

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1663
(316) 268-4661

November 10, 1988

Baughman Company, P.A.
315 Ellis
Wichita, KS 67211

Re: S/D 88-88 Country Club Park Addition

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on November 10, 1988, the above captioned plat was considered. The action of the Committee was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of November 4, 1988.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the Board of City Commissioners for consideration:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
2. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plattor.
3. Certification that all real estate taxes for 1987 and all prior years have been paid.

Please call if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'R. Timothy Bickhaus'.

R. Timothy Bickhaus
Junior Planner

RTB:svm
Enclosure

cc: Country Club Park Associates, L.P., 9920 E. Harry, Wichita
Kansas 67207

Baughman Co.
S/D 88-88 Country Club Park Addition
Page 2

Gossen Livingston Associates, P.A., 420 S. Emporia, Wichita,
KS 67202
Planning Development Services, Inc., 924 N. Main, Wichita,
KS 67203
Mike Lindebak, City Engineer
Jim Weber, County Engineer

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1683
(316) 268-4561

November 4, 1988

Baughman Company, P.A.
315 Ellis
Wichita, KS 67211

Re: S/D 88-88 Country Club Park Addition

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, November 4, 1988, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee any drainage improvements required by the platting of this property.
- C. The applicant shall guarantee construction of the storm sewers required by this plat.
- D. The following perimeter street improvements shall be guaranteed:
 1. A continuous south bound decel-lane on Webb Road, including that portion of a major entrance within public street right-of-way.
 2. A continuous east bound decel-lane on 13th Street North, including that portion of a major entrance within public street right-of-way.
 3. A north bound left turn lane on Webb Road from south of the major entrance on Lot 2, north to the entrances for Lot 1.
 4. A continuous right turn lane for the 13th and Webb Road intersection.

5. A temporary east bound decel-lane on 13th Street North. This guarantee will be activated if the commercial center is developed prior to improvements on 13th Street.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- G. The final plat shall reference, on the face of the plat as well as in the plattor's text, that building setbacks are per the requirements of the Country Club Park Commercial Community Unit Plan (DP-186) on file with the Wichita-Sedgwick County Metropolitan Area Planning Department.
- H. A note on the face of the plat should indicate that interior building setbacks from common lot and/or C.U.P. parcel boundaries are per the Country Club Park Commercial C.U.P. (DP-186).
- I. The applicant is advised that hard surfaced fire lanes around main structures constructed in the area zoned light commercial ("LC") on this plat, will be required. These fire lanes will need to be designated on the parking plan to be reviewed and approved at the time of building permit review.
- J. The applicant shall submit a copy of the pipeline easements that may encumber this property. Any lowering, relocation or encasement of pipeline made necessary by this plat shall be at the expense of the applicant. It is the applicant's agent's responsibility to research the text of pipeline easement agreements to determine any setback requirement from the pipeline easement or pipeline.
- K. The proposed joint access easement will need to be established by separate instrument with appropriate recording information indicated on the final plat tracing. Prior to recording the joint access easement, a draft shall be submitted to the Planning Department for review and approval. The instrument must clearly state the purpose of

the easement as well as which properties benefit from the easement. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.

- L. As required by the drainage plan for this plat, the applicant shall submit for recording with the plat, a cross-lot drainage agreement. The applicant shall also provide City Engineering with additional information for the detention pond planned for this site. This information must be provided prior to this plat being scheduled for City Council review.
- M. On the final plat tracing the MAPC Chairman's signature block shall be amended to indicate the newly appointed chairman, Sue L. Crockett.
- N. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- O. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- P. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- Q. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- R. Recording of the plat within 30 days after approval by the City Council.

The enclosed "marked" copy of the final plat is for your information files.

S/D 88-88 - COUNTRY CLUB PARK ADDITION
November 4, 1988
Page 4

This matter will be forwarded to the Planning Commission for its consideration on Thursday, November 10, 1988 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



R. Timothy Bickhaus
Junior Planner

RTB:svm
Enclosure

cc: Country Club Park Associates, L.P., 9920 E. Harry Wichita
Kansas 67207
Gossen Livingston Associates, P.A., 420 S. Emporia, Wichita,
KS 67202
Planning Development Services, Inc., 924 N. Main, Wichita,
KS 67203
Mike Lindebak, City Engineer
Jim Weber, County Engineer

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5
November 3, 1988

STAFF REPORT
(Final Plat; Preliminary Plat Approved 10/6/88)

CASE NUMBER: S/D 88-88 - COUNTRY CLUB PARK ADDITION

OWNER/APPLICANT: Country Club Park Associates L.P.

SURVEYOR/ENGINEER: Baughman Company, P.A.

LOCATION: Southwest corner of 13th Street N. and Webb Rd.

SITE SIZE: 15.0+ acres

NUMBER OF LOTS

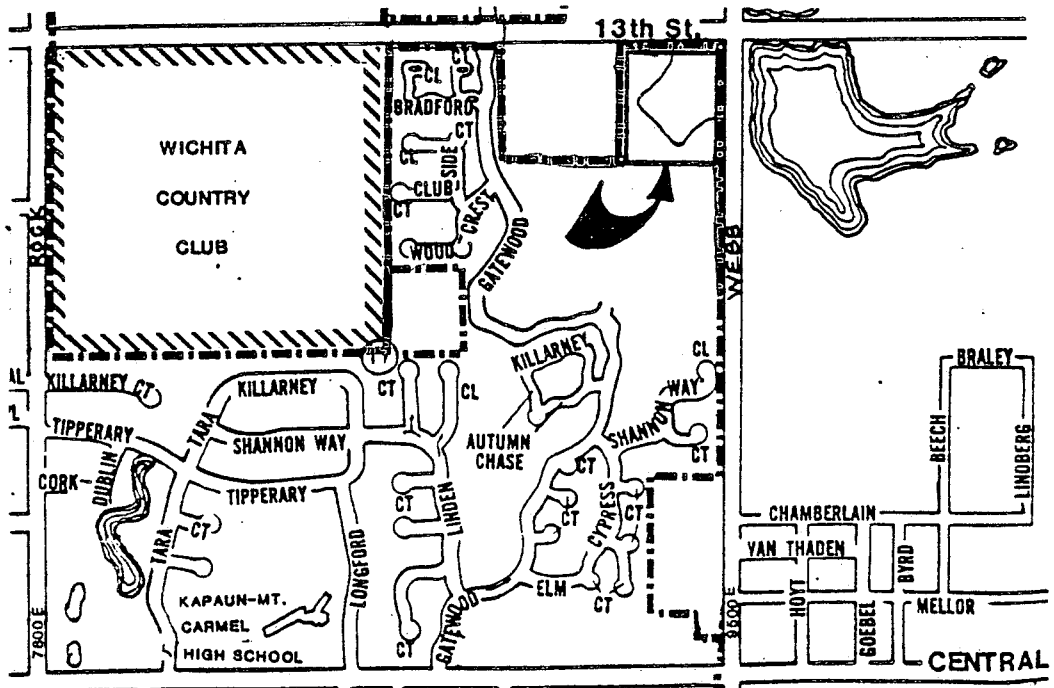
Residential:	
Office:	1
Commercial:	1
Industrial:	
Total:	2

MINIMUM LOT AREA: 6.7 Acres

CURRENT ZONING: "AA" & "LC" (Single-Family and Light Commercial)

PROPOSED ZONING: "BB" & "LC" (Office District and Light Commercial)(Z-2923)

VICINITY MAP:



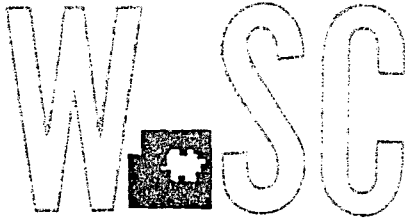
STAFF COMMENTS:

- A. The applicant is advised, that platting this property in two lots indicates that the residential uses cited as alternates for parcels 1 and 3 in the C.U.P., cannot be established without replatting of the involved lot(s) into individual building sites.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The following perimeter street improvements shall be guaranteed:
 - 1. A continuous south bound decel-lane on Webb Road, including that portion of a major entrance within public street right-of-way.
 - 2. A continuous east bound decel-lane on 13th Street North, including that portion of a major entrance within public street right-of-way.
 - 3. A north bound left turn lane on Webb Road.
 - ~~4. A west bound left turn lane on 13th Street North.~~
 - 5. A continuous right turn lane for the 13th and Webb Road intersection.
 - 6. A temporary east bound decel-lane on 13th Street North. This guarantee will be activated if the commercial center is developed prior to improvements on 13th Street.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.

- H. The final plat shall indicate the setbacks established by the C.U.P. adjacent to both the perimeter streets and along the south and west lines of the plat.
- I. A note on the face of the plat should indicate that interior building setbacks from common lot and/or C.U.P. parcel boundaries are per the Country Club Park Commercial C.U.P. (DP-186).
- J. The applicant is advised that hard surfaced fire lanes around main structures constructed in the area zoned light commercial ("LC") on this plat, will be required. These fire lanes will need to be designated on the parking plan to be reviewed and approved at the time of building permit review.
- K. The applicant shall submit a copy of the pipeline easements that may encumber this property. Any lowering, relocation or encasement of pipeline made necessary by this plat shall be at the expense of the applicant. It is the applicant's agent's responsibility to research the text of pipeline easement agreements to determine any setback requirement from the pipeline easement or pipeline.
- L. The proposed joint access easement will need to be established by separate instrument with appropriate recording information indicated on the final plat tracing. Prior to recording the joint access easement, a draft shall be submitted to the Planning Department for review and approval. The instrument must clearly state the purpose of the easement as well as which properties benefit from the easement. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- M. On the final plat tracing the MAPC Chairman's signature block shall be amended to indicate the newly appointed chairman, Sue L. Crockett.
- N. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- O. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- P. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

- Q. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- R. Recording of the plat within 30 days after approval by the City Council.
- S. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, are any drainage guarantees required with the platting of this property?

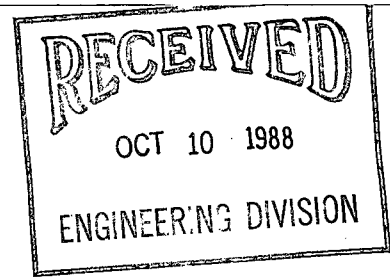
WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1682
(316) 268-4561

October 7, 1988



Baughman Company, P.A.
315 Ellis
Wichita, KS 67211

Re: S/D 88-88 Country Club Park Addition

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, October 6, 1988, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The C.U.P. for the area being platted indicates three parcels. Zoning of this area also indicates two major areas, one for "LC" and the other for "BB" zoning. A one-lot plat is not appropriate and the final plat should depict either 3-lots, which correspond to the parcel boundaries established by the C.U.P. (DP-186) or 2-lots which correspond to the zoning (one lot equal to parcel 2 of the C.U.P. which is zoned "LC" and the other lot which combines parcels 1 and 3 but are both zoned "BB") approved by Z-2923.
- B. The applicant is also advised, that platting this property in such a manner indicates that the residential uses cited as alternates for parcels 1 and 3 in the C.U.P., cannot be established without replatting of the involved lot(s) into individual building sites.
- C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. The applicant shall guarantee construction of the storm sewers required by this plat.

- F. The following perimeter street improvements shall be guaranteed:
1. A continuous south bound decel-lane on Webb Road, including that portion of a major entrance within public street right-of-way.
 2. A continuous east bound decel-lane on 13th Street North, including that portion of a major entrance within public street right-of-way.
 3. A north bound left turn lane on Webb Road.
 4. A west bound left turn lane on 13th Street North.
 5. A continuous right turn lane for the 13th and Webb Road intersection.
 6. A temporary east bound decel-lane on 13th Street North. This guarantee will be activated if the commercial center is developed prior to improvements on 13th Street.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- I. The final plat shall more clearly identify the three access openings to 13th Street and the four access openings to Webb Road. In particular, if one opening each, on 13th and Webb, is intended to be established as joint entrances for the parcels depicted in the C.U.P. and the lots requested in A above, their locations and dimensions need to be precisely indicated on the final plat. These joint access openings are typically centered on common lot (parcel) lines.
- J. The final plat shall indicate the setbacks established by the C.U.P. adjacent to both the perimeter streets and along the south and west lines of the plat. If the applicant doesn't desire to indicate these setbacks, he shall meet with the Planning Department to resolve this issue.

- K. A note on the face of the plat should indicate that interior building setbacks from common lot and/or C.U.P. parcel boundaries are per the Country Club Park Commercial C.U.P. (DP-186).
- L. The applicant is advised that hard surfaced fire lanes around main structures constructed in the area zoned light commercial ("LC") on this plat, will be required. These fire lanes will need to be designated on the parking plan to be reviewed and approved at the time of building permit review.
- M. Prior to scheduling this case before the City Council, the structure which encroaches into the utility easements being granted must be removed. Once the structure has been removed, a letter so stating shall be submitted from the platting engineer.
- N. Prior to, or at the time of submitting the final plat, the applicant shall submit a drainage plan to City Engineering for review and approval. County Engineering shall also be provided a copy of this drainage plan.
- O. The final plat shall clearly indicate the amount of street right-of-way being dedicated by this plat as well as the amount of half-street right-of-way now existing.
- P. The applicant shall submit a copy of the pipeline easements that may encumber this property. Any lowering, relocation or encasement of pipeline made necessary by this plat shall be at the expense of the applicant. It is the applicant's agent's responsibility to research the text of pipeline easement agreements to determine any setback requirement from the pipeline easement or pipeline.
- Q. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- R. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.

Baughman Co., P.A.
October 7, 1988
Page 4

S. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

The enclosed "marked" copy of the final plat is for your information files. If you have any questions concerning this matter, please call.

Sincerely,



Donald Losew
Junior Planner

DL:svm

Enclosure

cc: Country Club Park Associates, L.P., 9920 E. Harry Wichita
Kansas 67207
Gossen Livingston Associates, P.A., 420 S. Emporia, Wichita,
KS 67202
Planning Development Services, Inc., 924 N. Main, Wichita,
KS 67203
Mike Lindebak, City Engineer
Jim Weber, County Engineer

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 9
October 6, 1988

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 88-88 - COUNTRY CLUB PARK ADDITION

OWNER/APPLICANT: Country Club Park Associates L.P.

SURVEYOR/ENGINEER: Baughman Company, P.A.

LOCATION: Southwest corner of 13th Street N. and Webb Rd.

SITE SIZE: 15.0+ acres

NUMBER OF LOTS

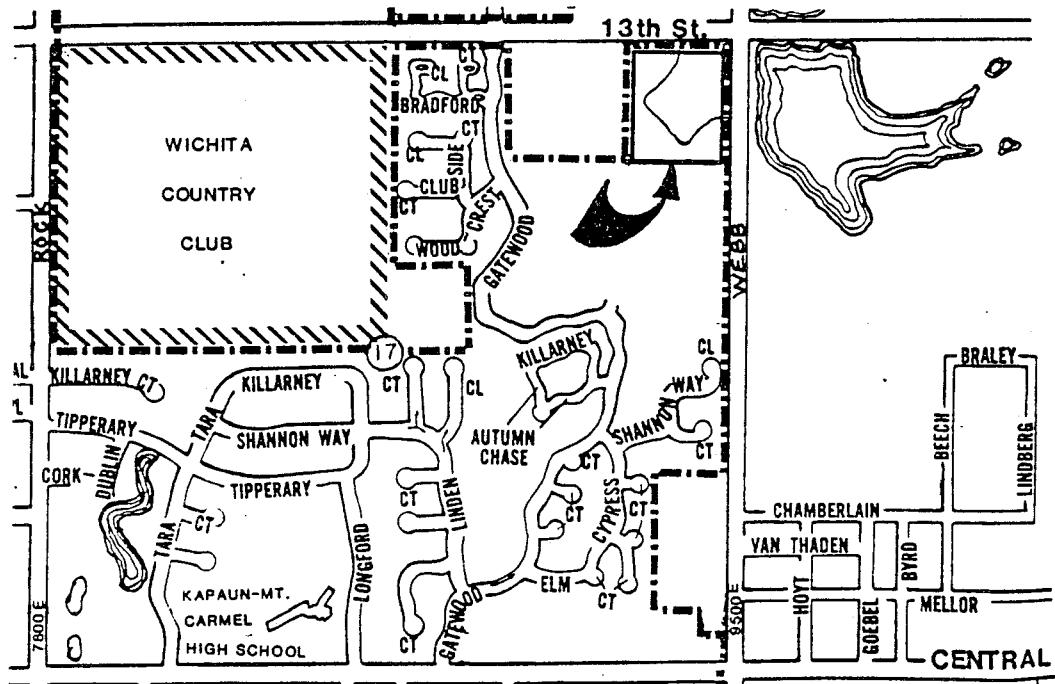
- Residential:
- Office:
- Commercial:
- Industrial:
- Total: 1

MINIMUM LOT AREA: 14.43 Acres

CURRENT ZONING: "AA" & "LC" (Single-Family and Light Commercial)

PROPOSED ZONING: "BB" & "LC" (Office District and Light Commercial)(2-2923)

VICINITY MAP:



STAFF COMMENTS:

Note:

This plat is subject to conditions established by the Country Club Park Commercial, Community Unit Plan, DP-186. Zone change Z-2923 requesting a change from "AA" and "LC" to "LC" and "BB" zoning has been approved subject to platting the property by August 16, 1989.

- A. The C.U.P. for the area being platted indicates three parcels. Zoning of this area also indicates two major areas, one for "LC" and the other for "BB" zoning. A one-lot plat is not appropriate and the final plat should depict either 3-lots, which correspond to the parcel boundaries established by the C.U.P. (DP-186) or 2-lots which correspond to the zoning (one lot equal to parcel 2 of the C.U.P. which is zoned "LC" and the other lot which combines parcels 1 and 3 but are both zoned "BB") approved by Z-2923.
- B. The applicant is also advised, that platting this property in such a manner indicates that the residential uses cited as alternates for parcels 1 and 3 in the C.U.P., cannot be established without replatting of the involved lot(s) into individual building sites.
- C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. The applicant shall guarantee construction of the storm sewers required by this plat.
- F. The following perimeter street improvements shall be guaranteed:
 - 1. A continuous south bound decel-lane on Webb Road, including that portion of a major entrance within public street right-of-way.
 - 2. A continuous east bound decel-lane on 13th Street North, including that portion of a major entrance within public street right-of-way.
 - 3. A north bound left turn lane on Webb Road.
 - 4. A west bound left turn lane on 13th Street North.
 - 5. A continuous right turn lane for the 13th and Webb Road intersection.

6. A temporary east bound decel-lane on 13th Street North. This guarantee will be activated if the commercial center is developed prior to improvements on 13th Street.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- I. The final plat shall more clearly identify the three access openings to 13th Street and the four access openings to Webb Road. In particular, if one opening each, on 13th and Webb, is intended to be established as joint entrances for the parcels depicted in the C.U.P. and the lots requested in A above, their locations and dimensions need to be precisely indicated on the final plat. These joint access openings are typically centered on common lot (parcel) lines.
- J. The final plat shall indicate the setbacks established by the C.U.P. adjacent to both the perimeter streets and along the south and west lines of the plat.
- K. A note on the face of the plat should indicate that interior building setbacks from common lot and/or C.U.P. parcel boundaries are per the Country Club Park Commercial C.U.P. (DP-186).
- L. The applicant is advised that hard surfaced fire lanes around main structures constructed in the area zoned light commercial ("LC") on this plat, will be required. These fire lanes will need to be designated on the parking plan to be reviewed and approved at the time of building permit review.
- M. Prior to scheduling this case before the City Council, the structure which encroaches into the utility easements being granted must be removed. Once the structure has been removed, a letter so stating shall be submitted from the platting engineer.
- N. Prior to, or at the time of submitting the final plat, the applicant shall submit a drainage plan to City Engineering for review and approval.

- O. The final plat shall clearly indicate the amount of street right-of-way being dedicated by this plat as well as the amount of half-street right-of-way now existing.
- P. The applicant shall submit a copy of the pipeline easements that may encumber this property. Any lowering, relocation or encasement of pipeline made necessary by this plat shall be at the expense of the applicant. It is the applicant's agent's responsibility to research the text of pipeline easement agreements to determine any setback requirement from the pipeline easement or pipeline.
- Q. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- R. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- S. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- T. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

May 5, 1988

TO: Marvin Krout, Director of Planning
Bill McKinley, Traffic Engineer
✓ Mike Lindebak, City Engineer
Monty H. Robson, Superintendent, Central Inspection Division

FROM: Robert L. Young, Principal Planner, Current Plans, Division *RLY*

SUBJECT: Commercial Community Unit Plan Proposal for Country Club Park -
Located on the southwest corner of 13th Street North and Webb Road.

Attached for your review and comment is a copy of a proposed development plan for the above-referenced property. This is a 15-acre parcel of property that is proposed to be used for office and commercial purposes with an alternate use on Parcels No. 1 and 3 of attached or detached single-family dwelling units with private streets and common open space. The development proposal has been submitted with an associated zone change request, which, if approved, would result in a total of 7.10 acres (gross) of "LC" Light Commercial and 7.90 acres (gross) of "BB" Office District zoning. The property is currently zoned with 8.26 acres (gross) of "LC" Light Commercial District and the balance (6.74 acres) is the "AA" One-family Dwelling District. The plan proposes to have 3 access points to 13th Street and 4 access points to Webb Road.

We will discuss this proposed development plan and associated zone change request during the development review meeting on Friday, May 6, 1988, in the Planning Department, beginning at 8:30 a.m. I would appreciate any comments you may have prior to or during the development review meeting. If you have any questions, please call me at Extension 4421.

Thank you.

RLY:blw
Attachments

COUNTRY CLUB PARK
COMMERCIAL COMMUNITY UNIT PLAN
Wichita, Sedgwick County, Kansas

"DEVELOPMENT PROVISIONS"

GENERAL PROVISIONS

1. This proposed development contains 653,402 sq.ft. or 15.00 gross acres more or less. Exclusive of additional public street right-of-way for 13TH Street and Webb Road, this proposed development contains 628,671.9 sq.ft. or 14.43 net acres more or less.
2. Access, to and from 13TH Street, shall be limited to a maximum of three (3) points of ingress/egress as indicated on the plan. Access, to and from Webb Road, shall be limited to a maximum of four (4) points of ingress/egress as indicated on the plan.
3. Minimum building setbacks are as indicated on the plan. Said setbacks shall be 35 feet from the north, west and south property lines. Said setback from Webb Road shall be the west line of the existing 30 feet sanitary sewer easement, or 36.6 feet west of the east line of Parcels 2 and 3.

No setbacks shall be required between Parcels. However, if a side or rear yard setback for buildings between these parcels is provided, such setback shall not be less than 15 feet.

4. All utilities shall be installed underground.
5. Signs shall be permitted in accordance with the appropriate provisions, limitations and requirements of the Zoning Ordinance. No billboards permitted.
6. All non-public open space, signs, logos, drainage facilities, drives and parking areas shall be privately owned and maintained.
7. An overall, general drainage concept plan will be prepared and submitted at the time of platting. Specific grading plan(s) will be prepared and submitted for each lot or building site for review prior to the issuance of individual building permits.
8. Screening and landscaping. - Because of the Wichita Collegiate School property to the west and south and the athletic playfields and other institutional uses which do and can occur thereon, the owner shall have the option of:
 - (a) Providing a 10 foot planting strip or landscape buffer, consisting of a combination of grass, low shrubs and trees, as indicated along the west and south property lines; or,
 - (b) Providing a five (5) to eight (8) foot solid or semi-solid wall along the west and south property lines, constructed of stone, masonry, architectural tile, or other similar materials (not including wood or woven wire). If said wall is constructed, the 10 foot landscape buffer in (a) above shall be waived.

In the case of the 10 foot landscape buffer, a landscape plan, prepared by a landscape architect, shall be submitted to the Planning Department for their review and approval prior to the issuance of any building permit(s) on the parcel(s) involved. The landscape plan shall also depict the proposed method of providing irrigation to the plant materials within the landscape buffer.

Failure to properly maintain the 10 foot landscape buffer shall be considered a violation of the building permit authorizing construction of the proposed development, after a joint determination by the Director of Planning and Superintendent of Central Inspection that the plants are not properly maintained. A financial guarantee for the plant materials approved for the landscape plan shall be required prior to the issuance of any occupancy permit if the required landscaping has not been planted.

9. Off-street parking shall be provided on all parcels in accordance with the appropriate provisions and requirements of the Zoning Ordinance. Based on final development plans, distribution of required parking spaces may overlap common boundary lines between Parcels 1, 2 and 3.
10. The transfer of title of 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 commercial development and be binding upon the present owners, their successors and assigns, and their lessees unless amended.

PARCEL DESCRIPTIONS

PARCEL NO. 1

Proposed Uses: All uses permitted in the "BB" Office District zoning regulations such as offices, medical and dental facilities, optician, apothecary and other similar uses; but excluding, hotels and motels

Gross Area - 3.13+ acres or 136,268.4+ sq.ft.

Net Area - 2.95+ acres or 128,501.6+ sq.ft.

Maximum building coverage - 30% or 38,550 sq.ft.

Maximum floor area ratio - 0.40

Maximum gross floor area - 51,400 sq.ft.

Maximum building height - 45 feet

Building setbacks as shown on the plan and set forth under G.P. #3

Maximum number of buildings - 2

PARCEL NO. 1 (ALTERNATE)

Proposed Uses: Residential community comprised of single family detached and/or single family attached dwelling units with private streets and common open space.

Gross Area - 3.13+ acres or 136,268.4+ sq.ft.

Net Area - 2.95+ acres or 128,501.6+ sq.ft.

Maximum density - 8 D.U./acre or 24 dwelling units

Maximum building height - 35 feet

Minimum building setbacks - Under the residential alternate for Parcel 1, building setbacks may be reduced to 20 feet from the east, south and west Parcel boundaries. The minimum building setback from 13th Street shall be 25 feet.

Minimum parking ratio - 2.0/D.U.

Screening - In the event Parcel 1 is developed as residential, the 10 foot landscape buffer and five (5) to eight (8) foot screening wall along the west boundary of said Parcel shall be waived; and, a screening wall as described in G.P. #8 (b) shall be provided along the east boundary of Parcel 1, and along its south boundary as well should Parcel 3 be developed for offices.

PARCEL NO. 2

Proposed Uses: All uses permitted in the "LC" Light Commercial District zoning regulations such as shopping center, retail and service businesses, bakery, dry cleaning, photo and reproduction shops, financial institutions, hair stylists, restaurants, service stations, theaters, offices and other similar uses; excluding however, food locker facilities, hotels and motels.

Gross Area - 7.10+ acres or 309,319.0+ sq.ft.

Net Area - 6.71+ acres or 292,355.7+ sq.ft.

Maximum building coverage - 30% or 87,700 sq.ft.

Maximum floor area ratio - 0.40

Maximum gross floor area - 116,940 sq.ft.

Maximum building height - 65 feet

Building setbacks as shown on the plan and set forth under G.P. #3

Maximum number of buildings - 5

PARCEL NO. 3

Proposed Uses: All uses permitted in the "BB" Office District zoning regulations such as offices, medical and dental facilities, optician, apothecary and other similar uses; but excluding, hotels and motels.

Gross Area - 4.77+ acres or 207,814.6+ sq.ft.

Net Area - 4.77+ acres or 207,814.6+ sq.ft.

Maximum building coverage - 30% or 62,340 sq.ft.

Maximum floor area ratio - 0.40

Maximum gross floor area - 83,125 sq.ft.

Maximum building height - 45 feet

Building setbacks as shown on the plan and set forth under G.P. #3

Maximum number of buildings - 3

PARCEL NO. 3 (ALTERNATE)

Proposed Uses: Residential community comprised of single family detached and/or single family attached dwelling units with private streets and common open space.

Gross Area - 4.77+ acres or 207,814.6+ sq.ft.

Net Area - 4.77+ acres or 207,814.6+ sq.ft.

Maximum density - 8 D.U./acre or 38 dwelling units

Maximum building height - 35 feet

Minimum building setbacks - Under the residential alternate for Parcel 3, building setbacks may be reduced to 20 feet from the north, west and south Parcel boundaries. The setback from Webb Road shall remain the west line of the 30 feet sanitary sewer easement, or 36.6 feet west of the east Parcel boundary.

Minimum parking ratio - 2.0/D.U.

Screening. - In the event Parcel 3 is developed as residential, the 10 foot landscape buffer and five (5) to eight (8) foot screening wall along the west and south boundaries of said Parcel shall be waived; and, a screening wall as described in G.P. #8 (b) shall be provided along the north boundary of Parcel 3.