

PROVIDENCE SQUARE COMMUNITY UNIT PLAN DP-319

OWNER: HH HOLDING, LLC, 156 N. EMPORIA, WICHITA, KS 67202
DATE: FEBRUARY, 2009

GENERAL PROVISIONS

- THIS PROJECT IS PROPOSED TO CONTAIN 7.62 ACRES.
- PARCEL DESCRIPTIONS:

PARCEL 1
PROPOSED USES: ALL USES PERMITTED IN THE L.C. (LIMITED COMMERCIAL) ZONING DISTRICT EXCEPT FOR CORRECTIONAL FACILITIES, RECREATION, VEHICLE STORAGE YARDS, OUTDOOR STORAGE (AS A SEPARATE USE) GENERAL VEHICLE REPAIR, TIREWASH, HIGH-CLEARANCE, ASPHALT OR CONCRETE PLANTS, SEASONALLY ORIENTED BUSINESSES AND ADULT ENTERTAINMENT AS LISTED BY CITY CODE. NO SERVICE STATIONS, CONVENIENCE STORES WITH GAS STATIONS OR RESTAURANTS WITH DRIVE-IN OR DRIVE-THROUGH FACILITIES SHALL BE PERMITTED WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY. ANY USE FOR WHICH A CONDITIONAL USE PERMIT WOULD BE REQUIRED UNDER L.C. ZONING SHALL REQUIRE A CUP AMENDMENT. MULTI-FAMILY RESIDENTIAL SHALL BE A PERMITTED USE HEREIN. THE EXISTING RETAIL BUILDINGS ON PARCEL NO. 1:
GROSS AREA 5.19 AC. OR 224,000 S.F.
MAXIMUM GROSS FLOOR AREA - 74,000 S.F.
MAXIMUM BLDG. HEIGHT - 45 FT.
MAXIMUM DWELLING UNITS - 30 APARTMENTS
SETBACKS - SEE PLAN

PARCEL 2
PROPOSED USES: SAME AS PARCEL 1. EXCEPT ALL RESIDENTIAL USES ARE PROHIBITED.
GROSS AREA 0.46 AC. OR 20,138 S.F.
MAXIMUM BLDG. COVERAGE - 30%
MAXIMUM GROSS FLOOR AREA - 5,000 S.F.
MAXIMUM BLDG. HEIGHT - 35 FT.
SETBACKS - SEE PLAN

PARCEL 3
PROPOSED USES: SAME AS PARCEL 2.
GROSS AREA 0.67 AC. OR 29,088 S.F.
MAXIMUM BLDG. COVERAGE - 30%
MAXIMUM GROSS FLOOR AREA - 7,000 S.F.
MAXIMUM BLDG. HEIGHT - 35 FT.
SETBACKS - SEE PLAN

PARCEL 4
PROPOSED USES: SAME AS PARCEL 2.
GROSS AREA 0.10 AC. OR 4,128 S.F.
MAXIMUM BLDG. COVERAGE - 30%
MAXIMUM GROSS FLOOR AREA - 4,000 S.F.
MAXIMUM BLDG. HEIGHT - 35 FT.
SETBACKS - SEE PLAN

PARCEL 5
PROPOSED USES: SAME AS PARCEL 1.
GROSS AREA 0.46 AC. OR 20,138 S.F.
MAXIMUM BLDG. COVERAGE - 30%
MAXIMUM GROSS FLOOR AREA - 4,000 S.F.
MAXIMUM BLDG. HEIGHT - 35 FT.
SETBACKS - SEE PLAN

RESERVE B
PROPOSED USES: SIGNS, SIDEWALKS AND LANDSCAPING
GROSS AREA 150 S.F.

- THE TRANSFER OF THE 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. THE PLAN SHALL RUN WITH THE LAND FOR DEVELOPMENT AND BE BOUND UPON THE PRESENT LAND OWNERS, THEIR SUCCESSORS AND HEIRS AND THEIR LESSEES UNLESS AMENDED. HOWEVER, THE PLANNING DIRECTOR, WITH THE CONCURRENCE OF THE CDD SUPERINTENDENT, MAY APPROVE MINOR AMENDMENTS TO THE CONDITIONS IN THIS CUP, CONSISTENT WITH THE APPROVED DEVELOPMENT PLAN, WITHOUT FILING A FORMAL CUP AMENDMENT.

- ACCESS CONTROL:
A. ACCESS TO 15TH STREET NORTH SHALL BE LIMITED TO TWO (2) OPENINGS ONE (ONE) M/V RIGHT OF WAY ONLY BETWEEN PARCELS 3 AND 4, AND ONE (1) FULL MONUMENT OPENING BETWEEN PARCELS 2 AND 3. (SEE PLAN)
B. ACCESS TO OLIVER AVENUE SHALL BE LIMITED TO TWO (2) FULL MONUMENT OPENINGS. (SEE PLAN) THERE SHALL BE COMPLETE ACCESS CONTROL ON THE SOUTH 180 FEET AND THE NORTH 129 FEET.

- LANDSCAPE AND PARKING LOT SCREENING:
SHALL BE IN ACCORDANCE WITH CITY OF WICHITA CODE EXCEPT AS NOTED. A LANDSCAPE PLAN INDICATING THE LOCATION, TREE AND SPECIFICATION OF PLANT MATERIAL SHALL BE SUBMITTED BY A LANDSCAPE ARCHITECT TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS. A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED ON THE

- LANDSCAPE PLAN FOR THE PORTION OF THE CUP, BEING DEVELOPED SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMITS IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.

THE MASONRY WALL REQUIREMENT ALONG TO RESIDENTIAL ZONING SHALL BE WAIVED AND A CONTIGUOUS LANDSCAPED BUFFER (2' MINIMUM HEIGHT) WITH ONE TREE FOR EACH 30 FEET OF FRONTAGE SHALL BE INSTALLED.

MINIMUM SETBACK REQUIREMENTS: PER PLAN.

- SIGNS SHALL BE IN ACCORDANCE WITH APPROPRIATE CODES WITH THE FOLLOWING CONDITIONS:

- ELECTRONIC MESSAGE SIGNS SHALL BE PERMITTED ON 15TH ST. NORTH AND OLIVER AVE. ONLY. ROTATING OR MOVING SIGNS OR SIGNS WITH MOVING LIGHTS ARE NOT PERMITTED.
- PORTABLE SIGNS, SITE SIGNS AND BILLBOARDS ARE NOT PERMITTED.
- WINDOW DISPLAY SIGNS ARE LIMITED TO 25 PERCENT OF THE WINDOW AREA.
- ALL FREE STANDING SIGNS SHALL BE MONUMENT TYPE SIGNS WITH A MINIMUM SPACING OF 100 FEET.
- 15TH ST. NORTH SHALL HAVE FOUR (4) FREESTANDING SIGNS, ONE SIGN EACH FOR PARCELS 2, 3, 4, AND 5, AND ONE SIGN FOR EITHER PARCEL 1 OR RESERVE B. MAXIMUM HEIGHT FOR SIGNS ON PARCELS 2 AND 3 SHALL BE 15 FEET AND THE MAXIMUM SIGN FACE AREA FOR EACH SHALL BE 75 S.F. THE MAX. HEIGHT OF SIGN ON PARCEL 4 SHALL BE 20 FEET WITH MAX. FACE AREA OF 75 S.F. THE MAXIMUM HEIGHT FOR SIGNS ON EITHER PARCEL 1 OR RESERVE B SHALL BE 30 FEET WITH A MAXIMUM SIGN FACE AREA OF 250 S.F. TOTAL SIGN AREA FOR ALL SIGNS ALONG 15TH ST. SHALL NOT EXCEED 475 S.F.
- OLIVER AVE. SHALL HAVE FOUR (4) FREESTANDING SIGNS, ONE SIGN EACH FOR PARCELS 4 AND 5 AND TWO SIGNS FOR PARCEL 1. SIGNS ON PARCEL 4 SHALL HAVE A MAXIMUM HEIGHT OF 20 FEET AND A MAXIMUM SIGN AREA OF 75 S.F. SIGNS ON PARCEL 5 SHALL HAVE A MAX. HEIGHT OF 12 FEET AND A MAX. SIGN AREA OF 75 S.F. EACH SIGN ON PARCEL 1 SHALL HAVE A MAXIMUM HEIGHT OF 30 FEET AND A MAXIMUM SIGN FACE AREA OF 250 S.F. TOTAL SIGN AREA FOR PARCEL 1 SHALL NOT EXCEED 327 S.F. TOTAL SIGN AREA FOR ALL SIGNS ALONG OLIVER SHALL NOT EXCEED 450 S.F.

- RESERVE B SHALL HAVE TWO (2) FREESTANDING SIGNS, ONE SIGN EACH FOR PARCEL 1 AND PARCEL 2. MAXIMUM HEIGHT FOR SIGNS ON PARCEL 1 SHALL BE 35 FEET WITH A MAXIMUM SIGN AREA OF 75 S.F. MAXIMUM HEIGHT FOR SIGNS ON PARCEL 2 SHALL BE 30 FEET WITH A MAXIMUM SIGN AREA OF 250 S.F. TOTAL SIGN AREA FOR ALL SIGNS ON RESERVE B SHALL NOT EXCEED 296 S.F.

- PARKING SHALL BE IN ACCORDANCE WITH THE WICHITA-SEDGWICK COUNTY UNITED ZONING CODE.

- AN AGREEMENT PROVIDING FOR THE MAINTENANCE OF RESERVES, OPEN SPACE, INTERNAL DORES, PARKING AREAS, DRAINAGE IMPROVEMENTS, ETC., SHALL BE FILED BY THE TIME THAT PLAN IS FILED FOR RECORD.

- CROSS-LOT CIRCULATION AND DRAINAGE FOR ALL LOTS WITHIN THE CUP IS TO BE PROVIDED.

- TRASH RECEPTACLES AND OUTDOOR STORAGE SUBJECT TO L.C. ZONING REGULATIONS, SHALL BE SCREENED FROM GROUND LEVEL VIEW.

- 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 SUBSEQUENT MODIFICATION OF THE PLAN AS RECOMMENDED BY THE ZONING COMMISSION AND THE DIRECTOR OF PLANNING, SHALL CONSTITUTE A VIOLATION OF BUILDING PERMIT AUTHORIZING CONSTRUCTION OF THE PROPOSED DEVELOPMENT.

- PRIOR TO ISSUING BUILDING PERMITS ON ANY PARCEL, A PLAN FOR A PEDESTRIAN WALK SYSTEM ON THAT PARCEL SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PLANNING.

- ALL EXTERIOR LIGHTING ON PARCELS ADJACENT TO RESIDENTIAL USES SHALL BE SHIELDED TO LIGHT DISBURSEMENT DOWNWARD AND AWAY FROM RESIDENTIAL ZONING. THE MAXIMUM HEIGHT FOR POLES AND BASE SHALL BE 28 FEET.

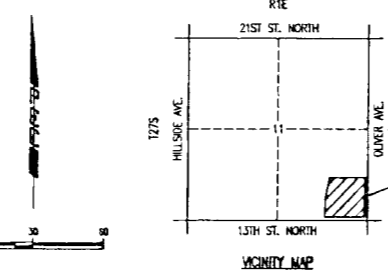
- ALL PARCELS SHALL HAVE SIMILAR OR CONSISTENT LANDSCAPING AND PARKING LOT LIGHTING ELEMENTS. (I.E. TREES, POLES, AND LAMPS, ETC.)

- PRIOR TO ISSUANCE OF ANY BUILDING PERMIT, A SITE CIRCULATION PLAN THAT PROVIDES FOR SMOOTH FLOW OF TRAFFIC BETWEEN THE PARCEL BEING DEVELOPED AND ALL PARCELS WITHIN THE CUP, FROM THE INTERNAL STREETS, SHALL BE SUBMITTED FOR REVIEW AND APPROVAL.

- ALL NEW UTILITIES SHALL BE INSTALLED UNDERGROUND.

- 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 FIRETRUCK LANDING AND UNLOADING. THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE SHALL REVIEW AND APPROVE THE LOCATION AND DESIGN OF ALL FIRE LANES. FIRE TRUCK INSTALLATION AND PARKING ACCESS TO ALL BUILDING SITES SHALL BE PROVIDED FOR EACH PHASE OF CONSTRUCTION PRIOR TO THE ISSUANCE OF BUILDING PERMITS.

- 10' CONTIGUOUS STREET BEDDING ALONG OLIVER AVE. IS CONTINGENT ON THE REMOVAL OF THE EXISTING BUILDING AT 402 E. 15TH STREET NORTH.



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