

## **CITY OF PARKVILLE** **Policy Report**

DATE: Thursday, October 25, 2018

PREPARED BY:  
Stephen Lachky  
Community Development Director

REVIEWED BY:  
Joe Parente  
City Administrator

ISSUE:

Approve the first reading of an ordinance to approve a preliminary development plan for Creekside Commons, a planned commercial development consisting of hotel, restaurant, gas station, pharmacy/medical office, general retail, outdoor recreation and cemetery uses on 82.75 acres, more or less, generally located at the northwest quadrant of the intersection of I-435 and Highway 45. Case No. PZ18-17F; Brian Mertz, Parkville Development 140, LLC, applicant.

BACKGROUND:

The application proposes Creekside Commons, a planned commercial development consisting of 10 lots for three hotels, two restaurants, one quick-serve restaurant, on gas station, one pharmacy/medical office and mixed-use retail with 2-story residential on 82.75 acres, more or less, generally located at the northwest quadrant of the intersection of I-435 and Highway 45. The application proposes re-platting the subject property and creating internal circulation, public streets, private drives and access of off Highway 45 to serve the development.

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.

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 Preliminary Development Plan against the Parkville Development Code's preliminary development plan review criteria, "B-2-P" General Business District regulations and use standards, subdivision standards, site and landscape design standards and access and parking regulations (see Attachments 6-9). Staff concluded the preliminary development plan accomplishes goals of the *Parkville Master Plan*, meets all criteria for a preliminary development plan in a "B-2-P" district; reflects generally accepted and sound planning and urban design principles with respect to applying the adopted *Parkville Master Plan*, and meets the City's applicable subdivision regulations and standards, site and landscape design standards, access and parking, sign standards, and minimum standards thereof.

**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 Highway 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 preliminary development plan, subject to conditions, by a vote of 9-0.

**STAFF RECOMMENDATION:**

Staff recommends approval of the preliminary development plan, subject to the following conditions:

- Re-plot of the subject property area, prior to construction permits being issued, to ensure the subject property area is properly subdivided to allow for the proposed preliminary development plan.
- Submittal of a Final Stormwater Drainage Study with revised/updated best management practices (BMP) calculations. This study shall be reviewed and approved by the Public Works Department.
- Submittal of a 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.
- Names be provided for all private streets / private drives (per 911 MSAG address range requirements) as necessary. The requirement will be reviewed by the City's Building Official prior to Final Development Plan approval.
- Any comments or details in the preliminary development plan not addressed per the City of Parkville staff, City Engineer, or On-Call City Engineer review comments (see Exhibits L, M and N), be addressed and reflected in the Final Development Plan (Ex: Topographic contours labels, line symbols, dimensions/specifications, site data, site labeling).
- Any subsequent Applications for Final Development Plan or Major Site Plan — for the Creekside Commons planned commercial development in its entirety or its individual lots — go before the Planning and Zoning Commission for approval; with the Planning and Zoning Commission as the "Decision Making Authority" and Board of Aldermen as having "Appeal of Decision" authority per Table 403-1: Procedures Summary of the City's Title IV – Development Code.
- *The hotel uses be limited in design to only include internal corridors and be high quality.*
- *As land disturbance & grading occurs, the developer preserve the existing conditions of the out-lots until the point at which needed to be disturbed for development.*
- *Up to 20% of the proposed parking be increased in size to 10' x 18 1/2' while maintaining the minimum count requirements as set out in the Development Code.*
- *An axial park extension, from the ball fields to the parking lot, be provided to create a more park-like and family environment for tenants, complete with pavilions, playground equipment or similar structures.*
- *A suggestion that the applicant reconsider the vehicular circulation within Creekside Commons.*
- *Creation of a public park area / green area, accessible by both ball field visitors and members of the public, outside of the ball field complex.*

Conditions shown in italics are additional conditions recommended by the Planning and Zoning Commission at their October 10, 2018 meeting.

**POLICY:**

Per Parkville Municipal Code Title IV, Table 403-1, a public hearing is required (distinguished from a public meeting generally open to the public) to consider preliminary development plan applications by the Planning and Zoning Commission review body, with the Board of Aldermen

as the “decision making authority” for such applications following review and recommending authority by the Planning and Zoning Commission.

Per Table 403-1: Procedures Summary, a Protest Petition is permitted for Applications for Preliminary Development Plan.

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.*”

**PROTEST PETITIONS:**

As of the date of the completion of this policy report, staff received a submission of protest petition (see Attachment 17) and is working to determine if the submission is valid based on our Development Code requirements and area calculations.

**ALTERNATIVES:**

1. Approve the first reading of an ordinance approving the Application for Preliminary Development Plan, 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. 3007, an ordinance approving a preliminary development plan for Creekside Commons, a planned commercial development consisting of hotel, restaurant, gas station, pharmacy/medical office, general retail, outdoor recreation and cemetery uses on 82.75 acres, more or less, 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 Preliminary Development Plan (Case No. PZ18-16B)
3. I-435 Corridor Reference Maps (see Agenda Item 4A)
4. Creekside Commons, A Subdivision in Parkville, Platte County, Missouri, Preliminary Development Plan – Conditional Use (prepared by Renaissance Infrastructure Consulting; dated August 23, 2018)
  - a. Sheet 1 of 19 (Cover Sheet)
  - b. Sheet 2 of 19 (Existing Conditions)
  - c. Sheet 3 of 19 (Property Subdivision Plan)
  - d. Sheet 4 of 19 (Development Plan)
  - e. Sheet 5 of 19 (Site Dimension Plan West)
  - f. Sheet 6 of 19 (Site Dimension Plan East)
  - g. Sheet 7 of 19 (Site Data)
  - h. Sheet 8 of 19 (Site Utility Plan)
  - i. Sheet 9 of 19 (Parking Summary)
  - j. Sheet 10 of 19 (Landscape Plan)
  - k. Sheet 11 of 19 (Landscape Data)
  - l. Sheet 12 of 19 (Pedestrian Linkage Plan)
  - m. Sheet 13 of 19 (Preliminary Plat)

- n. Sheet 14 of 19 (Visionaire Lighting Photometric Study Pg. 1)
  - o. Sheet 15 of 19 (Visionaire Lighting Photometric Study Pg. 2)
  - p. Sheet 16 of 19 (Visionaire Lighting Photometric Study Pg. 3)
  - q. Sheet 17 of 19 (Visionaire Lighting Photometric Study Pg. 4)
  - r. Sheet 18 of 19 (Visionaire Lighting Photometric Study Pg. 5)
  - s. Sheet 19 of 19 (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)
  8. City Engineer review comments (dated August 9, 2018)
  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)
    - 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)

**ITEM 4I**  
**For 10-30-18**  
**Board of Aldermen Special Meeting**

- 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
12. Summary of public hearing comments
- 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 403.030 Zoning Map Amendment

- b. Section 403.040 Master Planned Development
- 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. 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. Notice of Public Hearing mailed certified mail to owners within 185 ft. of the subject property.
5. Hearing notice published in The Platte County Citizen newspaper on August 22, 2018.
6. Hearing notice published on the Parkville City webpage (<https://parkvillemo.gov/download/CreeksideHearingSummary.pdf>)
7. 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)
8. 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
9. Case No. PZ18-15A – The Meadows At Creekside – Preliminary Development Plan
10. Case No. PZ18-15B – The Meadows At Creekside – Conditional Use Permit
11. Case No. PZ18-16A – Old Town At Creekside – Zoning Map Amendment
12. Case No. PZ18-17A – The Woods At Creekside - Zoning Map Amendment
13. Case No. PZ18-17B – The Woods At Creekside - Preliminary Development Plan
14. Case No. PZ18-17C – The Woods At Creekside - Conditional Use Permit
15. Case No. PZ18-17E – Creekside Commons - Zoning Map Amendment
16. Case No. PZ18-17F – Creekside Commons - Preliminary Development Plan
17. Case No. PZ18-18A – Creekside Industrial - Zoning Map Amendment
18. Case No. PZ18-18B – Creekside Industrial - Preliminary Development Plan
19. Professional Resume – Stephen Lachky, Community Development Director
20. Professional Resume – Alysén Abel, Public Works Director
21. Professional Resume – Nathan Hladky, City On-Call Engineer, Phelps Engineering, Inc.
22. Planning and Zoning Commission (September 11, 2018) Regular Meeting Minutes
23. Planning and Zoning Commission (September 11, 2018) Regular Meeting Video Recording, Part 1 (<https://vimeo.com/289405189>)
24. Planning and Zoning Commission (September 11, 2018) Regular Meeting Video Recording, Part 2 (<https://vimeo.com/289404155>)
25. Planning and Zoning Commission (September 11, 2018) Regular Meeting Video Recording, Part 3 (<https://vimeo.com/289404863>)
26. Exhibits presented to Planning and Zoning Commission at September 11, 2018 public hearing
27. Planning and Zoning Commission (October 9, 2018) Regular Meeting Minutes
28. Planning and Zoning Commission (October 9, 2018) Regular Meeting Video Recording (<https://vimeo.com/parkvillemo>)
29. Planning and Zoning Commission (October 10, 2018) Regular Meeting Minutes
30. Planning and Zoning Commission (October 10, 2018) Regular Meeting Video Recording (<https://vimeo.com/parkvillemo>)
31. 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 PRELIMINARY DEVELOPMENT PLAN FOR CREEKSIDE COMMONS, A PLANNED COMMERCIAL DEVELOPMENT CONSISTING OF HOTEL, RESTAURANT, GAS STATION, PHARMACY/MEDICAL OFFICE, GENERAL RETAIL, OUTDOOR RECREATION AND CEMETERY USES ON 82.75 ACRES, MORE OR LESS, GENERALLY LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF I-435 AND HIGHWAY 45**

WHEREAS, the subject property area proposed for preliminary development plan contains four parcels – Platte County parcel #21-6.0-13-000-000-032.000 (3.15 acres, more or less), #20-4.0-19-000-000-017.000 (3.78 acres, more or less), #20-4.0-18-000-000-010.001 (4.67 acres, more or less), and #20-4.0-18-000-000-010.000 (128.77 acres, more or less); all of which is depicted in Exhibit A and attached hereto and incorporated herein by reference; and

WHEREAS, Brian Mertz, Parkville Development 140, LLC submitted an application for Preliminary Development Plan (Case No. PZ18-17F) for Creekside Commons, a planned commercial development consisting of hotel, restaurant, gas station, pharmacy/medical office, general retail, outdoor recreation and cemetery uses on 82.75 acres, more or less, generally located on the northwest quadrant of the intersection of I-435 and Highway 45; and

WHEREAS, City staff reviewed the application according to Parkville Municipal Code Title IV – Development Code, Section 403.040 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 Preliminary Development Plan 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 Commission, the Planning 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 preliminary development plan for Creekside Commons, a planned commercial development consisting of hotel, restaurant, gas station, pharmacy/medical



office, general retail, outdoor recreation and cemetery uses on 82.75 acres, more or less, generally located on the northwest quadrant of the intersection of I-435 and Highway 45 (Case No. PZ18-17F) is hereby approved, subject to conditions by the Board of Aldermen, including:

- Re-plat of the subject property area, prior to construction permits being issued, to ensure the subject property area is properly subdivided to allow for the proposed preliminary development plan.
- Submittal of a final stormwater drainage study with revised/updated best management practices (BMP) calculations. This study shall be reviewed and approved by the Public Works Department.
- Submittal of a 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.
- Names be provided for all private streets / private drives (per 911 Master Street Address Guide address range requirements) as necessary. The requirement will be reviewed by the City's Building Official prior to Final Development Plan approval.
- Any comments or details in the preliminary development plan not addressed per the City staff, City Engineer, or On-Call City Engineer review comments (see Exhibits L, M and N), be addressed and reflected in the final development plan (Ex: Topographic contours labels, line symbols, dimensions/specifications, site data, site labeling).
- Any subsequent Applications for Final Development Plan or Major Site Plan — for the Creekside Commons planned commercial development in its entirety or its individual lots — go before the Planning and Zoning Commission for approval; with the Planning and Zoning Commission as the "Decision Making Authority" and Board of Aldermen as having "Appeal of Decision" authority per Table 403-1: Procedures Summary of the City's Title IV – Development Code.
- The hotel uses be limited in design to only include internal corridors and be high quality.
- As land disturbance and grading occurs, the developer preserve the existing conditions of the out-lots until the point at which needed to be disturbed for development.
- Up to 20% of the proposed parking be increased in size to 10' x 18 1/2' while maintaining the minimum count requirements as set out in the Development Code.
- An axial park extension, from the ball fields to the parking lot, be provided to create a more park-like and family environment for tenants, complete with pavilions, playground equipment or similar structures.
- A suggestion that the applicant reconsider the vehicular circulation within Creekside Commons.
- Creation of a public park area / green area, accessible by both ball field visitors and members of the public, outside of the ball field complex.

SECTION 2. The preliminary development plan shall be effective immediately upon its passage and approval.

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