

ORDINANCE NO. XXXXXX

Rezoning an area of about 24.24 acres located at 5928 E 52nd Terrace from District R-7.5 (Residential 7.5) to District MPD (Master Planned Development) and approving the MPD Preliminary Development Plan for the "Hallow Village". (CD-CPC-2020-00018)

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-1282, rezoning an area of approximately 24.24 acres located at 5928 E 52nd Terrace from District R-7.5 (Residential 7.5) to District MPD (Master Planned Development), said section to read as follows:

Section 88-20A-1282. That an area legally described as:

5926-28 E 52ND TER PRT W 1/2 NW 1/4 SEC 36 49 33 BEG 1,723.92 FT S & 1,316.04 FT E OF NW COR SD 1/2 1/4 TH N 898.92 FT TH W 785.05 FT TH N TO SELY R/W OF KC & GRANDVIEW RR TH SWLY ALG SD R/W TO A PT 180 FT E OF W LI SD 1/2 1/4 THS 180 FT E & PARL WITH SD W LITO A PT 1,723.92 FT S OF N LI SD 1/2 1/4 TH E TO BEG

is hereby rezoned from District R-7.5 (Residential 7.5) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 88-20A-1282, 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 for the area legally described above is hereby approved, subject to the following conditions:

1. 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.
2. Prior to issuance of a final certificate of occupancy, a sealed letter by a licensed engineer shall be submitted, stating that photometrics on the site comply with the approved photometric plan.
3. The developer shall secure approval of a MPD final development plan from the City Plan Commission prior to building permit.
4. Proposed land uses shall be limited to those shown on the approved plans and written narrative, or those uses permitted in the R 7.5 zoning district.
5. The project shall comply with the city's sign regulations of Section 88 445 or unless otherwise approved through a future entitlement process.
6. Exterior lighting shall comply with the lighting limitations of Section 88 430 06.
7. A deviation shall be granted to the minimum roadway width to allow improvements to E 52nd Terrace within the exiting 40ft right-of-way.
8. A deviation shall be granted to only require a sidewalk on one side of the improved E 52nd Terrace.
9. Prior to the issuance of a Final Certificate of Occupancy the developer shall provide documentation of proper screening of the vehicular use areas with the existing mature vegetation, new shrubbery, or combination thereof.

10. Applicant shall address requirements for a fire sprinkler system per section 903.2.8 of International Building code 2018 for Group R occupancies.
11. Applicant shall address requirements for a fire alarm system per section 907 of 2018 International Building code.
12. 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.
13. 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 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.
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 said document(s) within the public improvement applications submitted for permitting.
15. That East 52nd Terrace shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks on one side of the street, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
16. The developer must construct a cul de sac and dedicate street right of way for the require cul-de-sac to the City as required by the Land Development Division, prior to recording the plat.
17. The developer must grant a [BMP and/or Surface Drainage Easement] to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
18. The developer must dedicate additional right of way for East 52nd Terrace as required by the adopted Chapter 88 so as to provide a minimum of 40 feet of right of way as measured from the centerline.
19. 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.
20. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
21. 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.
22. 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)
23. 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)

24. Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities. Weight of 85,000 lbs per (IFC 2018 503.2.3)
25. The expectation is the project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 § 507.1)
26. 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)
27. 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)
28. The Fire Department Connection (FDC) shall not be located that obstructs access/egress to the building when in use (IFC 2018 § 912.2).
29. The turning radius for fire department access roads is 30 feet inside and 50 feet outside radius. (IFC 2018: § 503.2.4)
30. If new residential living units are proposed, 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. Should the developer elect to provide private open space, said space shall be platted into private open space tracts and provide recreational amenities beneficial to residents. This requirement shall be satisfied prior to recording the final plat or certificate of occupancy (whichever is applicable to the project).
31. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations.
32. The developer shall submit an analysis by a registered Professional Engineer in Missouri to verify adequate capacity of the existing water mains and verify fire flow capacity prior to the issuance of new water service permits. Depending on adequacy of the existing water mains systems, making other improvements may be required.
33. 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.

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 hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

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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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Joseph Rexwinkle, AICP  
Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney