



Board of Aldermen Request for Action

MEETING DATE: 11/3/2026

DEPARTMENT: Development

AGENDA ITEM: Bill No. 3137-26 – Whispering Creek Farms Rezoning and Final Plat – 2nd Reading

REQUESTED BOARD ACTION

A motion to approve Bill No. 3137-26, changing the zoning classifications or districts of certain lands located in the City of Smithville, Missouri and approving a Single-Phase Final Plat and development agreement for Whispering Creek Farms subdivision. Second reading by title only.

SUMMARY

This ordinance would authorize rezoning 4200 NE 144th Street from County Ag to A-R and approve a development agreement and a Final Plat for Whispering Creek Farms Subdivision.

PREVIOUS ACTION

The current zoning has been in place since the land was annexed into the city, and this will be the first development on the site. The Planning and Zoning Commission conducted its' first public hearing on this matter on August 11, 2026, and during the discussion, it was moved, seconded and approved to postpone the matter until the October 13 meeting in order for the applicant to conduct a full Traffic Impact Study (TIS) (vs. the Traffic Safety study requested by the county) as well as consider reducing the plat to 28 lots to match what was submitted at the county level in 2020. The applicant submitted the full TIS, and the matter was again heard at the October 13 meeting. The traffic study matched and concurred with the original study as it relates to no off-site improvements and that the development would not impact the performance of the 144th Street and Mt. Olivet intersection. The applicant was asked to explain why they did not reduce the number of lots. They explained they engineered this subdivision in accordance with City regulations, versus the county regulations when it was a 28-unit development. The Commission voted unanimously (on August 11 hearing) to recommend rezoning the land to A-R and unanimously at the October 13 hearing to approve the Single-Phase Final Plat for Whispering Creek Farms 2nd Plat.

POLICY OBJECTIVE

Comply with the Comprehensive Plan requirements for increasing additional housing stock near existing housing.

FINANCIAL CONSIDERATIONS

N/A

ATTACHMENTS

- | | |
|--|---|
| ☒ Ordinance | ☐ Contract |
| ☐ Resolution | ☒ Plans |
| ☒ Staff Reports | ☐ Minutes |
| ☒ Other: Findings of Fact; Development agreement | |

P & Z Meeting Minutes Available to view online (both the August 11th and the October 13th meeting videos)

BILL NO. 3137-26

ORDINANCE NO. 332X-26

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI AND APPROVING A FINAL PLAT FOR WHISPERING CREEK FARMS SUBDIVISION

WHEREAS, the City of Smithville received an application for rezoning 4200 NE 144th Street and a Single Phase Final Plat for 32 lots entitled Whispering Creek Farms on June 12, 2026; and

WHEREAS, the public was notified by publishing in the CT paper and notices mailed to adjoining property owners on July 22, 2026 as required by state law.

WHEREAS, a Public Hearing was conducted before the Planning Commission on August 11, 2026 concerning changing the zoning of the land from Ag to A-R in accordance with the Whispering Creek Farms Final Plat; and

WHEREAS, a Public Hearing was also conducted before the Planning Commission on August 11, 2026 concerning a Single-Phase Final Plat for Whispering Creek Farms subdivision on the same land; and

WHEREAS, the Commission postponed the hearing until October 13th for the developer to complete a full Traffic Study and consider amending the plat to 28 lots, where a second hearing was conducted; and

WHEREAS, a Development Agreement for timing of public improvements was presented that allowed the proposed plat to meet development standards; and

WHEREAS, the Planning Commission recommended that the Single Phase Final Plat for Whispering Creek Farms subdivision, subject to the Development agreement's terms, be approved; and

WHEREAS, the Planning Commission presented its' findings to the Board of Aldermen, attached as Exhibit A, and recommended approval of the rezoning request and approval of the Whispering Creek Farms Final Plat attached as Exhibit B; and,

WHEREAS, the required Development Agreement is attached as Exhibit C.

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, 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 property legally described as:

A Tract Of Land In The East Half Of Section 31, Township 53 North, Range 32 West And The West Half Of Section 32, Township 53 North, Range 32 West In Smithville, Clay County, Missouri Being Described As Follows; Beginning At The Northeast Corner Of Lot 1, Whispering Creek Farms, A Subdivision In Smithville, Clay County, Missouri; Thence N00°40'11"E, Along The East Line Of Lot 1, Reardon Farms, A Subdivision Of Land In Clay County, Missouri, A Distance Of 740.72 Feet; Thence N00°40'53"E, Continuing Along Said Line, A Distance Of 471.28 Feet To The Northeast Corner Of Said Lot 1; Thence N88°58'06"W, Along The North Line Of Said Lot 1, A Distance Of 116.22 Feet To The Southeast Corner Of Lot 1, MVP Estates, A Subdivision In Clay County, Missouri; Thence N00°17'20"E, Along The East Line Of Said Lot 1, MVP Estates And The East Line Of Lot 2, Golden Acres, A Subdivision In Clay County, Missouri And The East Line Of Lot 1, Winterfell Highlands, A Subdivision In Clay County, Missouri, A Distance Of 1615.23 Feet To The Northeast Corner Of Said Lot 1, Winterfell Highlands And The Northwest Corner Of The Southeast Quarter Of The Northeast Quarter Of Said Section 31; Thence S89°21'58"E, Along The North Line Of Said Southeast Quarter Of The Northeast Quarter And The South Line Of Keck Addition, A Subdivision In Clay County, Missouri And Its Westerly Prolongation Thereof, A Distance Of 1310.45 Feet To The Northeast Corner Of Said Southeast Quarter Of The Northeast Quarter And The Southeast Corner Of Said Lot 2, Keck Addition; Thence S00°06'02"E, Along The East Line Of Said Southeast Quarter Of The Northeast Quarter, A Distance Of 364.85 Feet; Thence S89°20'49"E, A Distance Of 1313.30 Feet To A Point On The East Line Of The Southwest Quarter Of The Northwest Quarter Of Said Section 32 And The West Line Of Green Briar Estates, A Subdivision In Clay County, Missouri; Thence S00°06'54"W, Along The East Line Of Said Southwest Quarter Of The Northwest Quarter And The West Line Of Said Green Briar Estates, A Distance Of 942.82 Feet To The Southeast Corner Of Said Southwest Quarter Of The Northwest Quarter; Thence S00°24'54"W, Continuing Along The West Line Of Said Green Briar Estates And Along The West Line Of Lot 2, Cooper Acres 2006, A Subdivision In Clay County, Missouri And Along The East Line Of The Northwest Quarter Of The Southwest Quarter Of Said Section 32, A Distance Of 1306.31 Feet To The Southwest Corner Of Said Lot 2; Thence N89°32'50"W, A Distance Of 1314.55 Feet To A Point On The West Line Of The Southwest Quarter Of Said Section 32; Thence S00°37'48"W, Along The West Line Of The Southwest Quarter Of Said Section 32, A Distance

Of 1270.59 Feet To A Point On The North Right Of Way Line Of Ne. 144th Street; Thence N89°18'01"W, Along Said Right Of Way Line, A Distance Of 60.00 Feet To The Southeast Corner Of Lot 1, North Star, A Subdivision Of Land In Clay County, Missouri; Thence N00°37'48"E, Along The East Line Of Said Lot 1, A Distance Of 785.14 Feet To The Northeast Corner Of Said Lot 1; Thence N89°18'04"W, Along The North Line Of Said Lot 1 And The North Line Of Lot 1, Michbeau Acres, A Subdivision Of Land In Clay County, Missouri, A Distance Of 1109.63 Feet To A Point On The Easterly Line Of Lot 1 Of Said Whispering Creek Farms; Thence N06°09'40"W, Along The Easterly Line Of Said Lot 1, A Distance Of 276.54 Feet To The Point Of Beginning.

is hereby changed from County Ag to A-R.

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. That the Development agreement for Whispering Creek Farms subdivision in substantially the form attached hereto as Exhibit A and incorporated into this ordinance as if fully set forth herein, is approved and the appropriate official of the City is authorized to execute the same on behalf of the City.

Section 4. That the Final Plat for Whispering Creek Farms Subdivision attached hereto as Exhibit B is hereby approved.

Section 5. That the Development Agreement for this subdivision is attached hereto as Exhibit C.

PASSED THIS 3rd DAY OF NOVEMBER 2026

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 10/20/2026

Second Reading 11/03/2026

Exhibit A

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicants: Whisper Creek Farms LLC

Land Use Proposed: A-R

Zoning: County Ag

Property Location: Approximately 4200 NE 144th Street

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 predominately single-family residential housing on varying sizes of lots, from 1.23 acres to well over 10 acres. This land will connect with an existing county subdivision with 3-5 acre lots to the east and north, larger lots ranging from 9.98 acres to 37 acres on the north, with several lots in the 12–19-acre sizes on the east and two more on the south.
2. *Consistency with the City's Comprehensive Plan and ordinances.*
The existing Comprehensive Plan was approved on November 10, 2020. The area adjacent (to the west) of the subject property is Mt. Olivet/Monterey Estates that lies just beyond several 12-19 acre lots (and two lots under 5 acres) that face Mt. Olivet Rd. The area of the city limits most closely connected with the subject development is low density residential approved in 2024. The subject property is proposed to be low density residential. It matches the general area of the plan and area significantly..
3. *Adequacy of public utilities and other needed public services.*
The property is accessible to all utilities and other public services and the development is required to construct connections to those utilities and services, so they are all adequate.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*
The current use is undeveloped County Ag, agricultural. It is surrounded completely with lots or parcels ranging from 1.23 acres to 37.96 acres, all with single family homes located on the lots. The

average of all of the lots in the general area is between 5 and 10 acres. The suitability of 158 acre lots is extremely limited and is not the highest and best use of the property. The highest and best use is large lot (3 acres +) development.

5. *Length of time the property has remained vacant as zoned.*
The property was zoned to the existing county zoning with no changes while all the surrounding property has changed zoning to some form of residential lots on much smaller parcels.
6. *Compatibility of the proposed district classification with nearby properties.*
The proposed district is specifically the same or similar as most of the adjacent existing uses.
7. *The extent to which the zoning amendment may detrimentally affect nearby property.*
No statutory detrimental effects are anticipated to the adjacent property values.
8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*
No significant detrimental effects are anticipated to adjacent properties, so no disproportionately great loss is expected.
9. That in rendering this Finding of Fact, testimony at the public hearings on August 11, 2026 and October 13, 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 County Ag to A-R, is governed by Section 400.550 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 rezoning the property to A-R.

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into this ____ day of _____, 2026, by and between **WHISPER CREEK FARMS, LLC**, ("Developer") and **THE CITY OF SMITHVILLE, MISSOURI**, a Missouri Municipal Corporation ("City") as follows:

WHEREAS, Developer plans on developing its proposed subdivision known as Whispering Creek Farms located on County Parcels 06-703-00-01-016.00 and 06-704-00-04-047.00 near the northeast corner of Mt. Olivet Rd. and 144th Street in an area proposed agricultural or low density residential (.33 D.U. per acre) in accordance with the Comprehensive Plan. The Single-Phase Final Plat proposes 32 lots on land to be zoned A-R for single-family houses on approximately 158 acres for a density of .20 units per acre; and

WHEREAS, the City will make certain requirements for off and on site improvements if said land is developed as a single-family subdivision; and

WHEREAS, it is in the best interest of both parties to enter into an agreement as to what improvements and obligations under the city's subdivision code will be required of Developer; and

WHEREAS, this Agreement is necessary to provide for the safety, health and general welfare of the public and to provide for the orderly development of City.

NOW, THEREFORE, in consideration of the foregoing recitals and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The terms of this agreement apply to the following property and all portions thereof to be in a subdivision called Whispering Creek Farms, Phase II, the legal description

of which is set forth on the attached Final Plat for Whispering Creek Farms, Phase II as shown on Exhibit A attached hereto.

2. Water. It is recognized that the development will require extension of waterlines from various locations upon full buildout to improve fire flows and waterline pressures for the development and the surrounding properties' and, therefore the parties agree that the Developer will, at their sole cost and expense, construct or have constructed all such waterlines required for the subdivision based upon design plans and water model requirements to meet DNR requirements, Fire District and Clay County Water Supply District #9 approval.

3. Streets. That the City recognizes that the size of the development (32 lots) does not require a full TIS under our current standards. Nevertheless, developer, in association with the Clay County Highway Department, completed a traffic safety analysis due to the fact that all roads from the new development exit onto a county road. This analysis includes a brief report that analyzes the impact to 144th Street traffic. Based upon that safety analysis, the applicant must install a standard intersection ahead warning sign with a flashing beacon and 25 MPH advisory speed for westbound traffic on 144th Street, east of the proposed entrance from Whispering Creek Drive. The developer also provided a full Traffic Impact Study for the Planning Commission and it agreed with the safety analysis.

At the request of the Clay County Road and Bridge Director, Tom Degenhardt, the Developer agrees to the requirements in the language below, and must also include this language within the Conditions, Covenants and Restrictions of the Homeowner's Association to ensure perpetual maintenance obligations as follows:

"The Homeowners Association ("HOA") hereby agrees to install, operate, and maintain the flashing beacon traffic warning sign at the location approved by the County. The HOA shall

be solely responsible for all costs associated with the design, permitting, installation, utility service, operation, inspection, maintenance, repair, and replacement of the flashing beacon and all related equipment. The HOA shall maintain the beacon in good working order and in compliance with the current editions of the Manual on Uniform Traffic Control Devices (MUTCD), applicable Missouri Department of Transportation (MoDOT) standards, and all County requirements. The County shall have no responsibility for the maintenance, operation, or replacement of the flashing beacon. Should the HOA fail to properly maintain or repair the beacon within a reasonable time after receiving written notice from the County, the County may, at its sole discretion, perform the necessary work or remove the flashing beacon if it determines the installation presents a safety concern or is no longer warranted, and the HOA shall reimburse the County for all costs incurred. The HOA acknowledges that the County retains full authority over the public right-of-way and reserves the right to require modification, relocation, or removal of the flashing beacon if future roadway improvements, changes in traffic conditions, or engineering judgment determine such action to be in the public interest."

Developer shall also be responsible for all the costs and expenses associated with construction of all street's interior streets in the development and meet the city standards in existence at the time of construction. This includes the subgrade preparation, followed by 8" of asphalt, 24' wide, without curbs and gutters. No sidewalks will be required per code given the lot frontage lengths exceed 200'. This standard will also be required on that portion of Black Oak Drive lying just east of the city limits from the property line to the current county road end.

All intersections and ends of road shall have streetlights installed, for a total of 8 such streetlights as per the city's codes. Developer shall coordinate installation of street lights with the local electric provider. Prior to final approval, street signs at all intersections, as well as a stop sign at 144th and Whispering Creek Drive will also be required in accordance with the City's Street Sign Policy. All lots will be required to have concrete driveway approaches with culverts approved by the City spanning all open ditches in accordance with the city's non-commercial driveway standards.

4. Stormwater. The parties agree that the development will be required to design and construct all necessary infrastructure required to meet the then existing city standards for stormwater control at its' own cost and expense. Such construction will be in accordance with the approved stormwater study, and construction plans must be reviewed for compliance with such study.

5. Sanitary Sewers. The parties agree that the development will be allowed to construct septic systems for each lot as public sanitary sewers are not available and no building permit for any lot can be issued without a Health Department Septic System Permit.

6. Parks. The parties agree that the Parkland dedication requirements of the city code will not be met by any parkland dedications for this subdivision. As a result, the development will be required to pay \$625.00 for each lot at the time of filing the Final Plat of any of the lots. (32 lots will require \$20,000.00 park fees in lieu of dedication at final plat)

7. The parties agree that except as specifically noted herein, execution of this Agreement in no way constitutes a waiver of any requirements of applicable City Ordinances with which Developer must comply and does not in any way constitute prior approval of any future proposal for development or approval of construction plans required herein.

8. All work agreed to be performed by Developer in this Agreement shall be done only after receiving written notice from City to proceed. Notice to proceed shall not be given by the City until final construction plans have been approved by the city. The recording of any final plat shall only occur in accordance with city ordinances.

9. In the event of default in this Agreement by either party, it is agreed that either party shall be entitled to equitable relief to require performance by the other party as well as for any damages incurred by the breach, including reasonable attorney fees.

10. This Agreement shall constitute the complete agreement between the parties and any modification hereof shall be in writing subject to the approval of both parties.

11. Any provision of this Agreement which is not enforceable according to law will be severed and the remaining provisions shall be enforced to the fullest extent permitted by law.

12. The undersigned represent that they each have the authority and capacity of the respective parties to execute this agreement.

13. This agreement shall not be effective until: (1) signed by both parties and (2) approved by an ordinance duly enacted by the Board of Aldermen of Smithville, Missouri.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date first above written.

THE CITY OF SMITHVILLE, MISSOURI

By _____
Mayor

ATTEST:

City Clerk

Whisper Creek Farms, LLC

By _____
Managing Member

STATE OF MISSOURI)

COUNTY OF CLAY) ss.
)

On this ____ day of _____, 2026, before me, the undersigned Notary Public, personally appeared _____, to me known, and who, being by me duly sworn, did say that he/she is the Managing Member, and said instrument was signed and sealed on behalf of said Whisper Creek Farms, LLC and he/she acknowledges said instrument to be the free act and deed of said Whisper Creek Farms.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Clay County, Missouri, on the day and year last written above.

Notary Public

My Commission Expires:



STAFF REPORT

July 31, 2026

Rezoning of Parcel Id's # 06-703-00-01-016.00 & 06-704-00-04-047.00

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address:	Approximately 4200 NE 144 th Street
Owner:	Whisper Creek Farms LLC
Current Zoning:	County Ag
Proposed Zoning:	A-R

Public Notice Dates:

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

GENERAL DESCRIPTION:

The applicant submitted an application proposing to rezone approximately 158 acres +/- from County Ag to A-R. The proposed zoning classification allows for large lots (not less than 3 acres) to allow septic systems to be installed for the area.

EXISTING ZONING:

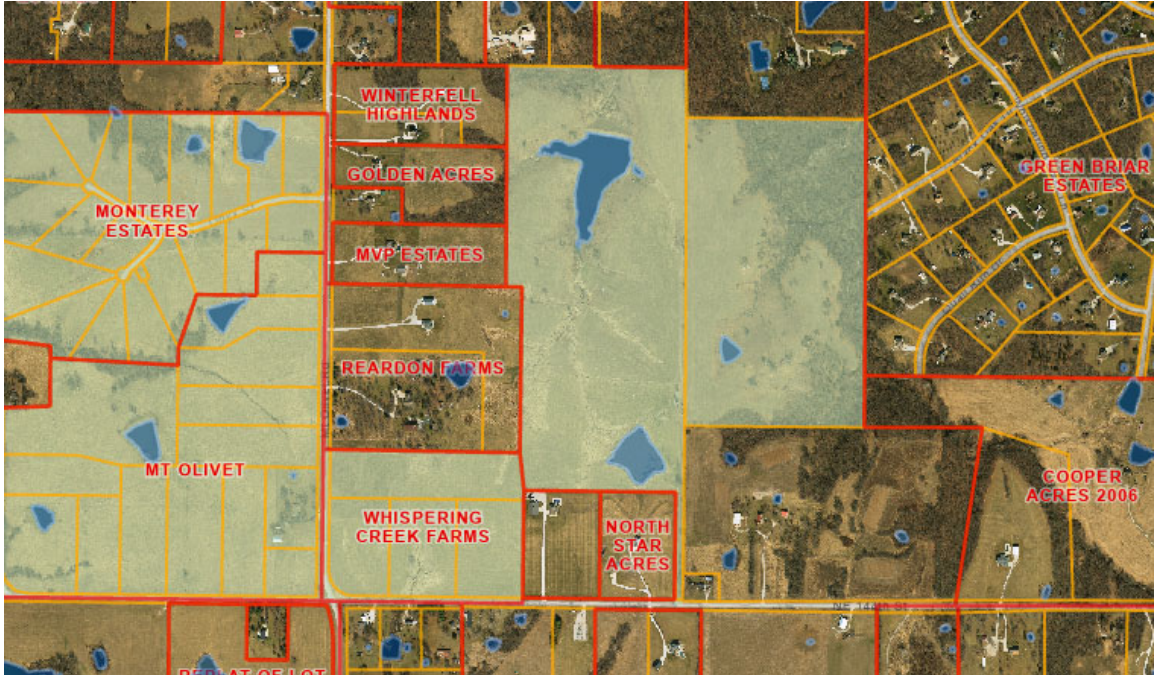
The existing zoning predates the annexation into the city limits and is County Agricultural.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is predominately single-family residential housing on varying sizes of lots, from 1.23 acres to well over 10 acres. This land will connect with an existing county subdivision with 3-5 acre lots to the east and north, larger lots ranging from 9.98 acres to 37 acres on the north, with several lots in the 12–19-acre sizes on the east and two more on the south.

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

The existing Comprehensive Plan was approved on November 10, 2020. The area adjacent (to the west) of the subject property is Mt. Olivet/Monterey Estates that lies just beyond several 12-19 acre lots (and two lots under 5 acres) that face Mt. Olivet Rd. The area of the city limits most closely connected with the subject development is low density residential approved in 2024. The subject property is proposed to be low density residential. It matches the general area of the plan and area significantly.



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

Streets:

Streets in the area are county-maintained Collector streets, which are adequate for the proposed additional traffic.

Water, Sewer and Storm water

The city does not have water or sewer in the area, but Clay County Water Supply District has water service available for the applicant to use, with all construction costs upon the developer. No sewers are available in the area, and all lots are currently septic systems. Stormwater is subject to any improvements in accordance with an approved stormwater study if and when the vacant land develops. Any 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 County Ag, agricultural with lots or parcel adjacent to it ranging from 1.23 acres to 37.96 acres, with the average of all of the lots between 5 and 10 acres. The suitability of 158 acre lots is extremely limited and is not the highest and best use of the property. The highest and best use is large lot (3 acres +) development.

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

The property was zoned agricultural in Clay County and nearly all of the land around the land has already developed with housing on various large lot sizes.

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

The proposed district is the same or similar as the existing adjacent uses.

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



STAFF REPORT

August 3, 2026 and updated **October 8, 2026**

Platting of Parcel Id's 06-703-00-01-016.00 & 06-704-00-04-047.00

Application for a Plat Approval

Code Sections:

425.285.A.4

Single Phase Final Plat Approval

Property Information:

Address:	4200 NE 144 th Street
Owner:	Whisper Creek Farms LLC
Current Zoning:	County Ag
Public Notice Dates:	July 22, 2026
185' Notices:	July 22, 2026

GENERAL DESCRIPTION:

The property is currently undeveloped, with a County Ag zoning designation. It is surrounded by developed single-family residences on varying lot sizes. Applicant seeks to construct a single-family subdivision in city zone district A-R with a total of 32 lots. 30 Lots would access 144th Street and two would access Black Oak Drive in Green Briar Estates. The overall average lot size would be 4.94 acres, ranging from 3 acres to 14.72 acres.

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:

- 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.***

b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. **Yes. HN3.1 Encourage additional residential units near existing residential uses to strengthen the neighborhoods of Smithville.**

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, since the area is a former crop field, the grading will be minimal, and the usable existing trees and desirable natural growth will be preserved or maintained.**

(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. **Yes, large to very large lots provide sufficient lot width.**

(5) Adequate lot depth for outdoor living space. **Yes, and will provide funds to improve the nearest city parks.**

(6) Generally regular lot shapes, avoiding acute angles. **Yes, to the extent practicable with cul de sac lots.**

(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, and no offsite improvements are needed in accordance with the approved TIS**

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, at the developer's sole cost and 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 subdivision design uses the existing topography and any needed detention will be separately designed and approved in accordance with the storm study prior to final construction plan approval.**

h. Each lot in the plat of a residential development has adequate and safe access to/from a local street. **Yes.**

i. 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 surrounded by similar county development and is an infill project.

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.

Annexed in early 2026.

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 all needed facilities.**

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, applicant has agreed to improve the end of Black Oak Dr. and install signage with a permanent maintenance provision at the request of the County Highway Engineer.**

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat conditioned upon execution of the development agreement.

Respectfully Submitted,

Director of Development



R.L. Buford & Associates Engineering, LLC

LAND SURVEYORS – CIVIL ENGINEERS – DEVELOPMENT CONSULTANTS

OFFICE: 201 MAIN STREET, SUITE 6, PARKVILLE, MO 64152

MAILING: PO BOX 14069, PARKVILLE, MO 64152

(816) 741-6152

Whispering Creek Farms, 2nd Plat

Traffic Impact Study

September 4, 2026

Prepared for:
Whispering Creek Farms, LLC

Prepared by:
Lindsay Vogt, PE



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Appendix

Figure 1 Turning Movement Counts (Existing + Proposed)

Turning Movement Counts – Raw Data

Approved Traffic Safety Memo

Introduction

This document was prepared to analyze the potential traffic impacts of the proposed Whispering Creek Farms development in Smithville, Missouri. The site is located on NE 144th Street just east of Mt. Olivet Rd. This development will have access on NE 144th Street for 30 homes as well as another access on Black Oak Drive for 2 homes on the northeast portion of the site.

Existing Conditions

NE 144th Street is a local street with no shoulders and no pavement markings, and a posted speed limit of 35 MPH. Mt. Olivet Road is collector street with a posted speed limit of 45 MPH. AADT data was obtained from Clay County Road and Bridge Department and outlined below in Table 1.

Table 1: AADT (2026)

AADT	DAILY
NE 144 th St.	141
Mt. Olivet Rd.	1495

Peak Hour intersection turning movements counts were collected at the intersection of NE 144th St. at Mt. Olivet Rd. in traffic observation conducted on August 19th, 2026 and summarized in Table 2. More detailed traffic counts are included in the Appendix.

Table 2: Peak Hour Counts

Movement	AM	PM
Eastbound NE 144 th St.	5	17
Westbound NE 144 th St.	7	4
Northbound Mt. Olivet Rd.	41	88
Southbound Mt. Olivet Rd.	50	78

Sight Distance

Sight Distance at the new proposed intersection of NE 144th St. at Whispering Creek Farms was studied in a previous analysis that was approved by the Clay County Road and Bridge Department. That analysis is included in the appendix.

Proposed Conditions

Whispering Creek Farms is a proposed development of 32 single family homes located in Smithville, Missouri. There will be one new access point for the development on NE 144th Street, with a stop sign on Whispering Creek Drive. Additionally, There will be a dynamic warning sign installed at the intersection to warn Southbound and Eastbound drivers of any approaching Westbound vehicles.

Trip Generation

Using the 12th edition of the ITE Trip Generation Manual, we have estimated the new trips that will be generated by the proposed Whispering Creek Farms. Land Use Code 210 was used for the Single-Family homes and divided into two separate access points. The estimated AM and PM Peak Hour traffic volumes are shown below in Table 3.

Table 3: Trips Generated, Peak Hour

USE	Intensity	Daily	AM			PM		
ITE 210		Total	Total	In	Out	Total	In	Out
Single Family Detached - NE 144 th St.	30	273	21	6	15	28	17	11
Single Family Detached - Black Oak Dr.	2	18	1	0	1	2	1	1

Trip Distribution

Based on our observations of the intersections in the area and existing traffic flows, we have determined the trip distribution for this development. We have assumed that 100% of the trips will be entering and exiting the development from the west. Of those trips coming from the intersection of Mt. Olivet @ 144th Street, we have assumed that 45% will be Northbound, 45% will be Southbound and 10% will be Eastbound. The proposed trips have been added to the existing peak hour turning movement counts and are displayed in Table 4.

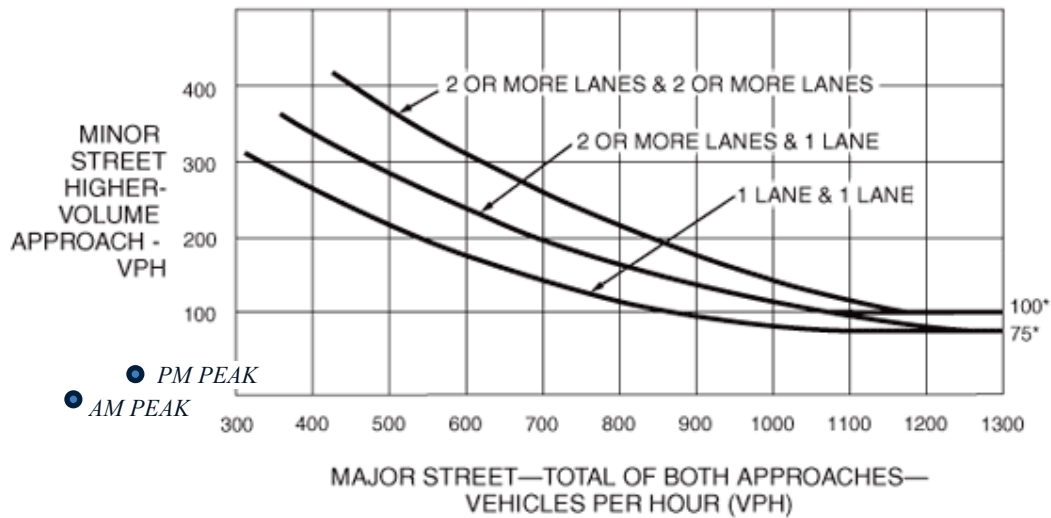
Table 4: Peak Hour Counts, Proposed

Movement	AM	PM
Eastbound NE 144 th St.	6	19
Westbound NE 144 th St.	22	15
Northbound Mt. Olivet Rd.	43	96
Southbound Mt. Olivet Rd.	53	85

Traffic Signal Warrants

The need for traffic signals was evaluated using the Manual on Uniform Traffic Control Devices Chapter 4C and MoDOT EPG Section 902.3. Using the proposed peak hour counts, there will not be enough traffic volumes at the intersection of Mt. Olivet Rd. @ 144th St. to satisfy Warrant 4C, peak hour warrant.

Figure 4C-4. Warrant 3, Peak Hour (70% Factor)
(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)



*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.

Crash History

Crash history was reviewed for the NE 144TH St and Mt. Olivet intersection as well as NE 144th St. from Long Road to Mt. Olivet Road using the State of Missouri STARS reporting system from January 1, 2023 through January 1, 2026.

- Mt. Olivet @ NE 144th St.:
 - 2023: 2 Property Damage Only crashes in Daylight.
 - 2024: No crashes
 - 2025: No crashes
- NE 144th St.:
 - 2023: No crashes
 - 2024: No crashes
 - 2025: No crashes

Capacity Analysis

A capacity analysis in accordance with Highway Capacity Manual (HCM) methodologies, indicates that the single-lane, Two-Way Stop-Controlled (TWSC) intersection of NE 144th St. and Mt. Olivet Rd. operates under excellent free-flowing conditions and possesses immense reserve capacity, maintaining an optimal overall Level of Service (LOS) A across all studied scenarios. Under existing conditions, low

conflicting traffic volumes allow major-street movements to flow unimpeded while minor-street drivers encounter negligible delay. Incorporating the proposed peak hour counts introduces a minor traffic adjustment that results in zero operational degradation, as stop-controlled drivers on NE 144th St. continue to benefit from immediate, abundant gaps to safely turn onto or cross Mt. Olivet Rd. A 20-year future scenario was simulated utilizing a standard 2.0% annual compound growth rate. Even with this long-term volume expansion, the major-street traffic density remains low enough that the calculated capacity of the stop signs far exceeds peak demand. Consequently, this confirms that the intersection will retain its LOS A conditions indefinitely.

Conclusion

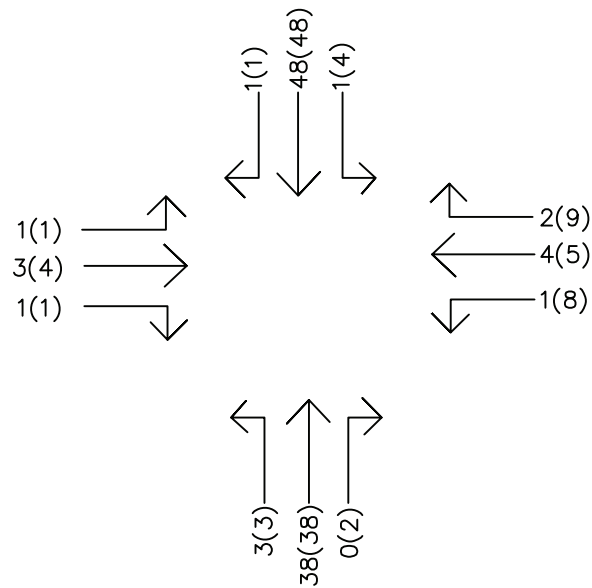
This study examined the potential impacts associated with the proposed Whispering Creek Farms residential development at the intersections of NE 144th St. @ Whispering Creek Drive and NE 144th St. @ Mt. Olivet Rd. Other than the signage improvements approved by Clay County Road and Bridge, no further capacity or safety improvements are warranted at this time.

Please contact us if you have any questions or require further information.

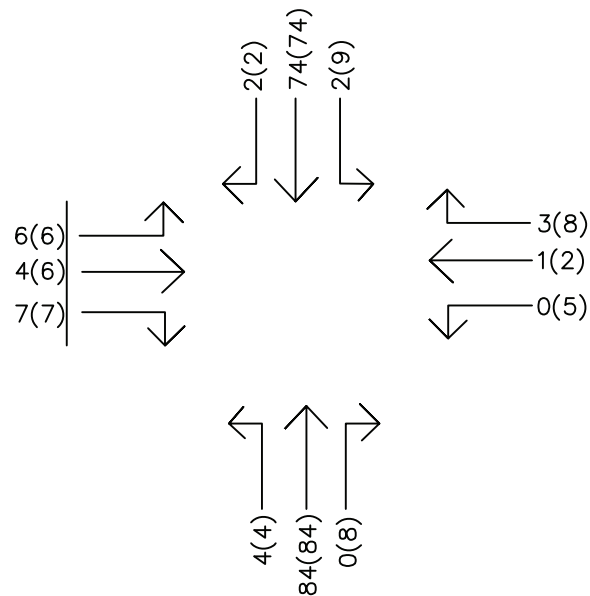
Appendix

FIGURE 1 WHISPERING CREEK FARMS TURNING MOVEMENT COUNTS

AM PEAK HOUR NE 144TH ST. @ MT. OLIVET RD.



PM PEAK HOUR NE 144TH ST. @ MT. OLIVET RD.



EXISTING (PROPOSED)

NE 144th St & Mt Olivet Rd - TMC

Wed Aug 19, 2026

Full Length (7 AM-9 AM, 4 PM-6 PM)

All Classes (Vehicles)

All Movements

ID: 1425284, Location: 39.354068, -94.538383

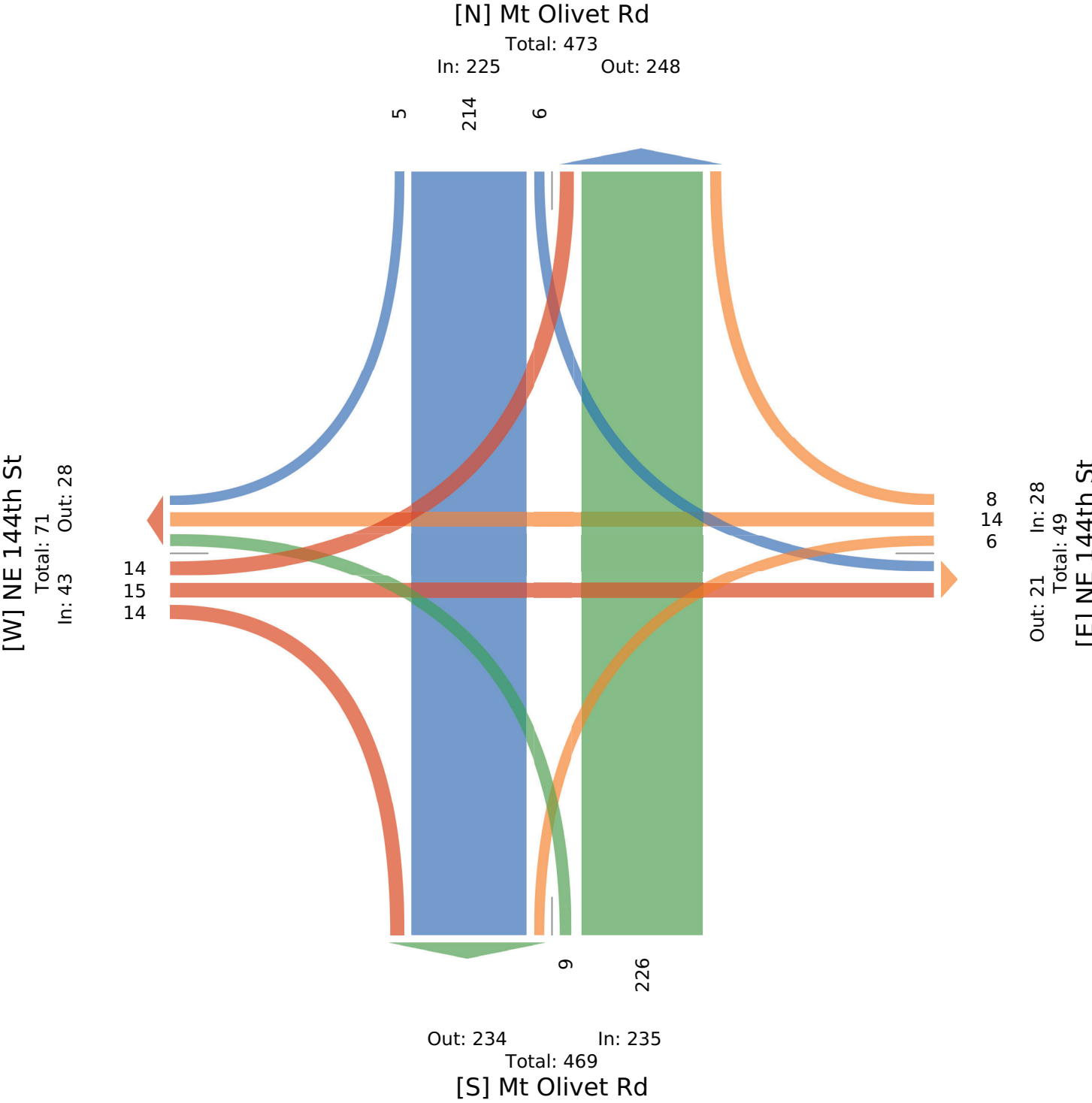


Provided by: Gewalt Hamilton Associates Inc.
625 Forest Edge Drive, Vernon Hills, IL, 60061, US

Leg Direction	Mt Olivet Rd Southbound					NE 144th St Westbound					Mt Olivet Rd Northbound					NE 144th St Eastbound					
Time	R	T	L	U	App	R	T	L	U	App	R	T	L	U	App	R	T	L	U	App	Int
2026-08-19 7:00AM	1	13	0	0	14	0	0	1	0	1	0	10	0	0	10	1	0	1	0	2	27
7:15AM	0	12	0	0	12	1	1	0	0	2	0	8	1	0	9	0	1	0	0	1	24
7:30AM	0	13	1	0	14	1	2	0	0	3	0	12	2	0	14	0	1	0	0	1	32
7:45AM	0	10	0	0	10	0	1	0	0	1	0	8	0	0	8	0	1	0	0	1	20
Hourly Total	1	48	1	0	50	2	4	1	0	7	0	38	3	0	41	1	3	1	0	5	103
8:00AM	0	8	1	0	9	1	1	1	0	3	0	7	0	0	7	1	0	0	0	1	20
8:15AM	0	10	0	0	10	0	0	1	0	1	0	12	0	0	12	0	0	0	0	0	23
8:30AM	0	11	0	0	11	1	1	0	0	2	0	10	0	0	10	0	0	0	0	0	23
8:45AM	0	8	1	0	9	0	2	2	0	4	0	12	0	0	12	2	0	3	0	5	30
Hourly Total	0	37	2	0	39	2	4	4	0	10	0	41	0	0	41	3	0	3	0	6	96
4:00PM	0	9	0	0	9	0	1	0	0	1	0	12	0	0	12	0	0	2	0	2	24
4:15PM	1	27	0	0	28	0	2	0	0	2	0	16	0	0	16	0	4	1	0	5	51
4:30PM	1	6	0	0	7	1	0	1	0	2	0	18	1	0	19	1	2	1	0	4	32
4:45PM	0	13	1	0	14	0	2	0	0	2	0	17	1	0	18	2	2	0	0	4	38
Hourly Total	2	55	1	0	58	1	5	1	0	7	0	63	2	0	65	3	8	4	0	15	145
5:00PM	0	16	1	0	17	0	0	0	0	0	0	28	2	0	30	4	1	2	0	7	54
5:15PM	0	15	0	0	15	0	0	0	0	0	0	22	1	0	23	1	1	1	0	3	41
5:30PM	0	20	1	0	21	2	1	0	0	3	0	19	1	0	20	0	1	3	0	4	48
5:45PM	2	23	0	0	25	1	0	0	0	1	0	15	0	0	15	2	1	0	0	3	44
Hourly Total	2	74	2	0	78	3	1	0	0	4	0	84	4	0	88	7	4	6	0	17	187
Total	5	214	6	0	225	8	14	6	0	28	0	226	9	0	235	14	15	14	0	43	531
% Approach	2.2%	95.1%	2.7%	0%	-	28.6%	50.0%	21.4%	0%	-	0%	96.2%	3.8%	0%	-	32.6%	34.9%	32.6%	0%	-	-
% Total	0.9%	40.3%	1.1%	0%	42.4%	1.5%	2.6%	1.1%	0%	5.3%	0%	42.6%	1.7%	0%	44.3%	2.6%	2.8%	2.6%	0%	8.1%	-
Vehicles	5	214	6	0	225	8	14	6	0	28	0	226	9	0	235	14	15	14	0	43	531
% Vehicles	100%	100%	100%	0%	100%	100%	100%	100%	0%	100%	0%	100%	100%	0%	100%	100%	100%	100%	0%	100%	100%

*L: Left, R: Right, T: Thru, U: U-Turn

NE 144th St & Mt Olivet Rd - TMC
Wed Aug 19, 2026
Full Length (7 AM-9 AM, 4 PM-6 PM)
All Classes (Vehicles)
All Movements
ID: 1425284, Location: 39.354068, -94.538383



NE 144th St & Mt Olivet Rd - TMC

Wed Aug 19, 2026

AM Peak (7 AM - 8 AM)

All Classes (Vehicles)

All Movements

ID: 1425284, Location: 39.354068, -94.538383

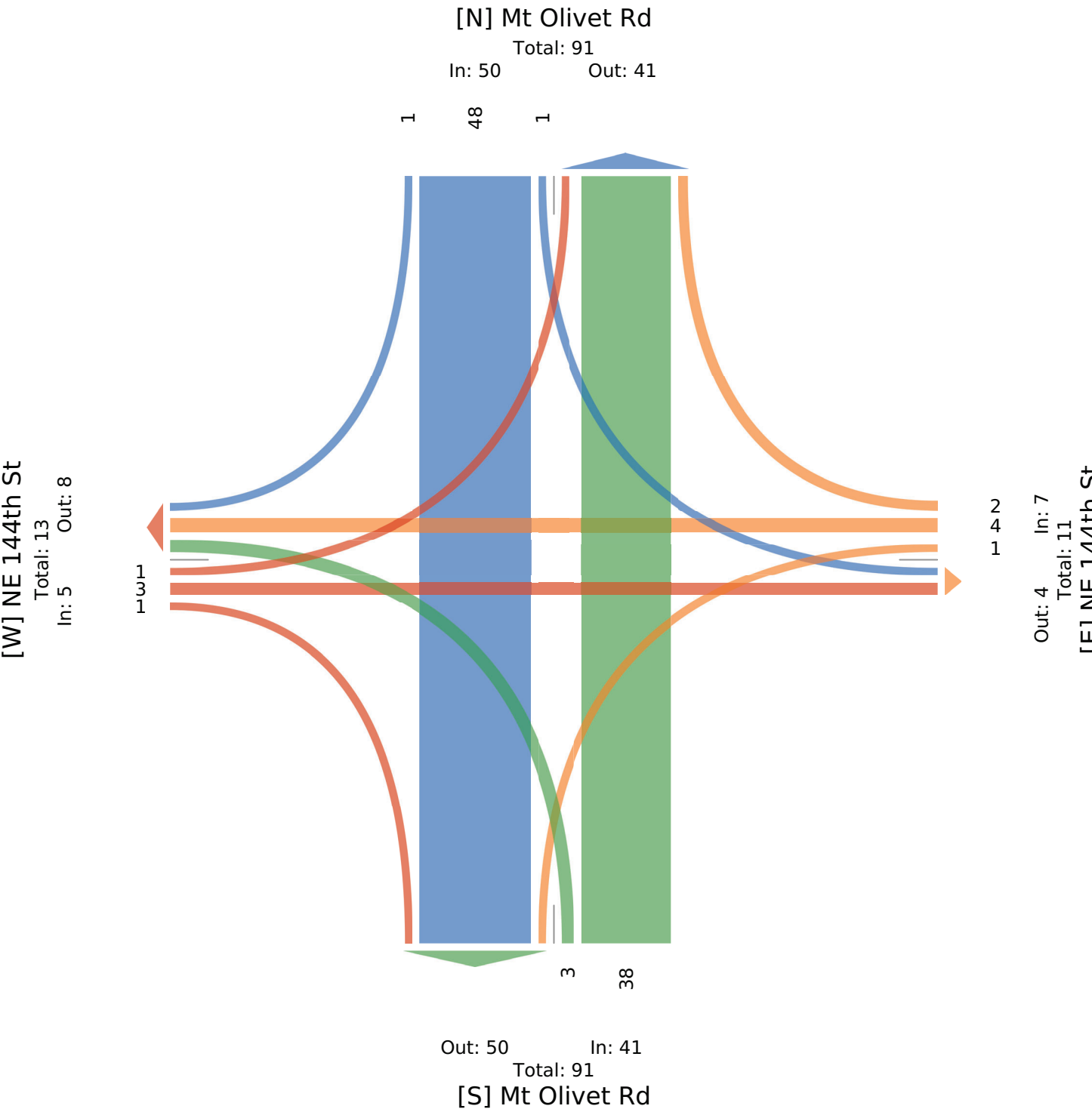


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7:15AM	0	12	0	0	12	1	1	0	0	2	0	8	1	0	9	0	1	0	0	1	24
7:30AM	0	13	1	0	14	1	2	0	0	3	0	12	2	0	14	0	1	0	0	1	32
7:45AM	0	10	0	0	10	0	1	0	0	1	0	8	0	0	8	0	1	0	0	1	20
Total	1	48	1	0	50	2	4	1	0	7	0	38	3	0	41	1	3	1	0	5	103
% Approach	2.0%	96.0%	2.0%	0%	-	28.6%	57.1%	14.3%	0%	-	0%	92.7%	7.3%	0%	-	20.0%	60.0%	20.0%	0%	-	-
% Total	1.0%	46.6%	1.0%	0%	48.5%	1.9%	3.9%	1.0%	0%	6.8%	0%	36.9%	2.9%	0%	39.8%	1.0%	2.9%	1.0%	0%	4.9%	-
PHF	0.250	0.923	0.250	-	0.893	0.500	0.500	0.250	-	0.583	-	0.792	0.375	-	0.732	0.250	0.750	0.250	-	0.625	0.805
Vehicles	1	48	1	0	50	2	4	1	0	7	0	38	3	0	41	1	3	1	0	5	103
% Vehicles	100%	100%	100%	0%	100%	100%	100%	100%	0%	100%	0%	100%	100%	0%	100%	100%	100%	100%	0%	100%	100%

*L: Left, R: Right, T: Thru, U: U-Turn

NE 144th St & Mt Olivet Rd - TMC
Wed Aug 19, 2026
AM Peak (7 AM - 8 AM)
All Classes (Vehicles)
All Movements
ID: 1425284, Location: 39.354068, -94.538383



NE 144th St & Mt Olivet Rd - TMC

Wed Aug 19, 2026

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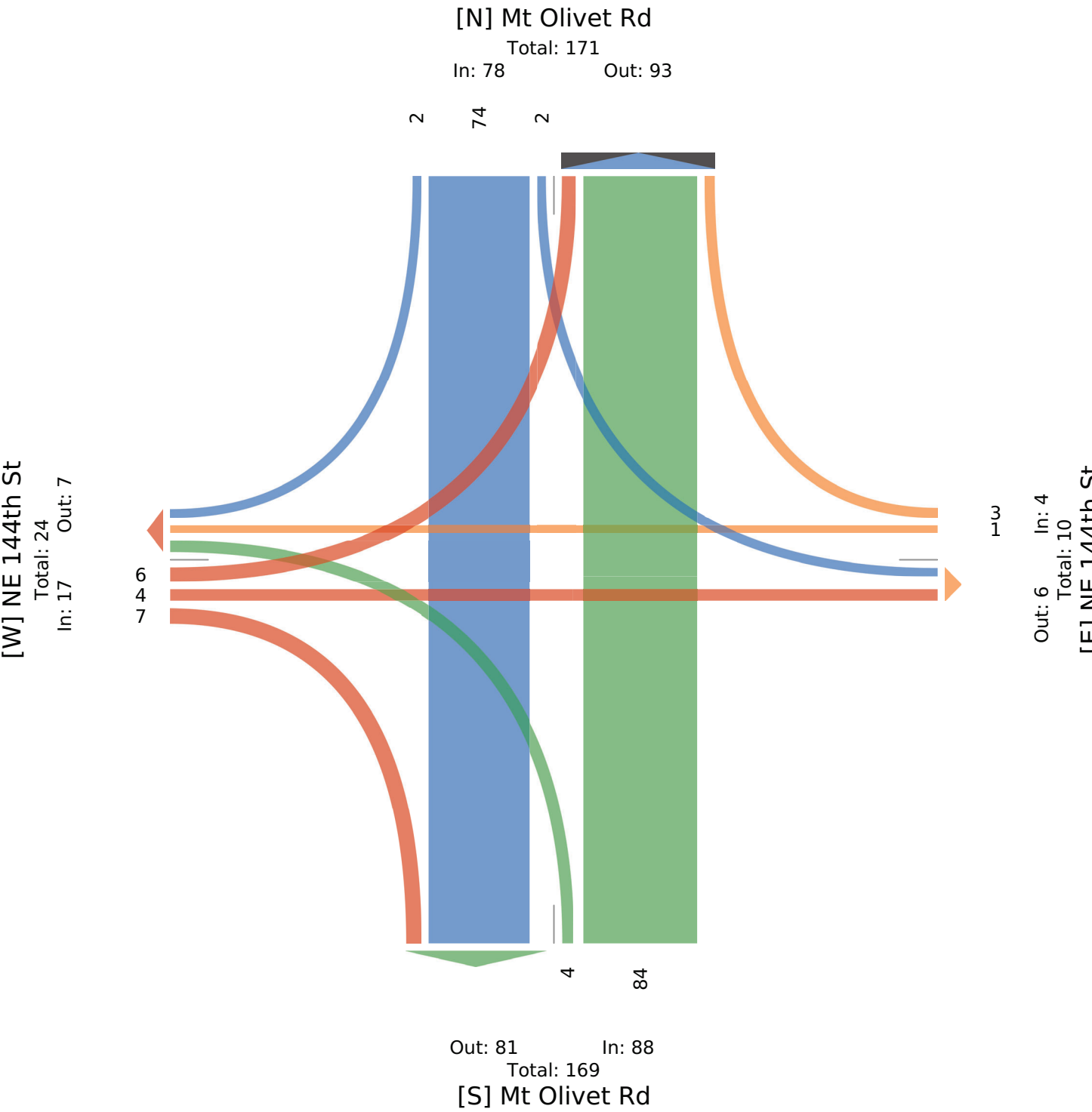


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750MP	0 20 1 0 21	2 1 0 0 r	0 19 1 0 20	0 1 r 0 L	L3
75L7MP	2 2r 0 0 27	1 0 0 0 1	0 17 0 0 17	2 1 0 0 r	LL
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% NhLs	1bl% r9b% 1bl% 0% L1p%	1b% 0b% 0% 0% 2bl%	0% LLb% 2bl% 0% Lpb%	rbp% 2bl% rb% 0% 9bl%	-
M/F	0b270 0b30L 0b700 - 0p30	0brp7 0b270 - - 0brr	- 0bp70 0b700 - 0brr	0br3 1b000 0b700 - 0b60p	0b66
o evmsec	2 pL 2 0 p3	r 1 0 0 L	0 3L L 0 33	p L 6 0 1p	13p
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NE 144th St & Mt Olivet Rd - TMC
Wed Aug 19, 2026
PM Peak (5 PM - 6 PM) - Overall Peak Hour
All Classes (Vehicles)
All Movements
ID: 1425284, Location: 39.354068, -94.538383





R.L. Buford & Associates Engineering, LLC

LAND SURVEYORS – CIVIL ENGINEERS – DEVELOPMENT CONSULTANTS

OFFICE: 201 MAIN STREET, SUITE 6, PARKVILLE, MO 64152

MAILING: PO BOX 14069, PARKVILLE, MO 64152

(816) 741-6152

DATE: July 27, 2026

TO: Tom Degenhardt, PE, LS, PTOE
Road and Bridge Director
Clay County Road and Bridge

FROM: Lindsay Vogt, PE

RE: Whispering Creek Farm
Development, NE 144th St.
Traffic Safety Analysis



Whispering Creek Farm is a proposed development of 30 single family lots on NE 144th St. near Mt. Olivet Rd. in Smithville, Missouri. The proposed entrance to the subdivision is just west of a vertical curve, which could cause some sight distance concerns for the traffic entering and exiting the development. The traffic along NE 144th St. is estimated to be less than 100 vehicles per day. According to the 12th Edition of ITE TripGen, this development would be generating approximately 136 entering trips and 137 exiting trips per day.

The developer wishes to make this entrance safe for all vehicles, with the main concern being westbound vehicles on NE 144th St. not having adequate time to slow down if a car was turning right onto westbound 144th St. from Whispering Creek Farm or turning left from eastbound 144th st into Whispering Creek Farm. According to our preliminary design, the intersection sight distance for the new proposed entrance to Whispering Creek Farm does not satisfy the requirements for the posted speed of 35 MPH as displayed in the table below. However, it does meet the requirements for stopping sight distance at 35 MPH. Both requirements are satisfied with the proposed advisory speed of 25 MPH.

Sight Distance: 144th St. @ Whispering Creek Farm

	Stopping Sight Distance	Intersection Sight Distance	Intersection Sight Distance (Right Turn)
Design/Measured	276'	290'	290'
Required 35 MPH	250'	390'	335'
Required 25 MPH	155'	280'	240'

To help increase the safety of these movements, we would propose the installation of warning signs when this entrance is constructed. Those signs would be maintained by the Homeowners' association and would require routine testing to ensure the safety and accuracy of the warning system. We propose a standard intersection ahead warning sign with a flashing beacon and 25 MPH advisory speed for westbound 144th St. Additionally, we would recommend the installation of a dynamic warning sign

visible to both eastbound 144th vehicles turning left and southbound Whispering Creek Farms vehicles exiting the development. This sign would include either induction loops in the pavement or a video camera system to detect the westbound vehicles.

It is our belief that this intersection can be safely constructed with the combination of the intersection advisory signs, advisory speed of 25 MPH, and dynamic warning system.



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