



## Legislation Text

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**File #: 220897, Version: 1**

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### ORDINANCE NO. 220897

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 20 acres generally located at Hillcrest Road and E. 93rd Street from UR to UR and approving a UR development plan and preliminary plat for 313 residential units (CD-CPC-2022-00136).

#### 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 80-20A-1352 rezoning an area of about 20 acres located at Hillcrest Road and E. 93rd Street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) said section to read as follows:

Section 88-20A-1352. That an area legally described as:

A portion of the South Half of the Northwest Quarter of Section 25, Township 48 North, Range 33 West, and a portion of Lot 3 of the subdivision of Sechrest Estate, in the City of Kansas City, Jackson County, Missouri, described as follows:

Commencing for reference at the southeast corner of the Northwest Quarter of said Section 25; thence, along the east line of the Northwest Quarter of said Section 25, North 02°11'25" East, 1320.78 feet to the northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 25; thence, along the north line of the Southeast Quarter of the Northwest Quarter of said Section 25, North 86°51'16" West, 661.26 feet to a point on the northerly prolongation of the east line of Lot 3 of the subdivision of Sechrest Estate; thence, along the northerly prolongation of said Lot 3, South 02°11'10" West, 20.00 feet to the northeast corner of said Lot 3; said point being the true point of beginning; thence, along the east line of said Lot 3, South 02°11'10" West, 640.54 feet to the southeast corner of the north half of said Lot 3; thence, along the south line of the north half of said Lot 3, north 86°47'06" west, 661.20 feet to the southwest corner of the north half of said Lot 3; thence, along the north line of the property described in the Warranty Deed filed February 25, 2011 as Document No. 2011E0018838, and along the north line of Williamsburg, a subdivision in the City of Kansas City, Jackson County, Missouri, North 86°57'29" West, 660.88 feet to the northwest corner of Williamsburg; thence, along the east line of Tract 2C of Benjamin Plaza, Fifth Plat, Replat of Lot 2 and along the east line of Tract A of the Certificate of Survey filed June 30, 1997 as Document No. 1997K0030540, North 01°59'47" East, 216.44 feet to the northeast corner of said Tract A; thence, along the east line of Tract B of said Certificate of Survey, Document No. 1997K0030540, and along the east line of Lot 2A of Benjamin Plaza, Fifth Plat, Replat of Lot 2, North 02°13'26" East, 404.26 feet to the northeast corner of said Lot 2A, said point lying on the south right-of-way line of 93rd Street; thence, along the south right-of-way line of 93rd street, South 86°56'12" East, 661.44 feet to a point on

the west line of said Lot 3 of the subdivision of Sechrest Estate; thence, along the west line of said Lot 3, North 02°11'45" East, 19.29 feet to the northwest corner of said Lot 3; thence, along the north line of said Lot 3, South 86°51'16" East, 661.08 feet to the true point of beginning, prepared by Anne M. Smoke, Missouri Pls 2016019010. Contains 19.136 acres, more or less.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 80-20A-1352, which is attached hereto and made a part hereof, and which is hereby adopted as 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 is hereby approved, subject to the following conditions:

1. All dumpsters, utility and mechanical equipment shall be screened pursuant to 88-425-08.
2. 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.
3. 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.
4. 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.
5. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
6. The developer shall secure approval of a UR final plan from the Development Management Division staff prior to building permit.
7. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC 2018 § 507.1)
8. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221)
9. 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)
10. Required Fire Department access roads shall be an all-weather surface. (IFC 2012: § 503.2.3) and 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) and required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC 2018: § 503.2.3)

11. Fire hydrant distribution shall follow IFC 2018 Table C102.1 and 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. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC 2018 § D105).
13. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC 2018: § 503.2.4)
14. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
15. 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 (2022) acquisition rate of (\$64,220.18) per acre. Should the developer elect to dedicate open space, said space shall be platted into private open space tracts. This requirement shall be satisfied prior to a certificate of occupancy or final plat, whichever occurs first.
16. Proposed open space serving to satisfy the parkland dedication requirements of 88-408 shall be platted into private open space tracts via final plat.
17. The developer's engineer shall submit an analysis determining the size and capacity of the existing and proposed water mains. The demand calculations shall include both fire and domestic flows.
18. 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.

19. 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.
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 cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
22. That the south half of E. 93rd Street shall be improved as required by Chapter 88, to current City standards, including curbs, gutters, sidewalks, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
23. 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.
24. The developer shall submit a plan for approval and permitting by the Land Development Division prior to beginning construction in the public right-of-way.
25. 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.
26. The developer shall grant any 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.
27. The developer shall submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage and construct associated ADA ramps at the proposed

entrance drives as necessary for the type of drive approach.

28. 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.
29. The developer shall 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.
30. 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.

A copy of said UR development plan and preliminary plat is on file in the office of the City Clerk with this ordinance and 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 Ordinance 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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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Senior Associate City Attorney