

# A MASTER PLANNED UNIT DEVELOPMENT FOR: WALMART COMMERCIAL CENTER

BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH,  
RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN TOPEKA, SHAWNEE COUNTY, KANSAS.

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

RECORDED WITH THE SHAWNEE COUNTY REGISTER OF DEEDS:

REBECCA J. NIOCE—REGISTER OF DEEDS



REVISIONS	NO. DATE DESCRIPTION

A MASTER PLANNED UNIT DEVELOPMENT  
WALMART COMMERCIAL CENTER  
SHAWNEE COUNTY, KANSAS

**PROJECT PERFORMANCE OBJECTIVES:**

TO CREATE A REGIONAL COMMERCIAL RETAIL DEVELOPMENT BENEFICIAL TO SURROUNDING NEIGHBORHOODS AND THE CITY OF TOPEKA.

**GENERAL NOTES:**

- PURSUANT TO SECTION 18.190.060, THE APPLICANT MUST PROVIDE THE PLANNING DEPARTMENT A MASTER PUD PLAN SUITABLE FOR RECORDING WITHIN 30 DAYS UPON APPROVAL BY GOVERNING BODY, RECORD IT WITH THE SHAWNEE COUNTY REGISTER OF DEEDS WITHIN 60 DAYS UPON APPROVAL BY THE GOVERNING BODY, AND PROVIDE THE PLANNING DEPARTMENT 15 COPIES OF THE RECORDED PLAN WITHIN 90 DAYS UPON APPROVAL BY THE GOVERNING BODY OR PUD SHALL BE NULL AND VOID.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL ALL STORMWATER MANAGEMENT REQUIREMENTS SET FORTH IN TMC CHAPTER 13.35 ARE MET INCLUDING: APPROVAL OF STORMWATER MANAGEMENT PLANS AND GRANTING OF ANY NECESSARY STORMWATER MANAGEMENT EASEMENTS (SME).
- ALL BASE ZONING USE GROUPS SHALL APPLY UNLESS STATED OTHERWISE HEREIN.
- ALL PUBLIC IMPROVEMENTS SHALL BE MADE TO CITY STANDARDS.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL FINAL PUD SITE DEVELOPMENT AND LANDSCAPE PLANS HAVE BEEN REVIEWED BY CITY STAFF AND APPROVED BY THE PLANNING DIRECTOR FOR COMPLIANCE TO SAID MASTER PLANNED UNIT DEVELOPMENT PLAN FOR WAL-MART COMMERCIAL CENTER.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL THE PROPERTY IS PLATTED.

**VARIANCES:**

- A VARIANCE TO REDUCE THE REQUIRED NUMBER OF OFF-STREET VEHICLE PARKING SPACES AS INDICATED IN TMC 18.240.030(D)(1) "OFF-STREET PARKING REGULATIONS" FROM 1 PER 200 SQ. FT. OF FLOOR AREA BY 20% DUE TO THE PROVISIONS FOR OTHER MODES OF TRANSPORTATION BEING PROVIDED AS STATED HEREIN.

**UTILITY NOTES:**

- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND PURSUANT TO THE CITY'S RIGHT-OF-WAY MANAGEMENT STANDARDS.
- SANITARY SEWER SERVICE SHALL BE BY THE CITY OF TOPEKA.
- WATER SERVICE SHALL BE BY THE CITY OF TOPEKA.

**CIRCULATION, PARKING, AND TRAFFIC NOTES:**

- THE MAIN ENTRANCES OF THE PRINCIPAL BUILDING ON LOT 1 SHALL HAVE BICYCLE PARKING FACILITIES THAT ARE OF A TYPE, LOCATION, AND QUALITY APPROVED BY THE CITY OF TOPEKA PLANNING DIRECTOR AT THE SITE DEVELOPMENT PLAN STAGE AND PROVIDED AT 4% OF THE REQUIRED NUMBER OF AUTOMOBILE PARKING SPACES.
- A CONCRETE BASE SHALL BE PROVIDED FOR THE INSTALLATION OF AN ON-SITE TOPEKA METRO BUS STOP FACILITY AND LOCATED AT THE NORTH END OF THE BUILDING AS APPROVED AT THE SITE DEVELOPMENT PLAN STAGE BY THE CITY OF TOPEKA PLANNING DIRECTOR AND TOPEKA METROPOLITAN AREA TRANSIT AUTHORITY. THE BUS SHELTER SHALL BE COORDINATED IN DESIGN WITH THE ARCHITECTURAL FEATURES OF THE PRINCIPAL BUILDING BY TOPEKA METRO.
- ALL DRIVES, LANES, AND PRIVATELY OWNED ACCESS WAYS PROVIDING ACCESSIBILITY TO STRUCTURES, BUILDINGS, AND USES WITHIN THE PLANNED UNIT DEVELOPMENT SHALL BE CONSIDERED AND SERVE AS MUTUAL RIGHTS OF ACCESS FOR OWNERS, TENANTS, INVITED GUESTS, CLIENTS, CUSTOMERS, SUPPORTS AND UTILITY SERVICE 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 A GOOD SERVICEABLE CONDITION WITH THE MAINTAINANCE OF SAID ACCESS WAYS BEING THE RESPONSIBILITY OF THE OWNER.

**SIGNAGE NOTES:**

- ONE PYLON SIGN SHALL BE ALLOWED ON LOT 1 ALONG CALIFORNIA AVENUE. THE PYLON SIGN ALONG CALIFORNIA AVENUE SHALL NOT EXTEND HIGHER THAN 30' - 0", AND THE SIGN FACE SHALL NOT BE LARGER THAN 5' - 0" IN HEIGHT AND 20' - 0" IN WIDTH WITH A MAXIMUM OF 100 SQUARE FEET OF SIGN FACE PER SIDE.
- ONE MONUMENT SIGN SHALL BE ALLOWED ON LOT 1 ALONG SE 25TH STREET. THE MONUMENT SIGN ALONG SE 25TH STREET SHALL NOT BE LARGER THAN 8' - 0" IN HEIGHT ABOVE AVERAGE NATURAL GRADE AND 16' - 0" IN WIDTH WITH A MAXIMUM OF 64 SQUARE FEET OF SIGN FACE PER SIDE.
- ONE MONUMENT SIGN SHALL BE ALLOWED FOR LOT 2. THE MONUMENT SIGN SHALL NOT BE LARGER THAN 8' - 0" IN HEIGHT ABOVE AVERAGE NATURAL GRADE AND 12' - 6" IN WIDTH WITH A MAXIMUM OF 60 SQUARE FEET OF SIGN FACE PER SIDE.
- ALL OTHER SIGNAGE SHALL MEET THE REQUIREMENTS UNDER DIVISION 2 SIGNS, FOR "C-4" COMMERCIAL DISTRICT PROPERTIES.

**LANDSCAPE NOTES:**

- LANDSCAPE PLANS SHALL BE SUBMITTED WITH THE SITE DEVELOPMENT PLANS AT THE TIME OF BUILDING PERMITS INDICATING SPECIFIC POINT VALUES, TYPE, AND QUANTITIES. SAID PLANS SHALL CONFORM TO THE CITY OF TOPEKA LANDSCAPE REGULATIONS, INCLUDING RESIDENTIAL BUFFER REQUIREMENTS FOR ADJACENT PROPERTIES, AND AS STATED HEREIN.
- A 9 FT. TALL BERM SHALL EXTEND ALONG THE EAST ELEVATION AND BE PLANTED WITH 6 FT. TALL EVERGREEN PLANTINGS ACROSS THE LENGTH OF THE BERM.

**BUILDING AND STRUCTURE NOTES:**

- NO STRUCTURE SHALL BE BUILT WITHIN THE FOLLOWING SETBACKS OF THE PLANNED UNIT DEVELOPMENT BOUNDARY: 25' FROM THE FRONT OR BACK, AND 10' FROM THE SIDE OF ANY LOT.
- MAXIMUM HEIGHT OF 40'.
- THE EXTERIOR BUILDING DESIGN OF THE PRINCIPAL BUILDING SHALL BE IN CONFORMANCE WITH THE ELEVATIONS SUBMITTED WITH THE PUD AND REVIEWED BY CITY STAFF.
- THE LOCATION OF ALL TRASH ENCLOSURES SHALL BE DETERMINED AT THE SITE DEVELOPMENT PLAN STAGE TO ENSURE TRASH AREAS ARE NOT OVERLY CONCENTRATED, ARE EFFECTIVELY SCREENED FROM PUBLIC AND RESIDENTIAL AREAS, AND PROVIDE ADEQUATE CIRCULATION WITHIN THE OVERALL DEVELOPMENT. ALL SAID RECEIPTACLES SHALL HAVE ENCLOSURES THAT SCREEN THE RECEIPTACLES FROM VIEW AND ARE CONSTRUCTED OF MATERIALS COMPATIBLE WITH THE ARCHITECTURAL FEATURES OF THE PRINCIPAL BUILDING.
- THE MAXIMUM BUILDING FOOTPRINT FOR LOT 1 WILL BE 175,000 SQUARE FEET.

**OWNER'S CERTIFICATE:**

WAL-MART REAL ESTATE BUSINESS TRUST AGREES TO COMPLY WITH THE CONDITIONS AND RESTRICTIONS AS SET FORTH ON THE MASTER PUD PLAN.

IN TESTIMONY WHEREOF, THE OWNER, WAL-MART REAL ESTATE BUSINESS TRUST TRUSTEE, HAS SIGNED THESE PRESENTS

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DATE OF \_\_\_\_\_, A.D. 2013, BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME

WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING, AND SUCH PERSON ONLY ACKNOWLEDGED THE EXECUTION OF THE SAME.

I HEREBY SET MY HAND, AND AFFIX MY NOTARIAL SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

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

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, KANSAS, AND MAY BE AMENDED ONLY AS PRESCRIBED IN TMC 18.190.070 OF SAID ARTICLE AND AS SET FORTH ON THIS DOCUMENT OR AS MAY SUBSEQUENTLY BE APPROVED AND RECORDED.

**CERTIFICATION OF MASTER PLANNED UNIT DEVELOPMENT PLAN APPROVAL:**

BILL FIANDER, PLANNING DIRECTOR, SECRETARY, TOPEKA PLANNING COMMISSION DATE: \_\_\_\_\_

SECRETARY TO PLANNING COMMISSION:

BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DATE OF \_\_\_\_\_, A.D. 2013, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, CAME BILL FIANDER, WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING, AND SUCH PERSON DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND, AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

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

**PROJECT PROGRAM:**

LOT 1 (PHASE 1 OF DEVELOPMENT):  
AREA: 27.36 ACRES  
ZONING USE GROUP:  
C-4 USE GROUP

LOT 2 (PHASE 2 OF DEVELOPMENT):  
AREA: 1.11 ACRES  
ZONING USE GROUP:  
C-2 USE GROUP

CARLSON CONSULTING ENGINEERS, INC.

7088 LEDGESTONE COMMONS  
PARTLETTS TENNESSEE 38513  
PH: (901) 384-0404 • FX: (901) 384-0710

DWG: 6392 PUD DRAWINGS  
NOTES  
DATE: JULY 26, 2013  
SCALE:  
SHEET 4 OF 4  
CASE NUMBER: PUD 13/1