



## CITY PLAN COMMISSION

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

[kcmo.gov/planning](http://kcmo.gov/planning)

September 05, 2024

Jeremy Knoll  
BNIM  
2460 Pershing Rd, Ste 100  
Kansas City, MO 64108

Re: **CD-CPC-2024-00088** - A request to approve a rezoning from R-80 (Residential) to MPD (Master Planned Development), with associated Development Plan, for an urban agriculture and composting facility campus on about 13 acres generally located at 5500 Bennington Ave.

Dear Jeremy Knoll:

At its meeting on September 04, 2024, 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](mailto:Ahnna.Nanoski@kcmo.org) or (816) 513-8816.

Sincerely,

Ahnna Nanoski, AICP  
Planning Supervisor

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

1. RV (recreational vehicles) must only be sited on approved RV pads.
2. A deviation from accessory building/structure separation zoning standards, permitting accessory buildings/structures to be less than 10 feet from all other accessory and principal buildings on the same lot.
3. A deviation from the setback requirements for a composting facility to be setback less than 250 ft from property lines, per the approved site plan.
4. A deviation from the temporary portable storage container specific use standards, to permit the use of 5 shipping containers to be used as permanent storage buildings, unless otherwise approved through building permit.
5. A deviation to permit gravel, as described on the approved site plan, for vehicular and loading use, on the subject site.
6. A deviation to permit a fence along all property lines of 10 ft.
7. No detailed sign plan was provided. All signage must comply with 88-445-06.
8. All Animal, Agriculture activity (including housing and grazing with associated structures or equipment) shall comply with Chapter 14 of the Kansas City, MO Municipal Code.
9. 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 88-430 at the property lines prior to Certificate of Occupancy.
10. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping and street trees required of the approved plan has been installed in accordance with the plan and is healthy prior to Certificate of Occupancy.
11. The developer shall secure approval of an MPD Final Plan (for each phase) from the City Plan Commission prior to building permit.
12. 10 mobile pens/livestock retainment structures are permitted on the subject site. If any killing, butchering, or dressing is done on-site, it must be located within a (building) permitted accessory building, which shall be located not less than 200 feet from any property line.
13. Per 88-425-13, an administrative adjustment is approved to site 20 trees and 24 shrubs in lieu of the required street trees and interior/exterior parking lot landscaping requirements, per the landscape plan to be installed during phase 2.
14. All dumpsters and mechanical equipment/utility cabinets shall be installed and constructed per 88-425.
15. Building UAC1 is subject to a project plan prior to building permit review. Glazing on UAC east elevation, first floor, for retail space shall be designed with vertical oriented transparency and positioned closer to the ground for the elevation facing Bennington Avenue per the windows/transparency guidelines in the KC Spirit Playbook Citywide Development Guidelines.
16. A deviation from on-stie pedestrian standards, permitting internal connections inconsistent with 88-450-03-C.2.
17. The following needs to be resolved prior to the City Council ordinance request.
  1. Under Phase 1 Description (G003) and plan sheet A055 (or anywhere listed within the MPD), remove the KCMO letter from Jared Clements comment.
  2. Update Composting Facility – Plan of Operation, Machinery: small dump trucks are included in the standard compost management.
  3. All parking lots and drives (adjacent to the southern property line) must be screened in accordance to 88-425-05-C.
  4. Several notes about “Phase 3” and “10 shipping containers” removed from plan sheets, A055, A056, and G003.

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

18. ADA parking spaces and pedestrian paths adjacent to GH1 shall be paved when the structure is permitted.
19. ADA parking spaces and pedestrian paths adjacent to B1 shall be paved when the RV PAD sites are activated.
20. Public congregation/access, related to the CSA, retail sales, and the composting facility is limited to the eastern parking lot of the site, as described on the approved site plan.
21. Activation of the RV pads triggers compliance with Chapter 72 of the Kansas City, MO Municipal Code, and any applicable axillary permits.
22. Fire hydrant distribution shall follow IFC-2018 Table C102.1
23. A required fire department access roads shall be an all weather surface. (IFC-2012: § 503.2.3) (No Grass Pavers Allowed)
24. 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)
25. Shall provide fire lane signage on fire access drives.
26. The turning radius for fire department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
27. 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)
28. A sidewalk along Bennington Ave (covering the entire eastern property line) is required to be installed when building UAC1 is constructed, identified on the associated project plan and building permits.
29. Lodging is limited to accessory uses associated with the urban agriculture/composting facility and related educational purposes. An STR permit may not be issued or lodging uses advertised on public sites/booking service provider.

*Condition(s) by City Planning and Development Department. Contact Ray Rhodes at (816) 513-1487 / Raymund.rhodes@kcmo.org with questions.*

30. All new buildings and construction will have to meet the requirements of the KCBRC and 2018 IBC.

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

31. 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)
32. 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)
33. 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)
34. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC-2018: § 503.2.5)
35. Security gates which span across a fire access road shall provide a means for emergency operation. Electric gates shall require a siren sensor device typically referred to as a "yelp gate" (IFC-2018 § 503.6).
36. Project shall provide information on Yurts. ( Flame resistance, how the yurts are to be used i.e. camping , educational). These may need to be permitted because they are technically Temporary Membrane structures which can not be permanent.  
Any future temporary membrane structures (example yurts) must be permitted through the Fire Department (IFC-2018§3103.2).

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

37. The access off of 55 Terr shall be marked as Emergency Vehicle and personal residence (detached dwelling unit) access only.
38. "If there is a change in the right-of-way for Fremont Ave, and the right-of-way is vacated, plans must be resubmitted to reflect compliance with access road turnaround requirements (IFC-2018§503.2.5) and fire hydrant distance to structures (IFC-2018§507.5).

*Condition(s) by KCPD. Contact Jeffrey Krebs at (816)234-5530 / Jeffrey.Krebs@kcmo.org with questions.*

39. Identify addressing plan for emergency response purposes on the Final MPD Plan. The buildings shall be labeled "A" closest to Bennington increasing west
40. Wayfinding signage installed within the site shall comply with 88-445

*Condition(s) by Parks & Recreation. Contact Richard Sanchez at (816) 513-7678 / Richard.Sanchez@kcmo.org with questions.*

41. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way

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

42. 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.
43. 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.
44. 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.*

45. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
46. 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>
47. 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
48. No water service line will be less than 1-1/2" in diameter where three or more units or Commercial building will be served by one domestic service line and meter.
49. A full flow fire meter shall be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.

*Condition(s) by Water Services Department. Contact Kirk Rome at (816) 513-0368 / kirk.rome@kcmo.org with questions.*

*Condition(s) by Water Services Department. Contact Kirk Rome at (816) 513-0368 / kirk.rome@kcmo.org with questions.*

50. The developer shall employ a Missouri PE to design water main extension plans to install a new public fire hydrant along Bennington Avenue to meet the 300' max. spacing requirement. Plans shall be designed and under contract (permitted) prior to building permit issuance and shall follow KC Water Rules and Regulations for water main extensions.

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

51. 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.
52. 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.
53. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to KC Water 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 disturbed area 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 prior to issuance of any building permits, and the developer secure permits to construct any improvements required by KC Water prior to issuance of any certificate of occupancy.
54. That the public sanitary sewer system need not be extended, provided that the developer demonstrates that the proposed private sewage disposal system complies with Chapter 18, Kansas City Building Code, in the City's Code of Ordinances, MDNR requirements, and Health Department requirements prior to recording the Final Plat or issuance of a building permit whichever occurs first.
55. 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.