

# OLIVER RETAIL CENTER COMMUNITY UNIT PLAN DP-261

## GENERAL PROVISIONS:

- Total Land Area:** 372,168 sq. ft. or 8.54 acres  
**Net Land Area:** 372,168 sq. ft. or 8.54 acres  
**Total Gross Floor Area:** 130,259 sq. ft.  
**Total Floor Area Ratio:** 35 percent
- Parking shall be provided in accordance with Section 28.08, 14.01, et. seq. of the Code of the City of Wichita, unless otherwise specified in the parcel description.**
- Setbacks are as indicated on the C.U.P. drawing. If contiguous parcels are to be developed under the same ownership, setbacks between those parcels will not be required.**
- A Drainage Plan shall be submitted to City Engineering for approval. Required guarantees for drainage shall be provided at the time of platting.**
- A traffic study has been provided to the City of Wichita for this C.U.P. and street improvements to Oliver which address the traffic needs of this site are currently under design. This work is being done with Project #472-84018, to be bid in November, 2008.**
- Signs shall be in accordance with the Sign Code of the City of Wichita.**
  - As the frontage develops along the arterial roadways, signs shall be spaced a minimum of 150 feet apart, irrespective of how land is leased or sold.
  - Portable, off-site signs and Billboards are not permitted.
  - Window display signs are limited to 25% of the window area.
  - Signs located within 200 feet of residentially zoned property shall not exceed 20 feet in height.
  - Each parcel is permitted as least one free standing sign per arterial frontage with the following area restrictions:  
Parcel A: 215 Sq. Ft. of signage along Kellogg Avenue  
0 Sq. Ft. of signage along Oliver  
Parcel B: 250 Sq. Ft. of shared signage with Parcel E along Kellogg Avenue  
215 Sq. Ft. of signage along Oliver  
Parcel C: 122 Sq. Ft. of signage along Oliver  
Parcel D: 122 Sq. Ft. of signage along Oliver  
Parcel F: 202 Sq. Ft. of signage along Kellogg Avenue  
150 Sq. Ft. of signage along Oliver  
Parcel G: 100 Sq. Ft. of signage along Oliver  
0 Sq. Ft. of signage along Kellogg Avenue
  - Flashing signs (except for signs showing only time, temperature and other public service messages), message boards, rotating or moving signs, signs with moving lights or signs which create illusions of movement are not permitted. Signs that change once per second or more frequently, are not permitted.
  - Building Wall Signage**  
Building Facades on the west and south sides on Parcels B & E, and on the east and west sides on Parcels F & G, that are located within 200 feet of residential zoning shall be limited to signage permitted in the NR (Neighborhood Retail) District.
  - Signs permitted in all zoning districts shall be allowed on all parcels per 24.04.190 of the Wichita Sign Code.
  - Signs along Oliver Avenue shall be monument type signs.
- Access Controls are as indicated.**

- All parcels shall share similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and ect.).
  - Light poles shall be limited in height to 24 feet, except within 200 feet of residentially zoned property where light poles shall not exceed 15 feet in height.
  - Extensive use of back lit canopies and neon or fluorescent tube lighting on buildings is not permitted.
  - All exterior lighting shall be shield to direct light disbursement in a downward direction and not onto adjoining residentially-zoned property.
- Utilities shall be installed underground on all parcels, except except the existing building on Parcel E.
- Landscaping for this site shall be required as follows:
  - Development of all parcels within the C.U.P. shall comply with the Landscape Ordinance of the City of Wichita, Except Parcels B and E, which will be 1.5 times the required Landscape Ordinance.
  - 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.
  - 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.
  - Landscaping on the adjoining property owned by the City of Wichita shall be installed and maintained in accordance to the agreement with the City of Wichita (and as reviewed by the Design Council), and may be credited toward meeting landscaped street yard requirements. This credit shall not be used to reduce any screening or parking lot landscaping requirements of the Landscape Ordinance. Street frontage along Glendale shall provide a landscaped street yard and parking lot screening if parking lots are located between the buildings and street.
- Screening Walls:
  - A six (6) foot high concrete/masonry wall shall be constructed along the south and west property lines of the C.U.P. where adjacent to residential uses and confined to the indicated easement (See Drawing).
  - This solid wall shall be constructed of a pattern and color that is consistent with the building walls.
  - A wall will be extended north from the southwest corner of Parcel E and terminate 50 feet at the south line of the existing building. The location of the wall shall be approved with any building permit on Parcel E.
- Roof-top mechanical equipment shall be screened from ground level view per Unified Zoning Code.
- Trash receptacles shall be appropriately screened to reasonably hide them from ground view.

- All buildings in the C.U.P. developed for Retail uses shall share compatible architectural character, color, texture, and the same predominate exterior building material, as determined by the Director of Planning. Building walls and roofs must have predominately earth-tone colors, with vivid colors limited to incidental accent, and must employ materials that compliment surrounding residential areas. Metal as an exterior material shall be limited to incidental accent.
- 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 building sites shall be provided for each phase of construction prior to the issuance of building permits.
- All parcels shall be zoned Limited Commercial and be permitted those uses allowed by-right in the "LC" Limited Commercial zone. No drive-in or drive-through facilities shall be located within 200 feet of residential zoning on Parcels B and E. No service station and convenience stores with gas islands, and car washes shall be permitted on Parcels B and E. No Parcel within this C.U.P. shall allow the use of adult entertainment establishments, group residential, correctional placement residences, vehicle sales, multi-game, casino-style gambling facilities, private clubs, taverns, nightclubs, 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.
- Cross-lot circulation agreements for both vehicle and pedestrian traffic shall be required at the time of platting to assure internal vehicular and pedestrian movement with the C.U.P. A cross lot circulation agreement for vehicular traffic, will be required with Dewitt 2nd Addition at the time of platting.
- A plan for a pedestrian walk system shall be submitted and approved by the Director of Planning prior to the issuance of building permits. The walk system shall link buildings with the arterial and/or perimeter sidewalks and provide connectivity between buildings.
- Amendments, adjustments or interpretations to this C.U.P. shall be done in accordance with the Unified Zoning Code.
- The Transfer of title of all or any portion of land included within the Community Unit Plan (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but sold plan shall run with the land and be binding upon present owners, their successors and assigns.
- 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 or the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
- A circulation plan shall be submitted and approved by the Traffic Engineer in conjunction with the Planning Director prior to the issuance of any building permit; with the circulation plan being designed to discourage travel on Pershing and channel traffic toward Oliver for Parcels A, B, C, D and E.

## LEGAL DESCRIPTION

Lots 1 and 2, Block A, AND Lot 1, Block B, Ann Walenta Addition, Wichita, Sedgwick County, Kansas;

The North 70.00 feet of Lots 1, 2, 3, 4 and 5, EXCEPT that part part described as beginning at the northeast corner of said Lot 1; thence S00°00'26"E along the east line of said Lot 1, 59.99 feet; thence N89°59'26"W parallel with the north line of said Lot 1, 15.00 feet; thence N00°00'26"W parallel with said east line, 24.99 feet; thence N44°59'56"W, 28.29 feet; thence N89°59'26"W parallel with said north line, 95.10 feet to the west line of said Lot 5; thence N00°00'26"W along said west line, 15.00 feet to said north line; thence S89°59'26"E along said north line, 130.10 feet to the place of beginning, Kellogg Heights Addition to Wichita, Kansas; TOGETHER WITH Lot 14, except the north 20 feet, Lots 15, 16, 17, 18, 19, 20, and Lot 21 except the north 23 feet, Block 1, the east 20 feet of Lot 3, Lot 6 except the north 10 feet, together with the east 20 feet of the north 10 feet of Lot 6, Lots 7, 8, 9, 10, 11, 12 and 21, Block 2, Kellogg Heights Addition to Wichita, Kansas;

Dellrose Avenue from the south line of Lots 1 and 2, Block A, in said Ann Walenta Addition to the north right-of-way line of Orme Street;

The north 72.05 feet of Lot 1, De Witt 2nd Addition, Wichita (Sedgwick County), Kansas;

Elerts Street from the east right-of-way line of Oliver to the west right-of-way line of Glendale Avenue.

### PARCEL A

A. Net Area:	64,026 sq. ft. or 1.47 acres
B. Maximum Building Coverage:	19,208 sq. Ft. or 30 percent
C. Maximum Gross Floor Area:	22,409 sq. ft.
D. Floor Area Ratio:	35 percent
E. Maximum Number of Buildings Two (2)	
F. Maximum building height to conform to Chapter 28.08 code of the city of Wichita, but shall not be greater than 45 feet, however, heights of structures shall be subject to UZC Sec. IV-C.5.b.	
G. Setbacks:	See Drawing
H. Access Points:	See Drawing

### PARCEL B

A. Net Area:	95,580 sq. ft. or 2.19 acres
B. Maximum Building Coverage:	28,674 sq. Ft. or 30 percent
C. Maximum Gross Floor Area:	33,453 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 not be greater than 45 feet, however, heights of structures shall be subject to UZC Sec. IV-C.5.b.	
G. Setbacks:	See Drawing
H. Access Points:	See Drawing

### PARCEL C

A. Net Area:	33,136 sq. ft. or 0.76 acres
B. Maximum Building Coverage:	9,941 sq. Ft. or 30 percent
C. Maximum Gross Floor Area:	11,598 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 not be greater than 45 feet, however, heights of structures shall be subject to UZC Sec. IV-C.5.b.	
G. Setbacks:	See Drawing
H. Access Points:	See Drawing

### PARCEL D

A. Net Area:	33,002 sq. ft. or 0.76 acres
B. Maximum Building Coverage:	9,901 sq. Ft. or 30 percent
C. Maximum Gross Floor Area:	11,551 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 not be greater than 45 feet, however, heights of structures shall be subject to UZC Sec. IV-C.5.b.	
G. Setbacks:	See Drawing
H. Access Points:	See Drawing

### PARCEL E

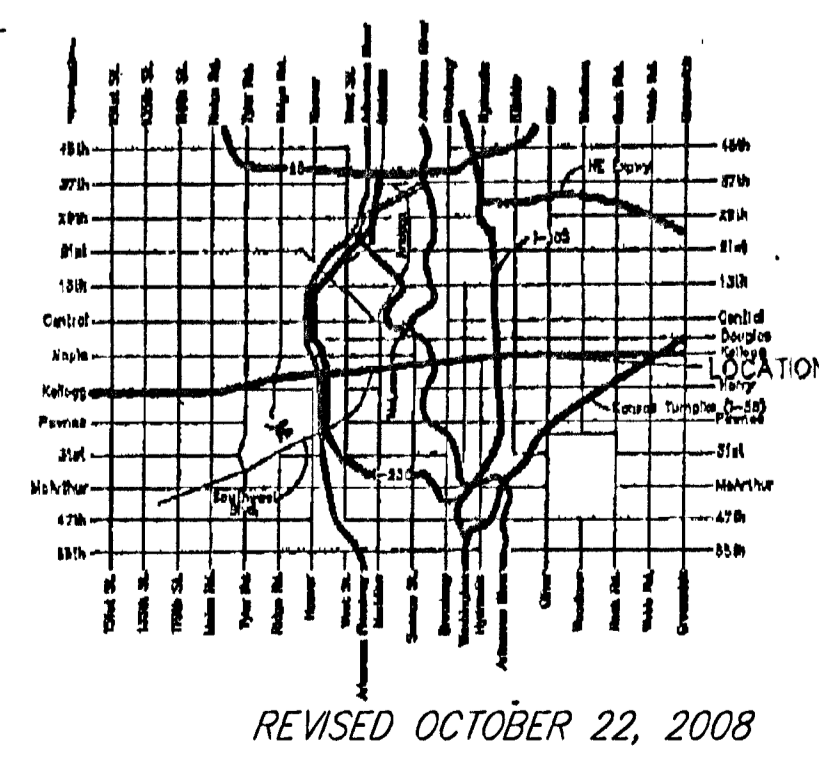
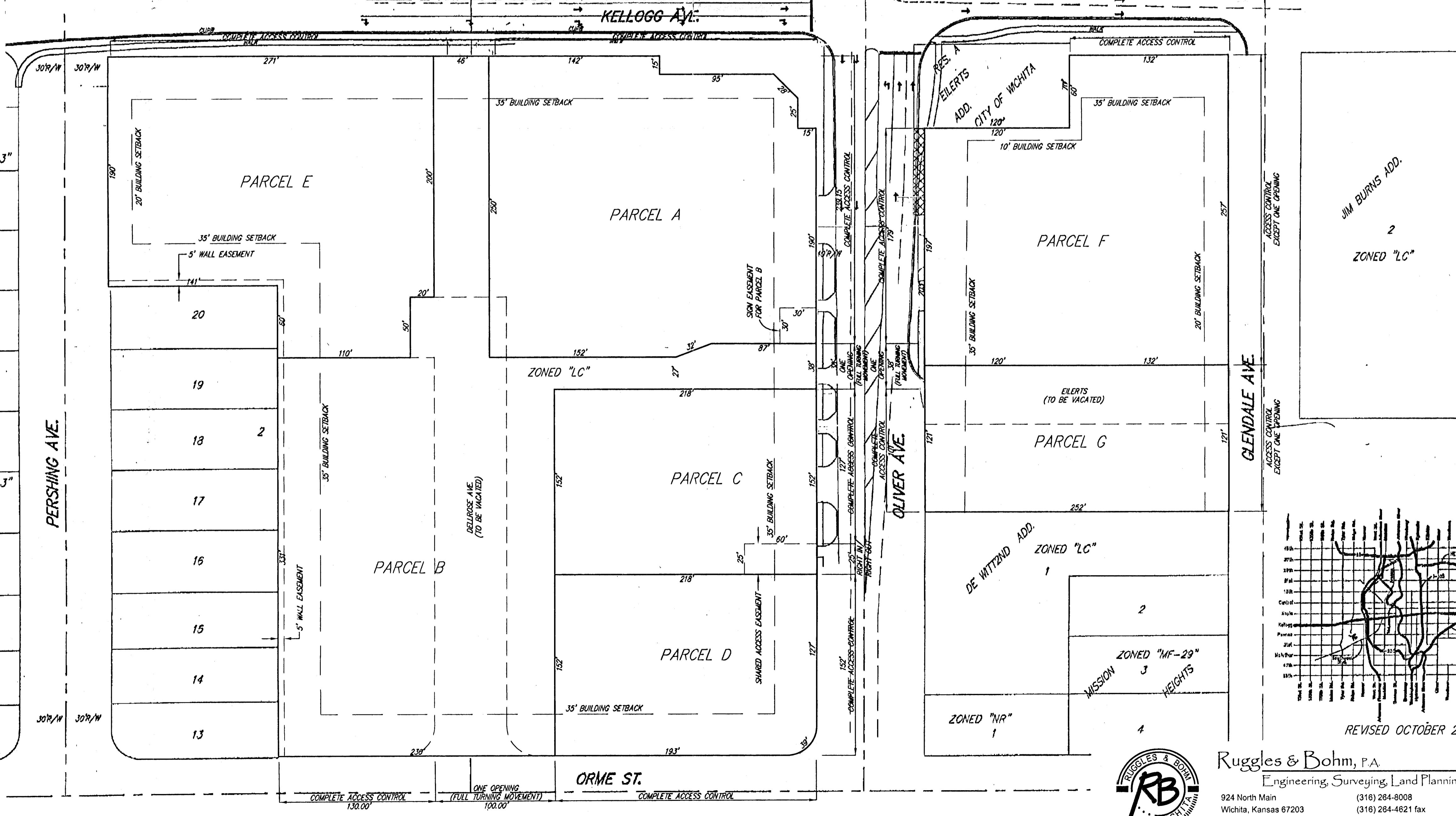
A. Net Area:	58,328 sq. ft. or 1.34 acres
B. Maximum Building Coverage:	17,498 sq. Ft. or 30 percent
C. Maximum Gross Floor Area:	20,415 sq. ft.
D. Floor Area Ratio:	35 percent
E. Maximum Number of Buildings One (1)	
F. Maximum building height to conform to Chapter 28.08 code of the city of Wichita, but shall not be greater than 45 feet, however, heights of structures shall be subject to UZC Sec. IV-C.5.b.	
G. Setbacks:	See Drawing
H. Access Points:	See Drawing

### PARCEL F

A. Net Area:	57,604 sq. ft. or 1.32 acres
B. Maximum Building Coverage:	17,281 sq. Ft. or 30 percent
C. Maximum Gross Floor Area:	20,415 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 not be greater than 45 feet, however, heights of structures shall be subject to UZC Sec. IV-C.5.b.	
G. Setbacks:	See Drawing
H. Access Points:	See Drawing

### PARCEL G

A. Net Area:	30,492 sq. ft. or 0.70 acres
B. Maximum Building Coverage:	9,148 sq. Ft. or 30 percent
C. Maximum Gross Floor Area:	10,672 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 not be greater than 45 feet, however, heights of structures shall be subject to UZC Sec. IV-C.5.b.	
G. Setbacks:	See Drawing
H. Access Points:	See Drawing



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SCALE: 1" = 50'  
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