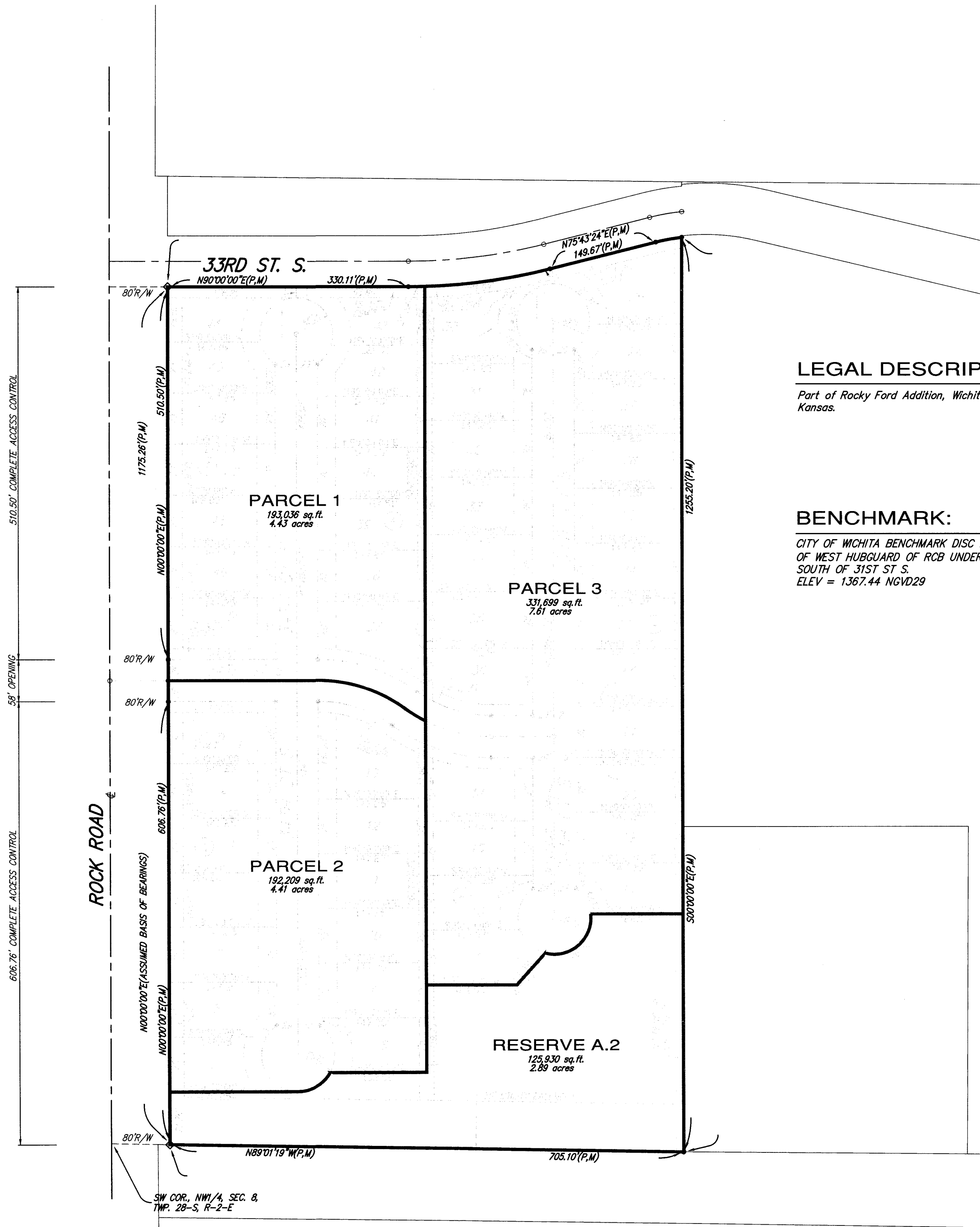


ROCKY FORD COMMERCIAL COMMUNITY UNIT PLAN DP-300



LEGAL DESCRIPTION:

Part of Rocky Ford Addition, Wichita, Sedgwick County, Kansas.

BENCHMARK:

CITY OF WICHITA BENCHMARK DISC IN THE SOUTH END OF WEST HUBGUARD OF RCB UNDER ROCK ROAD, 600'± SOUTH OF 31ST S.
ELEV = 1367.44 NGVD29

GENERAL PROVISIONS:

- Total Land Area: 842,874 ± sq. ft. or 19.34 ± acres
Net Land Area: 842,874 ± sq. ft. or 19.34 ± acres
- Total Gross Floor Area: 250,931 sq. ft.
Total Floor Area Ratio: 35 percent
- Parking shall be provided in accordance with Section IV of the Unified Zoning Code, 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 any portion of the site is developed for commercial uses, that portion shall have a 35-foot setback where the site abuts residentially-zoned property; if contiguous parcels are to be developed under the same ownership, setbacks between those parcels will not be required. See General Provision #30 regarding setbacks for residential development.
- A Drainage Plan shall be submitted to City Engineering for approval during the platting process. Required guarantees for drainage shall be provided at the time of platting.
 - Guarantee a petition to provide Accel/decel lanes for the three access points on Rock Road, with length to be determined at time of platting.
- 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 and share similar elements in design.
 - 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, billboards and off-site signs are not permitted.
 - 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 and limit signage to one monument sign per parcel with a maximum size of 120 square feet on Parcels 1 and 2. Parcel 3 may have two signs having a combined area not to exceed 250 square feet.
- Access Controls shall be as shown on the final plat.
- All exterior lighting shall be shielded to direct light disbursement in a downward direction.
- All commercial development within Parcels 1 through 3 shall share similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
 - Limited height of light poles, including fixtures, lamps and base, to 24 feet.
 - Extensive use of back lit 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, with a shared palette of landscape materials among parcels. This requirement does not apply to Parcels 1 through 3 in the event they are developed with residential uses.
- 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. This requirement does not apply to Parcels 1 through 3 in the event they are developed with residential uses.
- Screening Walls:
 - Screening shall be provided along the south property line, where adjacent to residential zoning, by either the existing tree row, or by a solid masonry/concrete screening wall 6 to 8 foot in height. If used as screening, the existing tree row shall provide the equivalent of, at minimum, one tree per 20 feet. Where there are gaps, a mixture of evergreen and deciduous trees shall be installed with one tree per 20 feet with the planting size of the trees meeting the requirements of the landscape ordinance. Screening shall be waived along the north property line. Solid screening shall be provided for all outdoor work and storage areas, parking lots and loading docks, playgrounds, etc. in order to screen these areas from residential zoning districts. (see drawing) This requirement does not apply to Parcels 1 through 3 in the event they are developed with residential uses.
 - This solid wall shall be constructed of a pattern and color that is consistent or compatible with the building walls. This requirement does not apply to Parcels 1 through 3 in the event they are developed with residential uses.
- Rooftop mechanical equipment shall be screened from ground level view with similar materials to the main building per Unified Zoning Code. This requirement does not apply to Parcels 1 through 3 in the event they are developed with residential uses.
- Trash receptacles, loading docks, outdoor storage, and loading areas shall be appropriately screened, with similar materials to the main building, to reasonably hide them from ground view. This requirement does not apply to Parcels 1 through 3 in the event they are developed with residential uses.
- All buildings in the C.U.P. shall share uniform architectural character, color, texture, and the same predominate exterior building material, as determined by the Director of Planning. Building walls and roofs must have predominately earth-tone colors, with vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas. Metal as an exterior material shall be limited to incidental accent. This requirement does not apply to Parcels 1 through 3 in the event they are developed with residential uses.
- Fire lanes shall be in accordance with the Fire Code of the appropriate governing body. 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 building sites shall be provided for each phase of construction prior to the issuance of building permits.
- All parcels shall be zoned Limited Commercial. No parcel within this C.U.P. shall allow the use of adult entertainment establishments; sexually oriented business; correctional placement residences; asphalt/concrete plants; safety service; pawn shop; agricultural sales and service; church or place of worship; college or university convalescent care facility; limited and general; group home, limited, general and commercial; hospital; library; school, elementary, middle, and high; bed and breakfast inn; hotel or motel; vocational school; night club in the city; night club in the county; tavern and drinking establishment; and recreation and entertainment, indoor. Restaurants that serve liquor can be developed and may serve liquor, as long as food is the primary service of the establishment. Restaurants shall not have drive-through windows or in-car service located within 200 feet of residential zoning and order boards shall not be audible from the residential property lines. No overhead doors shall be permitted within 200 feet of residential zoning and shall not be facing any residential zoning district.
- Cross-lot circulation agreements shall be required at the time of platting to assure internal vehicular movement between parcels within the C.U.P. This requirement does not apply to Parcels 1 through 3 in the event they are developed with residential uses.
- Amendments, adjustments or interpretations to this C.U.P. shall be done in accordance with the Unified Zoning Code.
- 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.
- 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.
- A plan for a pedestrian walk system shall be submitted and approved by the Director of Planning prior to the issuance of building permits. Said walk system shall link sidewalks along Rock Road with the proposed buildings within the subject property. This requirement does not apply to Parcels 1 through 3 in the event they are developed with residential uses.
- No development shall occur until such such time as municipal water and sewer service are provided to the site.
- Approval of a site circulation plan by the Planning Director is required for each phase of construction prior to the issuance of a building permit. An overall site plan shall be required for review and approval by the Planning Director prior to the issuance of any building permits; the site plan shall ensure internal circulation within the parcels and joint use of ingress/egress openings and that private drive openings are not impacted/blocked by the layout of parking stalls or landscaping. This requirement does not apply to Parcels 1 through 3 in the event they are developed with residential uses.
- Noise attenuation methods shall be incorporated in construction of the buildings.
- Notice shall be provided of a real estate disclosure process to inform prospective owners of issues from locating near a military base.
- In the event Rock Road is closed in the future, that the applicant hereby acknowledges it could affect business on the property.
- The development of Parcels 1 through 3 may allow for a combination of commercial, single-family residential, and/or two-family residential development. All requirements for commercial development stated herein shall not apply in the event Parcels 1, 2 and/or 3 are developed with residential uses, either collectively or individually. If a parcel is developed residentially, the property development and compatibility standards of the "R-3" Two-Family Residential district shall apply. If a parcel is developed residentially, any further commercial development within that parcel shall be prohibited.

Per Admin Adjust CUP2017-53
APPROVED CUP
MAPC 10/18/07 Blm
B.C. 11/18/07 Blm
MAPD Copy 1 of 4

REVISIONS

Approved per County Commission: September 20, 2006
Amendment Approved per County Commission: November 21, 2007
Revised per Administrative Adj. (CUP2017-12): April 4, 2017
Revised per Administrative Adj. (CUP2017-53): December 28, 2017

PARCEL 1

- | | |
|--|-------------------------------|
| A. Net Area: | 193,036 sq. ft. or 4.43 acres |
| B. Maximum Building Coverage (Commercial Uses): | 57,911 sq. ft. or 30 percent |
| C. Maximum Gross Floor Area (Commercial Uses): | 67,563 sq. ft. |
| D. Floor Area Ratio: | 35 percent |
| E. Maximum Number of Non-Residential Buildings: | Four (4) |
| F. Maximum building height shall be limited to 25 feet or two-story buildings, whichever is lower in height. | |
| G. Setbacks: | See Drawing |
| H. Access Points: | See Drawing |

PARCEL 2

- | | |
|--|-------------------------------|
| A. Net Area: | 192,209 sq. ft. or 4.41 acres |
| B. Maximum Building Coverage (Commercial Uses): | 57,663 sq. ft. or 30 percent |
| C. Maximum Gross Floor Area (Commercial Uses): | 67,273 sq. ft. |
| D. Floor Area Ratio: | 35 percent |
| E. Maximum Number of Non-Residential Buildings: | Four (4) |
| F. Maximum building height shall be limited to 25 feet or two-story buildings, whichever is lower in height. | |
| G. Setbacks: | See Drawing |
| H. Access Points: | See Drawing |

PARCEL 3

- | | |
|--|-------------------------------|
| A. Net Area: | 331,699 sq. ft. or 7.61 acres |
| B. Maximum Building Coverage (Commercial Uses): | 99,510 sq. ft. or 30 percent |
| C. Maximum Gross Floor Area (Commercial Uses): | 116,095 sq. ft. |
| D. Floor Area Ratio: | 35 percent |
| E. Maximum Number of Non-Residential Buildings: | Six (6) |
| F. Maximum building height shall be limited to 25 feet or two-story buildings, whichever is lower in height. | |
| G. Setbacks: | See Drawing |
| H. Access Points: | See Drawing |

RESERVE A.1

Removed from CUP per Administrative Adjustment CUP2017-53 dated ??/??/??, and replatted as part of Rocky Ford 2nd Addition, Wichita, Sedgwick County, Kansas.

RESERVE A.2

- | | |
|--------------|-------------------------------|
| A. Net Area: | 125,930 sq. ft. or 2.89 acres |
|--------------|-------------------------------|



SCALE: 1" = 100'

DP-300

ROCKY FORD COMMERCIAL
COMMUNITY UNIT PLAN

Baughman Company, P.A.
315 Ellis St. Wichita, KS 67211 P 316-262-7271 F 316-262-0149
ENGINEERING | SURVEYING | PLANNING | LANDSCAPE ARCHITECTURE



Wichita-Sedgwick County Metropolitan Area Planning Department

April 4, 2017

31st South Rock Investments, LLC
Attn: Kevin Mullen
8100 E. 22nd Street N., Bldg. 1000
Wichita, KS 67226

Baughman Company, P.A.
Attn: Russ Ewy
315 Ellis
Wichita, KS 67211

RE: CUP2017-12 – City Administrative Adjustment to Parcels 1 through 6 of the Rocky Ford Commercial Community Unit Plan CUP DP-300, located East of Rock Road, approximately ¼ mile south of 31st Street South.

Legal Description: the west 785.00 feet of the S1/2 of the NW1/4 of Sec. 8, Twp. 28-S, R-2-E of the 6th P.M., Sedgwick County, Kansas, all being subject to road right-of-way of record.

Dear Applicants:

We received and reviewed your request for an Administrative Adjustment to DP-300, to reconfigure the existing parcels to reflect the residential lots being re-platted as part of the Rocky Ford Addition.

Proposed modifications are as follows:

Parcel 1:

Net Area:	4.43 Acres (193,036 Sq. Ft.)
Maximum Building Coverage:	57,911 Sq. Ft.
Maximum Gross Floor Area:	67,563 Sq. Ft.

Parcel 2:

Net Area:	4.41 Acres (192,209 Sq. Ft.)
Maximum Building Coverage:	57,663 Sq. Ft.
Maximum Gross Floor Area:	67,273 Sq. Ft.

Parcel 3:

Net Area:	7.61 Acres (331,699 Sq. Ft.)
Maximum Building Coverage:	99,510 Sq. Ft.
Maximum Gross Floor Area:	116,095 Sq. Ft.

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

~~T 316.268.4421 F 316.268.4300~~

www.wichita.gov

Reserve A1:
Net Area: 1.03 Acres (44,715 Sq. Ft.)

Reserve A2:
Net Area 2.89 acres (125,930 Sq. Ft.)

General Provision #7G: remove "pending BZA approval."

General Provision #16: "This requirement does not apply to Parcel 1, 2 and 3 in the event it is developed with residential uses."

General Provision #18: remove "any residential uses"

General Provision #23: add "unless developed for residential use."

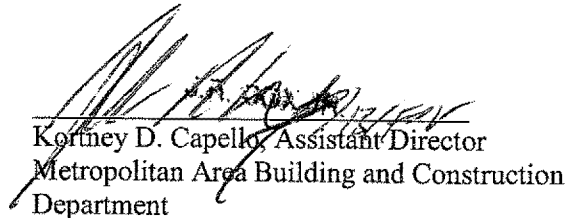
On the basis of our review, we find that adjusting the CUP in the manner stated above is consistent with the approved CUP and will not have an adverse effect on the CUP or adjacent properties, nor will it be a substantial deviation of the original plan.

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



Korfney D. Capello, Assistant Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Pete Meitzner, CM District II
Laura Rainwater, Community Liaison District II