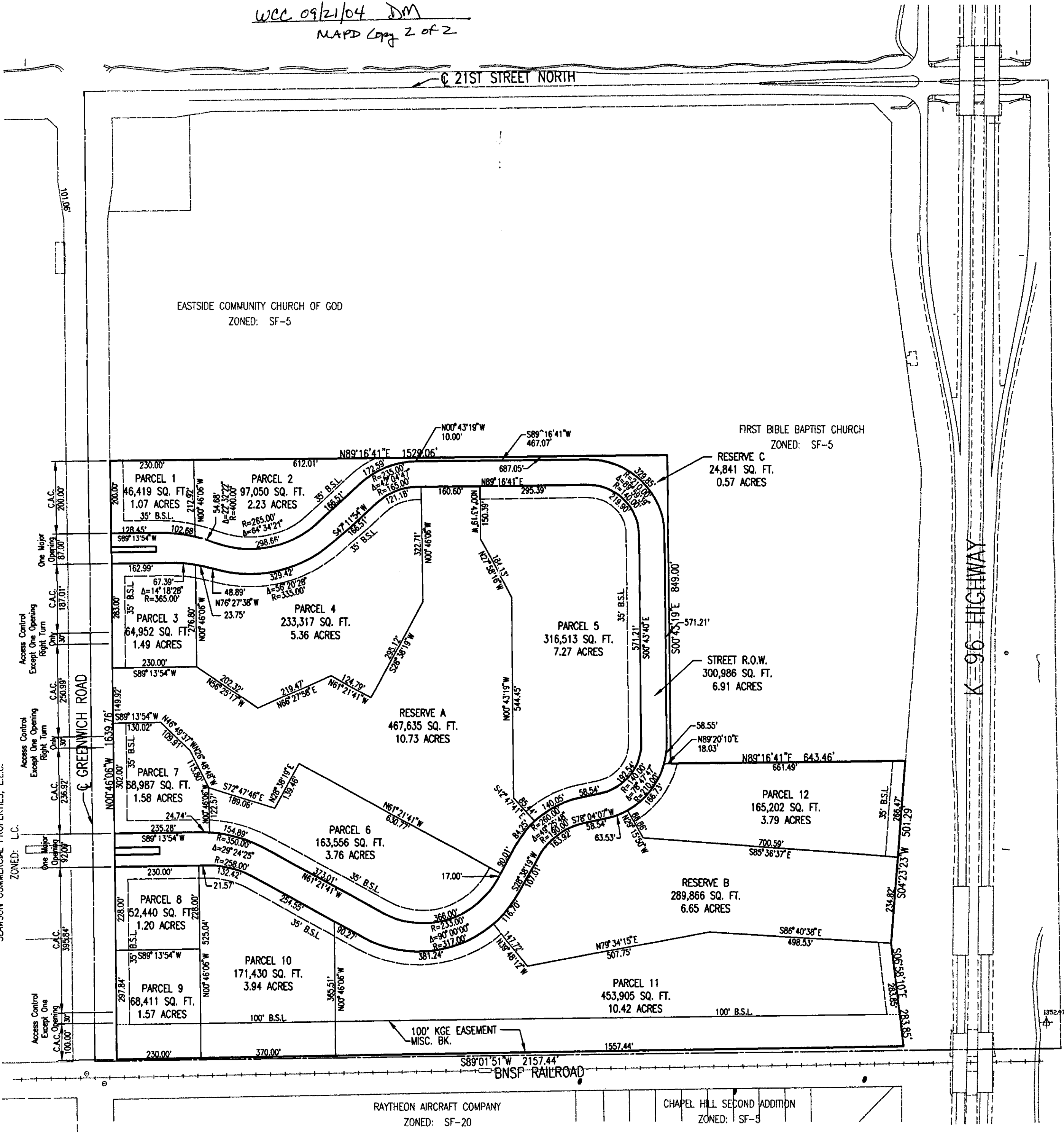


COMMUNITY UNIT PLAN DP-277

BRUCE BROWN PROPERTY

OWNER: BRUCE AND SHARON K. BROWN
2000 N. GREENWICH ROAD
WICHITA, KANSAS 67206

DP-277
APPROVED CUP
MAPC 08/19/04 DM
WCC 09/21/04 DM
MAPD Log 2 of 2



GENERAL PROVISIONS

1. THIS PROJECT IS PROPOSED TO CONTAIN 70.796 GROSS ACRES OR 68,537 NET ACRES. NET ACRES ARE DETERMINED BY SUBTRACTING ARTERIAL STREET RIGHT-OF-WAY FROM THE GROSS ACRES.

2. PARCEL DESCRIPTIONS:
NOTE: UNLESS OTHERWISE SPECIFIED, MAXIMUM GROSS FLOOR AREA AND MAXIMUM BUILDING COVERAGE ARE THE SAME.

RESERVE "A"
PERMITTED USES: DRAINAGE DETENTION, SIDEWALKS, UTILITIES AND RECREATION
GROSS AREA= 10.73 ACRES (467,635 SQ.FT.)

RESERVE "B"
PERMITTED USES: DRAINAGE DETENTION, SIDEWALKS, UTILITIES AND RECREATION
GROSS AREA= 6.65 ACRES (289,866 SQ.FT.)

RESERVE "C"
PERMITTED USES: DRAINAGE DETENTION, SIDEWALKS, UTILITIES, ACCESS DRIVES AND RECREATION
GROSS AREA= 0.57 ACRES (24,841 SQ.FT.)

PARCEL 1
PROPOSED USES: SEE G.P. #3
GROSS AREA= 1.07 ACRES (46,419 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 10,000 SQ.FT. (21.5%)
MAXIMUM BUILDING HEIGHT= SEE G.P. #26

PARCEL 2
PROPOSED USES: SEE G.P. #3
GROSS AREA= 2.23 ACRES (97,050 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 25,000 SQ.FT. (25.7%)
MAXIMUM GROSS FLOOR AREA= SEE G.P. #24
MAXIMUM BUILDING HEIGHT= 55 FEET

PARCEL 3
PROPOSED USES: SEE G.P. #3
GROSS AREA= 1.49 ACRES (64,952 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 18,000 SQ.FT. (27.7%)
MAXIMUM BUILDING HEIGHT= SEE G.P. #26

PARCEL 4
PROPOSED USES: SEE G.P. #3
GROSS AREA= 5.36 ACRES (233,317 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 70,000 SQ.FT. (30.0%)
MAXIMUM GROSS FLOOR AREA= SEE G.P. #24
MAXIMUM BUILDING HEIGHT= 55 FEET

PARCEL 5
PROPOSED USES: SEE G.P. #3
GROSS AREA= 7.27 ACRES (316,513 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 95,000 SQ.FT. (30.0%)
MAXIMUM GROSS FLOOR AREA= SEE G.P. #24
MAXIMUM BUILDING HEIGHT= 55 FEET
DENSITY - 130 D.U. (18 D.U. PER ACRE : RESIDENTIAL USES)
SETBACKS - PER CODE

PARCEL 6
PROPOSED USES: SEE G.P. #3
GROSS AREA= 3.76 ACRES (163,556 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 40,000 SQ.FT. (24.5%)
MAXIMUM GROSS FLOOR AREA= SEE G.P. #24
MAXIMUM BUILDING HEIGHT = 55 FEET

PARCEL 7
PROPOSED USES: SEE G.P. #3
GROSS AREA= 1.58 ACRES (68,987 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 19,000 SQ.FT. (27.5%)
MAXIMUM BUILDING HEIGHT - SEE G.P. #26

PARCEL 8
PROPOSED USES: SEE G.P. #3
GROSS AREA= 1.20 ACRES (52,440 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 13,000 SQ.FT. (24.8%)
MAXIMUM BUILDING HEIGHT - SEE G.P. #26

PARCEL 9
PROPOSED USES: SEE G.P. #3
GROSS AREA= 1.57 ACRES (68,411 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 16,000 SQ.FT. (23.4%)
MAXIMUM BUILDING HEIGHT - SEE G.P. #26

PARCEL 10
PROPOSED USES: SEE G.P. #3
GROSS AREA= 3.94 ACRES (171,430 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 43,000 SQ.FT. (25.1%)
MAXIMUM GROSS FLOOR AREA= SEE G.P. #24
MAXIMUM BUILDING HEIGHT - 55 FEET
DENSITY - 187 D.U. (18 D.U. PER ACRE : RESIDENTIAL USES)
SETBACKS - PER CODE

PARCEL 11
PROPOSED USES: SEE G.P. #3
GROSS AREA= 10.42 ACRES (453,905 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 91,000 SQ.FT. (20.0%)
MAXIMUM GROSS FLOOR AREA= SEE G.P. #24
MAXIMUM BUILDING HEIGHT - 55 FEET
DENSITY - 187 D.U. (18 D.U. PER ACRE : RESIDENTIAL USES)
SETBACKS - PER CODE

PARCEL 12
PROPOSED USES: SEE G.P. #3
GROSS AREA= 3.79 ACRES (165,202 SQ.FT.)
MAXIMUM BUILDING COVERAGE= 49,000 SQ.FT. (29.6%)
MAXIMUM GROSS FLOOR AREA= SEE G.P. #24
MAXIMUM BUILDING HEIGHT - 55 FEET
DENSITY - 63 D.U. (18 D.U. PER ACRE : RESIDENTIAL USES)
SETBACKS - PER CODE

STREET R.O.W. = 6.91 ACRES (300,986 SQ.FT.)

3. PERMITTED USES: ALL USES PERMITTED IN THE L.C. ZONING DISTRICT EXCEPT FOR CORRECTIONAL PLACEMENT RESIDENCES, VEHICLE STORAGE YARDS, GENERAL VEHICLE REPAIR, OUTDOOR STORAGE, PAWN SHOPS, NIGHTCLUBS, ASPHALT OR CONCRETE PLANTS, SEXUALLY ORIENTED BUSINESSES, AND ADULT ENTERTAINMENT AS DEFINED BY CITY CODE. THE USES OF CONVENIENCE STORE WITH GAS ISLANDS, SERVICE STATION, AND LIMITED VEHICLE REPAIR SHALL BE LIMITED TO A COMBINED MAXIMUM OF TWO SUCH USES, AND SHALL BE RESTRICTED TO PLACEMENT WITHIN PARCELS 1, 2, 3, 4, 7, 8, 9 OR 10. DRIVE-IN OR DRIVE-THROUGH FACILITIES SHALL NOT BE PERMITTED WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY OR FACING RESIDENTIAL DISTRICTS. HOTEL OR MOTEL USE WOULD BE PERMITTED FOR PARCELS 5, 6, 11 AND 12 SUBJECT TO THE SUPPLEMENTAL USE REQUIREMENTS OF THE UNIFIED ZONING CODE, EXCEPT A WAIVER OF THE ARTERIAL STREET REQUIREMENT IS APPROVED. SELF-STORAGE WAREHOUSE SHALL BE PERMITTED FOR PARCELS 11 AND 12 SUBJECT TO THE SUPPLEMENTAL USE REQUIREMENTS OF THE UNIFIED ZONING CODE, EXCEPT A WAIVER OF THE CONTINUITY WITH LESS RESTRICTIVE ZONING AND THE ARTERIAL STREET REQUIREMENTS IS APPROVED. SEE GENERAL PROVISION #25.

4. 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: 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. HOWEVER, THE PLANNING DIRECTOR, WITH THE CONCURRENCE OF THE CITY SUPERINTENDENT, MAY APPROVE MINOR ADJUSTMENTS TO THE CONDITIONS IN THIS C.U.P., CONSISTENT WITH THE APPROVED DEVELOPMENT PLAN, WITHOUT FILING A FORMAL C.U.P. AMENDMENT.

5. ACCESS CONTROL:
ACCESS TO GREENWICH ROAD SHALL BE LIMITED TO FIVE (5) OPENINGS (3 FULL MOVEMENT AND 2 RIGHT TURN ONLY). PARCEL ONE SHALL HAVE COMPLETE ACCESS CONTROL. THERE SHALL BE ONE MAJOR OPENING BETWEEN PARCEL ONE AND PARCEL THREE. PARCEL THREE SHALL HAVE ACCESS CONTROL EXCEPT ONE OPENING (RIGHT TURN ONLY). PARCEL SEVEN SHALL HAVE ACCESS CONTROL EXCEPT ONE OPENING (RIGHT TURN ONLY). THERE SHALL BE ONE MAJOR OPENING BETWEEN PARCEL SEVEN AND PARCEL EIGHT. PARCEL EIGHT SHALL HAVE COMPLETE ACCESS CONTROL. PARCEL NINE SHALL HAVE ACCESS CONTROL EXCEPT ONE OPENING. (SEE PLAN)

6. LANDSCAPE AND PARKING LOT SCREENING:
SHALL BE IN ACCORDANCE WITH THE CITY OF WICHITA CODE. A LANDSCAPE PLAN INDICATING THE LOCATION, TYPE AND SPECIFICATION OF PLANT MATERIAL SHALL BE SUBMITTED BY A LANDSCAPE ARCHITECT TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT(S). A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED ON THE LANDSCAPE PLAN FOR THAT 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.

7. MINIMUM SETBACK REQUIREMENTS: PER CODE

8. SIGNS SHALL BE IN ACCORDANCE WITH APPROPRIATE CODES 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 (EXCEPT FOR SIGNS SHOWING ONLY TIME, TEMPERATURE AND OTHER PUBLIC SERVICE MESSAGES), ROTATING OR MOVING SIGNS, SIGNS WITH MOVING LIGHTS OR SIGNS WHICH CREATE ILLUSIONS OF MOVEMENT ARE NOT PERMITTED.
C. PORTABLE AND OFF-SITE SIGNS ARE NOT PERMITTED.
D. WINDOW DISPLAY SIGNS, WHETHER INTERIOR OR EXTERIOR, ARE LIMITED TO 25 PERCENT OF THE WINDOW AREA.
E. ONE SIGN SHALL BE ALLOWED ALONG THE K-96 RIGHT OF WAY WITH A MAXIMUM HEIGHT OF 45' AND A MAXIMUM SIGN FACE AREA OF 325 SQ.FT.
F. ALL FREESTANDING SIGNS ON GREENWICH ROAD SHALL BE MONUMENT TYPE SIGNS. TWO SIGNS ON GREENWICH ROAD LOCATED AT THE MAJOR ENTRANCES MAY HAVE A MAXIMUM HEIGHT OF 30' AND A MAXIMUM SIGN FACE AREA OF 300 SQ.FT. PER SIGN. PARCELS 1, 3, 7, 8 AND 9 MAY HAVE SIGNS WITH A MAXIMUM HEIGHT OF 20' AND A MAXIMUM SIGN FACE AREA OF 200 SQ.FT. PER SIGN. THE MAXIMUM SQUARE FOOTAGE OF SIGNAGE ON THE ARTERIAL STREETS SHALL NOT EXCEED 0.8 TIMES THE LINEAL STREET FRONTAGE. THE MAXIMUM NUMBER OF FREESTANDING SIGNS ON GREENWICH SHALL BE SEVEN.
G. COLLECTOR STREET SIGNAGE: SIGNS SHALL BE SPACED A MINIMUM OF 150' APART, SHALL BE NO TALLER THAN 15 FEET AND HAVE A MAXIMUM SIGN FACE AREA OF 100 SQ.FT. THE MAXIMUM SQUARE FOOTAGE OF SIGNAGE ON THE COLLECTOR STREETS SHALL NOT EXCEED 0.5 TIMES LINEAL STREET FRONTAGE.

9. PARKING:
SHALL BE IN ACCORDANCE WITH THE WICHITA-SEDDWICK COUNTY UNIFIED ZONING CODE.

10. ARCHITECTURAL CONTROL:
A. BUILDINGS ON PARCELS 1, 3, 7, 8 AND 9 TOGETHER AS A GROUP SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, UNIFYING ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE. BUILDINGS ON PARCEL 2 SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, UNIFYING ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE. BUILDINGS ON PARCEL 4 SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, UNIFYING ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE. BUILDINGS ON PARCEL 6 SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, UNIFYING ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE. BUILDINGS ON PARCEL 10 SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, UNIFYING ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE. NO FACADES THAT ARE PREDOMINANTLY METAL PANELS SHALL BE ALLOWED, EXCEPT FOR SELF-STORAGE WAREHOUSE USES ON PARCELS 11 AND 12.
B. PARCELS 1, 2, 3, 4, 6, 7, 8, 9 AND 10 SHALL HAVE A CONSISTENT LANDSCAPING PALETTE, LIGHTING AND SIGNAGE.

11. AN AGREEMENT PROVIDING FOR THE MAINTENANCE OF RESERVES, OPEN SPACE, INTERNAL DRIVES, PARKING AREAS, DRAINAGE IMPROVEMENTS, ETC., SHALL BE FILED BY THE TIME THE PLAT IS FILED OF RECORD.

12. NO OCCUPANCY PERMITS SHALL BE ISSUED FOR ANY DEVELOPMENT WITHOUT SERVICES BY THE MUNICIPAL WATER AND SEWER SERVICES.

13. CROSS-LOT CIRCULATION IS TO BE PROVIDED FOR ALL ADJACENT LOTS PLATTED FOR LIMITED COMMERCIAL (L.C.) USES.

14. ALL DRAINAGE WAYS AND EASEMENTS SHALL BE DETERMINED AT THE TIME OF PLATTING.

15. A LOT GRADING PLAN WILL BE PREPARED IN CONFORMANCE WITH THE DRAINAGE CONCEPT PLAN FOR REVIEW PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

16. LOADING AREAS, TRASH RECEPTACLES, OUTSIDE STORAGE, AND DOCKS IN THE C.U.P. SHALL BE SCREENED FROM GROUND LEVEL VIEW ALONG GREENWICH ROAD AND FROM ALL RESIDENTIAL AREAS. SCREENING OF ALL TRASH DUMPSTERS, OUTSIDE STORAGE AND MECHANICAL EQUIPMENT WILL BE CONSTRUCTED OF A MATERIAL TO MATCH THE BUILDINGS THEY SUPPORT.

17. MASONRY WALLS:
A. A SIX (6) FOOT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG PROPERTY LINES OF THE C.U.P. AS REQUIRED BY AND IN CONFORMANCE WITH THE PROVISIONS OF THE UNIFIED ZONING CODE. THE WALL REQUIREMENT SHALL BE WAIVED IF A PARCEL IS DEVELOPED AS A SINGLE-FAMILY OR TWO-FAMILY USE.
B. SCREENING OF NONRESIDENTIAL USES SHALL BE PROVIDED ALONG ALL SIDE OR REAR LOT LINES ADJOINING OR ACROSS AN ALLEY FROM A RESIDENTIAL ZONING DISTRICT, AND SCREENING OF MULTI-FAMILY SHALL BE PROVIDED ALONG ALL SIDE OR REAR LOT LINES ADJOINING OR ACROSS AN ALLEY FROM PROPERTY ZONED IF-3 OR MORE RESTRICTIVE. SOLID SCREENING WITH FENCING OR EVERGREEN VEGETATION MAY BE OMITTED FOR MULTI-FAMILY AND OFFICE USES ALONG ANY SIDE OR REAR LOT LINE, OR PORTION THEREOF WHENEVER SUCH DEVELOPMENT PROVIDES AT LEAST A 15-FOOT WIDE LANDSCAPE BUFFER ADJACENT TO SUCH LOT LINE OR PORTION THEREOF. THE BUFFER SHALL PROVIDE A MINIMUM OF ONE TREE AND FIVE SHRUBS FOR EVERY 30 LINEAL FEET OF ADJACENT PROPERTY LINE OR EQUIVALENT, WITH AT LEAST ONE-THIRD OF THE TREES BEING EVERGREENS, OR COMPLY WITH APPLICABLE STANDARDS OF THE CITY OF WICHITA LANDSCAPE CODE IF THESE ARE MORE STRINGENT.

18. 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.

19. PRIOR TO ISSUING BUILDING PERMITS ON ANY PARCEL, A PLAN FOR A PEDESTRIAN WALK SYSTEM ON THAT PARCEL THAT CONNECTS BUILDINGS TO ARTERIAL AND COLLECTOR SIDEWALKS TO ADJACENT BUILDINGS SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PLANNING.

20. ALL EXTERIOR LIGHTING ON PARCELS ADJACENT TO RESIDENTIAL USES SHALL BE SHIELDED TO DIRECT LIGHT DISBURSEMENT DOWNWARD AND AWAY FROM RESIDENTIAL ZONING.

21. ALL PARCELS WITH COMMERCIAL USES SHALL SHARE SIMILAR OR CONSISTENT PARKING LOT LIGHTING ELEMENTS (I.E. FIXTURES, POLES, AND LAMPS, ETC.).

22. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT, A SITE CIRCULATION PLAN SHALL BE APPROVED THAT PROVIDES FOR SMOOTH FLOW OF TRAFFIC BETWEEN THE PARCEL BEING DEVELOPED AND ALL ADJACENT PARCELS FRONTING ARTERIAL STREETS AND COLLECTOR STREETS. THE C.U.P. MUST ENSURE THAT PRIVATE DRIVE OPENINGS ARE NOT IMPACTED/ BLOCKED BY THE LAYOUT OF PARKING STALLS OR LANDSCAPING.

23. ANY USE FOR WHICH A CONDITIONAL USE PERMIT WOULD BE REQUIRED SHALL REQUIRE A C.U.P. AMENDMENT.

24. THE MAXIMUM GROSS FLOOR AREA SHALL BE INCREASED TO 40 PERCENT FOR PARCELS 2, 4, 5, 6, 10, 11 AND 12 FOR MOTEL OR HOTEL USES, EXCEPT THAT FOR ONE PARCEL IT SHALL BE ALLOWED TO INCREASE ABOVE 40 PERCENT, SUBJECT TO COMPLIANCE WITH THE UNIFIED ZONING CODE AND OTHER C.U.P. REQUIREMENTS INCLUDING BUT NOT LIMITED TO SETBACKS, HEIGHTS, PARKING AND LANDSCAPING.

25. TAVERN AND DRINKING ESTABLISHMENT USES SHALL BE LIMITED TO A COMBINED MAXIMUM OF THREE SUCH USES WITHIN THE ENTIRE C.U.P., SUBJECT TO THE SUPPLEMENTAL USE REQUIREMENTS OF THE UNIFIED ZONING CODE.

26. THE MAXIMUM BUILDING HEIGHT FOR PARCELS 1, 3, 7, 8 AND 9 SHALL BE 35 FEET, EXCEPT ONE PARCEL MAY BE ALLOWED A HEIGHT OF 55 FEET.

27. THE C.U.P. SHALL ALLOW FOR THE CONNECTION OF THE INTERIOR COLLECTOR STREET TO THE DEVELOPMENT TO THE NORTH AND OR EAST.

28. A CONTINUOUS ACCEL/DECEL LANE AND SOUTHBOUND CENTER LEFT TURN LANE AT MAJOR OPENINGS ON GREENWICH ROAD SHALL BE GUARANTEED AT THE TIME OF PLATTING.

29. A PROPORTIONATE SHARE OF TRAFFIC SIGNALIZATION FOR MAJOR OPENINGS SHALL BE GUARANTEED AT THE TIME OF PLATTING.



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