

DEVELOPMENT GUIDELINES

- 1.THIS DEVELOPMENT CONTAINS 18.77 NET ACRES MORE OR LESS
2.PARCEL DESCRIPTIONS:
- RESERVE A
GROSS AREA=0.65 AC
- RESERVE B
GROSS AREA=0.67 AC
- PARCEL 1
GROSS AREA= 8.97 AC
MAXIMUM COVERAGE=30%
MAX. GROSS FLOOR AREA= 35%
MAX. HEIGHT 35' FOR COMMERCIAL & NONRESIDENTIAL USE, SINGLE FAMILY OR DUPLEX
MAX. HEIGHT 45' FOR MULTI-FAMILY USE
- PARCEL 2
GROSS AREA=8.48 AC
MAXIMUM COVERAGE=30%
MAX. GROSS FLOOR AREA= 35%
MAX. HEIGHT 35' FOR COMMERCIAL & NONRESIDENTIAL USE, SINGLE FAMILY OR DUPLEX
MAX. HEIGHT 45' FOR MULTI-FAMILY USE

RESIDENTIAL DEVELOPMENT SHALL BE ALLOWED TO A MAXIMUM DENSITY OF 8.7 DWELLING UNITS PER ACRE FOR SINGLE-FAMILY, INCLUDING ZERO-LOT LINE AND PATIO HOMES; 14.5 DWELLING UNITS PER ACRE FOR DUPLEX; AND 29.0 DWELLING UNITS PER ACRE FOR MULTI-FAMILY, INCLUDING TOWNHOMES AND GARDEN APARTMENTS.

3.PERMITTED USES: THE FOLLOWING USES ARE PERMITTED FOR ALL PARCELS WITHIN THE C.U.P.:

- | | |
|---------------------------------|--------------------------------|
| RESERVE A | RESERVE B |
| DRAINAGE | DRAINAGE |
| DRAINAGE STRUCTURES | DRAINAGE STRUCTURES |
| UTILITIES | UTILITIES |
| SIGNAGE | SIGNAGE |
| RETENTION/DETENTION PONDS | RETENTION/DETENTION PONDS |
| PARCEL 1 | PARCEL 2 |
| RESIDENTIAL USES | RESIDENTIAL USES |
| SINGLE FAMILY | SINGLE FAMILY |
| DUPLEX | DUPLEX |
| MULTI-FAMILY | MULTI-FAMILY |
| PUBLIC AND CIVIC USES | PUBLIC AND CIVIC USES |
| CHURCH OR PLACE OF WORSHIP | CHURCH OR PLACE OF WORSHIP |
| COMMUNITY ASSEMBLY | COMMUNITY ASSEMBLY |
| CONVALESCENT CARE | CONVALESCENT CARE |
| CEMETERY | CEMETERY |
| CULTURAL GROUP | CULTURAL GROUP |
| DAY CARE, LIMITED AND GENERAL | DAY CARE, LIMITED AND GENERAL |
| GOVERNMENT SERVICE | GOVERNMENT SERVICE |
| PARKS AND RECREATION | PARKS AND RECREATION |
| SAFETY SERVICE | SAFETY SERVICE |
| COMMERCIAL USES | COMMERCIAL USES |
| ANIMAL CARE, LIMITED | BED AND BREAKFAST INN |
| BED AND BREAKFAST INN | BROADCAST/RECORDING STUDIO |
| BANK OR FINANCIAL INSTITUTION | CONSTRUCTION SALES AND SERVICE |
| BROADCAST/RECORDING STUDIO | FUNERAL HOME |
| CONSTRUCTION SALES AND SERVICE | MEDICAL SERVICE |
| HOTEL OR MOTEL | OFFICE, GENERAL |
| MEDICAL SERVICE | |
| PERSONAL IMPROVEMENT SERVICE | |
| PRINTING AND COPYING, LIMITED | |
| RETAIL, GENERAL (8000 S.F. MAX) | |
| RESTAURANT (NO DRIVE THRU) | |

AGRICULTURAL USES
AGRICULTURAL
AGRICULTURAL RESEARCH
AGRICULTURAL SALES AND SERVICES

OFFICE, GENERAL

4.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; BUT SAID PLAN SHALL RUN WITH THE LAND FOR THE DEVELOPMENT AND BE BINDING UPON THE PRESENT LAND OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED. HOWEVER, THE PLANNING DIRECTOR, WITH THE CONCURRENCE OF THE OCI SUPERINTENDENT, MAY APPROVE MINOR ADJUSTMENTS TO THE CONDITIONS IN THIS OVERLAY, CONSISTENT WITH THE APPROVED DEVELOPMENT PLAN, WITHOUT FILING A FORMAL ORDINANCE AMENDMENT.

5.LANDSCAPE AND PARKING LOT SCREENING- SHALL BE IN ACCORDANCE WITH THE CITY OF WICHITA CODE. A LANDSCAPE PLAN INDICATING THE LOCATION, TYPE, AND SPECIFICATION OF PLANT MATERIAL SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT(S).

A SOLID LANDSCAPE SCREENING WILL BE REQUIRED ALONG CALVERT STREET FOR PARCELS WITH A NON-RESIDENTIAL USE. PARKING LOT LANDSCAPING OR SCREENING FOR NON-RESIDENTIAL USE SHALL BE AT A RATE OF 1 TREE PER 20 PARKING SPACES.

6.MINIMUM SETBACK REQUIREMENTS:
COMMERCIAL USES-FRONT SETBACK.....35'
REAR SETBACK.....35'
INTERIOR SIDE SETBACK....0' (EXCEPT 35' WHEN NEXT TO A RESIDENTIAL USE.)

7.A MAXIMUM OF THREE POLE OR MONUMENT TYPE SIGNS SHALL BE PERMITTED ALONG I-235 ROAD RIGHT-OF-WAY, MAXIMUM HEIGHT 35 FEET, WITH EACH SIGN FACE LIMITED TO 200 SQUARE FEET. ONE POLE OR MONUMENT TYPE CENTER IDENTIFICATION SIGN SHALL BE PERMITTED IN THE WEST 30 FEET OF PARCEL 1, LIMITED IN HEIGHT TO 25' WITH EACH SIGN FACE LIMITED TO 200 SQUARE FEET. MONUMENT SIGNS WILL BE PERMITTED NEXT TO THE PROTECTION DRAINAGE DITCH AND SHALL BE LIMITED TO 12 FEET IN HEIGHT, 96 SQUARE FEET OF MAXIMUM SIGN FACE, 0.5 FEET OF LINEAR WIDTH, SPACED AT LEAST 150 FEET APART. ALL OTHER SIGNS SHALL BE PER CITY SIGN CODE. NO PORTABLE OR OFFSITE SIGNS ALLOWED.

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

9.ARCHITECTURAL CONTROL- ALL BUILDINGS WITHIN EACH PARCEL SHALL HAVE THE SAME PREDOMINATE EXTERIOR BUILDING MATERIALS WITH CONSISTENT ARCHITECTURAL CHARACTER, COLOR AND TEXTURE, AND CONSISTENT LIGHTING DESIGN (FIXTURES, POLES, LAMPS, ETC.) AS APPROVED BY DIRECTOR OF PLANNING. THIS REQUIREMENT SHALL ALSO APPLY TO ANY RETAIL DEVELOPMENT (E.G. RESTAURANTS, BANKS, RECREATION AND ENTERTAINMENT, PERSONAL CARE OR IMPROVEMENT SERVICES) LOCATED ON EACH PARCEL. LIGHT STANDARDS SHALL BE A MAXIMUM HEIGHT OF 25 FEET AND CONSISTENT IN POLE AND FIXTURE THROUGHOUT THE DEVELOPMENTS.

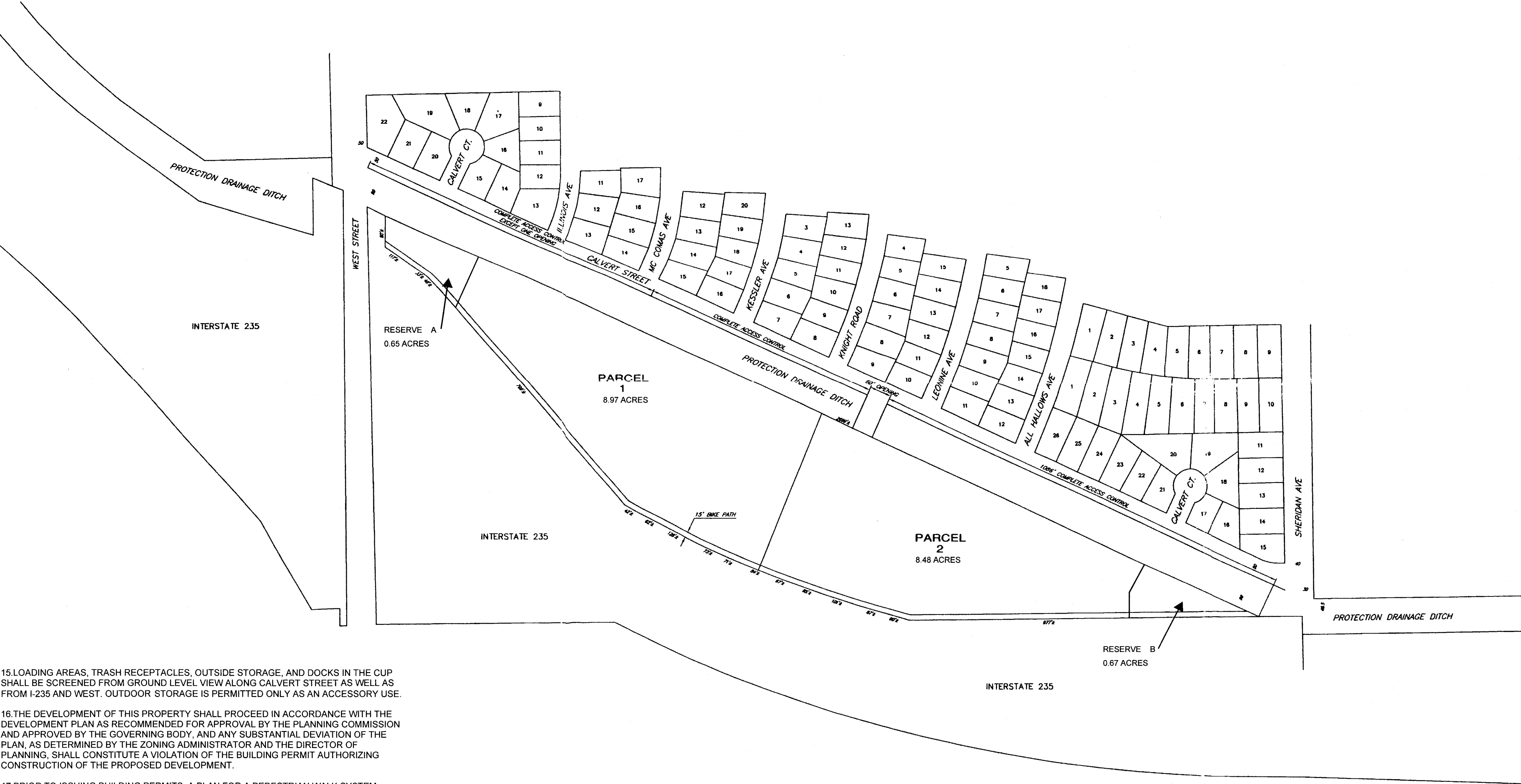
10.AN OWNERS ASSOCIATION AGREEMENT PROVIDING FOR THE MAINTENANCE OF RESERVES, OPEN SPACE, INTERNAL DEVICES, PARKING AREAS, DRAINAGE IMPROVEMENTS, ETC., IS FILED BY THE TIME THE PLAT IS FILED OF RECORD.

11.NO OCCUPANCY PERMITS SHALL BE ISSUED FOR ANY DEVELOPMENT WITHOUT SERVICES BY MUNICIPAL WATER AND SEWER SERVICES.

12.CROSS-LOT CIRCULATION IS TO BE PROVIDED FOR ALL LOTS PLATTED FOR RETAIL, COMMERCIAL OR OFFICE USES.

13.ALL DRAINAGE WAYS AND EASEMENTS SHALL BE DETERMINED AT THE TIME OF PLATTING.

14.A LOT GRADING PLAN WILL BE PREPARED IN CONFORMANCE WITH THE DRAINAGE CONCEPT PLAN FOR REVIEW PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.



15.LOADING AREAS, TRASH RECEPTACLES, OUTSIDE STORAGE, AND DOCKS IN THE CUP SHALL BE SCREENED FROM GROUND LEVEL VIEW ALONG CALVERT STREET AS WELL AS FROM I-235 AND WEST. OUTDOOR STORAGE IS PERMITTED ONLY AS AN ACCESSORY USE.

16.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.

17.PRIOR TO ISSUING BUILDING PERMITS, A PLAN FOR A PEDESTRIAN WALK SYSTEM SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PLANNING. A SIDEWALK ALONG CALVERT STREET THAT CONNECTS TO THE SIDEWALK ALONG WEST STREET SHALL BE CONSTRUCTED BY THE DEVELOPMENT AS EACH PHASE OF THE PROPERTY DEVELOPS. ACCESSIBLE PEDESTRIAN CONNECTIONS FROM THE BUILDINGS WITHIN THE DEVELOPMENT TO THE SIDEWALK ALONG CALVERT STREET SHALL BE CONSTRUCTED AS EACH PHASE OF THE PROPERTY DEVELOPS.

18.NO OUTDOOR OR INDOOR RECREATION AND ENTERTAINMENT SHALL BE PERMITTED WITHOUT SUBMISSION AND APPROVAL OF A SEPARATE SITE PLAN IN CONFORMANCE WITH THE REQUIREMENTS OF SECTION V-D OF THE UNIFIED ZONING CODE AS AN AMENDMENT TO THE C.U.P.

19.AN INTERIOR SITE CIRCULATION PLAN SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS. THIS SITE CIRCULATION PLAN SHALL REVIEW THE ORIENTATION OF BUILDINGS, LOADING DOCKS, AND ANY OUTDOOR WORK AND SERVICE AREAS TO ENSURE ORIENTATION OF THESE ACTIVITIES AWAY FROM THE RESIDENTIAL NEIGHBORHOOD TO THE NORTH.

20.IN PARCEL 2, ANIMAL CARE, LIMITED; BANK OR FINANCIAL INSTITUTION; PERSONAL CARE SERVICE; AND PERSONAL IMPROVEMENT SERVICE SHALL NOT BE PERMITTED WITHOUT SUBMISSION AND APPROVAL OF A SEPARATE SITE PLAN IN CONFORMANCE WITH THE REQUIREMENTS OF SECTION V-D OF THE UNIFIED ZONING CODE AS AN AMENDMENT TO THE C.U.P.

21.OUTDOOR SPEAKERS AND SOUND AMPLIFICATION SYSTEMS SHALL NOT BE PERMITTED ON THE SITE.

LEGAL DESCRIPTION

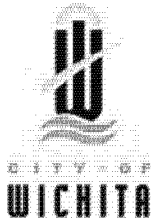
LOTS 1 AND 2, BLOCK 1 ALONG WITH RESERVES A AND B, DOROTHY ADDITION, WICHITA, SEDGWICK COUNTY, KANSAS.



516 S. Market,
Wichita, KS 67202

316/264-0242

Amendment as per ZON2018-339
CUP2018-32 10-2-18 Klm
APPROVED CUP
10-09-03 Klm
WCC 11-04-03 Klm
MAPD copy 2/8/4



Wichita-Sedgwick County Metropolitan Area Planning Department

August 24, 2018

D & P Land LLC
PO BOX 16553
Wichita KS 67216

Kaw Valley Engineering
Attn: Levi Bond
200 N. Emporia, Suite 100
Wichita, KS 67202

RE: ZON2018-00033 and CUP2018-00032 – City zone change from LC Limited Commercial to GC General Commercial on Parcel 1, and amendments to CUP DP-258 General Provisions #15 and #17; generally at the northeast corner of I-235 and South West Street.

Dear Applicants:

- A. At its regular meeting on August 23, 2018, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to **APPROVE** the zone change (ZON2018-00033) to GC for Parcel 1 in DP-258.
- B. **APPROVE** the Amendments to CUP DP-258, subject to the following conditions:
1. General Provision #15 shall be modified to add the requirement for screening of loading areas, trash receptacles, outdoor storage, and loading docks from I-235 and West Street as well as from Calvert Street.
 2. General Provision #17 shall be modified to add: A sidewalk along Calvert Street that connects to the sidewalk along West Street shall be constructed by the development as each phase of the property develops. Accessible pedestrian connections from the buildings within the development to the sidewalk along Calvert Street shall be constructed as each phase of the property develops.
 3. Reserves A and B descriptions shall be added to the face of the CUP drawing as prescribed in the recorded plat.
 4. Prior to publishing the ordinance/resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating that this tract (referenced as DP-258) includes special conditions for development on this property.
 5. The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

NOTICE: The public hearing on planning items is conducted by the MAPC under provisions of State Law. Adopted policy is that the City Council will not take additional testimony on zoning

related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement with the City Clerk by 5:00 p.m. on the Wednesday preceding this meeting, providing new facts on the issue or alleging an unfair hearing. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

Property owners may also file written protest petitions on zoning related items heard by the MAPC. In order to be considered a “valid” petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by **September 6, 2018, at 5 p.m.** Such petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area within 200 feet of the perimeter of the application area, unless the Council overrides such a protest and approves the application by a vote of 6 of its members.

If no protests are received, your application will be forwarded to the **September 25, 2018** City Council meeting for review and final action. If protests are received, your application will be forwarded to the **October 2, 2018** City Council meeting for review and final action. This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Kathy L. Morgan
Senior Planner
Current Plans Division

Copies to: Jeff Blubaugh, WCC IV, Mail Stop 1-13
Rebecca Fields, CRS District IV, Mail Stop 1-135
Jeff Van Zandt, City Law, Mail Stop 1-72
Julianne Kallman, City Engineering, Mail Stop 1-71
L. Moser, 3327 S. Knight St., Wichita, KS 67217
South West, Joshua Blick 2039 s. Everett, Wichita, KS 67213
Southwest Village N.A. Attn: Dick Kobich 3150 s. Gow Circle Wichita, KS 67217
MABCD