



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2023-176
File Name	Special Use Permit for concrete batch plant
Applicant	Clarkson Construction Company
Property Address	2250 NW Quarry Park Rd
Planning Commission Date	December 12, 2024
Heard by	Planning Commission and City Council
Analyst	Hector Soto, Jr., AICP, Senior Planner

Public Notification

Pre-application held: May 9, 2023
Neighborhood meeting conducted: August 3, 2023
Newspaper notification published on: November 23, 2024
Radius notices mailed to properties within 300 feet on: November 27, 2024
Site posted notice on: November 25, 2024

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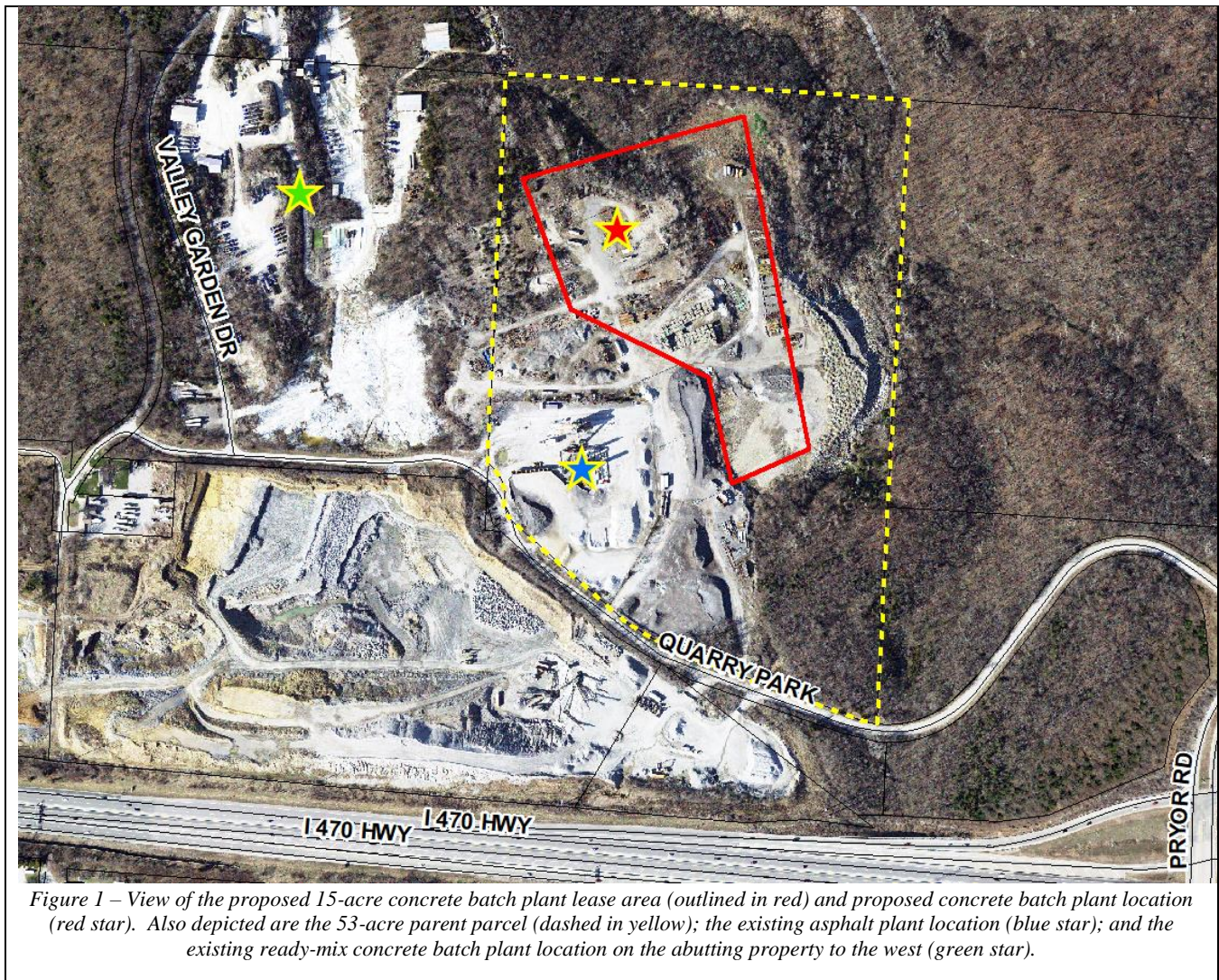
Attachments

Site Plan, dated October 19, 2023
Special Use Permit Narrative, uploaded August 31, 2023 – 3 pages
Neighborhood Meeting Notes, dated August 3, 2023 – 2 pages
Photographs of Subject Property, uploaded July 7, 2023 – 4 pages
Concrete Batch Plant Specifications, uploaded August 15, 2023 – 8 pages
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Clarkson Construction Company / Applicant
Applicant's Representative	Bob Fry
Location of Property	2250 NW Quarry Park Rd
Size of Property	+/- 15.2 acres (662,516 sq. ft.) – batch plant area only +/- 52.8 acres (2,299,968 sq. ft.) – overall lot area
Number of Lots	1
Zoning	AG (Agricultural) and PI (Planned Industrial)
Comprehensive Plan Designation	Industrial
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed special use permit and the City Council takes final action on the special use permit.</p> <p>Duration of Validity: A Special Use Permit (SUP) shall be valid for a specific period of time identified in the permit.</p>

Current Land Use
<p>The subject 15.2 acres is part of a larger 52.8-acre parcel that is the site of an existing asphalt plant that has operated under a series of special use permits since 1970. The subject 15.2 acres represents the lease area within the larger lot on which the proposed wet batch concrete plant will be located. The proposed concrete batch plant location is to the north of the existing asphalt plant facility. Of note is that the abutting parcel to the west is the site of an existing ready-mix concrete plant. The map below illustrates the existing and proposed conditions.</p>



Description of Applicant's Request

The applicant requests approval of an SUP to allow the operation of a concrete batch plant on industrial property for a period of 10 years. The proposed concrete batch plant will be located on a parcel on which an existing asphalt plant has operated for the past 55 years. At this time, the asphalt plant has been or is in process of deconstruction and removal. No new general site improvements such as driveways, parking lots, or permanent structures are associated with the application. The batch plant will be located within the boundaries of the activity area for the existing asphalt plant facility. The proposed concrete batch plant is a temporary, modular, mobile facility whose initial primary purpose will be to serve the City's Colbern Rd construction project and will later serve the City's SW Pryor Rd construction project. The type of concrete (wet batch concrete) to be produced at the facility is generally used for road construction and will operate to serve the applicant's own specialized construction projects. The proposed facility is not a ready-mix concrete facility that produces material to meet typical commercial concrete contractor needs. The proposed facility is not a commercial sales or distribution operation.

2. Land Use

Description and Character of Surrounding Area

The subject property is located along NW Quarry Park Rd, west of NW Pryor Rd and immediately south of the city limits shared with Kansas City. NW Quarry Park Rd and NW Clifford Rd are separate but connected east-west streets that bisect the area. Area development is a mix of single-family residences on large acreage parcels and industrial uses (e.g. asphalt plant, concrete plant and quarrying operations). There are also several undeveloped large acreage tracts. The residential uses are located on the west half of the area, while the industrial uses, including an existing ready-mix concrete plant, are located on the east half of the area.



Figure 2 - Area map showing subject property (dashed in yellow) and concrete batch plant area (outlined in red).

Adjacent Land Uses and Zoning

North (outside city limits—KCMO):	Agricultural / R-7.5 and R-80
South (across NW Quarry Park Rd):	Industrial (Quarrying) / AG
East:	Undeveloped acreage / AG
West:	Industrial (Concrete Plant) / PI

Site Characteristics

The subject property at 2250 NW Quarry Park Rd is a 52.8-acre parcel that currently houses an asphalt plant. Access to the property is provided by NW Quarry Park Rd via NW Pryor Rd. As a large-acreage site, the property has variable topography throughout, but generally drains to the north and east toward a natural drainageway.

Special Considerations

The subject property is located in an area in which sub-surface mining has taken place. The proposed location of the concrete batch plant is near the periphery of the undermined area. The periphery has generally been most stable and is most closely proximate to areas, including NW Pryor Road, that are not undermined. The best information available to the applicant indicates that the portion of the proposed site on which the proposed concrete batch plant will be located is stable at this time. As a long-time owner of the property, the applicant is well-aware of the undermined area and risks associated with undermined property.

3. Project Proposal

The applicant seeks approval of an SUP to allow the operation of a concrete batch plant for a period of 10 years on the subject property. Following approval of the SUP, there will be installation of the temporary, modular, concrete batch plant equipment, however no site work or addition of structures are planned. As previously stated, the subject property has been the site of an asphalt plant for the previous 55 years. The active and valid SUP under which the asphalt plant has operated was granted for the specific purpose of an asphalt plant, and thus does not allow the operation of a concrete batch plant under the existing special use permit. The scope of the subject special use permit application is limited to consideration of a concrete batch plant on the subject property.

Setbacks (Perimeter)

Yard	Required Minimum	Proposed
Front	20' (Building)	1077'
Side	10' (Building)	348' – west; 2,220' – east
Rear	20' (Building)	408'

Structure(s) Design

Number and Proposed Use of Equipment
1 / modular concrete batch plant
Equipment Height
29'-3"

4. Unified Development Ordinance (UDO)

Section	Description
4.220	PI Planned Industrial District
6.020,6.950	Permitted, conditional and special use tables

The UDO allows for a concrete batch plant in the PI zoning district with a special use permit. While, the subject property has both AG and PI zoning, the proposed concrete batch plant will be located on a portion of the property with PI zoning. The UDO does not prescribe any use special conditions or restrictions specific to concrete batch plants.

Neighborhood Meeting

The applicant hosted a neighborhood meeting on August 3, 2023, from 6:00 PM to 7:00 PM. One (1) member of the public attended.

Discussion related to the subject application including the following topics:

- Concrete batch plant operations;
- Concerns regarding quarrying and excavation (**none proposed**); and
- Physical condition of NW Pryor Rd.

No objection to the proposed SUP application was raised by the attendee, according to the meeting minutes provided by the applicant.

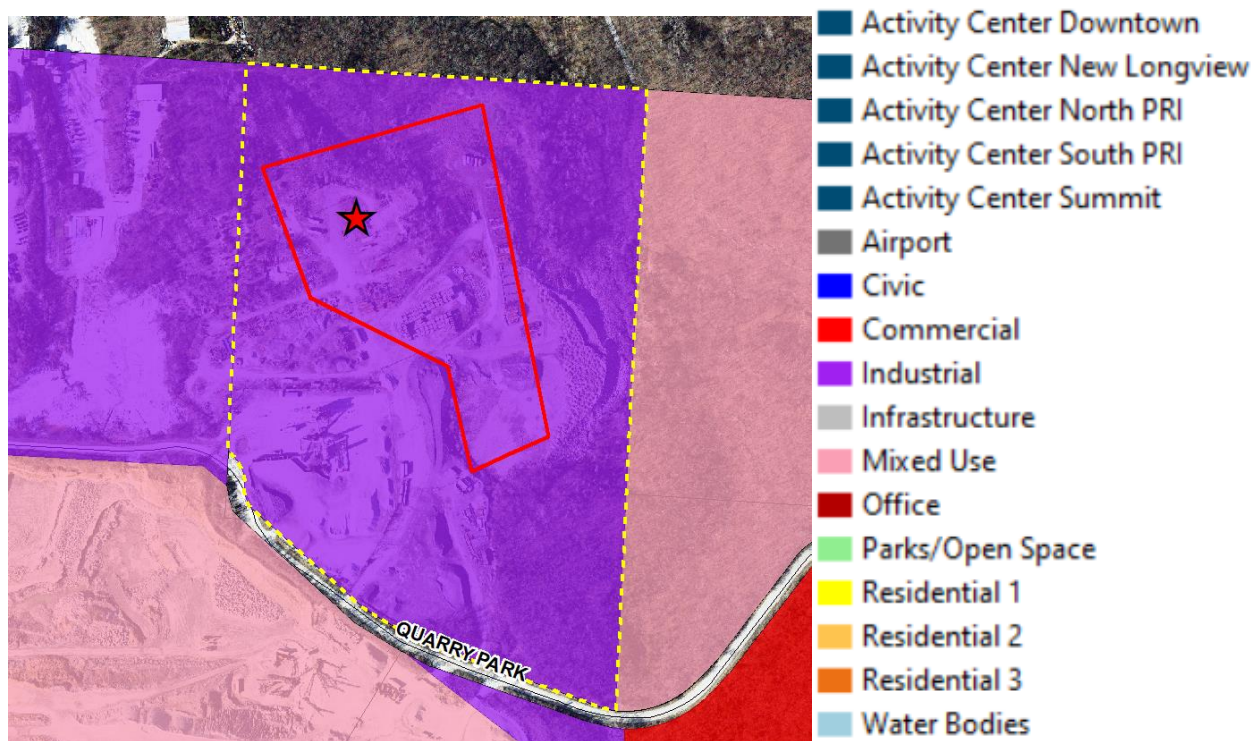
Since this neighborhood meeting, notification of the date, location and time of the Planning Commission and City Council public hearings have been sent to all surrounding property owners located within 300' of the site in accordance with UDO requirements. Staff has not received any comments or questions from the public on the pending special use permit application.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Facilities & Infrastructure	Objective: Maintain high-quality infrastructure that supports and entices quality growth and resiliency.

The Ignite! Comprehensive Plan identifies the subject property as Industrial on the Future Land Use Map. The Industrial land use category is intended for areas accommodating light and heavy industrial uses, distribution and warehouse developments. The proposed concrete batch plant is a land use that aligns with said identified types of uses and is consistent with the asphalt plant that has been in operation on the site since 1970.

The Ignite! Comprehensive Plan identifies the need for convenient, reliable, efficient and resilient public facilities and infrastructure to sustain the city's past growth and to provide opportunities for continued quality growth and prosperity. The City's Colbern Rd widening project is designed to accommodate the long-term infrastructure needs of the Colbern Rd corridor as development particularly between M-350 Hwy and NW Douglas St comes online. The need to have road construction material available near the project site is the impetus for the subject application. The requested 10-year special use permit time period is intended to accommodate future needs for other public infrastructure projects that extend beyond the immediate needs of the Colbern Rd project. For example, the applicant was recently awarded the contract for the SW Pryor Rd construction project that will have the same need for road construction material in close proximity to the project site and thus will also be able to be served by this same proposed concrete batch plant. The City's Capital Improvement Plan (CIP) shows construction of the SW Pryor Rd project extending into 2028.



6. Analysis

Background and History

- October 13, 1970 – The City Council approved a 10-year special use permit (Appl. #1970-013) for the operation of the asphalt plant by Ordinance No. 1226, expiring September 21, 1979.
- November 6, 1979 – The City Council approved a 10-year special use permit extension for the asphalt plant by Ordinance No. 2016, expiring October 16, 1989.
- November 7, 1989 – The City Council approved a 10-year special use permit extension for the asphalt plant by Ordinance No. 3361.
- November 7, 2002 – The City Council approved Amendment #3 (Appl. #2002-205) to the UDO by Ordinance No. 5419. At the time the UDO went into effect in 2001, it originally limited asphalt and concrete plants to the PI-2 (Planned Heavy Industrial) zoning district only. Amendment #3 included allowing asphalt plants in the PI-1 District with a Special Use Permit. The zoning ordinance in effect prior to the UDO (Zoning Ordinance No. 715) allowed asphalt and concrete plants in any zoning district, subject to approval of a special use permit. The amendment to allow asphalt and concrete plants in both the PI-1 and PI-2 zoning districts was consistent with previous allowances and reflected the presence of existing facilities in both zoning districts. The PI-1 and PI-2 zoning districts were later merged into the single PI (Planned Industrial) zoning district in 2009.
- April 17, 2003 – The City Council approved a 10-year Special Use Permit (Appl. #2002-089) renewal extension for the asphalt plant by Ordinance No. 5515.

- January 20, 2011 – The City Council approved a special use permit renewal (Appl. #2010-063) to allow the continued operation of an asphalt plant for a period of 20 years from the expiration of the previously existing special use permit and thus expire on April 17, 2033. The special use permit renewal was approved by Ordinance No. 7012.

Compatibility

The subject property is zoned industrial (PI) and has been used in an industrial manner since 1970 in the form of an asphalt plant that is near the property's frontage along NW Quarry Park Rd. The proposed concrete batch plant will sit approximately 1000' north of NW Quarry Park Rd and thus will have little to no visibility from the street. The proposed concrete batch plant is compatible with adjacent uses, more specifically an existing concrete plant to the west and a quarry operation across NW Quarry Park Rd to the south. Other area uses include 3 or 4 single-family residences that are located along NW Clifford Rd and NW Lowenstein Rd and sit between 1,800' and 4,500' to the west.

Adverse Impacts

Approval of a special use permit to allow operation of a concrete batch plant to the subject property will not detrimentally impact the surrounding area. Concrete plants are often paired with asphalt plants due to their similar operational nature, of which one has operated on the subject site since 1970. The batch plant will be located within the boundaries of the existing activity area for the asphalt plant. No materials in the production of concrete will be sourced on-site due to the fact that the rock found on the property does not meet material specifications for the concrete to be produced by the proposed facility—all aggregate and cement used for production will be delivered to the site.

From an operational standpoint, the facility's hours will be Monday through Saturday from 7:00 am to 10:00 pm, dependent on project construction schedules. For comparison, the existing asphalt plant located on the property has historically operated Monday through Friday from 7:00 am to 5:00 pm. Although operations at the proposed concrete batch plant may extend beyond the hours of operation historically experienced in the area from the existing asphalt plant, staff does not expect any change to the surrounding area as a result. The material produced on the site will be for use on the applicant's own construction projects (i.e. an in-house concrete batch operation), therefore the facility does not produce material for general commercial contractor needs. As such, the plant will sit idle when not producing material for the applicant's own construction projects.

Operation of the proposed concrete plant is subject to certain requirements from the State, including submission of a yearly emissions report, a storm water permit and the installation and maintenance of BMPs during the life of the operations.

Public Services

Primary access to the area has historically been provided from the east by NW Quarry Park Rd via NW Pryor Rd and Interstate 470. A short segment of NW Quarry Park Rd to the west of the proposed concrete batch plant entrance that sits above an undermined area has collapsed and no longer allows uninterrupted access from the intersection of NW Quarry Park Rd and NW Pryor Rd all the way to the westernmost limit of NW Clifford Rd.



Figure 3 - Aerial photo showing NW Clifford Rd and NW Quarry Park Rd connection to NW Pryor Rd.

Access to the subject property has not been affected by the collapsed road section and thus access to the proposed concrete batch plant site is maintained via NW Pryor Rd as illustrated below. The collapsed road section is located west of the access drive entrance to the concrete batch plant site. The City has posted road closure signage and placed barriers on either end of NW Quarry Park Rd to block access to the collapsed road section.



Figure 4 - Access route (in orange) from NW Pryor Rd to proposed concrete batch plant.

There are 3 or 4 residential properties located west of the collapsed road segment that can no longer be accessed via NW Pryor Rd. Alternate access to the area west of the collapsed segment is currently provided by a paved access road to the north that connects to Noland Rd coming off Bannister Rd in KCMO as

illustrated below. There is currently no short-term solution to fix the collapsed road section and no intention to restore the section of NW Quarry Park Road that collapsed. The City is currently investigating and evaluating long-term options. The City has kept City Council and impacted area residents apprised of its efforts to provide and maintain safe and adequate access under the present circumstances, which includes collaboration with the existing ready-mix concrete plant to provide emergency access through its site via Valley Garden Dr (see map below) during inclement weather considering the steep road grade of the route that currently provides alternate access to the area from Bannister Road. The City is also pursuing permanent alternate access along public ways to Bannister Road in collaboration with Kansas City, Missouri, that does not have inclement weather concerns. The Development Services Department has not received any communication from impacted area residents as it relates to the road situation or the subject special use permit application.

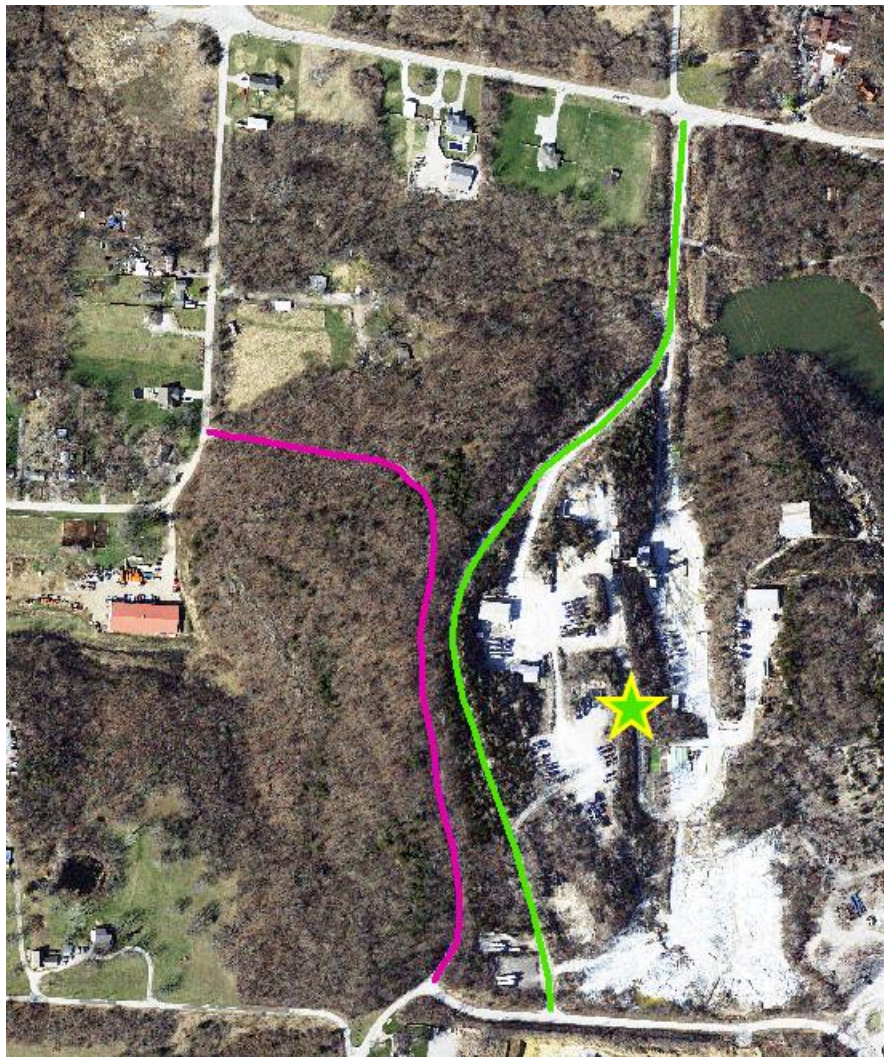


Figure 5 - Alternate route (in magenta) to NW Quarry Park Rd from Noland Rd (in KCMO). Emergency access (in green) to NW Quarry Park Rd via Valley Garden Dr through existing ready-mix concrete batch plant location (green star).

Time Period

The applicant requests the SUP be granted for a 10-year time period. Staff recommends approval of the requested SUP for the requested 10-year period.

Recommendation

With the condition of approval below, the application meets the goals of the Ignite! Comprehensive plan and the requirements of the UDO.

7. Recommended Conditions of Approval

Site Specific

1. The special use permit to operate a concrete batch plant shall be granted for a period of ten (10) years.