

DEVELOPMENT GUIDELINES

General Provisions

1. Area:
The total development contains 20.0 gross, or 19.66 net acres of land more or less.

2. Parcel Descriptions:

Summary:

Total allowable floor ratio = 30
Minimum Building Setbacks: (applies to all parcels as shown)
Arterial street setback = 35'
Interior side setback = 15' (See G.P. #9)

Parcel 1

Gross Area = 12.90 Ac. or 562,146 s.f.
Maximum Height = 35 feet
Maximum Building(s) = 7
Max. Building Coverage = 30%
Max. Gross Floor Area = 35% or 196,751 s.f.
Floor Area Ratio = 0.35

Parcel 2

Gross Area = 1.87 Ac. or 81,599 s.f.
Maximum Building(s) = 2
Maximum Height = 35 feet
Max. Building Coverage = 30%
Max. Gross Floor Area = 35% or 28,559 s.f.
Floor Area Ratio = 0.35

Parcel 3

Gross Area = 1.75 Ac. or 76,464 s.f.
Maximum Building(s) = 2
Maximum Height = 35 feet
Max. Building Coverage = 30%
Max. Gross Floor Area = 35% or 26,762 s.f.
Floor Area Ratio = 0.30

Parcel 4

Gross Area = 3.05 Ac. or 132,700 s.f.
Maximum Building(s) = 3
Maximum Height = 35 feet
Max. Building Coverage = 30%
Max. Gross Floor Area = 35% or 46,445 s.f.
Floor Area Ratio = 0.30

3. All uses permitted in LC, Limited Commercial District are permitted for all of the Parcels, EXCEPT the following uses:

A. Group Residence, Limited; Group Residence, General; Correctional Placement Residence, Limited; Correctional Placement Residence, General; Parks and Recreation; Recycling Collection Station, Private; Recycling Collection Station, Public; Utility, Major; Utility, Minor; Heliport, Kennel, Boarding/Breeding/Training, Night Club in the City, Night Club in the Country, Pawn Shop, Sexually Oriented Business, Tavern and Drinking Establishment, Wireless Communication Facility, Cemetery, Golf Course, Marine Facility, Recreational, All Industrial / Manufacturing / Extractive Uses.

B. Parcel 4 shall be restricted to those uses permitted in the "NR" Neighborhood Retail (but not including Special NR District Regulations for commercial use size limit and district size limit) and "GO" General Office Zoning Districts, except Animal Care, Limited and Recreation and Entertainment, Indoor will be permitted.

C. In any parcel, no overhead doors, drive-through or in car service (for restaurants, banks, etc., service station, fuel outlets or gas pumps) shall be permitted within 100 feet of any single-family residential lot and shall not be facing south, west, or for Parcel 4 the abutting Reserve to the north (Reserve "C", Krug North Addition).

D. For Parcel 4, queuing for drive-through lanes (restaurants, ATM's etc) shall not direct vehicle headlights to the west or north.

E. For the west 200 feet of Parcel 1, and if a screening wall is not required, queuing for drive-through lanes (restaurants, ATM's, etc) shall not direct vehicle headlights to the west or north.

F. The uses permitted by the C.U.P. are only those uses permitted by right and not by conditional use.

G. No single tenant shall exceed 100,000 square feet except a drug store or a grocery store on Parcel 1.

4. Architectural Controls

All buildings within the C.U.P. shall share a uniform architectural character, color, and same predominate exterior building material, as approved by the Director of Planning. The building(s) walls shall not utilize metal as a predominant exterior facade material.

5. Title:

The transfer of the title on all or any portion of the land included in 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 and amended. However, the Director of the MAPD, with the concurrence of the Zoning Administrator, may approve minor adjustments to the conditions in this overlay, consistent with the approved development plan, without filing a formal ordinance amendment.

6. Landscaping for this site shall be required as follows:

A. Landscaped street yards, buffers, and parking lot landscaping/screening, shall utilize a shared palette of landscape materials and shall be in accordance with the City of Wichita Landscape Ordinance.

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 Metropolitan Area Planning Department (MAPD) for its review and approval prior to issuance of any building permit(s).

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.

7. Lighting:

A. Lighting shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV.
B. All Parcels shall share similar or consistent parking lot lighting elements (i.e. fixtures, poles and lamps and etc.), as approved by the Director of the MAPD.
C. All lighting shall be shielded to direct light disbursement in a downward direction and directed away from residential areas.
D. Light poles including above ground base shall be limited to 25 feet tall, except 15 feet tall when within 100 feet of residential zoning with residential use. School is not a residential use.
E. Extensive use of back lit canopies and neon or fluorescent tube lighting on buildings is not permitted on Parcels 1, 2, and 3. Parcel 4 is prohibited, exclusive of building signage.

8. Screening for this site shall be required as follows:

A. Rooftop mechanical equipment shall be screened from ground level view with screening materials matching the building roof or wall materials; and as per Wichita-Sedgwick County Unified Zoning Code.
B. Trash receptacles, loading docks, outdoor storage, and loading areas shall be appropriately screened with materials matching or similar to the building(s) facade materials to reasonably hide them from ground view.
C. Unless otherwise noted Screening shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV and Section III-C.2.b.
D. Outdoor display and storage shall be subject to all conditions of Section III-B.1.4.e for all Parcels.
E. A screening wall in conformance with Section III-C.2.b shall be constructed along the south and west lines of Parcel 1 and the west line of Parcel 4; unless, if the buildings in Parcel 4 and the north 300 feet of Parcel 1 abutting the Reserve are designed to use the residential reserve as an amenity with a double-faced facade and with no outdoor work, storage, or loading areas on the west property line, the screening wall may be replaced with landscaping. The landscaping shall consist of the existing mature trees, or if these trees are removed; replacement trees shall be planted at a minimum rate of one tree per 40 feet of property line and a three foot high berm and solid evergreen screening of any parking lot area(s).
F. A masonry wall located along the south property lines of the C.U.P. (see wall easement) shall be constructed at least six feet but not more than eight feet high. It shall consist of a solid or semisolid wall constructed of brick, stone, masonry, architectural tile, or other similar material (not including wood or woven wire). Construction of the wall will require a building permit. No wall shall be constructed in a utility easement, however utilities may cross the wall at various locations. Wall openings may be permitted allowing pedestrian access. The wall opening(s) shall be determined and approved by the director of planning prior to the issuance of the building permit.

9. Setbacks:

Setbacks are as indicated on the C.U.P. drawing or as specified in Wichita-Sedgwick County Unified Zoning Code. Setback lines that are not depicted within the CUP shall comply with the base district development standards. If contiguous Parcels are to be developed under the same ownership, setbacks between those Parcels will not be required.

10. Signs: As permitted under the Sign Code of the City of Wichita.

Additionally, the following conditions apply:

A. All Parcels are subject to the requirements of the Sign Code of the City of Wichita for LC Zoning District except as noted herewith.
B. No flashing, moving, portable, offsite-billboards, (except project title signs for the Krug South Subdivision), banner, or pennant signs shall be permitted (except for signs showing time and temperature).
C. Ground signs shall all consist of monument style signs and share similar elements of design. One (1) sign along 21st Street and one (1) sign along 143rd Street shall have a maximum height of 25 feet and a maximum sign face area of 150 square feet to be used for development identification as well as tenant signs for tenants within the CUP. Additional monument signs shall have a maximum height of 20 feet and a maximum sign face area of 150 square feet, except for Parcel 4 where monument signs shall have a maximum height of 10 feet and a maximum sign face area of 100 square feet.
D. Signs shall be spaced a minimum distance of 150 feet apart, provided however, that this spacing may be reduced to 100 feet between the development identification sign(s) and the adjacent monument sign. However, calculations of the maximum number of sign locations per street frontage shall be based on a distance separation of 150 feet between sign locations allowing a maximum of six (6) signs on 21st Street and four (4) on 143rd Street when one sign is shared at the corner of Parcel 2.
E. The total amount of sign face area of freestanding signage along each arterial street shall not exceed 0.8 times the linear frontage. Building wall signs shall be prohibited on the south and west elevations of Parcel 1.
F. Window signage shall be limited to 25% of window area.

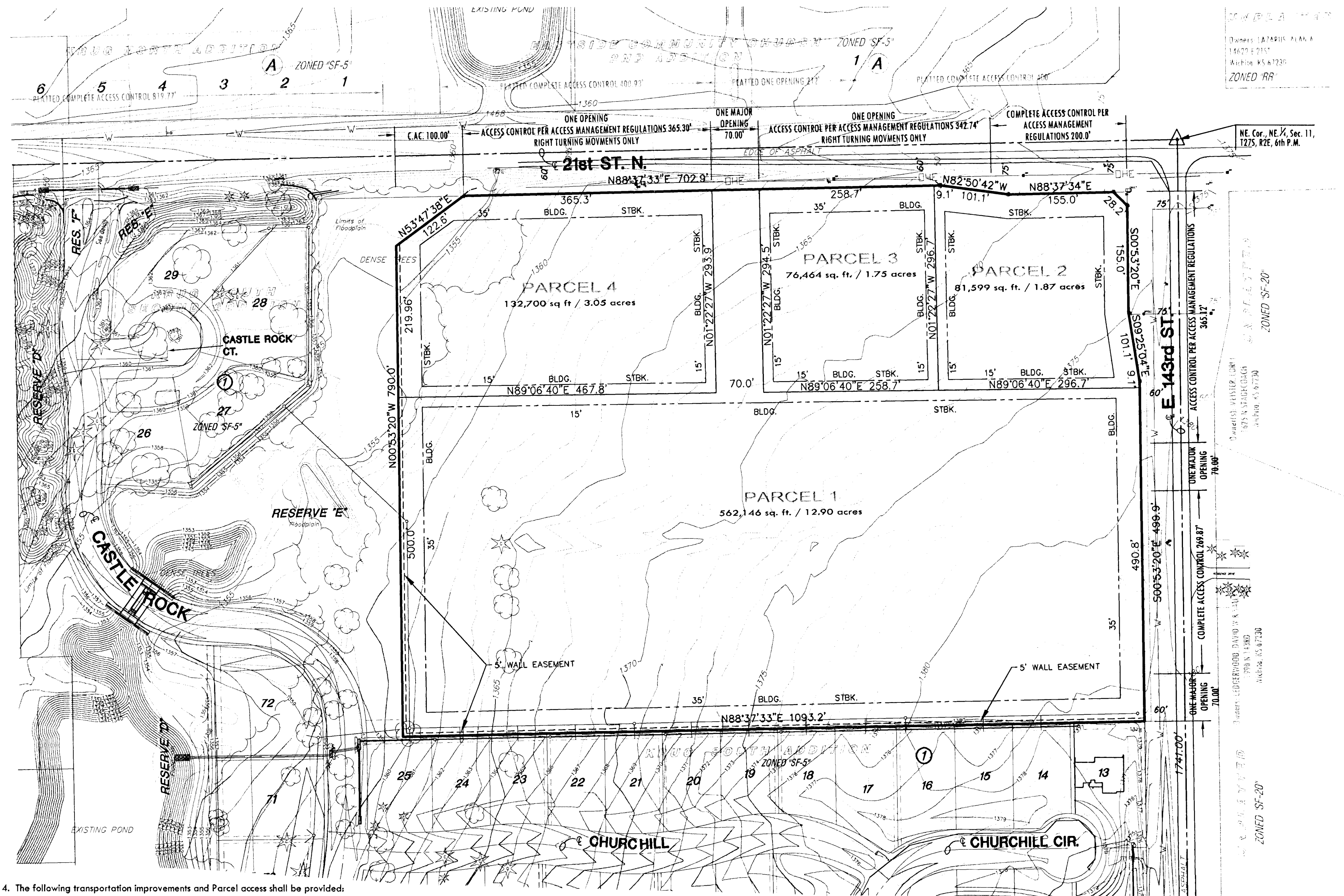
11. Parking:

All Parcels, shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV-A, unless otherwise specified.

12. Reserves:

No reserves are shown, however, if necessary the location, uses, and size of reserves shall be determined at the time of final platting and revised upon the C.U.P.

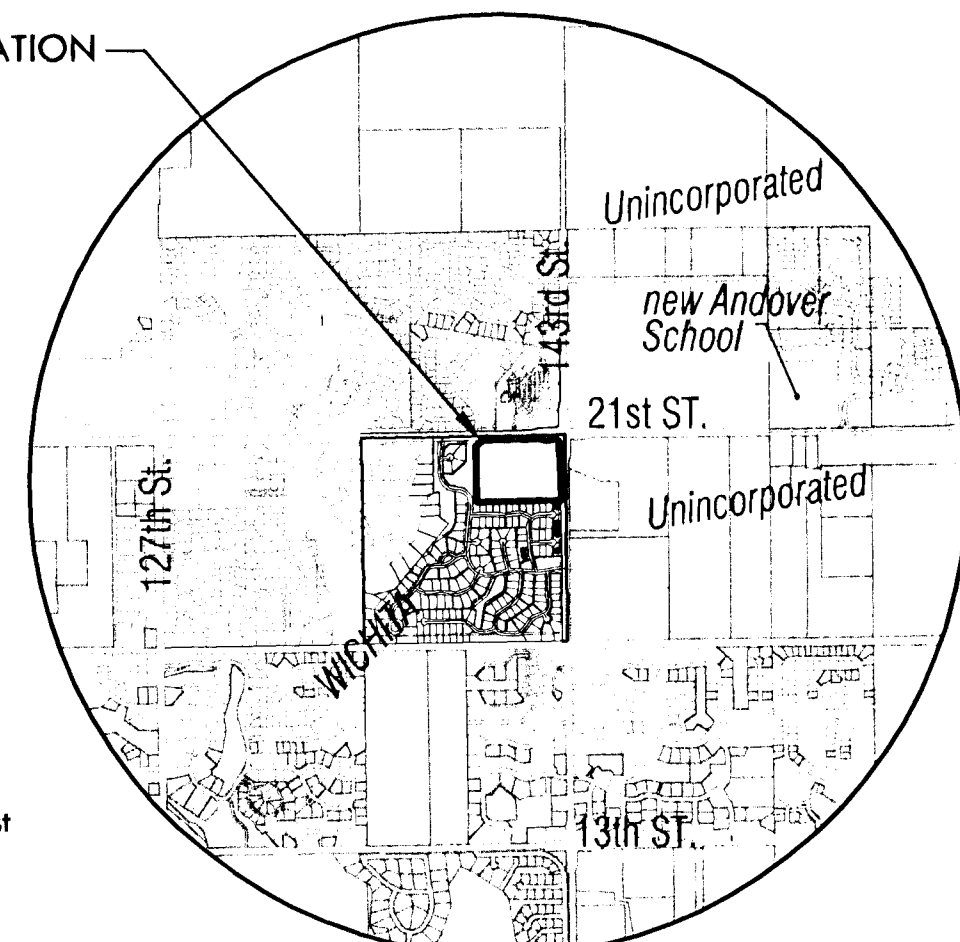
13. No occupancy permits shall be issued for any development without services by municipal water and sewer services.



14. The following transportation improvements and Parcel access shall be provided:
- Cross-lot circulation agreements shall be required at the time of platting to assure internal vehicular movement between Parcels within the C.U.P.
 - Guarantees for specific street and or signalization improvements shall be determined at the time of final platting. One of which being petition(s) for guarantee construction of left turn center lanes to all major entrances (one on 21st St. and two on 143rd St.) and decel lanes into all four entrances.
 - Access controls shall be as shown on the Final Plat and revised upon the C.U.P.
 - An overall site circulation plan shall be submitted for review and approval by the Director of Planning, in concurrence with the Zoning Administrator and Traffic Engineer. The traffic circulation plan shall assure smooth internal vehicular movements, joint use of ingress / egress openings as required by the Access Management Policy, and ensure that the main drives are not blocked by parking spaces directly backing onto the main drive aisles. The pedestrian circulation system shall connect all buildings within the development to each other and to the arterial sidewalks on 21st Street and 143rd Street; and may connect to adjoining properties. A site traffic and pedestrian circulation plan for each parcel, upon request for a building permit, shall be reviewed for compliance with the overall site traffic and pedestrian circulation plan.
15. Grading Plans:
A lot grading plan will be prepared in conformance with the Drainage Concept Plan for review prior to the issuance of a Building Permit.
16. All proposed new utilities shall be installed underground.
17. Final determination of minimum pad elevations (at least 2 feet higher than the 100 year flood elevation), street right(s)-of-way, easements, and pavement widths on public private streets shall be resolved at the time of platting.
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 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.
19. Any major changes within this Community Development Plan shall be submitted to the Planning Commission and the Governing Body for their consideration. Amendments, adjustments, or interpretations to the C.U.P. shall be done in accordance with the Unified Zoning Code.

LEGAL DESCRIPTION

A tract of land located in the Northeast One-Quarter of Section 11, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas and being more particularly described as follows:
Beginning at the Northeast corner of said Northeast One-Quarter; thence along the East line of said Northeast One-Quarter, on a Kansas coordinate system 1983 north zone bearing of S 00 degree 53'20" E, a distance of 850.00 feet; thence S 88°37'33" W, parallel with the North line of said Northeast One-Quarter, a distance of 1153.19 feet; thence N 00°53'20"W, parallel with the East line of said Northeast One-Quarter; a distance of 850.00 feet to a point on the North line of said Northeast One-Quarter; thence along said North line, N 88°37'33" E, a distance of 1153.19 feet to the point of beginning.
Said tract contains: 20.00 acres more or less.



MKEC
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WICHITA, KS. 67206
316-684-9600

COMMUNITY UNIT PLAN DP-302 KRUG SOUTH

OWNER / DEVELOPER: Ritchie Investment Company 8100 E. 22nd Street Bldg. #100 Wichita, KS 67226 316-684-7300