

LEGAL DESCRIPTION:

LOT 1, KELLOGG ILLINOIS ADDITION, WICHITA, SEDGWICK COUNTY, KANSAS.
 AND
 LOT 8, EXCEPT THE WEST 5 FEET FOR HIGHWAY C.C. 84C-2867, BLOCK 1, EUREKA GARDENS TO SEDGWICK COUNTY, KANSAS.
 AND
 LOT 9, EXCEPT THAT PART TAKEN FOR HIGHWAY C.C. 84C-2867, BLOCK 1, EUREKA GARDENS TO SEDGWICK COUNTY, KANSAS.
 AND
 LOT 10, EXCEPT THE SOUTH 29.60 FEET AND THE EAST 83.28 FEET OF THE SOUTH 41.68 FEET OF LOT 10 AND EXCEPT THAT PART TAKEN FOR HIGHWAY C.C. 84C-2867, BLOCK 1, EUREKA GARDENS TO SEDGWICK COUNTY, KANSAS.
 AND
 LOT 20, EXCEPT THE SOUTH 23.82 FEET AND THE WEST 31.42 FEET OF THE SOUTH 41.68 FEET OF LOT 20, BLOCK 1, EUREKA GARDENS TO SEDGWICK COUNTY, KANSAS.

GENERAL:

TOTAL GROSS AREA = 2.02 ACRES±
 TOTAL NET AREA = 2.02 ACRES±

THIS DEVELOPMENT IS PROPOSED TO CONTAIN 2.02 NET ACRES ± OF "LI" ZONING, IF DEVELOPED TO THE MAXIMUM PERMITTED, THIS DEVELOPMENT WOULD CONTAIN THE FOLLOWING:

GENERAL COMMERCIAL USES - 87,904 SQUARE FEET

GENERAL PROVISIONS

1. ACCESS CONTROL: ACCESS TO KELLOGG SHALL BE LIMITED TO ONE OPENING. ACCESS TO WEST STREET SHALL BE LIMITED TO ONE OPENING. ACCESS TO ILLINOIS AVENUE SHALL BE LIMITED TO ONE OPENING.
2. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
3. DRAINAGE: DRAINAGE SHALL BE IN ACCORDANCE WITH DRAINAGE PLANS APPROVED BY THE ENGINEERING DIVISION OF THE CITY OF WICHITA.
4. BUILDING SETBACKS:
 PARCEL 1: MINIMUM BUILDING SETBACKS SHALL BE 20 FEET ALONG THE EXISTING PROPERTY LINE FOR KELLOGG AND A 15 FOOT SIDE YARD SETBACK ALONG THE EXISTING PROPERTY LINE FOR WEST STREET. TRASH ENCLOSURES SHALL BE ALLOWED IN THE SETBACKS ALONG THE WEST STREET AND KELLOGG FRONTAGES

PARCEL 2: MINIMUM BUILDING SETBACK SHALL BE 20 FEET ALONG WEST STREET. IF SETBACKS ARE NOT SHOWN, UNDERLYING ZONING DISTRICT REGULATIONS SHALL APPLY.

5. PARKING RATIO SHALL BE IN ACCORDANCE WITH THE APPROPRIATE CODE OF THE CITY OF WICHITA.
6. SIGNAGE:
 TWO POLE SIGNS SHALL BE ALLOWED.

ONE POLE SIGN SHALL BE LOCATED AT OR NEAR THE SOUTHWEST CORNER OF PARCEL 1. THIS SIGN SHALL BE ALLOWED TO BE A MAXIMUM OF 65 FEET IN HEIGHT. THIS POLE SIGN SHALL BE ALLOWED UP TO 500 SQUARE FEET OF SIGNAGE WITH NO SINGLE SIGN, IF MULTIPLE PANELS, GREATER THAN 300 SQUARE FEET. SIGN PANELS MAY BE LOCATED AT ANY HEIGHT UP TO 65 FEET.

ONE POLE SIGN SHALL BE ALLOWED ALONG THE WEST STREET FRONTAGE OF PARCEL 2. THIS SIGN SHALL BE ALLOWED TO BE A MAXIMUM OF 30 FEET IN HEIGHT. THIS POLE SIGN SHALL BE ALLOWED UP TO 190 SQUARE FEET OF SIGNAGE.

ONE TOWER WALL SIGN STRUCTURE SHALL BE ALLOWED, ON PARCEL 1, ALONG THE WEST STREET FRONTAGE. THIS SIGN TOWER SHALL BE ALLOWED TO EXTEND ABOVE THE ROOFLINE, NOT TO EXCEED AN OVERALL MAXIMUM HEIGHT OF 23 FEET FROM GRADE AND WILL NOT EXCEED AN OVERALL WIDTH OF 8 FEET.

7. PRIOR TO FINAL APPROVAL OF THE PARKING PLAN, THE FIRE CHIEF, OR HIS DESIGNATED REPRESENTATIVE, SHALL APPROVE THE PLAN AS TO THE LOCATION AND DESIGN OF ANY REQUIRED FIRE LANE(S).
8. SCREENING AND LANDSCAPING: SHALL BE PER THE UNIFIED ZONING CODE AND THE CITY OF WICHITA LANDSCAPE ORDINANCE.

A BUILDING PERMIT SHALL BE OBTAINED PRIOR TO CONSTRUCTION OF ANY WALL. NO WALL SHALL BE CONSTRUCTED IN ANY UTILITY EASEMENT.

TRASH RECEPTABLES, LOADING DOCKS, AND GROUND LEVEL MECHANICAL EQUIPMENT SHALL BE APPROPRIATELY SCREENED TO REASONABLY HIDE THEM FROM GROUND VIEW.

9. A LANDSCAPE PLAN, PREPARED BY A REGISTERED LANDSCAPE ARCHITECT, FOR THE REQUIRED PLANTING STRIPS, INDICATING THE TYPE, LOCATION, AND SPECIFICATION OF PLANT MATERIALS, AND METHOD OF PROVIDING WATER, SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF BUILDING PERMIT(S).

A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED IN THE LANDSCAPE PLANS SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.

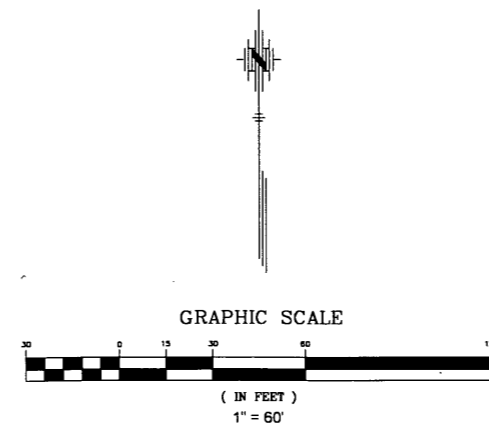
10. CROSS LOT ACCESS SHALL BE PROVIDED BETWEEN PARCELS 1 AND 2 AND BETWEEN PARCEL 1 AND THE PROPERTY TO THE EAST AS RECORDED IN THE CROSS LOT ACCESS AGREEMENT IN FILM 1450, PAGE 1990. A PEDESTRIAN CIRCULATION PLAN THAT PROVIDES CONNECTIONS FROM BUILDING ENTRANCES TO SIDEWALKS ON ADJACENT STREETS SHALL BE APPROVED BY THE PLANNING DIRECTOR PRIOR TO THE ISSUANCE OF BUILDING OR OCCUPANCY PERMITS.

PARCEL DESCRIPTION:

PARCEL ONE
 PROPOSED USES - ALL PERMITTED USES BY RIGHT IN THE "GC" ZONING DISTRICT
 NET AREA - 1.38± ACRES, OR 60,080 ± SQUARE FEET
 MAXIMUM BUILDING COVERAGE - 30% OR 18,024 ± SQUARE FEET
 FLOOR AREA RATIO - 0.40
 MAXIMUM GROSS FLOOR AREA - 24032 ± SQUARE FEET
 MAXIMUM BUILDING HEIGHT - 35 FEET

PARCEL TWO
 PROPOSED USES - ALL PERMITTED USES BY RIGHT IN THE "GC" ZONING DISTRICT
 NET AREA - 0.82± ACRES, OR 35,780 ± SQUARE FEET
 MAXIMUM BUILDING COVERAGE - 30% OR 8,347 ± SQUARE FEET
 FLOOR AREA RATIO - 0.40
 MAXIMUM GROSS FLOOR AREA - 11,130 ± SQUARE FEET
 MAXIMUM BUILDING HEIGHT - 35 FEET

*Amend #1 CUP2016-24
 1-11-2017
 AA CUP2019-01 plm
 1-29-2019
 AA CUP2019-44 plm
 1-2-2020*



APPROVED CUP

*MAPC CUP2012-36 plm
 as per AA CUP2019-44 plm
 MAPD Copy 2 of 4*

EUREKA GARDENS

COMMUNITY UNIT PLAN
 DP-332

KAW VALLEY ENGINEERING, INC.
 200 N. EMPORIA, SUITE 100
 WICHITA, KANSAS 67202
 PH. (316) 440-4304 | FAX (316) 440-4309
 wh@kveng.com | www.kveng.com
 DATE OF PREPARATION: APRIL 21, 2016 PROJECT NO. G14D0016-4 SHEET 1 OF 1



Wichita-Sedgwick County Metropolitan Area Planning Department

January 11, 2017

Kim Edgington
2632 N. Cardinal Lane
Wichita, KS 67204

RE: CUP2016-00024 – City CUP major amendment to DP-332 to expand the CUP land area and amend signage regulations, generally located at the northeast corner of Kellogg and West.

Dear Applicant:

At its regular meeting on September 29, 2016, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to APPROVE of the request subject to the following conditions:

- A. General Provision #10 shall be added stating “Cross lot access shall be provided between Parcels 1 and 2 and between Parcel 1 and the property to the east as recorded in the cross lot access agreement in Film 1450, Page 1990. A pedestrian circulation plan shall be approved by the Planning Director prior to the issuance of building or occupancy permits that provides connections from building entrances to sidewalks on abutting streets.”
- B. The applicant shall record a CUP certificate with the Register of Deeds indicating that this tract (referenced as DP-332 Eureka Gardens Commercial CUP) has special conditions for development on the property. A copy of the recorded certificate along with four copies of the approved CUP shall be submitted to the Metropolitan Area Planning Department within 60 days after approval of this case by the MAPC or Governing Body, as applicable, or the request shall be considered denied and closed.

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 (316) 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Knebel'.

Scott Knebel, AICP

SK: mc

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 F 316.268.4390

www.wichita.gov

RE: City CUP major amendment to DP-332 to expand the CUP land area and amend signage regulations, generally located at the northeast corner of Kellogg and West

January 11, 2017

Page 2

Copies to:

Jeff Blubaugh, WCC IV, Mail Stop 1-13

Rebecca Fields, Community Liaison, Mail Stop 1-135

Julianne Kallman, City Engineering, Mail Stop 1-71

Christian Ablah, Kellogg and West LLC, 8100 E. 32nd St. N., Ste. 150, Wichita, KS 67226



Wichita-Sedgwick County Metropolitan Area Planning Department

January 10, 2013

Kellogg and West LLC c/o Christian Ablah
8110 E. 32nd St. N. Ste. 150
Wichita, KS 67226

Poe and Associates c/o Kim Edgington
2532 N. Cardinal
Wichita, KS 67204

RE: CUP2012-36 - Creation of DP-332 Eureka Gardens Commercial Community Unit Plan (CUP), generally located east of West Street and north of Kellogg Drive.

Dear applicants:

At its regular meeting on **January 10, 2013**, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to **APPROVE** the request subject to the following conditions:

- A. General Provision #1 shall be amended to require "complete access control" to Kellogg.
- B. General Provision #4 shall be amended to require a 35-foot front setback and 15-foot side and rear setbacks.
- C. General Provision #10 shall be added to require that cross-lot access be maintained with the property to the east.
- D. The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

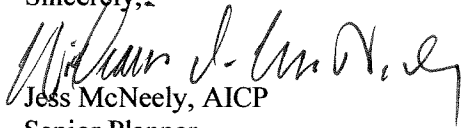
Property owners may file written protest petitions on land use related items heard by the MAPC. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by **January 24, 2013, at 5:00 p.m.**

If protests are received this application will be forwarded to the City Council for consideration at its regular meeting on **Tuesday, February 12, 2013**. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

NOTICE: The public hearing on planning items is conducted by the MAPC under provisions of State Law. Adopted policy is that the City Council will not take additional testimony on zoning related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement with the City Clerk by 5:00 p.m. on the Wednesday preceding this meeting, providing new facts on the issue or alleging an unfair hearing. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

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,



Jess McNeely, AICP
Senior Planner
Current Plans Division

Copies to: N.A. IV, Kelli Grier, Mail Stop 1-135
Julianne Kallman, Engineering, Mail Stop 1-71
JR Cox, OCI
Rick Stubbs, OCI
Paul Hays, OCI



COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

January 29, 2019

Kellogg & West LLC
8110 E. 32nd St. N., Suite 150
Wichita, KS 67226

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

RE: CUP2019-01 – City Administrative Adjustment to Eureka Gardens CUP DP-332 to reflect platting of the Kellogg Illinois Addition, building setbacks and location of trash enclosures of property located on the southeast corner of West Kellogg and South West Street

Legal Description: That Portion Of The Northwest Of Section 25, Township 27 South, Range 1 West Of The Sixth Principal Meridian, City Of Wichita, Sedgwick County, Kansas, Being Described As Follows:

Beginning At The Northwest Corner Of Lot 1 Bonanza Addition; Thence West Along The North Line Of Lots 3 And 4 Of Parkway Addition, S 88°44'30" W 39.28 Feet To The West Right-Of-Way Line Of Illinois Et; Thence Continuing On Said West Right-Of-Way Line, N 01°11'17" W 23.82 Feet To The Southeast Corner Of Lot 20, Eureka Gardens Addition; Thence West On The South Line Of Said Lot 20, N 88°41'43" 109.31 Feet; Thence Continuing On Said South Line Of Said Lot 20, N 01°18'15" W 18.00 Feet; Thence Continuing On Said South Line Of Said Lot 20 And The South Line Of Lot 10, Eureka Gardens Addition, S 88°41'11" W 114.60 Feet; Thence Continuing On Said South Line Of Said Lot 10, S 01°19'01" E 12.00 Feet; Thence Continuing On Said South Line, S 88°40'59" W 48.69 Feet To The East Right-Of-Way Line Of West Street; Thence On Said East Right-Of-Way Line, S 06°58'28" E 18.99 Feet; Thence Continuing On Said East Right-Of-Way Line, S 12°41'32" E 10.89 Feet; Thence Continuing On Said East Right-Of-Way Line, S 14°26'15" E 120.98 Feet; Thence Continuing On Said East Right-Of-Way Line, S 46°36'12" E 84.42 Feet To The North Right-Of-Way Line Of Us Highway 54 (West Kellogg Avenue); Thence On The North Right-Of-Way Line Of Us Highway 54 (West Kellogg Avenue), S 79°15'40" E 59.67 Feet; Thence Continuing On Said North Right-Of-Way Line, N 87°12'33" E 129.68 Feet; Thence Continuing On Said North Right-Of-Way Line, N 02°54'30" W 5.00 Feet; Thence Continuing On Said North Right-Of-Way Line, N 86°57'43" E 32.10 Feet To The West Line Of Said Lot 1, Bonanza Addition; Thence On Said West Line Of Said Lot 1, N 01°11'17" W 187.07 Feet To The Point Of Beginning. **Said Area To Be Platted As Kellogg Illinois Addition;** and Lot 8, except the west 5 feet for Highway C.C. 84C-2867, Block 1, Eureka Gardens, and Lot 9, except that part taken for Highway C.C. 84C-2867, Block 1, Eureka Gardens, and Lot 10, Except The South 29.60 Feet And The East 83.28 Feet Of The South 41.68 Feet Of Lot 10 And Except That Part Taken For Highway C.C 84c-2867, Block 1, Eureka Gardens, And Lot 20, Except The South 23.82 Feet And The West 31.42 Feet Of The South 41.68 Feet Of Lot 20, Block 1, Eureka Gardens To Sedgwick County, Kansas.

Dear Applicants:

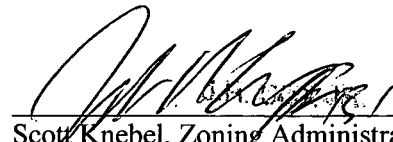
We received and reviewed your request for an Administrative Adjustment to DP-332, to reflect platting of the Kellogg Illinois Addition, building setbacks and location of trash enclosures of property located on the southeast corner of West Kellogg and South West Street.

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

Our signatures below indicate that the CUP shall be adjusted as stated in this letter. This CUP adjustment shall not be deemed to alter any other provisions of the CUP except as expressly stated herein.

The "Development Application" sign should now be removed from the property. Please submit four (4) copies of the revised CUP drawing within 60 days in order for this adjustment to be considered final.


Dale Miller, Director
Metropolitan Area Planning Department


Scott Knebel, Zoning Administrator
Metropolitan Area Planning Department

cc: MABCD
Jeff Blubaugh, CM District IV
Rebecca Fields, CSR, District IV

