

AN ORDINANCE APPROVING A SPECIAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO GLADSTONE FARMERS MARKET INCORPORATED FOR OPERATION OF A FARMERS MARKET AT 7117 NORTH PROSPECT AVENUE.

WHEREAS, pursuant to Section 32-37 of Ordinance No. 2.292 being the Gladstone Zoning Ordinance, public notice was made of a request for a Special Use Permit on property at 7117 North Prospect Avenue and legally described as Gladstone Commons, Lot 1, a subdivision in Gladstone, Clay County, Missouri; and

WHEREAS, public hearings have been held after the publishing of the required notices; and

WHEREAS, the Planning Commission of the City of Gladstone did submit its recommendation to the City Council for approval of such Special Use Permit requesting certain conditions as incorporated herein; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

SECTION 1. THAT, Gladstone Farmers Market, Incorporated, is hereby granted a Special Use Permit for operation of a Farmers Market on property at 7117 North Prospect Avenue, the effective date of which shall be the enactment date of this Ordinance and expiring ten (10) years from this date, all subject to the following conditions:


1. This Special Use Permit is to be issued to Gladstone Farmers Market, Incorporated, at this address only. If the market relocates to another address, another permit must be applied for. This Special Use Permit is to be non-transferable to another organization.
2. The Gladstone Farmers Market, Incorporated, shall maintain a Gladstone Business License.
3. The Farmer's Market may operate up to, but no more than three (3) days per week between the hours of 7:00 am and 9:00 pm.
4. Vendors participating in the Farmer's Market must sell only fresh produce which has been grown on farms located within 150 miles of the City of Gladstone.
5. Produce and products offered for sale must be fresh, clean, handled and packaged in accordance with the guidelines for sales of agricultural products established by the Clay County Health Department and the State Department of Agriculture.
6. No more than twenty percent (20%) of the total vendors that participate may be non-agricultural vendors except for occasional special events being promoted at the market.
7. Any violation of these conditions may result in the cancellation of this Special Use Permit.

SECTION 2. SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

BILL NO. 14-38


ORDINANCE NO. 4.291

**PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY
OF GLADSTONE, MISSOURI, this 24th DAY of NOVEMBER, 2014**



J. Brian Hill, Mayor

ATTEST:



Ruth E. Bocchino, City Clerk

First Reading: November 24, 2014

Second Reading: November 24, 2014

File #1399




Gladstone



All-America City

2008

TO: Planning Commission
FROM: Becky Jarrett, Administrative Assistant 
DATE: November 3, 2014
RE: Gladstone Farmers Market

This application comes to the Commission as a great success story for both the City and the community. Beginning in 2010 with a group of 5 or 6 vendors to a 2-day a week market in 2014 and 16 regular vendors, the community has affirmed that it will support its own farmers market.

In June of 2012 the farmers market entered into a verbal agreement with Store Manager Swearingen of Hy-Vee to be able to set up the market, however, as management of the market shifts from city staff to the vendors, this Special Use Permit is the remaining piece needed to secure a home for the market.

Staff is requesting the Commission, and ultimately the City Council, to consider a 10-year Special Use Permit that would allow the Gladstone Farmers Market to remain at Hy-Vee with the conditions noted in the proposed ordinance.

Update: On November 17, 2014 the Planning Commission voted 10-0 to recommend approval.

P.O. BOX 10719
GLADSTONE, MISSOURI 64118-0719

7010 NORTH HOLMES
GLADSTONE, MISSOURI 64118-2646

816-436-2200
816-436-2228 FAX

PLANNING COMMISSION
GLADSTONE, MISSOURI
Council Chambers
November 17, 2014
7:30 pm

Item 1 on the Agenda: Roll Call.

Present: Ms. Alexander
Mr. Steffens
Mr. New
Ms. Poindexter
Mr. Ringhausen
Ms. Van Duser
Mr. Ward
Mr. Whitton
Mr. Yarber
Chairman Turnage

Absent: Mr. Markenson

Council & Staff Present:

Councilmember Jean Moore
Councilman RD Mallams
Scott Wingerson, Assistant City Manager
Alan Napoli, Building Official
Melinda Mehaffy, Economic Development Admin.
Chris Helmer, Planning Specialist

Item 2 on the Agenda: Pledge of Allegiance.

Chairman Turnage led the group in reciting the Pledge of Allegiance.

Item 3 on the Agenda: Approval of the November 3, 2014 minutes.

MOTION: By Mr. Ringhausen, second by Ms. Poindexter to approve the November 3, 2014 minutes as presented. All said aye. The motion carried.

Item 4 on the Agenda: PUBLIC HEARING on a request for a Special Use Permit at 7117 N. Prospect Avenue. Applicant: City of Gladstone. Owner: Hy-Vee Food Stores, Inc. File #1399.

Ms. Jarrett approached the Planning Commission and stated that she was there to represent the City and the farmers market tonight. The City has had a great partnership with the market vendors over the last five years and through 2014, she has worked with them to incorporate the market into their own entity. They are formed into a 501c6, have their own bank account, by-laws and have elected a president, vice-president and secretary/treasurer. This permit is the final

piece needed to get them operating on their own. Ms. Jarrett stated that this special use permit, in cooperation with Hy-Vee, will help the market secure its home for the next ten years under their own management. The ordinance follows a typical special use permit template, leaving some flexibility on some issues like hours and days of operation. One thing that was left out that will be added prior to Council approval is that the Gladstone Farmers Market, Incorporated will apply for, and keep current, a business license with the City of Gladstone. Ms. Jarrett said she has been honored to work with this group of vendors and the City is proud of where they have come so far. She offered to answer any questions.

There was no one in favor or opposition of the application. The public hearing was closed.

Motion: By Mr. Yarber, second by Mr. Steffens to approve a 10-year Special Use Permit at 7117 N. Prospect Avenue.

VOTE:	Ms. Alexander	Yes
	Mr. Steffens	Yes
	Mr. New	Yes
	Ms. Poindexter	Yes
	Mr. Ringhausen	Yes
	Ms. Van Duser	Yes
	Mr. Ward	Yes
	Mr. Whitton	Yes
	Mr. Yarber	Yes
	Chairman Turnage	Yes

The motion carried. (10 yes, 0 no)

Ms. Poindexter added that sometime last year she attended an open house discussion with both customers and vendors. She learned a lot, but one thing she knows is that they have put two recommendations of that body into action and that is exciting to see.

Item 5 on the Agenda: CONSIDERATION: of a Final Plat at 100 NW Vivion Road.

Mr. Helmer reported that this plat is customary to what the Commission has seen recently on a few other proposals. This applicant has some history with the Commission and Council with some additions to the primary building. This plat allows a separate lot 1 under the plat. At this point in time there has not been any further information provided to the City for any future development, but obviously this would be one of the first steps in allowing a process like that to occur. Staff is recommending approval of this application.

Chairman Turnage asked for any questions or a motion from the Commission.

Mr. Yarber asked if the new plat included some of the areas that are forest right now.

Mr. Helmer answered that the area further to the north, the Nelson family, is a little more vegetated. He also reminded the Commission that the underlying zoning for this piece of property is a planned designation. There are quite a few uses that would be allowed, but in order to do so, a full public hearing would be required.

Motion: By Mr. Whitton, second by Ms. Alexander to approve the final plat at 100 NW Vivion Road.

VOTE:	Ms. Alexander	Yes
	Mr. Steffens	Yes
	Mr. New	Yes
	Ms. Poindexter	Yes
	Mr. Ringhausen	Yes
	Ms. Van Duser	Yes
	Mr. Ward	Yes
	Mr. Whitton	Yes
	Mr. Yarber	Yes
	Chairman Turnage	Yes

The motion carried. (10 yes, 0 no)

Item 6 on the Agenda: Oakhill Day School 8th Grade Planning Presentation.

Lead by Mr. Lee Feagles, Social Studies teacher at Oakhill Day School, 7019 N. Cherry, Gladstone, the 8th Grade class gave a presentation on their latest planning project, "The Beach."

Item 7 on the Agenda: Communications from the City Council and the City Staff.

Councilmember Moore invited everyone to attend the Mayor's Christmas Tree lighting celebration on Tuesday, November 25th beginning at 6:00 pm.

Item 8 on the Agenda: Communications from the Planning Commission Members.

Ms. Alexander complimented the students on their presentation. She said it is refreshing to see a dynamic group such as this one tonight. Thank you!

Item 9 on the Agenda: Adjournment

Chairman Turnage adjourned the meeting at 8:01 pm.

Respectfully submitted:

Bill Turnage, Chairman

Approved as submitted _____

Becky Jarrett, Recording Secretary

Approved as corrected _____