



## Board of Aldermen Request for Action

**MEETING DATE:** 3/7/2023

**DEPARTMENT:** Development

**AGENDA ITEM:** Resolution 1194, Final Plat Fairview Crossing North Subdivision

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**REQUESTED BOARD ACTION:**

A motion to approve Resolution 1194, approving the final plat for Fairview Crossing North Subdivision.

**SUMMARY:**

The final plat would create 6 lots from one lot of 7.63 acres at the corner of 169 Highway and Commercial Street.

This land was submitted for a final plat at the February 14, 2023 Planning and Zoning Commission meeting. Following a public hearing, the Planning Commission moved to approve the application for a Single Phase Final Plat to create six new lots on this 7.63 acre parcel. This Final Plat is contingent upon approval of Bill No. 2977-23 for Second Reading, for Fairview Crossing North Conceptual Plan.

**PREVIOUS ACTION:**

Bill No. 2977-23 must be approved for second reading prior to approval.

**POLICY ISSUE:**

The plat complies with the Comprehensive Plan.

**FINANCIAL CONSIDERATIONS:**

None

**ATTACHMENTS:**

- |  |   |
|--|---|
| <input type="checkbox"/> Ordinance               | <input type="checkbox"/> Contract         |
| <input checked="" type="checkbox"/> Resolution   | <input checked="" type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes          |

**RESOLUTION 1194**

**A RESOLUTION APPROVING A FINAL PLAT FOR  
FAIRVIEW CROSSING NORTH SUBDIVISION**

**WHEREAS**, the applicant submitted a conceptual plan rezoning and final plat application for approval to be heard by the Planning Commission on February 14, 2023; and

**WHEREAS**, the items were advertised in the Courier Tribune newspaper on January 26, 2023 and notices were sent to adjoining landowners on January 27, 2023; and

**WHEREAS**, the Planning Commission held a public hearing and then recommended approval of the proposed Final Plat with the condition that completion of all the requirements from Public Works Department for all construction plans for water, sewer, street and storm construction; and

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

**THAT THE FINAL PLAT OF FAIRVIEW CROSSING NORTH SUBDIVISION  
IS HEREBY APPROVED WITH THE FOLLOWING CONDITIONS:**

**THE PLAT SHALL NOT BE RELEASED FOR RECORDING UNTIL ALL  
PUBLIC WORKS ACCEPTANCE IS GIVEN FOR WATER, SEWER, STREET  
AND STORM DETENTION CONSTRUCTION USING APPROVED PLANS,  
OR SUFFICIENT BONDS ARE PLACED FOR SUCH CONSTRUCTION  
USING APPROVED PLANS.**

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7<sup>th</sup> day of March, 2023.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk



STAFF REPORT  
February 10, 2023  
Platting of Parcel Id # 05-917-00-07-008.00

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Application for a Plat Approval

Code Sections:

425.285.A.4                      Single Phase Final Plat Approval

Property Information:

Address:                      1601 S. 169 Hwy.  
Owner:                        Kansas City Properties & Investments  
Current Zoning:              B-3

Public Notice Dates:

1st Publication in Newspaper:              January 26, 2023  
Letters to Property Owners w/in 185':      January 27, 2023

GENERAL DESCRIPTION:

The property is currently vacant as the original 11-unit strip mall was demolished a few years ago. The property is zoned B-3, and the applicant simultaneously submitted a conceptual plan overlay that would allow lots with less than 300' of street frontage to be created. Four of the lots would meet the 300' requirement, but two lots would be under that threshold. In accordance with the zoning and subdivision codes, the current application is for a single phase subdivision in which all public infrastructure will be completed for the entire subdivision prior to recording the final plat, and any building permits could not be issued unless sufficient bonding was in place.

The applicant has submitted a Final Plat for the subdivision, that ties in directly to the Fairview Crossing conceptual plan to the south. That subdivision is the mixed use site that includes both 200+ residential units and 10

commercial/retail/hotel lots. Once this property was acquired by that developer, it was decided to incorporate these two development together for north/south access. If approved, this subdivision would create 6 additional commercial lots for development. The public infrastructure is not specifically construction ready as no construction plans are completed. IF approved, the developer plans on constructing Fairview Crossing North first, with a phase approach to Fairview Crossing to come later. With the connection between the two developments, and creating one access point onto 169, significant work with MODOT has occurred. The traffic impact report for this property did not trigger any MoDOT improvements, hence it will be constructed first. Development is responsible to construct all public infrastructure extensions in accordance with plans that will be approved by Public Works prior to commencement.

**GUIDELINES FOR REVIEW – SINGLE PHASE SUBDIVISION FINAL PLATS** See 425.285.A.4

The Planning Commission shall consider the following criteria in making a recommendation on the plat:

- a. The plat conforms to these regulations and the applicable provisions of the Zoning Ordinance and other land use regulations. ***Yes, the layout complies with zoning and subdivision requirements if the conceptual plan is approved.***
- b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. ***Yes, the property was designed specifically to address the Comprehensive Plan.***
- c. The development shall be laid out in such a way as to result in:
  - (1) Good natural surface drainage to a storm sewer or a natural watercourse. ***Yes, the existing drainage areas are being utilized as both detention areas and natural basins.***
  - (2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth. ***Yes, while there will be removal of the small invasive trees on the central portion of the land but preserves and utilizes the existing vegetation along the border with the residential area to the east to improve the required buffering.***
  - (3) A good grade relationship with the abutting streets, preferably somewhat above the street. ***Yes.***
  - (4) Adequate lot width for the type or size of dwellings contemplated, including adequate side yards for light, air, access, and privacy. ***No dwellings are planned, but the commercial lots are included in a conceptual plan overlay.***
  - (5) Adequate lot depth for outdoor living space. ***Again, no outdoor living space required since no dwellings, but adequate spacing is present.***
  - (6) Generally regular lot shapes, avoiding acute angles. ***Yes.***

(7) Adequate building lots that avoid excessive grading, footings or foundation walls. **Yes.**

d. The plat contains lot and land subdivision layout that is consistent with good land planning and site engineering design principles. **Yes.**

e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles. **Yes.**

f. The plat is served or will be served at the time of development with all necessary public utilities and facilities, including, but not limited to, water, sewer, gas, electric and telephone service, schools, parks, recreation and open space and libraries. **Yes, all at the developer's expense.**

g. The plat shall comply with the stormwater regulations of the City and all applicable storm drainage and floodplain regulations to ensure the public health and safety of future residents of the subdivision and upstream and downstream properties and residents. The Commission shall expressly find that the amount of off-site stormwater runoff after development will be no greater than the amount of off-site stormwater runoff before development. ***The proposed design area for detention will improve the drainage onto the property to the south and to the east thereafter. The stormwater study is accepted with changes to the final construction plans, and the study must be updated to reflect the approved final construction plan to verify continued compliance.***

h. Each lot in the plat of a residential development has adequate and safe access to/from a local street. ***Again, this is not a residential development, but MODOT approved the applicant's traffic impact reports for both the development to the south and the amendment for this development.***

The plat is located in an area of the City that is appropriate for current development activity; it will not contribute to sprawl nor to the need for inefficient extensions and expansions of public facilities, utilities and services. ***Yes, it is placed in an efficient area for public facilities.***

j. If located in an area proposed for annexation to the City, the area has been annexed prior to, or will be annexed simultaneously with plat approval. ***n/a***

k. The applicant agrees to dedicate land, right-of-way and easements, as may be determined to be needed, to effectuate the purposes of these regulations and the standards and requirements incorporated herein. ***Yes, applicant has dedicated sufficient land for access roads to both 169 and Commercial, which include commercial sidewalks to improve connectivity and walkability.***

l. All applicable submission requirements have been satisfied in a timely manner. **Yes.**

m. The applicant agrees to provide additional improvements, which may include any necessary upgrades to adjacent or nearby existing roads and other facilities

to current standards and shall include dedication of adequate rights-of-way to meet the needs of the City's transportation plans. **Yes.**

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat conditioned upon meeting the requirements of the City's Engineering Comments letter dated January 27, 2023, and approval of the Conceptual Plan considered earlier at the same meeting. Development is conditioned upon acceptance by Public Works and Engineering of ALL design plans for water, sewer, street and storm construction plans. Storm study must be updated to reflect any changes required in the final construction plans approved by the city's engineer.

Respectfully Submitted,

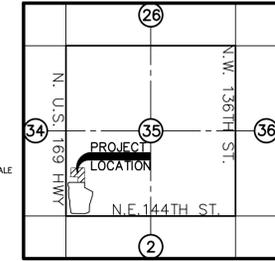
/s/

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Director of Development



FINAL PLAT OF  
**FAIRVIEW CROSSING NORTH**  
 A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 35,  
 TOWNSHIP 53 NORTH, RANGE 33 WEST, CLAY COUNTY, MISSOURI



LOCATION MAP  
 SECTION 35 - TOWNSHIP 53 NORTH - RANGE 33 WEST  
 CITY OF SMITHVILLE, MISSOURI

**DEVELOPER**  
 KANSAS CITY PROPERTIES & INVESTMENTS, LLC  
 13530 MOUNT OLIVET RD  
 SMITHVILLE, MO. 64089  
 CONTACT: SHANE CREES  
 PHONE: 816-719-9327  
 E-MAIL: SHANE@KCSINC.COM

**PREPARED BY**  
 KAW VALLEY ENGINEERING  
 8040 N. OAK TRAFFICWAY  
 CONTACT: PHILLIP SCHNITZ  
 PHONE: 816-468-5858  
 E-MAIL: SCHNITZ@KVENG.COM

**LEGEND**

- △ SECTION CORNER FOUND
- MONUMENT FOUND
- MONUMENT SET W/ LS214F CAP
- R/W RIGHT OF WAY
- B/L BUILDING SETBACK
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT
- SS/E SANITARY SEWER EASEMENT
- (M) MEASURED
- (D) DEEDED
- EASEMENT LINE
- == PROPERTY LINE
- //// LIMITED ACCESS

**CURVE TABLE**

CURVE	CHORD BEARING	CHORD LENGTH	TANGENT	RADIUS	DELTA
C1	N 21°41'37" W	53.66'	55.07'	29.05'	45°04'41"
C2	S 21°41'37" E	99.66'	102.28'	53.95'	45°04'41"
C3	N 20°24'41" W	105.01'	108.51'	58.08'	50°37'36"
C4	S 20°24'41" E	54.88'	56.79'	30.50'	51°48'55"
C5	N 46°41'26" E	178.25'	196.40'	122.42'	86°33'39"

**BASIS OF BEARINGS:**  
 SOUTH 00°57'10" WEST ALONG THE WEST LINE OF 'HILLS OF SHANNON' AS DETERMINED BY GLOBAL POSITIONING SYSTEM OBSERVATIONS USING MODOT VRS, 2018 GEOD, AND REFERENCED TO THE MISSOURI STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD83).

**FLOOD STATEMENT:**  
 THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN HEREON IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAP. THE SURVEYED PROPERTY LIES WITHIN FLOOD HAZARD ZONE "X, NON-SHADED, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS SAID PROPERTY PLOTS BY SCALE ON THE FLOOD INSURANCE RATE MAP FOR THE CITY OF SMITHVILLE, COMMUNITY PANEL NUMBER 29047C0102E, EFFECTIVE ON 08/03/2015.

**CERTIFICATION:**  
 I HEREBY CERTIFY THAT THIS PLAT OF FAIRVIEW CROSSING NORTH IS HEREBY A TRUE REPRESENTATION OF A SURVEY PERFORMED ON THE GROUND BY ME OR UNDER MY DIRECT SUPERVISION, IS IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PHILLIP JAMES SCHNITZ  
 PLS-2014020715  
 schnitz@kvensg.com

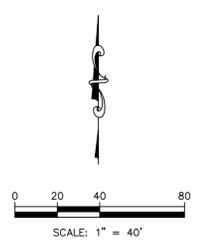
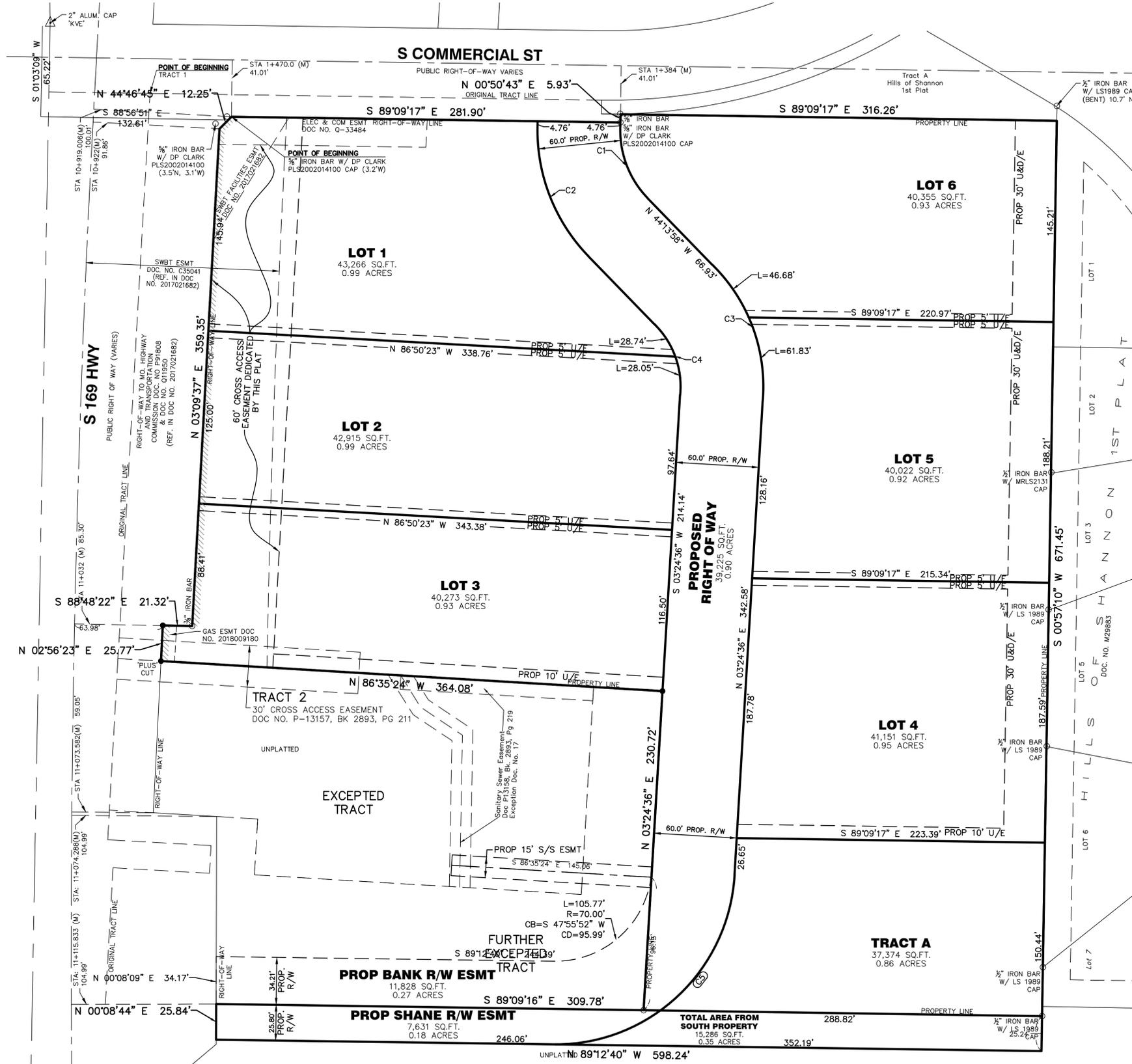
**KAW VALLEY ENGINEERING**  
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 kc@kvensg.com | www.kvensg.com

PROJECT NO. **B2054001**  
 DRAWN BY **JAD**  
 CHECKED BY  
 CFN  
 SHEET **4001FPLAT**  
 2 OF 2

PREPARED FOR:  
**KANSAS CITY PROPERTIES & INVESTMENTS LLC.**  
 1601 N. 169 HWY  
 SMITHVILLE, MO 64089

PROJECT:  
**FAIRVIEW CROSSING NORTH**  
 13530 MOUNT OLIVET RD  
 SMITHVILLE, MO 64089

KAW VALLEY ENGINEERING, INC., IS AUTHORIZED TO OFFER SURVEYING SERVICES BY MISSOURI STATE CERTIFICATE OF AUTHORITY NO. 000214. EXPIRES 12/31/23



THIS DRAWING SHALL NOT BE UTILIZED BY ANY PERSON, FIRM, OR CORPORATION IN WHOLE OR IN PART WITHOUT THE SPECIFIC PERMISSION OF KAW VALLEY ENGINEERING, INC.