

TYLERS LANDING COMMERCIAL PLAZA COMMUNITY UNIT PLAN

DP-267

GENERAL PROVISIONS:

- Total Land Area: 488,870 ± sq. ft. or 11.22 ± acres
Net Land Area: 438,716 ± sq. ft. or 10.07 ± acres
- Total Gross Floor Area: 153,551 sq. ft.
Total Floor Area Ratio: 35 percent
- Parking shall be provided in accordance with Section IV of the Unified Zoning Code, unless otherwise specified in the parcel description.
- Setbacks are as indicated on the C.U.P. drawing, or as specified in the parcel descriptions. If the site is developed for commercial uses, the CUP shall have a 35-foot setback where the site abuts "S"-5 zoned property. If contiguous parcels are to be developed under the same ownership, setbacks between those parcels will not be required. See General Provision #26 regarding setbacks for residential development.
- A Drainage Plan shall be submitted to City Engineering for approval. Required guarantees for drainage shall be provided at the time of platting improvements.
- Guarantees for specific street improvements for Tyler Road and 37th St. North shall be further reviewed and determined at the time of platting.
- Signs shall be in accordance with the Sign Code of the City of Wichita with the following conditions:
 - Each parcel is permitted one sign per arterial frontage with the following area restrictions:
Parcel 1: 170 sq. ft. of signage (total), no closer than 75' to south property line.
Parcel 2: 170 sq. ft. of signage.
Parcel 3: 170 sq. ft. of signage.
Parcel 4: 150 sq. ft. of signage, on each frontage.
Parcel 5: 150 sq. ft. of signage.
Parcel 6: 150 sq. ft. of signage.
Parcel 7: 150 sq. ft. of signage, no closer than 75' to east property line.
 - As the frontage develops along the arterial roadways, monument type signs shall be spaced a minimum of 150' apart, irrespective of how land is leased or sold.
 - Flashing signs (except for signs showing only time, temperature and other public service messages), rotating or moving signs, signs with moving lights or signs which create illusions of movement are not permitted.
 - Portable and off-site signs are not permitted.
 - Interior window display signs are limited to 25% of the window area.
 - No signs shall be placed on the rear of any buildings.
 - All freestanding signs must be monument type and shall have a maximum height of 20 feet for Parcels 1-7.
- Access Controls shall be as shown on the final plat. See General Provision #26 regarding access control for residential development.
- All exterior lighting shall be shielded to direct light disbursement in a downward direction. This requirement does not apply to Parcels 2 through 5 in the event they are developed with residential uses.
- All parcels shall share similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
 - If the site is developed for commercial uses, the height of light poles and base shall be limited to 24 feet.
 - Extensive use of back lit canopies and neon or fluorescent tube lighting on buildings is not permitted.
- Utilities shall be installed underground on all parcels.
- Landscaping for this site shall be required as follows:
 - Development of all parcels within the C.U.P. shall comply with the Landscape Ordinance of the City of Wichita and share a similar landscape palette. The landscape buffer shall be provided at a rate of one tree per 30 feet. This requirement does not apply to Parcels 2 through 5 in the event they are developed with residential uses.
 - 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 Planning Department for their review and approval prior to issuance of a building permit. This requirement does not apply to Parcels 2 through 5 in the event they are developed with residential uses.
 - 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, this requirement does not apply to Parcels 2 through 5 in the event they are developed with residential uses.
- Screening:
 - Commercial Development: A six (6) foot high concrete/masonry wall shall be constructed along the south and east property lines of the C.U.P. where adjacent to residential zoning. This solid wall shall be constructed of a pattern and color that is consistent with the building walls.
 - Residential Development: Screening shall be provided in accordance with the Unified Zoning Code, and shall be constructed with a minimum 6-foot wood screening fence.
- Roof-top mechanical equipment shall be screened from ground level view per Unified Zoning Code. This requirement does not apply to Parcels 2 through 5 in the event they are developed with residential uses.
- Trash receptacles, loading docks, outdoor storage, and loading areas shall be appropriately screened to reasonably hide them from ground view from Tyler Road, 37th St. North, or rear of single-family lots to south and east. This requirement does not apply to Parcels 2 through 5 in the event they are developed with residential uses.
- All buildings in the C.U.P. shall share uniform architectural character, color, texture, and the same predominate exterior building material, as determined by the Director of Planning. Building walls and roofs must have predominately earth-tone colors, with white colors limited to incidental accents, and must employ materials similar to surrounding residential areas. No predominately metal facades shall be allowed. This requirement does not apply to Parcels 2 through 5 in the event they are developed with residential uses.
- Fire lanes shall be in accordance with the Fire Code of the City of Wichita. No parking shall be allowed in solid fire lanes, although they may be used for passenger loading and unloading. The Fire Chief or his designated representative shall review and approve the location and design of all fire lanes. Fire hydrant installation and paved access to all building sites shall be provided for each phase of construction prior to the issuance of building permits.
- All parcels shall be zoned Limited Commercial. No parcel within this C.U.P. shall allow the use of adult entertainment establishments, sexually oriented business, group residential, recreational placement, residences, asphalt/concrete plants, private clubs, taverns, and drinking establishments. Restaurants that serve liquor can be developed and may serve liquor, as long as food is the primary service of the establishment. Restaurants shall not have drive-through windows located within 100 feet of residential zoning and order boards shall not exceed the existing noise ordinance. Exterior audio systems that project sound beyond the boundaries of the C.U.P. are prohibited. Service stations, vehicle repair, limited and full-service car washes will not be permitted on Parcels 1 and 7. Car washes associated with convenience stores will be located north of a building on Parcel 1 and west of a building on Parcel 7. No overhead doors associated with vehicle repair shall be permitted to face any adjacent residential zoning district, i.e. they cannot face as follows:

Parcels 1 & 7:	Cannot face south or east
Parcels 2 & 3:	Cannot face east
Parcel 4:	Cannot face southeast
Parcels 5 & 6:	Cannot face south
- Cross-lot circulation agreements shall be required at the time of platting to assure internal vehicular movement between parcels within the C.U.P. This requirement does not apply to Parcels 2 through 5 in the event they are developed with residential uses.
- Amendments, adjustments or interpretations to this C.U.P. shall be done in accordance with the Unified Zoning Code.
- The transfer of title of all or any portion of land included within the Community Unit Plan (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
- 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 in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
- A plan for a pedestrian walk system shall be submitted and approved by the Director of Planning prior to the issuance of building permits. Said walk system shall link sidewalks along Tyler Road and 37th Street North with the proposed buildings within the subject property.
- No development shall occur until such time as municipal water and sewer service are provided to the site.
- Transportation requirements:
 - A site plan shall be required for review and approval by the Planning Director prior to the issuance of any building permits; the site plan shall ensure internal circulation within the parcels and joint use of ingress/egress openings and that private drive openings are not impacted/blocked by the layout of parking stalls or landscaping.
 - The applicant shall provide a guarantee for right-turn accel/deceleration lanes along the perimeter of the property.
 - The applicant shall provide a guarantee for right-turn lanes along 37th Street North and Tyler Road.
 - Location of the major entrance on Tyler Road shall be located across from the major entrance to Maize South Middle School.
 - Access points shall be in conformance with the Access Management Policy.
 - The developer shall guarantee 12-1/2 percent share of the cost for the intersection signalization at Tyler Road and 37th Street North.
 - Provision of a traffic impact study is not required if the applicant accepts the above recommendations.
- The development of Parcels 2 through 5 may allow for single-family and/or two-family residential development. In the event Parcels 2 through 5 are developed residentially, all requirements for commercial development shall not apply, and the four commercial lots shall be re-platted for residential purposes. Such issues as access control, building setbacks, and other improvements shall be established during the subdivision process. Parcels 2 through 5 shall collectively permit a maximum of 26 single-family (32 two-family) dwelling units.

LEGAL DESCRIPTION:

Lots 2 through 5, Block A, Tyler's Landing Commercial Addition, Wichita, Sedgwick County, Kansas.

PARCEL 1

- Net Area: 66,000 sq. ft. or 1.52 acres
- Maximum Building Coverage: 19,800 sq. ft. or 30 percent
- Maximum Gross Floor Area: 23,100 sq. ft.
- Floor Area Ratio: 35 percent
- Maximum Number of Buildings: One (1)
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
- Setbacks: See Drawing
- Access Points: See Drawing

PARCEL 5

- Net Area: 79,889 sq. ft. or 1.83 acres
- Maximum Building Coverage: 23,967 sq. ft. or 30 percent
- Maximum Gross Floor Area: 27,961 sq. ft.
- Floor Area Ratio: 35 percent
- Maximum Number of Commercial Buildings: Two (2)
- Max. Number of Residential Dwelling Units: See G.P.#26
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
- Setbacks: See Drawing and General Provision #26
- Access Points: See Drawing and General Provision #26

PARCEL 2

- Net Area: 51,600 sq. ft. or 1.18 acres
- Maximum Building Coverage: 15,480 sq. ft. or 30 percent
- Maximum Gross Floor Area: 18,060 sq. ft.
- Floor Area Ratio: 35 percent
- Maximum Number of Commercial Buildings: One (1)
- Max. Number of Residential Dwelling Units: See G.P.#26
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
- Setbacks: See Drawing and General Provision #26
- Access Points: See Drawing and General Provision #26

PARCEL 6

- Net Area: 46,420 sq. ft. or 1.07 acres
- Maximum Building Coverage: 13,926 sq. ft. or 30 percent
- Maximum Gross Floor Area: 16,247 sq. ft.
- Floor Area Ratio: 35 percent
- Maximum Number of Buildings: One (1)
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
- Setbacks: See Drawing
- Access Points: See Drawing

PARCEL 3

- Net Area: 51,553 sq. ft. or 1.18 acres
- Maximum Building Coverage: 15,466 sq. ft. or 30 percent
- Maximum Gross Floor Area: 18,044 sq. ft.
- Floor Area Ratio: 35 percent
- Maximum Number of Commercial Buildings: One (1)
- Max. Number of Residential Dwelling Units: See G.P.#26
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
- Setbacks: See Drawing and General Provision #26
- Access Points: See Drawing and General Provision #26

PARCEL 7

- Net Area: 46,420 sq. ft. or 1.07 acres
- Maximum Building Coverage: 13,926 sq. ft. or 30 percent
- Maximum Gross Floor Area: 16,247 sq. ft.
- Floor Area Ratio: 35 percent
- Maximum Number of Buildings: One (1)
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
- Setbacks: See Drawing
- Access Points: See Drawing

PARCEL 4

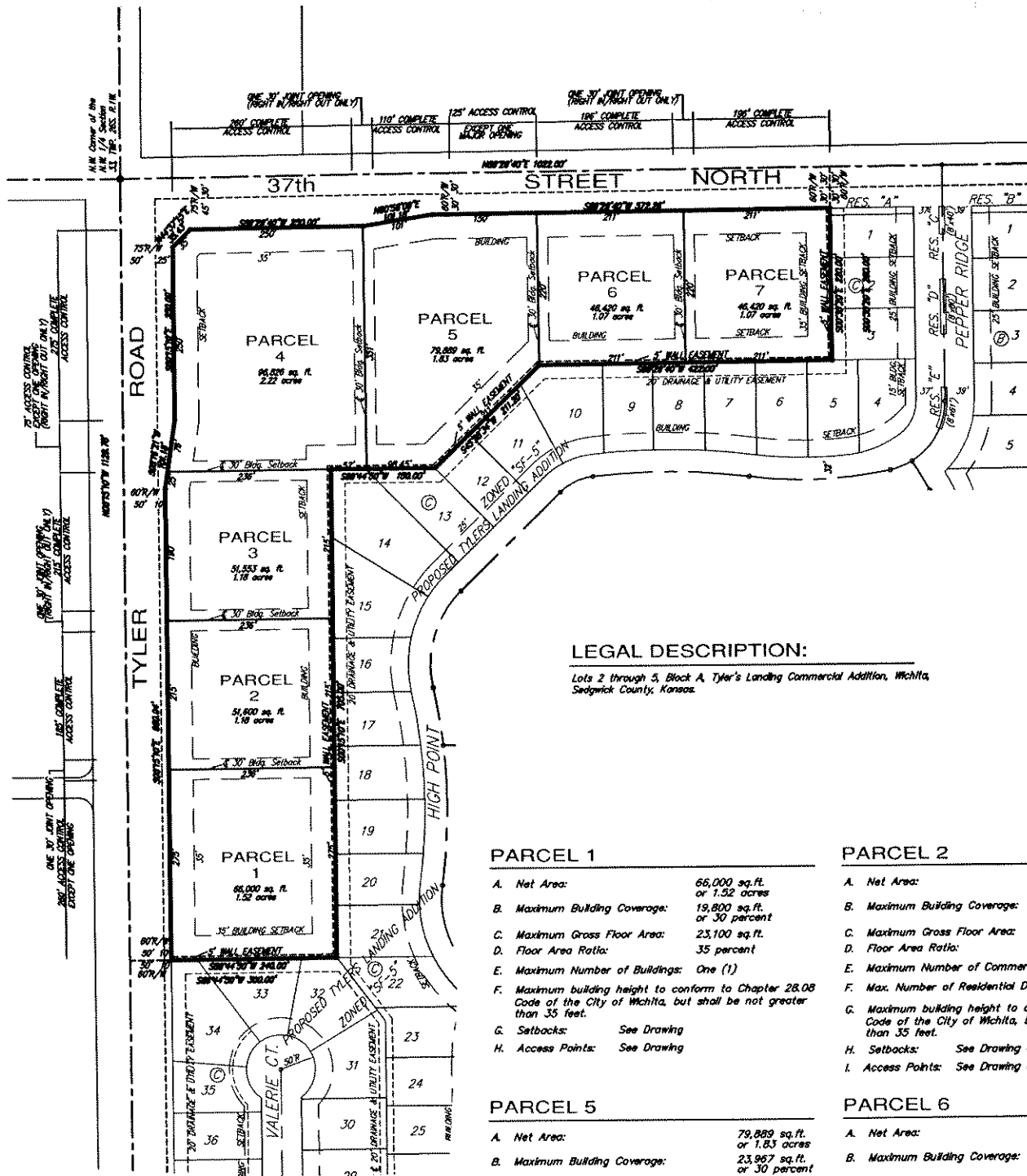
- Net Area: 96,826 sq. ft. or 2.22 acres
- Maximum Building Coverage: 29,049 sq. ft. or 30 percent
- Maximum Gross Floor Area: 33,889 sq. ft.
- Floor Area Ratio: 35 percent
- Maximum Number of Commercial Buildings: Two (2)
- Max. Number of Residential Dwelling Units: See G.P.#26
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
- Setbacks: See Drawing and General Provision #26
- Access Points: See Drawing and General Provision #26

BENCHMARK:

CDM benchmark SE corner of intersection
32.30' south of centerline
31.00' east of centerline
55.50' west of PP
3.20' southwest of PP
43.20' southeast of section corner iron
Dec. = 178.04 City Datum (1,983.44 NGS2011)

REVISIONS:

Approved by City Council: July 22, 2014
Approved by MAPC: June 18, 2014
Amendment #1 Submitted: May 12, 2014
Approved by City Council: June 8, 2014
Revised/Amended: March 17, 2014
Drawn: July 25, 2003



SCALE: 1" = 100'

DP-267
TYLERS LANDING COMMERCIAL PLAZA COMMUNITY UNIT PLAN
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