

1. CALL TO ORDER

A regular meeting of the Board of Aldermen was convened at 7:00 p.m. on Tuesday, July 18, 2017, at City Hall located at 8880 Clark Avenue, Parkville, Missouri, and was called to order by Mayor Nanette K. Johnston. City Clerk Melissa McChesney called the roll as follows:

Ward 1 Alderman Kevin Heaton	- absent with prior notice
Ward 1 Alderman Tina Welch	- present
Ward 2 Alderman Brian T. Whitley	- present
Ward 2 Alderman Dave Rittman	- present
Ward 3 Alderman Robert Lock	- absent with prior notice
Ward 3 Alderman Douglas Wylie	- present
Ward 4 Alderman Marc Sportsman	- present
Ward 4 Alderman Greg Plumb	- present

A quorum of the Board of Aldermen was present.

The following staff was also present: Joe Parente, City Administrator
Kevin Chrisman, Police Chief
Alysen Abel, Public Works Director
Stephen Lachky, Community Development Director
Tim Blakeslee, Assistant to the City Administrator
Chris Williams, City Attorney

Mayor Johnston led the Board in the Pledge of Allegiance to the Flag of the United States of America.

2. CITIZEN INPUT

3. CONSENT AGENDA

- A. Approve the minutes for the July 5, 2017, regular meeting
- B. Receive and file the June Municipal Court Report
- C. Receive and file the financial report for the month ending June 30, 2017
- D. Receive and file the crime statistics for January through May 2017
- E. Approve accounts payable from June 30 to July 14, 2017

IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE THE CONSENT AGENDA AND RECOMMENDED MOTIONS FOR EACH ITEM, AS PRESENTED. ALL AYES; MOTION PASSED 6-0.

4. ACTION AGENDA

A. Appoint Gil Scott as the Ward 2 representative to the Ethics Commission through May 2018

Mayor Johnston noted the Gil Scott would fill the last open position on the Ethics Commission.

IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPOINT GIL SCOTT AS THE WARD 2 REPRESENTATIVE TO THE ETHICS COMMISSION THROUGH MAY 2018. ALL AYES; MOTION PASSED 6-0.

B. Adopt an ordinance to approve a project partnership agreement with the Department of the Army for the proposed Section 1135 Platte Landing Park Wetland Restoration Project

Assistant to the City Administrator Tim Blakeslee stated that Platte Landing Park was owned by Platte County and maintained by the City. The project included two primary wetlands and one would be fed by a pump from Rush Creek. The design and construction costs would be split 75

percent Federal and 25 percent non-Federal, which would be covered by the land the extra dirt would be distributed on. He noted that Platte County was not interested in moving forward but the City was. The Corps of Engineers recommended that the City sign the project partnership agreement to save time and eliminate the need for reappraisal. Blakeslee added that if the land was not transferred from the county the Corps of Engineers said the agreement could be terminated and the City would not be responsible for any of the land. The Community Land and Recreation Board recommended approval on July 12.

Discussion focused on concerns with the contract; the project, including cost overruns; the cost of maintenance after the initial three-year period and the ability of staff to take on extra maintenance work. Staff responded that there was not a significant risk to the City to cover any cost overrun because the estimated project total was well below the \$10 million threshold. Public Works Director Alysén Abel responded to the maintenance concerns, stating that the work was similar to what had been done since the City started maintaining the park.

IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE BILL NO. 2935, AN ORDINANCE **APPROVING A PROJECT PARTNERSHIP AGREEMENT WITH THE DEPARTMENT OF THE ARMY CORPS OF ENGINEERS FOR THE PROPOSED SECTION 1135 PLATTE LANDING PARK WETLAND RESTORATION PROJECT**, ON FIRST READING. ALL AYES; MOTION PASSED 6-0.

IT WAS MOVED AND SECONDED TO APPROVE BILL NO. 2935 ON SECOND READING BY TITLE ONLY TO BECOME ORDINANCE NO. 2905 ALL AYES BY ROLL CALL VOTE: PLUMB, WYLIE, WHITLEY, WELCH, RITTMAN AND SPORTSMAN. MOTION PASSED 6-0.

C. **Approve the first reading of an ordinance to amend Parkville Municipal Code Section 405.050 to allow for garden centers, landscape centers, nurseries and related uses in residential district – Case No. PZ17-07A; Heritage Landscape/Danny Tinsley, applicants**

Community Development Director Stephen Lachky provided an overview of the text amendment; presentation attached as Exhibit A. He noted that the request was on behalf of City staff and not Heritage Landscape/Danny Tinsley and the ordinance would be corrected before its adoption. He said that the text amendment was brought about because Heritage Landscape planned to relocate the business from its Highway 9 location to Interstate 435 and Missouri 152 to provide more access, better customer service and visibility. Lachky said he recommended a text amendment to allow garden centers, landscape centers, nurseries and related uses in a residential district through the conditional use process because he was hesitant to rezone the property to a commercial district because future growth could be incompatible. The Planning and Zoning Commission held a public hearing on July 11 and recommended approval of the text amendment. Lachky added that Danny Tinsley spoke with the adjacent property owner and they did not object to the request.

Discussion focused on concerns with setting a precedent by allowing a conditional use instead of rezoning the property to commercial. Lachky responded that staff would have discretionary review if the business ceased to operate at the new location. The consensus of the Board was for staff to receive confirmation of approval from the adjacent property owners.

IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE BILL NO. 2936, AN ORDINANCE **AMENDING PARKVILLE MUNICIPAL CODE SECTION 405.050 CONDITIONAL USES TO ALLOW FOR GARDEN CENTERS, LANDSCAPE CENTERS, NURSERIES AND RELATED USES IN RESIDENTIAL DISTRICTS**, ON FIRST READING AND POSTPONE THE SECOND READING TO AUGUST 1, 2017. MOTION PASSED 5-1 (WHITLEY OPPOSED).

6. STAFF UPDATES ON ACTIVITIES

A. Community Development

1. Route 9 Engineering

Community Development Director Stephen Lachky provided an update on the engineering project for the Route 9 improvements, noting that the Missouri Department of Transportation received seven applications for its cost share program. The Route 9 project was ranked third and would be one of the four projects presented for statewide funding consideration. It is likely that the Kansas City district will receive funding to support only two projects in the first round. Lachky added that the MoDOT chief engineer intended to have a second and possibly a third round of funding and the City's application would be kept on file.

City Administrator Joe Parente said that it was the last meeting for Assistant to the City Administrator Tim Blakeslee and he thanked him for his service to the City.

7. MAYOR, BOARD OF ALDERMEN & COMMITTEE REPORTS & MISCELLANEOUS ITEMS

Mayor Johnston recognized Public Works Director Alysén Abel for receiving a \$500 scholarship from the Missouri Municipal League. She also noted that she attended several meetings, including meetings with the Mid-America Regional Council (MARC) regarding Communities for All Ages, with Rob Sweeney of TextCaster regarding the possibility of improving communications in law enforcement, with City Administrator Joe Parente and Parkville Economic Development Council Executive Director Mike Kellam and a developer regarding a possible mixed-use project, with Parkville Chamber of Commerce Executive Director Marcia VanDever, with downtown property owners regarding flooding issues, with the MARC Total Transportation Policy Committee about their planning of a public information campaign for excess traffic for the solar eclipse and the first meeting of the committee to discuss a veteran's memorial in the parks. She also said she had informal discussions about the U.S. 169 Buck O'Neil Bridge and the Missouri American Water rate increase case. Events she attended included the Mid-Continent Public Library luncheon and the Parkville Economic Development Council summer social.

Alderman Plumb provided an update on the committee for a veteran's memorial in the parks, noting that he was elected as chair. He said that space was set aside in the Parks Master Plan for the memorial. He said that at the meeting the committee discussed the location, concepts and funding options, which included the creation of a 501c3 organization. Plumb also noted that the Parkville Chamber of Commerce would hold a run during Parkville Days and their membership continued to grow.

Alderman Sportsman provided an update on the Community Land and Recreation Board, noting that they discussed the wetland project at the meeting on July 12.

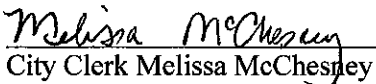
Alderman Welch said that she planned to attend a committee meeting about the Platte County Community Center South YMCA on July 25.

8. ADJOURN

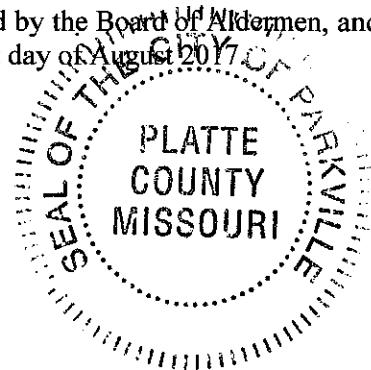
Mayor Johnston declared the meeting adjourned at 8:04 p.m.

The minutes for Tuesday, July 18, 2017, having been read and considered by the Board of Aldermen, and having been found to be correct as written, were approved on this the first day of August 2017.

Submitted by:


City Clerk Melissa McChesney

2017-070



Proposed Text Amendment



**PARKVILLE
BOARD OF ALDERMEN**

JULY 18, 2017



Heritage Landscape Background

- *Miller's Landscape and Lawn* care was founded in 1963 by Joe Miller and has expanded into a thriving business that has become a staple in Downtown Parkville. The Miller's sold the business in August 2014 and it is now *Heritage Landscape*.
- *Heritage Landscape* offers innovative products, designs and services and coordinates everything from the initial research and design to the installation and the maintenance that follows. They offer maintenance, plant health care, irrigation, design build construction, landscape lighting, and water feature services.
- *Heritage Landscape* would like to move from its current location at 5956 NW State Route 9 to 7900 Naylor Rd, parcel #20-4.0-18-000-000-036.000.



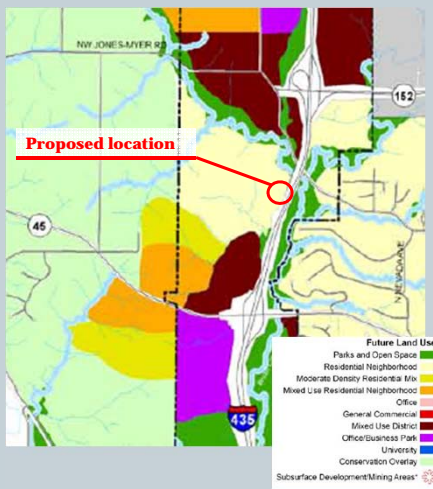
<http://myheritagelandscape.com/>

7900 NAYLOR RD



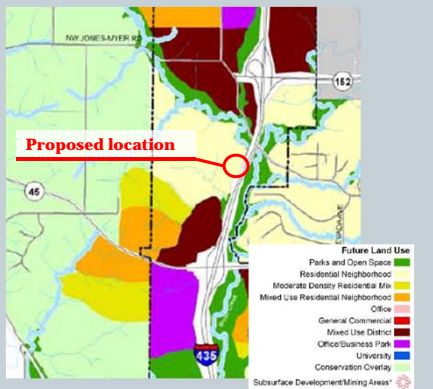
Overview

- Subject parcel #20-4.0-18-000-000-036.000 is located in a County Zoning District and a **Residential Neighborhood** projected land use area.
- A landscape center is most applicable to *Retail – Outdoor Sales, Limited* use, permitted in B-2, B-4-P, and I-1 zoning districts. These districts are **not consistent** with future land use projections for the area as indicated by the *Parkville Comprehensive Master Plan (2009)*.



Overview contd.

- A Conditional Use Permit (CUP) could allow for a landscape center in a residential district which would be consistent with future land use projections for the area. Landscape centers aren't currently addressed in Section 405.050 Conditional Uses of the development code.

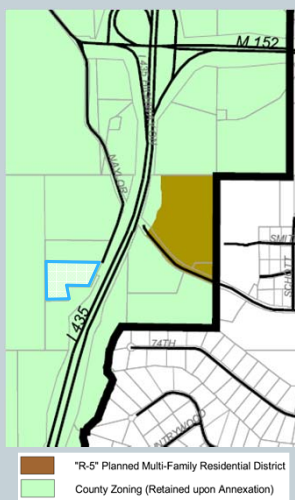


Proposed Text Amendment to Section 405.050 Conditional Uses

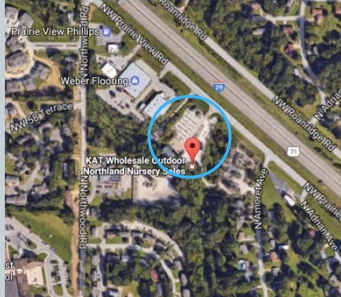
24. Garden centers, landscape centers, nurseries and related uses in residential districts

Zoning

- The site is currently zoned County Zoning and will need to be rezoned for development.
- Landscape centers are most applicable to “B-2” General Business District, “B-4-P” Planned Business District, and “I-1” Light Industrial zoning districts. Rezoning of the site to any of these districts is not consistent with the Future Land Use projections for the area.
- Rezoning the land from County Zoning to a residential district would be consistent with previous zoning amendments in the area.



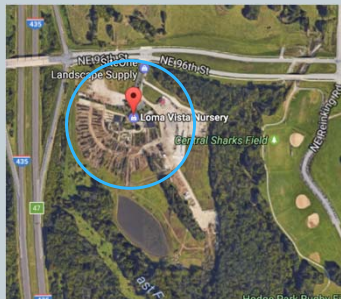
Similar Garden Centers



**KAT Wholesale Outdoor –
Northland Nursery Sales**
5840 NW Prairie View Rd
Kansas City, MO 64151

Precedent of garden centers, landscape centers, nurseries and related uses in residential districts or near highways throughout the Northland.

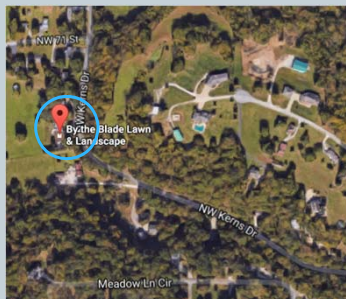
Similar Garden Centers



Loma Vista Nursery
5901 NE 96th St
Kansas City, MO 64156

Precedent of garden centers, landscape centers, nurseries and related uses in residential districts or near highways throughout the Northland.

Similar Garden Centers

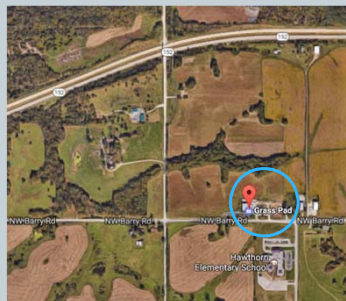


By the Blade Lawn & Landscape

7014 NW Kerns Dr
Parkville, MO 64152

Precedent of garden centers, landscape centers, nurseries and related uses in residential districts or near highways throughout the Northland.

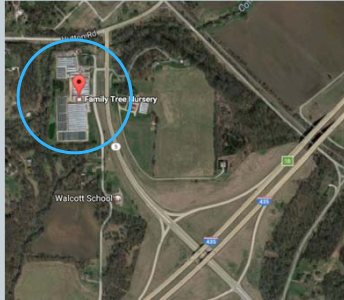
Similar Garden Centers



Grass Pad
11500 NW Barry Rd
Kansas City, MO 64153

Precedent of garden centers, landscape centers, nurseries and related uses in residential districts or near highways throughout the Northland.

Similar Garden Centers



Family Tree Nursery
5430 N 97th St
Kansas City, KS 66109



Precedent of garden centers, landscape centers, nurseries and related uses in residential districts or near highways throughout the Northland.

Plans for New Location

- *Heritage Landscape* plans to utilize existing structures on site as office and showroom spaces.



Next Steps

- **If the proposed text amendment, the applicant plans on following these next steps:**
 - An application for a Zoning Map Amendment for parcel #20-4.0-18-000-000-036.000 from County Zoning to “R-1”, “R-2”, “R-3”, or “R-4” residential districts.
 - An application for a Conditional Use Permit (CUP) to allow for a landscape center in a residential district.