

NOTICE OF OPEN MEETING

Public Notice is hereby given that the City Council of the City of Excelsior Springs will conduct a **Council Meeting at 6:00 PM, October 6, 2025** to consider and act upon the matters on the following agenda and such other matters as may be presented at the meeting and determined to be appropriate for discussion at the time.

The tentative agenda of this meeting is as follows.

**City Council
City of Excelsior Springs**

A G E N D A



City Council Meeting
6:00 PM
Monday, October 6, 2025
Hall of Waters Council Chambers, 201 E Broadway, Ex. Springs MO

CALL TO ORDER

Opening - Doug Richey

Pledge of Allegiance

Roll Call

Visitors

This time is reserved for public comment addressed to the City Council. Each speaker is limited to 5 minutes. Any agenda item which has a Public Hearing should be reserved until the Public Hearing is opened and comments on such item will be taken at that time.

Minutes of the Budget Work Session of September 12, 2025

Minutes of the Regular City Council Meeting of September 15, 2025

Minutes of the Special City Council Meeting of September 26, 2025

CONSIDERATION OF AGENDA

1. Consideration of Historic Preservation Commission Board Appointment of Jody Pasalich - Resolution No. 1611
2. Consideration of Annual Board Appointments - Resolution No. 1612
3. Consideration of Change Order No. 4 for Dry Fork Greenway Project - Resolution No. 1613

4. Public Hearing - 353 Tax Abatement for 409 East Excelsior Street Project
5. Consideration of Amended Redevelopment Plan for the 409 East Excelsior Street Redevelopment Project - Ordinance No. 25-10-01
6. Public Hearing - 353 Tax Abatement for 311 South Thompson Avenue Project
7. Consideration of Amended Redevelopment Plan for the 311 South Thompson Avenue Redevelopment Project - Ordinance No. 25-10-02
8. Consideration of Amending Title IV, Chapter 400 of the Code of Ordinances Regarding Residential Development Standards and Other Minor Changes - Ordinance No. 25-10-03
9. Consideration of Final Plat for Museum Right of Way on East Broadway - Ordinance No. 25-10-04

Remarks - City Manager

Remarks - City Council

Remarks - Mayor

Adjourn

Representatives of the news media may obtain copies of this notice by contacting the City Manager's office, 201 East Broadway. Phone (816) 630-0752.

If any accommodations are required in order to attend this meeting (i.e. qualified interpreter, large print, reader, hearing assistance), please notify the City Manager's office no later than 48 hours prior to the beginning of the meeting.

Date and Time of Posting: Thursday, October 2, 2025 at 1:30pm

WORK SESSION OF THE CITY COUNCIL
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
September 12, 2025

The City Council of the City of Excelsior Springs, Missouri met in a Budget Work Session on Friday, September 12, 2025 that begin at 8:28 am in the Conference Room of the Hall of Waters Building to discuss the proposed City Budget for general overview of the fiscal year October 1, 2025 to September 30, 2026. The meeting was also available virtually.

The meeting was called to order by Mayor Spohn.

Roll Call of Members: Present: Mayor Mark Spohn, Mayor Pro-Tem Reggie St. John, Councilman Gary Renne, Councilman Stephen Spear, and Councilman John McGovern.

Absent: None.

Present Representing the City: Molly McGovern, City Manager
 Chad Birdsong, Director of Public Works
 Joe Maddick, Fire Chief
 Greg Dull, Police Chief
 Vonda Floyd, Finance Director
 Mallory Brown, Director of Community Development
 Melinda Mehaffy, Director of Economic Development
 Nate Williams, Director of Parks, Recreation, & Community Center
 Shannon Stroud, Human Resources Manager/City Clerk
 Susan Conyers, Executive Secretary/Deputy City Clerk

BUDGET COMMENTS:

Molly McGovern, City Manager began discussion and gave overview of the 2026 Fiscal Year Budget, which included all budgets and funds for Fiscal Year 2026.

With no further business at hand, the Budget Work Session of September 12, 2025 adjourned at 9:02 am.

ATTEST:

MARK D. SPOHN, MAYOR

SHANNON STROUD, CITY CLERK

CITY COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
September 15, 2025

The City Council of the City of Excelsior Springs, Missouri met in a Regular City Council Meeting at 6:00 PM, on Monday, September 15, 2025 in the Council Chambers of the Hall of Waters Building.

The opening was led by Pastor Chad Wagner of the Excelsior Springs Church.

The Pledge of Allegiance was led by Mayor Spohn.

The meeting was called to order by Mayor Spohn.

Roll Call of Members: Present: Mayor Mark Spohn, Mayor Pro-Tem Reggie St. John, Councilman Gary Renne, Councilman Stephen Spear, and Councilman John McGovern.

Absent: None.

VISITORS: None.

MINUTES OF THE BUDGET WORK SESSION OF AUGUST 29, 2025:

Councilman Renne made a motion to approve the minutes of the Budget Work Session of August 29, 2025. Motion was seconded by Mayor Pro-Tem St. John. All in favor; motion carried.

Minutes of the Budget Work Session of August 29, 2025 passed and approved September 15, 2025.

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 2, 2025:

Councilman Spear made a motion to approve the minutes of the Regular City Council Meeting of September 2, 2025. Motion was seconded by Councilman Renne. All in favor; motion carried.

Minutes of the Regular City Council Meeting of September 2, 2025 passed and approved September 15, 2025.

CONSIDERATION OF AGENDA:

Councilman McGovern made a motion to approve the agenda as presented. Motion was seconded by Councilman Spear.

Roll Call of Votes: Ayes: McGovern, Spear, Renne, St. John, Spohn

 Nays: None, motion carried.

The agenda passed and approved September 15, 2025.

PROCLAMATION – GOOD NEIGHBOR WEEK 2025:

Mayor Spohn read aloud the proclamation for Missouri Good Neighbor Week and proclaimed September 28th to October 4th as such. Neighborhood Specialist Laura Mize accepted the proclamation on behalf of the University of Missouri Extension and the Hopeful Neighborhood Project, and encouraged participation in the Mayor's Block Party Challenge by planning or attending a block party in your neighborhood.

PROCLAMATION – DIAPER NEED AWARENESS WEEK 2025:

Mayor Spohn read aloud the proclamation for National Diaper Need Awareness Week and proclaimed September 15th to 21st as such.

PROCLAMATIONS HONORING LOCAL CENTURIAN BUSINESSES:

Mayor Spohn read aloud the proclamation honoring seven local centurian businesses. Proclamation will be presented to Ameren Missouri, Atlas, Standard Newspaper, Elms Hotel and Spa, Excelsior Springs Hospital, and the Excelsior Springs Golf Course on October 2nd at the Connecting Entrepreneurial Communities Conference.

RESOLUTION NO. 1609, CONSIDERATION OF BOARD RE-APPOINTMENTS TO P&Z AND HOSPITAL BOARD:

Mayor Spohn read by title Resolution No. 1609.

Molly McGovern, City Manager briefed the Council of the Resolution.

Councilman McGovern made a motion to approve Resolution No. 1609 approving the reappointment of Christy Marker and Dustin Borchert to the Planning and Zoning Commission, and Mike Anderson and Jeanine Stubbs to the Hospital Board of Trustees. Motion was seconded by Mayor Pro-Tem St. John.

Roll Call of Votes: Ayes: Spear, McGovern, Renne, St. John, Spohn

Nays: None, motion carried.

Resolution No. 1609 passed and approved September 15, 2025.

RESOLUTION NO. 1610, CONSIDERATION OF AWARDING REMEDIATION BID TO TITAN ENVIRONMENTAL SERVICES:

Mayor Spohn read by title Resolution No. 1610.

Melinda Mehaffy, Director of Economic Development briefed the Council of the Resolution.

Mayor Pro-Tem St. John made a motion to approve Resolution No. 1610 awarding the bid for the asbestos, lead-based paint, and hazardous waste remediation project at the former Wyman School to Titan Environmental Services, Inc. in the amount of \$697,498.95. Motion was seconded by Councilman Spear.

Roll Call of Votes: Ayes: McGovern, Spear, Renne, St. John, Spohn

Nays: None, motion carried.

Resolution No. 1610 passed and approved September 15, 2025.

RESOLUTION NO. 1611, CONSIDERATION OF 2025 STREETSCAPE PROJECT CHANGE ORDER NO. 1 WITH MCANANY CONSTRUCTION:

Mayor Spohn read by title Resolution No. 1611.

Chad Birdsong, Director of Public Works briefed the Council of the Resolution.

Councilman Spear made a motion to approve Resolution No. 1611 approving 2025 Streetscape Project Change Order Number 1 with McAnany Construction, LLC. Motion was seconded by Councilman McGovern.

Roll Call of Votes: Ayes: Spear, Renne, McGovern, St. John, Spohn

Nays: None, motion carried.

Resolution No. 1611 passed and approved September 15, 2025.

PUBLIC HEARING – PUBLIC TRANSPORTATION 5311 GRANT:

Mayor Spohn read by title the consideration.

Chad Birdsong, Public Works Director presented the details of the Public Transportation 5311 Grant.

Mayor Pro-Tem St. John made a motion to open the public hearing regarding the Public Transportation 5311 Grant. Motion was seconded by Councilman Spear.

Roll Call of Votes: Ayes: McGovern, Spear, Renne, St. John, Spohn

Nays: None, motion carried.

The public hearing was opened at 6:19 pm. There were no comments or questions from the public.

Councilman Spear made a motion to close the Public Hearing regarding the Public Transportation 5311 Grant. Motion was seconded by Mayor Pro-Tem St. John.

Roll Call of Votes: Ayes: Renne, Spear, Morgan, St. John, Spohn

Nays: None, motion carried.

The Public Hearing regarding Public Transportation 5311 Grant was closed at 6:20pm.

ORDINANCE NO. 25-09-07, CONSIDERATION OF APPLICATION OF 5311 TRANSPORTATION GRANT:

Mayor Spohn read by title Ordinance No. 25-09-07.

Chad Birdsong, Public Works Director briefed the Council of the Ordinance.

Councilman Renne made a motion to place Ordinance No. 25-09-07 authorizing the Mayor to apply for federal financial assistance on behalf of the City of Excelsior Springs, Missouri and to execute any contract(s) resulting from such application for any grants between the City of Excelsior Springs, Missouri and the Missouri Highways and Transportation Commission providing for capital, operating, and/or marketing assistance, comprised of federal funds to be expended for commission-approved transit projects on second reading. Motion was seconded by Councilman McGovern.

Roll Call of Votes: Ayes: Spear, McGovern, Renne, St. John, Spohn

Nays: None, motion carried.

Mayor Spohn read by title the second reading of Ordinance No. 25-09-07.

Councilman Spear made a motion to approve Ordinance No. 25-09-07 authorizing the Mayor to apply for federal financial assistance on behalf of the City of Excelsior Springs, Missouri and to execute any contract(s) resulting from such application for any grants between the City of Excelsior Springs, Missouri and the Missouri Highways and Transportation Commission providing for capital, operating, and/or marketing assistance, comprised of federal funds to be expended for commission-approved transit projects. Motion was seconded by Mayor Pro-Tem St. John.

Roll Call of Votes: Ayes: Renne, McGovern, Spear, St. John, Spohn

Nays: None, motion carried.

Ordinance No. 25-09-07 passed and approved September 15, 2025.

ORDINANCE NO. 25-09-08, CONSIDERATION OF FISCAL YEAR 2026 BUDGET APPROVAL:

Mayor Spohn read by title Ordinance No. 25-09-08.

Molly McGovern, City Manager briefed the Council of the Ordinance.

Councilman McGovern made a motion to place Ordinance No. 25-09-08 adopting a budget for the period October 1, 2025 through September 30, 2026, and authorizing the expenditures of funds, all for and in behalf of the City of Excelsior Springs, Missouri on second reading. Motion was seconded by Councilman Renne.

Roll Call of Votes: Ayes: Renne, Spear, McGovern, St. John, Spohn

Nays: None, motion carried.

Mayor Spohn read by title the second reading of Ordinance No. 25-09-08.

Councilman Spear made a motion to approve Ordinance No. 25-09-08 adopting a budget for the period October 1, 2025 through September 30, 2026, and authorizing the expenditures of funds, all for and in behalf of the City of Excelsior Springs, Missouri. Motion was seconded by Councilman McGovern.

Roll Call of Votes: Ayes: McGovern, Renne, Spear, St. John, Spohn

Nays: None, motion carried.

Ordinance No. 25-09-08 passed and approved September 15, 2025.

AUGUST REVENUE REPORT AND FINANCIALS FOR REVIEW:

Mayor Spohn read by title the Consideration.

Vonda Floyd, Finance Director briefed the Council of the Consideration.

The expenditure lists and payroll for August 2025 and the August revenue report were made available for review.

REMARKS – CITY MANAGER AND CITY COUNCIL:

City Manager, Molly McGovern:

1. We will enjoy a DEP dinner this week.

Councilman Renne:

1. I saw neighbors getting excited as RedGate is going through the community distributing the new trash carts. Two neighbors commented that they are happy we changed companies and that it takes effect right away.

Councilman McGovern:

1. With respect to the Meals on Wheels program that was mentioned earlier, the Senior Center has submitted a grant request in the amount of \$21,000.00 to the Clay County Senior Services Board. They will be meeting this Thursday to make a decision on that. The recommendation from the executive director is to approve it. Hopefully we will have some good news by the end of the week.

Councilman Spear:

1. We have our Night Out Against Crime event coming up September 27th, so we are excited about that. It starts at 5:30pm. We will have police cars, fire trucks, and Public Works will have the ever-popular flusher truck.

Mayor Pro-Tem St. John:

1. Looking at good neighbor week, I had the opportunity last week to spend time with a person that has relocated to the Kansas City area from southern California and he commented on the nice Midwestern gesture of waving to complete strangers. I thought that was interesting.

Mayor Spohn:

1. I had the pleasure of having a lot of conversations with people from out of town. This week we had three ladies here for the wine trolley and they were just delighted with the experience. Appreciate all of our businesses downtown.

MOTION TO CLOSE THE MEETING PURSUANT TO SECTIONS 610.021.1 and 610.021.2, RSMO.:

With no further business at hand, Councilman McGovern made a motion to close the Regular City Council Meeting of September 15, 2025 and go into CLOSED SESSION immediately following pursuant to Sections 610.021.1 and 610.021.2, RSMo. Councilman Spear seconded. No discussion was held by City Council Members.

Roll Call of Votes: Ayes: Spear, Renne, McGovern, St. John, Spohn

Nays: None, motion carried.

The Regular City Council meeting of September 15, 2025 adjourned at 6:45 pm.

ATTEST:

MARK D. SPOHN, MAYOR

SHANNON STROUD, CITY CLERK

SPECIAL COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
September 26, 2025

The City Council of the City of Excelsior Springs, Missouri met in a Special City Council Meeting for a Public Hearing at 8:30 am on Friday, September 26, 2025 in the Council Chambers of the Hall of Waters Building. The meeting was also available virtually. The meeting was called to order by Molly McGovern, City Manager.

The meeting was opened at 8:30 am for the public to attend and have a voice for the tax levies for tax year 2025. Molly McGovern, City Manager explained the details of the tax levies in Ray and Clay Counties.

The city receives the assessed valuation annually in September and submits it with the prior year, along with the form given by the State Auditors Office. It is calculated from the 2024 to 2025 year to set the tax rates. The city had an increase which is greater than the cost of living, creating no windfall in tax revenue. This is figured before the senior citizen discount is applied. The rate is unknown until tax bills are submitted. The assessed value for 2025 is \$239,565,814, giving an eleven percent increase of property values. The 2024 tax rate was 1.0567 and the 2025 tax rate is 1.0051. Molly McGovern recapped the tax levy detail a second time for Jason Cole, with the Excelsior Citizen when his recording went live.

There were no visitors present during this time with public comments.

Mayor Spohn called to order the Special City Council Meeting of September 26, 2025 at 9:00 am.

The opening was led by Councilman Gary Renne.

The Pledge of Allegiance was led by Mayor Spohn.

Roll Call of Members: Present: Mayor Spohn, Pro-Tem Reggie St John, Councilman Gary Renne, Councilman John McGovern, and Councilman Stephen Spear.

Absent: None.

VISITORS: None.

CONSIDERATION OF AGENDA:

Councilman McGovern made a motion to approve the agenda as printed and presented. Motion was seconded by Councilman Spear.

Roll Call of Votes: Ayes: Renne, McGovern, Spear, St. John, Spohn

 Nays: None, motion carried.

The agenda as presented passed and approved September 26, 2025.

PUBLIC HEARING – TAX LEVIES FOR TAX YEAR 2025:

Mayor Spohn read by title the Consideration and asked for the staff report before opening the public hearing.

Molly McGovern, City Manager briefed the Council of the Tax Levies for Tax Year 2025.

Questions were asked by City Council Members and answered by City Manager Molly McGovern.

Councilman Spear made a motion to Open the Public Hearing regarding tax levies for Tax Year 2025. Motion was seconded by Councilman McGovern.

Roll Call of Votes: Ayes: McGovern, Renne, Spear, St. John, Spohn

Nays: None, motion carried.

The Public Hearing for tax levies was opened at 9:07 am.

There were no visitors in attendance to give public comment.

Mayor Pro-Tem St. John made a motion to Close the Public Hearing. Motion was seconded by Councilman Spear.

Roll Call of Votes: Ayes: Spear, Renne, McGovern, St. John, Spohn

Nays: None, motion carried.

The Public Hearing for tax levies was closed at 9:08 am.

ORDINANCE NO. 25-09-09, CONSIDERATION OF LEVYING GENERAL AND SPECIAL TAXES FOR TAX YEAR 2025:

Mayor Spohn read by title Ordinance No. 25-09-09.

The staff report has already been given by our City Manager.

Councilman McGovern made a motion to place Ordinance No. 24-09-09, approving an ordinance levying general and special taxes on the City of Excelsior Springs, Missouri for the Tax Year 2025 on second reading. Motion was seconded by Councilman Renne.

Roll Call of Votes: Ayes: Spear, Renne, McGovern, St. John, Spohn

Nays: None, motion carried.

Mayor Spohn read by title the second reading Ordinance No. 25-09-09.

Councilman Renne made a motion to approve Ordinance No. 25-09-09, approving an ordinance levying general and special taxes on the City of Excelsior Springs, Missouri for the Tax Year 2025. Motion was seconded by Councilman St. John.

Roll Call of Votes: Ayes: McGovern, Spear, Renne, St. John, Spohn

Nays: None, motion carried.

Ordinance No. 25-09-09 passed and approved September 26, 2025.

CONSIDERATION OF CHARITABLE EVENT:

Mayor Spohn read by title the consideration.

Molly McGovern, City Manager briefed the Council of the Consideration by clarifying the nature of the event under Turkey Shoots, the location, time, and safety factors that will be utilized at the event.

Mr. Kyle Uptegrove was in attendance and answered questions from City Council Members.

Councilman McGovern made a simple motion to approve the Charitable Event on October 5, 2025 at 2304 Arbor Lane. Motion was seconded by Councilman Spear.

Roll Call of Votes: Ayes: McGovern, Renne, Spear, St. John, Spohn

Nays: None, motion carried.

The Consideration of the Charitable Event passed and approved September 26, 2025.

Mayor Spohn thanked Mayor Pro-Tem St. John for encouraging Mr. Uptegrove to register this event as a Mayor's Block Party Challenge.

REMARKS – CITY MANAGER AND CITY COUNCIL:

City Manager, Molly McGovern:

1. No comment.

Councilman Renne:

1. It's a beautiful day.

Councilman McGovern:

1. Thanked Police Chief Dull for supplying the Annual Report that was requested. Asked to talk to both Fire and Police Chief after the meeting.

Councilman Spear:

1. We invite everyone out to the "Night Out Against Crime" with Police and Fire in competition in the Hall of Waters Circle Drive.

Mayor Pro-Tem St. John:

1. In a training session with Missouri Main Street, I learned where funding came from when improvements are made and a lot of private money is put in to investing in business in Excelsior Springs.

Mayor Spohn:

1. Requested names of the teams from the crime event. Police Chief Dull will provide them to Mayor Spohn.

MOTION TO ADJOURN:

Councilman McGovern motioned to adjourn the Special City Council Meeting of September 26, 2025 and go into Closed Session – Pursuant to Sections 610.021.1 and 610.021.2, RSMo. Councilman Spear seconded.

Roll Call of Votes: Ayes: Spear, Renne, McGovern, St. John, Spohn

Nays: None, motion carried.

The Special City Council Meeting of September 26, 2025 adjourned at 9:21 am.

MARK D. SPOHN, MAYOR

ATTEST:

SHANNON STROUD, CITY CLERK



**Board/Commission Members
City Council 10/6/2025**

TO: City Council
FROM: Molly McGovern, City Manager
DATE:
RE: Historic Preservation Commission Board Appointment of Jody Pasalich

Regarding the appointment of Board and Commission members, Mayor Spohn plans to make the following appointment by Resolution at the City Council Meeting on Monday, October 6, 2025 at 6:00pm in the Council Chambers. Appointments are subject to Council approval:

NAME: Jody Pasalich
BOARD: Historic Preservation Commission
HISTORY: Member appointed until 9/30/26 (to finish term previously held by Dennis Hartman)

A motion and vote is necessary to approve the appointment.

Respectfully submitted,

Molly McGovern, City Manager

RESOLUTION NO. 1611

**A RESOLUTION APPOINTING JODY PASALICH
TO THE HISTORIC PRESERVATION BOARD**

WHEREAS, on October 6, 2025, the City Council of the City of Excelsior Springs, Missouri (the “City”) appoints Board and Commission Representative Jody Pasalich to the Historic Preservation Board.

BE IT RESOLVED, that after October 6, 2025, the Mayor and members of the Excelsior Springs City Council will observe the appointment of Jody Pasalich to the Historic Preservation Board.

THIS RESOLUTION PASSED AND APPROVED THIS 6th DAY OF October, 2025.

APPROVED:

Mark D. Spohn, Mayor

ATTEST:

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager



Office of the City Manager

201 East Broadway
Excelsior Springs, MO 64024

Phone: (816) 630-0752

Fax: (816) 630-4424

www.cityofesmo.com

RE: Annual Board Appointments

Regarding the appointment of Board and Commission members, Mayor Spohn plans to make the following appointments by Resolution at the Regular City Council Meeting on Monday, October 6, 2025 at six o'clock in the Council Chambers. Appointments are subject to Council approval:

NAME: Jody Pasalich
BOARD: Board of Zoning Adjustment
HISTORY: Alternate re-appointed until 9/30/30

NAME: Laurie Gehrt
BOARD: Capital Improvements/Transportation Trust Authority
HISTORY: Member re-appointed until 9/30/28

NAME: Mike Edwards
BOARD: Capital Improvements/Transportation Trust Authority
HISTORY: Member re-appointed until 9/30/28

NAME: Sherri Branson-Hurt
BOARD: Community Center Advisory Board
HISTORY: Member re-appointed until 9/30/30

NAME: Gary Renne
BOARD: Community Foundation of Excelsior Springs
HISTORY: Member re-appointed until 9/30/28

NAME: Stephen Spear
BOARD: Community Foundation of Excelsior Springs
HISTORY: Member re-appointed until 9/30/28

NAME: Kelli Kincaid
BOARD: Excelsior Springs Redevelopment Corporation
HISTORY: Member re-appointed until 9/30/28

NAME: Kent Powell
BOARD: Excelsior Springs Redevelopment Corporation
HISTORY: Member re-appointed until 9/30/28

NAME: Charlie Booth
BOARD: Historic Preservation Commission
HISTORY: Member re-appointed until 9/30/28

NAME: Susan Blaser

BOARD: Historic Preservation Commission
HISTORY: Member re-appointed until 9/30/28

NAME: Sonya Morgan
BOARD: Historic Preservation Commission
HISTORY: Member re-appointed until 9/30/28

NAME: Sandra Clay
BOARD: Housing Authority
HISTORY: Member re-appointed until 9/30/29

NAME: Les O'Dell
BOARD: Public Safety Sales Tax Oversight Committee
HISTORY: Member re-appointed until 9/30/28

NAME: Brian Yarbrough
BOARD: Westside Community Improvement District
HISTORY: Member re-appointed until 9/30/29

NAME: Melinda Mehaffy
BOARD: Westside Community Improvement District
HISTORY: Member re-appointed until 9/30/29

NAME: Jesse Harris
BOARD: Westside Community Improvement District
HISTORY: Member re-appointed until 9/30/29

A motion and vote is necessary to approve the re-appointments.

Respectfully submitted,

Molly McGovern, City Manager

RESOLUTION NO. 1612

A RESOLUTION APPROVING THE ANNUAL LIST OF BOARD AND COMMISSION REPRESENTATIVES FOR REAPPOINTMENT.

WHEREAS, on October 6, 2025, the City Council of the City of Excelsior Springs, Missouri (the “City”) re-appoints Board and Commission Representatives Jody Pasalich to the Board of Zoning Adjustment, Laurie Gehrt and Mike Edwards to the Capital Improvements/Transportation Trust Authority, Sherri Branson-Hurt to the Community Center Advisory Board, Gary Renne and Stephen Spear to the Community Foundation, Kelli Kincaid and Kent Powell to the Excelsior Springs Urban Redevelopment Corporation, Charlie Booth, Susan Blaser, and Sonya Morgan to the Historic Preservation Commission, Sandra Clay to the Housing Authority, Les O’Dell to the Public Safety Sales Tax Oversight Committee, and Brian Yarbrough, Melinda Mehaffy, and Jesse Harris to the Westside Community Improvement District.

BE IT RESOLVED, that after October 6, 2025, the City Council of the City of Excelsior Springs, Missouri (the “City”) re-appoints Board and Commission Representatives Jody Pasalich to the Board of Zoning Adjustment, Laurie Gehrt and Mike Edwards to the Capital Improvements/Transportation Trust Authority, Sherri Branson-Hurt to the Community Center Advisory Board, Gary Renne and Stephen Spear to the Community Foundation, Kelli Kincaid and Kent Powell to the Excelsior Springs Urban Redevelopment Corporation, Charlie Booth, Susan Blaser, and Sonya Morgan to the Historic Preservation Commission, Sandra Clay to the Housing Authority, Les O’Dell to the Public Safety Sales Tax Oversight Committee, and Brian Yarbrough, Melinda Mehaffy, and Jesse Harris to the Westside Community Improvement District.

THIS RESOLUTION PASSED AND APPROVED THIS 6th DAY OF October, 2025.

APPROVED:

Mark D. Spohn, Mayor

ATTEST:

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager



Director of Public Works
201 E Broadway
Excelsior Springs, MO 64024

Phone: (816) 630-0755
Fax: (816) 630-9528

October 6th, 2025

To: Mayor and City Council
From: Chad Birdsong, Public Works Director
Re: CHANGE ORDER #4 -WITH MEGA KC- DRYFORK GREENWAY PROJECT

Change order #4 with MEGA KC on the Dry Fork Greenway Project consist of 2 items:

1. Unsuitable subgrades in roadbed- 158.33 yds	\$ 9,882.96
2. Unsuitable subgrades in roadbed- 66 yds	<u>\$ 7,337.88</u>
Total	\$17,220.84

The contract price after CO #3 was \$4,279,341.12. CO#4 is being funded by the following:

1. Remaining project funds:	\$ 17,220.84
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The new contract price with #4 included totals \$4,296,561.96. This leaves \$2,887.04 for additional change orders for the remainder of the project.

A resolution has been prepared and is attached for your consideration and approval of Change Order #4.

If you have any questions regarding this matter, please don't hesitate to call me.

Chad Birdsong

RESOLUTION NO. 1613

A RESOLUTION APPROVING CHANGE ORDER NO. 4 TO THE CONTRACT WITH
MEGA KC CORPORATION FOR THE DRY FORK GREENWAY PROJECT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EXCELSIOR SPRINGS,
MISSOURI, AS FOLLOWS:

Section 1. That the City Council hereby approves the attached Change Order No. 4 to the Dry Fork Greenway Project contract with Mega KC Corporation, increasing the contract amount by \$17,220.84, and the Mayor/ Public Works Director is authorized to execute such change order on behalf of the City.

Section 2. The City shall, and the officials, agents, and employees of the City are hereby authorized and directed to, take such further action, and execute such documents, certificates, and instruments as may be necessary to carry out and comply with the intent of this Resolution.

Section 3. This Resolution shall be in full force and effect from and after its passage and approval.

THIS RESOLUTION PASSED AND APPROVED THIS 6th DAY OF October, 2025.

Mark D. Spohn, Mayor

ATTEST:

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager

CHANGE ORDER NO.: 4

Owner: City of Excelsior Springs, MO
 Engineer: GBA
 Contractor: Mega KC Corporation
 Project: Dry Fork Greenway Project
 Contract Name: Dry Fork Greenway Project

Owner's Project No.: 1459
 Engineer's Project No.: 15185.01
 Contractor's Project No.: 824

Effective: 11/21/2024

Date Issued: 09/16/2025

Effective Date of
 Change Order: _____

The Contract is modified as follows upon execution of this Change Order:

Description:

1. Unsuitable Subgrade – change order request for repairing the unsuitable subgrade that was encountered in Kennedy Avenue. Work to include approximately 66 SY of 2' and 158.33 SY of 1' undercut of existing subgrade and replacement of 4-12" aggregate base.

Change Order 4					
1	1' Subgrade Undercut and Replacement	SY	158.33	\$62.42	\$9,882.96
2	2' Subgrade Undercut and Replacement	SY	66	\$111.18	\$7,337.88
CO Increase					\$17,220.84
Rev Contract Price					4,296,561.96

Attachments:

1. Change order request documentation for Unsuitable Subgrade dated 9/15/2025

Change in Contract Price	Change in Contract Times – NO CHANGE
Original Contract Price: \$ 3,446,468.25	Original Contract Times: Substantial Completion: _____ Ready for final payment: _____
[Increase] from previously approved Change Orders No. 1, 2, & 3: \$ 832,872.87	[Increase] [Decrease] from previously approved Change Orders No.1 to No. [Number of previous Change Order] : Substantial Completion: _____ Ready for final payment: _____
Contract Price prior to this Change Order: \$ 4,279,341.12	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for final payment: _____
Increase this Change Order: \$ 17,220.84	[Increase] [Decrease] this Change Order: Substantial Completion: _____ Ready for final payment: _____
Contract Price incorporating this Change Order: \$ 4,296,561.96	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for final payment: _____

	Recommended by Engineer (if required)	Authorized by Owner
By:		
Title:	GBA Project Manager	
Date:	9/16/2025	
	Contractor	Approved by Funding Agency (if applicable)
By:		
Title:		
Date:		



September 15, 2025

Beth Fry
Senior Lead Engineer
GBA

Via Email

RE: City of Excelsior Springs, MO Dry Fork Greenway Project
COR: Unsuitable Subgrade

Ms. Fry

Please issue MegaKC a change order for repairing the unsuitable subgrade that was encountered in the roadway at the agreed upon unit pricing:

- **UNIT PRICE 1' Thickness: \$62.42/SY x 158.33 SY = \$9,882.96**
- **UNIT PRICE 2' Thickness: \$111.18SY x 66 SY = \$7,337.88**
- **COR TOTAL - \$17,220.84**

Additional information attached for reference. Upon review, please let me know if you have any questions.

Sincerely,

Nick McCormick
Project Manager

Nick McCormick

From: Chad Birdsong <cbirdsong@excelsiorsprings.gov>
Sent: Monday, September 8, 2025 4:04 PM
To: Beth Fry; Nick McCormick
Cc: Andy Starkebaum; Ben Bogue
Subject: Re: 824 FORK - Unsuitable Subgrade

WARNING: This email came from outside of our trusted email system. **DO NOT CLICK** links or attachments if you find the email suspicious.

Beth,
Sounds good,
Please proceed.
Chad
Sent from my iPhone

On Sep 8, 2025, at 4:00 PM, Beth Fry <bfry@gbateam.com> wrote:

This is the same unit cost they provided for the foundation stabilization under the RCB. I haven't seen the condition of the subsurface yet, but I'm guessing it's pretty wet, so I can recommend to accept. There is \$20,107.88 remaining in the funds for this project, so this is covered.

Beth Fry PE, CFM (she/her) Senior Lead Engineer | Water Environment
d 913.577.8324

From: Nick McCormick <nmccormick@megakc.com>
Sent: Monday, September 8, 2025 1:02 PM
To: Chad Birdsong <cbirdsong@excelsiorsprings.gov>; Andy Starkebaum <astarkebaum@excelsiorsprings.gov>; Beth Fry <bfry@gbateam.com>; Ben Bogue <bbogue@gbateam.com>
Cc: Zach Wallace <zwallace@megakc.com>; Hayden Lowe <hlowe@megakc.com>; Craig Dickerson, Assoc. DBIA™ <craig@megakc.com>
Subject: 824 FORK - Unsuitable Subgrade

CAUTION: This email originated from outside the organization. Do not click or open attachments unless you recognize the sender and know the content is safe.

All

Unsuitable subgrade has been encountered in the roadway, MegaKC offers the following pricing to repair:

1. 1' undercut and replace with 4-12" (same as foundation stabilization at RCB) (capped with planned agg base) – Unit Price: **\$62.42 / SY**

2. 2' undercut and replace with 4-12" (same as foundation stabilization at RCB) (capped with planned agg base)) – Unit Price: **\$111.18/SY**

ROM (final quantities to be field verified)

1. 2' undercut: $66 \text{ SY} \times \$111.18 = \$7,337.88$
 1. 15' x 30'
 2. 12' x 12'
2. 1' undercut: $158.33 \text{ SY} \times \$62.42 = \$9,882.96$
 1. 15' x 95'
3. TOTAL: \$17,220.84

Please let us know if this is acceptable to proceed.

Thanks



MegaKC
1491 Iron Street
North Kansas City, MO 64116

(816) 472-8722

MegaKC

CELEBRATING 30 YEARS



This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.



September 15, 2025

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GBA

Via Email

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Please let us know if this is acceptable to proceed.

Thanks



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MegaKC

CELEBRATING 30 YEARS



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Dry Fork Greenway Project - Budget Tracking
Rev. 9/16/2025

Total ARPA Grant	\$	3,891,114.00
Local Cost Share	\$	973,386.00
Total ARPA Project Amt	\$	4,864,500.00
Water Fund Contribution (July 2025)	\$	380,000.00
CIP Additional Contribution (July 2025)	\$	155,000.00

Engineering Fee (w/ Amendment)	\$	1,100,051.00
Initial Mega Contract	\$	3,446,468.25

Change Order 1					
1	NON-REINFORCED CONCRETE PAVEMENT (8")	SY	1761	\$101.53	\$178,794.33
2	Reduce Asphalt	SY	-1761	\$48.00	(\$84,528.00)
3	Replace Fire Hydrant	EA	1	\$11,300.00	\$11,300.00
4	RCB Foundation Stabilization	SY	158	\$111.18	\$17,566.44
5	Reinforced Slab Barrier Transition Tie-in	LS	1	\$2,732.72	\$2,732.72
CO Increase					\$125,865.49
Rev Contract Price					3,572,333.74

Change Order 2					
1	RCB Headwall Revisions	LS	1	\$6,937.70	\$6,937.70
2	8" DIP Class 52 (Waterline)	LS	1	\$15,635.48	\$15,635.48
3	Asphaltic Concrete Pavement (7") Unit Price Adjustment	SY	4897	\$2.00	\$9,794.00
CO Increase					\$32,367.18
Rev Contract Price					3,604,700.92

\$158,232.67

Change Order 3					
1	Reinforced Sidewalk Toe Wall	LS	1	\$10,101.30	\$10,101.30
2	Curb & Gutter Elevation Adjustments	LS	1	\$1,536.74	\$1,536.74
3	Replace 8" Sanitary (Encasement 3) & MH 30 Tie-in	LS	1	\$13,312.57	\$13,312.57
4	Slope Paving RCB	LS	1	\$4,905.14	\$4,905.14
5	Waterline	LS	1	\$644,784.45	\$644,784.45
CO Increase					\$674,640.20
Rev Contract Price					4,279,341.12

\$832,872.87

Change Order 4					
1	1' Subgrade Undercut and Replacement	SY	158.33	\$62.42	\$9,882.96
2	2' Subgrade Undercut and Replacement	SY	66	\$111.18	\$7,337.88
CO Increase					\$17,220.84
Rev Contract Price					4,296,561.96

Amount Remaining* **\$ 2,887.04**

*Combined ARPA Contract, Water Fund, add'l CIP

Community Development Department
Excelsior Springs City Council
Phone: 816-630-0756; Fax: 816-630-9572



Tax Abatement Application for 409 E Excelsior St.

Staff: Laura Mize, Neighborhood Specialist

City Council Meeting Date: October 6, 2025

GENERAL INFORMATION

Application: Tax Abatement Application for a Chapter 353 Tax Abatement for improvements being made to 409 E Excelsior St.

Applicant: Troy Stephenson

Location: 409 E Excelsior St.

Historic District: Boarding House Historic District

NRHP Status/Category: Contributing

SPECIFIC INFORMATION

Project Background: This single-family home built in 1895 is a contributing structure in the historic district. The applicant is proposing repair to some damaged wood on the exterior and new paint. A new HVAC system has already been installed.

APPROVALS AND PERMITS

Historic Preservation Commission: All proposed improvements are considered repairs and do not require approval from the Historic Preservation Commission.

Permits: The applicant's HVAC contractor was issued a permit on August 7, 2025.

Excelsior Springs Redevelopment Corporation: Found that application met requirements for abatement at the September 18, 2025 meeting.

REQUEST

The applicant is requesting a Chapter 353 Tax Abatement for the property of 409 E Excelsior St.

STAFF RECOMMENDATION

As per the Residential Guidelines for Chapter 353 Tax Abatement Projects, with expenditures projected to be \$9,857.84 this project meets requirements for tax abatement for the cost of the improvements, or for

100% abatement for 10 years, whichever comes first. Remediation of all blight must be confirmed before application is submitted to the Clay County Assessor.

ATTACHMENTS

Exhibit A – Tax Abatement Application with bids

Exhibit B – Clay County Assessor and Collector information

Exhibit C – Development Agreement

Exhibit D – Photos

Exhibit E – Tax Impact Analysis

ORDINANCE NO. 25-10-01

AN ORDINANCE APPROVING THE 409 EAST EXCELSIOR STREET PROJECT AMENDMENT TO THE AMENDED DEVELOPMENT PLAN SUBMITTED BY THE EXCELSIOR SPRINGS REDEVELOPMENT CORPORATION; AUTHORIZING CERTAIN TAX ABATEMENTS FOR THE PROJECT AREA; AND APPROVING A REDEVELOPMENT AGREEMENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Section 1. Findings. The City Council finds and determines that: an Application for Commercial Chapter 353 Tax Abatement (“Application”) was submitted for property located at 409 East Excelsior Street. The Application is on file with the Economic Development Department and is incorporated herein by this reference as if fully set forth in full. The Application constitutes the 409 East Excelsior Street Redevelopment Project (“Redevelopment Project”). The Redevelopment Project complies with all of the requirements of the Ch. 353 Program as established by the City Council of Excelsior Springs. Ordinance No. 21-07-01 is incorporated herein by this reference as is fully set forth in full and remains unmodified except as amended herein.

Section 2. Amendment Approved. The Amendment to ESRC’s Amended Redevelopment Plan for the 409 East Excelsior Street Redevelopment Project, attached hereto as Exhibit A and incorporated herein by reference, is approved.

Section 3. Development Agreement Approved. The Mayor is hereby authorized to execute, on behalf of the City, the Development Agreement between the City and the Developer, and the City Clerk is hereby authorized to attest to the Development Agreement and to affix the seal of the City thereto. The Development Agreement shall be in the substantially the form attached hereto as Exhibit B, which is hereby approved by the City Council.

Section 4. Tax Abatement Granted. ESRC, or its successors and assigns, all in accordance with Chapter 353, RSMo, as amended, is hereby granted tax abatement as more particularly described in the Amendment to ESRC’s Amended Redevelopment Plan for the 409 East Excelsior Street Redevelopment Project.

Section 5. Further Authority. The officers, agents and employees of the City are hereby authorized to execute all documents and take such steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after the date of its passage.

INTRODUCED IN WRITING, read by title two times, passed and approved this 6th day of October, 2025.

Mark D. Spohn, Mayor

ATTEST:

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager

EXHIBIT A

**Amendment to ESRC's Amended Redevelopment Plan for the 409 East Excelsior Street
Redevelopment Project**

AMENDMENT TO ESRC'S AMENDED REDEVELOPMENT PLAN

409 EAST EXCELSIOR STREET REDEVELOPMENT PROJECT

The Section of the Amended Development Plan entitled “Redevelopment Projects” is revised to add the following Redevelopment Project:

The Redevelopment Area will have within it many redevelopment projects, the number, location and construction details of which cannot be predicted at this time. The redevelopment projects are within a larger area that has been determined by the City Council to be blighted and the clearance, replanning, rehabilitation or reconstruction of certain portions of the Redevelopment Area to be necessary to effectuate the purposes of the Urban Redevelopment Corporations Law.

The following project is approved:

409 East Excelsior Street. Applicant/Owner: Troy and Melissa Stephenson. This project consists of repairing damaged wood on the exterior and painting the exterior, and installing new HVAC at a cost of approximately \$9,857.84. The project’s tax impact analysis, on file with the Economic Development Department, is incorporated herein as if fully set forth in full.

The Section of the Amended Development Plan entitled “Partial Real Property Tax Abatement” is revised to add the following:

The 409 East Excelsior Street tax abatement as per the Residential Guidelines for Tax Abatement and will be granted up to ten (10) years of tax abatement or for the cost of the improvements, whichever occurs first. Notwithstanding any ordinance or other provision to the contrary, the development rights including the tax abatements for this project shall expire in the event of the failure of ESRC to acquire ownership of the property for the project within two (2) years of the date of approval of this project.

#

EXHIBIT B

Development Agreement

353 DEVELOPMENT AGREEMENT

409 E EXCELSIOR STREET REDEVELOPMENT PROJECT

THIS 353 REDEVELOPMENT AGREEMENT, entered into this 6th day of October, 2025 (“Agreement”) by and among the CITY OF EXCELSIOR SPRINGS, MISSOURI (“City”), EXCELSIOR SPRINGS REDEVELOPMENT CORPORATION (“Redevelopment Corporation”), and Troy and Melissa Stephenson, 409 E Excelsior St. Excelsior Springs, MO 64024 (“Owner” or “Redevelopment Project Owner”) is for the implementation of the Downtown 353 Amended Development Plan dated July 19, 2021, submitted by the Redevelopment Corporation for implementation of the 409 E Excelsior Street Redevelopment Project (“Redevelopment Project”) as legally described in Exhibit “A”, attached and incorporated by this reference. The Project Description is attached to this Agreement as Exhibit “B” and incorporated by this reference.

RECITALS

- A. The City Council has enacted into law Ordinance No. 21-07-01 (“Ordinance”), approving the Amended Development Plan (“Development Plan”) of the Excelsior Springs Redevelopment Corporation for the implementation of the Downtown 353 Redevelopment Project, Excelsior Springs, Missouri, and has determined that the rehabilitation improvements and redevelopment provided for in the Development Plan and this Agreement are necessary for the public convenience and necessity and that the approval of the Development Plan and the activities related thereto are necessary for the preservation of the public peace, health, safety, morals, and welfare.
- B. Redevelopment Corporation is an urban redevelopment corporation formed under Chapter 353 of the Revised Statutes of Missouri, as amended up to and including the date of the passage and approval of the Ordinance (“Chapter 353”), and is now in good standing in the State of Missouri.

The City, the Redevelopment Corporation and the Redevelopment Project Owner, for good and valuable consideration and the mutual covenants contained in this Agreement, agree as follows:

1. Items incorporated into this Agreement. The provisions of Chapter 353, the provisions of the Ordinance, and the Development Plan are incorporated into this Agreement in their entirety.
2. Redevelopment Area: Project. The real property subject in the Development Plan and the Redevelopment Project is more specifically described in Exhibit “A” attached to and incorporated by this reference into this Agreement (“Redevelopment Project Area”). The term “Project” refers to the 409 E Excelsior Street Redevelopment Project which is more specifically described in Exhibit “B” attached to this Agreement.
3. Developer and Owner Control. Except as specifically provided in the Development Plan or this Agreement, Redevelopment Corporation and Redevelopment Project Owner will have complete and exclusive control over the implementation of the Redevelopment Project and the management and operation of the Redevelopment Project.
4. Redevelopment Project Phases. The Redevelopment Project will be implemented in one Phase.
5. Delays/Extensions. Redevelopment Project Owner will implement the Redevelopment Project with due diligence in performing each and every act required of it under the Development Plan and this Agreement. The times within which development activities are to begin or be completed will automatically be extended appropriately as a result of occurrences, events, actions or inactions not within the reasonable control of Redevelopment Project Owner or not caused or contributed to by Owner, including, without limitation, construction delays, strikes, lockouts, labor disputes, riots, fire, or other casualties, tornadoes, acts of God, acts of public enemy, governmental restrictions, unanticipated or unusual site conditions, priority regarding acquisitions of or use of materials, litigation challenging the rights of Owner, the Redevelopment Corporation or the City, delays by the City, by County, State or Federal governments, or failure to obtain required permits or approvals of City boards, documents and commissions within the project time frame.

6. Notice of Delay. Owner must provide timely written notice to the Redevelopment Corporation and the City of any delay before the end of the period, or extension thereof, in which the action was to have been taken or completed. The notice must explain in detail the reason for the delay and the estimated date by which the action will be performed or started.
7. Extensions of Time. In addition to any extension under Section 5 of this Agreement, and upon written request from Owner, the Redevelopment Corporation and the City may grant extensions to time periods in which certain performances are to be undertaken by Owner.
8. Performance for Benefit of Redevelopment Corporation/City. If Owner fails to meet any time limits, as extended, for starting or completing any activity, or performing other obligations, the Redevelopment Corporation and the City may take the actions set out in Section 9 below. No third parties will have any rights or claims with respect to the failure.
9. Breach and Compliance. Owner's failure to substantially comply, in whole or in part, with this Agreement or the Development Plan, is a breach of Owner's obligations under the Development Plan and this Agreement. If the Owner breaches this Agreement or the Development Plan, the Redevelopment Corporation and the City may deliver written notice of the breach to Owner. Owner has 60 days after the notice has been given to cure the breach (unless the 60-day cure period is extended by the Redevelopment Corporation and the City in writing). If the breach cannot reasonably be cured within the 60-day cure period and if Owner does not begin and continue to diligently pursue the cure of the breach, then the Redevelopment Corporation and the City, acting through the Mayor, in her/his discretion, may request that the City Council terminate this Agreement and all of Owner's rights under this Agreement and the Development Plan, in whole or in part.

The Redevelopment Corporation and the City will give Owner written notice of the request to terminate. At least 15 days after notice of the request is given to Owner, the Redevelopment Corporation and the City Council will hold a hearing on the request. The City Council may, at its option, but only if it finds that there was a breach and

- that Owner failed to cure it within the 60-day cure period, or to timely begin and diligently pursue a cure of the breach, terminate this Agreement and all of Owner's rights under this Agreement and the Development Plan, in whole or in part.
10. Building Maintenance. Owner must maintain any building or other structures and public areas in the Redevelopment Project Area in good repair in accordance with the City's building code and ordinances. Owner must secure the buildings or other structures until rehabilitation or reconstruction under the Development Plan begins and during the rehabilitation or reconstruction.
 11. Owner Compliance. Owner must obtain all permits and approval required by law. Owner is subject to all lawful inspections and must perform any necessary acts required under the City's ordinances, including the Ordinance. The City will not unreasonably withhold any necessary approvals or permits. Owner shall timely pay all applicable real estate taxes attributable to the Redevelopment Project. Owner shall timely pay, and ensure that any tenant of the Property shall timely pay, any personal property or business personal property taxes attributable to the location of the Redevelopment Project. Owner shall comply with all applicable laws, ordinances, codes, rules and regulations, including but not limited to, laws regarding property maintenance and not maintaining a public nuisance, as it relates to the Redevelopment Property.
 12. City Access to Development Project. During the term of this Agreement, Owner will cooperate with and permit access to the Redevelopment Project Area for inspection purposes to determine compliance with Excelsior Springs' ordinances and this Agreement by the City's agents, representatives, or other officials of the City during business hours and upon reasonable notice.
 13. Redevelopment Corporation and City Actions. The Redevelopment Corporation and the City will cooperate with Owner in carrying out the Development Plan and this Agreement. The Redevelopment Corporation and the City will use due diligence in performing all acts required of it under the Development Plan and Agreement.
 14. Tax Abatement.
 - a. Ten Years. The Redevelopment Area is comprised of a single County tax parcel (ID# 12312001601600) which contains one addressed improvement

409 E Excelsior Street, Excelsior Springs, Missouri. Accordingly, the Redevelopment Project Area as legally described in Exhibit “A” shall not be subject to assessment or payment of general ad valorem taxes imposed by the City, the State or any political subdivision thereof, for a period of ten (10) years after the date that the Redevelopment Corporation becomes the owner of the Redevelopment Project Area except to such extent and in such amount as may be imposed upon the Redevelopment Project Area during such period measured solely by the amount of the assessed valuation of the land, exclusive of improvement, as was determined by the Assessor of Clay County, Missouri (“Assessor”), for real property taxes due and payable thereon during the calendar year preceding the calendar year during which Redevelopment Corporation acquired title to the Redevelopment Project Area. The amount of such tax assessments shall not be increased during said ten (10) years period so long as the Redevelopment Project Area is used in accordance with the Development Plan.

- b. ~~Subsequent Three Years. After the ten (10) year period above-described, and for the next ensuing period of three (3) years, ad valorem taxes upon the real property in the Redevelopment Project Area shall be measured by the assessed valuation thereof as determined by the Assessor upon the basis of not to exceed fifty percent (50%) of the true value of such real property including any improvement thereon. Such valuation shall not be increased above fifty percent (50%) of the true value of such real property from year to year during said period of three (3) years, so long as the real property in the Redevelopment Project is used in accordance with the Development Plan.~~
- c. Unilateral Termination of Tax Abatement. The tax abatement rights described herein in subsections (a) and (b) of this Section 14 shall be unilaterally terminated by the City prior to the expiration of the ten-year tax abatement period described above if the cumulative value of the tax abatement equals or exceeds the Eligible Project Costs in the amount of \$9857.84. The City shall provide written notification to the Owner and the Redevelopment Corporation at such time as the City has determined that the tax abatement has equaled or

exceeded the amount of this amount prior to terminating the tax abatement with the County Assessor.

- d. Full Assessment-Election to Opt Out After Completion. After the ten-year period provided in Section 14(a) and (b) above, the Redevelopment Project Area shall be subject to assessments by the Assessor and payment of all ad valorem taxes, including, but not limited to City, State and County taxes, based on the full true value of the Redevelopment Project Area and the standard assessment ration then in use for similar real property by the Assessor. Furthermore, after the ten (10) year period provided in Section 14(a) and (b) above, the Redevelopment Project Area shall be owned and operated by the Owner free from the conditions, restrictions, and provisions of Chapter 353, the Ordinance, the Development Plan, and this Agreement.

At any time after the completion of the Development, the Owner may elect to pay a sum equivalent to the amount of the general ad valorem taxes, not including interest and penalties which would have been levied on the full value of the Redevelopment Project Area from the date of the completion of the Development, and from the date of such election the Redevelopment Project Area shall be owned and operated by Owner free from the conditions, restriction, and provisions of Chapter 353, the Ordinance, the Development Plan, and this Agreement.

- e. Sale or Disposition of Redevelopment Area. The Owner may sell or otherwise dispose of any or all part of the Redevelopment Project Area. If there is a sale or other disposition of the property, whether by foreclosure of any mortgage or other lien, through bankruptcy proceedings, by order of any court or competent jurisdiction, by voluntary transfer or otherwise the tax relief provided in Section 14 of this Agreement and under the provisions of Chapter 353 shall inure, with respect to the real property so sold or otherwise disposed of, to any purchaser or transferee of the Redevelopment Project Area so long as such purchaser or transferee shall continue to use, operate and maintain the Redevelopment Project Area in accordance with Chapter 353, the

Development Plan, this Agreement and the Ordinance, including the earnings limitations contained in Section 16 of this Agreement.

- f. Breach or Withdrawal. If (i) The City terminates this Agreement under Section 9 above, or (ii) any portion of this Redevelopment Project Area receiving tax abatement is not used, operated, and maintained in accordance with Chapter 353, the Development Plan, this Agreement and the Ordinance, that portion of the Redevelopment Project Area will be assessed for ad valorem taxes at the then full true value of the real property and may be owned and operated free from any of the conditions, restrictions, or provisions of Chapter 353, the Development Plan, this Agreement and the Ordinance.

15. Transfer of Redevelopment Project Area to Redevelopment Corporation. Upon the issuance of a Certificate of Completion by the City as provided in Section 17 herein, the Owner shall execute a Quit Claim Deed to the Redevelopment Corporation transferring the Redevelopment Project Area to the Redevelopment Corporation to initiate the tax abatement provided in Section 14 hereof. Subsequently, the Redevelopment Corporation shall execute a Quit Claim Deed transferring the Redevelopment Project Area back to the Owner. Both deeds shall be recorded together with the deed from the Owner recorded first and the deed from the Redevelopment Corporation recorded second.

16. Earnings Limitations on Development. Redevelopment Corporation's net earnings from development area limited as provided in Section 353.030. Redevelopment Corporation will comply in all respects with net earnings from time to time provided by and allowed by applicable law may be held by Redevelopment Corporation as a reserve for maintenance of the allowable rate of return in the future and may be used by Redevelopment Corporation to offset any deficiency in the rate of return when may have occurred in prior years; or may be used to accelerate any and all amortization payments; or may be used of the enlargement of the Development; or may be used for the reduction of any rentals within the Development.

17. Certificate of Completion. Owner will request, in writing, after completion of the Redevelopment Project, that the City issue a Certificate of Completion for the Redevelopment Project. Upon receipt of such request by the City, and after the City

Manager conducts her/his investigations and makes her/his recommendations, the City Council will consider the matter and, if Owner have substantially completed the Redevelopment Project in accordance with the Development Plan and this Agreement, the City will issue a Certificate of Completion for the Redevelopment Project. If the City Council determines that any part of the Redevelopment Project has not been substantially completed in accordance with the Development Plan and this Agreement, the City will provide written notice to Owner stating the reasons for the findings that there has not been substantial compliance with the Development Plan and this Agreement. The City's failure to notify Owner within 45 days after receipt of the written request is deemed a Certificate of Completion. Owner has 180 days after the City gives notice to Owner within which to correct any failure to substantially complete the Redevelopment Project in accordance with the Development Plan and this Agreement.

18. Modifications. The terms, conditions and provisions of this Agreement cannot be modified except by mutual agreement in writing between the City, Redevelopment Corporation and Owner.
19. Invalidation or Cancellation of Agreement by Developer. If Owner is prohibited from performing its covenants and obligations under this Agreement or the Development Plan by the order of any governmental agency or other authority or a court of competent jurisdiction, or if Chapter 353, this Agreement, the Development Plan, or the Ordinance, is declared invalid in whole or in part, or is amended in whole or in part, then and in such event, Owner may cancel or terminate this Agreement by giving written notice of its intention to do so to the City within the 60 days after the event giving rise to the right to terminate.
20. Notice. Whenever notice or other communications is called for to be given or is otherwise given pursuant to this Agreement, it must be in writing and personally delivered or sent by United States certified mail, return receipt requested, addressed as follows:

If to the City:

City Manager

City of Excelsior Springs, Missouri
201 E. Broadway
Excelsior Springs, MO 64024

If to the Redevelopment Corporation:

Excelsior Springs Redevelopment Corporation
c/o City Manager
201 E. Broadway
Excelsior Springs, MO 64024

If to Owner:

Troy and Melissa Stephenson
409 E Excelsior Street
Excelsior Springs, MO 64024

Notices sent by mail are deemed given three business days after their deposit in the U.S. Mail, or when delivered to (or refused by) the party to receive the notice. A change or addition of designated officers or addresses may be affected by providing written notice of the change or addition to the other party. Nothing in this Agreement precludes the parties from communicating via facsimile, telephone, electronic mail or other forms of electronic communication for the conduct of day-to-day business operations.

21. Severability. The invalidity or unenforceability of any provision of this Agreement will not affect the other provisions of this Agreement. This Agreement will be construed as if the invalid or unenforceable provision were omitted or, if applicable, modified as any court of competent jurisdiction deems reasonable, necessary or equitable. If the court finds that the valid provisions are so essentially and inseparably connected with and so dependent upon the invalid provision that it cannot be presumed that the parties would have agreed to the valid provisions of this Agreement; or unless the Court finds the valid provisions, standing along, are incomplete and incapable of being executed in accordance with the parties' intent,

then this Agreement will be void. If any part of this Agreement regarding the rights or duties hereunder of Owner is found invalid, Owner will, at its election, have the right to be released from this Agreement.

22. Choice of Law. The validity, construction and enforceability of this Agreement will be construed in accordance with and governed by the laws of the State of Missouri without regard to its conflicts of law provisions.

23. Binding Effect. This Agreement, and all of its terms and covenants, are binding upon and inure to the benefit of, the successors, affiliates and permitted assigns of Owner, the Redevelopment Corporation and the City.

24. Priority. If there is any inconsistency between the provisions of Chapter 353, the Ordinance, the Development Plan and this Agreement, the order of priority is (i) Chapter 353, the Ordinance, the Development Plan and this Agreement, the order of priority is: (i) Chapter 353, (ii) the Ordinance, (iii) the Development Plan and (iv) this Agreement.

In Witness Whereof, the parties have caused this Agreement to be duly executed on the date first above written.

City of Excelsior Springs, Missouri

By: _____

Mark Spohn, Mayor

Attest:

Shannon Stroud, City Clerk

Excelsior Springs Redevelopment Corporation

By: _____

Bill Griffey III, President

Owner:

_____:

By: _____

Name: _____

Title: _____

EXHIBIT A

LEGAL DESCRIPTION

Lots 2 & 3, Block 83, City block Excelsior Springs, Clay County, MO 64024

EXHIBIT B

SCOPE OF WORK

1. HVAC installation
2. Replacement of decayed wood
3. Paint

409 E Excelsior St Estimated Taxes To Be Abated (10 years)													
Taxing Entity	State Levy	Clay County Services	County Handicap	County Mental Health	County Senior Citizens	County Health	Library District	School District	City General Fund	City Parks & Recreation	City Hospital		
% of tax rate:	0.004333194	0.002888796	0.01401066	0.011685179	0.005820924	0.011670735	0.045527422	0.754871232	0.080857395	0.04555631	0.022778155	0	
Year													
2026	\$5.94	\$3.96	\$19.21	\$16.02	\$7.98	\$16.00	\$62.41	\$1,034.85	\$110.85	\$62.45	\$31.23	\$0.00	\$1,370.90
2027	\$6.06	\$4.04	\$19.59	\$16.34	\$8.14	\$16.32	\$63.66	\$1,055.55	\$113.06	\$63.70	\$31.85	\$0.00	\$1,398.32
2028	\$6.06	\$4.04	\$19.59	\$16.34	\$8.14	\$16.32	\$63.66	\$1,055.55	\$113.06	\$63.70	\$31.85	\$0.00	\$1,398.32
2029	\$6.18	\$4.12	\$19.98	\$16.67	\$8.30	\$16.65	\$64.94	\$1,076.66	\$115.33	\$64.98	\$32.49	\$0.00	\$1,426.28
2030	\$6.18	\$4.12	\$19.98	\$16.67	\$8.30	\$16.65	\$64.94	\$1,076.66	\$115.33	\$64.98	\$32.49	\$0.00	\$1,426.28
2031	\$6.30	\$4.20	\$20.38	\$17.00	\$8.47	\$16.98	\$66.23	\$1,098.19	\$117.63	\$66.28	\$33.14	\$0.00	\$1,454.81
2032	\$6.30	\$4.20	\$20.38	\$17.00	\$8.47	\$16.98	\$66.23	\$1,098.19	\$117.63	\$66.28	\$33.14	\$0.00	\$1,454.81
2033	\$6.43	\$4.29	\$20.79	\$17.34	\$8.64	\$17.32	\$67.56	\$1,120.16	\$119.98	\$67.60	\$33.80	\$0.00	\$1,483.91
2034	\$6.43	\$4.29	\$20.79	\$17.34	\$8.64	\$17.32	\$67.56	\$1,120.16	\$119.98	\$67.60	\$33.80	\$0.00	\$1,483.91
2035	\$6.56	\$4.37	\$21.21	\$17.69	\$8.81	\$17.66	\$68.91	\$1,142.56	\$122.38	\$68.95	\$34.48	\$0.00	\$1,513.58
2036	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2037	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2038	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total:	\$62.45	\$41.63	\$201.91	\$168.40	\$83.89	\$168.19	\$656.10	\$10,878.54	\$1,165.25	\$656.52	\$328.26	\$0.00	\$14,411.12

Community Development Department
Excelsior Springs City Council
Phone: 816-630-0756; Fax: 816-630-9572



Tax Abatement Application for 311 S Thompson Ave.

Staff: Laura Mize, Neighborhood Specialist

City Council Meeting Date: October 6, 2025

GENERAL INFORMATION

Application: Tax Abatement Application for a Chapter 353 Tax Abatement for improvements being made to 311 S Thompson Ave.

Applicant: Marcus and Ashley McCreary

Location: 311 S Thompson Ave.

Historic District: Hall of Waters District

NRHP Status/Category: Contributing

SPECIFIC INFORMATION

Project Background: The structure is a single-story commercial block building built between 1911 and 1913. The owners plan a complete remodel of the interior to accommodate a retail space. They plan work on the exterior to include replacement of windows, resurfacing of stucco, masonry repair, removing an overhead door and filling the doorway in with stone, and exterior paint. The roof was replaced in 2023.

APPROVALS AND PERMITS

Historic Preservation Commission: The applicant requested and was granted a Certificate of Appropriateness from the Historic Preservation Commission on September 13, 2023 for all of the above mentioned improvements.

Permits: The applicant was issued a building permit on December 4, 2024 for all interior improvements.

Excelsior Springs Redevelopment Corporation: Found that application met requirements for tax abatement at the September 18, 2025 meeting.

REQUEST

The applicant is requesting a Chapter 353 Tax Abatement for the property of 311 S Thompson Ave.

STAFF RECOMMENDATION

As per the Commercial Guidelines for Chapter 353 Tax Abatement Projects, with projected expenditures expected to be \$433,019.75, this project qualifies for Level C. This project meets requirements for tax abatement for the cost of the improvements, or for 100% abatement for 10 years and then 50% abatement for 5 years, whichever comes first. Remediation of all blight must be confirmed before final application for abatement is approved.

ATTACHMENTS

Exhibit A – Tax Abatement Application with bids
Exhibit B – Clay County Assessor and Collector information
Exhibit C – Development Agreement
Exhibit D – Photos
Exhibit E – Tax Impact Analysis

ORDINANCE NO. 25-10-02

AN ORDINANCE APPROVING THE 311 SOUTH THOMPSON AVENUE PROJECT AMENDMENT TO THE AMENDED DEVELOPMENT PLAN SUBMITTED BY THE EXCELSIOR SPRINGS REDEVELOPMENT CORPORATION; AUTHORIZING CERTAIN TAX ABATEMENTS FOR THE PROJECT AREA; AND APPROVING A REDEVELOPMENT AGREEMENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Section 1. Findings. The City Council finds and determines that: an Application for Commercial Chapter 353 Tax Abatement (“Application”) was submitted for property located at 311 South Thompson Avenue. The Application is on file with the Economic Development Department and is incorporated herein by this reference as if fully set forth in full. The Application constitutes the 311 South Thompson Avenue Redevelopment Project (“Redevelopment Project”). The Redevelopment Project complies with all of the requirements of the Ch. 353 Program as established by the City Council of Excelsior Springs. Ordinance No. 21-07-01 is incorporated herein by this reference as is fully set forth in full and remains unmodified except as amended herein.

Section 2. Amendment Approved. The Amendment to ESRC’s Amended Redevelopment Plan for the 311 South Thompson Avenue Redevelopment Project, attached hereto as Exhibit A and incorporated herein by reference, is approved.

Section 3. Development Agreement Approved. The Mayor is hereby authorized to execute, on behalf of the City, the Development Agreement between the City and the Developer, and the City Clerk is hereby authorized to attest to the Development Agreement and to affix the seal of the City thereto. The Development Agreement shall be in the substantially the form attached hereto as Exhibit B, which is hereby approved by the City Council.

Section 4. Tax Abatement Granted. ESRC, or its successors and assigns, all in accordance with Chapter 353, RSMo, as amended, is hereby granted tax abatement as more particularly described in the Amendment to ESRC’s Amended Redevelopment Plan for the 311 South Thompson Avenue Redevelopment Project.

Section 5. Further Authority. The officers, agents and employees of the City are hereby authorized to execute all documents and take such steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after the date of its passage.

INTRODUCED IN WRITING, read by title two times, passed and approved this 6th day of October, 2025.

Mark D. Spohn, Mayor

ATTEST:

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager

EXHIBIT A

**Amendment to ESRC's Amended Redevelopment Plan for the 311 South Thompson
Avenue Redevelopment Project**

AMENDMENT TO ESRC'S AMENDED REDEVELOPMENT PLAN

311 SOUTH THOMPSON AVENUE REDEVELOPMENT PROJECT

The Section of the Amended Development Plan entitled “Redevelopment Projects” is revised to add the following Redevelopment Project:

The Redevelopment Area will have within it many redevelopment projects, the number, location and construction details of which cannot be predicted at this time. The redevelopment projects are within a larger area that has been determined by the City Council to be blighted and the clearance, replanning, rehabilitation or reconstruction of certain portions of the Redevelopment Area to be necessary to effectuate the purposes of the Urban Redevelopment Corporations Law.

The following project is approved:

311 South Thompson Avenue. Applicant/Owner: Marcus and Ashley McCreary. This project consists of a complete remodel of the interior to accommodate a retail space. They plan work on the exterior to include replacement of windows, resurfacing of stucco, masonry repair, removing an overhead door and filling the doorway in with stone, and exterior paint at a cost of approximately \$433,019.75. The project's tax impact analysis, on file with the Economic Development Department, is incorporated herein as if fully set forth in full.

The Section of the Amended Development Plan entitled “Partial Real Property Tax Abatement” is revised to add the following:

The 311 South Thompson Avenue Redevelopment Project qualifies for Level C incentive and will be granted up to ten (10) years of tax abatement at 100% then five (5) years at 50%, or for the cost of the improvements, whichever occurs first. Notwithstanding any ordinance or other provision to the contrary, the development rights including the tax abatements for this project shall expire in the event of the failure of ESRC to acquire ownership of the property for the project within two (2) years of the date of approval of this project.

#

EXHIBIT B

Development Agreement

353 DEVELOPMENT AGREEMENT

311 SOUTH THOMPSON AVENUE REDEVELOPMENT PROJECT

THIS 353 REDEVELOPMENT AGREEMENT, entered into this 6th day of October, 2025 (“Agreement”) by and among the CITY OF EXCELSIOR SPRINGS, MISSOURI (“City”), EXCELSIOR SPRINGS REDEVELOPMENT CORPORATION (“Redevelopment Corporation”), and Marcus and Ashley R McCreary, 27101 NE 144th St, Excelsior Springs, MO, (“Owner” or “Redevelopment Project Owner”) is for the implementation of the Downtown 353 Amended Development Plan dated July 19, 2021, submitted by the Redevelopment Corporation for implementation of the 311 South Thompson Avenue Redevelopment Project (“Redevelopment Project”) as legally described in Exhibit “A”, attached and incorporated by this reference. The Project Description is attached to this Agreement as Exhibit “B” and incorporated by this reference.

RECITALS

- A. The City Council has enacted into law Ordinance No. 21-07-01 (“Ordinance”), approving the Amended Development Plan (“Development Plan”) of the Excelsior Springs Redevelopment Corporation for the implementation of the Downtown 353 Redevelopment Project, Excelsior Springs, Missouri, and has determined that the rehabilitation improvements and redevelopment provided for in the Development Plan and this Agreement are necessary for the public convenience and necessity and that the approval of the Development Plan and the activities related thereto are necessary for the preservation of the public peace, health, safety, morals, and welfare.
- B. Redevelopment Corporation is an urban redevelopment corporation formed under Chapter 353 of the Revised Statutes of Missouri, as amended up to and including the date of the passage and approval of the Ordinance (“Chapter 353”), and is now in good standing in the State of Missouri.

The City, the Redevelopment Corporation and the Redevelopment Project Owner, for good and valuable consideration and the mutual covenants contained in this Agreement, agree as follows:

1. Items incorporated into this Agreement. The provisions of Chapter 353, the provisions of the Ordinance, and the Development Plan are incorporated into this Agreement in their entirety.
2. Redevelopment Area: Project. The real property subject in the Development Plan and the Redevelopment Project is more specifically described in Exhibit “A” attached to and incorporated by this reference into this Agreement (“Redevelopment Project Area”). The term “Project” refers to the 311 South Thompson Avenue Redevelopment Project which is more specifically described in Exhibit “B” attached to this Agreement.
3. Developer and Owner Control. Except as specifically provided in the Development Plan or this Agreement, Redevelopment Corporation and Redevelopment Project Owner will have complete and exclusive control over the implementation of the Redevelopment Project and the management and operation of the Redevelopment Project.
4. Redevelopment Project Phases. The Redevelopment Project will be implemented in one Phase.
5. Delays/Extensions. Redevelopment Project Owner will implement the Redevelopment Project with due diligence in performing each and every act required of it under the Development Plan and this Agreement. The times within which development activities are to begin or be completed will automatically be extended appropriately as a result of occurrences, events, actions or inactions not within the reasonable control of Redevelopment Project Owner or not caused or contributed to by Owner, including, without limitation, construction delays, strikes, lockouts, labor disputes, riots, fire, or other casualties, tornadoes, acts of God, acts of public enemy, governmental restrictions, unanticipated or unusual site conditions, priority regarding acquisitions of or use of materials, litigation challenging the rights of Owner, the Redevelopment Corporation or the City, delays by the City, by County, State or Federal governments, or failure to obtain required permits or approvals of City boards, documents and commissions within the project time frame.

6. Notice of Delay. Owner must provide timely written notice to the Redevelopment Corporation and the City of any delay before the end of the period, or extension thereof, in which the action was to have been taken or completed. The notice must explain in detail the reason for the delay and the estimated date by which the action will be performed or started.
7. Extensions of Time. In addition to any extension under Section 5 of this Agreement, and upon written request from Owner, the Redevelopment Corporation and the City may grant extensions to time periods in which certain performances are to be undertaken by Owner.
8. Performance for Benefit of Redevelopment Corporation/City. If Owner fails to meet any time limits, as extended, for starting or completing any activity, or performing other obligations, the Redevelopment Corporation and the City may take the actions set out in Section 9 below. No third parties will have any rights or claims with respect to the failure.
9. Breach and Compliance. Owner's failure to substantially comply, in whole or in part, with this Agreement or the Development Plan, is a breach of Owner's obligations under the Development Plan and this Agreement. If the Owner breaches this Agreement or the Development Plan, the Redevelopment Corporation and the City may deliver written notice of the breach to Owner. Owner has 60 days after the notice has been given to cure the breach (unless the 60-day cure period is extended by the Redevelopment Corporation and the City in writing). If the breach cannot reasonably be cured within the 60-day cure period and if Owner does not begin and continue to diligently pursue the cure of the breach, then the Redevelopment Corporation and the City, acting through the Mayor, in her/his discretion, may request that the City Council terminate this Agreement and all of Owner's rights under this Agreement and the Development Plan, in whole or in part.

The Redevelopment Corporation and the City will give Owner written notice of the request to terminate. At least 15 days after notice of the request is given to Owner, the Redevelopment Corporation and the City Council will hold a hearing on the request. The City Council may, at its option, but only if it finds that there was a breach and

- that Owner failed to cure it within the 60-day cure period, or to timely begin and diligently pursue a cure of the breach, terminate this Agreement and all of Owner's rights under this Agreement and the Development Plan, in whole or in part.
10. Building Maintenance. Owner must maintain any building or other structures and public areas in the Redevelopment Project Area in good repair in accordance with the City's building code and ordinances. Owner must secure the buildings or other structures until rehabilitation or reconstruction under the Development Plan begins and during the rehabilitation or reconstruction.
 11. Owner Compliance. Owner must obtain all permits and approval required by law. Owner is subject to all lawful inspections and must perform any necessary acts required under the City's ordinances, including the Ordinance. The City will not unreasonably withhold any necessary approvals or permits. Owner shall timely pay all applicable real estate taxes attributable to the Redevelopment Project. Owner shall timely pay, and ensure that any tenant of the Property shall timely pay, any personal property or business personal property taxes attributable to the location of the Redevelopment Project. Owner shall comply with all applicable laws, ordinances, codes, rules and regulations, including but not limited to, laws regarding property maintenance and not maintaining a public nuisance, as it relates to the Redevelopment Property.
 12. City Access to Development Project. During the term of this Agreement, Owner will cooperate with and permit access to the Redevelopment Project Area for inspection purposes to determine compliance with Excelsior Springs' ordinances and this Agreement by the City's agents, representatives, or other officials of the City during business hours and upon reasonable notice.
 13. Redevelopment Corporation and City Actions. The Redevelopment Corporation and the City will cooperate with Owner in carrying out the Development Plan and this Agreement. The Redevelopment Corporation and the City will use due diligence in performing all acts required of it under the Development Plan and Agreement.
 14. Tax Abatement.
 - a. Ten Years. The Redevelopment Area is comprised of a single County tax parcel (ID# 12311002900400) which contains one addressed improvement

311 South Thompson Avenue, Excelsior Springs, Missouri. Accordingly, the Redevelopment Project Area as legally described in Exhibit “A” shall not be subject to assessment or payment of general ad valorem taxes imposed by the City, the State or any political subdivision thereof, for a period of ten (10) years after the date that the Redevelopment Corporation becomes the owner of the Redevelopment Project Area except to such extent and in such amount as may be imposed upon the Redevelopment Project Area during such period measured solely by the amount of the assessed valuation of the land, exclusive of improvement, as was determined by the Assessor of Clay County, Missouri (“Assessor”), for real property taxes due and payable thereon during the calendar year preceding the calendar year during which Redevelopment Corporation acquired title to the Redevelopment Project Area. The amount of such tax assessments shall not be increased during said ten (10) years period so long as the Redevelopment Project Area is used in accordance with the Development Plan.

- b. Subsequent Five Years. After the ten (10) year period above-described, and for the next ensuing period of five (5) years, ad valorem taxes upon the real property in the Redevelopment Project Area shall be measured by the assessed valuation thereof as determined by the Assessor upon the basis of not to exceed fifty percent (50%) of the true value of such real property including any improvement thereon. Such valuation shall not be increased above fifty percent (50%) of the true value of such real property from year to year during said period of five (5) years, so long as the real property in the Redevelopment Project is used in accordance with the Development Plan.
- c. Unilateral Termination of Tax Abatement. The tax abatement rights described herein in subsections (a) and (b) of this Section 14 shall be unilaterally terminated by the City prior to the expiration of the ten-year tax abatement period described above if the cumulative value of the tax abatement equals or exceeds the Eligible Project Costs in the amount of \$433,019.75. The City shall provide written notification to the Owner and the Redevelopment Corporation at such time as the City has determined that the tax abatement has

equaled or exceeded the amount of this amount prior to terminating the tax abatement with the County Assessor.

- d. Full Assessment-Election to Opt Out After Completion. After the ten-year period provided in Section 14(a) and (b) above, the Redevelopment Project Area shall be subject to assessments by the Assessor and payment of all ad valorem taxes, including, but not limited to City, State and County taxes, based on the full true value of the Redevelopment Project Area and the standard assessment ration then in use for similar real property by the Assessor. Furthermore, after the fifteen (15) year period provided in Section 14(a) and (b) above, the Redevelopment Project Area shall be owned and operated by the Owner free from the conditions, restrictions, and provisions of Chapter 353, the Ordinance, the Development Plan, and this Agreement.

At any time after the completion of the Development, the Owner may elect to pay a sum equivalent to the amount of the general ad valorem taxes, not including interest and penalties which would have been levied on the full value of the Redevelopment Project Area from the date of the completion of the Development, and from the date of such election the Redevelopment Project Area shall be owned and operated by Owner free from the conditions, restriction, and provisions of Chapter 353, the Ordinance, the Development Plan, and this Agreement.

- e. Sale or Disposition of Redevelopment Area. The Owner may sell or otherwise dispose of any or all part of the Redevelopment Project Area. If there is a sale or other disposition of the property, whether by foreclosure of any mortgage or other lien, through bankruptcy proceedings, by order of any court or competent jurisdiction, by voluntary transfer or otherwise the tax relief provided in Section 14 of this Agreement and under the provisions of Chapter 353 shall inure, with respect to the real property so sold or otherwise disposed of, to any purchaser or transferee of the Redevelopment Project Area so long as such purchaser or transferee shall continue to use, operate and maintain the Redevelopment Project Area in accordance with Chapter 353, the

Development Plan, this Agreement and the Ordinance, including the earnings limitations contained in Section 16 of this Agreement.

- f. Breach or Withdrawal. If (i) The City terminates this Agreement under Section 9 above, or (ii) any portion of this Redevelopment Project Area receiving tax abatement is not used, operated, and maintained in accordance with Chapter 353, the Development Plan, this Agreement and the Ordinance, that portion of the Redevelopment Project Area will be assessed for ad valorem taxes at the then full true value of the real property and may be owned and operated free from any of the conditions, restrictions, or provisions of Chapter 353, the Development Plan, this Agreement and the Ordinance.

15. Transfer of Redevelopment Project Area to Redevelopment Corporation. Upon the issuance of a Certificate of Completion by the City as provided in Section 17 herein, the Owner shall execute a Quit Claim Deed to the Redevelopment Corporation transferring the Redevelopment Project Area to the Redevelopment Corporation to initiate the tax abatement provided in Section 14 hereof. Subsequently, the Redevelopment Corporation shall execute a Quit Claim Deed transferring the Redevelopment Project Area back to the Owner. Both deeds shall be recorded together with the deed from the Owner recorded first and the deed from the Redevelopment Corporation recorded second.

16. Earnings Limitations on Development. Redevelopment Corporation's net earnings from development are limited as provided in Section 353.030. Redevelopment Corporation will comply in all respects with net earnings from time to time provided by and allowed by applicable law may be held by Redevelopment Corporation as a reserve for maintenance of the allowable rate of return in the future and may be used by Redevelopment Corporation to offset any deficiency in the rate of return when may have occurred in prior years; or may be used to accelerate any and all amortization payments; or may be used of the enlargement of the Development; or may be used for the reduction of any rentals within the Development.

17. Certificate of Completion. Owner will request, in writing, after completion of the Redevelopment Project, that the City issue a Certificate of Completion for the Redevelopment Project. Upon receipt of such request by the City, and after the City

Manager conducts her/his investigations and makes her/his recommendations, the City Council will consider the matter and, if Owner have substantially completed the Redevelopment Project in accordance with the Development Plan and this Agreement, the City will issue a Certificate of Completion for the Redevelopment Project. If the City Council determines that any part of the Redevelopment Project has not been substantially completed in accordance with the Development Plan and this Agreement, the City will provide written notice to Owner stating the reasons for the findings that there has not been substantial compliance with the Development Plan and this Agreement. The City's failure to notify Owner within 45 days after receipt of the written request is deemed a Certificate of Completion. Owner has 180 days after the City gives notice to Owner within which to correct any failure to substantially complete the Redevelopment Project in accordance with the Development Plan and this Agreement.

18. Modifications. The terms, conditions and provisions of this Agreement cannot be modified except by mutual agreement in writing between the City, Redevelopment Corporation and Owner.
19. Invalidation or Cancellation of Agreement by Developer. If Owner is prohibited from performing its covenants and obligations under this Agreement or the Development Plan by the order of any governmental agency or other authority or a court of competent jurisdiction, or if Chapter 353, this Agreement, the Development Plan, or the Ordinance, is declared invalid in whole or in part, or is amended in whole or in part, then and in such event, Owner may cancel or terminate this Agreement by giving written notice of its intention to do so to the City within the 60 days after the event giving rise to the right to terminate.
20. Notice. Whenever notice or other communications is called for to be given or is otherwise given pursuant to this Agreement, it must be in writing and personally delivered or sent by United States certified mail, return receipt requested, addressed as follows:

If to the City:

City Manager

City of Excelsior Springs, Missouri
201 E. Broadway
Excelsior Springs, MO 64024

If to the Redevelopment Corporation:

Excelsior Springs Redevelopment Corporation
c/o City Manager
201 E. Broadway
Excelsior Springs, MO 64024

If to Owner:

Marcus and Ashley McCreary
27101 NE 144th St
Excelsior Springs, MO 64024

Notices sent by mail are deemed given three business days after their deposit in the U.S. Mail, or when delivered to (or refused by) the party to receive the notice. A change or addition of designated officers or addresses may be affected by providing written notice of the change or addition to the other party. Nothing in this Agreement precludes the parties from communicating via facsimile, telephone, electronic mail or other forms of electronic communication for the conduct of day-to-day business operations.

21. Severability. The invalidity or unenforceability of any provision of this Agreement will not affect the other provisions of this Agreement. This Agreement will be construed as if the invalid or unenforceable provision were omitted or, if applicable, modified as any court of competent jurisdiction deems reasonable, necessary or equitable. If the court finds that the valid provisions are so essentially and inseparably connected with and so dependent upon the invalid provision that it cannot be presumed that the parties would have agreed to the valid provisions of this Agreement; or unless the Court finds the valid provisions, standing along, are

incomplete and incapable of being executed in accordance with the parties' intent, then this Agreement will be void. If any part of this Agreement regarding the rights or duties hereunder of Owner is found invalid, Owner will, at its election, have the right to be released from this Agreement.

22. Choice of Law. The validity, construction and enforceability of this Agreement will be construed in accordance with and governed by the laws of the State of Missouri without regard to its conflicts of law provisions.

23. Binding Effect. This Agreement, and all of its terms and covenants, are binding upon and inure to the benefit of, the successors, affiliates and permitted assigns of Owner, the Redevelopment Corporation and the City.

24. Priority. If there is any inconsistency between the provisions of Chapter 353, the Ordinance, the Development Plan and this Agreement, the order of priority is (i) Chapter 353, the Ordinance, the Development Plan and this Agreement, the order of priority is: (i) Chapter 353, (ii) the Ordinance, (iii) the Development Plan and (iv) this Agreement.

In Witness Whereof, the parties have caused this Agreement to be duly executed on the date first above written.

City of Excelsior Springs, Missouri

By: _____

Mark Spohn, Mayor

Attest: _____
Shannon Stroud, City Clerk

Excelsior Springs Redevelopment Corporation

By: _____

Bill Griffey III, President

Owner:

_____:

By: _____

Name: _____

Title: _____

EXHIBIT A

LEGAL DESCRIPTION

TRACT 1: All of the North 40 feet 6 inches of Lots 6 and 7, Block 17, WESTERN AND SOUTHERN ADDITION, to the City of Excelsior Springs, Clay County, Missouri, according to the recorded plat thereof, EXCEPT 6 feet off the East side of Lot 7 now used for alley purposes.

TRACT 2: Part of City Block 107 described as follows: Beginning at the Northwest corner of Lot 6, in block 17, WESTERN AND SOUTHERN ADDITION to the city of Excelsior Springs, Clay County, Missouri; thence South 40 feet 6 inches; thence West to the Easterly line of Thompson Avenue; thence Northerly along the Easterly line of Thompson Avenue to the point of beginning.

EXHIBIT B

SCOPE OF WORK

Exterior Improvements

1. Replace selected window panes of entire window units as needed
2. Repair/replace bulkhead below windows
3. Replace transom cover on primary façade
4. Repair deteriorated stucco and resurface entire walls
5. Repoint mortar and replace damaged bricks across entire building
6. Remove overhead door below grade and replace with stone and mortar construction
7. Remove basement window and replace with stone and mortar construction
8. Paint windows, doors, trim and stucco surfaces

Interior improvements

1. Interior remodel to accommodate retail space to include demolition, carpentry, HVAC, plumbing and electrical.

311 S Thompson Ave Estimated Taxes To Be Abated (15 years)

Taxing Entity	State Levy	Clay County Services	County Handicap	County Mental Health	County Senior Citizens	County Health	Library District	School District	City General Fund	City Parks & Recreation	City Hospital	County Sur Tax	
% of tax rate:	0.003514033	0.002342688	0.011362039	0.009476175	0.004720517	0.009476175	0.03692077	0.612167924	0.067094598	0.037787565	0.018893783	0.186243733	
Year												125/127	
2026	\$31.86	\$21.24	\$103.02	\$85.92	\$42.80	\$85.92	\$334.78	\$5,550.81	\$608.38	\$342.64	\$171.32	\$1,688.76	\$9,067.46
2027	\$32.50	\$21.67	\$105.09	\$87.64	\$43.66	\$87.64	\$341.47	\$5,661.82	\$620.55	\$349.49	\$174.74	\$1,722.53	\$9,248.81
2028	\$32.50	\$21.67	\$105.09	\$87.64	\$43.66	\$87.64	\$341.47	\$5,661.82	\$620.55	\$349.49	\$174.74	\$1,722.53	\$9,248.81
2029	\$33.15	\$22.10	\$107.19	\$89.40	\$44.53	\$89.40	\$348.30	\$5,775.06	\$632.96	\$356.48	\$178.24	\$1,756.98	\$9,433.78
2030	\$33.15	\$22.10	\$107.19	\$89.40	\$44.53	\$89.40	\$348.30	\$5,775.06	\$632.96	\$356.48	\$178.24	\$1,756.98	\$9,433.78
2031	\$33.81	\$22.54	\$109.33	\$91.18	\$45.42	\$91.18	\$355.27	\$5,890.56	\$645.62	\$363.61	\$181.80	\$1,792.12	\$9,622.46
2032	\$33.81	\$22.54	\$109.33	\$91.18	\$45.42	\$91.18	\$355.27	\$5,890.56	\$645.62	\$363.61	\$181.80	\$1,792.12	\$9,622.46
2033	\$34.49	\$22.99	\$111.52	\$93.01	\$46.33	\$93.01	\$362.37	\$6,008.37	\$658.53	\$370.88	\$185.44	\$1,827.97	\$9,814.91
2034	\$34.49	\$22.99	\$111.52	\$93.01	\$46.33	\$93.01	\$362.37	\$6,008.37	\$658.53	\$370.88	\$185.44	\$1,827.97	\$9,814.91
2035	\$35.18	\$23.45	\$113.75	\$94.87	\$47.26	\$94.87	\$369.62	\$6,128.54	\$671.70	\$378.30	\$189.15	\$1,864.52	\$10,011.21
2036	\$17.94	\$11.96	\$58.01	\$48.38	\$24.10	\$48.38	\$188.51	\$3,125.56	\$342.57	\$192.93	\$96.47	\$950.91	\$5,105.72
2037	\$18.30	\$12.20	\$59.17	\$49.35	\$24.58	\$49.35	\$192.28	\$3,188.07	\$349.42	\$196.79	\$98.40	\$969.93	\$5,207.83
2038	\$18.30	\$12.20	\$59.17	\$49.35	\$24.58	\$49.35	\$192.28	\$3,188.07	\$349.42	\$196.79	\$98.40	\$969.93	\$5,207.83
2039	\$18.67	\$12.44	\$60.36	\$50.34	\$25.08	\$50.34	\$196.12	\$3,251.83	\$356.41	\$200.73	\$100.36	\$989.32	\$5,311.99
2040	\$18.67	\$12.44	\$60.36	\$50.34	\$25.08	\$50.34	\$196.12	\$3,251.83	\$356.41	\$200.73	\$100.36	\$989.32	\$5,311.99
Total:	\$426.83	\$284.55	\$1,380.08	\$1,151.01	\$573.37	\$1,151.01	\$4,484.54	\$74,356.33	\$8,149.57	\$4,589.83	\$2,294.91	\$22,621.90	\$121,463.94

City Council Cover Letter

Planning and Zoning Case: ZTA-25-005



TO: City Council
FROM: Joshua Garrett, MPA, City Planner
DATE: September 30, 2025
RE: Planning and Zoning Case ZTA-25-005

The Planning and Zoning Commission held its regularly scheduled meeting on September 29, 2025. At this meeting the Commission held a public hearing and considered Case Number ZTA-25-005, an amendment to the Zoning Ordinance regarding residential development standards and other minor changes.

As required by code the public hearing for this case published in the Excelsior Springs Standard on September 12, 2025 in addition to being posted on the doors of the Hall of Waters.

Planning and Zoning Meeting – Item Summary

An Application by City staff to amend Chapter 400 of the Code or Ordinances regarding residential lot standards and other minor updates. *Public hearing.*

Mr. Garrett presented the staff report detailing the proposed amendment. Due to the scope of the amendment, Mr. Garrett discussed and explained each proposed change. The commission had several clarifying questions answered by Mr. Garrett.

Recommendation

Commissioner Sparks made a motion to pass the resolution to recommend approval of case ZTA-25-005, a text amendment to the Zoning Code concerning residential development standards and other minor changes.

A second to the motion was made by Vice-Chairman Vincent. The Planning and Zoning Commission voted as follows:

Bissell	Yes	Marker	Yes
Borchert	Absent	Sparks	Yes
Gehrt	Yes	Vincent	Yes
Kelley	Yes		

The motion was passed and the resolution recommending approval was adopted. The application is now being forwarded to the City Council for its consideration.

Staff recommends approval of this amendment to the Zoning Code.

Respectfully,

A handwritten signature in black ink, appearing to read 'Joshua Garrett', with a stylized flourish at the end.

Joshua Garrett, MPA

City Planner, Community Development

Attachments

1. Draft Ordinance
2. Summary of Proposed Changes
3. Staff Report
4. Resolution PZC-25-004

ORDINANCE NO. 25-10-03

AN ORDINANCE OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AMENDING TITLE IV, CHAPTER 400 OF THE CODE OF ORDINANCES REGARDING RESIDENTIAL DEVELOPMENT STANDARDS AND OTHER MINOR CHANGES

WHEREAS, the City of Excelsior Springs, Missouri, periodically reviews and updates its Code of Ordinances to ensure consistency and alignment with the City's Comprehensive Plan and long-term goals; and

WHEREAS, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on September 29, 2025, to consider proposed amendments to Chapter 400, specifically concerning the residential development standards and several minor changes; and

WHEREAS, the Planning and Zoning Commission, following said public hearing, recommended approval of the proposed amendments to the City Council by a vote of 6-0; and

WHEREAS, the City Council of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on October 6, 2025 to consider the proposed amendments and the recommendation of the Planning and Zoning Commission; and

WHEREAS, the City Council finds that the proposed amendments to various residential districts and development standards will modernize the zoning code, provide greater flexibility for residential development, encourage context-sensitive infill housing, and ensure regulations are clear and consistent for staff, developers, and property owners.

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

Section 1. Amendments. Chapter 400 of Title IV of the Code of Ordinances is hereby amended to read as written in Exhibit A, which is attached and incorporated into the Ordinance.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Errors. That correction of any scriveners' errors identified within these articles are hereby authorized by this ordinance.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after its passage and approval by the City Council.

PASSED AND APPROVED by the City Council of the City of Excelsior Springs, Missouri, this 6th day of October, 2025.

Mark D. Spohn, Mayor

ATTEST:

REVIEWED BY:

Shannon Stroud, City Clerk

Molly McGovern, City Manager

EXHIBIT A

Section 400.070. District "A" – Agriculture District.

- A. Permitted Uses. In District "A", no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered except for one (1) or more of the following uses:
1. Farming, dairy farming, livestock and poultry raising and all uses commonly classed as agriculture. There shall be no restriction on operation of vehicles, or machinery customarily incidental to such uses; of the sale or of marketing of products raised on the premises, provided that any building, structure or yard hereafter used or constructed for the raising, feeding or housing of livestock or poultry shall conform to Sections 210.070 through 210.130 of this Code;
 2. **Religious Assemblies** ~~Churches~~ and publicly owned and operated community buildings, public museums, public libraries;
 3. Single-family dwellings;
 4. Fish hatcheries, apiaries, aviaries;
 5. Forests, wildlife and conservation preserves;
 6. Fur farming;
 7. Golf courses and clubhouses customarily incident thereto except miniature golf, driving ranges and similar activities used as a business;
 8. Kennels, provided that the pens and buildings shall not be located closer than five hundred (500) feet to a dwelling in a District "R-1" to "R-5," inclusive;
 9. Mushroom barns and caves;
 10. Nurseries, greenhouses and truck gardens;
 11. Picnic groves;
 12. Publicly-owned parks and playgrounds, including public recreation or service buildings within such parks, public administration buildings, police, fire stations and City-owned and operated buildings, structures, and substations;
 13. Public schools, elementary and high and private schools with curriculum equivalent to that of a public elementary or high school and institutions of higher learning, including stadium and dormitories in conjunction, if located on the campus;
 14. Railroad rights of way not including railroad yards;
 15. Riding stables and riding tracks;
 16. Accessory uses, including repair shops, sheds, garages, barns, silos, irrigation wells

and pumps, bunk houses, incidental dwellings, buildings and structures customarily required for any of the above uses.

- B. Height And Area Regulations. In District "A" the height of buildings, the minimum dimensions of lots and yards, the minimum lot area per family permitted on any lot shall be as follows: (For exceptions, see Section 400.270, ~~Height and Area Exceptions.~~)
1. Height. Buildings or structures shall not exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height except that on lots having a natural slope, a full three (3) stories may be exposed above grade on the downhill side.
 2. Front Yards. There shall be a front yard the minimum depth of which shall be fifty (50) feet.
 3. Side Yards. There shall be a side yard on each side of a dwelling of not less than fifteen (15) feet.
 4. Rear Yards. There shall be a rear yard the minimum depth of which shall be fifty (50) feet.
 5. Lot Width. The minimum width of a lot shall be one hundred fifty (150) feet provided that where a lot of record has less width than herein required in separate ownership at the time of passage of this Chapter, this regulation shall not prohibit the erection of a single-family dwelling.
 6. Lot Area. Every dwelling hereafter erected, constructed, reconstructed, moved or altered shall provide a lot area of not less than one (1) acre (forty-three thousand five hundred sixty (43,560) square feet), provided that where a lot of record has less area than herein required in separate ownership of the time of the passage of this Chapter, this regulation shall not prohibit the erection of a single-family dwelling.
 7. Minimum Dwelling Size. Minimum size of single-family dwelling shall be eight hundred and fifty (850) square feet of living floor area.
- C. Subdivisions Prohibited. The subdivision of land for the purpose of converting agricultural or other undeveloped land to residential or business use and where the opening of new streets or roadways is contemplated to accomplish this purpose is not permitted in District "A."

Section 400.075. District "R-1A" – Single Family Residential Traditional District.

- A. Permitted Uses. In District "R-1A" no building, structure, land or premises shall be used, and no building or structure shall hereafter be erected, constructed, reconstructed, moved or altered, except for one (1) or more of the following uses:
1. Dwellings, single-family;
 2. Parks and playgrounds, including recreation or service buildings and swimming

pools, which are owned or operated by a governmental agency;

3. Public schools, elementary and high, and the accessory uses normally associated with such institutions of higher learning, including stadiums and dormitories in conjunction, if located on campus;
4. Nurseries, and truck gardens limited to the propagation and cultivation of plants; provided, no retail or wholesale business shall be conducted upon the premises;
5. **Religious Assemblies** ~~Churches and synagogues.~~

B. Height And Area Regulations. In a District "R-1A" the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows: (For exceptions see Section 400.270, ~~Height and Area Exceptions.~~)

1. Height. Buildings or structures shall not exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height except that on lots having a natural slope, a full three (3) stories may be exposed above grade on the downhill side.
2. Front Yards. A front yard is not required so long as adjacent lots similarly lack a front yard. In the case where adjacent lots have front yards, the average depth of the two (2) adjacent lots shall be used to set the minimum yard requirement.
3. Side Yards. There shall be a side yard on each side of the dwelling, the minimum depth of which shall not be less than three (3) feet. Dwellings on corner lots may have this requirement waived on the street side.
4. Rear Yards. The depth of the rear yard shall be at least ten (10) feet except where there exists an improved alley or street in which case the rear yard requirement may be waived.
5. Lot Area Per Family. Every dwelling hereafter erected shall provide a lot area of not less than two thousand five hundred (2,500) square feet per family, provided that where a lot has less area than herein required in separate ownership at the time of the passage of this Chapter, this regulation shall not prohibit the erection of a one-family dwelling. ~~Where a public or community sewer is not available and in use for the disposal of all sanitary sewage, only a single-family dwelling may be constructed and the minimum lot area, necessary to support an approved onsite sewage treatment system therefore shall be determined by the respective County Health department.~~
6. Lot Width. The width of a lot, measured at the front building line, shall not be less than forty (40) feet provided that where a lot has less width than herein required in separate ownership at the time of the passage of this Chapter, this regulation shall not prohibit the erection of a single-family dwelling.
7. Floor Area. No single-family dwelling shall be constructed, reconstructed, altered or moved unless it contains a total floor area, finished for living purposes, of not less than one thousand one hundred (1,100) square feet.

8. Parking Regulations. Two (2) off-street parking spaces shall be provided for each single-family dwelling, at least one (1) of which shall be enclosed. (See Section 400.280 for additional parking requirements.)
9. Infill Or Previously Approved Housing. Notwithstanding any of the requirements of Subsections (5), (7) and (8) of this Subsection (B), in areas where the surrounding area is generally developed and the site is either vacant or has previously been used for another purpose, any principal residential structure may be designed and constructed or reconstructed to face the street that any existing, immediately adjoining principal structure faces, and may have a lot area and floor area not less than:
 - a. ~~The (i) the~~ average of the principal residential structures on both sides of the street between two (2) intersecting streets (excluding reverse corner lots); or
 - b. ~~The (ii) the~~ lot area and floor area of any residential structure previously constructed on the site in conformance with lot area and floor area requirements at the time of construction.

Parking shall be in conformity with the adjacent single-family residences facing the same street, or shall be the same parking provided with the residential structure previously constructed on the site in conformance with the parking requirements at the time of construction. The scale, placement on the site, and street setback must conform to the scale, placement and setback of adjacent structures. Styles of architecture must ~~ensure insure~~ that exterior design, materials, and color are in harmony with neighboring structures.

Section 400.080. District "R-1" – Single Family Residential District.

- B. Permitted Uses. In District "R-1" no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one (1) or more of the following uses:
1. Dwellings, single-family;
 2. Parks and playgrounds, including recreation or service buildings and swimming pools, which are owned or operated by a governmental agency;
 3. Public schools, elementary and high, and the accessory uses normally associated with such institutions; private schools, with curriculum equivalent to that of a public elementary or high school and institutions of higher learning, including stadiums and dormitories in conjunction, if located on campus;
 4. Golf courses and clubhouses appurtenant thereto (except miniature golf courses, driving ranges and other similar activities operated as a business);
 5. Railroad rights-of-way, not including railroad yards;
 6. Agriculture on a tract of ground of five (5) acres or greater in size provided no feed

lot, pens or concentration of livestock or poultry, shall be located closer than one hundred fifty (150) feet to the nearest portion of any building occupied by or in any way used by human beings, other than the dwelling occupied by the owner or keeper of the livestock or poultry;

7. Nurseries, and truck gardens limited to the propagation and cultivation of plants; provided, no retail or wholesale business shall be conducted upon the premises;
 8. **Religious Assemblies** ~~Churches and synagogues.~~
 9. Accessory dwelling units (see Section 400.240, Accessory Uses).
- C. Height And Area Regulations. In a District "R-1" the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows: (For exceptions see Section 400.270, ~~Height and Area Exceptions.~~)
1. Height. Buildings or structures shall not exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height except that on lots having a natural slope, a full three (3) stories may be exposed above grade on the downhill side.
 2. Front Yards. Any dwelling hereafter constructed shall provide for a front yard, the minimum depth of which shall be twenty-five (25) feet.
 3. Side Yards. There shall be a side yard on each side of the dwelling, the minimum depth of which shall be not less than seven (7) feet. Dwellings on corner lots shall provide a side yard on the street side of not less than twenty-five (25) feet.
 4. Rear Yards. The depth of the rear yard shall be at least twenty-five (25) feet.
 5. Lot Area Per Family. Every dwelling hereafter erected, moved, or altered shall provide a lot area of not less than seven thousand five hundred (7,500) square feet per family, provided that where a lot has less area than herein required in separate ownership at the time of the passage of this Chapter pursuant to Ordinance No. 88-5-5 adopted May 16, 1998, this regulation shall not prohibit the erection of a single-family dwelling. In order to carry out this provision for use of lots having less than seven thousand five hundred (7,500) square feet, corresponding reductions in yards, floor area or parking may be required, and are hereby authorized, only to the minimum extent necessary.
 6. Lot Width. The width of a lot, measured at the front building line, shall not be less than seventy (70) feet provided that where a lot has less width than herein required in separate ownership at the time of the passage of this Chapter, this regulation shall not prohibit the erection of a single-family dwelling.
 7. Floor Area. No single-family dwelling shall be constructed, reconstructed, altered or moved unless it contains a total floor area, finished for living purposes, of not less than one thousand one hundred (1,100) square feet.
 8. Parking Regulations. **A minimum of** three (3) off-street parking spaces shall be

provided for each single-family dwelling, at least one (1) of which shall be enclosed. (See Section 400.280 for additional parking requirements.)

9. ~~(Reserved.) Height And Area Standard Exceptions. The City Council may, in the process of approving preliminary and final plats, approve one (1) or more deviations from the standard requirements as follows:~~
 - a. ~~Setbacks of buildings and paved areas from a public street may be reduced by ten percent (10%) of the standard requirement.~~
 - b. ~~Side and rear yards between buildings may be reduced by ten percent (10%) when the City Council has been assured that adequate open space for the project and between buildings has been established.~~
 - c. ~~Setbacks of buildings and paved areas from a freeway right-of-way may be reduced by ten percent (10%).~~
 - d. ~~Lot area and lot width may be reduced by ten percent (10%) of the standard requirement. Any common open space resulting from the variance of such density standard shall be set aside for the use and benefit of the occupants of such development.~~
 - e. ~~Compensating open space shall include conservation areas, combination sidewalk/ bikeways, decorative street lighting, monumentation, landscaping, perimeter buffers, and/or the granting of additional rights of way.~~
 - f. ~~The foregoing deviations (B)(9)(a) through (d) may be granted by the City Council only when compensating open space is provided elsewhere in the project, where there is ample evidence that said deviation will not adversely affect neighboring property, nor will it constitute the mere granting of a privilege.~~
10. Infill Or Previously Approved Housing. Notwithstanding any of the requirements of Subsections (5), (7) and (8) of this Subsection (B), in areas where the surrounding area is generally developed and the site is either vacant or has previously been used for another purpose, any principal residential structure may be designed and constructed or reconstructed to face the street that any existing, immediately adjoining principal structure faces, and may have a lot area and floor area not less than:
 - a. ~~The (i) the~~ average of the principal residential structures on both sides of the street between two (2) intersecting streets (excluding reverse corner lots); or
 - b. ~~The (ii) the~~ lot area and floor area of any residential structure previously constructed on the site in conformance with lot area and floor area requirements at the time of construction.

Parking shall be in conformity with the adjacent single-family residences facing the same street, or shall be the same parking provided with the residential structure previously constructed on the site in conformance with the parking requirements at the time of construction. The scale, placement on the site, and street setback must conform to the scale, placement and setback of adjacent structures. Styles of architecture must ~~ensure~~ ~~insure~~ that exterior design, materials, and color are in harmony with neighboring structures.

Section 400.110. District "R-2" – Two-Family Residential District.

- A. Permitted Uses. In District "R-2" no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one (1) or more of the following uses:
1. Any use permitted in District "R-1."
 2. Dwellings, two-family, commonly referred to as duplexes.
- B. Height And Area Regulations. In District "R-2" the height of buildings, the minimum dimensions of lots and yards and the minimum lot area per family permitted on any lot shall be as follows: ~~provided the single-family dwellings in this district shall comply with the height and area regulations of District "R-1".~~ (For exceptions see Section 400.270.)
1. Height. Buildings or structures shall not exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height except that on lots having a natural slope, a full three (3) stories may be exposed above grade on the downhill side.
 2. Front Yards. Any building hereafter constructed shall provide for a front yard, the minimum depth of which shall be ~~thirty (30)~~ **twenty-five (25)** feet.
 3. Side Yards. There shall be a side yard on each side of the dwelling. The minimum depth of which shall not be less than seven (7) feet. Buildings on corner lots shall provide a side yard on the street side of not less than ~~thirty (30)~~ **twenty-five (25)** feet.
 4. Rear Yard. The depth of the rear yard shall be at least twenty-five (25) feet.
 5. Lot Area Per Family. Every dwelling hereafter erected, moved, or altered shall provide a lot area of not less than ~~ten thousand eight hundred (10,800)~~ **seven thousand five hundred (7,500)** square feet per family for each single-family dwelling, or ~~five thousand four hundred (5,400)~~ **three thousand seven hundred fifty (3,750)** square feet per family for two-family dwellings, provided that where a lot has less area than herein required in separate ownership at the time of the passage of this Chapter this regulation shall not prohibit the erection of a single-family dwelling.
 6. Lot Width. The width of the lot shall be at least ~~ninety (90)~~ **seventy (70)** feet except that two-family dwellings which otherwise comply with the Codes and ordinances

of the City of Excelsior Springs may be divided at the party wall as to ownership and owned as separate dwelling units by separate owners and such ownership shall not constitute violations of the lot and yard requirements of this Chapter.

7. Parking Regulations. **A minimum of two (2)** ~~three (3)~~ off-street parking spaces shall be provided for each family dwelling unit, at least one **(1)** ~~and one-half (1 1/2)~~ of which shall be enclosed. (See Section 400.280 for additional parking requirements.)
8. **(Reserved.)** ~~Height And Area Standards. The City Council may, in the process of approving preliminary and final plans, approve one (1) or more deviations from the standard requirements as follows:~~
 - ~~a. Setbacks of buildings and paved areas from a public street may be reduced by ten percent (10%) of the standard requirement.~~
 - ~~b. Side and rear yards between buildings may be reduced by ten percent (10%) when the City Council has been assured that adequate open space for the project and between buildings has been established.~~
 - ~~c. Setbacks of buildings and paved areas from a freeway right-of-way may be reduced by ten percent (10%).~~
 - ~~d. Lot area and lot width may be reduced by ten percent (10%) of the standard requirement. Any common open space resulting from the variance of such density standard shall be set aside for the use and benefit of the occupants of such development.~~
 - ~~e. Compensating open space shall include conservation areas, combination sidewalk/ bikeways, decorative street lighting, monumentation, landscaping, perimeter buffers, and/or the granting of additional rights-of-way.~~
 - ~~f. The foregoing deviations (a) through (d) may be granted by the City Council only when compensating open space is provided elsewhere in the project, where there is ample evidence that said deviation will not adversely affect neighboring property, nor will it constitute the mere granting of a privilege.~~
9. **Infill Or Previously Approved Housing. Notwithstanding any of the requirements of Subsections (5), (7) and (8) of this Subsection (B), in areas where the surrounding area is generally developed and the site is either vacant or has previously been used for another purpose, any principal residential structure may be designed and constructed or reconstructed to face the street that any existing, immediately adjoining principal structure faces, and may have a lot area and floor area not less than:**
 - a. The average of the principal residential structures on both sides of the street between two (2) intersecting streets (excluding reverse corner lots); or**
 - b. The lot area and floor area of any residential structure previously constructed on the site in conformance with lot area and floor area requirements at the**

time of construction.

Parking shall be in conformity with the adjacent single-family residences facing the same street, or shall be the same parking provided with the residential structure previously constructed on the site in conformance with the parking requirements at the time of construction. The scale, placement on the site, and street setback must conform to the scale, placement and setback of adjacent structures. Styles of architecture must ensure that exterior design, materials, and color are in harmony with neighboring structures.

Section 400.120. "R-3" Cluster, Townhouse, or Garden Apartment District.

A. Permitted Uses. In District "R-3" no building, structure, land or premises, shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one (1) or more following uses:

1. Any use permitted in District "R-2";
2. Garden apartment buildings and townhouses;
3. Innovation housing techniques such as patio houses, zero lot line homes and mixed housing system.

B. Height And Area Regulations. In District "R-3" the height of buildings, the minimum dimensions of lots and yards, the minimum lot area per family permitted on any lot shall be as follows: (For exceptions see Section 400.270.)

1. Height. Buildings or structures shall not exceed three (3) stories or thirty-five (35) feet in height plus a basement.
2. Front Yards. Any building hereafter constructed shall provide for a front yard, the minimum depth of which shall be **twenty (20)** ~~thirty (30)~~ feet.
3. Side And Rear Yards. ~~No building shall be located closer than fifteen (15) feet to a project property line, other than a street line. No side yard shall be less than seven (7) feet.~~

a. Side Yards. There shall be a side yard on each side of the dwelling. The minimum depth of which shall not be less than seven (7) feet. Buildings on corner lots shall provide a side yard on the street side of not less than **twenty (20)** feet.

b. Rear Yards. The depth of the rear yard shall be at least **twenty (20)** feet.

4. Lot Area Per Family. **The minimum lot area for any dwelling hereafter erected, moved, or altered shall be six thousand (6,000) square feet or three thousand (3,000) square feet per dwelling unit, whichever is greater.** ~~Every dwelling hereafter erected, moved, or altered shall provide a lot area of not less than six thousand (6,000) square feet or three thousand (3,000) square feet per family.~~

5. Parking Regulations. Single-family homes, duplexes, and other multi-family residential units shall have parking that best suits the principal use. All permitted non-residential uses shall comply with the parking requirements outlined in Section 400.280. ~~Two (2) off-street parking spaces shall be provided for each dwelling unit.~~

- a. Single-Family Homes. A minimum of two (2) off-street parking spaces shall be provided for each family dwelling unit, at least one (1) of which shall be enclosed.
- b. Duplexes. A minimum of two (2) off-street parking spaces shall be provided for each family dwelling unit, at least one (1) of which shall be enclosed.
- c. Multi-Plex and Garden Apartments. The minimum number of off-street parking spaces shall be as follows:

- (1) Studio and one-bedroom units shall provide a minimum of one and one half (1 ½) off-street spaces per unit.

- (2) Two-bedroom units or larger shall provide a minimum of two (2) off-street spaces per unit.

When the total required minimum off-street parking spaces contains a fraction, the required minimum number of spaces shall be rounded up to the nearest integer.

(For additional parking requirements see Section 400.280.)

Section 400.140. "R-5" High Density Apartment District.

- A. Permitted Uses. In District "R-5," no building, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered except for one (1) or more of the following uses:

- 1. Medium-density apartment building under the regulations of District "R-4."

- B. Height And Area Regulations. In District "R-5," the height of buildings, the minimum dimensions of lots and yards and the minimum lot area per family permitted on any lot shall be as follows: (For exceptions see Section 400.270.)

- 1. Height. No maximum or minimum height is required except as governed by yard requirements provided that all buildings exceeding two and one-half (2 1/2) stories shall have elevators.
- 2. Front Yard. Any building hereafter constructed shall provide for a front yard the minimum depth of which shall be thirty (30) feet plus three (3) feet for each story in excess of four (4).
- 3. Side Yards. There shall be a side yard on each side of a building equal to fifteen (15)

feet plus two (2) feet for each story greater than three (3).

4. Rear Yard. The depth of the rear yard shall be at least thirty (30) feet for buildings up to four (4) stories and at least the height of the building for buildings in excess of four (4) stories.
 5. Lot Acre Per Family. Every high-density apartment house hereafter constructed shall provide a lot area of not less than one thousand (1,000) square feet per dwelling unit.
- C. Parking Regulations. Two (2) parking spaces shall be provided on the premises **for each two (2) or more bedroom dwelling unit and one and one-half (1 1/2) spaces for each unit having one (1) bedroom.** ~~or within two hundred (200) feet of an entrance to the building, for each dwelling unit.~~ (See Section 400.280 for additional parking requirements.)

Section 400.160. "C-O" Non-Retail Business District.

- A. Permitted Uses. In District "C-O," no building, structure, or land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one (1) or more of the following uses:
1. Office buildings to be used only for the administrative functions of companies, corporations, social or philanthropic organizations or societies.
 2. Other offices limited to the following:
 - a. Answering and secretarial services;
 - b. Architects;
 - c. Brokers and accountants;
 - d. Engineers;
 - e. Dentists;
 - f. Lawyers;
 - g. Physicians and others in the healing arts licensed by the State of Missouri;
 - h. Real estate and insurance.
 3. Mortuaries.
 4. (Reserved)
 5. **Religious Assemblies** ~~Churches and synagogues.~~
 6. Residential Uses. Residential uses shall be allowed subject to the following conditions:
 - a. Residential units may be developed either in a free-standing building or as a part of a building that contains other permitted uses in the district.

- b. Every dwelling unit shall provide a lot area of not less than ~~two~~ **five** thousand ~~(2,000)~~ **(5,000)** square feet per family.
- c. When a residential unit is located in a building which also contains permitted non- residential uses, all applicable codes shall apply, including but not limited to provisions for separate access and construction standards.
- d. Adequate trash enclosures shall be provided and these areas shall be screened and protected.
- e. Residential housing for three (3) or more units hereafter erected, constructed or reconstructed, shall be limited to planned districts which is set out in Section

404.010.

-- (Please note that Section 400.160 continues. Only the subsections to be amended are displayed here.)

Section 400.190. District "C-2A" – Special Business District.

- A. Intent. This Zoning District is for the purposes of allowing the renovation or conversion of buildings, or the construction of new buildings, for occupancy by retail or service activities which cater primarily to the travelling public, tourists, families on vacation or local persons who have a need for a product or service not generally available in the usual business district. It is further intended that such special retail sales and services will utilize, for the most part, existing residential buildings or buildings of a scale similar to prevailing homes in the area and that such businesses will be oriented to the pedestrians in the street as opposed to highly competitive markets drawing from a large trade area. Mixed residential and business uses are permitted in the same building and structures built as dwellings may be converted to business uses provided suitable architectural character exists, the structure is sound and the conversion will retain desirable and historically significant features of the building. The section of the City in which this district may be utilized is **limited to properties located within the Elms Historic Preservation Overlay District.** ~~shown on the map which is on file in the City Manager's office.~~
- F. Off-Street Parking. Off-street parking at a ratio of one (1) space for each three hundred (300) square feet of total floor area used for business purposes, or one (1) space for each sleeping room, shall be provided on the premises or within three hundred (300) feet therefrom as provided in Section 400.280. No parking shall be permitted in the required front or side yards in this district. ~~The Planning Commission may, in the process of reviewing construction, conversion or renovation plans, vary the parking requirements of a business if permanent public off street parking is provided in quantity and location to adequately serve the premises.~~

-- (Please note that Section 400.190 contains subsections B, C, D, and E. These subsections are not included in the amendment. Only the subsections to be amended are displayed here.)

Section 400.290. Landscaping and Screening.

- A. All plans submitted in support of a building permit **or site plan** application, except for single-family and two-family dwellings ~~and excluding buildings in District "C-2" and "C-3," except in the case of "C-3" when a special use permit has been obtained for an adult entertainment establishment~~, shall hereafter include a landscape plan, and include screening where appropriate. All land areas which are to be unpaved or not covered by buildings shall be brought to finished grade, planted to grass or other ground cover and receive trees and shrubs

in reasonable quantity and size except that where a planting area between paved areas is six

(6) feet or less in width, ornamental rock or other similar ground cover may be permitted. That area between the curb of the public street and the property line shall likewise be brought to finish grade and grass and shade trees installed. In no case may this area be paved or covered with materials other than grass except at approved driveways which shall be paved.

1. Purpose. The purpose of such landscaping is to provide greenery to visually soften paved areas and buildings, provide shade, give maximum absorption of surface water and generally enhance the quality and appearance over the entire area of the project.
2. Trash Enclosures Required. All multi-family residential projects and all commercial, office and industrial projects shall include, on the landscape plan, a detailed drawing of enclosure and screening methods to be used in connection with trash bins on the property. No trash bin shall be visible from off the property and a permanent masonry or frame enclosure shall be provided for each such bin.

All landscaping and screening shall be in place prior to issuance of final occupancy permit. All plant materials and screen fences shall be maintained, kept in a healthy and attractive state and dead plants replaced promptly. Lack of such maintenance and replacement shall be deemed a violation of plans approved pursuant to this Chapter. All landscape plans shall be submitted to the Community Development Department for review and approval as to adequacy prior to the issuance of a building or land use permit.

The Community Development Director may waive this requirement when deemed appropriate.

RESOLUTION NO. PZC-25-004

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI RECOMMENDING THE CITY COUNCIL APPROVE THE PROPOSED AMENDMENTS TO TITLE IV, CHAPTER 400 OF THE CODE OF ORDINANCES CONCERNING RESIDENTIAL DEVELOPMENT STANDARDS AND OTHER MINOR CHANGES

WHEREAS, the City of Excelsior Springs, Missouri, periodically reviews and updates its Code of Ordinances to ensure consistency and alignment with the City's Comprehensive Plan and long-term goals; and

WHEREAS, in accordance with Section 404.090(A) of the City's Code of Ordinances, City staff have prepared an application to amend to Chapter 400, specifically concerning various parts of the residential development standards and several other minor changes; and

WHEREAS, City staff have reviewed and processes the application, assigning it case number ZTA-25-005, and prepared a staff report to the Planning and Zoning Commission's consideration.

WHEREAS, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on September 29, 2025 to consider proposed amendments; and

WHEREAS, the Planning and Zoning Commission finds that the proposed amendments to various residential districts and development standards, as outlined in ZTA-25-005, will modernize the zoning code, provide greater flexibility for residential development, encourage context-sensitive infill housing, and ensure regulations are clear and consistent for staff, developers, and property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Recommendation. The Planning and Zoning Commission recommends that the City Council approve the application assigned case number ZTA-25-005 to amend Title IV, Chapter 400 of the Code of Ordinances.

PASSED AND APPROVED by the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, this 29 day of September, 2025.



Laurie Gehrt,
Planning and Zoning Commission Chairman



Mallory Brown,
Community Development Director

City Council Cover Letter

Planning and Zoning Case: FP-25-003



TO: City Council
FROM: Joshua Garrett, MPA, City Planner
DATE: August 26, 2025
RE: Planning and Zoning Case FP-25-003

The Planning and Zoning Commission held its regularly scheduled meeting on September 29, 2025. At this meeting the Commission held a public hearing and considered two cases together: Case Numbers PP-25-002 and FP-25-002, a preliminary and final plat, respectively, for a replat of Lot 4 of the Springs Plaza subdivision.

As required by code the public notice for this case published in the Excelsior Springs Standard on September 12, 2025 in addition to being posted on the doors of the Hall of Waters.

Planning and Zoning Meeting – Item Summary

Applications by the City of Excelsior Springs for consideration of preliminary and final plats for Museum Row on East Broadway, which replats the properties generally located at the SE corner of Broadway Avenue and Main Street.

Mr. Garrett presented the staff report recommending approval of the proposed preliminary and final plats. The commission asked several clarifying questions answered by Mr. Garrett. Commissioner Marker asked about the involvement of the subject property owners. Mr. Garrett explained that for the plat to be valid, the subject property owners must sign the plat, which each of them already had done. Mrs. Brown provided further clarification and explained how the City had worked with the subject property owners throughout the process.

Recommendation

Vice-Chairman Vincent made a motion to pass the resolution to recommend approval of case FP-25-003, a final plat for Museum Row on East Broadway.

A second to the motion was made by Commissioner Kelley. The Planning and Zoning Commission voted as follows:

Bissell	Yes	Marker	Yes
Borchert	Absent	Sparks	Yes
Gehrt	Yes	Vincent	Yes
Kelley	Yes		

The motion was passed and the resolution recommending approval was adopted. The application is now being forwarded to the City Council for its consideration.

Staff recommends approval of this final plat.

Respectfully,



Joshua Garrett, MPA

City Planner, Community Development

Attachments

1. Draft Ordinance
2. Staff Report
3. Resolution PZC-25-005
4. Final Plat

ORDINANCE NO. 25-10-04

**AN ORDINANCE APPROVING A FINAL PLAT FOR MUSEUM ROW ON EAST BROADWAY, A
SUBDIVISION IN THE CITY OF EXCELSIOR SPRINGS, CLAY COUNTY, MISSOURI**

WHEREAS, the Planning and Zoning Commission of Excelsior Springs, Missouri considered applications submitted the City of Excelsior Springs for a preliminary and final plat entitled Museum Row on East Broadway, which seeks to replat City Blocks 61, 62, 63, 64, and a portion of 120, to adjust property lines and facilitate the transfer of ownership; and

WHEREAS, the Commission held a public meeting and considered the application on September 29, 2025, and passed a resolution recommending approval of the proposed final plat to the City Council; and

WHEREAS, the City Council of the City of Excelsior Springs, Missouri, considered and reviewed the final plat at its meeting on October 6, 2025, and determined adoption and approval to be in the City's best interests and to promote the public health, safety and welfare.

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

Section 1. The Final Plat for Museum Row on East Broadway, a subdivision in Excelsior Springs, Missouri, is approved, subject to the conditions and restrictions in this ordinance. The plat is attached as Exhibit A and incorporated by reference.

Section 2. The City Manager, or their designee, is authorized to take the appropriate actions necessary to implement this ordinance.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED by the City Council of the City of Excelsior Springs, Missouri, this 6th day of October, 2025.

Mark D. Spohn, Mayor

ATTEST:

REVIEWED BY:

Shannon Stroud, City Clerk

Molly McGovern, City Manager

RESOLUTION NO. PZC-25-005

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF EXCELSIOR SPRINGS,
MISSOURI RECOMMENDING THE CITY COUNCIL APPROVE THE PROPOSED PRELIMINARY AND FINAL
PLAT FOR MUSEUM ROW ON EAST BROADWAY**

WHEREAS, Section 406.050 of Title IV, Chapter 406 of the City's Code of Ordinances outlines the application process for the submission of plats to subdivide property within the City Limits of Excelsior Springs; and

WHEREAS, The City of Excelsior Springs, submitted an application for a replat of City Blocks 61, 62, 63, 64, and a portion of 120, to adjust property lines and facilitate the transfer of ownership; and

WHEREAS, City staff have reviewed and processed the application, assigning it case numbers PP-25-003 and FP-25-003, for the preliminary plat and the final plat respectively, and prepared a staff report for the Planning and Zoning Commission's consideration; and

WHEREAS, City staff has found the proposed replat to be in compliance with the City's Comprehensive Plan, and has determined that the plat will not adversely affect historic character, flood hazards, stormwater management, public utilities, or public improvements; and

WHEREAS, City staff recommends approval of the proposed preliminary and final plat; and

WHEREAS, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, after due public notice, held a hearing on September 29, 2025 to consider proposed preliminary and final plat; and

WHEREAS, the Planning and Zoning Commission finds appropriate to approve the proposed preliminary and final plat, so long as the conditions outlined within this resolution are met by the applicant prior the submission of the final plat to the Clay County Recorder of Deeds.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Recommendation. The Planning and Zoning Commission recommends that the City Council approve the applications for a preliminary plat, assigned case numbers PP-25-003, and a final plat, assigned case number FP-25-003, for the Museum Row on East Broadway replat.

PASSED AND APPROVED by the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, this 29 day of September, 2025.



Laurie Gehrt,
Planning and Zoning Commission Chairman



Mallory Brown,
Community Development Director