

Premier I Land Usage

We are "LI" - Limited Industrial District.

Parcel 1 – Pin 00193087 – Limited Industrial

Parcel 2 - Pin 00193088 – Limited Industrial

Parcel 3A - Pin 00192269 – Limited Industrial

Parcel 3B – Pin 00192270 - Limited Industrial

Parcel 4 – Pin 00192274 - Limited Industrial

20. LI Limited Industrial District ("LI")

a Purpose. The purpose of the LI Limited Industrial District is to accommodate moderate intensity manufacturing, industrial, commercial and complementary land uses. The LI District is generally compatible with the "Employment/Industry Center" designation of the Wichita-Sedgwick County Comprehensive Plan. It is intended for application primarily within the City of Wichita, although it may be appropriate for application in areas of unincorporated Sedgwick County that have been designated as "Wichita 2030 Urban Growth Area."

b Permitted Uses. The following uses shall be permitted by-right in the LI District.

(1) Residential Uses

None allowed by-right

(2) Public and Civic Uses

Auditorium or Stadium Cemetery Church or Place of Worship Community Assembly
Correctional Facility, subject to Sec. III-D.6.h Correctional Placement Residence, Limited
and General, subject to Sec. III-D.6.h

Day Care, Limited and General, subject to Sec. III-D.6.i Golf Course Government Service
Hospital Library Nursing Facility Parks and Recreation Recycling Collection Station,
Private, subject to Sec. III-D.6.q Recycling Collection Station, Public, subject to Sec. III-
D.6.r Recycling Processing Center, subject to Sec. III-D.6.s Reverse Vending Machine,
subject to Sec. III-D.6.u Safety Service University or College Utility, Minor

(3) Commercial Uses

Animal Care, Limited or General Automated Teller Machine Bank or Financial Institution
Broadcast/Recording Studio Car Wash, subject to Sec. III-D.6.f Construction Sales and
Service

Convenience Store

Entertainment Establishment in the City, subject to Sec. III-D.6.w Event Center in the
City, subject to Sec. III-D.6.w

Farmer's Market in the City, subject to Sec. III-D.6.jj Funeral Home Hotel or Motel
Kennel, Boarding/Breeding/Training, subject to Sec. III-D.6.k Marine Facility,
Recreational Medical Service Microbrewery Monument Sales Nightclub in the City,
subject to Sec. III-D.6.w Nightclub in the County, subject to Sec. III-D.6.ff Nursery and
Garden Center Office, General Parking Area, Commercial Pawnshop Personal Care

Service Personal Improvement Service Post Office Substation Printing and Copying, Limited Printing and Publishing, General Recreation and Entertainment, Indoor and Outdoor Restaurant Retail, General Rodeo in the City, subject to Sec. III-D.6.kk Secondhand Store Service Station Sexually Oriented Business, subject to Sec. III-D.6.ff Tattooing and Body Piercing Facility, subject to Sec. III-D.6.ee Tavern or Drinking Establishment, subject to Sec. III-D.6.w Teen Club in the City, subject to Sec. III-D.6.w Vehicle and Equipment Sales Vehicle Repair, Limited and General Vocational School Warehouse, Self-Service Storage Wireless Communication Facility, subject to Sec. III-D.6.g

(4) Industrial, Manufacturing and Extractive Uses Asphalt or Concrete Plant, Limited, subject to Sec. III-D.6.d Freight Terminal Gas and Fuel Storage and Sales Manufacturing, Limited and General Research Services Storage, Outdoor, subject to Sec. III-D.6.dd Vehicle Storage Yard Warehousing Welding or Machine Shop Wholesale or Business Services

(5) Agricultural Uses Agriculture Agricultural Processing Agricultural Research

c. Conditional Uses. The following Uses shall be permitted in the LI District if reviewed and approved by the Planning Commission in accordance with the procedures and standards of Sec. V-D.

(1) Residential uses None allowed by Conditional Use

(2) Public and civic uses Day Reporting Centers, subject to Sec. III-D.6.ii School, Elementary, Middle and High Utility, Major

(3) Commercial uses Airport or Airstrip Heliport

(4) Industrial, manufacturing and extractive uses Asphalt or Concrete Plant, General Landfill Mining or Quarrying Oil and Gas Drilling Rock Crushing Solid Waste Incinerator, subject to Sec. III-D.6.v Transfer Station Wrecking/Salvage Yard, subject to Sec. III-D.6.e

(5) Agricultural uses None allowed by Conditional Use

Property development standards. Each site in the LI District shall be subject to the following minimum property development standards. Setbacks and heights are for Principal Structures. See Sec. III-D.7.e for Setbacks and heights for Accessory Structures. See also Secs. III-E.2.e(2) and III-E.2.e(3) for Front Setbacks on unplatted tracts or major roadways. Compatibility standards in Secs. IV-C.4 and IV-C.5 may take precedence.

(1) Minimum Lot Area: No minimum

(2) Minimum Lot Width: No minimum

(3) Minimum Front Setback: 20 feet, provided that the minimum required Front Setback may be reduced pursuant to Sec. III-E.2.e(5)

(4) Minimum Rear Setback: No minimum

(5) Minimum Interior Side Setback: zero feet, but if an Interior Side Setback is provided it shall be at least five feet in width

(6) Minimum Street Side Setback: No minimum

(7) Maximum Height: 80 feet, plus two feet of additional height for each foot of Setback beyond the minimum required Setbacks

Special LI District regulations.

(1) Environmental performance standards. Uses and activities that are in violation of the Sedgwick County Code or the Code of the City of Wichita or that are out of character with ordinary and custom-ary standards and practices for a Permitted Use to such an extent that the Use or activity is obnoxious, offensive or a nuisance due to odor, dust, smoke, noise, vibration or other similar causes, are prohibited in the LI District.

4. Restrictive Covenants.

4.1 Use Restriction. Grantor shall not use or permit any other person or business enterprise to use any real property, owned or controlled by Grantor, located within the Development, as a retail convenience store, smoke shop or other retail outlet selling tobacco products as one of its primary uses, a sexually oriented business, for the sale of pornographic or sexually explicit materials or drug paraphernalia, or for the retail sale of motor fuels. Further, Grantor will not knowingly allow the sale of any real property, owned or controlled by Grantor, located within the Development, to any person or business enterprise for the purpose of constructing, leasing or operating a retail convenience store, smoke shop or other retail outlet selling tobacco products as one of its primary uses, a sexually oriented business, for the sale of pornographic or sexually explicit materials or drug paraphernalia, or for the retail sale of motor fuels. For clarification, "real property, owned or controlled by Grantor" does not include real property owned or controlled by CIP Investment Properties, LLC. The foregoing restrictions on retail sale of motor fuels, and use as a retail convenience store, smoke shop or other retail outlet selling tobacco products as one of its primary uses (each such use a "QT Exclusive Use"), will automatically expire upon (i) failure to complete initial construction of a QuickTrip convenience store within three (3) years from the Closing, or (ii) after completion of construction, if the Property is not used for any one or more QT Exclusive Uses for any period of over one year, that particular unused QT Exclusive Use right will have expired. Additionally, upon the occurrence of either (i) or (ii) in the preceding sentence, the Property may be used for any use, if the use is not either (a) already an existing use or under construction within the Development, or (b) a use restricted or prohibited from occurring on any portion of the Development. Further, by way of clarification only and not limitation, "retail convenience store" representative examples are stores such as the following as they exist as of the date of this Agreement: Kwik Shop, Kum-n-Go, Valero, 7/11 or Casey's General Store. The following, by way of clarification only and not limitation, are not intended to be interpreted as a "retail convenience store": a grocery store; supermarket; pharmacy; drug store; discount store; liquor store, fast food, quick service or any other restaurant; and a small commissary, snack shop or similar establishment located within a building but not the primary use of that building.