

## **CITY OF PARKVILLE**

### **Policy Report**

DATE: Thursday, October 25, 2018

PREPARED BY:  
Stephen Lachky  
Community Development Director

REVIEWED BY:  
Alysen Abel  
Public Works Director

ISSUE:

Approve the first reading of an ordinance to approve a conditional use permit to allow townhome uses in conjunction with The Woods at Creekside & Village at Creekside, a planned residential development consisting of single-family homes and townhomes on 34.65 acres (more or less) and 25.74 acres (more or less) respectively, generally located on the northwest quadrant of the intersection of I-435 and Highway 45. Case No. PZ18-17C; Brian Mertz, Parkville Development 140, LLC, applicant.

BACKGROUND:

The application proposes the allowance of townhome uses in conjunction with The Woods at Creekside & Village at Creekside, a planned residential development consisting of single-family homes and townhomes on 34.65 acres (more or less) and 25.74 acres (more or less) respectively, generally located on the northwest quadrant of the intersection of I-435 and Highway 45.

The subject property was annexed into Parkville city limits on May 2, 2000, via Ordinance No. 1874. Based on interviews with former staff and elected officials, the City desired to annex the area to have control over future development around the I-435 and Highway 45, and I-435 and Highway 152 corridors, as increased growth would impact the traffic through Parkville along Highway 45, Highway 9 and FF Highway. In 2006, to coordinate with development plans at three quadrants of the intersection of Highway 45 and Interstate 435, the City responded to petitions and began the process to create two Neighborhood Improvement Districts (NIDs) in accordance with Sections 67.453 – 67.465 RSMo. The NIDs were undertaken for a public sewer, the Brush Creek NID, and a road project, the Brink Meyer NID. Due to a variety of factors, including the economic recession, private development did not occur according to the original schedule and vision. The majority of the NID properties were recently owned or controlled by banks or the City of Parkville, and are no longer owned by the original landowners at the time of the NID creations.

On December 2, 2014, the Board of Aldermen conducted a work session to review the zoning, land use projections, development plans, and development challenges for all properties in the Brush Creek Drainage NID. The City and Parkville Economic Development Council (EDC) participated in numerous meetings with property owners and prospective developers to evaluate potential development options for the area; however, many of the development concepts only involved small portions of the property (less than 5 acres) and didn't address development challenges for common areas. On September 9, 2015, the Board of Aldermen adopted a Resolution of Intent to use economic development incentives to promote appropriate development in the Brush Creek and Brink Meyer NIDs. The resolution affirms the Board's willingness to support appropriate multi-family housing in the area and affirms the City's willingness to use public incentives to offset the impact of the NID assessments on the development.

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Due to delinquent assessments, a petition for judicial foreclosure was filed against the property owner in December 2015 and Bank of Blue Valley subsequently took ownership of the subject property thereafter. Since that time, the City and Parkville EDC have sought development partnerships to develop the property and generate economic activity in the area. In the summer of 2016, the City issued a request for proposals (RFP) for development of the subject property. The City asked respondents to propose development concepts appropriate for the area compatible with the city's development objectives and adopted *Parkville Master Plan*. Pre-proposal conferences with prospective developers were held at Parkville City Hall, and following a 90-day response period for RFPs, the City did not receive any responses for the subject property. However, it was recommended that the Board of Aldermen keep the RFP solicitation open and continue to work with the Parkville EDC and Platte County EDC in marketing the property, evaluating alternatives and pursuing other development teams.

Staff reviewed the Application for Conditional Use Permit against the Parkville Development Code's conditional use permit review criteria in Section 403.050, Subsection B. Staff concluded the conditional use permit furthers the intent of the proposed "R-4-P" Mixed-Density Residential zoning district and is consistent with the *Parkville Master Plan*; complies with Section 406.020 of the Title IV – Development Code and Section 403.040, Subsection C. preliminary development plan review criteria; does not require any additional site-specific conditions to meet the intent or design objectives of the Development Code, or mitigate potential impacts; produces little-to-no impact on the public realm; adequate drainage, utilities and other public facilities are addressed by the accompanying preliminary development plan for The Woods at Creekside & Creekside Village; is compatible with the character of the area in terms of building scale, building form, landscape and site design; is compatible with the area in terms of traffic patterns intensity of use as proposed and other potential impacts on adjacent property; staff will require an updated traffic impact study be submitted to evaluate additional impacts on the public realm; there is no need to place a limited time period for the proposed use based on its context and relationship within The Woods At Creekside & Creekside Village planned residential development; the application will not prevent development and use of the neighboring property in accordance with applicable development regulations; and long range plans applicable to the site and surrounding area are not negatively impacted by the proposed use.

### BUDGET IMPACT:

With the exception of application and permit fees collected, there is no immediate budget impact. Long-term impacts would be realized from changes in property taxes and sales taxes collected from the site and proposed development, and impacts to the same for area properties and other businesses.

### PUBLIC COMMENTS:

Prior to the completion of this policy report, the Community Development Department received 58 public comments via letter or e-mail (See Attachment 11). A public hearing was opened at the September 11, 2018 regular meeting of the Planning and Zoning Commission, and continued to the October 9, 2018 and October 10, 2018 meetings of the Planning and Zoning Commission. See Attachment 12 for a summary of public comments provided at the September 11, 2018 meeting of the Planning and Zoning Commission. At the continued public hearing on October 10, 2018, members of the public attended and stated their concerns of the size and scale of the development, cutting the existing topography on the northwest quadrant of I-435 and MO-Hwy 45, chemical compounds in turf field material vs. natural grass, preservation of existing topography and tree foliage, and asked questions regarding whether the proposed baseball fields would be for private use or open to members of the public.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission considered the application during a public hearing held on September 11, 2018 and again on October 9, 2018 and October 10, 2018. The Commission asked the applicant to provide more information on the users of the proposed baseball fields and whether or not they'd be intended for public use or private use. The applicant also clarified concerns regarding chemical compounds in turf materials and noted the environmental benefits of using turf material vs. natural grass. The Commission asked additional questions regarding grading, cutting and filling; and the applicant stated how they would follow natural contours and preserve as many existing trees as possible as they add to the value of homes.

The Commission recommended approval of the conditional use permit, subject to conditions, by a vote of 9-0.

**STAFF RECOMMENDATION:**

Staff recommends approval of the conditional use permit, subject to the following conditions:

- Submittal of an updated Traffic Impact Study detailing existing traffic counts, trip generation estimates, and any other necessary traffic data required to MoDOT for MoDOT's Traffic Engineering Department to review; and implementation of required roadway improvements, and/or dedicated right-of-way for future roadway improvements, as required by City staff or MoDOT as part of the project.

**POLICY:**

Per Parkville Municipal Code, Section 406.020, Mixed-Density Residential – R-4, single-family homes (i.e., detached house – large lot, detached house – neighborhood lot, detached house – compact lot) and duplexes are permitted by-right in the district; however, 3- to 4-plexes, row houses, walk-up apartments, and small civic uses may be approved as conditional uses subject to the review process in Section 403.050. Conditional use permits must be approved by the Board of Aldermen, following a public hearing, review and a recommendation by the Planning and Zoning Commission as outlined in Table 403-1.

The Board of Aldermen must approve two readings of the ordinance to become effective. Rule 5, *Agendas*, of the Board's adopted Rules of Order, states "*The first reading of an ordinance will be read on the action agenda and the second and final reading will be read the next subsequent meeting on the consent agenda, unless the item is a time-sensitive matter in which it may be approved during the same meeting.*"

**ALTERNATIVES:**

1. Approve the first reading of an ordinance approving a conditional use permit and postpone the second reading to the next regular meeting of the Board of Aldermen on November 6, 2018.
2. Approve the first reading of an ordinance, subject to changes directed by the Board of Aldermen.
3. Deny the application.
4. Postpone the item.

**SUGGESTED MOTIONS:**

I move to approve Bill No. 3005, an ordinance approving a conditional use permit for The Woods at Creekside & Village At Creekside, a planned residential development consisting of single-family homes and townhomes on 34.65 acres (more or less) and 25.74 acres (more or less) respectively, generally located on the northwest quadrant of the intersection of I-435 and Highway 45, on first reading and postpone the second reading to November 6, 2018.

ATTACHMENTS:

1. Proposed Ordinance
2. Application for Conditional Use Permit (Case No. PZ18-17C)
3. I-435 Corridor Reference Maps (see Agenda Item 4A)
4. The Woods At Creekside & Creekside Village, A Subdivision in Parkville, Platte County, Missouri, Preliminary Development Plan – Conditional Use (prepared by Renaissance Infrastructure Consulting; dated September 5, 2018; see Agenda Item 2E)
  - a. Sheet 1 of 17 (Cover Sheet)
  - b. Sheet 2 of 17 (Existing Conditions)
  - c. Sheet 3 of 17 (Property Subdivision Plan)
  - d. Sheet 4 of 17 (Development Plan)
  - e. Sheet 5 of 17 (Typical Street Sections)
  - f. Sheet 6 of 17 (Building Setback Plan North)
  - g. Sheet 7 of 17 (Building Setback Plan North)
  - h. Sheet 8 of 17 (Site Data)
  - i. Sheet 9 of 17 (Site Utility Plan)
  - j. Sheet 10 of 17 (Pedestrian Linkage Plan)
  - k. Sheet 11 of 17 (Preliminary Plat)
  - l. Sheet 12 of 17 (Visionaire Lighting Photometric Study Pg. 1)
  - m. Sheet 13 of 17 (Visionaire Lighting Photometric Study Pg. 2)
  - n. Sheet 14 of 17 (Visionaire Lighting Photometric Study Pg. 3)
  - o. Sheet 15 of 17 (Visionaire Lighting Photometric Study Pg. 4)
  - p. Sheet 16 of 17 (Visionaire Lighting Photometric Study Pg. 5)
  - q. Sheet 17 of 17 (Visionaire Lighting Photometric Study Pg. 6)
5. Creekside Development Applicant Presentation (provided at September 11, 2018 public hearing; prepared by Parkville Development 70, LLC; Parkville Development 38, LLC; Parkville Development 140, LLC; Parkville Development 50, LLC; see Agenda Item 4A)
6. Staff Analysis report presented to the Planning and Zoning Commission at their October 9, 2018 regular meeting (see Agenda Item 2E).
7. City of Parkville staff review comments (dated August 16, 2018; see Agenda Item 2E)
8. City Engineer review comments (dated August 9, 2018; see Agenda Item 2E)
9. On-Call City Engineer review comments (dated September 5, 2018; see Agenda Item 4A)
10. Utility Provider Verification Correspondence (see Agenda Item 4A)
  - a. Platte County Regional Sewer District (PCRSB; dated August 21, 2018)
  - b. Missouri Gas Energy (dba Spire Energy; dated August 24, 2018)
  - c. Consolidated Public Water Supply District No. 1 of Platte County (dated August 27, 2018)
  - d. Missouri Department of Transportation (MoDOT; dated August 22, 2018)
  - e. Platte County Planning and Zoning Department (dated August 28, 2018)
  - f. Park Hill School District (PHSD; dated August 21, 2018)
11. Public Comments
  - a. E-mail – Dean Katerndahl (404 Main St., Parkville, MO)
  - b. E-mail – Kristy Greathouse (14785 NW 66<sup>th</sup> St., Unincorporated Platte County, MO)
  - c. E-mail – Jeff Foster (14230 NW 60<sup>th</sup> St., Unincorporated Platte County, MO)
  - d. E-mail – David Price (6460 N Nevada Ave, Unincorporated Platte County, MO)
  - e. E-mail – Dan Baumchen (14275 NW 64<sup>th</sup> St., Unincorporated Platte County, MO)
  - f. E-mail – Lynet Baumchen (14275 NW 64<sup>th</sup> St., Unincorporated Platte County, MO; and PO Box 901526, Kansas City, MO 64190)
  - g. E-mail and Letter – Mistry Snodgrass (14050 NW 64<sup>th</sup> Ter, Unincorporated Platte County, MO)
  - h. E-mail – Adam Snodgrass (14050 NW 64<sup>th</sup> Ter, Unincorporated Platte County, MO)
  - i. E-mail and Letter – Jason Maki (6955 NW Scenic Dr., Unincorporated Platte County, MO)

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- j. E-mail – Victor and Betsy Ferlaino (7065 NW Scenic Dr., Unincorporated Platte County, MO)
- k. E-mail – Melissa Metheny (6519 NW Sioux Dr., Unincorporated Platte County, MO)
- l. E-mail – Jeffrey Foot (Unknown Address)
- m. E-mail – Matthew Roberts (14625 NW 45 Hwy, Unincorporated Platte County, MO)
- n. E-mail – Rachel Leistad (14815 NW 61<sup>st</sup> St., Parkville, MO)
- o. E-mail – Erin Maslowski (6945 White Pine Circle, Unincorporated Platte County, MO)
- p. Letter – Jerry and Nancy Saulsbury (7050 NW Scenic Dr., Unincorporated Platte County, MO)
- q. E-mail – Jacqueline Maiserouille (5906 NW Whispering Oaks Ln., Unincorporated Platte County, MO)
- r. E-mail – Matthew Roberts (14625 NW 45 Hwy, Unincorporated Platte County, MO)
- s. E-mail – Rhonda Smallwood (13105 NW Custer Dr., Unincorporated Platte County, MO)
- t. E-mail – Karen Eagle (14705 NW MO-45 Hwy, Unincorporated Platte County, MO)
- u. E-mail – Jason Maki (6955 NW Scenic Dr., Unincorporated Platte County, MO)
- v. Letter – Barbara Wassmer (18 W 5<sup>th</sup> St., Parkville, MO)
- w. E-mail – Jon Appino (14670 NW 66<sup>th</sup> St., Unincorporated Platte County, MO)
- x. Letter – Matthew Roberts (14625 NW 45 Hwy, Unincorporated Platte County, MO)
- y. E-mail – Catherine Kolkoski (7209 N Nevada Ave, Unincorporated Platte County)
- z. E-mail – Jason Strohm (6690 NW Hickory Dr., Unincorporated Platte County, MO)
- aa. E-mail – Josh Dixon (6488 NW Morell Dr., Unincorporated Platte County, MO)
- bb. E-mail – Teresa Donnici (6293 N Whitetail Way, Parkville, MO)
- cc. E-mail – Kyle and Mary Williams (14480 Summit Ridge, Parkville, MO)
- dd. E-mail – Eric Lueders (14525 Summit Ridge, Parkville, MO)
- ee. Letter – Dean Katerndahl (404 Main St., Parkville, MO)
- ff. E-mail – Teresa Donnici (6293 N Whitetail Way, Parkville, MO)
- gg. E-mail – Jeff Kelley (6685 NW Meyers Cir, Unincorporated Platte County, MO)
- hh. E-mail – Danae Spresser (14095 NW 60<sup>th</sup> Court, Parkville, MO)
- ii. E-mail – Rick Murphy (Unknown Address)
- jj. E-mail – Kyle and Mary Williams (14480 Summit Ridge, Parkville, MO)
- kk. E-mail – Teresa Donnici (6293 N Whitetail Way, Parkville, MO)
- ll. E-mail – Concerned Citizens for Parkville (no address)
- mm. E-mail – Joe Spirk (8302 NW Lakeview Dr., Parkville, MO)
- nn. Letter – Andrew P. Alexander (1100 Main St., Suite 2700, Kansas City, MO)
- oo. Letter – Peter Gose (14530 NW 63<sup>rd</sup> St., Unincorporated Platte County, MO)
- pp. E-mail – Adam & Mercedes Fletcher (13405 NW Brink Meyer Rd, Unincorporated Platte County, MO)
- qq. E-mail – Debra & James Johnson (5915 N Nevada Ave, Parkville, MO)
- rr. Letter – Peter Gose (14530 NW 63<sup>rd</sup> St., Unincorporated Platte County, MO)
- ss. E-mail – Molly Coble (14435 Summit Circle, Parkville, MO)
- tt. E-mail – Stacy Walter (14805 NW 66<sup>th</sup> Ter, Parkville, MO)
- uu. E-mail – Brian Votava (5641 Cedar Ct., Parkville, MO)
- vv. E-mail – Brian Smith (Unknown Address)
- ww. E-mail – Josh Kollmeyer (6752 NW Meyers Cir, Parkville, MO)
- xx. E-mail – Allyson Berberich (14035 Trail Creek Court, Parkville, MO)
- yy. E-mail – Jamie Watkins (14265 NW 60<sup>th</sup> Ct, Unincorporated Platte County, MO)
- zz. E-mail – Joshua Webber (14310 NW 63<sup>rd</sup> St, Unincorporated Platte County, MO)
- aaa. E-mail – Michael Younghanz (3030 NW 57<sup>th</sup> Ter, Kansas City, MO)
- bbb. E-mail – Teryle Wilder (7025 NW Scenic Dr., Unincorporated Platte County, MO)
- ccc. E-mail – Maureen Reese (6009 N Cosby Ct, Kansas City, MO)
- ddd. Letter – Travis Holthouse (Unknown Address)
- eee. E-mail – Teryle Wilder (7025 NW Scenic Dr., Unincorporated Platte County, MO)

- fff. Letter – Clarence House & Jean Bradshaw (15201 NW Brink Myer Rd, Parkville, MO)
- ggg. Email – Cinda Walsh
- hhh. Email – Jim Dollins
- iii. Additional public comments (see Agenda Item 4A)
- 12. Summary of public hearing comments (see Agenda Item 4A)
  - a. Provided at September 11, 2018 Planning and Zoning Commission public hearing
  - b. Provided at October 9, 2018 Planning and Zoning Commission public hearing
  - c. Provided at October 10, 2018 Planning and Zoning Commission public hearing
- 13. Notes from September 21, 2018 meeting with Neighborhood Representatives (See Agenda Item 4A)
- 14. Density Comparison Research (prepared by Brad Stanton, Planning Intern; see Agenda Item 4A)
- 15. Aerial Imagery of I-435 Corridor (see Agenda Item 4A)

**ADDITIONAL EXHIBITS BY REFERENCE:\***

- 1. Parkville Municipal Code, Title IV – Development Code in its entirety (<https://www.ecode360.com/PA3395-DIV-05>)
  - a. Section 403.040 Master Planned Development
  - b. Section 403.050 Conditional Use Permit
  - c. Chapter 404 Subdivision Regulations
  - d. Section 405.010 Zoning Districts Established
  - e. Section 405.020 Districts & Uses
  - f. Section 405.030 Standards Applicable to All Districts
  - g. Section 405.050 Conditional Uses
  - h. Appendix B. Great Trees for the Kansas City Region
- 2. Parkville Master Plan (<http://parkvillemo.gov/departments/community-development-department/master-plan/>)
- 3. Highway 45 Corridor Plan (<http://parkvillemo.gov/download/Highway45CorridorPlan.pdf>)
- 4. Market Feasibility & Economic Impact Analysis for a Sports Complex and/or Commercial Development (<http://parkvillemo.gov/wp-content/uploads/2014/08/Parkville-Sports-Complex-Report-08-11-14-LOW-RES.pdf>)
- 5. Notice of Public Hearing mailed certified mail to owners within 185 ft. of the subject property.
- 6. Hearing notice published in The Platte County Citizen newspaper on August 22, 2018.
- 7. Hearing notice published on the Parkville City webpage (<https://parkvillemo.gov/download/CreeksideHearingSummary.pdf>)
- 8. Preliminary Macro-Stormwater Drainage Study, Creekside Development, Brush Creek Watershed (prepared by Renaissance Infrastructure Consulting; dated August 9, 2018)
- 9. Traffic Impact Study, Proposed 45 Park Place Residential Development, Parkville, Missouri (prepared by George Butler Associates, Inc.; dated April 19, 2006)
- 10. MO 45 and Brink Myer Summary of Traffic Concerns (prepared by Lutjen; dated May 3, 2010)
- 11. Ordinance No. 1874 – Providing for the extension of the city limits by embracing and including unincorporated real property located in Platte county lying west of the present city limits line of the City (annex Thousand Oaks)
- 12. Resolution No. 09-04-15 – A Resolution of Intent to use Economic Development Incentives to promote appropriate development in the Brush Creek Drainage and Brink Meyer Road Neighborhood Improvement Districts
- 13. Case No. PZ18-15A – The Meadows At Creekside – Preliminary Development Plan
- 14. Case No. PZ18-15B – The Meadows At Creekside – Conditional Use Permit
- 15. Case No. PZ18-16A – Old Town At Creekside - Zoning Map Amendment
- 16. Case No. PZ18-16B – Old Town At Creekside - Preliminary Development Plan
- 17. Case No. PZ18-17A – The Woods At Creekside - Zoning Map Amendment

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18. Case No. PZ18-17B – The Woods At Creekside - Preliminary Development Plan
19. Case No. PZ18-17C – The Woods At Creekside - Conditional Use Permit
20. Case No. PZ18-17E – Creekside Commons - Zoning Map Amendment
21. Case No. PZ18-17F – Creekside Commons - Preliminary Development Plan
22. Case No. PZ18-18A – Creekside Industrial - Zoning Map Amendment
23. Case No. PZ18-18B – Creekside Industrial - Preliminary Development Plan
24. Professional Resume – Stephen Lachky, Community Development Director
25. Professional Resume – Alysen Abel, Public Works Director
26. Professional Resume – Nathan Hladky, City On-Call Engineer, Phelps Engineering, Inc.
27. Planning and Zoning Commission (September 11, 2018) Regular Meeting Minutes
28. Planning and Zoning Commission (September 11, 2018) Regular Meeting Video Recording, Part 1 (<https://vimeo.com/289405189>)
29. Planning and Zoning Commission (September 11, 2018) Regular Meeting Video Recording, Part 2 (<https://vimeo.com/289404155>)
30. Planning and Zoning Commission (September 11, 2018) Regular Meeting Video Recording, Part 3 (<https://vimeo.com/289404863>)
31. Exhibits presented to Planning and Zoning Commission at September 11, 2018 public hearing
32. Planning and Zoning Commission (October 9, 2018) Regular Meeting Minutes
33. Planning and Zoning Commission (October 9, 2018) Regular Meeting Video Recording (<https://vimeo.com/parkvillemo>)
34. Planning and Zoning Commission (October 10, 2018) Regular Meeting Minutes
35. Planning and Zoning Commission (October 10, 2018) Regular Meeting Video Recording (<https://vimeo.com/parkvillemo>)
36. Exhibits presented to Planning and Zoning Commission at October 10, 2018 public hearing

\*Printed copies of referenced materials may be provided on request. Original materials are available for viewing at Parkville City Hall.

**AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW TOWNHOME USES IN CONJUNCTION WITH THE WOODS AT CREEKSIDE & CREEKSIDE VILLAGE, A PLANNED RESIDENTIAL DEVELOPMENT CONSISTING OF SINGLE-FAMILY HOMES AND TOWNHOMES ON 34.65 ACRES (MORE OR LESS) AND 25.74 ACRES (MORE OR LESS) RESPECTIVELY, GENERALLY LOCATED ON THE NORTHWEST QUADRANT OF THE INTERSECTION OF I-435 AND HIGHWAY 45**

WHEREAS, Brian Mertz, Parkville Development 140, LLC submitted an Application for Conditional Use Permit (Case No. PZ18-17C) for The Woods at Creekside & Creekside Village, a planned residential development consisting of single-family homes and townhomes on 34.65 acres (more or less) and 25.74 acres (more or less) respectively, generally located on the northwest quadrant of the intersection of I-435 and Highway 45 in Parkville, MO 64152; and

WHEREAS, staff reviewed the application according to Parkville Municipal Code Title IV – Development Code, Section 403.050, Subsection B. and determined their findings and conclusions; and

WHEREAS, notice of a public hearing on September 11, 2018, was published, mailed and posted in accordance with Parkville Municipal Code Title IV – Development Code, Section 403.010; and

WHEREAS, on September 11, 2018, the Parkville Planning and Zoning Commission held a public hearing to consider the Application for Preliminary Development Plan and continued the public hearing to their next regular meeting on October 9, 2018; and

WHEREAS, on October 9, 2018, the Parkville Planning and Zoning Commission re-opened the continued public hearing to consider the Application for Preliminary Development Plan and continued the public hearing to a meeting of the Planning and Zoning Commission on October 10, 2018; and

WHEREAS, on October 10, 2018, the Parkville Planning and Zoning Commission re-opened the continued public hearing to consider the Application for Conditional Use Permit and, following the conclusion of the hearing, recommended approval, subject to conditions, by a vote of 9-0; and

WHEREAS, the Board of Aldermen has reviewed and considered staff's conclusions and recommendation, the information provided to the Planning and Zoning Commission, the Planning and Zoning Commission's recommendation and information presented to the Board of Aldermen, and desires to approve the application with conditions as stated herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. The application for conditional use permit to allow townhome uses in conjunction with The Woods at Creekside & Creekside Village, a planned residential development consisting of single-family homes and townhomes on 34.65 acres (more or less) and 25.74 acres (more or less) respectively, generally located on the northwest quadrant of the intersection of I-435 and Highway 45. (Case No. PZ18-17C) is hereby approved, subject to conditions by the Board of Aldermen, including:



- Submittal of an updated traffic impact study detailing existing traffic counts, trip generation estimates, and any other necessary traffic data required to the Missouri Department of Transportation (MoDOT) for MoDOT's Traffic Engineering Department to review; and implementation of required roadway improvements, and/or dedicated right-of-way for future roadway improvements, as required by City staff or MoDOT as part of the project.

SECTION 2. The conditional use permit shall be effective immediately upon its passage and approval and shall be effective indefinitely from the effective date.

SECTION 3. This ordinance shall be effective immediately upon its passage and approval.

PASSED and APPROVED this 6<sup>th</sup> day of November 2018.

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Mayor Nanette K. Johnston

ATTESTED:

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City Clerk Melissa McChesney