

**BOA Meeting Agenda
Peculiar City Board of Aldermen
Work Session Meeting and Public Hearing
City Hall – 250 S. Main St
Monday, May 2, 2016 6:30 p.m.**

Notice is hereby given that the Board of Aldermen of the City of Peculiar will hold a regularly scheduled meeting on Monday, May 2, 2016 at 6:30 pm, in the Council Chambers at 250 S. Main St. Representatives of the news media may obtain copies of this notice by contacting the City Clerk at City Hall, 250 S. Main St Peculiar, MO 64078 or by calling 816-779-2221. All proposed Ordinances and Resolutions will be available for viewing prior to the meeting in the Council Chambers.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. City Clerk – Read the Board of Aldermen Statement
5. Consent Agenda - Mayor's Appointments
 - A. Resolution 2016-12 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF MATT HAMMACK AS BOARD LIAISON TO THE PLANNING COMMISSION.
 - B. Resolution 2016-13 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF HOMER DUNSWORTH AS THE BOARD LIAISON TO THE PARK BOARD FOR A ONE YEAR TERM.
6. Unfinished Business –
 - A. Bill No. 2016-02 - AN ORDINANCE AMENDING CHAPTER 400 SECTION 400.600 APPROVAL CRITERIA, SECTION 400.850 PARKING ON PROPERTY ZONED RESIDENTIAL AND SECTION 400.1130 PURPOSE OF THE PECULIAR MUNICIPAL CODE.
2nd Reading
 - B. Bill No. 2016-03 - AN ORDINANCE AMENDING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC), CHAPTER 3, SECTION 302, PARAGRAPH 302.10 PARKING ON PROPERTY ZONED RESIDENTIAL, AS ADOPTED BY THE PECULIAR MUNICIPAL CODE.
2nd Reading
 - C. Bill No. 2016-06 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE REPLAT OF SPENCER'S ADDITION LOT 47 AND PART OF LOT 48 TO BRADY'S PLACE TRACT 1 SUBMITTED BY MARGARET HUMPHREYS.
2nd Reading
7. Informational Item –
 - A. The Petition to Establish the 211th Street Community Improvement District.
8. Aldermen Concerns
9. Aldermen Directives
10. Adjournment

RESOLUTION NO. 2016-12

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF MATT HAMMACK AS BOARD LIAISON TO THE PLANNING COMMISSION.

WHEREAS, the Board of Aldermen have determined a need to appoint a Board of Aldermen member to the Planning Commission; and

WHEREAS, Matt Hammack has served with distinction as a member of the Planning Commission this past year as a board liaison and fully meets the qualifications for appointment to this Commission; and

WHEREAS, said appointment shall carry a term of one (1) year commencing with the effective date of this resolution; and

WHEREAS, Mayor Holly Stark recommends the appointment of Matt Hammack to the Planning Commission upon approval of the Board of Aldermen

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AS FOLLOWS:

Section 1. The Board of Aldermen approves the appointment of Matt Hammack to the Planning Commission as the Board of Aldermen member.

Section 2. *Effective Date.* This resolution shall become effective upon approval and passage by the Board of Aldermen.

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE THIS _____ DAY OF _____, 2016.

Alderman Ford _____
Alderman Hammack _____
Alderman Dunsworth _____

Alderman Ray _____
Alderman Roberts _____
Alderman Harlan _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Janet Burlingame, City Clerk

RESOLUTION NO. 2016-13

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF HOMER DUNSWORTH AS THE BOARD LIAISON TO THE PARK BOARD FOR A ONE YEAR TERM.

WHEREAS, the Board of Aldermen have determined the need to appoint a Board Liaison to the Park Board; and

WHEREAS, Homer Dunsworth meets the qualifications for appointment to this board, and

WHEREAS, said appointment carries a completed term of one year commencing with the effective date of this resolution; and

WHEREAS, Mayor Holly Stark recommends the appointment of Homer Dunsworth as Board Liaison to the Park Board upon approval of the Board of Aldermen

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AS FOLLOWS:

Section 1. The Board of Aldermen approves the appointment of Homer Dunsworth as the Board Liaison to the Park Board.

Section 2. *Effective Date.* This resolution shall become effective upon approval and passage by the Board of Aldermen.

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS _____ DAY OF _____, 2016.

Alderman Ford _____
Alderman Dunsworth _____
Alderman Hammack _____

Alderman Ray _____
Alderman Roberts _____
Alderman Harlan _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Grant Purkey

Municipal Offices – 250 S. Main Street, Peculiar, MO 64078
Phone: (816)779-5212 Facsimile: (816)779-1004

To: Board of Aldermen

From: Clifford L. McDonald

Date: May 2nd, 2016

Re: Board of Aldermen to consider Amendments to Chapter 400, Zoning Regulations, Section 400.600: Approval Criteria, Section 400.850: Parking on Property Zoned Residential and Section 400.1130 Purpose of the City of Peculiar Municipal Code.

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider the Second Reading of the Ordinance to approve Amendments to Section 400.600: Approval Criteria, Section 400.850: Parking on Property Zoned Residential and Section 400.1130 Purpose of the City's Municipal Code.

Date of Application: January 14, 2016

Purpose: The purpose is for the Board of Aldermen to consider the amendments to update these three (3) Sections of the Zoning Regulations to reflect changes in procedure and ensure they reflect current policy.

Property Location (if applicable): City Wide

PROPOSAL

See "Requested Actions" above.

PREVIOUS ACTIONS

1. The Planning Commission worked diligently reviewing the City's Residential Parking Restrictions per direction of the Board of Aldermen. Section 400.850, requires parking on an improved surface, this was supposed to be rescinded from the City Ordinance (per Ed Courton's Staff Report dated June 5, 2009, Atch 2). The City's Property Maintenance Code was amended to allow parking on grass in a Side or Rear Yard – at present the zoning regulation and property maintenance code conflict.
2. The Board of Aldermen held a Public Hearing on these proposed Amendments at their April 18th, 2016 meeting – no opposition was presented and no formal protests have been received. At that meeting the Board of Aldermen voted unanimously on the First Reading of the Ordinance to approve these Amendments.

KEY ISSUES

- Section 400.600: Approval Criteria - The Board of Directors for the Downtown Peculiar Arts & Culture (DPAC) have disbanded their organization, and are in the process of transferring ownership of their property. The City's zoning regulations require reviews by that Board as part of the Special Use Permit permitting process for District A-C. This proposed amendment will delete Paragraph A.7 and this requirement. (See Atch 1)
- Section 400.850: Parking on Property Zoned Residential - requires parking on an improved surface, this was supposed to be rescinded (per Ed Courton's Staff Report dated June 5, 2009, Atch 2). The proposed amendment will delete Paragraph A (which requires a paved surface) and replace it with criteria which restricts the size of vehicles which may be parked in a residential district. The criteria limiting the size and type of vehicle is similar to the City of Independence and City of Raymore's requirements. Additionally, the critical aspect of this size restriction having a Gross Vehicle Weight Rating (GVWR) of 16,000 pounds aligns it with Peculiar's parking restrictions (Chapter 350) enforced by the Police Department. (See Atch 3).
- Section 400.1130 Purpose – This is merely a housekeeping action to correct the reference for a Light Industrial District from M-1 (old designation) to I-1.

STAFF COMMENTS AND SUGGESTIONS

The proposed Amendments to Section 400.600: Approval Criteria, Section 400.850: Parking on Property Zoned Residential and Section 400.1130 Purpose of the City's Municipal Code are presented in the attached Ordinance being presented for its Second Reading.

STAFF RECOMMENDATION

Staff Recommends Approval of the Ordinance as presented.

ATTACHMENTS

1. Proposed Change to Section 400.600 Approval Criteria, Paragraph A.7
2. Ed Courton's Staff Report dated June 5, 2009
3. Proposed Change to Section 400.850 Parking on Property Zoned Residential, Paragraph A
4. Ordinance to Amend Chapter 400; Section 400.600, Section 400.850 and Section 400.1130

STAFF CONTACT: Clifford L. McDonald,
PH: 816-779-2226
E-mail: cmcdonald@cityofpeculiar.com

Section 400.600 Approval Criteria

[Ord. No. 111808 §1(400-504), 11-18-2008; Ord. No. 03032014A §X, 3-3-2014]

A. In order for the Commission to recommend approval or disapproval of an application for a special permit or for the Board to approve or deny an application for a special permit, they shall make findings of fact to determine that the following criteria are met:

1. The proposed use is consistent with the intent of the Comprehensive Plan;
2. The proposed use is one specifically permitted by this Code;
3. The proposed use does not adversely impact the public health, safety or general welfare;
4. The proposed use does not adversely impact the public infrastructure system;
5. The proposed use is compatible with the use, scale, orientation and setback of properties in the general vicinity;
6. The proposed use conforms to all conditions and performance standards as set forth in this Article, when applicable; and
7. ~~An application for a special permit in District A-C requires the applicant to present the application information to the Downtown Peculiar Arts and Culture District (DPACD) Board of Directors. A recommendation from DPACD, either for or against the special use permit, is required for the public hearings before both the Planning Commission and Board of Alderman; the Commission and Board shall take DPACD's recommendation under advisement.~~

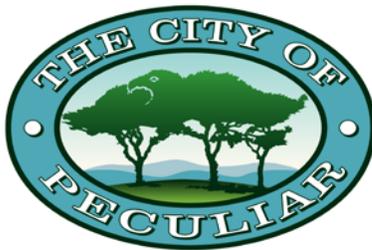
Atch 1

City Administrator
Brad Ratliff

Assistant City Administrator
Tina Cochran

City Clerk
Terrie Emanuel

City Attorney
Reid F. Holbrook



City Engineer
Robert O'Brien

Chief of Police
Dean Kelly

City Planner
Ed Courton

Municipal Judge
Bryan Round

Municipal Offices – 600 Schug Avenue, Peculiar, MO 64078
Phone: 816.779.5212 Facsimile: 816.779.5213

To: Board of Aldermen
From: Ed Courton
Date: August 18, 2009
Re: Zoning Text Amendments for temporary & banner signs and residential vehicle parking

GENERAL INFORMATION

Applicant: City Staff
Status of Applicant: City Planner
Requested Actions: Recommendation to adopt the proposed Zoning Text Revisions, as described in Bill #2209-22A
Purpose: City staff was directed by the Board of Aldermen to add a new section to the sign chapter and to specifically address banner signs and to establish additional standards, including size, time limitations and days allowed; extending the time limit for temporary signs from 90-days to 120-days; and prohibiting off-premise signs. Furthermore, staff was directed to rescind Section 400.850 (A) of the Peculiar Municipal Code in order not to conflict with the adopted new Section 302.10 "PARKING ON PROPERTY ZONED RESIDENTIAL" of the Property maintenance Code.

PROPOSAL

See "Purpose" above.

PREVIOUS ACTION(S)

The Planning and Zoning Commission ("Commission") voted 3-0 {one (1) member abstaining} to recommend denial of the above Zoning Text Amendments. The Commission felt the previous regulation requiring parking of vehicles on improved surfaces was still necessary and the Commission did not want to modify the provision. The Commission also felt the allowing more time for temporary signs and allowing larger banner signs would be detrimental to the character of the City. Based on the stated reasons, the Commission unanimously recommended denial of the proposed Text Amendments.

On August 4, 2009, the Board voted 5-0 to approve the amended Ordinance at the first reading. The second reading is scheduled for the August 18th meeting. Staff revised the proposed ordinance and changed the time to remove temporary and banner signs from 10-days to 3-days per direction from the Board. No other changes are proposed.

STAFF COMMENTS AND SUGGESTIONS

Over the past several months, the Board of Aldermen, City staff and the public have discussed several revisions to the existing Zoning Code. Several businesses felt the temporary sign provisions are too stringent relative to signage and

Atch 2

requested the Board consider modifying some of the text. Additionally, the Board of Aldermen adopted Ordinance (2009-18 "Parking Zoned Residential") allowing vehicle parking on grass or other natural surfaces on the side and rear yard areas. The new Ordinance is in the Property Maintenance Code rather than the Zoning Code, as it would be easier to reference in that section by the public and staff.

City staff is also proposing to rescind Section 400.850 (A) of the Peculiar Municipal Code, which conflicts with the recently adopted S "PARKING ON PROPERTY ZONED RESIDENTIAL." The Commission should approve the zoning text amendment to avoid continuing compliance conflicts and misinterpretations by City staff and the public. The existing Zoning Code 400.850 (A) requires all vehicles to be parked on city approved hard surfaces irrespective of the location on-site.

{For comparison, staff has provided the existing Zoning Code sections and the proposed Zoning Code revisions below for your review}

Existing Zoning Code

400.1870 Temporary Signs

Temporary signs may be allowed as follows:

- A. There shall be no restriction on the number and size of temporary noncommercial signs in all districts.
- B. Temporary commercial signs shall be allowed only upon issuance of a sign permit in conformance with this Article, which shall specify the size and location of the temporary sign as well as the time period for which it may be displayed.
- C. Temporary commercial signs:
 - 1. Shall be displayed for no more than 90 total days per lot, in any calendar year;
 - 2. Shall not exceed 60 square feet in area;
 - 3. Shall not exceed one sign per street frontage;
 - 4. Shall not be displayed prior to 45 days before nor after 10 days following an event being advertised; and
 - 5. May be displayed either on-premises or off-premises.

400.850 Parking on Property Zoned Residential

- A. It shall be unlawful for any person to park or allow to be parked any vehicle or machinery for any period of time unless the area used for parking the vehicle or machinery is an improved surface. A waiver of this requirement may be obtained upon written application to the Building Inspector. Such waiver shall be provided in writing and shall allow a waiver of these parking requirements for no more than 30 calendar days. No extension of the waiver shall be granted absent formal approval by the Board of Aldermen.

Proposed Zoning Text Revisions

SECTION 400.1870

{Legend: Text **Bolded** and Underlined are additions & ~~Strikethrough~~ are deletions}

400.1870 Temporary Signs

Temporary signs may be allowed as follows:

- A. There shall be no restriction on the number and size of temporary noncommercial signs in all districts.
- B. Temporary commercial signs shall be allowed only upon issuance of a sign permit in conformance with this Article, which shall specify the size and location of the temporary sign as well as the time period for which it may be displayed.

- C. Temporary commercial signs:
1. Shall be displayed for no more than ~~90~~ **120** total days per lot, in any calendar year;
 2. Shall not exceed 60 square feet in area;
 3. Shall not exceed one sign per street frontage;
 4. Shall not be displayed prior to 45 days before nor after ~~10 days~~ **{3 days * - change per Board's direction}** following an event advertised; and
May be displayed either on-premises or off-premises.

D. Commercial banner signs may be allowed as follows:

1. Seven (7) days or less, no size limitation;
2. More than seven (7) days, all banner signs shall be limited to sixty (60) square feet or obtain approval from the Board of Aldermen to allow greater than sixty (60) square feet of signage;
3. Shall be displayed for no more than 120 days per lot, in a calendar year;
4. Shall not exceed one sign per street frontage;
5. Shall not be displayed prior to 45 days before nor after ~~10 days~~ {3 days * - change per Board's direction } following an event being advertised;
6. Displayed on-premises; and
7. The Board of Aldermen may approve off-premise banner signs. {Please note: as mentioned at the August 4th meeting, this provision should be used sparingly and only in unique situations. This is the intent of this provision}

400.850 Parking on Property Zoned Residential
Section 400.850 (A) Rescinded

STAFF RECOMMENDATION

Staff recommends Approval. It should be noted, the Planning and Zoning Commission recommended Denial

ATTACHMENTS

Bill #2009-22A

STAFF CONTACT: Ed Courton, 816-779-5212 ext 226 or ecourton@cityofpeculiar.com

Section 400.850 Parking On Property Zoned Residential

A.

~~It shall be unlawful for any person to park or allow to be parked any vehicle or machinery for any period of time unless the area used for parking the vehicle or machinery is an improved surface. A waiver of this requirement may be obtained upon written application to the City Building Inspector. Such waiver shall be provided in writing and shall allow a waiver of these parking requirements for no more than seven (7) calendar days. No extension of the waiver shall be granted absent formal approval by the Board of Aldermen.~~

A. (Proposed Change)

Parking of the following vehicles is prohibited in residential zoning districts:

1. Semi-trailer truck, also known as a semi-tractor truck or road tractor.
2. Cargo trailer, semi-trailer, or similar vehicle that can be connected to or pulled by a semi-trailer truck.
3. Any truck licensed with a gross vehicle weight rating (GVWR) in excess of sixteen thousand (16,000) pounds.
4. Any vehicle rated as a Class 5 or higher under the US Department of Transportation Federal Highway Administration Vehicle Inventory and Use Survey standards.
5. Overnight parking of a school bus, charter bus or similar vehicle.
6. Any vehicle with a bucket lift, dumping capability, tow truck, low or high-profile cab over engine, or similar vehicle.
7. Recreational vehicles may not be occupied within the City limits for living, sleeping, or cooking purposes for more than thirty (30) days per year, except for the following circumstances:
 - a. To monitor and secure a property that has a valid building permit issued; or
 - b. To provide accommodations on a property that has experienced damage due to a storm, fire or similar occurrence.
8. No vehicle, including a car, truck, boat, recreational vehicle, or trailer shall be parked or stored on an undeveloped lot, defined as a lot without a principal building or structure, within a residential zoning district.

B.

Parking vehicles and machinery on a pre-existing gravel surface shall be permitted, provided the pre-existing gravel surface is kept free of vegetation and has well defined edges so that one can determine where the gravel ends and yard begins. A waiver of this requirement may be obtained upon written application to the City Building Inspector. Such waiver shall be provided in writing and shall allow a waiver of these parking requirements for no more than seven (7) calendar days. No extension of the waiver shall be granted absent formal approval by the Board of Aldermen.

C.

The construction of new gravel surface driveways and parking areas shall be prohibited. Existing gravel driveways and parking areas constructed prior to December 18, 2007 must be maintained to prevent degradation due to parking area usage. The standard for the replacement and maintenance of gravel driveways and parking areas constructed prior to December 18, 2007 shall be three (3) inches of sand or an eco-liner which creates a protective barrier, under six (6) inches of pea size gravel, under three (3) inches of road gravel, built up and evenly graded to six (6) inches above the natural grade and contained to hold an edge. The applicable size minimums and maximums outlined herein shall apply to all gravel surface driveways and parking areas.

BILL NO. 2016-02
ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 400 SECTION 400.600 APPROVAL CRITERIA, SECTION 400.850 PARKING ON PROPERTY ZONED RESIDENTIAL AND SECTION 400.1130 PURPOSE OF THE PECULIAR MUNICIPAL CODE.

WHEREAS, the City Planner has recommended amendments to CHAPTER 400, SECTION 400.600 APPROVAL CRITERIA, SECTION 400.850 PARKING ON PROPERTY ZONED RESIDENTIAL and SECTION 400.1130 PURPOSE of the City of Peculiar Municipal Code, and

WHEREAS, the Planning Commission (“Commission”) recommended approval of the changes to the above listed Sections of Chapter 400 of the City Municipal Code following a Public Hearing held February 11, 2016, and

WHEREAS, the Board of Aldermen held a Public Hearing on March 7, 2016 on the proposed amendments to the above listed Sections of Chapter 400 of the City Municipal Code and no formal protests were received,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI THAT CHAPTER 400, SECTION 400.600 APPROVAL CRITERIA, SECTION 400.850 PARKING ON PROPERTY ZONED RESIDENTIAL AND SECTION 400.1130 PURPOSE, OF THE CITY MUNICIPAL CODE BE AMENDED AS FOLLOWS:

SECTION I: That Section 400.600, Paragraph A.7 be removed in its entirety.

SECTION II: That Section 400.850, Paragraph A be removed in its entirety and replaced with the following:

A.

Parking of the following vehicles is prohibited in residential zoning districts:

1. Semi-trailer truck, also known as a semi-tractor truck or road tractor.
2. Cargo trailer, semi-trailer, or similar vehicle that can be connected to or pulled by a semi-trailer truck.
3. Any truck licensed with a gross vehicle weight rating (GVWR) in excess of sixteen thousand (16,000) pounds.
4. Any vehicle rated as a Class 5 or higher under the US Department of Transportation Federal Highway Administration Vehicle Inventory and Use Survey standards.
5. Overnight parking of a school bus, charter bus or similar vehicle.
6. Any vehicle with a bucket lift, dumping capability, tow truck, low or high-profile cab over engine, or similar vehicle.

7. Recreational vehicles may not be occupied within the City limits for living, sleeping, or cooking purposes for more than thirty (30) days per year, except for the following circumstances:
 - a. To monitor and secure a property that has a valid building permit issued; or
 - b. To provide accommodations on a property that has experienced damage due to a storm, fire or similar occurrence.
8. No vehicle, including a car, truck, boat, recreational vehicle, or trailer shall be parked or stored on an undeveloped lot, defined as a lot without a principal building or structure, within a residential zoning district.

SECTION III: That Section 400. 850, Paragraph C be removed in its entirety and replaced with the following:

C.

The construction of new gravel surface driveways and parking areas shall be prohibited. Existing gravel driveways and parking areas constructed prior to December 18, 2007 must be maintained to prevent degradation due to parking area usage. The standard for the replacement of gravel driveways and parking areas constructed prior to December 18, 2007 shall be three (3) inches of sand or an eco-liner which creates a protective barrier, under six (6) inches of pea size gravel, under three (3) inches of road gravel, built up and evenly graded to six (6) inches above the natural grade and contained to hold an edge. The applicable size minimums and maximums outlined herein shall apply to all gravel surface driveways and parking areas.

SECTION IV: That Section 400.1130 be removed in its entirety and replaced with the following:

Section 400.1130 Purpose

The purpose of establishing and applying environmental performance standards in the "C-1" General Business, "C-2" Central Business, "I-1" Light Industrial and "I-2" Heavy Industrial Districts (hereinafter referred to as the "districts") is to allow potential environmental nuisances to be measured factually and objectively and thus to ensure uses in the district will not cause hazards and nuisances to the adjacent areas by processes of control and nuisance elimination.

SECTION V: The effective date of this ordinance shall be _____, 2016.

First Reading: April 18, 2016

Second Reading: _____

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS ____ DAY OF _____, 2016, BY THE FOLLOWING VOTE:

Alderman Ford _____
Alderman Hammack _____
Alderman Dunsworth _____

Alderman Ray _____
Alderman Roberts _____
Alderman Harlan _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Grant Purkey

Municipal Offices – 250 S. Main Street, Peculiar, MO 64078
Phone: (816)779-5212 Facsimile: (816)779-1004

To: Board of Aldermen
From: Clifford L. McDonald
Date: May 2nd, 2016
Re: Board of Aldermen to consider Amending the 2012 International Property Maintenance Code, (IMPC) Section 302.10, Parking on Property Zoned Residential.

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider the Second Reading of the Ordinance to approve an Amendment to Section 302.10, Parking on Property Zoned Residential of the 2012 IPMC as adopted by the City's Municipal Code.

Date of Application: January 14, 2016

Purpose: The purpose is for the Board of Aldermen to consider the proposed amendment that prohibits parking a vehicle, boat or trailer in the Side Yard and requires parking on an improved surface in the Rear Yard of property zoned Residential if the Lot Size is less than 14,520 square feet.

Property Location (if applicable): City Wide

PROPOSAL

See "Requested Actions" above.

PREVIOUS ACTIONS

The Planning Commission has worked diligently reviewing the City's Residential Parking Restrictions per direction of the Board of Aldermen. Section 302.10, of the City's Property Maintenance Code was amended in 2009 to allow parking on grass in a Side or Rear Yard in a District zoned Residential. The Planning Commission held a Public Hearing on February 11th, 2016 regarding this proposed amendment and no Formal Protests have been received. The Planning Commission's recommendation requires a minimum Five (5) foot clearance between a parked vehicle, boat or trailer and the Side or Rear Lot Line in a Residential District.

The Board of Aldermen held a Public Hearing on this proposed amendment on April 18th, 2016. After much discussion about the appearance of the City and lot size, the proposed Ordinance was amended to restrict parking on lots smaller than 14,520 Square Feet and require parking on an improved surface in the rear yard as well.

KEY ISSUES

As written, Section 302.10 allows parking of a vehicle, boat or trailer in the Side Yard of a residence with no minimum clearance between it and the Side Yard Line. This potentially impedes Fire Department access to the Side & Rear of a residence and also yard maintenance (mowing).

STAFF COMMENTS AND SUGGESTIONS

The Amendment proposed by the Board of Aldermen to Section 302.10, Parking on Property Zoned Residential of the 2012 IPMC (as adopted by the City of Peculiar Municipal Code) is presented in the attached Ordinance for your consideration and its Second Reading.

STAFF RECOMMENDATION

Staff Recommends Approval of the Ordinance as presented.

ATTACHMENTS

1. Proposed Change to Section 302.10, Parking on Property Zoned Residential
2. Ordinance to Amend Section 302.10, Parking on Property Zoned Residential of the 2012 IPMC

STAFF CONTACT: Clifford L. McDonald,
PH: 816-779-2226
E-mail: cmcdonald@cityofpeculiar.com

City of Peculiar Property Maintenance Code

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designated and approved for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

(Existing)

302.10 Parking on Property Zoned Residential. It shall be unlawful for any person to park or allow to be parked any vehicle, trailer, camper or machinery for any period of time closer than the front residential façade, and the street unless the area used for parking the vehicle, trailer, camper or machinery is an improved surface approved by the City.

(BOA's Amendment April 18th, 2016)

302.10 Parking on Property Zoned Residential. It shall be unlawful for any person to park or allow to be parked any vehicle, boat, trailer or camper ~~or machinery~~ for any period of time closer than the front residential façade, and the street unless the area used for parking the vehicle, boat, trailer or camper ~~or machinery~~ is an improved surface approved by the City.

1. Parking of a vehicle, boat, trailer or camper behind the front of the residence, in the side yard, is prohibited on property less than 14,520 Square Feet in size.
2. Parking of a vehicle, boat, trailer or camper behind the front of the residence, in the rear yard, is permitted if a minimum five (5) foot clearance is maintained from the vehicle, boat, trailer or camper to the side or rear property line of the residence.

BILL NO. 2016-03
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC), CHAPTER 3, SECTION 302, PARAGRAPH 302.10 PARKING ON PROPERTY ZONED RESIDENTIAL, AS ADOPTED BY THE PECULIAR MUNICIPAL CODE.

WHEREAS, the City Planner has recommended amendments to CHAPTER 3 of the IPMC, SECTION 302, Paragraph 302.10 PARKING ON PROPERTY ZONED RESIDENTIAL of the City of Peculiar Municipal Code, and

WHEREAS, the Planning Commission (“Commission”) recommended approval of the changes to Chapter 3, Section 302 of the IPMC as adopted by the City Municipal Code following a Public Hearing held February 11, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI THAT CHAPTER 3, SECTION 302, PARAGRAPH 302.10 PARKING ON PROPERTY ZONED RESIDENTIAL OF THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE AS ADOPTED BY THE CITY MUNICIPAL CODE BE AMENDED AS FOLLOWS:

SECTION I: That Section 302, Paragraph 302.10 be removed in its entirety and replaced with the following:

302.10 Parking on Property Zoned Residential. It shall be unlawful for any person to park or allow to be parked any vehicle, boat, trailer or camper for any period of time closer than the front residential façade, and the street unless the area used for parking the vehicle, boat, trailer or camper is an improved surface approved by the City.

1. Parking of a vehicle, boat, trailer or camper behind the front of the residence, in the side yard, is prohibited on property less than 14,520 Square Feet in size.
2. Parking of a vehicle, boat, trailer or camper behind the front of the residence, in the rear yard, is permitted if a minimum five (5) foot clearance is maintained from the vehicle, boat, trailer or camper to the side or rear property line of the residence.

SECTION II: The effective date of this ordinance shall be _____, 2016.

First Reading: April 18, 2016

Second Reading: _____

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS ____ DAY OF _____, 2016, BY THE FOLLOWING VOTE:

Alderman Ford _____
Alderman Hammack _____
Alderman Dunsworth _____

Alderman Ray _____
Alderman Roberts _____
Alderman Harlan _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Grant Purkey

Municipal Offices – 250 S. Main Street, Peculiar, MO 64078
Phone: (816)779-5212 Facsimile: (816)779-1004

To: Board of Aldermen
From: Clifford L. McDonald
Date: May 2nd, 2016
Re: RePlat Application for Spencer’s Addition, Lot 47 and ½ of Lot 48 to Bradey’s Place, Tract 1 containing 0.51 Acres more or less, submitted by Margaret Humphreys.

GENERAL INFORMATION

Applicant: Margaret Humphreys

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider the Second Reading of the Ordinance to approve the RePlat Application for Spencer’s Addition, Lot 47 and ½ of Lot 48 to Bradey’s Place, Tract 1.

Date of Application: March 15, 2016

Purpose: To review the RePlat Application for Spencer’s Addition, Lot 47 and ½ of Lot 48 to Bradey’s Place, Tract 1 submitted by Margaret Humphreys and consider the associated Ordinance for approval or disapproval.

Property Location (if applicable): Spencer’s Addition, Lot 47 and ½ of Lot 48, Commonly known as 21601 S. Clairmont, Peculiar, Missouri.

PROPOSAL

See “Requested Actions” above.

PREVIOUS ACTIONS

1. The Planning Commission held a Public Hearing on this RePlat application on April 14th, 2016. No formal objections have been received. The Planning Commission voted to approve the RePlat application and forwards their recommendation for approval for the Board’s consideration.
2. The Board of Aldermen held a Public Hearing on this RePlat application on April 18th, 2016. No formal protests have been received. The Board of Aldermen unanimously approved the First Reading of the Ordinance for this RePlat application at that meeting.

KEY ISSUES

In order for the Commission to recommend approval or disapproval of a RePlat/Final Plat application (Map Amendment), or for the Board to approve or deny an application for a map amendment, they shall make findings of fact to determine whether the application is found to be compatible with the following:

- 1. Consistency with the Comprehensive Plan, neighborhood development plan (if applicable) and any other official planning and development policies of the City;**
 - a. The RePlat Application (see attach 1) will combine Lot 47 and ½ of Lot 48 of Spencer’s Addition into one (1) single Lot – Bradey’s Place, Tract 1. This proposal does not conflict with the City’s Comprehensive Plan or any other Planning & Development policies of the City of Peculiar.

- 2. The impact of projected vehicular traffic volumes and site access is not detrimental with regard to the surrounding traffic flow, pedestrian safety and accessibility of emergency vehicles and equipment;**
 - a. The RePlat application to combine Lot 47 and ½ of Lot 48 of Spencer’s Addition into one (1) single Lot – Bradey’s Place, Tract 1, has no impact upon City services. Vehicular traffic volumes and site access are not changed by this proposed RePlat and it will not be detrimental with regard to surrounding traffic flow, pedestrian safety nor accessibility of emergency vehicles and equipment on Maple Ave or South Clairmont.

- 3. Adequacy of existing public utilities and facilities or of provisions to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage and wastewater treatment;**
 - a. As proposed, this RePlat creates no increase in demand upon the existing roads, streets, water supply, sanitary sewerage or storm sewerage.

- 4. Compatibility of the proposed district classification with nearby properties;**
 - a. The property which comprises the RePlat application of Lot 47 and ½ of Lot 48 of Spencer’s Addition into one (1) single Lot – Bradey’s Place, Tract 1 is zoned R-1, Single Family Dwelling District. Properties to the North are zoned R-2, Two-Family Dwelling District and the properties to the West, East & South are zoned R-1, Single Family Dwelling District. A change of Zoning is not proposed, or required for this property if the RePlat is approved. The proposed RePlat is consistent with the City’s Comprehensive Plan and fully compatible with adjoining properties.

- 5. If vacant, the length of time the property has remained vacant as zoned.**
 - a. Lot 47 has been occupied continuously for 38 years, Lot 48 has never been developed.

STAFF COMMENTS AND SUGGESTIONS

Staff recommends the Board of Aldermen review the RePlat Application for Lot 47 and ½ of Lot 48 of Spencer’s Addition into one (1) single Lot – Bradey’s Place, Tract 1 submitted by Margaret Humphreys.

STAFF RECOMMENDATION

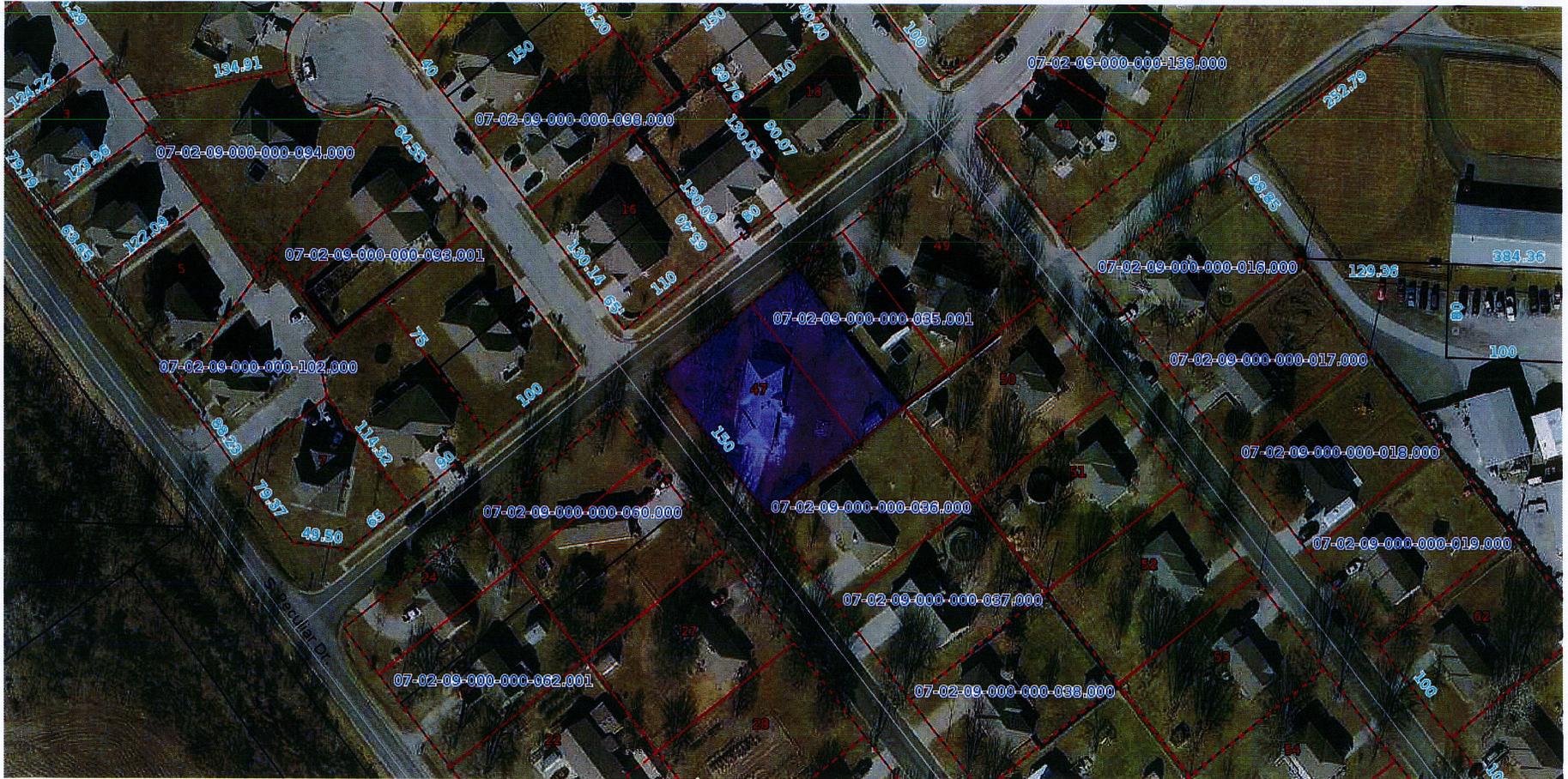
Staff recommends approval.

ATTACHMENTS

- (1) RePlat Application, Lot 47 & ½ of Lot 48, Spencer's Addition
 - (2) Ordinance for the RePlat of Spencer's Addition, Lot 47 and ½ of Lot 48 to Bradey's Place, Tract 1
-

STAFF CONTACT: Clifford McDonald
Phone: 779-2226
E-mail: cmcdonald@cityofpeculiar.com

PIN 07-02-09-000-000-035.000
Tax ID 2684400
Appraised Value 94,600
Acreage 0.517
Address 21601 S CLAIRMONT ST
Owner BRADY, GEORGE W JR & MARY M TR
Class Residential



BILL NO. 2016-06
ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE REPLAT OF SPENCER'S ADDITION LOT 47 AND PART OF LOT 48 TO BRADY'S PLACE TRACT 1 SUBMITTED BY MARGARET HUMPHREYS.

WHEREAS, Margaret Humphreys has requested approval of the RePlat of Spencer's Addition Lot 47 and part of Lot 48 to Brady's Place Tract 1, and the Owner has met the requirements for this RePlat; and

WHEREAS, the Planning Commission held a Public Hearing on April 14th, 2016, for this RePlat request and subsequent to that hearing has recommended approval of the RePlat request to the Board of Aldermen; and

WHEREAS, the Board of Aldermen held a Public Hearing on April 18th, 2016 to receive public comment relative to the RePlat of Spencer's Addition Lot 47 and part of Lot 48 to Brady's Place Tract 1, and no formal protests were received or heard.

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

Section 1. The RePlat of Spencer's Addition Lot 47 and part of Lot 48 to Brady's Place Tract 1, in the City of Peculiar submitted by Margaret Humphreys is hereby approved.

Section 2. The amendment of the City of Peculiar's Future Land Use Plan (of the City's Comprehensive Plan) to reflect this change is hereby approved.

Effective Date. The effective date of this Ordinance shall be the _____ day of _____, 2016.

First Reading: April 18, 2016 **Second Reading: _____**

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS _____ DAY OF _____, 2015, BY THE FOLLOWING VOTE:

Alderman Hammack _____	Alderman Ray _____
Alderman Ford _____	Alderman Roberts _____
Alderman Dunsworth _____	Alderman Harlan _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Janet Burlingame, City Clerk

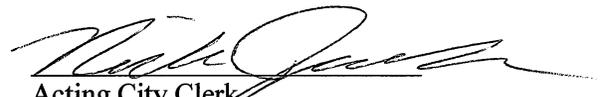
Acting City Clerk Verification of 211th Street Community Improvement District Petition

Pursuant to Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri (the "CID Act"), the Acting City Clerk of the City of Peculiar, Missouri, states the following:

1. The Petition to form the 211th Street Community Improvement District was filed with the Acting City Clerk on April 25, 2016.
2. I have reviewed the petition and have determined on April 27, 2016, which does not exceed ninety days after receipt of the Petition, that the Petition substantially complies with the requirements of Section 67.1421.2 of the CID Act.
3. On April 27, 2016, I delivered the petition to the Board of Aldermen by placing an informational item on the May 2, 2016 Board of Aldermen agenda.



Date 4/27/16


Acting City Clerk
City of Peculiar, Missouri

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Grant Purkey

Municipal Offices - 250 S. Main Street, Peculiar, MO 64078
Phone: (816)779-5212 Facsimile: (816)779-1004

April 25, 2016

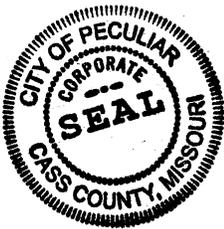
Re: Petition to Establish the 211th Street Community Improvement District

Let it be known that on the date listed above Gary Mallory came forth and presented a Petition to Establish the 211th Street Community Improvement District.

This document has been received and is now on file with the office of the City Clerk and the City Seal placed upon it.


Nick Jacobs, Acting City Clerk

4/25/16
Date



**PETITION TO ESTABLISH THE 211TH STREET
COMMUNITY IMPROVEMENT DISTRICT**

SUBMITTED TO THE CITY OF PECULIAR, MISSOURI

April 25th, 2016



**PETITION TO ESTABLISH THE 211TH STREET
COMMUNITY IMPROVEMENT DISTRICT**

To the Board of Aldermen of the City of Peculiar, Cass County, Missouri (the “City”):

The undersigned, collectively representing:

- (1) the owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the hereinafter described community improvement district, and
- (2) more than fifty percent per capita of all owners of real property within the boundaries of the hereinafter described community improvement district,

do hereby petition and request that the Board of Aldermen of the City (the “**Board of Aldermen**”) establish a community improvement district as described herein under the authority of Sections 67.1401 to 67.1571, inclusive, RSMo (the “**CID Act**”).

- A. Proposed District Name. The name for the proposed community improvement district (the “**District**”) is:

211th Street Community Improvement District

- B. Legal Description and Map. A legal description and map of the District are attached hereto as Exhibit A. The proposed district is located entirely within the corporate boundaries of the City.
- C. Total Assessed Value. The total assessed value of all real property in the District is set forth in Exhibit B. The attached Exhibit B was prepared based on data available from Cass County, Missouri, as of the time of execution of this Petition by the Petitioners. This is the best available data at the time this Petition is signed by the Petitioners. The City is authorized by the CID Act to process, consider and approve this Petition based on information gathered from the County.
- D. Five Year Plan. A five-year plan stating a description of the purposes of the District, the improvements it will make, the services it will perform, and an estimate of the costs to be incurred for the improvements and services is attached hereto as Exhibit C.
- E. Establishment as Political Subdivision. The District will be established as a political subdivision under the CID Act. The District shall comply with all state statutory requirements of a political subdivision including, but not limited to: (1) State of Missouri open meeting and records law; (2) procurement and public improvement contracting laws, including prevailing wage requirements; and (3) annual budgeting requirements.
- F. Appointment of Directors. The District will be governed by a Board of Directors, which will consist of five members. The initial Board of Directors shall be appointed by the Mayor with the consent of the Board of Aldermen. Two of the initial directors shall serve for an initial term of four years and the remaining three initial directors shall serve for a term of two years, in accordance with the appointments made by the Mayor. Successor directors shall be appointed by the Mayor with the consent of the Board of Aldermen and shall serve for a term of four years.
- G. No Blighted Area Determination. The undersigned does not seek a determination that the District is blighted under the CID Act.

- H. Term of Existence. The proposed maximum length of time for the existence of the District is fifty (50) years from the date of the ordinance approving this Petition.
- I. Sales Tax. Qualified voters of the CID will be asked to approve a sales tax to be imposed in the maximum amount of one percent (1%) (“**District Sales Tax**”), in accordance with the CID Act, to assist in the funding of public improvements and services for District. Additional details about the District Sales Tax are set forth in the Five Year Plan attached as Exhibit C.
- J. Real Estate Tax and Business License Tax. Petitioners will not seek to submit to qualified voters any proposition for approval of a real property tax levy or business license taxes.
- K. Special Assessments. Pursuant to Section 67.1521 of the CID Act, following the submission of one or more petitions by the owners of real property which meets the signature requirements as required by the CID Act, the District may by resolution impose the following special assessments on real property within the District.
- (1) Sewer and Stormwater Special Assessments – The District shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for sewer and stormwater improvements and services in the District (the “**Sewer and Stormwater Special Assessments**”). The Sewer and Stormwater Special Assessments may be levied per acre of property against each tract, lot or parcel of real property within the District which receives special benefit as a result of such service in relation to the benefit conferred upon such property. The following method, conditions and restrictions shall apply to the Sewer and Stormwater Special Assessments:
- (a) The Sewer and Stormwater Special Assessments shall only be assessed upon real property that is developed after the date that this Petition is approved by ordinance. The method of assessment shall be per acre of property for each benefitted lot, tract or parcel which is subject to the assessments. The Sewer and Stormwater Special Assessments shall be allocated among the benefitted property per acre of real property in an amount not to exceed \$90,000 per acre.
- (b) The District may establish different classes of real property within the District for the purpose of imposing the Sewer and Stormwater Special Assessments.
- (c) The Sewer and Stormwater Special Assessments shall not apply to real property that is exempt from taxation pursuant to Section 137.100(5), RSMo, which is real property actually and regularly used exclusively for religious, educational or charitable purposes.
- (d) The Sewer and Stormwater Special Assessments shall not apply to any real property that is occupied by a retail or non-retail business establishment that is open and operating on the date that this Petition is filed with the City, or that is open and operating on the date that the applicable special assessment petition is filed with the District board of directors. This exception shall only apply to the real property which contains the foundation of the structure that is open and operating on the applicable date.
- (e) The assessments may be applied to a lot, tract or parcel that is redeveloped, rehabilitated or remodeled and the cost of such redevelopment, rehabilitation or

remodeling exceeds 50% of the original assessed value of the improvements on the property as determined by the County valuation of the property.

- (f) Annual Growth Factor: The maximum amount of the Sewer and Stormwater Special Assessment shall be adjusted for inflation each year by applying the then-current Consumer Price index for All Urban Consumers – All Items (the “CPI-U”) maintained by the United States Bureau of Labor Statistics against the CPI-U for the year in which this Petition is approved by ordinance.
- (2) Road Special Assessments – The District shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for road improvements in the District (the “**Road Special Assessments**”). The Road Special Assessments may be levied against each tract, lot or parcel of real property within the District which receives special benefit as a result of such service and/or projects. Such authorization to levy the Road Special Assessments shall expire when such road improvements are fully funded or the appropriate party is fully reimbursed. The following method, conditions and restrictions shall apply to the sewer special assessments:
- (a) This assessment shall be imposed upon property that is developed for non-retail commercial business uses. For the purpose of such assessments, “**non-retail commercial business use**” means that the primary commercial use of the property does not produce or result in taxable sales, although the uses of the property may produce incidental taxable sales. The method of assessment shall be the assessed value of real property as determined by the County Assessor for each benefitted lot, tract or parcel which is subject to the assessments. The maximum rate of the special assessments for each lot, tract or parcel that is subject to such assessments shall not result in annual assessments which exceed 150% of the real property taxes collected from such property as a result of the City’s real property tax levy for such calendar year.
 - (b) The District may establish different classes of real property within the District for purposes of imposing the special assessments. The special assessments may be imposed upon all taxable real property within the District, as authorized through the applicable special assessment petition.
 - (c) The Road Special Assessments shall not apply to real property that is exempt from taxation pursuant to Section 137.100(5), RSMo, which is real property actually and regularly used exclusively for religious, educational or charitable purposes.
 - (d) The assessments will not apply to any property that is occupied by a non-retail commercial business use that is open and operating on the date that this petition is filed with the City, or that is open and operating on the date that the applicable special assessment petition is filed with the District board of directors. This exception shall only apply to the real property which contains the footprint of the structure that is open and operating on the applicable date.
 - (e) The assessments may be applied to a lot, tract or parcel that is redeveloped, rehabilitated or remodeled and the cost of such redevelopment, rehabilitation or remodeling exceeds 50% of the original assessed value of the improvements on the property as determined by the County valuation of the property.

- L. Borrowing Capacity Limitation. Petitioners do not request any borrowing capacity limitations for the District.
- M. No Revenue Limitations. Petitioners do not seek limitations on the revenue generation of the District.
- N. Power and Authority Limitations. The Petitioners do not seek any limitations on the powers of the District.
- O. Petitioner Withdrawal Right Notice. **THE SIGNATURES OF THE SIGNERS OF THIS PETITION MAY NOT BE WITHDRAWN FROM THIS PETITION LATER THAN SEVEN (7) DAYS AFTER THE FILING HEREOF WITH THE CITY CLERK.**

**SIGNATURE PAGE FOR PETITION TO ESTABLISH THE
211TH STREET COMMUNITY IMPROVEMENT DISTRICT**

Name of owner: Optimum Investments, L.L.C.
Owner's telephone number: (816) 863-7977
Owner's mailing address: 3116 W. 117th Street
Leawood, Kansas 66211

IF SIGNER IS DIFFERENT FROM OWNER:

Name of signer: John R. Campbell Jr John R. Campbell, Jr
State basis of legal authority to sign: Signer is the managing member of the Owner and has been authorized by the Owner to sign the Petition.
Signer's telephone number: (816) 863-7977
Signer's mailing address: 11150 Overbrook Suite 350
Leawood, KS 66211

Owner is a limited liability company organized and existing under the laws of the State of Missouri.

Map and parcel numbers: 07020900000004000 Assessed value: \$16,870.00

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above, and also acknowledges that the signature may not be withdrawn later than seven (7) days after this Petition is filed with the City Clerk.

Date: 11/11/15 Signature: [Handwritten Signature]
STATE OF ~~MISSOURI~~ Kansas)

COUNTY OF Johnson) ss.

Before me personally appeared John R. Campbell, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this 11th day of November, 2015.

[Handwritten Signature]
Notary Public



**SIGNATURE PAGE FOR PETITION TO ESTABLISH THE
211TH STREET COMMUNITY IMPROVEMENT DISTRICT**

JB
AM
11/11/15

Name of owner: Joe Effertz Bros Inc Farms LLC
 Owner's telephone number: 913-208-7429
 Owner's mailing address: 16401 Holmes Road
Belton, Missouri 64012-9741

IF SIGNER IS DIFFERENT FROM OWNER:

Name of signer: Joe Effertz Jr.
 State basis of legal authority to sign: Signer is the authorized signer of the Owner and has been authorized by the Owner to sign the Petition.
 Signer's telephone number: 913-208-7429
 Signer's mailing address: P.O. Box 26213
Overland Park, Ks 66225

Owner is an individual:	<input type="checkbox"/> Single	<input type="checkbox"/> Married
If owner is not an individual, state what type of entity:	<input type="checkbox"/> Corporation	<input type="checkbox"/> General Partnership
	<input type="checkbox"/> Limited Partnership	<input checked="" type="checkbox"/> Limited Liability Company
	<input type="checkbox"/> Partnership	<input type="checkbox"/> Urban Redevelopment Corp.
	<input type="checkbox"/> Not-for-profit Corporation	<input type="checkbox"/> Other _____

Map and parcel numbers: 07030500000003000 Assessed value: \$7,150.00

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above, and also acknowledges that the signature may not be withdrawn later than seven (7) days after this Petition is filed with the City Clerk.

Date: 11-11-15 Signature: 

STATE OF MISSOURI)
) ss.
 COUNTY OF Cass)

Before me personally appeared Joe Effertz Jr, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this 11th day of November, 2015.

GARY L. MALLORY
Notary Public - Notary Seal
STATE OF MISSOURI
Cass County
My Commission Expires Jan. 19, 2019
Commission # 14398147


 Notary Public

**SIGNATURE PAGE FOR PETITION TO ESTABLISH THE
211TH STREET COMMUNITY IMPROVEMENT DISTRICT**

Name of owner: City of Peculiar, Missouri
Owner's telephone number: (816) 779-5212
Owner's mailing address: P.O. Box 267
Peculiar, Missouri 64078

IF SIGNER IS DIFFERENT FROM OWNER:

Name of signer: Brad Ratliff
State basis of legal authority to sign: Signer is the authorized signer of the Owner and has been authorized by the Owner to sign the Petition.
Signer's telephone number: 816-779-5212
Signer's mailing address: P.O. Box 267
Peculiar, Mo. 64078

Owner is a fourth-class city and political subdivision organized and existing under the laws of the State of Missouri.

Map and parcel numbers: 07030500000003001 Assessed value: \$15,310

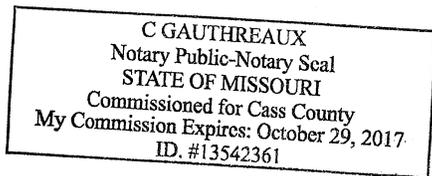
By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above, and also acknowledges that the signature may not be withdrawn later than seven (7) days after this Petition is filed with the City Clerk.

Date: 11/4/15 Signature: 

STATE OF MISSOURI)
) ss.
COUNTY OF CASS)

Before me personally appeared Brad Ratliff, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this 4th day of November, 2015.




Notary Public

EXHIBIT A

DISTRICT LEGAL DESCRIPTION AND MAP OF THE DISTRICT

PART OF SECTIONS 4, 5, AND 9 IN TOWNSHIP 45, RANGE 32, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 5, AFORESAID, RUN THENCE EAST ALONG THE NORTH LINE THEREOF, TO THE NORTHEAST CORNER OF LOT 2 OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 2 TO THE SOUTHWEST CORNER OF "HOLLY'S HILL", A SUBDIVISION OF LAND IN CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE NORTHWESTERLY ALONG THE EAST LINE OF SAID "HOLLY'S HILL" SUBDIVISION AND A PROJECTION THEREOF TO A POINT ON THE NORTH LINE OF SAID SECTION 5; THENCE EAST ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 49; THENCE FOLLOWING SAID RIGHT-OF-WAY LINE SOUTHEASTERLY TO A POINT ON THE WEST LINE OF A CERTAIN TRACT OF LAND DESCRIBED IN BOOK 2378, AT PAGE 182, IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI; THENCE NORTH ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID TRACT OF LAND; THENCE EAST LONG THE NORTH LINE OF SAID CERTAIN TRACT OF LAND TO THE NORTHEAST CORNER OF SAID TRACT OF LAND, SAID POINT BEING ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4, TOWNSHIP 45, RANGE 32, CASS COUNTY, MISSOURI; THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN BOOK 3110, AT PAGE 119 IN THE OFFICE OF THE RECORDER OF DEEDS IN CASS COUNTY, MISSOURI; THENCE EAST ALONG THE NORTH LINE OF SAID CERTAIN TRACT OF LAND TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN BOOK 3106, AT PAGE 468, IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI; THENCE SOUTH ALONG THE WEST LINE OF SAID CERTAIN TRACT OF LAND TO THE SOUTHWEST CORNER OF SAID CERTAIN TRACT OF LAND; THENCE EAST ALONG THE SOUTH LINE OF SAID TRACT OF LAND TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SCHOOL ROAD; THENCE SOUTH ALONG SAID RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 45, RANGE 32, CASS COUNTY, MISSOURI; THENCE WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 49; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTH ALONG SAID WEST LINE TO THE NORTHEAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN BOOK 2958, AT PAGE 618 IN THE OFFICE OF THE RECORDER OF DEEDS IN CASS COUNTY, MISSOURI; THENCE WEST ALONG THE NORTH LINE OF SAID CERTAIN TRACT OF LAND TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF PECULIAR DRIVE; THENCE FOLLOWING SAID RIGHT-OF-WAY LINE NORTHEASTERLY TO A POINT OF INTERSECTION WITH AN EASTERLY PROJECTION OF THE NORTH LINE OF "NORTH POINTE VILLAGE", A SUBDIVISION OF LAND IN CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE WEST ALONG SAID PROJECTED NORTH LINE AND THE NORTH LINE OF SAID "NORTH POINT VILLAGE" SUBDIVISION TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID

SECTION 9; THENCE NORTH ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 9, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 45, RANGE 32, CASS COUNTY, MISSOURI; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 5 TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 45, RANGE 32, CASS COUNTY, MISSOURI; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE NORTH ALONG THE WEST LINE OF SAID NORTHWEST QUARTER TO THE PLACE OF BEGINNING.

EXHIBIT B

ASSESSED VALUE SUMMARY

	<u>Parcel Tax ID Number</u>	<u>Owner Name</u>	<u>Assessed Value</u>	<u>Acreage</u>
1	07030500000004000	L.F. Britton and Ruth Britton	26,550	326.00
2	07030500000003001	City of Peculiar, Missouri	15,310	54.60
3	07020900000002000	Gary L. and Brenda J. Dean	4,790	113.40
4	070210000000024000	Gary L. and Brenda J. Dean	990	31.40
5	07020900000003000	Daniel A. and Donna M. Dibben	5,210	3.11
6	07030500000003000	Effertz Bros Inc.	7,150	203.50
7	07020400000008000	Herbert G. Houchen, Trustee of the Herbert G. Houchen Revocable Trust Agreement dated November 4, 2005	21,220	25.80
8	07020400000009000	J & C Holdings LLC	439,720	17.88
9	070204000000010000	LBM, LLC	3,210	62.91
10	07020900000003001	Missouri Highway and Transportation Department	62,190	2.30
11	07020400000006000	Paul D. and Melanie M. Monroe	1,120	29.42
12	07020900000004000	Optimum Investments, L.L.C.	16,870	2.59
13	07020900000003002	Wilhite Equine Services, L.L.C.	<u>173,960</u>	<u>43.28</u>
			\$778,290	916.19

Notes:

Assessed values and owner names on this list are based on Cass County Assessor data.
There are 13 parcels and 12 separate property owners or groups of owners within the CID area.
All parcels are listed in alphabetical order by name of owner.

EXHIBIT C
211TH STREET COMMUNITY IMPROVEMENT DISTRICT

FIVE YEAR PLAN

Introduction

The 211th Street Community Improvement District (the “**District**”) is created pursuant to Section 67.1401 through 67.1571 of the Revised Statutes of Missouri (the “**CID Act**”). Section 67.1421, RSMo, requires that the petition for the creation of the District be accompanied by a five-year plan which includes a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of the costs of the services and improvements to be incurred. This Five Year Plan (the “**Plan**”) is designed to comply with this statutory requirement, and is appended to the Petition to Establish the District.

Section 1 District Purposes

The District is proposed to fund or assist in the funding of public improvements within the District and the provision of services. The District may impose a sales tax and special assessments, the revenues of which will be used to pay for the public improvements and services, or to repay any obligations that are issued for that purpose, or to reimburse the appropriate entity that funds such public improvements and services.

Section 2 Summary of the District

The District is an entity that is separate from the City and is a separate political subdivision of the State of Missouri. The District is formed by the adoption of an ordinance by the Board of Aldermen following a public hearing before the Board of Aldermen regarding formation of the District. The District is governed by a five-member Board of Directors. The revenues generated by the District will be used for the benefit of the properties within the District. The District’s budgets and policies will be refined annually by the District Board of Directors, within any limitations set forth in the Petition. The District will operate in accordance with the Bylaws of the District.

Section 3 District Plan

This Plan is proposed to improve and convey special benefits to properties located within the boundaries of the District by providing funding for public improvements and services that serve the District. This Plan shall serve as the plan of the District for funding public improvements and services.

Location:

The District is in the vicinity of 211th Street and I-49 in the City of Peculiar. The District will cover approximately 916 acres of land.

Assessed Value of District:

The total assessed value of all properties within the District on the date of the Petition is \$778,290.

Governance:

The District will be governed by a five-member Board of Directors. No Director shall receive compensation for performing their official duties as a member of the Board, except that the District may reimburse Directors for reasonable and actual expenses incurred in the performance of their official duties as may be permitted in the Act. The names and terms of the initial Directors will be as appointed by the Mayor of Peculiar with the advice and consent of the Board of Aldermen. The successor Directors will be appointed by the Mayor with the advice and consent of the Board of Aldermen. In the event of a vacancy on the Board of Directors, the remaining Directors shall elect an interim director to fill the vacancy for the remainder of the unexpired term.

Public Improvements:

The District will assist in the funding of the construction of certain public improvements (the “**Public Improvements**”). A description and the estimated cost of the Public Improvements is provided in **Exhibit 1** of this Plan. The sewer improvements listed in **Exhibit 1** may be funded through the Sewer Special Assessments, and incorporated into the special assessments that may be charged to properties in the District that are benefitted by sewer service.

Services:

The District may fund services (the “**Services**”) that support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses, and sewer and stormwater services. The Services will include professional services that provide for the routine and necessary operations and administration of the District. A description and the estimated annual cost of the Services is provided in **Exhibit 1** of this Plan.

Funding Methods:

Sales Tax –

It is intended that the District will impose a sales tax at a rate not to exceed one percent (1.0%) on all retail sales made in the District which are subject to taxation pursuant to sections 144.010 to 144.525 of the Revised Statutes of Missouri, except the sale of motor vehicles, trailers, boats or outboard motors and sales to or by public utilities and providers of communications, cable or video services, all as allowed by Sections 67.1461 and 67.1545 of the Revised Statutes of Missouri (the “**District Sales Tax**”). The District Sales Tax must be approved by the qualified voters of the District at an election conducted by the County Election Authority.

Special Assessments –

Pursuant to Section 67.1521 of the CID Act, the owners of real property within the District may also petition the District to impose a special assessments on real property within the District (the “**Special Assessments**”). The District may impose Special Assessments to provide sewer and stormwater services and to fund road improvements within the District, in accordance with the limitations established in the Petition for formation of the District and the respective special assessment petitions that are

submitted to the District. Following the receipt of such petitions, the District may impose such Special Assessments by resolution.

The revenue collected from the Special Assessments and the District Sales Tax will be used to fund the applicable Services and the operation and administration costs of the District.

Costs:

The total estimated cost of the Public Improvements and the Services and the estimated annual cost of administering and operating the District is set forth in **Exhibit 1** to this Plan.

City Services:

The CID Act mandates that existing City services will continue to be provided within a CID at the same level as before the District was created (unless services are decreased throughout the City) and that District services shall be in addition to existing City services. The District anticipates that City services will continue to be provided within the District at the same level as before the District was created, and the District will not cause the level of City services within the District to diminish.

Duration:

The District will operate for a maximum term of 50 years from the date of the ordinance that approves the Petition. The petition process must be repeated for the CID to continue beyond this time period. No plan for distribution of assets on dissolution may be approved unless the title to assets of the District are to be owned by the State of Missouri or a political subdivision of the State of Missouri.

Plan Updates:

This Plan may be updated on an annual or other regular basis by the District Board of Directors. The District will prepare and adopt an annual budget in accordance with the CID Act and applicable Missouri law which will establish the actual annual funding of all Public Improvements and Services.

EXHIBIT 1 to Five Year Plan

Estimated Costs of District Public Improvements and Services

IMPROVEMENTS¹	ESTIMATED COSTS
I-49 & 211th Street Interchange	\$12,290,000
Connecting Road Improvements	
211th Street from East Outer Road to School Road	\$1,780,000
School Road from 203rd Street to 211th Street	\$2,155,000
School Road from J Highway to 211th Street overlay	\$250,000
211th Street from Peculiar Drive to Harper Rd	\$2,806,000
211th Street from Route J to School Rd	\$4,255,000
Relocated Harper Rd at 211th Street	\$1,061,000
211 th Street from Harper Rd to Mullen Rd	\$14,742,000
211 th Street from Mullen Rd to Route Y	\$4,134,000
203 rd Street from Peculiar Dr. to Mullen Rd	\$8,370,000
203 rd Street from Mullen Rd to Route Y	\$4,388,000
Route Y from 203 rd St to Route YY Asphalt Overlay	\$77,000
Peculiar Dr from 203 rd St to Route YY Asphalt Overlay	\$112,000
Knight Road from Route YY to 203rd Street	\$6,953,000
Harper Rd from E. 227 th Street to Peculiar Dr.	\$2,800,000
N.E Outer Road from E. Outer Rd/211 th St to north end	\$300,000
School Rd relocation @ Route J (Casey's)	\$1,800,000
Lift Station and Wastewater Treatment Plant	\$1,815,000
School Road sidewalk for Pay-Pec School Campus	\$75,000
Stormwater Detention Basin, School Rd & Elm Street	\$600,000
IMPROVEMENTS TOTAL	\$70,763,000
DISTRICT SUPPORT²	
Services to support business activity and economic development	\$150,000
SERVICES³	ESTIMATED ANNUAL COSTS
Administration & Operating Costs	\$5,000
Insurance	\$2,000
SERVICES TOTAL	\$7,000

Notes for Estimated Costs:

1. The amounts listed above for Improvements is a statement of the total potential cost of improvements, and is not intended to be a statement of the full cost of the improvements to be funded by the District or the amount to be funded by the District during the first five years of the District.
2. The amount listed above for District Support is a projection of the total cost to implement a program of services to support and encourage business activity and economic development within the District. This cost may be incurred during the initial five years of the District based on the level of business development that occurs after completion of the interchange construction. Otherwise, such cost is expected to be incurred in a future year.
3. The amounts listed above for services is a projection of the annual cost of services during the first few years of the District, and not the total cost of all services to be funded during the life of the District.