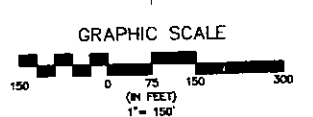




GENERAL PROVISIONS

- THIS DEVELOPMENT CONTAINS 50.4 ACRES, MORE OR LESS.
- THE DEVELOPMENT CONTAINS EIGHT (8) PARCELS PERMITTING GENERAL COMMERCIAL USES. SEE PARCEL DESCRIPTION (GENERAL PROVISION NO. 31) FOR SPECIFIC USES.
- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- SIGNAGE WILL BE PERMITTED AS ALLOWED BY THE SIGN CODE, CITY CODE TITLE 24.04, WITH THE FOLLOWING ADDITIONAL CONDITIONS/LIMITATIONS:
 - NO PORTABLE SIGNS SHALL BE PERMITTED.
 - TEMPORARY ADVERTISING DECORATION OR BANNER-TYPE SIGNS AS ALLOWED BY THE SIGN CODE, EXCLUDING TENTS OR PENNANT STREAMERS OR OTHER SIMILAR DECORATION, SHALL BE PERMITTED, BUT SHALL BE LIMITED TO NO MORE THAN 36 SQUARE FEET IN SIZE, TO NO MORE THAN 15 DAY PLACEMENTS, AND TO NO MORE THAN THREE SUCH BANNER OR ADVERTISING DECORATION SIGNS IN THE CUP AT ANY TIME. ANY ADVERTISING DECORATION OR BANNER SIGNS SHALL BE SECURELY ATTACHED TO A BUILDING, WALL OR FENCE.
 - NO BUILDING WALL SIGNS IN PARCEL 6 FACING RESIDENTIAL SHALL BE PERMITTED.
- ALL DRAINAGE WAYS AND DRAINAGE EASEMENTS SHALL BE CONFIRMED AT THE TIME OF PLATTING. A SPECIFIC LOT GRADING PLAN WILL BE PREPARED IN CONFORMANCE WITH THE GENERAL DRAINAGE CONCEPT PLAN FOR REVIEW PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
- ANY OPEN SPACE, SIGNS, LOGOS, DRAINAGE FACILITIES, DRIVES OR PARKING AREAS CONTAINED WITHIN THE DESCRIBED PARCELS SHALL BE PRIVATELY OWNED AND MAINTAINED. IF MULTIPLE OWNERSHIP OCCURS AN AGREEMENT PROVIDING FOR THE MAINTENANCE OF RESERVES, OPEN SPACE, INTERNAL DRIVES, PARKING AREAS, DRAINAGE IMPROVEMENTS, ETC., SHALL BE FILED WITH THE PLAT.
- PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE UNIFIED ZONING CODE OF THE CITY OF WICHITA. ALL PARKING AND DRIVES SHALL BE HARD SURFACED WITH CONCRETE OR ASPHALT.
- FIRE LANES:
 - FIRE LANES SHALL BE IN ACCORDANCE WITH THE APPROPRIATE FIRE CODE OF THE CITY OF WICHITA. NO PARKING SHALL BE ALLOWED IN FIRE LANES, ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING.
 - DURING BUILDING PERMIT REVIEW THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE SHALL REVIEW AND APPROVE THE SITE PLAN REGARDING FIRE LANE(S) AND FIRE HYDRANT LOCATION, PRIOR TO CONSTRUCTION.
- ACCESS CONTROL: AS SHOWN ON THE RECORDED PLAT, IF THE ACCESS CONTROLS OF THE RECORDED PLAT ARE ALTERED BY AN APPROVED VACATION ORDER OF THE WICHITA CITY COUNCIL THE C.U.P. SHALL BE CONSIDERED TO HAVE BEEN ADJUSTED ACCORDINGLY.
- CROSS LOT CIRCULATION AND INTERNAL ACCESS SHALL BE PROVIDED AT THE TIME OF PLATTING. AN INTERNAL CIRCULATION DRIVE SHALL PROVIDE CROSS-LOT ACCESS ALONG THE LINE BETWEEN OUT PARCELS AND THE MAIN PARCEL WITHIN THE CUP.
- 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 PORTION THEREOF, BUT SAID PLAN SHALL RUN WITH THE LAND AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED. ANY MAJOR CHANGES IN THIS DEVELOPMENT PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION FOR ITS CONSIDERATION.
- NO DEVELOPMENT OF THE CUP SHALL OCCUR UNTIL MUNICIPAL WATER AND SEWER SERVICES HAVE BEEN EXTENDED TO SERVE THE SITE.
- ALL LIGHTS SHALL BE SHIELDED TO REFLECT LIGHT DOWNWARD OR DIRECT LIGHT AWAY FROM RESIDENTIAL AREAS. LIGHT POLES ON PARCELS SHALL BE LIMITED TO 25 FEET IN HEIGHT. ALL PARKING LOT LIGHTING WITHIN THE CUP SHALL SHARE CONSISTENT DESIGN (I.E. FIXTURES, POLES, LAMP BASES). LIGHTING HEIGHT SHALL BE LIMITED TO 15 FEET WHEN WITHIN 100 FEET OF RESIDENTIAL ZONING.
- 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 47TH STREET NORTH AND HYDRAULIC AVE. WITH SCREENING WALLS AND/OR LANDSCAPING APPROVED BY THE PLANNING DIRECTOR.
- ON ALL PARCELS ROOF-TOP EQUIPMENT SHALL BE SCREENED FROM GROUND LEVEL VIEW FROM ADJACENT RESIDENTIAL AREAS; NO ROOF-TOP FENCING ALLOWED.
- DEVELOPMENT OF ALL PARCELS WITHIN THE CUP SHALL COMPLY WITH THE LANDSCAPE ORDINANCE OF THE CITY OF WICHITA. A LANDSCAPE PLAN SHALL BE PREPARED BY A STATE OF KANSAS REGISTERED LANDSCAPE ARCHITECT FOR THE REQUIRED LANDSCAPING, INDICATING THE TYPE, LOCATION AND SPECIFICATIONS OF ALL PLANT MATERIAL. THIS PLAN SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT.



LEGAL DESCRIPTION

A TRACT OF LAND DESCRIBED AS FOLLOWS:
A TRACT OF LAND IN THE NORTH HALF OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, THENCE ALONG AN ASSUMED BEARING OF N69°31'13"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER FOR 225.74 FEET TO A POINT, THENCE S67°47'36"E FOR 155.50 FEET TO THE POINT OF BEGINNING ON THE KANSAS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY LINE AS DESCRIBED IN THE QUIT CLAIM DEED RECORDED AS DOC.#PLM-PC: 29162038, THENCE S107°28'47"E A DISTANCE OF 383.37 FEET TO A POINT ON THE KANSAS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY LINE AS DESCRIBED IN DEED BOOK 1351 AT PAGE 253, THENCE S 62°57' E A DISTANCE OF 126.68 FEET, THENCE S19°28'47"E A DISTANCE OF 146.53 FEET TO A POINT ON THE RIGHT-OF-WAY LINE OF THE KANSAS TURNPIKE AUTHORITY AS DESCRIBED IN COMMEMORATION CASE A-55276, THENCE ALONG SAID KANSAS TURNPIKE AUTHORITY RIGHT-OF-WAY LINE S64°2'56" W A DISTANCE OF 578.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 1 EAST, THENCE S88°07'51" W ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 176.00 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER, THENCE S88°05'53" W A DISTANCE OF 176.00 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER, THENCE S88°05'53" W A DISTANCE OF 699.36 FEET TO A POINT, THENCE CONTINUING ALONG SAID RIVERSIDE DRAINAGE DISTRICT EASEMENT N62°17'07" W A DISTANCE OF 1154.42 FEET TO A POINT ON THE KANSAS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY LINE AS DESCRIBED IN THE QUIT CLAIM DEED RECORDED AS DOC.#PLM-PC: 29162038, THENCE ALONG SAID KANSAS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY LINE BEARING N89°31'13" E A DISTANCE OF 653.73 FEET TO THE POINT OF BEGINNING.

- A FINANCIAL GUARANTEE FOR THE PLANT MATERIAL APPROVED ON THE LANDSCAPE PLAN FOR THAT PORTION OF THE CUP BEING DEVELOPED SHALL BE REQUIRED PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT, IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.
- ALL PARCELS IN THE CUP SHALL SHARE A SIMILAR OR COMPATIBLE PLANT PALETTE, AS DETERMINED BY THE REGISTERED LANDSCAPE ARCHITECT PREPARING REQUIRED PLAN.
- ALL BUILDINGS SHALL HAVE CONSISTENT EXTERIOR BUILDING MATERIALS WITH CONSISTENT ARCHITECTURAL CHARACTER, FORM, COLOR, AND TEXTURE. BUILDING WALLS SHALL BE BROKEN UP BY PROJECTIONS, RECESSES, CHANGES IN ROOF LINE, AND CHANGES IN COLORS, TEXTURES AND/OR MATERIALS. RELATING TO INTERIOR BUILDING FUNCTIONS WHERE FEASIBLE, BUILDINGS SHOULD HAVE A RECOGNIZABLE "BASE" AND "TOP". PREFABRICATED METAL PANELS SHALL NOT BE PERMITTED ON THE SIDE OF BUILDINGS FACING I-35 OR 47TH STREET SOUTH AND SHALL NOT BE THE PREDOMINANT WALL MATERIAL ON ANY OTHER SIDE OF THE BUILDING.
- BUILDINGS IN PARCELS ALONG THE ARTERIAL STREETS SHOULD BE SITED WITH A PRIMARY BUILDING FACADE ALONG THE STREET AND NO MORE THAN ONE DRIVING AISLE. MINIMUM SETBACK ALONG ARTERIAL STREETS MAY BE REDUCED TO A MINIMUM OF 20 FEET IF THE FRONT YARD AREA IS LANDSCAPED. A MINIMUM OF 50 PERCENT OF THE BUILDING FRONTAGE FACING THE ARTERIAL STREETS MUST HAVE WINDOWS OR DOOR OPENINGS.
- GAS ISLANDS, ATMS, BANK DRIVE-THROUGH WINDOWS, OVERHEAD DOORS AND SIMILAR UTILITARIAN ITEMS SHALL BE SCREENED OR SITED BEHIND BUILDINGS TO MINIMIZE THEIR VIEW FROM THE STREET.
- A SIX (6) FOOT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG THE SOUTHERN LINE OF PARCEL 6 WHEN ANY PORTION(S) OF PARCEL 6 IS DEVELOPED. NO UTILITIES SHALL BE PLACED WITHIN THE 5 FOOT WALL EASEMENT.
- EXTENSIVE USE OF BACKUP CANOPIES AND NEON OR FLUORESCENT TUBE LIGHTING ON BUILDINGS IS NOT PERMITTED.
- 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 ADMINISTRATIVE APPROVAL AT THE PLAN REVIEW STAGE PRIOR TO ISSUANCE OF A BUILDING PERMIT. THE SITE PLAN SHALL SHOW LAND USE RELATIONSHIPS, ACCESS POINTS AND/OR CONTROL SETBACKS, INTERIOR CIRCULATION, PARKING, SCREENING AND OTHER SIMILAR DESIGN CONSIDERATIONS.
- PRIOR TO ISSUING BUILDING PERMITS FOR EACH PARCEL OR PORTION THEREOF, A PLAN FOR VEHICULAR CIRCULATION AND A PEDESTRIAN WALK SYSTEM SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PLANNING. THE PLAN SHALL LINK SIDEWALKS AND SHALL LINK WITH THE PROPOSED BUILDINGS WITHIN THE DEVELOPMENT. THE SITE SHALL LINK WITH THE EXISTING PEDESTRIAN SYSTEM WHICH MAY BE CONSTRUCTED INCREMENTALLY. PEDESTRIAN CIRCULATION SYSTEMS WHICH MAY BE CONSTRUCTED INCREMENTALLY SHALL BE APPROVED BY THE ZONING ADMINISTRATOR. WALKWAYS ACROSS PARKING LOTS SHALL BE DESIGNATED BY CHANGES IN MATERIAL, TEXTURE AND COLOR.
- 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.
- THE FOLLOWING USES SHALL BE PROHIBITED IN ALL PARCELS: CEMETERY, CORRECTIONAL PLACEMENT RESIDENCES, AND NIGHT CLUB IN THE CITY. ANY USES ALLOWED ONLY BY CONDITIONAL USE SHALL NOT BE ALLOWED EXCEPT BY CUP AMENDMENT. THE FOLLOWING USES SHALL BE PROHIBITED WITHIN 200 FEET OF RESIDENTIALLY ZONED PROPERTY: SERVICE STATIONS, CONVENIENCE STORES WITH GAS ISLANDS, RESTAURANTS WITH DRIVE-IN OR DRIVE-THROUGH FACILITIES AND VEHICLE REPAIR.
- COMMUNICATION TOWERS SHALL BE PERMITTED ONLY BY A SEPARATE CUP AMENDMENT.
- ALL LOADING, SERVICE AND OUTSIDE STORAGE AREAS SHALL BE SCREENED FROM 47TH STREET, KTA/1-135, AND NEARBY NON-COMMERCIAL PROPERTIES.
- PARCEL DESCRIPTIONS:

Parcel No.	Proposed Uses	Net Area	Maximum Building Coverage	Total Number of Buildings	Parking	Maximum Building Height	Gross Floor Area Ratio
PARCEL NO. 1	PROPOSED USES: SAME AS PARCEL 1	89,724 SQ. FT. (2.06 ACRES)	26,917 SQ. FT. (30% MAX.)	3	SEE GENERAL PROVISION NUMBER 7	45 FEET	40%
PARCEL NO. 2	PROPOSED USES: SAME AS PARCEL 1	35,154 SQ. FT. (0.81 ACRES)	10,546 SQ. FT. (30% MAX.)	3	SEE GENERAL PROVISION NUMBER 7	35 FEET	40%
PARCEL NO. 3	PROPOSED USES: SAME AS PARCEL 1	36,599 SQ. FT. (0.83 ACRES)	11,580 SQ. FT. (30% MAX.)	3	SEE GENERAL PROVISION NUMBER 7	35 FEET	40%
PARCEL NO. 4	PROPOSED USES: SAME AS PARCEL 1	58,484 SQ. FT. (1.34 ACRES)	17,545 SQ. FT. (30% MAX.)	3	SEE GENERAL PROVISION NUMBER 7	35 FEET	40%
PARCEL NO. 5	PROPOSED USES: SAME AS PARCEL 1	44,389 SQ. FT. (1.02 ACRES)	13,311 SQ. FT. (30% MAX.)	3	SEE GENERAL PROVISION NUMBER 7	35 FEET	40%
PARCEL NO. 6	PROPOSED USES: SAME AS PARCEL 1	1,521,535 SQ. FT. (34.93 ACRES)	608,614 SQ. FT. (40% MAX.)	20	SEE GENERAL PROVISION NUMBER 7	55 FEET	40%
PARCEL NO. 7	PROPOSED USES: SAME AS PARCEL 1	42,900 SQ. FT. (0.98 ACRES)	12,870 SQ. FT. (30% MAX.)	3	SEE GENERAL PROVISION NUMBER 7	35 FEET	40%
PARCEL NO. 8	PROPOSED USES: SAME AS PARCEL 1	41,338 SQ. FT. (0.95 ACRES)	12,402 SQ. FT. (30% MAX.)	3	SEE GENERAL PROVISION NUMBER 7	35 FEET	40%