



Board of Alderman Request for Action

MEETING DATE: 8/2/2022

DEPARTMENT: Development

AGENDA ITEM: Resolution 1096, Site Plan Approval Extension – Kozak's

RECOMMENDED ACTION:

A motion to approve Resoluition 1096, extending the site plan approval time for Kozak's restaurant on Stonebridge Lane.

SUMMARY:

This would extend the time to begin work on the site plan approval granted on July 19, 2021 for an additiona 2 months.

BACKGROUND:

Kozak's submitted its' request for Site Plan approval in 2021, and it was approved on July 19, 2021. The site plan process grants 12 months from Board approval to commence work. That time ended on July 20, 2022, which was eight days prior to submitting their plans for construction on July 28. 2022. The Board of Aldermen have the authority to extend the time for construction for good cause shown. For several months, staff and the applicant's engineers worked on the best option for connecting the project to the sewer system. That process delayed the project while the costs of the sewer impacts were calculated and evaluated. There have been no changes in their submittal from its original approval, and no changes to the Site Plan Review ordinance would impact this project.

PREVIOUS ACTION:

Resolution 945 was approved on July 19, 2021 for a one-year approval of Kozak's Site Plan.

POLICY ISSUE:

Compliance with the Codes

FINANCIAL CONSIDERATIONS:

None anticipated

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: Click or tap here to enter text. | |

RESOLUTION 1096

**A RESOLUTION AUTHORIZING THE EXTENSION OF TIME TO
COMMENCE CONSTRUCTION FOR KOZAK'S RESTAURANT**

WHEREAS, the applicant submitted plans for construction of the new Kozak's restaurant on Stonebridge Lane on July 28, 2022, and;

WHEREAS, the Board of Aldermen approved the Site plan for this project with Resolution 945 in July 19, 2021, and;

WHEREAS, site plan approvals from the Board only last for one year from the date of approval, but such time may be extended if the Board finds there is good cause to extend, and;

WHEREAS, the application was submitted eight days beyond the approval time, no changes to the approved plan are included, and because of the costs of sewer connection were very high, staff and applicants' engineers worked for several months to reach an acceptable connection that was affordable, all which resulted in good cause to extend the time for commencement.

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

**THAT THE SITE PLAN APPROVAL IN RESOLUTION 945 SHALL BE
EXTENDED FOR SIXTY DAYS FOR COMMENCEMENT OF THE PROJECT
FOR GOOD CAUSE SHOWN.**

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 2nd day of August 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk