

# SMITHVILLE PLANNING COMMISSION

## REGULAR SESSION

December 10, 2024

7:00 P.M.

City Hall Council Chambers and Via Videoconference

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

Chairman John Chevalier called the meeting to order at 7:00 p.m.

A quorum of the Commission was present: Alderman Melissa Wilson, John Chevalier, Rob Scarborough, Terry Hall, John Wallace, and Mayor Damien Boley. Billy Muessig was absent.

Staff present: Jack Hendrix and Brandi Schuerger.

### **2. MINUTES**

The November 12, 2024, Regular Session Meeting Minutes were moved for approval by SCARBOROUGH, Seconded by HALL.

Ayes 5, Noes 0, Abstain 1 (Alderman Wilson). Motion carried.

### **3. STAFF REPORT**

HENDRIX reported:

Since our November meeting we have issued 64 permits for the Fairview Crossing Townhomes.

We have issued the Nodaway Valley Bank permit, but no work has started there.

Construction has started on the expansion of the Montessori School at Major Mall.

Construction has also begun on the strip center just west of the Post Office.

Groundbreaking at Clay Creek Meadows phases 1, 2, 3 has already begun.

#### **4. PUBLIC HEARING**

- **PROPOSED REZONING OF 16000 N 169 HWY FROM R-3 TO B-2**

##### **Public hearing opened.**

HENDRIX stated that the Staff Report and proposed Findings of Fact and Conclusions of Law document has been included in the packet. This property about a year ago was zoned B-2 and the applicant came in to have it zoned R-3 for a project they had planned. That project fell through, and they are now wanting to restore this back to its original B-2 zoning and will be back on the market for B-2 uses in the future.

There were no members of the public that signed up to speak.

##### **Public hearing closed.**

#### **5. REZONING AT 16000 N 169 HWY FROM R-3 TO B-2**

- **APPLICANT SEEKS TO RESTORE THE B-2 ZONING TO THIS PARCEL THAT WAS CHANGED IN JANUARY TO FOSTER A SPECIFIC MULTIFAMILY DEVELOPMENT PROJECT THAT IS NOT HAPPENING**

SCARBOROUGH motioned to approve the rezoning at 16000 N 169 Hwy from R-3 to B-2. Seconded by ALDERMAN WILSON.

##### **DISCUSSION:**

HENDRIX spoke about the proposed Findings of Fact and Conclusions of Law document that has been included in the packet.

**THE VOTE:** MAYOR BOLEY-AYE, HALL-AYE, WALLACE-AYE, SCARBOROUGH-AYE, ALDERMAN WILSON-AYE, CHEVALIER-AYE.

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

### **6. PUBLIC HEARING**

- **PROPOSED REZONING AT 800 NW 92 HWY FROM A-1 TO B-3**

**Public hearing opened.**

HENDRIX stated that the Staff Report and the proposed Findings of Fact and Conclusions of Law document has been included in the packet. The property to the east is in the city and zoned B-3 but is undeveloped. To the west is county land that is zoned C-3. The land on the south side of 92 Hwy is also in the county and zoned C-2 and another separate parcel of land that is in the city and zoned A-1.

**Mark Wade---15515 Cliff Drive---**Asked what is being planned with this change to B-3 from A-1 on 35 acres? Is it commercial development?

HENDRIX stated that they have not given us a plan of what they are going to do. They have mentioned an RV Park and potential storage. That would have to come through this board for approval. If they change zoning or try to plat this adjoining property owners will get a certified letter.

**Tamara Anderson---1001 NW State Route 92---**Has there been any traffic studies or concerns regarding this?

CHEVALIER stated that they don't have to conduct these studies for rezoning of a property. Those studies are conducted at the Site Planning stage.

**Public hearing closed.**

### **7. REZONING AT 800 NW 92 HWY FROM A-1 TO B-3**

- **APPLICANT SEEKS TO CHANGE THE ZONING OF THEIR PROPERTY ON 92 HWY THAT SITS BETWEEN A B-3 DISTRICT IN**

**THE CITY LIMITS TO THE EAST AND A COMMERCIAL DISTRICT  
IN THE COUNTY THAT IS TO THE WEST.**

MAYOR BOLEY motioned to approve the Rezoning at 800 NW 92 Hwy from A-1 to B-3. Seconded by HALL.

**DISCUSSION:**

HENDRIX spoke about the proposed Findings of Fact and Conclusions of Law document that has been included in the packet.

SCARBOROUGH asked how often does someone request to rezone and have plans or an idea of what they plan to do before it gets rezoned?

HENDRIX stated 70% or 80% of the time. They are doing this because they want to put in a project. Sometimes they don't and they just want to get it rezoned so that it can be put on the market for someone to buy. It's more marketable if it's zoned commercially. From our perspective, we only look at this from a standard zoning situation. It doesn't matter what the specific use would be because all the allowed uses under B-3 zoning would be allowed. The question right now is if this property is appropriate for commercial zoning.

**THE VOTE:** SCARBOROUGH -AYE, ALDERMAN WILSON-AYE, CHEVALIER-AYE, WALLACE-AYE, HALL-AYE, MAYOR BOLEY-AYE.

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

**8. PUBLIC HEARING**

- **AMEND THE EAGLE HEIGHTS CONCEPTUAL PLAN TO THE LAKESIDE FARMS CONCEPTUAL PLAN AND CHANGE THE DENSITY OF THE DEVELOPMENT.**

**Public hearing opened.**

HENDRIX stated that the Staff Report and the draft ordinance has been included in the packet. Currently the Conceptual Plan zone districts here are

R-1P and R-2P. This proposal shrinks the area of the R-2 and expands the area of the R-1 and keeps the "P" designation. The original proposal came to us in 2018 which was prior to our most current Comprehensive Plan. The city adopted the 2030 Comprehensive Plan, which called for several changes to city zoning and subdivision codes. This new Conceptual Plan would allow 44 two-family lots for 88 dwelling units and 201 new single-family lots, for a new density of 3.6 dwelling units per acre. The new single-family units would be, typically 56' wide, well within the new 50' wide R-1D district. All the original reasons for the Conceptual plan exist, with just these changes to match the new Comprehensive Plan standard allowances.

There were no members of the public that signed up to speak.

**Public hearing closed.**

**9. AMEND THE CONCEPTUAL PLAN OF EAGLE HEIGHTS AT 18400 N EAGLE PKWY**

- **APPLICANT SEEKS TO AMEND THE EAGLE HEIGHTS CONCEPTUAL PLAN AND RENAME IT TO THE LAKESIDE FARMS CONCEPTUAL PLAN.**

SCARBOROUGH motioned to approve amending the Conceptual Plan of Eagle Heights at 18400 N Eagle Pkwy. Seconded by MAYOR BOLEY.

**DISCUSSION:**

HALL stated that in both the Preliminary plat and the Conceptual Plan it says in phase 1 there will be 26 two family homes and 10 single family lots but, in the table provided, it says 26 two family and 8 single family.

HENDRIX stated that it would be 26 two family and 8 single family because when we get to the next phase it will be capped at 60 in the first phase because after 60 they will have to do the MODOT work.

WALLACE asked if the developer would have to pay for all the MODOT improvements.

HENDRIX stated yes.

ALDERMAN WILSON stated that there has been many discussions here about future developments being senior friendly. Would the construction plans for the homes incorporate that in?

**Steve Warger---6127 NW Pine Ridge Cr Parkville, MO 64152---**We are not designating an area for +55 but with the smaller lot sized this is what you would expect when downsizing.

ALDERMAN WILSON asked if they would have zero thresholds and stuff like that in some of the homes to make them more accessible to someone in a wheelchair or walker?

MR. Warger stated that if someone came to them with that need, they could work with them on that.

CHEVALIER stated that this plan touches on a lot of the key items with the Comprehensive Plan. It will be great for the folks here.

**THE VOTE:** WALLACE -AYE, HALL-AYE, MAYOR BOLEY-AYE, CHEVALIER-AYE, ALDERMAN WILSON-AYE, SCARBOROUGH-AYE.

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

## **10. PUBLIC HEARING**

- **PRELIMINARY PLAT FOR LAKESIDE FARMS, A NEW SUBDIVISION AT 18400 N EAGLE PKWY TO CREATE 245 LOTS WITH 289 DWELLING UNITS ON 80 ACRES.**

**Public hearing opened.**

HENDRIX stated that the RFA, Guidelines for review document, Staff Report and the Development Agreement has been included in the packet. As you can see in the staff report there were a lot of changes to the sanitary sewer system. Instead of adding a new lift station we will be deleting one and adding a new one. So that allows us to stay the same on the number of lift

stations that we have. This project will also be involved in starting the first interceptor on the Owens Branch interceptor line which runs from the sewer plant all the way to the north side of 188<sup>th</sup> Street. As a part of the Parkland dedication requirements, they will be dedicating to the city 1 acre of land off the northeast corner of the development that will be added to the existing Wildflower Park. That park will go from 7.6 acres to 8.6 acres. They will also prepare an access point to allow for a parking lot for Wildflower Park in the future. A trail will also be included that runs through this development and all the way through the Wildflower subdivision to 188<sup>th</sup> Street.

**Robert Slocombe---18990 Tradewinds Dr---**Asked for more information about the trail system. Will this extend to the railroad easement in Diamond Crest?

HENDRIX explained that it's part of the Parks Master Plan of the City of Smithville which calls for a trail to connect 188<sup>th</sup> Street and eventually over to the County Park further east all the way down to 180<sup>th</sup> Street. The City's in the process now of getting grant funding to do that work probably in 5 to 8 years down the road. The Diamond Crest Trail is on a completely different project.

**Public hearing closed.**

## **11. PRELIMINARY PLAT APPROVAL – LAKESIDE FARMS AT 18400 N EAGLE PKWY – 245 LOTS**

- **APPLICANT SEEKS PRELIMINARY PLAT FOR ITS 245 LOT, 289 DWELLING UNIT SUBDIVISION TO BE CALLED LAKESIDE FARMS.**

HALL motioned to approve Preliminary Plat for Lakeside Farms at 18400 N Eagle Pkwy – 245 Lots. Seconded by WALLACE.

### **DISCUSSION:**

ALDERMAN WILSON had a question about a specific part of the Development Agreement regarding the sanitary sewers. Where it states that the interceptor Phase 3 but is not anticipated to be needed for more than 20

years of development in the north, what if that is needed in more like 15 years?

HENDRIX stated that if development moves fast and works its way up, that interceptor will have to be installed and connect to the south end of this development. It will all be gravity with no lift stations. If development goes slow this may not be needed for 40 years. We just don't know. But from our perspective as staff, we need to be prepared so that if it moved faster, we can still get some of this stuff done.

**THE VOTE:** SCARBOROUGH -AYE, ALDERMAN WILSON-AYE, CHEVALIER-AYE, MAYOR BOLEY-AYE, HALL-AYE, WALLACE-AYE.

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

## **12. ADJOURN**

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

VOICE VOTE: UNANIMOUS

CHAIRMAN CHEVALIER declared the session adjourned at 7:34 p.m.