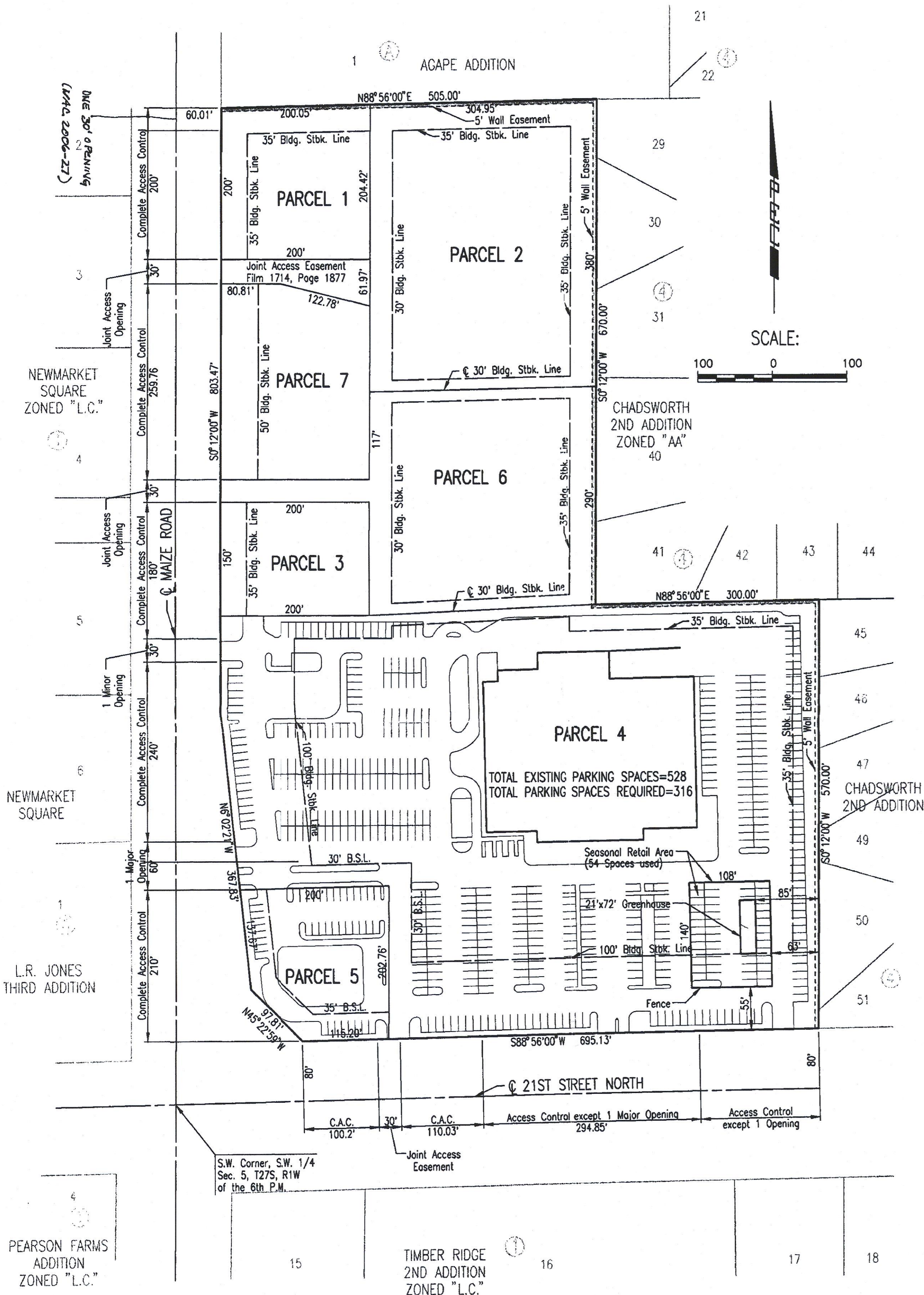


CHADSWORTH COMMERCIAL COMMUNITY UNIT PLAN DP-204 AMENDED DECEMBER 7, 1999

DP-204 AMENDMENT #2
APPROVED CUP
Per Admin Adj. 09-18-06, VACC2006-27; MEMO 11-02-06;
MAPC 12/10/99 *DM* 09-03-11
WMPD Co pg 1 of 2

APPROVED CUP
MAPC 6/2/2002
8/10/2002 *CMR*
1 OF 4



GENERAL PROVISIONS

- THIS DEVELOPMENT CONTAINS 18.0 ACRES.
- THE PROPOSED DEVELOPMENT CONTAINS SEVEN (7) PARCELS WITH LIMITED COMMERCIAL USES.
- SETBACKS ARE AS INDICATED ON PLAN VIEW OR SPECIFIED ON PARCEL DESCRIPTION BELOW. IN THE EVENT THAT CONTIGUOUS PARCELS ARE DEVELOPED UNDER THE SAME OWNERSHIP, SETBACKS BETWEEN THOSE PARCELS WILL NOT BE REQUIRED.
- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- A DRAINAGE PLAN SHALL BE SUBMITTED FOR APPROVAL TO THE CITY ENGINEER AND NECESSARY GUARANTEES FOR REQUIRED IMPROVEMENTS SHALL BE PROVIDED AT THE TIME OF PLATTING.
- SIGNS ARE PERMITTED UNDER THE SIGN CODE OF THE CITY OF WICHITA. ADDITIONALLY, THE FOLLOWING CONDITIONS APPLY:
 - NO FLASHING OR MOVING SIGNS SHALL BE PERMITTED.
 - THE MAXIMUM HEIGHT OF SIGNS SHALL BE 20 FEET.
 - ONE FREESTANDING MONUMENT TYPE SIGN IS PERMITTED ON 21ST STREET NORTH FRONTAGE FOR EACH PARCEL (4 AND 5). ONE FREESTANDING MONUMENT TYPE SIGN IS PERMITTED ON MAIZE ROAD FRONTAGE FOR EACH PARCEL (1-7), EXCEPT PARCEL 2 AND 6 WHICH WILL SHARE ONE SIGN LOCATION NEAR THE NORTH END OF PARCEL 7. EACH SIGN SHALL NOT EXCEED 150 FEET PER SIGN FACE. THE SIGN FOR PARCEL 2 AND 6, ON PARCEL 7, SHALL BE SETBACK 35 FEET FROM MAIZE ROAD. (As Admin Adj. 09-18-06, VACC2006-27; MEMO 11-02-06; MAPC 12/10/99 *DM* 09-03-11)
- FINAL DETERMINATION OF STREET RIGHT-OF-WAY AND PAVEMENT WIDTHS SHALL BE RESOLVED AT THE TIME OF PLATTING.
- PARKING SHALL BE PROVIDED IN ACCORDANCE WITH U.2.C. OF THE CITY OF WICHITA UNLESS SPECIFIED IN THE PARCEL DESCRIPTIONS. *Reduced by Admin Adj. for Parcel 6 (08-12-03) & by Admin Adj. for Parcel 4 (09-18-06)*
 - A FIRE LANES SHALL BE IN ACCORDANCE WITH THE FIRE CODE OF THE CITY OF WICHITA. NO PARKING SHALL BE ALLOWED IN SAID PARKING LANES, ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING. THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE SHALL REVIEW FIRE LANES PRIOR TO FINAL APPROVAL OF THE PARKING PLAN.
 - 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.
- ACCESS CONTROL:
 - ACCESS TO MAIZE ROAD SHALL BE LIMITED TO ~~FOUR (4)~~ **FIVE (5)** OPENINGS. (SEE PLAN) *INCLUDES VACC2006-27*
 - ACCESS TO 21ST STREET NORTH SHALL BE LIMITED TO THREE (3) OPENINGS. (SEE PLAN)
- MASONRY WALLS:
 - A SIX (6) FOOT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG THE NORTH AND EAST PROPERTY LINES OF THE C.U.P. WHERE ADJACENT TO RESIDENTIAL ZONING.
 - THE ABOVE MENTIONED SOLID OR SEMI-SOLID WALL SHALL BE CONSTRUCTED OF STONE, MASONRY, BRICK, ARCHITECTURAL TILE OR SIMILAR MATERIAL (NOT INCLUDING WOOD OR WOVEN WIRE).
 - THE REQUIRED MASONRY WALL SHALL BE CONSTRUCTED WITHIN A FIVE (5) FOOT WALL EASEMENT PLATTED SEPARATELY FROM ALL OTHER EASEMENT. CONSTRUCTION OF THIS WALL WILL REQUIRE A BUILDING PERMIT. NO WALL SHALL BE CONSTRUCTED IN ANY UTILITY EASEMENT.
- LANDSCAPING
 - LANDSCAPING SHALL BE REQUIRED ALONG 21ST STREET NORTH AND MAIZE ROAD FRONTAGE AS PER CITY OF WICHITA LANDSCAPE ORDINANCE.
 - A LANDSCAPE PLAN PREPARED BY A LANDSCAPE ARCHITECT FOR THE LANDSCAPING MENTIONED ABOVE INDICATING THE TYPE, LOCATION, AND SPECIFICATIONS OF PLANT MATERIALS AND METHOD OF PROVIDING WATER TO THE PLANT MATERIALS, SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
 - A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED ON THE LANDSCAPE PLAN FOR THAT PORTION OF THE C.U.P. BEING DEVELOPED SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.
 - THERE SHALL BE ADDITIONAL TREES, CALCULATED AT 2 TIMES THE MINIMUM NUMBER OF TREES REQUIRED BY THE LANDSCAPE ORDINANCE TO SCREEN THIS PART OF PARCEL 2 FROM THE PROPERTY TO THE NORTH. ALONG THE EAST PROPERTY LINE, CONIFER TREES SHALL BE PLANTED WITH A MAXIMUM SPACING OF 15 FEET AND A MINIMUM PLANTING HEIGHT OF 2 FEET ABOVE THE HEIGHT OF THE 6 FOOT SCREENING WALL.
- FAILURE TO PROPERLY MAINTAIN THE MASONRY WALLS OR LANDSCAPING MENTIONED ABOVE SHALL BE CONSIDERED A VIOLATION OF THE C.U.P. AFTER A JOINT DETERMINATION BY THE DIRECTOR OF PLANNING AND THE SUPERINTENDENT OF CENTRAL INSPECTION.
- TRASH RECEPTACLES SHALL BE APPROPRIATELY SCREENED TO REASONABLY HIDE THEM FROM GROUND VIEW.
- IF MULTIPLE OWNERSHIP IS ANTICIPATED, AN OWNERS ASSOCIATION AGREEMENT PROVIDING FOR THE MAINTENANCE OF RESERVES, OPEN SPACE, INTERNAL DRIVES, PARKING AREAS, DRAINAGE IMPROVEMENT, ETC., SHALL BE FILED WITH THE PLAT OF THE AREA.

NOTE: ALL DRIVES AND PARKING AREAS SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE OWNERS ASSOCIATION(S). THOSE PORTIONS OF MAJOR ENTRANCES ON PUBLIC RIGHT-OF-WAY WILL BE GUARANTEED AT THE TIME OF PLATTING. THOSE PORTIONS OF MAJOR ENTRANCES ON PRIVATE PROPERTY WILL BE A REQUIREMENT AT THE TIME BUILDING PERMITS ARE REQUESTED FOR PARCEL 4.

- MAJOR STREET IMPROVEMENTS FOR MAIZE ROAD AND 21ST STREET NORTH SHALL BE IN CONFORMANCE WITH THE CHADSWORTH COMMERCIAL C.U.P. PRELIMINARY TRAFFIC STUDY DRAWING (UNLESS OTHERWISE DETERMINED NECESSARY BY THE CITY ENGINEER).

AT THE TIME OF PLATTING, THE APPLICANT SHALL GUARANTEE:

 - THE RECONSTRUCTION OF THE GRASS MEDIAN IN 21ST STREET TO PROVIDE A LEFT-TURN BAY OR A FIFTH LANE PROVIDING LEFT-TURN STORAGE TO SERVE PARCEL 4.
 - THE CONSTRUCTION OF CONTINUOUS ACCEL/DECEL LANES ALONG 21ST STREET AND MAIZE ROAD TO SERVE THE OPENINGS TO ALL PARCELS IN THE C.U.P. INCLUDING PARTIAL RECONSTRUCTION OF THE 21ST STREET/MAIZE ROAD INTERSECTION TO PROVIDE FREE-FLOWING RIGHT TURNS FOR WESTBOUND 21ST STREET TRAFFIC.
 - THE WIDENING OF MAIZE ROAD TO PROVIDE A TWO-WAY CENTER TURNING LANE TO SERVE PARCELS 1 THROUGH 7.
 - THE CONSTRUCTION OF A TEMPORARY THIRD LANE ON MAIZE ROAD ADJACENT TO THE C.U.P. IF DEVELOPMENT OCCURS BEFORE MAIZE ROAD IS CONSTRUCTION TO A 4 LANE STANDARD. THE GUARANTEE FOR THE TEMPORARY THIRD LANE SHALL BE HELD BY THE CITY OF WICHITA UNTIL DEVELOPMENT OCCURS OR MAIZE IS IMPROVED TO 4 LANES. (PARTIAL DEVELOPMENT WOULD NECESSITATE PARTIAL CONSTRUCTION OF THE THIRD LANE).
- BUILDINGS FOR NON-RESIDENTIAL USES ON ALL PARCELS WITHIN THE C.U.P. SHALL SHARE SIMILAR ARCHITECTURAL CHARACTER AND THE SAME PREDOMINATE EXTERIOR BUILDING MATERIAL, WITH THE FOLLOWING EXCEPTION FOR THE BUILDING ON PARCEL 2. THE SPLIT FACED BLOCK MATERIAL ALREADY USED ON OTHER PARCELS IN THE C.U.P. MAY BE USED AS BACKDROP PANELS BETWEEN THE PLASTER COLUMNS AND FACIA FRONTING THE WEST ELEVATION ON MAIZE ROAD AND FRONTING THE SOUTH ELEVATION TOWARDS 21ST STREET. THE EAST AND NORTH ELEVATIONS MAY BE METAL PANELING THAT IS COMPATIBLE IN COLOR TO THE BLOCK MATERIAL. THE SPLIT FACED BLOCK MATERIAL SHALL COMPRISE AT LEAST 40% OF THE TOTAL SURFACE AREA ON THIS STRUCTURE. ACOUSTICAL TREATMENT SHALL BE APPLIED TO THE INTERIOR OF THE EAST AND NORTH WALLS AS NECESSARY SO THAT ACTIVITY INSIDE THE BUILDINGS IS NOT AUDIBLE AT THOSE PROPERTY LINES.

SEE ADMIN ADJ. (12-2-98) ON ARCHITECTURAL REQUIREMENTS FOR PARCEL 6.
*See Admin Adj. (09-18-06) for additional changes to architectural requirements for Parcel 6.
& by Admin Adj. for Parcel 6 (08-12-03) & by Admin Adj. for Parcel 4 (09-18-06)*
- THE EAST FACING OF THE BUILDING IN PARCEL 6 MAY BE OF DRIFT OR METAL SIDING THAT IS COMPATIBLE IN COLOR TO THE BLOCK MATERIAL; IF THE LATTER, THEN TREE PLANTING ALONG THE LANDSCAPE BUFFER AREA SHALL BE AT TWICE THE REQUIREMENTS OF THE LANDSCAPE ORDINANCE. **THE BUILDING IN PARCEL 6 SHALL BE CONSTRUCTED AS STATED IN THE ADMIN ADJUST DATED DEC. 2, 1998.**
- AN OVERALL SITE TRAFFIC AND PEDESTRIAN CIRCULATION PLAN SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING FOR APPROVAL PRIOR TO THE ISSUANCE OF BUILDING PERMITS. CROSS LOT CIRCULATION AGREEMENTS SHALL BE REQUIRED AT THE TIME OF PLATTING TO ASSURE INTERNAL VEHICULAR AND PEDESTRIAN MOVEMENT BETWEEN PARCELS WITHIN THE C.U.P.
- THE SEASONAL NURSERY AND GARDEN CENTER IN PARCEL 4 SHALL BE LOCATED IN A TEMPORARY STRUCTURE AND SHALL OPERATE FOR NO MORE THAN 120 DAYS DURING A CALENDAR YEAR. PRIOR TO UTILIZATION OF THE OUTDOOR GARDEN AREA, THE APPLICANT SHALL ANNUALLY SUBMIT A REPORT TO THE ZONING ENFORCEMENT DIVISION OF THE OFFICE OF CENTRAL INSPECTION THAT DEMONSTRATES COMPLIANCE WITH THE APPROVED SITE PLAN (SEE RESTRICTED AREA) AND CONDITIONS SPECIFIED THEREIN.

PARCEL DESCRIPTIONS

- PARCEL NUMBER 1:
PROPOSED USES: RESTAURANTS, RETAIL SHOPS, BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, TIRE, BATTERY, AND ACCESSORY STORES WHICH INVOLVE NO ON-SITE WORK VEHICLES, PHARMACIES, SMALL ANIMAL CLINIC, DAY CARE CENTERS, AND FITNESS CENTERS AND ACCESSORY CAR WASHES.
- GROSS AREA - 0.93 ACRES (40,422 S.F.)
MAXIMUM BUILDING COVERAGE - 12,127 S.F. (30% MAXIMUM)
MAXIMUM GROSS FLOOR AREA - 14,000 S.F.
FLOOR AREA RATIO - 0.346
MAXIMUM BUILDING HEIGHT - 35 FEET
MAXIMUM NUMBER OF BUILDINGS - 2
PARKING - AS PER CITY CODE
SETBACKS - 35 FEET ALONG MAIZE ROAD AND NORTH PROPERTY LINE.
- PARCEL NUMBER 2:
PROPOSED USES: NEIGHBORHOOD SHOPPING CENTER INCLUDING BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, DAY CARE CENTERS, AND FITNESS CENTERS, RETAIL SHOPS, RESTAURANTS (INCLUDING FAST FOOD), DRY CLEANING, LAUNDRY, BARBER AND BEAUTY SHOPS, TAILORS, STUDIOS, HARDWARE STORES, FURNITURE STORES, THEATERS, GROCERY STORES, AND DEPARTMENT STORES. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. **NO FREE-STANDING TIRE, BATTERY, AND ACCESSORY STORES, CONVENIENCE STORES, OR FAST FOOD RESTAURANTS SHALL BE PERMITTED WITHIN 100 FEET OF THE NORTH AND EAST LINES OF THE PARCEL. (MEMO DATED 11-02-06)**
- GROSS AREA - 1.27 ACRES (55,400 SQ.F.T.)
MAXIMUM BUILDING COVERAGE - 16,620 SQ.F.T. (30%)
MAXIMUM GROSS FLOOR AREA - 17,063 SQ.F.T.
FLOOR AREA RATIO - 0.308
MAXIMUM BUILDING HEIGHT - 35 FEET
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING - AS PER CITY CODE
BUILDING SETBACKS - 50 FEET FROM MAIZE ROAD (SEE DRAWING)
- NOTE: SEE MAPD FOR ADMINISTRATIVE ADJUSTMENTS MADE TO THE C.U.P. ON THE FOLLOWING DATES:
MAY 10, 1995
OCTOBER 25, 1996
APRIL 25, 1997
MAY 16, 1997
MAY 18, 1998
DECEMBER 2, 1998
- PARCEL NUMBER 3:
PROPOSED USES: CONVENIENCE STORES, RESTAURANTS (INCLUDING FAST FOOD), RETAIL SHOPS, BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, TIRE, BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DAY CARE CENTERS, AND FITNESS CENTERS.
- GROSS AREA - 0.69 ACRES (30,000 SQ.F.T.)
MAXIMUM BUILDING COVERAGE - 9,000 SQ.F.T. (30% MAXIMUM)
MAXIMUM GROSS FLOOR AREA - 10,680 SQ.F.T.
FLOOR AREA RATIO - 0.356
MAXIMUM BUILDING HEIGHT - 35 FEET
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING - AS PER CITY CODE
BUILDING SETBACKS - 35 FEET ALONG MAIZE ROAD

- PARCEL NUMBER 4:
PROPOSED USES: NEIGHBORHOOD SHOPPING CENTER INCLUDING BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, TIRE, BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DAY CARE CENTERS, AND FITNESS CENTERS, RETAIL SHOPS, RESTAURANTS (INCLUDING FAST FOOD), DRY CLEANING, LAUNDRY, BARBER AND BEAUTY SHOPS, TAILORS, STUDIOS, HARDWARE STORES, FURNITURE STORES, THEATERS, GROCERY STORES, AND DEPARTMENT STORES AND NURSEY OR GARDEN CENTER AS PER SEC. III-0.6.2 OF THE UNIFIED ZONING CODE (SEE PLAN FOR RESTRICTED AREA). OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. NO FREE-STANDING TIRE, BATTERY, AND ACCESSORY STORES, CONVENIENCE STORES, OR FAST FOOD RESTAURANTS SHALL BE PERMITTED WITHIN 100 FEET OF THE NORTH AND EAST LINES OF THE PARCEL.
- GROSS AREA - 9.34 ACRES (406,255 SQ.F.T.)
MAXIMUM BUILDING COVERAGE - 121,876 SQ.F.T. (30% MAXIMUM)
MAXIMUM GROSS FLOOR AREA - 125,126 SQ.F.T.
FLOOR AREA RATIO - 0.308
MAXIMUM BUILDING HEIGHT - 35 FEET
MAXIMUM NUMBER OF BUILDINGS - 2
PARKING - AS PER CITY CODE *Reduced by 25% (Admin Adj. 09-18-06)*
BUILDING SETBACKS - 100 FEET ALONG 21ST STREET AND MAIZE ROAD, 35' ALONG NORTH AND EAST PROPERTY LINES ADJACENT TO RESIDENTIAL. 30' ADJACENT TO PARCELS 2, 3 AND 5.
- PARCEL NUMBER 5:
PROPOSED USES: CONVENIENCE STORES, RESTAURANTS (INCLUDING FAST FOOD), RETAIL SHOPS, BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, TIRE, BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DAY CARE CENTERS, FITNESS CENTERS, SERVICE STATIONS WITH CAR WASH AS ACCESSORY USE WITH B.Z.A. APPROVAL. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET.
- GROSS AREA - 0.84 ACRES (36,476 SQ.F.T.)
MAXIMUM BUILDING COVERAGE - 10,943 SQ.F.T. (30% MAXIMUM)
MAXIMUM GROSS FLOOR AREA - 12,500 SQ.F.T.
FLOOR AREA RATIO - 0.342
MAXIMUM BUILDING HEIGHT - 35 FEET
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING - AS PER CITY CODE
BUILDING SETBACKS - 35 FEET ALONG MAIZE ROAD AND 21ST STREET NORTH
- PARCEL NUMBER 6:
PROPOSED USES - SAME AS PARCEL 2 *(SEE MEMO DATED 11-02-06). In addition to Nigak Club in the City subject to conditions of CUP 2009-19.*
- GROSS AREA - 2.2 ACRES (95,660 SQ.F.T.)
MAXIMUM BUILDING COVERAGE - 28,698 SQ.F.T. (30%)
MAXIMUM GROSS FLOOR AREA - 29,463 SQ.F.T.
FLOOR AREA RATIO - 0.308
MAXIMUM BUILDING HEIGHT - 35 FEET
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING - AS PER CITY CODE *Reduced from 176 to 170 spaces (Admin Adj. 08/10/03)*
BUILDING SETBACKS - 35 FEET ALONG THE NORTH AND EAST PROPERTY LINES ADJACENT TO RESIDENTIAL. 30 FEET ADJACENT TO PARCELS 2,3 AND 7.
- PARCEL NUMBER 7:
PROPOSED USES: NEIGHBORHOOD SHOPPING CENTERS, INCLUDING BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, TIRE, BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DAY CARE CENTERS, AND FITNESS CENTERS, RETAIL SHOPS, RESTAURANTS (INCLUDING FAST FOOD), DRY CLEANING, LAUNDRY, BARBER AND BEAUTY SHOPS, TAILORS, STUDIOS, HARDWARE STORES, FURNITURE STORES, THEATERS, GROCERY STORES, AND DEPARTMENT STORES. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. **NO FREE-STANDING TIRE, BATTERY, AND ACCESSORY STORES, CONVENIENCE STORES, OR FAST FOOD RESTAURANTS SHALL BE PERMITTED WITHIN 100 FEET OF THE NORTH AND EAST LINES OF THE PARCEL. (MEMO DATED 11-02-06)**
- GROSS AREA - 1.27 ACRES (55,400 SQ.F.T.)
MAXIMUM BUILDING COVERAGE - 16,620 SQ.F.T. (30%)
MAXIMUM GROSS FLOOR AREA - 17,063 SQ.F.T.
FLOOR AREA RATIO - 0.308
MAXIMUM BUILDING HEIGHT - 35 FEET
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING - AS PER CITY CODE
BUILDING SETBACKS - 50 FEET FROM MAIZE ROAD (SEE DRAWING)



Wichita-Sedgwick County Metropolitan Area Planning Department

August 10, 2022

L&D LLC
Attn: Larry Dobbs
7400 E 32nd Street N
Apt 1001
Wichita KS 67226

Dong Dai
280 Fox Pointe Circle
Wichita KS 67226

RE: CUP2022-00019: Request in the City for a minor amendment to CUP DP-204 to allow a night club as an accessory to a restaurant on Parcel 6 on the LC Limited Commercial zoned property; generally located approximately one-eighth mile north of West 21st Street North & the east side of North Maize Road (2330 N. Maize)

Dear Applicant;

At its regular meeting on **June 2, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request with the following conditions:

1. The amendment shall apply only to Parcel 6.
2. Nightclub in the City expanded uses shall apply only to those ancillary uses associated with the existing restaurant.
3. Nightclub in the City shall adhere supplemental use regulations in Section III-D.6.w of the Unified Zoning Code.
4. The hours of operation of the entertainment provided by the establishment shall be limited to 10:00pm Sunday through Thursday and 12:00am Friday and Saturday.
5. Outdoor entertainment is prohibited except for within the confines of the attached patio.
6. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
7. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised 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.

No protests were filed against this case. Therefore the Planning Commission decision is final.

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.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	259625	Print Legal Ad - IPL0072298		\$236.56	3	94 L

Attention: Betsy Pagán
CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

LEGAL PUBLICATION

OCA 150004

Published in The Wichita Eagle on May 12, 2022

(One Time Only)

MAPC/BZA June 2, 2022

OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 2, 2022, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2022-00008: Request in the City for a Conditional Use for Accessory Apartment in SF-5 Single-Family Residential. Generally located within 500 feet west of North Amsdon Avenue and within 500 Feet south of West 25th Street North (2042 West Columbine Lane).

CON2022-00009: Request in the City for a Conditional Use to allow a Group Residence on property zoned TF-3 Two-Family Residential, generally located northwest of East 14th Street North and North Hillside Avenue (3104 E. 14th St. N.)

CON2022-00010: Request in the City for a Conditional Use to permit vehicle sales on property zoned LC Limited Commercial, generally located on the north side of West Central Avenue and one-block east of I-235 Highway (5534 West Central)

CUP2022-00019: Request in the City for a minor amendment to CUP DP-204 to allow a night club as an accessory to a restaurant on Parcel 6 on the LC Limited Commercial zoned property, generally located approximately one-eighth mile north of West 21st Street North, on the east side of North Maize Road.

PUD2022-00010: Request in the City for a zone change from SF-5 Single-Family Residential to PUD Planned Unit Development to permit office and duplex development on vacant land surrounding church; generally located on the west side of North Maize Road, within one-quarter mile south of West 21st Street North.

PUD2022-00011: Request in the City for a zone change from SF-5 Single-Family Residential to PUD Planned Unit Development for multi-family development on property located on the south side of North McLean Blvd and one-half mile west of North Seneca Street (between N. Vine and N. Fern Avenues).

VAC2022-00013: Request in the city to vacate a portion of a platted drainage and utility easement on property zoned SF-5 Single Family Residential within a quarter mile west of Webb Road and within a quarter mile north of 13th Street (9451 E. Lakefront Circle).

VAC2022-00014: Request in the City to vacate a portion of North Millwood Avenue for redevelopment (associated with PUD2022-00011 for multi-family use); generally located on the south side of North McLean Blvd, one-half mile west of North Seneca Street, between N. Vine and N. Fern Avenues.

VAC2022-00015: Request in the City to vacate a portion of an easement dedicated by separate instrument on SF-5 Single-Family Residential zoned property generally located west of North West Street, south of West 2nd Street on the east side of North Tracy Street (238 N Tracy).

ZON2022-00023: Request in the City for a zone change from SF-5 Single Family 5 to TF-3 Two Family Residential, generally located on the west side of Webb Road, one quarter mile south of East Pawnee.

ZON2022-00027: Request in the City for a zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential, generally located on the west side of North Meridian, within one-half mile north of West 53rd Street (5735 N. Meridian Ave).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section 17-202 of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARINGS. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate:

1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email, letter, video, and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email: Planning@wichita.gov

Mailing Address: Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W 3rd Street - Suite 201

Wichita, KS 67202

Phone: 316.268.4421

Fax: 316.858.7764

Participate Remotely

Please join my meeting from your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/651544141>

You can also dial in using your phone:

United States: +1 (571) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 651-544-141

Or dial directly: 651544141 @ 67.217.95.2 or 67.217.95.2#651544141

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<https://global.gotomeeting.com/install/651544141>

Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitinghall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on May 12, 2022

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0072298

May 12 2022

In The STATE OF KANSAS
In and for the County of Sedgwick

No. of Insertions: 1
Beginning Issue of: 05/12/2022
Ending Issue of: 05/12/2022

STATE OF KANSAS)
SS
County of Sedgwick)

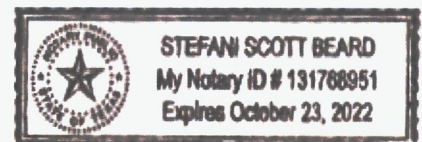
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 05/12/2022 to 05/12/2022.

M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 05/12/2022

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

BACKGROUND: The applicant is requesting an amendment to the Community Unit Plan, CUP DP-204 to permit Night Club in the City as an accessory use to an existing restaurant. The property is zoned LC Limited Commercial and located on the east side of North Maize Road within one block north of West 21st Street (2330 N. Maize). The building is currently occupied with an Emerson Biggins restaurant. The restaurant serves alcohol and would like to provide a DJ, dancing, and live music on the premise. Therefore, by definition, this is considered a Night Club in the City by the Unified Zoning Code (UZC).

If this property was not located in the CUP, the applicant would be required to apply for Conditional Use approval for the requested use. The Section III-D.6.w of the Unified Zoning Code requires a conditional use for Nightclub in the City when it is within 300 feet of a church or place of worship; public park; public or parochial school; or residential zoning district. Several SF-5 Single-Family zoned residential dwellings are located east of the subject site. An amendment to the CUP acts in lieu of a conditional use because the public hearing process is the same.

Mature, evergreen trees line the eastern property line and serve as a screen between the restaurant and the single-family residential dwellings. These trees can mitigate the visual and aural impacts of the Night Club in the City.

The applicant is requesting the following amendment to CUP DP-204 indicated by bold font:

Parcel 6: Proposed Uses – Same as Parcel 2 (See memo dated 11-02-06), Night Club in the City accessory to a restaurant.

Gross Area – 2.2 Acres (95,660 sq. ft.)

Maximum Building Coverage – 28,698 sq. ft. (30%)

Maximum Gross Floor Area – 29,463 sq. ft.

Floor Area Ratio – 0.308

Maximum Building Height – 35 feet

Maximum Number of Buildings – 1

Parking– As per city code; Reduced from 176 to 170 spaces (Adm. Adj. 8/12/03)

Building setbacks – 35 feet along the north and east property lines adjacent to residential. 30 feet adjacent to Parcels 2, 3, and 7.

Parcel 2: Proposed uses: neighborhood shopping centers, including banks and financial institutions, offices, medical and dental offices or clinics, day care centers, and fitness centers, retail shops, restaurants (including fast food), dry cleaning, laundry, barber and beauty shops, tailors, studios, hardware stores, furniture stores, theaters, grocery stores, and department stores. Overhead doors associated with uses on this parcel shall not face 21st Street. No free-standing tire, battery and accessory stores, convenience stores, or fast food restaurants shall be permitted within 160 feet of the east lines of the parcel. (Memo dated 11-02-06)

CASE HISTORY: On May 8, 1998, the Chadsworth Commercial 3rd Addition was created. There have been several amendments to CUP DP-204. On August 12, 2003, the Planning Department administratively reduced the number of parking spaces from 176 to 170 on Parcel 6, where the subject property is located. In 1998 and 2003, the Planning Department administratively approved changes to the architectural requirements for Parcel 6. In 2007, the number of openings for access to Maize Road was increased from four to five.

ADJACENT ZONING AND LAND USE:

North:	LC with CUP DP-204	Gymnasium
South:	LC with CUP DP-204	Grocery store
East:	SF-5	Single-Family Residences
West:	LC with CUP DP-204	Fast-Food Restaurant

PUBLIC SERVICES: All municipal services are in place and can accommodate the required services to the site. The site has direct access to North Maize Road, a paved, five-lane arterial with sidewalks on both sides. Wichita Transit serves this area; a bus stop is located less than 500 feet southwest of the subject property, on Maize Road.

CONFORMANCE TO PLANS/POLICIES: The proposed application is in conformance to the *Community Investments Plan*. The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for “New Employment.” This category is described as follows: *“Encompasses areas that likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. Major shopping centers and office parks likely will be developed within this area as well, based upon market driven location factors.”*

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends the amendment to CUP DP-204 be **APPROVED** subject to the development guidelines of the amended CUP and the following conditions:

1. The amendment shall apply only to Parcel 6.
2. Nightclub in the City expanded uses shall apply only to those ancillary uses associated with a restaurant use.
3. Nightclub in the City shall adhere to Supplementary Use Regulations in Section III-D.6.w of the Unified Zoning Code.
4. The hours of operation of the entertainment only provided by the establishment shall be limited to 10:00pm Sunday through Thursday and 12:00am Friday and Saturday.
5. Outdoor entertainment or speakers are prohibited.
6. All other requirements of the CUP remain in effect unless or until a separate zoning action is filed.
7. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised 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.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Property to the north is zoned LC Limited Commercial with CUP DP-204 and is developed with a Planet Fitness gymnasium. Property to the south is zoned LC Limited Commercial with CUP DP-204 and is developed with a Dillon’s grocery store. Property to the east is zoned SF-5 Single-Family Residential and is developed with single-family residences. Property to the west is zoned LC Limited Commercial with CUP DP-204 and is

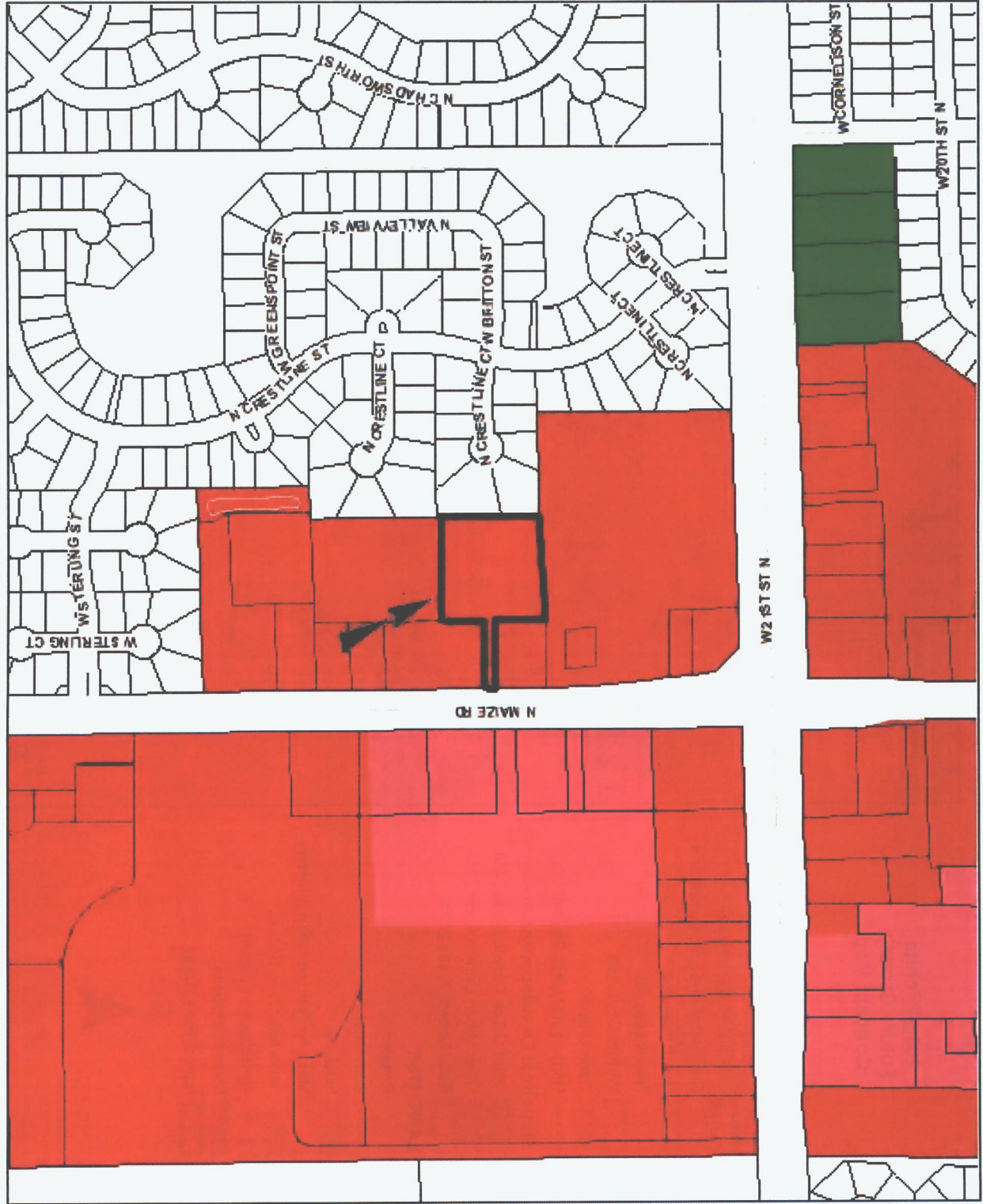
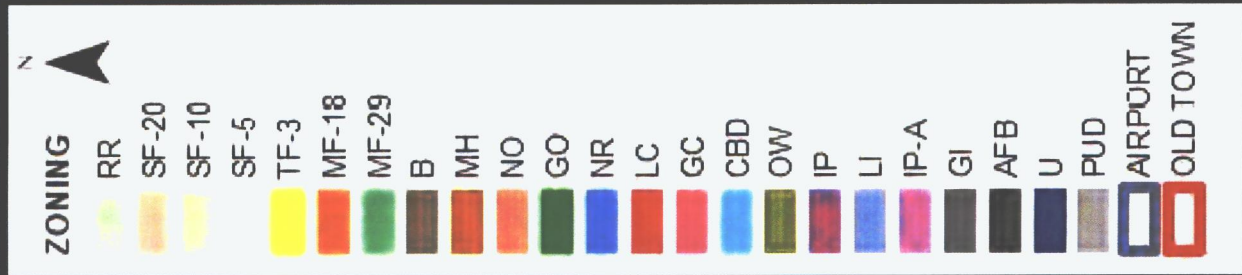
developed with a Spangles fast-food restaurant.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned LC Limited Commercial with CUP DP-204, which permits commercial development of restaurant uses, in addition to others as defined in the CUP.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed CUP amendment may negatively impact the adjacent single-family residential dwellings. Permitting live music may create noise pollution; however, measures will be taken to mitigate these impacts. The hours of operation are limited to 10:00pm Sunday through Thursday and 12:00am Friday and Saturday, there are noise compatibility and nuisance regulations in the zoning code, and there is a City noise ordinance. These conditions of approval should mitigate the possible negative impacts associated with this use.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request represents a gain to the public in that it contributes to support economic opportunity in the area. Approval of this application is not anticipated to have a significant detrimental impact to public health, safety, or welfare. Denial of the request could represent a loss in the use and enjoyment of the applicant's property.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed application is in conformance to the *Community Investments Plan*, as noted above.
6. Impact of the proposed development on community facilities: The proposed use should not have negative impacts on community facilities.

Attachments:

1. CUP DP-204 Site Plan
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Photos





2035 Wichita Future Growth Concept Map

- Legend**
- Established Central Area Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas 2014
- LAND USE**
- Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Nghbd_Plan_Areas



Looking west towards site



Looking north towards site



Looking east towards site



Looking east away from site



Looking north away from site

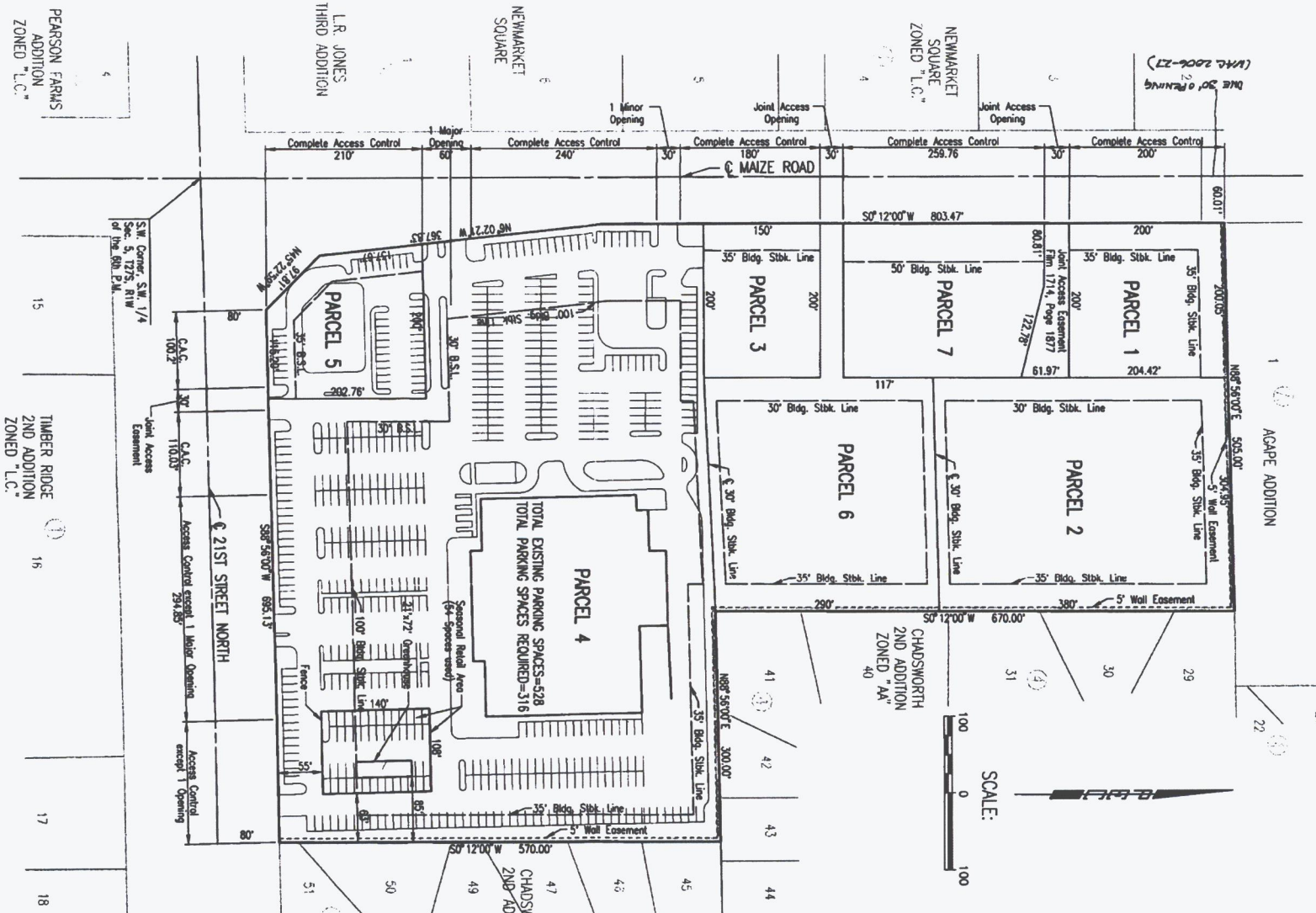


Looking west away from site



Looking south away from site





CHADSWORTH COMMERCIAL COMMUNITY UNIT PLAN DP-204 AMENDED DECEMBER 7, 1999

GENERAL PROVISIONS

1. THIS DEVELOPMENT CONTAINS 180 ACRES.
2. THE PROPOSED DEVELOPMENT CONTAINS SEVEN (7) PARCELS WITH LIMITED COMMERCIAL USES.
3. SETBACKS ARE AS INDICATED ON PLAN VIEW OR SPECIFIED ON PARCEL DESCRIPTION BELOW. IN THE EVENT THAT CONTIGUOUS PARCELS ARE DEVELOPED UNDER THE SAME OWNERSHIP, SETBACKS BETWEEN THESE PARCELS WILL NOT BE REQUIRED.
4. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
5. A DRAINAGE PLAN SHALL BE SUBMITTED FOR APPROVAL TO THE CITY ENGINEER AND NECESSARY GUARANTEES FOR REQUIRED IMPROVEMENTS SHALL BE PROVIDED AT THE TIME OF PLATING.
6. SPOTS ARE PERMITTED UNDER THE SIGN CODE OF THE CITY OF WICHITA.
 - A. NO FLASHING OR WORKING SPOTS SHALL BE PERMITTED.
 - B. THE MAXIMUM HEIGHT OF SPOTS SHALL BE 20 FEET.
7. FINAL DETERMINATION OF STREET RIGHT-OF-WAY AND PRECEDENT RIGHTS SHALL BE RESOLVED AT THE TIME OF PLATING.
8. PARKING SHALL BE PROVIDED IN ACCORDANCE WITH U.L.C. OF THE CITY OF WICHITA UNLESS SPECIFIED IN THE PARCEL DESCRIPTIONS.
 - A. THE TRUNKERS OF TRUCKS OR ALL OR ANY PORTION OF THE TRUCK INCLUDED IN THE CLIP DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF. BUT SAID PLAN SHALL RUN WITH THE LAND FOR DEVELOPMENT AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED BY A RESOLUTION OF THE BOARD OF CITY COMMISSIONERS.
 - B. FINAL DETERMINATION OF STREET RIGHT-OF-WAY AND PRECEDENT RIGHTS SHALL BE RESOLVED AT THE TIME OF PLATING.
9. THE TRUNKERS OF TRUCKS OR ALL OR ANY PORTION OF THE TRUCK INCLUDED IN THE CLIP DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF. BUT SAID PLAN SHALL RUN WITH THE LAND FOR DEVELOPMENT AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED BY A RESOLUTION OF THE BOARD OF CITY COMMISSIONERS.
10. ALL LIGHTS SHALL BE SHIELDED TO REFLECT LIGHT DOWNWARDS OR DIRECT LIGHT AWAY FROM RESIDENTIAL AREAS.
11. A. PERMITS SHALL BE IN ACCORDANCE WITH THE CODE BOOK OF THE CITY OF WICHITA. NO PARKING SHALL BE ALLOWED IN SIGN PARKING LINES, ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING. THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE SHALL REVIEW FIRE LINES PRIOR TO FINAL APPROVAL OF THE PARKING PLAN.
12. FIRE PROTECTIVE INSULATION AND FINISHED ACCESS TO ALL BUILDING STORIES SHALL BE PROVIDED FOR EACH PHASE OF CONSTRUCTION PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
13. WALKWAY WALLS:
 - A. A SIX (6) FOOT HIGH WALKWAY WALL SHALL BE CONSTRUCTED ALONG THE NORTH AND EAST PROPERTY LINES OF THE CLIP, WHERE ADJACENT TO RESIDENTIAL ZONING.
 - B. THE ABOVE MENTIONED WALL OR WALLS SHALL BE CONSTRUCTED OF STONE, MASONRY, BRICK, ARCHITECTURAL TILE OR SIMILAR MATERIAL, (NOT INCLUDING WOOD OR WOODEN WIRE).
 - C. THE REQUIRED MASONRY WALL SHALL BE CONSTRUCTED WITHIN A FIVE (5) FOOT WALL SETBACK FROM THE PROPERTY LINE. OTHER EXISTING CONSTRUCTION IN ANY WALL WILL REQUIRE A BUILDING PERMIT. NO WALL SHALL BE CONSTRUCTED IN ANY UTILITY EASEMENT.
14. LANDSCAPING:
 - A. LANDSCAPING SHALL BE REQUIRED ALONG 21ST STREET NORTH AND MAIZE ROAD FRONTAGE AS PER CITY OF WICHITA LANDSCAPE ORDINANCE.
 - B. A LANDSCAPE PLAN PREPARED BY A LANDSCAPE ARCHITECT FOR THE LANDSCAPING SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
 - C. A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED ON THE LANDSCAPE PLAN FOR THAT PORTION OF THE CLIP BEING DEVELOPED SHALL BE REQUIRED FROM TO THE ASSUREE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN PROVIDED.
 - D. THERE SHALL BE ADDITIONAL TREES, CALCULATED AT 2 TIMES THE MAXIMUM NUMBER OF TREES REQUIRED BY THE LANDSCAPE ORDINANCE TO SCREEN THIS PART OF PARCEL 2 FROM THE PROPERTY TO THE NORTH, ALONG THE EAST PROPERTY LINE, NUMBER TREES SHALL BE PLANTED WITH A MAXIMUM SPACING OF 15 FEET AND A MAXIMUM PLANTING HEIGHT OF 2 FEET ABOVE THE HEIGHT OF THE 6 FOOT SCREENING WALL.
15. FAILURE TO PROTECT MAINTAIN THE MASONRY WALLS OR LANDSCAPING MENTIONED HEREIN SHALL BE CONSIDERED A VIOLATION OF THE CITY OF WICHITA ORDINANCES OF GENERAL INSPECTION.
16. TRASH RECEIPTS SHALL BE APPROPRIATELY SCHEDULED TO REASONABLY HIDE THEM FROM GROUND VIEW.
17. F. MULTIPLE OWNERSHIP IS ANTICIPATED. AN OWNERS ASSOCIATION AGREEMENT PROVIDING FOR THE MAINTENANCE OF RESERVES, OPEN SPACE, WALKWAYS, PARKING AREAS, DRAINAGE IMPROVEMENTS, ETC., SHALL BE FILED WITH THE PLAN OF THE AREA.

18. MAJOR STREET IMPROVEMENTS FOR MAIZE ROAD AND 21ST STREET NORTH SHALL BE IN CONFORMANCE WITH THE CHADSWORTH COMMERCIAL CLIP PRELIMINARY TRAFFIC STUDY DRAWING (UNLESS OTHERWISE DETERMINED NECESSARY BY THE CITY ENGINEER) AT THE TIME OF PLATING. THE APPLICANT SHALL GUARANTEE:
 - A. THE RECONSTRUCTION OF THE CROSS MEDIAN IN 21ST STREET TO PROVIDE A LEFT-TURN BAY OR A RIGHT TURN PROMOTING LEFT-TURN STORAGE TO SERVE PARCEL 4.
 - B. THE CONSTRUCTION OF CONTIGUOUS ACCESS LINES ALONG 21ST STREET AND MAIZE ROAD TO SERVE THE OPENINGS TO ALL PARCELS IN THE CLIP INCLUDING PARALLEL RECONSTRUCTION OF THE 21ST STREET/MAIZE ROAD INTERSECTION TO PROVIDE FREE-FLOWING RIGHT TURNS FOR WESTBOUND 21ST STREET TRAFFIC.
 - C. THE WIDENING OF MAIZE ROAD TO PROVIDE A TWO-WAY CENTER TURNING LANE TO SERVE PARCELS 1 THROUGH 7.
 - D. THE CONSTRUCTION OF A TEMPORARY THIRD LANE ON MAIZE ROAD ADJACENT TO THE CLIP. IF DEVELOPMENT OCCURS BEFORE THE ROAD IS COMPLETED, THE CITY OF WICHITA WILL DEVELOP THE ROAD TO SERVE THE CLIP. (PARALLEL DEVELOPMENT WOULD NECESSITATE PARALLEL CONSTRUCTION OF THE THIRD LANE).
 19. BUILDINGS FOR NON-RESIDENTIAL USES ON ALL PARCELS WITHIN THE CLIP SHALL SWAYE SIMILAR ARCHITECTURAL CHARACTER, AND THE SAME PREVALENT EXTERIOR BUILDING MATERIAL WITH THE FOLLOWING EXCEPTION FOR THE BUILDING ON PARCEL 2. THE STAFF RATED BLOCK MATERIAL SHALL BE USED ON OTHER PARCELS WITHIN THE CLIP. THE BUILDING ON MAIZE ROAD AND FRONTING THE SOUTH ELEVATION TOWARDS 21ST STREET. THE EAST AND NORTH ELEVATIONS MAY BE METAL PANELING THAT IS COMPLIANT IN COLOR TO THE BLOCK MATERIAL. THE STAFF RATED BLOCK MATERIAL SHALL COMPLY AT LEAST ONE OF THE TOTAL SURFACE AREA OF THE STRUCTURE. AN ALIQUOT THEREOF SHALL BE APPLIED TO THE INTERIOR OF THE EAST AND NORTH WALLS AS NECESSARY TO THAT ACTIVITY INSIDE THE BUILDING IS NOT ADJACENT TO THESE PROPERTY LINES.
 20. THE EAST FRONT OF THE BUILDING IN PARCEL 6 MAY BE OF BRICK OR METAL SIDING THAT IS COMPLIANT IN COLOR TO THE BLOCK MATERIAL. IF THE LATTER THEN THE PLANNING ALONG THE LANDSCAPE BUFFER AREA SHALL BE AT LEAST THE REQUIREMENTS OF THE LANDSCAPE ORDINANCE. THE BUILDING IN PARCEL 2 SHALL BE CONSTRUCTED AS A STAFF RATED BLOCK MATERIAL. THE BUILDING IN PARCEL 2 SHALL BE CONSTRUCTED AS A STAFF RATED BLOCK MATERIAL. THE BUILDING IN PARCEL 2 SHALL BE CONSTRUCTED AS A STAFF RATED BLOCK MATERIAL.
 21. AN OVERALL SITE TRAFFIC AND PEDESTRIAN CIRCULATION PLAN SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING FOR APPROVAL PRIOR TO THE ISSUANCE OF BUILDING PERMITS. CROSS LOT CIRCULATION AND PEDESTRIAN MOVEMENT BETWEEN PARCELS WITHIN THE CLIP.
 22. THE SEASONAL WALKWAY AND GARDEN CENTER IN PARCEL 4 SHALL BE LOCATED IN A TEMPORARY STRUCTURE AND SHALL OPERATE FOR NO MORE THAN 120 DAYS DURING A CALENDAR YEAR. PRIOR TO UTILIZATION OF THE OUTDOOR GARDEN AREA, THE APPLICANT SHALL ANNUALLY SUBMIT A REPORT TO THE ZONING DEPARTMENT DIVISION OF THE OFFICE OF CENTRAL RESERVATION THAT DEMONSTRATES COMPLIANCE WITH THE APPROVED SITE PLAN (SEE RESERVATION AREA) AND CONDITIONS SPECIFIED HEREIN.
- PARCEL DESCRIPTIONS**
- PARCEL NUMBER 1:**
 PROPOSED USES: RESTAURANTS, RETAIL STORES, BARS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, THE BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS, TAILORS, STUDIOS, HYDRO-MASSAGE, CLEANING, LAUNDRY, BUBBLER AND BEAUTY STORES, TANNING, STUDIOS, HYDRO-MASSAGE, FURNITURE STORES, HEATERS, GROCERY STORES, AND DEPARTMENT STORES. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. NO ACCESS-DRIVING THE BATTERY AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS. (Memo dated 11-01-06)
 GROSS AREA - 0.31 ACRES (14,427 S.F.)
 MAXIMUM BUILDING COVERAGE - 12,127 S.F. (30% MAXIMUM)
 MAXIMUM GROSS FLOOR AREA - 14,000 S.F.
 MAXIMUM FLOOR AREA RATIO - 0.34%
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 2
 PARKING - AS PER CITY CODE
 SETBACKS - 35 FEET ALONG MAIZE ROAD AND NORTH PROPERTY LINE.
- PARCEL NUMBER 2:**
 PROPOSED USES: NEIGHBORHOOD SHOPPING CENTER INCLUDING BARS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, THE BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS, TAILORS, STUDIOS, HYDRO-MASSAGE, CLEANING, LAUNDRY, BUBBLER AND BEAUTY STORES, TANNING, STUDIOS, HYDRO-MASSAGE, FURNITURE STORES, HEATERS, GROCERY STORES, AND DEPARTMENT STORES. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. NO ACCESS-DRIVING THE BATTERY AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS. (Memo dated 11-01-06)
 GROSS AREA - 1.27 ACRES (54,400 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 16,800 SQ.FT. (30%)
 MAXIMUM GROSS FLOOR AREA - 17,000 SQ.FT.
 FLOOR AREA RATIO - 0.32%
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 1
 PARKING - AS PER CITY CODE
 SETBACKS - 30 FEET FROM MAIZE ROAD (SEE DRAWING)
- PARCEL NUMBER 3:**
 PROPOSED USES: CONVENIENCE STORES, RESTAURANTS (INCLUDING FAST FOOD), RETAIL STORES, BARS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, THE BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS.
 GROSS AREA - 0.69 ACRES (30,000 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 10,800 SQ.FT. (30% MAXIMUM)
 MAXIMUM GROSS FLOOR AREA - 10,800 SQ.FT.
 FLOOR AREA RATIO - 0.36%
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 1
 PARKING - AS PER CITY CODE
 BUILDING SETBACKS - 35 FEET ALONG MAIZE ROAD
- PARCEL NUMBER 4:**
 PROPOSED USES: NEIGHBORHOOD SHOPPING CENTER INCLUDING BARS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, THE BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS, TAILORS, STUDIOS, HYDRO-MASSAGE, CLEANING, LAUNDRY, BUBBLER AND BEAUTY STORES, TANNING, STUDIOS, HYDRO-MASSAGE, FURNITURE STORES, HEATERS, GROCERY STORES, AND DEPARTMENT STORES. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. NO ACCESS-DRIVING THE BATTERY AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS. (Memo dated 11-01-06)
 GROSS AREA - 9.34 ACRES (406,235 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 121,076 SQ.FT. (30% MAXIMUM)
 MAXIMUM GROSS FLOOR AREA - 125,176 SQ.FT.
 FLOOR AREA RATIO - 0.30%
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 2
 PARKING - AS PER CITY CODE
 SETBACKS - 100 FEET ALONG 21ST STREET AND MAIZE ROAD, 35 FEET ALONG NORTH AND EAST PROPERTY LINES ADJACENT TO PARCELS 2, 3 AND 5.
- PARCEL NUMBER 5:**
 PROPOSED USES: CONVENIENCE STORES, RESTAURANTS (INCLUDING FAST FOOD), RETAIL STORES, BARS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, THE BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS, TAILORS, STUDIOS, HYDRO-MASSAGE, CLEANING, LAUNDRY, BUBBLER AND BEAUTY STORES, TANNING, STUDIOS, HYDRO-MASSAGE, FURNITURE STORES, HEATERS, GROCERY STORES, AND DEPARTMENT STORES. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. NO ACCESS-DRIVING THE BATTERY AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS. (Memo dated 11-01-06)
 GROSS AREA - 0.28 ACRES (12,194 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 10,340 SQ.FT. (30% MAXIMUM)
 MAXIMUM GROSS FLOOR AREA - 10,340 SQ.FT.
 FLOOR AREA RATIO - 0.34%
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 1
 PARKING - AS PER CITY CODE
 BUILDING SETBACKS - 35 FEET ALONG MAIZE ROAD AND 21ST STREET NORTH
- PARCEL NUMBER 6:**
 PROPOSED USES - SAME AS PARCEL 2 (Memo dated 11-01-06)
 IN ADDITION HEART CLUB IN THE CITY ACCESSORY TO A RESTAURANT WITH CONDITIONS CUP 2022-19
 GROSS AREA - 2.2 ACRES (95,660 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 28,699 SQ.FT. (30%)
 MAXIMUM GROSS FLOOR AREA - 29,463 SQ.FT.
 FLOOR AREA RATIO - 0.30%
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 1
 PARKING - AS PER CITY CODE
 SETBACKS - 35 FEET ALONG MAIZE ROAD AND 21ST STREET NORTH
- PARCEL NUMBER 7:**
 PROPOSED USES: NEIGHBORHOOD SHOPPING CENTER INCLUDING BARS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, THE BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS, TAILORS, STUDIOS, HYDRO-MASSAGE, CLEANING, LAUNDRY, BUBBLER AND BEAUTY STORES, TANNING, STUDIOS, HYDRO-MASSAGE, FURNITURE STORES, HEATERS, GROCERY STORES, AND DEPARTMENT STORES. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. NO ACCESS-DRIVING THE BATTERY AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DRY CARE CENTERS, AND FITNESS CENTERS. (Memo dated 11-01-06)
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 MAXIMUM GROSS FLOOR AREA - 17,000 SQ.FT.
 FLOOR AREA RATIO - 0.32%
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 1
 PARKING - AS PER CITY CODE
 SETBACKS - 30 FEET FROM MAIZE ROAD (SEE DRAWING)

DP-204 AMENDMENT #2
APPROVED CUP
 DATE: 8/10/2022
 MARK CO. Pg. 1 of 2

APPROVED CUP
 8/10/2022
 CME

CHADSWORTH COMMERCIAL

COMMUNITY UNIT PLAN DP-204

AMENDED DECEMBER 7, 1999

DP-204 AMENDMENT #2
APPROVED CUP
 Per Admin Adj. 08-12-03; 09-18-06; VAC 2006-27; MEMO 11-02-06.
 MAPC 12/16/99 *JM* 11/19-08-11

MAPD copy lot 2

GENERAL PROVISIONS

- THIS DEVELOPMENT CONTAINS 18.0 ACRES.
- THE PROPOSED DEVELOPMENT CONTAINS SEVEN (7) PARCELS WITH LIMITED COMMERCIAL USES.
- SETBACKS ARE AS INDICATED ON PLAN VIEW OR SPECIFIED ON PARCEL DESCRIPTION BELOW. IN THE EVENT THAT CONTIGUOUS PARCELS ARE DEVELOPED UNDER THE SAME OWNERSHIP, SETBACKS BETWEEN THOSE PARCELS WILL NOT BE REQUIRED.
- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- A DRAINAGE PLAN SHALL BE SUBMITTED FOR APPROVAL TO THE CITY ENGINEER AND NECESSARY GUARANTEES FOR REQUIRED IMPROVEMENTS SHALL BE PROVIDED AT THE TIME OF PLATTING.
- SIGNS ARE PERMITTED UNDER THE SIGN CODE OF THE CITY OF WICHITA. ADDITIONALLY, THE FOLLOWING CONDITIONS APPLY:
 - NO FLASHING OR MOVING SIGNS SHALL BE PERMITTED.
 - THE MAXIMUM HEIGHT OF SIGNS SHALL BE 20 FEET.
 - ONE FREESTANDING MONUMENT TYPE SIGN IS PERMITTED ON 21ST STREET NORTH FRONTAGE FOR EACH PARCEL (4 AND 5). ONE FREESTANDING MONUMENT TYPE SIGN IS PERMITTED ON MAIZE ROAD FRONTAGE FOR EACH PARCEL (1-7), EXCEPT PARCEL 2 AND 6 WHICH WILL SHARE ONE SIGN LOCATION NEAR THE NORTH END OF PARCEL 7. EACH SIGN SHALL NOT EXCEED 150 FEET PER SIGN FACE. THE SIGN FOR PARCEL 2 AND 6, ON PARCEL 7, SHALL BE SETBACK 35 FEET FROM MAIZE ROAD. *As Amended 09-22-11 to allow building height of 35 feet on 21st St. for Parcel 7.*
- FINAL DETERMINATION OF STREET RIGHT-OF-WAY AND PAVEMENT WIDTHS SHALL BE RESOLVED AT THE TIME OF PLATTING.
- PARKING SHALL BE PROVIDED IN ACCORDANCE WITH U.C. OF THE CITY OF WICHITA UNLESS SPECIFIED IN THE PARCEL DESCRIPTIONS. *Reduced by Admin Adj. for Parcel 6 (08-12-03) & by Admin Adj. for Parcel 4 (05-18-06)*
- THE TRANSFER OF TITLE ON ALL OR ANY PORTION OF THE LAND INCLUDED IN THE C.U.P. DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF, BUT SAID PLAN SHALL RUN WITH THE LAND FOR DEVELOPMENT AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED.
- ALL LIGHTS SHALL BE SHIELDED TO REFLECT LIGHT DOWNWARDS OR DIRECT LIGHT AWAY FROM RESIDENTIAL AREAS.
 - FIRE LANES SHALL BE IN ACCORDANCE WITH THE FIRE CODE OF THE CITY OF WICHITA. NO PARKING SHALL BE ALLOWED IN SAID PARKING LANES, ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING. THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE SHALL REVIEW FIRE LANES PRIOR TO FINAL APPROVAL OF THE PARKING PLAN.
 - 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.
- ACCESS CONTROL:
 - ACCESS TO MAIZE ROAD SHALL BE LIMITED TO ~~FOUR (4)~~ ^{FIVE (5)} OPENINGS. (SEE PLAN) *INCLUDES VAC 2004-27*
 - ACCESS TO 21ST STREET NORTH SHALL BE LIMITED TO THREE (3) OPENINGS. (SEE PLAN)
- MASONRY WALLS:
 - A SIX (6) FOOT HIGH MASONRY WALL SHALL BE CONSTRUCTED ALONG THE NORTH AND EAST PROPERTY LINES OF THE C.U.P. WHERE ADJACENT TO RESIDENTIAL ZONING.
 - THE ABOVE MENTIONED SOLID OR SEMI-SOLID WALL SHALL BE CONSTRUCTED OF STONE, MASONRY, BRICK, ARCHITECTURAL TILE OR SIMILAR MATERIAL (NOT INCLUDING WOOD OR WOVEN WIRE).
 - THE REQUIRED MASONRY WALL SHALL BE CONSTRUCTED WITHIN A FIVE (5) FOOT WALL EASEMENT PLATED SEPARATELY FROM ALL OTHER EASEMENTS. CONSTRUCTION OF THIS WALL WILL REQUIRE A BUILDING PERMIT. NO WALL SHALL BE CONSTRUCTED IN ANY UTILITY EASEMENT.
- LANDSCAPING
 - LANDSCAPING SHALL BE REQUIRED ALONG 21ST STREET NORTH AND MAIZE ROAD FRONTAGE AS PER CITY OF WICHITA LANDSCAPE ORDINANCE.
 - A LANDSCAPE PLAN (PREPARED) BY A LANDSCAPE ARCHITECT FOR THE LANDSCAPING MENTIONED ABOVE INDICATING THE TYPE, LOCATION, AND SPECIFICATIONS OF PLANT MATERIALS AND METHOD OF PROVIDING WATER TO THE PLANT MATERIALS, SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
 - A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED ON THE LANDSCAPE PLAN FOR THAT PORTION OF THE C.U.P. BEING DEVELOPED SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.
 - THERE SHALL BE ADDITIONAL TREES, CALCULATED AT 2 TIMES THE MINIMUM NUMBER OF TREES REQUIRED BY THE LANDSCAPE ORDINANCE TO SCREEN THIS PART OF PARCEL 2 FROM THE PROPERTY TO THE NORTH. ALONG THE EAST PROPERTY LINE, CONIFER TREES SHALL BE PLANTED WITH A MAXIMUM SPACING OF 15 FEET AND A MINIMUM PLANTING HEIGHT OF 2 FEET ABOVE THE HEIGHT OF THE 6 FOOT SCREENING WALL.
- FAILURE TO PROPERLY MAINTAIN THE MASONRY WALLS OR LANDSCAPING MENTIONED ABOVE SHALL BE CONSIDERED A VIOLATION OF THE C.U.P. AFTER A JOINT DETERMINATION BY THE DIRECTOR OF PLANNING AND THE SUPERINTENDENT OF CENTRAL INSPECTION.
- TRASH RECEPTACLES SHALL BE APPROPRIATELY SCREENED TO REASONABLY HIDE THEM FROM GROUND VIEW.
- IF MULTIPLE OWNERSHIP IS ANTICIPATED, AN OWNERS ASSOCIATION AGREEMENT PROVIDING FOR THE MAINTENANCE OF RESERVES, OPEN SPACE, INTERNAL DRIVES, PARKING AREAS, DRAINAGE IMPROVEMENT, ETC., SHALL BE FILED WITH THE PLAT OF THE AREA.

NOTE: ALL DRIVES AND PARKING AREAS SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE OWNERS ASSOCIATION(S). THOSE PORTIONS OF MAJOR ENTRANCES ON PUBLIC RIGHT-OF-WAY WILL BE GUARANTEED AT THE TIME OF PLATTING. THOSE PORTIONS OF MAJOR ENTRANCES ON PRIVATE PROPERTY WILL BE A REQUIREMENT AT THE TIME BUILDING PERMITS ARE REQUESTED FOR PARCEL 4.

- MAJOR STREET IMPROVEMENTS FOR MAIZE ROAD AND 21ST STREET NORTH SHALL BE IN CONFORMANCE WITH THE CHADSWORTH COMMERCIAL C.U.P. PRELIMINARY TRAFFIC STUDY DRAWING (UNLESS OTHERWISE DETERMINED NECESSARY BY THE CITY ENGINEER).

AT THE TIME OF PLATTING, THE APPLICANT SHALL GUARANTEE:

 - THE RECONSTRUCTION OF THE GRASS MEDIAN IN 21ST STREET TO PROVIDE A LEFT-TURN BAY OR A FIFTH LANE PROVIDING LEFT-TURN STORAGE TO SERVE PARCEL 4.
 - THE CONSTRUCTION OF CONTINUOUS ACCEL/DECEL LANES ALONG 21ST STREET AND MAIZE ROAD TO SERVE THE OPENINGS TO ALL PARCELS IN THE C.U.P. INCLUDING PARTIAL RECONSTRUCTION OF THE 21ST STREET/MAIZE ROAD INTERSECTION TO PROVIDE FREE-FLOWING RIGHT TURNS FOR WESTBOUND 21ST STREET TRAFFIC.
 - THE WIDENING OF MAIZE ROAD TO PROVIDE A TWO-WAY CENTER TURNING LANE TO SERVE PARCELS 1 THROUGH 7.
 - THE CONSTRUCTION OF A TEMPORARY THIRD LANE ON MAIZE ROAD ADJACENT TO THE C.U.P. IF DEVELOPMENT OCCURS BEFORE MAIZE ROAD IS CONSTRUCTION TO A 4 LANE STANDARD. THE GUARANTEE FOR THE TEMPORARY THIRD LANE SHALL BE HELD BY THE CITY OF WICHITA UNTIL DEVELOPMENT OCCURS OR MAIZE IS IMPROVED TO 4 LANES. (PARTIAL DEVELOPMENT WOULD NECESSITATE PARTIAL CONSTRUCTION OF THE THIRD LANE).
- BUILDINGS FOR NON-RESIDENTIAL USES ON ALL PARCELS WITHIN THE C.U.P. SHALL SHARE SIMILAR ARCHITECTURAL CHARACTER AND THE SAME PREDOMINANT EXTERIOR BUILDING MATERIAL WITH THE FOLLOWING EXCEPTION FOR THE BUILDING ON PARCEL 2. THE SPLIT FACED BLOCK MATERIAL ALREADY USED ON OTHER PARCELS IN THE C.U.P. MAY BE USED AS BACKDROP PANELS BETWEEN THE PLASTER COLUMNS AND FACIA FRONTING THE WEST ELEVATION ON MAIZE ROAD AND FRONTING THE SOUTH ELEVATION TOWARDS 21ST STREET. THE EAST AND NORTH ELEVATIONS MAY BE METAL PANELING THAT IS COMPATIBLE IN COLOR TO THE BLOCK MATERIAL. THE SPLIT FACED BLOCK MATERIAL SHALL COMPRISE AT LEAST 40% OF THE TOTAL SURFACE AREA ON THIS STRUCTURE. ACOUSTICAL TREATMENT SHALL BE APPLIED TO THE INTERIOR OF THE EAST AND NORTH WALLS AS NECESSARY SO THAT ACTIVITY INSIDE THE BUILDINGS IS NOT AUDIBLE AT THOSE PROPERTY LINES.

SEE ADMIN ADJ. (12-2-98) ON ARCHITECTURAL REQUIREMENTS FOR PARCEL 6. *See Admin Adj. (11-18-03) for additional standards for architectural requirements for Parcel 6. The East Facing of the Building in Parcel 6 may be of DRIFT or METAL SIDING THAT IS COMPATIBLE IN COLOR TO THE BLOCK MATERIAL. IF THE LATTER, THEN TREE PLANTING ALONG THE LANDSCAPE BUFFER AREA SHALL BE AT TWICE THE REQUIREMENTS OF THE LANDSCAPE ORDINANCE. THE BUILDING IN PARCEL 6 SHALL BE CONSTRUCTED AS STATED IN THE ADMIN ADJUST DATED DEC. 2, 1998.*
- AN OVERALL SITE TRAFFIC AND PEDESTRIAN CIRCULATION PLAN SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING FOR APPROVAL PRIOR TO THE ISSUANCE OF BUILDING PERMITS. CROSS LOT CIRCULATION AGREEMENTS SHALL BE REQUIRED AT THE TIME OF PLATTING TO ASSURE INTERNAL VEHICULAR AND PEDESTRIAN MOVEMENT BETWEEN PARCELS WITHIN THE C.U.P.
- THE SEASONAL NURSERY AND GARDEN CENTER IN PARCEL 4 SHALL BE LOCATED IN A TEMPORARY STRUCTURE AND SHALL OPERATE FOR NO MORE THAN 120 DAYS DURING A CALENDAR YEAR. PRIOR TO UTILIZATION OF THE OUTDOOR GARDEN AREA, THE APPLICANT SHALL ANNUALLY SUBMIT A REPORT TO THE ZONING ENFORCEMENT DIVISION OF THE OFFICE OF CENTRAL INSPECTION THAT DEMONSTRATES COMPLIANCE WITH THE APPROVED SITE PLAN (SEE RESTRICTED AREA) AND CONDITIONS SPECIFIED HEREIN.

PARCEL DESCRIPTIONS

PARCEL NUMBER 1:

PROPOSED USES: RESTAURANTS, RETAIL SHOPS, BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, TIRE, BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DAY CARE CENTERS, AND FITNESS CENTERS AND ACCESSORY CAR WASHES.

GROSS AREA - 0.93 ACRES (40,422 S.F.)
 MAXIMUM BUILDING COVERAGE - 12,127 S.F. (30% MAXIMUM)
 MAXIMUM GROSS FLOOR AREA - 14,000 S.F.
 FLOOR AREA RATIO - 0.346
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 2
 PARKING - PER CITY CODE
 SETBACKS - 35 FEET ALONG MAIZE ROAD AND NORTH PROPERTY LINE.

PARCEL NUMBER 2:

PROPOSED USES: NEIGHBORHOOD SHOPPING CENTER INCLUDING BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, DAY CARE CENTERS, AND FITNESS CENTERS, RETAIL SHOPS, RESTAURANTS (INCLUDING FAST FOOD), DRY CLEANING, LAUNDRY, BARBER AND BEAUTY SHOPS, TAILORS, STUDIOS, HARDWARE STORES, FURNITURE STORES, THEATERS, GROCERY STORES, AND DEPARTMENT STORES. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. NO FREE-STANDING TIRE, BATTERY, AND ACCESSORY STORES, CONVENIENCE STORES, OR FAST FOOD RESTAURANTS SHALL BE PERMITTED WITHIN 160 FEET OF THE NORTH AND EAST LINES OF THE PARCEL. (MEMO DATED 11-02-06)

GROSS AREA - 2.73 ACRES (118,845 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 35,654 SQ.FT. (30%)
 MAXIMUM GROSS FLOOR AREA - 36,604 SQ.FT.
 FLOOR AREA RATIO - 0.308
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - ONE(1)
 PARKING - AS PER CITY CODE
 BUILDING SETBACKS - 35 FEET ALONG THE NORTH AND EAST PROPERTY LINES ADJACENT TO RESIDENTIAL, 30 FEET ADJACENT TO PARCELS 1 AND 7.

PARCEL NUMBER 3:

PROPOSED USES: CONVENIENCE STORES, RESTAURANTS (INCLUDING FAST FOOD), RETAIL SHOPS, BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, TIRE, BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DAY CARE CENTERS, AND FITNESS CENTERS.

GROSS AREA - 0.69 ACRES (30,000 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 9,000 SQ.FT. (30% MAXIMUM)
 MAXIMUM GROSS FLOOR AREA - 10,680 SQ.FT.
 FLOOR AREA RATIO - 0.356
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 1
 PARKING - AS PER CITY CODE
 BUILDING SETBACKS - 35 FEET ALONG MAIZE ROAD

PARCEL NUMBER 4:

PROPOSED USES: NEIGHBORHOOD SHOPPING CENTER INCLUDING BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, TIRE, BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DAY CARE CENTERS, AND FITNESS CENTERS, RETAIL SHOPS, RESTAURANTS (INCLUDING FAST FOOD), DRY CLEANING, LAUNDRY, BARBER AND BEAUTY SHOPS, TAILORS, STUDIOS, HARDWARE STORES, FURNITURE STORES, THEATERS, GROCERY STORES, DEPARTMENT STORES AND NURSEY OR GARDEN CENTER AS PER SEC. III-0.6.Z OF THE UNIFIED ZONING CODE (SEE PLAN FOR RESTRICTED AREA). OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. NO FREE-STANDING TIRE, BATTERY, AND ACCESSORY STORES, CONVENIENCE STORES, OR FAST FOOD RESTAURANTS SHALL BE PERMITTED WITHIN 160 FEET OF THE NORTH AND EAST LINES OF THE PARCEL.

GROSS AREA - 9.34 ACRES (406,255 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 121,876 SQ.FT. (30% MAXIMUM)
 MAXIMUM GROSS FLOOR AREA - 125,126 SQ.FT.
 FLOOR AREA RATIO - 0.308
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 2
 PARKING - AS PER CITY CODE *Reduced by 25% (Admin Adj. 09-18-06)*
 BUILDING SETBACKS - 100 FEET ALONG 21ST STREET AND MAIZE ROAD, 35' ALONG NORTH AND EAST PROPERTY LINES ADJACENT TO RESIDENTIAL, 30' ADJACENT TO PARCELS 2, 3 AND 5.

PARCEL NUMBER 5:

PROPOSED USES: CONVENIENCE STORES, RESTAURANTS (INCLUDING FAST FOOD), RETAIL SHOPS, BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, TIRE, BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DAY CARE CENTERS, FITNESS CENTERS, SERVICE STATIONS WITH CAR WASH AS ACCESSORY USE WITH B.Z.A. APPROVAL. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET.

GROSS AREA - 0.84 ACRES (36,476 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 10,943 SQ.FT. (30% MAXIMUM)
 MAXIMUM GROSS FLOOR AREA - 12,500 SQ.FT.
 FLOOR AREA RATIO - 0.342
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 1
 PARKING - AS PER CITY CODE
 BUILDING SETBACKS - 35 FEET ALONG MAIZE ROAD AND 21ST STREET NORTH

PARCEL NUMBER 6:

PROPOSED USES - SAME AS PARCEL 2 (SEE MEMO DATED 11-02-06)

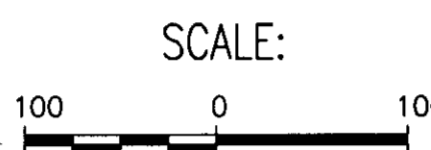
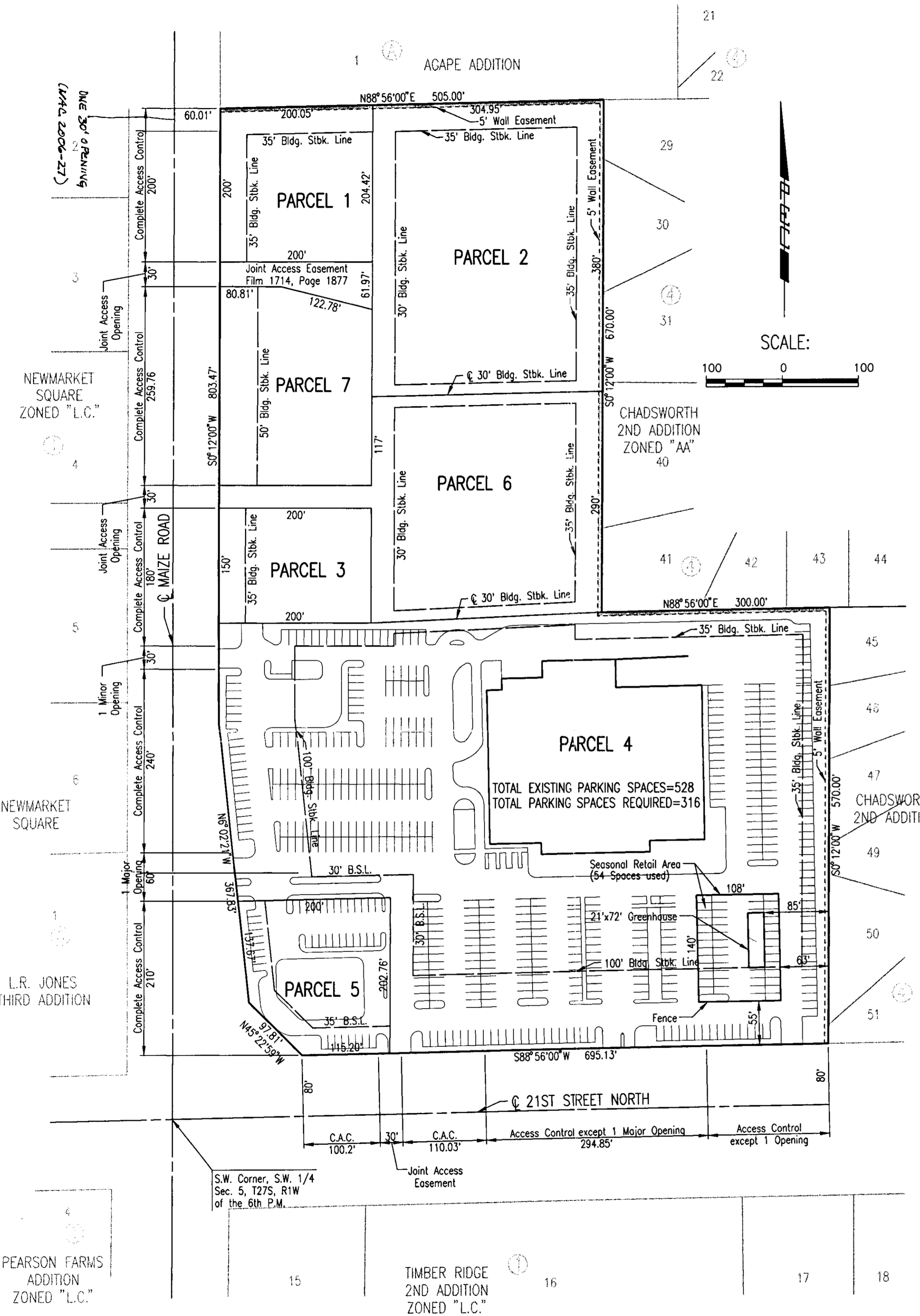
GROSS AREA - 2.2 ACRES (95,660 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 28,698 SQ.FT. (30%)
 MAXIMUM GROSS FLOOR AREA - 12,500 SQ.FT.
 FLOOR AREA RATIO - 0.308
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 1
 PARKING - AS PER CITY CODE *Reduced from 176 to 170 spaces (Admin Adj. 8/12/03)*
 BUILDING SETBACKS - 35 FEET ALONG THE NORTH AND EAST PROPERTY LINES ADJACENT TO RESIDENTIAL, 30 FEET ADJACENT TO PARCELS 2,3 AND 7.

PARCEL NUMBER 7:

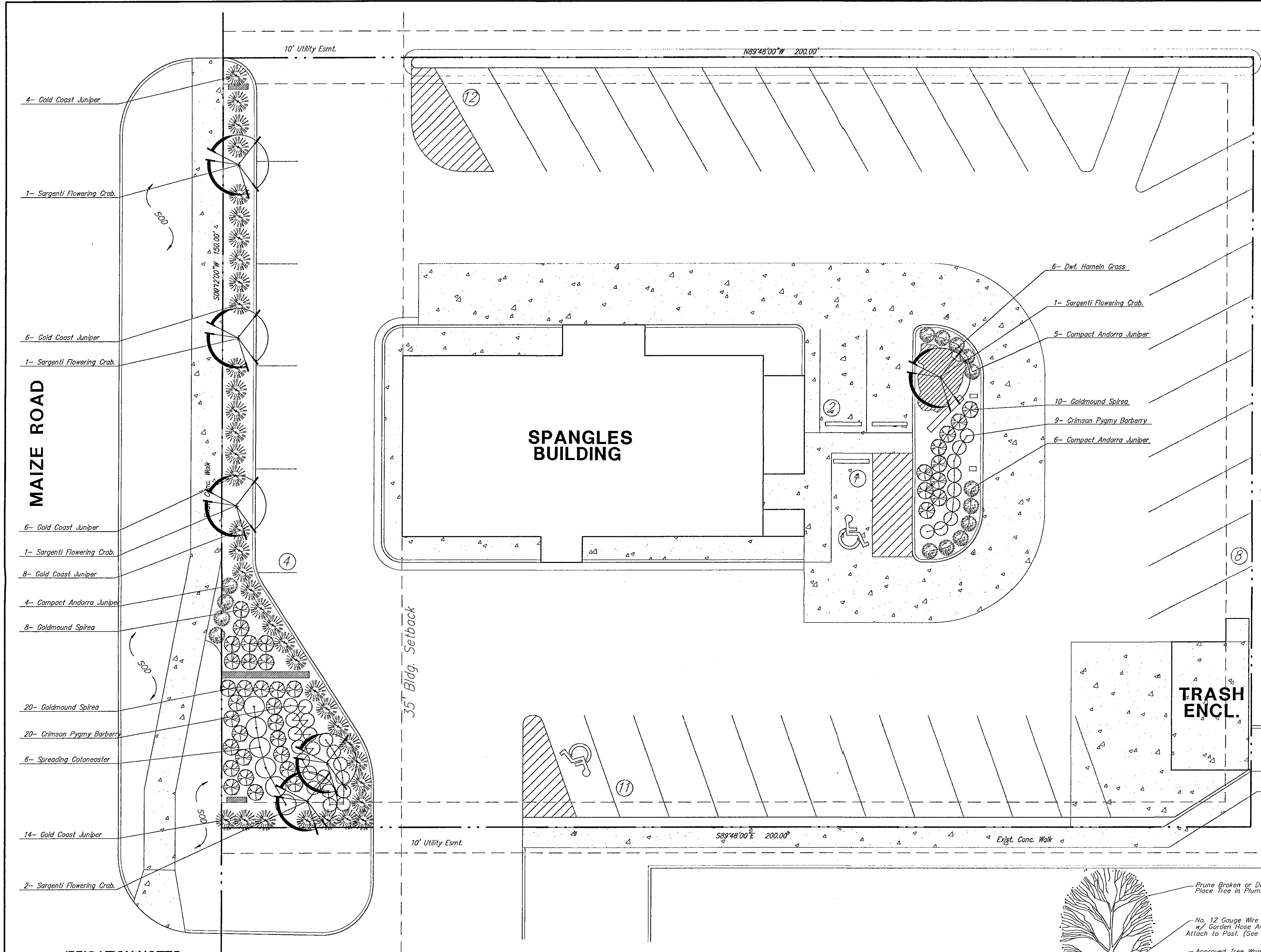
PROPOSED USES: NEIGHBORHOOD SHOPPING CENTERS, INCLUDING BANKS AND FINANCIAL INSTITUTIONS, OFFICES, MEDICAL AND DENTAL OFFICES OR CLINICS, TIRE, BATTERY, AND ACCESSORY STORES, PHARMACIES, SMALL ANIMAL CLINICS, DAY CARE CENTERS, AND FITNESS CENTERS, RETAIL SHOPS, RESTAURANTS (INCLUDING FAST FOOD), DRY CLEANING, LAUNDRY, BARBER AND BEAUTY SHOPS, TAILORS, STUDIOS, HARDWARE STORES, FURNITURE STORES, THEATERS, GROCERY STORES, AND DEPARTMENT STORES. OVERHEAD DOORS ASSOCIATED WITH USES ON THIS PARCEL SHALL NOT FACE 21ST STREET. NO FREE-STANDING TIRE, BATTERY, AND ACCESSORY STORES, CONVENIENCE STORES, OR FAST FOOD RESTAURANTS SHALL BE PERMITTED WITHIN 160 FEET OF THE NORTH AND EAST LINES OF THE PARCEL. (MEMO DATED 11-02-06)

GROSS AREA - 1.27 ACRES (55,400 SQ.FT.)
 MAXIMUM BUILDING COVERAGE - 16,620 SQ.FT. (30%)
 MAXIMUM GROSS FLOOR AREA - 17,063 SQ.FT.
 FLOOR AREA RATIO - 0.308
 MAXIMUM BUILDING HEIGHT - 35 FEET
 MAXIMUM NUMBER OF BUILDINGS - 1
 PARKING - AS PER CITY CODE
 BUILDING SETBACKS - 50 FEET FROM MAIZE ROAD (SEE DRAWING)

NOTE: SEE MAP FOR ADMINISTRATIVE ADJUSTMENTS MADE TO THE C.U.P. ON THE FOLLOWING DATES:
 MAY 10, 1995
 OCTOBER 25, 1996
 APRIL 25, 1997
 MAY 16, 1997
 MAY 18, 1998
 DECEMBER 2, 1998



PLAN, EMB. OPER. DEF. SCALE: 1"=100.00'
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PLANT SCHEDULE

QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
6	<i>Malus sargentii</i>	Sargentii Flowering Crabapple	1" cal.	B&B	Single Stem Only
29	<i>Barberis thunbergii atropurpurea nana</i>	Crimson Pymy Barberry	2 Gal.	Cont.	Full & Healthy
6	<i>Cotoneaster divaricus</i>	Spreading Cotoneaster	5 Gal.	Cont.	Full & Healthy
38	<i>Juniperus chinensis 'Gold Coast'</i>	Gold Coast Juniper	2 Gal.	Cont.	Full & Healthy
15	<i>Juniperus horizontalis 'Andorra Compacta'</i>	Compact Andorra Juniper	2 Gal.	Cont.	Full & Healthy
40	<i>Spiraea x goldmound</i>	Goldmound Spirea	2 Gal.	Cont.	Full & Healthy
6	<i>Pennisetum alopecuroides 'Hameln'</i>	Dwf. Hameln Grass	1 Gal.	Cont.	12" D.C.

LEGAL DESCRIPTION:
 Lot 3, Chadsworth Commercial, 2nd Addition, Wichita, Sedgwick County, Kansas

LANDSCAPE NOTES:

- All landscape work shall be done in accordance with industry standards.
- All areas called out on the plan as "SOD" shall be sodded and fertilized as follows:
 SOD—
 Kansas Bland Premium Fescue Sod
 (90% Kansas Premium Fescue, 10% Bluestar Bluegrass)
 FERTILIZER—
 16-20-6 ratio 4#/1000 sq. ft.
- Trees with broken leaders or no central leader will not be accepted.
- All planting beds shall be prepared by killing all existing vegetation with Round-Up (or equal) according to label directions. A Pre-emergent herbicide such as Treflan (5X) (or equal) shall be applied per label directions. All planting beds to receive 2" organic matter (such as cotton bur mulch, compost, or humus) and shall be rototilled to a depth of 10-12".
- Mulch all planting beds with 3" of mulch using 1/4"-1/2" Pea Gravel. Mulch all tree saucer wells with shredded Cypress mulch of uniform consistency, over 10 Mil. landscape fabric equal to "Weedblock".
- Metal edging shall be used to separate all turf areas from planting beds. Edging shall be from Pro-Steel Company, using 10 gauge thickness, commercial grade, or approved equal.
- Topsail hauled onto site shall be fertile, friable, natural loam topsail, of uniform quality, characteristic of representative local soils which produce heavy growth of crops, grass, or other vegetation. It shall be free trash, or other matter toxic to plant growth.
- Topsail shall be delivered in an unfrozen and non-muddy condition and shall be subject to approval by the Landscape Architect.
- Prior to any excavation for landscaping purposes the location of underground utilities shall be determined by calling Kansas One Call at 1-800-344-7233. Contractor shall be responsible for any damage done to existing utilities.
- Report any discrepancies in the planting plan to the Landscape Architect, prior to starting construction.
- The landscape contractor is to be responsible for all permits required and is to see that all work is performed in accordance with state and local codes.
- The landscape contractor is responsible to coordinate with the G.C. to install the plants and maintain the grounds, until final acceptance from the owner.
- The landscape contractor shall submit bid with unit prices for all plants, which include mulch, installation, 1 year guarantee, bed preparation, fertilizer, etc.
- The landscape contractor is responsible for any damage done to the exterior of the building or any part of the parking lot when installing or maintaining the plantings before final acceptance.
- General Contractor to supply all topsail to site. Landscape contractor to supply necessary topsail for planting areas. A 4" depth of topsail to finish grade in all planting beds.
- Fall planting season shall be September 1 thru end of October. Spring planting season shall be April 1 thru end of June. For grass seeding, fall season shall be September 1 thru mid of October. Spring season for seeding shall be from March 15 thru mid May.

SITE INFORMATION:

Total Site Area: 0.69± acres
 30,000.00 sq.ft.

Impervious Area: 0.64± acres
 27,860.03 sq.ft.

New Parking stalls shown:
 38 Stalls, including 2 Handicap (Van Accessible)

LANDSCAPE ORDINANCE CALCULATIONS:

Streetyard requirements:
 150' (total street frontage) x 10 (SF factor)
 = 1,500 sq.ft.

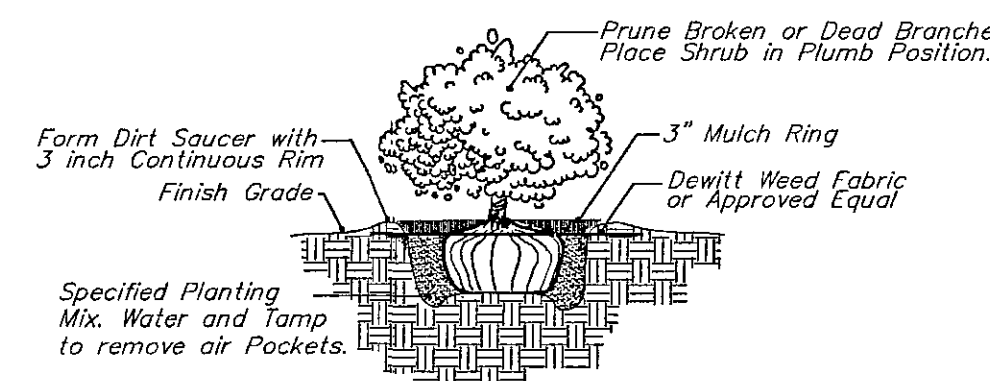
Streetyard Required = 1,500 sq.ft.
 Streetyard Provided = 1,609 sq.ft.

Streetyard Trees Required: 3 Shade Trees
 Streetyard Trees shown: 5 Ornamental, 98 shrubs

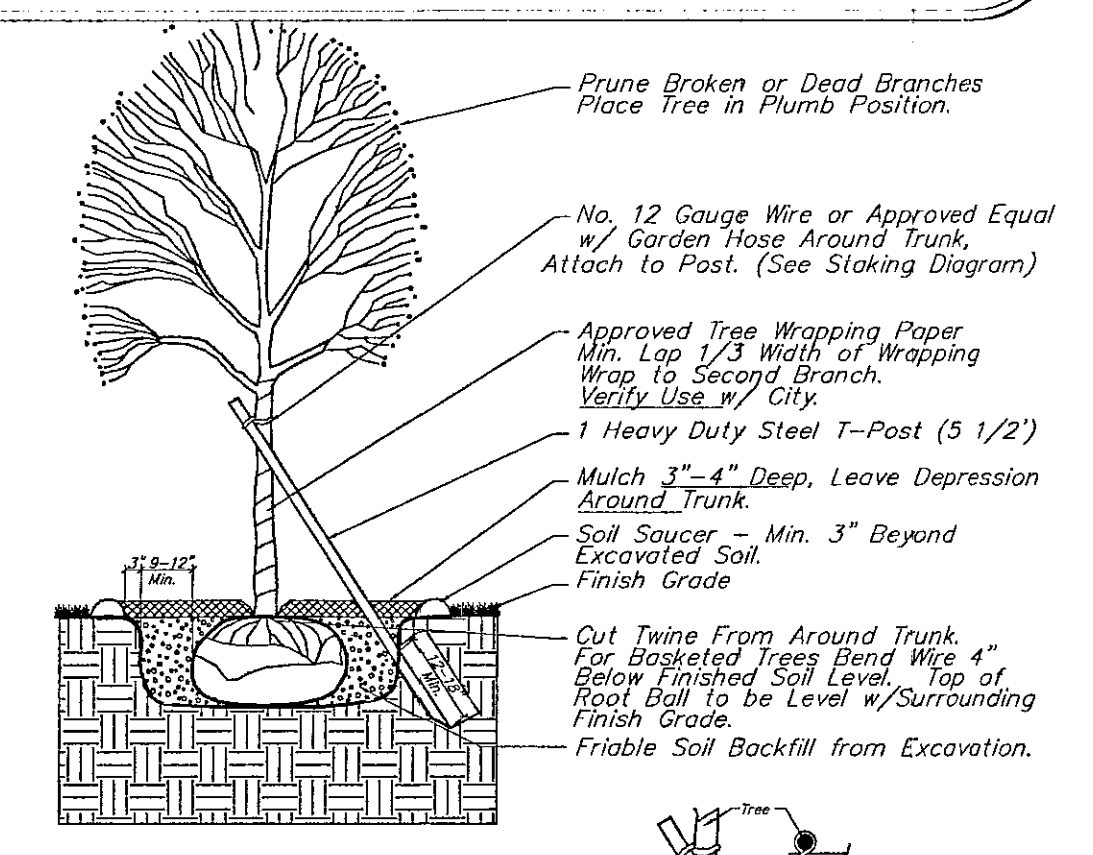
Parking Lot Trees Required: Met by Streetyard requirement
 Buffer Requirements (Parking Lot Streets)
 Show Buffer: Met by Streetyard Requirement (5 Ornamental, 9 shrubs)

IRRIGATION NOTES:

- All irrigation work is to be installed in compliance with all local codes and regulations.
- Irrigation Contractor shall design system so that turf heads are on separate zones from shrub spray heads.
- The Irrigation Contractor DOES NOT START irrigation construction until final shop drawings are submitted and approved to the Landscape Architect and/or Owner prior to construction for final approval which:
 Use Rainbird products or approved equal, which will illustrate type of head, head coverage, valve location, piping and accessories, and main line location. Included in shop drawings show zone pressure, valve size, GPM requirements and pipe sizing. Also specify a rain switch or moisture sensing device per City of Wichita Codes.
- Prior to construction, the Irrigation Contractor shall determine locations of all existing and proposed utilities and electrical wiring.
- Contractor shall not install irrigation system when any obstructions in the field exist. Contractor is responsible for adequate coverage in shrub bed zones and all trees using drip system.
- All turf areas shall be head-to-head coverage with triangle spacing where possible. Contractor is responsible for adequate coverage in shrub bed zones and all trees using drip system.
- Heads will be adjusted to NOT spray on buildings, walks, and drives. Spray Heads will be located nearest to planting bed edge using funny pipe and fittings. Spray Heads to be located and sized so as not to be susceptible to damage by automobile overhangs.
- Irrigation Contractor is responsible to coordinate with the Paving Contractor to locate and install required sleeving for irrigation lines prior to any paving. Combine piping whenever possible to save on sleeving material. Sleeves shall be a min. of 20" below finish grade. Verify final depth with paving contractor for adequate coverage.
- Automatic drainage valves to be located at the ends of lines and at the lowest points on the lines.
- Irrigation Controller is to be located per Owner/G.C requested location.

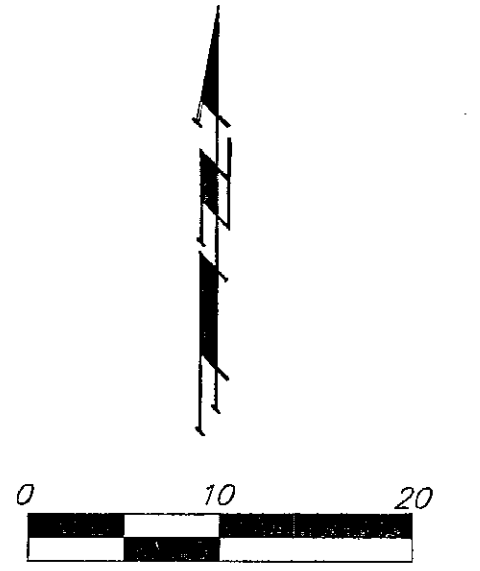
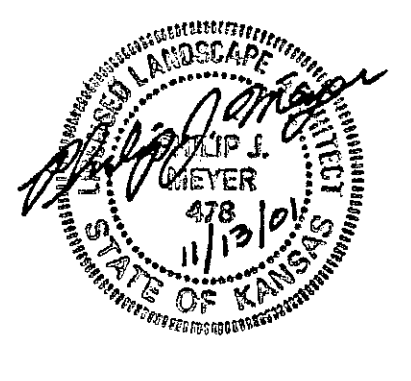


TYPICAL SHRUB PLANTING DETAIL
 5 Gallon and Smaller No Scale



TREE PLANTING & STAKING DETAIL
 Deciduous Trees 2" Cal. and Smaller No Scale
 Evergreen Trees 6" Height and Smaller

DR. J. L. LANG
 LANDSCAPE PLAN
 APPROVED 11/19/01
 MAP CARY 2 of 2



SPANGLES DINER RESTAURANT
LANDSCAPE PLAN
 21st & MAIZE ROAD

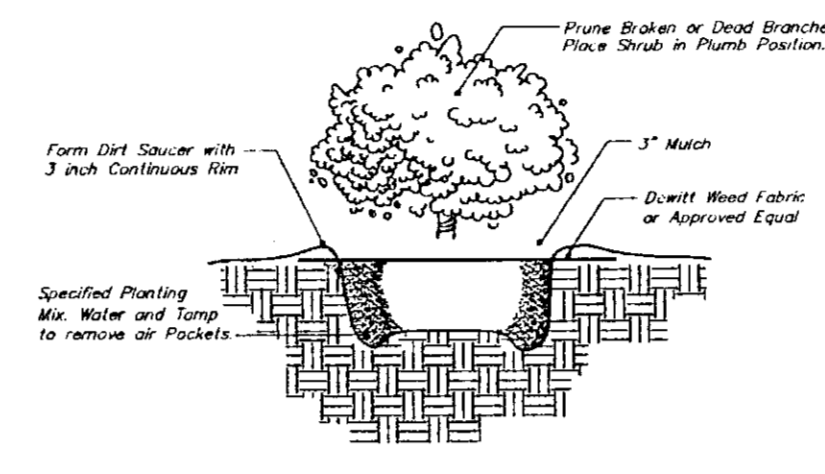
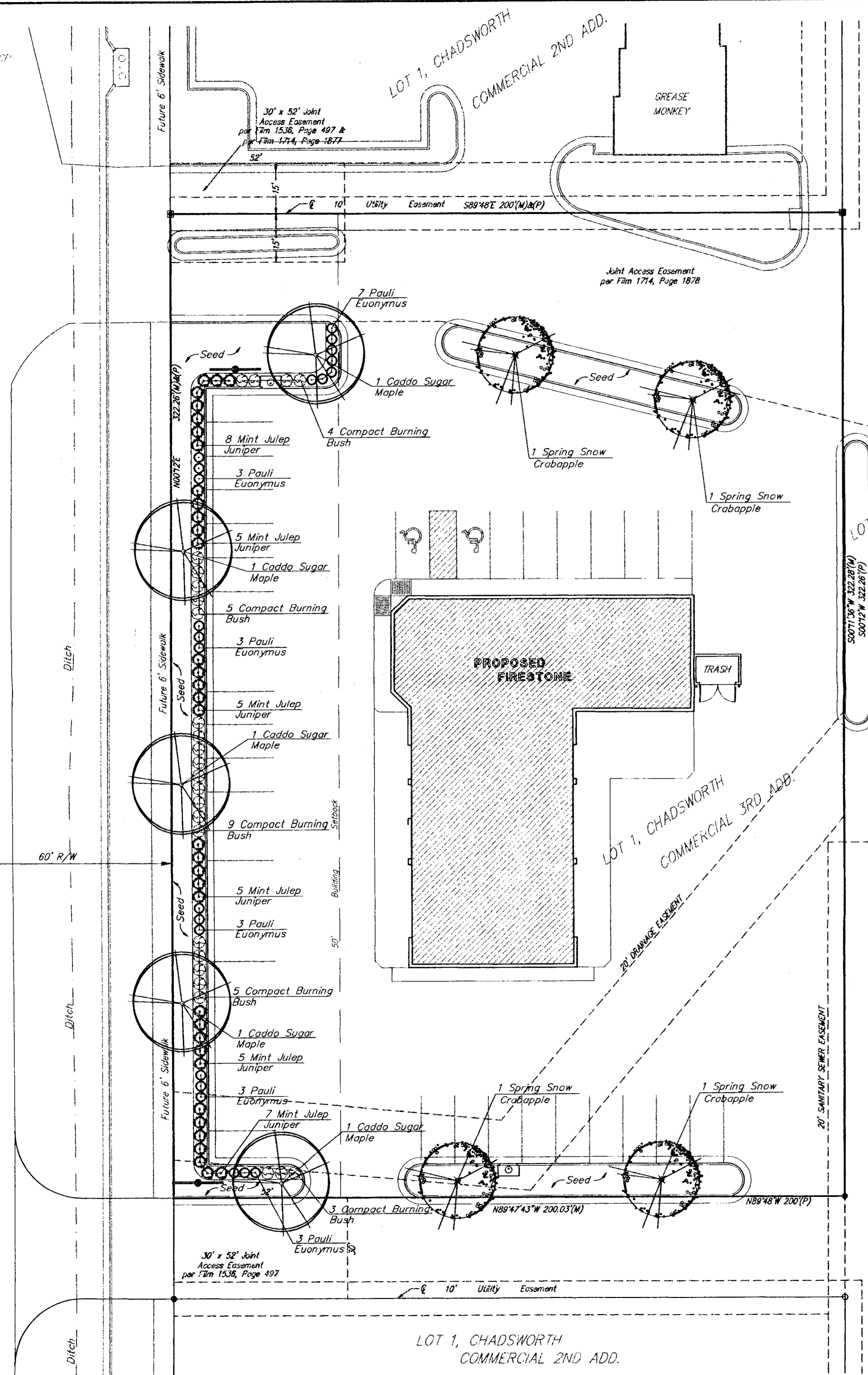
BAUGHMAN COMPANY P.A.
 ENGINEERING, SURVEYING, & PLANNING
 316-262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

PROJECT NUMBER: _____ SHEET **1** OF **1**

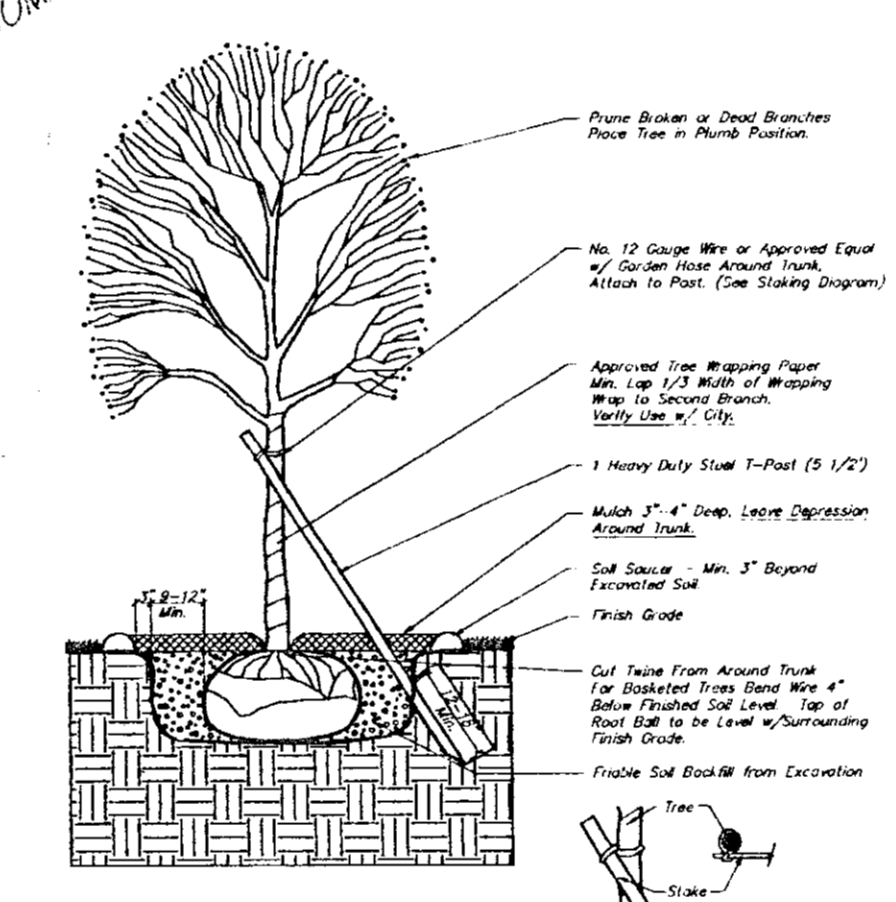
DESIGN: _____ DRAWN: *BDT* APPROVED: _____ DATE: 11-13-01 SCALE: 1"=10'-0"

Prop 15' R/W

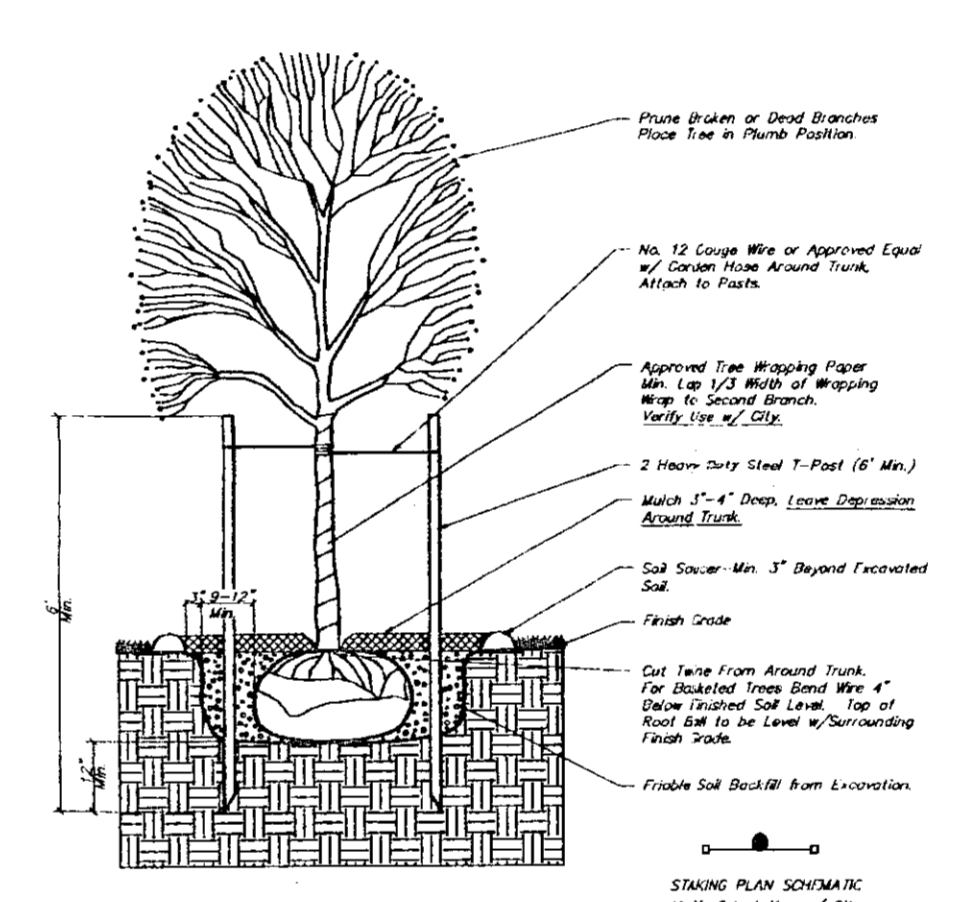
MAIZE ROAD



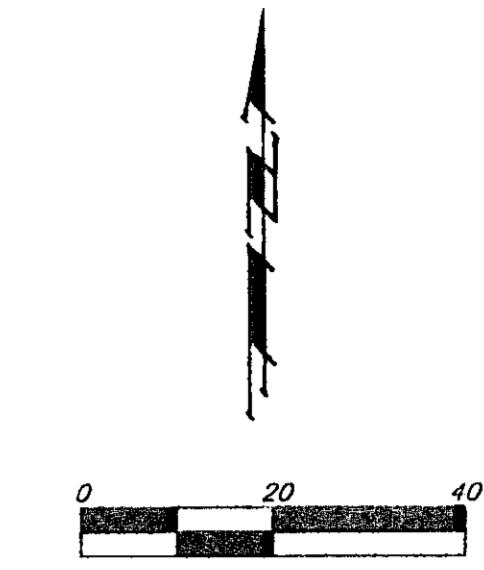
TYPICAL SHRUB PLANTING DETAIL
3 Scale and Smaller No Scale



TREE PLANTING & STAKING DETAIL
Outside Tree 2\"/>



TREE PLANTING & STAKING DETAIL
Outside Tree Larger than 2\"/>



- = #4 Baughman Rebar Set
- = #4 Baughman Rebar Found
- = P.K. Nail Set
- △ = 3/4" Iron Pipe Found
- X = Chiseled Cross Set

LEGAL DESCRIPTION:
Lot 1 Chadsworth 3rd Commercial Addition,
Wichita, Sedgwick County, Kansas

BENCHMARK:
City of Wichita Disk Located
64' East and 99' South of the
Intersection of 21st Street North
and Maize Road.
Elevation = 164.30 (City Datum)

- PLANTING NOTES:**
- All landscape work shall be done in accordance with industry standards.
 - All areas called out on the plan as "Seed" shall be seeded and fertilized as follows:
SEED—
Kansas Premium Fescue Blend 6-8#/1000 sq. ft.
(equal parts of Olympic II, Bonanza, Apache, and Monarch varieties.)
FERTILIZER—
16-20-6 ratio 4#/1000 sq. ft.
 - Trees with broken leaders will not be accepted.
 - All planting beds shall be prepared by killing all existing vegetation with Round-Up (or equal) according to label directions. A Pre-emergent herbicide such as Treflan (5X) (or equal) shall be applied per label directions. All planting beds to receive 2" organic matter (such as cotton bur mulch, compost, or humus) and shall be rototilled to a depth of 8-12".
 - Mulch all planting beds with 2" of mulch. Mulch all tree soucer wells with 4" of mulch. Mulch material to be shredded cypress mulch.
 - Plastic edging shall be used to separate all turf areas from planting beds. Edging shall be Cobra Commercial Heavy Duty Grade from Old Dutch Materials Company or approved equal.
 - Topsail hauled onto site shall be fertile, friable, natural loam topsail, of uniform quality characteristic of representative local soils which produce heavy growth of crops, grass, or other vegetation. It shall be free trash, or other matter toxic to plant growth.
 - Topsail shall be delivered in an unfrozen and non-muddy condition and shall be subject to approval by the Landscape Architect.
 - Prior to any excavation for landscaping purposes the location of underground utilities shall be determined by calling Kansas One Call at 1-800-344-7233. Contractor shall be responsible for any damage done to existing utilities.
 - Report any discrepancies in the planting plan to the Landscape Architect, prior to starting construction.

PLANT SCHEDULE

QTY.	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
5	<i>Acer saccharum</i> 'Caddo'	Caddo Sugar Maple	2 1/2" Cal. Min.	B & B	Single Stem Only
4	<i>Malus species</i> 'Spring Snow'	Spring Snow Crabapple	1 1/2" Cal. Min.	B & B	Single Stem Only
29	<i>Euonymus alatus</i> 'Compacta'	Compact Burning Bush	2 gal.	Cont.	
21	<i>Euonymus patens</i> 'Pauli'	Pauli Euonymus	2 gal.	Cont.	
35	<i>Juniperus chinensis</i> 'Mint Julep'	Mint Julep Juniper	2 gal.	Cont.	

LANDSCAPE CALCULATIONS

CITY OF WICHITA LANDSCAPE ORDINANCE
STREETYARD REQUIREMENT = 322 L.F. Frontage
x 10
3,220 sq. ft. Required
TREE REQUIREMENT = 1 Shade Tree every 500
sq. ft. of Streetyard.
(7 Shade Trees Needed)
STREETYARD SHOWN = 3,580 sq. ft. Streetyard w/
5 Shade Trees and
4 Ornamental Trees Shown
PARKING LOT TREES REQUIRED = 2 Shade Trees
PARKING LOT TREES SHOWN = 0 (1/2 Streetyard
Requirement Used To Satisfy
LANDSCAPE REQUIREMENT = Parking Lot Buffer

DP-204
Parcel 7
LANDSCAPE PLAN
APPROVED 5/21/98 BY *[Signature]*

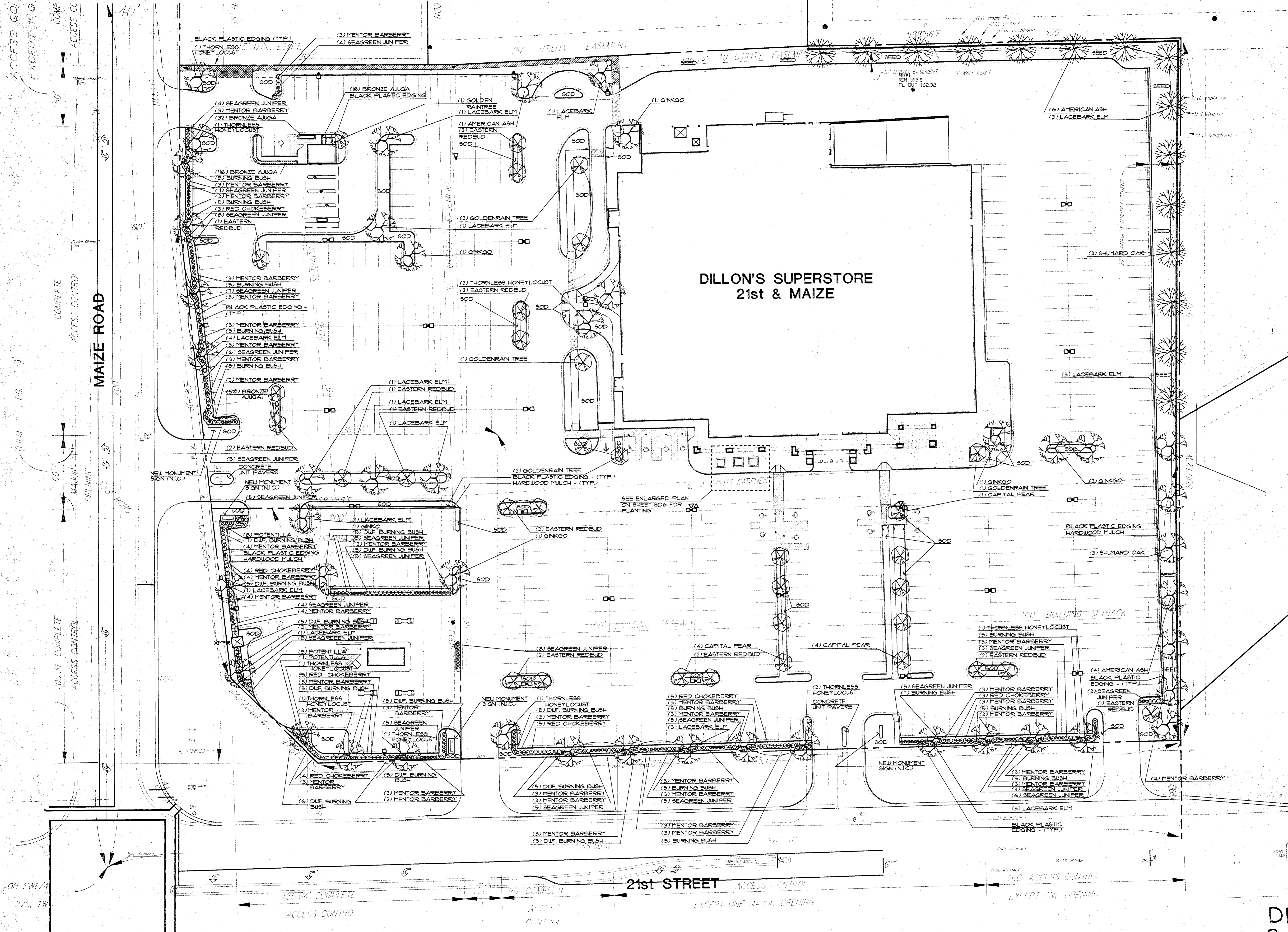


FIRESTONE LANDSCAPE PLAN
21ST. & MAIZE

BAUGHMAN COMPANY P.A.
ENGINEERING, SURVEYING, & PLANNING
316-262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

DESIGN JAB	DRAWN JAB	APPROVED PJM	DATE 4/8/98	SCALE 1" = 20'	SHEET 4 OF 5
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BFS PROPERTY # 162019
BFS JOB # 8307



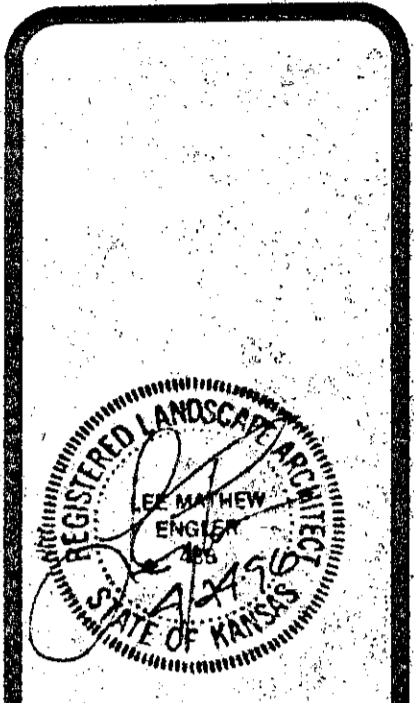
PLANTING PLAN
SCALE: 1"=30'-0"



SEE PLANTING DETAIL SHEET FOR:
1. PLANT MATERIAL SCHEDULE
2. PLANTING DETAILS
3. STREET YARD REQUIREMENTS

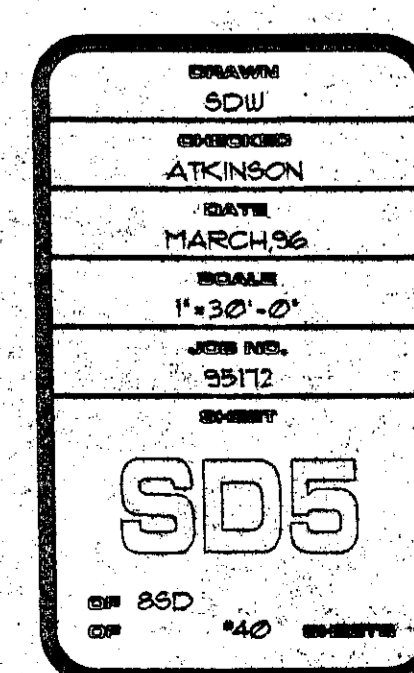
DP-204
PARCELS 4 & 5
LANDSCAPE PLAN
APPROVED 4/30/96 BY SD5

REVISION:	BY:
4/23/96	KRS



Ridgeway STORES DIVISION
ARCHITECTURAL & ENGINEERING DEPARTMENT
2700 EAST FOURTH STREET
WICHITA, KANSAS 67201-1536-6655-581
ED ATKINSON - A.I.E. DEPARTMENT SUPERVISOR

A NEW BUILDING FOR
DILLONS SUPERMARKET NO. 49
WICHITA, KS.
21st Street And Maize



MAPD | op

PLANT MATERIAL SCHEDULE:

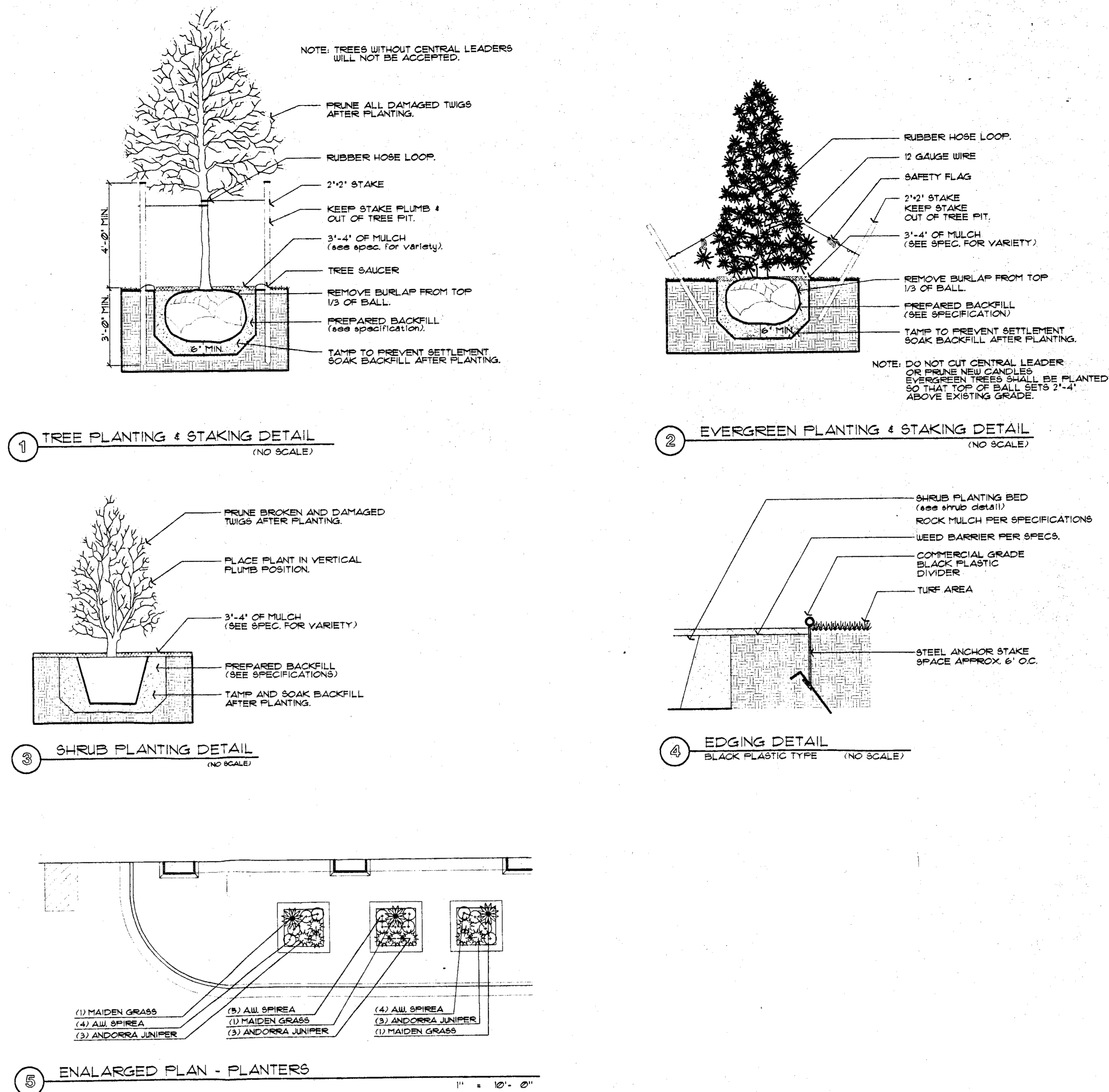
QTY.	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
SHADE TREES					
8	Gleditsia tricanthos var. 'Inermis'	Thornless Common Honeylocust	2'-2 1/2' Cal.	B 4 B	
11	Fraxinus americana	American Ash	2'-2 1/2' Cal.	B 4 B	
22	Ulmus parvifolia	Lacebark Elm	2'-2 1/2' Cal.	B 4 B	
6	Quercus shumardii	Shumard Oak	2'-2 1/2' Cal.	B 4 B	
5	Ginkgo biloba	Ginkgo	2'-2 1/2' Cal.	B 4 B	
ORNAMENTAL TREES					
18	Cercis canadensis	Eastern Redbud	1'-1 1/2' Cal.	B 4 B	
6	Crataegus-argentea 'Inermis'	Thornless-Gooseberry-Hawthorn	1'-1 1/2' Cal.	B 4 B	
7	Koeleruteria paniculata	Goldenrain Tree	1'-1 1/2' Cal.	B 4 B	
9	Pyrus calleryana 'Capital'	Capital Pear	1'-1 1/2' Cal.	B 4 B	
SHRUBS					
16	Aronia arbutifolia	Red Chokeberry	18'-24' Ht.	5 Gal. Cont.	
82	Berberis x mentorensis	Mentor Barberry	18'-24' Ht.	5 Gal. Cont.	
11	Euonymus alatus 'Compactus'	Duf. Burning Bush	18'-24' Ht.	5 Gal. Cont.	
13	Spiraea x bumalda 'Anthony Waterer'	Anthony Waterer Spiraea	18'-24' Ht.	5 Gal. Cont.	
EVERGREEN SHRUBS					
9	Juniperus chinensis 'Andorra'	Andorra Juniper	3 Gal.	Cont.	
76	Juniperus chinensis 'Seagreen'	Seagreen Juniper	18'-24' Sprd.	5 Gal. Cont.	
ORNAMENTAL GRASS					
3	Micanthus sinensis	Maiden Grass	5 Gal.	Cont.	
GROUNDCOVERS					
216	Ajuga reptans	Bronze Ajuga	4' pots	Pots	12' o.c.

PLANT MATERIAL SCHEDULE: LOT 5

QTY.	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
SHADE TREES					
3	Gleditsia tricanthos var. 'Inermis'	Thornless Common Honeylocust	2'-2 1/2' Cal.	B 4 B	
3	Ulmus parvifolia	Lacebark Elm	2'-2 1/2' Cal.	B 4 B	
2	Ginkgo biloba	Ginkgo	2'-2 1/2' Cal.	B 4 B	
SHRUBS					
13	Aronia arbutifolia	Red Chokeberry	18'-24' Ht.	5 Gal. Cont.	
41	Berberis x mentorensis	Mentor Barberry	18'-24' Ht.	5 Gal. Cont.	
48	Euonymus alatus 'Compactus'	Duf. Burning Bush	18'-24' Ht.	5 Gal. Cont.	
20	Potentilla fruticosa	Potentilla (yellow flowering)	18'-24' Ht.	5 Gal. Cont.	
EVERGREEN SHRUBS					
37	Juniperus chinensis 'Seagreen'	Seagreen Juniper	18'-24' Sprd.	5 Gal. Cont.	
GROUNDCOVER					
6	Ajuga reptans	Bronze Ajuga	4' pots	Pots	12' o.c.

GENERAL PLANTING NOTES:

- PRIOR TO BEGINNING ANY WORK ON THE SITE, THE CONTRACTOR SHALL CONTACT THE OFFICE OF THE OWNER AND THE LANDSCAPE ARCHITECT, FOR SPECIFIC INSTRUCTIONS RELEVANT TO THE SEQUENCING OF WORK.
- LANDSCAPE CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND SERVICE NECESSARY TO FURNISH AND INSTALL PLANTINGS AS SPECIFIED HEREIN AND AS SHOWN ON THESE PLANS.
- REPORT ANY DISCREPANCIES IN THE PLANTING PLAN TO THE LANDSCAPE ARCHITECT, PRIOR TO STARTING CONSTRUCTION.
- NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT LANDSCAPE ARCHITECT'S APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CANNOT BE OBTAINED. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REVISE PLANT LIST AS DEEMED NECESSARY.
- QUANTITIES OF MATERIALS SHOWN ON THE PLANTING PLAN SHALL TAKE PRECEDENCE OVER QUANTITIES SHOWN ON THE PLANT MATERIAL SCHEDULE. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES ON THE PLANTING PLAN.
- UTILITIES HAVE BEEN SHOWN ON SODS FOR ROUGH LOCATION OF SERVICES. CONTRACTOR SHALL LOCATE ALL UTILITIES BEFORE WORK. LOCATE EXACT UTILITY LOCATION BY CONTACTING KANSAS ONE-CALL (361) 681-2479. CONTRACTOR WILL BE RESPONSIBLE FOR THE REPAIR OF ANY DAMAGE HE MAY CAUSE TO UTILITIES.
- GENERAL CONTRACTOR SHALL PROVIDE 4" OF TOPSOIL AT ALL SOD AND PLANTING AREAS. GRADE SHALL BE ADJUSTED FOR SOD THICKNESS. ANY BERMS SHOWN ON PLANS SHALL BE GENERAL CONTRACTORS RESPONSIBILITY. ALL FINISH GRADING SHALL BE PERFORMED BY THE LANDSCAPE CONTRACTOR.
- WHEN CLAY SOIL IS ENCOUNTERED IN THE ESTABLISHMENT OF THE LAWN OR THE INSTALLATION OF THE PLANT MATERIAL IT SHALL BE IMPROVED IN ACCORDANCE WITH STANDARD TRADE PRACTICE, (i.e. ADDITION OF LIME GYPSUM, ETC.)
- ALL PLANT MATERIALS SHALL HAVE BACKFILL CAREFULLY PLACED AROUND BASE AND SIDES OF BALL TO TWO-THIRDS (2/3) DEPTH OF BALL, THEN THOROUGHLY SOAKED WITH WATER TO ALLOW SETTLEMENT. ALL WIRE, BURLAP FASTENERS AND LOOP BURLAP AROUND BASE OF TRUNK SHALL BE REMOVED AT THIS TIME. REMAINING PIT SHALL BE BACKFILLED, ALLOWING FOR DEPTH OF MULCH, SAUCER AND SETTLEMENT OF BACKFILL. BACKFILL SHALL THEN BE THOROUGHLY WATERED ONCE AGAIN.
- POROUS WEED BARRIER FABRIC, AS NOTED IN THE SPECIFICATIONS, SHALL BE INSTALLED IN ALL SHRUB PLANTING BEDS.
- PLACE 3'-4" OF MULCH IN ALL SHRUB BEDS, PLACE 4" OF MULCH IN ALL TREE SAUCERS.
- PLANTING BEDS RECEIVING MULCH ARE TO BE FREE OF WEEDS AND GRASS. TREAT BEDS WITH A PRE-EMERGENT HERBICIDE PRIOR TO PLANTING AND MULCH PLACEMENT. APPLY IN ACCORDANCE WITH STANDARD TRADE PRACTICE.
- ALL LANDSCAPE EDGE MATERIAL TO BE BLACK DIAMOND COMMERCIAL GRADE BLACK PLASTIC EDGING, OR EQUIVALENT APPROVED BY LANDSCAPE ARCHITECT, AND SHALL BE SET WITH GRADE AND STAKED IN PLACE.
- USE HARDWOOD CHIP MULCH IN ALL PLANTING BEDS. LANDSCAPE CONTRACTOR SHALL SUPPLY LANDSCAPE ARCHITECT WITH A SAMPLE OF MULCH FOR APPROVAL PRIOR TO STARTING CONSTRUCTION. SIZE OF MATERIAL TO RANGE FROM 1"-3" ONLY.
- SOD TYPE SHALL BE RESCUE BLEND, LOCALLY AVAILABLE HARDY BLEND.
- SEED TYPE SHALL BE RESCUE BLEND, SEEDED AT A RATE OF 6-10lbs. PER 1000 SQ. FT.
- AFTER PLANTING IS COMPLETED, REPAIR INJURIES TO ALL PLANTS AS REQUIRED. LIMIT AMOUNT OF PRUNING TO A MINIMUM NECESSARY TO REMOVE DEAD OR INJURED TWIGS AND BRANCHES. PRUNE IN SUCH A MANNER AS NOT TO CHANGE NATURAL HABIT OR SHAPE OF PLANT. MAKE CUTS FLUSH, LEAVING NO STUBS. CUTS OF ONE INCH (1") OR MORE TO BE PAINTED WITH TREE PAINT. CENTRAL LEADERS SHALL NOT BE REMOVED.



LOT 4 - STREET YARD REQUIREMENTS, DILLONS

REQUIRED STREET YARD CALCULATIONS:

STREET FRONTAGE (-) GREATEST PERPENDICULAR DISTANCE TO WALL LINE (x) 20 SQ. FT.
 1231.88 LN. FT. (-) 342.13 LN. FT. (x) 20 SQ. FT. = 18,997.00 SQ. FT.
 TOTAL STREET YARD REQUIRED = 18,997.00 SQ. FT.

STREET YARD PROVIDED: = 35,886.352 SQ. FT.

TOTAL STREET YARD PROVIDED: = 35,886.352 SQ. FT.

REQUIRED PARKING LOT STALLS: = 256 PARKING STALL

1 PARKING STALL PER 250 SQ. FT. OF BUILDING SPACE

PROVIDED PARKING STALLS: = 469 PARKING STALLS
 = 15 HANDICAP STALLS

REQUIRED PARKING TREES: = 26 SHADE TREES

1 SHADE TREE PER 20 REQUIRED SPACES

REQUIRED STREET YARD TREES: = 38 SHADE TREES

1 SHADE TREE PER 500 SQ. FT.

REQUIRED BUFFER ZONE TREES: = 22 SHADE TREES (1 APPLY TO STREET YARD)

ADJACENT TO RESIDENTIAL ZONING
 8'0"-0" LINEAR FEET
 BUFFER TREES IN STREET YARD APPLY TO STREET YARD REQUIREMENTS

TOTAL SHADE TREES REQUIRED: = 60 SHADE TREES

(ONE HALF (1/2) OF ALL STREET YARD ARE USED FOR PARKING LOT TREES)
 26 PARKING TREES + 19 STREET YARD TREES + 15 BUFFER TREES

BUFFER TREES PROVIDED: = 22 SHADE TREES

TOTAL TREES PROVIDED: = 52 SHADE TREES PROVIDED
 = 31 ORNAMENTAL TREES PROVIDED
 = 615 SHADE TREES

TOTAL SITE AREA: = 407,610.53 SQ. FT.

TOTAL SITE AREA
 TOTAL IMPERVIOUS AREA
 TOTAL OF LANDSCAPE AREA = 48,225.74 SQ. FT.

LOT 5 - STREET YARD REQUIREMENTS, KWIK SHOP

REQUIRED STREET YARD CALCULATIONS:

STREET FRONTAGE (-) GREATEST PERPENDICULAR DISTANCE TO WALL LINE (x) 8 SQ. FT.
 343.72 LN. FT. (-) 124.50 LN. FT. (x) 8 SQ. FT. = 1,793.76 SQ. FT.
 TOTAL STREET YARD REQUIRED = 1,793.76 SQ. FT.

STREET YARD PROVIDED: = 5,102.00 SQ. FT.

TOTAL STREET YARD PROVIDED: = 5,102.00 SQ. FT.

PROVIDED PARKING STALLS: = 41 PARKING STALLS
 = 1 HANDICAP STALLS

PROVIDED PARKING STALLS
 PROVIDED HANDICAP STALLS

REQUIRED PARKING TREES: = 3 SHADE TREES

1 SHADE TREE PER 20 REQUIRED SPACES

REQUIRED STREET YARD TREES: = 4 SHADE TREES

1 SHADE TREE PER 500 SQ. FT.

TOTAL SHADE TREES REQUIRED: = 5 SHADE TREES

(ONE HALF (1/2) OF ALL STREET YARD ARE USED FOR PARKING LOT TREES)

TOTAL TREES PROVIDED: = 8 SHADE TREES PROVIDED

TOTAL SITE AREA: = 36,526.00 SQ. FT.

TOTAL SITE AREA
 TOTAL IMPERVIOUS AREA
 TOTAL LANDSCAPE AREA = 5,102.00 SQ. FT.

DP-204
 PARCELS 4 & 5
 LANDSCAPE PLAN
 APPROVED 4/30/98

REVISION 4/23/98 BY KRS

REGISTERED LANDSCAPE ARCHITECT
 ED ATKINSON
 2700 EAST FOURTH STREET
 HUTCHINSON, KANSAS 67501 1-316-665-5511

DILLONS STORES DIVISION
 ARCHITECTURAL & ENGINEERING DEPARTMENT
 2700 EAST FOURTH STREET
 HUTCHINSON, KANSAS 67501 1-316-665-5511

DILLONS SUPERMARKET NO. 49
 21st Street And Maize
 WICHITA, KS.

DRAWN BY SCW
 CHECKED BY ATKINSON
 DATE 4/23/98
 SCALE AS SHOWN
 SHEET NO. 2512

SD6

September 8, 2011

One Valley Center, LLC
Attn: Brad Saville
156 N. Emporia
Wichita, KS 67202

RE: DP-204 –Administrative Adjustment to increase the height and size of a freestanding sign on Parcel 7 of Chadsworth Commercial Community Unit Plan, generally located east of Maize Road and 1/10 mile north of 21st Street North. (CUP2011-00032)

Dear Mr. Saville:

We have received and reviewed your request for an administrative adjustment to the above-referenced community unit plan DP-204 Chadsworth Commercial Community Unit Plan (“CUP”). We understand that you are requesting to increase the height of the freestanding sign on Parcel 7 from 20 feet to 25 feet, and to increase its size to 200 square feet. The sign is located on the northern edge of Parcel 7; it is set back 35 feet from the right-of-way line with Maize Road. The sign is used as a multi-tenant sign advertizing the uses on Parcel 7, as well as for uses located on Parcel 2 and Parcel 6. An exhibit is attached showing the general design of the proposed sign.

On the basis of our review, we feel that adjusting the CUP in the manner you have requested would be consistent with the approved CUP and will not have an adverse effect on the CUP or on adjacent properties, nor will it be a substantial deviation from the original plan.

Our signatures below indicate that the administrative adjustment has been granted to allow the freestanding sign located on the northern edge of Parcel 7 and set back at least 35 feet from the right-of-way line to be increased in height from 20 feet to 25 feet and increased in sign face area to 200 square feet. This adjustment shall not be deemed to alter any other provision of the CUP exceed as herein stated.

We will make a notation of this adjustment on our file copies of the CUP drawing for future reference. The “Development Application” notification signs may now be removed from the property.

John L. Schlegel
Director of Planning

Kurt A. Schroeder
Superintendent of Central Inspection

cc: Dale Miller, MAPD, via email
Paul Hays, Office of Central Inspection, via email
J.R. Cox, Office of Central Inspection, via email
Leonard Fox, Office of Central Inspection, via email
Terrill Florence, Office of Central Inspection, via email
Luminous Neon, Inc. Attn: Byron West, 1429 W 4th Avenue, Hutchinson, KS 67504