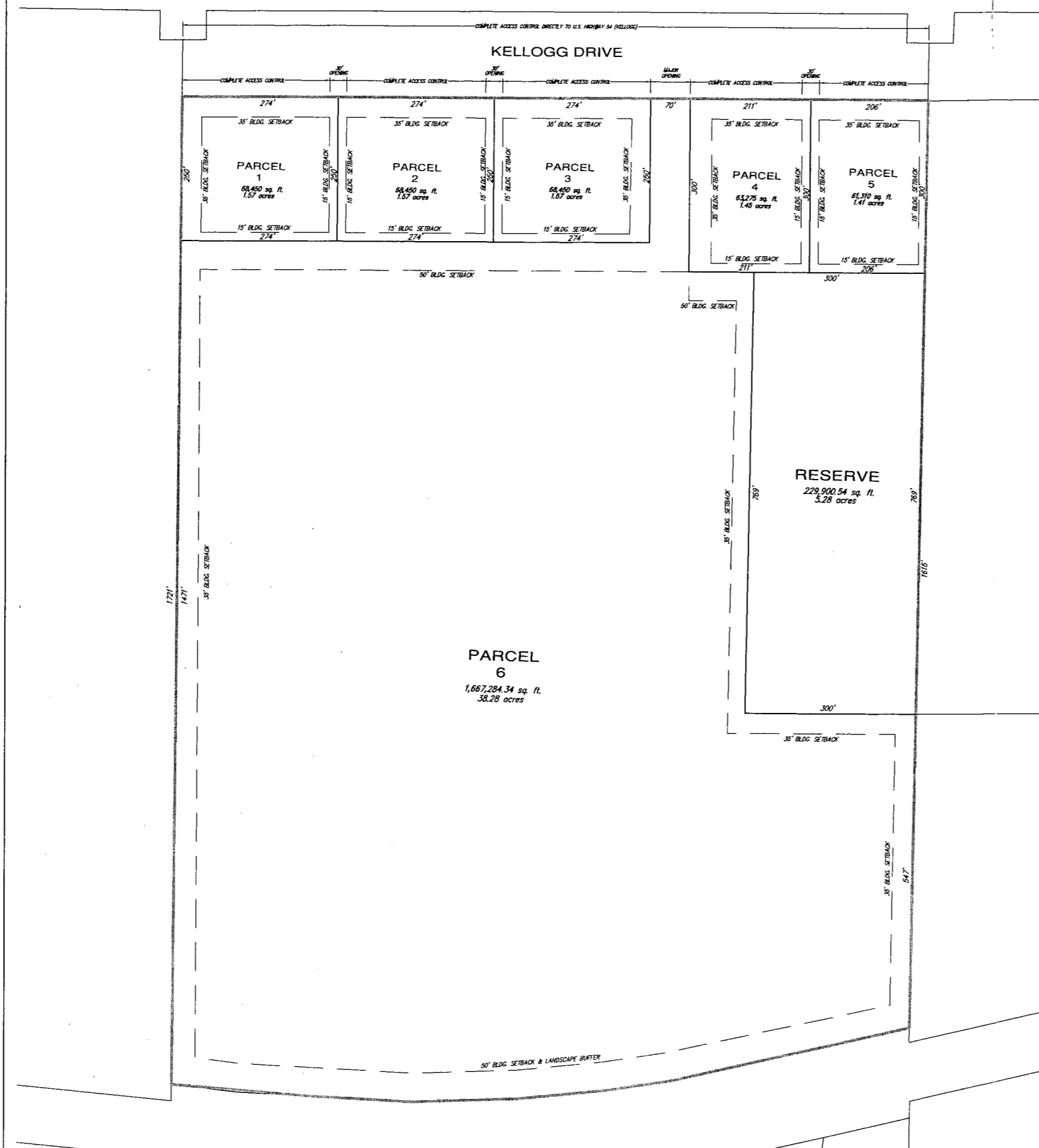


DUGAN WEST KELLOGG COMMUNITY UNIT PLAN DP-320

U.S. HIGHWAY 54 (KELLOGG)



PARCEL 1

- A. Net Area: 68,450 sq. ft. or 1.57 acres
- B. Maximum Building Coverage: 20,535 sq. ft. or 30 percent
- C. Maximum Gross Floor Area: 23,958 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 be not greater than 35 feet.
- G. Setbacks: See Drawing
- H. Access Points: See Drawing
- I. Zoning: Limited Commercial
- J. Permitted Uses: All permitted uses in the "Limited Commercial" zoning district of the Wichita-Sedgewick County Unified Zoning Code, except for those listed under G.P. #17.

PARCEL 2

- A. Net Area: 68,450 sq. ft. or 1.57 acres
- B. Maximum Building Coverage: 20,535 sq. ft. or 30 percent
- C. Maximum Gross Floor Area: 23,958 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 be not greater than 35 feet.
- G. Setbacks: See Drawing
- H. Access Points: See Drawing
- I. Zoning: Limited Commercial
- J. Permitted Uses: All permitted uses in the "Limited Commercial" zoning district of the Wichita-Sedgewick County Unified Zoning Code, except for those listed under G.P. #17.

PARCEL 3

- A. Net Area: 68,450 sq. ft. or 1.57 acres
- B. Maximum Building Coverage: 20,535 sq. ft. or 30 percent
- C. Maximum Gross Floor Area: 23,958 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 be not greater than 35 feet.
- G. Setbacks: See Drawing
- H. Access Points: See Drawing
- I. Zoning: Limited Commercial
- J. Permitted Uses: All permitted uses in the "Limited Commercial" zoning district of the Wichita-Sedgewick County Unified Zoning Code, except for those listed under G.P. #17.

PARCEL 4

- A. Net Area: 63,275 sq. ft. or 1.45 acres
- B. Maximum Building Coverage: 18,983 sq. ft. or 30 percent
- C. Maximum Gross Floor Area: 22,146 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
- I. Zoning: Limited Commercial
- J. Permitted Uses: All permitted uses in the "Limited Commercial" zoning district of the Wichita-Sedgewick County Unified Zoning Code, except for those listed under G.P. #17.

PARCEL 5

- A. Net Area: 61,310 sq. ft. or 1.41 acres
- B. Maximum Building Coverage: 18,393 sq. ft. or 30 percent
- C. Maximum Gross Floor Area: 21,459 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
- I. Zoning: Limited Commercial
- J. Permitted Uses: All permitted uses in the "Limited Commercial" zoning district of the Wichita-Sedgewick County Unified Zoning Code, except for those listed under G.P. #17.

GENERAL PROVISIONS:

1. Total Land Area: 2,227,120 ± sq. ft. or 51.13 ± acres
2. Total Gross Floor Area: 689,027 sq. ft. Total Floor Area Ratio: 35 percent
3. Parking shall be provided in accordance with Section IV of the Unified Zoning Code, 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 the appropriate Engineer for approval during the platting process. Required guarantees for drainage shall be provided at the time of platting improvements.
6. Signs will be as allowed by the Sign Code, City Code Title 24.04 of the City of Wichita, with the following additional conditions/limitations:
 - A. Each parcel is permitted at least one freestanding sign per arterial frontage with the following area restrictions:
 - Parcel 1-5: 150 sq. ft. of signage along Kellogg Drive.
 - Parcel 6: A maximum of two signs with a combined area of 250 sq. ft. of signage along Kellogg Drive.
 - B. 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 and share similar elements in design.
 - C. 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.
 - D. Portable, billboards and off-site signs are not permitted.
 - E. Window display signs are limited to 25% of the window area.
 - F. No signs shall be allowed on the rear of any buildings.
7. Access Controls shall be as shown on the final plat.
 - A. All exterior lighting shall be shielded to direct light disbursement in a downward direction.
 - B. All parcels shall share similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
 - C. Limited height of light poles, including fixtures, lamps and base, to 24 feet, except within 100 feet of residential zoning said lighting shall be a maximum height of 15 feet.
 - D. Extensive use of back lit canopies and neon or fluorescent tube lighting on buildings is not permitted.
8. Utilities shall be installed underground on all parcels.
9. 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, with a shared palette of landscape materials among parcels.
 - 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.
10. 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, with a shared palette of landscape materials among parcels.
 - 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.
11. 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, with a shared palette of landscape materials among parcels.
 - 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.
12. Screening:
 - A. A six (6) to eight (8) foot high concrete/masonry wall shall be constructed along the west and east property lines where adjacent to residential uses.
 - B. This solid wall shall be constructed of a pattern and color that is consistent or compatible with the building walls.
 - C. Screening shall be provided along the south property line, as indicated on the plan, at the time Parcel 6 is developed by a 50-foot landscape buffer. This buffer shall provide the equivalent of at minimum, one evergreen tree per 20 feet with the planting size of the trees meeting the requirements of the landscape ordinance. The landscape plan should focus the plantings along the southern-most part of the buffer without interfering with utilities.
 - D. Solid screening shall be provided for all outdoor work and storage areas within 200 feet of residential uses.
13. Rooftop mechanical equipment shall be screened from ground level view with similar materials to the main building per Unified Zoning Code.
14. Trash receptacles, loading docks, outdoor storage, and loading areas shall be appropriately screened, with similar materials to the main building, to reasonably hide them from ground view.
15. All buildings in the C.U.P. shall share uniform architectural character, color, texture, and the same predominant 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. Metal as an exterior material shall be limited to incidental accent.
16. Fire lanes shall be in accordance with the appropriate Fire Code. 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 building sites shall be provided for each phase of construction prior to the issuance of building permits.
17. No parcel within this C.U.P. shall allow the use of adult entertainment establishments; night club in the city night club in the county; and tavern and drinking establishment. Restaurants that serve liquor can be developed and may serve liquor, as long as food is the primary service of the establishment. Restaurants with drive-through windows, convenience stores, service stations, and vehicle repair, limited will not be permitted within 200 feet of residential uses. Restaurants with drive-through windows shall be designed to ensure queuing lanes for drive-through windows will not align vehicle headlights in such a manner as to face residential zoning. No overhead doors shall be allowed within 200 feet of residential uses and shall not be facing any residential zoning district. Exterior audio systems that project sound beyond the boundaries of the C.U.P. are prohibited.
18. Cross-lot circulation agreements shall be required at the time of platting to assure internal vehicular movement between parcels within the C.U.P.
19. Amendments, adjustments or interpretations to this C.U.P. shall be done in accordance with the Unified Zoning Code.
20. 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 said plan shall run with the land and be binding upon present owners, their successors and assigns.
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. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration. Minor changes to the areas and boundary dimensions shown on the CUP drawing may be made following the recording of the plat of the subject property. Four copies of the revised CUP drawing shall be submitted to the MAPD within 60 days of the recording of the plat.
23. A plan for a pedestrian walk system shall be submitted and approved by the Director of Planning prior to the issuance of building permits. Said walk system shall provide links with the proposed buildings within the subject property to sidewalks along Kellogg Drive. Parcel 6 shall permit a connection to any future improved trail system within the railroad right-of-way, but shall not be required to extend the pedestrian walk system to this trail.
24. No development shall occur until such time as municipal water and sewer service are provided to the site.
25. Approval of a site circulation plan by the Planning Director is required for each phase of construction prior to the issuance of a building permit. An overall site plan shall be required for review and approval by the Planning Director prior to the issuance of any building permits; the site plan shall ensure internal circulation within the parcels and joint use of ingress/egress openings and that private drive openings are not impacted/blockaded by the layout of parking stalls or landscaping.

LEGAL DESCRIPTION:

The East 1/2 of the NW 1/4 of Sec. 36, Twp. 27-S, R-2-W of the 6th P.M., Sedgewick County, Kansas lying North of the AT&S Railroad right-of-way, EXCEPT that part subject to road rights-of-way of record.

REVISIONS

Submitted: June 1, 2009
Approved per MAPC: July 9, 2009
Approved per County Commission: August 19, 2009

PARCEL 6

- A. Net Area: 1,667,284.34 sq. ft. or 38.28 acres
- B. Maximum Building Coverage: 500,185 sq. ft. or 30 percent
- C. Maximum Gross Floor Area: 583,550 sq. ft.
- D. Floor Area Ratio: 35 percent
- E. Maximum Number of Buildings: Six (6)
- 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
- I. Zoning: Limited Commercial
- J. Permitted Uses: All permitted uses in the "Limited Commercial" zoning district of the Wichita-Sedgewick County Unified Zoning Code, except for those listed under G.P. #17.

DP-320

DUGAN WEST KELLOGG
COMMUNITY UNIT PLAN



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SCALE: 1" = 200'