

# DEVELOPMENT GUIDELINES

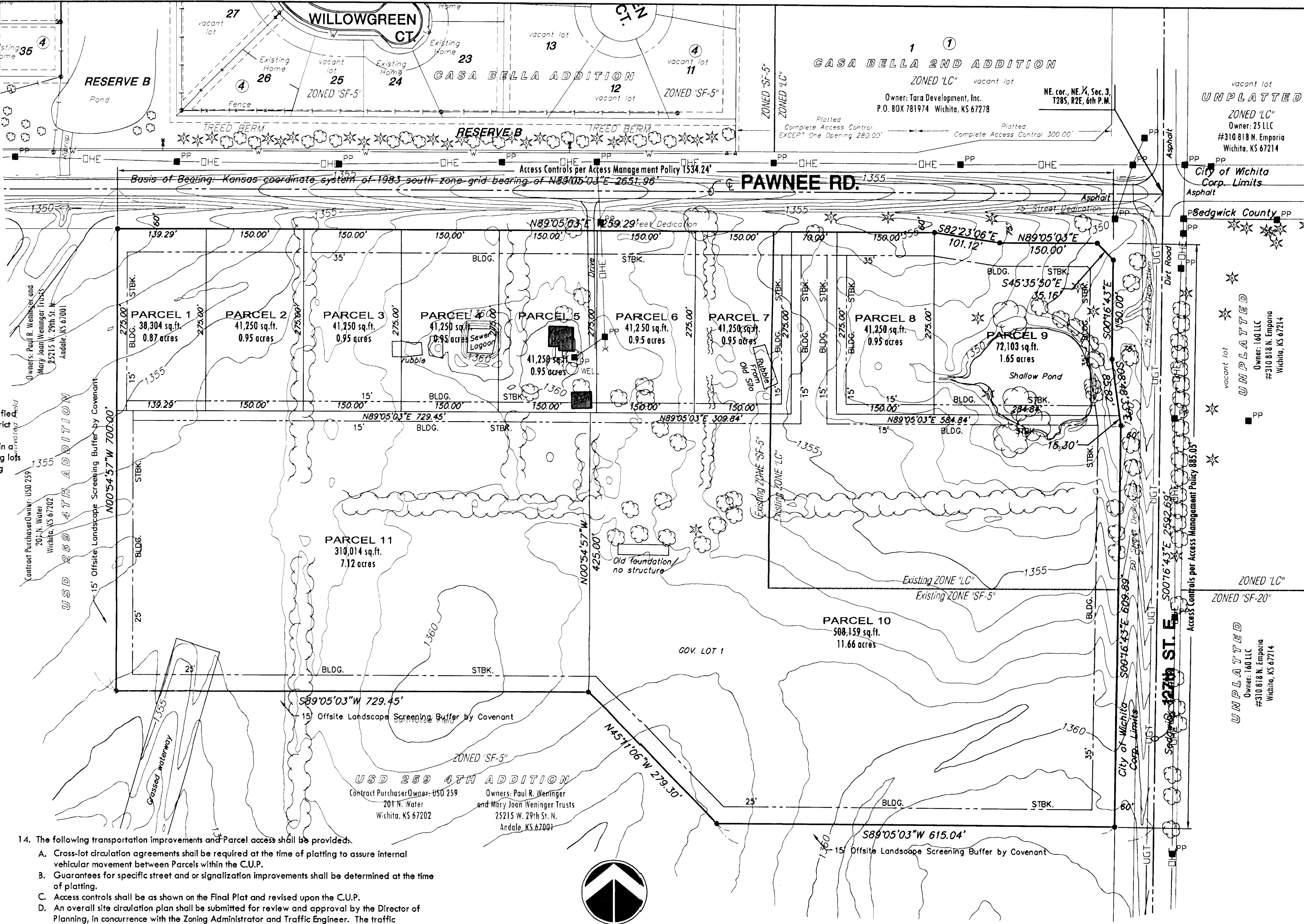
## General Provisions

- Area:**  
The total development contains 27.95 net acres of land more or less.
- Parcel Descriptions:**  
**Summary:**  
Total allowable floor ratio = .30  
Minimum Building Setbacks: (applies to all parcels as shown)  
Arterial street setback = 35'  
Interior side setback = 10' (See G.P. #9)

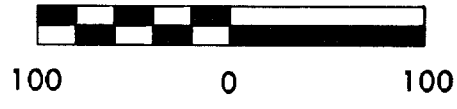
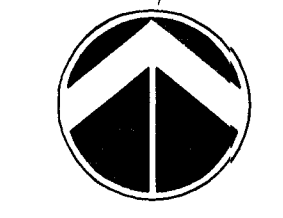
<b>Parcel 1</b> Gross Area= 0.87 Ac. or 38,304 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 14,438 s.f. Floor Area Ratio=0.30	<b>Parcel 7</b> Gross Area= 0.95 Ac. or 41,250 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 14,438 s.f. Floor Area Ratio=0.30
<b>Parcel 2</b> Gross Area= 0.95 Ac. or 41,250 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 14,438 s.f. Floor Area Ratio=0.30	<b>Parcel 8</b> Gross Area= 0.95 Ac. or 41,250 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 14,438 s.f. Floor Area Ratio=0.30
<b>Parcel 3</b> Gross Area= 0.95 Ac. or 41,250 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 14,438 s.f. Floor Area Ratio=0.30	<b>Parcel 9</b> Gross Area= 1.65 Ac. or 72,103 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 25,236 s.f. Floor Area Ratio=0.35
<b>Parcel 4</b> Gross Area= 0.95 Ac. or 41,250 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 14,438 s.f. Floor Area Ratio=0.30	<b>Parcel 10</b> Gross Area= 11.66 Ac. or 508,158 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 177,855 s.f. Floor Area Ratio=0.30
<b>Parcel 5</b> Gross Area= 0.95 Ac. or 41,250 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 14,438 s.f. Floor Area Ratio=0.30	<b>Parcel 11</b> Gross Area= 7.12 Ac. or 310,014 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 108,505 s.f. Floor Area Ratio=0.30
<b>Parcel 6</b> Gross Area= 0.95 Ac. or 41,250 s.f. Maximum Height=35 feet Max. Building Coverage=30% Max. Gross Floor Area=35% or 14,438 s.f. Floor Area Ratio=0.30	

- The following uses permitted in LC, Limited Commercial District are permitted for all of the Parcels:
  - Multi-Family Residential, Assisted Living, Church or Place of Worship, College or University, Convalescent Care Limited and General, Day Care Limited and General, Government Service, Hospital, Library, Parks and Recreation, Animal Care Limited, Automated Teller Machine, Bank or Financial Institution, Bed and Breakfast Inn, Broadcast / Recording Studio, Car Wash, Construction Sales and Services, Convenience Store, Funeral Home, Hotel or Motel, Indoor Kennels and Boarding for household pets, Medical Service, Monument Sales, Nurseries and Garden Centers and associated Outdoor Storage, Office General, Parking Area and/or Accessory Drive Ancillary Parking Area, Commercial, Personal Care Service, Personal Improvement Service, Post Office Substation, Printing and Copying Limited, Recreation and Entertainment Indoor, Restaurant, Retail General, Service Station, Vehicle Repair Limited, Vocational School, Warehouse Self-service Storage, Storage Outdoor, and Agriculture.
  - The uses permitted by the C.U.P. are only those uses permitted by right and not by conditional use.
- 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 utilize metal as a predominant exterior facade material, EXCEPT for rear building facades on Parcels 10 and 11. If metal facade material is utilized on the rear of structures on Parcels 10 and 11, it shall be painted a neutral earth tone color.
- 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.
- Landscaping for this site shall be required as follows:**
  - 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.
  - 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).
  - 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.

- Lighting:**
  - Lighting shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV.
  - 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.
  - All lighting shall be shielded to direct light disbursement in a downward direction and directed away from residential areas.
  - Light poles including above ground base shall be limited to 30 feet tall, except 15 feet tall when within 100 feet of residential zoning with residential use. School is not a residential use.
- Screening for this site shall be required as follows:**
  - 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. The rear building facades of Parcels 10 and 11 shall be exempt from this provision, since screening measures for the adjoining south property owner have been made by way of an agreement. Outdoor lawn and garden centers shall be exempt from screening measures.
  - Unless otherwise noted Screening shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV and Section III-C.2.b.
  - Outdoor display and storage shall be subject to all conditions of Section III-B.1.4.e for all Parcels.
  - Screening for the southern and western lines of the CUP shall be accomplished with trees and shrubs within a 15' off-site landscape screening buffer. The trees shall be planted at a minimum rate of one tree per 40 feet of property line for all but the northwest most 300 feet of the perimeter. The northwest most 300 feet shall contain grouped shrubbery. Maintenance of the off-site landscaping screening buffer shall be by private covenant.
  - The southern and western perimeters of the CUP shall be fenced by wrought iron (non-opeque) ornamental fence to be installed at the time of Parcel Development (construction). The fence shall be 6 feet tall except for the northwest most 300' shall be 3 feet tall.
- 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. Interior side building setbacks shall maintain a minimum of 10 feet. A zero-lot side setback may be acceptable in circumstances where adjoining lots under separate ownership wish a common wall. Zero-lot side setbacks must meet the following conditions: affected property owners are agreeable to the common wall, all fire codes must be adhered to, and the reduction must be approved by an Administrative Adjustment to this CUP.
- Signs:** As permitted under the Sign Code of the City of Wichita. Additionally, the following conditions apply:
  - All Parcels are subject to the requirements of the Sign Code for the City of Wichita for LC Zoning District except as noted herewith.
  - No strobe lights or flashing bulbs are allowed within the CUP.
  - Ground signs shall all consist of monument style signs and share similar elements of design. Three (3) signs along Pawnee Rd. and one (1) sign along 127th Street shall have a maximum height of 25 feet and a maximum sign face area of 200 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.
  - 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 eleven (11) signs on Pawnee Road and five (5) on 127th Street when one sign is shared at the corner of Parcel 9.
  - 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 elevation of Parcels 10 and 11.
  - Window signage shall be limited to 25% of window area.
  - Marquee (variable message or electronic message) signs are allowed on all Parcels, but there shall not be more than 5 within the entire CUP.
  - Illuminated signs are allowed and shall be shaded wherever necessary to avoid casting bright light upon property located in residential use areas. Illuminated signs located on a lot adjacent to or across the street from a residential use area, which sign is visible and within two hundred feet of a residential use area, shall not be brightly illuminated between the hours of eleven p.m. and seven a.m.
  - Electronic Message Signs. No electronic message sign shall be erected or installed without dimming controls to ensure the sign is appropriately dimmed at night. Acceptable dimming controls include automated light sensing devices (photoeyes) and/or programmable controls that are set by the user to automatically dim the sign at night. Generally, the maximum nighttime brightness and/or light intensity shall not exceed 3,000 nits (or equivalent). For electronic message signs that have a maximum brightness and/or light intensity of 3,000 nits or less (or equivalent), dimming controls shall not be required.
- Parking:**  
All Parcels, shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV-A, unless otherwise specified.
- Reserves:**  
No Reserves are planned for the development, but if needed, they shall be shown at the time of platting.
- No occupancy permits shall be issued for any development without services by municipal water and sewer services.



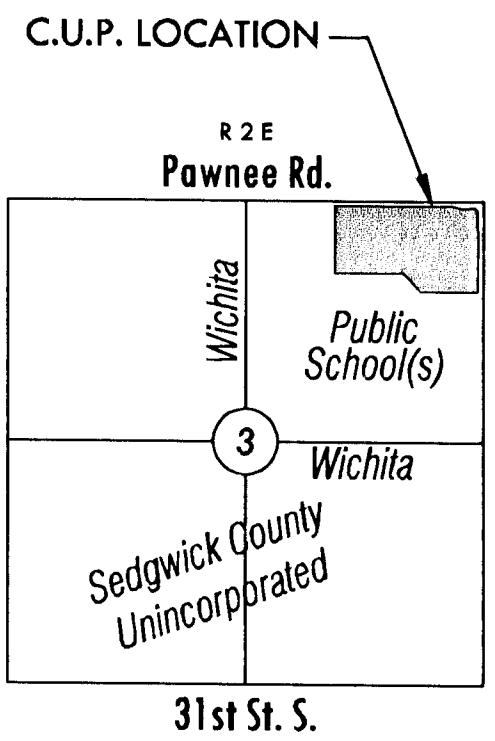
- The following transportation improvements and Parcel access shall be provided:
  - Cross-lot circulation agreements shall be required at the time of platting to assure internal vehicular movement between Parcels within the C.U.P.
  - Guarantees for specific street and or signalization improvements shall be determined at the time of platting.
  - 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 Pawnee Road and 127th 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.
- Grading Plan:**  
A lot grading plan will be prepared in conformance with the Drainage Concept Plan for review prior to the issuance of a Building Permit.
- All proposed new utilities shall be installed underground.
- 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.
- 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.
- 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 lying in a portion of Government Lots 1 and 2, Section 3, Township 28 South, Range 2 East, of the 6th Principal Meridian, Wichita, Sedgwick County, Kansas; said tract being more particularly described as follows:  
 BEGINNING at the northeast corner of said Northeast Quarter, thence along the east line of said Quarter on a Kansas coordinate system of 1983 south zone grid bearing of S00°16'43"E, 960.06 feet; thence parallel with and 960.00 feet south of the north line of said Quarter, S89°05'03"W, 675.04 feet; thence N45°11'06"W, 279.30 feet to a point lying 760.00 feet south of said north line; thence S89°05'03"W, 729.45 feet; thence N00°54'57"W, 760.00 feet to said north line; thence along said north line, N89°05'03"E, 1610.13 feet to the POINT OF BEGINNING.

Said tract CONTAINS: 1,217,331 square feet or 27.946 acres of land, more or less.



## VICINITY MAP

# COMMUNITY UNIT PLAN DP-322 PAWNEE & 127TH COMMERCIAL

Contract Purchaser / Developer: 127 PAW, LLC, a Kansas limited liability company  
 Owners: Paul R. Weninger Trust and Mary Joan Weninger Trust  
 8111 E. 32nd St., Suite 101, Wichita, KS, 67226 316.262.3331  
 25215 W 29th St N, Andale, KS, 67001 316.444.2473



411 N. WEBB ROAD  
 WICHITA, KS. 67206  
 316 - 684 - 9600

MAPC Hearing: July 8th, 2010