



PLANNING & ZONING COMMISSION

Regular Meeting Agenda
CITY OF PARKVILLE, MISSOURI
Tuesday, March 9, 2021 5:30 PM
City Hall Board Room

In light of public health orders from the Missouri Governor and Platte County related to the COVID-19 pandemic, and given the nature of the items to be considered at this particular meeting, the members of the Planning and Zoning Commission will meet via telephone or video conference. Members of the public interested in this meeting are encouraged to listen in on the meeting via the following telephone number and access code – (312) 626 6799, Meeting ID: 837 0701 6197, Password: 465429 rather than appear at City Hall (note: occupancy will be limited).

In addition, rather than appearing at City Hall to provide input at the meeting on action agenda items, members of the public may submit written testimony to the City Clerk in advance by noon on the day of the meeting and the testimony will be to be provided to the Planning and Zoning Commission and presented at the meeting and made part of the official record.

1. Call to Order

2. Roll Call

3. General Business

- A. Approval of the March 9, 2021, regular meeting agenda
- B. Approve the minutes for the February 9, 2021, regular meeting

4. Regular Business

- A. Application for Subdivision – Final Plat for Creekside Village Third Plat, a subdivision (5.19 acres, more or less) generally located on the northwest quadrant of the intersection of I-435 and Hwy 45 in Parkville, Mo. (Case No. PZ 2021-04); *Brian Mertz, Parkville Development 140, LLC, Applicant*

5. Unfinished Business

- A. Application for Conditional Use Permit for Hinkle Hardscapes to operate an office use of low traffic generation in a residential district fronting NW Bell Road on 22.8 acres, more or less, generally located west of NW Bell Road at NW 57th Street (Case No. PZ 2020-56); *Ken Gibson, Hinkle Hardscapes, Applicant*
- B. Application for Text Amendment to Parkville Municipal Code, Title IV: Development Code, Section 402.010 Definitions and Section 410.010 Wireless Communication Facilities, to create provisions for small wireless facilities (Case No. PZ 202101); *City of Parkville, Applicant*

- C. Application for Text Amendment to Parkville Municipal Code, Title IV: Development Code, Section 403.020 Platting, to require subdivision plats be within the entirety of Parkville's municipal boundaries (Case No. PZ 202102); *City of Parkville, Applicant*

6. Public Hearing

7. Other Business

- A. Upcoming meetings & dates of importance:

- Board of Aldermen Meetings: Tuesday, March 16, 2021 and April 6, 2021 at 7:00 p.m.
- Board of Zoning Adjustments Meeting: Tuesday, March 23, 2021 at 5:30 p.m.
- Planning & Zoning Commission Regular Meeting: Tuesday, April 13, 2021 at 5:30 p.m.

8. Adjournment

**Minutes of the
Planning & Zoning Commission
Regular Meeting
City of Parkville, Missouri
Tuesday, February 9, 2021 at 5:30pm
Videoconference**

1. CALL TO ORDER

Chair Katerndahl called the meeting to order at 5:30 p.m.

2. ROLL CALL

Commissioners Present:

Chairman Dean Katerndahl

John Delich

Barbara Wassmer

Walt Lane

Michael Wright

Allyson Berberich

Michael Lee

A quorum of the Planning & Zoning Commission was present.

Commissioners Absent:

Doug Krtok

Staff Present:

Stephen Lachky/Community Development Director

Brad Stanton/Planner

Alysen Abel/Public Works Director

Chris Ashley/Public Works Project Manager

3. GENERAL BUSINESS

A. Approval of the the February 9, 2021 regular meeting agenda.

Chairman Katerndahl called for questions. Seeing none he called for a motion.

Commissioner Lee moved to approve the agenda as presented. Commissioner Wassmer seconded. Motion passed: 8-0.

B. Approval of the minutes from the January 12, 2021 regular meeting of the Planning & Zoning Commission.

Commissioner Lane wanted to note the Commission had asked for studies for Bell Road access, improvements to the drawings, and a duration for the CUP for the Hinkle Hardscapes application. Chairman Katerndahl called for additional comments or questions. No further questions or changes.

Commissioner Lane moved to approve the January 12, 2021 regular meeting minutes as amended, Commissioner Wright seconded. Motion passed: 8- 0.

4. UNFINISHED BUISNESS

A. Application for Conditional Use Permit for Hinkle Hardscapes to operate an office use of low traffic generation in a residential district fronting NW Bell Road on 22.8 acres, more

or less, generally located west of NW Bell Road at NW 57th Street (Case No. PZ 2020-56); *Ken Gibson, Hinkle Hardscapes, Applicant*

Brad Stanton, Planner, introduced the item which had been continued from the January 12, 2021 meeting. The applicant had provided new illustrations and elevations for the proposed building. Staff added a condition of approval that a traffic study be performed to look at the addition of a right-turn lane on Bell Road. Commissioners had questions regarding the measurements of the building, the landscape buffer between Bell Road and the proposed building, the extent of the traffic study, and the layout of the right-turn lane

Ken Gibson, Hinkle Hardscapes, 5520 N Woodhaven Ln, Parkville, MO 64152

Mr. Gibson stated that they were willing to install a right-turn lane and the associated public infrastructure. Commissioner Lee asked about the larger trucks that would be utilizing the site and noted that the infrastructure needs to support those trucks. Mr. Gibson stated that they would attempt to make the building blend into the landscape with darker, natural building materials and colors. Commissioner Lee inquired about allowing gravel for the parking area. Mr. Stanton responded that residential lots over 5 acres may have gravel beyond 100 feet from the edge of the street pavement. Commissioner Delich had questions about the duration of the use. Mr. Gibson requested that the conditional use permit last for the duration of their ownership of the property. Commissioner Wright had concerns about the slope of the gravel parking lot. Discussion ensued about the extent of the concrete portion of the drive and parking area.

James Flack, 9501 NW 59th Terr

Mr. Flack had concerns about the state of Bell Road.

Shamra Walker, 9512 NW 59th Terr

Ms. Walker had concerns about the state of Bell Road and having a commercial business in her backyard.

Robert Tustison, 9507 NW 59th Terr

Mr. Tustison had concerns about trucks on NW Bell Road.

John Nickell, 9508 NW 59th Terr

Mr. Nickell had concerns about sight lines, bicycle safety on Bell Road, and landscaping.

Tonya Klemer, 9507 NW 59th Terr

Ms. Klemer had concerns about the state of Bell Road.

Commissioner Delich noted that the items still needing addressed are: Bell Road and the traffic study, the impact on adjacent properties, and the engineering details related to parking and grading. Commissioner Wright wanted details on accident data in the area. The applicant consented to continuing the application again.

Commissioner Delich moved to continue the application to the March 9, 2021 meeting. Commissioner Wright seconded. Motion passed: 8-0.

- B.** Consideration of Section 406.010 Old Town District – OTD, Design and Performance Criteria for painting on brick at 113 Main Street, Parkville, MO 64152 (Case No. PZ 2020-58); *Denise Glanzer, White Farmhouse Flowers, Applicant*

Stephen Lachky, Community Development Director, introduced the item. Neither the Downtown CID nor the Main Street Parkville Association had concerns about the painting. The owner of the building gave consent for the application to change the paint color.

Commissioner Wright moved to approve the application. Commissioner Berberich seconded. Motion passed: 8-0.

5. PUBLIC HEARING

- A. Application for Text Amendment to Parkville Municipal Code, Title IV: Development Code, Section 402.010 Definitions and Section 410.010 Wireless Communication Facilities, to create provisions for small wireless facilities (Case No. PZ 2021-01); *City of Parkville, Applicant*

Commissioner Delich moved to continue the application to the March 9, 2021 meeting. Commissioner Wassmer seconded. Motion passed: 8-0.

- B. Application for Text Amendment to Parkville Municipal Code, Title IV: Development Code, Section 403.020 Platting, to require subdivision plats be within the entirety of Parkville's municipal boundaries (Case No. PZ 2021-02); *City of Parkville, Applicant*

Commissioner Lane moved to continue the application to the March 9, 2021 meeting. Commissioner Delich seconded. Motion passed: 8-0.

6. REGULAR BUSINESS

None.

7. OTHER BUSINESS

- A. Upcoming meetings & dates of importance:

- Board of Aldermen Meetings: Tuesday, February 16, 2021 and March 2, 2021 at 7:00 p.m.
- Board of Zoning Adjustment Meeting: Tuesday, February 23, 2021 at 5:30 p.m.
- Planning & Zoning Commission Regular Meeting: Tuesday, March 9, 2021 at 5:30 p.m.

8. ADJOURNMENT

Chairman Katerndahl called for further discussion.

Commissioner Wright moved to adjourn, Commissioner Wassmer seconded. Motion passed: 8-0. Meeting adjourned at 7:30 pm.

Submitted by:

Stephen Lachky, AICP
Community Development Director

3-5-21
Date

Brad Stanton
Planner

3-5-21
Date



Staff Analysis

- Agenda Item: 4.A
- Proposal: Application for Subdivision – Final Plat for Creekside Village Third Plat, a subdivision (5.19 acres, more or less) generally located on the northwest quadrant of the intersection of I-435 and Hwy 45 in Parkville, Mo.
- Staff Recommendation: Approval
- Case No: PZ 2021-04
- Applicant: Brian Mertz, Parkville Development 140, LLC
- Owners: Parkville, Development 140, LLC
- Location: Generally located on the northwest quadrant of the intersection of I-435 and Hwy 45 in Parkville, Missouri
- Zoning: “R-4-P” Mixed-Density Residential
- Parcel #s: Platte County parcel #20-4.0-18-000-000-010.002
- Exhibits:
- A. This Staff Analysis
 - B. Application for Subdivision – Final Plat
 - C. Subject Area Property Map
 - D. The Woods At Creekside, Creekside Village & The New Parkville Cemetery At Creekside, A Subdivision in Parkville, Platte County, Missouri, Final Development Plan (prepared by Renaissance Infrastructure Consulting; dated March 25, 2020)
 - 1. Sheet 1 of 15 (Cover Sheet)
 - 2. Sheet 2 of 15 (Property Subdivision Plan)
 - 3. Sheet 3 of 15 (Existing Conditions)
 - 4. Sheet 4 of 15 (Property Subdivision Plan)
 - 5. Sheet 5 of 15 (Development Plan)
 - 6. Sheet 6 of 15 (Typical Street Sections)
 - 7. Sheet 7 of 15 (Building Setback Plan North)
 - 8. Sheet 8 of 15 (Building Setback Plan North)
 - 9. Sheet 9 of 15 (Grading Plan North)
 - 10. Sheet 10 of 15 (Grading Plan South)
 - 11. Sheet 11 of 15 (Site Data)
 - 12. Sheet 12 of 15 (Site Utility Plan)
 - 13. Sheet 13 of 15 (Pedestrian Linkage Plan)
 - 14. Sheet 14 of 15 (Vegetation Preservation Plan)

15. Sheet 15 of 15 (Cemetery Landscape Plan)
- E. Final Plat of Creekside Village Third Plat, a replat of Lots 2, Creekside Village First Plat, a subdivision in part of the southwest quarter of section 18, township 51 north, range 34 west, Parkville, Platte County, Missouri (prepared by R.L. Buford & Associates, LLC; dated February 4, 2021)
- F. City of Parkville staff review comments (dated March 3, 2021)
- G. Additional exhibits as may be presented during the regular meeting

By Reference:

- A. Parkville Municipal Code, Title IV – Development Code in its entirety (<https://parkvillemo.gov/download/Ord2884.pdf>)
 1. Section 403.020, E. Final Plat
 2. Section 403.040 Master Planned Development
 3. Chapter 404 Subdivision Regulations
 4. Section 405.010 Zoning Districts Established
 5. Section 405.020 Districts & Uses
 6. Section 405.030 Standards Applicable to All Districts
- B. Parkville Master Plan (<http://parkvillemo.gov/departments/community-development-department/master-plan/>)
- C. Highway 45 Corridor Plan (<http://parkvillemo.gov/download/Highway45CorridorPlan.pdf>)
- D. 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)
 1. Sheet 1 of 17 (Cover Sheet)
 2. Sheet 2 of 17 (Existing Conditions)
 3. Sheet 3 of 17 (Property Subdivision Plan)
 4. Sheet 4 of 17 (Development Plan)
 5. Sheet 5 of 17 (Typical Street Sections)
 6. Sheet 6 of 17 (Building Setback Plan North)
 7. Sheet 7 of 17 (Building Setback Plan North)
 8. Sheet 8 of 17 (Site Data)
 9. Sheet 9 of 17 (Site Utility Plan)
 10. Sheet 10 of 17 (Pedestrian Linkage Plan)
 11. Sheet 11 of 17 (Preliminary Plat)
 12. Sheet 12 of 17 (Visionaire Lighting Photometric Study Pg. 1)
 13. Sheet 13 of 17 (Visionaire Lighting Photometric Study Pg. 2)
 14. Sheet 14 of 17 (Visionaire Lighting Photometric Study Pg. 3)
 15. Sheet 15 of 17 (Visionaire Lighting Photometric Study Pg. 4)
 16. Sheet 16 of 17 (Visionaire Lighting Photometric Study Pg. 5)
 17. Sheet 17 of 17 (Visionaire Lighting Photometric Study Pg. 6)
- E. City of Parkville staff review comments (dated August 21, 2018)
- F. City Engineer review comments (dated August 9, 2018)
- G. On-Call City Engineer review comments (dated September 5, 2018)
- H. Utility Provider Verification Correspondence
 1. Platte County Regional Sewer District (PCRSB; dated August 21, 2018)
 2. Missouri Gas Energy (dba Spire Energy; dated August 24, 2018)
 3. Consolidated Public Water Supply District No. 1 of Platte County (dated August 27, 2018)
 4. Missouri Department of Transportation (MoDOT; dated August 22, 2018)

5. Platte County Planning and Zoning Department (dated August 28, 2018)
6. Park Hill School District (PHSD; dated August 21, 2018)
- I. Public Comments provided for Case No. PZ18-17A, PZ18-17B, and PZ18-17C
- J. 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)
- K. Aerial Imagery of I-435 Corridor
- L. Notice of Public Hearing mailed certified mail to owners within 185 ft. of the subject property.
- M. Hearing notice published in The Platte County Citizen newspaper on August 22, 2018.
- N. Hearing notice published on the Parkville City webpage (<https://parkvillemo.gov/download/CreeksideHearingSummary.pdf>)
- O. Preliminary Macro-Stormwater Drainage Study Lakeside, Brush Creek Watershed (prepared by Renaissance Infrastructure Consulting; dated August 3, 2018)
- P. Case No. PZ18-17A – The Woods At Creekside - Zoning Map Amendment
- Q. Case No. PZ18-17B – The Woods At Creekside - Preliminary Development Plan
- R. Case No. PZ18-17C – The Woods At Creekside - Conditional Use Permit
- S. Case No. PZ18-17E – Creekside Commons - Zoning Map Amendment
- T. Case No. PZ18-17F – Creekside Commons - Preliminary Development Plan
- U. Professional Resume – Stephen Lachky, Community Development Director
- V. Professional Resume – Alysén Abel, Public Works Director
- W. Professional Resume – Nathan Hladky, City On-Call Engineer, Phelps Engineering, Inc.
- X. Staff analyses, exhibits and comments presented at the September 11, 2018 Planning and Zoning Commission public hearing (<https://vimeo.com/289405189>; <https://vimeo.com/289404155>; <https://vimeo.com/289404863>) and meeting minutes
- Y. Staff analyses, exhibits and comments presented at the October 9, 2018 Planning and Zoning Commission public hearing (<https://vimeo.com/294291017>; <https://vimeo.com/294291196>; <https://vimeo.com/294292249>; <https://vimeo.com/294293144>) and meeting minutes
- Z. Staff analyses, exhibits and comments presented at the October 10, 2019 Planning and Zoning Commission public hearing (<https://vimeo.com/294490853>; <https://vimeo.com/294491598>) and meeting minutes
- AA. Staff analyses, exhibits and comments presented at the October 30, 2018 Board of Aldermen meeting (<https://vimeo.com/298093890>) and meeting minutes
- BB. Staff analyses, exhibits and comments presented at the November 6, 2018 Board of Aldermen meeting (<https://vimeo.com/299350151>) and meeting minutes

- CC. Summary of comments provided at September 11, 2018; October 9, 2018; and October 10, 2018 Planning and Zoning Commission public hearings; and October 30, 2018 and November 6, 2018 Board of Aldermen meetings
- DD. Ordinance No. 2970 – Rezoning a portion of one parcel of land (approximately 60.4 acres of total approximate 128.77 acres), generally located on the northwest quadrant of the intersection of I-435 and Highway 45, from Platte County “R-7” Single-Family High Density District, Platte County “RMD” Residential Multiple Dwelling District and Platte County “RE” Rural Estates District to Parkville City “R-4-P” Mixed-Density Residential
- EE. Ordinance No. 2971 – Approving a preliminary development plan for The Woods at Creekside & Creekside Village, a planned residential development consisting of single-family homes and townhomes on 34.65 acres and 25.74 acres respectively; generally located on the northwest quadrant of the intersection of I-435 and Highway 45
- FF. Ordinance No. 2972 – Approving a conditional use permit for The Woods at Creekside & Creekside Village, a planned residential development consisting of single-family homes and townhomes on 34.65 acres and 25.74 acres respectively; generally located on the northwest quadrant of the intersection of I-435 and Highway 45
- GG. Ordinance No. 2973 – Rezoning three parcels of land (totaling 11.60 acres) and a portion of one parcel of land (82.75 acres , of the total 128.77 acres), generally located at the northwest quadrant of the intersection of I-435 and MO- Highway 45 from Platte County “R-7” Single-Family High Density District, Platte County “RMD” Residential Multiple Dwelling District, Platte County “RE” Rural Estates District and Platte County “CH” Commercial Highway District to Parkville City “B-2-P” General Business District
- HH. Ordinance No. 2974 – 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 approximately 82.75 acres, generally located on the northwest quadrant of the intersection of I-435 and Highway 45

Overview

The applicant proposes a final plat for Creekside Village Third Plat, a subdivision (5.19 acres, more or less) generally located on the northwest quadrant of the intersection of I-435 and Hwy 45 in Parkville, Mo. The final plat (see Exhibit E) is the third phase of implementing the Creekside Village (23.36 acres total, more or less) which is part of The Woods At Creekside & Creekside Village planned residential development (see Exhibit D); and proposes 14 lots for townhomes and 1 tracts for open space.



The subject area property under consideration is generally located at the northwest quadrant of the intersection of I-435 and Hwy 45 in Parkville, MO 64152; and the subject property is part of The Woods At Creekside & Creekside Village planned residential development (approved on November 6, 2018 via ordinance no. 2971). The approved preliminary development plan consists of 118 single-family homes and 176 townhome units in 44 buildings (34.65 acres, more or less). This development resides on Platte County parcel #20-4.0-18-000-000-010.002 (11.93 acres, more or less). The plat itself totals 5.19 acres.

Background

On September 11, 2018, October 9, 2018 and October 10, 2018, the Planning and Zoning Commission held public hearings to consider an Application for Preliminary Development Plan for The Woods At Creekside & Creekside Village planned residential development. The plan proposes re-platting the subject property and creating internal circulation, public streets, and access off via MO-Hwy 45 to serve the development (see reference map below). The Planning and Zoning Commission recommended approval by a vote of 9-0, subject to conditions; and on November 6, 2018 the Board of Aldermen approved the preliminary development plan via Ordinance No. 2971. The subject property was zoned "R-4-P" Mixed-Density Residential via ordinance no. 2970 which permits single-family homes; and received a Conditional Use Permit via ordinance no. 2972 to permit townhome units as well.



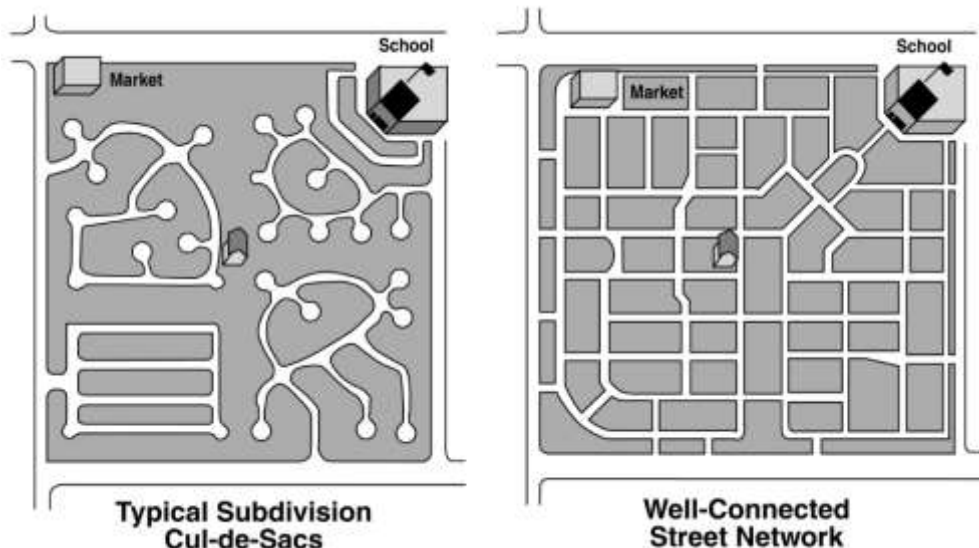
Review and Analysis

Plat applications are required to establish or alter the legal boundaries of property, and to account for public facilities, infrastructure, development patterns, public realm design or other long-range growth and development considerations prior to potential fracturing of ownership. Preliminary plats are larger division of land that enable new ownership and development patterns; or which impact public facilities or land, and are proposed in a preliminary or conceptual format to prepare for detailed engineering and design facilities.

Parkville Municipal Code, Section 403.040, Subsection A. states, *“The planned development process involves at least two steps — the preliminary development plan, and the final development plan. In many cases land will need to be subdivided in order to carry out a development plan. The subdivision process is a separate process and may run concurrently with or following the planned development process.”* Section 403.020, Subsection E. provides criteria for how the Planning and Zoning Commission shall determine if a final plat is appropriate. The following are staff’s findings and conclusions for the final plat application (Case No. PZ 2021-04).

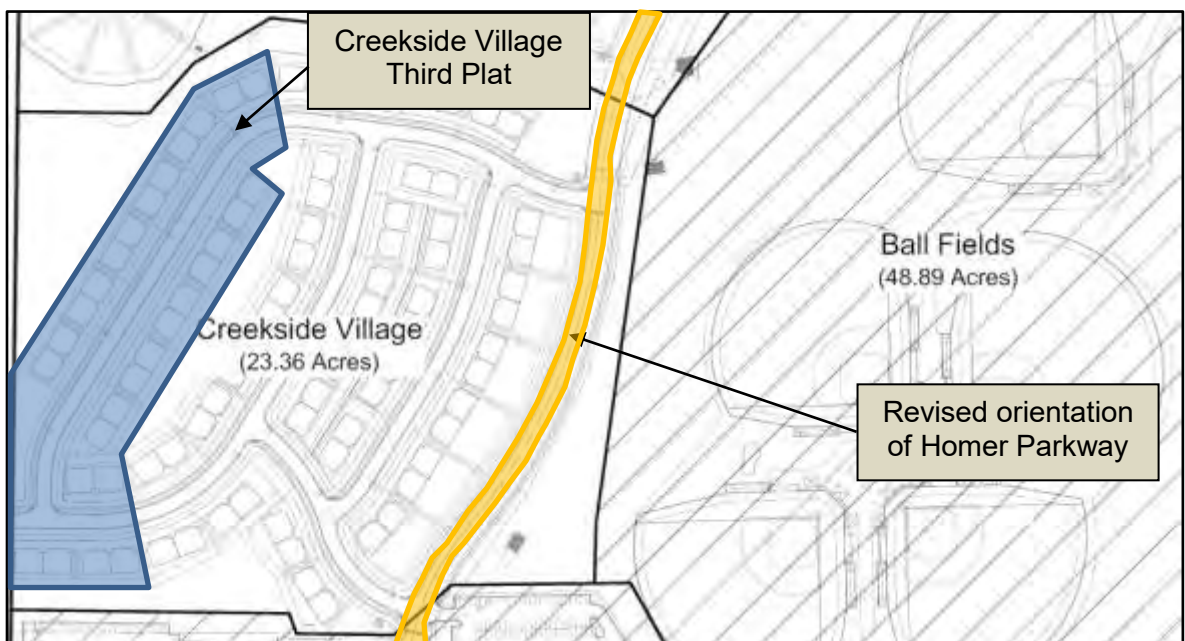
- 1. The layout and design of the final plat is substantially consistent with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.**

Changes have been made to the layout and design of the final plat based on the previously approved preliminary plat (Case No. PZ18-17B). Due to the presence of an existing creek east of Homer Parkway and west of the baseball fields part of the Creekside Commons planned commercial development, the developer desires to revise the orientation by shifting Homer Parkway to run adjacent along Brush Creek; thus, removing all local streets and single-family home lots to the east of Homer Parkway from the final plat, providing open space instead. The applicant has also revised the orientation of local streets west of Homer Parkway to provide a better-connected street network and reduce the number of cul-de-sacs. In addition to providing multiple evacuation routes and ways for emergency response vehicles to access a particular location, this connected street system also encourages slow, cautions driving since drivers encounter cross traffic at frequent intervals.

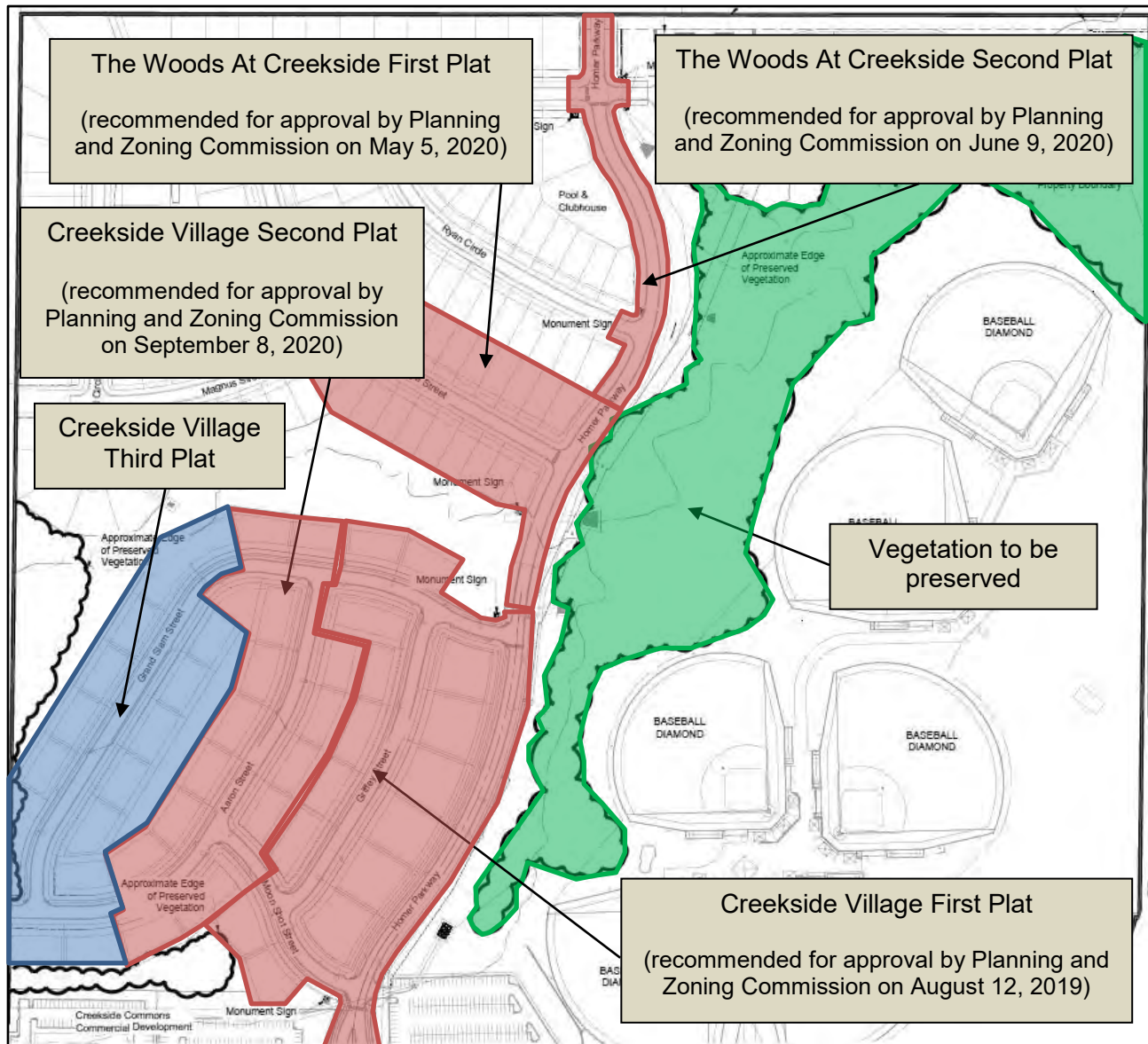




Original layout of Creekside Village residential development (dated September 5, 2018)



Revised layout of Creekside Village residential development (dated March 25, 2020)



Revised layout of The Woods At Creekside residential development (dated March 25, 2020)

By revising the orientation of Homer Parkway to run more adjacent along Brush Creek, and removing single-family home development to the east of Homer Parkway, the layout of Creekside Village has been altered; but this doesn't substantially reduce the number of lots or parcels to the overall Creekside Village development, reducing the number from the preliminary development plan (total of 44 townhome lots) to the final development plan (total of 40 townhome lots) by a total of four lots. In terms of street design and access, the final plat maintains the cross section specifications of 50 ft. of right-of-way for local streets (i.e., Grand Slam Street and Aaron Street). It should be noted that Aaron Street was previously named Dinger Street in the preliminary development plan. Although there have been modifications made in terms of block layout, street design and access, and the open space systems and civic design elements; after reviewing the requirements of Development Code, Section 403.020 Platting with the City's legal counsel, staff finds the Final Plat of Creekside Village Third Plat to be overall substantially consistent with the approved preliminary plat.

2. The construction plans for any utilities, infrastructure or public facilities meet all technical specifications.

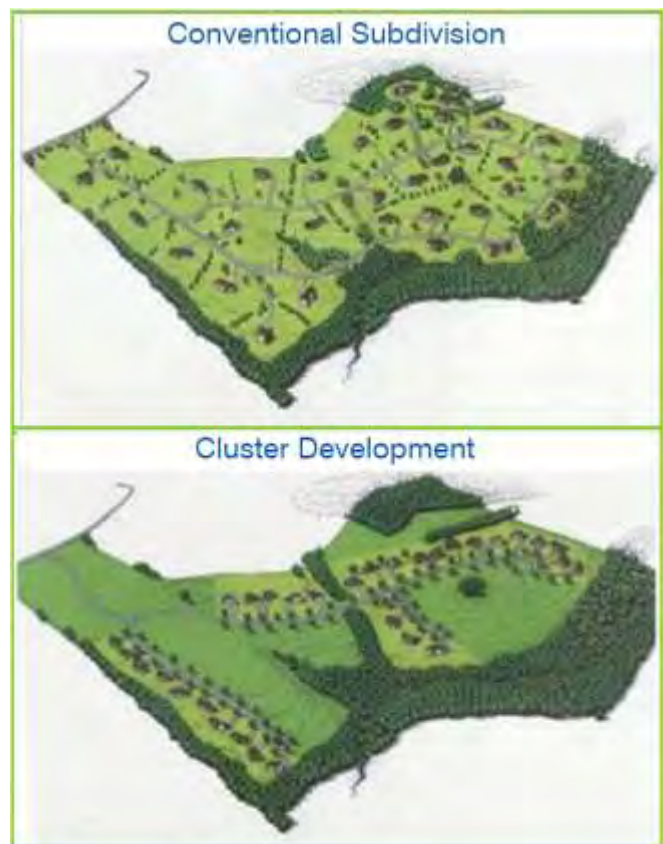
Staff has reviewed the specifications of the proposed streets and easements on the final plat and determined they meet the City's standards.

3. The phasing and timing of public improvements ensures construction and performance guarantees.

The Public Works Department has reviewed and provided comments for the public street & stormwater plans for The Woods At Creekside & Creekside Village planned residential development. In addition, the Public Works Department has reviewed and approved land disturbance & grading permits for The Woods At Creekside & Creekside Village; this includes erosion control plans. Per Parkville Municipal Code, Section 404.040, subsection H., before acceptance by the City of streets or sewers, the owner shall post a maintenance bond, cash or irrevocable letter of credit satisfactory to the Board of Aldermen and in accordance with City policies and Public Works procedures. The purpose of this requirement is to guarantee against defects in construction for a period of two years. The City's Public Works Construction Inspector will work closely with the developer to ensure public improvements are constructed in accordance with the approved plans and Section 404.040.

4. Any deviation in the final plat from the preliminary plat brings the application in further compliance with the Master Plan and the purposes and intent of this code.

Although there is deviation from the approved preliminary plat in terms of block layout, street design and access, and the open space systems and civic design elements; there are no other deviations from the preliminary plat (Case No. PZ18-17B). Although the intent isn't to bring the final plat in further compliance with the *Parkville Master Plan* (the intent is to preserve area around Brush Creek), such action does compliment the *Parkville Master Plan's* goals of environmental stewardship (e.g., preservation of open space and areas of environmental significance, protecting the City's watersheds, and cluster development) as the final plat — in conjunction with the previously-approved Creekside Village First Plat, Creekside Village Second Plat, The Woods At Creekside First Plat and The Woods At Creekside Second Plat — preserves a large amount of vegetation and open space west of Homer Parkway around Brush Creek.



*Excerpt from Ch. 4: Environmental Stewardship
of the Parkville Master Plan (2009)*

Cluster Development

Clustering is a form of planned development that concentrates buildings on part of the site (the cluster area) to allow the remaining land (the open space) to be used for recreation, common open space or preservation of environmentally sensitive areas. The open space may be owned by either a private or public entity.

Lastly, per staff's review of both the previously approved preliminary development plan for The Woods At Creekside & Creekside Village planned residential development, and this Application for Final Plat for Creekside Village Third Plat, against the requirements of Section 403.020, Subsection D. and Section 403.040, Subsection B., it was determined the final plat application is in accordance with the *Parkville Master Plan's* projection of Mixed Use Residential Neighborhood and Moderate Density Residential Mix future land uses, purposes and intent of the Development Code.

5. The recommendations of professional staff, or any other public entity asked to officially review the plat.

The applicant has consulted with Jay Norco of the Platte County Regional Sewer District (PCRS) and provided him copies of the sanitary sewer utility plans to review; this includes existing infrastructure and easements. Copies of the final plat were also provided to Dean Cull, Fire Marshall with the Southern Platte Fire Protection District (SPFPD) for review. It was determined that all existing easements were drawn and labeled correctly. It was also determined that the width of the streets (measured front-of-curb to front-of-curb) are wide enough to support turning movements for their standard Pierce Fire Truck (duel axle; 110 ft. ladder).

Staff Conclusion and Recommendation

Staff concludes that with the exceptions noted above, the proposed final plat application: Is substantially consistent with the approved preliminary plat despite changes made to the street design, block and lot layout based on review with the City's legal counsel; the construction plans for any utilities, infrastructure or public facilities meets all technical specifications; the phasing and timing of public improvements ensures construction and performance guarantees; deviations between the preliminary plat and final plat bring the application in further compliance with the *Parkville Master Plan* and purposes and intent of the Development Code; and the final plat has been reviewed by professional staff.

Staff recommends approval of the Application for Subdivision – Final Plat for Creekside Village Third Plat based on the merits of the application and the findings and conclusions in the report. Additionally, staff recommends approval of the application. It should be noted that the recommendation contained in this report is made without knowledge of facts, comments or any additional information which may be presented during the meeting. For that reason, the conclusions herein are subject to change as a result of evaluating additional information; additionally, staff reserves the right to modify or confirm the conclusions and recommendations herein based on consideration of any additional information that may be presented.

Necessary Action

Following consideration of the Application for Subdivision – Final Plat, supporting information, associated exhibits, factors discussed above and any testimony presented at the meeting, the Planning and Zoning Commission should recommend approval (with or without conditions), denial, or postpone the application for further consideration. If approved subject to conditions, the conditions should be noted for the record. Unless postponed, the Planning and Zoning Commission's action will be forwarded to the Board of Aldermen on March 16, 2021 for first action.

End of Memorandum



Stephen Lachky, AICP, CPM, CFM

03-03-2021

Date



Application #: PZ 2021-04
Date Submitted: February 11, 2021
Public Hearing: March 9, 2021
Date Approved: _____

CITY OF PARKVILLE • 8880 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0013

Application for Subdivision – Final Plat

Pre-application meeting required per Parkville Municipal Code Title IV, Section 403.010, Subsection C.

1. Applicant/Contact Information

Applicant(s)

Name: Parkville Development 140, LLC
Address: 7067 NW John Anders Rd
City, State: Kansas City, Mo 64152
Phone: (816) 616-9016 Fax: _____
E-mail: bmertz1@kc.rr.com

Engineer and/or surveyor(s) preparing plat & legal desc.

Name: RL Buford & Associates, LLC
Address: PO Box 14069
City, State: Parkville, Mo 64152
Phone: (816) 741-6152 Fax: _____
E-mail: rob@rlbuford.com

Owner(s), if different from applicant(s)

Name: _____
Address: _____
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

Contact Person, if different from applicant(s)

Name: Renaissance Infrastructure Consulting
Address: 5015 NW Canal St, Suite 100
City, State: Riverside, Mo 64150
Phone: (816) 800-0953 Fax: _____
E-mail: bcox@ric-consult.com

We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. We acknowledge that development in the City of Parkville is subject to the Municipal Code of the City of Parkville. We do hereby agree to abide by and comply with the above-mentioned codes, and further understand that any violations from the provisions of such or from the conditions as stated herein shall constitute cause for fines, punishments and revocation of approvals as applicable.

Applicant's Signature (Required) [Signature] Date: 2/4/2021

Property Owner's Signature (Required) [Signature] Date: 2/4/2021

2. Property information

Name and phase of plat: The Village at Creekside Third Plat

Final plat in substantial conformance with approved preliminary plat? Yes

If not, explain:

Zoning district: R-4

Anticipated uses: residential

Acreage of this phase: 5.19

Number of lots: 14

Minimum lot size: 5,000 SF

Density of development: 52 units

3. Additional factors affecting the project

Please include other comments or factors relating to the proposed subdivision in an attached narrative.

4. Public Improvements

All public improvements must be designed to city standards and require approval, guarantees and permits prior to installation.

Improvement plans submitted and approved for:

Streets and access: Street & Storm Sewer plans approval TBD

(Date approved)

Length of new streets: 1,080 LF

Surface material: Asphalt

Maximum grade: 7.99%

Sanitary sewer: Platte County Regional Sewer District - approval TBD

(Entity and date approved)

Missouri Department of Natural Resources (MDNR) approval: 01/30/2019

(Date approved)

Water: Water District #1 - approval TBD

(Entity and date approved)

Erosion and sediment control as per NPDESII: _____

(Date approved)

Floodplain development permit (if required): N/A

(Date approved)

5. Checklist of required submittals

- ☒ Completed application, including plat with all required details and supporting data.
- ☒ Nonrefundable application fee of \$300.00 plus \$5.00 per lot (minimum \$305.00).
- ☒ Submit five (5) copies of the final plat (24" x 36" or larger) and one electronic copy (PDF format) containing the requirements outlined in Section 403.020 Subsection E. of the Development Code for initial staff and entity review. Additional large size copies may be requested following review by staff.
- ☒ Authorization signature of the owner of record of the property to be platted.
- ☐ Copy of any covenants and/or deed restrictions to be recorded with the Plat.
- ☐ Executed deed of release for any right-of-way dedicated to the city.
- ☐ Guarantees in the form of performance bonds or other city approved instrument ensuring the satisfactory completion of public improvements. The maintenance period for public improvements is two (2) years.

For City Use Only

Application accepted as complete by: Stephen Lackey, Community Development Director February 11, 2021

Name/Title

Date

Application fee payment: Check # 5004

Amount \$ 370.00

paid 2-11-2021 JF

Final reimbursable costs paid (if applicable). Date of Action: _____

Planning Commission Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____
Conditions if any: _____

Board of Aldermen Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____
Conditions if any: _____

City of Parkville, Missouri
(816) 741-7676

REC#: 00068958 2/11/2021 4:16 PM
OPER: JS TERM: 002
REF#: 5004

TRAN: 27.0000 PLATS
P2 2021-04
Parkville Development 140 LLC
Subdivision Permit 370.00CR

TENDERED: 370.00 CHECK
APPLIED: 370.00-

CHANGE: 0.00

PARKVILLE DEVELOPMENT 140LLC

5004

BRIAN J MERTZ
7607 NW JOHN ANDERS ROAD
KANSAS CITY, MO 64152

Date 2/4/2021

Pay to the Order of City of Parkville \$ 370.00
Three hundred seventy and no/100 Dollars

BANK OF WESTON

Memo 3rd Plat Village TJ

⑆101205050⑆ 428507⑈ 5004

Exhibit E

THE WOODS AT CREEKSIDE, CREEKSIDE VILLAGE &
THE NEW PARKVILLE CEMETERY at CREEKSIDE
A SUBDIVISION IN PARKVILLE, PLATTE COUNTY, MISSOURI

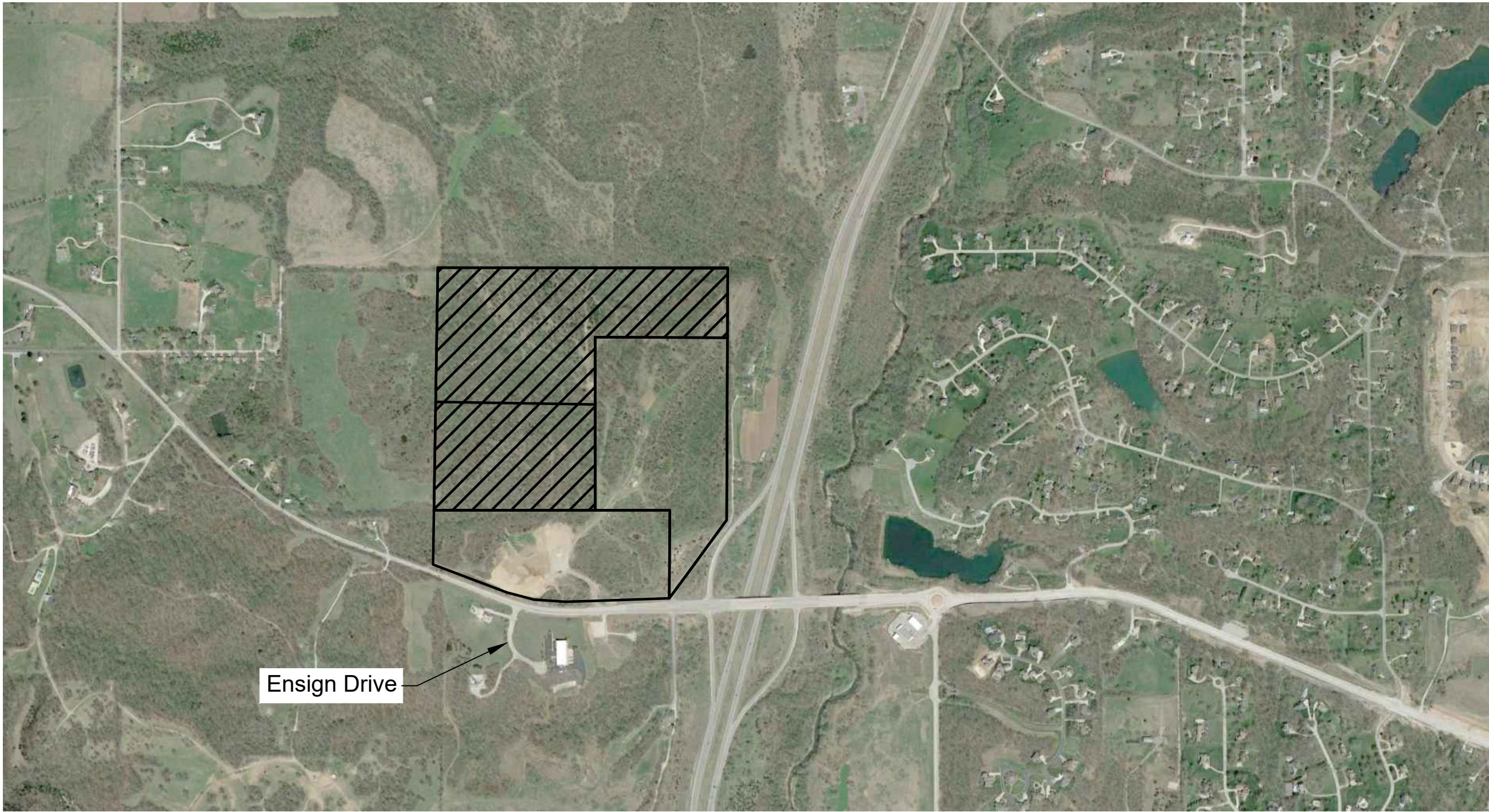
FINAL DEVELOPMENT PLAN

PROPERTY DESCRIPTION:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 51 NORTH, RANGE 34 WEST, IN PARKVILLE, PLATTE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 18; THENCE S89°56'10"E ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1208.69 FEET; THENCE S34°57'35"E, A DISTANCE OF 419.38 FEET; THENCE EASTERLY, SOUTHERLY, AND WESTERLY, ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF N53°10'15"E, A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 177.09 FEET; THENCE S13°53'54"E, A DISTANCE OF 123.55 FEET; THENCE S64°06'19"W, A DISTANCE OF 111.49 FEET; THENCE S54°52'37"W, A DISTANCE OF 88.08 FEET; THENCE S77°31'45"W, A DISTANCE OF 68.53 FEET; THENCE S13°51'13"E, A DISTANCE OF 189.31 FEET; THENCE S01°55'58"W, A DISTANCE OF 46.53 FEET; THENCE S11°22'42"W, A DISTANCE OF 111.41 FEET; THENCE S23°36'25"W, A DISTANCE OF 484.04 FEET; THENCE S00°10'28"E, A DISTANCE OF 365.24 FEET; THENCE S89°49'32"W, A DISTANCE OF 221.50 FEET; THENCE S49°01'15"W, A DISTANCE OF 185.58 FEET; THENCE S61°43'34"W, A DISTANCE OF 196.44 FEET; THENCE N89°14'45"W, A DISTANCE OF 602.53 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18; THENCE N00°45'15"E, ALONG SAID LINE, A DISTANCE OF 2023.69 FEET TO THE POINT OF BEGINNING.

AND ALL OF LOT 4 FINAL PLAT CREEKSIDE VILLAGE, A SUBDIVISION OF GROUND IN PARKVILLE, PLATTE COUNTY, MISSOURI.

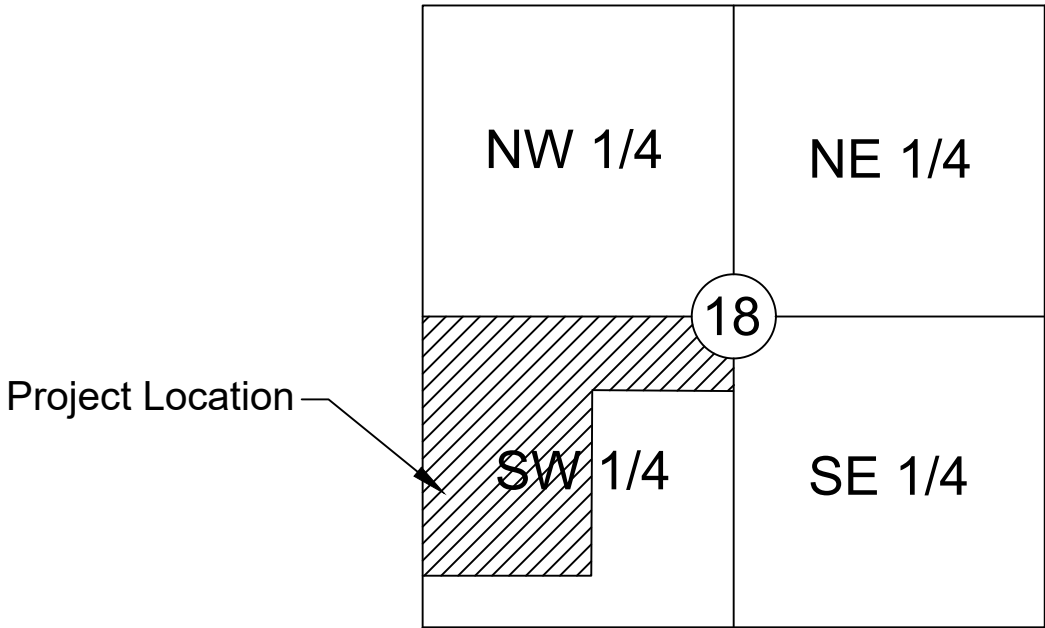
TOTAL AREA: 64.14 ACRES



SUMMARY TABLE

Single Family Units	115
Townhome Units	172 (43 Buildings)
Cemetery	2900 plots

VICINITY MAP
(Scale 1"=1000')



SECTION MAP
SEC. 18 TW. 51 RNG. 34

INDEX OF SHEETS

C01	Cover Sheet
C02	PDP Reference Sheet
C03	Existing Conditions
C04	Property Subdivision Plan
C05	Development Plan
C06	Typical Street Sections
C07	Building Setback Plan North
C08	Building Setback Plan South
C09	Grading Plan North
C10	Grading Plan South
C11	Site Data
C12	Site Utility Plan
C13	Pedestrian Linkage Plan
C14	Vegetation Preservation Plan
L01	Cemetery Landscape Plan

DEVELOPER:

Parkville Development 140, LLC
C/O: Brian Mertz
7607 NW John Anders Rd.
Kansas City, MO 64152

ENGINEER:

Renaissance Infrastructure Consulting, LLC
5015 NW Canal Street, Suite 100
Riverside, MO. 64150
(816) 800-0950

SURVEYOR:

R.L. Buford & Associates, LLC
P.O. BOX 14069
PARKVILLE, MO. 64152
(816) 741-6152

LEGEND

---	Existing Section Line	=====	Proposed Right-of-Way
=====	Existing Right-of-Way Line	=====	Proposed Property Line
---	Existing Lot Line	=====	Proposed Lot Line
-----	Existing Easement Line	-----	Proposed Easement
=====	Existing Curb & Gutter	=====	Proposed Curb & Gutter
=====	Existing Sidewalk	=====	Proposed Sidewalk
=====	Existing Storm Sewer	=====	Proposed Storm Sewer
□	Existing Storm Structure	□	Proposed Storm Structure
— W/L —	Existing Waterline	— A —	Proposed Fire Hydrant
— GAS —	Existing Gas Main	— W/L —	Proposed Waterline
— SAN —	Existing Sanitary Sewer	— SAN —	Proposed Sanitary Sewer
⊙	Existing Sanitary Manhole	●	Proposed Sanitary Manhole
---	Existing Contour Major	---	Proposed Contour Major
---	Existing Contour Minor	---	Proposed Contour Minor
— S/L —	Existing Section Line	=====	Future Curb & Gutter

ADDRESS NOTE:

The New Parkville Cemetery at Creekside street address shall be 16000 James Court.

UTILITY CONTACTS

City of Parkville	(816) 741-7676
CPWSD #1 of Platte County	(816) 891-3457
Platte County Regional Sewer District	(816) 858-2052
Missouri Gas Energy	(800) 562-0000
Kansas City Power & Light	(800) 544-4852
Platte Clay Electric	(816) 807-7502
Century Link	(816) 243-5642
Unite Private Networks	(816) 903-9400
Time Warner Cable	(816) 431-5818
Missouri One Call	(800) DIG-RITE
AT&T	(800) 464-7928
Comcast	(913) 891-3457
Missouri State Highway Department	(816) 622-6500
Park Hill School District	(816) 359-5000



Know what's below.
Call before you dig.

Sheet

C01

Final Development Plan

18-0218

The Woods at Creekside, Creekside Village
& The New Parkville Cemetery at Creekside

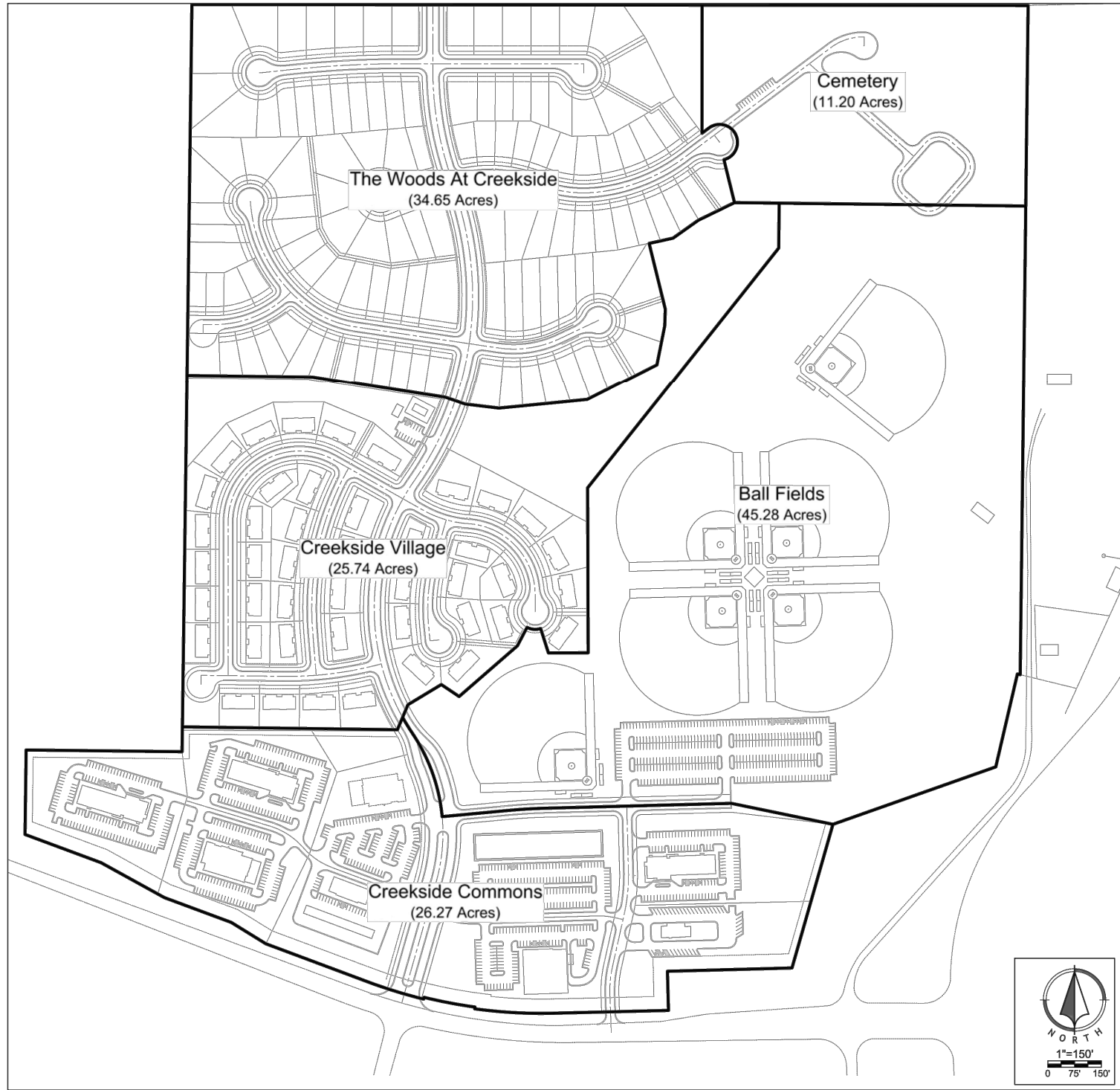
Cover Sheet

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2	JMM	SWM 11/06/19	PER CITY COMMENTS
1	JMM	SWM 10/11/19	PER CITY COMMENTS
-	JMM	SWM 04/22/19	ORIGINAL SUBMITTAL

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Consulting

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Approved PDP



Revised Layout

Sheet
C02

Final Development Plan
18-0218
The Woods at Creekside, Creekside Village
& The New Parkville Cemetery at Creekside

Property
Subdivision Plan

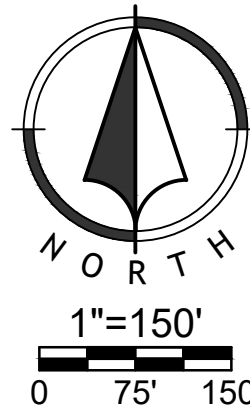
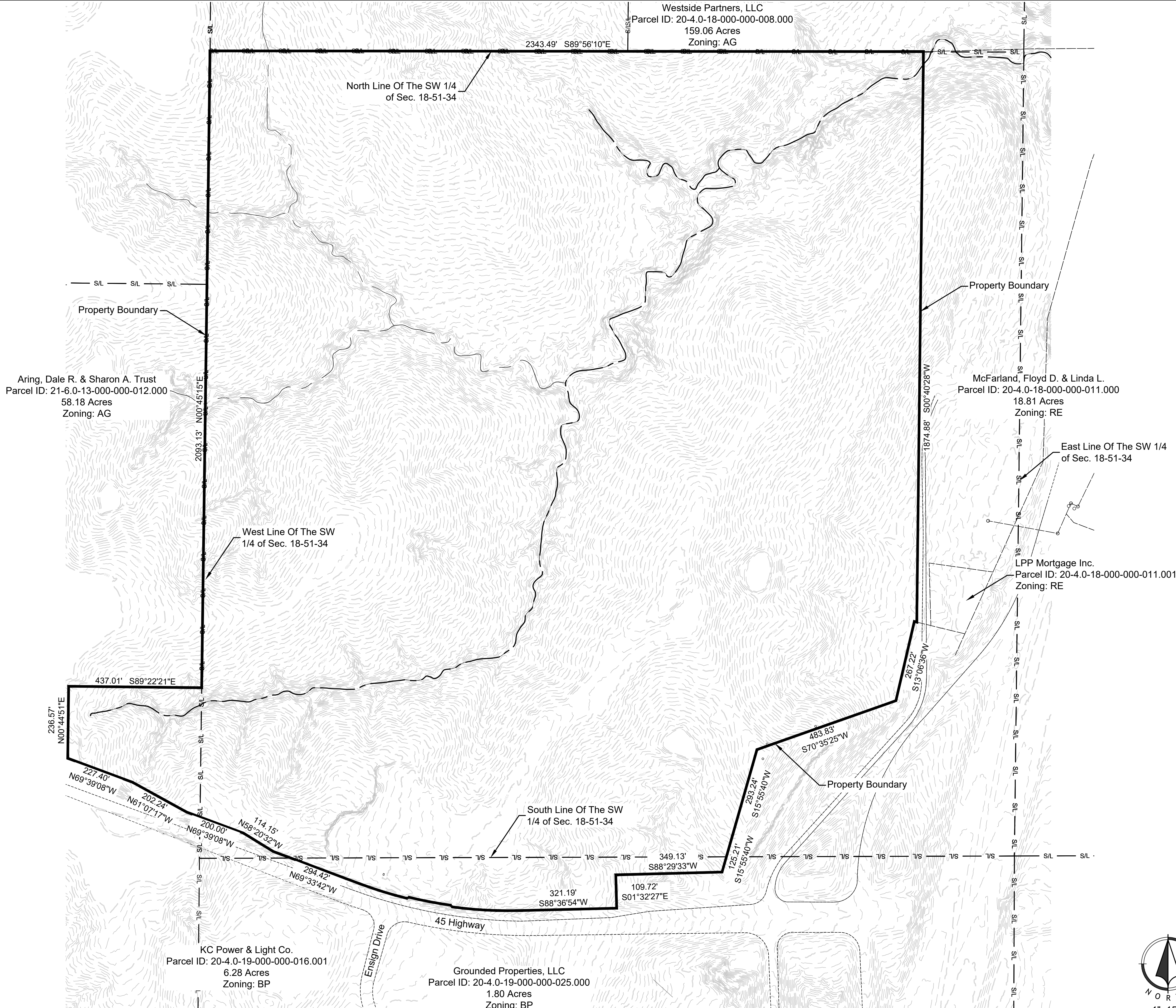
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1	JMM	SMW 10/11/19	PER CITY COMMENTS
-	JMM	SMW 04/22/19	ORIGINAL SUBMITTAL

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C03

Final Development Plan
18-0218
The Woods at Creekside, Creekside Village
& The New Parkville Cemetery at Creekside

Existing Conditions

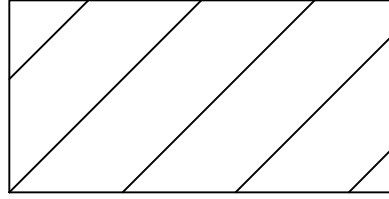
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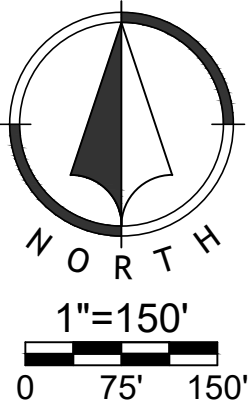
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LEGEND



CID AREAS



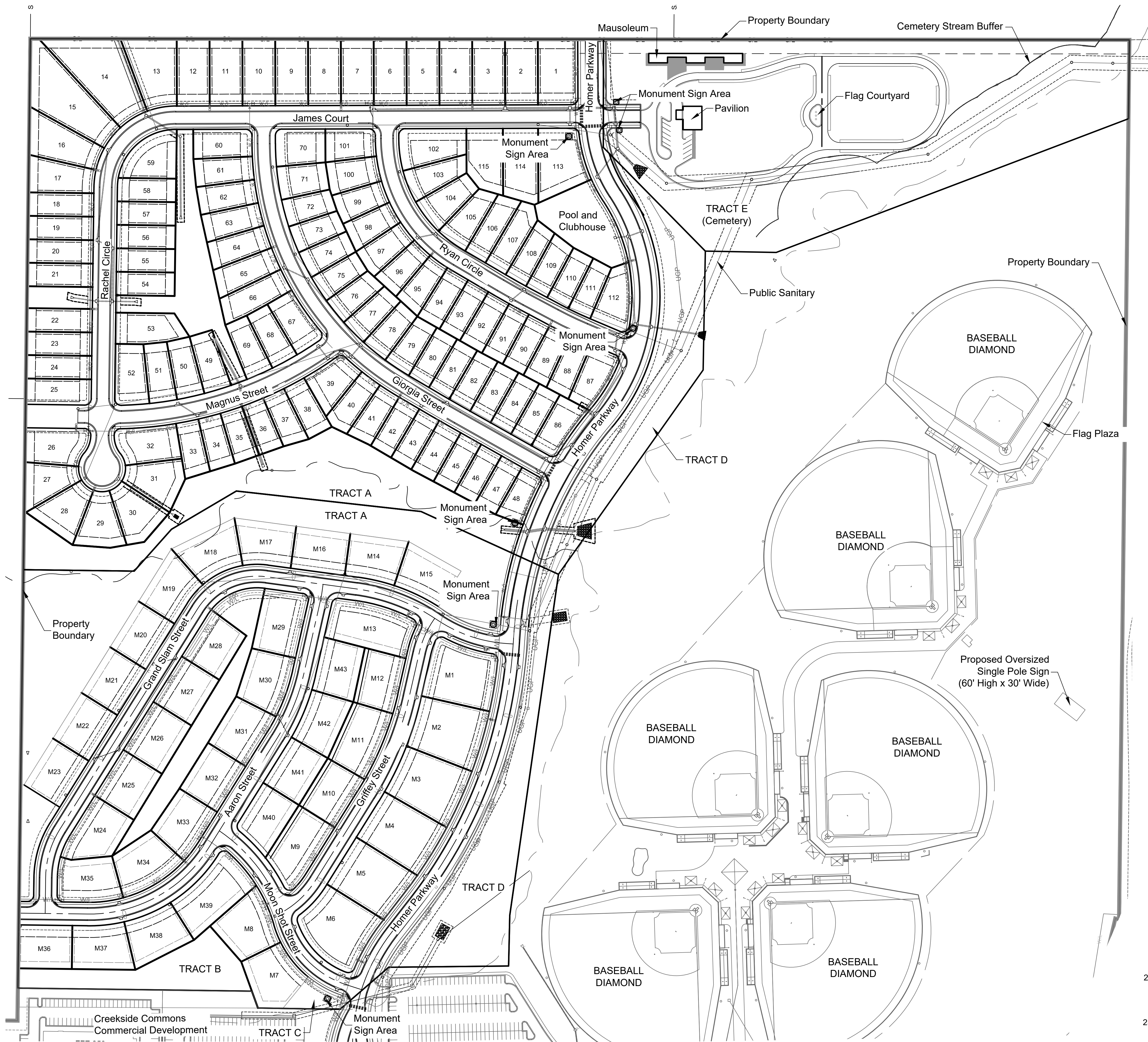
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Final Development Plan
18-0218
The Woods at Creekside, Creekside Village
& The New Parkville Cemetery at Creekside

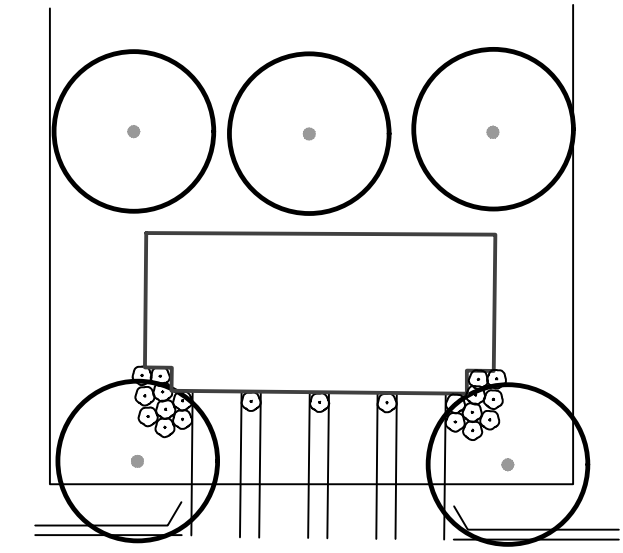
Property
Subdivision Plan

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NO.	BY	CD	DATE	REVISION

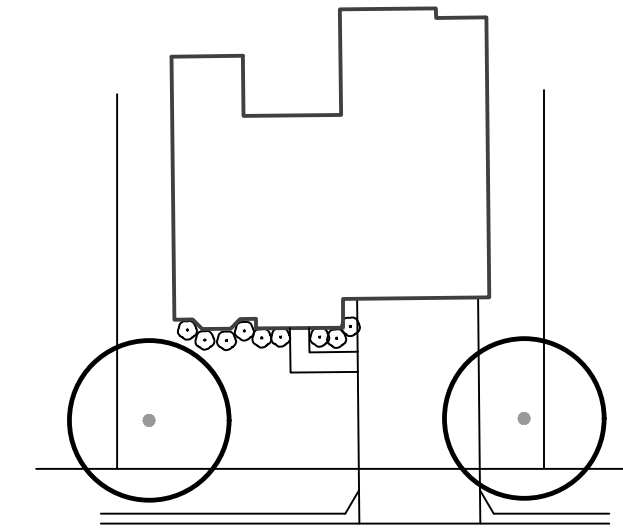
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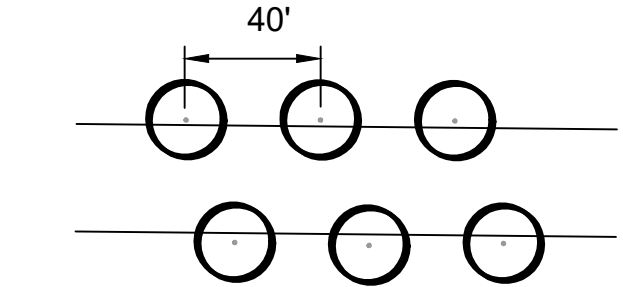
PRESERVATION OF EXISTING CANOPY:
Existing vegetation and contiguous canopy determined to be in good quality shall be preserved where possible and practical. See Vegetation Preservation Plan Sheet C-13



TYPICAL TOWNHOME LANDSCAPE
not to scale
-Per Parkville Code Section 407.020

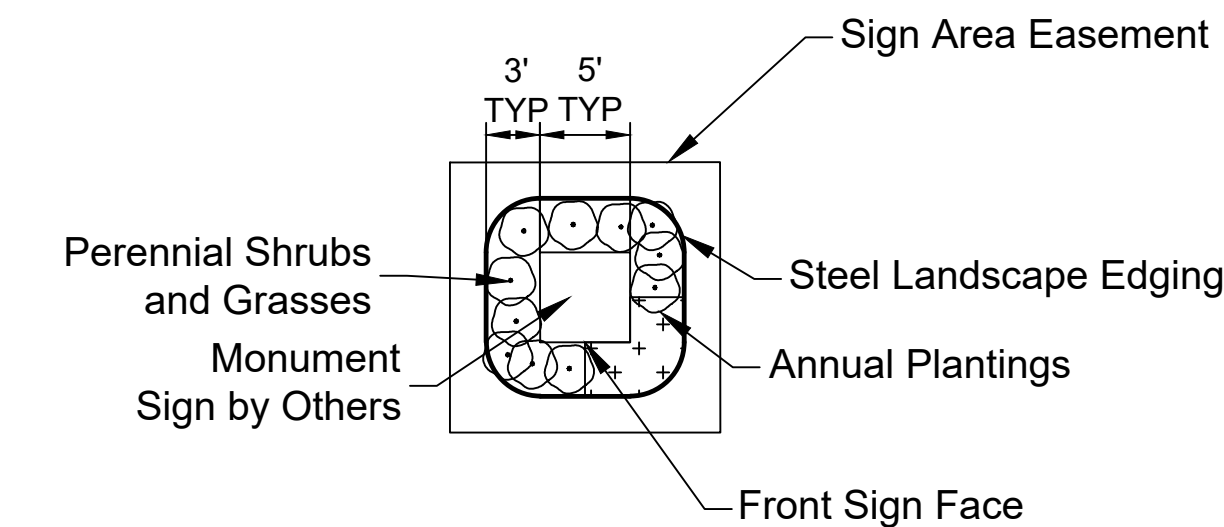


TYPICAL SINGLE FAMILY RESIDENTIAL LANDSCAPE
not to scale
-Per Parkville Code Section 407.020



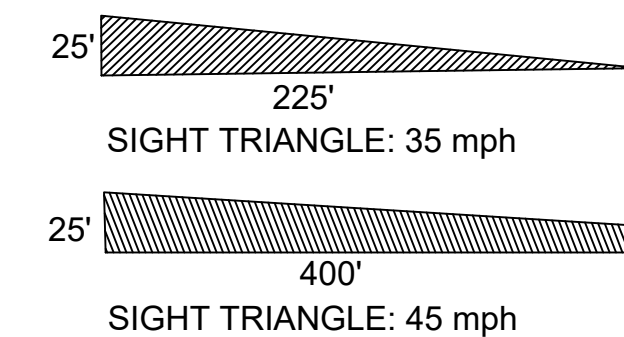
TYPICAL STREET TREE
not to scale
-Per Parkville Code Section 407.1

STREET TREE NOTE:
Street trees and individual town home and single family home landscaping shall be provided per Parkville Code Section 407.1 and 407.020 upon construction of individual lots.
Series of 3-4 trees of a single tree species shall be planted in a configuration so that no one species exceeds 30% of total trees within development. Trees may be selected from the following:
Acer rubrum 'October Glory'
Gleditsia triacanthos 'Skyline'
Nyssa sylvatica 'Wildfire'
Tilia cordata 'Greenspire'
Ulmus americana 'Valley Forge'



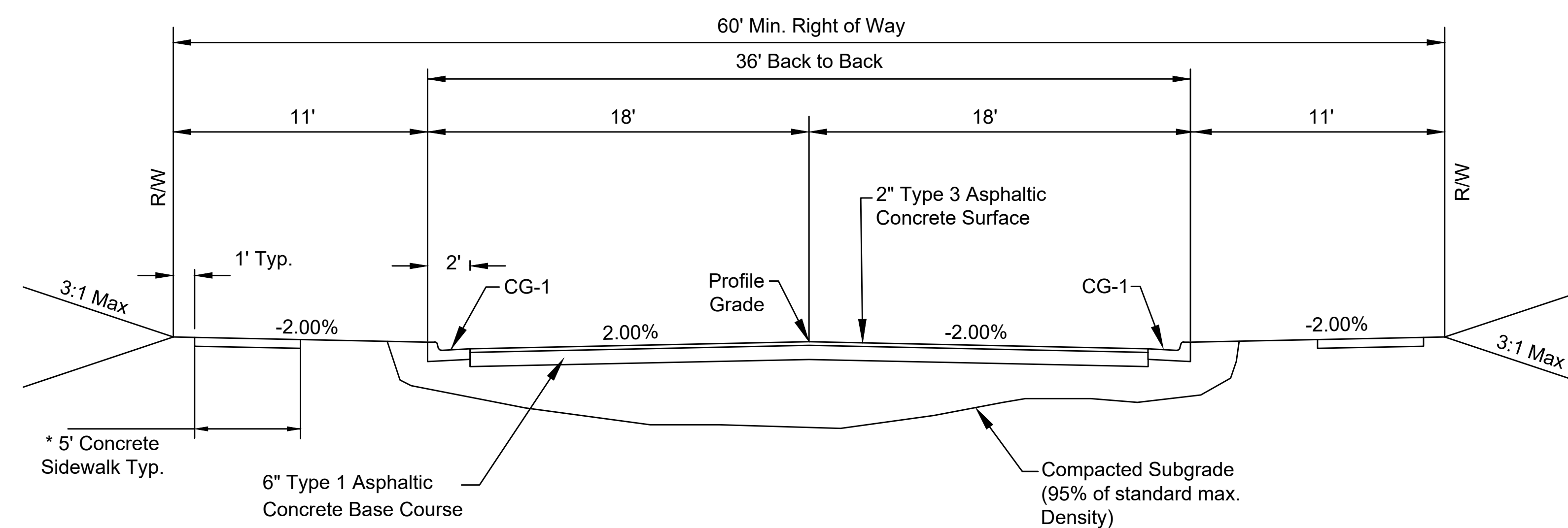
TYPICAL FOUNDATION SIGN PLANTINGS
not to scale
-Per SIGN LOCATION PLAN

FOUNDATION PLANTING NOTE:
Plantings are to be a combination of perennial grasses, shrubs, and annual/seasonal plants of the owner's choice. Perennial plants may be selected from the following:
Aronia melanocarpa 'Morton'
Calamagrostis x acutiflora 'Karl Foerster'
Hemerocallis x 'Stella de Oro'
Hypericum frondosum 'Sunburst'
Juniperus chinensis 'Gold Lace'
Juniperus chinensis 'Sea Green'
Panicum virgatum 'Haense Herms'
Rhus aromatica 'Gro-Low'

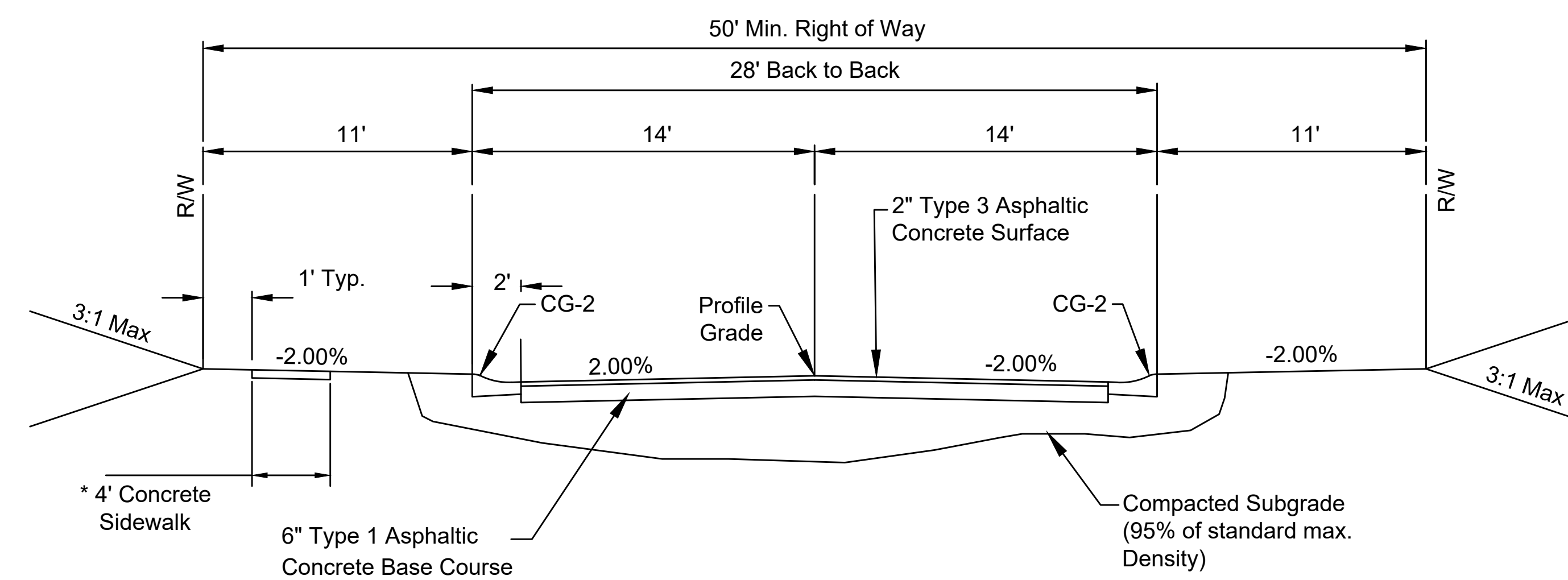


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1	JMMI	SNNW	10/11/19	1	JMMI SNNW	PER CITY COMMENTS
--	JMMI	SNNW	04/22/19		JMMI SNNW	ORIGINAL SUBMITTAL



RESIDENTIAL COLLECTOR STREET
(HOMER PARKWAY)



LOCAL RESIDENTIAL STREET

(MOON SHOT STREET)
(AARON STREET)
(GRIFFEY STREET)
(RACHEL CIRCLE)
(GIORGIA STREET)
(RYAN CIRCLE)
(JAMES STREET)
(MAGNUS COURT)

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Final Development Plan
18-0218
The Woods at Creekside, Creekside Village
& The New Parkville Cemetery at Creekside

Building Setback Plan
North

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3	JMM	SMW 11/22/19	PER CITY COMMENTS
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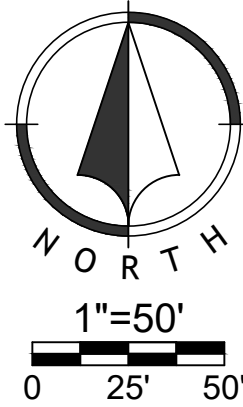
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CREEKSIDE COMMONS
COMMERCIAL DEVELOPMENT



Sheet

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Final Development Plan

18-0218

The Woods at Creekside, Creekside Village
& The New Parkville Cemetery at Creekside

Building Setback Plan

North

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-	JMM	SWM	04/22/19	ORIGINAL SUBMITTAL
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3	JMM	SWM 11/02/19	PER CITY COMMENTS
2	JMM	SWM 11/06/19	PER CITY COMMENTS
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-	JMM	SWM 04/22/19	ORIGINAL SUBMITAL

Grading Plan North

Final Development Plan

18-0218

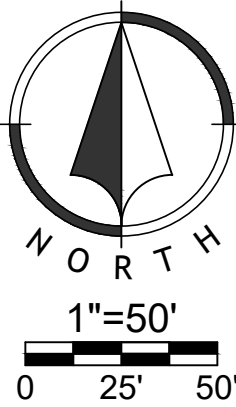
The Woods at Creekside, Creekside Village
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CREEKSIDE COMMONS
COMMERCIAL DEVELOPMENT



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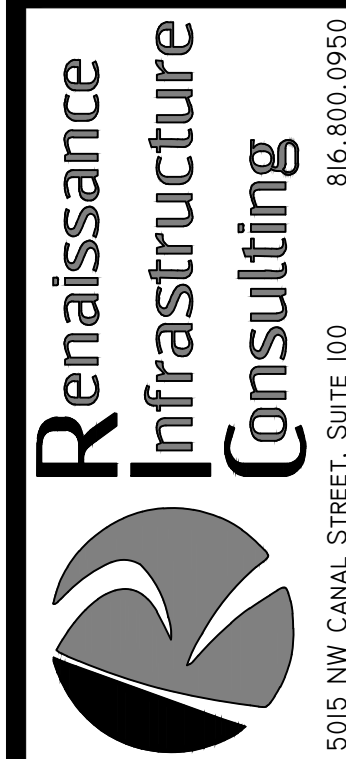
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3	JMM/SMM	11/06/19	PER CITY COMMENTS
4	JMM/BAC	03/25/2020	LAYOUT REVISION

Grading Plan South

Final Development Plan
18-0218
The Woods at Creekside, Creekside Village
& The New Parkville Cemetery at Creekside

Sheet
C10

Site Data

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5015 NW CANAL STREET, SUITE 100
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Page 31 of 95

SINGLE FAMILY	
Residential areas	
Areas and density	
Gross area	32.14
Area of right of way	6.25
Net area	25.89
Number of units Lots	115
Density in Units per acre	3.58

Lots	All shown are minimums
Front lot width at Building line	50
Depth of lot	100
Square footage of lot	5500
Front Yard Setback	25
Side Yard Setback	5
Corner lot side yard setback	6
Rear Yard setback	7
	20

Homer Pkwy ROW = 60', Sidewalk = 5'

TOWNHOMES	
Residential areas	
Areas and density	
Gross area	23.36
Area of right of way	5.24
Net area	18.12
Number of units	172
Density in Units per acre	7.36

Lots	All shown are minimums
Front lot width at Building line	100'
Depth of lot	50'
Square footage of lot	9500'
Front Yard Setback	25'
Side Yard Setback	5'
Corner lot side yard setback	7'
Rear Yard setback	15'

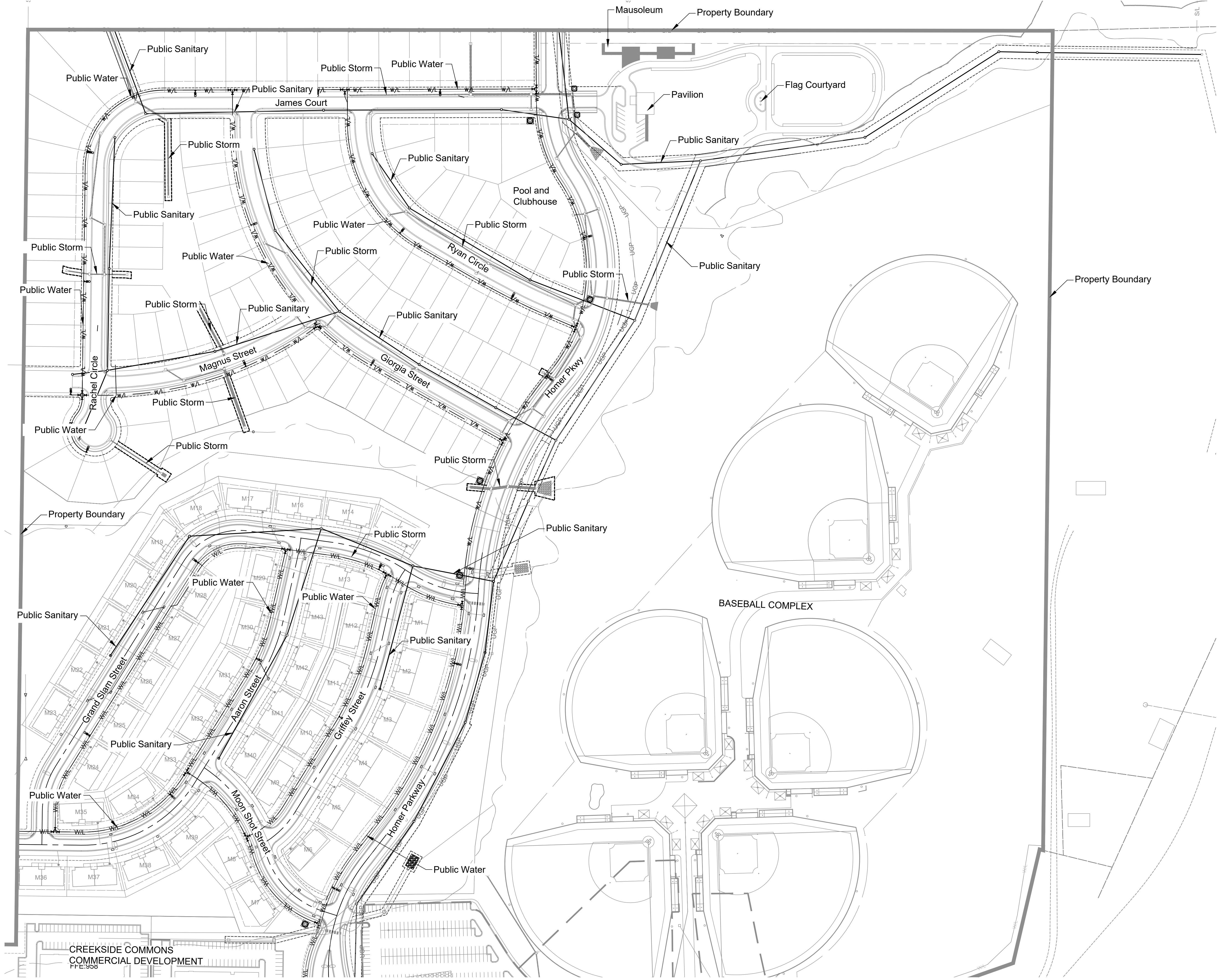
Parking	Per unit
On site with garage	2
Off site	0
Total Parking	404
Streets Public	
Width of Right of way*	60
	50
Width of street	28
Sidewalk width	4
Street horizontal radius	150
culdesac radius	
Right of way	50
Back of curb	39
Design speed	25 mph

CEMETERY	
Areas	
Areas and density	
Gross area	8.64
Area of right of way	0.07
Net area	8.57
Number of units	0
Density in Units per acre	0.00

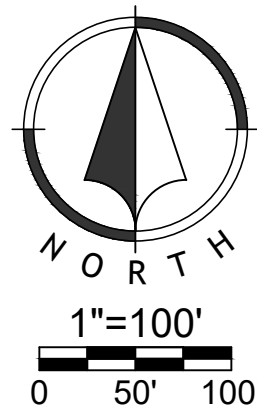
Lots	All shown are minimums
Front lot width at Building line	N/A
Depth of lot	N/A
Square footage of lot	N/A
Front Yard Setback	N/A
Side Yard Setback	N/A
Corner lot side yard setback	N/A
Rear Yard setback	N/A

Parking	Per unit
Marked Parking	10
Drive Side Parallel Parking	98
Total Parking	108
Streets Public	60
Width of Right of way *	
Width of street	N/A
Sidewalk width	N/A
Street horizontal radius	N/A
culdesac radius	
Right of way	N/A
Back of curb	N/A
Design speed	N/A

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CREEKSIDE COMMONS
COMMERCIAL DEVELOPMENT
FFE-958



Sheet
C12

Final Development Plan
18-0218
The Woods at Creekside, Creekside Village
& The New Parkville Cemetery at Creekside

Site Utility Plan

NO.	BY	DATE	REVISION
1	JMM	03/25/2020	LAYOUT REVISION
2	JMM	04/22/2019	PER CITY COMMENTS
3	JMM	11/06/19	PER CITY COMMENTS
4	JMM	10/11/19	PER CITY COMMENTS
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Page 32 of 95

Mar 25, 2020 8:12pm
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Sheet
C13

Final Development Plan
18-0218
The Woods at Creekside, Creekside Village
& The New Parkville Cemetery at Creekside

Pedestrian Linkage
Plan

1	JMM	BAC	03/25/2020	LAYOUT REVISION
3	JMM	SWM	11/02/19	PER CITY COMMENTS
2	JMM	SWM	11/06/19	PER CITY COMMENTS
1	JMM	SWM	10/11/19	PER CITY COMMENTS
-	JMM	SWM	04/22/19	ORIGINAL SUBMITTAL
NO.	BY	CD	DATE	REVISION

Renaissance

Infrastructure

Consulting

5015 NW CANAL STREET, SUITE 100
RIVERSIDE, MISSOURI 64150

816-800-0950
WWW.RIC-CONSULT.COM

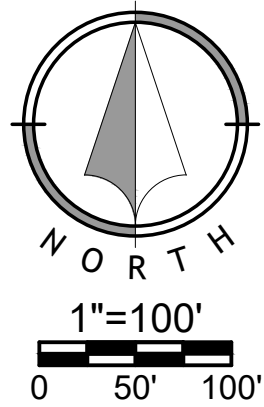
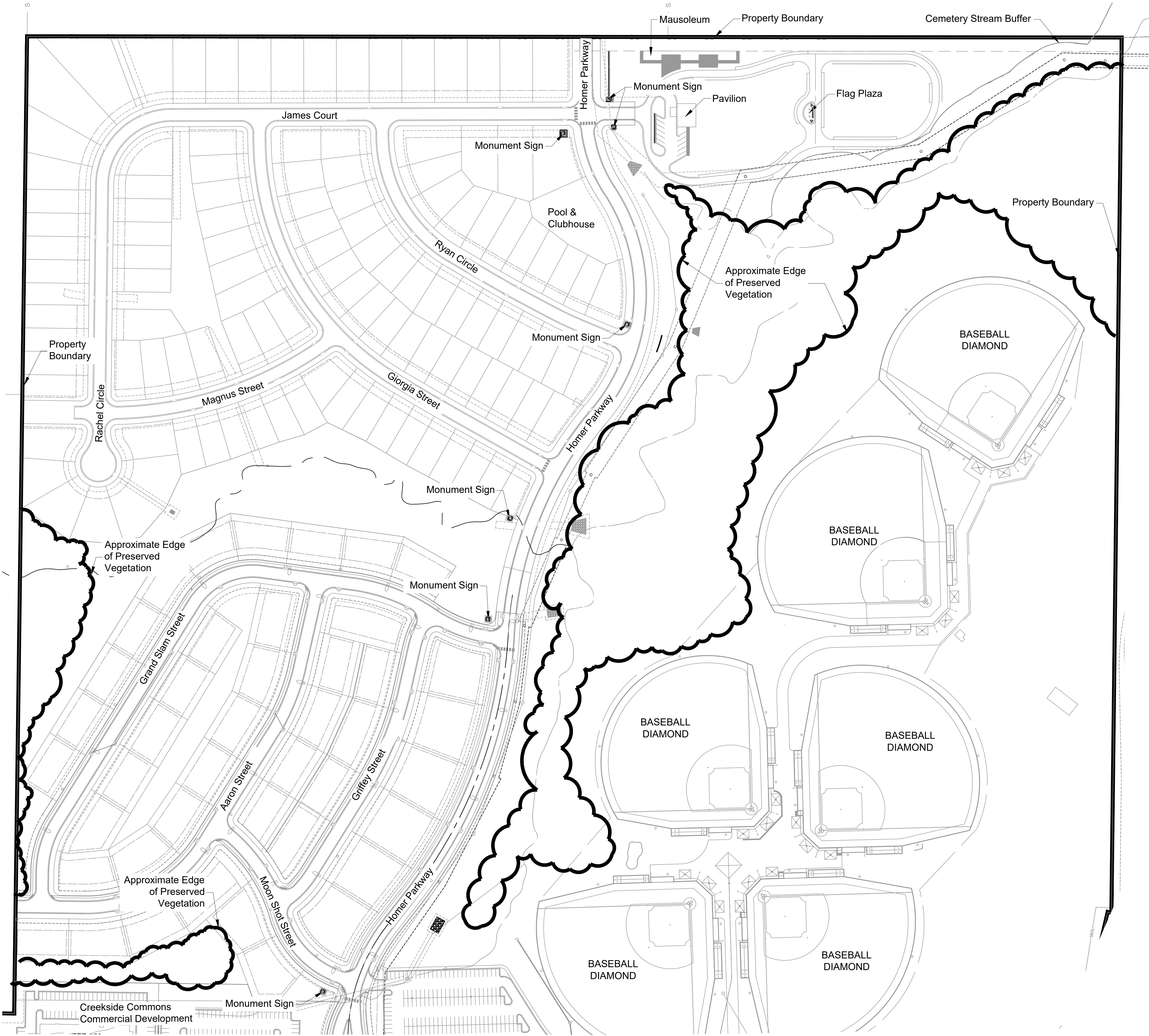
1"=100'

0 50' 100'

NORTH

Page 33 of 95

Mar 25, 2020 8:10am
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Sheet
C14

Final Development Plan
18-0218
The Woods at Creekside, Creekside Village
& The New Parkville Cemetery at Creekside

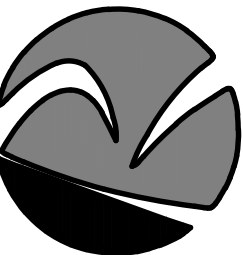
Vegetation
Preservation Plan

1	JMM	EAC	03/25/2020	LAYOUT REVISION
3	JMM	SWM	11/02/19	PER CITY COMMENTS
2	JMM	SWM	11/06/19	PER CITY COMMENTS
1	JMM	SWM	10/11/19	PER CITY COMMENTS
-	JMM	SWM	04/22/19	ORIGINAL SUBMITTAL
NO.	BY	DATE	REVISION	

Renaissance

Infrastructure

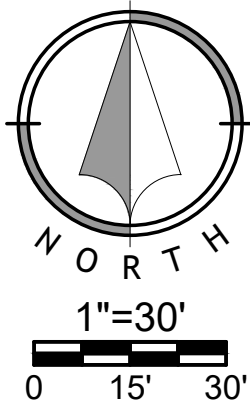
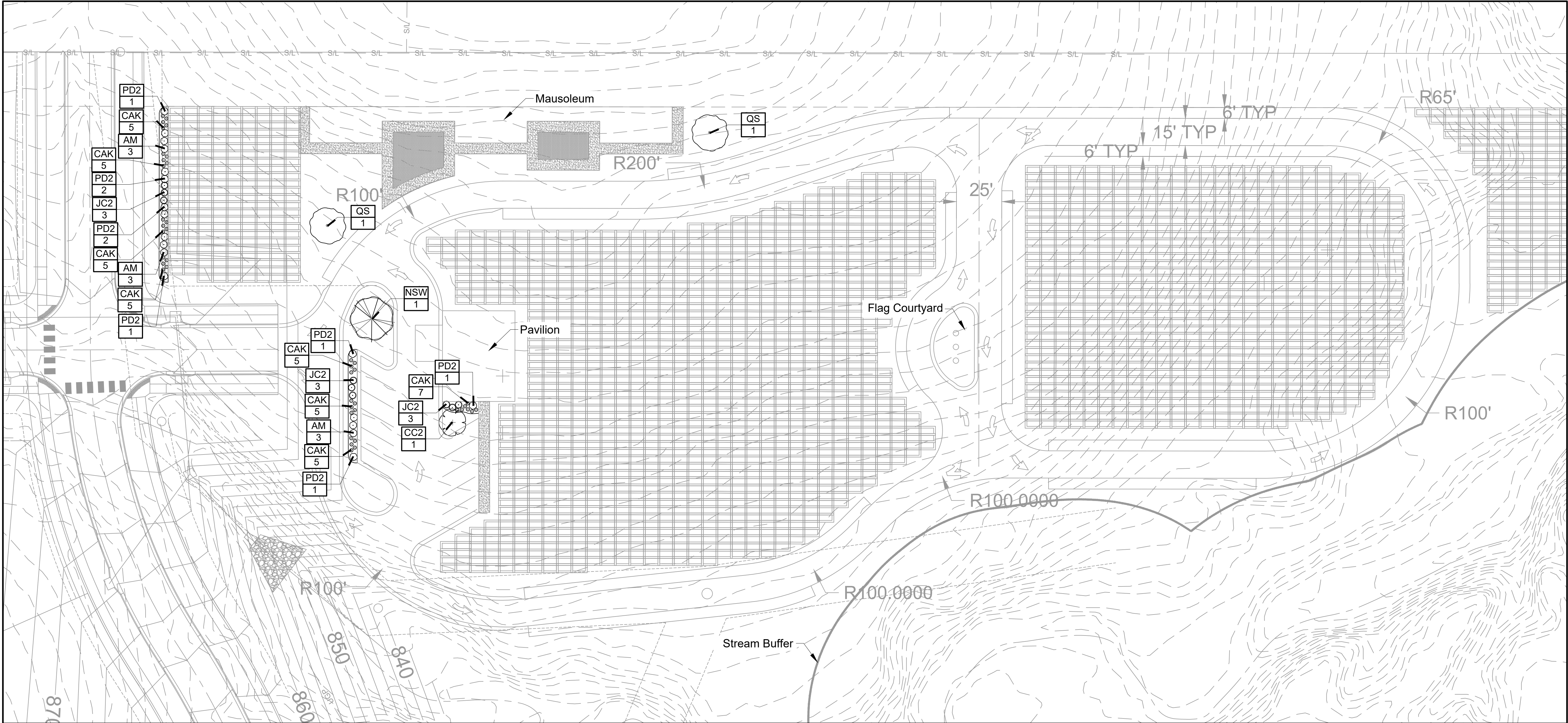
Consulting



5015 NW CANAL STREET, SUITE 100
RIVERSIDE, MISSOURI 64150
816.800.0950
WWW.RIC-CONSULT.COM

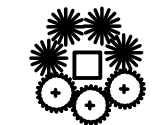
Page 34 of 95

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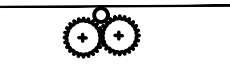


PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	QTY
CC2	Cercis canadensis 'Forest Pansy' TM / Forest Pansy Redbud	B&B	2" Cal.	1
NSW	Nyssa sylvatica 'Wildfire' / Black Gum	B&B	2.5"	1
QS	Quercus shumardii / Shumard Red Oak	B&B		2
SHRUBS	BOTANICAL / COMMON NAME	CONT		QTY
AM	Aronia melanocarpa 'Morton' TM / Iroquis Beauty Black Chokeberry	5 Gal.		9
CAK	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	5 Gal.		42
JC2	Juniperus chinensis 'Gold Lace' / Gold Lace Juniper	5 Gal.		9
PD2	Physocarpus opulifolius 'Diablo' / Diablo Ninebark	1 Gal.		9



Free Standing Transformer



Against Wall



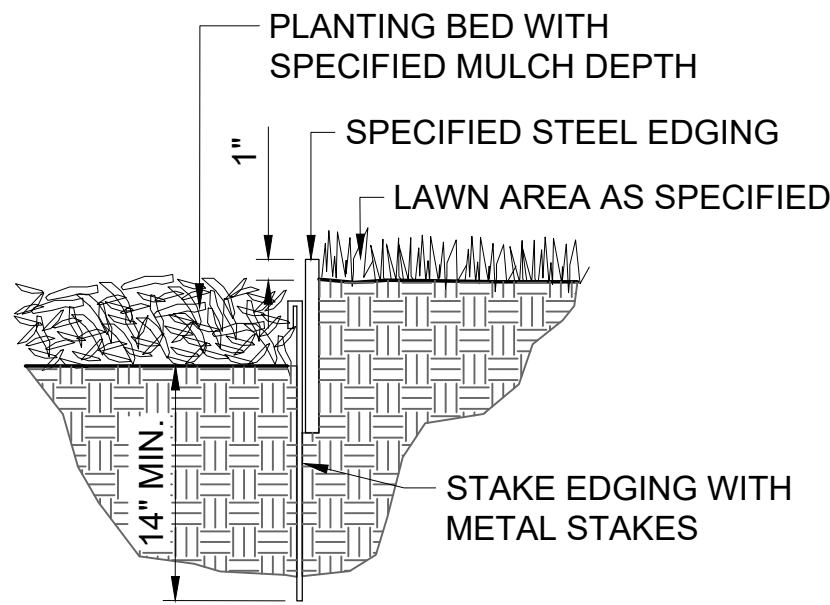
Free Standing Small Box



Clustered Boxes

UTILITY BOXES SHALL BE CLUSTERED AS MUCH AS POSSIBLE

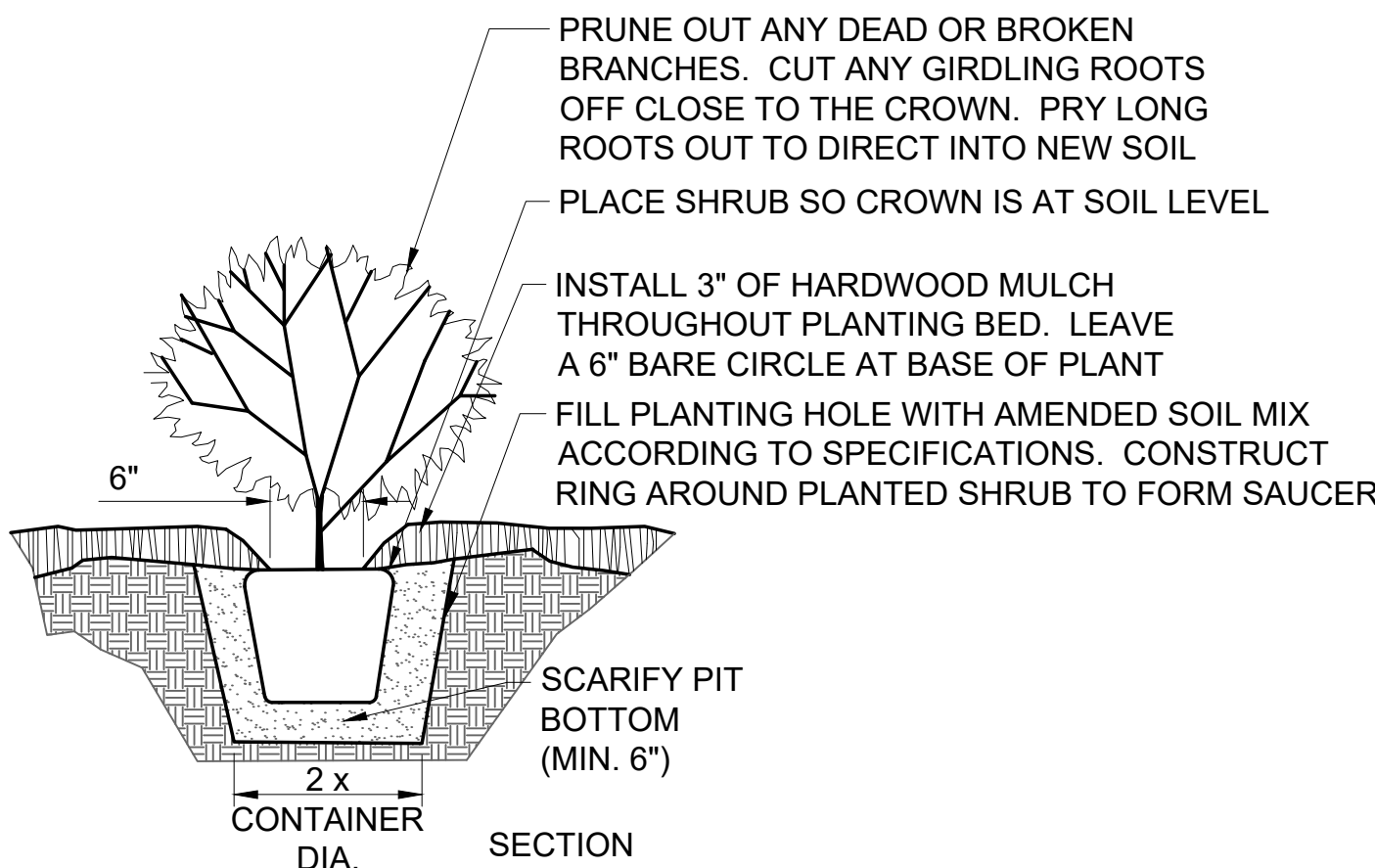
TYPICAL UTILITY BOX SCREENING DETAILS - NTS



NOTES:

- EDGING PER SPECIFICATION L03 2.07 A. SET ALL EDGING 1" ABOVE FINISH GRADE (TURF) SURFACE AS SHOWN.
- EDGING SHALL ABUT ALL CONCRETE CURBS AND WALKS PERPENDICULAR AND FLUSH WITH TOP OF CONCRETE.
- ALL JOINTS SHALL BE SECURELY STAKED.
- FINISH SHALL BE POWDER COAT; COLOR: GREEN. CONTRACTOR SHALL SUBMIT COLOR SAMPLE TO OWNERS REPRESENTATIVE PRIOR TO PURCHASE.
- CONTRACTOR SHALL LOCATE AND MARK ALL PLANT BED LOCATIONS PRIOR TO INSTALLATION OF STEEL FOR FINAL APPROVAL BY OWNER OR LANDSCAPE ARCHITECT.

STEEL EDGING DETAIL - NTS



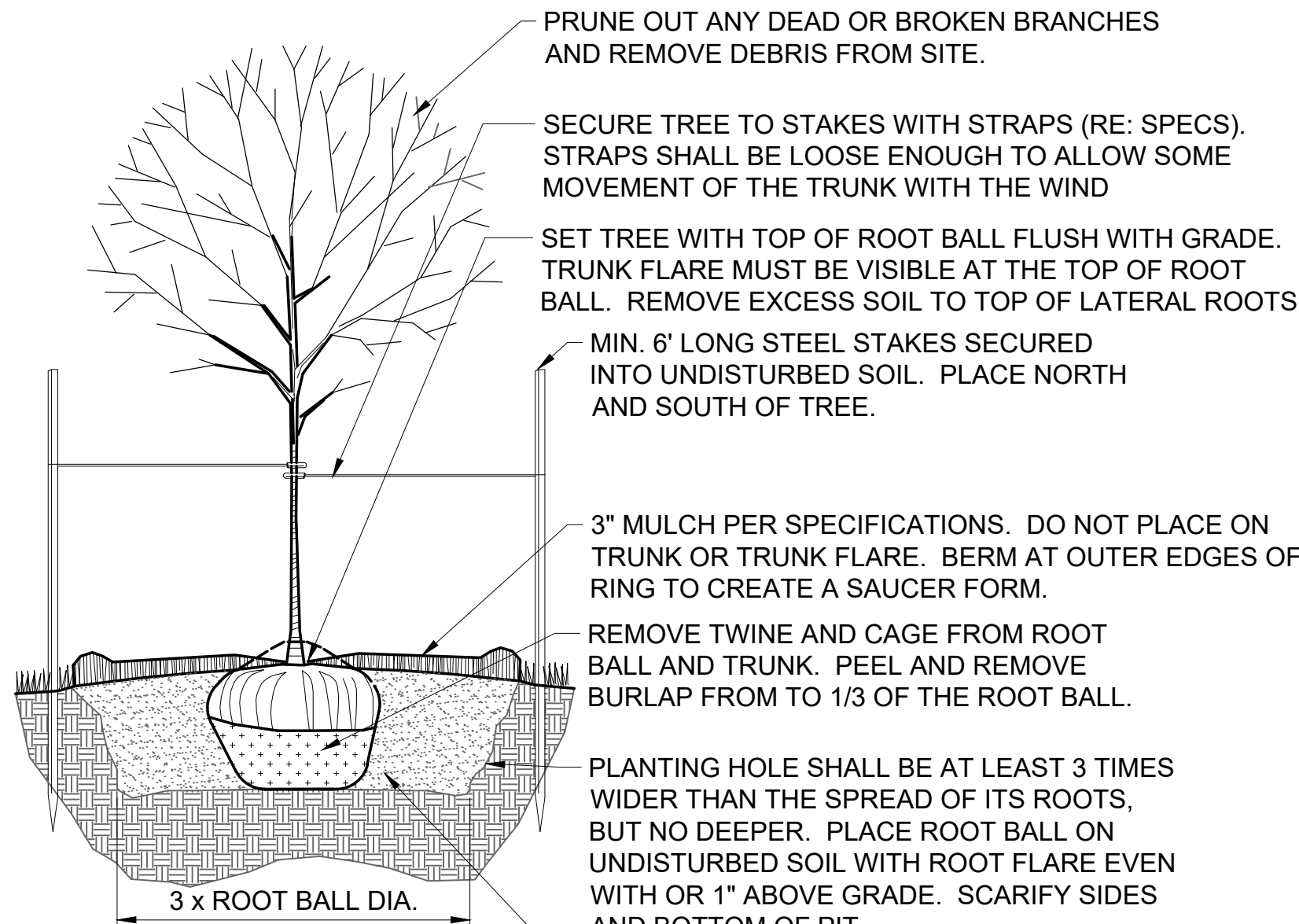
NOTES:

- REFER TO SPECIFICATIONS FOR TOPSOIL BACKFILL MIX.
- CONTRACTOR TO WATER THOROUGHLY AFTER PLANTING
- INSTALLATION TO BE IN ACCORDANCE WITH PLANTING SPECIFICATIONS

SHRUB PLANTING DETAIL - NTS

NOTES:

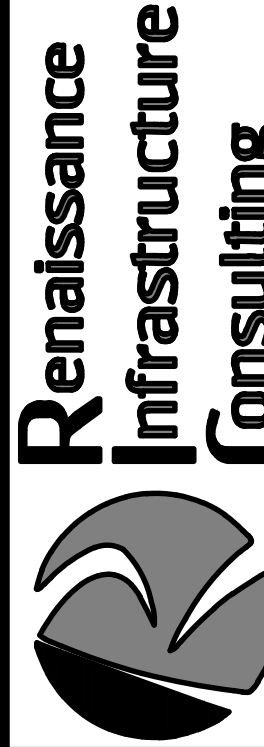
- TREES THAT DO NOT MEET THE SIZE REQUIREMENT WILL BE REJECTED
- TREES SHALL BE INSPECTED BY OWNERS REPRESENTATIVE PRIOR TO INSTALLATION.



SECTION

DECIDUOUS TREE PLANTING DETAIL - NTS

NO.	BY	DATE	REVISION
4	JMM	03/25/2020	LAYOUT REVISION
3	JMM	11/22/19	PER CITY COMMENTS
2	JMM	11/06/19	PER CITY COMMENTS
1	JMM	10/11/19	PER CITY COMMENTS
	JMM	04/22/19	ORIGINAL SUBMITTAL



816.800.0950
SUITE 100
RIVERSIDE, MISSOURI 64405
WWW.RIC-CONSULT.COM

FINAL PLAT
CREEKSIDE VILLAGE THIRD PLAT

A REPLAT OF PART OF LOT 2, CREEKSIDE VILLAGE FIRST PLAT
A SUBDIVISION IN PART OF THE SOUTHWEST QUARTER OF SECTION 18,
TOWNSHIP 51 NORTH, RANGE 34 WEST
PARKVILLE, PLATTE COUNTY, MISSOURI

PROPERTY DESCRIPTION
CONTAINING 225,929 SQUARE FEET OR 5.19 ACRES

ALL THAT PART OF LOT 2, CREEKSIDE VILLAGE FIRST PLAT, A SUBDIVISION IN PARKVILLE, PLATTE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT M17, CREEKSIDE VILLAGE SECOND PLAT, A SUBDIVISION IN PARKVILLE, PLATTE COUNTY, MISSOURI; THENCE S10°00'07"E, ALONG THE WESTERLY LINE OF SAID LOT M17 AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 153.15 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF GRAND SLAM STREET AS ESTABLISHED ON SAID SECOND PLAT, SAID POINT ALSO BEING ON THE NORTHERLY LINE OF TRACT D, SAID SECOND PLAT; THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY LINE, ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF S79°59'53"W, A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 89.83 FEET TO THE WESTERLY MOST CORNER OF SAID TRACT D; THENCE S53°28'06"E, ALONG THE SOUTHWESTERLY LINE OF SAID TRACT D, A DISTANCE OF 93.44 FEET TO THE SOUTHERLY MOST CORNER OF SAID TRACT D, SAID POINT ALSO BEING ON THE WESTERLY LINE OF LOT M29, SAID SECOND PLAT; THENCE S23°44'01"W, ALONG THE WESTERLY LINE OF SAID LOT M29 AND ALONG THE WESTERLY LINE OF LOT M28, SAID SECOND PLAT, A DISTANCE OF 123.84 FEET TO THE WESTERLY MOST CORNER OF SAID LOT M28; THENCE S31°41'52"W, ALONG THE NORTHWESTERLY LINE OF LOTS M27 AND M26, SAID SECOND PLAT, A DISTANCE OF 224.05 FEET; THENCE S33°20'28"W, CONTINUING ALONG THE NORTHWESTERLY LINE OF SAID LOT M26, AND ALONG THE NORTHWESTERLY LINE OF LOT M25, SAID SECOND PLAT, A DISTANCE OF 111.74 FEET TO THE WESTERLY MOST CORNER OF SAID LOT M25; THENCE S40°10'05"W, ALONG THE NORTHWESTERLY LINE OF LOT M24, SAID SECOND PLAT, A DISTANCE OF 94.75 FEET TO THE WESTERLY MOST CORNER OF SAID LOT M24; THENCE S20°28'56"E, ALONG THE SOUTHWESTERLY LINE OF SAID LOT M24, A DISTANCE OF 87.55 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF AARON STREET AS ESTABLISHED ON SAID SECOND PLAT; THENCE WESTERLY, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF S69°31'04"W, A RADIUS OF 254.00 FEET, AN ARC DISTANCE OF 18.82 FEET TO A POINT ON THE WESTERLY END OF SAID AARON STREET; THENCE S16°14'14"E, ALONG SAID WESTERLY END AND ALONG THE WESTERLY LINE OF LOT M23, SAID SECOND PLAT, A DISTANCE OF 160.73 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT M23; THENCE N89°14'45"W, A DISTANCE OF 254.65 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 2, CREEKSIDE VILLAGE FIRST PLAT, SAID LINE ALSO BEING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 51 NORTH, RANGE 34 WEST; THENCE N00°45'15"E, ALONG SAID LINE, A DISTANCE OF 391.11 FEET TO A CORNER ON THE WEST LINE OF SAID LOT 2; THENCE S89°14'45"E, CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 2, A DISTANCE OF 7.28 FEET; THENCE N32°00'38"E, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 593.11 FEET; THENCE N63°49'59"E, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 149.51 FEET TO THE POINT OF BEGINNING.

BOUNDARY SURVEY NOTES:

1. THE SOURCE OF THE DESCRIPTION USED FOR THIS SURVEY WAS DERIVED FROM THE PARENT TRACT DESCRIPTION AS SHOWN IN A TITLE COMMITMENT ISSUED BY STEWARD TITLE COMPANY, COMMITMENT NUMBER 409204, DATED APRIL 10, 2019 AT 8:00 AM.
2. THE BEARINGS SHOWN HEREON ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM (NAD 83) WEST ZONE UTILIZING STATION PL-28.
3. THIS SURVEY IS BASED UPON RECORD DOCUMENTS, LEGAL DESCRIPTIONS, AND OTHER INFORMATION FURNISHED BY THE CLIENT PLUS OTHER INFORMATION KNOWN TO THIS SURVEYOR. THIS SURVEYOR HAS NO KNOWLEDGE OF ANY OTHER RECORD DOCUMENTS WHICH AFFECT THE SUBJECT REAL ESTATE.
4. ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, PANEL NUMBER 383 OF 425, MAP NUMBER 29165C0360E, MAP DATE: APRIL 2, 2015, THE SUBJECT PROPERTY IS IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).

DEDICATION:

THE UNDERSIGNED PROPRIETORS OF THE PROPERTY DESCRIBED HEREIN HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THIS PLAT AND SAID PROPERTY SHALL HEREAFTER BE KNOWN AS:

CREEKSIDE VILLAGE THIRD PLAT
A REPLAT OF PART OF LOT 2, CREEKSIDE VILLAGE FIRST PLAT
A SUBDIVISION IN PART OF THE SOUTHWEST QUARTER OF SECTION 18
TOWNSHIP 51 NORTH, RANGE 34 WEST, PARKVILLE, PLATTE COUNTY, MISSOURI

STREETS:

THE STREETS SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED.

EASEMENTS:

AN EASEMENT IS HEREBY GRANTED TO PARKVILLE, MISSOURI, AND TO THE UTILITY COMPANIES FRANCHISED TO OPERATE IN PARKVILLE, MISSOURI, FOR THE PURPOSE OF LOCATING, CONSTRUCTING, OPERATING AND MAINTAINING FACILITIES FOR WATER, GAS, ELECTRICITY, SEWAGE, TELEPHONE, CABLE TV AND SURFACE DRAINAGE INCLUDING, BUT NOT LIMITED TO, UNDERGROUND PIPES AND CONDUITS, PAD MOUNTED TRANSFORMERS, SERVICE PEDESTALS, ANY OR ALL OF THEM UPON, OVER, UNDER AND ALONG THE STRIPS OF LAND DESIGNATED "UTILITY EASEMENT" OR "U/E" WHERE OTHER EASEMENTS ARE DESIGNED FOR A PARTICULAR PURPOSE, THE USE THEREOF SHALL BE LIMITED TO THAT PURPOSE ONLY. ALL THE ABOVE EASEMENT SHALL BE KEPT FREE FROM ANY AND ALL OBSTRUCTIONS WHICH WOULD INTERFERE WITH THE CONSTRUCTION OR RECONSTRUCTION AND PROPER, SAFE AND CONTINUOUS MAINTENANCE OF THE AFORESAID USES AND SPECIFICALLY THERE SHALL NOT BE BUILT THEREON OR THEREOVER ANY STRUCTURE (EXCEPT DRIVEWAYS, PAVED AREAS, GRASS, SHRUBS AND FENCES) NOR SHALL THERE BE ANY OBSTRUCTION TO INTERFERE WITH THE AGENTS AND EMPLOYEES OF PARKVILLE, MISSOURI, AND ITS FRANCHISED UTILITIES FROM GOING UPON SAID EASEMENT AND AS MUCH OF THE ADJOINING LANDS AS MAY BE REASONABLY NECESSARY IN EXERCISING THE RIGHTS GRANTED BY THE EASEMENTS. NO EXCAVATION OR FILL SHALL BE MADE OR OPERATION OF ANY KIND OR NATURE SHALL BE PERFORMED WHICH WILL REDUCE OR INCREASE THE EARTH COVERAGE OVER THE UTILITIES ABOVE STATED OR THE APPURTENANCES THERETO WITHOUT THE WRITTEN APPROVAL OF THE DIRECTOR OF PUBLIC WORKS, AS TO UTILITY EASEMENTS.

BUILDING LINES:

BUILDING LINES (B/L) OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT, AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT BETWEEN THIS LINE AND THE LOT LINE NEAREST THERETO. INTERIOR SIDE YARD SETBACKS ARE HEREBY SET AT 5.00' UNLESS OTHERWISE NOTED. REAR YARD SETBACKS ARE HEREBY SET AT 15.00' UNLESS OTHERWISE NOTED.

OPEN SPACE DEDICATION

TRACT E IS HEREBY DEDICATED AS PRIVATE OPEN SPACE USED FOR LANDSCAPING AND BEAUTIFICATION AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

IN WITNESS WHEREOF, BRIAN J. MERTZ, MANAGING MEMBER OF PARKVILLE DEVELOPMENT 140, LLC, HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS _____ DAY OF _____ 2021.

BRIAN J. MERTZ, MANAGING MEMBER

STATE OF MISSOURI { }
COUNTY OF { }
ON THIS _____ DAY OF _____, 2021, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE

PERSONALLY APPEARED THE ABOVE NAMED OWNER, WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED FOR THE PURPOSES HEREIN STATED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID COUNTY AND STATE THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

BOARD OF ALDERMAN

THIS IS TO CERTIFY THAT THE WITHIN PLAT WAS DULY SUBMITTED TO AND APPROVED BY THE BOARD OF ALDERMAN OF PARKVILLE, MISSOURI, BY ORDINANCE NO. _____ DULY AUTHENTICATED ON _____ 2021.

OWNER/DEVELOPER:
PARKVILLE DEVELOPMENT 140, LLC
7607 NW JOHN ANDERS ROAD
KANSAS CITY, MO 64152

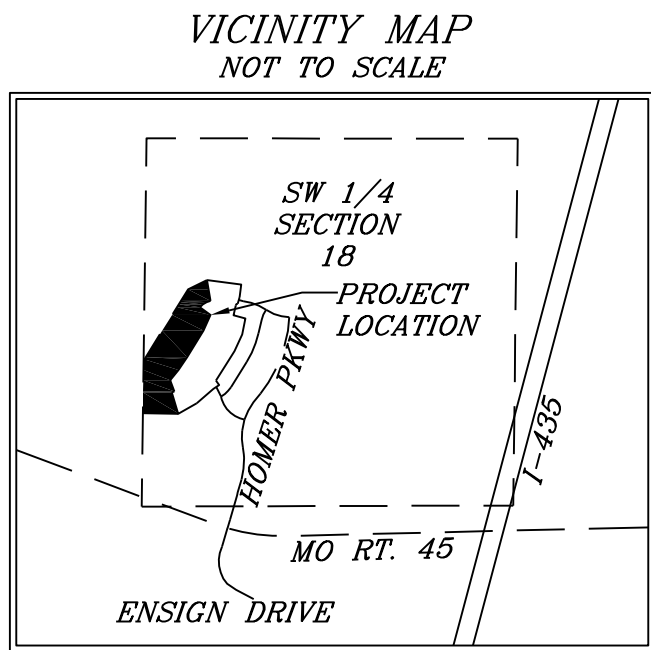


SURVEYOR'S CERTIFICATION
I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES HEREIN DESCRIBED WHICH MEET OR EXCEED THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS. THE SURVEY WAS CONDUCTED BY R.L. BUFORD & ASSOCIATES, LLC, A PROFESSIONAL ENGINEERING FIRM, GEOLOGY AND LAND SURVEYORS AND THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS. AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

R.L. Buford & Associates, LLC
LAND SURVEYING CONSULTANTS
P.O. BOX 14069, PARKVILLE, MO 64112 (816) 741-6152
R.L. BUFORD & ASSOCIATES, LLC
LICENSE NO. 15-2010031977
R.L. BUFORD & ASSOCIATES, LLC
P.O. BOX 14069, PARKVILLE, MO 64112 (816) 741-6152
SEC. TWO - REG. COUNTY FIELD BOOK
DATE 02/04/2021
DRAWN BY R.C.Y.
DATE 02/04/2021
FOR PARKVILLE DEVELOPMENT 140, LLC
PLAT

MONUMENTATION/LEGEND

- △ FOUND 1/2" BAR WITH CAP STAMPED PLS-2007000089
- FOUND 5/8" BAR WITH CAP STAMPED PLS-2007000089
- SET 1/2" BAR WITH CAP STAMPED PLS-2007000089
- ▲ SET 5/8" BAR WITH CAP STAMPED PLS-2007000089
- ◎ SET MAG NAIL AT ROAD POINTS OF INTERSECTION
- 1/2" BARS WILL BE SET AT ALL REAR LOT CORNERS
- CURB NOTCHES WILL BE SET AT PROPERTY LINE PROLONGATIONS
- ALL MONUMENTS TO BE SET UPON COMPLETION OF CONSTRUCTION





Wednesday, March 3, 2021

Patricia Jensen
Rouse Frets White Goss Gentile Rhodes, P.C.
4510 Belleview Ave, Suite 300
Kansas City, MO 64111

Brett A. Cox
Renaissance Infrastructure Consulting
5015 NW Canal Street, Suite 100
Riverside, MO 64150

Cc:

Brian Mertz
Parkville Development 70, LLC
7607 NW John Anders Rd.
Kansas City, MO 64152

Rob Young
R.L. Buford & Associates, LLC
P.O. Box 14069
Parkville, MO 64152

RE: Staff Review – Final Plat of Creekside Village Third Plat

Patricia and Brett,

The following is a compilation of Parkville staff review comments received to-date regarding the Final Plat of Creekside Village Third Plat. Review comments are provided by myself, Brad Stanton (Planner), Alysén Abel (Public Works Director), Chris Ashley (Project Manager), and Paul Giarratana (Building Official). Please distribute these comments to your team. Thank you.

General Comments

1. **End of Aaron Street** – Please note that where Aaron Street terminates (just to the west of the intersection of Aaron Street and Grand Slam Street, adjacent to Lot M35), staff will require fencing, barricade or barriers to prevent access onto the adjacent property. Brett Cox (Renaissance Infrastructure Consulting) has indicated that end road barrier signs with red diamond reflectors will be placed at this location, and that the street itself will end at least 3 ft. from the property line.

Plat Sheet Comments

2. None

Staff can recommend approval of the Final Plat of Creekside Village Third Plat, subject to addressing the comments and conditions listed above. Again, please distribute these comments to your team. Please note there is no need to revise or resubmit the previously submitted plan sheets — paper and electronic — to staff since no corrections/modifications are needed.

Please let us know if you have any questions. Thank you.

Sincerely,

CITY OF PARKVILLE

Stephen Lachky, AICP, CPM, CFM
Community Development Director

CC: Brad Stanton, Planner
Alysen Abel, Public Works Director
Chris Ashley, Project Manager
Paul Giarratana, Jr., Building Official
Dean Cull, Fire Marshall, Southern Platte Fire Protection District



Staff Analysis

<u>Agenda Item:</u>	5.A
<u>Proposal:</u>	An application for a Conditional Use Permit (CUP) for Hinkle Hardscapes to operate an office use of low traffic generation in a residential district fronting NW Bell Road on 22.8 acres, more or less, generally located west of NW Bell Road at NW 57 th Street.
<u>Case No:</u>	PZ20-56
<u>Applicant:</u>	Hinkle Hardscapes / Ken Gibson
<u>Owners:</u>	Hinkle Real Estate LLC / Zach Hinkle
<u>Location</u>	West of NW Bell Road at NW 57 th Street
<u>Zoning:</u>	"R-1" Single-Family Residential
<u>Parcel #:</u>	#20-7.0-26-300-001-047.002 & #20-7.0-26-300-001-047.001
<u>Exhibits:</u>	A. This Staff Analysis B. Application 1. Application for Conditional Use Permit 2. Application Narrative C. Subject Area Property Map D. Submitted Site and Illustrative Plans E. Traffic Impact Study from GBA (Submitted by Applicant) F. Site Location Map (Submitted by Applicant) G. Bell Road Gravel Study (Submitted by Applicant) H. Public Comment Letter from James Flack I. Additional exhibits as may be presented at the public hearing
<u>By Reference:</u>	A. Parkville Municipal Code, Title IV – Development Code in its entirety (http://parkvillemo.gov/download/ZoningCodeUpdate_FinalDraft.pdf) 1. Section 403.050 Conditional Use Permit 2. Section 405.050 Conditional Uses B. Parkville Master Plan (http://parkvillemo.gov/departments/community-development-department/master-plan/) C. Notice of Public Hearing mailed to property owners within 185 ft. of the subject property D. Hearing notice published in The Platte County Citizen newspaper on December 23, 2020. E. Summary of Public Hearing posted on Parkville City webpage (http://parkvillemo.gov/public-hearings/)

- F. Hearing notice published on the Parkville City webpage (<http://parkvillemo.gov/government/public-hearings/>)
- G. Ordinance No. 3059 (adopted January 5, 2021) – An ordinance amending Parkville Municipal Code Section 405.050, Conditional Uses, to allow office uses of low traffic generation along Bell Road via a conditional use permit.

Comments

Received: The Community Development Department received one public comment letter from James Flack (see Exhibit E).

Background

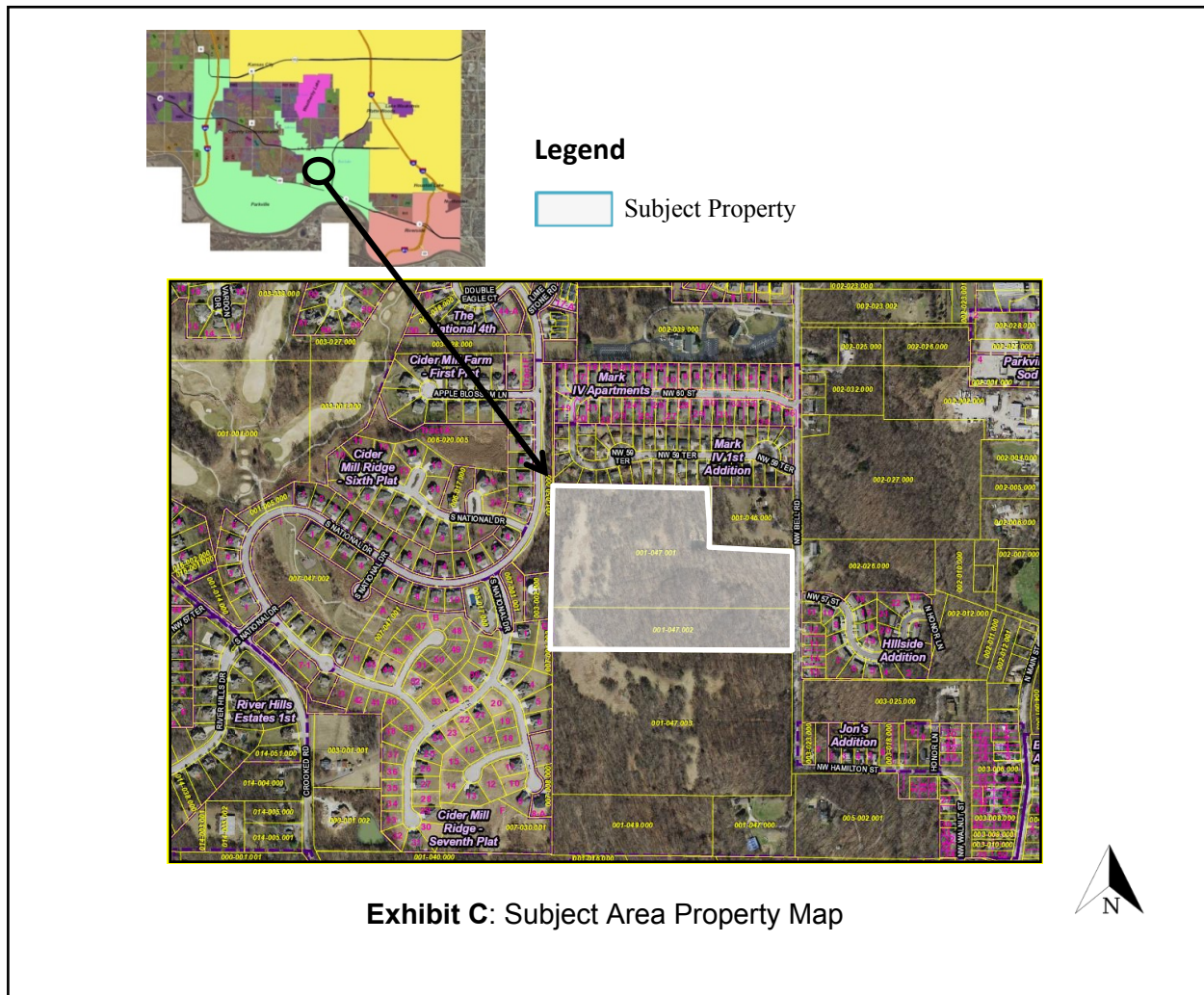
Hinkle Hardscapes, a landscape and hardscape business currently based at 4124 NW Riverside Street #C in Riverside, wishes to relocate their operations to Parkville on property along NW Bell Road. Hinkle Hardscapes would like to use the property as a training center for their employees and a design showroom for their customers. The applicant has submitted a revised application responding to comments heard at the January 12, 2021 Planning and Zoning Commission Meeting.

Update since February 9, 2021 Meeting

The applicant has submitted a revised grading plan and a traffic impact study from GBA. The revised grading plan shows the turn lane dimensions as recommended by the traffic engineer from GBA as well as an asphalt parking area with 8 striped parking spaces. The gravel portion of the proposed parking lot is 100+ feet from the edge of the street pavement, as required by the Code. The traffic impact study notes that this portion of NW Bell Road is a “low volume” roadway and well below its carrying capacity. The study details that a dedicated right-turn lane into Hinkle Hardscapes isn’t warranted by the amount of traffic but, rather, by the sight distance issues presented by the hill towards the south of the property.

Overview

The applicant proposes to operate an office use of low traffic generation, a landscaping design and training center, in a residential district (“R-1” Single-Family Residential) along NW Bell Road. The subject property contains two parcels (#20-7.0-26-300-001-047.001 & # 20-7.0-26-300-001-047.002) containing 22.8 acres, more or less, and is located on the west side of NW Bell Road at NW 57th Street. The applicant is proposing 3-4 staff members daily to use the property. Hinkle Hardscapes would develop the entry to the property, a gravel parking lot, and infrastructure improvements along the frontage of NW Bell Road.



The applicant proposes to locate an *Office, General* use design/training center on property on NW Bell Road at NW 57th Street, and has submitted an Application for Conditional Use Permit in order to operate pursuant to Section 405.050.B “Conditional Uses” and Ordinance No. 3059. Section 405.050, Subsection B.16 allows, as a Conditional Use, “*Office uses of low traffic generation, such as real estate, accounting, law, dental, financial services, and those similar in nature in residential districts that front and have access to a State highway or Bell Road.*” As a training center that would only be accessed by a limited number of employees on a limited number of dates, Staff finds that this use qualifies as an office use of low traffic generation. This application is subject to a discretionary review as established in Parkville Municipal Code, Title IV, Section 403.050 “Conditional Use Permit.”

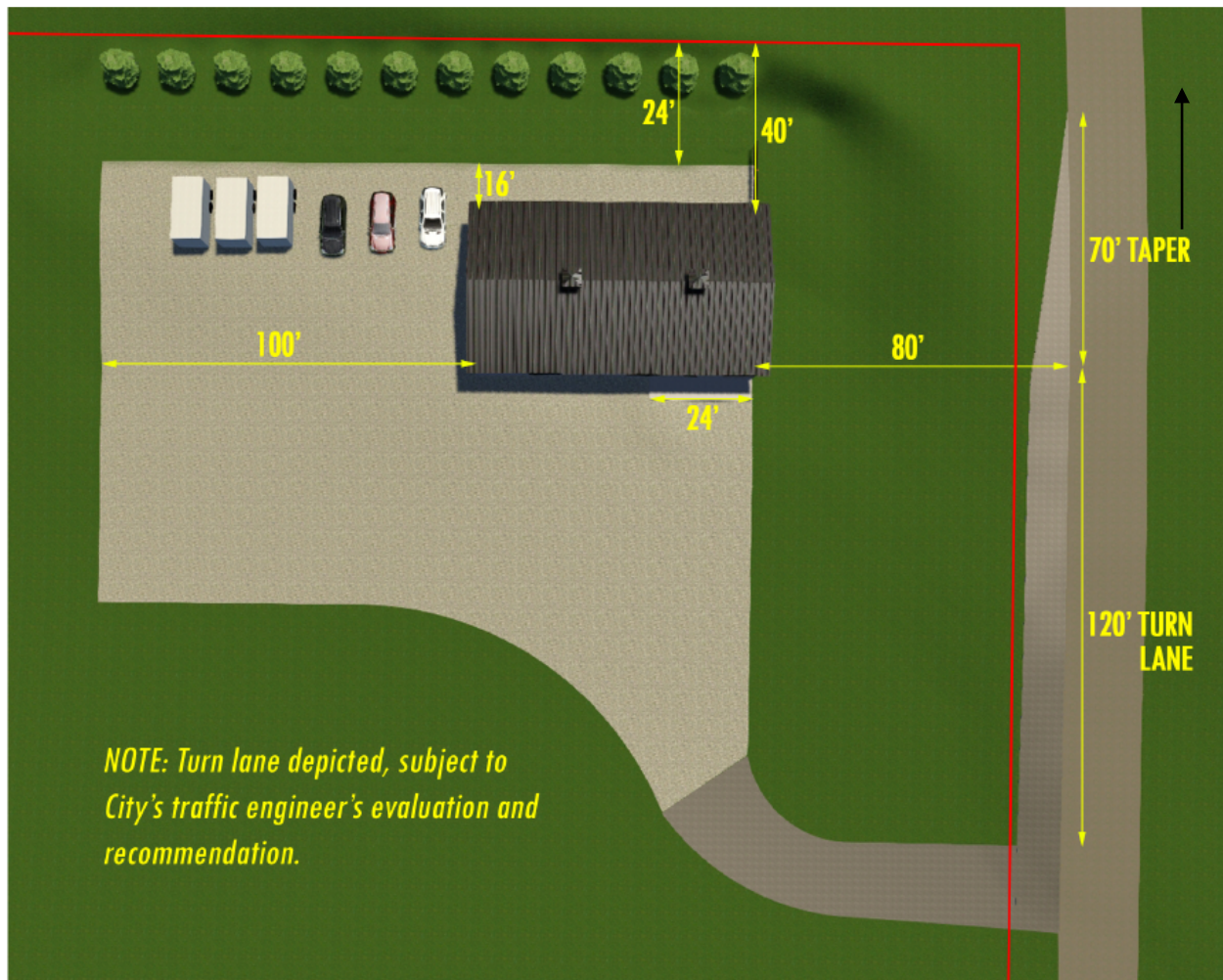


Exhibit D: Site Plan Submitted by Applicant

CUP Matters for Consideration

Per Parkville Municipal Code, Title IV, Section 403.050, a conditional use permit provides flexibility for different uses within a zoning district and allows the potential for additional uses. Further, due to the varying design and operational characteristics of the use or due to conditions in the area where the use is proposed, these uses may not be appropriate in that district, but require a case-specific review to determine the compatibility in a specific context and location. Section 405.050, Subsection B.16 allows for the proposed use as a conditional use in residential districts that front Bell Road. The subject property is zoned R-1 "Single-Family Residential."

This application has been reviewed against the City of Parkville's Development Code, including the applicable general requirements in Table 403-1, Section 403.010 and Section 403.050, Subsection B. Per these requirements, notice of the public hearing has been published in a newspaper in general circulation in the City, The Platte County Citizen newspaper on December 23, 2020; a sign announcing the time, place and nature of the public hearing was placed on the subject property within view from public right of way; and mailed notice was provided to all property owners within 185 ft. of the subject properties. As of the date of the completion of this

staff analysis report, the Community Development Department received one public comment letter (see Exhibit E).

General Review and Analysis

Parkville Municipal Code, Section 403.050, Subsection B. provides review criteria for how the Planning and Zoning Commission shall determine if a conditional use permit is appropriate. The following are staff's findings and conclusions.

- 1. The application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan.**

The property is located in an R-1 "Single-Family Residential" district. This district seeks to provide residential living in a low-density neighborhood setting with access to supporting uses. Staff finds that this Application for Conditional Use Permit furthers the intent of this R-1 district. This Conditional Use Permit provides a supporting use to low-density residential that does not impact the surrounding neighborhoods. Additionally, through the Conditional Use Permit process, the property remains with a residential zoning, as compared to being rezoned to a commercial zoning district. Upon Hinkle Hardscapes relocating or the termination of the Conditional Use Permit the property would only be allowed to develop with uses allowed in the R-1 zoning district. If the property had been rezoned to a commercial zoning district to allow the Hinkle Hardscapes development, then a host of commercial land uses would be allowed on this property.

The *Parkville Master Plan* (adopted July 7, 2009) Future Land Use map labels this property as "residential neighborhood" in close proximity to "mixed use residential neighborhood." This proposed use provides a low impact commercial/office use in close proximity to established residential neighborhoods. The *Master Plan* also notes that Bell Road is a node of redevelopment opportunity. This project represents an investment in the area of Bell Road and will contribute to infrastructure improvements in the corridor.

- 2. Compliance of any proposed development with the requirements of this code.**

The proposed development appears to meet the requirements of the Municipal Code. The proposal meets the criteria to apply for a Conditional Use Permit by being an office use of low traffic generation located in a residential district that both fronts and has access to NW Bell Road. The proposed building meets the height, area, and bulk standards of the R-1 zoning district. Site and Landscape Design Standards will be reviewed in more detail by staff through the building permitting process.

- 3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of the Development Code and the intent or design objectives of any applicable subsections of the Development Code, or mitigate any other potential impacts that are specific to the proposed use.**

No site-specific conditions are necessary to meet the purposes and intent of the Development Code or mitigate any other potential impacts that are specific to the proposed use.

- 4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.**

The Applicant will be responsible for improve NW Bell Road along their frontage or providing cash in lieu until such time as NW Bell Road is improved. The Applicant has provided a narrative stating that this proposed use will be a low traffic generating use. Limited employees will be located at this training center on limited days throughout the year, minimizing the amount of trips generated.

5. The adequacy of drainage, utilities and other public facilities.

The Applicant has made an effort to preserve natural stormwater drainage on the site. Additionally, a pervious surface, gravel, will be used for the majority of the parking area which will allow for more stormwater penetration into the ground. Staff believes that sufficient utility access exists on the site. The Application for Conditional Use Permit does not appear to significantly impact the ability for the City or other governmental agencies to respond with public and emergency services; this includes police, fire, and the ability to maintain the peace.

6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.

The property is currently densely treed to screen the land from view of adjacent properties and rights-of-way. The Applicant is proposing to preserve a large portion of the existing trees to provide for a natural buffer from neighboring properties and NW Bell Road. The proposed buildings will be attractively landscaped and similar to out-buildings you would see on large estate lots. Staff believes the combination of natural vegetation screening and the proposed site and landscaping design will contribute to a development character compatible with the surrounding area.

7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.

The Applicant's narrative notes that there will be only three to four cars at this location daily during normal business hours. On inclement weather days (approximately 40-50 per year), this could increase to seven to nine cars. Staff does not believe this represents a significant increase to traffic along NW Bell Road nor is it incompatible with the surrounding area. The applicant has expressed willingness to install a right turn lane from NW Bell Road onto their property to mitigate potential traffic concerns.

8. Whether a limited time period for the permit is reasonable necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and on-going enforcement of the permit.

The discretionary review process outlined in Section 403.050 allows a reasonable time limit be placed on approval of the conditional use permit on a case-by-case basis. This is in order to assess the intensity and potential impacts of the use against changing conditions in the area over time. While staff has not recommended a specific length of time for the duration of the Application for Conditional Use Permit, staff is open to the opinion and input from the Planning and Zoning Commission on this matter. In the past, common Conditional Use Permit time limitations have included 10 years, 15 years and 20 years. The Applicant, in their narrative provided with their application, has noted they wish the Conditional Use Permit to continue for the duration of their ownership of the property.

9. The application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.

Approval of the Application for Conditional Use Permit should not prevent development and use of neighboring properties in accordance with the applicable development regulations. The proposed development will be built with sufficient setbacks and screening to mitigate any impacts on surrounding properties.

10. The long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.

The long range plans for Parkville including the 2009 *Parkville Master Plan* project this area to remain residential in character for the foreseeable future. As noted above, this property will maintain its residential zoning designation. Staff finds that the low impact nature of this use does not negative impact the established residential uses in the area. Staff also notes that existing low-impact commercial businesses in the NW Bell Road corridor have not had a notable negative impact on the area.

11. The recommendations of professional staff or other technical reviews associated with the application.

Due to neighboring resident concerns, staff has proposed requiring a traffic study evaluating the need for a turn lane on NW Bell Road as a condition of approval for the Conditional Use Permit application.

Staff Conclusion and Recommendation

Staff concludes that the proposed use will represent a low impact office use and, as such, should not negatively impact the current or future development of surrounding properties. Additionally, this project will provide investment in the NW Bell Road corridor and contribute to planned infrastructure investments in the area.

Following review, staff recommends approval of the Application for Conditional Use Permit for the subject property based on the merits of the application and the findings and conclusions in this report, subject to the following conditions:

1. Approval is based on the representations of the drawings presented as part of this application and does not waive any requirement or development standard contained in the Parkville Municipal Code.
2. The Conditional Use Permit is to allow an office use of low traffic generation (a landscaping training/design center) on the property described in attached exhibits covering 22.8 +/- acres. "Phase II" of the project, i.e. the design center, shall require a separate Conditional Use Permit approval, which would involve a new public hearing with the Planning and Zoning Commission.
3. A Landscape Plan must be submitted during the building permitting process that complies with Parkville Municipal Code Chapter 407 "Site and Landscape Design Standards."
4. The developer shall make public infrastructure improvements in accordance with the recommendations in the traffic impact study performed by GBA.

It should be noted that the recommendation contained in this report is made without knowledge of facts, public comments or any additional information which may be presented during the public hearing. For that reason, the conclusions herein are subject to change as a result of evaluating additional information; additionally, staff reserves the right to modify or confirm the

conclusions and recommendations herein based on consideration of any additional information that may be presented.

Necessary Action

Following consideration of the Application for Conditional Use Permit, supporting information, associated exhibits, factors discussed above, and any testimony presented during the public hearing, the Planning and Zoning Commission should recommend approval, approval with conditions, denial, or postpone the application for further consideration. If approved subject to conditions, the conditions should be noted for the record. Unless postponed, the Planning Commission's action will be forwarded to the Board of Aldermen on February 16, 2021 for final action.

End of Memorandum

<u>/s/ Brad Stanton</u>	<u>2-5-2021</u>
Brad Stanton	Date
Planner	



Application #: _____
Date Submitted: _____
Public Hearing: _____
Date Approved: _____

CITY OF PARKVILLE • 8880 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0013

Application for Conditional Use Permit

Pre-application meeting required per Parkville Municipal Code, Title IV, Section 403.010, Subsection C

1. Applicant/Contact Information

Applicant(s)

Name: Ken Gibson
Address: 5520 Woodhaven Ln
City, State: Parkville, MO
Phone: 816-728-7799 Fax: _____
E-mail: kengibsongolf@gmail.com

Engineer/Surveyor(s) preparing plans & legal desc.

Name: RL Buford
Address: 7603 NW River Park Dr # B
City, State: Parkville, MO
Phone: (816) 741-6152 Fax: _____
E-mail: rob@rlbuford.com

Owner(s), if different from applicant(s)

Name: Zach Hinkle
Address: 8160 N Callaway
City, State: Parkville, MO
Phone: 816-694-0604 Fax: _____
E-mail: zach@hinklehardscapes.com

Contact Person, if different from applicant(s)

Name: _____
Address: _____
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. We acknowledge that conditional use in the City of Parkville is subject to the Municipal Code of the City of Parkville. We do hereby agree to abide by and comply with the above-mentioned codes, and further understand that any violations from the provisions of such or from the conditions as stated herein shall constitute cause for fines, punishments and revocation of approvals as applicable.

Applicant's Signature (Required) [Signature] Date: 1/21/2021

Property Owner's Signature (Required) [Signature] Date: 1/21/2021

2. Proposed Conditional Use (see also Checklist of required submittals)

Proposed use: Low Impact Office Requested length of permit Duration of Ownership
Description: Hinkle Hardscapes is a low-impact business similar to Hawthorne House, 650' to the north.
Proposed days and hours of operation: 8am-5pm, Monday-Friday

3. Property Information (see also Checklist of required submittals)

Property address / general location: See Site Location Map attached
Parcel ID Number: 20-7.0-26-300-001-047.002 Zoning: Residential
Present use of the property: Vacant Land
Length of use (or vacancy): Vacant Land since city founding

4. Neighboring land uses and zoning

Describe the existing land use and zoning on the surrounding properties:

Existing Land UseExisting Zoning

North: Residential

North: Residential

South: Vacant Land

South: Residential

East: Bell Road

East: Road

West: Vacant Land

West: Residential

Attach a narrative addressing:

1. How the application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan.
2. Compliance of any proposed development with the requirements of this code.
3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this code and the intent or design objectives of any applicable subsections of this code, or mitigate any other potential impacts that are specific to the proposed use.
4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.
5. The adequacy of drainage, utilities and other public facilities.
6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.
7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.
8. Whether a limited time period for the permit is reasonable necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and on-going enforcement of the permit.
9. How the application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.
10. How the long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.
11. Any other information relevant to the application.

5. Checklist of required submittals

- ☒ Completed application, including all required details and supporting data.
- ☒ Nonrefundable application fee of \$300.00. Separately, the applicant will be billed to recover costs for required publication, posted and mailed notice per Parkville Municipal Code, Title IV, Section 403.010, Subsection E.
- ☒ Complete written and graphical legal description of subject property in paper and electronic formats, an area map showing the subject property and surrounding major features including roads.
- ☒ Three (3) copies 24" x 36" size, or larger sets, and one (1) electronic set (PDF format) of the site plan showing property boundaries, existing and proposed topography, structures, parking utilities, landscaping, signage, facades and other site features related to the proposed CUP.
- ☒ Authorized signature of the applicant and property owner.

For Office Use Only

Application accepted as complete by: _____ Name/Title _____ Date _____

Application fee payment: Check # _____ Amount \$ _____

Final reimbursable costs paid (if applicable). Date of Action: _____

Planning Commission Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

Board of Aldermen Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

Additional Narrative Questions

1. How the application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan.

We will maintain the Residential designation for the Hinkle Hardscapes property. We are applying for a Conditional Use Permit, to allow for us to operate as a low traffic, Design Office, Showroom and Training Facility off of Bell Road, similar to The Hawthorne House (650 feet to the north of us) and By The Blade (off Hwy 45).

2. Compliance of any proposed development with the requirements of this code.

Yes, we will comply with the Conditional Use Permit requirements for our Design Office, Showroom and Training Facility.

3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this code and the intent or design objectives of any applicable subsections of this code, or mitigate any other potential impacts that are specific to the proposed use.

No site-specific conditions are necessary to meet the purposes and intent of the code.

4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.

We intend to set our building back a minimum of 80' from Bell Road to mitigate direct views of the building from the road- which will minimize any visual streetscape impact. If we plan to install an entry sign, we will make sure this sign complies with all city codes and will be approved by the City before installation.

5. The adequacy of drainage, utilities and other public facilities.

Yes, the building and infrastructure will have adequate drainage, utilities and facilities.

6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.

Yes, the building will be compatible with the character of existing buildings along Bell Road.

7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.

Please see the "Additional Narrative" below.

8. Whether a limited time period for the permit is reasonable necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and on-going enforcement of the permit.

We'd like the Conditional Use Permit to last for the duration we own the property- and would not carry over to a new owner if the property was ever sold to a new owner.

9. How the application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.

Our development of the property will not impact or prevent any future developments of neighboring properties.

10. How the long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.

The development and low-impact traffic volume we will have on the site will not have any negative impact on future development or existing uses in the area. We will be a locally owned, small business, adding to the local charm of Parkville.

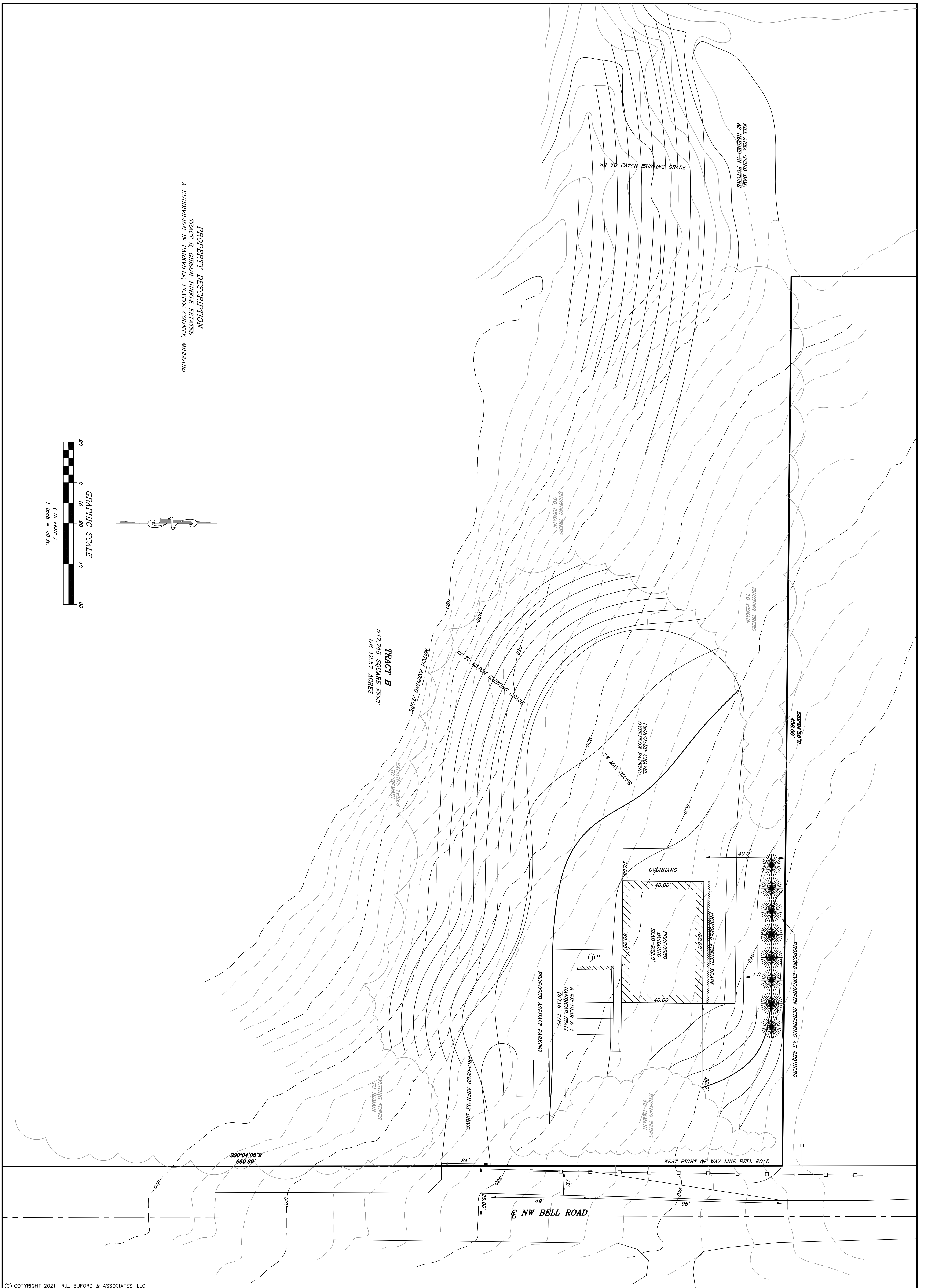
11. Any other information relevant to the application

Please see the “Additional Narrative” below. This information has been prepared to give you more details on the two phases we intend to break our development of this property into.

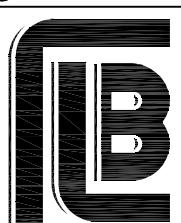
Additional Narrative

Office/Training Facility (Once we are granted a Conditional Use Permit):

- **We will install a right hand turning lane into our site entrance to enhance the safety of Bell Road, per the recommendations of the City of Parkville, based on their traffic engineer's evaluation.
- We will install an entry off of Bell Road, the first 100' linear feet of this entry will be concrete
- We will install a gravel parking and turnaround area, with turning radius' compliant with the Fire Department and DOT
- We will install a 40'x60', "Morten" type building, that we will utilize for training of our new crew members, as well as a temporary office for our designers
- Currently Hinkle Hardscapes employs (8) office members who will utilize this facility on a daily basis
- Throughout the year, we will utilize this facility to train crew members
- We plan to have a fenced yard where we will store any overnight vehicles and equipment
- Once per quarter, a long flatbed truck will deliver paver & wall materials
- Once per month, a concrete truck will deliver concrete for concrete training



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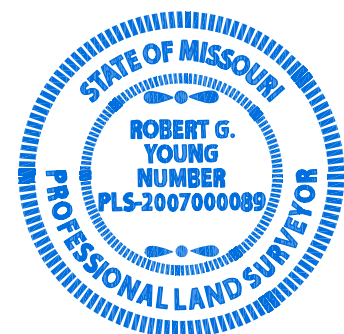
R.L. Buford & Associates, LLC

LAND SURVEYING - DEVELOPMENT CONSULTANTS
R.L. BUFORD & ASSOCIATES, LLC
KS CERT. OF AUTHORITY CERTIFICATE NO. LS-279

SURVEYOR'S CERTIFICATION
I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON WAS PREPARED UNDER MY SUPERVISION.

ROBERT C. YOUNG, PLS-2007000089

REV 03/05/2021
DATE



FOR
GIBSON/HINKLE

SEC.-TWP.-RGE. 26-51-34	COUNTY PLATTE	JOB NO. P-20285
DATE 12/10/2020	FIELD BOOK & PAGE LOOSE LEAF	

SITE PLAN

DRAWN BY
ABH



HINKLE HARDSCAPES

NORTHEAST PERSPECTIVE

artistic conception



HINKLE HARDSCAPES

EAST ELEVATION



HINKLE HARDSCAPES
SOUTHEAST PERSPECTIVE

artistic conception



HINKLE HARDSCAPES

SOUTH ELEVATION

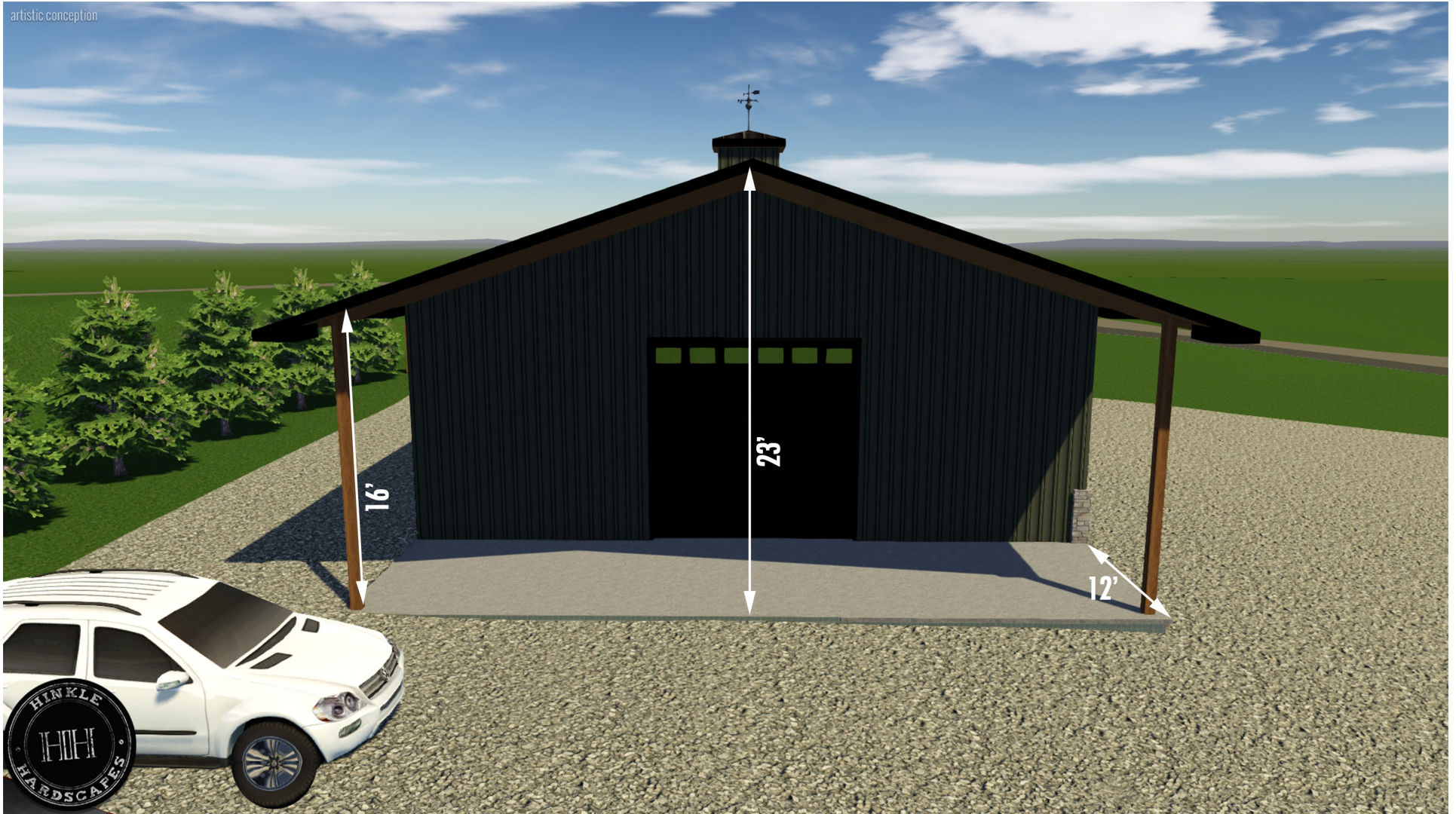
artistic conception



HINKLE HARDSCAPES

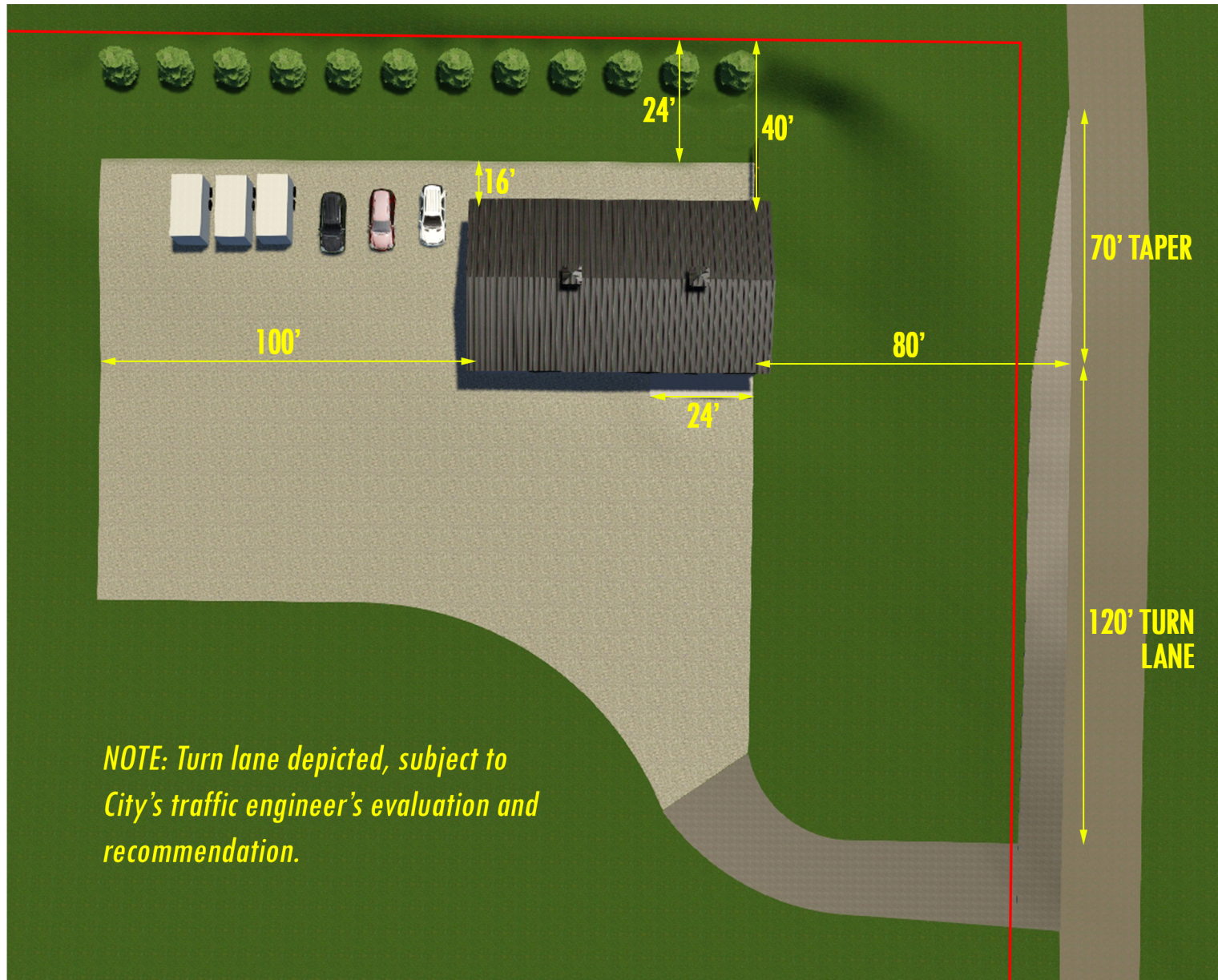
SOUTHWEST PERSPECTIVE

artistic conception



HINKLE HARDSCAPES

WEST ELEVATION

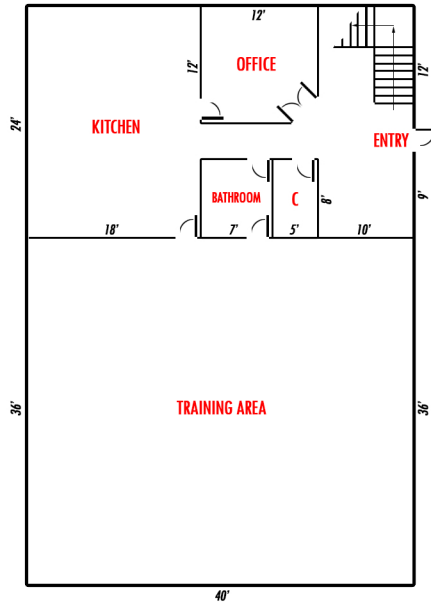


HINKLE HARDSCAPES

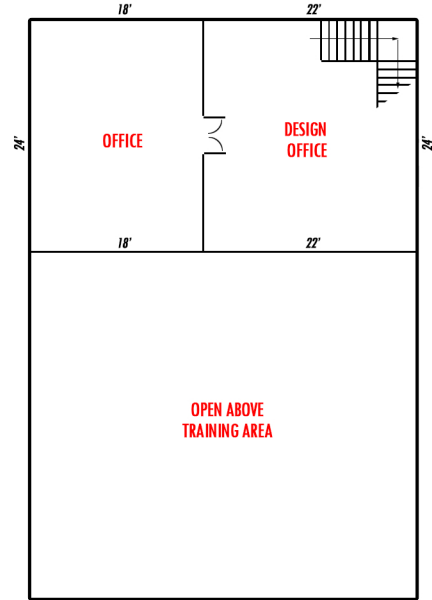
ILLUSTRATED PLAN LAYOUT ~ ^north^



First Floor



2nd Floor



HINKLE HARDSCAPES ~ TRAINING OFFICE ~ 1"=20'

March 1, 2021

Mr. Ken Gibson
Design & Marketing Director
Hinkle Hardscapes
4124 NW Riverside Street
Riverside, MO 64150

SUBJECT: Traffic Impact Study for
Proposed Hinkle Hardscapes Facility on NW Bell Road
Parkville, Missouri

Dear Mr. Gibson:

As requested, George Butler Associates, Inc. (GBA) has completed the professional traffic engineering services required to prepare a Traffic Impact Study (TIS) in association with the proposed Hinkle Hardscapes facility in Parkville, Missouri. This planned facility will be located along the west side of NW Bell Road near the intersection of NW 57th Street. To satisfy the requirements of the City of Parkville planning and public works staffs, this traffic impact study has evaluated the existing traffic conditions at this nearby study intersection and along the adjacent segment of the NW Bell Road corridor to determine any geometric needs at the planned access driveway to serve the proposed development.

Project Background... Based on our preliminary discussions with you, we understand that this planned site development project will be constructed in two phases. The initial phase of construction will consist of a 40' x 60' (i.e., 2,400 sq. ft.) training office for use by only Hinkle Hardscapes employees. The second future phase (next 3-5 years) will consist of a design / sale showroom building approximately 30' x 40' (i.e., 1,200 sq. ft.). It is anticipated that the design / sale showroom provided in the second phase of the project will be visited on only limited occasions by specified individual Hinkle Hardscape customers. Based on the available preliminary site plan provided by you to GBA, the planned access driveway to serve this development site will be located approximately 100 feet to the south of the existing intersection of NW Bell Road with NW 57th Street.

Peak Period Traffic Counts... GBA personnel performed peak period turning movement counts at the existing unsignalized intersection of NW Bell Road with NW 57th Street that serves the Windscape Apartments complex to the east. The peak period traffic counts were performed on Tuesday, February 23, 2021 from 6:45 to 8:15 a.m. and 4:30 to 6:00 p.m. These peak period count times were chosen to bracket the typical morning and evening peak hours within the study area, as indicated by other recent development-related traffic studies submitted to the City of Parkville (i.e., the April 2017 TIS for the Apex Plaza development located at MO-45 Highway and NW Bell Road, submitted by Olsson Associates).

The resulting peak hour traffic volumes at the study intersection are summarized and attached to this letter report. As shown on the attached table and figures, the morning peak hour was determined to occur from 7:15 to 8:15 a.m. while the evening peak hour was indicated to be from 4:45 to 5:45 p.m. Based on these peak hour volumes, it is possible to estimate the average daily traffic (ADT) volumes currently carried along the adjacent segment of NW Bell Road between NW 59th Terrace and NW Hamilton Street. Within the Kansas City metropolitan area, it is common for the evening peak hour volumes to represent between 9 and 10 percent of the typical ADT volume on a respective roadway. The evening two-way traffic count of 112 vehicles per hour (vph) to the south of NW 57th Street would indicate an ADT range of about 1,100 to 1,300 vehicles per day (vpd), while the slightly higher two-way traffic volume of 133 vph to the north of the study intersection would yield an ADT volume between 1,300 and

1,500 vpd. None of these estimated ADT volumes would approach the accepted carrying capacity range of at least 10,000 vpd on a two-lane roadway like NW Bell Road, and we would generally classify the study segment as a relatively “low volume” facility given typical urban traffic conditions in this area.

While performing these traffic counts, GBA’s traffic engineers also observed the traffic and driver behavior patterns. There were not any notable pedestrian and/or vehicular issues or conflicts noted. During each peak period traffic count, one pedestrian was observed walking on the NW Bell Road pavement area itself (i.e., northbound during the morning peak hour and southbound during the evening peak hour), due to the current lack of sidewalks along this roadway corridor. In addition, one middle school-aged child was observed exiting the Windscape Apartments complex onto southbound NW Bell Road during the morning peak hour, and several north-south trips through the study intersection were made by users of a motorized mini-bike during the evening peak hour. As a general observation, vehicles in the southbound direction on NW Bell Road traveling downhill on the existing grade either chose to “ride their brakes” through the study intersection or appeared to possibly be traveling faster than the posted 25-mile per hour (mph) speed limit if they did not. In either case, the southbound vehicles generally seemed to be traveling faster than the northbound vehicles, which are required to climb the significant uphill profile grade on NW Bell Road through the study intersection.

Historical Crash Review... The City’s public works staff provided to GBA a summary prepared by the municipal police department for the 21 crashes that have been reported along the NW Bell Road corridor during the most recent five-year period from January 1, 2016 to December 31, 2020. In addition, the police chief reported that one additional property damage only (PDO) crash had occurred in 2021 but did not specify the exact location. The police chief also noted that none of these reported crashes along the NW Bell Road corridor involved any pedestrians. The table below summarizes the City’s reported crash history, reported by the respective cross-street intersections:

NW Bell Road Corridor Location	PDO Crashes	Injury-Related Crashes
NW Bell Road & MO-45 Highway	0	2
NW Bell Road & 63 rd Street	9	0
NW Bell Road & Limestone Road	2	0
NW Bell Road & NW 60 th Street	6	0
NW Bell Road & NW 57 th Street	1*	0
NW Bell Road & NW Hamilton Street	1*	0
Corridor Totals	19	2

Based on this crash summary, only **two** of the reported crashes over the most recent five-year period have actually occurred along the study segment of NW Bell Road between NW 59th Terrace and NW Hamilton Street, as denoted with asterisks in the table above. While there may be a general perception within the City that NW Bell Road is an unsafe roadway due to its narrow two-lane configuration and rolling terrain, this crash history summary indicates that only one PDO crash has recently occurred at the nearby study intersection of NW Bell Road with NW 57th Street.

Trip Generation Estimates and Comparison... We have prepared the following trip generation estimates based upon the anticipated land uses, employee counts, and operating conditions that have been provided to GBA by the Hinkle Hardscapes development team for each development phase.

PHASE 1 Development (2,400 sf)	Inbound Trips	Outbound Trips	Total Trips
Normal Daily Operations	6 / day	6 / day	12 / day
Training Days (70x per year)	13 / day	13 / day	26 / day
Training / Delivery Days (5x per year)	15 / day	15 / day	30 / day

PHASE 2 Development (3,600 sf)	Inbound Trips	Outbound Trips	Total Trips
Normal Daily Operations	6 / day	6 / day	12 / day
Training Days (70x per year)	14 / day	14 / day	28 / day
Training / Delivery Days (5x per year)	16 / day	16 / day	32 / day

GBA's traffic engineers also attempted to find an applicable land use comparison to determine the estimated trip generation based upon the latest edition (i.e., 10th ed.) of the Institute of Transportation Engineers' (ITE) "*Trip Generation Handbook*." A wholesale nursery use (ITE Land Use 818) was identified, although we would note one key difference is that the ITE land use description indicates an outside storage area for landscaping stock is typical; however, these outside storage areas are not included in the overall gross floor area measurements which are for enclosed building space only. Based on the anticipated total Phase 1 and 2 building square footage of 3,600 sq. ft., the proposed Hinkle Hardscapes facility could be expected to generate the following daily, morning peak hour, and afternoon peak hour trips based on this comparative ITE land use data:

ITE Land Use 818	Inbound Trips	Outbound Trips	Total Trips
Average Weekday	70 / day	70 / day	140 / day
Morning Peak Hour (7-9 a.m.)	5 / hour	5 / hour	10 / hour
Evening Peak Hour (4-6 p.m.)	10 / hour	10 / hour	20 / hour

Based on the operational characteristics provided by the Hinkle Hardscapes project development team, GBA's traffic engineers would conclude that this comparison to the available nationally-accepted trip generation data from ITE is not entirely valid. We believe the primary cause for any discrepancies is the very limited access that the planned facility will have to on-site customers. Hinkle Hardscapes is only anticipating one customer (i.e., one inbound trip and one outbound trip equals two trips) visiting the sales / design showroom per day during Phase 2 of its development.

It should be noted that general direction from ITE and other sources that is considered to represent the "best practices" in traffic engineering typically indicates that comprehensive traffic studies should be completed whenever developments are expected to generate more than 100 vehicle-trips during any peak hour condition. As shown in the tables above, under no circumstances would the proposed Hinkle Hardscapes development project be expected to reach this threshold. Rather, this planned facility is expected to generate much fewer than 100 trips per day. While we understand that the City staff and/or adjacent residents may have further concerns about traffic associated with any future users of the site should it be utilized as a more typical landscape company's facility, we would note that the current application is for a Special Use Permit that should be tied to the current property ownership by Hinkle Hardscapes. In the event that the property is ever sold and the intended land use changes in the future, we believe that it would be within the City's purview to require additional trip generation comparisons and traffic analyses at that time to identify the need for any further geometric and/or traffic control improvements associated with the property.

Intersection Capacity Analysis... GBA's traffic engineers performed a cursory evaluation of the existing operational conditions at the study intersection during the morning and evening peak hours, using Version 10 of the Trafficware Synchro software program. As shown in the table below, very good Levels of Service (LOS) and minimal vehicle queuing is currently experienced at this location, which is controlled only with a side street STOP sign for the westbound vehicles exiting the Windscape Apartments complex onto NW Bell Road. These capacity analysis results for the study intersection would not be expected to be appreciably affected by the addition of the anticipated site-generated traffic from the proposed Hinkle Hardscapes development.

NW Bell Road / NW 57 th Street	A.M. Peak Hour LOS / 95% Queue (ft.)	P.M. Peak Hour LOS / 95% Queue (ft.)
Northbound Through / Right-Turn	LOS A (*)	LOS A (*)
Southbound Left-Turn / Through	LOS A (25')	LOS A (25')
Westbound Left-Turn / Right-Turn	LOS A (25')	LOS A (25')

It should be noted that the (*) in the table above indicates that the northbound shared through and right-turn movements on NW Bell Road always have the right-of-way through this study intersection and operate in a “capacity per demand” fashion. Therefore, these northbound movements would not be expected to experience any associated delays or vehicle queues due to conflicts with other traffic movements on either southbound NW Bell Road or westbound NW 57th Street.

Auxiliary Turn Lane Warrant Analyses... GBA’s traffic engineers also completed supplemental evaluations to determine the need for an auxiliary right-turn lane at the proposed development site’s access driveway onto NW Bell Road. This turn lane warrant analysis was completed using the applicable criteria for two-lane roadways with a posted speed limit of 40 mph or less, in accordance with MoDOT’s “Engineering Policy Guide (EPG)” and “Access Management Guidelines” documents. Analyses were completed for the projected “existing plus site” scenario by combining the anticipated site-generated traffic volumes with the existing peak hour traffic volumes south of the study intersection to determine whether an auxiliary right-turn lane was required in conjunction with the phased Hinkle Hardscapes development. In general, it was concluded that the existing mainline traffic volumes along the NW Bell Road corridor are simply much too low to justify the addition of this lane. The MoDOT criteria further states that the auxiliary lane is not warranted for less than 10 vph. Even this minimum threshold would only be exceeded at the Hinkle Hardscapes facility driveway during their intermittent training days, by assuming that every employee and delivery vehicle arrived during the same hour and mostly from the southbound direction on NW Bell Road.

Conclusions & Recommendations... Despite the results of the previously described crash history reviews and even though the traffic volumes are too low to warrant a turn lane, GBA’s traffic engineers would continue to recommend the provision of a southbound right-turn lane on NW Bell Road to facilitate entry into the proposed Hinkle Hardscapes facility. As shown in this photograph, there is a crest vertical profile break-over that occurs just south of the study intersection with NW 57th Street. Once southbound vehicles pass through the intersection, they drop out of the view of following vehicles as they descend into the existing sag curve. Since the planned access driveway is located within about 100 feet of the intersection, it is likely that some sight distance limitations will be presented whenever vehicles are slowing to turn into the access driveway and create the potential for a rear-end collision by a following southbound vehicle. To mitigate this potential safety issue, GBA would recommend the following:



Looking south along NW Bell Road at the NW 57th Street intersection

- In conjunction with the development site for the Hinkle Hardscapes facility, continue with plans to provide an exclusive southbound right-turn lane at the proposed access driveway. We understand that there is some desire on behalf of the project development team to limit the northernmost extent of this turn bay at the existing northern property line, so that the adjacent property parcel to the north

is not affected by any roadway widening along NW Bell Road. It appears to GBA that there is approximately 150 feet of property frontage available between the northern property line and the north edge of the planned access driveway. The auxiliary right-turn lane should be constructed with an 8:1 entry taper rate, which would require 96 feet of taper length for a 12-foot-wide turn lane and leave slightly more than 50 feet of vehicle deceleration distance before the driveway. If additional deceleration distance is desired by the City, the use of an 11-foot turn bay width could be considered to slightly shorten the required taper length, or else construction farther to the north may be needed.

- Install an "Intersection Warning" sign (MUTCD designation W2-7L) to the north of the NW 57th Street study intersection for southbound vehicles on NW Bell Road (as shown in this accompanying image). This warning sign will accurately depict for approaching drivers the close spacing and offset configuration of the study intersection and the planned downstream accessway drive.



We appreciate the opportunity to be of service to you on this very important project. Please let us know if you should have any questions regarding this traffic impact study or need additional information about its procedures, analyses, or recommendations.

Respectfully submitted,

GEORGE BUTLER ASSOCIATES, INC.

David J. Mennenga, P.E., PTOE
Firm Associate / Project Manager

INTERSECTION VEHICLE TURNING MOVEMENT COUNT WORKSHEET
GEORGE BUTLER ASSOCIATES, INC.

INTERSECTION OF : NW Bell Road
 WITH NW 57th Street

BEGIN A.M. HOUR: 07:15
 BEGIN OFF HOUR: 11:00
 BEGIN P.M. HOUR: 16:45

DATE Feb. 23, 2021

	Northbound : NW Bell Road			Southbound : NW Bell Road			Eastbound : NW 57th Street			Westbound : NW 57th Street		
Time Period	Left Turn	Through	Right Turn	Left Turn	Through	Right Turn	Left Turn	Through	Right Turn	Left Turn	Through	Right Turn
06:30 - 06:45	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
06:45 - 07:00	0 / 0	1 / 1	0 / 0	0 / 0	8 / 0	0 / 0	0 / 0	0 / 0	0 / 0	1 / 0	0 / 0	0 / 0
07:00 - 07:15	0 / 0	1 / 0	0 / 0	2 / 1	6 / 1	0 / 0	0 / 0	0 / 0	0 / 0	2 / 0	0 / 0	3 / 1
07:15 - 07:30	0 / 0	2 / 0	1 / 0	1 / 0	10 / 1	0 / 0	0 / 0	0 / 0	0 / 0	5 / 0	0 / 0	5 / 0
07:30 - 07:45	0 / 0	3 / 0	0 / 0	2 / 0	9 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	4 / 0
07:45 - 08:00	0 / 0	3 / 0	1 / 0	1 / 0	4 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	2 / 0
08:00 - 08:15	0 / 0	6 / 0	0 / 0	1 / 0	9 / 1	0 / 0	0 / 0	0 / 0	0 / 0	1 / 0	0 / 0	0 / 0
08:15 - 08:30	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
08:30 - 08:45	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
08:45 - 09:00	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
09:00 - 09:15	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
Subtotal	0 / 0	16 / 1	2 / 0	7 / 1	46 / 3	0 / 0	0 / 0	0 / 0	0 / 0	9 / 0	0 / 0	14 / 1
PEAK HOUR:												
07:15 - 08:15	0 / 0	14 / 0	2 / 0	5 / 0	32 / 2	0 / 0	0 / 0	0 / 0	0 / 0	6 / 0	0 / 0	11 / 0
REQUESTED HOUR:												
07:15 - 08:15	0 / 0	14 / 0	2 / 0	5 / 0	32 / 2	0 / 0	0 / 0	0 / 0	0 / 0	6 / 0	0 / 0	11 / 0
11:00 - 11:15	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
11:15 - 11:30	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
11:30 - 11:45	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
11:45 - 12:00	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
12:00 - 12:15	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
12:15 - 12:30	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
12:30 - 12:45	/	/	/	/	/	/	/	/	/	/	/	/
12:45 - 13:00	/	/	/	/	/	/	/	/	/	/	/	/
Subtotal	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
PEAK HOUR:												
11:00 - 12:00	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
REQUESTED HOUR:												
11:00 - 12:00	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
14:45 - 15:00	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
15:00 - 15:15	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
15:15 - 15:30	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
15:30 - 15:45	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
15:45 - 16:00	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
16:00 - 16:15	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
16:15 - 16:30	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
16:30 - 16:45	0 / 0	14 / 0	0 / 0	4 / 0	12 / 0	0 / 0	0 / 0	0 / 0	0 / 0	3 / 0	0 / 0	3 / 0
16:45 - 17:00	0 / 0	10 / 0	3 / 0	2 / 0	11 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	1 / 0
17:00 - 17:15	0 / 0	15 / 0	3 / 0	5 / 1	14 / 2	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	7 / 0
17:15 - 17:30	0 / 0	13 / 0	1 / 0	4 / 0	13 / 0	0 / 0	0 / 0	0 / 0	0 / 0	1 / 0	0 / 0	1 / 0
17:30 - 17:45	0 / 0	12 / 0	2 / 0	6 / 0	14 / 1	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	5 / 0
17:45 - 18:00	0 / 0	12 / 0	0 / 0	1 / 0	6 / 0	0 / 0	0 / 0	0 / 0	0 / 0	1 / 0	0 / 0	2 / 0
Subtotal	0 / 0	76 / 0	9 / 0	22 / 1	70 / 3	0 / 0	0 / 0	0 / 0	0 / 0	5 / 0	0 / 0	19 / 0
PEAK HOUR:												
16:45 - 17:45	0 / 0	50 / 0	9 / 0	17 / 1	52 / 3	0 / 0	0 / 0	0 / 0	0 / 0	1 / 0	0 / 0	14 / 0
REQUESTED HOUR:												
16:45 - 17:45	0 / 0	50 / 0	9 / 0	17 / 1	52 / 3	0 / 0	0 / 0	0 / 0	0 / 0	1 / 0	0 / 0	14 / 0

EXISTING TRAFFIC VOLUMES

A.M. PEAK HOUR

(07:15 - 08:15)

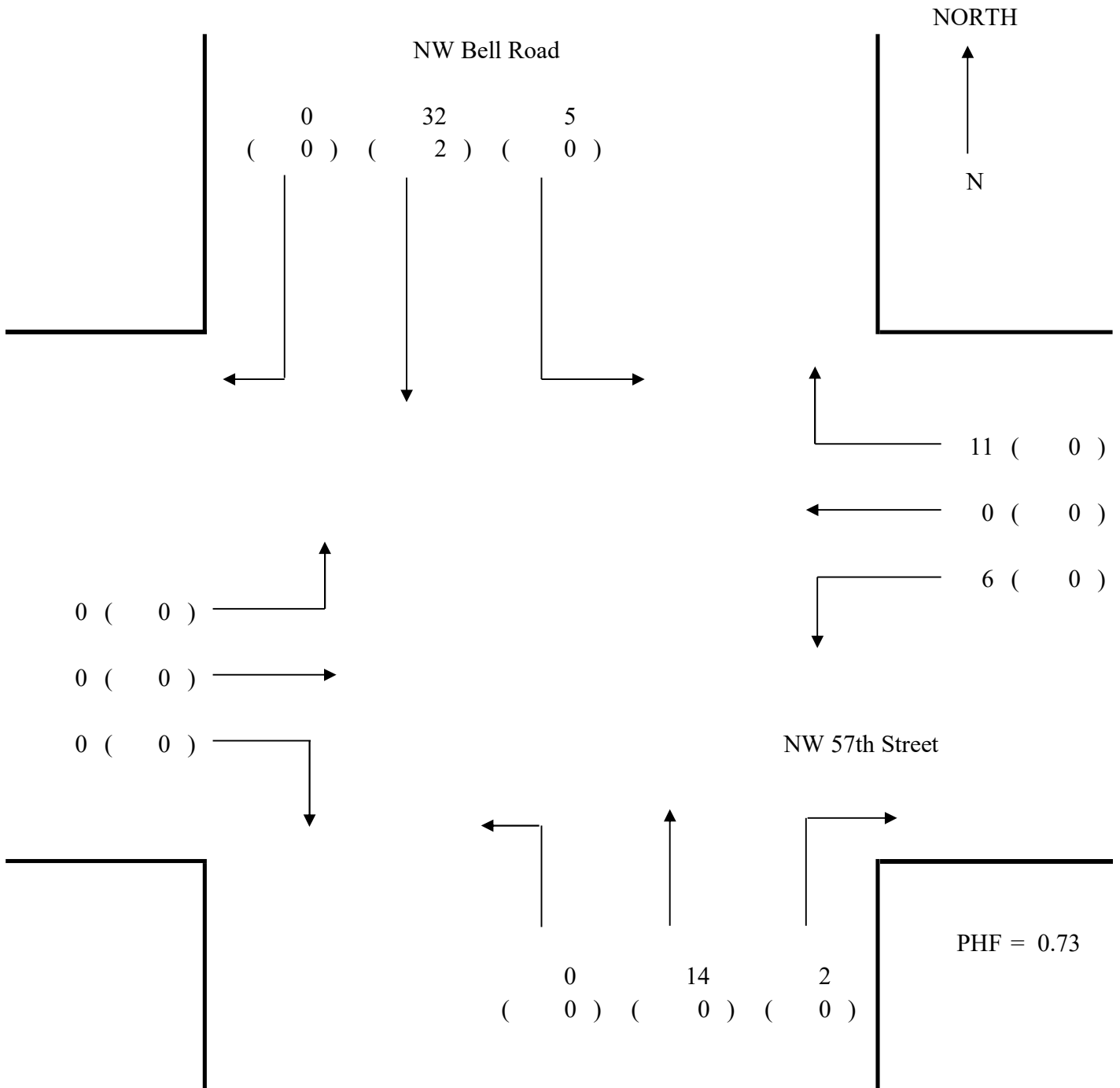
0 (0)

Total (Trucks)

NW Bell Road

and

NW 57th Street



EXISTING TRAFFIC VOLUMES

P.M. PEAK HOUR

(16:45 - 17:45)

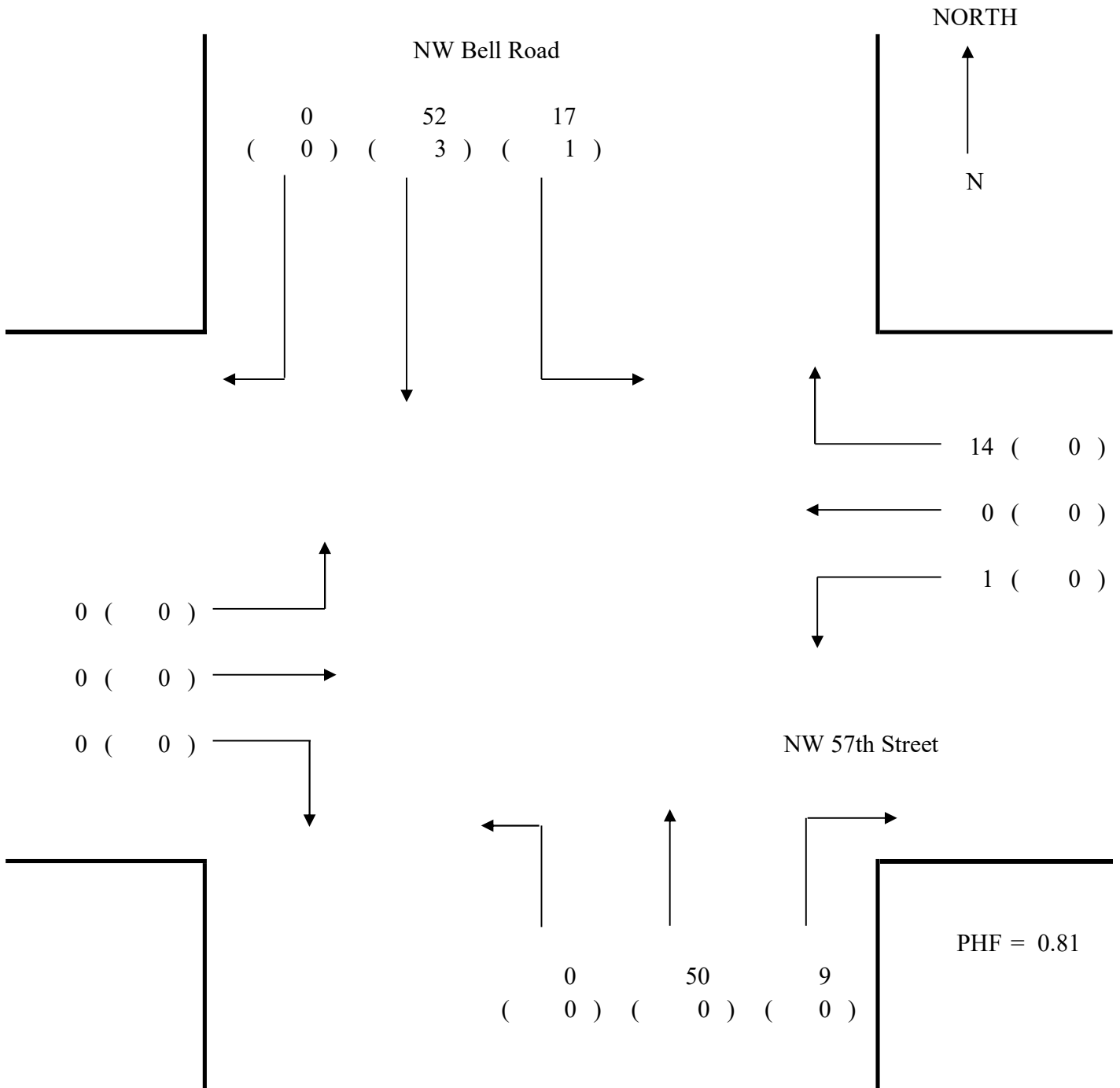
0 (0)

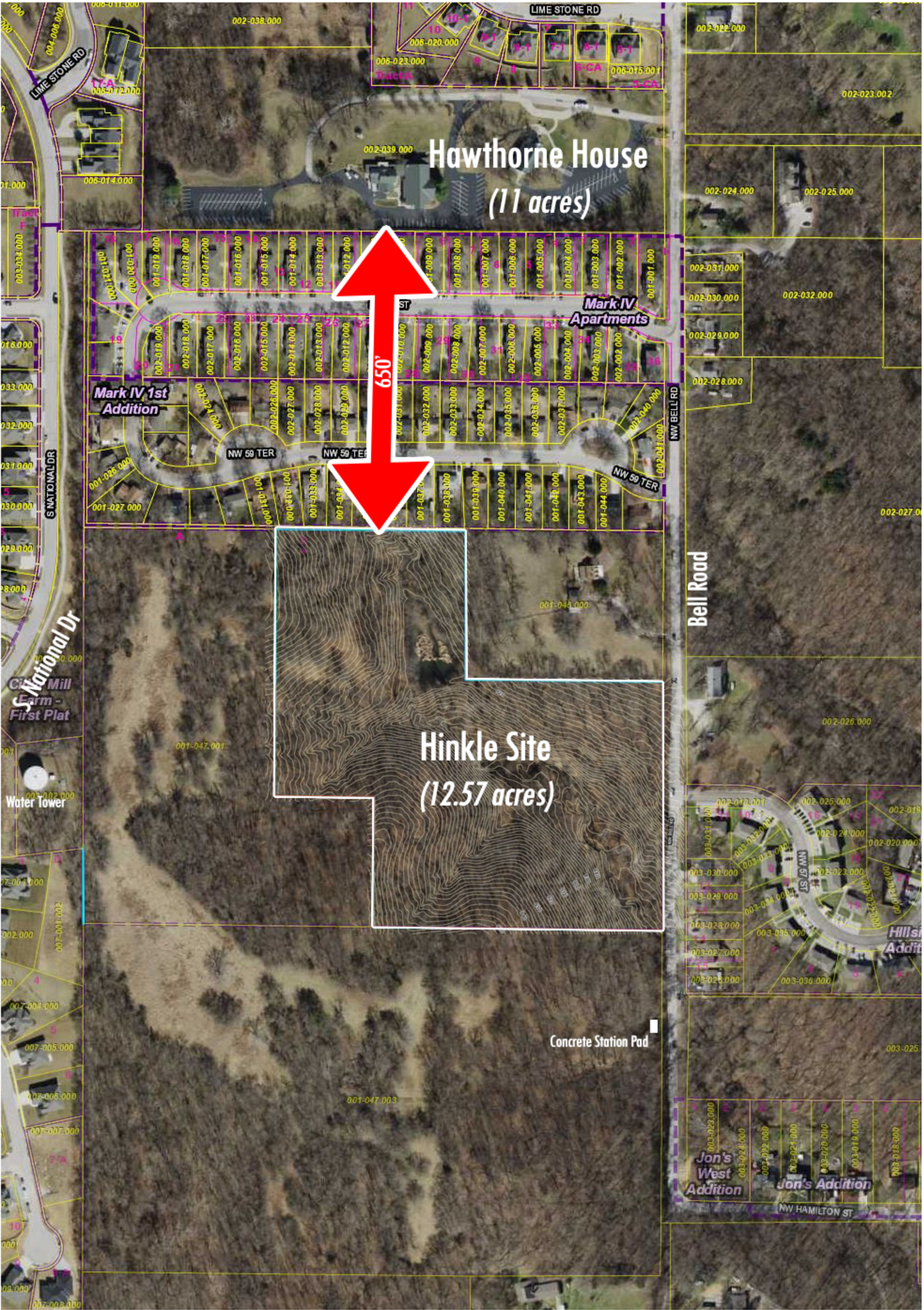
Total (Trucks)

NW Bell Road

and

NW 57th Street





Property Location Map



(15) Gravel Driveways Along Bell Road, Currently

James Flack

9501 NW 59th Terrace Parkville, MO 64152

816-550-9895

Attn: Planning and Zoning Commission

RE: Conditional use permit for Hinkle Hardscapes

I have resided at my current address for 35 years and my property is adjacent to the property in question. I have several concerns that I want to address to the commission.

First and foremost is the condition of Bell Rd. I drive on Bell road every day and see the problems that already exist. The road is narrow and is very difficult to navigate with traffic. Without sidewalks pedestrians have to walk in the street, which is not wide enough in spots to even handle cars, let alone pedestrians, and is currently extremely dangerous.

Second is the noise. Are there going to be trucks or heavy equipment being used on the property in question (beeping back up alarms, loading equipment, trucks)?

Third is the dust and dirt. Are there going to be gravel or dirt surfaces that stir up dust in the air?

Fourth is the obvious reduction in my property value having a construction type of business in my back yard. I strongly oppose commercial use to the property in question.

I plan to attend the meeting January 12th and look forward to having my concerns addressed.

Thank you,

James Flack

Ken Gibson Meeting with Homeowners After February 9th Meeting

Following the Town Hall meeting on February 9th, 2021, I stayed around to answer any direct questions or concerns homeowners had. About 8 or 9 of the homeowners stayed around, which was great! Here is a summary of our conversations:

There was a misconception from the homeowners that our facility would be a “storage yard”, similar to how Millers (Landscaping) used their location along 9 highway for years or how Homestead uses their facility off Prairie View & I-29. The homeowners allowed me the opportunity to describe how Hinkle intends to use this facility and I explained how our facility will look nothing like those and will be used nothing like those. I described our company’s approach to production and how our crews report DIRECTLY to our various jobsites through out the city each morning. They do NOT report to this new training office daily. Furthermore, all materials for the various jobs we build are shipped directly to the jobsite by our vendors- so we will not store any materials at this new office, beyond what we need for training.

The homeowners unanimously agreed that this was great to hear and put their mind at ease about any construction noise during the day, the kicking up of dust and the general look of the facility.

The homeowners then mentioned, that with that (the above) being the case, they’d be “all for” our facility if we could just help with the “Bell Road Situation”. The homeowner’s requested that Hinkle conduct a traffic study, so they can see what the professionals think. They also wanted to get a Traffic Engineer’s opinion if a turn lane would be warranted. The homeowner’s all felt a turn lane would greatly help and would show that Hinkle was looking to improve the situation on Bell Road.

In conclusion, I left this Q & A session with the homeowners, feeling like we were all on the same page. They now understood the minimal impact our new training office would have on the land itself *and all agreed that our footprint plan for the site was a far better option than having someone come in and develop the land into apartments or a housing subdivision*. Leaving this session, we all were on the same page that Bell Road is not a great road and if there was anything we (Hinkle) could do to improve the immediate situation on Bell Road, the homeowners would be supportive of the project.



Staff Analysis

Agenda Item: **5.B**

Proposal: Request for text amendment to Parkville Municipal Code, Title IV: Development Code, Section 402.010 Definitions and Section 410.010 Wireless Communication Facilities, to create provisions for small wireless facilities.

Staff Recommendation: Approval

Case No: PZ 2021-01

Applicant: City of Parkville

Pre-Application Conference Meeting: N/A

Exhibits:

- A. This Staff Analysis
- B. Application for Text Amendment
- C. Proposed Text Amendment
 - 1. Section 402.010 Definitions
 - 2. Section 410.010 Wireless Communication Facilities
- D. Additional exhibits as may be presented during the meeting

By Reference:

- A. Parkville Municipal Code, Title IV – Development Code in its entirety (<https://parkvillemo.gov/download/Ord2884.pdf>)
 - 1. Section 402.010 Definitions
 - 2. Section 410.010 Wireless Communications Facilities
- B. Hearing notice published in The Platte County Citizen newspaper on January 13, 2021
- C. Summary of Public Hearing posted on Parkville City webpage (<http://parkvillemo.gov/public-hearings/>)

Background

Wireless communication consists of the electromagnetic transfer of information between two or more points that do not use an electric conductor as a medium by which to perform the transfer. The most common wireless technologies — including cellular phones, GPS units and wireless networking devices — communicate by transmitting radio waves through a network of fixed antennas. Since 2007, data usage on wireless communication networks across the United States has increased by more than 250,000%. As a result, communities are beginning to see the deployment of new technologies from telecommunication providers to meet this demand, including small cell wireless facilities.

Small cell wireless facilities are a type of wireless broadband infrastructure that typically takes the form of small antennas (approximately 3-4 ft. in height) that are placed on existing infrastructure (e.g., utility poles) and are accompanied by equipment cabinets installed at a lower level on the pole. They are flexible network solutions that can be readily deployed to specific locations prone with connectivity issues, or in heavily populated areas that need more network capacity. Unlike traditional macro telecommunication towers, which are typically 100-200 ft. in height and can provide service over a distance of 18 miles, small wireless facilities provide service with a radius of up to 1,500 ft. Wireless communication service providers utilize small wireless facilities to “densify” their networks and provide a faster, better LTE experience for technologies of the future — 5G, smart cities and the Internet of Things (IoT).

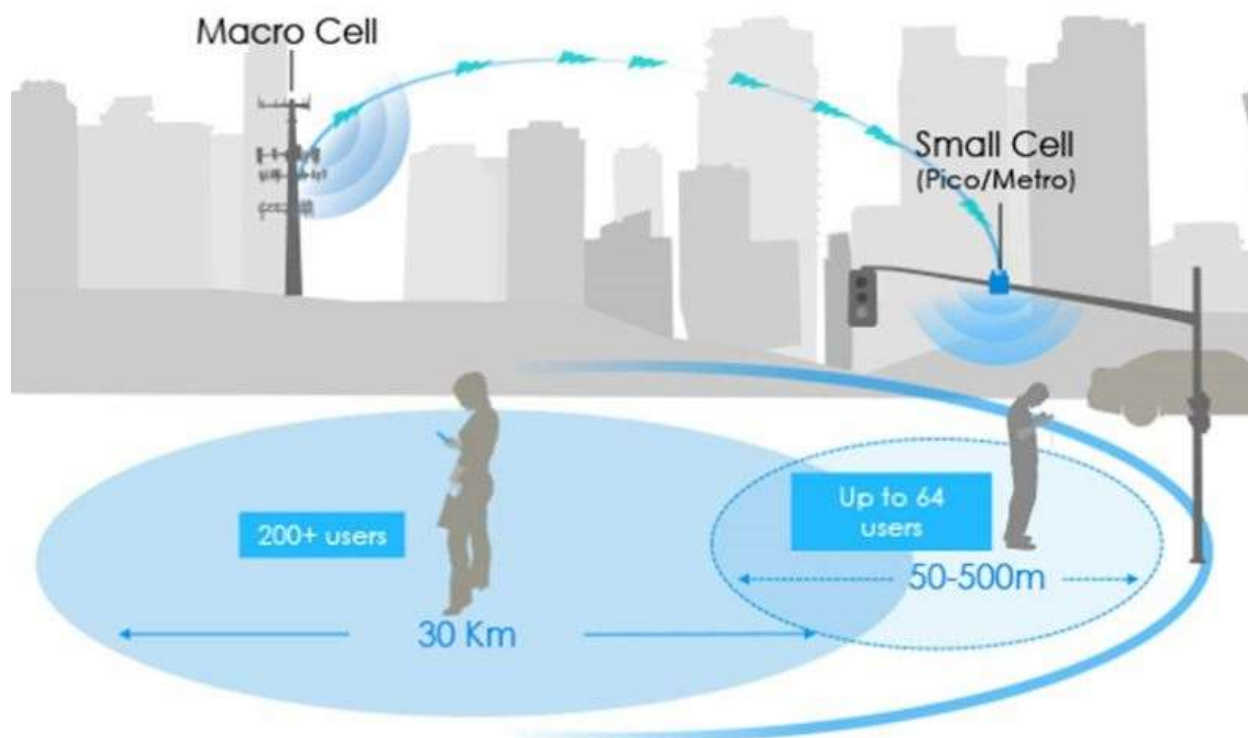


Image courtesy of the Town of Danville, Ca.

Overview

Wireless communication providers are beginning to deploy small cell wireless facilities throughout communities across the Kansas City metropolitan area. Although the City of Parkville has requirements for wireless communication facilities in our *Title IV – Development*

Code, Section 410.010, these regulations pertain to traditional macro telecommunication towers (i.e., towers typically 100-200 ft. in height providing service over distances of around 18 miles) rather than small cell wireless facilities. As a result, the City's legal counsel, Williams & Campo, P.C., recommends adopting provisions for small wireless facilities — this includes definitions, collocation standards, replacement/modification standards, fast-track standards, and application schedules & fees.

Analysis and Comments

Per Revised Statutes of Missouri (RSMo), municipalities can amend their zoning/development codes to include the following standards for small wireless facilities:

- Spacing requirements
- Concealment requirements
- Underground requirements

Municipalities can also require Conditional Use Permits for small wireless facilities proposed in single-family residential zoning districts; and can require wireless providers to comply with decorative pole replacement requirements, such as in the "OTD" Old Town District. Both staff and Williams & Campo, P.C. have reviewed the City's existing Section 402.010 Definitions and Section 410.010 Wireless Communication Facilities, and have proposed a text amendment for both (see Exhibit C).

Staff Conclusion and Recommendation

Staff recommends approval of the proposed text amendment to Parkville Municipal Code, Title IV: Development Code, Section 402.010 Definitions and Section 410.010 Wireless Communication Facilities to create provisions for small wireless facilities. Consideration of a text amendment requires a public hearing. Required public hearing notices were published and no comments have been received as of the date of this staff analysis report. It should be noted that the recommendation contained in this report is made without knowledge of any facts and testimony which may be presented during the public hearing, and that the conclusions herein are subject to change as a result of any additional information that may be presented.

Necessary Action

Following consideration of the proposed text amendment, the factors discussed above and any testimony presented during the public hearing, the Planning and Zoning Commission must recommend approval (with or without conditions) or denial of the text amendment, unless otherwise postponed. Unless postponed, the Planning Commission's action will be forwarded to the Board of Aldermen along with any explanation thereof for final action at their March 16, 2021 regular meeting.

End of Memorandum



03-05-21

Stephen Lachky, AICP, CPM, CFM
Community Development Director

Date



Application #: Case No. PZ 2021-01

Date Submitted: 01/15/2021

Public Hearing: 02/09/2021

Date Approved: _____

CITY OF PARKVILLE • 8880 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0013

Application for Text Amendment

Applicable to Chapters, Sections and Subsections within Parkville Municipal Code Title IV Development Code

1. Applicant / Contact Information

Applicant(s)

Name: Joe Parente

Address: 8880 Clark Ave

City, State: Parkville, MO

Phone: (816) 741-7676 Fax: (816) 741-1300

E-mail: jparente@parkvillemo.gov

Primary Contact(s), if different from applicant(s)

Name: Stephen Lachky

Address: 8880 Clark Ave

City, State: Parkville, MO

Phone: (816) 741-7676 Fax: (816) 741-1300

E-mail: slachky@parkvillemo.gov

We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. We acknowledge that all text amendments are subject to statutory requirements and the Municipal Code of the City of Parkville. We do hereby agree to abide by and comply with the above-mentioned codes, and further understand that any violations from the provisions of such shall constitute cause for fines, punishments and revocation of approvals as applicable.

Applicant's Signature (Required) _____

Date: 01/22/2021

2. Proposed Text Amendment

The following information may be submitted on a separate sheet if necessary.

Amendment proposed to (Chapter, Section and Subsection number): Title IV: Development Code

Section / Subsection Title: Section 402.010 Definitions; and Section 410.010 Wireless Communication Facilities

Existing text: See attached

Proposed text: See attached

Reason for amendment:

Wireless communication consists of the electromagnetic transfer of information between two or more points that do not use an electric conductor as a medium by which to perform the transfer. The most common wireless technologies -- including cellular phones, GPS units and wireless networking devices -- communicate by transmitting radio waves through a network of fixed antennas. Since 2007, data usage on wireless communication networks across the United States has increased by more than 250,000%. As a result, communities are beginning to see the deployment of new technologies from telecommunication providers to meet this demand, including small cell wireless facilities.

Last modified June 2017

3. Potential benefits / effects

Generally, amendments are evaluated based on whether their benefit will likely outweigh any potential pitfalls, and their ability to implement community goals and objectives and improve the existing code. Describe below or on a separate sheet potential benefits and effects of the proposed amendment.

General benefits to property and residents in the City of Parkville (i.e., does the amendment make the code conform more closely with the City's Master Plan; improve public health, safety or general welfare; clarify or better implement the intent of the Code; or other):

Per Missouri law, municipalities can implement spacing, concealment and underground requirements regarding the implementation of small cell wireless facilities throughout their communities; as well as require Conditional Use Permits for implementation in areas zoned single-family residential, all in the interest of preserving the public health, safety and general welfare.

General effects to property and residents in the City of Parkville:

By implementing spacing, concealment and underground requirements, as well as application timelines, the City of Parkville can better review and consider impacts of small cell wireless facilities to the public health, safety and general welfare of the community.

4. Checklist of required submittals

- ☒ Completed application, including all required details and supporting data.
- ☐ Nonrefundable application fee of \$300.00. Separately, the applicant will be billed to recover costs for required publication notice per Parkville Municipal Code Title IV, Section 403.010, Subsection E.

For City Use Only

Application accepted as complete by: Brad Stanton / Planner 1/26/21
Name/Title Date

Application fee payment by N/A ☐ Check # ☐ M.O. ☐ Cash

Accepted by:
Name/Title Date

☐ Hearing notice published in: Date of publication:

☐ Final reimbursable costs paid (if applicable). Date of Action:

Planning Commission Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action:

Conditions if any:

Board of Aldermen Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action:

Conditions if any:

Section 402.010. Definitions

A. Defined Terms. All terms used in these regulations shall have their commonly accepted meaning based upon the context of their use within this code. The following terms shall have the meaning given below, unless more specifically described, limited or qualified within the standards of this Code.

Alternative Communication Tower Structure. Manmade trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna. Any exterior apparatus designed for telephonic, radio, or television communications through the sending and/or receiving of electromagnetic waves.

Fast-Track Small Wireless Facility or Fast-Track. A small wireless facility that meets the following requirements for an antenna and associated equipment:

- i. No more than seven cubic feet (7ft³) in volume (comprised of no more than twenty-seven square feet (27ft²) of exterior surface area, excluding the surface width equal to the width of the existing structure or utility pole to which it is mounted, on an imaginary enclosure around the perimeter thereof, excluding cable or cable conduit of four inches (4") or less). Volume shall be the measure of the exterior displacement of the Antenna and associated equipment;
- ii. Located with the consent of the owner on an existing structure or utility pole, or concealed within or on a replacement utility pole if the appearance is not materially altered and the existing structure or utility pole is no more than five feet (5') taller;
- iii. Not exceeding six feet (6') above the top of an existing structure or utility pole for a total height not exceeding forty-five feet (45') (nor taller than more than six feet (6') above the average of similar poles within three hundred feet (300')).

Small Wireless Facility. An antenna and associated equipment that meets the following:

- i. An antenna of no more than six cubic feet (6ft³) in volume; and
- ii. All other associated equipment, to the extent permitted by applicable law to be calculated, of cumulatively no more than twenty-eight cubic feet (28ft³) in volume; provided that no single piece of equipment on the utility pole shall exceed nine cubic feet (9ft³) in volume, and no single piece of ground mounted equipment shall exceed fifteen cubic feet (15ft³) in volume.

Tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas. This term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like.

Utility Pole. A pole or similar structure that is or may be used for wireline communications, lighting, traffic control, signage, or a similar function, which may also support a small wireless facility or "fast-track."

410.010 Wireless Communication Facilities

A. **Intent.** It is the intent of this section to:

1. Encourage the location of towers in non-residential areas.
2. Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal.
3. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas.
4. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.

B. **Applicability.**

1. *District Height Limitations.* The requirements set forth in this Section shall govern the location of towers that exceed, and antennas that are installed at a height in excess of, the height limitations specified for each zoning district. The height limitations applicable to buildings and structures shall not apply to towers and antennas.
2. *Amateur Radio — Receive-Only Antennas.* This Section shall not govern any tower, or the installation of any antenna, that is under 70 feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive only antennas.
3. *City Rights-of-Way.* All requirements of towers, antennas and associated equipment and facilities shall equally apply to any application for antenna or tower placement within City rights-of-way.
4. *Pre-Existing Towers and Antennas.* Any tower or antenna for which a permit has been properly issued prior to the effective date of this Section of the Municipal Code shall not be required to meet the requirements of this Section, other than the requirements of sub- sections C.8 and E. Any such towers or antennas shall be referred to in this Section as "pre-existing towers" or "pre-existing antennas".

C. **General Requirements.**

1. *Height.* Height of all towers or structures shall be measured from ground level to the highest point on the tower or other structure, including any antenna. Except as further constrained by the setback and separation requirements, the maximum height of a tower shall not exceed 180 feet above the existing ground level.
2. *Setbacks and Separation.* Unless otherwise required by law, the following setbacks and separation requirements shall apply to all towers and antennas.
 - a. Towers must be set back:
 - (1) A distance equal to the twice the height of the tower as measured from the furthest extension on the tower support

- structure from any off-site residential structure; or
 - (2) 500 feet from any residential structure, whichever figure is greater. For towers less than 50 feet in height, the minimum setback shall be 200 feet. ^[L]_[SEP]
 - b. Towers and accessory facilities must satisfy the minimum zoning district setback requirements. ^[L]_[SEP]
 - c. In residential or business zones, towers over 90 feet in height shall not be located within one-half of a mile from any existing tower that is over 90 feet in height. ^[L]_[SEP]
 - d. In industrial zones, towers over 90 feet in height shall not be located within one-quarter of a mile from any existing tower that is over 90 feet in height. ^[L]_[SEP]
 - e. Minimum setbacks for microcell and repeaters are those required for any accessory building or structure within the zone district. ^[L]_[SEP]
 - f. Minimum setbacks for freestanding monopole towers and minimum setback of towers and supports — when located within 250 feet from any public rights-of-way, sidewalk or street, alley, parking area, playground, or building not dedicated solely for access to or maintenance of the tower support structure, and from any property line — shall be the tower height (as measured from the furthest extension on the tower support structure) or the minimum setback for any accessory building within the district, whichever is greater. Minimum setback of towers and supports — when not located within 250 feet from any public rights-of-way, sidewalk or street, alley, parking area, playground, or building (except for parking and buildings dedicated solely for access to or maintenance of the tower support structure), and from any property line — shall be the standard setback for a building or structure within the zone district. ^[L]_[SEP]
 - g. For applications for sites within City rights-of-way, the most restrictive adjacent underlying zoning district classification shall apply.
- 4. *Roof and/or building mount facility.* Antennas on the rooftop or above a structure shall not extend more than 12 feet above the roof, and shall be screened, constructed and/or colored to match the structure to which they are attached in a manner that they are not visible from public streetscapes adjacent to the building. Antennas mounted on the side of a building or structure shall be painted to match the color of the building or structure or the background against which they are most commonly seen. Microwave antennas exceeding 12 inches in diameter on a roof or building-mounted facility shall not exceed the height of the structure to which they are attached, unless fully enclosed. If an accessory equipment shelter is present, it must blend with the surrounding building(s) in architectural character and color. ^[L]_[SEP]
- 5. *Security Fencing.* All telecommunication towers and antennas shall be protected from unauthorized access by appropriated security measures. Towers shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anti-climbing device. ^[L]_[SEP]

6. *Landscaping.* The following landscape requirements apply:
- a. Tower facilities shall be landscaped with Type 1 buffer to effectively screen the ^[11]~~SEP~~ view of the tower compound from adjacent property. ^[11]~~SEP~~
 - b. Existing mature tree growth and natural land forms on the site shall be preserved ^[11]~~SEP~~ to the maximum extent possible to minimize visibility of the compound, tower and antenna from the streetscape or civic and open spaces. In some cases such as towers sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer, however in other cases additional small and large trees may be required to be planted in the vicinity.
7. *Aesthetics — Lighting.* The following guidelines shall govern the location of all towers, and the installation of all antennas.
- a. Towers shall maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a light, neutral color so as to reduce visual obtrusiveness. A tower shall not dominate the skyline.
 - b. At a tower site, the design of the buildings and related structures shall, to the ^[11]~~SEP~~ extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities into the natural setting and built environment. Metal equipment buildings are prohibited.
 - c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a light, neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - d. The City may or may not require lighting, even if not required by the FAA. If lighting is required, the Planning Commission may review the available lighting alternatives and approve the design. ^[11]~~SEP~~
8. *Federal Requirements.* All towers must meet current standards and regulations of the FAA, the FCC, and any other agency of the Federal Government with the authority to regulate towers and antennas. ^[11]~~SEP~~
9. *Building Codes — Safety Standards.* To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable local buildings codes and the applicable standards for towers that are published by the Electronic Industries Association. Any structural modification or alteration to an existing tower or antenna will require a structural analysis by a licensed professional engineer in the State of Missouri as part of the application, unless waived by the Community Development Director. If, upon inspection, a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring

the tower into compliance. If the owner fails to bring a tower into compliance within 30 days, the City of Parkville may remove tower at the owner's expense. [L]
[SEP]

10. **Safety.** All telecommunication towers, antennas, and supporting electrical and mechanical equipment shall be reasonably designed to reduce the potential damage to persons or property from falling equipment, ice or debris from wind, damage or structural failure.

D. Small Wireless Facilities.

1. **Small Wireless on Utility Poles.** In accordance with Section 67.5112 RSMo., a wireless provider may collocate small wireless facilities and install, maintain, modify, operate, and replace utility poles, at heights below the height limitations outlined in this subdivision, which shall be a permitted use in all districts except within single-family residential and historic zoned areas and districts provided the proposed installation does not:

- a. Materially interfere with the safe operation of traffic and control equipment or city-owned communications equipment;
- b. Materially interfere with compliance with the American Disabilities Act, or similar federal or state standards regarding pedestrian access or movement;
- c. Materially obstruct or hinder the usual travel or public safety on the rights-of-way;
- d. Materially obstruct the legal use of the rights-of-way by the city, utility, or other third-party;
- e. Fail to comply with the spacing requirements;
- f. Fail to comply with applicable national safety codes, including recognized engineering standards for utility poles or support structures;
- g. Fail to comply with the decorative pole replacement requirements herein;
- h. Fail to comply with undergrounding requirements; or
- i. Interfere or impair the operation of existing utility facilities, or city or third-party attachments.

2. New, replacement, or modification of utility poles under the following circumstances shall not be considered a permitted use:

- a. Proposals to construct or modify a utility pole which exceeds the greater of:
 - i. Fifty feet (50') AGL; or
 - ii. More than ten feet (10') above the tallest existing utility pole as of January 1, 2019 within five hundred feet (500') of the proposed utility pole in the city; and
 - iii. Proposals to collocate on an existing utility pole in place on August 28, 2018 which exceeds the height of the existing utility pole by more than ten feet (10').

3. *Fast-track*. An application for a “fast-track” small wireless facility may be approved administratively by the Community Development Director, subject to meeting the following requirements:
- a. The following requirements shall generally apply to all “fast-track” small wireless facilities located within the city:
 - i. The “fast-track” shall substantially match any current aesthetic or ornamental elements of the existing structure or utility pole, or otherwise be designed to maximally blend in to the built environment, with attention to the current uses within the district at the proposed site;
 - ii. Any portion above the existing structure or utility pole shall be concealed and of the same dimensions and appearance so as to appear to be a natural extension of the Existing structure or utility pole in lieu of an enclosure or concealment;
 - iii. The “fast-track” equipment shall not emit noise audible from the building line of any residentially zoned or used property; and
 - iv. Location, placement, and orientation of the “fast-track” shall, to the extent feasible, minimize the obstruction to, or visibility from, the closest adjacent properties unless otherwise required by the city for safety reasons.
 - b. When a “fast-track” is proposed to be located on an existing structure or utility pole on or adjacent to public or private streets, sidewalks, or other pedestrian or vehicle ways:
 - i. The height of all portions of the “fast-track” shall be located at least eight feet (8') above ground level;
 - ii. No ground equipment shall be permitted; and
 - iii. No portions of the “fast-track” shall extend horizontally from the surface of the utility pole or existing structure more than sixteen inches (16”).
 - c. Additionally, the director may for good cause shown increase any one or more of the maximum volumetric specifications from the definition of a “fast-track” by up to fifty percent (50%) if the applicant demonstrates that it:
 - i. Does not in any location nationally use equipment capable of meeting the specifications and the purpose of the equipment; and
 - ii. Cannot feasibly meet the requirements as defined and described.
 - d. The Board of Aldermen may further waive one or more of the requirements found in the definition of “fast-track”, or from 3(B) or (3)C of this Subsection, upon good cause shown by the applicant, and provided a showing that the waiver is the minimum necessary to accomplish the purposes of this section. The burden of proof for any waiver shall be wholly on the applicant and must be shown by clear and convincing evidence.

4. *Applications.* Applications for uses authorized under this section shall be on forms as may be established by the Community Development Director with such information as necessary to determine applicability of the specific permitted use and shall be accompanied by a building permit application, proof of owner consent required herein, and a five hundred-dollar (\$500) application fees as required to cover the actual costs, but not to exceed such amounts as limited by applicable law. If the applicant is not a Wireless Services Provider, as defined by Section 67.5111 RSMo., then the applicant must submit evidence of agreements or plans, or otherwise provide attestations to the same, which conclusively demonstrate to the city that the proposed site(s) will become operational and used by such Wireless Services Provider within one (1) year of the permit's issuance date. For any application for a small wireless facility, the applicant shall provide an attestation that the proposed small wireless facility complies with the volumetric limitations as required to meet the definition of a small wireless facility in accordance with this section and pursuant to applicable law. Applicant shall also submit a certified structural analysis as required in the general requirements of this section. Applications requesting any information that is prohibited by federal or state law under the applicable circumstance shall be deemed inapplicable to the subject application. Applications shall be decided upon within a reasonable time, subject further to state or federal specific additional requirements as may apply to the particular application. The Community Development Director shall review the application and provide a deficient notice, in accordance with this section, within fifteen (15) days of receipt, or such other longer time as allowed by applicable law. A decision to deny an application shall be made in writing and state the specific reasons for denial.

E. Conditional Use Permits.

1. *General.* A conditional use permit is required for new towers or new antenna on existing towers or structures. The following provisions shall govern the issuance of conditional use permits:
 - a. A conditional use permit shall be required for the construction of a new tower or the placement of an antenna in all zoning districts, or substantial modification to an existing telecommunication tower or antenna as defined by Missouri statutes.
 - b. Any approval may be conditioned upon site specific requirements that are necessary to minimize any adverse effect of the proposed tower on adjoining properties.
 - c. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a professional engineer licensed in the State of Missouri. ^{[[1]]}_[SEP]
2. *Information Required.* Each applicant requesting a conditional use permit under this Section shall submit a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation signed and sealed by appropriate licensed professionals showing the location and dimensions of all improvements, including information concerning topography, tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information deemed by the Planning Commission to be necessary to

assure compliance with this Section. For applications for sites within City rights-of-way or on City-owned property, no application shall be submitted for permit approval without attaching the City's consent to use the right-of-way or property for the specific construction application. This consent should be in the form of an agreement with the City to place and/or maintain private improvements in City rights-of-way or on City-owned property. [L] [SEP]

3. *Abandonment Bond.* Any applicant for a new tower shall place a bond or other security with the City prior to any final approval to ensure abandoned towers can be removed. The bond or security shall be in the form and amount approved by the Community Development Director based on the valuation of the tower at the time of construction and necessary amount required for a Demolition Permit. The amount of the bond shall be determined by the Director to satisfy the requirements hereof with regard to the specific tower to which it would apply based on the estimated total cost of removal of that tower. [L] [SEP]
4. *Criteria.* In addition to the criteria in Section 403.050, and the standards in this Section, the Planning Commission shall consider the following additional criteria for Conditional Use permits for Telecommunication Facilities.
 - a. All standards of this Section have been met, or in the case of any City standards [L] [SEP] and equal or better alternative has been proposed that equally or better meets all [L] [SEP] of the intent provisions of this Section. [L] [SEP]
 - b. Telecommunication facilities should be located and designed to minimize any [L] [SEP] adverse effect they may have on residential property values.
 - (1) Colors and facility designs should be compatible with surrounding [L] [SEP] buildings and/or uses in the area or those likely to exist in the area and [L] [SEP] should restrain the facility from dominating the surrounding area.
 - (2) Location and design of sites in commercial or industrial zones should [L] [SEP] consider the impact of these sites on surrounding neighborhoods, particularly the visual impact within the zone district and beyond, in residential areas.
 - (3) Fencing should not necessarily be used to screen a site, and security fencing should be colored or should be of a design which blends into the character of the existing environment.
 - (4) Freestanding facilities should be located to avoid a dominant silhouette.
 - (5) Strobe lights are prohibited at night unless required by the Federal [L] [SEP] Aviation Administration. [L] [SEP]
 - c. Towers [L] [SEP] compatible with surrounding buildings and land uses in the zone district or otherwise integrated, through location and design, to blend in with the existing characteristics of the site to the extent practical.
 - d. At the time of the conditional use request, an evaluation of the visual impact should be taken into consideration if vegetation is to

be removed.

- e. Innovative designs should be used whenever the screening potential of the site is low. For example, by constructing screening structures which are compatible with surrounding architecture, the visual impact of a site may be mitigated. [SEP]
- f. The structure must be architecturally and visually (in color, bulk, size) compatible with surrounding existing buildings, structures, vegetation, and/or uses in the area or those likely to exist under the terms of the underlying zoning. [SEP]

- 5. *Historic Preservation 30-day Hearing Period.* A Conditional Use Permit shall not be issued for any telecommunication tower or antenna that the Planning Commission or Board of Aldermen determines would create a significant negative visual impact or otherwise have a significant negative impact on the historical character and quality of any property within a Historic Preservation District or such District as a whole. For collocation of any certified historic structure as defined in Section 253.545 RSMo., in addition to all other applicable time requirements, there shall be a thirty (30) day time period before approval of an application during which one or more public hearings on collocation to a certified historic structure are held.

- 5. **Abandonment.** It shall be the duty of the facility owner to notify the City when the site is no longer to be used for telecommunication purposes. Telecommunication facilities, which are not in use for six months for telecommunication purposes, shall be removed by the telecommunication facility owner. This removal shall occur within 90 days of the end of such six-month period at the owner's expense. Upon removal, the site shall be re-planted to blend with the existing surrounding vegetation. A tower not removed as mandated above shall be deemed to be a dangerous building as defined in the Uniform Code for the Abatement of Dangerous Buildings, adopted as part of the Building Code in Chapter 500 of the Parkville Municipal Code, and shall be removed under the provisions of Chapters 7 through 9.



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To: Parkville Planning and Zoning Commission

From: Padraic W. Corcoran by and through T. Christopher Williams, City Attorney

Date: March 9, 2021

Re: Parkville Development Code – Small Wireless Facilities

This memorandum is set to provide background regarding the City of Parkville's (the "City") authority to regulate the construction and deployment of small wireless facilities within the City and to explain the proposed regulatory framework for the same. The City has previously regulated the construction and deployment of telecommunications facilities and other similar facilities through various ordinances and practices. During the 2018 Legislative Session, the 101st Missouri General Assembly approved, and the Governor signed into law House Bill 1991 ("**HB 1991**") with an effective date for a majority of the provisions of January 1, 2019. House Bill 1991 amended and added certain provisions to the Missouri Revised Statutes relating to the City's authority to regulate the construction and deployment of small wireless facilities. The Federal Communications Commission did release on September 27, 2018, FCC-18-133 titled Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, and FCC-18-133 contained both a declaratory ruling and order regarding the City's authority to regulate the construction and deployment of small wireless facilities.

While HB 1991 and FCC-18-133 significantly limit the City's ability to regulate the construction and deployment of small wireless facilities, there are still avenues for the City to regulate the deployment of small wireless facilities. These avenues include regulating how the small wireless facility is concealed on a utility pole, the spacing between utility poles, and undergrounding of cabling and other equipment associated with small wireless facilities. The proposed revisions to the Unified Development Ordinance utilize these retained authorities to ensure that the deployment of small wireless facilities in the City is done in a manner that protects both the right-of-way and the public health, safety, and general welfare and complies with the restrictions put in place by HB 1991 and FCC-18-133.

Staff recommends to amend and revise the Parkville Development Code to conform with both HB 1991 and FCC-18-133 to encourage the deployment of small wireless facilities within the City in a manner that (1) protects the right-of-way as a unique and physically

limited resource critical to the travel and transportation of person and property in the City; (2) manages the right-of-way to ensure that the right-of-way remains accessible for public uses including the partial occupancy of the right-of-way by utilities and public service entities, which enhance the health, welfare, and economic well-being of the City and its citizens; (3) promotes competition, securing higher quality services for the citizens of the City and consumers at large; and (4) does not materially inhibit the provision of telecommunications services.



Staff Analysis

Agenda Item: 5.C

Proposal: Request for text amendment to Parkville Municipal Code, Title IV: Development Code, Section 403.020 Platting, to require subdivision plats be within the entirety of Parkville's municipal boundaries.

Staff Recommendation: Approval

Case No: PZ 2021-02

Applicant: City of Parkville

Pre-Application Conference Meeting: N/A

Exhibits:

- A. This Staff Analysis
- B. Application for Text Amendment
- C. Proposed Text Amendment to Section 403.020 Platting
- D. Additional exhibits as may be presented during the meeting

By Reference:

- A. Parkville Municipal Code, Title IV – Development Code in its entirety (<https://parkvillemo.gov/download/Ord2884.pdf>)
 - 1. Section 403.020 Platting
- B. Hearing notice published in The Platte County Citizen newspaper on January 20 2021
- C. Summary of Public Hearing posted on Parkville City webpage (<http://parkvillemo.gov/public-hearings/>)
- D. Case No. PZ 2019-08 – Thousand Oaks – 23rd & 24th Plats, Preliminary Plats
- E. Case No. PZ 2020-29 – Thousand Oaks – 23rd Plat, Final Plat
- F. Case No. PZ 2020-45 – Thousand Oaks – 24th Plat, Final Plat
- G. Ordinance No. 3057 – Approving the Thousand Oaks – 23rd Plat, Final Plat, a subdivision consisting of 56 single-family residential lots and one tract of private open space, generally located east of the Thousand Oaks 16th Plat subdivision.
- H. Ordinance No. 3058 – Approving the Thousand Oaks – 24th Plat, Final Plat, a subdivision consisting of 71 single-family residential lots and one tract of private open space, generally located to the southeast of the proposed Thousand Oaks – 23rd Plat.

Background

On January 5, 2021 the Parkville Board of Aldermen adopted Ordinance No. 3057 approving the Thousand Oaks – 23rd Plat, Final Plat (56 single-family residential lots and 1 tract of private open space); as well as Ordinance No. 3058 approving the Thousand Oaks – 24th Plat, Final Plat (71 single-family residential lots and 1 tract of private open space). Both of these plats were presented to the Planning and Zoning Commission at public hearings in November and December 2020. Additionally, both of these plats contained lots, tracts and right-of-way that were split between City of Parkville municipal limits and Unincorporated Platte County boundaries.

Overview

At the time the plats were presented to the Planning and Zoning Commission, Williams & Campo, P.C., the City's legal counsel, found no platting requirements, standards or restrictions in the *Title IV – Development Code* prohibiting lots within a subdivision plat from residing outside Parkville's municipal limits and residing over two jurisdictional boundaries; even though such action is generally not considered to be a best planning practice for developing new neighborhoods. Furthermore, because the Thousand Oaks – 23rd Plat, Final Plat and Thousand Oaks – 24th Plat, Final Plat bisected the City of Parkville's municipal limits, it presented a number of long-term issues for staff, the City and Unincorporated Platte County — including which entity provides basic services and long-term maintenance to infrastructure within public right-of-way.

Following approval of the plats, Williams & Campo, P.C. recommended staff make an amendment to Section 403.020 Platting to require subdivision plats be within the entirety of Parkville's municipal boundaries in order to alleviate future long-term issues. The goal of the text amendment is to increase the quality of life for Parkville residents and better provide to the public health, safety and general welfare of the community.

Analysis and Comments

Williams & Campo, P.C. has prepared a propose text amendment for staff to present to the Planning and Zoning Commission for consideration (see Exhibit C).

Proposed Text Amendment

The City's legal counsel recommends amending Section 403.020 Platting, Subsection C. Administrative Plat and Subsection D. Preliminary Plat to include the following review criteria standard:

- No lots or portions thereof are located outside of the municipal boundaries of the City.

Staff Conclusion and Recommendation

Staff recommends approval of the proposed text amendment to Parkville Municipal Code, Title IV: Development Code, Section 403.020 Platting to require subdivision plats be within the entirety of Parkville's municipal boundaries. Consideration of a text amendment requires a public hearing. Required public hearing notices were published and no comments have been received as of the date of this staff analysis report. It should be noted that the recommendation contained in this report is made without knowledge of any facts and testimony which may be presented during the public hearing, and that the conclusions herein are subject to change as a result of any additional information that may be presented.

Necessary Action

Following consideration of the proposed text amendment, the factors discussed above and any testimony presented during the public hearing, the Planning and Zoning Commission must recommend approval (with or without conditions) or denial of the text amendment, unless

otherwise postponed. Unless postponed, the Planning Commission's action will be forwarded to the Board of Aldermen along with any explanation thereof for final action at their February 16, 2021 regular meeting.

End of Memorandum



03-02-21

Stephen Lachky, AICP, CPM, CFM
Community Development Director

Date



Application #: Case No. PZ 2021-02
Date Submitted: 01/15/2021
Public Hearing: 02/09/2021
Date Approved: _____

CITY OF PARKVILLE • 8880 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0013

Application for Text Amendment

Applicable to Chapters, Sections and Subsections within Parkville Municipal Code Title IV Development Code

1. Applicant / Contact Information

Applicant(s)

Name: Joe Parente
Address: 8880 Clark Ave
City, State: Parkville, MO
Phone: (816) 741-7676 Fax: (816) 741-1300
E-mail: jparente@parkvillemo.gov

Primary Contact(s), if different from applicant(s)

Name: Stephen Lachky
Address: 8880 Clark Ave
City, State: Parkville, MO
Phone: (816) 741-7676 Fax: (816) 741-1300
E-mail: slachky@parkvillemo.gov

We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. We acknowledge that all text amendments are subject to statutory requirements and the Municipal Code of the City of Parkville. We do hereby agree to abide by and comply with the above-mentioned codes, and further understand that any violations from the provisions of such shall constitute cause for fines, punishments and revocation of approvals as applicable.

Applicant's Signature (Required) _____ **Date:** 01/22/2021

2. Proposed Text Amendment

The following information may be submitted on a separate sheet if necessary.

Amendment proposed to (Chapter, Section and Subsection number): Title IV: Development Code

Section / Subsection Title: Section 403.020 Platting

Existing text: See attached

Proposed text: See attached

Reason for amendment:

On January 5, 2021 the Parkville Board of Aldermen approved Ordinance No. 3057 approving the Thousand Oaks - 23rd Plat, Final Plat; as well as Ordinance No. 3058 approving the Thousand Oaks - 24th Plat, Final Plat. Because both plats bisected the City of Parkville's municipal limits, it presented a number of long-term issues for staff, the City and Unincorporated Platte County. Following approval of the plats, City's legal counsel recommended staff make an amendment to Section 403.020 Platting to require subdivision plats be within the entirety of Parkville's municipal boundaries in order to alleviate future long-term issues.

Last modified June 2017

3. Potential benefits / effects

Generally, amendments are evaluated based on whether their benefit will likely outweigh any potential pitfalls, and their ability to implement community goals and objectives and improve the existing code. Describe below or on a separate sheet potential benefits and effects of the proposed amendment.

General benefits to property and residents in the City of Parkville (i.e., does the amendment make the code conform more closely with the City's Master Plan; improve public health, safety or general welfare; clarify or better implement the intent of the Code; or other):

By requiring all subdivision plats be within the entirety of Parkville's municipal boundaries, the City can provide better basic services (e.g., police, public safety, parks and recreation, streets, stormwater management, building safety, planning and zoning, and code enforcement) to neighborhoods within our municipal limits.

General effects to property and residents in the City of Parkville:

By requiring all subdivision plats be within the entirety of Parkville's municipal boundaries, the City can provide better basic services (e.g., police, public safety, parks and recreation, streets, stormwater management, building safety, planning and zoning, and code enforcement) to neighborhoods within our municipal limits; increasing the quality of life for residents and better providing to the public health, safety and general welfare of the community.

4. Checklist of required submittals

- ☒ Completed application, including all required details and supporting data.
- ☐ Nonrefundable application fee of \$300.00. Separately, the applicant will be billed to recover costs for required publication notice per Parkville Municipal Code Title IV, Section 403.010, Subsection E.

For City Use Only

Application accepted as complete by: Brad Stanton / Planner Name/Title 1/26/21 Date

Application fee payment by 1. A ☐ Check # ☐ M.O. ☐ Cash

Accepted by: 10/11 _____

Name/Title _____ Date _____

☐ Hearing notice published in: _____ Date of publication: _____

☐ Final reimbursable costs paid (if applicable). Date of Action: _____

Planning Commission Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

Board of Aldermen Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action:

Conditions if any:

Section 403.020 Platting

- A. **Applicability.** Plat applications are required to establish or alter the legal boundaries of property, and to account for public facilities, infrastructure, development patterns, public realm design or other long-range growth and development considerations prior to potential fracturing of ownership. Plat applications may be initiated by the owners or agents of any property affected. In addition to the general requirements in Table 403-1 and Section 403.010 the requirements in this Section are specific to plat applications. Specifically plats shall apply to:
1. Any division of land where any resulting parcel is less than five acres;
 2. Any adjustment of previously platted lots that alter the legal boundaries or potential ownership patterns, other than those by operation of law, acquisition by a public entity, or by court order; and
 3. Any development on previously unplatted property where access or connections to public infrastructure or public streets will be required.
- B. **Types of Plats and Applications.** Plat applications are classified and processed as one of three types:
1. Administrative plats are routine applications such as lot line adjustments, lot splits, lot combinations or small land divisions that do not alter development patterns or impact public services.
 2. Preliminary plats are larger divisions of land that enable new ownership and development patterns; or which impact public facilities or land, and are proposed in a preliminary or conceptual format to prepare for detailed engineering and design of facilities.
 3. Final plats are a refined version of the preliminary plat that presents proposed ownership and development patterns, as well as the specific location of public facilities and public property based on detailed designs.
- C. **Administrative Plat.** Administrative plats shall be processed according to the following criteria and procedures.
1. *Review Criteria.* An application may be classified as an administrative plat if the Director determines that all of the following are met.
 - a. No new street or alley right-of-way, or other public dedication is needed.
 - b. No significant increase in service requirements (utilities, schools, traffic control, streets, etc.), or impact on the ability to maintain existing service levels will result.
 - c. The application affects the boundaries of only four or fewer existing lots, or results in five or fewer new lots from a previously unplatted parcel, or is finalizing the legal boundaries of a previously approved preliminary and final plat which could only be based on a legal survey after construction of improvements.
 - d. All lots meet the legal standards of the subdivision regulations and applicable zoning districts.
 - e. The lot patterns are consistent with the surrounding area. In determining consistency, the size and dimension of lots previously developed, the layout and design of existing subdivisions and rights of way, and the degree of deviation from previous development shall be considered.
 - f. No lots or portions thereof are located outside of the municipal boundaries of the City.
 - g. No other significant issues exist with potential development enabled by the plat that could impact planning policies, development regulations or adjacent property owners.

Any application not classified as an administrative plat and meeting these criteria shall be processed as a major subdivision with a preliminary and final plat.

2. *Review and Approval.* Upon review by the Director and any affected departments or agencies, and within 60 days of filing, the Director shall approve any administrative plats that meet all requirements of these regulations, deny the application, or recommend further processing as a major subdivision.
 3. *Effect of Decision.* Approval of an administrative plat requires the applicant to record the plat with the Platte County Recorder's Office. The applicant shall be responsible for all recording fees.
 4. *Limitations on Successive Applications.* Platted lots are eligible only one time for approval of a consolidation or division through the administrative plat process and any further division or consolidations of the originally platted lots or newly created lots shall be processed through the preliminary and final plat process.
- D. **Preliminary Plat.** A preliminary plat shall be processed according to the following criteria and specific procedures in addition to those identified in Table 403-1 and applicable in Section 403.010.
1. *Review Criteria.* A preliminary plat shall be reviewed according to the following criteria:
 - a. The application is in accordance with the Master Plan and in particular the physical patterns, arrangement of streets, blocks, lots and open spaces, and public realm investments that reflect the principles and concepts of the plan.
 - b. Compliance with the requirements of this development code, and in particular the blocks and lots proposed are capable of meeting all development and site design standards under the existing or proposed zoning.
 - c. Any phasing proposed in the application is clearly indicated and demonstrates a logical and coordinated approach to development, including coordination with existing and potential development on adjacent property.
 - d. Any impacts identified by specific studies or technical reports, including a preliminary review of storm water, are mitigated with generally accepted and sound planning, engineering, and urban design solutions that reflect long-term solutions and sound fiscal investments.
 - e. The application does not deter any existing or future development on adjacent property from meeting the goals and policies of the Master Plan.
 - f. No lots or portions thereof are located outside of the municipal boundaries of the City.
 - g. The design does not impede the construction of anticipated or planned future public infrastructure within the area.
 - h. The recommendations of professional staff, or any other public entity asked to officially review the plat.
 2. *Effect of Decision.* The approval of the preliminary plat does not constitute an acceptance of the subdivision, but authorizes preparation of the final plat. The applicant may request that a denied preliminary plat be submitted to the Board of Aldermen and the Planning Commission shall submit all information to the Board of Aldermen which can make a determination consistent with these regulations.
 3. *Term of Expiration.* The approval of the preliminary plat shall be effective for 18 months, except that any approval of a final plat for any phase specifically indicated on a preliminary plat shall renew the 18-month period. The Planning Commission may grant an extension of this period for up to one year, if the applicant demonstrates substantial progress towards the design and engineering requirements necessary to submit a final plat.
- E. **Final Plat.** After approval of the preliminary plat, the applicant may submit a final plat for all or portions of the preliminary plat area. A final plat shall be processed according to the following

criteria and specific procedures in addition to those identified in Table 403-1 and applicable in Section 403.010.

1. *Review Criteria.* A final plat shall be reviewed according to the following criteria:
 - a. The layout and design of the final plat is substantially consistent with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.
 - b. The construction plans for any utilities, infrastructure or public facilities meet all technical specifications.
 - c. The phasing and timing of public improvements ensures construction and performance guarantees.
 - d. Any deviations in the final plat from the preliminary plat brings the application in further compliance with the Master Plan and the purposes and intent of this code.
 - e. The recommendations of professional staff, or any other public entity asked to officially review the plat.
2. *Planning Commission Review.* If the Planning Commission approves or conditionally approves the final plat, the plat shall be forwarded to the Board of Aldermen with a recommendation that they accept dedication of land for public purposes such as easements, rights-of-way and public facilities.
3. *Dedication of Land.* The Board of Aldermen shall accept or reject the dedication of land for public purposes within 30 days after the first meeting of the Board of Aldermen following submission of the recommendation of the Planning Commission. The Board of Aldermen may defer action for an additional 30 days for allowing modifications to comply with the requirements established by the Board of Aldermen. If the Board of Aldermen defers or rejects such dedication, it shall advise the applicant and Planning Commission of the reasons and specify the nature of the non-compliance.
4. *Effect of Decision.* The approval of the final plat and acceptance of the dedication of land for public purposes, park land dedication or fee en lieu, and payment of the excise tax if applicable, authorizes the filing of the plat with the Platte County Recorder's Office. Any approval with conditions or exceptions to the rules shall be clearly stated on the plat. Any plat not recorded within two years from the date of acceptance of land by the Board of Aldermen shall be null and void. Upon approval or recording of the plat, the applicant may proceed with the design and construction of required improvements. No building permit shall be authorized until the completion, inspection and acceptance of all required improvements.