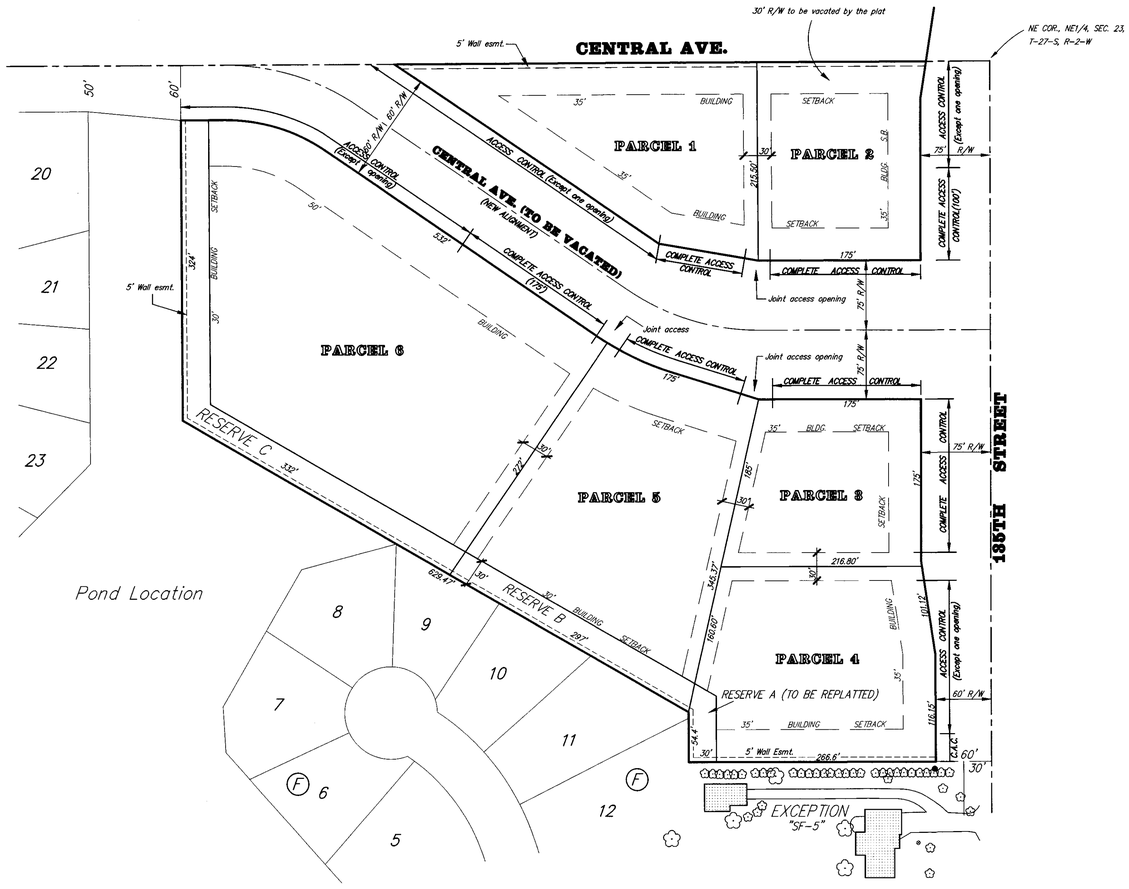
HIGHLAND SPRINGS
COMMUNITY UNIT PLAN
DP - 233



GENERAL PROVISIONS:

1. Total Land Area: 387,371 sq.ft. or 8.89 acres
   A. Net Land Area (Not Includung Reserves): 349,944 sq.ft. or 8.03 acres
2. Total Gross Floor Area: 122,480 sq.ft.
   Total Floor Area Ratio: 35 Percent
3. Parking shall be provided in accordance with Section 28.04.140 et.seq. of the Code of the City of Wichita, unless otherwise specified in the parcel description.
4. Setbacks are as indicated on the C.U.P. drawing, or as specified in the parcel descriptions. If contiguous parcels are to be developed under the same ownership, setbacks between those parcels will not be required.
5. A Drainage Plan shall be submitted to City Engineering for approval. Required guarantees for drainage shall be provided at the time of platting improvements.
6. Approval of Amendment #1 shall be contingent upon the replatting of the Highland Springs Commercial Addition, which shall address the realigned street right-of-way, parcel layout, elimination of a portion of Reserve A, and any other alteration created by the plat. The applicant shall provide four copies of an updated C.U.P. following the replat. Guarantees for left turn center lanes and right turn decel lanes to all full movement approaches, and other specific street improvements for 135th St W. and Central Ave., shall be further reviewed and determined at the time of platting.
7. Signs shall be in accordance with the Sign Code of The City of Wichita with the following conditions:
   A. As the frontage develops along the arterial roadways, monument type signs shall be spaced a minimum of 150' apart, irrespective of how land is leased or sold.
   B. Flashing signs, rotating or moving signs, signs with moving lights or signs which create illusions of movement are not permitted.
   C. Portable, LED, and off-site signs are not permitted.
   D. Window display signs are limited to 25% of the window area.
   E. No signs shall be allowed on the rear of any buildings.
   F. Signs shall be limited to one monument type sign per frontage for Parcel 3 and 4, no taller than 8 feet in height, and be limited to 48 square feet in area. Parcels 1, 2, 5, and 6 shall each be limited to a monument type sign no taller than 12 feet in height and a maximum of 60 square feet of signage. No signage shall be permitted in Reserve A, B, and C. Signs are not permitted within the south 100 feet of Parcel 4.
8. Access Controls shall be as shown on the final plat.
9. A temporary easement for Central Avenue will be provided until the improvements to the new alignment of Central are completed.
10. All exterior lighting shall be shielded to direct light disbursement in a downward direction.
11. All parcels shall share similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
    A. Limited height of light poles to 14 feet within 100 feet of abutting residential-zoned property, and 20 feet on the remainder of the tract.
    B. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.
12. Utilities shall be installed underground on all parcels.
13. Landscaping for this site shall be required as follows:
    A. Requirements for street yard landscaping and buffer strip trees will be calculated at 1.5 times the minimum ordinance requirements. Requirements for parking lot landscape shall comply with the 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 Planning Department for their review and approval prior to issuance of a building permit.
    C. A financial guarantee for the plant material approved on the landscape plan for that portion of the C.U.P. being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
14. Screening Walls:
    A. A six (6) foot high concrete wall shall be constructed along property lines of the C.U.P. where adjacent to residential zoning (See Drawing). An eight (8) foot high concrete wall shall be constructed along the south property line of Parcel 4 where adjacent to residential zoning (see drawing).
    B. This solid concrete wall shall be constructed of a pattern and color that is consistent with the building walls.
15. Rooftop mechanical equipment shall be screened from ground level view per Unified Zoning Code.
16. Trash receptacles, loading docks, outdoor storage, and loading areas shall be appropriately screened, with similar materials to the main building, to reasonably hide them from ground view, and shall be prohibited within 50 feet of residential-zoned property within Parcel 4. Trash collection shall be limited to between the hours of 6:00 am to 10:00 pm within Parcel 4.
17. All buildings in the C.U.P. shall share uniform architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs must have predominantly earth-tone colors, with vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas. The building in Parcel 4 shall appear residential in character.
18. 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. Fire hydrant installation and paved access to all to all building sites shall be provided for each phase of construction prior to the issuance of building permits.
19. Existing Parcels 1-3, 5 and 6 (Proposed Parcels 1-3) shall be zoned "LC" Limited Commercial. Parcel 4 shall be zoned "GO" General Office and limited to the uses and development standards of the "NO" Neighborhood Office zoning district, with the allowance of ancillary parking to serve the CUP. No parcel within this C.U.P. shall allow the use of adult entertainment establishments; sexually oriented business; correctional placement residences; group residential; night club in the city; and tavern and drinking establishment. Parcel 3 shall prohibit the following uses: convenience stores, service stations, vehicle repair, and restaurants with drive-through facilities. Restaurants that serve liquor can be developed and may serve liquor, as long as food is the primary service of the establishment. Where permitted, restaurants with drive-through windows shall be designed to ensure queuing lanes for drive-through windows will not align vehicle headlights in such a manner as to face residential uses. No overhead doors shall be allowed within 200 feet of residential uses and shall not be facing any residential zoning district. Exterior audio systems that project sound beyond the boundaries of the C.U.P. are prohibited.
20. The Transfer of title of all or any portion of 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.
21. No single use shall occupy more than 8,000 square feet of floor area, with the exception of a grocery store, drug store, or furniture store.
22. Amendments, adjustments or interpretations to this C.U.P. shall be done in accordance with Article V, Section E, 13-15 of the Unified Zoning Code.
23. 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.
24. Any major changes in this development plan shall proceed in be submitted to the Planning Commission and to the Governing Body for their consideration.

PARCEL 1

A. Net Area: 50,061 sq.ft. or 1.15 acres
B. Maximum Building Coverage: 15,018 sq.ft. or 30 percent
C. Maximum Gross Floor Area: 17,521 sq.ft.
D. Floor Area Ratio: 35 percent
E. Maximum Number of Buildings: One (1)
F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
G. Setbacks: See Drawing for Setbacks
H. Access Points: See Drawing
I: Zoning: "LC" Limited Commercial

PARCEL 2

A. Net Area: 38,066 sq.ft. or .87 acres
B. Maximum Building Coverage: 11,420 sq.ft. or 30 percent
C. Maximum Gross Floor Area: 13,323 sq.ft.
D. Floor Area Ratio: 35 percent
E. Maximum Number of Buildings: One (1)
F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
G. Setbacks: See Drawing for Setbacks
H. Access Points: See Drawing
I: Zoning: "LC" Limited Commercial

PARCEL 3

A. Net Area: 35,225 sq.ft. or .81 acres
B. Maximum Building Coverage: 10,568 sq.ft. or 30 percent
C. Maximum Gross Floor Area: 12,329 sq.ft.
D. Floor Area Ratio: 35 percent
E. Maximum Number of Buildings: One (1)
F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
G. Setbacks: See Drawing for Setbacks
H. Access Points: See Drawing
I: Zoning: "LC" Limited Commercial

PARCEL 4

A. Net Area: 52,798 sq.ft. or 1.24 acres
B. Maximum Building Coverage: 15,839 sq.ft. or 30 percent
C. Maximum Gross Floor Area: 18,479 sq.ft.
D. Floor Area Ratio: 35 percent
E. Maximum Number of Buildings: One (1)
F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
G. Setbacks: See Drawing for Setbacks
H. Access Points: See Drawing
I: Zoning: "LC" Limited Commercial

PARCEL 5

A. Net Area: 74,027 sq.ft. or 1.69 acres
B. Maximum Building Coverage: 22,208 sq.ft. or 30 percent
C. Maximum Gross Floor Area: 25,909 sq.ft.
D. Floor Area Ratio: 35 percent
E. Maximum Number of Buildings: 2 (Two)
F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
G. Setbacks: See Drawing for Setbacks
H. Access Points: See Drawing
I: Zoning: "LC" Limited Commercial

PARCEL 6

A. Net Area: 117,867 sq.ft. or 2.71 acres
B. Maximum Building Coverage: 35,360 sq.ft. or 30 percent
C. Maximum Gross Floor Area: 41,253 sq.ft.
D. Floor Area Ratio: 35 percent
E. Maximum Number of Buildings: 2 (Two)
F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
G. Setbacks: See Drawing for Setbacks
H. Access Points: See Drawing
I: Zoning: "LC" Limited Commercial

RESERVES A, B, & C

Uses: Landscaping, irrigation, walls, and utilities confined by easement.

Reserve A	8,718 sq.ft. or 0.20 acres
Reserve B:	9,384 sq.ft. or 0.22 acres
Reserve C:	19,189 sq.ft. or 0.44 acres

LEGAL DESCRIPTION:

Highland Springs Commercial Addition, Wichita, Sedgwick County, Kansas

REVISIONS:

REVISED PER JOURNAL ENTRY:	SEPTEMBER 24, 1999
REVISED PER STAFF COMMENTS:	JULY 27, 2016
AMENDMENT #1 - APPROVED BY MAPC:	OCTOBER 6, 2016
AMENDMENT #1 - APPROVED BY CITY COUNCIL:	NOVEMBER 8, 2016

APPROVED CUP
MAPC Amendment #1 10-6-2016 Elm
WCC Amendment #1 11-8-2016 Elm
Copy 1 of 4

DP-233
HIGHLAND SPRINGS COMMERCIAL
COMMUNITY UNIT PLAN

SCALE: 1" = 80'

Baughman Company, P.A.
315 Ellis St. Wichita, KS 67211 P 316-262-7271 F 316-262-0149
Baughman ENGINEERING | SURVEYING | PLANNING | LANDSCAPE ARCHITECTURE

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 14, 2016

DMD, LLC
c/o Murfin Oil
Attn: Jeremy Hurt
250 N Water
Wichita, KS 67202

Baughman Company, P.A.
Attn: Russ Ewy
315 Ellis
Wichita, KS 67211

RE: **ZON2016-00037 and CUP2016-28** - City zone change from SF-5 Single-Family Residential to GO General Office associated with Highland Springs Commercial CUP DP-233 generally located at the southwest corner of 135th Street West and West Central

Dear Applicants:

At its regular meeting on **November 8, 2016**, the Wichita City Council considered the above captioned request. The action of the Council was to **APPROVE** the request of the zone change as per staff recommendation with the added conditions:

1. An eight foot high concrete wall shall be constructed along the south property line of Parcel 4 where adjacent to residential zoning.
2. Prohibit signs within 100 feet of south property line on Parcel 4.
3. Trash receptacles, loading docks, outdoor storage and loading areas shall be prohibited within 50 feet of residential-zoned property within Parcel 4; trash collection shall be limited to the hours between 6:00 a.m. and 10 p.m. within Parcel 4.
4. Existing Parcels 1-3, 5 and 6 (Proposed Parcels 1-3) shall be zoned LC Limited Commercial. Parcel 4 shall be zoned GO General Office and limited to the uses and development standards of the NO Neighborhood Office zoning district, with the allowance of ancillary parking to serve the CUP.
5. Parcel 3 shall prohibit the following uses: convenience stores, service stations, vehicle repair, and restaurants with drive-through facilities.

6. Where permitted, restaurants with drive-through windows shall be designed to ensure queuing lanes will not align vehicle headlights in such a manner as to face residential uses.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Kathy L. Morgan
Senior Planner
Metropolitan Area Planning Department

Copies to: Lori Marceau, 431 N. 135th Street West, Wichita, KS 67235
Chris Latham, 605 N. Forestview Ct., Wichita, KS 67235
Robert Lamberger, 13738 W. Hardtner Ct., Wichita, KS 67235
David Dennis, 615 N. Rainbow Lake Rd., Wichita, KS 67235
Ray Prieksat, 14342 W Hardtner Ct., Wichita, KS 67235
Walter Wolff, 13640 W. Highland Springs Ct., Wichita, KS 67235
Anne Krueger, 518 N. Forestview Ct., Wichita, KS 67235
Steven Schulte, 13718 W. Hardtner Ct., Wichita, KS 67235
Ron and Jan Mueller, 13718 W Hardtner Ct., Wichita, KS 67235
Michael & Sara Prather, 13722 W. Highland Springs Ct., Wichita, KS 67235
WCC V, Brian Frye, Mail Stop 1-13
CSR District V, Laura Rainwater, Mail Stop 1-135
Jeff Van Zandt, City Law, Mail Stop 1-132
Paul Hays, MABCD, Mail Stop 1-72
JR Cox, Jr., MABCD, Mail Stop 1-72
Julianne Kallman, Engineering, Mail Stop 1-71