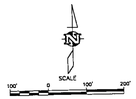
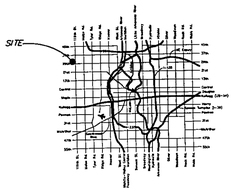
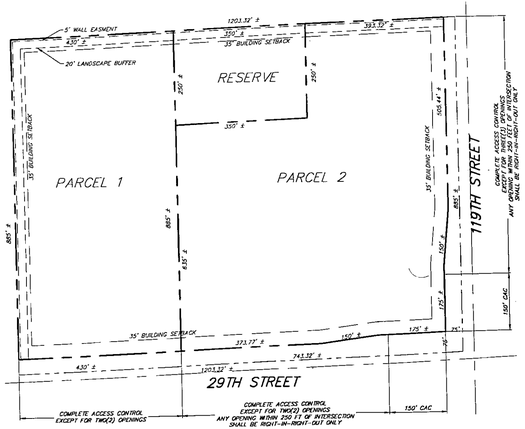
UBIQUITY COMMUNITY UNIT PLAN (D.P.–251)





LOCATION MAP



GENERAL PROVISIONS

1. PERMITTING LIGHT COMMERCIAL AND GENERAL OFFICE USES. SEE PARCEL DESCRIPTION (GENERAL PROVISION NO. 20) FOR SPECIFIC USES.

1A. BUILDING SETBACKS SHALL BE AS FOLLOWS:
PARCEL NO. 1– 35' ALONG 29TH STREET AND ADJACENT TO ADJOINING RESIDENTIAL DISTRICT
PARCEL NO 2 – 20' ALONG 29TH STREET, 119TH STREET AND ADJACENT TO ADJOINING RESIDENTIAL DISTRICT

2. SIGNAGE SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE SIGN CODE OF THE CITY OF WICHITA. ADDITIONALLY THE FOLLOWING CONDITIONS APPLY:
   A. SIGN HEIGHT VARIANCES AS MAY BE APPROVED BY THE BOARD OF ZONING APPEALS ARE PERMITTED.
   B. NO PORTABLE OR OFF–SITE SIGNS SHALL BE PERMITTED.
   C. FLASHING SIGNS, SIGNS WITH CHANGING 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.
   D. EACH PARCEL SHALL BE PERMITTED SIGNAGE AS FOLLOWS:
      PARCEL NO. 1– 213 SQ. FT. 3 SIGNS MAX.
      PARCEL NO. 2– 300 SQ. FT. 3 SIGNS ALONG 29TH STREET
                    300 SQ. FT. 3 SIGNS ALONG 119TH STREET
   E. ALL SIGNS: 20' MAX. HEIGHT AND MONUMENT STYLE. NO POLE SIGNS SHALL BE PERMITTED.
   F. ALL SIGNS SHALL BE SPACED 150 FEET APART ON BOTH PARCELS. WINDOW DISPLAY SIGNS SIGNS SHALL BE LIMITED TO 25 PERCENT OF THE WINDOW AREA. NO SIGNS SHALL BE PERMITTED ON THE REAR OF ANY BUILDING FACING NORTH OR WEST WITHIN 200 FEET OF THE NORTH OR WEST BOUNDARIES OF THE CUP.

3. TIME OF PLATTING. 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.

4. AREAS CONTAINED WITHIN THE DESCRIBED PARCELS SHALL BE PRIVATELY OWNED AND MAINTAINED. IF MULTIPLE OWNERSHIP OCCURS AN AGREEMENT PROVIDING FOR THE MAINTENANCE OF RESERVES, OPEN SPACE, INTERNAL DRIVES, PARKING AREAS, DRAINAGE IMPROVEMENTS, ETC., SHALL BE FILED WITH THE PLAT.

5. ALL PARKING AND DRIVES SHALL BE HARD SURFACED WITH CONCRETE OR ASPHALT.
   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 CHECK AND APPROVE THE SITE PLAN REGARDING FIRE LANES (S) AND FIRE HYDRANT LOCATION PRIOR TO CONSTRUCTION.

6. ACCESS CONTROL:
   AS SHOWN ON THE RECORDED PLAT. 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.

7. CROSS LOT CIRCULATION AND INTERNAL ACCESS SHALL BE PROVIDED AT THE TIME OF PLATTING.

8. THE TRANSFER OF TITLE OR 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 HEIRS, SUCCESSORS AND ASSIGNS AND LESSEES UNLESS AMENDED. THE FOLLOWING CHANGES IN THIS DEVELOPMENT PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION FOR ITS CONSIDERATION.

9. ALL LIGHTS SHALL BE SHIELDED TO REFLECT LIGHT DOWNWARD OR DIRECT LIGHT AWAY FROM RESIDENTIAL AREAS. ALL PARKING LOT LIGHTING ELEMENTS SHALL BE NON-GLARE/CONCEALED. LIGHT POLES SHALL BE LIMITED IN HEIGHT, AND SIMILAR/CONSISTENT LIGHT POLES SHALL BE USED IN THE C.U.P. NEON, AND EXPOSED USE OF BARE LIT CANOPIES AND NEON LIGHTING ARE PROHIBITED.

10. THE RESERVE AS SHOWN IS FOR DRAINAGE AND DETENTION PURPOSES.

11. A 20 FOOT LANDSCAPE BUFFER SHALL BE PROVIDED ALONG THE NORTH AND WEST PROPERTY LINES OF THE ENTIRE CUP. THE DEVELOPER SHALL BE REQUIRED TO PROVIDE A FINANCIAL GUARANTEE FOR PLANT MATERIAL APPROVED ON THE LANDSCAPE PLAN FOR THAT PORTION OF THE CUP BEING DEVELOPED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT, IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.

12. TRASH RECEPTACLES SHALL BE APPROPRIATELY SCREENED TO REASONABLY HIDE THEM FROM SPECIAL CONSIDERATION AREAS. SCREENING SHALL BE OF MATERIALS SIMILAR AND COMPATIBLE WITH AND COMPLEMENTARY TO THE BUILDING OF THE BUILDINGS TO WHICH THE TRASH RECEPTACLE PROVIDES SERVICE. LOADING DOCKS AND SERVICE AREAS SHALL ALSO BE SCREENED FROM ALL RESIDENTIAL AREAS WITH SCREENING AND/OR LANDSCAPING APPROVED BY THE PLANNING DIRECTOR.

LEGAL DESCRIPTION:
Beginning at the SE Corner of the SE 1/4 Section 36, T 26 S, R 2 W, thence North 905 feet; thence West 1203.32 feet; thence South 905 feet; thence East 1203.32 feet to the point of beginning.

13. THE DEVELOPER SHALL BE REQUIRED TO PREPARE A LANDSCAPE PLAN IN CONFORMANCE WITH THE REQUIREMENTS OF CHAPTER 10.32 OF THE CODE OF THE CITY OF WICHITA.

14. 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 ISSUANCE OF A BUILDING PERMIT. THE SITE PLAN SHALL SHOW LAND USE RELATIONSHIPS, ACCESS POINTS AND/OR CURB CUTS, SETBACKS, INTERIOR CIRCULATION, PARKING, SCREENING AND OTHER SIMILAR DESIGN CONSIDERATIONS.

15. PRIOR TO ISSUING BUILDING PERMITS FOR EACH PARCEL OR PORTION THEREOF, A PLAN FOR VEHICULER CIRCULATION AND A PEDESTRIAN WALK SYSTEM SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PLANNING. THIS WALK SYSTEM SHALL LINK SIDEWALKS ALONG 29TH STREET NORTH AND 119TH STREET WEST WITH PROPOSED BUILDINGS WITHIN THE SUBJECT PROPERTY AS DETERMINED NECESSARY BY THE DIRECTOR OF PLANNING.

16. ALL BUILDING EXTERIORS SHALL SHARE A UNIFORM ARCHITECTURAL CHARACTER, AND SHALL BE PREDOMINATELY EARTH-TONE COLORS WITH HI-HD COLORS LIMITED TO INCIDENTAL ACCENT, AND SHALL USE MATERIALS SIMILAR TO SURROUNDING RESIDENTIAL AREAS.

17. A SIX (6) FOOT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG PROPERTY LINES OF THE ENTIRE C.U.P. WHERE ALL LIGHT INDUSTRIAL WHITE NONRESIDENTIAL USES ARE ADJACENT TO RESIDENTIAL ZONING EXCEPT WHERE THERE IS A MINIMUM THREE HUNDRED (300) FEET OF RELATED RESERVE AREA. THE MASONRY WALL SHALL BE CONSTRUCTED WITH A PATTERN AND COLOR CONSISTENT WITH THE BUILDINGS ON THE SITE.

18. AT THE TIME OF PLATTING THE APPLICANT WILL BE REQUIRED TO GUARANTEE OFF–SITE IMPROVEMENTS.

19. THE DEVELOPMENT OF THIS PROPERTY SHALL PROCEED IN ACCORDANCE WITH THE DEVELOPMENT PLAN AS RECOGNIZED 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.

20. PARCEL DESCRIPTION:

PARCEL NO. 1

PROPOSED USES: ALL PERMITTED USES IN THE "GO" GENERAL OFFICE DISTRICT EXCEPT CORRECTIONAL PLACEMENT RESIDENCES, LIMITED CORRECTIONAL PLACEMENT RESIDENCES, GENERAL; GROUP HOME, LIMITED, GENERAL AND COMMERCIAL; HOTELS AND MOTELS; RECYCLING COLLECTION STATIONS; ASPHALT OR CONCRETE, LIMITED, MANUFACTURE, MANUFACTURING, COMPOUNDING OR QUARRYING, OIL OR GAS DRILLING, POST CONSUMER SOLID WASTE, WOOD CHIPPING; SOLID WASTE INCINERATOR; ALL INDUSTRIAL USES; ADULT ENTERTAINMENT ESTABLISHMENTS; GROUP RESIDENCES; HALFWAY HOUSES; PRIVATE CLUBS, TAVERNS, AND DRINKING ESTABLISHMENTS; RESTAURANTS THAT SERVE LIQUOR, MOST HAVE FOOD AS THE PRIMARY SERVICE.

NET AREA – 280,457 SQ. FT. (6.73 ACRES)
MAXIMUM BUILDING COVERAGE – 17% (47,727 SQ. FT. (1.08 Mac.)
MAXIMUM FLOOR AREA – 34% (95,355 SQ. FT. (2.2 Mac.)
MAXIMUM BUILDING HEIGHT – 45 FEET WITHIN 200 FEET OF NORTH AND WEST BOUNDARIES
TOTAL NUMBER OF BUILDINGS – 8

PARCEL NO. 2

PROPOSED USES: ALL PERMITTED COMMERCIAL USES IN THE "LC" LIMITED COMMERCIAL DISTRICT EXCEPT CORRECTIONAL PLACEMENT RESIDENCES, LIMITED CORRECTIONAL PLACEMENT RESIDENCES, GENERAL; GROUP HOME, LIMITED, GENERAL AND COMMERCIAL; RECYCLING COLLECTION STATIONS; ASPHALT OR CONCRETE, LIMITED, MANUFACTURE, MANUFACTURING, COMPOUNDING OR QUARRYING, OIL OR GAS DRILLING, POST CONSUMER SOLID WASTE, WOOD CHIPPING; SOLID WASTE INCINERATOR; ALL INDUSTRIAL USES; GROUP RESIDENCES; HALFWAY HOUSES; PRIVATE CLUBS, TAVERNS, AND DRINKING ESTABLISHMENTS. THE NORTH 200 FEET OF PARCEL 2 EAST OF THE RESERVE SHALL BE PROHIBITED FROM DRIVE THRU ESTABLISHMENTS, CAR WASHES, CONVENIENCE STORES, GAS STATIONS, RESTAURANTS AND ESTABLISHMENTS WITH DRIVE THRU SERVICE, ADULT ENTERTAINMENT ESTABLISHMENTS AND ANY STRUCTURE OVER 35' IN HEIGHT. RESTAURANTS THAT SERVE LIQUOR CAN BE DEVELOPED AND MAY DERIVE LIQUOR AS LONG AS FOOD IS THE PRIMARY SERVICE OF THE ESTABLISHMENT.

LIMITED COMMERCIAL ZONING DISTRICT
NET AREA – 378,138 SQ. FT. (13.08 ACRES)
MAXIMUM BUILDING COVERAGE – 17% (65 SQ. FT. (1.08 Mac.)
MAXIMUM FLOOR AREA – 18% (68 SQ. FT. (1.08 Mac.)
TOTAL NUMBER OF BUILDINGS – 10

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