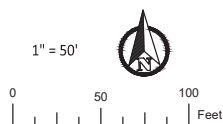


DATE:

JULY 24, 2020



LOTS 3, 4, AND 5, BLOCK "B", WANAMAKER WEST SUBDIVISION NO. 2, IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

TO PROVIDE FOR DEVELOPMENT IN ACCORDANCE WITH THE C-2 ZONING CLASSIFICATION AND LIMITED STORAGE USES IN A MANNER COMPATIBLE WITH SURROUNDING ZONING AND LAND USE

1. THE STANDARDS APPLICABLE TO THE BASINING OF C-2 SHALL APPLY UNLESS OTHERWISE STATED.
2. NO BUILDING PERMITS SHALL BE ISSUED UNTIL A SITE PLAN REVIEW APPLICATION PURSUANT TO TMC 18.190.060(C), FOR DEVELOPMENT MEETING THE APPLICABILITY CRITERIA IN TMC 18.260.030 HAVE BEEN REVIEWED AND APPROVED BY THE PLANNING AND DEVELOPMENT DIRECTOR AND OTHER CITY DEPARTMENT PRIOR TO SUBMITTAL FOR BUILDING PERMITS. THE SITE PLAN SHALL ADDRESS OFF-STREET PARKING AND CIRCULATION, FIRE PREVENTION, LANDSCAPING, EXTERNAL LIGHTING, BUILDING ARCHITECTURAL ELEVATIONS, STORMWATER MANAGEMENT AND RELATED EASEMENTS, COMPATIBILITY WITH ADJACENT DEVELOPMENT, UTILITIES, ETC.
3. NO BUILDING PERMITS SHALL BE ISSUED UNTIL STORMWATER MANAGEMENT PLANS ARE MET AND APPROVED, INCLUDING GRANTING OF ANY NECESSARY STORMWATER MANAGEMENT EASEMENTS.
4. PURSUANT TO TMC 18.190, THE APPLICANT MUST RECORD THE PUD MASTER PLAN WITH THE SHAWNEE COUNTY REGISTER OF DEEDS WITHIN SIXTY (60) DAYS UPON APPROVAL OF THE GOVERNING BODY. FAILURE BY THE APPLICANT TO RECORD THE PLAN WITHIN THE PRESCRIBED TIME PERIOD AND PROVIDE THE PLANNING DEPARTMENT WITH THE REQUIRED NUMBER OF COPIES OF THE RECORDED PLAN WITHIN NINETY (90) DAYS OF THE DATE OF ACTION BY THE GOVERNING BODY SHALL RENDER THE ZONING PETITION NULL AND VOID.
5. ALL REGULATIONS OF TITLE 18, TOPEKA MUNICIPAL CODE APPLY UNLESS STATED OTHERWISE HEREIN.
6. OUTDOOR STORAGE SHALL BE LIMITED TO OPERABLE AND LICENSED VEHICLES, AND MATERIALS INCIDENTAL TO THE OPERATION OF A CONTRACTOR'S SHOP OR OFFICE. OUTDOOR STORAGE AREAS SHALL BE EFFECTIVELY AND COMPATIBLY SCREENED FROM VIEW FROM OTHER PROPERTIES OR PUBLIC RIGHT-OF-WAY.

1. WATER AND SEWER WILL BE PROVIDED BY CITY OF TOPEKA. ALL REQUIRED PUBLIC IMPROVEMENTS SHALL BE COMPLETED BY THE DEVELOPER AT THE TIME OF SITE DEVELOPMENT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
2. THE FIRE DEPARTMENT SHALL REVIEW AND APPROVE FUTURE PLANS SHOWING FIRE HYDRANT LOCATIONS AND FIRE ACCESS PRIOR TO THE START OF CONSTRUCTION.
3. LIGHTING SHALL BE FULL CUT OFF, SHIELDED & RECESSED WITH CUT-OFF ANGLES TO PREVENT THE CAST OF LIGHTING BEYOND THE PROPERTY & NOT EXCEED 3 FOOT CANDLES AS MEASURED AT THE PROPERTY LINE.
4. ALL UTILITIES SHALL BE PLACED UNDERGROUND PURSUANT TO THE CITY'S RIGHT-OF-WAY MANAGEMENT STANDARDS.

1. ALL IMPROVEMENTS REQUIRED BY THE CITY ENGINEER SHALL BE COMPLETED BY THE DEVELOPER PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. IMPROVEMENTS SHALL INCLUDE THE CONSTRUCTION OF SW 30TH TERRACE TO A POINT ADJACENT TO THE WEST LOT LINE OF LOT 5 AS REQUIRED BY CITY OF TORO PUBLIC WORKS DEPARTMENT.
2. A 40 FT. SIGHT TRIANGLE, MEASURED FROM THE FACE OF CURB EXTENDED, SHALL BE MAINTAINED AT ALL ENTRANCES; NO OBSTRUCTIONS GREATER THAN (30) INCHES ABOVE GRADE OF AN ADJACENT STREET OR ENTRANCE MAY BE PLACED WITHIN THIS AREA.
3. ALL NEW DRIVES, STREETS, PARKING AREAS, APPROACHES AND WALKS SHALL BE CONSTRUCTED TO CITY OF TORO STANDARDS.
4. ALL DRIVES, LANS & PRIVATELY OWNED ACCESS WAYS PROVIDING ACCESSIBILITY TO STRUCTURES, BUILDINGS AND USES WITHIN THE PLANNED UNIT DEVELOPMENT SHALL BE CONSIDERED AND SERVED AS MUTUAL RIGHTS OF ACCESS TO OWNERS, TENANTS, VISITOR GUESTS, CLIENTS, EMPLOYEES, CUSTOMERS, SUPPLIERS AND UTILITY PERSONNEL AND EMERGENCY SERVICE PROVIDERS, INCLUDING LAW ENFORCEMENT, FIRE PROTECTION AND AMBULANCE SERVICES. ALL ACCESS WAYS PROVIDING GENERAL ACCESSIBILITY TO, AND CIRCULATION AMONG, THE USES WITHIN THE PLANNED UNIT DEVELOPMENT SHALL BE MAINTAINED AT ALL TIMES IN GOOD SERVICEABLE CONDITION WITH THE MAINTENANCE OF SAID ACCESS WAYS BEING THE RESPONSIBILITY OF THE OWNER(S).

1. EACH SIGN SHALL BE APPROVED BY SEPARATE SIGN PERMIT APPLICATION.
2. TMC 18, DIVISION 2 SIGNS SHALL GOVERN ALL OTHER SIGNS UNLESS SPECIFICALLY STATED HEREIN FOR THE C-2 USE GROUP.

1. LANDSCAPING SHALL BE PROVIDED CONSISTENT WITH TMC 18.235 LANDSCAPE REGULATIONS. THE SPECIFIC POINTS, TYPES AND QUANTITIES SHALL BE APPROVED BASED ON THE LANDSCAPE PLANS THAT ARE SUBMITTED AT THE SITE DEVELOPMENT PLAN REVIEW STAGE.
2. THE CARE, MAINTENANCE, AND OWNERSHIP OF COMMON OPEN SPACE, PARKING AREAS, UTILITIES, PRIVATE STREETS, ACCESS WAYS, STORMWATER MANAGEMENT EASEMENTS, FENCING, AND LANDSCAPING SHALL BE THE RESPONSIBILITY OF THE OWNERS. ALL LANDSCAPING SHALL BE INSTALLED PURSUANT TO PHASING SCHEDULE AND PROPERLY MAINTAINED. IF ANY PORTION OF THE LANDSCAPED MATERIAL DIES, IT SHALL BE REPLACED BY THE NEXT PLANTING SEASON.
3. FENCING WITHIN 25 FEET OF THE PERIMETER OF THE SITE SHALL CONFORM TO THE FOLLOWING: 1) A MAXIMUM HEIGHT OF 6 FEET; AND 2) MATERIALS CONSISTING OF EITHER DECORATIVE CHAIN LINK IN BLACK OR DARK GREEN (USE OF SLAT INSERTS PROHIBITED), DECORATIVE VINYL, DECORATIVE METAL, BRICK OR STONE MASONRY, OR DECORATIVE SPLIT-FACED CONCRETE MASONRY UNITS (CMU).

**In addition to the requirements of TMC 18.235:**

- a. A ROW OF EVERGREEN TREES, SHRUBS, AND DECIDUOUS MEDIUM OR LARGE TREES SHALL BE PROVIDED WHERE THE BUILDING AND/OR DEVELOPED AREA IS IMMEDIATELY ADJACENT TO RESIDENTIAL PROPERTIES.
- b. FOR ALL SELF-STORAGE, CONTRACTOR SHOPS, AND OUTSIDE STORAGE USES A MIX OF EVERGREEN TREES, SHRUBS, AND DECIDUOUS LARGE TREES SHALL BE PROVIDED ALONG THE PROPERTY STREET FRONTAGE. OUTDOOR STORAGE SHALL BE SCREENED FROM VIEW FROM SW 300' TERRACE BY INSTALLATION OF A FENCING AND LANDSCAPING.
- c. FENCING ALONG SW 300' TERRACE SHALL BE SET BACK BEHIND THE PROPERTY LINE AND A MINIMUM OF 5 FEET BEHIND THE EDGE OF THE SIDEWALK. SHRUBS AND/OR TREES MAY BE REQUIRED BETWEEN THE FENCE AS PART OF AN APPROVED SITE DEVELOPMENT PLAN.

1. BUILDING ELEVATIONS TO BE APPROVED AT THE TIME OF SITE DEVELOPMENT PLAN REVIEW FOR TYPE A AS INDICATED FOR THE BASE C-2 USE GROUP.
2. STORAGE BUILDINGS MAY BE EXEMPTED FROM THE DOORS AND WINDOWS REQUIREMENTS OF THE NON-RESIDENTIAL BUILDING DESIGN STANDARDS OF TMC CHAPTER 18.275 PROVIDED ELEVATIONS ARE PROPERLY SCREENED BY ATTRACTIVE FENCING AND/OR LANDSCAPING.

- SITE AREA: 2.11 ACRES
- PROPOSED ZONING: PLANNED UNIT DEVELOPMENT (PUD) WITH C-2 USE GROUP, WITH OTHER SPECIFIC USES LIMITED TO INDOOR RECREATION TYPE II, INCLUDING AN INDOOR SIMULATED GOLF FACILITY AND ACCESSORY DRINKING ESTABLISHMENT, SELF-STORAGE TYPE(S) I AND II AND BUILDING, CONSTRUCTION, & MECHANICAL CONTRACTORS OFFICE.
- MINIMUM LOT AREA: 10,000 SF
- MAXIMUM BUILDING COVERAGE: 85%

RECORDED WITH THE SHAWNEE COUNTY REGISTER OF DEEDS

REBECCA J. NIOCE, REGISTER OF DEEDS

THIS PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN HAS BEEN REVIEWED AND APPROVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18.190 OF THE COMPREHENSIVE ZONING REGULATIONS OF THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS AND MAY BE AMENDED ONLY AS PRESCRIBED IN TMC 18.190.070 OF AND AS SET FORTH ON THIS DOCUMENT OR AS MAY SUBSEQUENTLY BE APPROVED AND RECORDED.

BILL FIANDER, PLANNING & DEVELOPMENT DIRECTOR

DATE \_\_\_\_\_

THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION, OWNER, AGREES TO COMPLY WITH THE CONDITIONS AND RESTRICTIONS AS SET FORTH ON THE PUD MASTER PLAN.

IN TESTIMONY WHEREOF: THE OWNERS OF THE ABOVE DESCRIBED PROPERTY, THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION, HAS  
SIGNED THESE PRESENTS THIS                      DAY OF                      , 2019.

DALE SEUFERLING, PRESIDENT,  
THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION

STATE OF KANSAS) ss  
COUNTY OF SHAWNEE) ss  
BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID  
COUNTY AND STATE, CAME DALE SEUFERLING, PRESIDENT, THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION, WHO IS PERSONALLY  
KNOWN TO BE THE SAME PERSON WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING, AND SUCH PERSON DULY ACKNOWLEDGED THE  
EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND AFFIX MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

CF&S PARTNERSHIP, OWNER, AGREES TO COMPLY WITH THE CONDITIONS AND RESTRICTIONS AS SET FORTH ON THE PUD MASTER PLAN

IN TESTIMONY WHEREOF: THE OWNERS OF THE ABOVE DESCRIBED PROPERTY, CF&S PARTNERSHIP, HAS SIGNED THESE PRESENTS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

---

STEVE FLATT, MANAGING MEMBER

CE&amp;S PARTNERSHIP

STATE OF KANSAS) ss

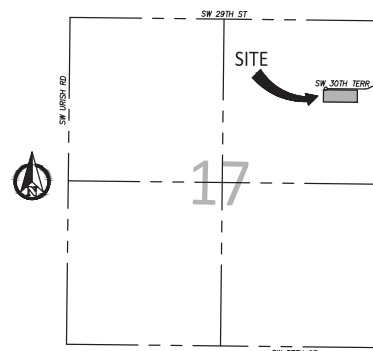
COUNTY OF SHAWNEE) ss

BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME STEVE FLATT, MANAGING MEMBER, CF&S PARTNERSHIP, WHO IS PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING, AND SUCH PERSON DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND AFFIX MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_



**VICINITY MAP**  
NO SCALE

**PUD** 19 / 03

# PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN

## WANAMAKER WEST DEVELOPMENT

### AMENDMENT NO. 1

