



CITY PLAN COMMISSION

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

kcmo.gov/planning

April 04, 2025

Phillip A Klawuhn
Phillip A. Klawuhn & Associates, P.C.
10150 N Ambassador Dr, 100
Kansas City, MO 64153

Re: **CD-CPC-2024-00041** - A request to approve a rezoning from R-6 and M3-5 to MPD (Master Planned Development) to permit a demolition debris landfill on about 9.5 acres generally located at 3808 E 78th St.

Dear Phillip A Klawuhn:

At its meeting on April 02, 2025, the City Plan Commission acted as follows on the above-referenced case.

Approved with Conditions

The Commission's action is only a recommendation. Your request must receive final action from the City Council. All conditions imposed by the Commission, if any, are available on the following page(s).

PLEASE READ CONDITIONS CAREFULLY as some or all of the conditions imposed may require action on your part to proceed to the next step.

- If revised plans are required, you must make such revisions and upload the revised plans prior to proceeding to final action.
- If revised plans are not required, your request will automatically be submitted for City Council consideration.

If you have any questions, please contact me at Ahnna.Nanoski@kcmo.org or (816) 513-8816.

Sincerely,

Ahnna Nanoski, AICP
Planning Supervisor

Condition(s) by City Planning and Development Department. Contact Ahnna Nanoski at (816) 513-8816 / Ahnna.Nanoski@kcmo.org with questions.

1. Applicants, or the property owner, have sole responsibility for maintenance and care of the demolition debris landfill area.
2. All demolition debris landfills must be compacted by the use of machines for this purpose as the fill is introduced into the landfill area.
3. All demolition debris landfills must be operated so that they do not violate any city ordinances, state statutes, or federal laws relating to the health, safety, or general welfare of the inhabitants of the city, and may not have an adverse impact on water supplies or waterways, air or the visual environment.
4. At such time as the landfill reaches the finished topography as approved, the final 12 inches must be earth cover and must be properly graded and seeded by the applicant or otherwise landscaped and improved in accordance with plans approved at the time of special use approval.
5. The MPD plan is approved for 5 years. Extensions may be approved through a new MPD application and hearing.
6. Employees of the city have the right to enter upon the site to make all reasonable inspections.
7. 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 Final MPD plan has been installed in accordance with the plan and is healthy prior to Certificate of Occupancy.
8. 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 or 88-430 at the property lines prior to any Certificate of Occupancy.
9. No detailed sign plan was provided. All signage must comply 88-445.
10. Driveways and parking areas should be constructed and comply with Chapter 56 of the Kansas City Municipal Code to prevent the tracking of mud and debris from penetrating the public right-of-way.
11. A deviation from the required bicycle parking regulations to permit zero (0) long-term and short-term bicycle facilities on the subject site.
12. A deviation from the vehicular use area regulations to permit gravel drive ways on the subject site, per site plan.
13. The following conditions must be resolved prior to ordinance request.
 1. (Long-Range Correction) The landscape buffer shall be modified to 65 feet on the north and south sides directly adjacent to R-2.5 and R-6 zoning districts (3600 E 78th St too), and 20 feet to the west. The buffer must be completely on the subject property. The existing tree cover on adjacent properties does not apply to the requested buffer. (modified 3/21)
 2. (Water Services Correction) The utility plans call for a 10' sanitary sewer easement for the proposed relocation. The minimum width for the easement per the KC Water Sanitary Sewer Design Matrix is 20 feet for an 18" sewer that is 4 to 10 feet deep. Please revise the utility plan to callout a minimum of 20' sanitary easement centered on the line. (modified 3/19)
 3. (Long Range Correction) Update the MPD narrative to reflect updated plans.
 4. Incorporate a phasing plan into the MPD submittal.
14. A third party inspection, conducted by an engineer licensed in the State of Missouri, shall be completed annually. Upon completion of the inspection, an affidavit completed by the engineer shall be provided to the Development Management Division. The affidavit shall certify the extent to which the landfill has been reduced in volume and in height and certify that all conditions are being met.
15. Required fire department access roads shall be 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)

Condition(s) by City Planning and Development Department. Contact Ahnna Nanoski at (816) 513-8816 / Ahnna.Nanoski@kcmo.org with questions.

16. 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)
17. A required fire department access roads shall be an all weather surface. (IFC-2012: § 503.2.3)
18. Fire hydrant distribution shall follow IFC-2018 Table C102.1
19. The turning radius for fire department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
20. The developer shall secure approval of an MPD Final Plan from the City Plan Commission prior to building permit or within six months of the preliminary plan approval.
21. Per 40-23 of the Kansas City Code of Ordinances, the business/operations at 3808 E 78th St (Hoelzel Enterprises, Hoelzel Mobile Crushing, LLC, or Frank Hoelzel) is subject to a business/occupation license audit. This audit needs to be completed prior to the Final MPD submission.
22. Only rock, concrete, asphalt, or other solid minerals will be stored and processed on the site. For example, other outdoor storage or disposal of junked vehicles, shipping containers (not including those identified on the subject plans as machine trailers), or other materials (including waste) are not permitted on the site.
23. Building height shall follow 88-140-04 M -1 regulations, and accessory structures 88-305-03.

Condition(s) by City Planning and Development Department. Contact Matthew Barnes at (816) 513-8817 / matthew.barnes@kcmo.org with questions.

24. That prior to issuance of any permits on the site the applicant must consolidate the lots through General Warranty Deed with the County or through a Minor Subdivision Lot Consolidation through the City.

Condition(s) by Fire Department. Contact Michael Schroeder at (816) 513-4604 / michael.schroeder@kcmo.org with questions.

25. Required fire department access roads shall designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
26. The developer shall meet the fire flow requirements as set forth in Appendix B of the project International Fire Code 2018. (IFC-2018 § 507.1)
27. 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)

Condition(s) by Public Works Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

28. 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.
29. 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.

Condition(s) by Water Services Department. Contact Heather Massey at (816) 513-2111 / heather.massey@kcmo.org with questions.

30. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. Prior to C of O.
<https://www.kcwater.us/wp-content/uploads/2022/05/2022-Rules-and-Regulations-for-Water-Service-Lines-Final.pdf>
31. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
South of River contact - Patrick Lewis 816-513-0423
North of River contact - Todd Hawes 816-513-0296

Condition(s) by Water Services Department. Contact Heather Massey at (816) 513-2111 / heather.massey@kcmo.org with questions.

Condition(s) by Water Services Department. Contact Lucas Kaspar at (816) 513-2131 / Lucas.Kaspar@kcmo.org with questions.

32. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to KC Water, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and that the developer secure permits to construct any improvements as required by KC Water prior to issuance of any certificate of occupancy.
33. The owner/developer must submit plans for grading, siltation, and erosion control to KC Water 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.
34. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by KC Water 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.
35. The developer shall relocate the existing public sanitary sewer. Public Infrastructure plans shall be submitted for review and approval by KC Water. A 20 foot wide sanitary sewer easement centered on the new sewer line must be provided, and the existing sewer easement shall be released. Permit for the relocation must be obtained prior to the issuance of any building permits (excluding an electrical permit for a security fence/gate) or recording the final plat, whichever occurs first.
36. The developer must grant a BMP Easement to the City as required by KC Water, prior to recording the plat or issuance of any building permits.
37. The developer shall provide a letter, signed and sealed by a Missouri PE, explaining the current site conditions and how it relates to the applicability of the city's stream buffer ordinance.
38. The developer must enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by KC Water, prior to recording the plat.