

DEVELOPMENT GUIDELINES

General Provisions

- This development contains 5.18 acres, more or less.
- Parcel Descriptions:

Parcel 1	Parcel 2	Parcel 3	Parcel 4
Gross Area = 1.29 Ac.	Gross Area = 1.28 Ac.	Gross Area = 1.36 Ac.	Gross Area = 1.25 Ac.
Maximum Height = 45 feet	Maximum Height = 45 feet	Maximum Height = 45 feet	Maximum Height = 45 feet
Maximum Coverage = 30%	Maximum Coverage = 30%	Maximum Coverage = 30%	Maximum Coverage = 30%
Max. Gross Floor Area = 35%	Max. Gross Floor Area = 35%	Max. Gross Floor Area = 35%	Max. Gross Floor Area = 35%
- Land Uses:

The following uses are permitted for Parcels within the C.U.P.:

A. All allowed uses permitted by right within the LC Limited Commercial Zoning District with the following **EXCEPTIONS**:

No Parcels within this C.U.P. shall allow:

Single Family Residential; Duplex; Manufactured Home; Group Residence, Limited and General; Cemetery; Correctional Placement Residence, Limited and General; Golf Course; Recycling Collection Station, Private and Public; Reverse Vending Machine; Animal Care, General; Funeral Home; Marine Facility, Recreational; Monument Sales; Parking Area, Commercial; Night Club in the City; Tavern and Drinking Establishment; Pawn Shop; Recreational Vehicle Campground; Riding Academy or Stable; Rodeo in the City; Sexually Oriented Business in the City; Tattooing and Body Piercing Facility; Construction Sales and Service; Kennel - Hobby; Kennel - Boarding/Breeding/Training; Asphalt or Concrete Plant, Limited and General; Manufacturing, Limited and General; Mining or Quarrying; Rock Crushing; Solid Waste Incinerator; Storage, Outdoor; and Vehicle Storage Yard; Welding or Machine Shop; Agricultural Sales and Services.

B. Secondhand Store, as defined by the U.Z.C., shall be permitted only as incidental and subordinate to the principal use.

C. On Parcels 3 and 4, the north facade of buildings shall not permit overhead doors within the west 400 feet. All overhead doors shall be screened from ground level view from the adjoining property to the north.

D. The uses permitted by the C.U.P. are only those uses permitted by right and not by conditional use unless specifically identified.

E. Parcel compatibility shall be managed by the developer with covenants, conditions, and restrictions.
- Architectural Controls: All buildings within the C.U.P. shall share a uniform architectural character, color, and similar predominate exterior building material, as determined by the Director of Planning. The predominant exterior building materials shall be non-metal unless approved by the Director of Planning.
- Landscaping for this site shall be required as follows:

A. Landscaped street yards, buffers, and parking lot landscaping and screening shall be in accordance with the City of Wichita Landscape Ordinance.

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 Metropolitan Area Planning Department (MAPD) for its review and approval prior to issuance of any building permit(s).

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.

D. Failure to properly maintain the required landscaping shall be considered a violation of the C.U.P. after the determination by the Director of Planning.
- Lighting:

A. Lighting shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV; as well as the provisions of the Wichita-Sedgwick County Airport Hazard Zoning Code, Section 28-08 of the Wichita Municipal Code, and the amendments thereto, provided, however, the following:

B. All Parcels shall share similar or consistent parking lot lighting elements (i.e. fixtures, poles and lamps and etc.), as approved by the Director of the MAPD.

C. All lighting shall be shielded to direct light disbursement in a downward direction and directed away from residential areas.

D. All Parcels are allowed light poles up to 30 feet including the ground bases. This 30-foot height allowance shall be permitted within the north 100 feet of Parcels 3 and 4 were adjoining the existing place of worship land use.

E. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.
- Screening for this site shall be required as follows:

A. Rooftop mechanical equipment shall be screened from ground level view per Wichita-Sedgwick County Unified Zoning Code.

B. Trash receptacles, loading docks, and loading areas shall be appropriately screened to reasonably hide them from ground level view with fencing and/or landscaping.

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

D. A 6 to 8-foot screening wall on the north line of the C.U.P. may be substituted with an intense landscape buffer consisting of a mix of evergreen trees, shrubs, and deciduous trees. The trees shall be a minimum of 2" diameter at the time of planting and said screening shall be maintained. As needed, a 6-foot wall may be used in combination with said intense landscape buffer.

E. Failure to properly maintain the required landscape buffer shall be considered a violation of the C.U.P. after a joint determination by the Director of Planning and the Superintendent of the M.A.B.C.D.
- Building Setbacks are as shown hereon; 20 foot along 13th Street and Chapel Hill Street frontages, if not shown they shall be as specified in Wichita-Sedgwick County Unified Zoning Code for the corresponding base zoning district property development standards or as specified below. If contiguous Parcels are developed under the same ownership, setbacks between such Parcels will not be required. If not contiguously owned the minimum side/rear setback shall be 10 feet.
- Parking: All Parcels, shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV-A, and amendments thereto unless otherwise specified.
- Utilities: No occupancy permits shall be issued for any development without services by municipal water and sewer services. All proposed new utilities shall be installed underground; unless it is prohibitive due to groundwater depth.
- Signs: Are as permitted under the current Sign Code of the City of Wichita, and amendments thereto. Additionally, the following conditions apply:

All tenant and development signs shall be either monument or pylon type signs.

There shall be three sizes of signage allowed within the CUP.

K-96 Highway Frontage - One sign having a maximum height of 50 feet or an elevation of 1415 feet and having a total area not exceeding 468 square feet.

13th Street Frontage - Two signs having a maximum height of 21 feet and having a total area not exceeding 255 square feet.

Chapel Hill Frontage - Three signs having a maximum height of 15 feet and having a total area not exceeding 250 square feet.

The developer/owners shall be responsible for allocating the sign areas per the below frontage limitations.

Sign area square footages shall be defined by the tenant advertising area.

Development identification areas shall be excluded from the area calculation.

A. Temporary signs are permitted on all Parcels; said temporary signs may also be further restricted by declarations of covenants conditions and restrictions on file with the Sedgwick County Register of Deeds.

B. Flashing signs, rotating or moving signs, signs with moving lights, signs which create the illusion of movement are not permitted; provided, however, electronic message signs are allowed along 13th Street and K-96 frontages.

C. Portable, billboards, and off-site signs are prohibited.

D. Window display signs are limited to 20% of the window area.

E. No building signs shall be allowed on the north side of any buildings on Parcel 3 or 4.

F. Building signage shall be permitted within the CUP. Building signage shall be limited to 20% of the wall area.

G. Accent lighting of monument and monument signs shall be permitted.
- Transportation improvements and Parcel access shall be provided as follows:

A. A cross-lot circulation agreement shall be required prior to the issuance of building permits.

B. Access controls are as shown and/or on the revised upon the C.U.P.

C. A median extension shall be provided at the west intersection of 13th Street and K-96 Highway prior to the opening of the right/in-right/out drive east of Chapel Hill Street. Such median extension shall be extended west of the right/in-right/out drive to prohibit full turning movements.

D. An overall site circulation plan shall be submitted for review and approval by the Director of Planning, in concurrence with the Zoning Administrator, Fire Chief/Marshal, and Traffic Engineer. The circulation plan shall assure smooth internal vehicular and pedestrian movements, pedestrian connectivity to major arterial and within buildings on the CUP and may provide connections to adjoining properties, and ensure that the main drives are not blocked by parking spaces directly backing onto the main drive aisles.

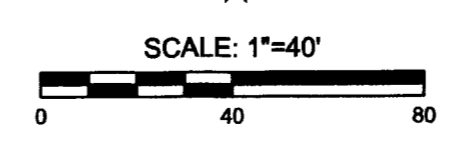
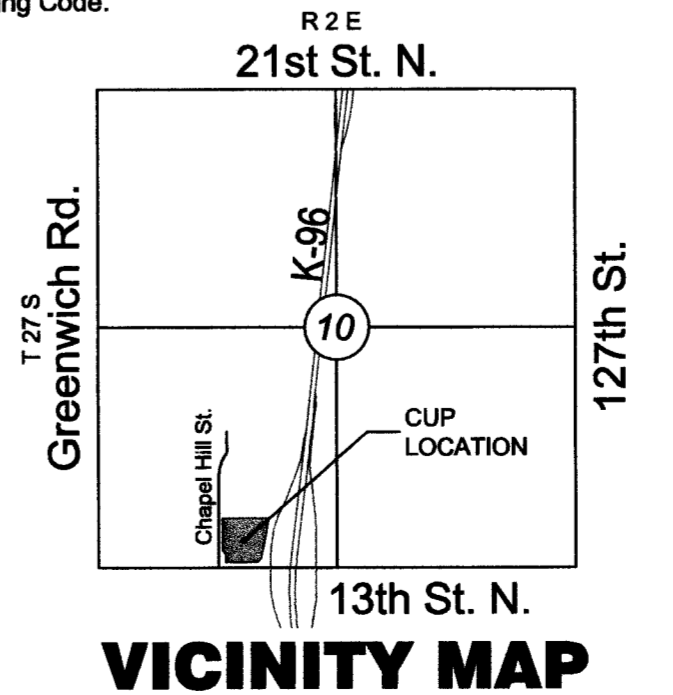
E. A plan for a pedestrian walk system shall be a requirement of the C.U.P. The walking system shall link proposed buildings with the entrances and sidewalks to 13th Street and shall be assured by required submission and approval of circulation plans by the Director of Planning prior to issuing building permits.
- Title: The transfer of the title on all or any portion of the land included in the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development 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 approved development plan, without filing a formal ordinance amendment.
- 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 within this Community Unit Plan shall be submitted to the Planning Commission and the Governing Body for their consideration. Amendments, adjustments, or interpretations of the C.U.P. shall be done in accordance with the Unified Zoning Code.

LEGAL DESCRIPTION

Lots 1, 2, 3, and 4, Block 1, Chapel Hill Third Addition, an addition to Wichita, Sedgwick County, Kansas.

CASE HISTORY

Orig. Case No. CUP2018-00039 Oct. 18, 2018 (Approved)



COMMUNITY UNIT PLAN DP-349

CHAPEL HILL

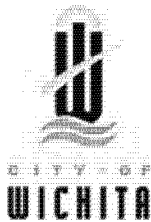
APPROVED CUP

MAPC 10/18/18
 WCS 10/18/18
 MAPD 1/18/18

OWNER / DEVELOPER:
 CH Partners, L.L.C., Attn: Amy J. Liebau 150 N. Main St. Wichita, KS 67202-1900 316.262.6400



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 Chapel Hill (CUP DP-349)



Wichita-Sedgwick County Metropolitan Area Planning Department

October 19, 2018

CH Partners, LLC % Amy J. Liebau
150 North Main
Wichita, KS 67202

MKEC % Brian Lindebak
411 North Webb
Wichita, KS 67206

RE: CUP2018-00039 - City request to create new Chapel Hill Community Unit Plan (DP-349) on the north side of East 13th Street North between Chapel Hill Street and K-96 Highway.

Dear Applicants:

At its regular meeting on **October 18, 2018**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request as recommended by staff, subject to changes correcting typographical errors in the General Provisions of the CUP.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on November 1, 2018. 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 located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **November 1, 2018 at 5:00 p.m.**

If there is no formal protest filed on this case, the MAPC action will be considered final and a letter outlining the final actions needed will be sent to you. If there is a formal protest, this application will be presented to the Wichita City Council on **Tuesday, November 20, 2018, beginning at 9:00 a.m.** The City Council meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

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,

David L. Yearout, AICP
Principal Planner

- Copies to: WCC II, Pete Meitzner, Mail Stop 1-13
- Laura Rainwater, CSR II, Mail Stop 1-135
- Paul Hays, OCI, Mailstop 1-72
- J. R. Cox, OCI, Mailstop 1-72
- Jeff Van Zandt, City Law, Mailstop 1-134
- Julianne Kallman, Engineering, Mail Stop 1-71