

LEGAL DESCRIPTION:

Lot 3 and Lot 1, Block A, Copper Gate Addition, Sedgwick County, Kansas, except that portion described as, Beginning at the most easterly corner common to said Lots 1 and 2; thence S89°35'25"W along the north line of said Lot 2, 200.00 feet to the NW corner of said Lot 2; thence S00°00'00"W along the west line of said Lot 2, 200.00 feet to the SW corner of said Lot 1, 325.01 feet to the SW corner of said Lot 1; thence N00°00'00"E along the west line of said Lot 1, 888.89 feet; thence N89°35'25"E, 205.01 feet to a point 205.00 feet normally distant east of the west line of said Lot 1; thence S00°00'00"E, 250.01 feet; thence N89°35'25"E, 320.01 feet to a point on the east line of said Lot 1; thence S00°00'00"E along the east line of said Lot 1, 236.69 feet to the point of beginning; together with Lots 1, 2, 3, and 4, Block B, Copper Gate Addition, Sedgwick County, Kansas.

BENCHMARK:

City of Wichita Benchmark Disc. SE corner of intersection, 56 feet east and 55 feet south of centerline both
Elevation = 167.83 City Datum

GENERAL PROVISIONS:

- Total Land Area: 718,077 sq.ft. or 16.48 acres
A. Total Land Area Zoned "LC": 718,077 sq.ft. or 16.48 acres
- Total Gross Floor Area: 251,327 sq.ft.
Total Floor Area Ratio: 35 percent
- Parking shall be provided in accordance with Section 28.04.140 et seq. of the Code of the City of Wichita, unless otherwise specified in the parcel description.
- Setbacks are as indicated on the C.U.P. drawing, or as specified in the parcel descriptions. If contiguous parcels are to be developed under the same ownership, setbacks between those parcels will not be required.
- A Drainage Plan shall be submitted to City Engineering for approval. Required guarantees for drainage shall be provided at the time of platting improvements.
- Guarantees for street improvements for 13th Street and 135th West shall be provided for improvement to 3 lanes from major openings to the intersection and 2 lanes beyond along the frontages. Guarantees for 135th Street West and 13th Street North shall be provided, the installation of acceleration and deceleration lanes, as shown on the plan.
- Signs shall be in accordance with the Sign Code of The City of Wichita with the following conditions:
 - As the frontage develops along the arterial roadways, monument type signs shall be spaced a minimum of 150' apart, irrespective of how land is leased or sold.
 - Flashing signs (except for signs showing only time, temperature and other public service messages), rotating or moving signs, signs with moving lights or signs which create illusions of movement are not permitted.
 - Portable and off-site signs are not permitted, except for a temporary off-site real estate directional sign within Parcel 5. Said sign shall have a maximum area of 128 square feet.
 - Window display signs are limited to 25% of the window area.
 - No signs shall be allowed on the rear of any buildings.
 - All freestanding signs must be monument type and shall have a maximum height of 20 feet. The maximum square footage of sign face allowed in Parcels 3 & 5 shall be 100 square feet.
- A plan for a pedestrian walk system shall be required to link proposed buildings with the major entrance and sidewalks along 13th Street and the sidewalks along 135th Street West. The pedestrian walk system shall be assured by the required submission and approval of an overall site traffic circulation plan by the Planning Director for each parcel prior to issuing building permits. Cross-lot vehicular access shall be provided to insure circulation between all parcels within the C.U.P.
- Access Controls shall be as shown on the plan.
- All exterior lighting shall be shielded to direct light disbursement in a downward direction.
- All parcels shall share similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
 - Limited height of light poles to 14 feet within 100 feet of abutting residential-zoned property, and 20 feet on the remainder of the tract.
 - Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.
- Utilities shall be installed underground on all parcels.
- Landscaping for this site shall be required as follows:
 - Development of all parcels within the C.U.P. shall comply with the Landscape Ordinance of the City of Wichita.
 - A landscape plan shall be prepared by a Kansas Landscape Architect for the above referenced landscaping, indicating the type, location, and specifications of all plant material. This plan shall be submitted to the Planning Department for their review and approval prior to issuance of a building permit.
 - A financial guarantee for the plant material approved on the landscape plan for that portion of the C.U.P. being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
- Masonry Walls:
 - A six (6) foot high masonry wall shall be constructed along property lines of the C.U.P. where adjacent to residential zoning (See Drawing).
 - This solid masonry wall shall be constructed of a pattern and color that is consistent with the building walls.
- Rooftop mechanical equipment shall be screened from ground level view per Unified Zoning Code.
- Trash receptacles shall be appropriately screened to reasonably hide them from ground view.
- All buildings in the C.U.P. shall share uniform architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs must have predominantly earth-tone colors, with vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas.

- Fire lanes shall be in accordance with the Fire Code of the City of Wichita. No parking shall be allowed in said fire lanes, although they may be used for passenger loading and unloading. The Fire Chief or his designated representative shall review and approve the location and design of all fire lanes. Fire hydrant installation and paved access to all to all building sites shall be provided for each phase of construction prior to the issuance of building permits.
- No parcel within this C.U.P. shall allow the use of adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor can be developed and may serve liquor, as long as food is the primary service of the establishment. The following uses are prohibited within 200 feet of residentially zoned property: service stations, convenience stores with gas islands, restaurants with drive-in or drive-thru facilities and vehicle repair. There shall be no overhead doors of auto services or repair uses facing those districts.
- The Transfer of title of all or any portion of land included within the Community Unit Plan (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
- No single use or tract shall occupy more than 40,000 square feet of floor area, with the exception of a grocery store or drug store.
- Amendments, adjustments or interpretations to this C.U.P. shall be done in accordance with Article V, Section E, 13-15 of the Unified Zoning Code.
- The development of this property shall only be permitted if public water and sewer services are provided.
- The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
- The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- All property included within this C.U.P. and zone case shall be platted within one year after approval of this C.U.P. by the Governing Body, or the cases shall be considered denied and closed. The resolution establishing the zone change shall not be published until the plot has been recorded with the Register of Deeds.
- 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-231) includes special conditions of development on this property.

PARCEL 1

- Net Area: 177,975 or 4.09 acres
- Maximum Building Coverage: 53,393 sq.ft. or 30 percent
- Maximum Gross Floor Area: 62,291 sq.ft.
- Floor Area Ratio: 35 percent
- Maximum Number of Buildings: Three (3)
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
- Setbacks: See Drawing for Setbacks
- Access Points: See Drawing for Access

PARCEL 2

Eliminated by Adjustment dated March 14, 2004

PARCEL 3

- Net Area: 58,925 sq.ft. or 1.35 acres
- Maximum Building Coverage: 17,677.5 sq.ft. or 30 percent
- Maximum Gross Floor Area: 20,624 sq.ft.
- Floor Area Ratio: 35 percent
- Maximum Number of Buildings: One (1)
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
- Setbacks: See Drawing
- Access Points: 1 joint opening with Parcel 1 (to 13th) 1 opening to 135th

PARCEL 4

Eliminated by Adjustment dated December 9, 2015

PARCEL 5

- Net Area: 68,706 sq.ft. or 1.58 acres
- Maximum Building Coverage: 23,000 sq.ft. or 33 percent
- Maximum Gross Floor Area: 24,047 sq.ft.
- Floor Area Ratio: 35 percent
- Maximum Number of Buildings: 10
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
- Setbacks: See Drawing
- Access Points: See Drawing for Access

PARCEL 6

Eliminated by Adjustment dated December 9, 2015

PARCEL 7

- Net Area: 409,338 sq.ft. or 9.40 acres
- Maximum Residential Units: 74 units
- Setbacks: See Plot for Setbacks
- Access Points: See Drawing for Access
- Permitted Uses: Single- and Two-Family Residential

REVISIONS

Revised per Adjustment:	January 8, 2016
Revised per Amendment:	December 18, 2008
Proposed Adjustment:	March 14, 2004
Revised Proposed Amendment:	September 16, 2002
Proposed Amendment:	July 15, 2002
Approved by County Commission:	February 25, 1998
Proposed Amendment:	August 26, 2021

As per AA CUP2021-00047
9-10-2021
Amendment #3
APPROVED CUP
DATE: 12-18-08
MARD (copy)

DP - 231

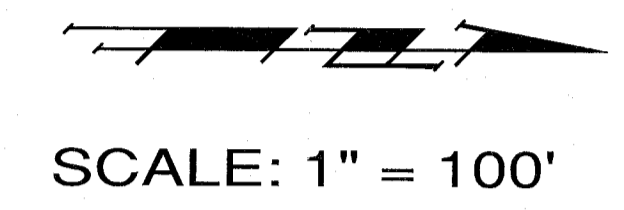
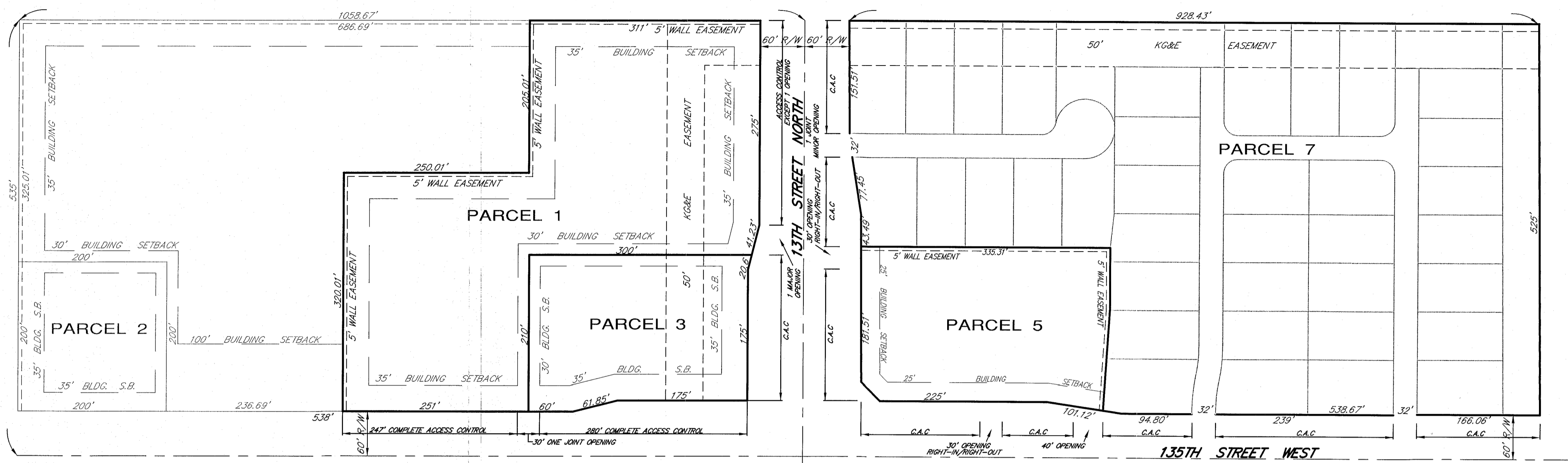
COPPER GATE COMMUNITY UNIT PLAN



GARVER
8535 E. 21st Street N.
Suite 130
Wichita, KS 67206
(316) 264-8008
www.GarverUSA.com

DWG FILE: 21S04019 SURVEY BASE
PROJECT NO. 21S04019
DECEMBER 20, 2021

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



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- Maximum Building Coverage: 20,612 sq.ft. or 30 percent
- Maximum Gross Floor Area: 24,047 sq.ft.
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- Maximum Number of Buildings: Two (2)
- Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet.
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- Access Points: See Drawing for Access

PARCEL 6

Eliminated by Adjustment dated December 9, 2015

PARCEL 7

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AMENDMENT #3
 APPROVED CUP
 12-18-08
 MAP 2 of 2

DP - 231
COPPER GATE
COMMUNITY UNIT PLAN



Wichita-Sedgwick County Metropolitan Area Planning Department

January 25, 2017

Richard Niedens
4313 N. 119th Street West
Maize, KS 67101

Abbott Land Survey
Attn: Chad Abbott
631 N. Kessler
Wichita, KS 67203

RE: CUP2016-49 – City Administrative Adjustment to CUP DP-231 Provision 7C to include Parcel 3 for a temporary off-site real estate sign on LC Limited Commercial zoned property located on the southwest corner of West 13th Street North and North 135th Street West.

Legal Description: Lot 2, Block A, Copper Gate 2nd Addition, Wichita, Sedgwick County, KS

Dear Applicant:

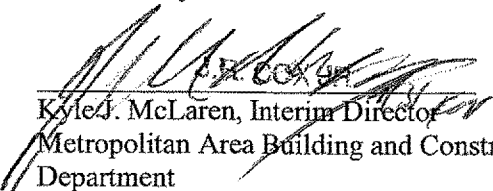
We received and reviewed your request for an Administrative Adjustment to DP-231, adjust General Provision 7c to include Parcel 3 to allow off-site real estate and directional signage.

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


Kyle J. McLaren, Interim Director
Metropolitan Area Building and Construction
Department

cc: Kyle J. McLaren, MABCD
J.R. Cox, MABCD
Paul Hays, MABCD
Bryan Frye, CM District V
Laura Rainwater, Community Liaison District V