



## **City of Smithville, Missouri**

### **Board of Aldermen - Work Session Agenda**

**Tuesday, February 6, 2024**

**6:30 p.m. – City Hall Council Chambers and Via Videoconference**

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Anyone who wishes to view the meeting may do so in real time as it will be streamed live on the City's FaceBook page.

For Public Comment via Zoom, please email your request to the City Clerk at [ldrummond@smithvillemo.org](mailto:ldrummond@smithvillemo.org) prior to the meeting to be sent the meeting Zoom link.

- 1. Call to Order**
- 2. Discussion of Record Retention and Scanning of Documents**
- 3. Discussion of South Overlay District**
- 4. Adjourn**

Join Zoom Meeting

<https://us02web.zoom.us/j/89763078040>

Meeting ID: 897 6307 8040

Passcode: 266270



<b>Date:</b>	February 6, 2024
<b>Prepared By:</b>	Linda Drummond, City Clerk
<b>Subject:</b>	Discussion of Record Retention and Scanning of Documents

The City keeps administrative, fiscal and legal records as required by the State of Missouri Revised Statutes Chapter 109. The Secretary of State's Office publishes a records retention manual which establishes minimum retention periods for the administrative, fiscal and legal records created by local governments. Some records are permanent while others must be kept for various lengths of time. When non-permanent records have reached their retention date, the State recommends those records be destroyed by certified shred. Staff annually attempts to complete review of records for retention. Sometimes workloads or staffing levels delay that review.

A record is a record, regardless if it is in paper or scanned electronic format. The city is allowed to determine the "official" format of its records be it the original submitted document or a scanned version. Scanned documents may be a format the City can choose to use as an official document for many records. Historical records such as minutes, adopted budgets, Ordinances and Resolutions must be maintained in physical form and may also be maintained in scanned electronic form. All other City records maybe be maintained in the scanned electronic form and the physical form destroyed in accordance with its policy.

Currently documents are stored in filing cabinets taking up significant space in City facilities. Staff have been diligently working to scan in documents from these filing cabinets for quicker access. Allowing scanned documents as official documents would free up physical space and allow for easier access. Document management service is another possibility for scanning and storage of documents. There is a cost for this service, and it would have to be part of the budget discussion.

Other cities have adopted a set of policies, procedures and activities needed to manage their recorded information. Staff is reviewing other city's policies to help in creating a policy for all City documents following State Statutes RSMo. 109.200-310 and the Missouri Secretary of State's Board and Local Government Records Retention Schedules. Staff will bring this policy forward for review at a future Board of Aldermen meeting.

<b>Date:</b>	January 31, 2024
<b>Prepared By:</b>	Jack Hendrix, Development Director
<b>Subject:</b>	169 South Employment Center Overlay District RFQ

The Board of Aldermen completed a public engagement Strategic Planning process in 2019. That process identified five strategic pillars for the city with associated action items. One of those items was to update the City's Comprehensive Plan for development. That process involved retaining the same consultant that assisted with the strategic plan to assist with the Comprehensive Plan. The consultant kicked off the public engagement process in January 2020, with plans to begin significant public meetings on each of the five pillars near the end of March of 2020. That was shut down by Covid-19, but the consultant pivoted to a completely new process that was focused on various on-line processes. Because of the shift in everyone's work-from-home dynamics due to the lockdown, the city saw significant citizen input and activity throughout the remainder of the process.

As a result of this work, the Planning Commission adopted and the Board of Aldermen approved the Comprehensive Plan 2030 as a policy guide for development. Since adoption, staff, the Planning Commission, and the Board of Aldermen have undertaken and completed several of the action items outlined in the Comprehensive Plan 2030. The plan recommended the development of three new Overlay Districts in the Future Land Use Plan. These overlay districts are intended to provide guidance for future development, encourage uses to bolster the local economy, and achieve the community's vision for specific areas of the city.

Overlay Districts are defined as geographic areas that serve as helpful tools on Land Use Maps to provide additional visioning for future development in the area. Our zoning ordinance describes Conceptual Plan Overlay Districts as the tool to implement these overlays. Once a district is created, a conceptual plan document must be reviewed and approved prior to any construction.

Overlays work in two distinct ways:

First, a private developer may seek to develop land with variances from the uses allowed in the underlying district, or as to lot sizes, public street frontage, clustering of buildings, etc., or any combination of those items. A private developer **MUST** submit their request for an Overlay District with a Conceptual Plan document. That document will include the lot layouts, the uses intended, and can even include the building design and landscaping standards. If the plans are detailed enough to contain the building, landscaping and buffering requirements, development is permitted without obtaining

separate Site Plan approval first. It is required that the conceptual plan identifies those aspects of the zoning code that will be modified to authorize development patterns that are technically not allowed in the underlying district. These Conceptual plans provide both a visual example of proposed changes, as well as other written provisions (in tables or notes) that further define changes that are to be authorized. The most common patterns changed relate to the required street frontage or even the existence of a public street (versus a private street) and density and setback requirements.

In addition to overlay districts that begin with a conceptual plan document by a private developer, overlay districts can be created by the city without providing a conceptual plan. This method allows the city to identify changes to the Future Land Use Map that could be allowed in the district, including authorizing residential, commercial, office and even some aspects of light industrial uses in areas not otherwise approved for such uses. It could include changes to the site plan ordinance by allowing different landscaping or buffering requirements within the district. Any of these variances can be based upon the type or scope of employment opportunities the use might create. This second method would likely resemble an ordinance like the *Peculiar, Missouri example* attached. Before development would then be allowed, the owner/developer would then submit its Conceptual Plan document that incorporates the amendments authorized by the Overlay District itself. In order to obtain approval, this Conceptual Plan must comply with the approved Overlay District regulations, and otherwise fulfill the submission requirements for conceptual plans above.

Action Item B.E.3.2 of the Strengthened Business and Economic Development Pillar of the Comprehensive Plan 2030 encourages the City to “Establish a Zoning Overlay District in the 169 South Character area on the west side of Hwy 169 for which commercial uses are allowed if they meet the key priority industry criteria or metrics.”



This city-directed overlay district will require that future conceptual plans be provided by developers of land in the area that show how these city goals are to be met. The developer will use the City's overlay plan to inform development of conceptual plans of

private development upon some or all the land located within the overlay. The City's overlay district will be in the form of an ordinance that lays out the specific variations to the underlying district(s) that will be allowed, and the terms upon which those variations can be authorized.

The Board of Aldermen has approved the FY2024 budget, which includes funding to hire a consultant to assist the city in identifying and drafting the terms needed in the 169 South Employment Overlay District. A copy of the proposed RFQ document is attached for your review and comments. Upon approval of the RFQ, the document will be placed open to the public for submission.

It is anticipated that the request will be open for 30 days, (February 7 to March 1) followed by a review of the submissions by a committee that includes both staff and Board representatives of both the EDC and the Planning Commission. Following review, that committee will conduct interviews with the top submissions in order to identify a firm to enter into negotiations with for a scope of services and consultant contract. It is anticipated that a recommended contract would come to the Board of Aldermen for approval at a March meeting.

**C / J HIGHWAY DESIGN PLANNED DISTRICT  
Peculiar, Missouri**

**Revised Draft**

**June 6, 2018**

**Chapter 400 – Zoning Regulations**

**Article IV: Districts**

**Section 400.495 – District “C / J Highway” Design Overlay.**

Section 400.495 C/J Highway Design Overlay

- A. General Provisions
- B. Development Pattern and Structure
- C. Uses
- D. Site Design
- E. Overlay Table

**A. General Provisions**

A.1.Intent

The intent of this overlay and its guidelines are:

- a. To guide the pattern and design of development adjacent to the interchange and along C and J Highways, to reflect the character of the community.
- b. To coordinate site development with streetscape and street design requirements, whether the streetscape and street design types are existing, constructed in association with development, or planned as future city improvements.
- c. To coordinate development efficiently across adjacent sites including consideration for existing conditions and planned or anticipated development on these sites.
- d. Ensure that individual sites are developed in an efficient and coordinated manner, meeting the design requirements of this Section, and designed to most effectively meet the multiple purposes, intents, and design objectives of the various sub-sections.
- e. To ensure the over-all development of this district corresponds to the requirements outlined in Section 400.495.E Design Overlay Table.

A.2.Place Types

The City of Peculiar desires to provide goods and services to its residents and visitors to the community in this area through the following distinct Place Types.

- a. Regional Commercial – Commercial uses primarily engaged in the sale of household merchandise, specialty merchandise or general consumer products and typically involving between 10,000 and 100,000 square feet, or more, of gross leasable area. Large scale retail uses are characterized by a target market area that may be greater than 1-mile radius for the on-premise component of

its sales. Regional Commercial Centers may include service uses that provide support for adjacent residential uses or businesses which may involve more than 3,000 square feet of gross leasable area. Examples include copy centers, banks, or other similar services.

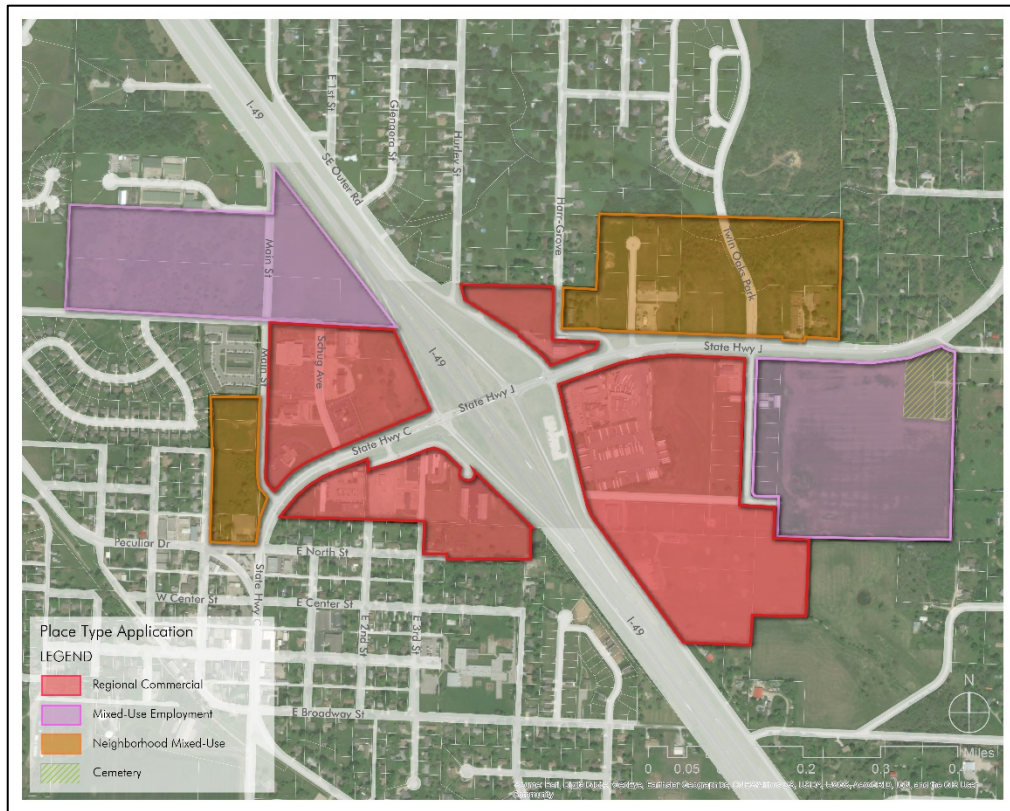
- b. Mixed-Use Employment – Office and light industrial development that creates a campus environment to connect multiple development sites into a cohesive setting and pattern.
  - Small Office - uses include those where individual units of gross leasable area are typically between 3,500 and 20,000 square feet, and where each owner or tenant typically employs between 20 and 100 employees on premises. Examples include large professional service offices such as accountants, architects, insurance, law, real estate, or other similar businesses.
  - Large Office - uses, or complexes, include individual units of gross leasable area may be more than 20,000 square feet in a single building or group of buildings, and each owner or tenant may typically employ more than 100 employees on premises. Examples include major professional service firms or large corporate offices.
  - Light Industrial - uses include those where byproducts such as smoke, odor, dust or noise are not discernable from outside the building in which it is located. Distribution and deliveries can occur from general consumer delivery services or limited commercial truck access. Examples include research labs or facilities, small electronics or computer assembly and manufacturing, furniture assembly.
- c. Neighborhood Mixed-use – small scale, commercial and service center engaged in the sale of household merchandise and general consumer products and typically involving between 2,000 and 5,000 square feet of gross leasable area, which can include residential as a secondary use. Neighborhood mixed use Centers are characterized by a target market area of less than ½ mile radius for most of its on-premise sales. An exception can be made for one anchor tenant or grocery store, of less than 45,000 square feet within a Neighborhood Mixed-use Center. Residential uses (loft style apartments/condos above business) will typically occur in a more dense manner within the development or at the edge of the development as a buffer to the surrounding neighborhood.

### A.3. Place Type Application

The place types are allocated for the interchange area according to the Place Type Map.

- a. Place Type Map





#### A.4. Planned Zoning.

C / J Highway Design Planned District is a planned zoning district that overlays and amends underlying zoning classifications. Any conflict between the standards and guidelines in this section and the underlying zoning shall be resolved in favor of this section. Applications under the C / J Highway Design overlay require submittal of sketch plans and development plans in accordance with the procedures and criteria for the "C-P district" and in Article XI.

### B. Development Pattern and Structure

#### B.1 Block Size

The block size defines the pattern and compactness of development and encourages walkability where the blocks are small.

- a. Small Block – blocks of 2.5 to 4 net acres in size.
- b. Medium Block – blocks of 4 to 6 net acres in size.
- c. Large Block – blocks 6 to 10 acres; larger only as limited exceptions or where internal access streets within the block mimic the A-street, B-street or C-street connections.

#### B.2. Street Type / Streetscape



The street type and streetscape design define the street network that shapes the public realm, and transitions and differences in street types help define distinct places.

- a. A Street. "A Streets" prioritize pedestrian activity and create value for buildings and business that front directly on them. In general "A Streets" shall have the following design features: Wide sidewalks (12'-20'); On-street Parking (8' parallel or 18' angled); Slow speeds (below 20mph target) and narrow travel lanes (10'); Frequent street trees planted in tree wells within sidewalks (25' to 40' on center); Seating area and other public amenities along the sidewalk or associated with businesses; and Frequent cross-walks in association with short blocks
- b. B Street. "B Streets" have a balance between all modes of transportation (cars, pedestrians, bicycles and transit) and promote access and connections to key places. In general, "B Streets" shall have the following design features: Sidewalks (6' – 10'); On-street parking (8' parallel where appropriate); Moderate speeds (20-30 mph) and travel lanes (10'-11'); Bicycle lanes where appropriate; and a landscape buffer (6'- 10') with street trees between the street and sidewalk (or in tree wells if on-street parking provides the buffer between vehicles and pedestrians)
- c. C Street. "C Streets" provide access throughout the areas, and support important land uses that require a higher degree of vehicle access and connections. Due to the difficult site designs and compromised streetscapes that result, these streets are typically on edges or secondary networks of more valuable places. In general, "C Streets" shall have the following design features: Sidewalks ((6'-10') or trail (10'+) where appropriate; Moderate to high speeds (25 – 40 mph) and moderate to wide travel lanes (11' – 12'); and a landscape buffer (10'+) with street trees or landscape berms between the sidewalk or trail and road.

### B.3.Civic Space/Landscape

Civic space and landscape design creates an extension of the public realm and establishes transitions between public spaces and private development. The design of these spaces can create gathering places, establish an aesthetic character for the area, and/or screen and buffer more intense elements of site or building designs.

- a. Formal Space - Formal spaces are primarily designed for people to gather and are designed with a high degree of pedestrian amenity and ornamentation. These spaces are small and strategically located, typically along important street frontages as an extension of the public right-of-way or as a focal point of surrounding blocks. They include landscape elements, but also have a significant amount of hardscape. Examples include courtyards, plazas or squares.
- b. Open Space – Open spaces are primarily designed to promote an aesthetic character or buffer or screen elements of a site from adjacent areas, and are designed with a high degree of landscape amenity. These spaces are incorporated into sites for either ecological or aesthetic functions. Examples

include buffers, berms, tree or landscape islands, greens or any natural storm water BMP.

- c. Campus Space – Campus spaces are larger-scale and coordinated landscaped areas designed to tie together larger and more dispersed projects into a common theme. These spaces compliment the street network as an extension of the public realm and though accessible to bicycles and pedestrians, include a large amount of landscape amenity (which can be natural or formal). Examples include greens, trails and greenways, lawns and other landscaped or garden-like amenities.
- d. Natural Area – Natural areas are landscape areas preserved or restored for their natural or ecological function. These spaces are located based on inherent opportunity of the site but become an organizing element and amenity for surrounding development patterns. Examples include greenways, stream buffers, forested areas, or any natural storm water BMP.

## **C. Uses**

### **C.1. Scale of Use**

- a. Small Scale – uses that require less than 5,000 square feet of space.
- b. Medium Scale – uses that require between 5,000 and 60,000 square feet of space.
- c. Large Scale – uses that require more than 60,000 square feet of space.

### **C.2. Mix of Uses**

- a. Retail – use category is for businesses engaged in the exchange of merchandise for general consumers, and nature of the exchange generally requires frequent interactions with the clients, customers or patrons on the premises, where lots or buildings are primarily designed for exposure to the public-at-large.
- b. Services - Service uses include businesses engaged in the exchange of professional skills, advice, personal care or other resources, and the nature of the exchange generally requires frequent interactions with the clients, customers or patrons on the premises, and where lots or buildings may require access or exposure to the public-at-large.
- c. Employment - Employment uses include businesses engaged in administrative, clerical, professional operations and support, and light industrial/manufacturing where products or services are of the nature that generally, when compared to retail uses, do not require daily on-premise interactions with the clients, customers or patrons, and where lots and buildings are not primarily designed to maximize exposure to the public-at-large. Operations may require commercial vehicle access for distribution and deliveries.
- d. Civic – Civic uses include uses serving a broad and general public and community interest to enhance daily cultural, social or recreation opportunities for area landowners and residents. Civic uses may include uses that are either public and accessible to all citizens; common and accessible by rights

associated with ownership; or private and accessible by membership or general association.

- e. Residential - Residential uses include all types of dwelling units used for permanent residence, including a variety of lot types, building types, and unit types, that may vary in the kind and classes of buildings based on the character of the neighborhood.

## **D. Site Design**

### **D.1. Building Type / Orientation**

- a. Small Footprint – Small footprint buildings allow for compact development patterns that add vitality by placing a larger amount and wider variety of uses within close proximity to a key destination. In general, small-footprint buildings are no greater than 3,000 square feet (footprint), however a series of these buildings may be joined by common walls along a block face.
- b. Medium Footprint – Medium footprint buildings allow for a modest scale of development to support adjacent walkable areas and as a transition between intensive large scale commercial uses and neighborhoods within a community. In general medium-footprint buildings are between 5,000 and 30,000 square feet per floor. These buildings are typically single-story, but in some cases, can be multiple stories.
- c. Large Footprint – Larger footprint buildings accommodate destination uses. However due to the larger impact and difficult site design and building access and orientation challenges, these buildings need to be carefully sited to not disrupt urban design and development patterns of nearby areas. In general, large-footprint buildings are typically single story (or extended single story) and greater than 50,000 square feet.
- d. Street Front – Street-front building orientation over-rides conventional setbacks and places the building along the front lot line. This helps define the public realm and streetscape as important space, and adds activity and vitality to the streetscape with pedestrian activity. In general, Street-front building orientation includes the following design features: Front “build-to” line (0’ – 10’); Building frontage on at least 80% of the lot frontage/”build-to” line, except that up to 50% may be set back to provide outside civic space along the frontage; and Building orientation to the street (front entrance features and active street level uses).
- e. Enhanced Façade – Enhanced Facades create quality and visual interest along the building frontage and typically accompanies street-front building orientation. In general, enhanced facade design includes: Primary entrances (1 entrance at least every 50 linear feet); Transparency (at least 70% windows between 2’ and 10’ from street level; 25% - 40% on each story above street level); Limited blank wall space (walls with no windows and doors – no more than 30 linear feet and 600 s.f.); Pedestrian scale ornamentation and details – especially associated with primary entrances or to animate any “blank wall” space.

## D.2. Building Materials

All building shall be constructed according to the following materials standards. Material use by category, primary, secondary or trim/accent, as identified in Table D-2, will be dependent on the place type identified in sub-section A.2 and in accordance with the percentage specified in sub-sections D.2.a through D.2.d.

**Table D-2: Permitted Materials by Category**

<b>Permitted Materials by Category</b>	<b>Primary</b>	<b>Secondary</b>	<b>Trim / Accent</b>
Masonry			Any of the Primary or Secondary Materials may be used as a trim or accent material.
Brick, solid / modular	X	X	
Brick, veneer / overlay		X	
Stone	X	X	
Stucco, genuine	X	X	
Stucco, synthetic (EIFS)			
Concrete / CMU, detailed	X		
Concrete, plain / split faced		X	
Cement Fiber Board		X	
Metal			
Architectural		X	
Corrugated, lap, aluminum			
Glass			
Clear / Architectural	X	X	
Opaque / Mirror		X	
Wood			
Genuine		X	
Other synthetics			
Vinyl			X
Plastic			X

- a. Regional Commercial
  - 1. Principal / Enhanced Façades – will be designed with a minimum of 70% primary materials / 30% secondary materials.
  - 2. Other Facades - will be designed with a minimum of 60% primary materials / 40% secondary materials.
- b. Mixed-use Employment –
  - 1. Principal / Enhanced Façades – will be designed with a minimum of 70% primary materials / 30% secondary materials.
  - 2. Other Facades - will be designed with a minimum of 50% primary materials / 50% secondary materials.
- c. Neighborhood Mixed-use
  - 1. Principal / Enhanced Façades – will be designed with a minimum of 80% primary materials / 20% secondary materials.
  - 2. Other Facades - will be designed with a minimum of 60% primary materials / 40% secondary materials.

#### D.3. Parking and Access

- a. Restricted Access – no vehicular access is allowed along the block face, access is provided from a side street or rear alley / parking lot. Typically applied to A Streets.
- b. Limited Access – no more than one vehicular access point is allowed along the block face, additional access is provided from a side street, rear alley or adjacent B or C Street types.
- c. On-street Parking – parking along the block face within the right-of-way, can be parallel or angled depending on the size of the right of way. Typically, on-street parking is associated with A Street types to encourage a higher level of pedestrian connectivity.
- d. Secondary Parking – Parking that is behind the building. Parking may be accessed by a drive way from the block face or from a side street or adjacent street.
- e. Small Lot – a parking field that does not exceed 25 parking spaces, that may be in front of, beside or behind the building and extensively landscaped to buffer parking from view.

### E. Design Overlay Table

	Regional Commercial		Mixed-Use Employment		Neighborhood Mixed-Use	
Block Size						
Small Block	O		O		R	
Medium Block	P		P		D	
Large Block	O		L	must reinforce pattern of campus open space	D	
Street Type / Streetscape						
"A" Street	P		R	min. 10%	R	min 50%
"B" Street	P	15% to 50%	P	50% to 65%	O	max 50%
"C" Street	O	remainder	L	max. 40%	D	max 10%
Civic Space / Landscape						
Formal Spaces	O		O	mixed with open spaces and associated with high-activity buildings	R	small, and at least 1 on every block;
Open Space	R	for buffer/screening; min 15%	P	large areas / connectivity; min 5%	D	
Campus Space	O		P	create natural setting; min 15%	D	
Natural Area	P	for buffer/screening	O	protection/connectivity	L	for resource protection
Scale of Use						
Small Scale	L	at development entry	L	associated with formal open space and high-activity buildings	R	under 2,500 sq. ft.
-Medium Scale	P		P		L	One anchor tenant or grocery on B or C street
Large Scale	P		O		D	
Mix of Uses						
Retail	R	min 75%	L	max 20%; associated with formal open space and high-activity buildings	R	min 60%
Service	O	max 25%	O	max 20%	O	max 40%
Employment	D		R	min 60%	O	Max 25%



	Regional Commercial			Mixed-Use Employment			Neighborhood Mixed-Use		
Civic	L	max 10%		O	max 25%		P	min 10% - max 25%	
Residential	D			L	on perimeter of dev.		L	not of first floor; on perimeter of dev.	
Building Type / Orientation									
Small Footprint	L			P			R		
Medium Footprint	P			P			L		
Large Footprint	O			L			D		
Street Front	O			L	on "A streets"		R		
Enhanced Facade	O/P	P on "A" or "B streets"		O/P	P on "A" or "B streets" or any frontage on Campus Open Space		R		
Building Materials									
Façade Type		Principal / Enhanced	Other		Principal / Enhanced	Other		Principal / Enhanced	Other
Primary Materials		70%	60%		70%	50%		80%	60%
Secondary Materials		30%	40%		30%	50%		20%	40%
Parking / Access									
Restricted Access	P			P			R		
Limited Access	O			O			L	"C streets" only	
On-Street Parking	O	only on "A" streets		O			R/P	R on "A streets"; P on "B streets"	
Secondary Parking	O			O			L	Behind building or on perimeter of dev.	
Small Lot	O	Relates to size of dev.		P			R		

R = Required

P = Preferred

O = Optional

L = Limited

D = Discouraged

**RFO #24-07 PLANNING/DESIGN  
SERVICES 169 SOUTH EMPLOYMENT  
OVERLAY DISTRICT**

**THE CITY OF SMITHVILLE REQUEST FOR QUALIFICATIONS  
FOR THE FOLLOWING PROFESSIONAL SERVICE:**

Sealed Proposals for Qualifications for design and/or planning services for the creation of a city-created zoning overlay district ordinance in accordance with §400.200 of the code of ordinances. The Project consists of the following:

The City of Smithville is seeking a design or planning professional to assist with the creation of the 169 South Employment Overlay District (without a Conceptual Plan) ordinance in accordance with the City's Comprehensive Plan 2030.

The Scope of Services will more specifically include the following project improvements and tasks.

**SCOPE OF SERVICES**

Task 1. Professional Evaluation and Data assembly

1. Review the Comprehensive Plan 2030, the City's Zoning Code Section 400.200, census data and any other economic data or feasibility data necessary to create survey materials to present to the general public and stakeholder groups.
2. Review the general location of the subject overlay district to evaluate the feasibility of and basic conceptual layout of potential commercial and/or multifamily users including best practices to buffer any adjacent or existing uses from injurious impacts.
3. Evaluate the feasibility of various levels and types of mixed uses of commercial activities and high density residential that maximizes benefits for the city and its residents. These benefits may include, but are not limited to increases in employment opportunities, higher-paying jobs, and fiscal returns for the city.

Task 2. Public/Stakeholder Surveys

1. Conduct surveys of the general public to identify the anticipated employment related commercial activities at the site in accordance with the Future Land Use Map And the Comprehensive Plan 2030 recommendations for this Overlay District.
2. Conduct public meetings with the Economic Development Committee/Planning Commission/ Board of Aldermen to further clarify the type and level of commercial activity the site will support.

Task 3. Project Deliverables – Overlay District Exhibit

Provide an Overlay District exhibit that can be adopted by Ordinance that establishes criteria for making decisions on potential developments seeking a Conceptual Plan approval, including, but not limited to:

1. Identify commercial activities and employment types that best suit the area that provide the most benefit to the city and its' citizens.
2. Evaluate the types of commercial activities including standard mixed-use

buildings that include commercial activities on the ground floor; office parks or commercial office spaces; flex developments that may incorporate a mix of commercial and light industrial users that may foster the most benefit to the city and citizens.

3. Evaluate the densities available for the mixed-use nature of the project area, including the proposed number of dwelling units compared to the various types of commercial activities, including flex uses that may include light industrial.

#### PROJECT BACKGROUND:

The City of Smithville seeks professional guidance and input on creating its' first overlay district identified in its' Comprehensive Plan 2030 document. Overlay districts are geographic areas that serve as helpful tools on Land Use Maps to provide additional visioning for future development in the area. The city's Comprehensive Plan identifies approximately 350 acres in the southern portion of the city that is currently undeveloped as the location of the "169 South Employment Center" overlay. This Overlay should allow for residential and commercial growth in a key location of the city, while encouraging commercial activity on-site if it brings the community substantial community and economic benefits.

The city code (§400.200) authorizes the city to create overlay districts without simultaneously approving a Conceptual Development Plan. The intent of this project is to create the Planned Development Overlay Plan for the entire 350 acres, which would be used as a guide for future development on the site when conceptual plans are submitted. The future land use plan identifies this area as "Mixed-Use – High Density Residential" and defines High Density residential as 18-35 units per acre. This plan should identify the types of industries that may be located within the area and the density of housing units that the site can support in varying levels, depending upon the commercial uses identified.

The goal of this project is to create a document that can be used to evaluate future conceptual plans submitted for development.

#### INSTRUCTIONS TO BIDDERS

1. RFQs must be addressed to \_\_\_\_\_, 107 W. Main Street, Smithville, Missouri 64089, and be received before 3:00 P.M. on the date of closing.
2. Responses and anything pertaining to the RFQ should be in a sealed envelope. All RFQs must be sealed and marked on the outer envelope by RFQ number and date of closing. The only information we will read at the closing will be the vendors, contractors, or proposers who responded. The closing is at 3:00 P.M. on Friday, February 9, 2024, at City Hall.
3. Disabled persons wishing to participate in the RFQ closing and who require a reasonable accommodation may call the City at (816) 532-3897. A forty-eight-hour notice is required.
4. Any questions regarding this RFQ should be directed to Jack Hendrix, Development Director, 107 W. Main Street, Smithville, Missouri 64089; (816) 532-3897.

THE CITY OF SMITHVILLE RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS.

Signed:

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Finance Director

**CITY OF SMITHVILLE REQUEST FOR WRITTEN QUOTATIONS  
GENERAL INSTRUCTIONS AND CONDITIONS**

1. Written qualification statements, subject to the conditions listed below and any special conditions set forth in the attached specific Proposal, will be received by the City of Smithville, 107 W. Main Street, Smithville, Missouri 64089, until the closing.
2. The City reserves the right to accept or reject any and all proposals and/or alternatives and to waive technicalities, and to accept the offer that the City considers to be the most advantageous.
3. The City of Smithville is exempt from payment of Missouri Sales and Use Tax in accordance with Section 144.010 et seq. R.S.MO 1969 and is exempt from payment of Federal Excise Taxes in accordance with Title 26 United States Code, Annotated.
4. The delivery date(s) or dates when work will start shall be stated in definite terms, as they will be taken into consideration when making the award.
5. The City reserves the right to cancel all or any part of any order(s) if delivery and/or service is not made or work is not started as guaranteed.
6. Any questions regarding this request may be addressed to \_\_\_\_\_,  
Finance Director, 107 W. Main Street, Smithville, Missouri 64089, (816) 532-3897.
7. The Consultant must affirm its enrollment and participation in a federal work authorization program with respect to the employees proposed to work in connection with the services requested herein Pursuant to 285.530 RSMo.

RFQ #24-07 PLANNING/DESIGN SERVICES  
169 SOUTH EMPLOYMENT OVERLAY DISTRICT  
ARTICLE I GENERAL INFORMATION

1. The Board of Aldermen of the City of Smithville, Missouri ("City") invites you to submit a written Statement of Qualifications to provide planning and/or design services as follows:

Task 1. Professional Evaluation and Data assembly

- A. Review the Comprehensive Plan 2030, the City's Zoning Code Section 400.200, census data and any other economic data or feasibility data necessary to create survey materials to present to the general public and stakeholder groups.
- B. Review the general location of the subject overlay district to evaluate the feasibility of and basic conceptual layout of potential commercial and/or multifamily users including best practices to buffer any adjacent or existing uses from injurious impacts.
- C. Evaluate the feasibility of various levels and types of mixed uses of commercial activities and high density residential that maximizes benefits for the city and its residents. These benefits may include, but are not limited to increases in employment opportunities, higher-paying jobs, and fiscal returns for the city.

Task 2. Public/Stakeholder Surveys

- D. Conduct surveys of the general public to identify the anticipated employment related commercial activities at the site in accordance with the Future Land Use Map And the Comprehensive Plan 2030 recommendations for this Overlay District.
- E. Conduct public meetings with the Economic Development Committee/Planning Commission/ Board of Aldermen to further clarify the type and level of commercial activity the site will support.

Task 3. Project Deliverables – Overlay District Exhibit

Provide an Overlay District exhibit that can be adopted by Ordinance that establishes criteria for making decisions on potential developments seeking a Conceptual Plan approval, including, but not limited to:

- F. Identify commercial activities and employment types that best suit the area that provide the most benefit to the city and its' citizens.
  - G. Evaluate the types of commercial activities including standard mixed-use buildings that include commercial activities on the ground floor; office parks or commercial office spaces; flex developments that may incorporate a mix of commercial and light industrial users that may foster the most benefit to the city and citizens.
  - H. Evaluate the densities available for the mixed-use nature of the project area, including the proposed number of dwelling units compared to the various types of commercial activities, including flex uses that may include light industrial.
2. The term "RFQ" means this Request for Qualifications; the term "Consultant", "Contractor", "Offeror", "Vendor", "Bidder", or "Proposer" refers to one who submits a SOQ in response to the RFQ.
  3. By submitting a SOQ, the Vendor agrees, to negotiate in good faith for such reasonable fees as is required to complete the project and if its proposal is accepted, to perform the Service

described in this RFQ in accordance with the terms and conditions contained herein.

4. Note: The Vendor is presumed to accept the RFQ requirements. The Vendor must raise any questions regarding the RFQ requirements no later than three (3) days prior to the Closing Date. In addition, the Vendor must list and outline, in their SOQ, any exceptions to the RFQ requirements and Contract requirements. The timeliness, nature and number of the exceptions taken by the Vendor are among the factors that the City will consider in selecting the successful Vendor.
5. Additional information and/or questions relating to this RFQ can be obtained by contacting Jack Hendrix, Director of Development 107 W. Main Street, Smithville, Missouri 64089; (816) 532- 3898.



## **ARTICLE II PROPOSAL INSTRUCTIONS**

### **RFQ PROPOSALS - CONTENTS AND SUBMISSION**

Proposals in response to this RFQ should include the following information:

1. Name, address, and telephone number of Proposer(s).
2. Three (3) copies of the SOQ must be addressed to \_\_\_\_\_, Finance Director, 107 W. Main Street, Smithville, Missouri 64089 and be received before 3:00 P.M. local time on Friday, February 9, 2024.
3. Proposed date for commencement of project.

#### **SUBMITTAL:**

The submittal should be organized in a manner that will convey all pertinent information. All submittals shall be organized in the following order, with listed requirements for each tab:

Tab A: Statement of Qualifications (SOQ) and relevant experience of your Project Manager and Key Task leaders assigned to the project. The statement of qualifications shall be limited to five (5) pages, single sided, using a 12-pitch font size.

Tab B: Client or project references for other similar planning projects that demonstrate the applicants' ability to perform this work.

The City is not responsible for any costs incurred in preparing or submitting a response to this RFQ.

Submittals that do not meet the requirements outlined in the RFQ may be deemed non-responsive by the City; and the City reserves the right to waive any and all requirements in this RFQ.

Any questions regarding this RFQ should be directed to Jack Hendrix, Director of Development either by phone at (816) 532-3898 or email at: [jhendrix@smithvillemo.org](mailto:jhendrix@smithvillemo.org). The last day for questions from prospective responders will be 5:00 PM Friday February 2<sup>nd</sup>, 2023.

#### **EVALUATION:**

The City will evaluate the responses to this RFQ relative to the Selection Criteria outlined below. The successful consultant will be the responsible offeror whose SOQ is determined to be the most advantageous considering the evaluation factors included in this RFQ. The successful consultant may be selected by the City at its sole discretion based exclusively on review of the submitted SOQ. At the City's sole discretion, a shortlist of two or more consultants may be requested to develop detailed proposals and/or interview prior to selection, augmenting the information provided in the SOQ.

After determining the most qualified respondent, the City will attempt to negotiate a contract. If the City is unable to negotiate a contract with the selected firm(s), the City will, in writing, end negotiations with that firm and proceed to the next firm in the order of the selection ranking until a contract is reached or all firms are rejected.

All SOQs will be evaluated in terms of the following scoring criteria. The relative weight of each selection criterion is provided in parentheses.

Project Manager Experience in terms of delivering projects of this nature and magnitude. (40%)

Key Staff Experience (35%)

Client and/or project references for at least the three most recent projects of similar character that demonstrate the PM and Key Staff experience to perform this project work. (10%)

Missouri Businesses and/or Disabled-Veterans in accordance with 34.073 and 34.074 R.S.Mo.

(5%) Schedule (5%)

Other

(5%)

#### ADDENDA

All changes, additions, and/or clarifications in connection with this RFQ will be issued by the City Development Director in the form of a written addendum.

#### AWARD OF THE CONTRACT

After the RFQs have been opened and duly considered, the successful firm will be asked to develop a scope of services and costs and this will be presented to the Board of Alderman for approval. The City of Smithville's standard contract will be provided.

#### HOLD HARMLESS CLAUSE

The Vendor awarded the contract from this RFQ agrees to save and hold harmless the City and its agents, servants, and employees of, and from, any and all liabilities, expenses, causes of action, damages and attorney's fees resulting, or to result, from any of the Vendor's businesses or operations resulting from any act or omission of the Vendor's agents, servants or employees.

#### OFFICIALS NOT TO BENEFIT

No regular employee or elected or appointed member of the City government or their immediate family shall benefit from or be a part of and/or share any or part of this contract, or to any benefit that may arise there from without notifying the City in the Response to the RFQ that a regular employee or elected or appointed member of the City government or their immediate family may benefit under the contract. No such identified regular employee or elected or appointed member of the City government shall participate in any decision, approval, disapproval, recommendation, or preparation of any part of a contract awarded pursuant to this RFQ.

#### GRATUITIES ILLEGAL TO ANY EMPLOYEE AND FORMER EMPLOYEES

It is unlawful for any person or business to offer, give or agree to give, to any employee of the City, or former employee of the City, to solicit, demand, accept or agree to accept from another person or business, a gratuity, offer of employment or anything of pecuniary value in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a contract requirement or a purchase request, influencing the content of any specification or procurement standard, rendering the advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any contract or subcontract, or to any RFQ thereof.

#### CO-PARTNERSHIP DISCLAIMER

It is mutually understood that nothing in this Request for Qualifications or subsequent contractual agreements is intended, or shall be construed, as in any way creating or establishing the relationship or co-partners between the parties; or as constituting the contractor as an agent or representative of the City for any purpose, or in any manner whatsoever.

#### NON-DISCRIMINATION IN EMPLOYMENT

Contract for Service under this RFQ obligates the Proposer not to discriminate in employment practices. Successful Proposer must be prepared to comply in all respects with all provisions regarding non-discrimination.

#### KICKBACKS ILLEGAL IN SUBCONTRACTING

It is unlawful for any payment, gratuity or benefit to be made by, on behalf of, or solicited from, a subcontractor under a contract to the prime contractor, or higher tier subcontractor, or any person associated therewith, as an inducement for the award of a subcontract to a contract of the City. Upon showing that a subcontractor made a kickback to a prime contractor, or a higher tier subcontractor in connection with the award of a subcontract or order there under, it shall be conclusively presumed that the amount thereof was included in the price of the subcontract, or order, and ultimately borne by the City, and will be recoverable hereunder from the recipient. In addition, that amount may also be recovered from the subcontractor making such kickbacks. Recovery from one offending party shall not preclude recovery from other offending parties.

## **ARTICLE III GENERAL TERMS AND CONDITIONS**

### **INSURANCE**

The Contractor shall purchase and maintain, at his expense, insurance of such types, and in such amounts as are specified in this announcement, to protect the City and contractor from claims which may arise out of or result from the contractor's operations under the contract documents, whether such operations be by the contractor or by any subcontractor or for anyone whose acts contractor or any subcontractor may be legally liable. Such insurance shall cover claims for damages because of bodily injury or death to the contractor's employees including claims brought under:

1. Worker's Compensation Laws
2. Disability Benefit Laws
3. Occupational Sickness or Disease Laws
4. Other similar employee benefit laws

Such insurance shall also cover claims for damages because of Personal Injury, bodily injury, sickness, disease or death of any person or persons other than contractor's employees, and claims arising out of destruction of property, including loss of use thereof.

Contractor must also carry liability insurance naming the following as "Additional Named Insured":

1. City of Smithville  
107 W. Main Street  
Smithville, MO 64089

Failure of the Contractor to maintain proper insurance coverage will not relieve Contractor of any contractual responsibility or obligations. If part of the Service is to be subcontracted, the Contractor shall either cover any and all subcontractors in Contractor's insurance policy or require each subcontractor not so covered, to obtain insurance of same type and with the same limits as the Contractor is required to carry. Any payment of an insured loss under policies of property insurance, including but not limited to, the insurance required shall be made payable to the City. Certificate of Insurance shall be provided and become effective upon execution of the Contract.

### **INSURANCE COVERAGE AND LIMITS OF COVERAGE REQUIRED**

1. Worker's Compensation – Statutory
2. Employer's Liability - \$1,000,000.00 each employee
3. General Liability - \$2,000,000.00 each occurrence
4. Property Damage - \$2,000,000.00 each occurrence

## AFFIDAVIT OF WORK AUTHORIZATION AND DOCUMENTATION

Pursuant to Section 285.530 RSMo., (enclosed in the laws section) the Bidder must affirm its enrollment and participation in a federal work authorization program with respect to the employees proposed to work in connection with the services requested herein by:

1. Submitting a completed, notarized copy of EXHIBIT 1 AFFIDAVIT OF WORK AUTHORIZATION, and
2. Providing documentation affirming the Bidder's enrollment and participation in a federal work authorization program (see below) with respect to the employees proposed to work in connection with the services requested herein.

E-Verify is an example of a federal work authorization program. Acceptable enrollment and participation documentation consists of the following two pages of the E-Verify Memorandum of Understanding (MOU): 1) a valid, completed copy of the first page identifying the Bidder and 2) a valid copy of the signature page completed and signed by the Bidder, the Social Security Administration, and the Department of Homeland Security – Verification Division.

## ADDITIONAL SERVICE AND CHANGE ORDERS

The Contractor will not be compensated for Service that is not required by the Contract and that is performed without the prior written approval of the City.

A request by the Contractor for a change order shall be submitted to the City in writing and must be approved by the City in writing before the Contractor proceeds with the Service that is the subject of the change order.

## BILLING

Contractor shall, unless otherwise specified in the Contract, submit monthly statements for services and/or goods provided and/or delivered to the City.

## TERMINATION

The Contract may be immediately terminated by the City if:

1. The Contractor defaults in the performance of any of its obligations under the Contract; or,
2. The City has documented receiving unsatisfactory services applicable to the Contractor's service or work performance;
4. A petition in bankruptcy or for reorganization under the Bankruptcy Code is filed by or against the Contractor, or an order is entered adjudicating the Contractor bankrupt or insolvent, or a trustee, receiver or custodian is appointed for the Contractor, or an assignment for the benefit of creditors of the Contractor is made.

## OVERALL REQUIREMENTS

Contract shall be governed by the laws of the State of Missouri. In the event of any litigation arising hereunder, venue shall be properly laid only in the State Circuit Court for Clay County, Missouri

The City shall not be obligated for any amounts in excess of the contract and/or RFQ response unless approved in advance by the City in writing.

The Contract is binding upon the parties, their partners, heirs, successors, assigns and legal representatives.

The Contractor and its subcontractors are independent contractors and are not the employees or agents of the City. Neither the Contractor nor any of its subcontractors shall represent to any person, firm, or corporation that it is an employee or agent of the City and neither shall have the right, authority or power to make or assume any obligation of any kind on behalf of the City or to bind the City in any manner.

The Contractor is prohibited from assigning, transferring, conveying, subletting, or otherwise disposing of this Contract, or any resultant agreement or its rights, title, or interest therein, or its power to execute such agreement, to any other person, company, or corporation, without the previous written approval of the City.

If provided, the Contractor shall return all keys, code cards, unused supplies, other project-related materials, and any other City property to the City upon completion of the contract.

Any contract let in response to this RFQ shall be deemed to incorporate all applicable Missouri Laws and regulations, including but not limited to those set forth in the Laws Section of this RFQ.

## CONFIDENTIALITY

All reports, documents and material developed or acquired by the contractor, as a direct requirement specified in the contract, shall become the property of the City. The contractor shall agree and understand that all discussions with the contractor and all information gained by the contractor as a result of the contractor's performance under the contract shall be confidential and that no reports, documentation, or material prepared as required by the contract shall be released to the public without the prior written consent of the City.



## EXHIBIT 1

STATE OF MISSOURI                    )  
  )  
ss COUNTY OF \_\_\_\_\_)

### AFFIDAVIT

(As required by Section 285.530, Revised Statutes of Missouri) As used in this Affidavit, the following terms shall have the following meanings:

#### EMPLOYEE:

Any person performing work or service of any kind or character for hire within the State of Missouri.

#### FEDERAL WORK AUTHORIZATION PROGRAM:

Any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or an equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, under the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603.

#### KNOWINGLY:

A person acts knowingly or with knowledge,

(a) With respect to the person's conduct or to attendant circumstances when the person is aware of the nature of the person's conduct or that those circumstances exist; or

(b) With respect to a result of the person's conduct when the person is aware that the person's conduct is practically certain to cause that result.

#### UNAUTHORIZED ALIEN:

An alien who does not have the legal right or authorization under federal law to work in the United States, as defined in 8 U.S.C. 1324a(h)(3).

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_,  
who, being duly sworn, states on his oath or affirmation as follows:

1. My name is \_\_\_\_\_ and I am currently President of \_\_\_\_\_ (hereinafter "Contractor"), whose business address is \_\_\_\_\_, and I am authorized to make this Affidavit.
2. I am of sound mind and capable of making this Affidavit, and am personally acquainted with the facts stated herein.
3. Contractor is enrolled in and participates in a federal work authorization program with respect to the employees working in connection with the following services contracted between Contractor and the City of Smithville, Missouri.
  1. Contractor does not knowingly employ any person who is an unauthorized alien in connection with the contracted services set forth above.

2. Attached hereto is documentation affirming Contractor's enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services.

Further, Affiant saith not.

\_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[Printed name]

Affiant Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
[Notary Public]

My Commission Expires \_\_\_\_\_

Commissioned in \_\_\_\_\_ County

Commission # \_\_\_\_\_

PLEASE NOTE:

Acceptable enrollment and participation documentation consists of the following two (2) pages of the E-Verify Memorandum of Understanding:

1. A valid, completed copy of the first page identifying the Contractor; and
2. A valid copy of the signature page completed and signed by the Contractor, and the Department of Homeland Security - Verification Division.

(It is preferred that the Bid Response use this Form, however, the City reserves the right to accept Bids which provide the necessary information without using this form)

**RFQ #24-07 PLANNING/DESIGN SERVICES  
169 SOUTH EMPLOYMENT OVERLAY DISTRICT**

I, \_\_\_\_\_, hereby representing  
(Agent Submitting RFQ)

\_\_\_\_\_, have read and reviewed the attached specifications.  
(Firm or Company)

I state the attached offer meets or exceeds all requirements. Please note that any Exhibits and all other required information must be attached.

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Authorized Person (Print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tax ID No.

\_\_\_\_\_  
E-Mail Address