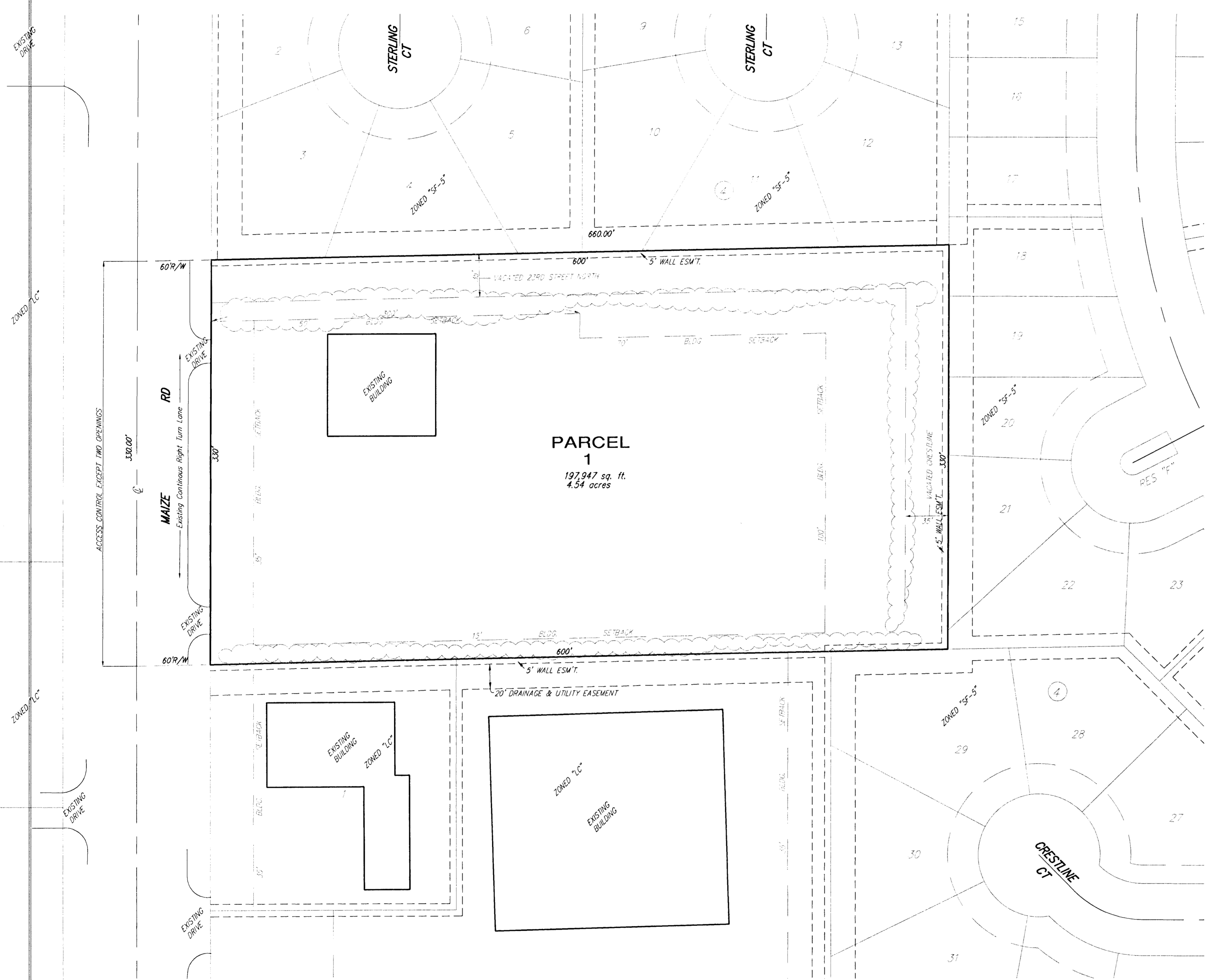


E.S. DEVELOPMENT MIDWEST COMMERCIAL COMMUNITY UNIT PLAN DP-293

GENERAL PROVISIONS:

1. Total Land Area: 197,947 ± sq.ft. or 4.54 ± acres
Net Land Area: 197,947 ± sq.ft. or 4.54 ± acres
2. Total Gross Floor Area: 69,281 sq.ft.
Total Floor Area Ratio: 35 percent
3. Parking shall be provided in accordance with Section IV of the Unified Zoning Code, unless otherwise specified in the parcel description.
4. Setbacks are as indicated on the C.U.P. drawing, or as specified in the parcel descriptions. If contiguous parcels are to be developed under the same ownership, setbacks between those parcels will not be required.
5. A Drainage Plan shall be submitted to City Engineering for approval.
6. Signs shall be in accordance with the Sign Code of the City of Wichita with the following conditions:
 - A. All freestanding signs must be monument type and shall have a maximum height of 20 feet and shall be spaced a minimum of 150 feet apart, with no sign allowed within 70 of the northern property line, and a maximum sign face area of 264 square feet (0.8 times lineal frontage) cumulative for the CUP.
 - B. 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.
 - C. Portable and off-site signs are not permitted.
 - D. Window display signs are limited to 25% of the window area.
 - E. No signs shall be allowed on the rear of any buildings.
7. Access shall be limited to one full movement and one right-in/right-out and be in compliance with the Access Management Policy.
8. All exterior lighting shall be shielded to direct light disbursement in a downward direction, subject to ART IV, Sect. IV-B(4).
9. All parcels shall share similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
 - A. Limited height of light poles including fixtures, lamps and base to 24 feet except within 100 feet of residential zoning districts and on the rear wall of building adjoining residential zoning districts lighting (building wall units and freestanding standards) shall be limited to 15 feet in height, including poles, fixtures lamps and base, and shall have directional shielding to prevent light spillage onto residential zoning districts and otherwise comply with General Provision 4.
 - B. Extensive use of back lit canopies and neon or fluorescent tube lighting on buildings is not permitted.
10. Utilities shall be installed underground on all parcels.
11. Landscaping for this site shall be required as follows:
 - A. Development of all parcels within the C.U.P. shall comply with the Landscape Ordinance of the City of Wichita.
 - B. 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.
 - C. 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.
12. Screening Walls:
 - A. A eight (8) foot high concrete/masonry wall along the north, south, & east property lines of the C.U.P. where adjacent to residential zoning is required.
 - B. This solid wall shall be constructed of a pattern and color that is consistent with the building walls.
 - C. Retain, transplant or replace the existing tree row of coniferous trees along the north and east property lines. Provide solid evergreen screening (this is in addition to the solid eight-foot masonry wall).
13. Rooftop mechanical equipment shall be screened from ground level view per Unified Zoning Code.
14. Trash receptacles, loading docks, outdoor storage, and loading areas shall be appropriately screened to reasonably hide them from ground view with materials similar to the exterior materials of the main buildings. Trash haulers shall not be permitted to pick-up trash in receptacles or dumpsters prior to 8 a.m. each day.
15. 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 vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas. Metal shall not be used as the predominant exterior material on any facade and shall not be permitted as the exterior material above the height of the screening wall except for trim for facades directly abutting residential zoning.
16. 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. 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.
17. All parcels shall be zoned Limited Commercial. No parcel within this C.U.P. shall allow any of the following uses: Adult Entertainment Establishments; Sexually Oriented Business; Asphalt/Concrete Plants; Private Clubs; Taverns; Drinking Establishments; Multi-Family; Accessory Apartment; Hotel and Motel; Group Residence, Limited; Group Residence, General; Neighborhood Swimming Pool; Cemetery; Correctional Placement Resid., Limited; Correctional Placement Resid., General; Golf Course; Recycling Collection Station, Private; Recycling Collection Station, Public; Reverse Vending Machine; Utility, Major; Animal Care, Limited; Animal Care, General; Bed and Breakfast Inn; Car Wash; Construction Sales and Services; Convenience Store; Heliport; Kennel, Hobby; Kennel, Board/Breeding/Training; Marine Facility, Recreational; Monument Sales; Night Club in the City; Parking Area, Commercial; Pawn Shop; Printing and Publishing, General; Recreation & Entertainment, Outdoor; Recreational Vehicle Campground; Secondhand Store; Service Station; Tavern and Drinking Establishment; Vehicle and Equipment Sales, Outdoor; Vehicle Repair, Limited; Asphalt or Concrete Plant, Limited; Asphalt or Concrete Plant, General; Manufacturing, Limited; Mining or Quarrying; Oil or Gas Drilling; Rock Crushing; Solid Waste Incinerator; Agricultural Research; Agricultural Sales and Service; Nursery and Garden Center; Wireless Communication Facility. Conditional uses shall be permitted only if approved by a CUP amendment. Prohibit restaurants with drive-in service or drive-through windows on the northern 150 feet of the CUP. Prohibit quick-service or fast-food restaurants with drive-through windows and/or order boards on the eastern 300 feet of the property; drive-in service without order boards may be permitted for other types of restaurants or other retail uses on the eastern 300 feet of the property except for the northern 150 feet. Order boards may be permitted in the area not within 300 feet of the eastern property line and 150 feet of the northern property line. These order boards shall use noise mitigation techniques including ambient noise reduction (sound dampening) order boards, and partition and/or evergreen plant materials to reduce noise, also the order boards and speakers from the building shall be located to direct sound in a northerly direction.
18. Amendments, adjustments or interpretations to this C.U.P. shall be done in accordance with the Unified Zoning Code.
19. 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.
20. 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.
21. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
22. 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 Maize Road with the proposed buildings within the subject property.
23. Approval of a site circulation plan by the Planning Director is required for each phase of construction prior to the issuance of a building permit. It is anticipated that this CUP will cross circulate with the Chadsworth Commercial Cup to the south.

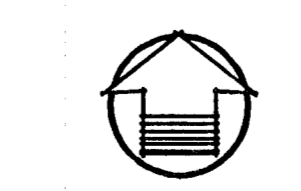


PARCEL 1

A. Net Area:	197,947 sq.ft. or 4.54 acres
B. Maximum Building Coverage:	59,384 sq.ft. or 30 percent
C. Maximum Gross Floor Area:	69,281 sq.ft.
D. Floor Area Ratio:	35 percent
E. Maximum Number of Buildings:	Four (4)
F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.	
G. Setbacks:	See Drawing
H. Access Points:	See Drawing

LEGAL DESCRIPTION:
 Lot 1, Block "A", Agape Addition to Sedgwick County, Kansas, together with all of vacated 23rd St. N. and Crestline, as originally dedicated in said Agape Addition.

BENCHMARK:
 City Of Wichita std. bench mark disc 64' and 99' south of the intersection of the centerlines of Maize Road and 21st Street North.
 Elev. 1351.7 NGVD29



SCALE: 1" = 50'

Revised: March 7, 2006
 Drawn: November 28, 2005

DP-293 E.S. DEVELOPMENT MIDWEST COMMERCIAL COMMUNITY UNIT PLAN

Baughman Company, P.A.
 315 Ella St., Wichita, KS 67211 P 316-262-7271 F 316-262-0149
 ENGINEERING | SURVEYING | PLANNING | LANDSCAPE ARCHITECTURE