

COMPARED VERSION
AS AMENDED TO ORIGINAL ORDINANCE

ORDINANCE NO. 150161, AS AMENDED

Approving an amendment to a previously approved Chapter 80 preliminary development plan in Districts R-1.5 (formerly GP-4), R-6 (formerly GP-5) and R-7.5 (formerly GP-6) to allow the development of a residential community (consisting of single family units and multi-family units) and modifications of phasing, building types and other changes within a 246 acre tract of land generally located at the northeast corner of N. Green Hills Road and N.W. Tiffany Springs Road. (10633-P-15)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved Chapter 80 preliminary development plan in Districts R-1.5, R-6 and R-7.5 (said plan previously approved by passage of Ordinance No. 040525 and Committee Substitute for Ordinance Nos. 040527 and 040528) to allow the development of a residential community (consisting of single family units and multi-family units) and modifications of phasing, building types and other changes within a 246 acre tract of land generally located at the northeast corner of N. Green Hills Road and N.W. Tiffany Springs Road, and more specifically described as follows:

Overall Plan Legal Description:

A tract of land in the Northwest Quarter and the Southwest Quarter of Section 4, Township 51 North, Range 33 West, the Northeast Quarter of Section 5, Township 51 North, Range 33 West and part of the Southeast Quarter of Section 32, Township 52 North, Range 33 West, Kansas City, Platte County, Missouri, described as follows: Beginning at the Southwest Corner of the Southeast Quarter of said Section 32; thence North 00 degrees 40 minutes 23 seconds East, along the West line of said Southeast Quarter, 714.45 feet (deed = North 00 degrees 40 minutes 58 seconds East, 716.60 feet) to the South line of a tract of land recorded in Book 309 at Page 74 in the Platte County Recorder's Office; thence North 89 degrees 53 minutes 22 seconds East, along the South line of said tract and the South line of a tract recorded in Book 149 at Page 235 in the Platte County Recorder's Office, said South lines being also the North line of the Southerly 43.25 acres of said Southeast Quarter, 2629.04 feet (deed = North 89 degrees 55 minutes 13 seconds East, 2628.61 feet) to the East line of said Southeast Quarter; thence South 00 degrees 32 minutes 08 seconds West, along said East line, 718.40 feet (deed = South 00 degrees 33 minutes 23 seconds West, 716.60 feet) to the Southeast Corner of said Southeast Quarter; thence North 89 degrees 58 minutes 55 seconds East, along the North line of the Northwest Quarter of said Section 4, 1230.15 feet (deed = North 89

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degrees 59 minutes 17 seconds East, 1229.87 feet) to the Northwest Corner of the East 73.83 acres of said Northwest Quarter as described in Book 311 at Page 31 in the Platte County Recorder's Office; thence South 00 degrees 22 minutes 07 seconds West, along the West line of said East 73.83 acres, 2516.66 feet (deed = South 00 degrees 22 minutes 57 seconds West, 2515.32 feet) to the South line of said Northwest Quarter; thence North 89 degrees 44 minutes 03 seconds West, along said South line, 728.85 feet (deed = North 89 degrees 47 minutes 39 seconds West, 727.01 feet) to the Northwest Corner of a tract of land recorded in Book 323 at Page 275 in the Platte County Recorder's Office; thence South 00 degrees 05 minutes 27 seconds West, parallel with the West line of the Southwest Quarter of said Section 4 and along the West line of said tract, 280.50 feet (deed = South 00 degrees 05 minutes 02 seconds West); thence North 89°44'03" West, parallel with the North line of the Southwest Quarter of said Section 4, 184.71 feet (deed = North 89 degrees 47 minutes 39 seconds West, 185.19 feet) to the centerline of Old Stagecoach Road; thence North 58 degrees 18 minutes 19 seconds West, along said centerline, 102.84 feet (deed = North 58 degrees 20 minutes 17 seconds West, 100.76 feet); thence Northwesterly, continuing along said centerline, along a curve to the right having a radius of 548.28 feet and tangent to the last described course, an arc distance of 146.73 feet; thence North 42 degrees 58 minutes 20 seconds West, continuing along said centerline, 312.03 feet (deed = North 43 degrees 00 minutes 18 seconds West) to a point on the East line of the Northeast Quarter of said Section 5; thence North 42 degrees 58 minutes 20 seconds West, 163.13 feet; thence Northwesterly, along the centerline of proposed Tiffany Springs Road, along a curve to the left having a radius of 600.00 feet and tangent to the last described course, an arc distance of 757.21 feet; thence South 64 degrees 43 minutes 10 seconds West, continuing along said centerline, 67.40 feet; thence North 15 degrees 49 minutes 47 seconds West, 60.64 feet to a point on the North Right of Way line of N.W. Tiffany Springs Road, as now established; thence Southwesterly, along said North Right of Way line, along a curve to the left having an initial tangent bearing of South 66 degrees 26 minutes 30 seconds West with a radius of 740.00 feet, a central angle of 01°43'25" degrees 43 minutes 25 seconds and an arc distance of 22.22 feet; thence South 64 degrees 43 minutes 10 seconds West, continuing along said North Right of Way line, 72.01 feet; thence Westerly, continuing along said North Right of Way line, along a curve to the right having tangent to the last described course with a radius of 910.00 feet, a central angle of 38 degrees 49 minutes 01 seconds and an arc distance of 616.51 feet; thence Northwesterly, continuing along said North Right of Way line, along a curve to the right having a common tangent with the last described course with a radius of 25.00 feet, a central angle of 93 degrees 13 minutes 54 seconds and an arc distance of 40.68 feet; thence North 73 degrees 13 minutes 29 seconds West,

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continuing along said North Right of Way line, 50.00 feet; thence Southwesterly, continuing along said North Right of Way line, along a curve to the right having an initial tangent bearing of South 16 degrees 46 minutes 55 seconds West with a radius of 25.00 feet, a central angle of 93 degrees 13 minutes 54 seconds and an arc distance of 40.68 feet; thence Northwesterly, continuing along said North Right of Way line, along a curve to the right having a common tangent with the last described course with a radius of 910.00 feet, a central angle of 20 degrees 35 minutes 22 seconds and an arc distance of 327.01 feet; thence North 49 degrees 23 minutes 49 seconds West, continuing along said North Right of Way line, 170.85 feet; thence Westerly, continuing along said North Right of Way line, along a curve to the left having an initial tangent bearing of North 49 degrees 23 minutes 48 seconds West with a radius of 702.00 feet, a central angle of 40 degrees 36 minutes 20 seconds and an arc distance of 497.51 feet; thence South 89 degrees 59 minutes 43 seconds West, continuing along said North Right of Way line, 4.54 feet to a point on the East Right of Way line of Green Hills Road, as now established; thence North 00 degrees 25 minutes 19 seconds East, along said East Right of Way line, 1,310.06 feet to a point on the South line of Genesis Place Estates– First Plat, a subdivision in Kansas City, Platte County, Missouri; thence North 89 degrees 35 minutes 22 seconds West, 24.91 feet to a point on the West line of said Northeast Quarter; thence North 00 degrees 24 minutes 38 seconds East, along said West line, 451.21 feet to the Northwest Corner of said Northeast Quarter; thence North 89 degrees 50 minutes 04 seconds East, along the North line of said Northeast Quarter, 35.95 feet to the point of beginning. Containing 10,708,817 square feet or 245.84 acres, more or less.

is hereby approved, subject to the following conditions:

1. Conditions of approval of Ordinance Nos. 040525, 040527 and 040528 passed by City Council on June 17, 2004, shall apply to the existing and future Genesis at Green Hills Community Unit Project Plan.
2. That the developer submit a Street Naming Plan to Development Management Division prior to ordinance request of this final plat. The street naming plan shall be approved prior to issuance of addresses for this plat.
3. That the developer submit a Chapter 80 final 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,

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if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section, streetscaping, signage (including elevations), and architectural characteristics.

4. That the developer 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.
5. 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.
6. That the developer dedicate a minimum right of way on the east side of N. Green Hills Road of 98 feet as measured from the centerline of N. Green Hills Road at the intersection of N. Green Hills Road and Tiffany Springs Road extending north from the centerline of Tiffany Springs Road 92 feet to accommodate a roundabout, as required by the Land Development Division when Phase IV is platted or when required by the Department of Public Works, whichever occurs first.
7. That the developer design and construct all roundabouts within the development as "modern roundabouts" as required by the Department of Public Works.
8. 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.
9. That the developer dedicate a minimum of 60 feet of right of way for Old Stagecoach Road, per collector street standards (throughout the length of the development) as required by the Land Development Division.
10. That the developer improve Old Stagecoach Road to collector street standards through the length of the development, as required by the Land Development Division, including curbs, gutters, storm sewers, sidewalks, streetlights, existing roadway section transitions to meet vertical and horizontal alignment standards, and relocation of utilities.
11. 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.
12. That the developer pay impact fees as required by Chapter 39 of the City's Code of Ordinances as required by the Land Development Division.

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13. 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.
14. That the developer construct temporary off-site cul-de-sacs as required by the Land Development Division.
15. That the owner/developer submit plans for grading, siltation, and erosion control to the 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.
16. That the owner/developer 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.
17. 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.
18. 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.
19. That the developer extend water main and provide easements as required by the Water Services Department.
20. That the developer provide the Fire Department access roads prior to start of all construction/demolition projects. (IFC2000: § 1401.1; NFPA 241-1996: § 5-4.3)
21. That the developer construct the required Fire Department access roads consisting of an all-weather surface (IFC2000:§ 503.2.3), and which shall be designed to support fire apparatus with a gross axle weight of 85,000 pounds. (IFC2000:§503.2.3)
22. That the developer install fire hydrant(s) 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. 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 occupancy(s) or if the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC2000:§508.5.1)

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23. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC2000:§1412.4; NFPA 241§ 8.7.2)
24. That the developer meet the minimum fire hydrant requirements of the Water Services Department applicable to a water main extension which is every 300 feet commercial or 600 feet residentially zoned area.
25. That the developer dedicate parkland or pay money in lieu of dedication of parkland in accordance with Section 88-405-17 of the amount of \$22,431.88. Credit was provided for Tracts A, C, Zoning and D totaling 2.89 acres of Private Open Space to be used for park or recreational purposes. Development Code.

A copy of said amendment 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 Ordinance have been given and had.

I hereby certify that as required by Chapter 8088, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:

M. Margaret Sheahan Moran
Assistant City Attorney