



Legislation Details (With Text)

File #: 230491 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 5/22/2023 **In control:** Council
On agenda: 6/15/2023 **Final action:** 6/15/2023
Title: Sponsor: Director of City Planning and Development Department

Rezoning an area of about 100 acres generally located at the northeast corner of N.W. 108th Street and N.W. Skyview Avenue (approximately 800 feet north) from District AG-R to District MPD to allow for a residential development, which also serves as a preliminary plat, creating 249 detached lots and 340 multi-family and 9 tracts in 7 phases. (CD-CPC-2023-00017).

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Docket Memo_CD-CPC-2023-00017, 2. 07_CD-CPC-2023-00017_CPCStaff Report_04-04-23, 3. Exhibit A_Section Map, 4. CD-CPC-2023-00017_Approved Plan, 5. 04_04_23_CPC_O, 6. CD-CPC-2023-00017_CPCDispo_04-04-23, 7. 230491.Authenticated Ordinance, 8. 230491.Authenticated Ordinance

Date	Ver.	Action By	Action	Result
6/15/2023	1	Council	Passed	Pass
6/14/2023	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
6/8/2023	1	Council	referred	

ORDINANCE NO. 230491

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 100 acres generally located at the northeast corner of N.W. 108th Street and N.W. Skyview Avenue (approximately 800 feet north) from District AG-R to District MPD to allow for a residential development, which also serves as a preliminary plat, creating 249 detached lots and 340 multi-family and 9 tracts in 7 phases. (CD-CPC-2023-00017).

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 88-20A-1387, rezoning an area of about 100 generally located at the northeast corner of N.W. 108th Street and N.W. Skyview Avenue (approximately 800 feet north) from District AG-R (Agricultural-Residential) to District MPD (Master Planned Development) to allow for a residential development, which also serves as a preliminary plat, creating 249 detached lots and 340 multi-family and 9 tracts in 7 phases, said section to read as follows:

Section 88-20A-1387. That an area legally described as:

All that part of the North Half of Section 30, Township 52, Range 33, Kansas City, Platte County, Missouri, described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 30, also being the Northeast corner of the Northwest Quarter of said Section 30; thence South 89 degrees 52 minutes 49 seconds East, along the North line of said Northeast Quarter, a distance of 1974.49 feet to the West line of Tiffany Lakes 4th Plat, a subdivision in Kansas City, Platte County, Missouri; thence South 11 degrees 08 minutes 15 West, along the West line of said Tiffany Lakes 4th Plat, a distance of 846.54 feet to the West line of Tiffany Lakes 3rd Plat, a subdivision of land in Kansas City, Platte County, Missouri; thence South 34 degrees 12 minutes 48 West, along the West line of said Tiffany Lakes 3rd Plat, a distance of 112.69 feet; thence South 07 degrees 00 minutes 50 seconds West, continuing along said West line, a distance of 262.82 feet to the West line of Tiffany Lakes 2nd Plat, a subdivision of land in Kansas City, Platte County, Missouri; thence South 24 degrees 38 minutes 24 seconds West, along the West line of said Tiffany Lakes 2nd, a distance of 193.01 feet; thence Northerly along a curve to the right, with an Initial Tangent Bearing of North 58 degrees 10 minutes 17 seconds West, a radius of 210.00 feet, an arc distance of 33.48 feet; thence continuing along said West line North 49 degrees 02 minutes 10 seconds West, a distance of 64.74 feet; thence South 44 degrees 30 minutes 20 seconds West, a distance of 185.67 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 244.68 feet; thence South 09 degrees 54 minutes 17 seconds West, continuing along said West line, a distance of 54.35 feet; thence South 03 degrees 05 minutes 43 seconds East, continuing along said West line and also being the West line of Tiffany Lakes, a subdivision of land in Kansas City, Platte County, Missouri, a distance of 342.42 feet; thence South 89 degrees 50 minutes 52 seconds West, to the West line of said Northeast Quarter, also being the East line of said Northwest Quarter, a distance of 1215.21 feet; thence North 89 degrees 05 minutes 16 seconds West, a distance of 746.45 feet to the Easterly Right of Way of Northwest Skyview Avenue; thence North 08 degrees 31 minutes 25 seconds East, along said Right of Way, a distance of 422.09 feet, thence continuing along said Right-of-Way, North 08 degrees 24 minutes 25 seconds East, a distance of 931.64 feet; thence Northerly along a curve to the right, being tangent to the last course having a radius of 442.46 feet, an arc distance of 202.85 feet; thence continuing along said Right-of-Way, North 34 degrees 40 minutes 25 seconds East, a distance of 359.59 feet to the North line of the Northwest Quarter of said section 30; thence South 89 degrees 51 minutes 45 seconds East, along said North line, a distance of 290.85 feet to the Point of Beginning. Said Tract contains 995.80 acres more or less.

is hereby rezoned from District AG-R (Agricultural-Residential) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1387, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That an MPD preliminary plan/ plat for the area legally described above is hereby approved, subject to the following conditions:

1. The developer shall secure approval of an MPD final plan from the City Plan Commission for the multi-family phase prior to issuance of a building permit.
2. The developer shall submit an application for an MPD final plan to the City Plan Commission for all private open space indicating plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero footcandles at the property lines prior to ordinance request of the first final plat for this development. The MPD final plan shall be approved by the City Plan Commission prior to Mylar approval of the first plat or issuance of a

building permit.

3. The developer shall submit a street naming plan to the Development Management Division prior to issuance of a building permit for any phase/ lot. The street naming plan shall be approved prior to Mylar approval of the first final plat.
4. 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.
5. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
6. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
7. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
8. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department 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.
9. The developer shall 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.
10. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
11. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division.
12. The developer shall dedicate additional right-of-way for N.W. Skyview Avenue as required by the adopted major street plan and/or Chapter 88 so as to provide a minimum of 50 feet of right-of-way as measured from the centerline, along those areas being platted, or seek approval

- recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.
13. The developer shall 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.
 14. A full flow fire meter will be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.
 15. The developer shall 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 Kansas City Water rules and regulations.
 16. The developer shall submit an analysis by a registered professional engineer in Missouri to verify adequate capacity of the existing water supply mains for the new domestic and fire demands, and if necessary, prepare improvement plans to meet the anticipated demands.
 17. 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 Section 88-415 requirements.
 18. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
 19. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with Section 88-415 requirements.
 20. The developer shall show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area, including detention basins and engineered surface drainage conveyances, on any plat and plan, as required by the Land Development Division.
 21. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)
 22. Required Fire Department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in clearance height. Check with Streets and Traffic, Kansas City, Missouri Public Works Department or the Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)
 23. A required fire department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Required Fire Department access roads

shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)

24. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
25. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018-507.1)
26. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the 2023 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to recording the final plat or prior to a certificate of occupancy.
27. Shall the applicant decide to dedicate private open space in order to meet parkland dedication requirements per section 88-408, the applicant shall provide a detailed site plan for each tract showing the locations of all amenities, sidewalks, and trails. This shall be reviewed and approved by the Parks and Recreation Department prior to approval of the first final plat for this development.
28. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
29. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
30. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
31. A full flow fire meter will be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them
32. No tap permits will be issued until the public water main is released for taps.
33. The developer shall submit an analysis by a registered professional engineer in Missouri to verify adequate capacity of the existing water supply mains for the new domestic and fire demands, and if necessary, prepare improvement plans to meet the anticipated demands.
34. The developer shall 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 Kansas City Water rules and regulations for water main extensions and relocations.

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 and development plan 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.

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney