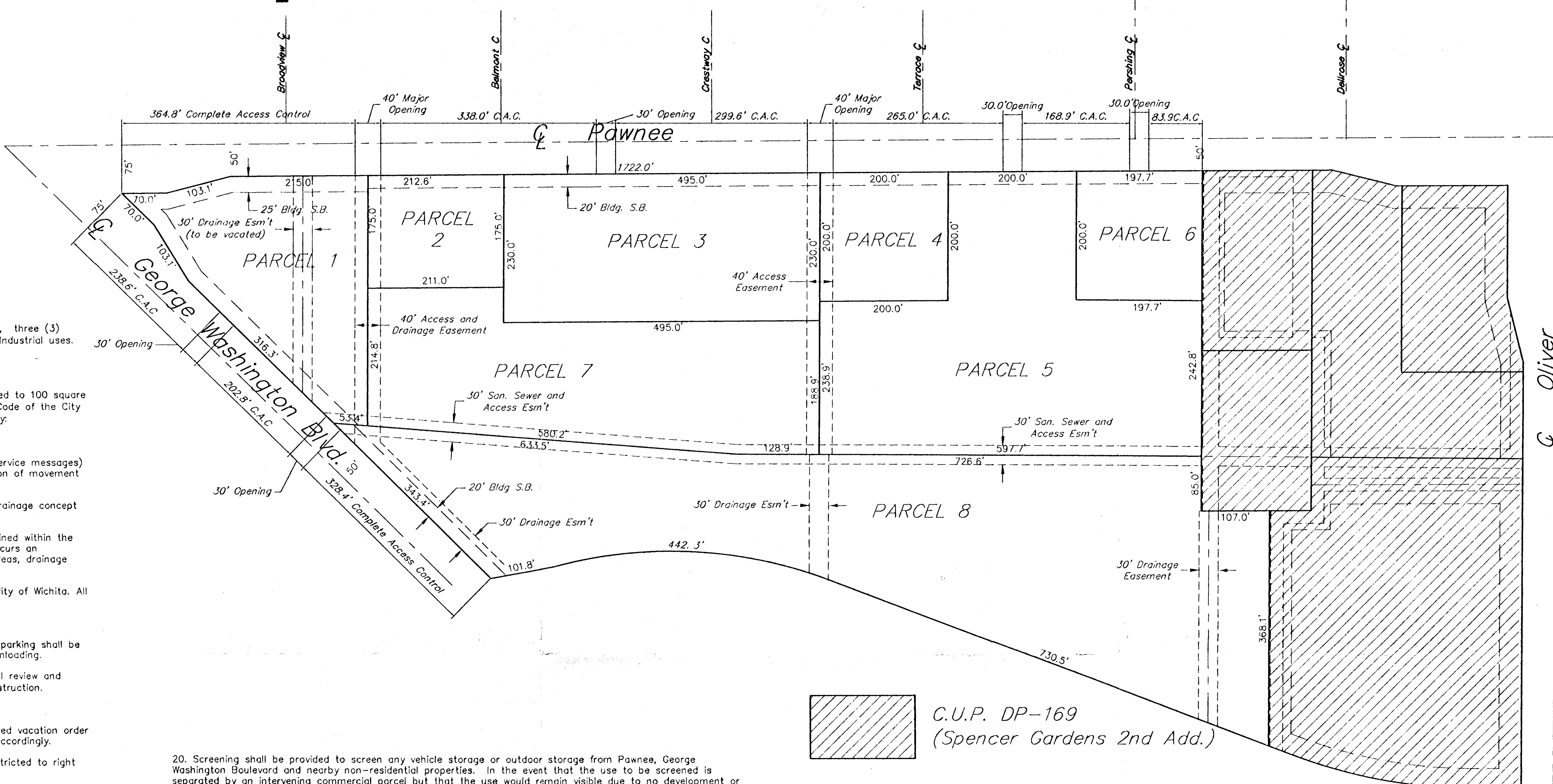
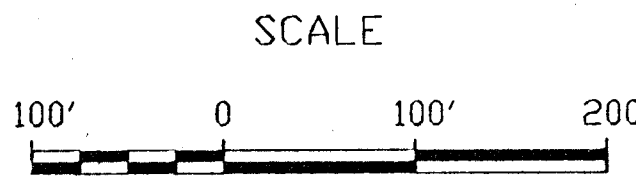
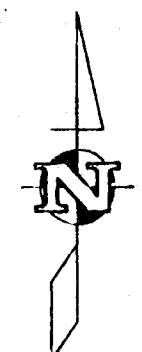


Spencer Gardens C.U.P. (DP-93)



GENERAL PROVISIONS

1. This Development Contains 22.58 Acres, more or less.
2. The development contains four (4) parcels permitting Limited Commercial Uses, three (3) parcels permitting General Commercial uses and one (1) parcel permitting Limited Industrial uses. (See General Provision No. 24 for Specific Uses)
3. All utilities shall be installed underground.
4. Freestanding signs shall be limited to 20 feet in height. Signage shall be limited to 100 square feet per business on properties zoned "LC" and that allowed in "LC" by the Sign Code of the City of Wichita on property zoned "GC." Additionally, the following conditions shall apply:
 - A. No portable or off-site signs shall be permitted on this tract.
 - B. Flashing signs, (except for showing date, time, temperature, and other public service messages) rotating or moving signs, signs with moving lights, or signs which create the illusion of movement are not permitted.
5. A specific lot grading plan will be prepared in conformance with the general drainage concept plan for review prior to the issuance of a building permit.
6. Any open space, signs, logos, drainage facilities, drives or parking areas contained within the described parcels shall be privately owned and maintained. If multiple ownership occurs an agreement providing for the maintenance of open space, internal drives, parking areas, drainage improvements, etc., shall be filed with the plat.
7. Parking shall be provided in accordance with the Unified Zoning Code of The City of Wichita. All parking and drives shall be hard surfaced with concrete or asphalt.
8. Fire Lanes:
 - A. 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.
 - B. During building permit review the fire chief or his designated representative shall review and approve the site plan regarding fire lane(s) and fire hydrant location, prior to construction.
9. Access Control:
 - A. As shown. If the access controls of the recorded plat are altered by an approved vacation order of the Wichita City Council the C.U.P. shall be considered to have been adjusted accordingly.
 - B. The northernmost drive opening along George Washington Boulevard shall be restricted to right in/right out access.
10. Cross-lot circulation and internal access shall be provided at such time as any of the parcels come under separate ownership.
11. The transfer of title on 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 and be binding upon the present owners, their successors and assigns and their lessees unless amended. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
12. All lights shall be shielded to reflect light downward or direct light away from residential areas.
13. Trash receptacles shall be appropriately screened to reasonably hide them away from ground view. Screening shall be constructed of materials and/or landscaping compatible with and complementary to the exterior of the buildings to which the trash receptacle provides service. Loading docks and service areas shall also be screened from the residential areas.
14. All loading, service and outside storage areas shall be screened from George Washington Blvd., Pawnee, and nearby non-commercial properties.
15. Transportation improvements:
 - A. Developer shall guarantee a continuous left-turn lane on Pawnee from George Washington Boulevard to the existing five-lane section west of Oliver when the City of Wichita determines, through traffic analysis, and places this portion of Pawnee in the CIP budget.
 - B. A continuous accel/decel lane along the south side of Pawnee shall be provided.
16. Construction sales and services; warehousing; welding and machine shops; and wholesale or business services shall be permitted in property zoned "GC" but all activities, equipment and materials shall be stored within a building.
17. Warehouse, self-storage, use (mini-warehouses) on property zoned "GC" shall be subject to requirements as per the Uniform Zoning Code Section III-D.6.y.3-16,17,18.
18. Building materials shall be predominantly earth tones, with vivid colors limited to metal accents. No metal facades facing Pawnee or George Washington Boulevard shall be permitted.
19. Landscaping:
 - A. Landscaping along Pawnee and George Washington Boulevard shall be provided at a rate of 1.5 times the area and tree requirements of the Landscape Ordinance.
 - B. The developer shall make attempt to maintain the grove of existing trees along Pawnee if possible, however, these trees shall not satisfy more than 50% of the tree requirement for the Parcels upon which they are located.
 - C. A buffer along the southern property line of the CUP shall be provided at a rate of one tree every 40 feet.
 - D. A Landscape Plan for each parcel, prepared by a Registered Landscape Architect in the State of Kansas, shall be submitted to the Director of Planning for approval prior to the issuance of any building permit for such Parcel.

20. Screening shall be provided to screen any vehicle storage or outdoor storage from Pawnee, George Washington Boulevard and nearby non-residential properties. In the event that the use to be screened is separated by an intervening commercial parcel but that the use would remain visible due to no development or lack of required screening on the intervening parcel, screening shall be provided by the parcel upon which the use is located.
21. This C.U.P. document is general in character and will require the submission of a site plan and a landscape plan for each parcel or portion thereof. This site plan will require administrative approval at the plan review stage prior to the issuance of a building permit. The site plan shall show land use relationships, access points and/or control setbacks, interior circulation, parking, screening and other similar design considerations.
22. Prior to issuing building permits for each parcel or portion thereof, a plan for vehicular circulation and a pedestrian walk system shall be submitted and approved by the Director of Planning. The walk system shall link sidewalks along George Washington Blvd. and/or Pawnee with the major entrances to the development, and shall link with the proposed buildings within the development.
23. The development of this property shall proceed in general accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, any substantial deviation from 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. Parcel Description:

Parcel No. 1:
Permitted Uses: All allowed uses in the "LC" Zoning Code except the following: pawnshops; secondhand stores; taverns; night clubs; drinking establishments; adult entertainment; or public uses except churches, community assemblies, libraries, parks and recreation, government services and day care
Net Area: 88,731 s.f. (2.04 Acres)
Maximum Building Coverage: 30% or 115,382 s.f.
Maximum No. of Buildings: 5
Maximum Building Height: 35'


Parcel No. 2:
Permitted Uses: All allowed uses in the "LC" Zoning Code except the following: Residential uses; pawnshops; secondhand stores; taverns; night clubs; drinking establishments; adult entertainment or public uses except daycare.
Net Area: 19,319 s.f. (0.85 Acres)
Maximum Building Coverage: 30% or 79,241 s.f.
Maximum No. of Buildings: 1
Maximum Building Height: 35'

Parcel No. 3:
Permitted Uses: Same as Parcel 2
Net Area: 112,493 s.f. (2.61 Acres)
Maximum Building Coverage: 30% or 23,999 s.f.
Maximum No. of Buildings: 5
Maximum Building Height: 35'

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- Parcel No. 4:**
Proposed Uses: All allowed uses in the "GC" Zoning Code except the following: Residential uses; public uses except daycare, pawnshops, secondhand stores, taverns, night clubs, drinking establishments; adult entertainment; microbrewery; recreation and entertainment, outdoor; recreational vehicle campground; manufacturing; and vehicle storage yard.
Net Area: 39,997 s.f. (0.92 Acres)
Maximum Building Coverage: 30% or 12,000 s.f.
Maximum No. of Buildings: 3
Maximum Building Height: 35'
- Parcel No. 5:**
Proposed Uses: Same as Parcel 4
Net Area: 39,997 s.f. (4.23 Acres)
Maximum Building Coverage: 45%
Maximum No. of Buildings: 25
Maximum Building Height: 35'
- Parcel No. 6:**
Proposed Uses: Same as Parcel 4
Net Area: 184,143 s.f. (.91 Acres)
Maximum Building Coverage: 30%
Maximum No. of Buildings: 3
Maximum Building Height: 35'
- Parcel No. 7:**
Proposed Uses: Same as Parcel 2, except that residential uses are allowed.
Net Area: 144,744 s.f. (3.32 Acres)
Maximum Building Coverage: 30%
Maximum No. of Buildings: 10
Maximum Building Height: 35'
- Parcel No. 8:**
Permitted Uses: All uses allowed in the "LI" zoning district except: asphalt plant; landfill; mining or quarrying; oil or gas drilling; rock crushing; solid waste incinerator; transfer station; wrecking/salvage yard; correctional placement residences; correctional placement facilities; and microbrewery.
Net Area: 334,749 s.f. (7.68 Acres)
Maximum Building Coverage: 30%
Maximum No. of Buildings: 7
Maximum Building Height: 80'

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