Board of Aldermen
Request for Action

MEETING DATE: 11/17/2026 **DEPARTMENT:** Development

AGENDA ITEM: Bill No. 3141-26 Rezoning 632 South 169 – 1st Reading

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REQUESTED BOARD ACTION:
A motion to approve Bill No. 3141-26 changing the zoning classifications or districts of certain lands located in Smithville, Missouri. First reading by title only

SUMMARY:
Approving the Bill would change the zone district classification from B-2 to B-3 to remove the limitations to retail operations and allow this parcel to match the adjoining uses to be utilized to its' highest and best use.

PREVIOUS ACTION:
This property was initially zoned to B-2 in 1980 to authorize a waterslide and mini golf, and the north portion was developed as a trailer repair and supply business.

POLICY OBJECTIVE:
To promote the highest and best use of the property and potentially increase the sales tax generated from the property.

FINANCIAL CONSIDERATIONS:
No expenses anticipated by potential growth in sales tax revenues possible.

ATTACHMENTS:

- ☒ Ordinance
- ☐ Resolution
- ☒ Staff Report
- ☐ Other:
- ☐ Contract
- ☐ Plans
- ☒ Minutes P & Z Video available online

BILL NO. 3141-26 **ORDINANCE NO. 333X-26**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI

WHEREAS, The City of Smithville received an application for rezoning 632 S. 169 Highway on September 8, 2026; and

WHEREAS, Public Notice was published in the Courier Tribune and letters to property owners within 185' were sent not less than 15 days prior to the Public Hearings conducted before the Planning Commission on November 10, 2026; and

WHEREAS, the Planning Commission presented its' findings (attached as "Exhibit A") to the Board of Aldermen and recommended approval of the rezoning request; and

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

Section 1. Having received a recommendation from the Planning Commission along with Findings of Fact and Conclusions of Law attached hereto as Exhibit A, 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 below, are hereby changed to the B-3 zoning classification.

Legal Description: Croft's Addition, Lot 1

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 the approval.

PASSED THIS 15th DAY OF DECEMBER 2026

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Damien Boley, Mayor

ATTEST:

_____

Linda Drummond, City Clerk

First Reading: 11/17/2026

Second Reading: 12/15/2026

EXHIBIT A

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicant: Meraki Capital LLC

Land Use Proposed: B-3

Zoning: B-2

Property Location: 632 S. 169 Highway

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 November 10, 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 consists of developed retail properties on the north side of the property (MarketPlace) and the hospital on the eastside of 169. Pizza Hut and the Richardson Street Plaza are all on the south.

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

The existing Comprehensive Plan was approved on November 10, 2020, by the Planning Commission and adopted as the official development policy of the City on November 17, 2020, by the Board of Aldermen. That plan calls for this area to remain commercial.

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

The property is currently developed and all public utilities and needed public services are available.

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

The current use is B-2, non-retail business in an area that has developed into a significant retail area of the city.

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

The property was zoned to its' existing district classification in 1980, and had been a trailer repair and supply store for many years. That business closed the Smithville location and the property was put up for sale. The highest and best use is B-3 to encourage more retail in the area on 169 Highway frontage. The uses in B-2 no longer lend themselves to highway frontage in a significant retail area.

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

The proposed district is compatible with the adjacent uses, particularly with the retail opportunities nearby.

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 November 10, 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 Zoning of this property from B-2 Non-Retail Business to B-3 General Business 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 zoning the property to B-3.

STAFF REPORT

October 15, 2026

Rezoning of Parcel Id # 05-802-00-01-004.00

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

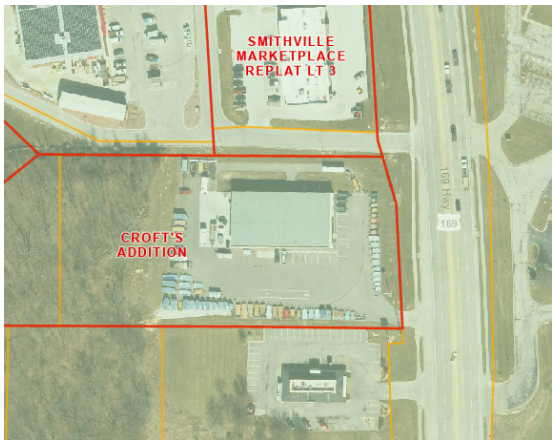
Address:	632 S. 169 Highway
Owner:	Meraki Capital KC LLC
Current Zoning:	B-2
Proposed Zoning:	B-3

Public Notice Dates:

1st Publication in Newspaper:	October 21, 2026
Letters to Property Owners w/in 185':	October 21, 2026

GENERAL DESCRIPTION:

The owners submitted an application to amend the zone district of its' property at 632 S. 169 Hwy (formerly Croft Trailer Supply) from B-2 Non-Retail Business District to B-3 General Business District. This classification change will allow the property to lease or sell to retail tenants and provide more use options.



EXISTING ZONING:

The existing zoning was put in place in 1980.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is predominantly B-3 General Business zoning fronting on 169 Hwy and west of the hospital.

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

The Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan seeks to continue this area as commercial.

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

The site is fully developed with all utilities and other public services.

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

The current use is B-2, which generally a non-retail district, and the area has, over its recent existence, converted to primarily a retail area. The highest and best use is the retail uses allowed in the B-3 district.

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

The property was zoned to its' existing district classification in 1980 and was the location of a trailer repair business for many years. This business closed and the owners sold the building, and the new owners seek to open this site to retail as there is limited desire for the zoning limitations of B-2 on 169 Highway frontage.

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.

WHTHER 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,

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Zoning Administrator