



## City Planning & Development Department

Development Management Division

15th Floor, City Hall  
414 East 12th Street  
Kansas City, Missouri 64106-2795

816 513-8818

**STAFF REPORT**

**October 16, 2018**

**(11a, b, c)**

**RE:** **Case No. CD-CPC-2018-00125 (Area Plan Amendment)**  
**Case No. CD-CPC-2018-00124 (Rezoning)**  
**Case No. CD-SUP-2018-00117 (Special Use Permit)**

**APPLICANT:** Jim Bowers  
White Goss, a Professional Corporation  
4510 Belleview  
Kansas City, MO

**OWNER:** Kevin J Sleyster Trustee  
1609 Crystal Avenue  
Kansas City, MO 64125

**DEVELOPER:** Aden Monheiser  
Mark II Transfer Station, LLC  
1201 Northwest Indian Lane  
Blue Springs, MO 64105

**LOCATION:** 6709 E US 40 Hwy

**REQUESTS:** To consider an amendment to the Riverfront Industrial Area Plan by changing the recommended land use from Light Industrial to Heavy Industrial.  
To consider a rezoning from district M1-5 (Manufacturing 1-5) to district M3-1 (Manufacturing 3-1).  
To consider a special use permit to allow for a Waste-Related Transfer Station

**AREA:** About 11.88 Acres

**NEIGHBORHOOD & CIVIC ORGANIZATIONS:** Unknown

**SURROUNDING LAND USE:** North: Existing outdoor storage (unknown use) and Hwy 40 (zoned M1-5)  
South: Highway 70 and vacant/undeveloped land (zoned M1-5)  
East: BNSF Railroad and existing commercial uses (zoned M1-5)  
West: Blue River and vacant/undeveloped land (zoned M1-5)

**LAND USE PLAN:** The subject site is within the Riverfront Industrial Area Plan. This area plan recommends Light Industrial land uses at this location.

**MAJOR STREET PLAN:** Highway 40 is identified as a "Thoroughfare" on the KCMO Major Street Plan.

**ARTERIAL STREET** Exempt  
**IMPACT FEE:**  
*(Informational only)*

**PREVIOUS CASES:** No known prior case history

**EXISTING CONDITIONS:**

The subject area is approximately 11.88 acres in size and located on the east side of the Blue River between Highway 70 to the south and Highway 40 to the north. BNSF railroad borders the site to the east. The property is currently undeveloped with an existing gravel drive extending n/s along the western border of the railroad to the unimproved roadway of Westport Independence Rd. The Westport Independence Rd extends approximately 570 feet before leading to Highway 40 under jurisdiction of MoDOT.

To the north of the subject site is an unknown land use consisting of outdoor storage of materials which also appears to utilize the Westport Independence frontage for access onto Highway 40. To the west is the Blue River beyond which is undeveloped/vacant land zoned M1-5. To the east is the BNSF Railroad beyond which is existing commercial land uses zoned M1-5. To the south is the elevated Highway 70 bridge at the southern end of the property.

**ANALYSIS:**

The applicant is proposing to develop the vacant site for use as a solid waste transfer station. Access will be maintained from the Westport Independence roadway with a drive extending south along the western boundary of the railroad.

The applicant is proposing a 15,192 square foot structure to function as a transfer station of debris materials. The building will be constructed primarily of pre-finished metal wall panels with four (4) garage doors along the south elevation and two at the lower level of the facility with one (1) at the east and one (1) at the west elevation. The site will function as a drop off location for smaller sized trucks where demolition debris materials will be loaded onto larger sized trucks before departing from the facility to be taken to a landfill. The building will stand at height of approximately 35 feet as measured from the southern portion of the building and 50 feet as measured from the lower level along the north elevation. The applicant has stated that there will be no outdoor storage of demolition debris on site and all activities will occur from within the building.

A 1,344 s.f. office building is proposed to the east of the transfer building. The structure will house offices and function as a check-in/out for trucks as well as a weigh station. The building is proposed to be constructed of similar materials with pre-finished metal panels. Staff would recommend that, at a minimum, the office building elevations are composed of at least two separate colors of paneling divided horizontally.

Smaller trucks will utilize the facility from the garage doors on the southern elevation where they will back in and unload materials. Larger sized trucks will enter parallel to the northern lower level elevation where trucks will enter into the facility via garage door access. After loading, trucks will exit the facility wrapping around the parking for the facility before existing the site onto Westport Independence Rd and Highway 40.

The zoning code classifies this use as a Waste Related Use – Transfer Station. Such use is not permitted in M1-5 (current zoning) and is first permitted in zoning district M3-1 with approval of a Special Use Permit.

Use Category » specific use type	M1	M2	M3	M4	
<b>Waste-Related Use</b>					
» Composting facility	S[1]	S[1]	S[1]	S[1]	88-328
» Demolition debris landfill	S[1]	S[1]	S[1]	S[1]	88-380
» Solid waste separation facility	-	-	S[1]	S[1]	88-380
» Transfer station	-	-	S[1]	S[1]	88-380

**USE SPECIFIC REGULATIONS:**

**88-380-02 – SOLID WASTE SEPARATION FACILITIES AND TRANSFER STATIONS**

Solid waste separation facilities and transfer stations must comply with all of the following standards:

**88-380-02-A.** Any such use must be conducted entirely within a building completely enclosed with walls and a roof.

*-The shall applicant shall remain in compliance with this standard at all times.*

**88-380-02-B.** The building that contains the solid waste separation facility or transfer station must be located at least 600 feet from any residential zoning district.

*-The proposed location complies with this requirement.*

**88-380-02-C.** In addition to the use of the property for a solid waste separation facility or a transfer station, other uses may be approved through the special use approval process, provided that such uses are depicted on the development plan and approved at the time of special use permit approval.

*-Other uses include office space and weigh station.*

**88-380-02-D.** A development plan for a solid waste separation facility or a transfer station must be submitted to and approved as part of the special use permit application and must include the following information:

1. A drawing, to scale, of the proposed uses, both principal and accessory, and the location of such uses on the site. The development plan must also provide a time schedule by phases for implementation.
2. Metes and bounds perimeter description and ownerships of individual parcels, with legal descriptions, if applicable.
3. Plan of the property drawn to a scale of one inch equals 200 feet or larger showing legal description, boundary of property, boundary of proposed solid waste separation facility or transfer station, existing topography with contours of five-foot intervals or less to NGVD of 1929 or city datum, existing easements and utilities, access, 100 year floodplain, and watercourses or drainage systems. For horizontal control, the plans of the property and engineering drawings and grading plans must be based on the Missouri State Plane Coordinate System (West Zone) 1983 North American Datum (NAD-1983).
4. Phasing plan for location and description of the solid waste separation facility or the transfer station and other related uses and parking on the site.
5. Traffic study identifying truck traffic and other vehicular traffic to and from the site, streets to be used for such traffic, peak hour trips, and total trips per day based on hours of operations. Access must be provided from a street improved to a width and thickness sufficient to withstand truck traffic, require a minimum of turning maneuvers, may not adversely impact current and future traffic volume, may not negatively affect future development along the access street and has appropriate signalization.
6. Method of operation of the solid waste separation facility or the transfer station including types of waste processed or separated; hours of operation; control of dust, odor, noise, rodents, and birds; and control and pickup of litter and debris from both on-site and off-site areas and roadways; routes of collection trucks directly to the site.
7. Landscape planting plan of the area.
8. Any other information necessary for a determination as to the suitability of the area for the use.

**88-380-02-E.** A permit must be issued for a specified period. The board of zoning adjustment may renew the permit upon expiration.

*-No requested timeframe is identified by the applicant. Staff recommends a period of 5 years.*

**88-380-02-F.** The board of zoning adjustment may impose such conditions related to the operation, site development, signs, times of operation or any other matter that the board deems necessary in order to ensure that such use does not materially injure or curtail the appropriate use of neighboring property; does not jeopardize the public health, safety and welfare; and does not violate the general spirit or intent of this zoning and development code.

*-The applicant shall provide details concerning hours of operation, anticipated trip generation, etc. on the face of the plans.*

**LAND USE:**

The subject site is located within the Riverfront Industrial Area Plan which recommends Light Industrial land uses for this area (recommended land uses consistent with current zoning of M1-5). The applicant has applied for an area plan amendment to change the recommended land use from Light Industrial to Heavy Industrial. Heavy Industrial land uses are consistent with M3 zoning classification. Due to the existing condition of the site and surrounding uses as well as being bounded by highways, railroad and Blue River staff is acceptable to an area plan amendment at this location.



**RECOMMENDATION:**

City Planning and Development Staff RECOMMENDS APPROVAL of Case No. **CD-CPC-2018-00125** amending the Riverfront Industrial Area Plan from Light Industrial to Heavy Industrial subject to no conditions.

City Planning and Development Staff RECOMMENDS APPROVAL of Case No. **CD-CPC-2018-00124**, rezoning the property from M1-5 (Manufacturing 1-5) to M3-1 (Manufacturing 3-1) subject to no conditions.

City Planning and Development Staff RECOMMENDS APPROVAL of Case No. **CD-SUP-2018-00117**, based on the application, plans, and documents provided for review prior to the hearing subject to the following conditions:

1. That **revised plans as noted below**, be submitted to Development Management staff, prior to ordinance request showing:
  - a. The applicant shall provide a narrative outlining their proposed method of operation as outlined in 88-380-02-D(6).
  - b. Details regarding operational characteristics of use shall be added to plans which include hours of operation, trip generation, etc.
  - c. If fencing is proposed, it shall be identified and labeled on plans.
  - d. The applicant shall include additional landscaping along the south side of the southern drive and between parking and south drive to aid screening from Highway 70. It appears from aerial imagery that most of the area at this location

labeled "Existing Trees to be Saved and Protected" has been cleared. Staff recommends a combination of deciduous and evergreen species which grow to a height that would be able to aid in screening from Highway 70.

- e. The applicant shall provide landscaping north of the building and along the north property line. The landscaping labeled "Existing Trees to be Saved and Protected" appear to be on adjacent property.
- f. The applicant shall provide landscaping along the drive leading to Westport Independence Avenue in the form of street trees. The landscaping labeled "Existing Trees to be Saved and Protected" appear to be on adjacent property.
- g. The applicant shall include Westport Independence roadway on the plans and identify street improvements.
- h. The elevations of the office building be revised to include at least two different colors divided on a horizontal plane.

**Conditions per Development Management Division (Justin Peterson, [justin.peterson@kcmo.org](mailto:justin.peterson@kcmo.org))**

2. The applicant shall remain in full compliance with standards of 88-380 at all times.
3. This Special Use Permit shall expire after a period of five (5) years from the date of approval.
4. Prior to certificate of occupancy, an affidavit sealed by a landscape architect licensed in the state of Missouri shall be provided. The affidavit shall certify that the landscape architect has inspected the landscaping following installation, and that all landscaping has been installed pursuant to the approved landscape plan of record, and that said landscaping is in healthy condition.

**Conditions per Fire Department (John Hastings, [john.hastings@kcmo.org](mailto:john.hastings@kcmo.org))**

5. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2012: § 3312.1; NFPA 241-2010: § 8.7.2)
6. Required fire department access roads are a minimum unobstructed width of twenty (20) feet and 13 ft. 6 in clearance height. (IFC-2012: § 503.2.1)
7. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2012: § 3310.1; NFPA 241-2009: § 7.5.5)
8. A fire access road shall be provided within 150 feet of all parts of the structure. (IFC-2012: § 503.1.1)
9. Required fire department access roads are an all-weather surface. (IFC-2012: § 503.2.3)
10. Fire hydrant(s) are required within 400 feet on a fire access road following an approved route established by the Authority Having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrant(s) may be used to satisfy this requirement otherwise a private fire hydrant(s) or hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy(s) or the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC-2012: § 507.5.1)

**Conditions per Land Development Division (Lucas Kaspar, [lucas.kaspar@kcmo.org](mailto:lucas.kaspar@kcmo.org))**

11. 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.
12. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
13. 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.

14. That Westport Independence Road shall be improved to current City standards as required by Chapter 88, including curbs and gutters, sidewalks, 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.
15. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
16. The developer must construct temporary off-site cul-de-sacs and grant a city approved temporary cul-de-sac easement, for that portion outside of the dedicated street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
17. 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.
18. 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.
19. 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.
20. The developer shall submit a Preliminary Stream Buffer plan prior to approval of the [Special Use /Development/Rezoning] plan in accordance with the Section 88-415 requirements.
21. 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.
22. The developer must grant on City approved forms, a STREAM BUFFER Easement to the City as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits.
23. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain when applicable.
24. The developer must 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 flood prone area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.
25. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.
26. The developer shall provide improvements at the Intersection of 40 Highway and Westport Independence Road based on comments from Public Works and MoDOT if applicable.

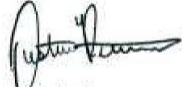
**Conditions per Public Works (Jeffrey Bryan, [jeffrey.bryan@kcmo.org](mailto:jeffrey.bryan@kcmo.org))**

27. Provide turning movement diagram for intersection of US 40 and Westport Independence Rd as well as Westport Independence Rd and the property driveway or access.

**Conditions per Water Services (Nimesha Senanayake, [Nimesha.Senanayake@kcmo.org](mailto:Nimesha.Senanayake@kcmo.org))**

28. Submit water main extension plans to the main extensions desk. Show existing 54" water transmission main on the site plans. Private fire line and fire hydrant are anticipated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin Peterson", written in a cursive style.

Justin Peterson  
Planner