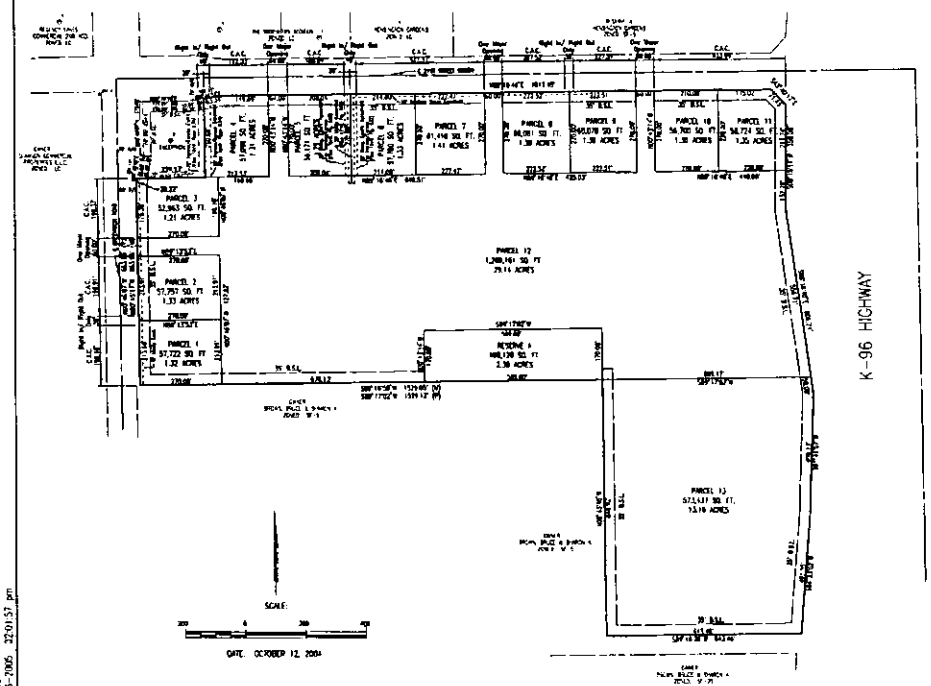
COMMUNITY UNIT PLAN DP-279

Crosspointe C.U.P

OWNER: SLAWSON COMMERCIAL PROPERTIES, L.L.C.
727 NORTH WACO SUITE 400
WICHITA, KANSAS 67203



DATE: OCTOBER 12, 2004

GENERAL PARAGRAPHS

1. THIS PROJECT IS PROPOSED TO CONTAIN 59.434 GROSS ACRES OR 34.210 NET ACRES. NET ACRES ARE DETERMINED BY SUBTRACTING ARTERIAL STREET RIGHT-OF-WAY FROM THE GROSS ACRES.

2. PARCEL DESCRIPTIONS
   NOTE: UNITS OTHERWISE SPECIFIED. MAXIMUM GROSS FLOOR AREA AND MAXIMUM BUILDING COVERAGE ARE THE SAME

   RESERVE "A"
   PERMITTED USES: DRAINAGE RETENTION, SIDEWALKS, UTILITIES AND RECREATION
   GROSS AREA= 7.30 ACRES (100,178 SQ.FT.)

   PARCEL 1
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.32 ACRES (57,722 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 12,000 SQ.FT. (20.8%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 2
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.33 ACRES (57,757 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 12,000 SQ.FT. (20.8%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 3
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.21 ACRES (52,963 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 12,000 SQ.FT. (22.6%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 4
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.31 ACRES (57,098 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 12,000 SQ.FT. (21.0%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 5
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.24 ACRES (54,171 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 12,000 SQ.FT. (21.7%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 6
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.33 ACRES (57,780 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 12,000 SQ.FT. (20.7%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 7
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.41 ACRES (61,418 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 17,000 (19.5%)
   MAXIMUM BUILDING HEIGHT = 35'

   PARCEL 8
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.38 ACRES (60,087 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 12,000 SQ.FT. (20.0%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 9
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.38 ACRES (60,078 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 12,000 SQ.FT. (20.0%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 10
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.30 ACRES (56,700 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 12,000 SQ.FT. (21.1%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 11
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 1.35 ACRES (58,724 SQ.FT.)
   MAXIMUM BUILDING COVERAGE = 12,000 SQ.FT. (20.4%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 12
   PROPOSED USES: SEE G.P. #1
   GROSS AREA= 29.14 ACRES (1,268,161 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 397,000 SQ.FT. (30.0%)
   MAXIMUM GROSS FLOOR AREA= 444,286 SQ.FT. (35.0%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

   PARCEL 13
   PROPOSED USES: SEE G.P. #3
   GROSS AREA= 13.16 ACRES (573,137 SQ.FT.)
   MAXIMUM BUILDING COVERAGE= 170,000 SQ.FT. (29.6%)
   MAXIMUM GROSS FLOOR AREA= 200,763 SQ.FT. (35.0%)
   MAXIMUM BUILDING HEIGHT = 35 FEET

3. PERMITTED USES: ALL USES PERMITTED IN THE L.C. ZONING DISTRICT EXCEPT FOR CORRECTIONAL PLACEMENT RESIDENCES, VEHICLE STORAGE YARDS, OUTDOOR STORAGE, PAWN SHOPS, FREESTANDING RETAIL LIQUOR STORES, MOTOR CARS, ASPHALT OR CONCRETE PLANTS, SEXUALLY ORIENTED BUSINESSES, AND ADULT ENTERTAINMENT AS DEFINED BY CITY CODE. A MAXIMUM OF (3) PARLE TAKEOUT OR DRINKING ESTABLISHMENTS SHALL BE ALLOWED ON THE ENTIRE C.U.P. THE USES OF CONVENIENCE STORE WITH GAS ISLANDS, SERVICE STATION, AND VEHICLE REPAIR SHALL BE LIMITED TO A COMBINED MAXIMUM OF THREE SUCH USES, AND THESE USES SHALL BE RESTRICTED TO PLACEMENT WITHIN PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 OR 11. DRIVE IN OR DRIVE-THROUGH FACILITIES SHALL NOT BE PERMITTED WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY OR FACING RESIDENTIAL DISTRICTS UNLESS SEPARATED BY AN ARTERIAL STREET.

4. THE TRANSFER OF THE TITLE ON ALL OR ANY PORTION OF THE LAND INCLUDED IN THE DEVELOPMENT DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF. SAID PLAN SHALL RUN WITH THE LAND FOR DEVELOPMENT AND BE BINDING UPON THE PRESENT LAND OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED. MOREOVER, THE PLANNING DIRECTOR, WITH THE CONCURRENCE OF THE DCI SUPERINTENDENT, MAY APPROVE MINOR 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 SIX (6) OPENINGS. THERE SHALL BE ACCESS CONTROL ON PARCEL FOUR EXCEPT ONE OPENING BETWEEN PARCEL FOUR AND LOT 2 BLOCK A (RIGHT TURN ONLY). THERE SHALL BE ONE MAJOR OPENING BETWEEN PARCEL FOUR AND PARCEL FIVE. PARCEL FIVE AND PARCEL SIX SHALL HAVE ACCESS CONTROL EXCEPT ONE OPENING (RIGHT TURN ONLY) CENTERED ON THE LOT LINE OF PARCEL FIVE AND PARCEL SIX. THERE SHALL BE ONE MAJOR OPENING BETWEEN PARCEL SEVEN AND PARCEL EIGHT. PARCEL EIGHT AND PARCEL NINE SHALL HAVE 1 OPENING (RIGHT TURN ONLY). THERE SHALL BE ONE MAJOR OPENING BETWEEN PARCEL NINE AND PARCEL TEN. PARCEL TEN AND ELEVEN SHALL HAVE COMPLETE ACCESS CONTROL. (SEE PLAN)
   B. ACCESS TO GREENWICH ROAD SHALL BE LIMITED TO TWO OPENINGS. THERE SHALL BE ONE (1) MAJOR OPENING BETWEEN PARCEL TWO AND PARCEL THREE. PARCEL ONE AND PARCEL TWO SHALL HAVE ACCESS CONTROL EXCEPT ON OPENING (RIGHT TURN ONLY) CENTERED ON THE LOT LINE OF PARCEL ONE AND PARCEL TWO. (SEE PLAN)

6. LANDSCAPE AND PARKING LOT SCREENING.
   SHALL BE IN ACCORDANCE WITH THE CITY OF WICHITA CODE. A LANDSCAPE PLAN INDICATING THE LOCATION, TYPE AND SPECIFICATION OF PLANT MATERIAL SHALL BE SUBMITTED BY A LANDSCAPE ARCHITECT TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT(S). A PRIMARY GUARANTEE FOR THE PLANT MATERIALS APPROVED 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.

7. MINIMUM SETBACK REQUIREMENTS: PER CODE

8. SIGNS SHALL BE IN ACCORDANCE WITH APPROPRIATE CODES WITH THE FOLLOWING CONDITIONS:
   A. AS THE PROPERTY DEVELOPS ALONG THE ARTERIAL ROADWAYS, MONUMENT TYPE SIGNS SHALL BE SPACED A MINIMUM OF 150 APART, REGARDLESS OF HOW LAND IS LEASED OR SOLD.
   B. FLASHING SIGNS (EXCEPT FOR SIGNS SHOWING ONLY TIME, TEMPERATURE AND OTHER PUBLIC SERVICE MESSAGES), MESSAGE BOARDS, ROLLING OR MOVING SIGNS, SIGNS WITH MOVING LIGHTS OR SIGNS WHICH CREATE ILLUSIONS OF MOVEMENT ARE NOT PERMITTED.
   C. PORTABLE SIGNS, OFF-SITE SIGNS, AND BILLBOARDS ARE NOT PERMITTED.
   D. WINDOW DISPLAY SIGNS ARE LIMITED TO 25 PERCENT OF THE WINDOW AREA.
   E. NO SIGNS SHALL BE ALLOWED ON THE REAR OF ANY BUILDINGS WHICH BACK UP TO RESIDENTIALLY ZONED PROPERTY.
   F. ALL FREESTANDING SIGNS ON GREENWICH ROAD OR 21ST STREET NORTH SHALL BE MONUMENT TYPE SIGNS. ONE SIGN ON GREENWICH ROAD AND THREE SIGNS ON 21ST STREET NORTH LOCATED AT OR NEAR THE MAJOR ENTRANCES MAY HAVE A MAXIMUM HEIGHT OF 30' AND A MAXIMUM SIGN FACE AREA OF 300 SQ.FT. PER SIGN. ONE SIGN ALONG K-96 ON PARCEL 13 AND ONE ON PARCEL 11 MAY HAVE A MAXIMUM HEIGHT OF 45' AND A MAXIMUM SIGN FACE AREA OF 325 SQ.FT. PARCELS 1 THROUGH 11 MAY HAVE SIGNS WITH A MAXIMUM HEIGHT OF 20' AND A MAXIMUM SIGN FACE AREA OF 200 SQ.FT. PER SIGN. THE MAXIMUM SQUARE FOOTAGE OF SIGNAGE ON THE ARTERIAL STREETS SHALL NOT EXCEED 4.0 TIMES THE LINEAL STREET FRONTAGE.

9. PARKING
   SHALL BE IN ACCORDANCE WITH THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE.

10. ARCHITECTURAL CONTROL:
    A. BUILDINGS ON PARCELS 12 AND 13 SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, UNIFORM ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE IF DEVELOPED WITH RETAIL USES. FACADES SHALL ARE PREDOMINANTLY METAL PANELS EXCLUDING GLASS AND WINDOW AREA SHALL NOT BE ALLOWED, EXCEPT THIS RESTRICTION WILL NOT APPLY TO THE REAR FACADES EXCEPT WHERE ADJACENT TO RESIDENTIAL USES.
    B. PARCELS 1 THROUGH 11 SHALL HAVE SIMILAR PREDOMINANT EXTERIOR BUILDING MATERIALS, UNIFORM ARCHITECTURAL CHARACTERISTICS, AND SHARE A SIMILAR COLOR PALETTE IF DEVELOPED WITH RETAIL USES. NO FACADES SHALL 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 UNIFORM CHARACTERISTICS.

11. AN ACTIVITY MEANING FOR THE MAINTENANCE OF RESERVES, OPEN SPACE, ARTERIAL STREETS, PARKING AREAS, LANDSCAPE IMPROVEMENTS, ETC., SHALL BE FILED IN THE SAME THE PLAT IS FILED OF RECORD.

12. NO OCCUPANCY PERMITS SHALL BE ISSUED FOR ANY DEVELOPMENT WITHOUT SERVICES BY THE 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 DETERMINED 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 DOCKS IN THE C.U.P. SHALL BE SCREENED FROM GROUND LEVEL VIEW ALONG 21ST STREET NORTH, GREENWICH ROAD AND ALL RESIDENTIAL AREAS. SCREENING OF ALL TRASH DUMPSTERS, OUTDOOR STORAGE AND MECHANICAL EQUIPMENT WILL BE CONSTRUCTED OF A MATERIAL TO MATCH THE BUILDINGS WHEN SUPPORT.

17. MASONRY WALLS:
    A. A SIX (6) FOOT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG PROPERTY LINES OF THE C.U.P. AS REQUIRED BY AND IN CONFORMANCE WITH THE PROVISIONS OF THE UNIFIED ZONING CODE. THE WALL REQUIREMENT SHALL BE WAIVED IF A PARCEL IS DEVELOPED AS A RESIDENTIAL USE.
    B. SCREENING OF NONRESIDENTIAL USES SHALL BE PROVIDED ALONG ALL SIDE OR REAR LOT LINES ADJOINING OR ACROSS AN ALLEY FROM A RESIDENTIAL ZONING DISTRICT, AND SCREENING OF MULTI FAMILY SHALL BE PROVIDED ALONG ALL SIDE OR REAR LOT LINES ADJOINING OR ACROSS AN ALLEY FROM PROPERTY ZONED R-3 OR MORE RESTRICTIVE. SOLID SCREENING WITH FENCING OR EVERGREEN VEGETATION MAY BE WAIVED FOR MULTI FAMILY AND OFFICE USES ALONG ANY SIDE OR REAR LOT LINE OR PORTION THEREOF WHENEVER SUCH DEVELOPMENT PROVIDES AT LEAST A 15-FOOT WIDE LANDSCAPE BUFFER ADJACENT TO SUCH LOT LINE OR PORTION THEREOF. THE BUFFER SHALL PROVIDE A MINIMUM OF ONE TREE AND FIVE SHRUBS FOR EVERY 30 LINEAL FEET OF ADJACENT PROPERTY LINE OR FRACTION THEREOF, WITH AT LEAST ONE-THIRD OF THE TREES BEING EVERGREEN, OR COMPLY WITH APPLICABLE STANDARDS OF THE CITY OF WICHITA LANDSCAPE CODE IF THEY ARE MORE STRINGENT.

18. 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 DEPARTURE 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 ARTERIAL AND COLLECTOR SIDEWALKS AND TO ADJACENT BUILDINGS SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PLANNING.

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

21. ALL PARCELS WITH L.C. USES SHALL SHARE SIMILAR OR CONSISTENT PARKING LOT LIGHTING FIXTURES (I.E. FIXTURES, POLES, 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 ALL ADJACENT PARCELS IN THE C.U.P. FRONTING 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.

Professional Engineering Consultants, P.A.
300 N. Mead • Wichita, Kansas 67202
316 263 2691 • FAX 316 263 3202

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