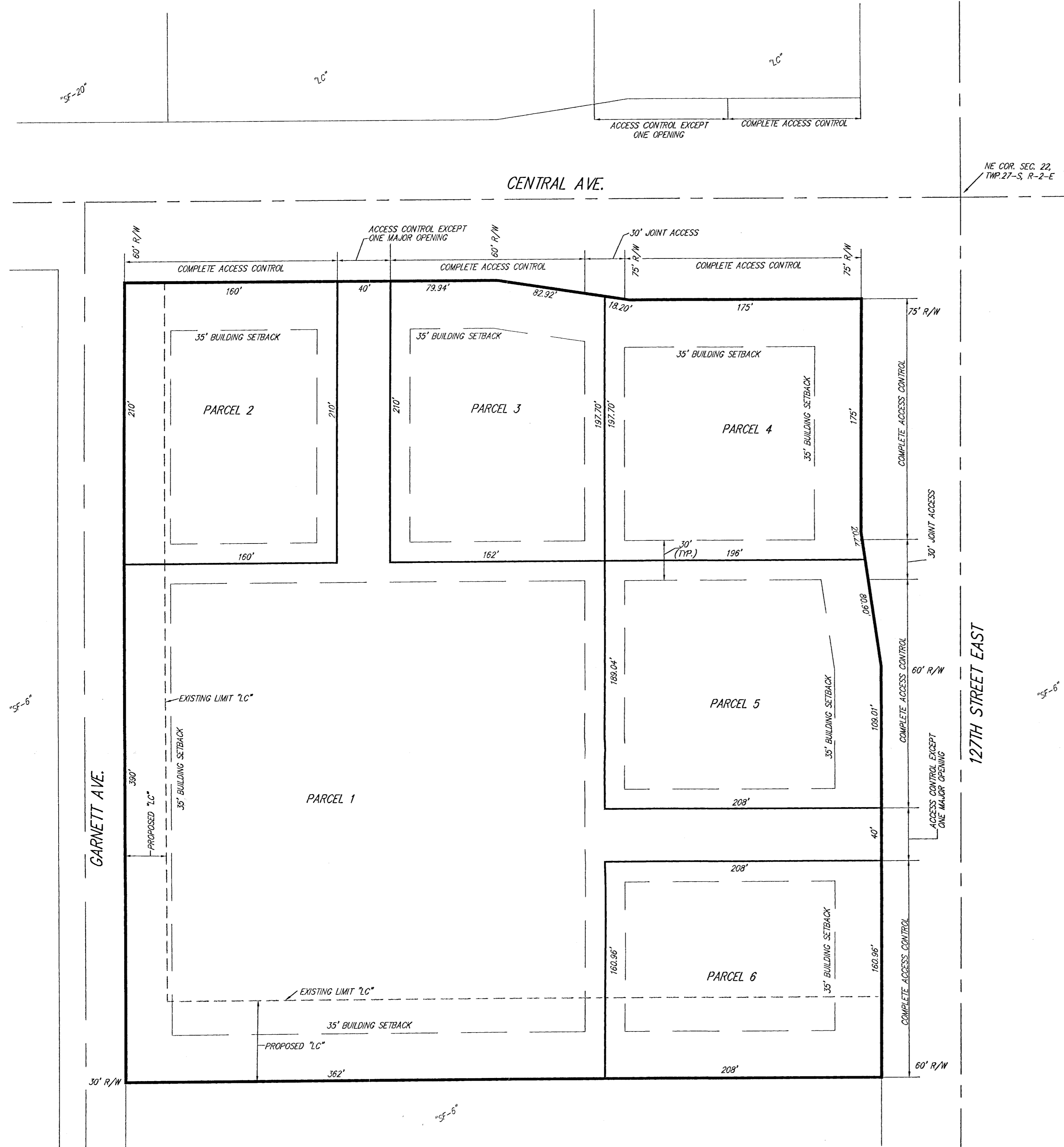


127TH RETAIL CENTER COMMUNITY UNIT PLAN DP - 247



GENERAL PROVISIONS:

1. Total Land Area: 335,024.45 sq.ft. or 7.69 acres
2. Total Gross Floor Area: 117,258.56 sq.ft. Total Floor Area Ratio: 35 percent
3. Parking shall be provided in accordance with Article IV of the Unified Zoning Code of the City of Wichita, unless otherwise specified in the parcel description.
4. Setbacks are as indicated on the C.U.P. drawing, or as specified in the parcel descriptions. If contiguous parcels are to be developed under the same ownership, setbacks between those parcels will not be required.
5. A Drainage Plan shall be submitted to City Engineering for approval. Required guarantees for drainage shall be provided at the time of platting improvements.
6. Guarantees for street improvements for 127th Street East and Central Avenue will be determined at the time of platting.
 - A. A fourth lane added on the western side of 127th across the development.
 - B. The shared opening on Central shall be limited to right-in/right-out turn movements by construction of a channelized "Y" opening at the site entrance or by construction of a central median on Central.
 - C. The left turn lane on Central shall be extended to the west to at least 30 feet west of the curb of the major opening.
 - D. One point of access shall be permitted on Garnett located up to 300 feet south of Central Ave. If the adjoining property on Garnett is rezoned from "SF-6" Single family, a second point of access shall be permitted on Garnett. If Garnett is used for access, the applicant shall petition for improvement of Garnett.
7. Signs shall be in accordance with the Sign Code of the City of Wichita 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 are limited to 25% of the window area.
 - E. No signs shall be allowed on the rear of any buildings.
 - F. All freestanding signs must be monument type and shall have a maximum height of 20 feet. The maximum square footage of sign face allowed in Parcels 1-6 shall not exceed 60% of lot frontage.
8. Access Controls shall be as shown on the final plat.
9. All exterior lighting shall be shielded to direct light disbursement in a downward direction.
10. Parcels 1-6 shall share similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
 - A. Limited height of light poles to 24 feet.
 - B. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.
11. Utilities shall be installed underground on all parcels.
12. Landscaping for this site shall be required as follows:
 - A. Development of all parcels within the C.U.P. shall comply with the Landscape Ordinance of the City of Wichita.
 - B. A landscape plan shall be prepared by a Kansas Landscape Architect for the above referenced landscaping, indicating the type, location, and specifications of all plant material. This plan shall be submitted to the Planning Department for their review and approval prior to issuance of a building permit.
 - C. A financial guarantee for the plant material approved on the landscape plan for that portion of the C.U.P. being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
13. Masonry Walls:
 - A. A six (6) foot high masonry wall shall be constructed along property lines of the C.U.P. in conformance with the provisions of Section 11.0.2.b(2)(d) of the Unified Zoning Code.
 - B. This solid masonry wall shall be constructed of a pattern and color that is consistent with the building walls.
14. Rooftop mechanical equipment shall be screened from ground level view per Unified Zoning Code.
15. Trash receptacles shall be appropriately screened to reasonably hide them from ground view.
16. All buildings in Parcels 1-6 shall share uniform architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs must have predominantly earth-tone colors, with vivid colors limited to surrounding residential areas.
17. 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. The Fire Chief or his designated representative shall review and approve the location and design of all fire lanes. Fire hydrant installation and paved access to all to all building sites shall be provided for each phase of construction prior to the issuance of building permits.
18. Parcels 1-6 shall be limited to uses permitted in the "LC" Limited Commercial zoning; provided that no parcel within this C.U.P. shall allow the use of adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor can be developed and may serve liquor, as long as food is the primary service of the establishment. All other uses in the "LC" Zoning district will be allowed except within the south and west 150 feet, where so long as the adjoining properties are zoned "SF-6", the following uses will be eliminated: Drive-in and drive-through Restaurants, Convenience Stores, Service Stations, Car Washes, and no overhead doors for auto service and/or repair facing Garnett.
19. The Transfer of title of all or any portion of the land included within the Community Unit Plan 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, unless amended.
20. Amendments, adjustments or interpretations to this C.U.P. shall be done in accordance with Article V, Section E, 13-15 of the Unified Zoning Code.
21. 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.
22. Cross-lot circulation agreements shall be required at the time of platting to assure internal vehicular movement between parcels within the C.U.P., including but not limited to, cross-circulation for Parcel 4 across Parcel 3 and Parcel 5.
23. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

LEGAL DESCRIPTION:

All of Lot 1, Glider's Gardens, Sedgwick County, Kansas, TOGETHER with the E 1/2 of the NE 1/4 of the NE 1/4 of Sec. 22, Twp. 27-S, R-2-E of the 6th P.M., Sedgwick County, Kansas, all being subject to road rights-of-way of record.

SCALE: 1" = 50'

PARCEL 1

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| A. Gross Area: | 157,899.82 sq.ft. or 3.63 acres |
| B. Maximum Building Coverage: | 47,370 sq.ft. or 30 percent |
| C. Maximum Gross Floor Area: | 55,264.94 sq.ft. |
| D. Floor Area Ratio: | 35 percent |
| E. Maximum Number of Buildings: | Three (3) |
| F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet. | |
| G. Setbacks: | See Drawing |
| H. Access Points: | See Drawing |

PARCEL 2

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| A. Net Area: | 33,600.09 sq.ft. or .77 acres |
| B. Maximum Building Coverage: | 10,080.03 sq.ft. or 30 percent |
| C. Maximum Gross Floor Area: | 11,760.03 sq.ft. |
| D. Floor Area Ratio: | 35 percent |
| E. Maximum Number of Buildings: | One (1) |
| F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet. | |
| G. Setbacks: | See Drawing for Setbacks |
| H. Access Points: | See Drawing |

PARCEL 3

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| A. Net Area: | 33,515.54 sq.ft. or .77 acres |
| B. Maximum Building Coverage: | 10,054.66 sq.ft. or 30 percent |
| C. Maximum Gross Floor Area: | 11,730.44 sq.ft. |
| D. Floor Area Ratio: | 35 percent |
| E. Maximum Number of Buildings: | One (1) |
| F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet. | |
| G. Setbacks: | See Drawing for Setbacks |
| H. Access Points: | See Drawing |

PARCEL 4

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| A. Net Area: | 37,689.39 sq.ft. or 0.87 acres |
| B. Maximum Building Coverage: | 11,306.82 sq.ft. or 30 percent |
| C. Maximum Gross Floor Area: | 13,191.29 sq.ft. |
| D. Floor Area Ratio: | 35 percent |
| E. Maximum Number of Buildings: | One (1) |
| F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet. | |
| G. Setbacks: | See Drawing for Setbacks |
| H. Access Points: | See Drawing |

PARCEL 5

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| A. Net Area: | 38,840.16 sq.ft. or 0.89 acres |
| B. Maximum Building Coverage: | 11,652.05 sq.ft. or 30 percent |
| C. Maximum Gross Floor Area: | 13,594.06 sq.ft. |
| D. Floor Area Ratio: | 35 percent |
| E. Maximum Number of Buildings: | One (1) |
| F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet. | |
| G. Setbacks: | See Drawing for Setbacks |
| H. Access Points: | See Drawing |

PARCEL 6

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| A. Gross Area: | 33,479.44 sq.ft. or 0.77 acres |
| B. Maximum Building Coverage: | 10,043.83 sq.ft. or 30 percent |
| C. Maximum Gross Floor Area: | 11,717.80 sq.ft. |
| D. Floor Area Ratio: | 35 percent |
| E. Maximum Number of Buildings: | One (1) |
| F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet. | |
| G. Setbacks: | See Drawing |
| H. Access Points: | See Drawing |

127TH RETAIL CENTER COMMUNITY UNIT PLAN
DP-247

BAUGHMAN COMPANY P.A.
ENGINEERING, SURVEYING, & PLANNING

OCTOBER 27, 1999

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