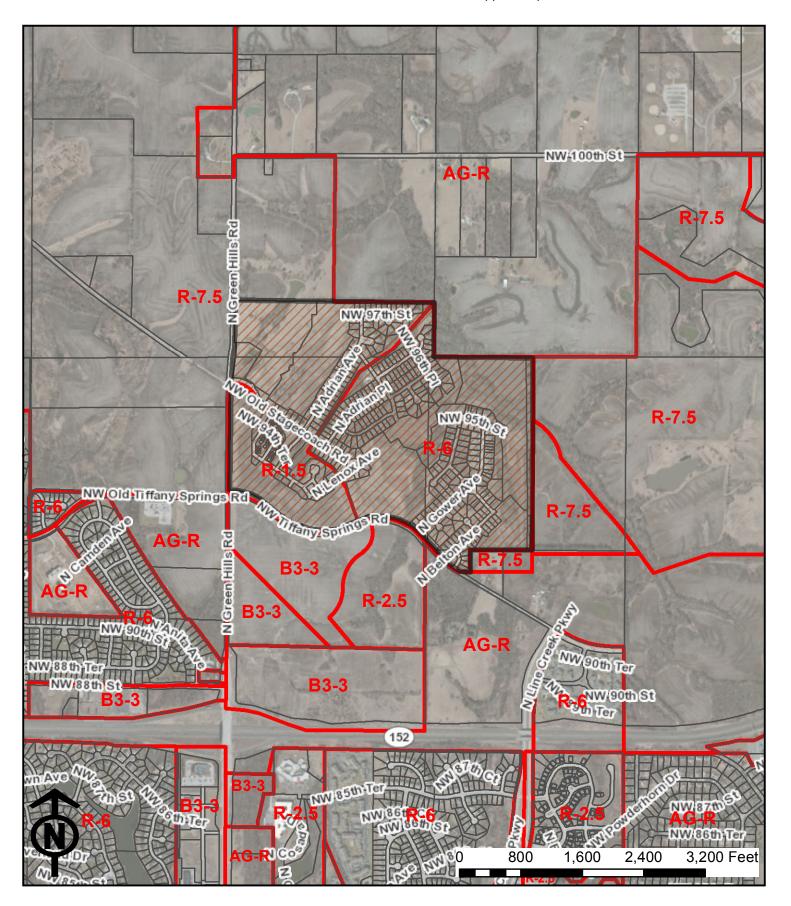
Case No. 10633-P-18 – Approximately 246 acres generally located at the northeast corner of N. Green Hills Road and NW Tiffany Springs Road, to consider amending a previously approved Chapter 80 Preliminary Development plan in Districts R-2.5 and R-6, to allow for modification to Phase VII of the current approved plan.



City Planning & Development Department



Development Management Division

15th Floor, City Hall 414 East 12th Street

414 East 12th Street 816 513-8801 Kansas City, Missouri 64106-2795 Fax 816 513-2838

STAFF REPORT June 16, 2015 (5)

RE: Case No. 10633-P-18

APPLICANT: Mike & Lynne Belew

CBC Real Estate Group 4706 Broadway, Suite 240 Kansas City, MO 64112

OWNER: Bannister Realty Company, Inc.

7401 W. 135th Street

Overland Park, KS 66223

AGENT: Aaron G. March, Esq.

c/o Rachelle Biondo

White Goss, a Professional Corporation 4510 Belleview Avenue, Suite 300

Kansas City, MO 64111

LOCATION: Generally located at the northeast corner of N. Green

Hills Road and NW Tiffany Springs Road.

AREA: 246 acres

REQUESTS: To consider a request to amend a previously approved

Chapter 80 Preliminary on approximately 246 acres in Districts R-2.5 and R-6, to allow for modification to Phase

VII of the current approved plan.

SURROUNDING

LAND USE: North: zoned AG-R/R-7.5, vacant undeveloped.

South: zoned AG-R/R-2.5/B3-3, Vacant/undeveloped.

East: zoned AG-R/ R-7.5, vacant undeveloped. **West:** zoned AG-R/ R-7.5, vacant undeveloped.

LAND USE PLAN: The Kansas City International Airport Area Plan passed

by Ordinance No. 090395 on June 18, 2009

recommends low density residential and Suggested

Conservation land use at this location.

MAJOR STREET PLAN: The City's Major Street Plan shows N. Green Hills Road

as a "2 Through Lane Street" (with one lane in each direction and a center turn lane) and a "Local Link" typology. Northwest Tiffany Springs Road is a Parkway under the jurisdiction of the Parks and Recreation

Department.

ARTERIAL STREET

IMPACT FEE:Benefit District: A

(Informational only) Discounted Rate: \$437.00 per lot (x 2 lots)

Estimated Total: \$874.00

PREVIOUS CASES:

Case No. 10633-P-16 - On January 20, 2015 the City Plan Commission approve a final plan in District R-6 (Residential dash 6), on about 1.5 acres generally located on the north side of NW Old Stagecoach Road about 2,000 feet west of N. Line Creek Parkway, to allow for landscaping within Tracts A, B & C, Genesis Trails, Second Plat private open spaces.

Case No. 10633-P-15 – On March 3, 2015, the City Plan Commission recommended approval of the request to amend Phase IV of the current Chapter 80 approved Preliminary Development plan in Districts R-2.5 and R-6, on about 246 acres to allow for 264 multi-family units within 11 buildings.

Case No. 10633-P-14 – On September 2, 2014, the City Plan Commission continued the request to approve a development plan in District R-2.5 (Residential dash 2.5) to allow for 352 multifamily residential units within 12 Buildings off the docket without a fee.

Case No. 10633-P-13 - On September 2, 2014, the City Plan Commission continued the request to amend a previously approved Chapter 80 Preliminary Development plan in Districts R-2.5 and R-6, to allow for the deletion of approximately 24 acres, and 192 multifamily apartment units from the current approved plan off the docket without a fee.

SD 0826L, Final Plat – Genesis Place - Detention Plat – On July 16, 2013, the City Plan Commission recommended approval of a final plat in District R-6 (Residential dash 6), on approximately 2.88 acres, generally located on the north side of NW Tiffany Springs Road between N. Lenox Place and N. Robinhood Avenue, creating one (1) stormwater detention tract. City Council action pending.

SD 0826K, Final Plat – Genesis Place, Second Plat - On March 5, 2013, the City Plan Commission recommended approval of a final plat in District R-6 (Residential dash 6), on approximately 18.16 acres, generally located at N. Lennox Place between NW 96th Terrace and NW 96th Place, creating 54 single family residential lots and two (2) tracts. City Council action pending.

SD 0826J, Final Plat – Replat Lot #42 Genesis Village 1st Plat – On May 6, 2008, the City Plan Commission recommended approval of a final plat in District GP-5 (medium density residential) on approximately 0.24 acres, a replat of Lot #42 Genesis Village 1st Plat creating one open space tact. City Council action pending.

Case No. 10633-GP-10 – On July 17, 2007, the City Plan Commission approved a final plan in Districts GP-5 (Medium density residential) and GP-6 (Low density residential) to allow for 119 single-family lots, 41 duplex lots and 3 tracts.

Case No. 10633-GP-6, approved a final plan in District GP-6 (Low density residential) to allow for 59 single-family lots and 5 tracts. Case No. 10633-GP-7 approved a final plan in District GP-5 (Medium density residential) to allow for 70 single-family lots and 2 tracts of private open space. Case No. 10633-GP-8 approved a final plan in District GP-5 (Medium density residential) to allow for 66 single-family lots. The above cases were approved by the City Plan Commission on July 18, 2006.

Case No. 10633-GP-5: Ordinance No. 040528, passed June 17, 2004 approved an amendment to a previously approved preliminary development plan in District GP-6 (Low Density Residential Uses) allowing for the construction of 166 single-family residential dwelling units. **(APPROVED PRELIMINARY PLAN).**

Case No. 10633-GP-4: Ordinance No. 040527, passed June 17, 2004 rezoned an area of approximately 140.05 acres generally located 1600 feet east of the intersection of N.W. Tiffany Springs Road and N. Green Hills Road from District GP-6 (Low Density Residential Uses) to District GP-5 (Medium Density Residential Uses). (APPROVED PRELIMINARY PLAN FOR PHASE VII).

Case No. 10633-GP-3 – Ordinance No. 040525, passed by City Council on June 17, 2014 rezoned an area of approximately 44.09 acres generally located in the northeast corner of the intersection of N.W. Tiffany Springs Road and N. Green Hills Road from District GP-6 (Low Density Residential Uses) to District GP-4 (High Density Residential Uses), and approving a development plan for the same. **(CURRENT APPROVED PRELIMINARY PLAN).**

SD 0826E, Final Plat - Genesis Crossing, 1st Plat – Ordinance No. 060488 passed on May 4, 2006 approved a final plat in District GP-4 (high density residential) on

approximately 16.54 acres to allow for 138 multi-family units on 12 lots.

EXISTING CONDITIONS:

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.

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.

PLAN REVIEW & ANALYSIS:

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.

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 Road and Lot 2 off N. Green Hills Road. All proposed internal street connections will be eliminated. Staff recommends that the existing stub streets be maintained to provide consistent transition for the future phases.

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.

Staff recommends that the underlying development plan be ghost platted on the entire 18 acres. The plat should show the connections to the existing and future developments as required by Chapter 88-405-10-B. Staff also recommends that the preliminary plan be revised to provide a building envelope within the underlying (Ghost) plat.

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 \times 3.7 \times 0.006 = 0.022 acres 0.044 acres \times \$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.

RECOMMENDATIONS:

City Planning and Development Staff recommends approval of **Case No. 10633-P-18** based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions as provided by the Development Review Committee at the June 3, 2015 meeting:

- 1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff, prior to issuance of building permit showing:
 - a. The acreage of Lots 1 & 2 be shown on the revised plan.
 - b. Show the Preliminary Stream Buffer within Area 7.
 - c. Site data without phase IV amendment.
 - d. Ghost platting of underlying lots with proposed building envelope.
 - e. Utility connections to serve the proposed lots.

Conditions 2. - 4. per City Planning & Development, Development Management Division (Olofu Agbaji, olofu.agbaji@kcmo.org)

2. Conditions of approval of Ordinance Nos. 040525, 040527 and 040528 passed by City Council on June 17, 2014 rezoned shall apply to the existing and future Genesis at Green Hills Community Unit Project Plan.

- 3. That the preliminary plan phasing boundary for Phase VII be reflected on the final plat to ensure the extension of N. Amoret Avenue per the approved development plan.
- 4. That the developer submit Street Naming Plan to Development Management Division prior to ordinance request of this final plat. Street naming plan shall be approved prior to issuance of address for this plat.
- 5. The developer submit a Chapter 80 Plan for each project or phase of the development to the City Plan Commission prior to issuance of a building permit. The final plan shall meet the development standards of Chapter 88-400 including; plan information; property uses; setback distances; lighting (with a photometric study); landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery; (ii) buildings and dumpster elevation drawings; (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section; streetscaping; signage (including elevations); and architectural characteristics.

Conditions 6. - 20. per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)

- 6. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
- 7. That the developer submit an updated macro "overall" storm drainage study for the entire development to the Land Development Division for approval, with a micro "detailed" storm drainage study to be submitted, and that the developer construct any necessary improvements as required by the Land Development Division.
- 8. That the developer design and construct all roundabouts within the development as "modern roundabouts" as required by the Department of Public Works.
- 9. That the developer dedicate additional right of way for N. Green Hills Road as required by the Land Development Division so as to provide a total of 56 feet of right of way on the east side of N. Green Hills Road as measured from its centerline.
- 10. That the developer design and construct all interior streets to City standards as required by the Land Development Division, including curb and gutter, storm sewers, streetlights, and sidewalks.

- 11. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
- 12. That the developer obtain the grading consents, and all grading, temporary construction and drainage/sewer easements from the abutting property owner prior to submitting any public improvements.
- 13. That the temporary off-site cul-de-sacs be constructed as required by the Land Development Division.
- 14. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review, acceptance, and permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
- 15. The owner/developer must secure a Site Disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
- 16. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by the Land Development Division.
- 17. That the developer submit covenants, conditions and restrictions to the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.
- 18. The developer shall submit a preliminary buffer plan for Area 7 prior to approval of the Development plan in accordance with the Section 88-415 requirements.
- 19. The developer shall submit a final stream buffer plan for Area 7 to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the Stream Buffer prior to removal of any mature riparian species within the buffer zones due to building activities on the site, in accordance with the Section 88-415 requirements.
- 20. The developer must grant on City approved forms, a STREAM BUFFER Easement to the City or show and label the final stream buffer zones on the subdivision plat within a private open space tract, as required by Chapter 88 and Land Development Division, prior to issuance of any

stream buffer permits.

Condition 21. per Water Services Department (Heather Massey, heather.massey@kcmo.org)

21. That the developer extend water main and provide easement as required by the Water Services Department.

Conditions 22. - 24. per Fire Marshal's Office (John Hastings, john.hastings@kcmo.org)

- 22. Fire hydrant(s) are required within 400 feet on a fire access road following an approved route established by the Authority Having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrant(s) may be used to satisfy this requirement otherwise a private fire hydrant(s) or hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy(s) or the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC-2012: § 507.5.1)
- 23. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2012: § 3312.1; NFPA 241-2010: § 8.7.2)
- 24. Shall meet the minimum fire hydrant requirements of KCMO Water Services applicable to a water main extension which is every 300 feet commercial or 600 feet residentially zoned area.

Condition 25. per Parks and Recreation Department (Richard Allen, richard.allen@kcmo.org)

25. The developer shall pay money in lieu of dedication of parkland in the amount of \$750.71 (for Platte Purchase Park).

Respectfully submitted,

Olofu O. Agbaji

Planner

CURRENTLY UNDER REVIEW

of Authority #:

Sheet No.: