



Planning and Zoning Commission Procedural Summary

MEETING DATE: 8/11/2026

DEPARTMENT: Development

AGENDA ITEM: AYPa Rezoning to I-1

REQUESTED COMMISSION ACTION:

A Motion to approve Findings of Fact and recommendation to the Board of Aldermen.

SUMMARY OF PROCEDURE:

The application is to rezone 10.37 acres of land in Lot 1 of Clay Park Subdivision from B-3 to I-1.

A draft findings of fact are presented, along with an Ordinance that will be submitted to the Board of Aldermen. The motion to approve (listed above) must be seconded, and if seconded, discussion on the matters of the public hearing and any documents provided may be discussed.

Voting to approve the Findings of Fact as presented will send the draft version to the Board. If a Commissioner seeks to amend one or all of the proposed findings, then a motion to amend (paragraph #) with language on what change is sought should be made. If that motion to amend is seconded, it then becomes the discussion point of the Commission. After discussion, a vote is taken on the amendment. This process continues until there are no more proposed amendments.

Once the original motion is amended, or if no amendments are made, discussion can focus on the proposed findings. When discussion is complete, the chair shall call for a vote.

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| ☒ Ordinance | ☐ Contract |
| ☐ Resolution | ☐ Plans |
| ☒ Staff Report | ☐ Minutes |
| ☒ Other: Findings of Fact | |



STAFF REPORT

August 3, 2026

Rezoning of Parcel Id # 05-820-00-02-003.00

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: 14600 169 Highway
Owner: KC Garage Storage LLC / AYPa Power
Current Zoning: B-3
Proposed Zoning: I-1

Public Notice Dates:

1st Publication in Newspaper: July 22, 2026
Letters to Property Owners w/in 185': July 22, 2026

GENERAL DESCRIPTION:

The owner submitted an application proposing to rezone approximately 10 acres from B-3 to I-1. The proposed zoning classification allows for light industrial uses on land, including Battery Energy Storage Facilities with a conditional use permit.

EXISTING ZONING:

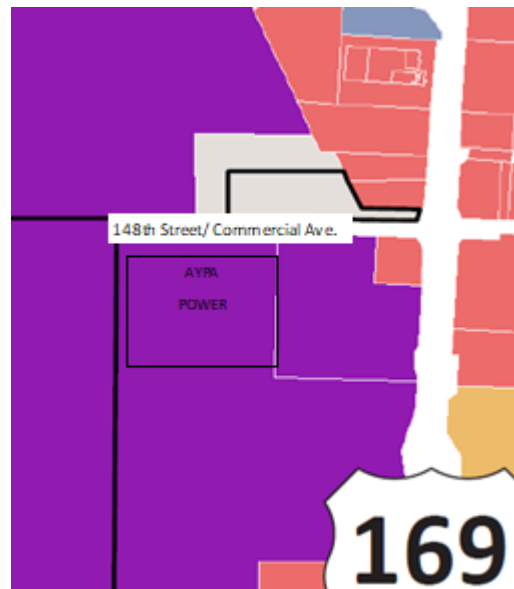
The existing zoning is B-3 and has existed for many years.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is I-1 industrial to the north and B-3 to the south. The majority of the 169 Highway frontage parcels to the north and the south are B-3 with various restaurants, shops and offices. Immediately to the north of the proposed parcel is the Smithville electrical substation for Evergy on land in the unincorporated county.

CONSISTENCY WITH COMPREHENSIVE PLAN AND ORDINANCES *400.560.C.2*

The existing Comprehensive Plan was approved on November 10, 2020. The Future Land Use Map in that plan identifies the area of this property and much of the area surrounding this parcel to become industrial as shown in purple below:



The proposed rezoning is in full compliance with the Future Land Use Map of the Comprehensive Plan.

ADEQUACY OF PUBLIC UTILITIES OR OTHER PUBLIC SERVICES *400.560.C.3*

Streets and Sidewalks:

Street extension of 148th Street would be required by the applicant in order to subdivide the lot, but the street system is more than adequate.

Water, Sewer and Storm water

The city has plentiful water, and sewer is available to the site. Stormwater is adequately controlled through the subdivision and development processes. Any such impacts will be handled in the normal subdivision process, but the existing systems are more than adequate.

All other utilities

Future Development will be conditioned upon installation of all other needed utilities at the cost of the development.

SUITABILITY OF THE USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED UNDER ITS EXISTING ZONING *400.560.C.4*

The current use is B-3 and contains a site plan approved for even more storage units. With recent proliferation within the city limits as well as in surrounding areas,

storage units are nearly saturated within the market. The highest and best use is that which is called for in the FLUM, industrial.

TIME THE PROPERTY HAS REMAINED VACANT AS ZONED *400.560.C.5*

The property was zoned to its' existing district classification many years ago and development has stalled on the approved site plan for the parcel.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY LAND *400.560.C.6*

The proposed district is essentially the same as the existing adjacent uses.

EXTENT WHICH THE AMENDMENT MAY DETRIMENTALLY AFFECT NEARBY PROPERTY *400.560C.7*

No detrimental effects are known.

WHETHER THE PROPOSAL HAS A DISPROPORTIONATE GREAT LOSS TO ADJOINING PROPERTY OWNERS' RELATIVE TO THE PUBLIC GAIN *400.560.C.8*

With no detrimental effects known, no great loss is expected.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed district based upon the change meets the Comprehensive Plan recommendations.

Respectfully Submitted,

Zoning Administrator

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicant: Claythorne Reliability Project, LLC

Land Use Proposed: I-1

Zoning: B-3

Property Location: 14600 N. 169 Hwy (north 10.37 acres)

Pursuant to the provisions of Section 400.560(C) of the Smithville Code, the Planning Commission does hereby make the following findings of fact based upon the testimony and evidence presented in a public hearing of the Planning and Zoning Commission of the City of Smithville, held on August 11, 2026, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

Finding of Facts

1. Character of the neighborhood.

The surrounding area is I-1 industrial to the north and B-3 to the south. The majority of the 169 Highway frontage parcels to the north and south are B-3 with various restaurants, shops and offices. Immediately to the north of the proposed parcel is the Smithville electrical substation for Evergy on land in the unincorporated county

2. Consistency with the City's Comprehensive Plan and ordinances.

The existing Comprehensive Plan was approved on November 10, 2020. The Future Land Use Map in that plan identifies the area of this property and much of the area surrounding this parcel to become industrial.

3. Adequacy of public utilities and other needed public services.

Adequate utilities are available for extension to serve this parcel.

4. Suitability of the uses to which the property has been restricted under its existing zoning.

The current use is B-3 and contains a site plan approved for even more storage units. With recent proliferation of storage units within the city limits as well as in surrounding areas, storage units are nearly saturated within the market. The highest and best use is that which is called for in the FLUM, industrial.

5. Length of time the property has remained vacant as zoned.

The property was zoned to its' existing district classification many years ago and development has stalled on the approved site plan for the parcel.

6. Compatibility of the proposed district classification with nearby properties.

The proposed district is essentially the same as the existing adjacent uses.

7. The extent to which the zoning amendment may detrimentally affect nearby property.

No detriment is anticipated.

8. Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.

No loss to landowners is expected.

9. That in rendering this Finding of Fact, testimony at the public hearing on August 11, 2026, has been taken into consideration as well as the documents provided.

Recommendation of the Planning Commission

Based on the foregoing findings of fact, we conclude that:

A. This application and the Rezoning of this property from B-3 to I-1 is governed by Section 400.560 of the zoning ordinance of Smithville, Missouri.

B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.

C. The Planning and Zoning Commission of the City of Smithville, Missouri recommends approval of setting the initial zoning to I-1.