

DEVELOPMENT GUIDELINES

General Provisions

PUD Purpose Statement:

This unique property is situated on the westerly fringe of a transitional zoning area from downtown core to the edge of single-family residential in the Delano neighborhood. Recently within the Delano transitional fringe area there has been many properties changing from commercial/industrial to mixed-use. Directly east of this property there is GC - General Commercial zoning classification; the least restrictive commercial zoning district. Directly west and south of this property there is SF-5 Single-Family zoning classifications and with some TF-5 Two-Family zoning intermixed within the SF-5 areas; generally the most restrictive urban zoning districts. To the northeast of the property there is a small parcel being B-Multi-Family zoning classification. North of the property are civic uses such as museums and parks separated by the Arkansas River. The subject property has views of unique iconic Wichita landmarks. It is also situated along McLean Boulevard an arterial street and connector of downtown to west Wichita.

The present land use for the bulk of the property is a medical therapy business. The business performs speech, physical, occupational, and similar therapies with a focus on helping children and families succeed. The owners has plans to offer other related personal care and personal improvement services such as massage therapy to further enhance their offerings. Other existing land uses include rental homes.

While the property is already a mixed-use development this PUD is intended to allow for the property to redevelop into a more conventional mixed-use development with the potential for a mix of residential and office type uses as set forth herein. The property is within the D-O Delano Neighborhood Overlay District so there are may existing provisions that protect the neighboring single family homes. This PUD is crafted to balance and enhance the needs of owners being and to enhance a transitional zoning situated at the edge of urban redevelopment along with the requirements of the D-O Neighborhood Overlay District. Principally the Land uses proposed are those of the GO - General Office with other land uses being permitted for the enhanced desired offerings. This PUD reflects the highest and best uses for the subject property while provisioning for balanced needs of the neighboring properties.

Parcel Description:

Gross Area = 1.78 Ac. or 77,652 sq. ft.

Parcel 1 = 0.97 Ac. or 42,062 sq. ft.

Parcel 2 = 0.82 Ac. or 35,590 sq. ft.

1. The subject property shall conform to the recitals of the D-O Delano Neighborhood Overlay District.

2. Land Uses:

a. All uses permitted by right and conditional uses within the General Office (GO) Zoning District provided, however, those land uses as restricted per the D-O Delano Neighborhood Overlay District, being summarized herein:

i. Allowed Uses by right:

Single Family, Duplex, Multi-Family, Accessory Apartment, Group Home, Day Care (limited and general), Medical Service, Office (general), Personal Care Service, Personal Improvement Service, and Parking Commercial.

3. **Property Development Standards:** As per General Office (GO) Zoning District, provided, the minimum setbacks are as shown hereon and listed below:

Minimum Front Setback: 5 feet

Minimum Rear Setback: 0 feet

Minimum Side Setback: 0 feet

Minimum Street Side Setback: 5 feet

Maximum Height: 60 feet, plus one foot of additional height for each foot of setback beyond the minimum required setbacks. Compatibility standards apply Secs. IV-C.4 and IV-C.5 may take precedence.

4. Lighting:

a. All exterior lighting shall be shielded to direct light downward. Floodlighting/wall-pack are not permitted along the Exposition Street or Third Street frontages without the use of cutoffs. New light poles shall not exceed 15 feet in height when within 200 feet of adjoining residential land-uses along Exposition Street or Third Street frontages.

b. Lighting where necessary are required to use full-cutoffs to limit light trespass onto neighboring residential parcels.

5. Screening:

a. All rooftop mechanical equipment shall be screened from ground view per the U.Z.C. All loading, docking areas, and trash receptacles shall be screened from ground view as approved by the Planning Director.

b. Unless otherwise noted Screening shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV and Section III-C.2.b.

6. Signage:

a. Shall be as permitted in the General Office (GO) Zoning District sign standards. Lighted signage shall be prohibited from facing residences.

7. Landscaping:

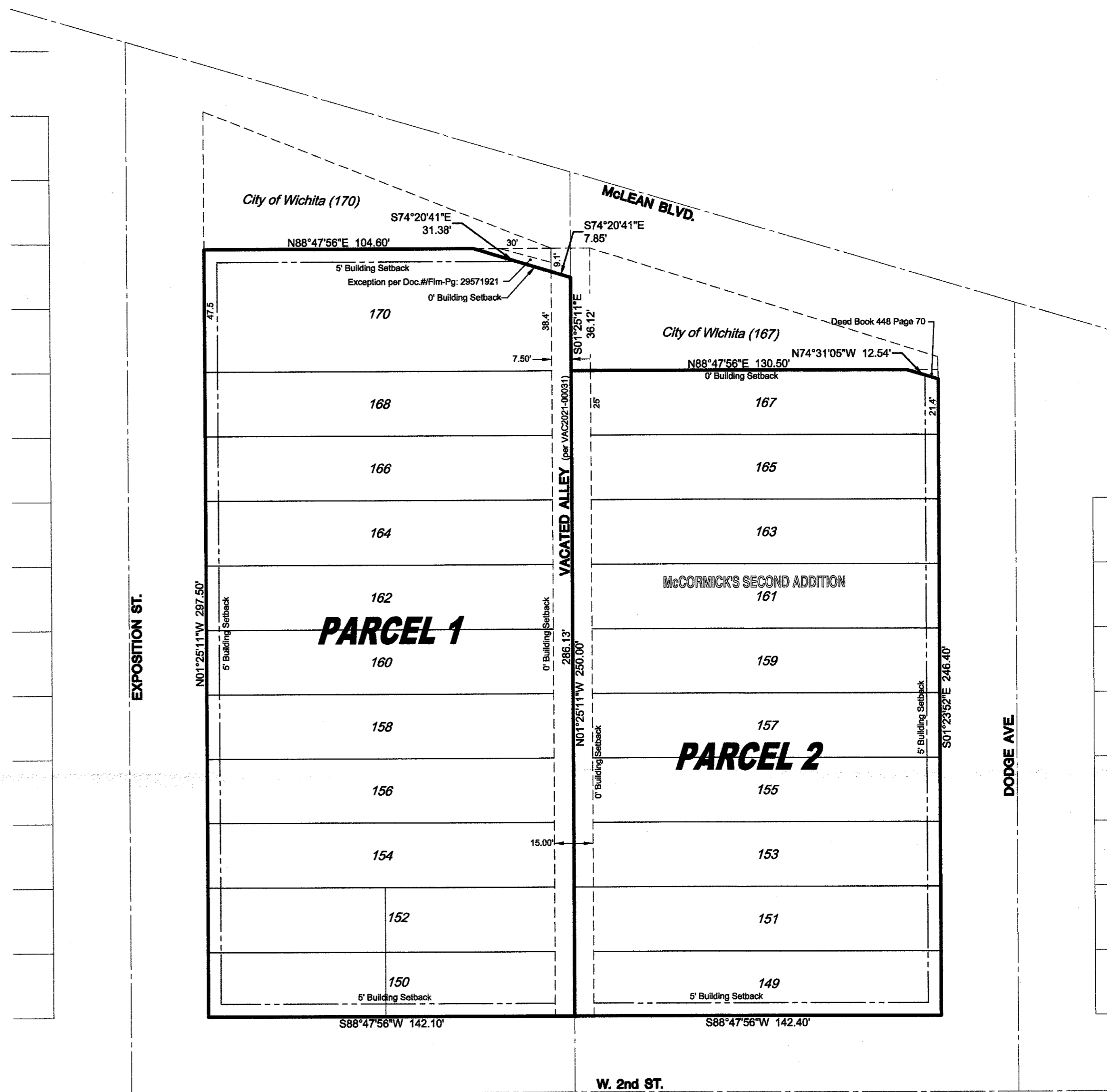
a. Landscaped street yards, buffers, and parking lot landscaping and screening shall be in accordance with the City of Wichita Landscape Ordinance and that of the D-O Delano Neighborhood Overlay District.

8. **Parking:** Shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code for "CBD", provided however, a parking study shall be required at the time of redevelopment of the property and such parking study may require a minimum parking requirement as determined by the Director of the Planning Department. Bicycle parking shall be included in the parking plan.

9. **Title:** The transfer of the title on all or any portion of the land included in the Protective Overlay does not constitute a termination of the overlay or any portion thereof; but said overlay shall run with the land 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 approval, without filing a formal ordinance amendment.

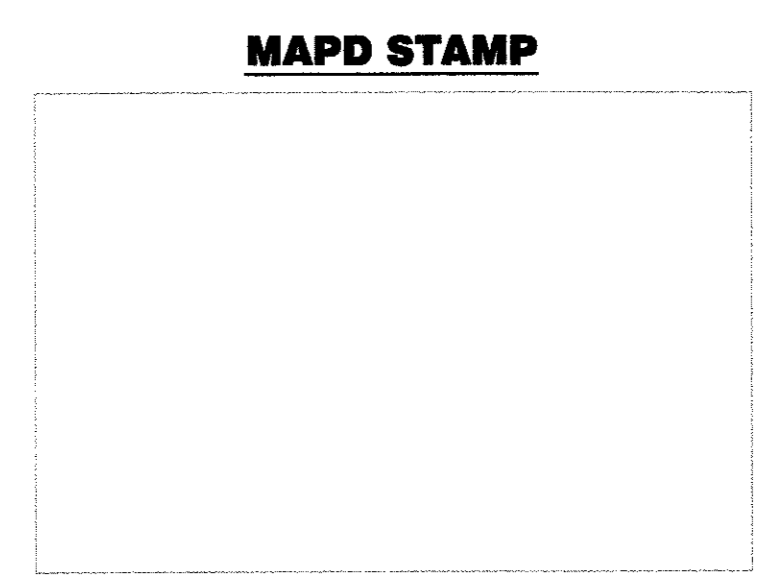
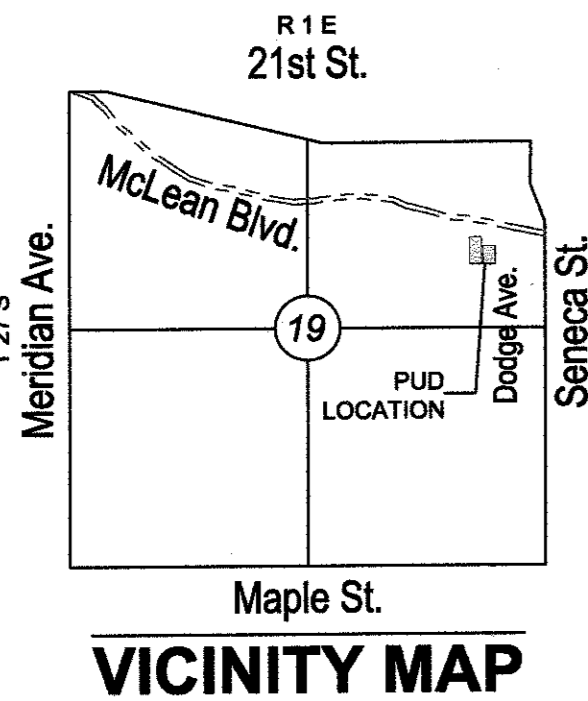
10. Any major changes to this Planned Unit Development shall be submitted to the Planning Commission and the Governing Body for their consideration. Amendments, adjustments, or interpretations to the P.U.D. shall be done in accordance with the Unified Zoning Code.

11. A certificate or Notice of PUD is required to be recorded with the Sedgwick County Register of Deeds Office upon approval of the PUD.



LEGAL DESCRIPTION

Lots 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, and the south 47½ feet of Lot 170, EXCEPT that part of the south 47½ feet of Lot 170 described as beginning 38.4 feet north of the southeast corner of Lot 170; thence north 9.1 feet; thence west 30 feet; thence in a southeasterly direction along a straight line to the place of beginning, all on Exposition Avenue, McCormick's Second Addition to Wichita, Sedgwick County, Kansas, TOGETHER WITH, Lots 149, 151, 153, 155, 157, 159, 161, 163, 165, and the South 25 feet of Lot 167, EXCEPT that part of Lot 167 described on Deed Book 448 Page 70, all on Dodge Avenue, McCormick's Second Addition to Wichita, Sedgwick County, Kansas, TOGETHER WITH, The platted 15-foot Alley abutting and adjoining Lots 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, and Lot 170, on Exposition Street, AND Lots 149, 151, 153, 155, 157, 159, 161, 163, 165, and 167, on Dodge Avenue, all in McCormick's Second Addition to Wichita, Sedgwick County, Kansas, said platted 15-foot Alley being more particularly described as follows: BEGINNING at the southwest corner of said Lot 149; thence along the extended south line of said Lot 149 on an assumed bearing of S88°47'56"W, 15.0 feet to the southeast corner of said Lot 150; thence along the east lines of said Lots 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, and 170, N01°25'11"W, 288.40 feet to a point on a south line of an exception tract described on Kansas Warranty Deed recorded on Doc.#/Flm-Pg: 29571921; thence along the extended south line of said exception tract S74°20'41"E, 7.85 feet to the platted centerline of said Alley; thence parallel with said east lines and along said centerline, S01°25'11"E, 36.12 feet to a point along the extended north line of the north 25 feet of said Lot 167; thence along said extended north line, N88°47'56"E, 7.5 feet to the west line of said Lot 167; thence along the west lines of said Lots 149, 151, 153, 155, 157, 159, 161, 163, 165, and 167, S01°25'11"E, 250.0 feet to the POINT OF BEGINNING.



CASE HISTORY
 Orig. Case No. PUD2021-00003 Date: June 1, 2021
 Amendment #1 PUD2021-00013 Date: October 11, 2021

per PUD 2021-00013-blw
 Amendment #1
APPROVED PUD
 MAPD 9-9-2021 Blw/mjg
 WCC 10-12-2021 Blw/mjg
 MAPD copy 2 of 4

PLANNED UNIT DEVELOPMENT No. 84

THERAPLAY

DEVELOPERS/OWNERS: David and Kristine Dickerson 560 N. Exposition Avenue, Wichita, KS 67203 (316) 618.1252



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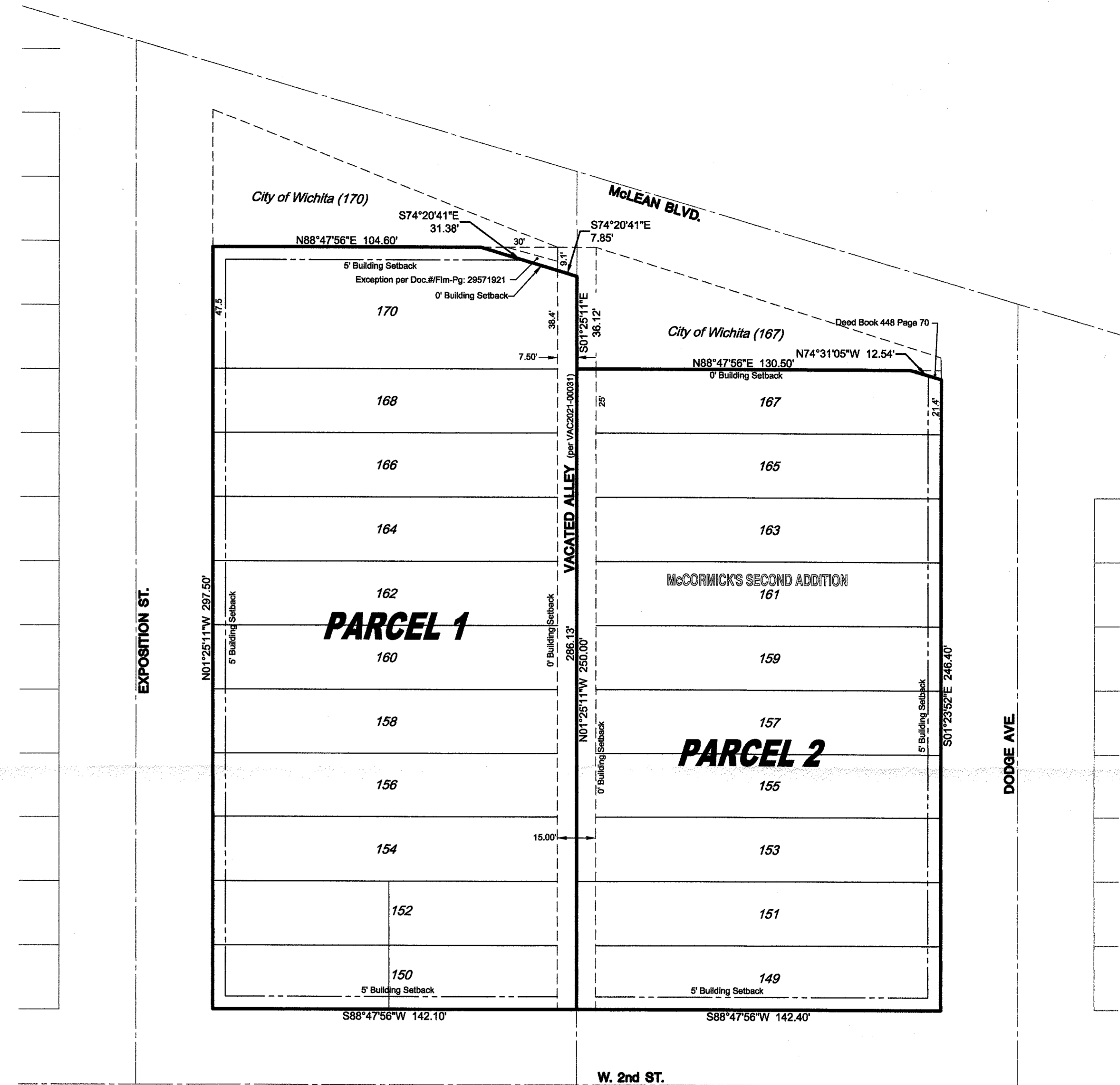
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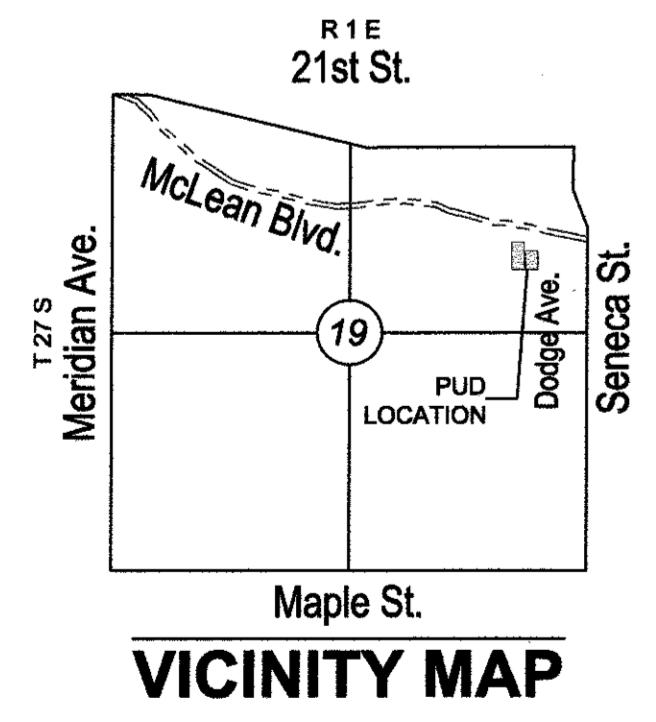
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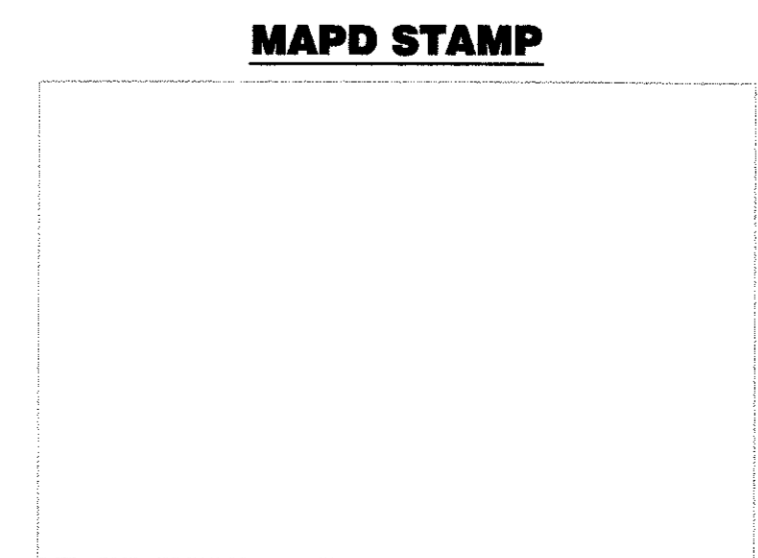
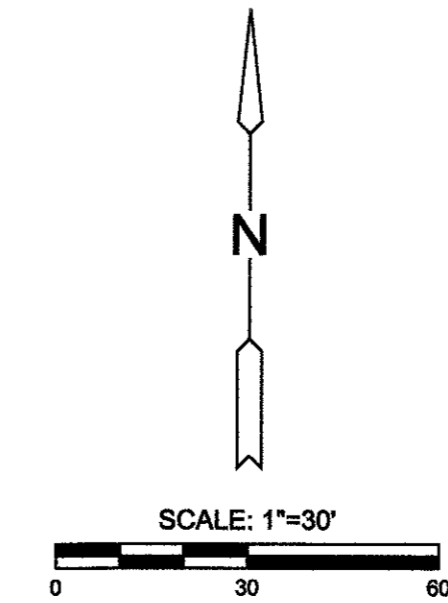


per PUD 2021-00013 -dkw
 Amendment #1
APPROVED PUD
 MAP 9-9-2021 Blumerg
 WCC 10-12-2021 Blumerg
 MAPD copy 2 of 4

PLANNED UNIT DEVELOPMENT No. 84

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