



Board of Aldermen Request for Action

MEETING DATE: 9/1/2026

DEPARTMENT: Development

AGENDA ITEM: Bill No. 3128-26 Clay Creek Meadows Phase 2 and 3 Conceptual Plan Approval – 2nd reading by title only.

RECOMMENDED ACTION

A motion to approve Bill No. 3128-26, approving the Conceptual Plan for Clay Creek Meadows. Second reading by title only.

SUMMARY

Approving this ordinance would change the zoning on the subject property by including a conceptual plan overlay onto the existing R-3 zoning (R-3P) at Clay Creek Meadows Phase 2 and 3.

BACKGROUND

This project is within the second and third phases of the Clay Creek Subdivision. Those phases are the R-3 zoned portion of the subdivision approved on October 1, 2024 by Ordinance 3238.24. Those two phases were approved for up to 203 dwellings, consisting of 2-, 3-, 4- and 5-family townhomes. As a part of that development, the developer increased the rear yards of the lots adjoining 169 Highway for better sound attenuation. When the lots were then sold for construction, the purchaser discovered that 12 of the lots were so big that only 21% of the lots were covered and also that 11 of the lots were small enough to exceed the maximum 30% coverage by as much as 2.5%. The original designer thereafter determined that, assuming all lot coverages were collectively counted instead of individually, that the total Lot coverage would be 24.8%, well below the 30% maximum.

Conceptual Plan approval is a zoning measure that allows the intent of the zoning districts to be met but allowing slight adjustments to how the intent is met. Changing the calculation from individual lots to collective subdivision, the intent of the zoning ordinance provision regarding maximum lot coverage is met, and full development can still occur.

PREVIOUS ACTION

The preliminary plat and zoning were approved on October 1, 2024.

POLICY ISSUE

Comprehensive Plan Development

FINANCIAL CONSIDERATIONS

No budgetary impact

ATTACHMENTS

- ☒ Ordinance
- ☐ Resolution
- ☒ Staff Report
- ☐ Other:

- ☐ Contract
- ☒ Plans
- ☐ Minutes

AN ORDINANCE APPROVING A CONCEPTUAL PLAN FOR CLAY CREEK MEADOWS SUBDIVISION

WHEREAS, The City of Smithville received an application for a Conceptual Plan to adjust the lot coverage requirements in Clay Creek Meadows subdivision, Phase 2 and 3, from individual lot calculations to a collective calculation for all lots; and

WHEREAS, public notice was properly advertised in the Courier Tribune and adjoining property owners were properly notified by certified mail on July 22, 2026; and,

WHEREAS, a public hearing was held before the Planning Commission on August 11, 2026;

WHEREAS, the Commission adopted its' findings – attached as Exhibit A and recommended approval of the Clay Creek Meadows Phase 2 and 3 Conceptual Plan – attached as Exhibit B.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, THAT;

Section 1. Having received findings and a recommendation from the Planning Commission, and proper notice having been given and public hearing held as provided by law, and under the authority of and subject to the provisions of the zoning ordinances of the City of Smithville, Missouri, by a majority council vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The Clay Creek Meadows Phase 2 and 3 Conceptual Plan, attached hereto as Exhibit B is the conceptual zoning plan for the development.

Section 2. Upon the taking effect of this ordinance, the above zoning changes shall be entered and shown upon the "Official Zoning Map" previously adopted and said Official Zoning Map is hereby reincorporated as a part of the zoning ordinance as amended.

Section 3. This ordinance shall take effect and be in full force from and after its passage according to law.

PASSED THIS 1st DAY OF SEPTEMBER, 2026

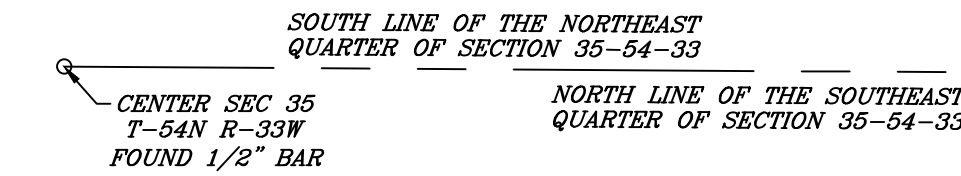
Mayor

ATTEST:

City Clerk

1st reading 08/18/2026

2nd reading 09/01/2026



UNPLATTED
REORGANIZED CHURCH OF JESUS
CHRIST OF LATTER DAY SAINTS

APPLICANT/OWNER:
CLAY CREEK MEADOWS, LLC
19835 HIGHWAY B
EDGERTON, MO 64444

ALL THAT PART OF THE EAST ONE-HALF OF SECTION 35, TOWNSHIP 54 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SOUTHEAST QUARTER OF SAID SECTION 35, ALSO BEING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 35, THENCE N68°38'39" WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1048.84 FEET TO THE WESTERN LINE OF CLAY CREEK, A SUBDIVISION OF LAND IN SMITHVILLE, CLAY COUNTY, MISSOURI AND THE WESTERN RIGHT OF WAY LINE OF CORBYN LAND, ALSO BEING THE POINT OF BEGINNING OF THE TRAC OF LAND TO BE HEREIN DESCRIBED; THENCE S33°00'33" W. ALONG THE EASTERLY LINE OF SAID CLAY CREEK AND THE WESTERLY RIGHT OF WAY LINE OF CORBYN LAND, A DISTANCE OF 39.38 FEET TO A CORNER ON SAID SOUTHERLY LINE; THENCE S38°09'45" W. A DISTANCE OF 342.55 FEET TO THE NORTHWEST CORNER OF LOT 10, LAKE MEADOWS FIRST PLAT, A SUBDIVISION OF LAND IN SMITHVILLE, CLAY COUNTY, MISSOURI; THENCE N66°34'53" W. A DISTANCE OF 93.68 FEET; THENCE N56°52'27" W. TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF CORBYN LAND, A DISTANCE OF 120.02 FEET; THENCE S33°00'33" W. ALONG THE WESTERN LINE OF SAID CORBYN LAND, ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF N33°13'30" E AND A RADIUS OF 970.00 FEET, AN ARC DISTANCE OF 10.00 FEET; THENCE N56°52'27" W. A DISTANCE OF 281.00 FEET; THENCE S33°00'33" W. A DISTANCE OF 135.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF LAKE MEADOWS DRIVE; THENCE N56°52'27" W. ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID LAKE MEADOWS DRIVE, A DISTANCE OF 216.28 FEET TO THE NORTHERLY MOST CORNER OF SAID LOT 10, LAKE MEADOWS FIRST PLAT, A SUBDIVISION OF LAND IN SMITHVILLE, CLAY COUNTY, MISSOURI; THENCE S33°00'33" W. ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID MISSOURI STATE HIGHWAY NO. 169, A DISTANCE OF 1917.51 FEET; THENCE N78°21'44" E, A DISTANCE OF 153.31 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF MISSOURI STATE HIGHWAY W. THENCE S66°20'41" E, ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID MISSOURI STATE HIGHWAY W. A DISTANCE OF 94.79 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG SAID LINE, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, HAVING AN INITIAL TANGENT BEARING OF N120°12'12" E, A DISTANCE OF 120.02 FEET TO A POINT ON THE WESTERLY LINE OF SAID CLAY CREEK; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID CLAY CREEK, ALONG A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, AN ARC DISTANCE OF 22.71 FEET TO A POINT ON THE WESTERLY LINE OF SAID CORBYN LAND, A DISTANCE OF 120.02 FEET; THENCE S33°00'33" W. ALONG THE WESTERLY LINE OF SAID CORBYN LAND, ALONG A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 539.95 FEET, AN ARC DISTANCE OF 131.65 FEET; THENCE S31°58'00" W. CONTINUING ALONG SAID LINE, A DISTANCE OF 185.68 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG SAID LINE, SOUTHWESTERLY ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, HAVING AN INITIAL TANGENT BEARING OF 99.71 FEET; THENCE S33°00'33" W. CONTINUING ALONG SAID LINE, A DISTANCE OF 93.68 FEET TO THE POINT OF BEGINNING.

CLAY CREEK MEADOWS COVERAGE - PHASE 2 & 3						
LOT NO	PHASE	LOT AREA (S.F.)	UNIT AREA (S.F.)	UNIT TYPE	COVERAGE	
14	2	14,500	4,193	4 PLEX	28.9%	
15	2	12,890	4,193	4 PLEX	32.5%	
16	2	14,586	4,193	4 PLEX	28.7%	
17	2	16,115	3,140	3 PLEX	19.5%	
18	2	13,256	3,140	3 PLEX	23.7%	
19	2	9,627	2,088	DUPLEX	21.7%	
20	2	14,678	4,193	4 PLEX	28.6%	
21	2	17,685	5,245	5 PLEX	29.7%	
22	2	13,577	4,193	4 PLEX	30.9%	
23	2	14,719	4,193	4 PLEX	28.5%	
24	2	21,162	5,245	5 PLEX	24.8%	
25	2			POOL		
26	2	24,839	5,245	5 PLEX	21.1%	
27	2	17,299	4,193	4 PLEX	24.2%	
28	2	16,921	4,193	4 PLEX	24.8%	
29	2	17,440	4,193	4 PLEX	24.0%	
30	2	19,925	4,193	4 PLEX	21.0%	
31	2	20,192	4,193	4 PLEX	20.8%	
32	2	14,576	4,193	4 PLEX	28.8%	
33	2	15,692	4,193	4 PLEX	26.7%	
34	2	16,163	4,193	4 PLEX	25.9%	
35	2	17,645	4,193	4 PLEX	23.8%	
36	2	14,526	4,193	4 PLEX	28.9%	
37	2	15,026	4,193	4 PLEX	27.9%	
38	2	17,458	4,193	4 PLEX	24.0%	
39	2	15,759	5,245	5 PLEX	33.3%	
40	3	12,879	4,193	4 PLEX	32.6%	
41	3	13,511	4,193	4 PLEX	31.0%	
42	3	12,918	4,193	4 PLEX	32.5%	
43	3	12,510	4,193	4 PLEX	33.5%	
44	3	14,678	4,193	4 PLEX	28.6%	
45	3	16,155	4,193	4 PLEX	26.0%	
46	3	14,219	4,193	4 PLEX	29.5%	
47	3	14,960	4,193	4 PLEX	28.0%	
48	3	13,784	4,193	4 PLEX	30.4%	
49	3	10,833	2,088	DUPLEX	19.3%	
50	3	11,635	2,088	DUPLEX	17.9%	
51	3	18,935	3,140	3 PLEX	16.6%	
52	3	16,396	3,140	3 PLEX	19.2%	
53	3	16,302	3,140	3 PLEX	19.3%	
54	3	18,245	4,193	4 PLEX	23.0%	
55	3	19,505	4,193	4 PLEX	21.5%	
56	3	19,523	4,193	4 PLEX	21.5%	
57	3	20,911	4,193	4 PLEX	20.1%	
58	3	20,519	4,193	4 PLEX	20.4%	
59	3	20,124	4,193	4 PLEX	20.8%	
60	3	20,937	4,193	4 PLEX	20.0%	
61	3	20,520	4,193	4 PLEX	20.4%	
62	3	13,548	4,193	4 PLEX	30.9%	
63	3	14,124	4,193	4 PLEX	29.7%	
64	3	13,481	4,193	4 PLEX	31.1%	
65	3	13,037	4,193	4 PLEX	32.2%	
66	3	14,638	4,193	4 PLEX	28.6%	
TOTAL		672,288	166,648		24.8%	

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES HEREIN DESCRIBED WHICH MEET OR EXCEED THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS JOINTLY ESTABLISHED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF LAND SURVEYING, AND THE MISSOURI BOARD OF LAND SURVEYING. WE ARE PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

R.L. Buford & Associates, LLC
LAND SURVEYING – DEVELOPMENT CONSULTANTS
R.L. BUFORD & ASSOCIATES, LLC – MO. CERT. OF

FOR	SEC.-TWP.-RGE. 35-54-33	COUNTY CLAY	JOB NO. L-23197
CLAY CREEK MEADOWS, LLC	DATE 06/11/2024	FIELD BOOK	
OVERLAY CONCEPT PLAN			DRAWN BY KCB



ROBERT C YOUNG	PLS-2002000089	DATE
08/26/2024		



STAFF REPORT

July 9, 2026

Conceptual Plan Rezoning of Phase II of Clay Creek Meadows Subdivision and Parcel Id
- 01-903-00-01-006.00

Application for a Planned Development Overlay District Conceptual Plan

Code Sections:

400.200.B Planned Development Overlay District Classification
Amendments

Property Information:

Address: 169 Highway and W Highway
Owner: D.R. Horton Inc./Clay Creek Meadows LLC
Current Zoning: R-3
Proposed Zoning: R-3 in accordance with the Conceptual Plan

Public Notice Dates:

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

GENERAL DESCRIPTION:

The applicant has submitted a Conceptual Plan request to change the method for calculating lot coverage. The existing ordinances calculate the maximum lot coverage at 30% of EACH LOT. Applicant's sole purpose of its' conceptual plan is to modify the maximum lot coverage to be calculated as an entire subdivision but not changing the 30% maximum coverage requirement. The currently approved site plan for the development includes each of the lots that back up to 169 Highway to have additional square footage per lot to allow a larger buffer from the highway impacts, significantly increase the total square footage of each lot. Additionally, there are two cul de sacs and one knuckle in the road system that significantly increase the square footage of those lots as well. These increased size lots then reduce the overall size of other lots.

The impact of these items makes some cul de sac lots with very low coverage and other lots with higher than allowed coverages. There are 11 lots with an excess coverage (30%+) and 12 lots with a coverage of less than 21% coverage. The proposed conceptual plan change would result in an overall coverage of 24.8%, well below the maximum coverage limit of 30%.

The stated Intent of the conceptual plan is to "*encourage latitude and flexibility in the . . . variations in yards, open spaces, etc., subsequent to final approval of the plan. The result is to allow development of tracts of land to their fullest extent and at the same time observe the general intent and spirit of these regulations.*" The intent of these regulations is to limit lot coverage to no more than 30%, and the proposed change keeps that coverage below 25%.

EXISTING ZONING:

The existing zoning is R-3 with an approved Site Plan and would not change other than the collective nature of calculating the lot coverage requirements.

In reviewing conceptual development plans for a Planned Development Overlay District, the Commission shall consider the requirements in the site plan review provisions in Sections 400.390 to 400.440 when evaluating the following:

TOPOGRAPHY

To ensure the site is suitable for development, and buildings are located and arranged in appropriate areas.

There is no proposed change to any aspect of the approved site plan, but only a change to how the lot coverage is calculated.

PARKING

To ensure the proposed development contains an adequate amount of parking and is located in an appropriate area or adequately screened. Generally, the parking should conform to the required number of spaces appropriate to the development type as contained in Sections 400.450 to 400.480. The Commission may allow a deviation from these parking requirements should the applicant show an adequate amount of parking exists.

There is no change to the approved site plan in this matter.

SETBACKS

To ensure buildings provide for adequate light, air, and privacy protection by providing appropriate proportion between buildings, and adequate separation between buildings and adjoining properties.

The proposed change has no impact on the setbacks, just the lot coverage being calculated collectively as a neighborhood.

ARCHITECTURE

To ensure the architectural theme is compatible and consistent throughout the project and is reasonably compatible with surrounding developments.

The Conceptual Plan does not impact the approved architectural designs

SITE PLAN

To ensure the location and arrangement of buildings, signs and other structures are appropriate for the site, existing and proposed streets, drives and public ways are arranged appropriately and to ensure site drainage has been adequately addressed.

The proposed change does not impact the stormwater design as it was designed based upon 30% coverage and the actual will be 24.8%

LANDSCAPING

To ensure the development provides adequate landscaping to provide a pleasant environment, to enhance the building's appearance; to ensure existing significant trees are adequately protected.

No change is proposed to the approved site plan.

OTHER MATTERS

Any other feature or issue associated with the State zoning and planning enabling legislation or the Comprehensive Plan for the City of Smithville for which the Commission feels is appropriate and relevant to the development of the site.

None identified.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed conceptual plan based upon the intent of the district is still met with 24.8% coverage.

Respectfully Submitted,

Zoning Administrator

Conceptual Development Plan Findings

- a. That the Commission has reviewed the conceptual development plan with consideration of the issues contained in Subsection 400.200 (B)(3) (site plan standards); and
- b. That the conceptual development plan is in conformance with the comprehensive land use plan and other appropriate sections of the Code of Ordinances; and
- c. That the conceptual development plan provides for an organized and unified system of land use intensities which are compatible with the surrounding areas; and
- d. That the proposed development adequately protects the health, safety and general welfare of future and existing residents and property owners in and around the development.