

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 980817

Approving an amendment to a previously approved development plan in District GP-6 (Low Density Residential Uses) on approximately a 1,223 acre tract of land generally bounded by N.W. 108th Street on the north, Green Hills Road on the east, Tiffany Springs Road on the south and N.W. Skyview Avenue on the west. (10647-GP-3 and 10647-GP-5)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved development plan in District GP-6 (Low Density Residential Uses) on approximately a 1,223 acre tract of land generally bounded by N.W. 108th Street on the north, Green Hills Road on the east, Tiffany Springs Road on the south and N.W. Skyview Avenue on the west, and more specifically described as follows:

All of the NW 1/4 of Section 5, Township 51 North, Range 33 West of the 5th P.M., Kansas City, Platte County, Missouri, except the south 600.60 feet thereof, together with all of the SW 1/4 of Section 32, Township 52 North, Range 33 West of the 5th P.M., Kansas City, Platte County, Missouri, except the north 279.08 feet of the east 468.33 feet, together with the West 1/2 of the north 116 3/4 acres of the SE 1/4 of said Section 32, together with all of the NW 1/4 of said Section 32 except the south 254.35 feet more or less of the east 470.65 feet more or less, together with all of the SE 1/4 of Section 31, Township 52 North, Range 33 West of the 5th P.M., Kansas City, Platte County, Missouri, except Thornhill, a subdivision of land in Kansas City, Platte County, Missouri, and except a tract of land in said SE 1/4 described as follows: Beginning at the northeast corner of Lot 46, Thornhill, thence North 13°30'00" East on the northerly prolongation of the east line of said Lot 46, 116.16 feet; thence North 67°36'14" West, 305.66 feet to the northerly most corner of Lot 50, Thornhill, being a point on the west line of said SE 1/4; thence South 0°39'49" West on the east line of said Lot 50, 230.00 feet to the northwest corner of said Lot 46; thence North 89°52'21" East, on the north line of said Lot 46, 258.15 feet to the point of beginning. Together with part of the NE 1/4 of said Section 31, except Stagecoach Subdivision, a subdivision of land in Kansas City, Platte County, Missouri, and except a tract of land 60 feet in width lying northwesterly from N.W. Old Stagecoach Road and southeasterly from and adjacent to said Stagecoach Subdivision, together with part of the NW 1/4 of said Section 31 lying east of the east right of way line of N.W. Skyview Avenue (formerly Missouri Route SW) as recorded in Book 136, page 543, together with part of the SW 1/4 of said Section 31, lying east of the east right of way line of said N.W. Skyview Avenue and lying north of the north right of way line of Tiffany Springs Parkway as dedicated by Document No. 026148, Book 683, page 747 and except said Thornhill Subdivision, together with part of the South 1/2 of Section 30, Township 52 North, Range 33 West, of the 5th P.M., Kansas City, Platte County, Missouri, lying east of the east right of way line of said N.W. Skyview Avenue together with all of the SW 1/4 of Section 29, Township 52 North, Range 33 W of the 5th P.M., Kansas City, Platte County, Missouri. The surveyed tract is all more particularly described as follows: Beginning

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at the northwest corner of the SW 1/4 of said Section 29; thence South 89°50'42" East (all bearings hereafter are referneced to the Missouri State Plane Coordinate System, West Zone) on the north line of said SW 1/4, 2611.12 feet to the northeast corner of said SW 1/4; thence South 0°29'49" West on the east line of said SW 1/4, 2639.22 feet to the northeast corner of the NW 1/4 of said Section 32; thence South 0°23'52" West on the east line of said NW 1/4, 2386.95 feet more or less to a point on the north line of the tract described in Warranty Deed Document No. 56021 in Book 605, page 650; thence westerly on said north line, 470.65 feet more or less to the northwest corner of said tract; thence southerly on the west line of said tract, 254.35 feet more or less to a point on the north line of the SW 1/4 of said Section 32; thence South 89°47'42" East on said north line, 3.41 feet more or less to a point 468.33 feet (468.33 feet deed) west of the northeast corner of said SW 1/4; thence South 0°40'24" West on a line parallel with the east line of said SW 1/4, 279.08 feet (279.08 feet deed); thence South 89°47'42" East on a line parallel with the north line of said SW 1/4, 468.33 feet (468.33 feet deed) to a point on the east line of said SW 1/4; thence North 0°40'24" East on said east line 279.08 feet (279.08 feet deed) to the northwest corner of the SE 1/4 of said Section 32; thence North 89°53'23" East on the north line of said SE 1/4, 1312.24 feet to the northeast corner of the West 1/2 of the north 116 3/4 acres of said SE 1/4; thence South 0°36'16" West on the east line of said West 1/2, 1907.05 feet (117.75 rods deed) to the southeast corner of said West 1/2; thence South 89°57'35" West on the south line of said West 1/2, 1314.52 feet to a point on the east line of the SW 1/4 of said Section 32; thence South 0°40'24" West on said east line, 716.46 feet (716.60 feet deed) to the southeast corner of said SW 1/4 being also the township line dividing said Township 51 North and Township 52 North; thence South 89°58'08" West on the south line of said SW 1/4, 35.86 feet to the northeast corner of the NW 1/4 of said Section 5; thence South 0°24'26" West on the east line of said NW 1/4, 1832.72 feet to a point 600.60 feet (9.10 chains deed) north of the southeast corner of said NW 1/4 asmeasured on said east line; thence North 88°12'57" West on a line parallel with the south line of said NW 1/4, 2571.95 feet to a point on the west line of said NW 1/4, being 600.60 feet (9.10 chains deed) north from the southwest corner thereof, as measured on said west line; thence North 0°25'45" East on the west line of said NW 1/4, 1744.59 feet to the northwest corner of said Section 5, also being a point on said township line; thence South 88°55'37" West on the south line of the SW 1/4 of said Section 32, 19.48 feet to the southeast corner of the SE 1/4 of said Section 31; thence South 89°47'39" West on the south line of said SE 1/4, 2218.13 feet to the southeast corner of said Thornhill Subdivision; thence North 0°00'00" East on the east line of said Thornhill Subdivision, 220.05 feet (220.00 feet plat); thence South 90°00'00" East on the east line of said Thornhill Subdivision, 15.00 feet (15.00 feet plat); thence North 0°00'00" West on the east line of said Thornhill Subdivision, 50.00 feet (50.00 feet plat); thence South 90°00'00" West on the east line of Thornhill Subdivision, 15.00 feet (15.00 feet plat); thence North 0°00'00" West on the east line of said Thornhill Subdivision, 312.63 feet (312.63 feet plat); thence North 4°53'00" East on the east line of said Thornhill Subdivision, 315.66 feet (315.66 feet plat); thence North 6°00'00" West on the east line of said Thornhill Subdivision, 720.14

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feet (720.14 feet plat) to a point on a curve; thence northwesterly on a curve to the left of the east line of said Thornhill Subdivision (said curve having an initial tangent bearing North 77°50'30" West, radius of 778.00 feet, chord bearing North 81°10'00" West, chord distance 90.25 feet) an arc distance of 90.29 feet (90.29 feet plat); thence North 5°30'30" East on the east line of said Thornhill Subdivision, 141.03 feet (141.03 feet plat); thence North 8°30'00" West on the east line of said Thornhill Subdivision, 322.18 feet (322.18 feet plat); thence North 13°30'00" East on the east line of said Thornhill Subdivision, 175.39 feet (175.39 feet plat) to the northeast corner of Lot 46 of said Thornhill Subdivision; thence North 13°30'00" East on the northerly prolongation of the east line of said Lot 46, 116.16 feet; thence North 67°36'14" West, 305.66 feet to the northerly most corner of Lot 50 being a point on the west line of the SE 1/4 of said Section 31; thence South 66°50'10" West on the north line of said Thornhill Subdivision, 392.69 feet (392.69 feet plat); thence South 24°00'00" West on the north line of said Thornhill Subdivision 590.24 feet (590.24 feet plat) to a point on a curve of the north right of way line of said Tiffany Springs Parkway, being also the north line of Posthill Subdivision, a subdivision of land in Kansas City, Platte County, Missouri; thence northwesterly on a curve to the right of said north right of way line (said curve having an initial tangent bearing North 79°15'15" West, radius of 779.00 feet, chord bearing North 65°37'38" West, chord distance 367.07 feet) an arc distance of 370.55 feet to a point of tangency; thence North 52°00'00" West, on said north right of way line, 134.58 feet (134.58 feet deed) to a point of curvature; thence northwesterly on a curve to the right of said north right of way line (said curve having a radius of 184.00 feet, chord bearing North 45°46'58" West, chord distance 39.85 feet) an arc distance of 39.93 feet (39.93 feet deed) to a point of tangency; thence North 39°33'56" West on said north right of way line, 308.27 feet (308.27 feet deed) to a point on a curve; thence northwesterly on a curve to the right of said north right of way line (said curve having an initial tangent bearing North 34°41'01" West, a radius of 184.67 feet, chord bearing North 14°37'29" West, chord distance 126.68 feet) an arc distance of 129.30 feet (129.30 feet deed) to a point of tangency; thence North 5°26'04" East on said north right of way line 20.00 feet (20.00 feet deed); thence North 84°33'56" West on said north right of way line 25.00 feet (25.00 feet plat) to the east right of way line of said Skyview Avenue, being 35.00 feet east of, as measured perpendicular to, the centerline thereof; thence North 5°26'04" East on said east right of way line, 1427.80 feet to an angle point being opposite centerline P.I. Station 121+85.68 back = 121+85.80 ahead; thence North 5°01'20" East on said east right of way line, 877.19 feet to an angle point being opposite centerline P.I. Station 113+08.38 back = 113+08.60 ahead; thence North 5°05'36" East on said east right of way line, 1751.58 feet to an angle point being opposite centerline P.I. Station 95+56.73 back = 95+56.80 ahead; thence North 5°01'08" East on said east right of way line, 1148.92 feet to a point of curvature; thence northeasterly on a curve to the right of said east right of way line (said curve having a radius of 5694.65 feet, chord bearing North 6°28'36" East, chord distance of 289.76 feet) an arc distance of 289.79 feet to the north line of said SW 1/4; thence North 89°49'46" East on said north line, 862.22 feet to the northwest corner of the SE 1/4 of said Section 30; thence North 89°50'56" East on the north line of said SE 1/4, 2649.73 feet to

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the point of beginning, excepting therefrom, said Stagecoach Subdivision and said tract of land 60 feet in width more particularly described as follows: Commencing at the northwest corner of the NE 1/4 of Section 31, Township 52 North, Range 33 West of the 5th P.M., Kansas City, Platte County, Missouri; thence South 0°39'49" West on the west line of said NE 1/4 1726.96 feet (1724.77 feet deed) to a point on the centerline of N.W. Old Stagecoach Road; thence South 52°18'30" East on said centerline 91.13 feet (94.70 feet deed) to the point of beginning being on the southwesterly prolongation of the northwesterly line of said Stagecoach Subdivision; thence continuing South 52°18'30" East on said centerline, 645.05 feet to a point 60.00 feet southeasterly from, as measured perpendicular to the southeasterly line of Lot 1 of said Stagecoach Subdivision; thence North 47°26'34" East on a line 60.00 feet southeasterly from and parallel with said southeasterly line, 599.99 feet to a point on the southeasterly prolongation of the northeast line of said Lot 1; thence North 32°44'07" West on said prolongation and on the northeast line of said Stagecoach Subdivision, 536.12 feet (36.29 feet deed); thence South 45°29'19" West on the north line of said Stagecoach Subdivision, 221.93 feet (222.00 feet plat); thence North 44°50'41" West on said north line, 137.94 feet (138.00 feet plat); thence South 45°10'02" West on the northwesterly most line of said Stagecoach Subdivision, 573.84 feet (574.02 feet plat) to the point of beginning, and excepting that part of the SW 1/4 of Section 30, Township 52 North, Range 33 West, of the 5th P.M., Kansas City, Platte County, Missouri, lying east of the east right of way line of N.W. Skyview Avenue (formerly Missouri Route SW) described as follows: Commencing at the intersection of the north line of the SW 1/4 of said Section 30 with the centerline of N.W. Skyview Avenue; thence North 89°49'46" East on the north line of said SW 1/4, 35.35 feet to the point of beginning, said point also being on the east right of way line of N.W. Skyview Avenue; thence southwesterly on a curve to the left of said east right of way line (said curve having a radius of 5694.65 feet, chord bearing South 6°28'36" West, chord distance of 289.76 feet) an arc distance of 289.79 feet to a point of tangency; thence continuing on said east right of way line South 5°01'08" West, 263.27 feet; thence North 89°49'46" East, 400.00 feet; thence North 47°48'31" East, 300.61 feet; thence North 5°01'08" East, 350.21 feet to the north line of said SW 1/4; thence South 89°49'46" West on said north line, 597.65 feet to the point of beginning. (Entire tract contains 1222.4 acres more or less) All of the herein described tracts are subject to parts now being used for roads and all easements of record.

is hereby approved, subject to the following conditions:

1. That the developer cause the area to be platted and processed in accordance with Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Subdivision Regulations.
2. That the developer submit a storm drainage study for the entire development to the City Engineer's Office for approval and that the developer make any improvements as required by the City Engineer's Office.

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3. That the developer submit plans for grading and siltation and erosion control to the City Engineer's Office for approval prior to beginning any construction activities.
4. That the developer secure a land disturbance permit from the Missouri Department of Natural Resources.
5. That the developer provide for fire protection as required by the Fire Department.
6. That the developer extend water mains as required by the Water Services Department.
7. That the developer identify floodway and floodplain boundaries on the final plat as required by the Department of Public Works.
8. That the developer grant an Aviation Noise Easement to the City.
9. That the developer enter into a Fair Disclosure Agreement to provide disclosure at the time of any real estate transaction.
10. That the developer grant a 24-inch water main easement to the City along N. Green Hills Road as required by the Water Services Department.
11. That the developer designate the area within the subject property as shown on the development plan and dedicate such area to the City for a sewage pump station adjacent to N.W. 108th Street.
12. That the developer extend sanitary sewers to serve each living unit and the golf course clubhouse as required by the Department of Public Works.
13. That the developer prohibit any structure that exceeds the height as defined on the KCI Airport Zoning Map.
14. That the developer dedicate additional right of way for N.W. Skyview Avenue as required by the Department of Public Works so as to provide 50 feet of right of way as measured from the centerline of N.W. Skyview Avenue.
15. That the developer improve N.W. Skyview Avenue to primary arterial street standards as required by the Department of Public Works.
16. That the developer dedicate additional right of way for Tiffany Springs Road as required by the Department of Public Works so as to provide 50 feet of right of way as measured from the centerline of Tiffany Springs Road.
17. That the developer improve Tiffany Springs Road to primary arterial street standards as required by the Department of Public Works.

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18. That the developer dedicate additional right of way for N.W. 108th Street as required by the Department of Public Works so as to provide 50 feet of right of way as measured from the centerline of N.W. 108th Street.
19. That the developer improve N.W. 108th Street to primary arterial street standards as required by the Department of Public Works.
20. That the developer dedicate additional right of way for Green Hills Road as required by the Department of Public Works so as to provide 50 feet of right of way as measured from the centerline of Green Hills Road in such areas that the development abuts Green Hills Road on one side and dedicate 100 feet of right of way in such areas that the development abuts Green Hills Road on both sides.
21. That the developer improve Green Hills Road to primary arterial street standards as required by the Department of Public Works.
22. That the developer dedicate additional right of way for N.W. 100th Street as required by the Department of Public Works so as to provide 30 feet of right of way as measured from the centerline of N.W. 100th Street.
23. That the developer improve N.W. 100th Street to collector street standards as required by the Department of Public Works.
24. That the developer dedicate additional right of way for Tiffany Springs Parkway as required by the Department of Public Works so as to provide a maximum of 200 feet of right of way for Tiffany Springs Parkway.
25. That the developer improve Tiffany Springs Parkway to parkway street standards as required by the Department of Public Works, including grading full-width and constructing two lanes.
26. That the developer secure the approval of the Street Naming Committee for all street names.
27. That the developer petition for the vacation of Old Stagecoach Road as required by the Department of Public Works.
28. That the developer provide off-site temporary cul-de-sacs on streets between phases as required by the Department of Public Works.
29. That the developer submit covenants, conditions and restrictions to the Law Department for approval for maintenance of the common areas.
30. That the developer install hard surface roads and provide for fire protection prior to construction beyond foundations.

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31. That the developer submit a street tree planting plan with the final plat with spacing, species and size of street trees to be approved by the City Forester.
32. That the developer plat Phase II of the golf course prior to recording any final plats for the 28th phase of the development plan.
33. That the developer dedicate right of way on the east side of Green Hills Road adjacent to the areas designated as Tract A at such time that the developer dedicates the right of way for Green Hills Road in Phase 30.
34. That the developer dedicate the right of way on the south side of Tiffany Springs Parkway adjacent to the areas designated as Tract A at such time that the developer dedicates the right of way for Tiffany Springs Parkway in Phases 32 and 33.
35. That the developer of Tract A improve Green Hills Road to primary arterial street standards and Tiffany Springs Parkway to parkway street standards at such time that Tract A is developed as required by the Department of Public Works.
36. That the developer design and install streetlights as required by the Department of Public Works.
37. That the developer submit a final plan to the City Plan Commission for approval, including plans for landscaping, berming, lighting, grading and signage.

A copy of said amendment is on file in the office of the City Clerk under Document No. 980817, which is attached hereto and 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 80, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:

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Assistant City Attorney