

COMMUNITY PROJECT/ZONING

150579

Ordinance Fact Sheet

Ordinance Number

Case No. 10633-P-18

Brief Title

Approval Deadline

To consider amending a Chapter 80 preliminary plan on about 246 acres to allow for modification to Phase VII of the current plan.

Details

<p>Specific Address</p> <p>Generally located at the northeast corner of N. Green Hills Road and NW Tiffany Springs Road.</p>
<p>Reason for Legislation</p> <p>To consider amending a previously approved Chapter 80 preliminary plan in Districts R-2.5 and R-6 on approximately 246 acres modifying Phase VII of the current approved plan to allow for two (2) single family residential lots and a future build-out plan.</p>
<p>Discussion</p> <p>EXISTING CONDITIONS:</p> <p>The area is generally located at the northeast corner of the intersection of N. Green Hills Road and NW Tiffany Springs Road. Genesis at Green Hill development is a 250-acre development within an approved GP development plan district. Several residential phases have been platted or are in the process of being platted. The development has a variety of products ranging from single family lots, duplexes, villas and apartment/ townhomes (3-6 units). The products were described as; Genesis Place, Genesis Place Estates, Genesis Village, Genesis Trails and Genesis Crossing. Within the platted phases, homes have been constructed or are under construction.</p> <p>There are private open spaces, storm water detention facility including a community pool within the development, approved as part of the GP district. There is a significant grade change from the north to the south of the property along N. Green Hills Road.</p> <p>PLAN REVIEW & ANALYSIS:</p> <p>The request is to amend the existing Chapter 80 approved development plan on approximately 246 acres to allow for two (2) single family residential lots within Phase VII. The current approved plan allows for 41 single family lots within this phase. The proposed amendment will eliminate the 41 lots and replace it with two lots.</p> <p>The proposed plan also serves as a preliminary plat for Phase VII. The entire 18 acre is proposed to be platted into two lots. The plan shows dedication of right of way on the east side of N. Green Hills Road. The plan does not show the sizes of the proposed lots. Staff recommends that the acreage of Lots 1 & 2 be shown on the revised plan. Access to Lot 1 is shown off NW Old Stagecoach</p>

Positions/Recommendations

Sponsor	Jeffrey Williams, AICP, Director Department of City Planning and Development
Programs, Departments, or Groups Affected	2nd District (Ford & Johnson)
Applicants / Proponents	<p>Applicant Mike & Lynne Belew CBC Real Estate Group 4706 Broadway, Suite 240 Kansas City, MO 64112</p> <p>City Department City Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission (8-0) 06-16-2015</p> <p>By Aye: (Archie, Baker-Hughes, Burnette, Crowl, Gutierrez, Macy, Martin & May.</p> <p><input type="checkbox"/> For <input type="checkbox"/> Against No action taken</p> <p><input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do pass</p> <p><input type="checkbox"/> Do pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

Details

CONTINUED:

City Planning and Development staff is concerned with the deletion of the 18 acres and 41 single family lots from the existing preliminary plat for the following reasons: The Kansas City International Airport Area Plan recommends low to medium density residential land use at this location. The current approved preliminary plat is in conformance with the future land use plan; Deletion of the plan will eliminate 41 approved single family lots to allow for two (2) single family lots; and staff does not want to preclude future development and connectivity of the remainder of this parcel and adjoining parcels within the Genesis at Green Hills development.

Because the current approved plan calls for and allows for connection of public infrastructure to the east, north and south of this development. The amendment to the current approved preliminary plat can be achieved by "Ghost Platting" the underlying approved plan (superimposed) on the proposed amendment to see how the underlying plat meshes with the proposed plat. The ghost plat will provide the necessary connectivity and allow for orderly future development when this property further develops. Although this is not part of the existing subdivision regulations, staff believes that it will allow for the temporary development of numerous parcels within currently approved developments and serve as transitional use. This recommendation will preserve the ability for the plan area to be developed as approved in the long term, while allowing it to be used as proposed by the applicant in the short term.

Staff recommends an amendment to the current approved preliminary plan to show a building envelope over the current approved plan (Ghost Plat) to allow for the construction of the applicant's house. The building envelope will consolidate a number of underlying lots of the current approved plan thereby maintaining the lot layout and street network of that plan. The location of the building envelope will be based on the ability to be served by public sanitary sewer and water.

Staff recommends that the developer submit an updated overall development plan that shows the updated development data including phasing to Development Management Division prior to ordinance request. This revision shall exclude the current amendment to Genesis Crossing (Phase IV) under consideration by the City. The original condition of approval for the overall Genesis at Green Hills development still applies to the existing development.

Policy/Program Impact

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost & Revenue Projections -- Including Indirect Costs	
Financial Impact	
Fund Source (s) and Appropriation Account Codes	

Fact Sheet Prepared By:

Olofu O. Agbaji
Staff Planner

Date: 07-07-2015

Reviewed by:

Diane M. Binckley, Division Manager
Development Management

Date: 07-08-2015

Initial application filed: 05-01-2015

Revised plans submitted: 06-19-2015

Reference Numbers

Case No. 10633-P-18

CONTINUED:

Parkland Dedication:

According to Chapter 88-405-17 of the Zoning and Development Code, the developer can either dedicate land for public park, provide open space for park purposes or provide money in lieu of parkland dedication. The development is providing a need for the following:

2 single-family lots x 3.7 x 0.006 = 0.022 acres

0.044 acres x \$16,907.93 = \$750.71

That the developer dedicate 0.44 acres of parkland or contribute \$750.71 in lieu of parkland dedication for the 2 single family lot in satisfaction of Chapter 88-405-17 of the Zoning and Development Code.

Per Chapter 88-405-25-B - Waivers and modifications must be identified on the preliminary plat and must be considered as part of the subdivision review and approval process. The applicant is not seeking any waivers or modification.

Aviation Department has the following recommendations:

- The proposed development is in an area where the Kanas City International Airport height zoning restitutions apply. No structure in this area should be constructed which exceed these restrictions.
- The proposed project location is in proximity to the Kanas City International which has an approach surface with an approximate elevation of 1600 feet.
- This proposed development needs to review the City's Airport height Zoning Ordinance No. 040342 and associated maps.

CONTINUED:

Per Section 88-517-12-C, The city council may approve a development plan that deviates from any of the lot and building standards of this zoning and development code if the proposed use is consistent with the zoning of the property. Any deviations from the standards of this code shall be specifically called out as deviations and described on the development plan and will not be considered to be approved unless so stated. The applicant is not seeking any deviation or variance from the Zoning and Development Code.

Per Section 88-517-12-D, if a use is approved on a development plan that would have required special use approval, no separate special use review will be required.

88-517-12 City Council approval of development plans:

88-517-12-A. An approved development plan shall be considered to be a part of the zoning for the site, and the city council shall retain its legislative discretion with regard to this approval.

88-517-12-B. The city council may consider the proposed development plan's consistency with the purposes of this zoning and development code, as stated in [88-10-05](#), and with the site plan criteria in [88-530-09](#), and may consider any other relevant factors during its consideration of the development plan.

88-517-12-C. The city council may approve a development plan that deviates from any of the lot and building standards of this zoning and development code if the proposed use is consistent with the zoning of the property. Any deviations from the standards of this code shall be specifically called out as deviations and described on the development plan and will not be considered to be approved unless so stated.

88-517-12-D. If a use is approved on a development plan that would have required special use approval, no separate special use review will be required.

88-517-12-E. The city council may act by a simple majority vote, except that when a valid protest petition has been submitted in accordance with [88-515-09](#) approval requires a 2/3 majority vote of the full membership of the city council.

Staff believes that all of these criteria will be met with the requested amendment to the submitted plan.