DP-201 AMEND #4
PER ADMIN ADJUSTMENTS DATED 01/22/02; 11/26/01; 12/22/00, 11/10/00; 05/22/03

APPROVED CUP

MAPC 12-16-99 DM

WCC 01-11-00 DM

N. APD Copy 2 of 2

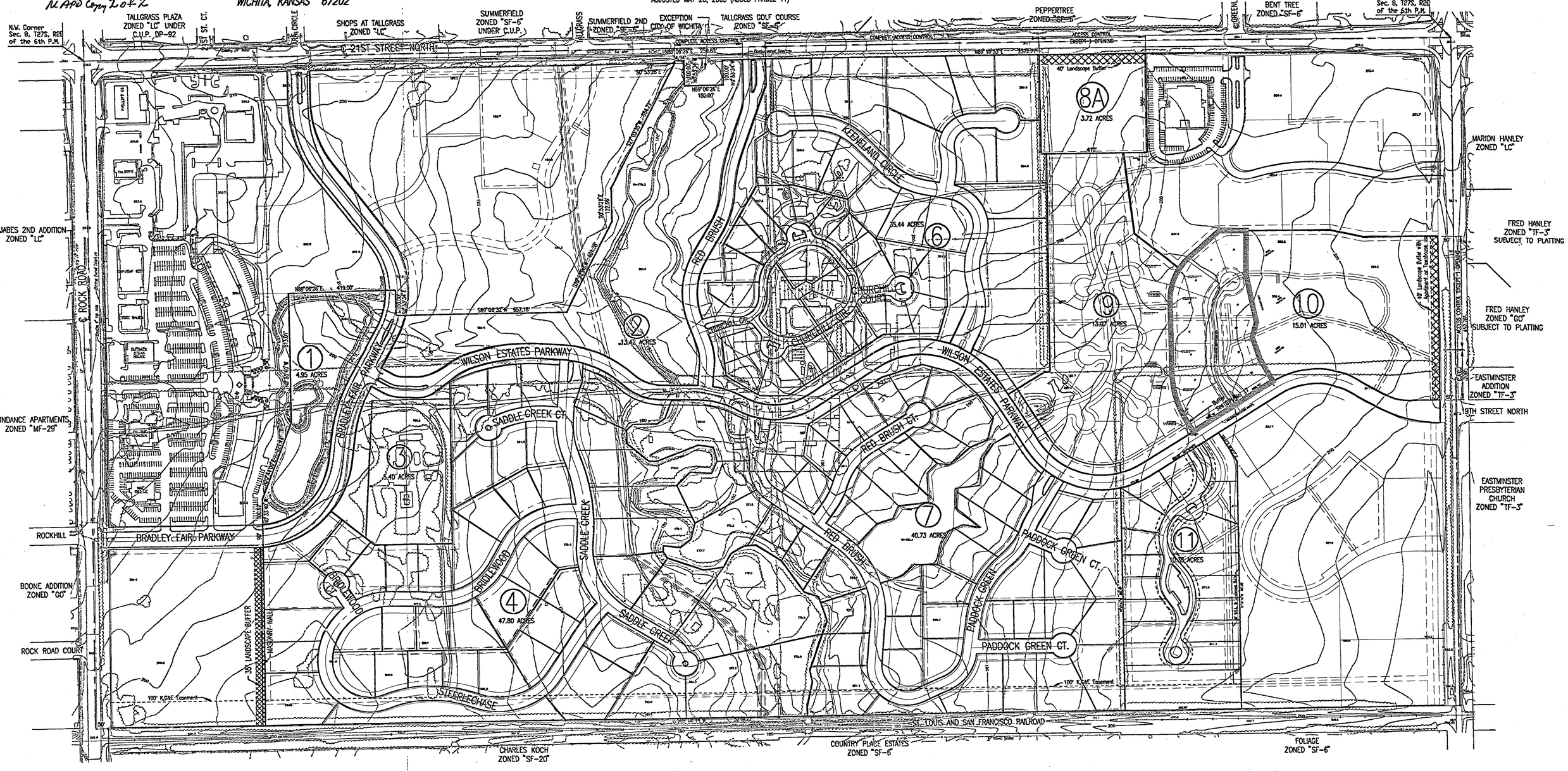
COMMUNITY UNIT PLAN DP-201

WILSON ESTATES RESIDENTIAL

OWNER: WILSON ESTATES
200 MARKET CENTRE
155 N. MARKET
WICHITA, KANSAS 67202

SCALE: 1"=200'

DEC. 18, 1995
AMENDED DEC. 13, 1996
ADJUSTED MAY, 1998
AMENDED DEC. 30, 1999
ADJUSTED NOV. 31, 2000
ADJUSTED JAN. 16, 2001
ADJUSTED NOV. 8, 2001 (PARCEL 8C)
ADJUSTED JAN. 21, 2002 (PARCELS 6, 8, & 9)
ADJUSTED JUNE, 2002 (REVISED PARCEL 9 & ELIMINATED PARCELS 8, 8B, 8C, & 11)
ADJUSTED MAY 28, 2003 (ADDED PARCEL 11)



GENERAL PROVISIONS

1. THIS PROJECT IS PROPOSED TO CONTAIN 203.39 GROSS ACRES OR 189.92 NET ACRES. NET ACRES ARE DETERMINED BY SUBTRACTING COLLECTOR STREET RIGHT-OF-WAY FROM THE GROSS ACRES.

2. THE PROPOSED DEVELOPMENT CONTAINS NINE PARCELS ILLUSTRATING SINGLE FAMILY, PATIO HOMES, DUPLEX AND MULTI-FAMILY USES. FOR ALTERNATE USES AND DENSITIES, SEE PARCEL DESCRIPTIONS.

3. IF THE SITE IS DEVELOPED WITH THE MAXIMUM NUMBER OF UNITS PERMITTED (475) THE OVERALL DENSITY WOULD BE 2.50 DWELLING UNITS PER ACRE.

4. SETBACKS ARE TO BE DETERMINED AT THE TIME OF PLATTING. GENERALLY, THE MINIMUM SETBACKS SHALL BE AS FOLLOWS:

   FRONT YARDS – 32' R/W – 20'; 58' R/W – 20'; 64'-70' R/W – 25'; CUL DE SACS – 20'.

   SIDE YARDS – 6' MINIMUM AND 15' WHEN ADJACENT TO A PUBLIC STREET. ON PATIO HOMES AND ZERO LOT LINE LOTS, SETBACKS MAY BE REDUCED TO 5' FOR GARAGES ONLY. THERE SHALL BE 12' SEPARATING ALL HABITABLE PORTIONS OF THE UNIT. IF GARAGES ARE SIDE LOADED THEY MUST BE A MINIMUM OF 20' FROM BACK OF CURB.

   REAR YARDS – 20' MINIMUM. MAY BE REDUCED TO 10' FOR LOTS ABUTTING PLATTED OPEN SPACE. NOTE: ALL SETBACKS FOR ARTERIAL STREETS SHALL NOT BE LESS THAN 25'.

5. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.

6. A DRAINAGE PLAN AND GUARANTEES FOR THE DRAINAGE IMPROVEMENTS SHALL BE PROVIDED AT THE TIME OF PLATTING.

7. SIGNS AS PERMITTED UNDER THE SIGN CODE OF THE CITY OF WICHITA.

8. FINAL DETERMINATION OF STREET RIGHT-OF-WAY AND PAVEMENT WIDTHS SHALL BE RESOLVED AT THE TIME OF PLATTING.

9. PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE UNIFIED ZONING CODE OF THE CITY OF WICHITA.

10. THE TRANSFER OF 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, BUT 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.

11. ACCESS CONTROLS:

   A. 21ST STREET NORTH SHALL HAVE TWO OPENINGS. ONE OPENING EACH FOR PARCELS 6 AND 8A.

   B. WEBB ROAD SHALL HAVE TWO OPENINGS. ONE OPENING TO PARCEL 10 AND ONE OPENING AT 19TH ST. N. THERE SHALL BE COMPLETE ACCESS CONTROL ON THE SOUTH 200 FEET OF PARCEL 10.

12. A HOMEOWNERS ASSOCIATION SHALL BE FILED WITH THE PLAT OF EACH PARCEL TO PROVIDE FOR THE MAINTENANCE OF NON PUBLIC OPEN SPACE, PARKING AREAS, PRIVATE STREETS, WALLS, BUFFER AREAS, LAKES, ETC. TWO OR MORE OF THE HOMEOWNER ASSOCIATIONS MAY JOIN TOGETHER TO FORM A MASTER ASSOCIATION. FAILURE TO PROPERLY MAINTAIN THE PRIVATE SPACES, FACILITIES OR SYSTEM, AND AFTER JOINT DETERMINATION BY THE DIRECTOR OR PLANNING AND SUPERINTENDENT OF CENTRAL INSPECTION, SHALL CONSTITUTE A VIOLATION OF THE BUILDING PERMIT AUTHORIZING THE CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND SHALL GIVE THE CITY THE RIGHT TO MAINTAIN THE AREAS PREVIOUSLY LISTED AND ASSESS THE COST TO THE PROPERTY OWNERS.

13. MINIMUM LOT SIZES FOR SINGLE FAMILY DETACHED UNITS SHALL BE 5,000 S.F., EXCEPT FOR ZERO LOT LINE AND PATIO HOMES WHICH SHALL BE 4,500 S.F. MINIMUM LOT SIZES FOR DUPLEXES SHALL BE 8,000 S.F.

14. SHOULD AN ALTERNATE LAND USE, PERMITTED IN THE PARCEL DESCRIPTIONS, BE DEVELOPED INSTEAD OF THE PARCEL PLAN AS ILLUSTRATED, A CONCEPTUAL SITE PLAN SHALL BE SUBMITTED FOR APPROVAL TO THE DIRECTOR OF PLANNING. THE APPROVAL SHALL BE SUBJECT TO THE CONDITIONS OF PLATTING.

15. FIRE LANES SHALL BE IN ACCORDANCE WITH THE FIRE CODE OF THE CITY OF WICHITA. FIRE HYDRANT INSTALLATION AND PAVED ACCESS TO ALL BUILDING SITES SHALL BE PROVIDED FOR EACH PHASE OF CONSTRUCTION PRIOR TO ISSUANCE OF BUILDING PERMITS.

16. A. WALLS ARE PERMITTED IN PLATTED WALL EASEMENTS. A BUILDING PERMIT SHALL BE OBTAINED PRIOR TO THE CONSTRUCTION OF ANY WALL. WALLS AND ENTRY MONUMENTS, IF APPLICABLE, SHALL BE ALLOWED TO CROSS UTILITY EASEMENTS.

   B. SAID WALL SHALL BE A SOLID OR SEMI-SOLID WALL CONSTRUCTED OF STONE, MASONRY, BRICK, ARCHITECTURAL TILE, ARCHITECTURAL CONCRETE PANELS OR SIMILAR MATERIALS (NOT INCLUDING WOVEN WIRE OR WOOD).

17. LANDSCAPE BUFFERS:

   A. A 40' LANDSCAPE BUFFER SHALL BE REQUIRED ALONG THE NORTH PROPERTY LINE OF PARCEL 8 AND THE EAST PROPERTY LINE OF PARCEL 10.

   B. A 15' LANDSCAPE BUFFER SHALL BE REQUIRED ALONG THE SOUTH AND WEST PROPERTY LINES OF PARCEL 10 WHEN DEVELOPED WITH OFFICE, APARTMENT, TOWNHOUSE OR RETIREMENT CENTER USES AND ADJACENT TO SINGLE FAMILY OR DUPLEX USES.

   C. LANDSCAPE BUFFERS AND SCREENING – SHALL BE IN ACCORDANCE WITH THE UNIFIED ZONING CODE OF THE CITY OF WICHITA. A LANDSCAPE PLAN INDICATING THE LOCATION, TYPE, AND SPECIFICATION OF PLANT MATERIALS SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT(S). THE LANDSCAPE PLAN SHALL ALSO STATE HOW WATER IS TO BE PROVIDED TO THE PLANT MATERIALS.

   D. A 30' LANDSCAPE BUFFER SHALL BE REQUIRED ON THE EAST PROPERTY LINE OF PARCEL 11 EXCEPT FOR THE SOUTH 100 FEET OF DEDICATED KG&E EASEMENT.

   E. FAILURE TO PROPERLY MAINTAIN THE REQUIRED LANDSCAPING SHALL BE CONSIDERED A VIOLATION OF THE C.U.P. AFTER A JOINT DETERMINATION BY THE DIRECTOR OF PLANNING AND THE SUPERINTENDENT OF CENTRAL INSPECTION.

   F. A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS AND WATERING SYSTEM(S) APPROVED FOR THE LANDSCAPE PLAN SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN INSTALLED.

18. TRASH RECEPTACLES SHALL BE APPROPRIATELY SCREENED TO REASONABLY HIDE THEM FROM GROUND VIEW WHEN COMMERCIAL SIZED UNITS ARE USED.

19. SIDEWALK LOCATIONS SHALL BE AS INDICATED ON THE PLAN VIEW. LOCATIONS ALONG PUBLIC STREET RIGHT-OF-WAY ARE SUBJECT TO MODIFICATIONS AT THE TIME OF FINAL PLATTING.

20. ARCHITECTURAL CONTROL
   PARCEL 10 SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS IF DEVELOPED WITH TOWNHOUSE, OR APARTMENT USES. THE CONDITIONS ALSO APPLY TO RETIREMENT CENTER OR NURSING HOMES IN PARCEL WHERE NOTED.

   A. SITE RESTRICTIONS (ITEMS A2-A4 APPLY TO RETIREMENT CENTER OR NURSING HOMES)
      1. 2 PARKING SPACES PER DWELLING UNIT SHALL BE REQUIRED.
      2. ALL DRIVES AND PARKING AREAS SHALL INCLUDE CURBS AND GUTTERS.
      3. ENTRY DRIVES SHALL BE DESIGNED TO THE CITY'S MAJOR ENTRANCE STANDARDS.
      4. A 35 FOOT BUILDING SETBACK SHALL BE REQUIRED ALONG THE WEST AND SOUTH SIDES OF PARCEL 10.

   B. ARCHITECTURAL RESTRICTIONS (ITEMS B1, B4, B5, B6, B8, & B9 APPLY TO RETIREMENT CENTER OR NURSING HOMES)
      1. BUILDING ELEVATIONS WILL BE DESIGNED TO INCORPORATE PROJECTIONS AND RECESSES TO CREATE SHADE AND SHADOWS.
      2. AT LEAST ONE THIRD OF THE BUILDINGS WILL HAVE A TWO STORY HEIGHT LIMITATION.
      3. NO BUILDING SHALL BE PERMITTED TO INCLUDE MORE THAN 16 DWELLING UNITS FOR A 2 STORY BUILDING AND 20 UNITS FOR A 3 STORY BUILDING.
      4. ALL ROOF STRUCTURES SHALL CONSIST OF WOOD SHAKE, ARCHITECTURAL TILE, OR ARCHITECTURALLY TEXTURED COMPOSITION SHINGLES.
      5. ROOFS SHALL BE PREDOMINANTLY PITCHED, AND THE PREDOMINANT ROOF PITCH SHALL BE NO LESS THAN 7:12.
      6. ALL STRUCTURES SHALL INCORPORATE MULTIPLE ROOF FORMS WITH VARYING EAVE LEVELS.
      7. A MINIMUM OF TWENTY-FIVE PERCENT OF THE DWELLING UNITS SHALL BE PROVIDED EITHER ATTACHED OR DETACHED GARAGE SPACE. ANY GARAGE DOORS VISIBLE FROM ADJACENT STREETS SHALL BE SCREENED.
      8. BEFORE A BUILDING PERMIT IS ISSUED, FOR PARCELS 10, THE DEVELOPER SHALL NOTIFY THE PLANNING DEPARTMENT, THE TALLGRASS EAST HOME OWNERS ASSOCIATION, AND THE BENT TREE HOME OWNERS ASSOCIATION FOR THEIR REVIEW OF ANY PROPOSED BUILDINGS.
      9. THE ARCHITECTURAL FACADE ON ANY BUILDING FOR NURSING HOME OR RETIREMENT CENTER USES SHALL BE DESIGNED WITH A RESIDENTIAL ARCHITECTURAL CHARACTER, AND SHALL SHARE CONSISTENT COLOR, TEXTURE AND PREDOMINATE EXTERIOR BUILDING MATERIALS AS THE SURROUNDING RESIDENTIAL AREAS.
      10. IN THE EVENT AN APARTMENT PROJECT IS DEVELOPED, THEN A MINIMUM OF TWENTY (20) PERCENT OF THE TOTAL DWELLINGS SHALL BE CONSTRUCTED IN A "TOWNHOUSE" STYLE OR ANOTHER RESIDENTIAL CONFIGURATION. A TOWNHOUSE IS DEFINED AS A "THROUGH" UNIT IN WHICH NO PORTION OF ANOTHER DWELLING UNIT SHALL BE SITUATED ABOVE OR BELOW THE DWELLING UNIT (GARAGES, WHICH MAY BE LOCATED BENEATH A DWELLING UNIT WILL NOT BE CONSIDERED A PART OF THAT OR ANOTHER DWELLING UNIT).

   C. LANDSCAPE RESTRICTIONS (ALL ITEMS APPLY TO RETIREMENT CENTER OR NURSING HOMES)
      1. A MINIMUM OF 1.5 TREES PER DWELLING UNIT AT 1.5" MINIMUM CALIPER SHALL BE REQUIRED. EXISTING TREES ON THE INTERIOR OF THE SITE MAY BE COUNTED TO MEET THIS REQUIREMENT.
      2. A 40 FOOT LANDSCAPE BUFFER WITH A MINIMUM 1 SHADE TREE OR 2 ORNAMENTAL TREES OF 2" CALIPER MINIMUM, PER 500 SQUARE FEET SHALL BE REQUIRED ALONG BOTH 21ST STREET NORTH AND WEBB ROAD. TEN SHRUBS MAY BE SUBSTITUTED PER TREE FOR UP TO 33% OF THE TREE REQUIREMENT. EXISTING TREES AND EVERGREENS MAY BE INCLUDED TO SATISFY THE LANDSCAPE REQUIREMENT WITHIN THE BUFFER AREA.
      3. WITHIN THE REQUIRED 15 FOOT LANDSCAPE BUFFERS, A MINIMUM OF ONE SHADE TREE OR TWO ORNAMENTAL TREES AND FIVE SHRUBS SHALL BE REQUIRED FOR EACH THIRTY LINEAR FEET OF THE BUFFER, WITH AT LEAST ONE THIRD OF THE TREES AND SHRUBS BEING EVERGREEN.
      4. AT THE MAJOR ENTRANCES, THE DEVELOPER SHALL INSTALL AND MAINTAIN MEDIAN PLANTINGS WHICH MAY INCLUDE FLOWERS IN THE APPROPRIATE SEASON.
      5. USING HEDGES OR FENCING, THE DEVELOPER WILL SCREEN UTILITY METERS AND TRASH RECEPTACLES FROM GROUND LEVEL VIEW AT THE PERIMETER OF THE TRACT.

21. A. THE MAXIMUM NUMBER OF TOWNHOUSE AND OR APARTMENT UNITS FOR PARCEL 10 SHALL NOT EXCEED 100 UNITS.

PARCEL DESCRIPTIONS:

PARCEL NUMBER 1:

PROPOSED USES – PARK, OPEN SPACE, RECREATIONAL FACILITIES, ENTRY MONUMENTS, DRAINAGE AND RELATED STRUCTURES.

GROSS AREA – 4.95 ACRES
MAXIMUM BUILDING HEIGHT – 35'
SETBACKS – 25'

PARCEL NUMBER 2:

PROPOSED USES – SAME AS PARCEL 1

GROSS AREA – 13.42 ACRES
MAXIMUM BUILDING HEIGHT – 35'
SETBACKS – 25'

PARCEL NUMBER 3:

PROPOSED USES – SINGLE FAMILY, PATIO HOMES, ZERO LOT LINE, DUPLEX AND RECREATION USES AND FACILITIES.

GROSS AREA – 5.40 ACRES
MAXIMUM DWELLING UNITS – 22
DENSITY – 4.0 DU/ACRE
MAXIMUM BUILDING HEIGHT – 35'
SETBACKS – SEE G.P. NUMBER 4
PARKING – AS PER CITY CODE

PARCEL NUMBER 4:

PROPOSED USES – SINGLE FAMILY, CHURCH AND RECREATIONAL USES AND FACILITIES.

GROSS AREA – 47.80 ACRES
MAXIMUM DWELLING UNITS – 45
DENSITY – 2.0 DU/ACRE
MAXIMUM BUILDING HEIGHT – 35'
SETBACKS – SEE G.P. NUMBER 4
PARKING – AS PER CITY CODE

PARCEL NUMBER 5: (DELETED)

PARCEL NUMBER 6:

PROPOSED USES – SINGLE FAMILY, PATIO HOMES, ZERO LOT LINE, DUPLEX, CHURCH OR RECREATION USES AND FACILITIES.

GROSS AREA – 35.44 ACRES
MAXIMUM DWELLING UNITS – 142
DENSITY – 4.0 DU/ACRE
MAXIMUM BUILDING HEIGHT – 35'
SETBACKS – SEE G.P. NUMBER 4
PARKING – AS PER CITY CODE

PARCEL NUMBER 7:

PROPOSED USES – SINGLE FAMILY, CHURCH, RECREATION USES AND FACILITIES.

GROSS AREA – 40.73 ACRES
MAXIMUM DWELLING UNITS – 47
DENSITY – 3.0 DU/ACRE
MAXIMUM BUILDING HEIGHT – 35'
SETBACKS – SEE G.P. NUMBER 4
PARKING – AS PER CITY CODE

PARCEL NUMBER 8A:

PROPOSED USES – ASSISTED LIVING

GROSS AREA – 3.72 ACRES
MAXIMUM DWELLING UNITS – 50

DENSITY – 13.43 DU/ACRE
MAXIMUM BUILDING HEIGHT – 35'
SETBACKS – FRONT YARD – 50'
SIDE YARD – 6'
REAR YARD – 20'
PARKING – AS PER CITY CODE

PARCEL NUMBER 9:

PROPOSED USES – SAME AS PARCEL 6

GROSS AREA – 13.07 ACRES
MAXIMUM DWELLING UNITS – 52
DENSITY – 4.0 DU/ACRE
MAXIMUM BUILDING HEIGHT – 35'
SETBACKS – SEE G.P. NUMBER 4
PARKING – AS PER CITY CODE

PARCEL NUMBER 10:

PROPOSED USES – SINGLE FAMILY, PATIO HOME, ZERO LOT LINE, DUPLEX, 4-PLEX, TOWNHOUSE, APARTMENT, AND CHURCH.
(SEE G.P. NO. 21 FOR RESTRICTIONS)
GROSS AREA – 15.01 ACRES
MAXIMUM DWELLING UNITS – S.F., P.H., Z.L.L. & D.P. – 60
4-PLEX, TOWNHOUSE OR APARTMENT – 100
DENSITY – S.F., P.H, Z.L.L. & D.P. – 4.0 DU/AC
4-PLEX, TOWNHOUSE OR APARTMENT – 6.67 DU/AC
MAXIMUM BUILDING HEIGHT – 35'
SETBACKS – SEE G.P. NUMBER 4. THERE SHALL BE A 40' SETBACK ALONG WEBB ROAD FOR TOWNHOUSE, APARTMENT, OR CHURCH USE.
PARKING – AS PER CITY CODE

PARCEL NUMBER 11:

PROPOSED USES – SINGLE FAMILY, PATIO HOME.
GROSS AREA – 10.38 ACRES
MAXIMUM DWELLING UNITS – S.F., P.H., – 17
DENSITY – S.F., P.H. – 1.6 DU/AC
MAXIMUM BUILDING HEIGHT – 35'
SETBACKS – SEE G.P. NUMBER 4.
PARKING – AS PER CITY CODE