COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 241040

Approving a development plan on about 43 acres in District B3-3 generally located at the northeast corner of Northwest Old Tiffany Springs Road and Northwest Skyview Drive to allow for the creation of twelve lots and two tracts for a commercial development. (CD-CPC-2024-00118)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan in District B3-3 (Community Business (Dash 3)) generally located at the northeast corner of Northwest Old Tiffany Springs Road and Northwest Skyview Drive and more specifically described as follows:

A tract of land in the Northwest Quarter of Section 6, Township 51 North, Range 33 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: At the southeast comer of the Northeast Quarter said Section 6; thence North 88° 57'01" West along the south line of said Northeast Quarter, 2,648.30 feet to the southwest comer of said Northeast Quarter, said point also being the southeast corner of the Northwest Quarter of said Section 6; thence North 88°56'40" West, along the south line of said Northwest Quarter, 122.16 feet; thence North 01°03'20" East, 48.00 feet to the point of beginning of the tract of land to be herein described, said point also being on the northerly right of way line of N.W. Tiffany Springs Road as established in Book 1089, at page 486 (said document established right of way for N.W. Tiffany Springs Road and N. Ambassador Road); thence westerly along said northerly right of way line the following ten courses: thence North 88°56'40" West, 1,152.61 feet; thence North 85°07'45" West, 270.47 feet; thence North 88°56'40" West, 205.57 feet; thence northwesterly along a curve to the right being tangent to the last described course with a radius of 36.00 feet, a central angle of 83°29'36" and an arc distance of 52.46 feet; thence northerly along a curve to the left having a common tangent with the last described course with a radius of 1,137.00 feet, a central angle '00°45'24" and an arc distance of 15.02 feet; thence South 84°02'39" West, 104.00 feet; thence southerly along a curve to the right having an initial tangent bearing of South 06°13'59" East with a radius of 1,033.00 feet, a central angle of 00°19'21" and an arc distance of 5.81 feet; thence southwesterly along a curve to the right having a common tangent with the last described course with a radius of 36.00 feet, a central angle of 96°57'59" and an arc distance of 60.93 feet; thence North 88°56'40" West, 450.03 feet; thence South 87°38'12" West, 134.99 feet to a point on the easterly right of way line of N.W. Skyview Avenue (Missouri Highway W) as established by Book 672 at page 680; thence northeasterly (departing aforesaid northerly right of way line of N.W. Tiffany Springs Road) along said easterly right of way line, the following four (4) courses: thence North 07°21"16" East, 17.70 feet; thence northerly along a curve to the right being tangent to the last described

course with a radius of 1,085.92 feet, a central angle of 16°28'08" and an arc distance of 312.13 feet; thence North 66°10'36" West, 25.00 feet; thence North 23°49'24" East, 536.93 feet to a point on the southerly right of way line of N. Ambassador Road as established in Book 1145, at page 644 (said Document established right of way for N. Ambassador Road and N.W. Skyview Avenue); thence easterly (departing aforesaid easterly right of way line) along said southerly right of way line, along a curve to the left having an initial tangent bearing of South 75°38'22" East with a radius of 1,169.00 feet, a central angle of 07°22'16" and an arc distance of 150.39 feet to a point on the westerly right of way line of said N.W. Skyview Avenue as established by said Book 1145 at page 644; thence South 43°22'30" East, along said westerly right of way line, 38.61 feet; thence southerly along said westerly right of way line, along a curve to the left having an initial tangent bearing of South 03°45'13" East with a radius of 1,146.00 feet, a central angle of 13°21 '50" and an arc distance 267.30 feet; thence South 17°07'03" East, along said westerly right of way line, 161.32 feet; thence North 72°52'57" East, along the southerly right of way line of said N.W. Skyview Avenue as established by said Book 1145 at page 644, 110.00 feet to the easterly right of way line of said N.W. Skyview Avenue as established by said Book 1145 at page 644; thence North 17°07'03" West, along said easterly right of way line, 161.32 feet; thence northerly along said easterly right of way line, along a curve to the right being tangent to the last described course with a radius of 1,036.00 feet, a central angle of 13°35'46" and an arc distance of 245.84 feet; thence North 43°25'52" East, along said easterly right of way line, 34.59 feet to a point on the southerly right of way line of said N. Ambassador Road as established by said Book 1145 at page 644; thence easterly along said southerly right of way line the following six (6) courses; thence easterly along a curve to the left having an initial tangent bearing of North 89°07'39" East with a radius of 1,152.00 feet, a central angle of 18°05'05" and an arc distance of 363.62 feet; thence North 71°02'33" East, 131.67 feet; thence southeasterly along a curve to the right being tangent to the last described course with a radius of 1,030.00 feet, a central angle of 84°28'24" and an arc distance of 1,518.57 feet; thence South 24°29' 02" East, 30.34 feet; thence southeasterly along a curve to the right being tangent to the last described course with a radius of 970.00 feet, a central angle of 02°34'34" and an arc distance of 43.61 feet; thence South 12°11"38" East, 16.41 feet to a point on the westerly right of way line of N. Ambassador Road as established by aforesaid document recorded in Book 1089 at page 486; thence southerly along said westerly right of way line the following three (3) courses; thence continuing South 12°11' 38" East, 105.60 feet; thence southerly along a curve to the right having an initial tangent bearing of South 14°41'18" East with a radius of 957.00 feet, a central angle of 10°32'00" and an arc distance of 175.94 feet; thence southwesterly along a curve to the right having a common tangent with the last described course with a radius of 36.00 feet, a central angle of 95°12'40" and an arc distance of 59.82 feet to the point of beginning. Containing 41.38 acres, more or less.

is hereby approved, subject to the following conditions:

1. 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.

2. The applicant shall submit a project plan to be approved administratively by the Director of City Planning and Development for each lot within the development. The project plan must conform to the adopted design guidelines approved with this development plan and include all submittal items as outlined by the director's minimal submittal requirements.

3. Prior to issuance of the certificate of occupancy for each lot within the plat, 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.

4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.

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, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.

7. Prior to recording the final plat the developer shall upload and secure approval of a street tree planting plan from the City Forester.

8. 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, by submitting a final plat for all lots created.

9. The applicant shall revise the plans to satisfy the Water Services Department corrections to revise the deviation note on the cover to request not installing the extension of approximately 750' of 12" DIP public water main with fire hydrants along N.W. Old Tiffany Springs Road between N.W. Skyview and the western property line. (The text in the note that this main extension would not serve this development is not accurate as the requested main extension provides a portion of

the looped connection west toward the transmission main which when completed will improve the distribution system reliability and redundancy.)

10. All construction shall meet the requirements of the 2018 IBC, KCBRC and 2021 IECC.

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

12. 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)

13. Required Fire Department access roads shall be all-weather surfaces. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)Fire Department access roads shall be provided before 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) and shall provide fire lane signage on fire access drives.

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

15. 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~~2025 acquisition rate of $~~64,220.18~~20,065.67 per acre. This requirement shall be satisfied prior to a certificate of occupancy or recording of final plat, whichever may come first, for the residential portions of the development.

16. Ambassador Drive & Drive B: Construct a westbound left-turn lane with a minimum storage length of 200 feet plus an appropriate taper as per MUTCD. Old Tiffany Springs Road & Drive C: Construct an eastbound left-turn lane with a minimum storage length of 200 feet plus an appropriate taper as per MUTCD.

17. 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.

18. 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.

19. The developer shall dedicate additional right-of-way and provide easements for N.W. Skyview Avenue as required by the adopted major street plan and/or Chapter 88 so as to provide a minimum of ~~60~~55 feet of right-of-way as measured from the centerline, along those areas being platted.

20. 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.

21. The developer shall 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, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" 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 of occupancy permits.

22. 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.

23. No water service line will be less than 1-1/2" in diameter where three or more units or a commercial building will be served by one domestic service line and meter.

24. A full flow fire meter shall 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.

25. The developer shall ensure that water and fire service lines shall meet current Water Services Department rules and regulations prior to a certificate of occupancy.

26. 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.

27. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.

28. The developer shall submit water main extension plans for the extension of approximately 750' of 12" DIP water main and fire hydrants along N.W. Old Tiffany Springs Road from N.W. Skyview Avenue to the western property limits~~.~~ or enter into a secured deferral agreement with KC Water. The water main extension shall follow all the Kansas City Water Services Department rules and regulations for water main extensions and shall be under contract (permitted) ~~prior to building permit issuance~~or the secured deferral agreement must be fully funded and executed prior to release of the final plat for recording or the issuance of building permits, whichever occurs first.

29. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Kansas City Water Services Department, prior to issuance of any stream buffer permits.

30. The internal storm and water utilities located within private streets shall be private utility mains located within the utility and access easement and be covered by a covenant to maintain private utility mains.

31. The developer shall obtain a floodplain development permit from Development Services prior to beginning any construction activities within the floodplain.

32. 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 Kansas City Water Services Department.

33. The developer shall submit a final stream buffer plan to the Kansas City Water Services Department 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.

34. The developer shall grant any BMP easements to the City as required by the Kansas City Water Services Department, prior to recording the plat or issuance of any building permits.

35. The developer shall submit a macro storm drainage study with the first plat or phase, from a Missouri-licensed civil engineer to the Kansas City Water Services Department showing compliance with current adopted standards in effect at the

time of submission, including water quality BMP's, to the Kansas City Water Services Department for review and acceptance for the disturbed 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 Kansas City Water Services Department.

36. 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.

37. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with Section 88-415 requirements.

38. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Kansas City Water Services Department 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.

39. The developer shall 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 Kansas City Water Services Department, prior to recording the plat or issuance of a building permit, whichever occurs first.

40. The developer shall submit plans for grading, siltation, and erosion control to the Kansas City Water Services Department 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.

41. The developer shall submit covenants, conditions and restrictions to the Kansas City Water Services Department 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 storm water detention area tracts, prior to recording the plat.

42. The developer shall provide covenants to maintain private storm sewer mains and water mains acceptable to the Kansas City Water Services Department for any private utility mains, prior to the issuance of any building permits.

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 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.

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Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter
Senior Associate City Attorney