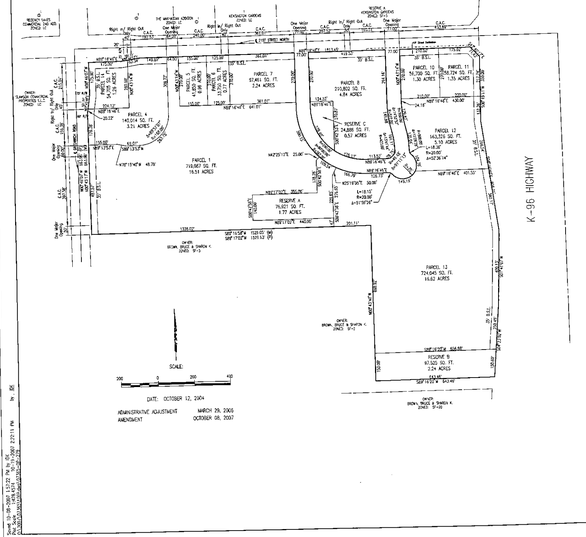
COMMUNITY UNIT PLAN DP-279

Cross Pointe C.U.P

OWNER: SLAWSON EAST, INC.
727 NORTH WACO SUITE 400
WICHITA, KANSAS 67203



GENERAL PROVISIONS

1. THIS PROJECT IS PROPOSED TO CONTAIN 60.45 NET 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= 1.77 ACRES (76,921 SQ.FT.)

   RESERVE "B"
   PERMITTED USES: DRAINAGE DETENTION, SIDEWALKS, UTILITIES AND RECREATION.
   GROSS AREA= 2.24 ACRES (97,525 SQ.FT.)

   RESERVE "C"
   PERMITTED USES: DRAINAGE DETENTION, SIDEWALKS, UTILITIES AND RECREATION.
   GROSS AREA= 0.57 ACRES (24,894 SQ.FT.)

   PARCEL 1
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 14.54 ACRES (633,577 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 245,000 SQ.FT. (38.6%)
   MAXIMUM BUILDING HEIGHT= 40 FEET

   PARCEL 2
   DELETED

   PARCEL 3
   DELETED

   PARCEL 4
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 3.31 ACRES (144,514 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 42,000 SQ.FT. (29.0%)
   MAXIMUM BUILDING HEIGHT= 35 FEET

   PARCEL 5
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 0.96 ACRES (41,850 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 8,000 SQ.FT. (19.1%)
   MAXIMUM BUILDING HEIGHT= 25 FEET

   PARCEL 6
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 3.17 ACRES (138,106 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 6,000 SQ.FT. (20.4%)
   MAXIMUM BUILDING HEIGHT= 25 FEET

   PARCEL 7
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 2.24 ACRES (97,441 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 29,000 SQ.FT. (30.0%)
   MAXIMUM BUILDING HEIGHT= 25 FEET

   PARCEL 8
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 4.84 ACRES (210,802 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 63,200 SQ.FT. (30.0%)
   MAXIMUM BUILDING HEIGHT= 35 FEET

   PARCEL 9
   DELETED

   PARCEL 10
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 1.30 ACRES (56,705 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 16,000 SQ.FT. (28.2%)
   MAXIMUM BUILDING HEIGHT= 35 FEET

   PARCEL 11
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 1.35 AC (58,724 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 17,600 SQ.FT. (30.0%)
   MAXIMUM BUILDING HEIGHT= 35 FEET

   PARCEL 12
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 5.12 ACRES (223,126 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 45,000 SQ.FT. (20.0%)
   MAXIMUM GROSS FLOOR AREA= 115,000 SQ.FT. (51.4%)
   MAXIMUM BUILDING HEIGHT= 75 FEET

   PARCEL 13
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 16.62 ACRES (724,045 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 217,214 SQ.FT. (30.0%)
   MAXIMUM GROSS FLOOR AREA= 400,000 SQ.FT. (55.2%)
   MAXIMUM BUILDING HEIGHT= 90 FEET

   PARCEL 14
   PROPOSED USES: SEE C.U.P. #3
   GROSS AREA= 1.28 ACRES (55,705 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 15,000 SQ.FT. (26.9%)
   MAXIMUM BUILDING HEIGHT= 35 FEET

3. PERMITTED USES: ALL USES PERMITTED IN THE L.C. ZONING DISTRICT EXCEPT FOR CEMETERIAL PLACEMENT, RESIDENCE, MOBILE STORAGE, RACKS, OUTDOOR STORAGE, PAWN SHOPS, PRESTIGIOUS RETAIL LUXURY STORES, MOTORCYCLE, EXPRESS OR PARCEL DELIVERY SERVICE, AND ALL ADULT ENTERTAINMENT AS DEFINED BY CITY CODE. A PERMANENT SIGN SHALL BE ALLOWED ON THE PROPERTY ADJACENT TO THE ALIGNED K-96 RAIL TRACK (C.U.P. 3A) VIEWS OF CONVENIENCE STORE WITH GAS PUMPS, TERMINAL STATION, AND VEHICLE REPAIR SHALL BE LIMITED TO A COMBINED MAXIMUM OF THREE PARCELS (1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12). RESTRICTED TO PLACEMENT ON PARCELS 1, 4, 5, 6, 7, 8, 10, 11, 12. ALL OUTDOOR STORAGE, INCLUDING VEHICLE FACILITIES, SHALL NOT BE PERMITTED WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY OR EXISTING RESIDENTIAL DISTRICTS UNLESS SEPARATED BY AN ARTERIAL STREET.

4. THE PROPERTY OF THE CITY OR ALL OF ANY PORTION OF THE LAND INCLUDED IN THIS DEVELOPMENT DOES NOT CONSTITUTE A REMAINDER OF THE PLAN OR ANY PORTION THEREOF. THIS PLAN SHALL NOT APPLY WITH THE LAND THE DEVELOPMENT AND BE ENFORCED UPON THE PRESENT LAND OWNERS, THEIR SUCCESSORS, HEIRS AND ASSIGNS. THE DEVELOPMENT OF THE PROPERTY SHALL BE IN ACCORDANCE WITH THE CONCURRENCE OF THE GOVERNING BODY, THE DIRECTOR OF PLANNING, AND APPROVED WHEN 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:
   A. ACCESS TO 21ST STREET NORTH SHALL BE LIMITED TO (3A (3) OPENINGS. THESE SHALL BE ACCESS CONTROL ON PARCEL FOUR EXCEPT ONE OPENING BETWEEN PARCEL 14 AND PARCEL 4 (RIGHT IN/ RIGHT OUT ONLY). THERE SHALL BE ONE MAJOR OPENING BETWEEN PARCEL 5 AND PARCEL 6. PARCEL 5 SHALL HAVE ACCESS CONTROL EXCEPT ONE OPENING TO THE EAST (RIGHT OUT ONLY) ON THE EAST 40 FEET. THERE SHALL BE ONE MAJOR OPENING BETWEEN PARCEL 7 AND PARCEL 8. PARCEL 8 SHALL HAVE 2 OPENING (RIGHT IN/ RIGHT OUT ONLY). THERE SHALL BE ONE MAJOR OPENING BETWEEN PARCEL 9 AND PARCEL 10. PARCEL 10 AND 11 SHALL HAVE CONTROLS, ACCESS CONTROL EXCEPTED.
   B. ACCESS ON GREENWICH ROAD SHALL BE LIMITED TO THREE (3) OPENINGS. THERE SHALL BE ONE OPENING ON THE SOUTH 40 FEET OF PARCEL 14 (RIGHT IN/RIGHT OUT ONLY). THERE SHALL BE TWO (2) MAJOR OPENINGS ON PARCEL 1. (1ST PLANT)
   C. LANDSCAPE AND PARKING-LOT SCREENING:
      PRIOR TO ISSUANCE OF ANY BUILDING PERMITS FOR ANY PARCEL, A LANDSCAPE PLAN INDICATING THE LOCATION, TYPE AND SPECIFICATIONS OF PLANT MATERIAL SHALL BE SUBMITTED BY A LANDSCAPE ARCHITECT TO THE PLANNING DEPARTMENT FOR REVIEW AND APPROVAL. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, A FINANCIAL GUARANTEE FOR THE IMPROVEMENTS SHOWN 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.

6. MINIMUM SETBACK REQUIREMENTS: PER CODE

7. SIGNS SHALL BE IN ACCORDANCE WITH APPROPRIATE CODES WITH THE FOLLOWING EXCEPTIONS:
   A. ALL THE PROPOSED DEVELOPS ALONG THE ARTERIAL ROADWAYS, MONUMENT TYPE SIGNS SHALL BE LIMITED A MINIMUM OF 100 APART, INTERSECTED BY NEW LAKE (C.U.P.3A) OF 300). HOWEVER, THE SPACING BETWEEN SIGNS MAY BE REDUCED TO 100 FEET IF THE MONUMENT SIGN HEIGHT IS REDUCED TO 6 FEET OR LESS.
   B. PLACEMENT SIGNS (SUCH AS SIGNS SHOWING ONLY TIME, TEMPERATURE AND OTHER PUBLIC SERVICE MESSAGES), MOTORIST BEARDS, ROTATING OR MOVING PARTS, FLASH AND MOVING LIGHTS OR SIGNS WHICH CREATE ILLUSIONS OF MOVEMENT ARE NOT PERMITTED.
   C. PROJECTING SIGNS OR SIGNS ON THE SIDE OF BUILDINGS ARE NOT PERMITTED.
   D. WINDOW DISPLAY SIGNS ARE LIMITED TO 25 PERCENT OF THE WINDOW AREA.
   E. NO SIGNS SHALL BE ALIGNED ON THE REAR OF ANY BUILDINGS WHICH BACK UP TO RESIDENTIALLY ZONED PROPERTY.
   F. ONE MONUMENT SIGN PER ARTERIAL STREET FRONTAGE OF SUCH SIGN SHALL BE ADVANCED THE SIGNS. ONE SIGN ON GREENWICH ROAD AND SIMILAR SIGNS ON 21ST STREET NORTH (LOCATED AT CO ROAD 3W) MAJOR EXTENSIVE MAY HAVE A MAXIMUM HEIGHT OF 20' AND A MAXIMUM SIGN FACE AREA OF 200 SQ.FT. PER SIDE. ONE SIGN ON 21ST STREET NORTH (LOCATED AT CO ROAD 3W) MAY HAVE A MAXIMUM HEIGHT OF 40' AND A MAXIMUM SIGN FACE AREA OF 320 SQ.FT. PARCELS 1 THROUGH 11 AND 14 MAY HAVE SIGNS WITH A MAXIMUM HEIGHT OF 20' AND A MAXIMUM SIGN FACE AREA OF 200 SQ.FT. PARCEL 12 AND 13 MAY HAVE SIGNS WITH A MAXIMUM HEIGHT OF 40' ALONG THE ARTERIAL STREETS. SIGNS MAY BE ILLUMINATED. THE TOTAL NUMBER OF SIGNS SHALL NOT EXCEED ONE PER PARCEL PLUS ONE AT EACH MAJOR OPENING ON 21ST STREET NORTH AND GREENWICH ROAD AND TWO (2) ON K-96.

   THE TOTAL SIGN AREA FOR THE 21ST STREET NORTH FRONTAGE MAY NOT EXCEED 1,196 SQ.FT. AND 750 SQ.FT. FOR THE GREENWICH ROAD FRONTAGE.

8. PARKING:
   A. PARKING TO BE IN ACCORDANCE WITH BHC WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE.

9. SIDEWALKS:
   A. SIDEWALKS ON PARCELS 1, 12 AND 13 SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, CAPTURE ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE IF DEVELOPED WITH RETAIL USES. FACADES THAT ARE PREDOMINANTLY METAL PANELS (EXCLUDING GLASS AND WINDOW AREA SHALL NOT BE ALLOWED, EXCEPT THE DESTINATION MALL MAY USE THE REAR FACADES FACING WHERE ADJACENT TO RESIDENTIAL USES.
   B. SIDEWALKS ON PARCELS 10 AND 11 SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, CAPTURE ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE IF DEVELOPED WITH RETAIL USES. FACADES THAT ARE PREDOMINANTLY METAL PANELS (EXCLUDING GLASS AND WINDOW AREA SHALL BE ALLOWED.
   C. ALL PARCELS IN THE C.U.P. SHALL HAVE A CONSISTENT LANDSCAPE PALETTE. SIGNAGE SHALL SHARE SIMILAR SHAPING CHARACTERISTICS.

10. ARCHITECTURAL CONTROL:
    A. BUILDINGS ON PARCELS 1, 12 AND 13 SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, CAPTURE ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE IF DEVELOPED WITH RETAIL USES. FACADES THAT ARE PREDOMINANTLY METAL PANELS (EXCLUDING GLASS AND WINDOW AREA SHALL NOT BE ALLOWED, EXCEPT THE DESTINATION MALL MAY USE THE REAR FACADES FACING WHERE ADJACENT TO RESIDENTIAL USES.
    B. BUILDINGS ON PARCELS 10 AND 11 SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, CAPTURE ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE IF DEVELOPED WITH RETAIL USES. FACADES THAT ARE PREDOMINANTLY METAL PANELS (EXCLUDING GLASS AND WINDOW AREA SHALL BE ALLOWED.
    C. ALL PARCELS IN THE C.U.P. SHALL HAVE A CONSISTENT LANDSCAPE PALETTE. SIGNAGE SHALL SHARE SIMILAR SHAPING CHARACTERISTICS.

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 ONE 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 RESERVED AT THE TIME OF PLATTING.

15. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY PARCEL, A LOT GRADING PLAN IN CONFORMANCE WITH THE DRAINAGE CONCEPT PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL.

16. LOADING AREAS, TRASH RECEPTACLES, OUTDOOR STORAGE, AND TRUCK DOORS ON THE C.U.P. SHALL BE SCREENED FROM VIEW OF RESIDENTIAL USES. SCREENING ON THE WEST NORTH, GREENWICH ROAD AND ALL RESIDENTIAL AREAS. SCREENING SHALL BE ACCOMPLISHED BY A COMBINATION OF LANDSCAPE AND MECHANICAL EQUIPMENT WILL BE CONSTRUCTED OF A MATERIAL TO MATCH THE SURROUNDING UNIT SUPPORT.

17. MASONRY WALLS:
    A. ONE (1) FOOT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG PROPERTY LINES THE C.U.P. AS REQUIRED TO BE IN CONFORMANCE WITH THE PROVISIONS OF THE UNIFIED ZONING CODE. THE WALL PRESENTMENT SHALL BE MADE BY A PARCEL AS DEVELOPED OR A SECTIONAL PLAN.
    B. ADJACENT TO NON-RESIDENTIAL USES SHALL BE PROVIDED ALONG ALL SIDE OF NEW LOT LINES ADJACENT OR ADJACENT AN ALLEY FROM A RESIDENTIAL ZONING DISTRICT, AND SCREENING OF MULTI-FAMILY SHALL BE PROVIDED ALONG ALL SIDE OF NEW LOT LINES ADJACENT OR ADJACENT AN ALLEY FROM PROPERTY ZONED R-1 OR LIMITED RESIDENTIAL. SOLID SCREENING WITH FENCING OR EXTERIOR VEGETATION WHICH MAY BE LIMITED FOR MULTI-FAMILY AND OFFICE USES ALONG ANY SIDE OR REAR LOT LINE, OR PORTION THEREOF WHEREVER SUCH DEVELOPMENT IS ADJACENT TO PROPERTY ZONED R-1 OR LIMITED RESIDENTIAL. SCREENING PURSUANT TO THIS LOT LINE OR PORTION THEREOF. THE OWNER SHALL PROVIDE A MINIMUM OF ONE TREE AND ONE SHRUBS FOR EACH 30 LINEAL FEET OF ADJACENT PROPERTY LINE OR EQUIVALENT, WITH AT LEAST ONE-THIRD OF THE TREES BEING EVERGREEN, OR EQUALS WITH APPROVED SUBSTITUTES BY THE CITY OF WICHITA LANDSCAPE CODE. IF THERE ARE MORE EVERGREEN.

18. THE DEVELOPMENT OF THIS PROPERTY SHALL PROCEED IN ACCORDANCE WITH THE DEVELOPMENT PLAN AS DESIGNATED AND APPROVED BY THE GOVERNING BODY, AND ANY SUBSEQUENT 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 ADJACENT PARCELS, PARKING AREAS, PUBLIC SIDEWALKS, AND COLLECTOR SIDEWALKS ALONG ARTERIAL AND COLLECTOR SIDEWALKS WILL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PLANNING.

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

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

22. TRAFFIC IMPROVEMENTS TO 21ST STREET NORTH AND GREENWICH ROAD SHALL BE DETERMINED AT THE TIME OF PLATTING.

23. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT, A SITE CIRCULATION PLAN THAT PROVIDES FOR SMOOTH FLOW OF TRAFFIC BETWEEN THE PARCEL BEING DEVELOPED AND ADJACENT PARCELS AND ALONG ADJACENT ARTERIAL STREETS, SHALL BE SUBMITTED FOR REVIEW AND APPROVAL.

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

25. THE C.U.P. SHALL ENSURE THAT PRIVATE DRIVE OPENINGS ARE NOT IMPACTED / BLOCKED BY THE LAYOUT OF PARKING STALLS OR LANDSCAPING.

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