

ORDINANCE NO. XXXXXX

Approving a Preliminary Plat for Summit View Farms, 5<sup>th</sup> Plat on an area of about 6.276 acres generally located at northwest of the intersection of SW Summit View Trail and SW National Avenue in District R-80 (Residential 80). (CD-CPC-2019-00227)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

That an area legally described as:

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 47 NORTH, RANGE 32 WEST, OF THE FIFTH PRINCIPLE MERIDIAN, KANSAS CITY, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

COMMENCING AT A LIMESTONE MARKING THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE NORTH 87°59'47" WEST (THIS AND ALL FOLLOWING BEARINGS ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM 1983, WEST ZONE) ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1141.43 FEET (1141.62 FEET DEED) TO A POINT ON THE CITY LIMITS LINE OF KANSAS CITY, MISSOURI; THENCE NORTH 02°21'56" EAST (NORTH 02°22'40" EAST DEED) ON SAID EAST LINE, A DISTANCE OF 948.21 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°37'06" WEST, A DISTANCE OF 200.07 FEET TO A POINT; THENCE NORTH 02°22'13" EAST, A DISTANCE OF 219.46 FEET TO A POINT; THENCE NORTH 87°37'47" WEST, A DISTANCE OF 303.86 FEET TO A POINT ON THE WEST LINE OF A QUIT CLAIM DEED FOUND IN INSTRUMENT NUMBER 2018E0049276, IN THE JACKSON COUNTY RECORDER OF DEEDS OFFICE; THENCE NORTH 16°32'33" EAST (NORTH 16°32'42" EAST DEED) ON SAID WEST LINE, A DISTANCE OF 540.76 FEET TO A POINT ON THE SOUTH LINE OF A QUIT CLAIM DEED FOUND IN INSTRUMENT NO. 2016E0047063 AND THE SOUTH LINE OF A QUIT CLAIM DEED FOUND IN INSTRUMENT NO. 2016E0047064, RECORDED IN SAID RECORDER OF DEEDS OFFICE; THENCE SOUTH 87°37'12" EAST (SOUTH 87°37'15" EAST DEED) ON SAID SOUTH LINE, A DISTANCE OF 371.54 FEET TO A POINT ON SAID CITY LIMITS LINE, ALSO BEING THE WEST LINE OF SUMMIT VIEW FARMS AMENDED FIRST PLAT, A RECORDED SUBDIVISION AS FILED IN SAID RECORDER OF DEEDS OFFICE, INSTRUMENT NUMBER 2017E0048627, IN BOOK I70, AT PAGE 1; THENCE SOUTH 02°22'18" WEST (SOUTH 02°22'15" WEST PLAT) ON SAID CITY LIMITS LINE AND LAST SAID WEST LINE, A DISTANCE OF 658.35 FEET TO A 2" ALUMINUM DISK STAMPED HDR ENGINEERING, INC., MARKING THE SOUTHWEST CORNER OF SAID PLAT; THENCE SOUTH 02°21'56" WEST CONTINUING ON SAID CITY LIMITS LINE, A DISTANCE OF 85.38 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION CONTAINS 273,400 SQUARE FEET OR 6.276 ACRES, MORE OR LESS.

Section A. That a development plan for the area legally described above is hereby approved, subject to the following conditions:

1. A waiver be granted to Section 88-405-12 to allow for the northern Tract E to be platted without direct access to a public roadway as shown, and require at such time in the future that when Tracts E or F are replatted to construct buildable lots that Section 88-405-12 be met at that time.
2. The developer must post a sign at the terminus of all stub streets (SW National Ave) indicating that the stub street is intended to be opened to through traffic when the adjacent property is developed. The sign must state "FUTURE THROUGH STREET. TO BE CONNECTED WHEN ABUTTING PROPERTY DEVELOPS." The city may provide specifications for required signs.
3. When the subject area is replated with right-of-way and residential lots, the developer must design and construct all interior public streets to City Standards, as required by Chapter 88 and the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks.
4. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
5. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat. The storm water detention basin serves multiple lots and requires the detention basin to be platted in a storm water detention tract and have a "Covenant to Maintain Storm Water Detention Facilities.
6. When the subject area is replated with right-of-way and residential lots, the developer shall submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
7. The developer must secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
8. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
9. When the subject area is replated with right-of-way and residential lots, 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.
10. The developer shall submit a final stream buffer plan 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 construction activities on the site, in accordance with the Section 88-415 requirements.

11. The developer shall submit a Preliminary Stream Buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
12. Show all proposed utility lines for water & sewer mains and service at the time the future lots are proposed.
13. At the time future lots are proposed, show and label a proposed 8-inch water main extension from 30" KCMO transmission main.
14. When the subject area is replatted with right-of-way and residential lots, the developer must submit water main extension drawings prepared by a registered professional Engineer in Missouri to the main extension desk for review, acceptance and contracts per the KC Water Rules and Regulations for Water main extensions and Relocations.
15. When the subject area is replatted with right-of-way and residential lots, proposed domestic water and fire services lines must follow the KCMO Rules and Regulations.
16. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 3312.1; NFPA 241-2013 § 8.7.2)
17. All construction shall be in compliance of the applicable building codes which are in effect at the time of construction and shall be built under valid building permits issued by City Planning and Development. (IFC-2018 § 102.4)
18. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 3310.1; NFPA 241-2013 § 7.5.5)
19. 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-2018: § 507.5.1)
20. The developer shall submit Stream Buffer Plans in compliance with 88-415 requirements and obtain a Stream Buffer Permit prior to removal of any mature riparian vegetation or commencing any grading activities within potential stream buffer areas.
21. Measures should be taken to evaluate erosion and protect the sanitary sewer at the detention basin outfall.
22. Prior to issuance of any construction permits, the developer shall submit, for review and acceptance, a Macro storm drainage study, sealed by a Missouri-licensed civil engineer, for the entire development area, showing compliance with the latest adopted version of APWA 5600 standards in effect at the time of submission, including Water Quality BMPs per the latest adopted version of the MARC BMP Manual, and submit a Micro storm drainage study with each subsequent phase of development showing compliance with the approved Macro and adopted standards. The developer shall construct improvements necessary to mitigate impacts from rate, volume (10% and 1% storms at a minimum), and quality of stormwater runoff from each proposed phase.

23. Stormwater management facilities, such as detention basins, BMPs, engineered surface water conveyance paths outside of right-of-way, etc., which serve multiple lots or tracts, shall be privately maintained, located on separate tract(s), and covered by maintenance covenant(s) to be administered through the platting process.
24. At such time that residential lots are platted, the developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way. A street tree review by City Forester, is recommended in conjunction with any sidewalk or streetscape improvements that may be required for the project. This would apply to SW National Avenue and the unlabeled cul-de-sac. Trees in ROW would only require permits if they were a part of Public Streetscape Improvement Plans or building plans being submitted to City Planning & Development Department.
25. At such time that residential lots are platted, the developer elects to pay money in lieu of dedicating land, the developer must, before recording the subdivision plat or minor subdivision, or receiving a certificate of occupancy for a new residential unit, deposit with the city treasurer a monetary payment to the parks and recreation acquisition or development trust fund equal to the required parkland dedication (calculated pursuant to 88-408-A.) multiplied by the current year's price for the calendar year in which the approval is granted by the preliminary plat, less a credit based on the ratio that any land actually dedicated for park purposes bears to the required parkland dedication. The developer shall pay money in lieu of dedication of parkland in the amount of per formula or Dedicate Acreage of Private Open Space for Parkland Purpose as identified in 88-408. To receive credit for previous dedication the developer needs show and list areas previously dedicated. Money in lieu of parkland shall be based on the following formula:  $6 \text{ lots} \times .006 \times 3.7 \text{ persons} \times \$39,617.49 \text{ (2019 and 2020 rate)} = \$5,277.05$ .

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section B. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Joseph Rexwinkle, AICP  
Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney