

# EWARD'S SOUTH TOWN CENTER COMMUNITY UNIT PLAN (D.P. - 249)

## GENERAL PROVISIONS

1. THIS DEVELOPMENT CONTAINS 52 ACRES, MORE OR LESS
2. THE DEVELOPMENT CONTAINS SIX (6) PARCELS REQUIRING GENERAL COMMERCIAL USES. SEE PARCEL DESCRIPTION (GENERAL PROVISION NO. 25 FOR SPECIFIC USES)
3. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND
4. SIGNAGE AS PERMITTED BY ZONING DISTRICT SHALL BE PERMITTED IN ACCORDANCE WITH THE PROVISIONS OF THE SIGN CODE OF THE CITY OF WICHITA. ADDITIONALLY THE FOLLOWING CONDITIONS APPLY
  - A. NO PORTABLE OR OFF-SITE SIGNS SHALL BE PERMITTED ON THIS TRACT.
  - B. FLASHING SIGNS (EXCEPT FOR SIGNS SHOWING DATE, TIME, TEMPERATURE, AND OTHER PUBLIC SERVICE MESSAGES) ROTATING OR MOVING SIGNS, SIGNS WITH MOVING LIGHTS OR SIGNS WHICH CREATE THE ILLUSION OF MOVEMENT ARE NOT PERMITTED.
  - C. A SIGN FOR CENTER IDENTIFICATION SHALL BE ALLOWED IN RESERVE "B". NO OTHER SIGNS SHALL BE PERMITTED IN THE RESERVE.
5. ALL BREAKAGE, WAHS AND DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE DEVELOPER'S EXPENSE. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE COST OF ANY DAMAGE TO EXISTING UTILITIES WHICH OCCURS AS A RESULT OF THE DEVELOPMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
6. ANY OPEN SPACE, SIGNS, LOGOS, DRAINAGE FACILITIES, DITCHES OR PARKING AREAS CONTAINED WITHIN THE DESCRIBED PARCELS SHALL BE PERMANENTLY OWNED AND MAINTAINED IF MAINTENANCE OCCURS AS AN ELEMENT OF THE DEVELOPMENT. THE MAINTENANCE OF RESERVES, OPEN SPACE, WETLANDS, DITCHES, PARKING AREAS, DRAINAGE IMPROVEMENTS, ETC., SHALL BE FILED WITH THE PLAN.
7. FINAL DETERMINATION OF STREET RIGHT-OF-WAY AND PARKING WORDS ON PUBLIC STREETS SHALL BE RESOLVED AT THE TIME OF PLATING. CHANGES FOR STREET IMPROVEMENTS FOR 4TH STREET SOUTH, CUSTY, AND BROADWAY SHALL BE DETERMINED AT TIME OF PLATING.
8. PARKING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 20.04140 ET SEQ OF THE CODE OF THE CITY OF WICHITA. ALL PARKING AND DRIVES SHALL BE HAND SURFACED WITH CONCRETE OR ASPHALT.
9. FIRE LANES:
  - A. 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.
  - B. DURING BUILDING PERMIT REVIEW THE FIRE CODE OR HIS DESIGNATED REPRESENTATIVE SHALL REVIEW AND APPROVE THE FIRE LANE CONSTRUCTION (INCLUDING THE LANE) AND THE FIREWALL DESIGN PRIOR TO CONSTRUCTION.
10. RESERVES SHALL BE USED FOR DETENTION, SLOUGH, BUFFERING, AND LANDSCAPING
11. ACCESS CONTROL:
  - A. AS SHOWN ON THE RECORDED P.L.T. IF THE ACCESS CONTROLS OF THE RECORDED P.L.T. ARE ALTERED BY AN APPROVED VIOLATION ORDER OF THE WICHITA CITY COUNCIL THE C.U.P. SHALL BE CONSIDERED TO HAVE BEEN ADJUSTED ACCORDINGLY.
12. CROSS-LOT CIRCULATION AND INTERNAL ACCESS SHALL BE PROVIDED AT THE TIME OF PLATING
13. THE TRANSFER OF TITLE ON ALL OR ANY PORTION OF THE LAND INCLUDED IN THE C.U.P. DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY BUILDING PERMIT THEREON. BUT SAID PLAN SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL THE C.U.P. IS REVOKED BY THE CITY OF WICHITA. ANY CHANGES TO THE PLAN OR ANY BUILDING PERMIT SHALL BE SUBMITTED TO THE PLANNING COMMISSION AND TO THE GOVERNING BODY FOR THEIR CONSIDERATION.
14. ALL LIGHTS SHALL BE SHIELDED TO REFLECT LIGHT DOWNWARD OR DIRECT LIGHT AWAY FROM RESIDENTIAL AREAS
15. TRASH RECEPTACLES SHALL BE APPROPRIATELY SCREENED TO REASONABLY HIDE THEM FROM GROUND VIEW. SCREENING SHALL BE CONSTRUCTED OF MATERIALS AND/OR LANDSCAPING COMPATIBLE WITH AND COMPLEMENTARY TO THE EXTERIOR OF THE BUILDINGS TO WHICH THE TRASH RECEPTACLE PROVIDES SERVICE. LOADING DOCKS AND SERVICE AREAS SHALL ALSO BE SCREENED FROM THE RESIDENTIAL AREAS.
16. A LANDSCAPE PLAN SHALL BE PREPARED IN COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 10.12 OF THE CODE OF THE CITY OF WICHITA. ALL DEVELOPMENTS SHALL MEET STREET LANDSCAPING REQUIREMENTS ALONG THE NEW STREET, PARKING LOT REQUIREMENTS, AND BUFFER TREE PLANTINGS ON THE EXISTING PORTION OF THE CUP.
17. THIS C.U.P. DOCUMENT IS GENERAL IN CHARACTER AND WILL REQUIRE THE SUBMISSION OF A SITE PLAN AND A LANDSCAPE PLAN FOR EACH PARCEL OR PORTION THEREOF. THIS SITE PLAN WILL REQUIRE ADMINISTRATION APPROVAL AT THE SITE REVIEW STAGE PRIOR TO ISSUANCE OF A BUILDING PERMIT. THE SITE PLAN SHALL SHOW LAND USE, UTILITIES, ACCESS POINTS AND/OR CONTROL SETBACKS, WETLAND CONTOUR, PARKING, SCREENING AND OTHER SIMILAR DESIGN CONSIDERATIONS.
18. PRIOR TO ISSUING BUILDING PERMITS FOR EACH PARCEL OR PORTION THEREOF, A PLAN FOR WETLANDS Delineation AND A WETLANDS MITIGATION SYSTEM SHALL BE SUBMITTED TO THE WETLANDS DIVISION OF THE U.S. ARMY CORPS OF ENGINEERS. THE PLAN SHALL SHOW THE LOCATION OF WETLANDS, WETLANDS BOUNDARIES, AND SHALL INCLUDE ENHANCEMENTS TO THE DEVELOPMENT AND SHALL COMPLY WITH THE PROPOSED DEVELOPMENT.
19. THE DEVELOPMENT OF THIS PROPERTY SHALL PROCEED IN GENERAL ACCORDANCE WITH THE DEVELOPMENT PLAN AS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION AND APPROVED BY THE GOVERNING BODY. AND ANY SUBSTANTIAL DETAIL 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.
20. COMMUNICATION TOWERS SHALL BE RELOCATED ONE BY A SEPARATE CUP AMENDMENT. PER COMMUNICATION TOWER LOCAL ORDINANCE
21. ALL LOADING SERVICE AND OUTSIDE STORAGE AREAS SHALL BE SCREENED FROM 4TH STREET, KITA-113, AND NEARBY HIGH-COMMERCIAL PROPERTIES
22. PARCEL NO. 1 SHALL NOT BE DEVELOPED FOR A PERIOD OF SIX MONTHS FROM THE DATE OF CITY COUNCIL APPROVAL, OR UNTIL THE ROAD/TRAFFIC STUDY IS COMPLETED. HOWEVER, CODES FIRST.
23. UPOW DEVELOPMENT: THE DEVELOPER GUARANTEES (SUBJECT TO ROOT APPROVAL) THAT:
  - A. A TRAFFIC SIGNAL SHALL BE PROVIDED AT GARCONA STREET EXTENDED
  - B. EXTENSION OF WESTBOUND LEFT TURN LANES, EITHER SINGLE OR DUAL ON 4TH STREET (200 FEET LONG) AT GARCONA. THIRD-LANE EXTENSION ON 4TH STREET FROM BROADWAY TO 1-33 RAMP, RIGHT-OF-WAY FOR EARTHWORK EXTENDED TO THE INTERVAL CIRCULATION LOOP ROAD AND CUSTY. NO LEFT TURN IN THE INTERVAL CIRCULATION LOOP ROAD AND CUSTY. TRAFFIC SIGNAL AT THAT INTERSECTION.
24. IF A WESTBOUND SINGLE-LANE LEFT TURN LANE ON 4TH EAST OF GARCONA EXTENDED IS CONSIDERED THEN ONLY 360,000 SQ. FT. OF BUILDING SPACE IS PERMITTED. IF WESTBOUND DUAL LEFT TURN LANES ON 4TH EAST OF GARCONA EXTENDED ARE CONSTRUCTED, THEN ALL 520,110 SQ. FT. OF BUILDING SPACE IS PERMITTED (SUBJECT TO ROOT APPROVAL WHERE APPLICABLE).

### 25. PARCEL DESCRIPTION:

#### PARCEL NO. 1

PROPOSED USES - ALL PERMITTED COMMERCIAL USES IN THE "C-1" INCLUDING BUSINESS OFFICES AND EXCEPTING ALL OTHER USES UNDER THE RESIDENTIAL, PUBLIC AND CHG. INDUSTRIAL, AND AGRICULTURAL CATEGORIES.  
 NET AREA - 194,899 SQ. FT. (4.42 ACRES) ±  
 MAXIMUM BUILDING COVERAGE - 54,460 SQ. FT. (20% MAX.)  
 TOTAL NUMBER OF BUILDINGS - 6  
 MAX. BUILDING HEIGHT - 30 FT.

#### PARCEL NO. 2

PROPOSED USES - SAME AS PARCEL 1  
 NET AREA - 489,702 SQ. FT. (110.78 ACRES) ±  
 MAXIMUM BUILDING COVERAGE - 140,000 SQ. FT. (28% MAX.)  
 TOTAL NUMBER OF BUILDINGS - 10

#### PARCEL NO. 3

PROPOSED USES - SAME AS PARCEL 1  
 NET AREA - 608,096 SQ. FT. (13.90 ACRES) ±  
 MAXIMUM BUILDING COVERAGE - 206,400 SQ. FT. (33% MAX.)  
 TOTAL NUMBER OF BUILDINGS - 13

#### PARCEL NO. 4

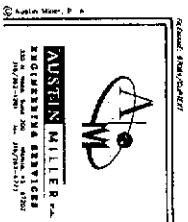
PROPOSED USES - SAME AS PARCEL 1  
 NET AREA - 382,080 SQ. FT. (8.78 ACRES) ±  
 MAXIMUM BUILDING COVERAGE - 114,780 SQ. FT. (30% MAX.)  
 TOTAL NUMBER OF BUILDINGS - 9

#### PARCEL NO. 5

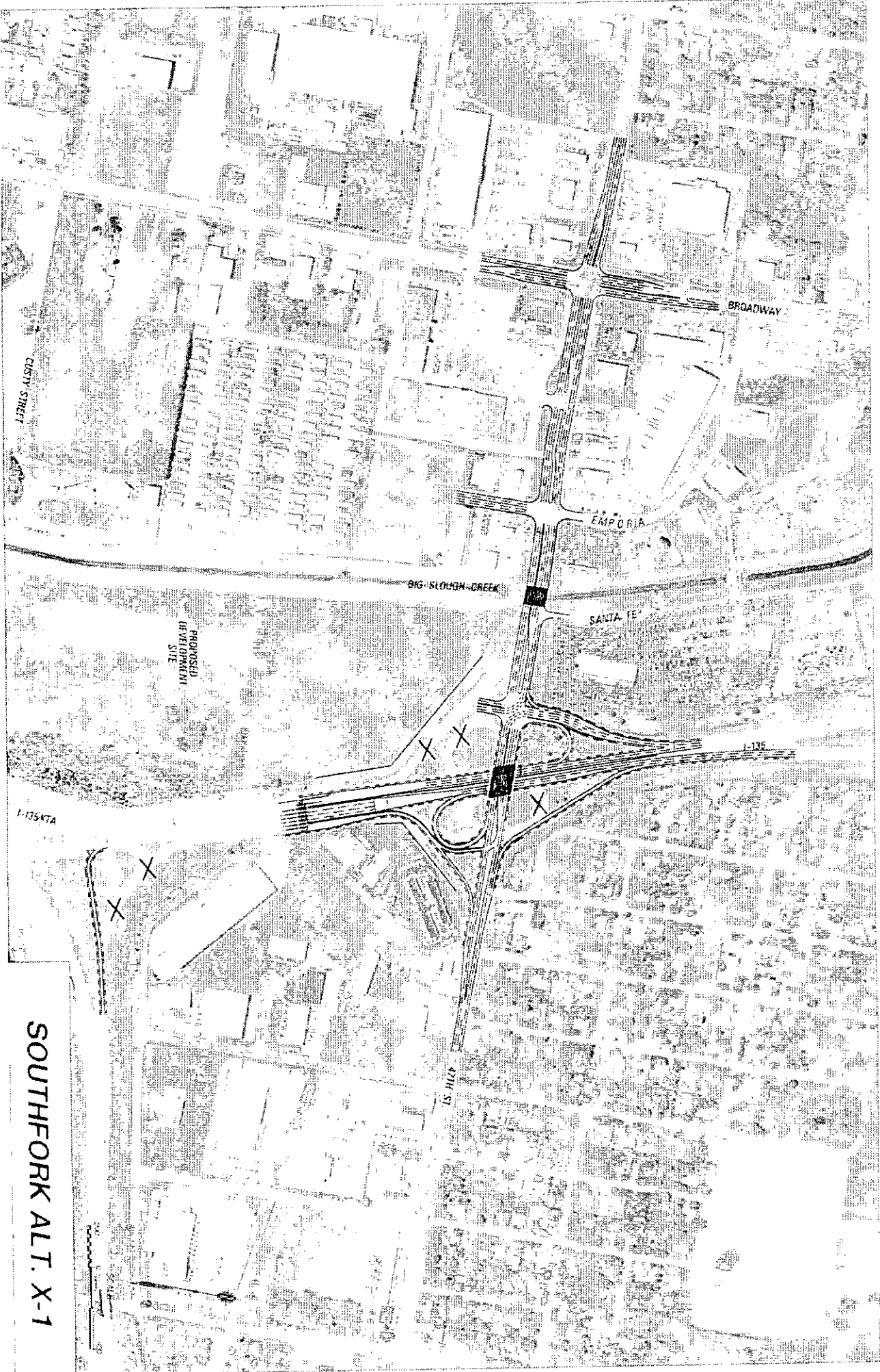
PROPOSED USES - SAME AS PARCEL 1  
 NET AREA - 38,211 SQ. FT. (0.88 ACRES) ±  
 MAXIMUM BUILDING COVERAGE - 11,420 SQ. FT. (30% MAX.)  
 MAXIMUM BUILDING HEIGHT - 30 FT.  
 TOTAL NUMBER OF BUILDINGS - 2

#### PARCEL NO. 6

PROPOSED USES - SAME AS PARCEL 1  
 NET AREA - 51,154 SQ. FT. (1.17 ACRES) ±  
 MAXIMUM BUILDING COVERAGE - 15,000 SQ. FT. (30% MAX.)  
 MAXIMUM BUILDING HEIGHT - 30 FT.  
 TOTAL NUMBER OF BUILDINGS - 1







CITY STREET

BROADWAY

EMPORIA

BIG SLOUGH CREEK

SANTA FE

I-135

PROPOSED DEVELOPMENT SITE

I-135/7A

IS HIGH

SOUTH FORK ALT. X-1