



## Planning and Zoning Commission Meeting

February 14, 2023

7:00 p.m. – City Hall Council Chambers and Via Videoconference

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Anyone who wishes to view the meeting in real time may do so as it will be streamed live on the city's YouTube page through YouTube Live or may use the Zoom link below to access the meeting.

1. **Call to Order**
2. **Approve the January 10, 2023, Planning Commission Minutes**
3. **Staff Report**
4. **Public Hearing**  
Rezoning NE corner of Second Creek Bridge Rd. and Lowman Rd. from A-1 to R-1B and R-3.
5. **Rezoning NE corner of Second Creek Bridge Rd. and Lowman Rd. from A-1 to R-1B and R-3.**
6. **Site Plan Review – 14600 N. 169 Hwy KCI RV**  
Amend existing site plan to allow 5 new buildings
7. **Public Hearing**  
Conceptual Plan for Fairview Crossing North, a commercial subdivision
8. **Conceptual Plan Approval – Fairview Crossing North**  
A conceptual plan for a new 6-lot commercial subdivision
9. **Public Hearing**  
Single Phase Final Plat – Fairview Crossing North, a commercial subdivision to create 6 lots.
10. **Single Phase Final Plat – Fairview Crossing North**  
Subdivision would create 6 Retail Commercial lots.



## 11. Adjourn

Join Zoom Meeting

<https://us02web.zoom.us/j/8268135761>

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Meeting ID: 826 8135 7610

Passcode: 873181



SMITHVILLE PLANNING COMMISSION

REGULAR SESSION

January 10, 2023

7:00 P.M.

City Hall Council Chambers and Via Videoconference

**1. CALL TO ORDER**

Chairman Melissa Wilson called the meeting to order at 7:01 p.m.

A quorum of the Commission was present: Melissa Wilson, Alderman John Chevalier, Rob Scarborough, Dennis Kathcart, Deb Dotson & Mayor Damien Boley. Billy Muessig was absent.

Staff present: Jack Hendrix and Brandi Schuenger.

MAYOR BOLEY motioned to adjust the agenda and move item # 6 up to item # 4. Seconded by ALDERMAN CHEVALIER.

Ayes 6, Noes 0. Motion carried.

**2. MINUTES**

The December 13, 2022, Regular Session Meeting Minutes were moved for approval by MAYOR BOLEY, Seconded by KATHCART.

Ayes 5, Noes 0, Abstained 1 (SCARBOROUGH). Motion carried.

**3. STAFF REPORT**

HENDRIX reported:

We finished 2022 with 58 single family residential building permits. This was the most we have had in 3 years. We also issued 15 commercial rehabilitation permits and 2 new commercial building permits.

He informed the commission that in the packet there is always a staff report for each agenda item. Somehow or another the report for Second Creek

Meadows didn't get added to the packet on Thursday before he left. He has a copy of it and will read it aloud when it comes time instead of giving it to them late and the public not having it either.

**4. SITE PLAN REVIEW FOR 14991 N. INDUSTRIAL DR (LOT 15 FIRST PARK) 3600 SQUARE FOOT SPEC BUILDING FOR BILL MANN**

MAYOR BOLEY motioned to approve the site plan review for 14991 N. Industrial Dr. (Lot 15 First Park). Seconded by ALDERMAN CHEVALIER.

**DISCUSSION:**

HENDRIX stated that in the packet is a copy of the site plan layout with some blue and red ink marks on it. We had requested some changes to which Mr. Mann agreed to. This afternoon we received a revised copy of the site plan and explained that a copy was given to the commission for them to review. It is accurate as to the agreement on the matter. This meets all of our standards.

**THE VOTE:** SCARBOROUGH-AYE, DOTSON-AYE, KATHCART-AYE, MAYOR BOLEY-AYE, WILSON-AYE, ALDERMAN CHEVALIER-AYE.

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

**5. PUBLIC HEARING:**

- **PRELIMINARY PLAT FOR SECOND CREEK MEADOWS (CONTINUED FROM DECEMBER 13, 2022)**

**Public Hearing Opened**

HENDRIX gave an overview of the proposal. He read through the staff report for this project. The staff report can be viewed here: <G:\Development Department\Planning Commission\Packets\2023\1-10-23\Second Creek Meadows Preliminary Plat Staff Report.pdf>. Staff recommends approval of the proposed Preliminary Plat conditioned upon meeting the requirements of the City's Engineer letters dated January 3 and 4, 2023.

**Shane Crees—13530 Mt. Olivet Rd—**Stated that he is one of the applicants. The project has been designed to be in compliance with the city's long term comprehensive plan. This project will help fill a much needed void in housing in the city of Smithville. This project will provide additional tax dollars that will benefit the Smithville School District. This will provide housing that fits the budget of first time home buyers. He appreciates their consideration of this project.

**Jim Gager—111 Asher Bay St—**Stated that he drives by this property every day. He speaks not as a supporter or an opponent but he has questions. He spoke about the traffic study and the impact this subdivision will have. He doesn't think the study was complete and from what he understands the traffic study only took into consideration Lowman Road and thinks Second Creek Rd and 169 Hwy need to be addressed. He also spoke about the flood concerns and infill that has occurred on the north end of the Little Platte River. What is the impact in the flood plain because of that infill? Second Creek and Little Platte River both flow into the Missouri River which is a navigable river defined by the Republicans back in the 1970's Clear Water Act. We are allowing water runoff from hard surfaces to go into the floodplain. Is this permissible and what does the federal law say about it?

**Roberta Lowman—16251 Lowman Rd—**Stated that she is opposed to the project. She spoke the sale of her property and the understanding with Mr. Hartman that it would only be single family homes. She had 3 contracts. The 3<sup>rd</sup> one had a plat that was provided to her on the agreement of the contract and she is prepared to give it to the commission. Stated that she spoke with her neighbors during the course of the sale. She mentioned the property to the west of Lowman Road owned by George Lowman that is zoned R-3. She stated that as far as Mr. Lowman knows it's not zoned R-3. She asked where this is located and if it was approved for R-3 zoning when was that? She also had concerns that the traffic study that was done is not complete and doesn't know how this can approved.

**Kristine Bunch---18608 Primrose St—**Stated that she objects to this plot approval mainly because everyone wants to hang their hat on items that did not make it into the deed. Who is responsible for making the items on the additional terms of the signed contract into the deed? Is it the sellers agent which is Dan Hartman, is the buyer's agent with is Dan Hartman or is it LMW Investments registered agent which is Dan Hartman? She is not

opposed to growth and development in Smithville but when it's at the hands of somebody she feels has been taken advantage of she thinks the public has the right to know. She doesn't think this should be rushed and feels that it should be paused and wait for the litigation to happen in court before making any decisions.

**Pat Luce—300 Maple Lane Apt 1—** Stated that she is a native of Smithville. When she moved back here in 2009 she was amazed with all of the wonderful growth here and is still amazed with the growth of the community today. She is speaking in support of this proposed development. It is consistent with the comprehensive plan and addresses the needs of the community. She urged the commission to stick to the facts and our comprehensive plan and move forward with the project as submitted.

**Will Ruder—600 E 103<sup>rd</sup> St. Kansas City, MO 64131—** Stated that he is the Executive Vice President of the Homebuilders Association of Greater Kansas City. He has been making contact with communities throughout the summer and fall to advocate that they consider all applications that come before them. He encourages communities to think outside the box but well within the confines of their comprehensive plans and their statutes to ensure that they know everything is done above board and is suitable to the needs of the community. We encourage that you don't dismiss an application that may be different than what you have seen in the past. We want to partner with communities that are looking for new and exciting ways to add housing inventory so that people up and down the socioeconomic ladder will find a place to call home.

**Public Hearing Closed**

## **6. PRELIMINARY PLAT FOR SECOND CREEK MEADOWS**

DOTSON motioned to approve the Preliminary Plat for Second Creek Meadows. Seconded by SCARBOROUGH.

### **DISCUSSION:**

MAYOR BOLEY asked for clarification on if the traffic study is complete.

HENDRIX stated a full traffic study was completed. The engineer stated that ordinarily a subdivision of this size wouldn't require a full traffic study but it's the first one for us as a city following our new Transportation Master Plan requirements. It met those standards. It did evaluate turns lanes associated primarily with the Lowman Rd and Second Creek intersection. The numbers were not high enough to generate that. We did require them to provide us with an evaluation of turn lanes that may be necessary at 169 Hwy. It wasn't closed to any of the proctors related to that based upon the additional traffic this development when fully built out in 5-10 years would generate there. It did note that in about 20 years something would likely need to occur at that intersection based upon if the growth continued at its current rate using these 87 units as an example.

ALDERMAN CHEVALIER asked that Mr. Hendrix address Mr. Gagers concerns about the infill and flood issues.

HENDRIX stated that the infills to the north were granted permission. The primary area is KK Hwy and 169 Hwy on the south side of the road. That property was issued a permit to begin filling operations 30 some years ago. In order to get the permit, they have to perform a hydrological evaluation and a no rise certificate is issued by a Missouri engineer. The hydrological data comes from the Corp of Engineers and FEMA. Once they get this and it's certified that is when the city can issue a permit. All of the folks who have requested this have gotten it and it only applies in the floodway. If it's in the floodplain they would only be required to get a Floodplain Development Permit that we issue based upon an erosion control plan to keep additional mud from getting into the river or the drainage area. In this scenario there is no floodway being encroached upon it's only floodplain and have a development permit that is required. Mr. Gager also spoke about the Clean Water Act of 1972. In 2013, the City of Smithville was declared by the State of Missouri to be a town of 10,000 even though our population was only 8,500 because of various factors. When we were declared at that level we entered what is called the MS4 permit program (Municipal Separate Storm Sewer Systems). We are on our second permit cycle and when we get to the end of this one we anticipate we will have to begin outfall testing to test the quality of water as it comes out (areas where water comes out of a concrete pipe and dumps into a drainage area that dumps into a river). We have hundreds of outfalls throughout the city. Our engineers have pushed us towards keeping as much water on the ground as possible because the vegetation filters that water. Ms. Lowman has concerns about the R-3 designation and was approved by the time Mr. Hendrix started

working here (prior to 2007). Prior to a contract with the Clay County Assessor office where they now put the zonings for each parcel on their GIS website, annually the Planning Commission would see a map and approve the zoning map. He can't find anything associated with any of the zoning on any of the parcels around there, other than every year those zoning maps were approved by the Planning Commission up until 2013. Mr. Lowman's property has a small parcel that was designated as R-3 on the corner. When, where, why and how I can't tell you since I can't find the ordinance but has seen all of the maps that were approved.

WILSON stated that she also had that same quest and started going back through all of the minutes from every Planning and Zoning meeting and couldn't find anything and it had to of been done a long time ago.

A question was asked by Ms. Lowman from the audience area that was unidentifiable.

HENDRIX responded that he would agree with her and he has never found the ordinance. The methodology of those changes is once the Planning Commission adopts that map as the official map annually it because the zoning of all the properties on it. That is how we got all of the existing zoning onto the counties system. We gave them a copy of the most recently approved map.

ALDERMAN CHEVALIER stated that we have had a few of these come up recently where the zoning has been really crazy. He asked if Mr. Lowman has an opportunity if he would like to have it all rezoned.

HENDRIX stated yes. He can down zone it or up zone it in accordance with the comprehensive plan.

WILSON stated that the property owner would have to be the one to come and request that.

HENDRIX stated yes.

Another question was asked by Ms. Lowman from the audience area that was unidentifiable.

HENDRIX stated that it's the SE corner of the property. It joins both Second Creek and Lowman Rd. It does not include the house that sits up there

which is a 1 or 3 acre parcel, and that, according to our old maps was never zoned. This property was annexed in 1984. The property across the street was annexed in 1986 and 1987. And just west of George Lowman's property is the property that was Kenny Brownlee's was annexed in 1987. As you know, when we do annexations we follow up with initial zoning but there is a lot of that which didn't occur a long time ago.

ALDERMAN CHEVALIER asked if the multifamily units will be fourplexes or duplexes?

HENDRIX stated they will be duplexes. Our recommendation of approval in the development agreement is based upon 87 total units which is 53 single family homes and 17 multifamily which will be duplexes.

KATHCART asked if we have a price point yet.

HENDRIX stated no since the houses are about a year out.

MAYOR BOLEY stated that Eagle Ridge came to us about 4 years ago and they were trying to get under \$200,000 and now they are selling for significantly higher.

SCARBOROUGH asked if traffic studies get posted for public review.

HENDRIX stated that we have never posted them in the past but we certainly can if that is something this commission wants to see happen.

The entire commission agreed that these should be posted for public view for all future meetings. Mr. Hendrix stated these will be posted going forward. He stated that we can also put the stormwater studies on there as well. These will be posted under "additional documents" on the city's website under agenda and minutes.

**THE VOTE:** MAYOR BOLEY-AYE, KATHCART-AYE, DOTSON-AYE, SCARBOROUGH-AYE, WILSON-AYE, ALDERMAN CHEVALIER-AYE.

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

\*During the week following this meeting Mr. Hendrix did further research and discovered that the property owned by Mr. Lowman across the street from this proposed subdivision is zoned B-3 not R-3 as mentioned in these minutes. (Ordinance # 1245 back in 1989)

## **7. ADJOURN**

KATHCART made a motion to adjourn. DOTSON seconded the motion.

VOICE VOTE: UNANIMOUS

CHAIRMAN WILSON declared the session adjourned at 7:56 p.m.

NOT YET APPROVED



STAFF REPORT  
January 18, 2023  
Rezoning of Parcel Id # 05-504-00-01-010.01

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: Second Creek and Lowman Rd.  
Owner: LMW Investments  
Current Zoning: A-1  
Proposed Zoning: R-1B and R-3

Public Notice Dates:

1<sup>st</sup> Publication in Newspaper: January 26, 2023  
Letters to Property Owners w/in 185': January 26, 2023

GENERAL DESCRIPTION:

This matter returns to the Planning Commission following its' prior approval of this rezoning. As a result of a discrepancy between the identified zoning of an adjacent property to the west and the actual zoning of that parcel, the Commission was given some incorrect information. Specifically, staff identified that the property to the west of the subject property was zoned R-3 (in accordance with a print version of the Clay County GIS map) that in fact, was actually zoned B-3.

After some investigation, it was determined that at some point prior to September 5, 2019, the Clay County GIS system inadvertently changed the zoning designation of the George Lowman property from B-3 to R-3 on its display. This change occurred at the GIS office level and was not as a result of any city process. In the last year, staff identified similar changes to several other properties at the County GIS level that were not changed through city processes. Those changes were also erroneous, and staff directed the GIS system correct those errors. That request is also pending for this newly

discovered error. In order to rectify this error, the matter comes back to the Planning Commission to consider the rezoning using the B-3 designation on the property to the west instead of the less impactful R-3 designation. Changes in the staff report are identified with an \*.

The applicant seeks to rezone approximately 32.04 acres +/- from A-1 to R-1B and a small section as R-3 as shown below. The rezoning would accommodate 53 single family lots on the high ground mainly on the west of the parcel and 17 multifamily lots to accommodate up to 34 dwelling units in two family townhomes in an area on the east of the parcel.



#### EXISTING ZONING:

The existing A-1 zoning predates the annexation into the city limits.

#### CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is generally large parcel agricultural land with a total of 3 houses contiguous to the overall parcel. In addition, the zoning map shows unincorporated county land to the south, B-3 commercial on the east side of the parcel in what it is proposed to be the Downtown overlay district and also \**B-3 on the west side, across Lowman road*\*. To the north is a new 10+ acre parcel zoned A-1. The existing contiguous houses are all located on lots larger than 3 acres.

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

The existing Comprehensive Plan was approved on November 10, 2020 and adopted as the Board policy on November 17, 2020. That plan included specific implementation measures based upon the 5 Strategic Pillars of the City's Strategic Plan. This parcel adjoins what is identified as the Downtown District Overlay to the east, would include trail connections with developments to the west and downtown and bridges the gap between existing developments with downtown. The Comprehensive Plan identifies 5 different Planning Goals for the strategic pillar entitled "Diverse Housing and Neighborhood Options." Each of

those Planning Goals include several prioritized action steps to meet those goals. The following are the steps that this rezoning would assist to meet the stated goals:

**Housing 2.1** "Encourage infill residential development of underutilized sites prime for residential uses, particularly in and near Smithville's Downtown."

**Housing 3.1** "Encourage additional residential units near existing residential uses to strengthen the neighborhoods of Smithville."

**Housing 3.2** "Encourage clustered residential development patterns with connected active and passive open space and neighborhood and community amenities."

**Housing 4.2** "Mandate pedestrian connections in new residential developments to adjacent existing or prospective neighborhoods to further strengthen Smithville's pedestrian network."

**Housing 4.3** "Encourage new residential development in and near Smithville's Downtown to create a live, work, and play district."

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

##### Streets and Sidewalks:

Any development would be required to improve the adjacent streets, and depending upon the timing of any construction, would also be responsible to install some of the proposed 8' multiuse trail/sidewalk along Second Creek in the City's near future plans.

##### Water, Sewer and Storm water

The city recently completed the South Sewer Interceptor project through a portion of this parcel, so the land is ideally located for sewers. Water is located on both street sides of the lot, and any upgrades needed will be the developer's responsibility. The property includes both floodplain and floodway areas, so all stormwaters will flow directly into the floodplain and not impact adjacent properties. Any such impacts will be handled in the normal subdivision platting 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 A-1, agricultural that was recently sold and divided off of the original owner's house. The property's location is ideal for residential development with the new sewer interceptor, with new users assisting in paying for those improvements.

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

The property was zoned to its' existing district classification when annexed. Only a couple of houses, on septic systems, were constructed. The property is also just south of the city's sewer treatment plant, so the land has only been used as farm ground.

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

The proposed districts would, at full build out, have a density of 2.7 units per acre, which is less dense than most of the new developments over the last several years. This density (which includes the 17 multifamily lots) has not shown to be incompatible with larger lot housing anywhere in the city and when viewed on a larger scale, is very compatible with the entire area. *The placement of both R-1 and R-3 districts between \*existing B-3 districts on the east and west sides\* is compatible with those uses as well.*

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 compliance with the Comprehensive Plan recommendations.

Respectfully Submitted,

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Zoning Administrator

## **FINDING OF FACTS AND CONCLUSIONS OF LAW**

Applicant: LMW, Inc.

Land Use Proposed: R-1b and R-3

Zoning: A-1

Property Location: NE corner of Second Creek and Lowman Roads

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 February 14, 2023, 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 a mix of a few single-family houses on agriculturally zoned land, B-3 land to the west across Lowman Road and farmland in unincorporated Clay County to the south. To the north is a new 10+ acre parcel that was originally part of this land but subdivided in 2022 that remains zoned A-1. Significantly larger residential subdivisions lie just west of the parcel, and the proposed Downtown overlay district is to the east.
2. *Consistency with the City's Comprehensive Plan and ordinances.*

The existing Comprehensive Plan was approved on November 10, 2020, and adopted as the Board policy on November 17, 2020. That plan included specific implementation measures based upon the 5 Strategic Pillars of the City's Strategic Plan. This parcel adjoins what is identified as the Downtown District Overlay to the east, would include trail connections with developments to the west and downtown and bridges the gap between existing developments with downtown. The Comprehensive Plan identifies 5 different Planning Goals for the strategic pillar entitled "Diverse Housing and Neighborhood Options." Each of those Planning Goals include several prioritized action steps to meet those goals. The following are the steps that this rezoning would assist to meet the stated goals:

**Housing 2.1** "Encourage infill residential development of underutilized sites prime for residential uses, particularly in and near Smithville's Downtown."

**Housing 3.1** "Encourage additional residential units near existing residential uses to strengthen the neighborhoods of Smithville."

**Housing 3.2** "Encourage clustered residential development patterns with connected active and passive open space and neighborhood and community amenities."

**Housing 4.2** "Mandate pedestrian connections in new residential developments to adjacent existing or prospective neighborhoods to further strengthen Smithville's pedestrian network."

**Housing 4.3** "Encourage new residential development in and near Smithville's Downtown to create a live, work, and play district."

3. *Adequacy of public utilities and other needed public services.*  
The application is to rezone to allow a 53 single-family and 17 multifamily lot subdivision to be constructed. All utilities and services are available on site and must be extended through this facility at the applicant's sole cost and expense.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*  
The current use is A-1, agricultural that was recently sold and divided off the original owner's house. The property's location is ideal for residential development with the new sewer interceptor, with new users assisting in paying for those improvements.
5. *Length of time the property has remained vacant as zoned.*  
The property was zoned to the existing district classification when annexed into the city. With the recent completion of gravity sewers along the property near the river, the land has become more developable.
6. *Compatibility of the proposed district classification with nearby properties.*  
The adjacent land (other than 3 houses on lots larger than 3 acres) is undeveloped farm or pastureland. Nearby is commercial land on the east in what is proposed to be the west end of the Downtown Overlay district, B-3 Commercial across Lowman Road with two larger subdivisions further to the west of that land. The city's sewer treatment plant is just north of the subject parcel as well.
7. *The extent to which the zoning amendment may detrimentally affect nearby property.*  
No detriment is anticipated to the adjacent housing or vacant lands.
8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*  
No loss to landowners is expected.
9. That in rendering this Finding of Fact, testimony at the public hearing on February 14, 2023, 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 A-1 to R-1B and R-3 is governed by Section 400.620 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 does recommend approval of rezoning the property to R-1b and R-3 as shown on the proposed preliminary plat.

Proposed



STAFF REPORT  
February 9, 2023  
Platting of Parcel Id # 05-820-00-02-003.00

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Application for a Site Plan Approval

Code Sections:  
400.390 – 400.440                      Site Plan Approval

Property Information:

Address:                                      14600 N. 169 Hwy  
Owner:                                        Recreational Storage LLC  
Current Zoning:                            B-3

Application Date:                         December 29, 2022

GENERAL DESCRIPTION:

The applicant seeks to modify the approved site plan for its' property. The initial Site Plan Approval occurred on August 21, 2018, by Resolution 630 of the Board of Aldermen. The original plan included up to 9 buildings and 193,000 ft<sup>2</sup> of total floor space. The first amendment to the original plan occurred on June 15, 2021, by Resolution 936 of the Board of Aldermen. That plan sought to change some of the building sizes and include a RV Park on the front of the existing buildings.

The current proposal would be to eliminate the RV Park and add more buildings to the site, albeit in a different layout. This proposal would allow up to 315,350 ft<sup>2</sup> over the total 38.23-acre site. With the additional square footage, the stormwater detention basin will need to increase in number to handle the additional volume of potential runoff. The existing stormwater study will need to be updated with each future phase of construction to handle the additional water from each phase, and design plans will be approved with those buildings.

The most significant issue for this new amendment is that it was submitted after the site plan review changes implemented in 2022 that incorporate the subdivision regulations

related to offsite improvements. Since this submittal includes obtaining and using several easements from the adjacent property to the east for stormwater drainage and additional detention basins, it is also going to require the construction of Commercial Street not only along the entire north property line of the subject parcel, but also along the adjacent property to the east.

#### Additional Staff Comments for Approval – Landscaping, Buffering and Building Materials

West Boundary includes a building buffer zone of 969 feet (608' + 381' buildings). Landscaping can either be: 6' sight obscuring fence along the entire distance and small clusters of shrubs and/or ornamental trees spaced every 40' (in accordance with Single Family adjacent requirements), Green Giant trees spaced 10'-15' per the current submittal on the east side OR, 16 deciduous trees, 14 ornamental trees and 39 shrubs, clustered in small groups approximately every 60' in compliance with the current code requirements for property adjacent to industrial property.

North buffer area adjacent to Commercial St. shall be as shown on the original landscaping plan in compliance with the code.

East facades of perimeter buildings shall have the buffering as submitted by applicant with Green Giant trees spaced 10' – 15' on center.

All areas of the outdoor storage areas shall be fenced with 80% sight obscuring fences not less than 6' tall in those areas visible from outside the building perimeter. The proposed buildings shall constitute acceptable sight obscuring fencing replacements.

Building materials shall be in accordance with the design from the original 2018 submittal on all new structures – specifically on the north and west facades. The perimeter area of these buildings adjacent to property lines shall be of stucco like finish, and the north façade shall also have the stone veneer wainscoting as shown. Interior buildings, except the north facades of perimeter buildings may be the standard metal building look as is currently present on site to the south.

#### Phasing considerations

As the submittal includes substantially increasing the total square footage of storage area in both an exterior storage area and 5 new buildings, it is appropriate to allow phasing the extension of Commercial Street and the existing public water main to the west boundary. As such, the buildings identified as 6, 7 and 8 shall constitute the trigger for such extension. When any of those three buildings is to begin construction, the street and water extensions shall be required to be completed prior to a Certificate of Occupancy for any of those buildings. The other buildings or storage areas identified in the submittal as 1, 2 or 3 may be constructed without extending the street or waterline.

#### Section 400.410 Standard of Review

1. The extent to which the proposal conforms to these regulations.

The proposal meets the standards when the staff comments are included and addressed by the applicant with the building plans, including the stucco look metal panels along the north and west side of the buildings adjacent to the north or west boundaries and stone veneer on the north facade as contained in the separate landscape plans.

2. The extent to which the development would be compatible with the surrounding area.

There are mini-storage buildings to the south, along with a electric substation to the north. The west side of the property adjoins land that is intended to become an extension of the industrial park to the north as well. The remaining land to the east is owned by the same family as the applicant and is undeveloped.

3. The extent to which the proposal conforms to the provisions of the City's subdivision regulations concerning the design and layout of the development, as well as water system, sewer system, stormwater protection and street improvements.

The submittal includes more than sufficient areas to address stormwater requirements. As the work will be phased, each phase must submit revised updates to the original stormwater study and construct such facilities as are required in those revisions AND as approved by the City's engineer. Construction of Commercial St., from its' current end point to the west boundary of the subject property shall meet the construction standards in place at the time of construction, including compaction of the base, curbing and sidewalks. The existing waterline on the subject property shall be extended to the west boundary line in the Commercial St. right of way or a separate easement adjacent thereto.

4. The extent to which the proposal conforms to the policies and provisions of the City's Comprehensive Plan.

The Comprehensive Plan calls for this area to be industrial type construction and use, which the current and proposed facilities meet.

5. The extent to which the proposal conforms to the adopted engineering standards of the City.

The submittal must submit and construct those facilities required herein using the standards in place at the time of construction instead of any current

standards. If the standards are not modified prior to construction, then current standards are required.

6. The extent to which the locations of streets, paths, walkways and driveways are located so as to enhance safety and minimize any adverse traffic impact on the surrounding area.

All new streets and walkways are in accordance with the current traffic master plan requirements, including the extension of Commercial further west, using the existing stop light at 169.

7. The extent to which the buildings, structures, walkways, roads, driveways, open space and parking areas have been located to achieve the following objectives:

a. Preserve existing off-site views and create desirable on-site views; Yes, proposed landscaping/buffering will improve the views.

b. Conserve natural resources and amenities available on the site; There are no existing natural resources available, the property is a vacant field.

c. Minimize any adverse flood impact; The submittal substantially increases the stormwater detention areas from the original, smaller submittal.

d. Ensure that proposed structures are located on suitable soils; Yes.

e. Minimize any adverse environmental impact; Yes, and

f. Minimize any present or future cost to the municipality and private providers of utilities in order to adequately provide public utility services to the site. Applicant will extend facilities to the west boundary.

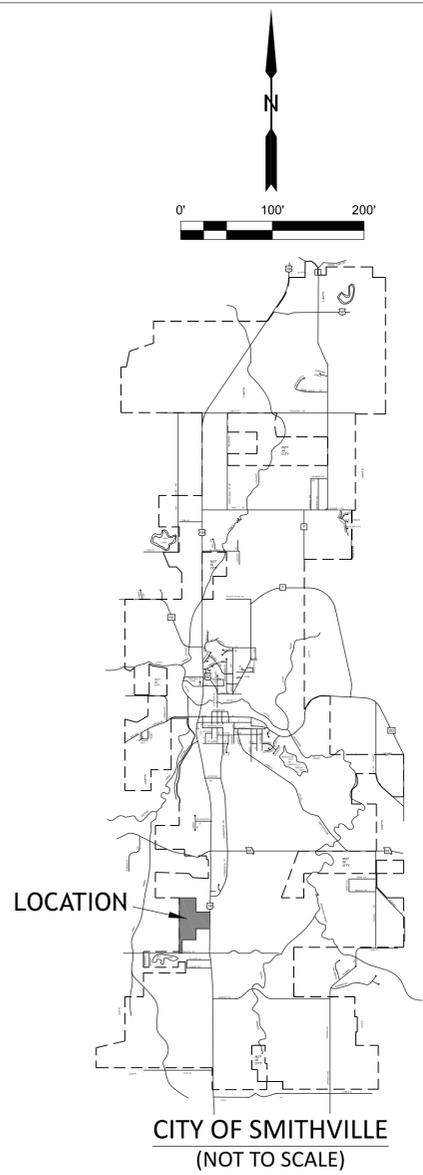
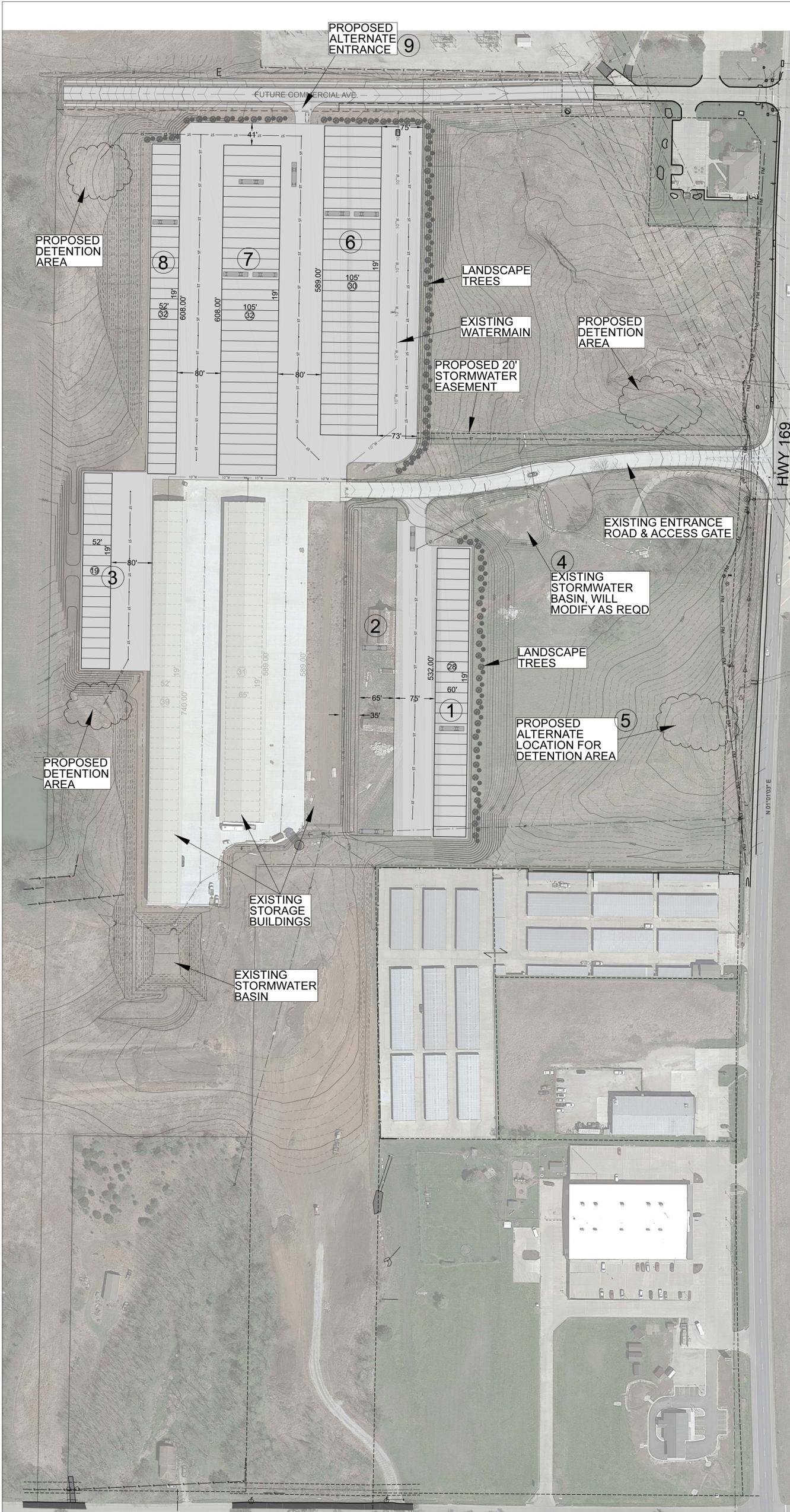
#### STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Site Plan, which includes the current site layout, along with the original Landscape and Buffering submittals from the original plan, conditioned upon meeting the requirements of provisions identified in this staff report.

Respectfully Submitted,

---

Director of Development



CITY OF SMITHVILLE  
(NOT TO SCALE)



FEMA MAP INSET  
not to scale

**SITE DEVELOPMENT NOTES:**

- 1) PROPOSED 28 UNIT STORAGE BUILDING.
- 2) PROPOSEE GRAVEL STORAGE LOT.
- 3) PROPOSED 19 UNIT STORAGE BUILDING.
- 4) EXISTING DETENTION BASIN, WILL BE MODIFIED AS NECESSARY.
- 5) ALTERNATE LOCATION FOR NEW DETENTION.
- 6) PROPOSED 30 UNIT LARGE BAY STORAGE BUILDING. LARGE BAYS CAN BE PARTITIONED TO PROVIDE 2 UNITS.
- 7) PROPOSED 32 UNIT LARGE BAY STORAGE BUILDING. LARGE BAYS CAN BE PARTITIONED TO PROVIDE 2 UNITS.
- 8) PROPOSED 32 UNIT STORAGE BUILDING.
- 9) PROPOSED ENTRANCE WILL BE EQUIPPED WITH ACCESS CONTROL GATE. THE ENTRANCE WILL BE USED FOR ALTERNATE ACCESS ON A LIMITED BASIS.

**OWNER:**

Steve Kerwin  
KCI RV Storage  
12150 Hwy 92  
Platte City, MO 64079  
(816) 270-4678

**ENGINEER:**

Douglas J Schulte, P.E.  
Schulte Engineering & Consulting, LLC  
21 Gates Dr  
Platte City, MO 64079  
(816) 260-3328

## KCI RV STORAGE SITE LAYOUT

**LANDSCAPING NOTES:**

NAME: GREEN GIANT  
 GROWING ZONES: 5-8  
 BOTANICAL NAME: THUJA STANDISHII X PPLICATA 'GREEN GIANT'  
 MATURE HEIGHT: 40 - 50 FEET  
 MATURE SPREAD: 8 - 12 FEET  
 SUN EXPOSURE: FULL SUN, PARTIAL SHADE  
 SOIL TYPE: WIDELY ADAPTABLE  
 GROWTH RATE: FAST, 3'-5' PER YEAR  
 FOLIAGE: EVERGREEN

## FUTURE BUILDING LAYOUT

PROJECT ADDRESS:  
KCI RV STORAGE  
14600 HWY 169  
SMITHVILLE, MO 64089

Rev Date: 12-29-22  
SHEET 1 OF 1

Schulte Engineering & Consulting, LLC

21 Gates Dr.  
Platte City, MO 64079  
www.schulteengineering.com  
admin@schulteengineering.com  
PHONE: (816) 260-3328

**Street landscaping. WEST & NORTH BUILDING LINE**

b. In areas where the building is adjacent to the street, there shall be one (1) large stature deciduous tree or two (2) ornamental flowering trees for every seventy-five (75) linear feet and three (3) shrubs for every forty (40) linear feet of property line. Attractive clustering of the required plantings is encouraged.

# LANDSCAPING CALCULATIONS

**NORTH BUILDING LINE STREET LANDSCAPING**

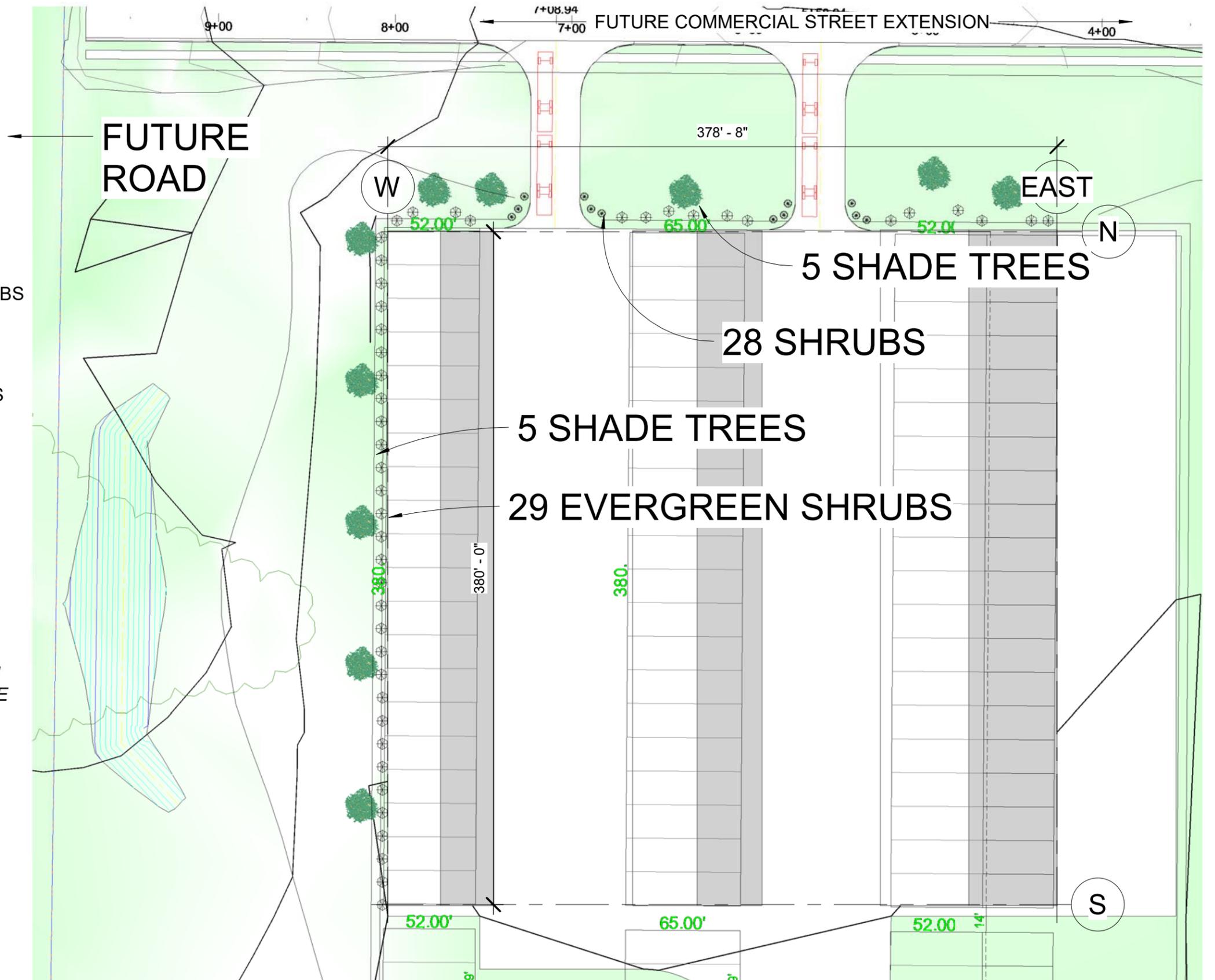
NW CORNER TO NE CORNER = 379 FEET  
1 TREE PER 75 FEET -  $379 / 75 = 5$  TREES  
3 SHRUBS PER 40 FEET -  $379 / 40 = 9.475 \times 3 = 28$  SHRUBS

**WEST BUILDING LINE STREET LANDSCAPING**

NW CORNER TO SW CORNER = 380 FEET  
1 TREE PER 75 FEET -  $380 / 75 = 5$  TREES  
3 SHRUBS PER 40 FEET -  $380 / 40 = 9.5 \times 3 = 29$  SHRUBS

LANDSCAPE PLAN IS BASED ON THE NORTH 3 BUILDINGS. IT IS UNDETERMINED AT THIS TIME WHICH 3 WILL BE BUILT FIRST. FINAL DETERMINATION WILL BE BASED ON HOW MODOT ALLOWS ACCESS.

1 **Site Plan**  
1" = 60'-0"



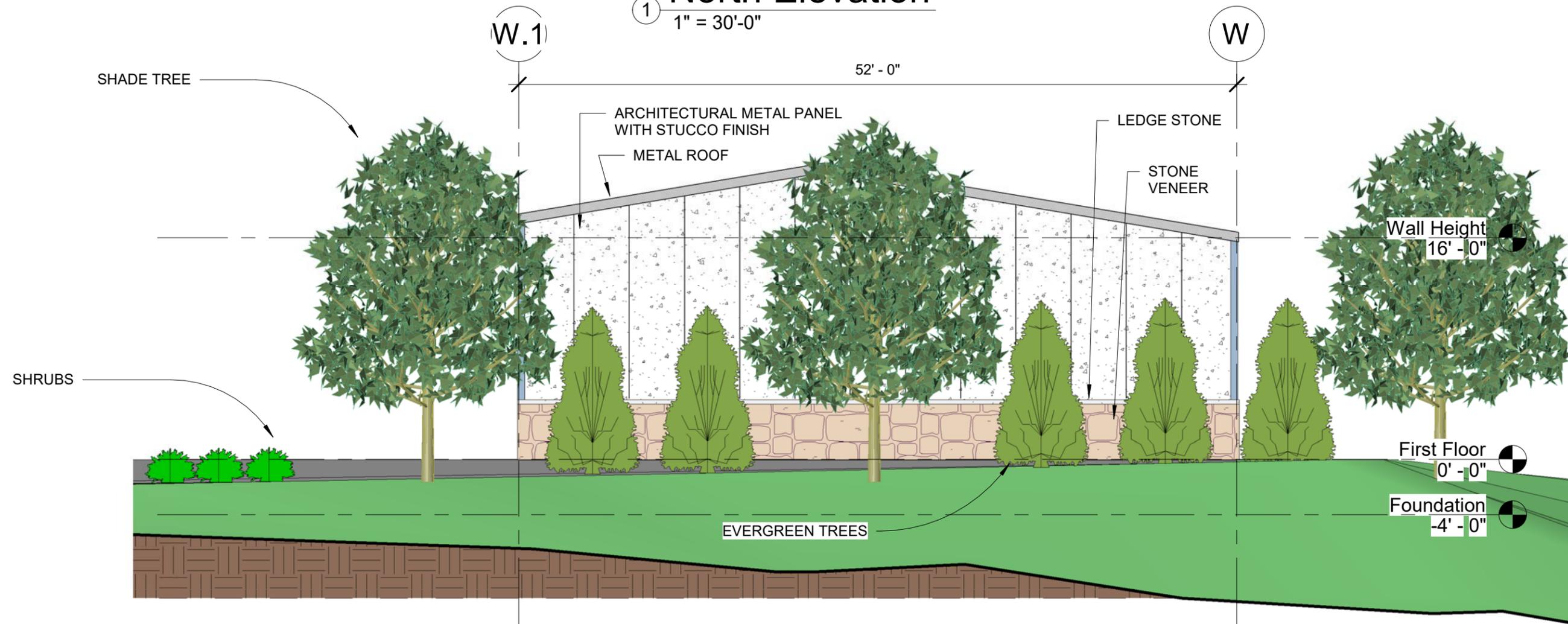
**W. LEE RHoad AIA ARCHITECT**  
11871 ST RTE H SE AGENCY, MO 64401  
LEERHOAD.COM 816-244-6588 LEERHOAD@GMAIL.COM

**RV STORAGE FACILITY**  
1700 HWY 169  
SMITHVILLE, MO 64089



# North Elevation

1  
1" = 30'-0"



# North Elevation Detail

2  
1/8" = 1'-0"

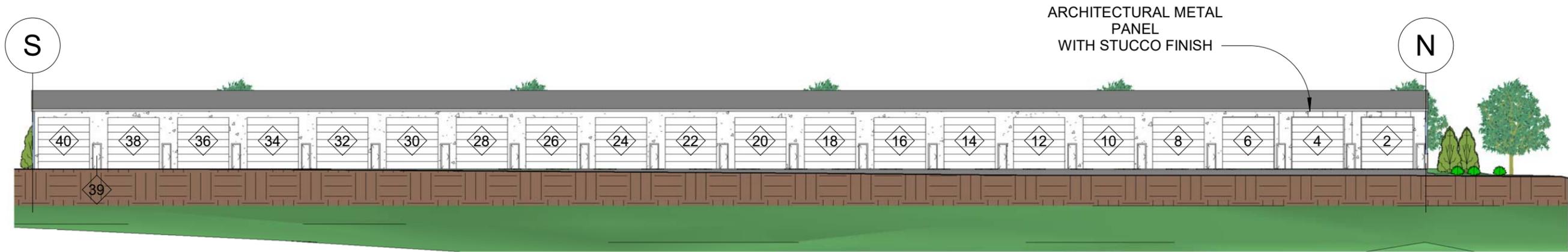
**W. LEE RHoad AIA ARCHITECT**

11871 ST RTE H SE AGENCY, MO 64401

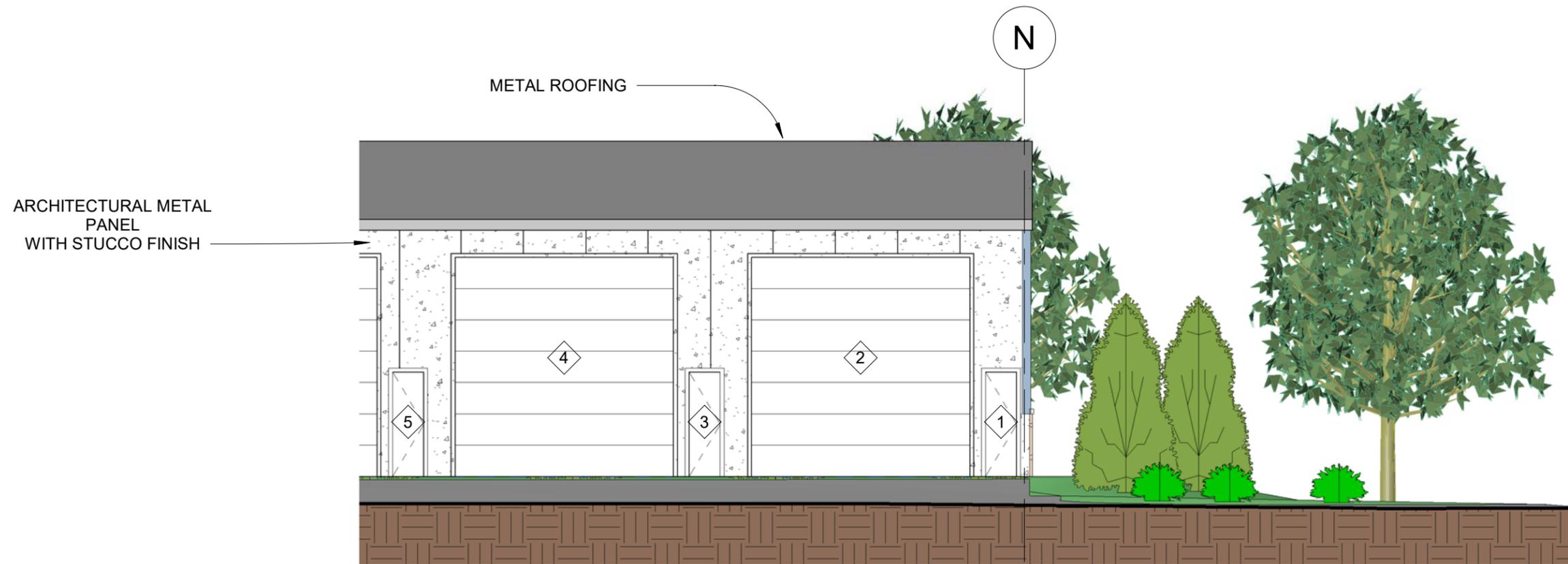
LEERHOAD.COM 816-244-6588 LEERHOAD@GMAIL.COM

RV STORAGE FACILITY

1700 HWY 169



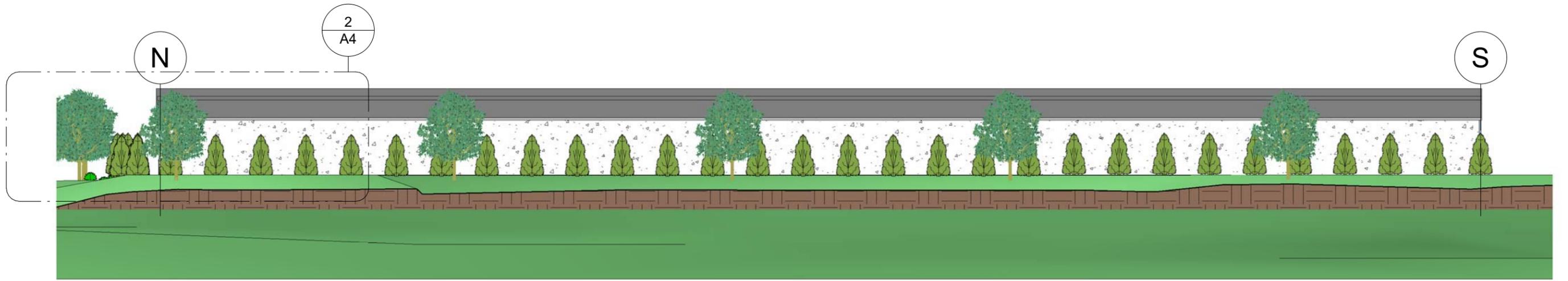
① **Right Elevation**  
1" = 30'-0"



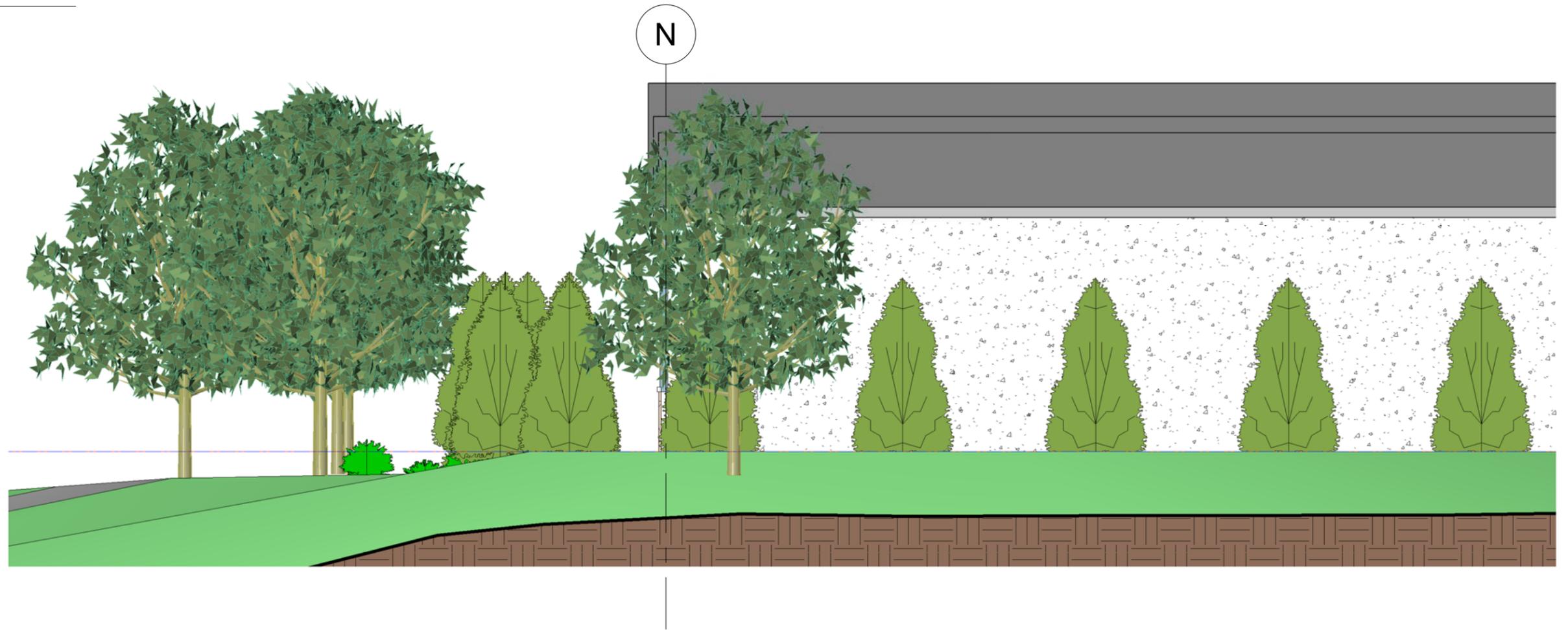
② **Right Elevation Detail**  
1/8" = 1'-0"

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LEERHOAD.COM 816-244-6588 LEERHOAD@GMAIL.COM

RV STORAGE  
FACILITY  
1700 HWY 169



① **West Elevation**  
1" = 30'-0"



② **West Elevation Detail**  
1/8" = 1'-0"

**W. LEE RHOD AIA ARCHITECT**  
11871 ST RTE H SE AGENCY, MO 64401  
LEERHOAD.COM 816-244-6588 LEERHOAD@GMAIL.COM

RV STORAGE  
FACILITY  
1700 HWY 169



February 8, 2023

Conceptual Plan Approval of Clay County Parcel Id #05-917-00-07-008.00

---

Application for a Conceptual Plan Approval – Fairview Crossing North

Code Sections:

400.200 et seq. Planned Development Overlay District

**GENERAL DESCRIPTION:**

The property is currently the former location of an 11-unit, 15,000 ft<sup>2</sup> strip mall at 1601 S. 169 Hwy that was demolished in 2021. The proposed conceptual plan is for dividing this 7.63-acre parcel that surrounds the Central Bank of the Midwest Facility into 6 individual lots with slight variances to the minimum lot frontages with sizes ranging from .92 acre to .99 acre. The accompanying plat includes two new public streets, one from Commercial St., south to a new 147<sup>th</sup> St. that accesses N. 169 Hwy. The 147<sup>th</sup> St. access will also connect to Fairview Crossing subdivision to the south. The conceptual plan limits the total lot coverage calculation to less than 10%, which is substantially lower than the allowed 50% coverage.

The plan identifies a minimum 30ft wide drainage and utility easement (to limit disturbance from construction) on the entire east side of the parcel, with specific instructions to preserve existing trees within this area to improve the overall landscape buffering.



400.200.B.3 Guidelines for review of a conceptual development plan for a Planned Development Overlay District, the Commission shall consider the requirements in the site plan review provisions in Section 400.390 through 400.440 when evaluating the following:

a. Topography; to ensure the site is suitable for development, and buildings are located and arranged in appropriate areas.

**Development placement specifically preserves as much as possible for utility construction, the existing good vegetation in the natural drainage area on the east. The lowest portion of the parcel is located in the southeast corner, and this area will be used to create the dry-bottom stormwater detention basin.**

b. Parking; to ensure the proposed development contains an adequate amount of parking and is located in an appropriate area or adequately screened. Generally, the parking should conform to the required number of spaces appropriate to the development type as contained in Section 400.470. The

Commission may allow a deviation from these parking requirements should the applicant show an adequate amount of parking exists.

**Development is laid out in a fashion to meet the site plan requirements on all the lots. The development has no specific tenants identified, but the parking calculation assumes the highest parking requirements (1 per each 200 ft<sup>2</sup>) and assumes each building as a white box. Upon development, all areas not specifically used for retail display inside the buildings will be removed from this calculation and thereby improve the parking levels. As with all conceptual plans, this proposed plan represents the maximum density, number of buildings and number of lots allowed. If the development seeks to reduce the overall density or number of buildings or lots during the sales portion of the development, there is no restriction. If, however, the development seeks to increase any of these levels during development, a new plan, and new hearings must occur.**

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

**Development leaves ample spacing between the proposed buildings, as well as the existing properties to the east, including preserving as many natural trees as possible in the 30' easement on the east.**

d. Architecture: to ensure the architectural theme is compatible and consistent throughout the project and is reasonably compatible with surrounding developments.

**The Development is without tenants and seeks to create the overall look of the development without limiting potential tenants. Therefore, this Conceptual plan will require independent site plan reviews of each proposed building and must meet the site plan requirements in existence at the time of construction, but only to the buildings. All other elements are identified and required as shown herein. Sales adjustments may reduce density, parking or other requirements, but the levels approved cannot increase or decrease as the case may be.**

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

**Development prepared and submitted a Stormwater Study that was reviewed by the City's engineers. Based upon Engineering comments, the development has agreed to construct the required detention structures and update the study in accordance with the final, approved construction plans prior to commencement of work. As this property drains naturally to the adjacent subdivision to the south, detention here is required to protect the detention in the development to the south, as well as all properties further east.**

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

**The Development has a large abundance of existing vegetation on the east, but much of it is of limited quality. The plan keeps the existing vegetation along the east intact as much as possible inside a 30' easement buffer area. The existing vegetation is used in the buffering calculations, and the landscape plan includes additional shrub level plantings surrounding the dumpster enclosures.**

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

**Developer submitted a Traffic Study which indicated that the design layout meets all AASHTO and MODOT guidelines and no turn lanes are warranted at any location. The Comprehensive plan calls for Commercial development at this location, and requires connectivity for pedestrian uses, all which are included. This proposal meets the Comprehensive plans goal of "Foster an Engaging Hwy 169 corridor Experience" by complying with Action item ST2.1 under the Small Feel pillar of the City's strategic Plan.**

**ST2.1 – "Encourage high quality, mixed-use corridor experience along Hwy 169 between the southern municipality boundary and Route 92"**

#### STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Conceptual plan based upon adherence to the conditions contained in this report, and specifically includes the following recommended findings as contained in 400.200.B.4:

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

Respectfully Submitted,

/s/ Jack Hendrix

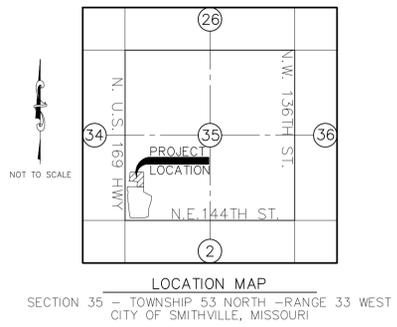
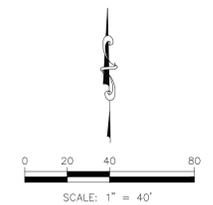
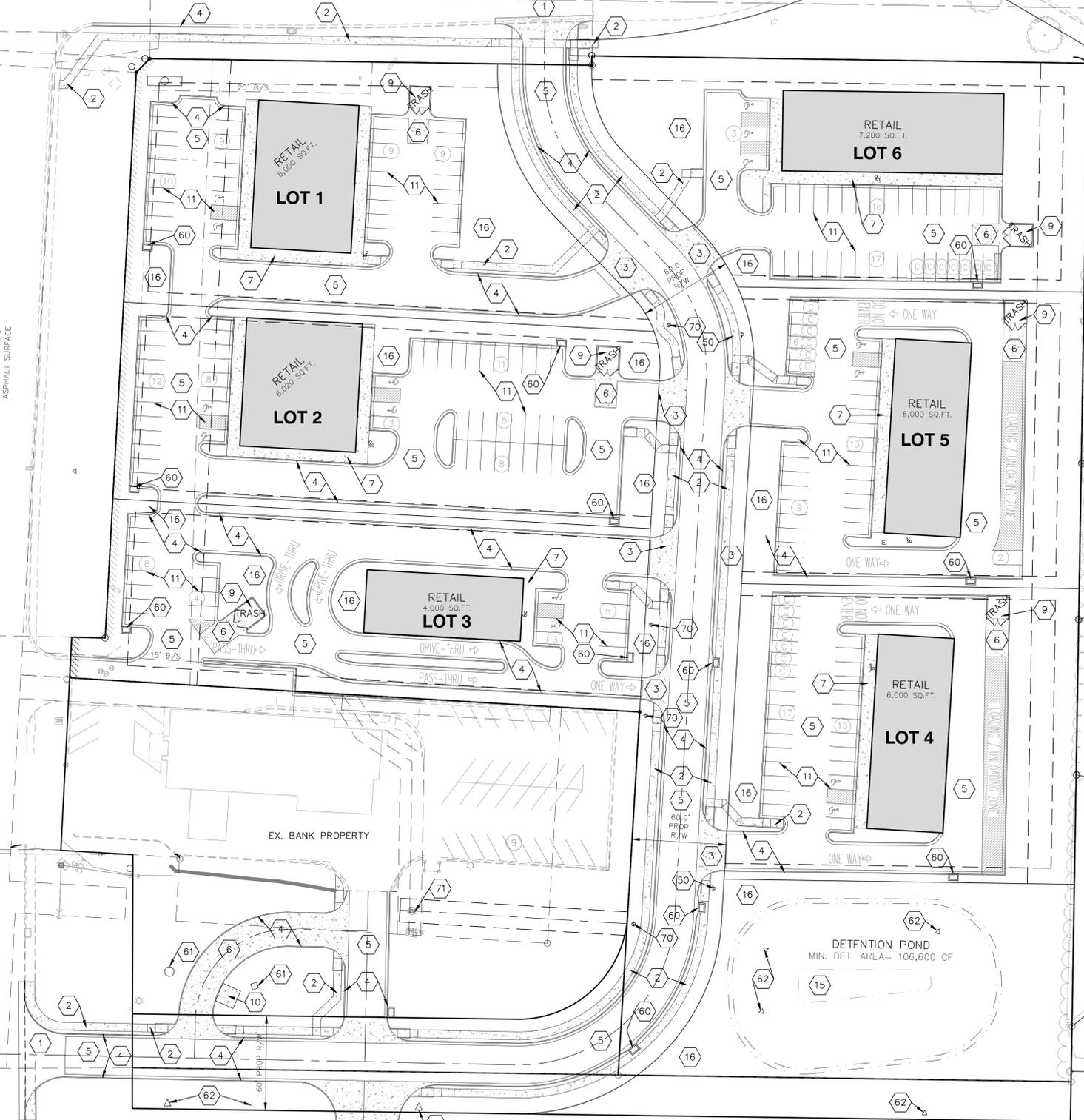
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Director of Development

S 01°02'59" W 49.77'(M)  
S 01°00'27" W 50.34'(D)  
S 89°09'17" E 73.33'(M)  
S 89°11'16" E 79.22'(D)

S COMMERCIAL ST  
ASPHALT SURFACE

S 169 HWY  
ASPHALT SURFACE



**DEVELOPER**  
KANSAS CITY PROPERTIES & INVESTMENTS, LLC  
13530 MOUNT OLIVET ROAD  
SMITHVILLE, MO. 64089  
CONTACT: SHANE CREES  
PHONE: 816-719-9327  
E-MAIL: SHANE@KCASINC.COM

**PREPARED BY**  
KAW VALLEY ENGINEERING  
8040 N. OAK TRAFFICWAY  
CONTACT: MATT CROSS  
PHONE: 816-468-5858  
E-MAIL: CROSS@KVENG.COM

**GENERAL NOTES:**

- THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH LAWS AND STANDARDS FOR THE STATE OF MISSOURI.
- ALL INTERNAL AND EXTERNAL BOUNDARY LINES ARE CONTIGUOUS WITHIN THE SURVEYED PROPERTY AND THE ADJOINING PARCELS.
- SUBJECT PROPERTY HAS DIRECT ACCESS TO COMMERCIAL STREET, A DEDICATED PUBLIC STREET, AND N 169 HWY. TRACT III HAS NO ACCESS TO A PUBLIC STREET.

**NOTES:**

- SITE ENTRY, INSTALL ENTRANCE PER CITY OF SMITHVILLE STANDARDS
- INSTALL SIDEWALK PER CITY OF SMITHVILLE STANDARDS
- INSTALL DRIVEWAY ENTRANCE PER CITY OF SMITHVILLE STANDARDS
- CONCRETE CURB & GUTTER
- ASPHALT PAVEMENT
- CONCRETE PAVEMENT
- CONCRETE WALKWAY
- DUMPSTER ENCLOSURE
- ATM LOCATION
- WHITE PARKING LOT STRIPING
- DETENTION POND
- LANDSCAPE AREA
- FIRE HYDRANT
- STORM CURB INLET
- STORM JUNCTION BOX
- FLARED END SECTION
- SANITARY SEWER MANHOLE
- EXISTING SANITARY PUMP STATION

**PROPOSED ZONING**

LOT 1	B-3-P
LOT 2	B-3-P
LOT 3	B-3-P
LOT 4	B-3-P
LOT 5	B-3-P
LOT 6	B-3-P

\*BUILDING HEIGHTS - TBD

**PARKING SUMMARY**

REQUIRED STALLS (1 PER 200SF BUILDING)			
DESCRIPTION	BDLG SQ.FT.	REQUIRED	PROPOSED
LOT 1	6,000	30	37
LOT 2	6,020	30	50
LOT 3	4,000	20	20
LOT 4	6,000	30	30
LOT 5	6,000	30	30
LOT 6	7,200	36	36
TOTAL	35,220	176	203

**BUILDING COVERAGE BY LOT**

LOT #	BLDG SIZE	LOT SIZE	BLDG COVERAGE
1	6,000 SQFT	43,266 SQFT	13.87%
2	6,020 SQFT	42,915 SQFT	14.03%
3	4,000 SQFT	40,273 SQFT	9.93%
4	6,000 SQFT	41,151 SQFT	14.58%
5	6,000 SQFT	40,022 SQFT	14.99%
6	7,200 SQFT	40,355 SQFT	17.84%

**LOT COVERAGE**

DESCRIPTION	SITE ACRES	SITE SF	COVERAGE	LOT COVERAGE
SITE	7.63 ACRES	332,161 SF		
BUILDING		35,220 SF	10.6%	
HARD SURFACE		189,947 SF	57.19%	
OPEN AREA		118,814 SF	35.77%	
TOTALS	7.63 ACRES	332,161 SF	100%	

BLDG SF/SITE SF=LOT COVERAGE

**LEGEND**

- △ SECTION CORNER, UNDETERMINED ORIGIN UNLESS OTHERWISE NOTED
- MONUMENT FOUND UNDETERMINED ORIGIN UNLESS OTHERWISE NOTED
- 1/2" x 24" REBAR W/LS 214F CAP SET
- (M) MEASURED
- ⊙ DECIDUOUS TREE
- ⊙ EVERGREEN TREE
- ⊙ UTILITY POLE
- ⊙ PARKING STALL COUNT
- TREELINE
- x- FENCE-BARB WIRE
- o- FENCE-CHAIN LINK
- FENCE-WOOD
- E- UNDERGROUND ELECTRIC LINE
- G- GAS LINE
- T- UNDERGROUND TELEPHONE
- W- WATER LINE
- LINE NOT DRAWN TO SCALE
- ⊙ COMPACT PARKING STALL
- R/W RIGHT OF WAY
- SQ.FT. SQUARE FEET
- B/B BACK OF CURB TO BACK OF CURB
- ASPH ASPHALT
- CONC CONCRETE
- RCP REINFORCED CONCRETE PIPE

**UTILITY STATEMENT:**

THE UNDERGROUND UTILITIES SHOWN HEREON ARE FROM FIELD SURVEY INFORMATION OF ONE-CALL LOCATED UTILITIES, FIELD SURVEY INFORMATION OF ABOVE GROUND OBSERVABLE EVIDENCE, AND/OR THE SCALING AND PLOTTING OF EXISTING UTILITY MAPS AND DRAWINGS AVAILABLE TO THE SURVEYOR AT THE TIME OF SURVEY. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. FURTHERMORE, THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES BY EXCAVATION UNLESS OTHERWISE NOTED ON THIS SURVEY.

**FLOOD STATEMENT:**

THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN HEREON IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAP. THE SURVEYED PROPERTY LIES WITHIN FLOOD HAZARD ZONE "X, NON-SHADED, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN," AS SAID PROPERTY PLOTS BY SCALE ON THE FLOOD INSURANCE RATE MAP FOR THE CITY OF SMITHVILLE, (COMMUNITY PANEL NUMBER 29047C0102E, EFFECTIVE ON 08/03/2015.

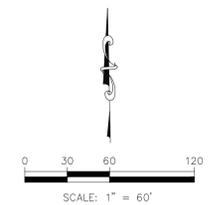
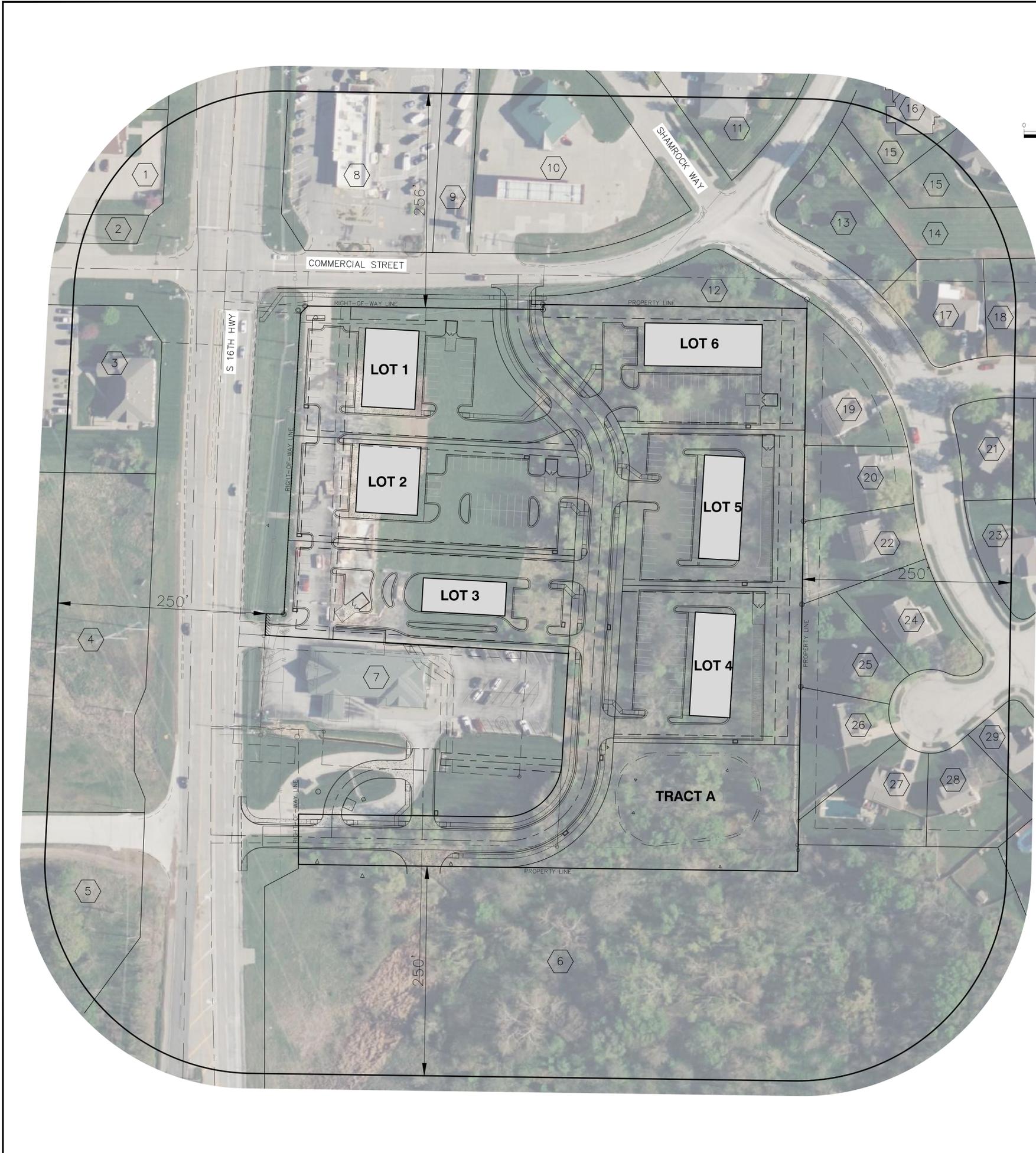


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	DSN DWN CHK
	MAC JAD PUS JAD
	PER CITY COMMENTS 2/09/23 INITIAL SUBMITTAL 12/16/22
	REV DATE DESCRIPTION
MATTHEW A. CROSS ENGINEER MO # 202008364	
8040 N. OAK TRAFFICWAY KANSAS CITY, MISSOURI 64118 PH: (816) 468-5858 KAW VALLEY ENGINEERING KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER ENGINEERING SERVICES BY MISSOURI STATE CERTIFICATE OF AUTHORITY # 000842. EXPIRES 12/31/23	
<b>FAIRVIEW CROSSING NORTH</b> 1601 N. 169 HWY SMITHVILLE, MO 64089	<b>PLANNED OVERLAY DEVELOPMENT PLAN</b> <b>SITE PLAN</b>
PROJ. NO. B2004001 DESIGNER MTA DRAWN BY JAD CFN 4001DEV-SP SHEET P01	REV 1

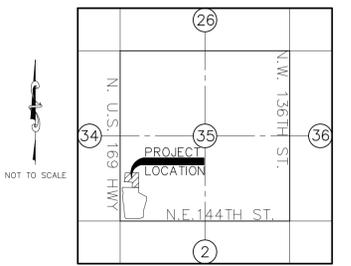






**DEVELOPER**  
 KANSAS CITY PROPERTIES & INVESTMENTS, LLC  
 13530 MOUNT OLIVET ROAD  
 SMITHVILLE, MO. 64089  
 CONTACT: SHANE CREES  
 PHONE: 816-719-9327  
 E-MAIL: SHANE@KCSINC.COM

**PREPARED BY**  
 KAW VALLEY ENGINEERING  
 8040 N. OAK TRAFFICWAY  
 CONTACT: PHILLIP SCHNITZ  
 PHONE: 816-468-5858  
 E-MAIL: SCHNITZ@KVENG.COM



LOCATION MAP  
 SECTION 35 - TOWNSHIP 53 NORTH - RANGE 33 WEST  
 CITY OF SMITHVILLE, MISSOURI

NO.	PROPERTY IDENTIFICATION NUMBER	PROPERTY OWNER	PROPERTY ADDRESS
1	5816000400600	DEL PICO THOMAS & DENISE LINVILLE, ETAL	1514 S 169 HWY
2	5816000400700	EVERGY	14802 N 169 HWY
3	5820000200100	MCGG PROPERTIES, LLC.	14790 N 169 HWY
4	5820000200200	MCMLLEN ENTERPRISES INC	NOT LISTED
5	5820000200300	J & S RECREATIONAL STORAGE, LLC.	14600 N 169 HWY
6	5917000700500	KANSAS CITY PROPERTIES & INVESTMENTS LLC	NOT LISTED
7	5917000700700	PLATTE VALLEY BANK OF MISSOURI	1603 S 169 HWY
8	5913000101800	MCDONALD'S CORP	1515 S 169 HWY
9	5913000101700	JAMES W & DEBORAH J WAGY	NOT LISTED
10	5913000101600	PAROYA PETROLEUM, INC.	1516 S COMMERCIAL ST
11	5913000101500	MEG DEVELOPMENT, LLC.	14802 SHAMROCK WAY
12	5917000300100	HILLS OF SHANNON HOMES ASSOCIATION	NOT LISTED
13	5917000100100	HILLS OF SHANNON HOMES ASSOCIATION	NOT LISTED
14	5913000300600	ASHMONT HOMES ASSOCIATION INC	NOT LISTED
15	5913000300203	HAGEN BROS CONSTRUCTION LLC	NOT LISTED
16	5913000300202	CARMEN XAVIER, ETAL	14804 ASHMONT LN
17	5917000100200	JACK L & YANG SOON WOODS, ETAL	200 SHANNON AVE
18	5917000100300	MATTHEW BLAKE BRINER	202 SHANNON AVE
19	5917000300200	LORI M ELLIOTT & MATTHEW J SHARPE	14706 SHAMROCK WAY
20	5917000300300	MICHAEL L, II & STEPHANIE RICE	14704 SHAMROCK WAY
21	5917000200100	MICHAEL B & SERENA E LOVING	14703 SHAMROCK WAY
22	5917000300400	RANDY & TONJA PALMER	14702 SHAMROCK WAY
23	5917000200200	JULIE R & DONALD WILLIAMS	100 KINSLEY CT
24	5917000300500	SETH & ASHLEY RULON	14700 SHAMROCK WAY
25	5917000300600	CHAD F HOLMES & DEBRA SCHOONOVER	102 HUDSON LN
26	5917000300700	DAVE & DONETTE MULLEN	104 HUDSON LN
27	5917000300800	KEVIN RAY & JERRI LYNN KASINGER	105 HUDSON LN
28	5917000300900	DAVID R. CHAMBERS	103 HUDSON LN
29	5917000301000	HILARY J MACIAS	101 HUDSON LN

<p>8040 N. OAK TRAFFICWAY        KANSAS CITY, MISSOURI 64118        PH: (816) 468-5858        lic@kvenp.com   www.kvenp.com</p> <p><b>KAW VALLEY ENGINEERING</b>        KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER ENGINEERING SERVICES BY MISSOURI STATE CERTIFICATE OF AUTHORITY # 000842. EXPIRES 12/31/23</p>	<p>PROJ. NO. B20D4001        DESIGNER MTA DRAWN BY JAD        CFN 4001DEV-250        SHEET P04</p>
<p>MATTHEW A. CROSS        ENGINEER        MO # 2020008364</p>	<p><b>FAIRVIEW CROSSING NORTH</b>        1601 N. 169 HWY        SMITHVILLE, MO 64089</p> <p><b>PLANNED OVERLAY DEVELOPMENT PLAN</b>        250' SURROUNDING AREA</p>
<p>PER CITY COMMENTS        1 2/09/23        0 12/16/22</p>	<p>REV DATE DESCRIPTION</p>
<p>MAC JAD        PJS JAD</p>	<p>DSN DWN        -- --</p>

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STAFF REPORT  
February 10, 2023  
Platting of Parcel Id # 05-917-00-07-008.00

---

Application for a Plat Approval

Code Sections:

425.285.A.4                      Single Phase Final Plat Approval

Property Information:

Address:                      1601 S. 169 Hwy.  
Owner:                        Kansas City Properties & Investments  
Current Zoning:              B-3

Public Notice Dates:

1st Publication in Newspaper:              January 26, 2023  
Letters to Property Owners w/in 185':      January 27, 2023

GENERAL DESCRIPTION:

The property is currently vacant as the original 11-unit strip mall was demolished a few years ago. The property is zoned B-3, and the applicant simultaneously submitted a conceptual plan overlay that would allow lots with less than 300' of street frontage to be created. Four of the lots would meet the 300' requirement, but two lots would be under that threshold. In accordance with the zoning and subdivision codes, the current application is for a single phase subdivision in which all public infrastructure will be completed for the entire subdivision prior to recording the final plat, and any building permits could not be issued unless sufficient bonding was in place.

The applicant has submitted a Final Plat for the subdivision, that ties in directly to the Fairview Crossing conceptual plan to the south. That subdivision is the mixed use site that includes both 200+ residential units and 10

commercial/retail/hotel lots. Once this property was acquired by that developer, it was decided to incorporate these two development together for north/south access. If approved, this subdivision would create 6 additional commercial lots for development. The public infrastructure is not specifically construction ready as no construction plans are completed. IF approved, the developer plans on constructing Fairview Crossing North first, with a phase approach to Fairview Crossing to come later. With the connection between the two developments, and creating one access point onto 169, significant work with MODOT has occurred. The traffic impact report for this property did not trigger any MoDOT improvements, hence it will be constructed first. Development is responsible to construct all public infrastructure extensions in accordance with plans that will be approved by Public Works prior to commencement.

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:

- a. 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 if the conceptual plan is approved.***
- b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. ***Yes, the property was designed specifically to address the Comprehensive Plan.***
- 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, while there will be removal of the small invasive trees on the central portion of the land but preserves and utilizes the existing vegetation along the border with the residential area to the east to improve the required buffering.***
  - (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. ***No dwellings are planned, but the commercial lots are included in a conceptual plan overlay.***
  - (5) Adequate lot depth for outdoor living space. ***Again, no outdoor living space required since no dwellings, but adequate spacing is present.***
  - (6) Generally regular lot shapes, avoiding acute angles. ***Yes.***

- (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.**
- 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, all at the developer's 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 design area for detention will improve the drainage onto the property to the south and to the east thereafter. The stormwater study is accepted with changes to the final construction plans, and the study must be updated to reflect the approved final construction plan to verify continued compliance.**
- h. Each lot in the plat of a residential development has adequate and safe access to/from a local street. **Again, this is not a residential development, but MODOT approved the applicant's traffic impact reports for both the development to the south and the amendment for this development.** 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 placed in an efficient area for public facilities.**
- 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. **n/a**
- 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 access roads to both 169 and Commercial, which include commercial sidewalks to improve connectivity and walkability.**
- 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.**

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat conditioned upon meeting the requirements of the City's Engineering Comments letter dated January 27, 2023, and approval of the Conceptual Plan considered earlier at the same meeting. Development is conditioned upon acceptance by Public Works and Engineering of ALL design plans for water, sewer, street and storm construction plans. Storm study must be updated to reflect any changes required in the final construction plans approved by the city's engineer.

Respectfully Submitted,

/s/

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Director of Development



**FINAL PLAT OF  
FAIRVIEW CROSSING NORTH**  
A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 35,  
TOWNSHIP 53 NORTH, RANGE 33 WEST, CLAY COUNTY, MISSOURI

**DEVELOPER**  
KANSAS CITY PROPERTIES & INVESTMENTS, LLC  
13530 MOUNT OLIVET ROAD  
SMITHVILLE, MO. 64089  
CONTACT: SHANE CREES  
PHONE: 816-719-9327  
E-MAIL: SHANE@KCCASINC.COM

**PREPARED BY**  
KAW VALLEY ENGINEERING  
8040 N. OAK TRAFFICWAY  
CONTACT: PHILLIP SCHNITZ  
PHONE: 816-468-5858  
E-MAIL: SCHNITZ@KVENG.COM



**LOCATION MAP**  
SECTION 35 - TOWNSHIP 53 NORTH - RANGE 33 WEST  
CITY OF SMITHVILLE, MISSOURI

- LEGEND**
- △ SECTION CORNER FOUND
  - MONUMENT FOUND
  - MONUMENT SET W/ LS214F CAP
  - R/W RIGHT OF WAY
  - B/L BUILDING SETBACK
  - U/E UTILITY EASEMENT
  - D/E DRAINAGE EASEMENT
  - SS/E SANITARY SEWER EASEMENT
  - (M) MEASURED
  - (D) DEEDED
  - - - EASEMENT LINE
  - == PROPERTY LINE
  - //// LIMITED ACCESS

**CURVE TABLE**

CURVE	CHORD BEARING	CHORD LENGTH	TANGENT	RADIUS	DELTA	
C6	S 21°41'37" E	99.66'	102.28'	53.95'	130.00'	45°04'41"
C7	S 20°24'41" E	54.88'	56.79'	30.50'	62.80'	51°48'55"
C8	N 46°41'26" E	178.25'	196.40'	122.42'	130.00'	86°33'39"
C9	N 20°24'41" W	105.01'	108.51'	58.08'	122.80'	50°37'36"
C10	N 21°41'37" W	53.66'	55.07'	29.05'	70.00'	45°04'41"

**STATE PLANE TRAVERSE TABLE**

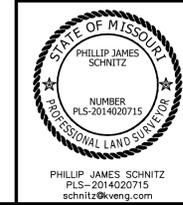
STATION	BEARINGS	DISTANCE	NORTHING	EASTING
CL-78			1160623.1079	2775716.7215
1	N 75°53'15" W	10949.35'	1163291.0068'	2765385.2334'
2	S89° 09' 17"E	281.90'	1163296.9362'	2765385.3209'
3	N0° 50' 43"E	5.93'	1163292.2706'	2765701.5465'
4	S89° 09' 17"E	316.26'	1162620.9134'	2765690.3814'
5	S0° 57' 10"W	671.45'	1162629.1502'	2765092.1981'
6	N89° 12' 40"W	598.24'	1162689.1500'	2765092.3301'
7	N0° 07' 34"E	60.00'	2765336.6970'	1162685.7852'
8	S89° 12' 40"E	244.39'	1162750.1008'	2765407.9542'
9	N47° 55' 52"E	95.99'	1162880.7191'	2765415.7372'
10	N3° 24' 36"E	130.85'	1162902.3748'	2765052.3018'
11	N86° 35' 24"W	364.08'	1162928.1219'	2765053.6196'
12	N2° 56' 23"E	25.77'	1162927.6777'	2765074.9349'
13	S88° 48' 22"E	21.32'	1163286.4812'	2765094.7457'
14	N3° 09' 37"E	359.35'	1163295.1766'	2765103.3743'
15	N44° 46' 45"E	12.25'	1163291.0068'	2765385.2334'

NOTE: ALL BEARINGS AND COORDINATES IN THE ABOVE TABLE ARE BASED ON THE MISSOURI STATE PLANE GRID SYSTEM, NAD 1983, WEST ZONE, USING A COMBINED GRID FACTOR OF 1.000099115. DISTANCES IN THE ABOVE TABLE ARE IN GROUND SURVEY FEET.

**BASIS OF BEARINGS:**  
SOUTH 00°57'10" WEST ALONG THE WEST LINE OF 'HILLS OF SHANNON', AS DETERMINED BY GLOBAL POSITIONING SYSTEM OBSERVATIONS USING MODOT VRS, 2018 GEOD, AND REFERENCED TO THE MISSOURI STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD83).

**CERTIFICATION:**  
I HEREBY CERTIFY THAT THIS PLAT OF FAIRVIEW CROSSING NORTH IS HEREBY A TRUE REPRESENTATION OF A SURVEY PERFORMED ON THE GROUND BY ME OR UNDER MY DIRECT SUPERVISION, IS IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

**FLOOD STATEMENT:**  
THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN HEREON IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAP. THE SURVEYED PROPERTY LIES WITHIN FLOOD HAZARD ZONE "X, NON-SHADED, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS SAID PROPERTY PLOTS BY SCALE ON THE FLOOD INSURANCE RATE MAP FOR THE CITY OF SMITHVILLE, COMMUNITY PANEL NUMBER 29047C0102E, EFFECTIVE ON 08/03/2015.



**KAW VALLEY ENGINEERING**

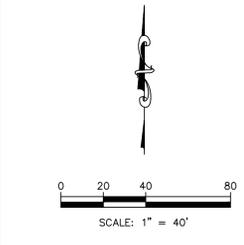
8040 N. OAK TRAFFICWAY  
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PROJECT: FAIRVIEW CROSSING NORTH  
1601 N. 169 HWY  
SMITHVILLE, MO 64089

PREPARED FOR: KANSAS CITY PROPERTIES & INVESTMENTS LLC.  
13530 MOUNT OLIVET RD  
SMITHVILLE, MO 64089

KAW VALLEY ENGINEERING, INC., IS AUTHORIZED TO OFFER SURVEYING SERVICES BY MISSOURI STATE CERTIFICATE OF AUTHORITY NO. 000214. EXPIRES 12/31/23

PROJECT NO. B2054001  
DRAWN BY JAD  
CHECKED BY  
CFN 4001PLAT  
SHEET 2 OF 2



THIS DRAWING SHALL NOT BE UTILIZED BY ANY PERSON, FIRM, OR CORPORATION IN WHOLE OR IN PART WITHOUT THE SPECIFIC PERMISSION OF KAW VALLEY ENGINEERING, INC.