



**AGENDA
CITY OF HARRISONVILLE
COMMUNITY DEVELOPMENT COMMITTEE
REGULAR MEETING
CITY HALL
NOVEMBER 21, 2017
6:00 PM**

I. Attendance

1. Present

II. Approval of Minutes

1. Community Development Committee - Regular Meeting - Sep 19, 2017 6:00 PM

III. Agenda

1. Tree
2. BZA Notifications

IV. Discussion

1. Bazaar Bizzare

V. Adjourn

VI. Action Items

Posted on City Hall Bulletin Board this 17th day of November, 2017

Randall K. Jones, City Clerk



DRAFT
MINUTES
CITY OF HARRISONVILLE
COMMUNITY DEVELOPMENT COMMITTEE
REGULAR MEETING
CITY HALL
SEPTEMBER 19, 2017
6:00 PM

I. Attendance

Attendee Name	Organization	Title	Status	Arrived
David Dickerson	Harrisonville	Member	Present	
Matt Turner	Harrisonville	Member	Present	
Brian Hasek	Harrisonville	Chair	Present	
Clint Long	Harrisonville	Member	Absent	
Brad Bockelman	Harrisonville	Member	Present	

Also present were Happy Welch, City Administrator; and Jamie Martin, Utility/Community Development Clerk recording.

II. Approval of Minutes

1. Community Development Committee - Regular Meeting - Aug 15, 2017 6:00 PM

With no changes or additions, the minutes were unanimously accepted.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	David Dickerson, Member
SECONDER:	Brad Bockelman, Member
AYES:	David Dickerson, Matt Turner, Brian Hasek, Brad Bockelman
ABSENT:	Clint Long

III. Agenda

1. Hot Days Start Time Revision

The added language was approved as written, with the National Weather Service being the approved source of the temperature.

RESULT:	RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]
MOVER:	David Dickerson, Member
SECONDER:	Matt Turner, Member
AYES:	David Dickerson, Matt Turner, Brian Hasek, Brad Bockelman

ABSENT: Clint Long

2. Remove Residential TCO Language

The language was approved as written with the first TCO being free with permit, each extension will cost \$200.00, with a limit of three total TCO's.

RESULT: RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]
MOVER: David Dickerson, Member
SECONDER: Brad Bockelman, Member
AYES: David Dickerson, Matt Turner, Brian Hasek, Brad Bockelman
ABSENT: Clint Long

3. Residential Sprinkler Code

It is suggested to delete 2012 language and insert 2006 language. This change is to comply with the state statute.

RESULT: RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]
MOVER: Matt Turner, Member
SECONDER: David Dickerson, Member
AYES: David Dickerson, Matt Turner, Brian Hasek, Brad Bockelman
ABSENT: Clint Long

4. Foundation Code Revision

It is recommended to replace section 16 with a new section on vertical rebar reinforcement. This will put the city the same as surrounding jurisdictions. The committee suggests to make the changes as written.

RESULT: RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]
MOVER: Matt Turner, Member
SECONDER: David Dickerson, Member
AYES: David Dickerson, Matt Turner, Brian Hasek, Brad Bockelman
ABSENT: Clint Long

IV. Discussion

None

V. Adjourn

With no further business to come before the Committee, David Dickerson motioned to adjourn. Brian Hasek seconded. The meeting was adjourned at 6:35 PM.

Brian Hasek, Mayor & Ex-Officio
 Chairman of the Board of Aldermen

Minutes Acceptance: Minutes of Sep 19, 2017 6:00 PM (Approval of Minutes)

ATTEST:

Randall K. Jones, City Clerk

Minutes Acceptance: Minutes of Sep 19, 2017 6:00 PM (Approval of Minutes)



300 E. Pearl Street, P.O. Box 367 • Harrisonville, MO 64701 • Tel: 816-380-8900 • Fax: 816-380-8906

September 22, 2017

Re: Municipal Code review and possible change,
Chapter 220 Nuisances, section 220.290 Dead, Dying, Diseased Trees.

Scope: Wording of the ordinance brings the city into a civil matter due to the neighboring properties wording. This can lead to substantial abatement costs and problem collections, particularly on vacant properties. This also brings a liability component to the city if we are involved in this civil matter, as soon as we start a code case; particularly if abatement is delayed.

If we keep this wording in the ordinance we will need to be prepared to dedicate a large percentage of our abatement budget to this and we should be particularly strict in the enforcement and possible abatement of the violation.

If we modify the ordinance, perhaps to cover only public property, right of way, sidewalks ect we can probably maintain our current budget allocation for abatements.

City of Harrisonville, MO
Friday, September 22, 2017

Chapter 220. Nuisances

ARTICLE IV. Trees

Section 220.290. Dead, Dying, Diseased Trees.

[CC 1977 §34-3; Ord. No. 683 §1, 11-16-1966; Ord. No. 2904 §1, 3-7-2005]

All dead, on decaying trees, shrubbery, dead limbs or branches that create a dangerous or unsafe condition to the public or neighboring properties, all trees infested with insects or worms which are injurious to trees, and/or all trees infected by a disease or fungus that is not promptly treated or that is not remediable, and/or any tree meeting the United States Department of Agriculture Forest Service Hazardous Tree Guidelines as determined by a certified arborist are hereby declared to be a public nuisance and shall be promptly taken down and removed from the premises by owner(s) or occupant(s) of any property in the City of Harrisonville on which same is situated.

Attachment: Tree Ord Change (Tree Ordinance Change)

MEMO

To: Community Development Committee
From: Happy Welch
Re: Board of Zoning Adjustment Notifications

Some changes were discussed during the Nov. 6 Board of Aldermen meeting regarding the Board of Zoning Adjustment notification process and to revise the policy regarding those procedures.

The recommendation is to bring everything internal for staff to do to ensure timely advertising and proper notification.

The city will become responsible to put the public notice in the newspaper and to notify adjoining property owners. There are no specific state statutes on how to advertise so we will amend our standard notice messages (those are included as attachments).

I would recommend increasing the application fee to \$100 to offset the costs to advertise and mail the letters. The ad can run anywhere from \$48 - \$78, the letters will be sent first class mail at .46 to .48 cents per mailing, and you will have staff time to prepare and attend the meeting.

The remainder of the process will remain the same with the meeting schedule, staff, and staff clerk taking minutes.

**APPLICATION
FOR
VARIANCE
City of Harrisonville**

Case No. VAR-_____
BZA Date: _____
(Staff use only.)

Please print or type

It is recommended that the applicant schedule a meeting with city staff prior to the submission of an application. An application will not be considered complete until all required material has been submitted. The Board of Zoning Adjustment meeting will not be scheduled until the application is complete. It is the applicants responsibility to submit evidence that a variance is justified. The applicant should be aware that obtaining a variance is difficult and ample evidence justifying a variance must be provided. It is the applicants responsibility to obtain a copy of the agenda, staff report and staff recommendation prior to the scheduled meeting. Attach additional sheets if necessary.

Legal Description: _____

Location or address of subject property: _____

Zoning on subject property: _____ Current Land Use: _____

Request: Cite section and subsection of the Land Use Ordinance from which variance is being requested and describe the reason for requesting a variance.

PROPERTY OWNER'S NAME: _____ PHONE: _____

MAILING ADDRESS: _____
STREET CITY STATE ZIP

APPLICANT/AGENT'S NAME: _____ PHONE: _____

MAILING ADDRESS: _____
STREET CITY STATE ZIP

NOTE: See attached material for instructions and examples.

Application Fee: \$50.00

APPLICANTS SIGNATURE: _____ DATE: _____

Received By: _____

Attachment: BZA Application (BZA Notifications)

APPLICATION FOR VARIANCE
Page 2
(Attach additional sheets if necessary.)

1. Can the subject property yield a reasonable return if used under the regulations governing the zoning district in which it is located?

Yes No

Explain: _____

2. Is the plight of the owner due to unique circumstances? *(Unique circumstances may include, but is not limited to, the shape, topographical conditions, or physical surroundings of the property.)*

Yes No

Explain: _____

3. Will the variance, if granted, alter the character of the locality and/or neighborhood?

Yes No

Explain: _____

4. Will the variance adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare?

Yes No

Explain: _____

5. Does the request arise from a condition which was created by an action(s) of the property owner or the applicant?

Yes No

Explain: _____

It is the applicant's responsibility to demonstrate that these conditions have been met at the time of application. Applicants are encouraged to submit any materials which will support their case, including site plans, photographs, studies, letters of support, etc.

Attachment: BZA Application (BZA Notifications)

BOARD OF ZONING ADJUSTMENT INSTRUCTIONS

SUBMISSION REQUIREMENTS FOR A VARIANCE APPLICATION

1. Complete Application Form (2 pages)
2. \$50.00 Filing Fee
3. Attach a list of names and addresses of all property owners within the notification area (200 feet of the subject property).
4. A site plan drawn to scale showing dimensions of the subject property, the dimensions and location of structures whether existing or proposed, and other information necessary for the city staff and Board of Zoning Adjustment to make a decision.

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (*see attached example letter*) of the public hearing for the requested appeal or variance by **certified mail, return receipt requested** to all owners of land within the notification area (200 feet of the subject property). These notices must be sent prior to the public hearing. Information regarding ownership of the land within the notification area shall be obtained from a title insurance company. A list of property owners within the notification area must be submitted with the application. All certified mail receipts and return receipts must be submitted to the City before the scheduled meeting.

NOTICE OF PUBLIC HEARING: The applicant will be responsible for submitting the Notice of Public Hearing (*see attached example notice of public hearing*) to the Cass County Democrat or the Journal and must be published a minimum of 15 days prior to the scheduled public hearing.

BOARD OF ZONING ADJUSTMENT REVIEW AND DECISION: The Harrisonville Board of Zoning Adjustments meets (as needed) on the 2nd Tuesday of the month at 6:00 PM in City Hall. The agenda and staff report(s) will be available the Friday preceding the Board of Zoning Adjustment meeting. The chairperson will open the public hearing for each case to hear presentations by the owner or authorized agent, the public, and the city staff, respectively. After everyone has had the opportunity to speak, the Board of Zoning Adjustment will close or continue the public hearing to a later date. A concurring vote of at least four (4) members of the Board of Zoning Adjustment is necessary to grant a variance.

EXAMPLE NOTICE OF PUBLIC HEARING

Notice of Public Hearing

Before the Board of Zoning Adjustments of the City of Harrisonville, Missouri.

NOTICE IS HEREBY GIVEN of a public hearing before the Board of Zoning Adjustments of the City of Harrisonville, Missouri to be held at 6:00 P.M. on *insert day of week*, *insert date of meeting* at City Hall (300 East Pearl Street, Harrisonville, Missouri) to consider an application for variance submitted by *insert applicant(s) name* on the following described property:

Insert Legal Description, Address & General Location of Subject Property

The public is encouraged to attend the meeting.

April L. Wiskur
Secretary of the Board of Zoning Adjustment

PLEASE NOTE THAT:

- *The public hearing must be published in the Cass County Democrat or the Journal at least 15 days prior to the scheduled public hearing.*
- *The publication and all publication costs (including proof of publication) are the responsibility of the applicant.*
- *An affidavit of publication must be submitted before the scheduled Board of Zoning Adjustment meeting.*

EXAMPLE LETTER

Insert Date of Letter

To Whom It May Concern:

This letter is to notify you of a public hearing before the Harrisonville Board of Zoning Adjustments which is scheduled for 6:00 P.M. on ***insert day of week, insert date of meeting***, in City Hall (300 East Pearl Street, Harrisonville, Missouri), to consider an application for variance submitted by ***insert applicant(s) name*** on the following described property:

Insert Legal Description, Address & General Location of Subject Property

As an adjacent landowner, you are being notified of this public hearing as required by municipal ordinance. You are also welcome to express any opinions regarding this application during the public hearing; however, your appearance is not required.

Sincerely,

Name of Applicant
Phone Number of Applicant

PLEASE NOTE THAT:

- *The applicant is responsible for mailing letters (certified mail, return receipt requested) to all property owners within 200 feet of the subject property.*
- *All "green cards" and receipts must be submitted to the City before the scheduled public hearing.*

Attachment: BZA Application (BZA Notifications)

Notice of Public Hearing

Notice is hereby given of a public hearing before the Board of Zoning Adjustments of the City of Harrisonville, Missouri to be held at 6:00 p.m. on (day and date) at City Hall, 300 E. Pearl Street, Harrisonville, MO 64701. The purpose of the hearing is a request for (type of hearing) to (desired change) by (applicant name) at (address), (legal description and general location).

All interested parties are encouraged to attend.



P.O. Box 367, 300 East Pearl Street - Harrisonville, Missouri 64701 p. (816) 380-8900 f. (816) 380-8906

November 14, 2017

To Whom It May Concern:

This letter is to notify you of a public hearing before the Harrisonville Board of Zoning Adjustments which is scheduled for Tuesday, January 9, 2018, 6:00 p.m. at city hall, 300 E. Pearl St., Harrisonville, MO 64701.

The BZA will be considering a variance to allow a carport to be located within the 8 foot side setback for the owner Marcia Lightcap, 503 E. Chestnut, Harrisonville, MO 64701, Parcel #: 13-21-41-103-000-064.000, Original Town East 50' North 132.5' Block 180.

As a nearby landowner you are being notified of this public hearing as required by municipal ordinance. You are also welcome to express any opinions regarding this application during the public hearing, however, your appearance is not required.

Sincerely,

Happy Welch
City Administrator

Attachment: BZA Sample Letter (BZA Notifications)

Community Development Committee
November 21, 2017

Bizarre Bazaar
Incentive Tools for Consideration

Staff is respectfully seeking guidance on possible incentives tools that may be considered when staff is approached by prospective parties expressing interest in the Bizarre Bazaar property. Staff has attempted to provide a summary of the various eligible tools for the Bizarre Bazaar property, focusing on the funding mechanisms of each tool, not discussing the formation or governing bodies at this time.

NOTE: Any District designated (TIF, CID, TDD, etc.) affects only activities occurring within the District boundaries. Any tax diversion, additional tax imposed, special assessments, etc., affect only property owners within the District boundaries, tenants within the District boundaries, or customers conducting business within the District boundaries. No Special District can impose any tax, special assessment, toll, etc., beyond the designated District boundaries.

Tax Increment Financing (TIF) (Future Tax Diversion and Potential Reimbursement – for up to 23 years)

(NOT a Tax Abatement Program)

NOTE: Tax Increment Financing is designed for Redevelopment projects. Tax Increment Financing is also designed to encourage investment to help remove blight or blighted properties.

Property Tax Assessed Valuation is frozen upon passing of the Tax Increment Financing Redevelopment Plan. The property owner continues to pay 100% of the property tax due on the frozen Assessed Valuation.

Revenue generated to fund eligible aspects of the project are derived from the increase in the taxes generated by the increase in the property value and any new sales taxes that might be generated by the project development.

Statute allows for 100% capture of the “New” property tax generated. A municipality can negotiate a percentage of “Surplus PILOTS” (PILOTS – Payments in Lieu of Taxes) be paid to the affected taxing jurisdictions, to ensure that 100% of new property tax is not captured for cost reimbursement.

Statute allows for 50% capture of the “New” sales and utility tax generated.

NOTE: The City is not required to issue bonds for a TIF project. The City is not required to back any bonds that might be issued for a TIF project.

Sales Tax Rebate/Development Agreements

Developer/Property Owner agrees to fund the costs of certain public improvements. The City agrees to reimburse the developer/owner for the cost of those project related public improvements, with interest at an agreed-upon taxable interest rate, from the incremental sales taxes generated by the project.

Statutory requirements dictate Sales Tax Rebate Agreements be executed on a year-to-year only basis, subject to annual appropriation by the governing body.

Community Improvement District (CID) (NOT a Tax Abatement Program)“Qualified Voters” in a Community Improvement District:

- 1) Registered Voter residing within the Community Improvement District boundaries
- 2) The owners of the real property within the Community Improvement District – if there are no Registered Voters residing within the Community Improvement District

Funding Mechanisms in a Community Improvement District:

Sales Tax – may be imposed with approval by a majority of the Qualified Voters – in 1/8 cent increments up to one cent (ONLY if the CID is formed as a Political Subdivision and not formed as a Non-profit entity)

Real Property Tax – may be imposed with approval by a majority of the Qualified Voters (ONLY if the CID is formed as a Political Subdivision and not formed as a Non-profit entity)

Special Assessments – Community Improvement District may impose Special Assessments if approved by petition signed by:

- 1) Owners collectively owning real property representing more than 50 percent of the assessed value of real property within the Community Improvement District
- 2) More than 50 percent per capita of the owners of all real property within the Community Improvement District

Other Sources – Fees, Rents, Charges for CID property or services

Bonds – may issue Bonds for not more than 20 years

Transportation Development District (TDD) (NOT a Tax Abatement Program)“Qualified Voters” in a Transportation Development District:

- 1) The Registered Voters within the Transportation Development District
- 2) The Property Owners within the Transportation Development District (who shall receive 1 vote per acre)

Funding Mechanisms in a Transportation Development District:

Sales Tax – the District may impose a Sales Tax in 1/8 of one cent increments up to 1 cent.

Special Assessments – requires majority qualified voter approval

Property Tax – may impose a property tax not to exceed the annual rate of ten cents on the hundred dollars of assessed valuation – requires approval by at least four-sevenths of the qualified voters

Tolls – may collect or charge tolls or fees for use of the project (if approved by a majority of the qualified voters)

Bonds – The Transportation Development District may issue bonds for not more than 40 years

Chapter 353 (Urban Redevelopment) (A Tax Abatement Program – for up to 25 years maximum)

Tax Abatement Amounts:

First 10 Years: 100% of the “incremental increase” in real property taxes on the land

100% of the real property taxes on all improvements are abated

Next 15 Years: between 50% - 100% of the incremental real property taxes on all land and all improvements are abated

NOTE: The City may impose Payments in Lieu of Taxes (PILOTS) to achieve an effective tax abatement that is less than the abatement established by statute.

Sales Tax Rebate/Development Agreements

Developer/Property Owner agrees to fund the costs of certain public improvements. The City agrees to reimburse the developer/owner for the cost of those project related public improvements, with interest at an agreed-upon taxable interest rate, from the incremental sales taxes generated by the project.

Statutory requirements dictate Sales Tax Rebate Agreements be executed on a year-to-year only basis, subject to annual appropriation by the governing body.

New Markets Tax Credits (NMTCs) (Not a Tax Abatement Program) (NOT a Local Incentive Program)

New Markets Tax Credits is a Federal program designed with the intent to attract private investment to low income communities.

Used as a “Gap Filler” to fund projects.

The Tax Credits go to the investor.

Benefits to the business or project may include:

- Below market interest rate loans
- Interest Only loans
- Higher than standard loan-to-value ratio
- Longer than standard amortization period
- Lower than standard loan origination fees

Please see accompanying New Markets Tax Credits informational material.

Please see New Markets Tax Credits Eligibility Map.

New Markets Tax Credits Overview

- Federal tax credit to spur private investment in low income communities
- Investors get tax benefits
- Businesses and projects get equity or below market loans
- Primarily for economic development but can also be used on community facilities



NMTC Overview cont'd

- Investors provide up front equity to projects in exchange for receiving tax credits worth 39% of their investment over a 7 year period

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7
5%	5%	5%	6%	6%	6%	6%

- A substantial portion of this investment reaches businesses or projects as equity or low interest loans



NMTCs for Projects and Ventures

- NMTC equity is a gap filler
- CDEs are the link
- Find eligible businesses or projects with some capital committed
- Attract investors
- Provide NMTCs to investors in exchange for up front equity to fund projects



Eligible Projects

- Loans and investments in operating businesses located in LICs
- Development of commercial, industrial and retail real estate in LICs
- Mixed-use projects where non-residential income exceeds 20 percent of the gross income of the property

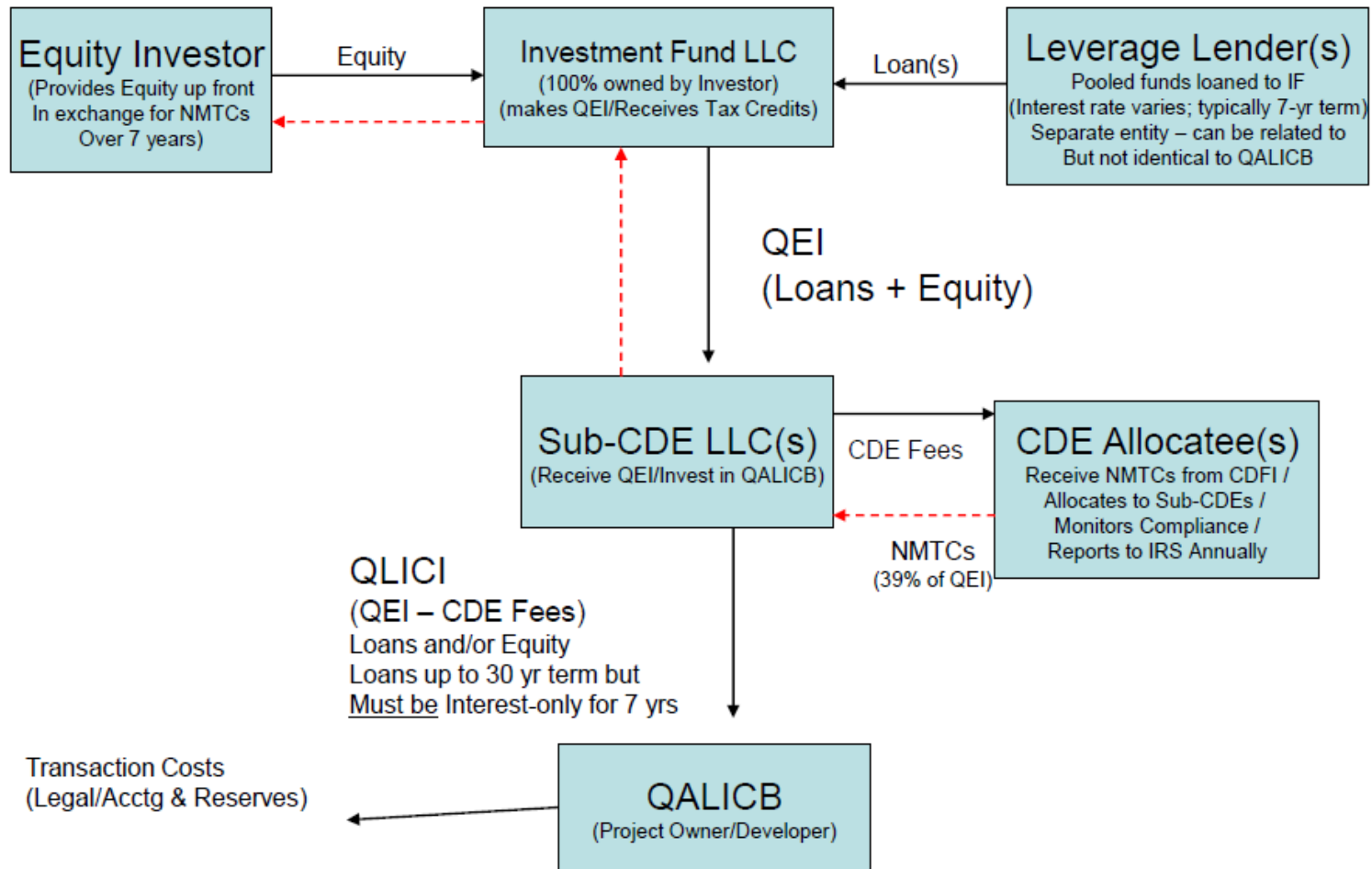


QLICI (cont.)

- Very Flexible Use of Proceeds
 - Almost any legitimate business use is permitted
 - Can be construction and permanent source (must meet “substantial improvement” definition)
 - Can be used for working capital, machinery and equipment (M&E), fixed assets, and even for research and development (R&D) and soft costs
 - But, it must have a term of at least seven years



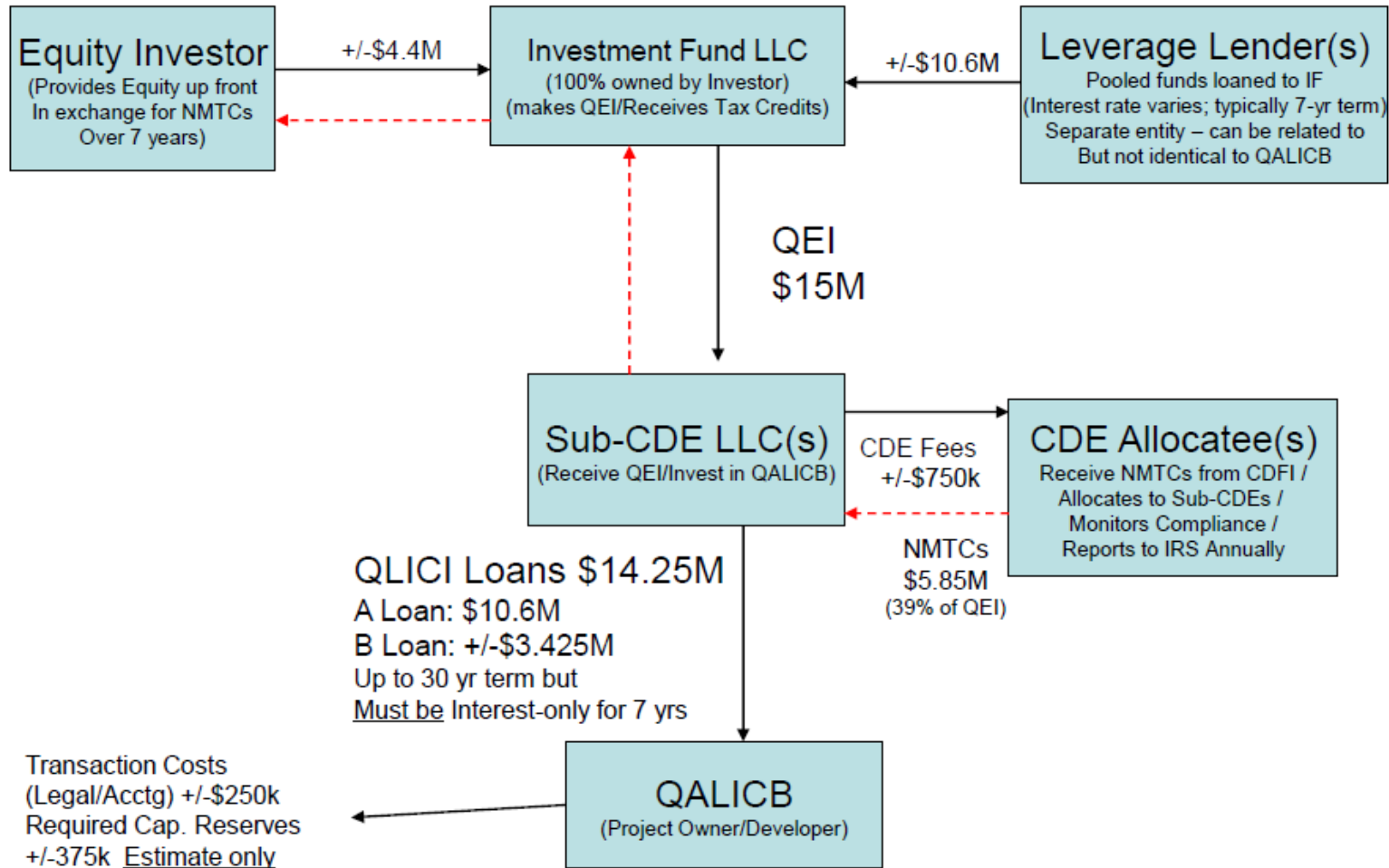
New Markets Tax Credit Leveraged Transaction – Typical Flow of Funds



Attachment: NMTC - Basics - Informational Material (Bazaar Bizzare)



New Markets Tax Credit Leveraged Transaction – Typical Flow of Funds



Attachment: NMTC - Basics - Informational Material (Bazaar Bizzare)



QLICI Loans have flexible features

- Below market interest rates
- A longer than standard interest-only period
- Higher than standard loan to value ratio
- A longer than standard amortization period
- Lower than standard origination fees



QLICIs – Flexible Features (cont.)

- More flexible borrower credit standards
- Nontraditional forms of collateral
- Lower than standard debt service coverage ratio
- Loan loss reserve requirements that are less than standard
- Subordinated debt



