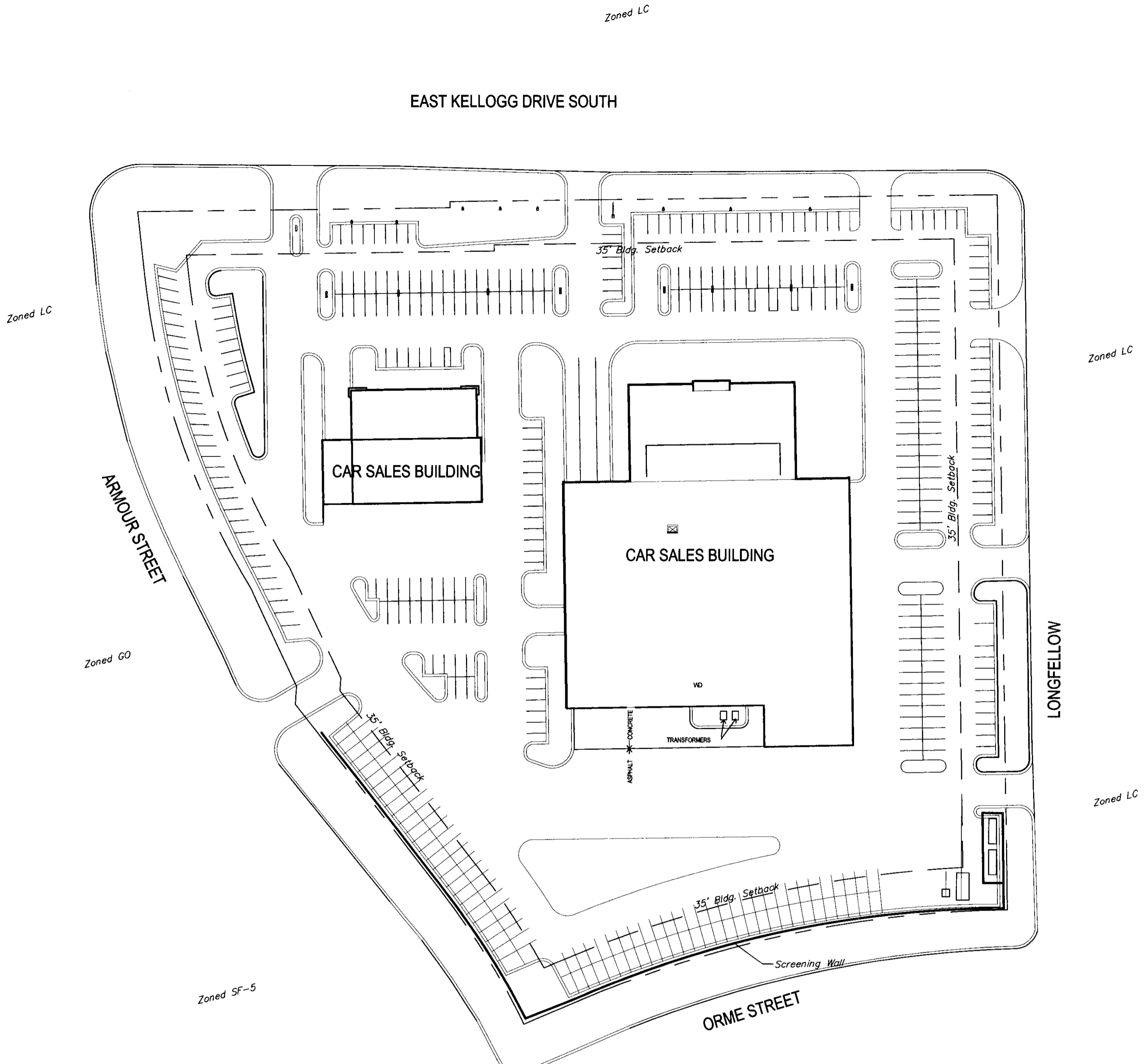


DAVIS-MOORE AUTOMOTIVE

COMMUNITY UNIT PLAN DP-331

EAST KELLOGG DRIVE SOUTH

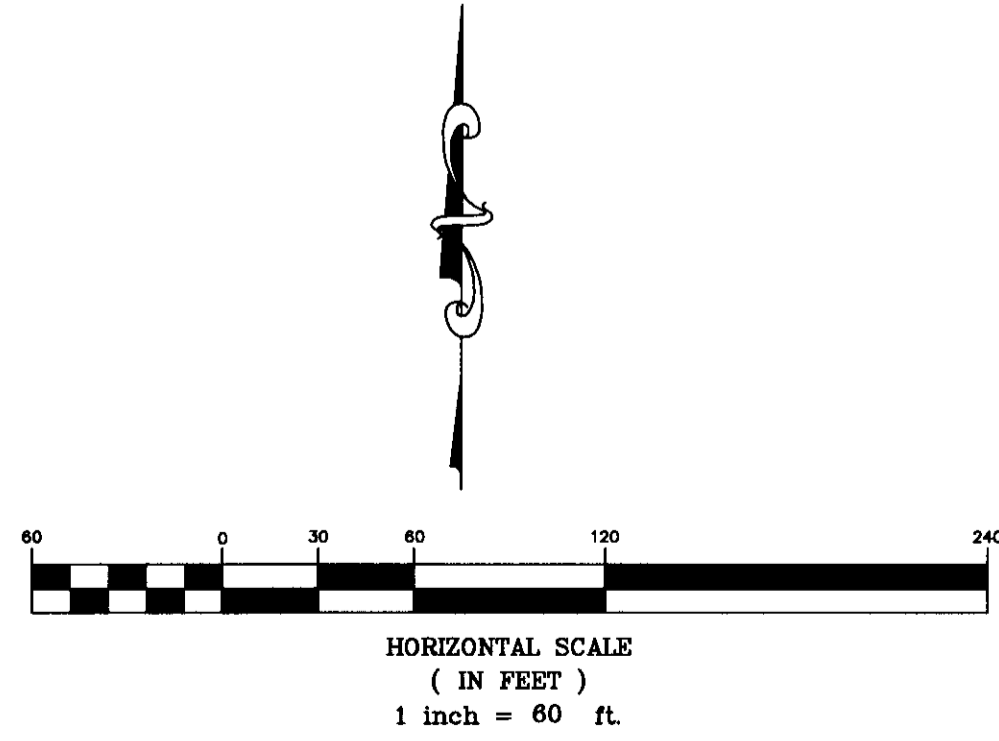
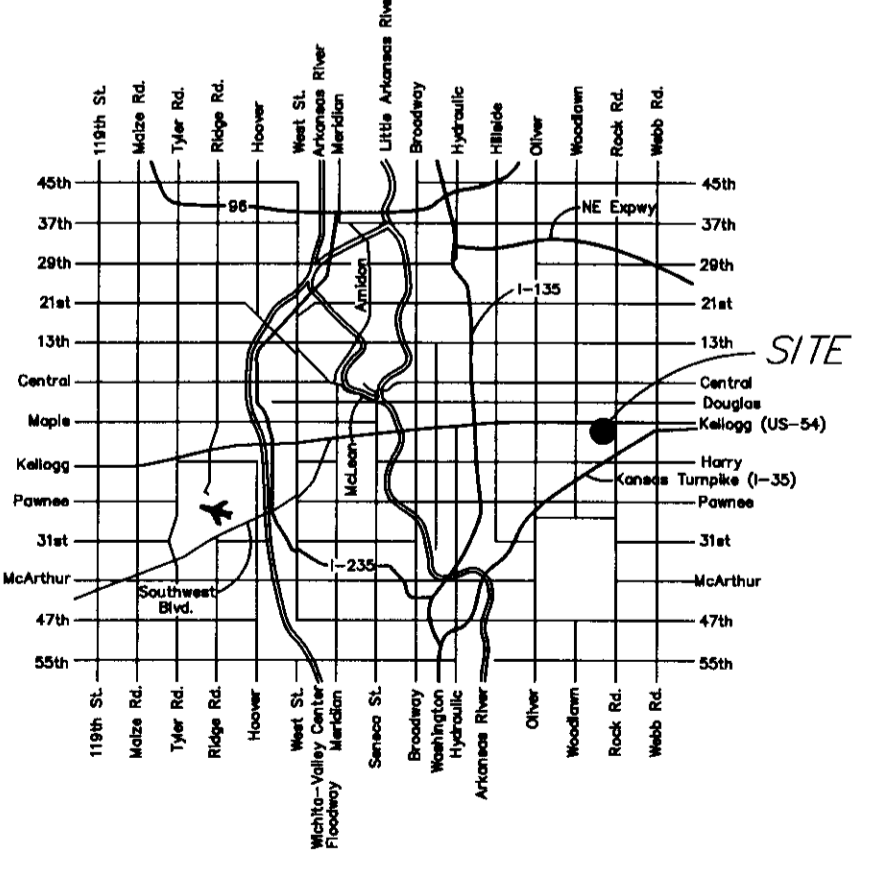


GENERAL PROVISIONS:

1. All utilities shall be installed underground.
2. Minimum Building Setbacks shall be as shown.
3. Parking ratio shall be in accordance with the Unified Zoning Code of the City of Wichita.
4. A Drainage Plan will be submitted to City Engineering for approval at the time of platting. If required, guarantees for drainage shall be provided at the time of platting improvements. A covenant shall be provided to define maintenance responsibilities of the drainage easement.
5. Signage shall be in accordance with the Sign Code of the City of Wichita for LC Zoning. LED signage will be permitted. No portable, off-site, flashing or moving signs are permitted and no streamers, banners, pennants, pinwheels, commercial flags, bunting or similar devices are permitted (Art. III, Sec. III-D.6.x(7)). Up to 5 pylon signs will be permitted along Kellogg.
6. A fire lane, hard surfaced and twenty-four (24) feet (20 feet one-way traffic) minimum in width, shall be provided around all main structures. Said fire lane shall be a 3-1/2 inch asphalt base with 1-1/2 inch asphalt surface or the equivalent thereof. No parking shall be allowed in said fire lane, although it may be used for passenger loading and unloading. Prior to final approval of the parking plan, the Fire Chief, or his designated representative, shall approve the plan as to location of the fire lane.
7. A landscape plan prepared by Registered Landscape Architect in the state of Kansas in compliance with the Landscape Ordinance indicating the type, location, and specification of plant material, shall be submitted to the Planning Department for their review and approval prior to its issuance of building permit(s).
8. Screening of all trash dumpsters, outside storage, and mechanical equipment will be constructed of material to match the buildings they support.
9. Lighting - Outside lighting shall be consistent throughout the CUP (fixtures, poles, lamps, etc.). Light poles shall be no taller than 15 feet (including base and fixture) when within 200 feet of Residential Zoning. Lighting shall comply with code minimums (Art. IV, Sec. IV-B.4) that include references to the requirement to use cut-off luminaries and limit the height of lighting standards located greater than 200 feet from residential zoning to one-half the distance from neighboring lots. String-type or search lighting is prohibited (Art. III, Sec. III-D.6.x(4)).
10. Fire Hydrant installation and paved access to all building sites shall be provided for each phase of construction prior to the issuance of any building permits.
11. Final determination of street right-of-way and pavement widths shall be resolved at the time of platting.
12. 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 and binding upon the present owners, their successors, assigns, and lessees unless otherwise amended.
13. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
14. All parking, storage, and display areas shall be paved with concrete, asphalt, or asphaltic concrete. Parking barriers shall be installed along all perimeter boundaries adjacent to streets, except at driveway entrances or where fences are erected, to ensure that parked vehicles do not encroach onto public right-of-ways.
15. Buildings within the CUP shall be architecturally consistent in colors and materials.
16. Access Control shall be as shown on the sketch and per city access control policy.
17. Buildings, Parking Lots, and Drainage as shown are Conceptual and subject to change.
18. Outdoor speakers and sound amplification systems are prohibited (Art. III, Sec. III-D.6.x(5)).
19. All repair work is required to be done within an enclosed building (Art. III, Sec. III-D.6.x(6)).
20. Elevated platforms for the display of vehicles are prohibited (Art. III, Sec. III-D.6.x(7)).

PARCEL DESCRIPTION:

- Parcel 1:*
1. Net Area: 355,670 sq.ft.
 2. Maximum Building Coverage: 35%
 3. Maximum Building Height: 50'
 4. Maximum Floor Area: 124,500 sq.ft.
 5. Floor Area Ratio: 35%
 6. Permissible Uses: Commercial; office; retail, general; parking area; restaurant; ATM; service station; vehicle and equipment sales, outdoor; car wash; fuel station, as accessory to the site's car dealership; trash compactor, as accessory to the site's car dealership; vehicle repair, limited.



LOCATION MAP

GENERAL:

Land Zoning: LC (Limited Commercial)
 Total Land Area: 8.16 acres



516 S. Market, Wichita, KS 67202 (316)264-0242

ZON 2012-35
 CUP 2012-37
 NARC CUP 2012-37
 1-24-13
 DM



Wichita-Sedgwick County Metropolitan Area Planning Department

February 28, 2013

Scholfield Properties II, LLC
11212 East Kellogg
Wichita, KS 67207

Victor H. Scholfield & James R. Scholfield
Scholfield Properties
11212 E. Kellogg
Wichita, KS 67207

RE: CUP2012-00037 and ZON2012-00035 - Creation of the Davis-Moore Automotive Community Unit Plan (CUP), DP-331 and zone change from SF-5 Single-family Residential ("SF-5") to LC Limited Commercial ("LC") generally located on the southeast corner of East Kellogg Street and South Armour Drive.

Dear Ladies and Gentlemen:

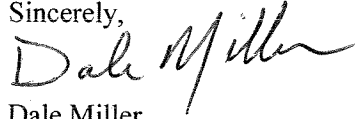
At its regular meeting on February 26 2013, the Wichita City Council considered the above captioned request. The action of the Council was to **APPROVE** the request subject to replatting within 1-year and subject to the following condition:

- A. Approve the zone change (ZON2012-00035) to LC (Lot 5, Block 2, Eastridge 11th Addition) and approve Community Unit Plan (DP-331) subject to the proposed development standards.
- B. Any major changes to this development plan shall be submitted to the Planning Commission and the Governing Body, when required, for their consideration.
- C. All property included within this CUP and zone change shall be re-platted within one-year after approval of this CUP by the Governing Body, or the case shall be considered denied and closed. The resolution establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.
- D. Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating that this tract (referenced as DP-331) includes special conditions for development on this property.

- E. 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.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Dale Miller
Current Plans Manager
Current Plans Division

Copies to: Davis-Moore, 6205 E. Kellogg, Wichita, KS 67218-0000
K.E. Miller, 516 S. Market, Wichita, KS 67202
WCC II, Pete Meitzner, Mail Stop 1-13
N.A. II, LaShonda Garnes, Mail Stop 1-135
Rick Stubbs, OCI, Mailstop 1-72
Paul Hays, OCI, Mailstop 1-72
J. R. Cox, OCI, Mailstop 1-72
Jeff Van Zandt, City Law, Mailstop 1-134
Julianne Kallman, Engineering, Mail Stop 1-71
Bonnie Brae HOA, Marty Weeks, 8108 Mockingbird, Wichita, KS 67207
Eastridge HOA, Pat Winters, 746 South Gouverneur St., Wichita, KS 67202