

## SMITHVILLE PLANNING COMMISSION

### REGULAR SESSION

July 13, 2021

7:00 P.M.

Council Chambers

**A regular session of the Smithville Planning and Zoning Commission was held on July 13, 2021, at 7:00 p.m. at Smithville City Hall in the Council Chambers.**

**City Staff and Planning and Zoning Commission members attended via the Zoom meeting app and in person at City Hall. The meeting was streamed live on the city's YouTube page through YouTube Live.**

Those attending the meeting: Deb Dotson (in person), Alderman John Chevalier (zoom), Mayor Damien Boley (zoom), Dennis Kathcart (zoom), Connor Samenus (zoom), Chairman Rand Smith (in person), and Development Director Jack Hendrix (in person). Carmen Xavier was absent.

#### **1. CALL TO ORDER**

Chairman Rand Smith called the meeting to order at 7:00 p.m.

#### **2. MINUTES**

The June 8, 2021, Executive Session Meeting Minutes were moved for approval by MAYOR BOLEY, Seconded by DOTSON.

Ayes 4, Noes 0, Abstained 3 (Mayor Boley, Dennis Kathcart & Connor Samenus). Motion carried.

The June 8, 2021, Regular Session Meeting Minutes were moved for approval by MAYOR BOLEY, Seconded by DOTSON.

Ayes 5, Noes 0, Abstained 2 (Dennis Kathcart & Connor Samenus). Motion carried.

#### **3. STAFF REPORT**

HENDRIX reported:

We have issued 32 single family homes since January 1, 2021. We are starting to run out of lots. Because of the weather some of the new subdivisions that are under construction are behind.

The permit for Domino's Pizza has been issued and they are under construction at the strip mall at the Smithville Marketplace. We have received an application and the plans are under review for a dental office to be located on the north end of the same strip mall. A deli has also been in contact with us on what is required for a permit in the unit right next to Domino's Pizza.

The construction for Burger King is underway and going strong.

Attic Storage on the south end of town has pulled a permit for the first 2 storage buildings and we anticipate construction starting on those shortly.

KCI RV is under construction for its third building.

The Herzog Foundation is still under construction, and it is starting to look like a building. It still has a ways to go because it's a big, detailed building.

The second phase of First Park, which is an industrial subdivision, has multiple contractors working up there on streets, stormwater, water and sanitary sewer. One of the tenants that will be in that subdivision is the CPC of Missouri, a medical marijuana facility, and will be starting construction as well. By July 30<sup>th</sup> they anticipate moving forward.

Jack anticipates bringing forward in August an advertisement for a code change which will eliminate conflicts or confusion over our site plan ordinance. We will clarify what the intent is so there is no confusion in the future. Our current ordinance is 13-14 years old, and things have changed.

#### **4. KOZAK'S LAKETOWN GRILL SITE PLAN – STONEBRIDGE LN. TALLEY PLAZA LOTS 1-3**

HENDRIX stated that their original design and layout was approved back in October of 2019. There have been some tweaks and they presented those to city staff initially in March of 2020 and were hoping to get moving shortly after but then COVID happened, so they put this on hold for a while. They kept very busy during the pandemic. They now have a new plan with a different architect. It's roughly the same but it's significantly different as well. Everything submitted meets the standards in our code. The only issues that are outstanding and they are working on with the developer of the site is sanitary and storm water. We do not have any information on how they are going to upgrade those systems to make them work but they are aware of it and have engineers and architects on board and are working on it. From the standpoint of the plan that you have before you, staff recommends approval with the two below conditions:

1. Sanitary Sewer Plans to address the capacity deficit of the existing city sewers in the area are approved and constructed.
2. Storm water detention Plans (for either the restaurant or the entire development) are approved and constructed.

MAYOR BOLEY motioned to approve the Kozak's site plan conditioned upon the two conditions listed. Seconded by Samenus.

HENDRIX pointed out that the applicants Brian and Jackie Hove are present at tonight's meeting as well as their architect Brandi Atwell. So, if there are any questions please ask.

**DISCUSSION:** None

**THE VOTE:** SAMENUS-AYE, ALDERMAN CHEVALIER-AYE, SMITH-AYE, DOTSON-AYE, MAYOR BOLEY-AYE, KATHCART-AYE.

**AYES-6, NOES-0. MOTION PASSED**

## **5. CONTINUATION – HERZOG FOUNDATION SITE PLAN -- CABINS**

SMITH stated that he applauds those on this commission that desired to delay this until an amiable plan could be worked out with the city.

HENDRIX stated that at our June meeting there was not an agreement between the applicant and the city as to what adjacent infrastructure improvements would need to be made. The City recommended approval conditioned on those full infrastructure improvements. This commission recommended that the matter be postponed until this meeting to give time for the applicant and the city to hopefully reach some kind of an agreement on the matter. Last week we finally reached an agreement. Staff recommends approval of the Site Plan with the following conditions for the infrastructure improvements of Main St.:

1. Applicant shall construct a 5' Sidewalk installed to city standards located on city ROW within 1' of property line.
2. Applicant shall perform chip and seal over the entire width of N. Main from the end of 188th St. construction performed as a part of the original development plan, south to the property line of the subject property for a distance not to exceed 314.40 feet.

KATHCART motioned to approve the Herzog Foundation cabins site plan conditioned upon the two conditions listed. Seconded by Dotson.

**DISCUSSION:** None

**THE VOTE:** DOTSON-AYE, MAYOR BOLEY-AYE, KATHCART-AYE, SAMENUS-AYE, ALDERMAN CHEVALIER-AYE, SMITH-AYE.

**AYES-6, NOES-0. MOTION PASSED**

## **6. ADJOURN**

MAYOR BOLEY made a motion to adjourn. SAMENUS seconded the motion.

VOICE VOTE: UNANIMOUS

SMITH declared the session adjourned at 7:16 p.m.