



Legislation Text

File #: 220158, Version: 2

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220158

Approving a rezoning to District MPD (Master Planned Development) and a development plan, which also serves as a preliminary plat on about 36.04 acres generally located at the south of N.W. Tiffany Springs Parkway, bounded by N. Ambassador Drive to the west and N.W. Skyview Avenue to the east to create one lot for construction of townhomes. (CD-CPC-2021-00231)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a rezoning and to District MPD (Master Planned Development) and a development plan that also serve as a preliminary plat on approximately a 36.04 acre tract of land generally on about 36.04 acres generally located at the south of N.W. Tiffany Springs Parkway, bounded by N. Ambassador Drive to the west and N.W. Skyview Avenue to the east, and more specifically described as follows:

A tract of land being partially situated in the Northeast Quarter of Section 1, Township 51 North, Range 34 West, and being partially situated in the Northwest Quarter of Section 6, Township 51 North, Range 33 West, and being partially situated in the Southwest Quarter of Section 31, Township 52 North, Range 33 West, and being partially situated in the Southeast Quarter of Section 36, Township 52 North, Range 34 West, all being in Kansas City, Platte County, Missouri and being now more particularly described as follows:

Commencing at the corner common with the northeast corner of aforesaid Section 1, the northwest corner of aforesaid Section 6, the southwest corner of aforesaid Section 31 and the southeast corner of aforesaid Section 36; thence South 00°15'09" West (South 00°19'05" West, plat) along the east line of the Northeast Quarter of said Section 1, Township 51 North, Range 34 West, being also along the west line of said Section 6, Township 51 North, Range 33 West, a distance of 83.22 feet (83.32 feet, plat) to a point on the northerly line of Tract F of the final plat of Watermark at Tiffany Springs, a subdivision recorded February 26, 2019 in the Office of the Recorder of Deeds for the aforesaid county and state as Instrument No. 2019001846 in Plat Book 22 at page 34 and the point of beginning of the tract of land to be herein described; thence North 89°56'38" East (North 89°57'03" East, plat) along the northerly line of said Tract F and Lot 1 of the final plat of said Watermark at Tiffany Springs, a distance of 859.48 feet to the northeast corner of said Lot 1, being also a point on the westerly right-of-way line of N.W. Skyview Avenue as now established by the General Warranty Deed recorded November 17, 2009 in said Office of the Recorder of Deeds as Document No. 016540 in Book 1149 at page 468; thence northeasterly and northerly along the westerly right-of-way line of N.W. Skyview Avenue established by said General Warranty Deed, the following courses and distances; thence North 23°59'50" East (North 24°00'36" East, deed), 278.40 feet; thence northeasterly and northerly along a curve to the left, tangent to the last described course, having a radius of 1,150.00 feet and a central angle of 19°00'56", an arc length of 381.67 feet; thence North 04°58'54" East (North 04°59'41" East, deed), tangent to the last described curve, a distance of

222.82 feet; thence South 90°00'00" West, departing from the westerly right-of-way line of N.W. Skyview Avenue as established by said General Warranty Deed, a distance of 1,749.41 feet; thence South 14°52'14" West, 111.23 feet; thence South 40°56'51" West, 267.39 feet to a point on the northeasterly right-of-way line of N. Ambassador Drive as now established 110 feet wide; thence South 28°19'29" East along the northeasterly right-of-way line of said n ambassador drive, a distance of 1,020.04 feet to the northwest corner of trail/landscape Tract B of said final plat of Watermark at Tiffany Springs; thence North 45°13'06" East (North 45°13'31" East, plat) along the northwesterly line of said Tract B, said Lot 1, and said Tract F, a distance of 514.45 feet (514.40 feet, plat); thence North 89°56'38" East (North 89°57'03" East, plat) along the northerly line of said Tract F, a distance of 16.95 feet to the point of beginning.

is hereby approved, subject to the following conditions:

1. The developer shall clarify the preliminary plat sheet to clearly designate the proposed lot and tract boundaries for staff review. If any of the stormwater detention facilities are intended to serve more than a single lot, the facility needs to be located within its own tract.
2. 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.
3. 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, as amended, commonly known as the Development Regulations.
4. 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.
5. The developer shall construct cul-de-sacs and grant a City approved cul-de-sac easement, for street stubs longer than 150 feet, to the City as required by the Land Development Division, prior to recording the plat.
6. 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.
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 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.

9. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, as shown on the street plans, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
10. 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.
11. 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.
12. The developer shall 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
13. The developer shall provide acceptable easements for any deep sewers where proposed fill is added or where the sewer will be further obstructed by surface improvements and that a structural analysis be provided to confirm adequate structural integrity for the proposed loading conditions of this plan, and secure permits and provide City approved executed and recorded easement prior to adding fill or constructing surface obstructions as required by the Land Development Division.
14. The developer shall grant a BMP and/or surface drainage easements to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
15. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
16. 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.
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 the Section 88-415 requirements.

18. The developer shall grant on City approved forms, a stream buffer easement to the City and show and label the final stream buffer zones on the subdivision plat, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits and prior to recording the final plat.
19. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
20. The developer shall obtain a floodplain certificate from Development Services prior to beginning any construction activities within the floodplain.
21. The developer shall show the limits of the 100-year floodplain plus the 1 foot freeboard 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.
22. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.
23. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.
24. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.
25. 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.
26. The developer shall secure approval of a final development plan for each phase from the City Plan Commission prior to building permit.
27. 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.
28. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
29. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
30. 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) (12/29/2021)
31. 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)

32. Fire Department access roads are a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in clearance height. Check with Streets & Traffic (Kansas City, Missouri Public Works) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)
33. Dead end Fire Department access road(s) in excess of 150 feet shall be provided with an approved turnaround feature (i.e., cul-de-sac, hammerhead). Dead-end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turnaround feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5)
34. 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 (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to certificate of occupancy.
35. 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
36. Assume the internal streets are private. If not, further discussions will be needed.
37. 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.
38. If public water mains are proposed 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 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 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 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney