

# COMMUNITY PROJECT/REZONING

Ordinance Number **220158**

## Ordinance Fact Sheet

Case No. CD-CPC-2021-00231

### Rezoning

A request to approve a rezoning to MPD (Master Planning Development) District and a development plan, which also serves as a preliminary plat to create one (1) lot for construction of townhomes on about 36.04 acres generally located at the south of NW Tiffany Springs Pkwy, bounded by N Ambassador Dr to the west and NW Skyview Ave to the east. (CD-CPC-2021-00231)

### Details

**Location:** generally located at the south of NW Tiffany Springs Pkwy, bounded by N Ambassador Dr to the west and NW Skyview Ave to the east.

**Reason for Legislation:** Rezoning applications require City Council approval.

**The Commission recommended that this application be approved with the following conditions:**

1. ~~Site plan does not clearly show which proposed utilities are public versus private, including storm water and sanitary sewer lines. Update the site plan to clearly indicate ownership and show easements where necessary for all public lines.~~ No longer applicable
2. 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.
3. ~~Clearly indicate on the proposed site plan if any median modifications are intended as part of this project along either N Ambassador Drive or NW Skyview Avenue.~~ No longer applicable
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, as amended, commonly known as the Development Regulations.
5. The developer must 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 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

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	2 <sup>nd</sup> District (Loar, Fowler)
<b>Applicants / Proponents</b>	<b>Applicant</b> Adam DeGonia McClure  <b>City Department</b> City Planning & Development <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>  <b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> <b>For</b>  <input type="checkbox"/> <b>Against</b>  <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission (5-3) 2-1-2022 By Allender, Baker, Beasley, Crowl, Enders, Hill, Rojas, Sadowski <input checked="" type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <input type="checkbox"/> <b>No Action Taken</b>  <input type="checkbox"/> <b>For, with revisions or conditions</b> (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> <b>Do Pass</b>  <input type="checkbox"/> <b>Do Pass (as amended)</b>  <input type="checkbox"/> <b>Committee Sub.</b>  <input type="checkbox"/> <b>Without Recommendation</b>  <input type="checkbox"/> <b>Hold</b>

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.

6. The developer must 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.

7. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.

8. 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.

9. 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 and gutter, storm sewers, street lights, and sidewalks.

~~10. 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. No longer applicable~~

11. The developer shall submit plans to 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.

12. The developer must 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.

13. The owner/developer must submit plans for grading, siltation, and erosion control to 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.

14. The developer must 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

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said document(s) within the public improvement applications submitted for permitting

15. 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 Land Development Division.

16. The developer must 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.

17. 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 private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.

18. The developer must 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.

19. 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.

20. The developer must 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 Land Development Division, prior to issuance of any stream buffer permits and prior to recording the final plat.

21. The developer shall submit a Preliminary Stream Buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.

22. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain.

23. The developer must 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 flood prone

area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.

24. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by 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, prior to recording the plat.

25. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.

26. 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.

27. 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 Certificate of Occupancy.

28. The developer shall secure approval of a final development plan for each phase from the City Plan Commission prior to building permit.

29. 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 Certificate of Occupancy.

30. Fire Water Flow. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

31. Hydrant Fire hydrant distribution shall follow IFC-2018 Table C102.1 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)

32. Fire Department Access. 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)

33. Fire Department Access. Required fire department access roads are a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in clearance height. Check with Streets & Traffic (KCMO Public Works) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)

34. Fire Department Access Dead end fire department access road(s) in excess of 150 feet shall be provided with an approved turn around 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 turn around feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5)

35. 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.

36. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department’s Forestry Division prior to beginning work in the public right-of-way

37. Assume the internal streets are private. If not, further discussions will be needed.

38. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. Prior to C of O.  
<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf>

39. 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 KC Water Rules and Regulations for Water main extensions and Relocations.  
<https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Main-Extensions.pdf>

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**Policy or Program Change**

Yes

No

**Operational Impact Assessment**

**Finances**

**Cost & Revenue Projections –**

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<b>Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Funding Source(s) and Appropriation Account Codes</b>	

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**Fact Sheet Prepared By:**      **Date:** 2/7/2022

Genevieve Kohn  
Planner

**Reviewed By:**                      **Date:** 2/7/2022

Joe Rexwinkle, AICP  
Division Manager  
Development Management

**Initial Application Filed:** 12/12/2021

**City Plan Commission:** 2/1/2022

**Revised Plans Filed:** N/A

**Reference Numbers:**

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