

ORDINANCE NO. 150598

Rezoning an area of approximately 15 acres generally located on the east side of N. Ambassador Drive between N.W. Old Tiffany Springs Road on the north and N.W. 88th Street on the south from District R-2.5 to District MPD, and approving a development plan that serves as a preliminary plat for skilled nursing, independent living, retail and office uses. (6029-MPD-30)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A1020, rezoning an area of approximately 15 acres generally located on the east side of N Ambassador Drive between NW Old Tiffany Springs Road on the north and NW 88<sup>th</sup> Street on the south from District R-2.5 (Residential 2.5) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A1020. That an area legally described as:

A tract of land in the Southeast Quarter of Section 6, Township 51 North, Range 33 West, in Kansas City, Platte County, Missouri, described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 6; thence North 88 degrees 57 minutes 01 seconds West along the North line of said Southeast Quarter, 2054.38 feet; thence South 0 degrees 23 minutes 24 seconds West along the Northerly extension of the West line of Tiffany Hills, a subdivision of land in Kansas City, Platte County, Missouri, 38.01 feet to the True Point of Beginning of the tract of land to be herein described; thence continuing South 0 degrees 23 minutes 24 seconds West, along the West line of said Tiffany Hills, and the West line of Tiffany Hills Second Plat, a subdivision of land in Kansas City, Platte County, Missouri, and the Southerly extension thereof, 1190.42 feet to the Northerly right of way line of N.W. 90th Street as described in Tract 1 of the General Warranty Deed as recorded in the office of the Recorder of Deeds, Platte County, Missouri as Document No. 002837 in Book 1098 at Page 943; thence Westerly on said Northerly right of way line, along a curve to the left, having an initial tangent bearing of North 71 degrees 26 minutes 16 seconds West, a radius of 264.00 feet, a central angle of 17 degrees 04 minutes 34 seconds, an arc distance of 78.68 feet; thence North 88 degrees 30 minutes 50 seconds West along said Northerly right of way line, 441.83 feet to a point on the Easterly right of way line of N Ambassador Drive as described in General Warranty Deed as recorded in the office of the Recorder of Deeds, Platte County, Missouri as Document No. 015187 in Book 1089 at Page 326; thence Northerly on said Easterly right of way line the following nine (9) courses; thence North 88 degrees 30 minutes 50 seconds West, 12.05 feet; thence

ORDINANCE NO. 150598

Northerly along a curve to the right, tangent to the last described course with a radius of 36.00 feet, a central angle of 89 degrees 59 minutes 01 seconds, an arc distance of 56.54 feet; thence North 1 degree 28 minutes 11 seconds East, 155.75 feet; thence North 2 degrees 24 minutes 58 seconds West, 177.07 feet; thence North 1 degree 28 minutes 11 seconds East, 160.31 feet; thence North 4 degrees 27 minutes 30 seconds East, 115.08 feet; thence North 1 degree 28 minutes 11 seconds East, 106.82 feet; thence North 5 degrees 16 minutes 47 seconds East, 180.60 feet; thence North 1 degree 28 minutes 11 seconds East, 198.22 feet to a point on the Southerly right of way line of N.W. Tiffany Springs Road as described in General Warranty Deed as recorded in the office of the Recorder of Deeds, Platte County, Missouri as Document No. 015188 in Book 1089 at Page 327; thence Easterly on said Southerly right of way line the following three (3) courses; thence North 46 degrees 14 minutes 57 seconds East, 50.50 feet; thence South 88 degrees 57 minutes 01 seconds East, 302.17 feet; thence North 88 degrees 12 minutes 28 seconds East, 201.54 feet to the true point of beginning.

is hereby rezoned from District R-2.5 to District MPD.

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

1. 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.
2. That the developer submit a macro "overall" storm drainage analysis from a Missouri licensed civil engineer for the entire development in accordance with adopted standards to the Land Development Division for review and acceptance at the time the first plat is submitted, with a micro "detailed" storm drainage study, including a BMP level of service analysis, in accordance with current adopted standards to be submitted for each phase at the time of final platting, and the developer secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
3. That the developer verify vertical and horizontal sight distance for the drive connection to public streets and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
4. 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.
5. That the developer submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, identifying sidewalks, curbs, and

ORDINANCE NO. 150598

gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.

6. That the developer submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, for N.W. 88th Street, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
7. That the developer obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
8. That the owner/developer submit plans for grading, siltation, and erosion control to the 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.
9. That the developer secure permits to extend 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.
10. That the developer grant a BMP Easement to the City as required by the Land Development Division, prior to obtaining a Certificate of Occupancy for any building permit.
11. That the developer provide for fire protection as required by the Fire Department.
12. That the developer extend water mains as required by the Water Services Department.
13. That within 30 days of approval of a preliminary development plan by the City Council, the landowner must file with the appropriate recorder of deeds office a statement that such a plan: (1) has been filed with the City Plan Commission; (2) has been approved; (3) that the MPD preliminary



ORDINANCE NO. 150598

development plan is applicable to certain specified legally-described land; and (4) that copies of the plan are on file in the City Planning and Development Department. The statement recorded with the recorder of deeds must also specify the nature of the plan, the proposed density or intensity of land use and other pertinent information sufficient to notify any prospective purchasers or users of the land of the existence of such a plan and further include all information as required by Section 88-520-03-H.

- 14. That the developer contribute \$68,984.35 or at a rate of \$202.89 per unit, in lieu of parkland dedication for 340 multifamily units in satisfaction of Section 88-405-17 of the Zoning and Development Code, calculated as follows:
  - 340 MF units x 2 persons/unit x 0.006 acres/person = 4.08 acres
  - 4.08 acres x \$16,907.93 = \$68,984.35 or \$202.89 per unit.
- 15. That the developer submit a final development plan with the City Planning and Development Department after approval of and before the lapse of a preliminary development plan. The site plan shall include information regarding property uses, setback distances, lighting (photometrics plan showing zero footcandles at the property line), landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots, show proposed pedestrian circulation, and include elevation drawings of buildings and signage.
- 16. That the developer submit a street tree planting plan to the Parks and Recreation Department for approval prior to the approval of a final plat.

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 C. 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.

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



Authenticated as Passed

Sly James, Mayor

Marilyn Sanders, City Clerk

JUL 23 2015

Date Passed

*[Handwritten Signature]*  
Secretary, City Plan Commission

Approved as to form and legality:

M. Margaret Sheahan Moran

ORDINANCE NO. 150598

Assistant City Attorney