

MONTHLY MEETING

APRIL 11, 2024

6:30 PM

CITY HALL

250 S. MAIN STREET

PECULIAR, MO 64078

**AGENDA**

The agenda packet is available for viewing prior to the meeting on the City of Peculiar website at <https://peculiar.municipalcms.com/agendalist.aspx?categoryid=11071> or by contacting Cama Sues, Planning Commission Secretary, 816-779-5212 or [csuess@cityofpeculiar.com](mailto:csuess@cityofpeculiar.com)

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1. **Call To Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Consideration of the Minutes of the March 14, 2023 Meeting**
5. **Consideration of the Agenda and Reading of the Planning Commission Statement**
6. **Agenda Requests**
7. **Old Business:**
  - A. **MOTION TO CONTINUE TO THE MAY 9, 2024 PLANNING COMMISSION MEETING CONSIDERATION OF A RECOMMENDATION OF THE PLANNING COMMISSION TO THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI, ON AN ORDINANCE APPROVING THE 18-LOT FINAL PLAT OF PHASE I WOODLAND TRAILS SUBDIVISION, FORMERLY KNOWN AS TIMBER TRAILS SUBDIVISION, ON 44.36 ACRES NORTH OF MISSOURI STATE ROUTE J AND ON THE EAST SIDE OF TWIN OAKS PARKWAY. APPLICANT: ROBERT E. SCHMIDT, RYMEG, INC.**
8. **New Business:**
  - A. **PUBLIC HEARING: CONSIDERATION OF A RECOMMENDATION OF**

**THE PLANNING COMMISSION TO THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI, APPROVING THE REZONING OF 508 ACRES NORTH OF 203<sup>RD</sup> STREET AND WEST OF HARPER ROAD FROM THE (AG) AGRICULTURE ZONING DISTRICT TO THE (I-1) LIGHT INDUSTRIAL ZONING DISTRICT IN THE CITY OF PECULIAR, CASS COUNTY, MISSOURI. APPLICANT: DIODE VENTURES, INC.**

- 9. Commissioner Comments**
- 10. Next Meeting: Thursday, May 9, 2024**
- 11. Adjournment**

**City of Peculiar, Missouri**

**Planning Commission Meeting Minutes**

**March 14, 2024**

**City Hall  
250 S. Main Street  
Peculiar, MO**

- 1. Chairman Dougherty called the meeting to order at 6:30 pm.**
- 2. Chairman Dougherty led those in attendance in the Pledge of Allegiance.**
- 3. Roll Call:**

**Planning Commission:**

|                            |         |
|----------------------------|---------|
| Chairman Roger Dougherty   | Present |
| Commissioner Jim Antonides | Present |
| Commissioner Sharon Shores | Present |
| Commissioner Larry Dobson  | Present |
| Commissioner John Kant     | Present |
| Alderman Bruce Conrad      | Present |
| Mayor Doug Stark           | Present |

**Staff Present:**

|            |                               |
|------------|-------------------------------|
| Roger Kroh | Development Services Director |
| Cama Suess | Planning Commission Secretary |
| Mickey Ary | City Administrator            |

**Others Present:**

|                       |                       |
|-----------------------|-----------------------|
| Brian Wenninghoff     | Bartlett and West     |
| Jim Ross              | Bartlett and West     |
| Robert Schmidt        | Rymeg, Inc            |
| Kevin Sterritt        | HG Consult Inc        |
| Steve & Linda Newkirk | 875 Kendall Road      |
| Stuart Clark          | 12402 Bent Oak Circle |
| Dan Threlkeld         | 803 Kendall Road      |
| Cheryl Kappes         | 803 Kendall Road      |
| Mr. & Mrs. Dinneen    | 881 Kendall Road      |
| Mr. & Mrs. Sheets     | 821 Kendall Road      |
| Laura King            | 911 Kendall Road      |
| Dave Karase           | 947 Kendall Road      |

#### **4. Consideration of the Minutes of December 14, 2023 Meeting**

No changes or additions were made.

Commissioner Dobson moved and Commissioner Shores seconded a motion to approve the minutes as presented. Voice Vote: Ayes 6, Nays 0, Abstain 1. Motion approved.

#### **5. Consideration of the Agenda and Reading of the Planning Commission Statement:**

Mr. Kroh advised there were no additions to the agenda.

Secretary Suess read the Planning Commission Statement.

#### **6. Agenda Requests: None**

#### **7. Old Business: None**

#### **8. New Business:**

##### **A: Selection of Officers for 2024**

Roger Kroh opened the floor for nominations for Planning Commission Chairman. Commissioner Shores nominated Chairman Dougherty and Commissioner Antonides seconded the nomination. Commissioner Shores moved and Mayor Stark seconded a motion to elect Chairman Dougherty to another term as Chairman. Voice Vote: Ayes 6, Nays 0, Abstain 1. Motion approved

Mr. Kroh made a recommendation to elect Cama Suess as Planning Commission Secretary for another term. Commissioner Antonides moved and Mayor Stark seconded a motion to elect Cama Suess to another term as secretary. Voice Vote: Ayes 7, Nays 0. Motion approved.

Commissioner Shores moved and Mayor Stark seconded a motion to elect Commissioner Antonides to another term as Vice Chairman. Voice Vote: Ayes 6, Nays 0, Abstain 1. Motion approved.

##### **B : Public Hearing : An ordinance of the City of Peculiar amending the Land Use Table and Definitions in the Zoning Ordinance of the City of Peculiar, Cass County, Missouri related to Data Centers.**

Mr. Kroh explained that a Data Campus of 5-7 buildings on 500 acres on the west side of Harper Road, north of 211<sup>th</sup> Street, was being planned by Diode. He said this was the same Diode that was building a similar campus east of MCI airport. Mr. Kroh advised that the current ordinance listed computer manufacturing as an acceptable use in the L-1 Light Industrial zone and that since a data center was a related field, he recommended adding Data Centers be an acceptable use of land in the L-1 zoning district.

Chairman Dougherty asked for a motion to open the public hearing. Commissioner Antonides moved and Commissioner Kant seconded a motion to move into the public hearing. Voice Vote: Ayes 7, Nays 0. Motion approved.

Dan Threlkeld of 803 Kendall Road asked when the Data Center would be breaking ground and Mr. Kroh said the plan was to rezone the property in April 2024, take it before the Board of Aldermen in May 2024, and break ground late 2024 or early 2025. He said construction would start in 2025 and 1-2 buildings at a time would be built to be leased or sold. The plan is to open Building 1 in 2026 and then continue building the rest of the buildings over the next 10 years.

Mr. Threlkeld asked how many employees would be on site and Mr. Kroh stated that 10-20 employees would be full time in shifts running 24 hours a day. He advised that most of the building would be holding computer equipment.

Mr. Threlkeld asked if any mechanical shop would be allowed in the buildings and Mr. Kroh advised that this project was for Data Center related materials only.

Commissioner Antonides asked if the land was currently zoned Industrial and Mr. Kroh advised the land was currently zoned AG and they would be asking for it to be rezoned Light Industrial. Commissioner Antonides asked if the buildings would be used for data centers only and not warehouses, and Mr. Kroh said the current proposal was for a data center campus.

Laura King of 911 Kendall Road asked the size of the buildings and Mr. Kroh said 300,000 sq feet would be the size of most of the buildings with a couple being a little smaller. Mrs. King stated that would require a lot of power and Mr. Kroh explained that the Peculiar substation was what drew the applicant to this area.

Chairman Dougherty asked for a motion to move out of public hearing. Alderman Conrad moved and Mayor Stark seconded a motion to move out of public hearing. Voice Vote: Ayes 7, Nays 0. Motion approved.

Chairman Dougherty asked for any additional Commissioner comments and there were none.

Mayor Stark moved and Commissioner Kant seconded a motion to add Data Centers to the current land table as an approved use in Light Industrial districts.

Roll Call Vote: Kant Aye, Shores Aye, Stark Aye, Dobson Aye, Conrad Aye, Antonides Aye, Dougherty Aye. Motion approved with 7 Ayes, 0 Nays. Motion approved.

**C: Public Hearing: An ordinance of the Board of Aldermen of the City of Peculiar, Missouri approving the 18-lot final plat of Phase I Woodland Trails Subdivision, on 44.36 acres north of Missouri State Route J and on the east side of Twin Oaks Parkway. Applicant Robert E. Schmidt, Rymeg, Inc.**

Mr. Kroh explained that the proposed Phase 1 of Woodland Trails is 18 deep lots that take access from Twin Oaks Parkway. He stated the subdivision was originally proposed to be called Timber Trails but had been changed to Woodland Trails due to there already being a subdivision in Cass County called Timber Trails. He stated that Brian Wenninghoff from Bartlett and West had reviewed and approved the stormwater plan, which would reduce the amount of run-off to the surrounding areas by more than half from pre-development conditions

Mr. Kroh stated that he had received a request from the developer, Robert Schmidt of Rymeg Inc - regarding the fishing pond due to the soil borings showing that 90,000 cubic feet of rock would have to be moved to create the pond. Mr. Schmidt was requesting to be able to do a dry pond. In lieu of going from a wet basin to a dry basin, Mr. Schmidt is proposing to do a pickleball court and a playground in Phase 2 instead of the fishing pond in Phase 1.

Commissioner Antonides stated the preliminary plat for the Woodland Trails subdivision showed a 9 acre lake in Phase 1 that was no longer showing in Phase 1 and asked when it was moved. Mr. Kroh advised that the boundaries were moved and the 2 detention ponds are providing enough detention of the run off that the lake was not needed in Phase 1 for detention. Commissioner Antonides said that he felt the lake was needed to meet the amenities requirement for Phase 1, not only for detainment.

Mayor Stark and Commissioner Kant concurred with Commissioner Antonides with regards to the amenities being removed and stated there had been previous problems with developers not finishing future Phases of subdivisions, selling the properties to new developers, and the new developers not providing the promised amenities as part of their plans, citing Twin Oaks as an example where no amenities at all were completed in the subdivision.

Commissioner Antonides asked for explanation of the stormwater control plan regarding the two detention ponds, and asked if the current strictest levels of reduction were being used. Brian Wenninghoff, City Engineer, explained that the strictest guidelines were being used in this project, and that the peak flows from the current undeveloped land would be reduced by more than 50% by adding the detention ponds. There was much discussion among the Commissioners and the engineers regarding the direction of the flow across the land and the swales being built to direct the stormwater into the detention ponds. Mr. Wenninghoff explained that 4 foot swales were being built to take the stormwater to the east detention pond and then the water would be slowly released through a 4 inch pipe. He said a swale would run along the back of all the properties to catch the water and direct it to the east retention pond.

Mayor Stark asked who would be maintaining these swales from overgrowth and stated there were previous problems in the City in neighborhoods like Bradley's Crossing with unmaintained swales creating problems with stormwater. Commissioner Dobson asked if approximately 15 feet of the rear of each property could be maintained as part of the tract so that an agreement could be made requiring the Homeowner's Association to maintain

the swales, instead of having each homeowner be responsible for maintenance. After discussion, there was agreement among the Commissioners that creating a drainage easement would be an acceptable solution for maintenance.

Mayor Stark and Commissioner Antonides asked if the current stormwater plan was using the 2011 APWA 5600 requirements, and if those were the most recent requirements. Mr. Wenninghoff advised that it was. Mr. Wenninghoff said that by using these standards, the stormwater runoff would be decreased by 50% over the current runoff from the undeveloped property. He also stated that there was 12 feet of fall between the start of the swale and the detention pond which would ensure adequate flow of the water to the detention pond.

Kevin Sterritt, engineer, stated that the north detention pond had been increased in size to handle the additional flow and that the 9 acre lake was designed to handle runoff from Phases 2, 4 and 5. He reiterated that this plan met all of the APWA 5600 requirements, and that they were using a 4 inch pipe with a trash guard on the front for release to prevent clogging, even though per the requirements they could use a smaller pipe.

Alderman Conrad stated that the City had previously had to purchase homes downstream of this area due to flooding and expressed concern about ongoing water runoff.

Commissioner Kant asked why Phase 1 was being considered without amenities as he thought they were required. Commissioner Dobson answered that the requirement was for Phases with 25 or more houses and this fell under that threshold. Commissioner Kant stated that he felt the change to move the lake to Phase 2 was a major issue for the Commission. He stated that the Commission felt that if these changes were coming already in the project when it was just starting, that they did not feel confident additional changes wouldn't be coming in the other phases. Mayor Stark concurred with this assessment.

Commissioner Dobson asked if there was an agreement that could be reached for both sides. He asked if a development agreement with the HOA to maintain the green space, swales, and detention ponds could be created to avoid the issues of maintenance. Mr. Kroh concurred that an agreement could be created. Bob Schmidt stated he felt that could be done as well.

Commissioner Kant said he had faith in the engineers who had overseen this project and believed the runoff wouldn't be an issue, but he was concerned about the lack of any amenities in Phase 1 of Woodland Trails. Commissioner Antonides and Alderman Conrad concurred that the lake, whether dry or wet, needed to be included in Phase 1.

Chairman Dougherty asked for a motion to move to public hearing. Commissioner Kant moved and Commissioner Antonides seconded a motion to move to public hearing. Voice Vote: Ayes 7, Nays 0. Motion approved.

Steve Newkirk of 875 Kendall stated he built his home in the '90s and had replaced his culvert 3 times, going to 16 inches and currently 24 inches to try and handle the

stormwater coming through his property. He stated he had also replaced his driveway twice after it was ruined by water runoff. He expressed concern that the 4 inch pipe would get clogged and cause the detention pond to flow over the top, which would run through his yard and ruin the foundation of his house. He said it needed to be put in writing and enforced that the swales and detention ponds would be maintained to prevent the release pipe from clogging.

Dan Threlkeld of 803 Kendall stated a detention pond was directly behind his house. He said he bought his home in 1996 and that the floods and erosion on Kendall were such that he and his neighbors were losing property when the creek was overflowing. He expressed concern that additional water flow would damage his garage and property. He was also concerned that trees were being cut down before the project was approved and that the lake change was being proposed. He was concerned that additional changes may come and remove the detention ponds altogether creating even more issues for his property.

Jay Sheets of 821 Kendall said he was not against the engineer approved plans, but that he didn't think the creeks could handle any additional water. He stated that Cindy Lane is under water a lot during heavy rains and was concerned that they would be landlocked if the other end of Kendall was under water from the increased run off if the detention ponds could not hold the additional water.

Sally Sheets of 821 Kendall said she had originally been excited about the Phase 1 plan as it included a lot less houses than the plan years ago from Twin Oaks for that property, and it included a lake and walking trails. She was disappointed that the promised lake would not be included in Phase 1 and questioned if it would follow through and be completed in Phase 2. She stated there were safety issues along 211<sup>th</sup> Street that were supposed to have been addressed in the Twin Oaks project that would need to be addressed as part of the Woodland Trails project.

Dave Karase of 947 Kendall stated he was not impacted by Phase 1. He said he had been a realtor during the Twin Oaks project and there were a lot of promises made that were not kept as part of that project. He expressed concern that all the runoff sloped towards Kendall from this property and he was unsure the detention ponds would be able to handle that amount of water.

Mayor Stark and Commissioner Kant advised the purpose of the detention ponds was to release the water slowly and control the runoff to the Kendall and Cindy Lane areas.

Laura King of 911 Kendall asked to see a copy of the plat showing how the properties on Kendall line up with the proposed properties of Woodland Trails. Commissioner Antonides said she could look at his plat after the meeting. She was wanting to see so she could determine where she thought the runoff water would be going.

Chairman Dougherty asked for a motion to move out of public hearing. Mayor Stark moved and Commissioner Antonides seconded a motion to move out of public hearing. Voice vote: Ayes 7, Nays 0. Motion approved.

Commissioner Dobson stated he felt the proposed 18-lot plan would reduce the runoff to the surrounding areas which would be a good thing for those properties. Commissioner Kant agreed.

Commissioner Antonides expressed concern that promised amenities were not being provided and he desired for the plan for the amenities to be put together before he voted to approve it. Commissioner Shores asked if the agreement regarding future amenities could be put in writing and Mr. Kroh advised it could be. Commissioner Dobson agreed that the amenities were an important issue to be resolved.

Mayor Stark moved that the approval of Phase 1 of Woodland Trails be tabled until a plat could be provided showing the proposed HOA maintained swale areas going to the south from the east pond to the south pond and also showed the kind and location of amenities being proposed in lieu of the wet pond. Mayor Stark further moved that if the proposed amenities included a dry pond, that the dry pond be included as part of Phase 1. Alderman Conrad seconded the motion. Chairman Dougherty called for a roll call vote.

Roll Call Vote: Kant Aye, Shores Aye, Stark Aye, Dobson Aye, Conrad Aye, Antonides Aye, Dougherty Aye. Motion approved with 7 Ayes, 0 Nays. Motion approved.

#### **9. Other Business:**

Commissioner Dobson advised the Caring Hearts of Peculiar was organizing a clean up Peculiar Day on Saturday, April 20, 2024 from 9am – 12pm. He stated that GFL was providing a dumpster and that people would be given reflective vests, gloves and trash bags and then assigned to areas to pick up trash based on level of experience and ability. He said donuts would be provided in the morning and hot dogs would be provided in the afternoon.

Chairman Dougherty noted that the email and address for more information was on the flier that Commissioner Dobson presented.

#### **10. Commissioner's Comments: None**

#### **11. Next Meeting Date: Thursday, April 11, 2024 at 6:30pm**

#### **12. Motion to adjourn:**

Commissioner Shores moved and Mayor Stark seconded a motion to adjourn. Voice Vote – 7 Ayes, 0 Nays. Motion passed.

Meeting adjourned at 8:26 pm.

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Cama Suess, Planning Commission Secretary

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Date



250 S. Main Street, Peculiar, MO 64078  
Phone: 816-779-5212

## STAFF REPORT

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### PUBLIC HEARING

**To:** Planning Commission  
**From:** Roger Kroh, AICP, Director of Development Services  
**Date:** April 11, 2024  
**Re:** Recommend approval of a motion to continue to May 9, 2024 consideration of an ordinance approving the Final Plat of Phase I of Woodland Trails Subdivision

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### GENERAL INFORMATION

**Applicant:** Roger Kroh  
**Requested Actions:** Recommend approval of a motion to continue to May 9, 2024 consideration of an ordinance approving the Final Plat of Phase I of Woodland Trails Subdivision  
**Purpose:** To approve Final Plat of Phase I and authorize civil construction to begin in Phase I

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### PROPOSAL

Recommend approval of a motion to continue to May 9, 2024 consideration of an ordinance approving the Final Plat of Phase I of Woodland Trails Subdivision

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### PREVIOUS ACTIONS

Approved preliminary plat.

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### KEY ISSUES

None

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### STAFF COMMENTS AND SUGGESTIONS

Staff recommends that this item be continued to the May 9, 2024 meeting of the Planning Commission. More time is needed for staff and the applicant to address concerns that have been raised and to prepare a development agreement for the Planning Commission's consideration. The applicant concurs with the agenda item being continued. Staff notified in writing those who signed in at the last Planning Commission meeting that the matter is being continued to May 9.

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**ATTACHMENTS**

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None

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**RECOMMENDATION**

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Approve motion that consideration of the Phase I Final Plat of Woodland Trails Subdivision be continued to the May 9, 2024 Planning Commission Meeting.



250 S. Main Street, Peculiar, MO 64078  
Phone: 816-779-5212

## STAFF REPORT

### PUBLIC HEARING

**To:** Planning Commission  
**From:** Roger Kroh, AICP, Director of Development Services  
**Date:** April 11, 2024  
**Re:** Harper Road Technology Center Rezoning of 508 Acres from AG to I-1

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### GENERAL INFORMATION

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**Applicant:** Brad Hardin, President, Diode Ventures, LLC., a Subsidiary of Black and Veatch Engineering

**Requested Actions:** **CONSIDERATION OF A RECOMMENDATION OF THE PLANNING COMMISSION TO THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI, APPROVING THE REZONING OF 508 ACRES NORTH OF 203<sup>RD</sup> STREET AND WEST OF HARPER ROAD FROM THE (AG) AGRICULTURE ZONING DISTRICT TO THE (I-1) LIGHT INDUSTRIAL ZONING DISTRICT IN THE CITY OF PECULIAR, CASS COUNTY, MISSOURI. APPLICANT: DIODE VENTURES, INC.**

**Purpose:** Rezone 508 Acres from the AG Agriculture Zoning District to the I-1 Light Industrial Zoning District and Remove Overlay Designations from the 508 Acres.

This action does not approve the Harper Road Technology Center. Later in 2024, the applicant will submit a second application for approval of a development plan and development agreement for a 508-acres data center campus named the Harper Road Technology Center.

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### PROPOSAL

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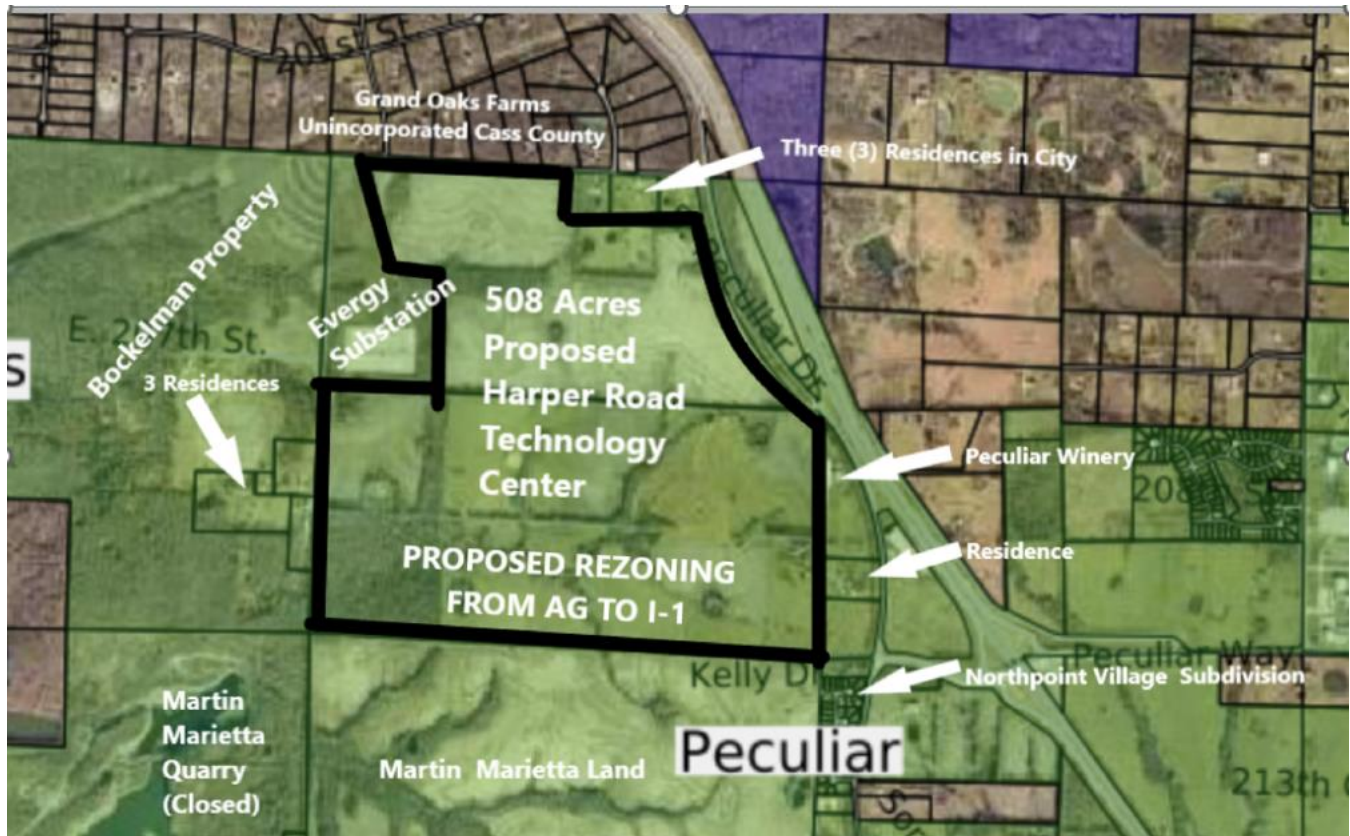
Diode Ventures LLC, a subsidiary of Black and Veatch Engineering, has submitted an application to rezone 508 acres on the west side Harper Road between 203<sup>rd</sup> and future 211<sup>th</sup> Street right-of-way from (AG) Agriculture zoning to I-1 Light Industrial zoning. The zoning from AG to I-1 is consistent with the proposed light use industrial on the City's Future Land Use map. The rezoning also removes the Peculiar Way overlay designation from the 508-acres as the technology center is a campus-like setting and not a mix of light industrial and neighborhood commercial as called for in the overlay district.

Approval of the rezoning does not approve the data center campus. Later this year, the Planning Commission and Board of Aldermen will consider a development plan and development agreement that will approve the project.

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## VICINITY MAP

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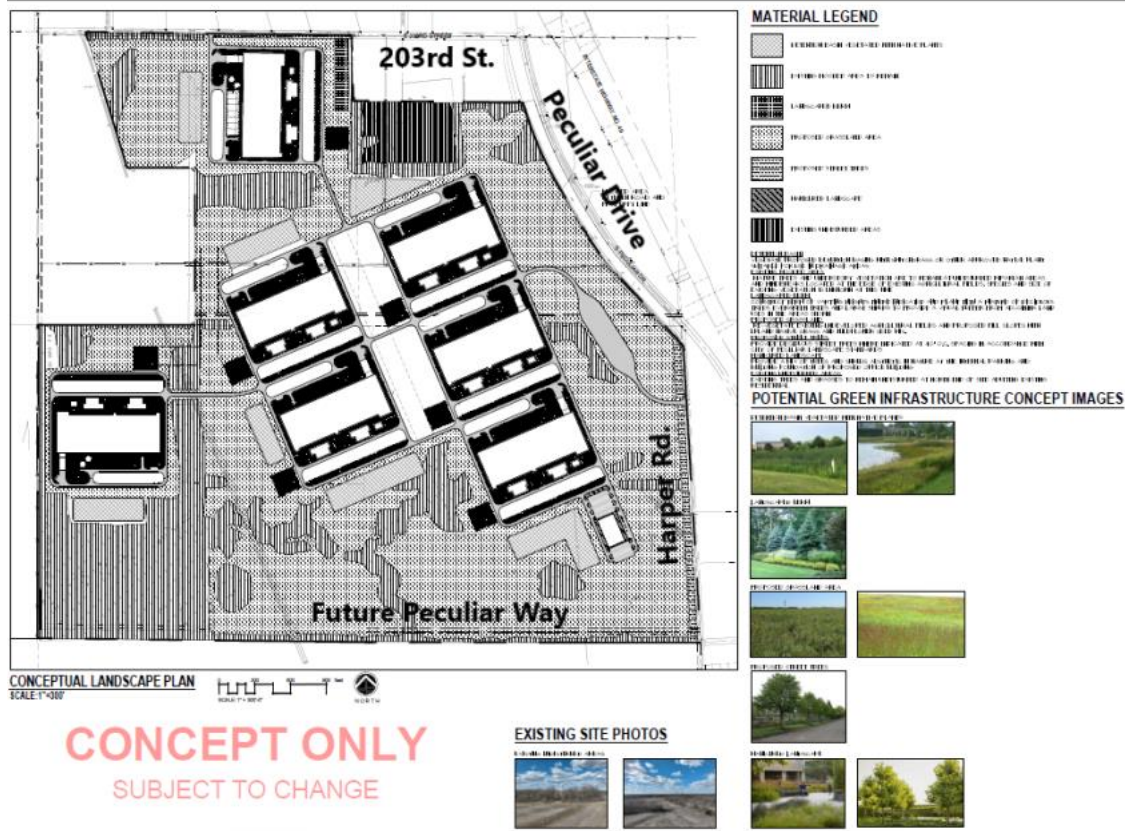
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## CONCEPTUAL PLANS

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**Note: Full Size Conceptual Plan Attached**



## PREVIOUS ACTIONS

The Board of Aldermen (BOA) will be approving the final reading of an ordinance adding Data Centers as a permitted use in the I-1 zoning district at the April 15 BOA Meeting.

## KEY ISSUES

1. Is I-1 Light Industrial Zoning an appropriate zoning district for a 508-acre data center campus?

## STAFF COMMENTS

### Data Centers

Data Centers have come into being with the growth of the internet. Companies like Amazon, Google, and Facebook (Meta) have massive amounts of data that are maintained in buildings full of servers and computer equipment. With artificial intelligence coming onto the scene, the demand for data centers will continue to grow.

Data centers have very few employees. The concept plan for the Harper Road Technology Center campus shows 7 buildings with each being 300,000 square feet each. Each building is typically staffed by 10 to

15 people per shift around the clock. Data center campuses are highly secure fenced facilities protected by cameras and private security personnel when construction starts and when operations begin.

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**NEIGHBORHOOD MEETING**

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Twenty (20) people representing 16 properties attended the Neighborhood Meeting on March 25. All property owners within 300 feet of the site had received a written invitation. Attached is the power point presentation that was shown which provides a good overview of data centers in general and the Harper Road Technology Center in particular. Also attached are the minutes and sign-in sheets.

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**STAFF FINDINGS OF FACT**

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SECTION 400.2430 (A) Findings of Fact for Map Amendments (Rezoning) states that in their deliberation of a request, the Planning Commission and Board of Aldermen may give consideration to the criteria stated below, to the extent they are pertinent to the particular application:

- 1. **The character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;**

Findings: The 508-acre site and the surrounding area is predominantly pastureland that is zoned (AG) Agriculture. The Future Land Use Map masterplans the site to become Light Industrial.

|           |                                         |                 |
|-----------|-----------------------------------------|-----------------|
| North     | In city limits - 3 residences           | RE Rural Estate |
|           | Outside city limits – Grands Oaks Farms | Residential     |
| East      | Peculiar Winery                         | C-1             |
|           | Residence                               | R-1             |
| Southeast | Residence                               | C-1             |
|           | Northpointe Village Subdivision         | R-1             |
| South     | Pastureland                             | AG              |
|           | 3 Residences                            | AG              |
| West      | Evergy Substation                       | AG              |
|           | Pastureland and residences              | AG              |

- 2. **The physical character of the area in which the property is located;**

Findings: The 508 acres is primarily rolling pastureland that is suitable for light industrial uses and

a data center campus.

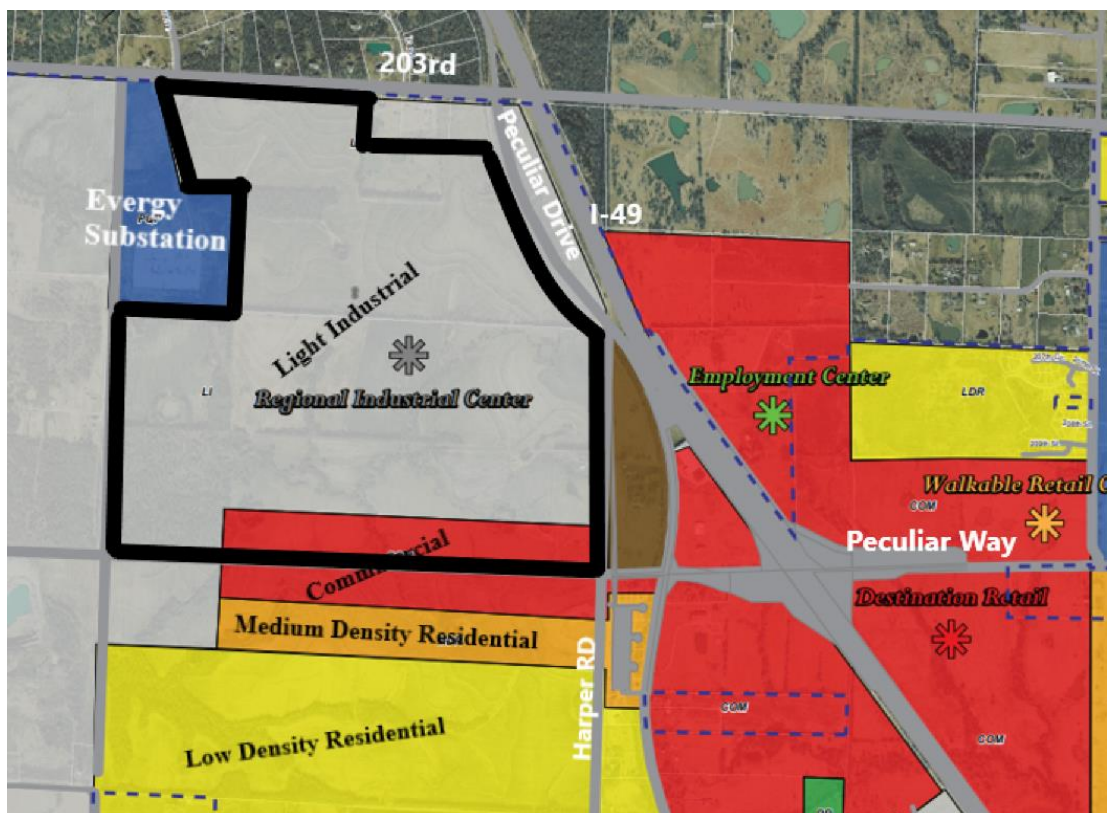
3. **Consistency with the goals and objectives of the comprehensive plan and other plans, codes and ordinances of the City of Peculiar;**

Findings: The proposed rezoning of the 508 acres to I-1 for a data center campus is consistent with the Comprehensive Plan which calls for the northwest quadrant of the city to be light industrial.

The rezoning to I-1 and data center campus are also consistent with the Regional Industrial Center designation on the Future Land Use Map. Regional Industrial Centers are intended to provide for all types of manufacturing, assembly, storage and distribution, and research and development activities in settings ranging from campus-like industrial parks to heavy industrial areas. This proposed facility is a campus-like technology park with the added benefit of being much more compatible with the surrounding area than a heavy industrial park.

Although the I-1 zoning is not consistent with the Commercial uses master planned along Peculiar Way, there remains a substantial amount of land in the four quadrants of the Peculiar Way interchange designated for Commercial uses.

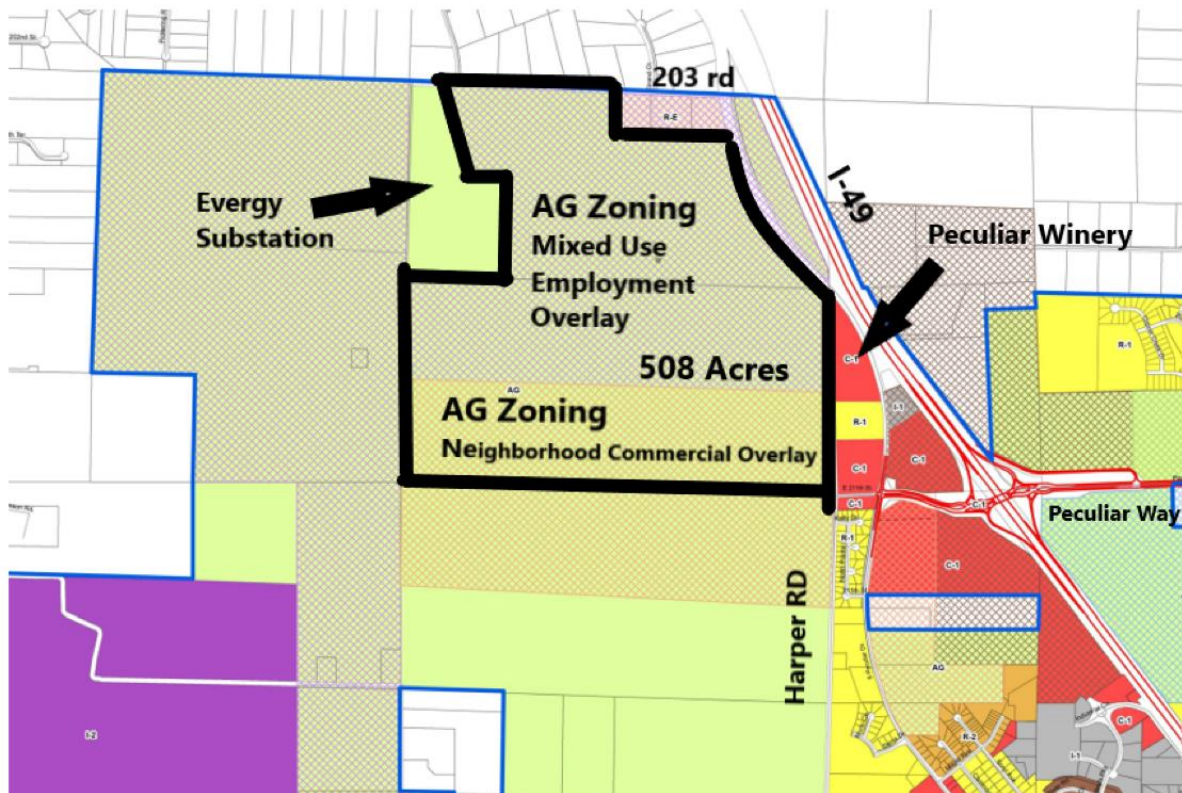
FUTURE LAND USE MAP (Full-size version attached)



4. **Suitability of the subject property for the uses permitted under the existing and proposed zoning districts;**

Findings: The Agricultural Zoning District is appropriate for the current uses. However, the Comprehensive Plan and Future Land Use Map calls for the zoning to change to I-1 Light Industrial given the land's immediate access to I-49 and an Evergy substation.

ZONING MAP (Full size version attached)



5. **The trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;**

Findings: The 2008 Zoning Map shows that the 508 acres had been zoned (AG) Agriculture before 2008. In 2015, the City updated its Comprehensive Plan and designated the northwest quadrant of the City for light industrial growth. In 2017, the Peculiar Way interchange was opened and since that time the only development has been the Peculiar Winery that opened in 2018. Since then, only 2 to 3 industrial development projects have shown an interest in the 508 acres, one being the data center project.

**6. The extent to which the zoning amendment may detrimentally affect nearby property;**

Findings: The zoning amendment from AG to I-1 will allow for the construction of the data center campus if approved. During construction of each building, nearby property owners will have more traffic, dust, and noise. Seven (7) buildings will be constructed a half building at a time. Construction of each half-building takes 9 to 15 months. However, most of the construction time is spent installing computer equipment indoors.

Diode Ventures states that they will utilize Dark Sky best practices to avoid light pollution and minimize dust by spraying at boundaries and putting polymer products on internal unpaved roads.

Following construction, a data center campus will have significantly less truck traffic, employee traffic and noise than most other light industrial uses. The most noise will come from testing emergency generators.

**7. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;**

Findings: Below is the status of public infrastructure and services:

Electricity – Excellent. An Evergy electrical substation is located next to the proposed campus.

Interstate Access – Excellent. The I-49 and Peculiar Way interchange is nearby.

Local Streets -- City staff will set forth in the development plan and development agreement the location of the construction access, street maintenance requirements during construction, and long-term street improvements that will be required of the developer. For security reasons, the internal streets will be private and not plowed or maintained by the City.

Water – The data center campus is in the service territory of PWSD No. 2. Diode Venture is currently working with the district on how it will obtain the large amounts of water that will be required for cooling purposes. They are also working with the Bartlett and West Engineers on obtaining water from the City as water may be needed from both PWSD No. 2 and the City.

Wastewater – The northwest quadrant of the City is not served by sewers. Diode services is currently studying alternatives for treating sewage from the campus. The city is also requiring

them to look at alternatives that provide sewers for balance of the sub-basin.

Police – The impact of the project on police services will be minimized by the fact that the data center campus will have its own security staff during construction and after the campus begins operations.

**8. The suitability of the property for the uses to which it has been restricted under the existing zoning regulations;**

Findings: Although the property has been suitable for farming for many years, given the growth of the KC metro area, it is now suitable for light industrial development because a) the City has established this northwest quadrant of the City for light industrial uses, b) the Peculiar Way interchange has been constructed, and c) the Evergy electrical substation have been constructed.

**9. The length of time (if any) the property has remained vacant as zoned;**

Findings: The 508 acres has been used for farming as long as it has been in the city. It has been zoned AG since it was annexed.

**10. Whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant; and**

Findings: The proposed zoning map amendment is in the public interest and not solely in the interest of the applicant because the City of Peculiar Comprehensive Plan designates the northwest quadrant of the city, which includes this 508-acre site, for light industrial uses.

**11. The gain, if any, to the public health, safety and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**

Findings: The gain to the public health, safety and welfare of denying this application is only on the three (3) homes on 203<sup>rd</sup> St. who's rear yards abut the proposed technology park. However, the gain to the county, school district, and city of approving this rezoning far exceeds the gain to the community by denying this application and any hardship upon neighboring landowners.

**12. The Planning Commission and the Board of Aldermen may also consider other factors that may be relevant to a particular application.**

Findings: No additional findings.

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**ATTACHMENTS**

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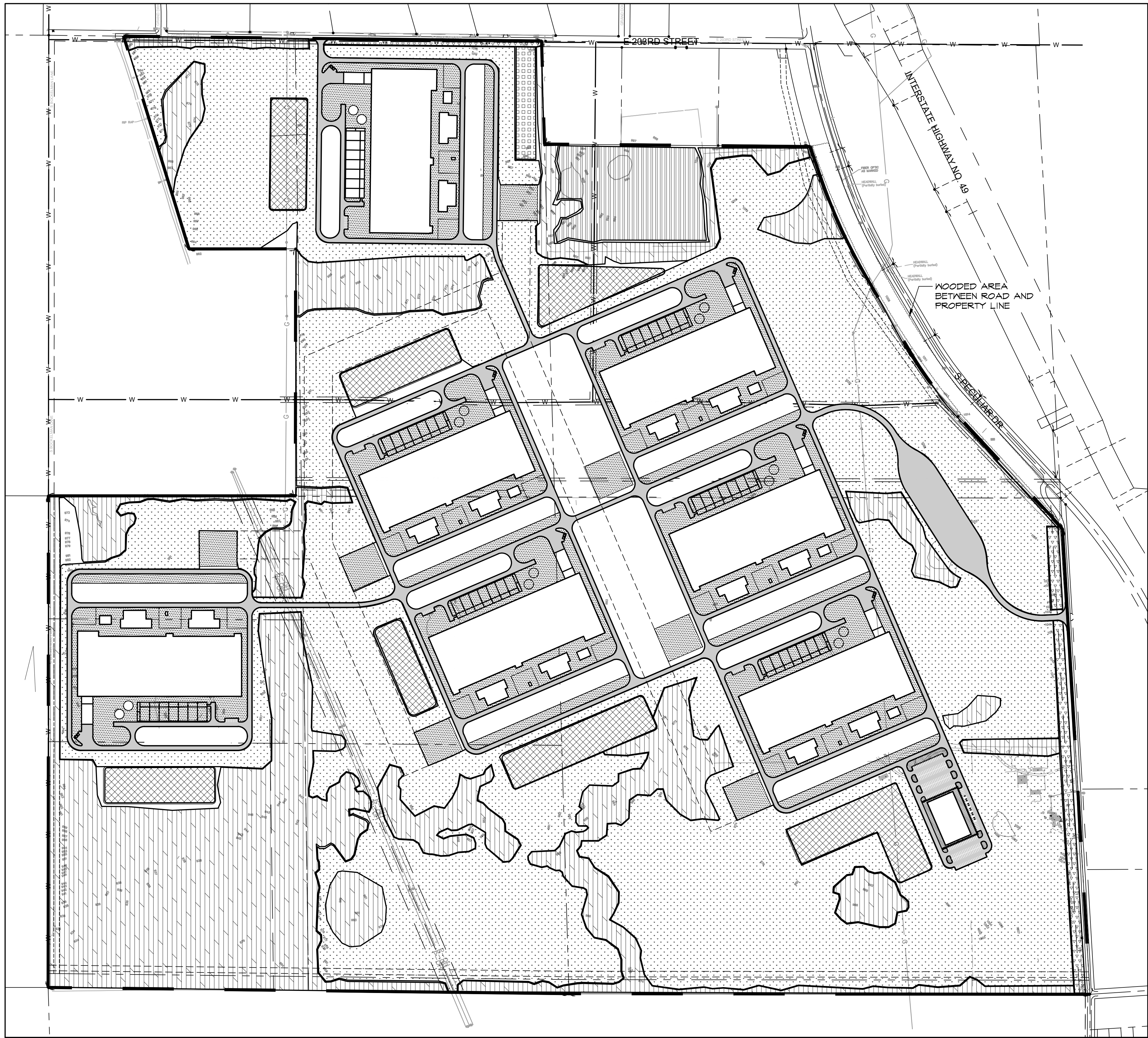
Concept Plan  
Future Land Use Map  
Zoning Map  
Neighborhood Meeting Presentation  
Neighborhood Meeting Minutes  
Neighborhood Meeting Attendees

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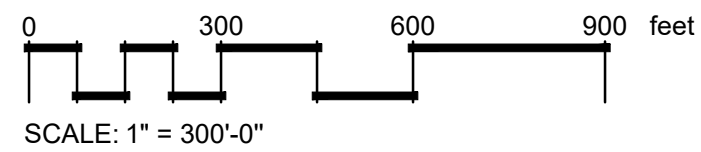
**RECOMMENDATION**

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Approve a motion recommending that the Board of Aldermen approve the rezoning request from Diode Ventures, LLC of 508 acres from (AG) Agriculture to (I-1) Light Industrial and remove the Overlay Zoning Designations based on the findings in this staff report.



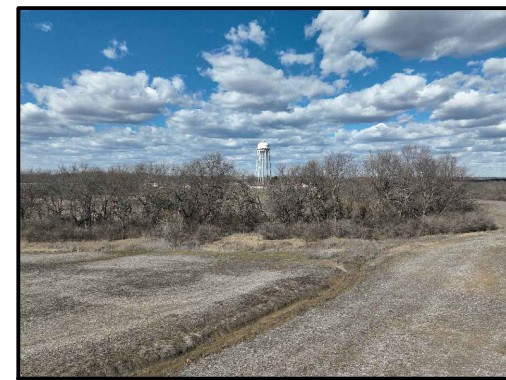
CONCEPTUAL LANDSCAPE PLAN  
SCALE: 1"=300'



CONCEPT ONLY  
SUBJECT TO CHANGE

EXISTING SITE PHOTOS

EXISTING UNDISTURBED AREAS



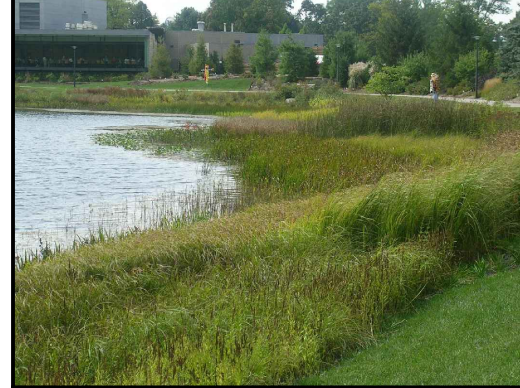
MATERIAL LEGEND

- DETENTION BASIN VEGETATED WITH NATIVE PLANTS
- EXISTING WOODED AREA TO REMAIN
- LANDSCAPED BERM
- PROPOSED GRASSLAND AREA
- PROPOSED STREET TREES
- MANICURED LANDSCAPE
- EXISTING UNDISTURBED AREAS

DETENTION BASIN  
VEGETATE PROPOSED DETENTION BASINS WITH SWITCHGRASS OR OTHER APPROVED NATIVE PLANT SUITABLE FOR USE IN DRAINAGE AREAS  
EXISTING WOODED AREA  
MATURE TREES AND UNDERSTORY VEGETATION ARE TO REMAIN AT UNDISTURBED RIPARIAN AREAS AND WINDBREAKS LOCATED AT THE EDGE OF EXISTING AGRICULTURAL FIELDS. SPECIES AND SIZE OF EXISTING VEGETATION IS UNKNOWN AT THIS TIME  
LANDSCAPED BERM  
CONSTRUCT BERM OF VARYING HEIGHTS WHERE INDICATED AND PLANT WITH A MIXTURE OF DECIDUOUS TREES, EVERGREEN TREES AND LARGE SHRUBS TO PROVIDE A VISUAL BUFFER FROM ADJOINING LAND USES IN THE AREAS SHOWN  
PROPOSED GRASSLAND  
RE-VEGETATE EXISTING UNDEVELOPED AGRICULTURAL FIELDS AND PROPOSED FILL SLOPES WITH UPLAND NATIVE GRASS AND WILDFLOWER SEED MIX.  
PROPOSED STREET TREES  
PROVIDE DECIDUOUS STREET TREES WHERE INDICATED AT 40' O.C. SPACING IN ACCORDANCE WITH CITY OF PECULIAR LANDSCAPE STANDARDS  
MANICURED LANDSCAPE  
PROVIDE A MIX OF TREES AND SHRUBS AESTHETIC IN NATURE AT THE INTERNAL PARKING AND BUILDING FOUNDATION OF PROPOSED OFFICE BUILDING  
EXISTING UNDISTURBED AREAS  
EXISTING TREES AND GRASSES TO REMAIN UNDISTURBED AT NORTH END OF SITE ABUTTING EXISTING RESIDENTIAL

POTENTIAL GREEN INFRASTRUCTURE CONCEPT IMAGES

DETENTION BASIN VEGETATED WITH NATIVE PLANTS



LANDSCAPED BERM



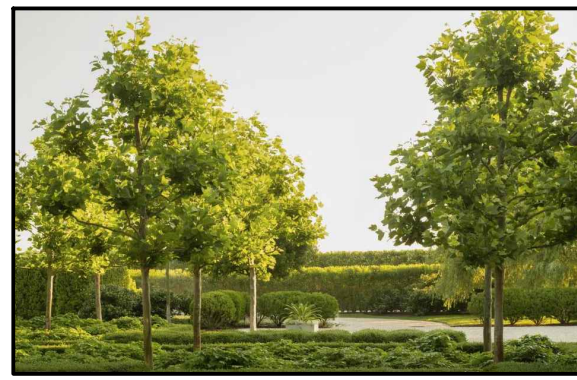
PROPOSED GRASSLAND AREA



PROPOSED STREET TREES

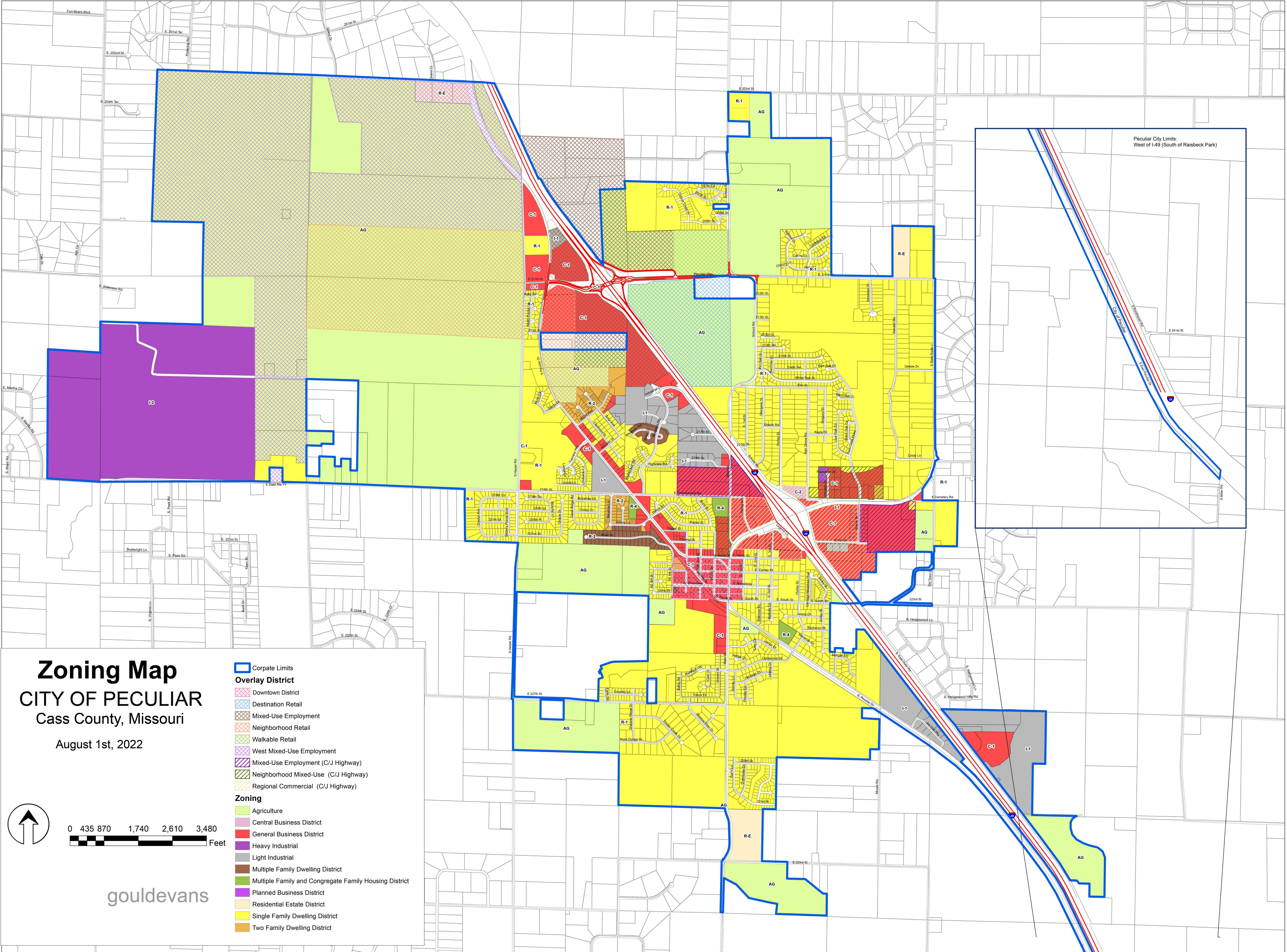


MANICURED LANDSCAPE



|                                                                                                                                              |  |                                        |  |                |  |
|----------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------|--|----------------|--|
| DESIGNED BY: PWD                                                                                                                             |  | DRAWN BY: ALW                          |  | CHECKED BY: MK |  |
| SCALE:                                                                                                                                       |  | PRELIMINARY<br>NOT FOR<br>CONSTRUCTION |  | D I C D E      |  |
| Kimley»Horn<br>© 2024 KIMLEY-HORN AND ASSOCIATES, INC.<br>805 PENNSYLVANIA AVENUE, SUITE 150<br>KANSAS CITY, MO 64105<br>WWW.KIMLEY-HORN.COM |  |                                        |  |                |  |
| NO.                                                                                                                                          |  | REVISIONS                              |  | DATE BY        |  |
| CONCEPTUAL<br>LANDSCAPE PLAN                                                                                                                 |  |                                        |  |                |  |
| ORIGINAL ISSUE:<br>KHA PROJECT NO.<br>268576000                                                                                              |  |                                        |  |                |  |
| SHEET NUMBER<br>L101                                                                                                                         |  |                                        |  |                |  |



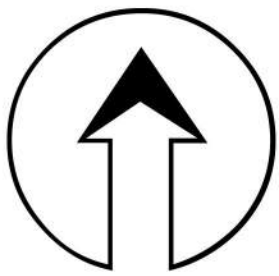


# Zoning Map

## CITY OF PECULIAR

Cass County, Missouri

August 1st, 2022



0 435 870 1,740 2,610 3,480 Feet

gouldevans

- Corporate Limits**
- Overlay District**
- Downtown District
  - Destination Retail
  - Mixed-Use Employment
  - Neighborhood Retail
  - Walkable Retail
  - West Mixed-Use Employment
  - Mixed-Use Employment (C/J Highway)
  - Neighborhood Mixed-Use (C/J Highway)
  - Regional Commercial (C/J Highway)
- Zoning**
- Agriculture
  - Central Business District
  - General Business District
  - Heavy Industrial
  - Light Industrial
  - Multiple Family Dwelling District
  - Multiple Family and Congregate Family Housing District
  - Planned Business District
  - Residential Estate District
  - Single Family Dwelling District
  - Two Family Dwelling District



# Harper Road Technology Park

Neighborhood Engagement Meeting

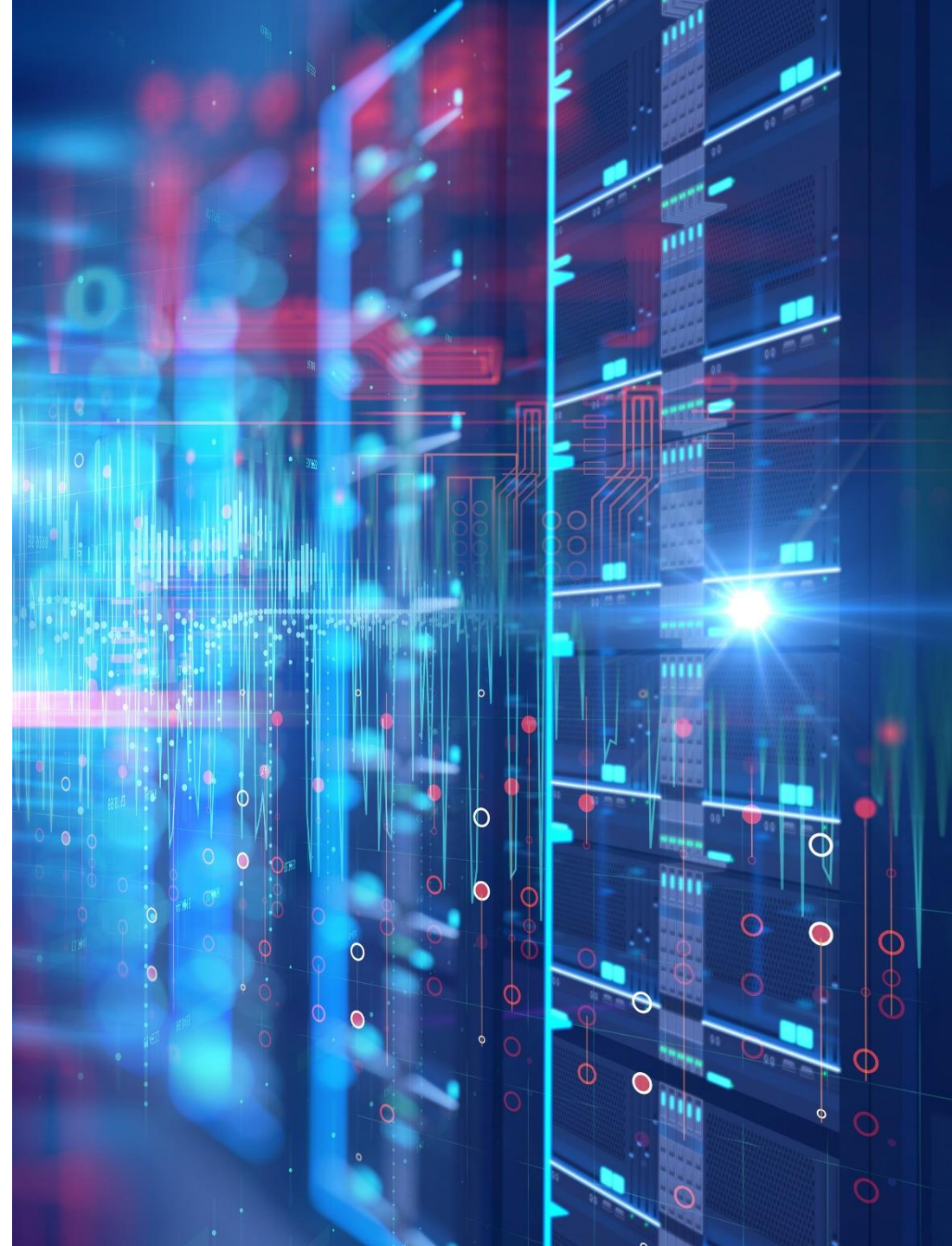
March 25, 2024 6:30 p.m.

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# Agenda

1. Who Is Diode?
2. What Is A Data Center?
3. Why Peculiar?
4. Concept/renderings
5. Rezoning Plans
6. Next Steps
7. FAQ's
8. Breakout for Questions



# Who Is Diode

A holistic approach

# Who is Diode

*Diode provides asset development services for commercial, industrial and technology companies.*

- We specialize in asset development for the energy and data infrastructure markets. Diode serves as a Single Point of Contact (SPOC) to our customers by bringing together the following services for a project:
  - Site Options and Selection
  - Feasibility Analysis
  - Constructability Analysis
  - Utility Connection
  - Community Outreach
  - Rezoning
  - Incentives

**Mission** – We streamline the asset development process by providing client-centric, turnkey infrastructure solutions.

**Vision** – To become trusted development partners who preserve and connect the world with innovative solutions in sustainable and critical infrastructure fields.

Diode is a wholly owned subsidiary of Black & Veatch, a 100-percent employee-owned global engineering, procurement, consulting and construction company with a more than 100-year track record of innovation in sustainable infrastructure. Since 1915, we have helped our clients improve the lives of people around the world by addressing the resilience and reliability of our most important infrastructure assets.

# What Is A Data Center

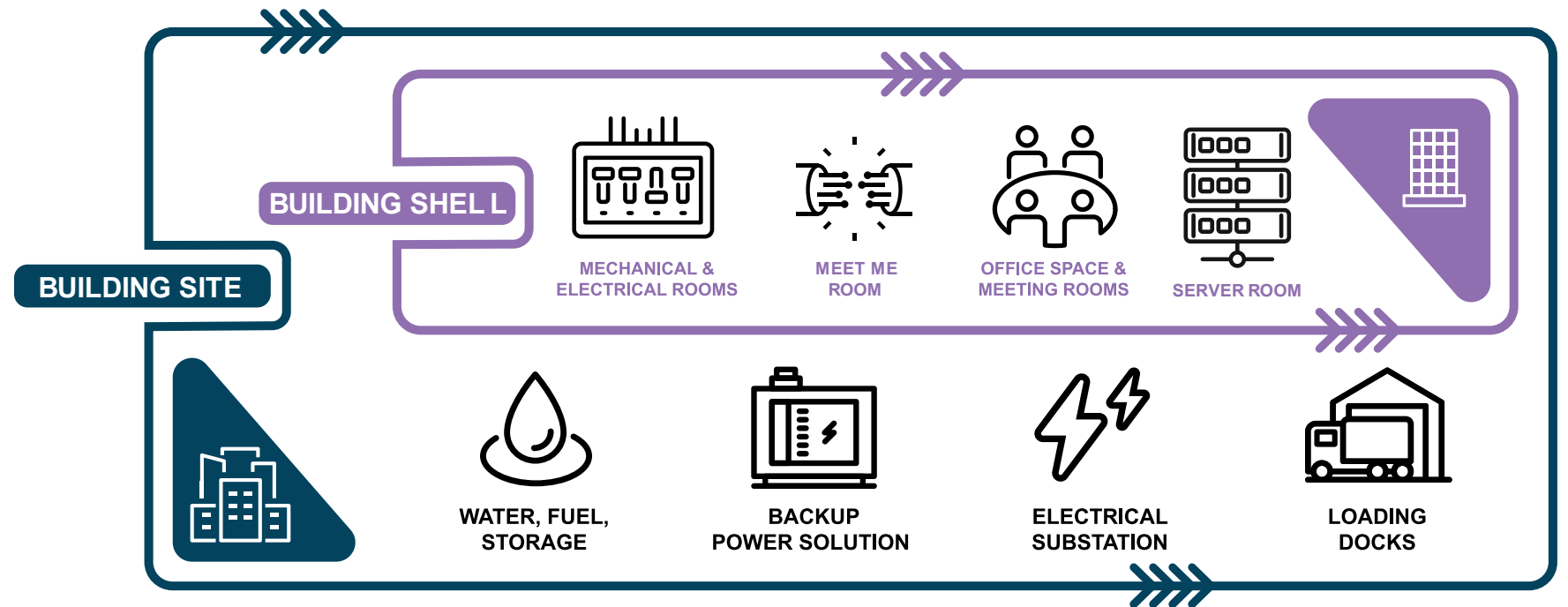


# What is a Data Center

A data center is a facility used to house a large group of networked computer servers. Data centers are used for remote storage, processing, or distribution of large amounts of data.

Data centers also house services required to provide uninterrupted computer operation, like cooling equipment and batteries.

## Data Center Infrastructure Building Layout

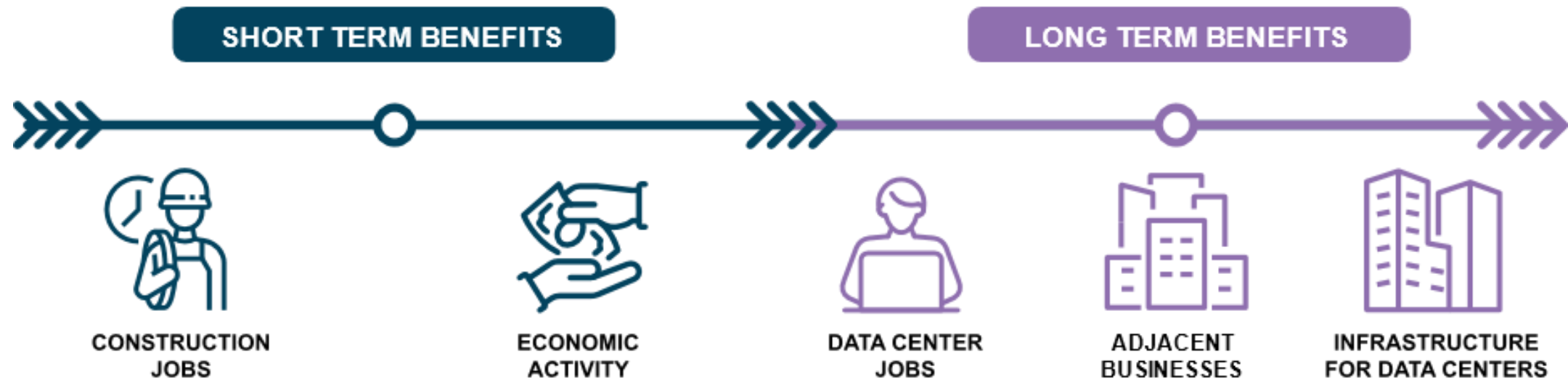


# Data Centers From the Outside

- Non-descript office and storage building with few windows – Customer confidentiality is important
- Minimal traffic. Periodic truck deliveries to test and replace computer equipment
- On-site cooling (HVAC) and power generation equipment generates minimal noise periodically
- Data center campuses are landscaped with shade and small flowering trees, evergreen trees, shrubs, and mowed lawns. Existing landscaping is also used to keep a perimeter around the project.
- Dark Skies lighting is used to adequately light the campus without disturbing the natural night sky



# Benefits of a Data Center



# Harper Road Technology Park





# Why Peculiar?

- Data centers need access to good transportation networks while adding minimal traffic
- Access to generation and transmission capacity – proximity to transmission lines or substations
- Access to or path to water and wastewater service
- Fiber connectivity nearby
- Proximity to Kansas City and other hyperscale data center developments
- Space, buildability, and industrial overlay



# Why Light Industrial?

- Aligns with City's Future Land Use Map
- Height and area regulations same between Light and Heavy Industrial
  - Height cannot exceed 6 stories (buildings are not planned beyond 2 in data center development in the US)
  - Yard setbacks are between 10 and 20 feet, but development would use 100' minimum
- Zoning designation would allow for data center development

# Harper Road Technology Park – Renderings



# Harper Road Technology Park – Renderings



# Harper Road Technology Park – Renderings



# Harper Road Technology Park – Renderings



# Landscaping Palette

DETENTION BASIN VEGETATED WITH NATIVE PLANTS



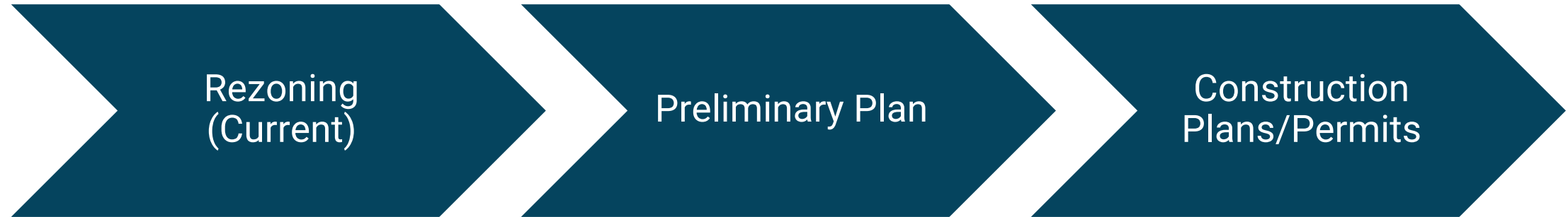
PROPOSED GRASSLAND AREA



LANDSCAPED BERM



# Next Steps



- Site zoned agricultural now
- Industrial overlay
- "Swapping" overlay for light industrial zoning

- Utility collaboration
- Traffic study
- Landscaping plan

- Much more detailed
- Late 2024, early 2025

- Next stop for this effort is Planning Commission at 6:30 PM on April 11th
  - Please note that the letter incorrectly listed 7:00 PM
- Pending planning commission recommendation, project could advance to Board of Aldermen
- Development Plan will go through its own set of approvals as well

# Myth Busters

The team is available for more questions after this presentation.

- Who is Diode?
  - Diode is a wholly owned subsidiary of Black & Veatch, based in Overland Park, KS. We are not a Chinese company.
- Who is the tenant?
  - The tenant of this project is to be determine and has not been solidified. Our main clients are Big Tech clients, such as Google or Meta.
- Do data centers cause cancer?
  - There is no current research that data centers cause cancer or any other ailments.
- How many times have we done this?
  - Diode has developments all over the United States, but our two latest transactions on data centers have been in Kansas City, MO with Google and Meta.
- Are data centers pollutive?
  - Data Centers are not pollutive to water or air.
- Is this project getting incentives?
  - Right now, we are just looking to rezone the project and are not yet at incentive application.
- Are my taxes going up?
  - Not at all. Data centers will not increase or decrease payments for local taxpayers. They do, however, increase the tax basis for the community allowing more money for schools and public services such as police, fire, and EMS.

# Thank You

Diode Attendees:

Ryley Crabtree-Miller

Brad Hardin

Andrea Jones

John Michael Handley

- I. At approximately 6:30, Diode (BH) provided introduction to team attendees.
- II. Diode (BH) explained company and relationship to Black & Veatch.
- III. Diode (AJ) explained basics of data center functions, what they look like from outside, etc.
- IV. Public questioning began but was interspersed with remaining slides Diode presented (JMH) on the development specifics as they stood on that date.
- V. At 7:30, Diode (JMH) ended presentation and opened floor for individuals to talk to each Diode attendee.

Public Questions:

1. Where are entrances going to be located?

Currently the primary security entrance is located approximately across from the entrance to Peculiar Winery and will be shifting slightly north or south per their request. A secondary emergency-only access point is expected on 203rd street, and will be blocked with a gate that will only open for emergency responders.

2. How many jobs for the facility?

At peak construction, we expect 600 or so tradespeople. At full build out, we expect 10-30 employees per building with the potential for ~150 in the optional office hub.

3. What do the shifts look like?

Shifts for the data center facilities are generally 3x8-hour shifts. The optional office hub would have standard office hours of ~7- 9 to ~4 – 6.

4. How tall?

Our current elevations depict 38' from ground elevation to top of building.

5. Hours of construction?

This will be negotiated with the city during the construction plan review.

6. Dust mitigation?

There are mitigation measures for large-scale earthwork, especially spraying at boundaries of work or of the site; additionally, for non-paved internal roads during construction, there are polymer products that can be used (similar to mulch glue for gardens) that make the on-site roads last longer and kick up minimal dust.

7. Where would you start construction?

Generally, construction could start at the north then work south. This has not been confirmed, however, and will ultimately require input from a general contractor.

8. Will dirt work be staggered?

Dirt work will be staggered. While the goal is for a building half to be operational every 9 – 15 months, the earthwork for each building pad should take no more than 60 days, if not less, to complete.

9. Will construction be open or union?

This has not been determined yet.

10. Where are entrances and exits going to be located?

Currently the primary security entrance is located approximately across from the entrance to Peculiar Winery and will be shifting slightly north or south per their request. A secondary emergency-only access point is expected on 203rd street, and will be blocked with a gate that will only open for emergency responders.

11. Will there be fences around the property?

Yes! Privacy is key to hyperscale data center clients. There will be 8' wrought iron style fences around the premises.

12. Where are the construction accesses?

These are yet to be determined, but it is unlikely they will be placed on 203rd street due to its level of service and access. More likely will be one or more access points on Harper Road.

13. Construction noise/dangers/etc. ?

Construction noise would be limited to hours set forth in either permits with the city or in the development agreement. Site fencing is one of the first items that will go up, so the dangers to the public of accidental access are negligible.

14. Will security start from day one?

Security is a priority for these clients. Security fences will more than likely be one of the first construction projects on the site. More often than not, security will begin on day one, and last 24/7 into operations.

15. When do you expect breaking ground?

The earlier we expect groundbreaking is late 2024, but more likely is early 2025.

16. Is this on Peculiar owned land?

This land is under option by Diode and is not owned by the city of Peculiar

17. Looking at map, what is stopping us from taking land to the south?

We don't expect to need any more land for this project.

18. Letter says 5-15 buildings, how would we fit 8 more?

We only expect 7 or so buildings that are housing data centers, but other buildings could be support buildings. Additionally, while the land could possibly support more or larger/higher buildings, we can also plan for an upper limit of power availability long-term, so additional data center buildings are not likely.

19. Phasing needs power, we need 400-600 MW?

We are working with Evergy on this.

20. How tall are most of the buildings?

We plan for 38' buildings.

21. With the power the DC is using, will they have blackouts?

No, and data centers often result in strengthening of local power infrastructure.

22. Have you done a study on how this affects property values?

While we have not done a study on how property values change with data centers as neighbors, we are starting one. We don't typically see a change in property values. Please look at Loudon County, VA as they are the hub of data centers in the US for how beneficial they can be for surrounding communities—the county has operated at a surplus for years.

23. Have we been granted any tax incentives?

We have not pursued any tax incentives at this point, but this is standard for the market.

24. Does it make sense to talk about MO abatements?

We're engaged in the rezoning process currently to know if there's a project here; it is early for those.

25. Diode makes this development then what?

Diode ultimately develops these sites for its clients and end users (e.g., Meta, Google, etc.) and has not to date owned them long-term.

26. Do we have a client set up for this site?

We do, but this is confidential.

# D I C D E

| Name                                | Address                               | Phone Number    | Email                    |
|-------------------------------------|---------------------------------------|-----------------|--------------------------|
| Greg & Rhonda Seiner                | 20216 S. GRAND DR.                    | 816-699-8524    | gseiner53@gmail.com      |
| David & Stephanie <sup>Willis</sup> | 20215 S Grand Dr.                     | 816-679-2755    | s.boeths@gmail.com       |
| Robert Williams                     | 9402 E 203rd                          | 913-915-9628    | Rob59 Williams@gmail.com |
| FRED STORCK                         | 8410 SPRING VALLEY<br>BELTON          | 816-572-0459    | fred.storck@gmail.com    |
| Brett Barber                        | 10007 Peculiir way                    | 816-291-2411    | barberbaltan2AOL.com     |
| Darryl & Jamie Horner               | Belton                                |                 |                          |
| Ashley Traugbar                     | 12101 E 214th Ter.                    | 816-977-7544    | ashleyt@igrek.com        |
| Robert Ayres                        | 11200 E 23rd                          | 816-804-2615    |                          |
| Barb Cassaday                       | 21214 North Pointe                    | 816-588-4437    | BARB.CASSADAY@gmail.com  |
| Pam Hatcher                         | 1403 N Madison                        | 816-665-8990    | Pam@igrek.com            |
| Jim Lillig                          | 8703 EAST 130th<br>187 Street mo 6402 | 816<br>777-5200 | Jim@JALillig.com         |
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