



Legislation Details (With Text)

File #: 240383 **Version:** 2 **Name:**
Type: Ordinance **Status:** Passed
File created: 4/5/2024 **In control:** Council
On agenda: 4/18/2024 **Final action:** 4/18/2024
Title: Sponsor: Director of City Planning and Development Department
COMMITTEE SUBSTITUTE

Rezoning an area of about 42 acres generally located on the south side of N.W. 100th Street approximately 1300 feet east of Green Hills Road from District AG-R to District R-6 and approving a development plan which serves as the preliminary plat to allow for a residential development. (CD-CPC-2024-00008 & CD-CPC-2024-00009).

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Legal Description_Rezoning_Dev Plan_Mandolin Creek_CD-CPC-2024-00008_9, 2. Development Plan MANDOLIN CREEK_CD-CPC-2024-00009_4-2-24, 3. Staff Report_CD-CPC-2024-00007_8_9_Mandolin Creek Dev Plan_Rezone_Area Plan Staff Report_4-2-24, 4. Staff Presentation for CPC_CD-CPC-2024-0007_8_9_Madolin Creek_4-2-24, 5. Dispo CPC_Rezone Mandolin Creek_CD-CPC-2024-00008_4-2-24, 6. Exhibit A_Section Map_88-20A-1431_CD-CPC-2024-00008_Mandolin Creek, 7. Docket Memo_Mandolin Creek_CD-CPC-2024-00008_9, 8. Authenticated Ordinance 240383 C.S.

Date	Ver.	Action By	Action	Result
4/18/2024	1	Council	Passed as Substituted	Pass
4/17/2024	1	Neighborhood Planning and Development Committee	Adv and Do Pass as Cmte Sub	Pass
4/11/2024	1	Council	referred	

[COMMITTEE SUBSTITUTE FOR]ORDINANCE NO. 240383

Sponsor: Director of City Planning and Development Department
COMMITTEE SUBSTITUTE

Rezoning an area of about 42 acres generally located on the south side of N.W. 100th Street approximately 1300 feet east of Green Hills Road from District AG-R to District R-6 and approving a development plan which serves as the preliminary plat to allow for a residential development. (CD-CPC-2024-00008 & CD-CPC-2024-00009).

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 88-20A-1431, rezoning an area of about 42 acres generally located generally located on the south side of Northwest 100th Street approximately 1300 feet east of Green Hills Road from District AG-R (Agricultural-Residential) to District R-6 (Residential 6), said section to read as follows:

Section 88-20A-1431. That an area legally described as:

Containing 1,846,835 square feet or 42.40 acres. All of Lot 2, Crump Acres, a subdivision of land in the Southeast Quarter of Section 32, Township 52 North, Range 33 West, Kansas City, Platte County, Missouri being described as follows: Commencing at the northeast corner of the Southeast Quarter of said Section 32; thence South 89°53'11" West, along the north line of said Southeast Quarter, a distance of 676.49 feet; thence South 00°06'49" East, a distance of 33.00 feet to the northeast corner of said Lot 2, also being a point on the south right of way line of N.W. 100th Street and the point of beginning of the tract of land to be herein described; thence the following courses along the centerline of Second Creek, also being the easterly line of said Lot 2; thence South 13°09'38" East, a distance of 24.94 feet; thence South 58°01'59" East, a distance of 65.54 feet; thence South 16°18'04" East, a distance of 64.30 feet; thence South 73°53'35" East, a distance of 11.47 feet; thence North 64°22'30" East, a distance of 65.13 feet; thence South 66°04'03" East, a distance of 15.55 feet; thence South 13°13'16" East, a distance of 88.38 feet; thence South 15°45'16" West, a distance of 95.99 feet; thence South 40°49'58" West, a distance of 27.31 feet; thence South 10°45'39" West, a distance of 154.46 feet; thence South 25°31'45" East, a distance of 37.84 feet; thence South 51°14'47" East, a distance of 22.59 feet; thence South 85°47'35" East, a distance of 51.94 feet; thence South 53°53'09" East, a distance of 22.66 feet; thence South 09°12'39" West, a distance of 28.69 feet; thence South 53°41'03" West, a distance of 83.45 feet; thence South 20°16'22" West, a distance of 40.11 feet; thence South 38°15'38" East, a distance of 55.19 feet; thence North 67°35'19" East, a distance of 80.28 feet; thence South 88°46'34" East, a distance of 44.42 feet; thence South 10°44'38" East, a distance of 18.29 feet; thence South 45°00'51" West, a distance of 13.43 feet; thence South 82°24'00" West, a distance of 46.03 feet; thence South 23°46'24" West, a distance of 45.90 feet; thence South 42°10'54" East, a distance of 67.21 feet; thence South 54°29'53" East, a distance of 42.64 feet; thence North 84°43'21" East, a distance of 14.33 feet; thence North 40°22'06" East, a distance of 67.58 feet; thence North 81°33'45" East, a distance of 22.33 feet; thence South 73°12'17" East, a distance of 14.09 feet; thence South 40°52'03" East, a distance of 22.88 feet; thence South 13°35'37" East, a distance of 24.06 feet; thence South 32°30'43" West, a distance of 51.55 feet; thence South 09°04'50" West, a distance of 13.42 feet; thence South 44°40'54" East, a distance of 25.38 feet; thence South 05°45'27" East, a distance of 41.06 feet; thence South 52°16'02" West, a distance of 9.55 feet; thence South 76°09'18" West, a distance of 87.37 feet; thence South 46°42'07" West, a distance of 20.84 feet; thence South 01°18'20" West, a distance of 25.04 feet; thence South 37°57'48" East, a distance of 44.90 feet; thence South 82°29'08" East, a distance of 69.71 feet; thence South 54°55'13" East, a distance of 16.82 feet; thence South 17°28'32" East, a distance of 52.25 feet; thence South 41°19'37" West, a distance of 66.18 feet; thence South 30°25'48" East, a distance of 9.98 feet; thence South 68°11'31" East, a distance of 122.46 feet; thence South 06°24'08" West, a distance of 24.49 feet; thence South 81°31'07" West, a distance of 24.29 feet; thence South 33°52'08" West, a distance of 78.16 feet; thence South 20°21'04" East, a distance of 69.42 feet; thence South 38°24'35" West, a distance of 75.51 feet; thence South 04°31'26" East, a distance of 11.72 feet; thence South 52°48'00" East, a distance of 44.27 feet; thence South 80°35'16" East, a distance of 38.43 feet; thence South 49°27'33" East, a distance of 30.92 feet; thence South 31°34'59" West, a distance of 55.38 feet; thence South 76°38'53" West, a distance of 41.26 feet; thence South 44°36'09" West, a distance of 61.90 feet; thence South 19°30'48" East, a distance of 24.68 feet; thence South 57°04'16" East, a distance of 19.23 feet; thence North 86°50'58" East, a distance of 57.92 feet; thence South 00°38'07" East, a distance of 26.80 feet; thence South 29°08'39" East, a distance of 30.19 feet; thence North 81°30'26" East, a distance of 20.89 feet;

thence North 21°29'17" East, a distance of 51.20 feet; thence North 43°26'08" East, a distance of 37.22 feet; thence South 62°58'36" East, a distance of 37.90 feet; thence South 07°37'24" West, a distance of 16.26 feet; thence South 37°31'03" West, a distance of 73.84 feet; thence South 01°45'14" West, a distance of 23.38 feet; thence South 46°48'27" East, a distance of 53.83; thence North 65°22'08" East, a distance of 10.19 feet; thence North 36°20'57" East, a distance of 46.11 feet; thence North 64°46'43" East, a distance of 45.47 feet to the east line of the Southeast Quarter of said Section 32, said point also being on the easterly line of said Lot 2; thence departing from the centerline of Second Creek, along the east line of the Southeast Quarter of said section, also being the easterly line of said Lot 2, South 00°31'43" West, a distance of 211.29 feet to the southeast corner of said Lot 2, also being the northeast corner of Genesis Place Estates 1st Plat, a subdivision of land in Kansas City, Platte County, Missouri; thence South 89°54'30" West, along the southerly line of said Lot 2 and along the north line of said Genesis Place Estates 1st Plat and the north line of Genesis Place Estates 2nd Plat, a subdivision of land in Kansas City, Platte County, Missouri, a distance of 1314.85 feet to the southwest corner of said Lot 2; thence North 00°36'19" East, along the westerly line of said Lot 2, a distance of 1873.94 feet to the northwest corner of said Lot 2; thence North 89°53'11" East, along the north line of said Lot 2, a distance of 636.22 feet to the point of beginning.

is hereby rezoned from District AG-R (Agricultural-Residential) to District R-6 (Residential 6), all as shown outlined on a map marked Section 88-20A-1431, 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 a development plan, which also serves as a preliminary plat, for the area legally described above is hereby approved, subject to the following conditions:

1. The developer shall construct a ten foot wide, six inch thick, concrete trail along the western side of the creek which ties into the proposed trail extending from the Woodhaven development to the east.
2. Prior to recording of the final plat of each phase the developer must post a sign at the terminus of all stub streets 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."
3. The developer shall secure approval of a project plan from the City Plan Commission prior to recording of the final plat for Phase 3 for Tracts D and E.
4. The developer shall submit an affidavit, completed by an ISA certified arborist, an SAF certified forester, a professional engineer, or a landscape architect licensed in the State of Missouri, verifying that all trees preserved and all trees planted to meet mitigation required of the approved plan, whichever is applicable, has been installed or preserved in accordance with the plan and is healthy prior to a certificate of occupancy.
5. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
6. The developer shall submit an affidavit, completed by a landscape architect licensed in the State

of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.

7. Prior to recording of the final plat for the first phase, the developer shall gain approval of a street name plan for the entire development.
8. The developer shall submit a haul in/haul out plan to the Public Works Department for review and approval to ensure streets that are used for delivering construction materials are able to support loads and reduce impacts on existing communities.
9. The developer shall dedicate additional right-of-way and provide easements for N.W 100th Street (future Tiffany Springs Parkway) as required by the adopted Major Street Plan and/or Chapter 88 so as to provide a minimum of 75 feet of right-of-way as measured from the centerline, along those areas being platted.
10. 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.
11. 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.
12. 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, gutter, storm sewers, streetlights, and sidewalks.
13. The developer shall submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right-of-way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
14. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
15. 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.
16. 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.

17. 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.
18. 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.
19. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and, acceptance, provide a copy of the Storm Water Pollution Prevention (SWPP) plan submitted to the Missouri Department of Natural Resources (MDNR) and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
20. The developer shall 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 the Land Development Division, prior to issuance of any stream buffer permits.
21. 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)
22. 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)
23. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
24. The developer shall provide fire lane signage on fire access drives.
25. The developer shall meet the fire flow requirements as set forth in Appendix B of the project International Fire Code 2018. (IFC-2018 § 507.1)
26. 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 241-2013 § 8.7.2)
27. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
28. One- and two-family residential developments exceeding 30 dwelling units shall have at least two separate and approved fire apparatus access roads (IFC-2018: § D107.1)
29. If the project is built in phases before the 31st home is started the second access shall be present.
30. The developer shall be 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 2024 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to release of the final plat.

31. 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.
32. 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.
33. No water service tap permits will be issued until the public water main is released for taps.
34. Submit water main extension plans through Compass KC for review, approval and contracts following the Kansas City Water rules and regulations for water main extensions. The plans shall include water mains of sufficient size and related appurtenances to serve the new development. Per the development plans a 12" water main and related exclusive water easement along the south side of the south right-of-way of the future Tiffany Springs Parkway shall be constructed for that length that is adjacent to the new development.
35. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
36. The developer shall submit a final stream buffer plan for review and 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.
37. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88, prior to issuance of any stream buffer permits.
38. The developer shall obtain a floodplain development permit from Development Services prior to beginning any construction activities within the floodplain.
39. 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.
40. Requiring a construction traffic control plan approved by the City Engineer prior to commencing construction to direct traffic to 100th St.

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