



Planning and Zoning Commission Meeting

September 8, 2026

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

Meetings are live streamed on the [City's YouTube](#) page.
The recordings are posted to social media and the City's website within 24 hours of the meeting.

- 1. Call to Order**
- 2. Approve the August 11, 2026, Planning Commission Minutes**
- 3. Staff Report**
- 4. Public Hearing – Rezoning 119 N 169 Hwy from B-3 and R-3 to R-3**

Applicant seeks to rezone the west 4.5 +/- acres from B-3 to R-3 to create one cohesive R-3 lot in accordance with the Comprehensive Plan's Future Land Use Plan

- 5. Rezoning 119 N 169 Hwy to entirely R-3**

Applicant seeks to rezoning the property in accordance with the Future Land Use Plan

- 6. Public Hearing – Conceptual Plan – Smithville Plaza Apartments – a 200-unit complex on 8.5 acres of land at 119 N 169 Highway on land zoned R-3**

The purpose of this hearing is to take public comment on a proposed 200-unit apartment complex on 8.5 acres behind the commercial buildings on 169, from Casey's to the river.

- 7. Conceptual Plan – R-3P for a 200-unit apartment complex**

Applicant seeks approval of a Conceptual Plan for a three-building complex with 200 units and 294 additional parking spaces.

- 8. Adjourn**



SMITHVILLE PLANNING COMMISSION

REGULAR SESSION

August 11, 2026

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, Terry Hall, Billy Muessig, Mayor Damien Boley and Deb Dotson. Rob Scarborough was absent.

Staff present: Jack Hendrix and Linda Drummond.

2. MINUTES

The July 14, 2026, Regular Session Meeting Minutes were moved for approval by HALL, Seconded by DOTSON.

Ayes 6, Noes 0. Motion carried.

3. STAFF REPORT

HENDRIX reported:

Project Rocketship is moving forward on the south end of town.

There is a tenant finish permit pending for a new Mexican food restaurant at the old Price Chopper location. This is in addition to the one approved recently for La Fuente in the new strip center.

The diesel repair shop located in the First Park subdivision is close to completing construction. Walston Architectural Supply is open and operational. The spec building on the north end of the First Park subdivision is almost complete as well.

Next month we will only have 1 item on the agenda. It's the rezoning and Conceptual Plan for the Smithville Plaza Apartments.

4. PUBLIC HEARING – CLAY CREEK MEADOWS PHASES II & III CONCEPTUAL PLAN

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED REQUEST TO CREATE A CONCEPTUAL PLAN TO AUTHORIZE A COLLECTIVE LOT COVERAGE LIMIT INSTEAD OF AN INDIVIDUAL LOT COVERAGE LIMIT.**

Public hearing opened.

HENDRIX informed that the packet includes the staff report, plat document and the proposed findings.

No citizens present wished to speak.

Public hearing closed.

5. CONCEPTUAL PLAN FOR CLAY CREEK MEADOWS PHASES II & III

- **APPLICANT SEEKS TO ALLOW CALCULATION OF THE LOT COVERAGE LIMITS IN A COLLECTIVE FASHION INSTEAD OF AN INDIVIDUAL FASHION AS STILL REMAIN BELOW THE 30% LOT COVERAGE REQUIREMENT.**

DOTSON motioned to approve the Conceptual Plan for Clay Creek Meadows Phase II & III. Seconded by MAYOR BOLEY.

Discussion:

HENDRIX explained that the applicant and several representatives for the applicant are here for any questions. The issue stems from the layout of

multifamily lots, where some lots exceed the 30% lot coverage limit while others fall well below it. Although the development has sufficient total acreage, the configuration of individual lots prevents certain buildings from fitting within current requirements. Rather than seeking a variance or exception, which is not permitted for a private project in Missouri, the applicant is requesting a zoning-related change that would allow lot coverage to be calculated across the development as a whole. This approach remains consistent with the zoning district's intent and is considered an acceptable flexibility under the existing code, particularly because the lot coverage requirement is primarily related to stormwater management and density control.

ALDERMAN WILSON asked if this was something that should have been presented to us when we first seen this development for the site plan.

HENDRIX stated no, it's not something that would have been identified at that stage. When the site plan was prepared, the focus was on setbacks, including front, rear, and side property line requirements, to ensure the proposed development would fit within the lots. Until a specific buyer and building plan are identified, it is difficult to determine the exact lot coverage. Lot coverage varies because lot sizes differ, particularly along curved roads where parcel dimensions are not uniform. As a result, the calculations at that stage were limited to confirming compliance with setback requirements. At the time, the developer knew only that the project would consist of multifamily buildings and did not have the exact building designs or dimensions needed to calculate lot coverage. Because the proposed structures appeared to fit within the lots based on setback standards, there was no reason for staff or decision makers to anticipate or specifically inquire about lot coverage calculations. The conceptual plan process allows changes to the bulk regulations, which is height, width, setbacks, lot coverage as long as the overall intent of the district is met. In this case, they're seeking to change how that 30% lot coverage is calculated versus individual lots. In this scenario their maximum lot coverage is down to 24.8%, so it's substantially below where it could be if they wanted to redesign their buildings to make them all fit.

ALDERMAN WILSON asked if this was not successful, what would they have to do?

HENDRIX explained there are two potential impacts. The buildings would need to be redesigned to maintain the currently planned unit count, but a

redesign could also create an opportunity to increase development intensity. By increasing lot coverage and raising the whole thing up, the project could gain additional square footage and potentially generate more revenue. In that scenario, development could approach the 30% coverage cap, which was originally established to help limit stormwater impacts.

THE VOTE: MAYOR BOLEY-AYE, MUESSIG-AYE, HALL-AYE, CHEVALIER-AYE, DOTSON-AYE, ALDERMAN WILSON-AYE.

AYES-6, NOES-0. MOTION PASSED

6. PUBLIC HEARING – SINGLE PHASE FINAL PLAT FOR CLAY PARK SUBDIVISION FROM A PORTION OF 14600 N 169 HWY

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED SINGLE PHASE FINAL PLAT FOR A NEW 2 LOT SUBDIVISION ON THE FORMER KCI RV STORAGE (NOW OUTRIG) LAND FOR THE INSTALLATION OF A BATTERY ENERGY STORAGE FACILITY.**

Public hearing opened.

HENDRIX stated that the Staff Report, plat document and proposed development agreement have been provided in the packet.

No citizens present wished to speak.

Public hearing closed.

7. SINGLE PHASE FINAL PLAT FOR CLAY PARK SUBDIVISION

- **APPLICANT SEEKS APPROVAL OF A FINAL PLAT TO DIVIDE THE EXISTING PARCEL INTO TWO LOTS, INCLUDING A NEW 10-ACRE PARCEL AT THE NORTH END OF THE PARCEL AS WELL AS THE REMAINING PORTION OF THE PARCEL.**

MAYOR BOLEY motioned to approve the Single-Phase Final Plat for the Clay Park Subdivision. Seconded by MUESSIG.

Discussion:

HENDRIX explained that the applicant and its representatives are here for questions.

Several representatives for the Claythorne Reliability Project by AYPa Power were present. They provided a presentation to the commission. They were also available for any questions and concerns that the commission had.

THE VOTE: MAYOR BOLEY-AYE, MUESSIG-AYE, HALL-AYE, CHEVALIER-AYE, DOTSON-AYE, ALDERMAN WILSON-AYE.

AYES-6, NOES-0. MOTION PASSED

8. PUBLIC HEARING – REZONING A PORTION OF 14600 N 169 HWY FROM B-3 TO I-1

- **APPLICANT SEEKS TO REZONE THE NORTH 10 ACRES OF 14600 N 169 HWY (APPROXIMATELY 600 W. 148TH STREET) FROM B-3 TO I-1 IN ACCORDANCE WITH THE COMPREHENSIVE PLAN'S FUTURE LAND USE PLAN**

Public hearing opened.

HENDRIX stated the staff report and a draft version of findings of fact were provided in the packet.

No citizens present wished to speak.

Public hearing closed.

9. REZONING A PORTION OF 14600 N 169 HWY TO I-1

- **APPLICANT SEEKS TO REZONING THE PROPERTY IN ACCORDANCE WITH THE FUTURE LAND USE PLAN**

DOTSON motioned to approve the rezoning at 14600 N US 169 Hwy to I-1.
Seconded by HALL.

Discussion: None

THE VOTE: MAYOR BOLEY-AYE, MUESSIG-AYE, HALL-AYE, CHEVALIER-AYE, DOTSON-AYE, ALDERMAN WILSON-AYE.

AYES-6, NOES-0. MOTION PASSED

10. PUBLIC HEARING – CONDITIONAL USE PERMIT – BATTERY ENERGY STORAGE FACILITY ON A PORTION OF 14600 N 169 HWY APPROXIMATELY 600 W. 148TH ST. ON LAND ZONED I-1

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON A PROPOSED BATTERY ENERGY STORAGE FACILITY TO BE LOCATED ON 10 ACRES NORTH OF THE FORMER KCI RV (NOW OUTRIG) FACILITY AND SOUTH OF THE EVERGY SUBSTATION AT APPROXIMATELY W. 148TH STREET, WEST OF 169 HWY.**

Public hearing opened.

HENDRIX stated the staff report, application document and proposed CUP findings were provided in the packet.

Mark Maus – 16731 Riverview Rd Smithville, MO 64089— Stated that he was here to speak on behalf of AYPAs. While they were coming in to meet with city officials and Jack over the last year they always made an effort, and if I was available to meet with us, this usually occurred once to twice a month to make sure that we felt comfortable and had

confidence in what they were doing. I know my 1st question to them was, what would Chief Cline say and they had great responses. They talked about the International Fire Code that they have to follow, and as soon as they started talking about it, I glanced over it and knew that it was a Chief Cline answer that I didn't need to explore. I just wanted to say thank you to them for being so communicative from the start, we really appreciate that. As the School District, there might be a chance that we would get some students out there on the site as they're constructing. We appreciate them bringing this to Smithville. And I think we have the same hope others do limit future energy.

Public hearing closed.

11. CONDITIONAL USE PERMIT – BATTERY ENERGY STORAGE FACILITY AT APPROXIMATELY 600 W. 148TH STREET

- **APPLICANT SEEKS APPROVAL OF A CONDITIONAL USE PERMIT FOR A BATTERY ENERGY STORAGE FACILITY ON LAND ZONED I-1 IN ACCORDANCE WITH THE NEW BESF RULES ADOPTED BY THE BOARD OF ALDERMEN.**

HALL motioned to approve the Conditional Use Permit for a Battery Energy Storage Facility at approximately 600 W. 148th Street. Seconded by MUESSIG.

Discussion: None

THE VOTE: MAYOR BOLEY-AYE, MUESSIG-AYE, HALL-AYE, CHEVALIER-AYE, DOTSON-AYE, ALDERMAN WILSON-AYE.

AYES-6, NOES-0. MOTION PASSED

12. PUBLIC HEARING – REZONING WHISPERING CREEK FARMS AT APPROXIMATELY 4200 NE 144TH STREET FROM COUNTY AG TO A-R

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED REZONING FROM COUNTY AG TO A-R.**

Public hearing opened.

HENDRIX stated that included in the packet is the staff report, draft findings of fact and conclusions of law document and also submitted an ordinance.

CHEVALIER also informed the commission that Mr. Yeatman left a packet for us with an email and some documents as well.

Jerry Brant – 25 Main Street Liberty, MO — Stated that the proposed 32-lot subdivision raises significant public safety concerns. Issues include a single entrance serving the development, limited visibility at the proposed intersection on 144th Street, potential fire code compliance problems, and the presence of four cul-de-sacs. Noted that a second access point may be possible and recommends review by the local fire protection district. Additional concerns included septic systems and potential drainage impacts to Smithville Lake, traffic safety and emergency access.

Larry Yeatman – 4014 NE 144th Street Smithville, MO 64089 — Stated that he is a neighboring property owner and states that they are not opposed to development but believe the subdivision should be redesigned to reduce impacts on nearby residents and improve safety. He spoke about the county's previous denial of a similar proposal because of concerns about a single entrance at a dangerous intersection. Noted that the developer controls land that could accommodate a second access point and referenced engineering alternatives that would connect the subdivision to Mount Olivet Road. Stated that a second entrance would improve visibility, buffering, emergency access, and overall public safety.

David Dugan -- 4017 NE 144th Street Smithville, MO 64089 — Stated that he has lived on Northeast 144th Street for 10 years and opposes the proposed subdivision entrance on 144th Street due to safety concerns. Because of both professional experience as a surgeon and personal experience living next to the proposed access point, he feels that limited sight distance and high vehicle speeds create a substantial risk of serious accidents. He believes the dangers are avoidable because safer alternative access options exist and urges decision-makers to prioritize public safety.

John Lee – 4400 NE 144th Street Smithville, MO 64089 — Stated that he is a neighboring landowner whose farm borders the proposed development. He objects to the increasing density of the Whispering Creek subdivision. He noted that the property was originally divided into large-acreage parcels, but successive development proposals have increased the number of lots from 28 to 32 and now 34, reducing average lot sizes. He believes this change undermines the original character of the area, could reduce neighboring property values, and requests that the development be limited to 15 lots.

Cheryl Lee – 4400 NE 144th Street Smithville, MO 64089 — Stated that the subdivision has two major design flaws: lack of a genuine second access point and a hazardous primary entrance. Stated that the proposed secondary connection through a floodplain is unlikely to be built due to cost and construction challenges, leaving residents with only one entrance and exit. She is also concerned about poor visibility, speeding traffic, severe winter snow drifting, emergency vehicle access, and potential fire code compliance issues. She believes a safer and more practical access route exists and urges decision-makers to reject the current entrance design.

Jeff Cindrich – 4814 NE 144th Street Smithville, MO 64089 — Stated that he opposes the proposed density of the development because it would increase traffic and alter the quiet character of the area. He explained that he purchased their 20-acre property with the expectation that surrounding land would remain in larger parcels. Due to past experience when traffic was temporarily rerouted through the area, he stated that higher traffic volumes reduce quality of life, create safety concerns, and undermine the peaceful rural environment that residents value.

Ana Maguire – 4803 NE 144th Street Smithville, MO 64089 — Stated that she opposes the proposed 32-lot subdivision, stating that it conflicts with the city's goals of preserving agricultural land and rural character. She noted that local roads are not designed to handle the increased traffic the development would generate, potentially creating safety issues and infrastructure costs. She also raises concerns about the environmental and public health risks associated with 32 individual septic systems. As a local resident and small farm owner, she believes the development would negatively affect the area's rural lifestyle, safety, and quality of life.

Dale Greene – 4807 NE 144th Street Smithville, MO 64089 — Stated that he is a 40-year resident of the area and opposes the proposed

subdivision entrance because he believe it would create a dangerous traffic situation on a narrow, hilly rural road. He stated that the proposed safety measures merely attempt to compensate for a fundamentally flawed road design and do not adequately protect residents. Because of firsthand knowledge of serious accidents in the area, he urges officials to prioritize safety over cost and consider alternative access routes, particularly a connection to Mount Olivet Road or a secondary entrance through Greenbrier.

Michael Ballenger – 14975 Mount Olivet Rd Smithville, MO 64089

— Stated that he does not oppose development but emphasizes the need for thorough traffic and safety planning. As a parent of future teenage drivers, he is concerned that existing traffic studies do not adequately evaluate the cumulative impact of nearby developments or the effects on the Mount Olivet Road and 144th Street intersection. He spoke about increasing traffic volumes, recent serious accidents, and difficult driving conditions in the area, and urged decision-makers to conduct a broader traffic analysis and prioritize infrastructure improvements to ensure public safety.

Nicole Pfaff – 3405 NE 144th Street Smithville, MO 64089 — Stated that her house is located at the corner of 144th St and Mt. Olivet Rd. Stated this is a dangerous intersection. Her son was involved in an accident while pulling onto 144th Street due to limited visibility from a blind hill, overgrown brush, and speeding traffic. Accidents occur there, and many drivers travel at high speeds through the area, making it unsafe. Stated she is not opposed to development but believes it should be designed in a way that minimizes negative impacts on nearby residents. She is concerned that a large, high-density subdivision across the street would increase traffic and safety risks. Other approved developments with larger lots and lower density could serve as examples of a more appropriate approach. Additional concerns included light pollution, which would affect the dark, rural environment that residents enjoy, as well as questions about sewer or septic infrastructure. She encouraged consideration of development options that better fit the character of the area and reduce impacts on neighboring properties.

Public hearing closed.

13. REZONING WHISPERING CREEK FARMS TO A-R AT 4200 NE 144TH STREET.

- **THE APPLICANT SEEKS TO REZONE THE PORTION OF ITS 158 +/- ACRES AT APPROXIMATELY 4200 NE 144TH STREET FROM COUNTY AG TO A-R FOR A NEW 32 LOT SUBDIVISION.**

DOTSON motioned to approve the Rezoning of Whispering Creek Farms to A-R at 4200 NE 144th Street. Seconded by MAYOR BOLEY.

Discussion:

HENDRIX explained that the proposed zoning is A-R, which is our agricultural - residential use. Minimum lot size is 2 acres with sewers, 3 acres without sewers. With this one the lot sizes are an average of just under 5 acres. They range from 3 - 14 acres. This commission has to focus on the items in the findings of fact for the rezoning which is included in the packet.

THE VOTE: MAYOR BOLEY-AYE, MUESSIG-AYE, HALL-AYE, CHEVALIER-AYE, DOTSON-AYE, ALDERMAN WILSON-AYE.

AYES-6, NOES-0. MOTION PASSED

14. PUBLIC HEARING – SINGLE PHASE FINAL PLAT FOR A NEW 32 LOT SUBDIVISION AT 4200 NE 144TH STREET ON 158+/- ACRES.

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED SINGLE PHASE FINAL PLAT ON 158+/- ACRES FOR A NEW LARGE LOT SUBDIVISION.**

Public hearing opened.

HENDRIX stated that the commission should consider and incorporate the public comments made during the previous public hearing, as many of those concerns were directly related to this proposal. He reminded the commission to evaluate the project based on the applicable subdivision review standards. The proposal is for a single-phase final plat subdivision, meaning

the entire development would be constructed at once rather than in stages. This would include construction of streets, required water system upgrades, and installation of utilities and infrastructure. Any additional improvements, such as power line extensions and utility connections, would be required to comply with the applicable city review and approval processes.

Jerry Brant – 25 Main Street Liberty, MO — Stated that residents are not opposed to development but want it done responsibly and safely. Major concerns include the dangerous, low-visibility intersection at the proposed entrance, the unusually long cul-de-sac road design, potential emergency access issues, and compliance with fire safety standards. He noted that the combination of these factors poses significant safety risks and urged officials to deny the proposed subdivision.

Larry Yeatman – 4014 NE 144th Street Smithville, MO 64089 — Stated that requiring warning signs or traffic signal devices at the proposed entrance is an acknowledgment that the intersection is inherently dangerous. He questioned the wisdom of creating a new subdivision entrance that would require special safety measures and expressed concern about placing responsibility for maintaining traffic control devices on a small homeowners' association, citing potential liability and insurance issues. His primary concern was the proposed road location adjacent to their property. He stated that increased traffic would reduce privacy, alter the rural character of the area, and create safety concerns for family members and horses that use the property's perimeter. He urged officials to reject the current road plan and instead consider alternative subdivision designs that would minimize impacts on existing neighboring properties.

Jeff Cindrich – 4814 NE 144th Street Smithville, MO 64089 — Expressed concern that the subdivision proposal is being reconsidered after previously being rejected by the county. He stated that residents are not opposed to development but want it to be consistent with the character of the surrounding area. He noted that nearby properties along Mount Olive and 144th Street have much larger lot sizes and questioned why the proposal appears to meet only minimum standards. He stated that the perspectives of existing homeowners, who have invested in the area and chosen it as their long-term home, should be given significant weight in the decision-making process..

Michael Ballenger – 14975 Mount Olivet Rd Smithville, MO 64089
— Stated that a similar proposal for the property was previously rejected by

county officials due to safety concerns. He stated that those concerns remain unaddressed in the current proposal and that increasing the number of lots from 28 to 32 may further worsen the safety issues. He encouraged the commission to review the history of the project and consider the reasons the earlier proposal was denied when evaluating the current subdivision plan.

Ana Maguire – 4803 NE 144th Street Smithville, MO 64089 — Stated that most residents are not opposed to development but believe the proposed density is too high. They questioned why a 32-lot subdivision is being considered when a previous 28-lot proposal was rejected by the county due to safety concerns and urged the commission to review the reasons for that denial. Additional concerns included potential impacts on property values, increasing development pressures in the area, traffic growth, infrastructure maintenance, septic system oversight, and environmental protection. She emphasized the need for careful planning that preserves the area's rural character, protects natural resources and public safety, and minimizes impacts on existing residents. She suggested that fewer homes and access from a larger road would be more appropriate and again encouraged consideration of the county's previous concerns.

Dale Greene – 4807 NE 144th Street Smithville, MO 64089 — Expressed concern that traffic studies may underestimate actual road usage because the area experiences significant cut-through traffic from surrounding neighborhoods. He noted that many drivers use local roads as an alternative route to avoid busier highways, contributing to higher traffic volumes and speeding. Given the already hazardous intersection and existing traffic patterns, he believes adding a subdivision entrance would worsen safety issues and create additional problems for area residents.

Public hearing closed.

15. SINGLE PHASE FINAL PLAT FOR A NEW 32-LOT SUBDIVISION AT 4200 NE 144TH STREET.

- **APPLICANT SEEKS TO CREATE A NEW LARGE LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION ON LAND ZONED A-R TO BE CALLED WHISPERING CREEK FARMS PHASE II.**

MAYOR BOLEY motioned to approve the Single-Phase Final Plat for a new 32-lot subdivision at 4200 NE 144th Street. Seconded by DOTSON.

Discussion:

The Commission and Mr. Hendrix had a lengthy discussion which included comments and concerns from Smithville Area Fire Protection District Chief Cline's, septic system oversight, motor vehicle accident statistics, speed limits, HOA's responsibility to the traffic control device, single entrance versus second entrance, Development Agreement, lot sizes, city police patrol, and streetlights.

Lindsay Vogt with RL Buford & Associates Engineering also spoke regarding the traffic study that was conducted.

MAYOR BOLEY motioned for a condition for approval to require a full Traffic Impact Study for Mt. Olivet and 144th Street for Whispering Creek Farms Phase II. Seconded by HALL.

THE VOTE: MAYOR BOLEY-AYE, MUESSIG-AYE, HALL-AYE, CHEVALIER-AYE, DOTSON-AYE, ALDERMAN WILSON-AYE.

AYES-6, NOES-0. MOTION PASSED

ALDERMAN WILSON motioned for a condition for approval to require 28 lots or less for Whispering Creek Farms Phase II. Seconded by DOTSON.

THE VOTE: MAYOR BOLEY-AYE, MUESSIG-NAY, HALL-NAY, CHEVALIER-AYE, DOTSON-AYE, ALDERMAN WILSON-AYE.

AYES-4, NOES-2. MOTION PASSED

HALL motioned to postpone approval of the Single-Phase Final Plat for a new subdivision at 4200 NE 144th Street until the October 13, 2026, Planning Commission Meeting. Seconded by MUESSIG.

THE VOTE: MAYOR BOLEY-AYE, MUESSIG-AYE, HALL-AYE, CHEVALIER-AYE, DOTSON-AYE, ALDERMAN WILSON-AYE.

AYES-6, NOES-0. MOTION PASSED

16. ADJOURN

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

VOICE VOTE: UNANIMOUS

CHAIRMAN CHEVALIER declared the session adjourned at 9:19 p.m.

Not Yet Approved



Planning and Zoning Commission Procedural Summary

MEETING DATE: 9/8/2026

DEPARTMENT: Development

AGENDA ITEM: Rezoning 119 N. 169 Hwy – Smithville Plaza Apartments

REQUESTED COMMISSION ACTION:

A motion to approve Findings of Fact and recommendation to the Board of Aldermen.

SUMMARY OF PROCEDURE:

The application is to rezone 8.5+/- acres of land between Casey's on 169 and the Patterson House Museum on Bridge St. from B-3 and R-3 to R-3.

A draft findings of fact are presented, along with an Ordinance that will be submitted to the Board of Aldermen. The motion to approve (listed above) must be seconded, and if seconded, discussion on the matters of the public hearing and any documents provided may be discussed.

Voting to approve the Findings of Fact as presented will send the draft version to the Board. If a Commissioner seeks to amend one or all of the proposed findings, then a motion to amend (paragraph #) with language on what change is sought should be made. If that motion to amend is seconded, it then becomes the discussion point of the Commission. After discussion, a vote is taken on the amendment. This process continues until there are no more proposed amendments.

Once the original motion is amended, or if no amendments are made, discussion can focus on the proposed findings. When discussion is complete, the chair shall call for a vote.

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| ☒ Ordinance | ☐ Contract |
| ☐ Resolution | ☐ Plans |
| ☒ Staff Report | ☐ Minutes |
| ☒ Other: Findings of Fact | |



STAFF REPORT

July 6, 2017

Rezoning of Parcel Id # 05-617-00-02-002.01

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: 119 N 169 Highway
Owner: 101 US 169 LLC
Current Zoning: B-3 & R-3
Proposed Zoning: R-3

Public Notice Dates:

1st Publication in Newspaper: August 19, 2026
Letters to Property Owners w/in 185': August 19, 2026

GENERAL DESCRIPTION:

The applicant has submitted a rezoning request to change the B-3 portion of the subject parcel to R-3 and then create a conceptual plan for development of a 200-unit apartment complex on both the rezoned property and the existing R-3 property to the east.

EXISTING ZONING:

The existing zoning is B-3 and R-3.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area predominantly commercial to the north and west, with the river to the south and mixed uses thereafter to the south. The east side is zoned both R-3 and B-4 with single family residential houses.

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

The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan seeks

additional residential density in and near the downtown core to provide a vibrant downtown culture.

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

Streets and Sidewalks:

All public streets are recently upgraded by the city's most recent Streetscape project, or is a MoDOT controlled highway. No additional public street infrastructure improvements are necessary.

Water, Sewer and Storm water

The city has sufficient water supply and sewer capacity in the area. The applicant will be responsible for additional waterline construction to ensure adequate fireflows exist. Any impacts will be handled in the normal development engineering process, but the existing systems are more than adequate.

All other utilities

All utilities are currently available on site, but future development will be conditioned upon installation of all other needed upgrades or extensions of 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 B-3, adjacent to R-3, and no development has occurred. The highest and best use of the entire parcel is the mixed uses of retail and residential as proposed.

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

The property was zoned to its' existing district classification when zoning was established and it has never developed.

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

The proposed district essentially adjusts the current boundary between the B-3 and R-3 portions of the parcel to the west to the existing commercial uses.

EXTENT WHICH THE AMENDMENT MAY DETRIMENTALLY AFFECT NEARBY PROPERTY *400.560.C.7*

No detrimental effects are known.

WHETHER THE PROPOSAL HAS A DISPROPORTIONATE GREAT LOSS TO ADJOINING PROPERTY OWNERS RELATIVE TO THE PUBLIC GAIN *400.560.C.8*

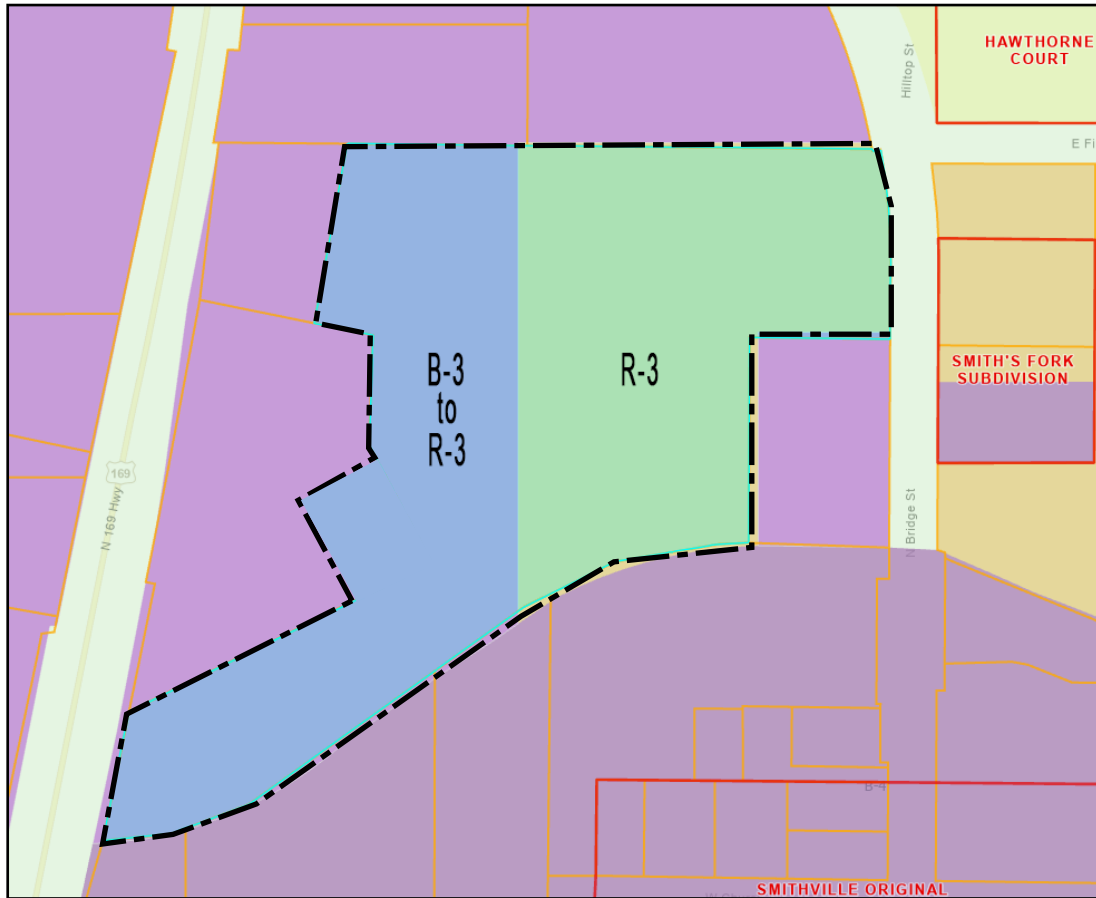
With no detrimental effects known, no great loss is expected.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed district based upon the change meets the Comprehensive Plan recommendations.

Respectfully Submitted,

Zoning Administrator



Smithville Plaza Apartments

101 US Highway 169

Rezoning from B-3 to R-3

8.5 acres

164 units

19.3 units/acre

Exhibit A

REZONING FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicants: 101 169 Hwy LLC

Land Use Proposed: R-3

Zoning: B-3 and R-3

Property Location: Approximately 119 N US 169 Hwy

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 September 8, 2026, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

Finding of Facts

1. *Character of the neighborhood.*
The surrounding area predominantly commercial to the north and west, with the river to the south and mixed uses thereafter to the south. The east side is zoned both R-3 and B-4 with single family residential houses.
2. *Consistency with the City's Comprehensive Plan and ordinances.*
The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan seeks additional residential density in and near the downtown core to provide a vibrant downtown culture.
3. *Adequacy of public utilities and other needed public services.*
The property is accessible to all utilities and other public services and the development is required to construct connections to those utilities and services at its own cost.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*
The current use is B-3, adjacent to R-3, and no development has occurred on either part. The highest and best use of the entire parcel is the mixed uses of retail and residential as proposed.
5. *Length of time the property has remained vacant as zoned.*
The property was zoned to the existing district classification when zoning was established, and no development or change has occurred.
6. *Compatibility of the proposed district classification with nearby properties.*

The proposed district essentially adjusts the current boundary between the B-3 and R-3 portions of the parcel to the west to the existing commercial uses and is both complimentary and compatible to the nearby properties.

7. *The extent to which the zoning amendment may detrimentally affect nearby property.*

No detrimental effects are anticipated to the adjacent property values.

8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*

No detrimental effects are anticipated to adjacent properties, so no great loss is expected.

9. That in rendering this Finding of Fact, testimony at the public hearing on September 8, 2026, has been taken into consideration as well as the documents provided.

Recommendation of the Planning Commission

Based on the foregoing findings of fact, we conclude that:

- A. This application and the Rezoning of this property from B-3 and R-3 to R-3, is governed by Section 400.550 of the zoning ordinance of Smithville, Missouri.
- B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.
- C. The Planning and Zoning Commission of the City of Smithville, Missouri recommends approval of rezoning the property to R-3.



Planning and Zoning Commission Procedural Summary

MEETING DATE: 9/8/2026

DEPARTMENT: Development

AGENDA ITEM: Smithville Plaza Apartments Conceptual Plan

REQUESTED COMMISSION ACTION:

A motion to approve the findings for the Smithville Plaza Apartments Conceptual Plan

SUMMARY OF PROCEDURE:

The application is to approve a conceptual plan for the R-3 zoning at the Smithville Plaza Apartments located at 119 N. 169 Hwy.

A draft findings of fact for ALL conceptual plans are presented, and listed below:

Conceptual Development Plan Findings:

- a. That the Commission has reviewed the conceptual development plan with consideration of the issues contained in Subsection 400.200 (B)(3) (site plan standards); and*
- b. That the conceptual development plan is in conformance with the comprehensive land use plan and other appropriate sections of the Code of Ordinances; and*
- c. That the conceptual development plan provides for an organized and unified system of land use intensities which are compatible with the surrounding areas; and*
- d. 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.*

The motion to approve (listed above) must be seconded, and if seconded, discussion on the matters of the public hearing and any documents provided may be discussed.

The findings aren't subject to modification, so discussion should focus upon whether the proposed findings are supported by the evidence presented at the public hearing and any discussion items herein.

When discussion is complete, the chair shall call for a vote.

ATTACHMENTS:

- | | |
|--|---|
| ☒ Ordinance | ☐ Contract |
| ☐ Resolution | ☒ Plans |
| ☒ Staff Report | ☐ Minutes |
| ☐ Other: | |



STAFF REPORT

April 21, 2026

Conceptual Plan Rezoning of Parcel Id # 05-617-00-02-002.01

Application for a Planned Development Overlay District Conceptual Plan

Code Sections:

400.200.B Planned Development Overlay District Classification
Amendments

Property Information:

Address: 119 N 169 HWY
Owner: 101US169 LLC
Current Zoning: B-3 & R-3
Proposed Zoning: R-3P conforming to the Conceptual Plan

Public Notice Dates:

1st Publication in Newspaper: September 19, 2026
Letters to Property Owners w/in 185': September 19, 2026

GENERAL DESCRIPTION:

The applicant has submitted a rezoning request to change the B-3 and R-3 portion of the subject parcel to R-3 and then create a conceptual plan for development of a 200-unit apartment complex on the entire parcel. The subject parcel lies immediately east of the Smithville Plaza Retail development that fronts upon 169 Highway, and west of Bridge Street: south of the 169 Self Storage facility and north of Smith's Fork of the Little Platte River. The parcel lies west and north of the Patterson House Museum as well.

The proposal includes 3 separate, 4-story buildings, with the smallest of the buildings to house 3 stories of apartments above a parking structure, and the other two buildings a full 4 stories of apartments.

EXISTING ZONING:

The existing zoning is R-3 on the east side of the extension of the Mill Street right of way line, easterly to the Bridge Street right of way line. The remaining of the parcel is currently zoned B-3 (shown in pink below).



In reviewing conceptual development plans for a Planned Development Overlay District, the Commission shall consider the requirements in the site plan review provisions in Sections 400.390 to 400.440 when evaluating the following:

TOPOGRAPHY

To ensure the site is suitable for development, and buildings are located and arranged in appropriate areas.

The parcel is generally flat, with a portion of the site adjacent to the river within the floodplain, including a portion within the floodway. The chosen layout is such that any of the floodplain restrictions to development are substantially mitigated to avoid the floodway entirely and limited fill in portions of the floodplain. With properly executed floodplain development permits, the buildings are located and arranged in appropriate areas. The proposed layout also substantially reduces any stormwater detention requirements within the floodplain.

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 Sections 400.450 to 400.480. The Commission may allow a deviation from these parking requirements should the applicant show an adequate amount of parking exists.

The current city parking standards were created in the 1960's and have remained unchanged since that time. Our Conceptual Plan code allows deviations IF the applicant can show an adequate amount of parking exists. During predevelopment conversations, staff noted that the oldest apartment complex in town is south of the river from this project at Fairview and Main Streets, constructed in the late 1980's. Those apartments have a total of 41 off-street parking spaces for 24 units, denoting a parking density ratio of 1.71 spaces per unit. The applicant was instructed at that time that any request to deviate below that ratio would need to have separate justifications via studies or national standards.

The applicant has submitted a site plan that provides 294 parking spaces (with additional co-location spaces in the retail area to the west) for a total of 200 units within 3 distinct buildings. This results in a parking density ratio of 1.47 spaces per unit. To justify this lower number of spaces, the applicant's traffic engineer evaluated the density requirements of both the International Traffic Engineers (ITE) and the Urban Planning Institute (UPI) and their studies and historical averages. The ITE numbers are also used in calculating the number of trips generated for each potential land use.

Those entities have numbers associated with the standard parking densities required for the various land uses. In the current application, the ITE land use code is 221, which applies to multifamily housing located in units with between 3 and 10 floors. The application indicates all buildings will be 4 stories high, but one will only have 3 stories of residential uses above one story of parking.

In a suburban setting, the ITE indicates a range between 1.26 and 1.36 spaces per unit, and the UPI recommends a parking density of no less than 1.46 (1.17 in urban settings). These recommendations translate into between 252 and 272 spaces for the ITE and 292 spaces for the UPI. The applicant has proposed 294 spaces, which exceeds both national recommendations.

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.

Building separation exceeds the standard setback requirements in R-3 districts and is in full compliance with the fire codes.

ARCHITECTURE

To ensure the architectural theme is compatible and consistent throughout the project and is reasonably compatible with surrounding developments.

The proposed architectural theme is surrounded by truly commercial buildings and one historical building zoned commercially, but remains reasonably compatible with surrounding development.

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.

The layout addresses the site drainage by laying out the buildings in a way to particularly avoid any floodways and the only floodplain construction will include a building with three stories of residential units above a ground level parking lot. The access into and through the site are addressed in the TIS and anticipates a 60-40 split of traffic between 169 through the retail area and via Bridge Street to the east directly.

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 landscaping plan addresses some plantings along the south façade of the western building similar to the retail area to the east, but leaves much of the remaining south facades open for view to and from the river. The eastern and western portions of the site will include substantial plantings to improve both the on-site and off-site views. The north façade will have limited plantings to address breaks in the parking area that faces the rear of the storage units to the north.

OTHER MATTERS

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.

The location of this project does address the Comprehensive plan goal of improving the density of housing near the core downtown retail and entertainment area.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed district based upon the change meets the Comprehensive Plan recommendations.

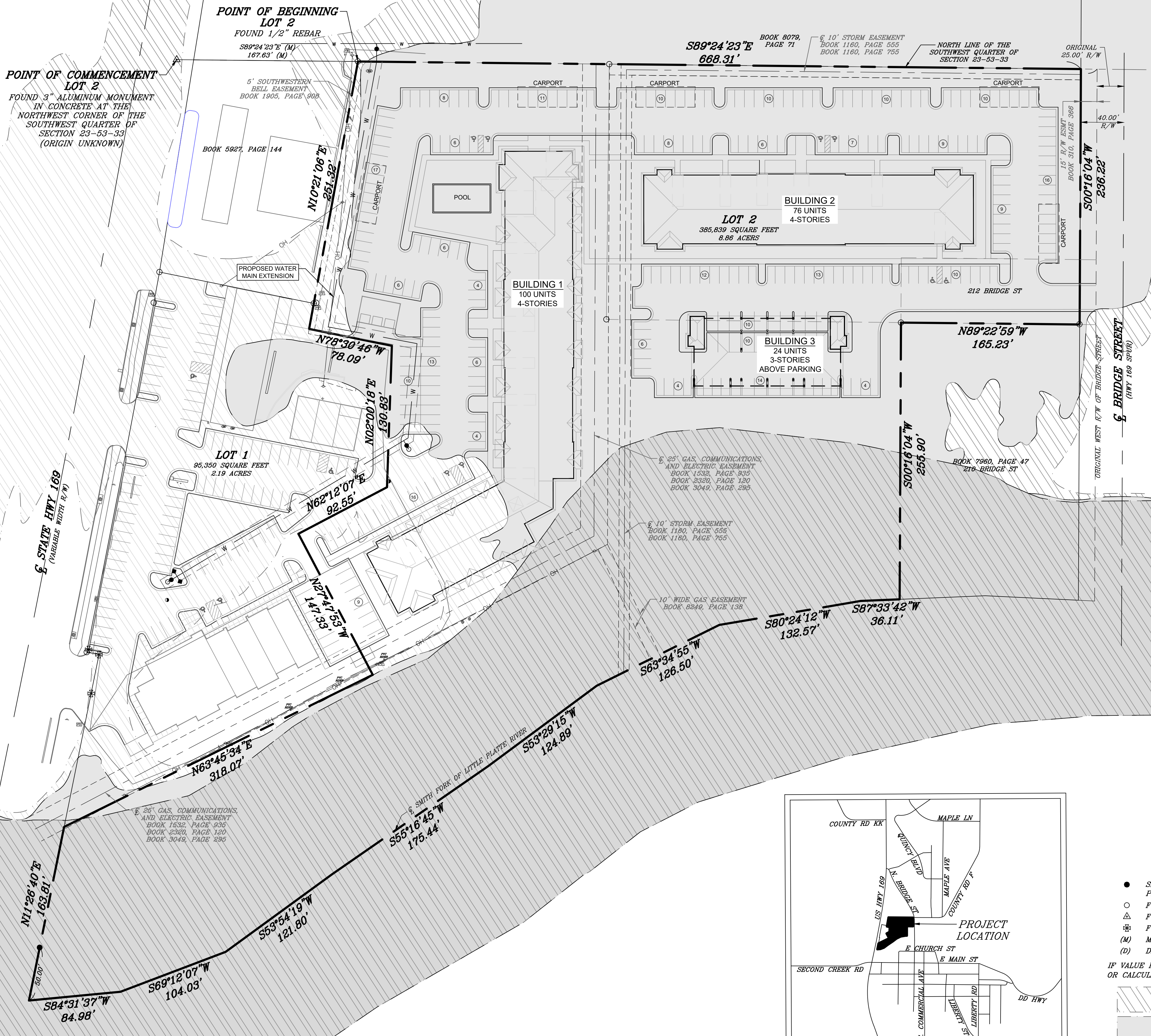
Respectfully Submitted,

Zoning Administrator

SMITHVILLE PLAZA

PLANNED DEVELOPMENT OVERLAY CONCEPTUAL PLAN

A DEVELOPMENT IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 53 NORTH, RANGE 33 WEST SMITHVILLE, CLAY COUNTY, MISSOURI



PROPERTY DESCRIPTION - LOT 2
CONTAINING 395,839 SQUARE FEET OR 8.86 ACRES

TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 53 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER, THENCE S89°24'23\"/>

SURVEY NOTES:

- THE DESCRIPTION USED FOR THIS SURVEY DERIVED FROM TITLE COMMITMENT PREPARED BY FIRST AMERICAN TITLE AS FILE NO. 233238, HAVING AN EFFECTIVE DATE OF AUGUST 1, 2022 AT 8:00AM.
- THE BEARINGS SHOWN HEREON ARE BASED ON NAD83(2011) EPOCH 2010.00 ADJUSTMENT.
- THIS SURVEY IS BASED UPON RECORD DOCUMENTS, LEGAL DESCRIPTIONS, AND OTHER INFORMATION FURNISHED BY THE CLIENT PLUS OTHER INFORMATION KNOWN TO THIS SURVEYOR. THIS SURVEYOR HAS NO KNOWLEDGE OF ANY OTHER RECORD DOCUMENTS WHICH AFFECT THE SUBJECT REAL ESTATE.
- THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS OF AN URBAN PROPERTY SURVEY AS DEFINED BY THE 'MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS\"/>

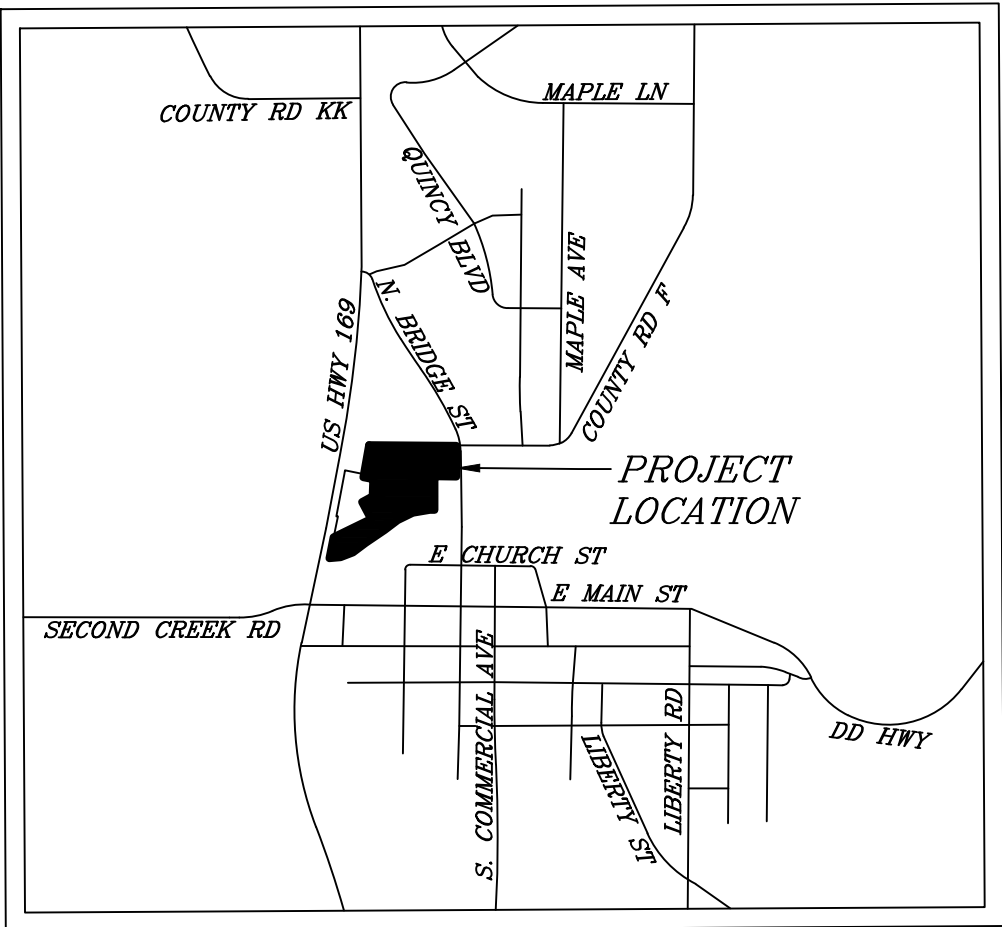
SMITHVILLE PLAZA DEVELOPMENT DATA

BUILDING	EXISTING ZONING	PROPOSED ZONING	LAND USE	GROSS ACRES	PARKING		NUMBER OF FLOORS	NUMBER OF UNITS	PARKING RATIO
					REQUIRED	PROVIDED			
1	R-3	R-3-P	MULTI-FAMILY		300	116	4	100	1.16
2	R-3	R-3-P	MULTI-FAMILY		228	130	4	76	1.71
3	R-3	R-3-P	MULTI-FAMILY		72	48	3	24	2.00
TOTALS				8.86	600	294		200	1.47

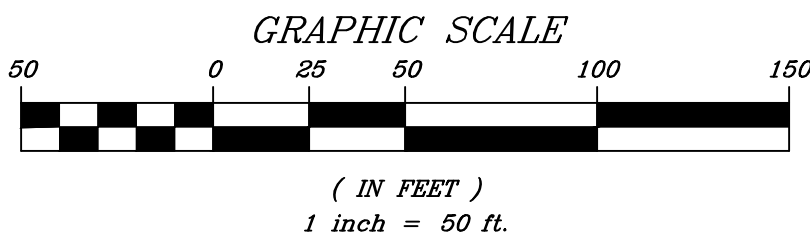
- LEGEND**
- SET 1/2\"/>

IF VALUE IS NOT LABELED IT IS MEASURED (BETWEEN MONUMENTS) OR CALCULATED BASED ON MEASUREMENTS TO MONUMENTS

- FEMA FLOOD HAZARD AREA X
0.2% ANNUAL CHANCE FLOOD HAZARD
- FEMA FLOOD HAZARD AREA AE
BASE FLOOD ELEVATION OF 813.0'
- FEMA FLOOD HAZARD AREA AE
REGULATORY FLOODWAY



VICINITY MAP
NOT TO SCALE
OWNER/DEVELOPER
101 US 169 LLC



SURVEYORS DECLARATION:
I HEREBY DECLARE THAT THIS DRAWING WAS PREPARED UNDER MY SUPERVISION FOR BUILDING PERMIT APPLICATION AND CONSTRUCTION PURPOSES ONLY. THAT THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY AND THE PROPERTY LINES SHOWN HEREON HAVE NOT BEEN VERIFIED; THAT THE SEWER DEPTH OR FLOWLINE ELEVATIONS (IF SHOWN) ARE FROM THE BEST INFORMATION AVAILABLE WHICH SHALL BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

ROBERT C. YOUNG, P.E.
7/15/2026
DATE

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E:\A-CLAY COUNTY\28211 LEFE SMITHVILLE 101 N 169 HWY REPLAT & ENGINEERING\DWGS\1-28211_CONCEPT PLANDWG 7/15/2026

R.L. Buford & Associates, LLC
LAND DEVELOPMENT CONSULTANTS
P.O. BOX 14089, PARKVILLE, MO. 64152 (816) 741-6152

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Smithville Plaza Apartments

Color Elevation



MATERIAL SCHEDULE

1. ARCHITECTURAL FIBERGLASS SHINGLES
2. SMART LAP SIDING
SW7008 ALABASTER
3. SMART VERTICAL SIDING
SW7036 ACCESSIBLE BEIGE
4. SMART PANEL SIDING
COLOR TO MATCH ADJACENT SIDING
5. SMART TRIM
SW7048 URBANE BRONZE
6. SIMULATED STONE VENEER
ELDORADO STONE BLUFFSTONE MINERET
7. ALUMINUM STOREFRONT
8. ALUMINUM WINDOWS
9. ALUMINUM RAILINGS

07/14/2026

A New Multifamily Development for:

Smithville Plaza Apartments

101 US Highway 169 Smithville, Missouri

July 8, 2026

UNIT MATRIX:

Smithville Plaza Apartments
Unit Mix

7/2/2026

Summary

	Type	Beds	HUD Net SF	HUD gross/Market Net SF	Total Units	Total SF	% of BR Type	% of Total
Total / Average 1BR		1	651	696	72	50,112	100%	36%
Total / Average 2BR		2	902	969	116	112,432	100%	58%
Total / Average 3BR		3	1,174	1,245	12	14,940	100%	6%
Total / Average Project			828	887	200	177,484		100%

By Floorplan

By Floorplan	Type	Beds	HUD Net SF	HUD gross/Market Net SF	Total Units	Total SF	% of BR Type	%
A1	1BR/1BA	1	651	696	72	50,112	100%	36%
Total / Average 1BR			651	696	72	50,112	100%	36%
B1	2BR/2BA	2	920	986	96	94,656	133%	48%
B1m	2BR/2BA	2	809	872	8	6,976	11%	4%
B2	2BR/2BA	2	823	900	12	10,800	17%	6%
Total / Average 2BR			902	969	116	112,432	100%	58%
C1	3BR/2BA	3	1,174	1,245	12	14,940	17%	6%
Total / Average 3BR			1,174	1,245	12	14,940	100%	6%

Pricing Info

Total Building Gross Area (Sq. Ft.)	227,052
Efficiency	78%
Building Footprint Area (Sq. Ft.)	50,772
Bathrooms	328
Windows	540

* HUD GROSS AREA (MARKET NET AREA) IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM THE EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE, INCLUDING BREEZEWAY WALLS AND GARAGE WALLS. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE CLOSETS OR FIREPLACE CHASES.

* HUD NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM THE INTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE, INCLUDING BREEZEWAY WALLS AND GARAGE WALLS. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE CLOSETS OR FIREPLACE CHASES.

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Summary

	Floor 1 Units	Floor 2 Units	Floor 3 Units	Floor 4 Units	Total
1BR	12	9	9	9	39
2BR	12	15	15	15	57
3BR	1	1	1	1	4
Total	25	25	25	25	100

Building 1

Total Building Gross Area	120,380
Efficiency	73%
Building Footprint Area	30,095
Building Footprint Perimeter	1,166
Building Height - Truss Bearing	42

Summary

	Floor 1 Units	Floor 2 Units	Floor 3 Units	Floor 4 Units	Total
1BR	9	6	6	6	27
2BR	8	11	11	11	41
3BR	2	2	2	2	8
Total	19	19	19	19	76

Building 2

Total Building Gross Area	79,276
Efficiency	86%
Building Footprint Area	19,819
Building Footprint Perimeter	784
Building Height - Truss Bearing	42

Summary

	Floor 1 Units	Floor 2 Units	Floor 3 Units	Floor 4 Units	Total
1BR	0	2	2	2	6
2BR	0	6	6	6	18
3BR	0	0	0	0	0
Total	0	8	8	8	24

Building 3

Total Building Gross Area	27,396
Efficiency	80%
Building Footprint Area	858
Building Footprint Perimeter	184
Building Height - Truss Bearing	42

DRAWING INDEX:					
SHEET NUMBER & NAME			PERMIT APPL.	REV. #1	REV. #2
C100	COVER SHEET				
AC100	ARCHITECTURAL SITE PLAN				
A501	BUILDING 1 ELEVATIONS				
A502	BUILDING 1 ELEVATIONS				
A503	BUILDING 2 ELEVATIONS				
A504	BUILDING 3 ELEVATIONS				
A101	BUILDING 1 FLOOR PLANS				
A102	BUILDING 1 ROOF PLAN				
A103	BUILDING 2 FLOOR PLANS				
A104	BUILDING 2 ROOF PLAN				
A105	BUILDING 3 FLOOR PLANS				

DESIGN CRITERIA

1. ALL WORK SHALL CONFORM TO THE FOLLOWING CODES:

1.1. 2018 INTERNATIONAL BUILDING CODE

1.2. 2018 INTERNATIONAL ENERGY CONSERVATION CODE

1.3. 2018 UNIFORM PLUMBING CODE

1.4. 2017 NATIONAL ELECTRIC CODE

1.5. 2018 INTERNATIONAL MECHANICAL CODE

SYMBOLS LEGEND

ROOM

100

ROOM NAME

ROOM NUMBER

DIRECTION

DETAIL #

PAGE LOCATION

1

A6.0.01

BUILDING SECTION KEY

DETAIL AREA

DETAIL #

PAGE LOCATION

X

A.1

DETAIL KEY

BUILDING #

CATEGORY

1

A6.0.01

FLOOR/PAGE #

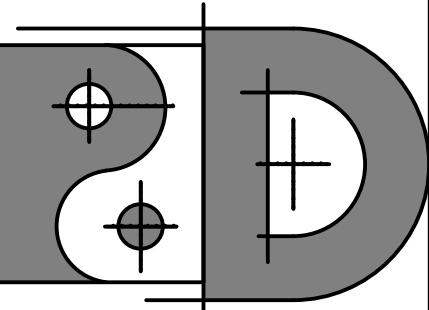
BEAM #

Not for Construction

A New Multi-family Development for:
Smithville Plaza Apartments

101 U.S. Hwy 169
Smithville, Missouri

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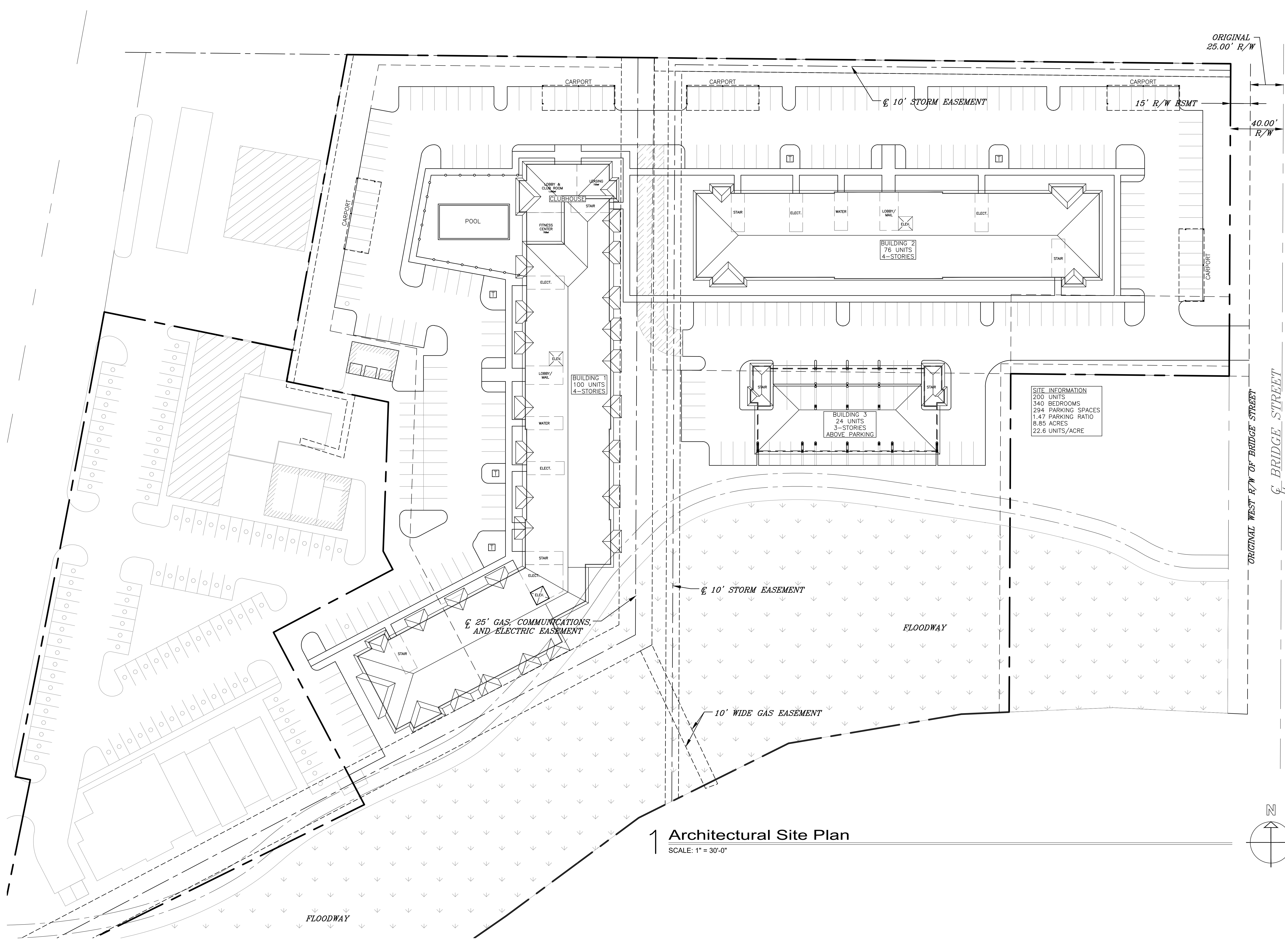
Pence Design Drafting, LLC.
24 S. Main Street, Suite 105
Liberty, Missouri 64068

COVER SHEET

PROJECT: 25-032

DATE: July 2, 2026

SHEET NUMBER: C100



ORIGINAL
25.00' R/W

40.00'
R/W

10' STORM EASEMENT

15' R/W ESMT

BRIDGE STREET
(HWY 169 SPUR)

ORIGINAL WEST R/W OF BRIDGE STREET

BUILDING 1
100 UNITS
4-STORIES

BUILDING 2
76 UNITS
4-STORIES

BUILDING 3
24 UNITS
3-STORIES
ABOVE PARKING

SITE INFORMATION
200 UNITS
340 BEDROOMS
294 PARKING SPACES
1.47 PARKING RATIO
8.85 ACRES
22.6 UNITS/ACRE

25' GAS, COMMUNICATIONS,
AND ELECTRIC EASEMENT

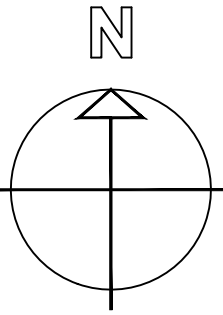
10' STORM EASEMENT

FLOODWAY

10' WIDE GAS EASEMENT

FLOODWAY

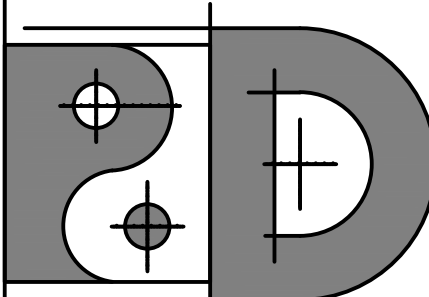
1 Architectural Site Plan
SCALE: 1" = 30'-0"



Not for Construction

A New Multi-family Development for:
Smithville Plaza Apartments

101 U.S. Hwy 169
Smithville, Missouri
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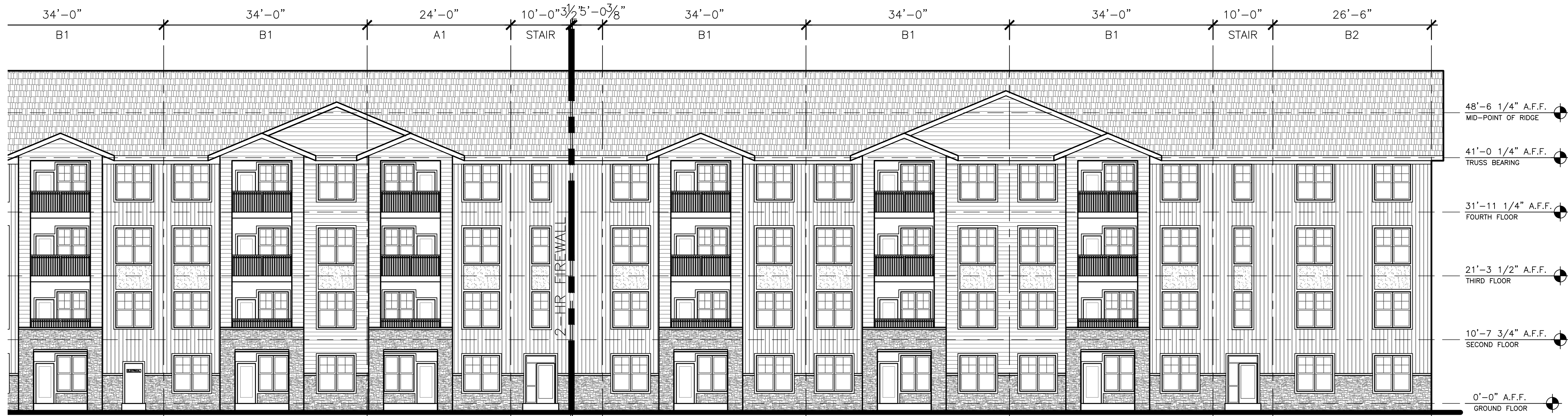
Pence Design Drafting, LLC
24 S. Main Street, Suite 105
Liberty, Missouri 64068

ARCHITECTURAL
SITE PLAN

PROJECT: 25-032 DATE: July 2, 2026
SHEET NUMBER:

AC101

GENERAL PLAN NOTES:
ALL SUBCONTRACTORS SHALL BE RESPONSIBLE
FOR REVIEWING ALL DRAWINGS IN THE SET
PRIOR TO CONSTRUCTION. CONSTRUCTION
SHALL COMPLY WITH THE 2018 IBC



2 Building 1 Northwest Elevation
SCALE: 3/32" = 1'-0"



1 Building 1 West Elevation
SCALE: 3/32" = 1'-0"

GENERAL PLAN NOTES:
ALL SUBCONTRACTORS SHALL BE RESPONSIBLE
FOR REVIEWING ALL DRAWINGS IN THE SET
PRIOR TO CONSTRUCTION. CONSTRUCTION
SHALL COMPLY WITH THE 2018 IBC

Not for Construction

A New Multi-family Development for:
Smithville Plaza Apartments

101 U.S. Hwy 169
Smithville, Missouri

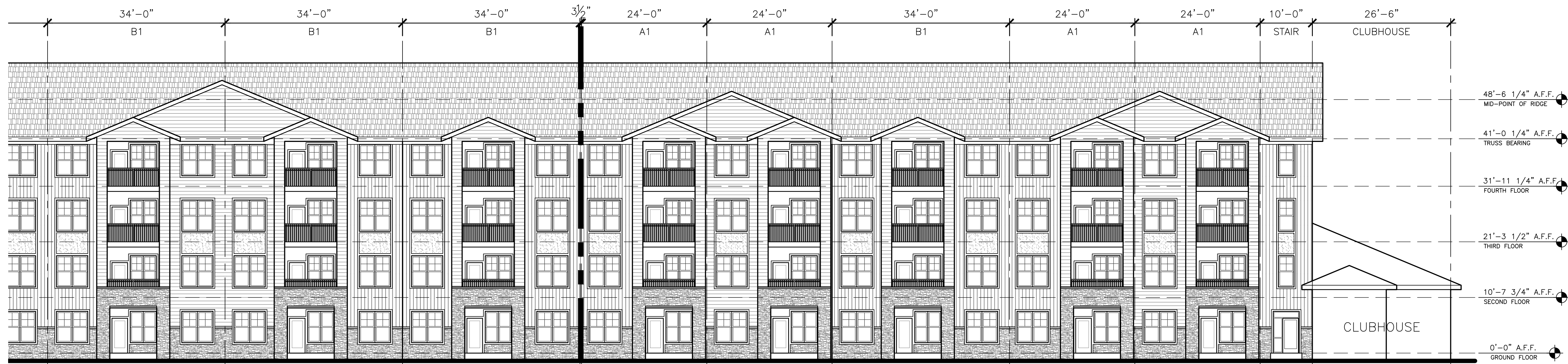
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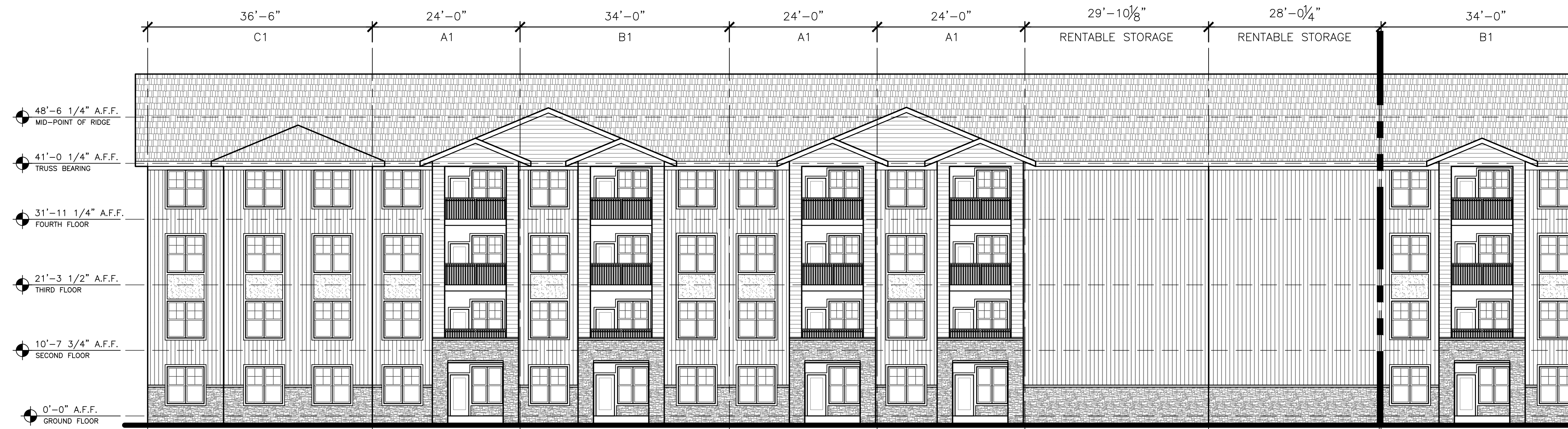
**BUILDING 1
ELEVATIONS**

PROJECT: 25-032 DATE: July 2, 2026
SHEET NUMBER:

A501



2 Building 1 Southeast Elevation
SCALE: 3/32" = 1'-0"



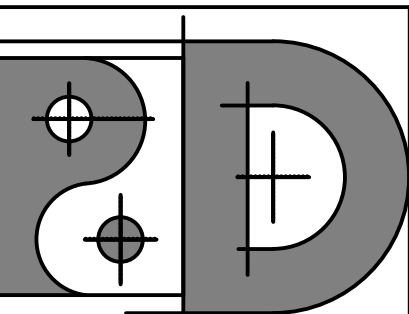
1 Building 1 Southeast Elevation
SCALE: 3/32" = 1'-0"

GENERAL PLAN NOTES:
ALL SUBCONTRACTORS SHALL BE RESPONSIBLE
FOR REVIEWING ALL DRAWINGS IN THE SET
PRIOR TO CONSTRUCTION. CONSTRUCTION
SHALL COMPLY WITH THE 2018 IBC

Not for Construction

A New Multi-family Development for:
Smithville Plaza Apartments

101 U.S. Hwy 169
Smithville, Missouri
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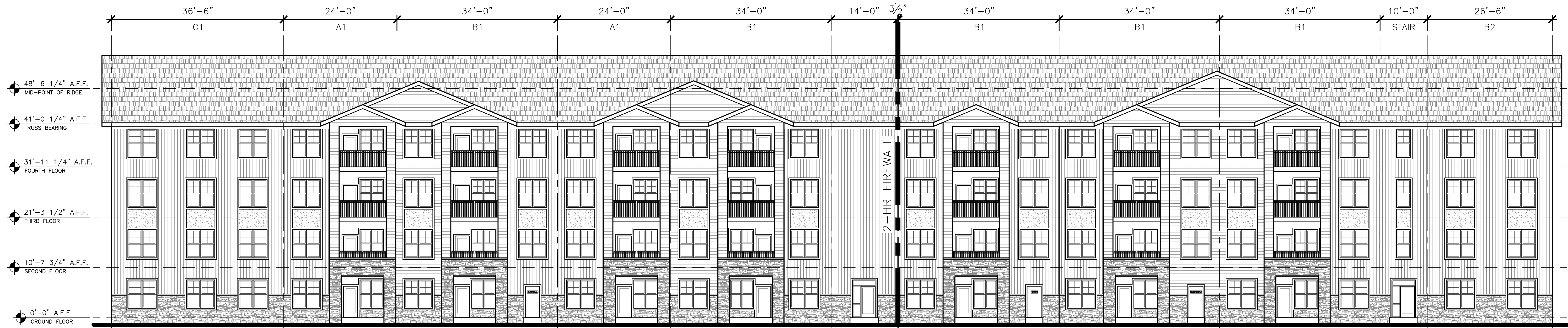


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24 S. Main Street, Suite 105
Liberty, Missouri 64068

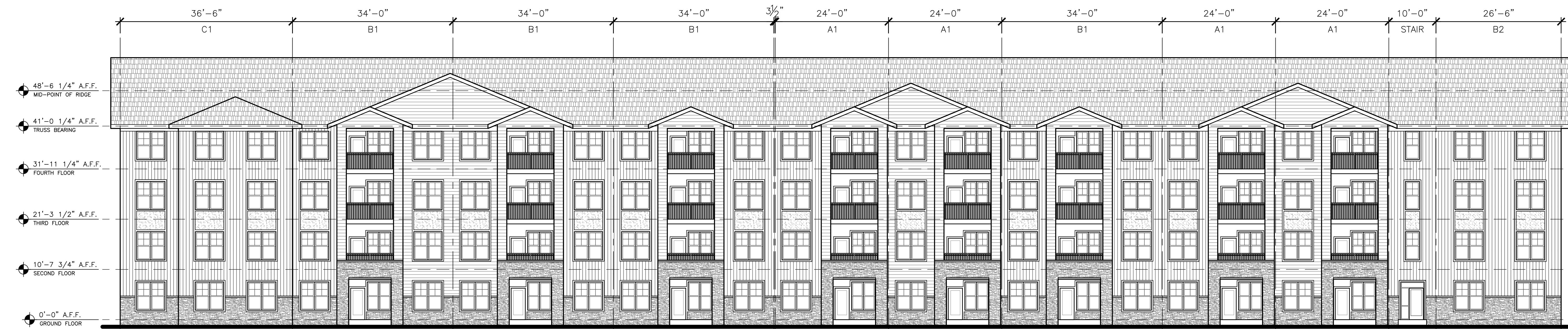
BUILDING 1
ELEVATIONS

PROJECT: 25-032 DATE: July 2, 2026
SHEET NUMBER:

A502



2 Building 2 North Elevation
SCALE: 3/32" = 1'-0"



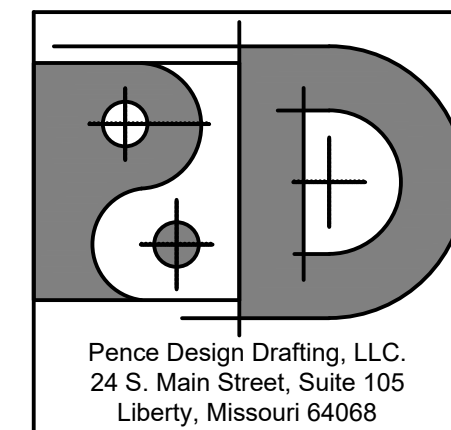
1 Building 2 South Elevation
SCALE: 3/32" = 1'-0"

GENERAL PLAN NOTES:
ALL SUBCONTRACTORS SHALL BE RESPONSIBLE
FOR REVIEWING ALL DRAWINGS IN THE SET
PRIOR TO CONSTRUCTION. CONSTRUCTION
SHALL COMPLY WITH THE 2018 IBC

Not for Construction

A New Multi-family Development for:
Smithville Plaza Apartments

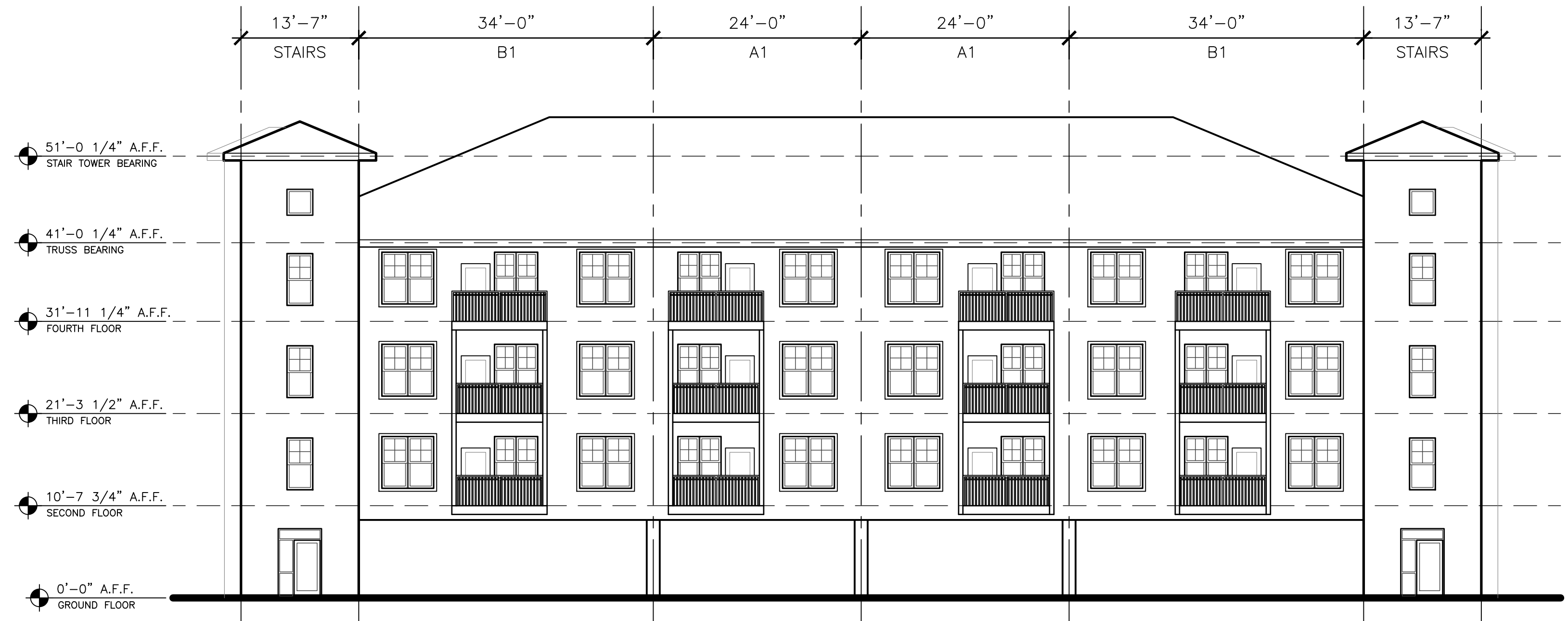
101 U.S. Hwy 169
Smithville, Missouri
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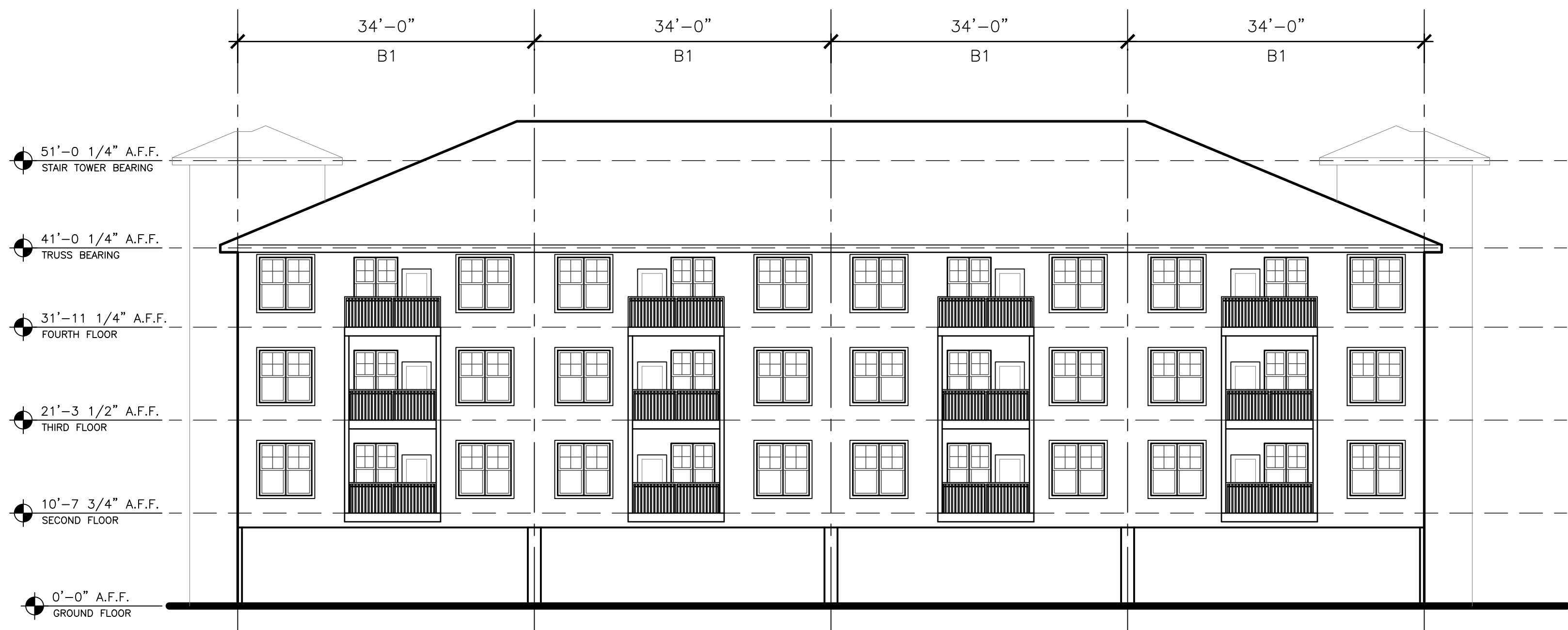
BUILDING 2
ELEVATIONS

PROJECT: DATE:
25-032 July 2, 2026
SHEET NUMBER:

A503



1 Building 3 North Elevation
SCALE: 3/32" = 1'-0"

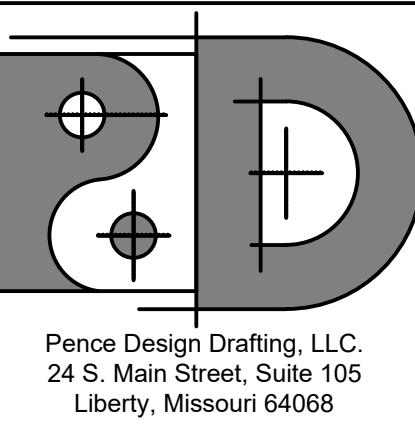


1 Building 3 South Elevation
SCALE: 3/32" = 1'-0"

Not for Construction

A New Multi-family Development for:
Smithville Plaza Apartments

101 U.S. Hwy 169
Smithville, Missouri
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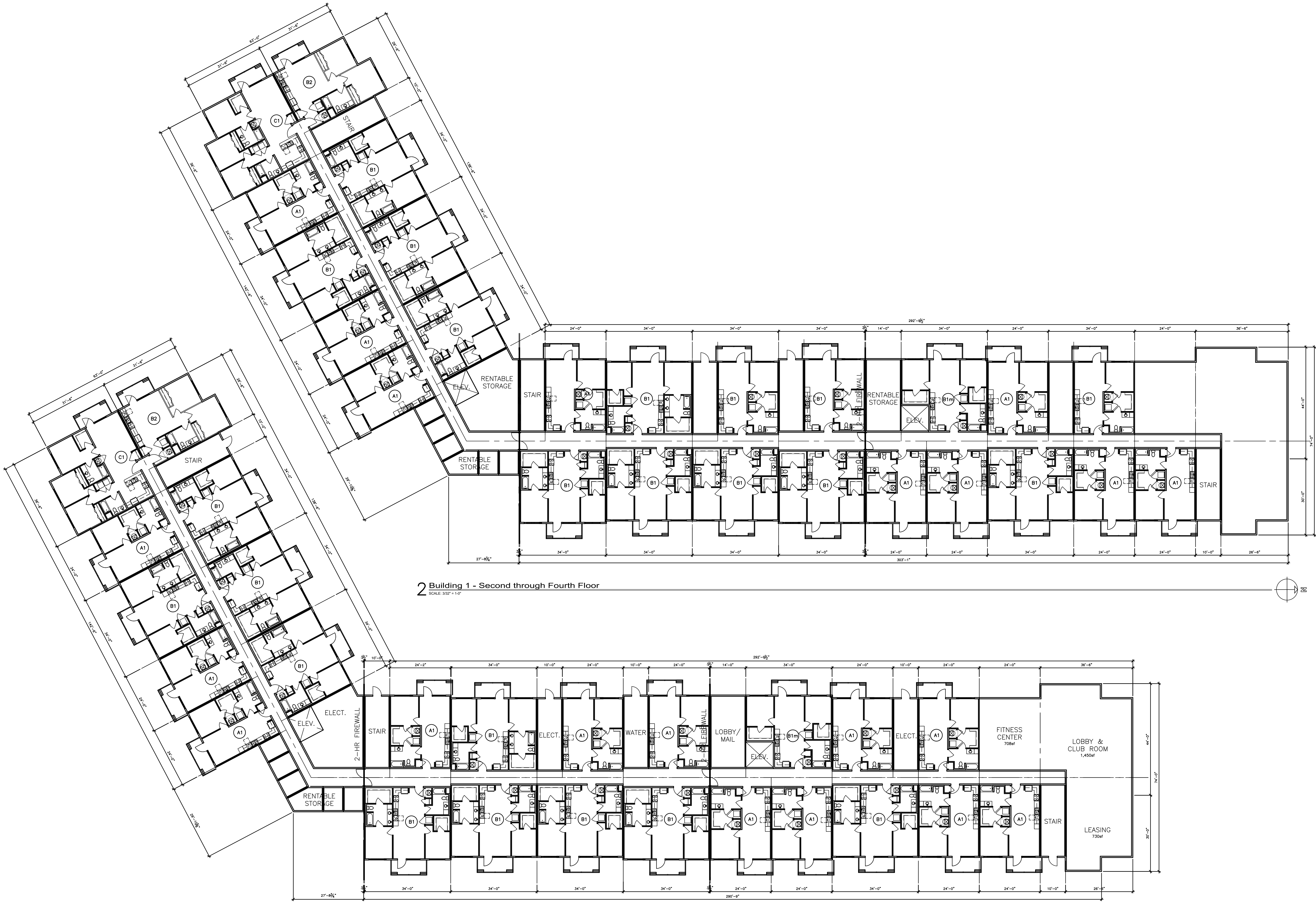
Pence Design Drafting, LLC
24 S. Main Street, Suite 105
Liberty, Missouri 64068

**BUILDING 3
ELEVATIONS**

PROJECT:	DATE:
25-032	July 2, 2026
SHEET NUMBER:	

A504

GENERAL PLAN NOTES:
ALL SUBCONTRACTORS SHALL BE RESPONSIBLE
FOR REVIEWING ALL DRAWINGS IN THE SET
PRIOR TO CONSTRUCTION. CONSTRUCTION
SHALL COMPLY WITH THE 2018 IBC



2 Building 1 - Second through Fourth Floor
SCALE: 3/32" = 1'-0"

1 Building 1 - Ground Floor
SCALE: 3/32" = 1'-0"

Not for Construction

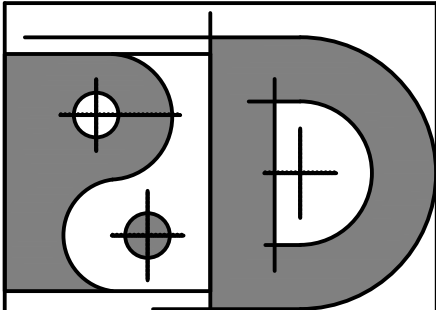
A New Multi-family Development for:

Smithville Plaza Apartments

101 U.S. Hwy 169

Smithville, Missouri

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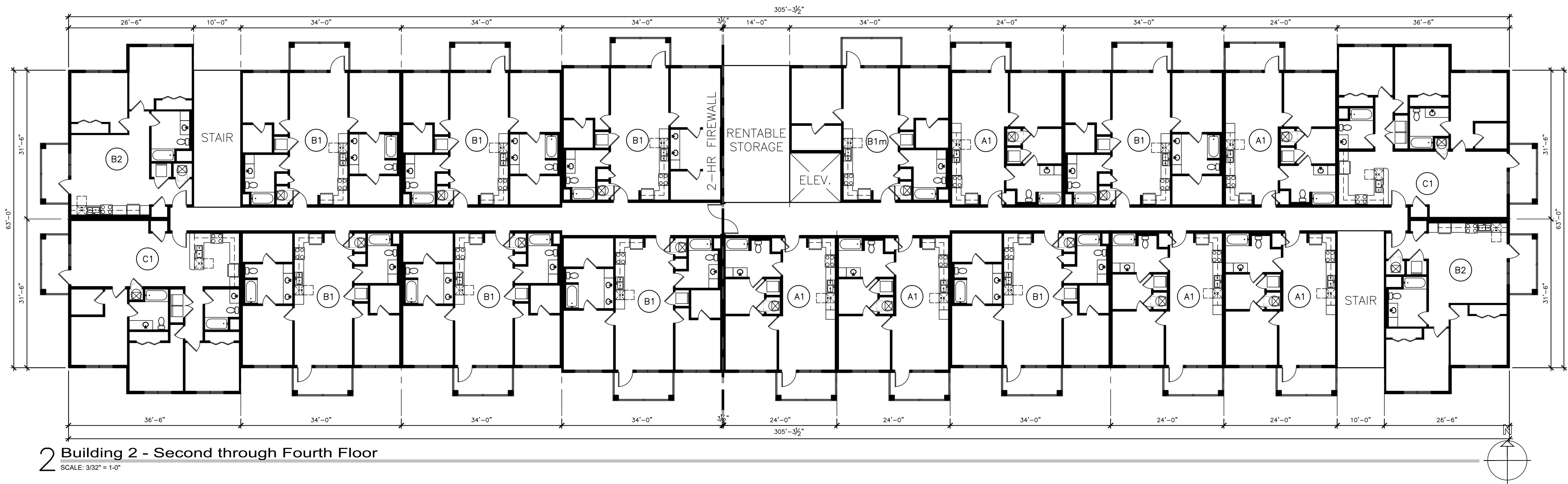
Pence Design Drafting, LLC
24 S. Main Street, Suite 105
Liberty, Missouri 64068

BUILDING 1
FLOOR PLANS

PROJECT: 25-032
DATE: July 2, 2026
SHEET NUMBER:

A101

GENERAL PLAN NOTES:
ALL SUBCONTRACTORS SHALL BE RESPONSIBLE
FOR REVIEWING ALL DRAWINGS IN THE SET
PRIOR TO CONSTRUCTION. CONSTRUCTION
SHALL COMPLY WITH THE 2018 IBC



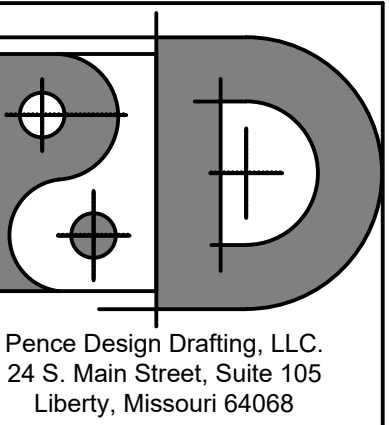
2 Building 2 - Second through Fourth Floor
SCALE: 3/32" = 1'-0"



1 Building 2 - Ground Floor
SCALE: 3/32" = 1'-0"

Not for Construction

A New Multi-family Development for:
Smithville Plaza Apartments



Pence Design Drafting, LLC
24 S. Main Street, Suite 105
Liberty, Missouri 64068

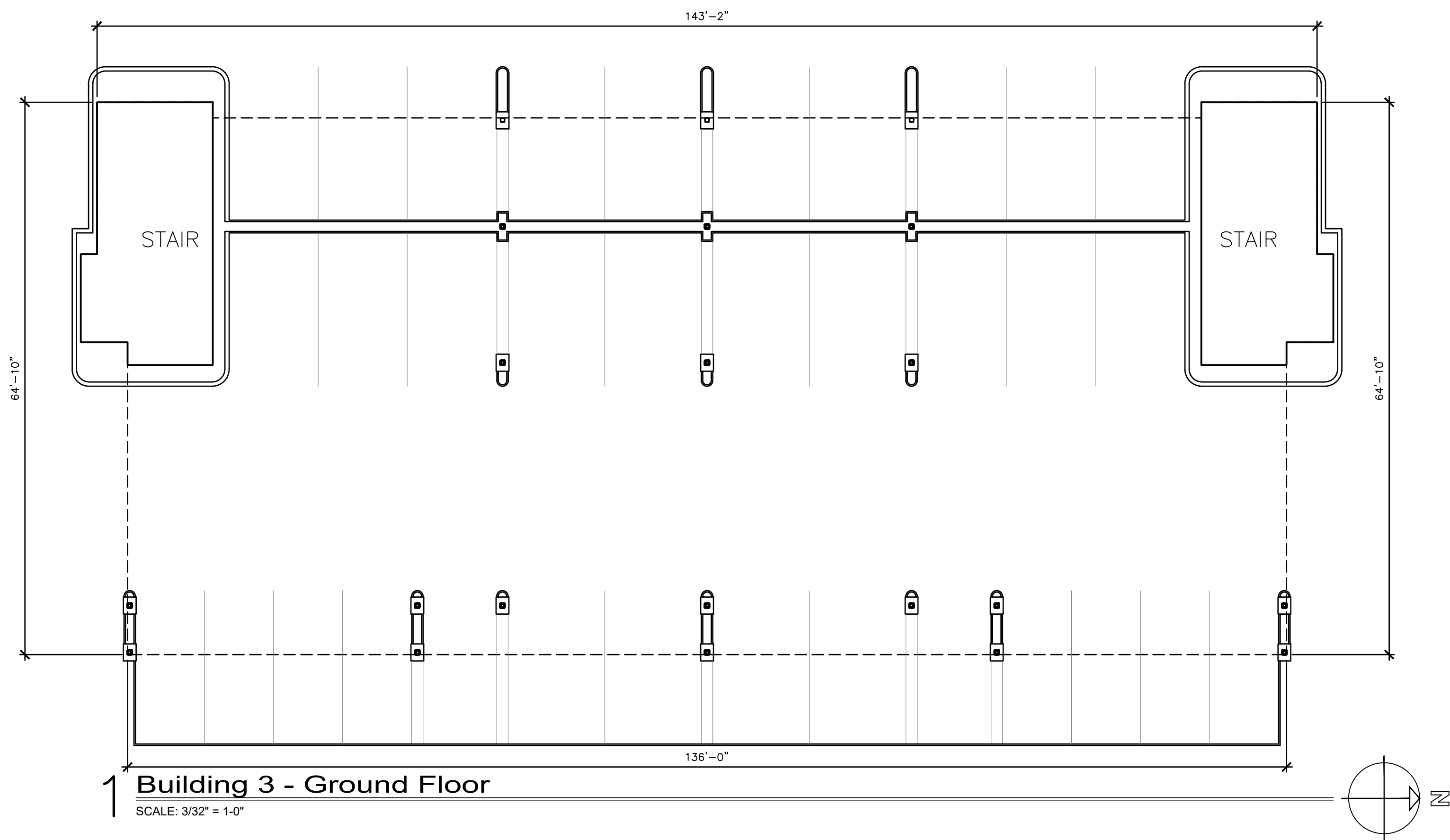
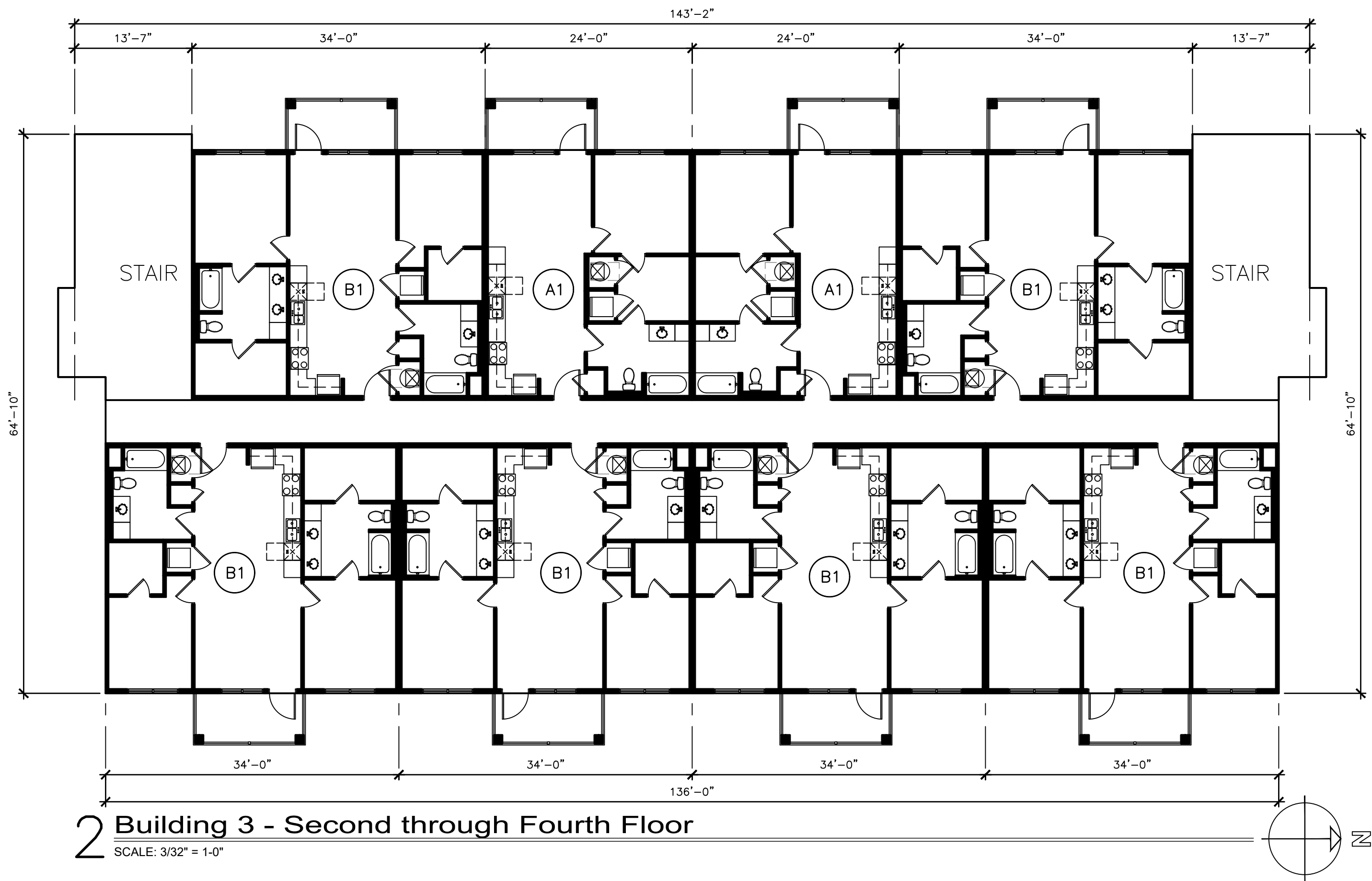
**BUILDING 2
FLOOR PLANS**

PROJECT: 25-032
DATE: July 2, 2025
SHEET NUMBER:

GENERAL PLAN NOTES:
ALL SUBCONTRACTORS SHALL BE RESPONSIBLE
FOR REVIEWING ALL DRAWINGS IN THE SET
PRIOR TO CONSTRUCTION. CONSTRUCTION
SHALL COMPLY WITH THE 2018 IBC

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A103



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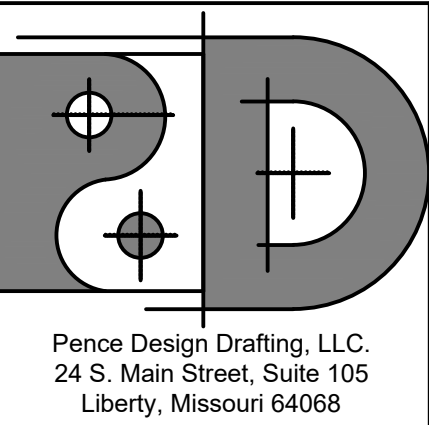
A New Multi-family Development for:

Smithville Plaza Apartments

101 U.S. Hwy 169

Smithville, Missouri

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BUILDING 3 FLOOR PLANS	
PROJECT:	DATE:
25-032	July 2, 2026
SHEET NUMBER:	
A105	

GENERAL PLAN NOTES:
ALL SUBCONTRACTORS SHALL BE RESPONSIBLE
FOR REVIEWING ALL DRAWINGS IN THE SET
PRIOR TO CONSTRUCTION. CONSTRUCTION
SHALL COMPLY WITH THE 2018 IBC



GENERAL PLAN NOTES:
ALL SUBCONTRACTORS SHALL BE RESPONSIBLE
FOR REVIEWING ALL DRAWINGS IN THE SET
PRIOR TO CONSTRUCTION. CONSTRUCTION
SHALL COMPLY WITH THE 2018 IBC



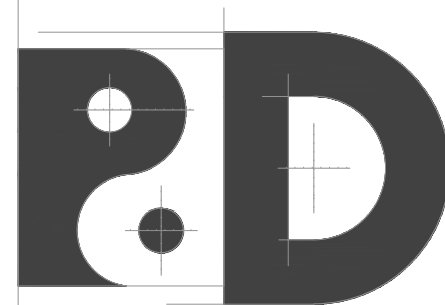
2100 Central St Suite 01c
Kansas City, MO 64108
(816) 849-2010
MO FIRM NO. 2008013090

Not for Construction

A New Multi-family Development for:
Smithville Plaza Apartments

101 U.S. Hwy 169
Smithville, Missouri

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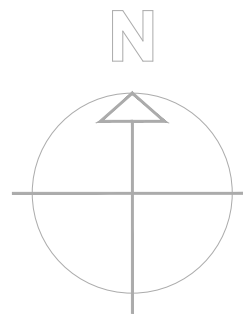


Pence Design Drafting, LLC
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Liberty, Missouri 64068

PHOTOMETRIC
SITE PLAN

PROJECT: 25-032
DATE: July 2, 2026
SHEET NUMBER:

ES001

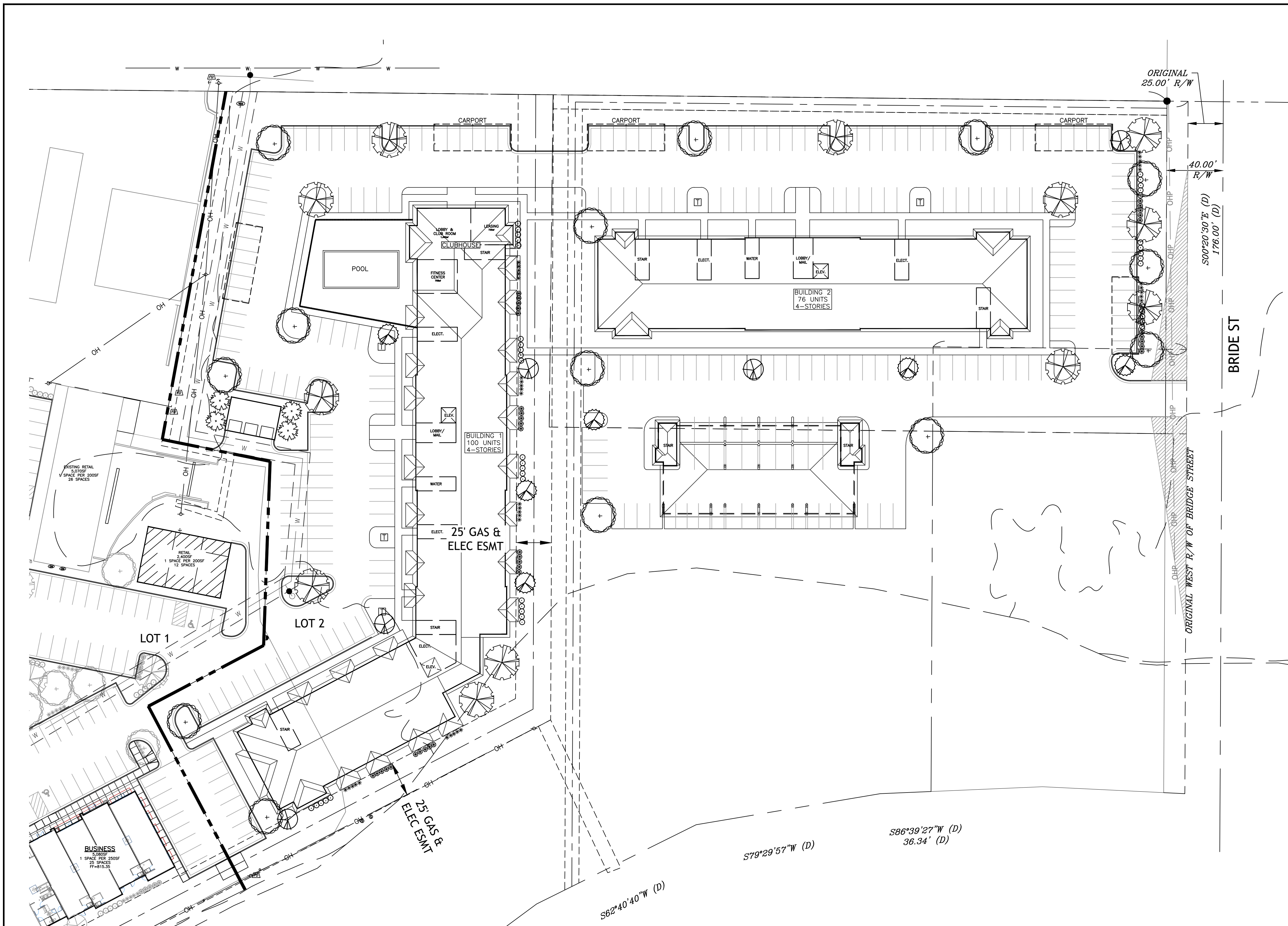


Photometric Site Plan

SCALE: 1" = 30'-0"

SITE LIGHTING FIXTURE SCHEDULE			
TYPE	MANUFACTURER	MODEL NUMBER	DESCRIPTION
C	LITHONIA	RONY-LED-AL01-40K-70CR-SMFMVOLT	RECESSED CANOPY LIGHT, SYMMETRIC DIFFUSED LENS
S3	LITHONIA	DSX1-LED-P1-40K-70CR-BLC3-ECSMVOLT	SINGLE HEAD, 20FT POLEMOUNTED SITE AREA LIGHT WITH BACKLIGHT CONTROL TYPE III DISTRIBUTION, INTERNATIONAL DARK SKY ASSOCIATION APPROVED, EXTERNAL GLARE SHIELD
S4	LITHONIA	DSX1-LED-P1-40K-70CR-BLC4-ECSMVOLT	SINGLE HEAD, 20FT POLEMOUNTED SITE AREA LIGHT WITH BACKLIGHT CONTROL TYPE IV DISTRIBUTION, INTERNATIONAL DARK SKY ASSOCIATION APPROVED, EXTERNAL GLARE SHIELD
V6	LITHONIA	DSX1-LED-P1-40K-70CR-T3LG-ECSMVOLT-WBA	SITE AREA LIGHT, WALL SURFACE MOUNTED AT 15FT AFG, TYPE III LOW GLARE DISTRIBUTION, EXTERNAL GLARE SHIELD
V4	LITHONIA	DSX1-LED-P1-40K-70CR-T4LG-ECSMVOLT-WBA	SITE AREA LIGHT, WALL SURFACE MOUNTED AT 15FT AFG, TYPE IV LOW GLARE DISTRIBUTION, EXTERNAL GLARE SHIELD

SITE LIGHTING PHOTOMETRICS			
	Average	Max/Min	Avg/Min
Parking Lot	1 fc	20:1	6:1
Covered Parking	2 fc	6:1	2:1
Property Line	0 fc	-	-



LANDSCAPE NOTES

CONTRACTOR REQUIRED TO LOCATE ALL UTILITIES BEFORE INSTALLATION TO BEGIN.

Contractor shall verify all landscape material quantities and shall report any discrepancies to the Landscape Architect prior to installation.

No plant material substitutions are allow without Landscape Architect or Owners approval.

Contractor shall guarantee all landscape work and plant material for a period of one year from date of acceptance of the work by the Owner. Any plant material which dies during the one year guarantee period shall be replaced by the contractor during normal planting seasons.

Contractor shall be responsible for maintenance of the plants until completion of the job and acceptance by the Owner.

Successful landscape contractor shall be responsible for design that complies with minimum irrigation requirements, and installation of an irrigation system. Irrigation system to be approved by the owner before starting any installation.

All plant material shall be specimen quality stock as determined in the "American Standards For Nursery Stock" published by The American Association of Nurseryman, free of plant diseases and pest, of typical growth of the species and having a healthy, normal root system.

Sizes indicated on the plant list are the minimum, acceptable size. In no case will sizes less than specified be accepted.

All shrub beds within lawn areas to receive a manicured edge.

All shrub beds shall be mulched with 3" of shredded cedar mulch.

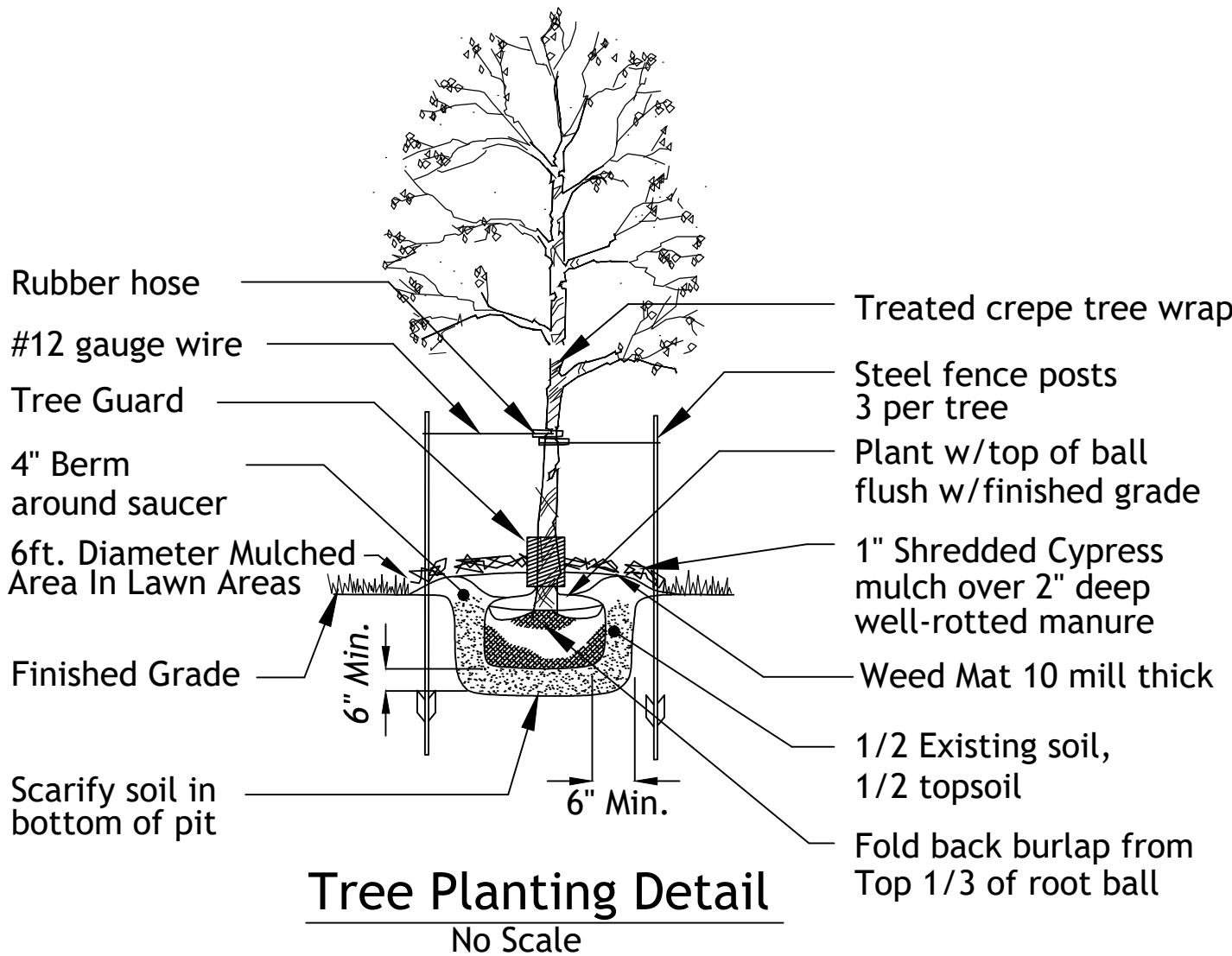
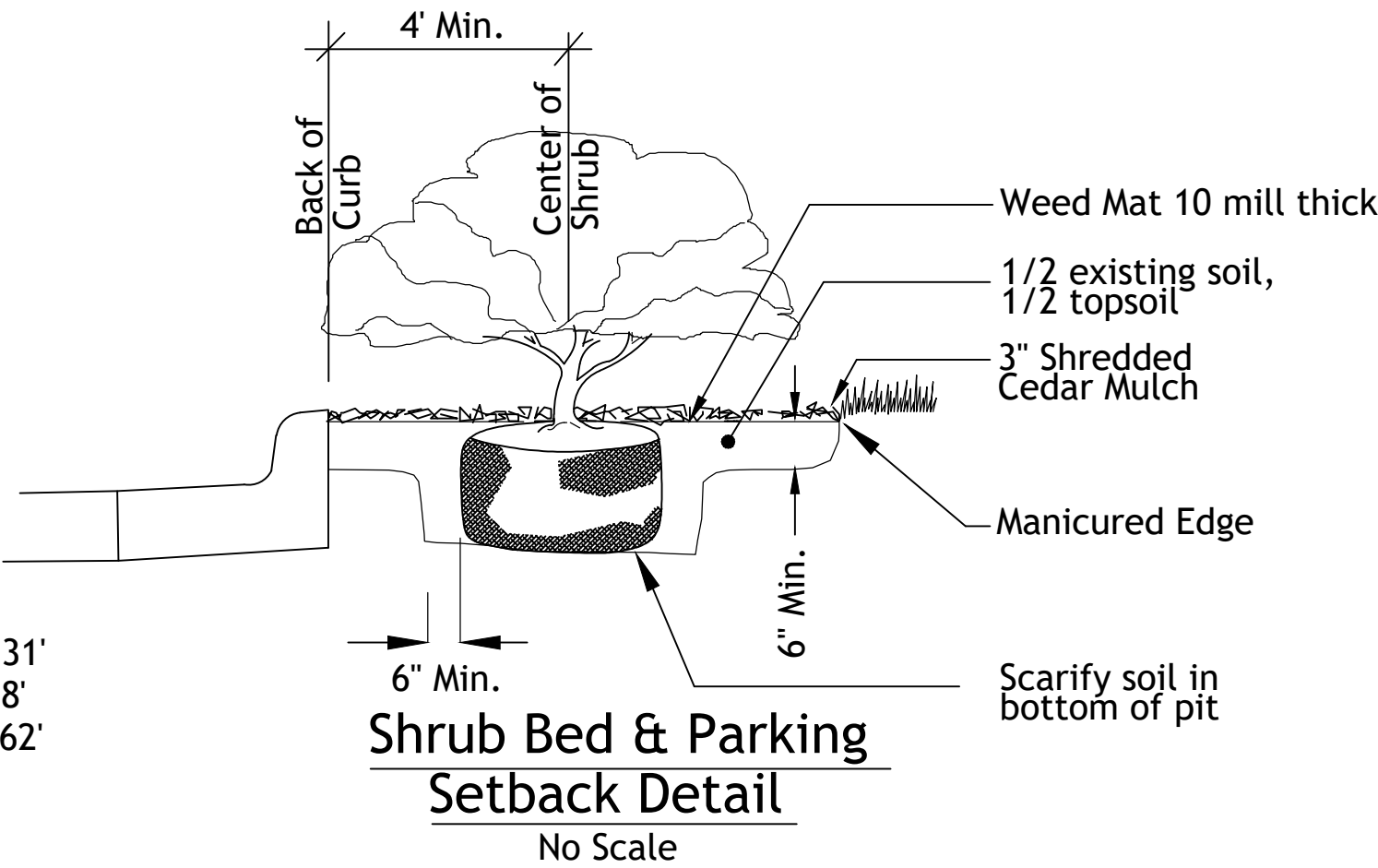
All sod areas to be fertilized & sodded with a Turf-Type-Tall Fescue seed blend.

All seed areas shall be hydro-seeded with a Turf-Type-Tall Fescue seed blend.

LANDSCAPE DATA

BRIDGE ST	=	231'
BUILDING ZONE	=	68'
PARKING ZONE	=	162'
REQUIRED		
SHADE TREE / 40'	=	6
ORNAMENTAL TREE / 75'	=	2
SHRUBS / 5'	=	32

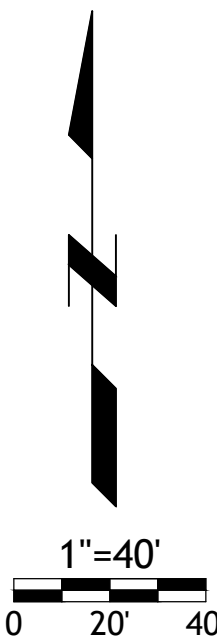
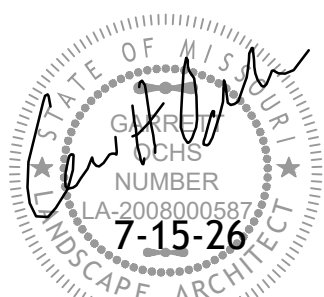
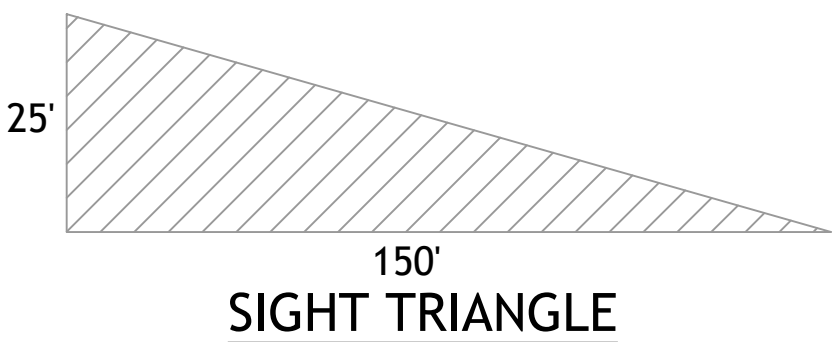
PROVIDED		
SHADE TREES	=	6
ORNAMENTAL TREES	=	2
SHRUBS	=	35



Typical Utility Box Screening Details



UTILITY BOXES SHALL BE CLUSTERED AS MUCH AS POSSIBLE



Tree List

Symbol	Quantity	Common Name	Botanical Name	Size	Condition	Spacing
	12	Swamp White Oak	Quercus Bicolor	2" cal	BB	As Shown
	14	Red Oak	Quercus Rubra	2" cal	BB	As Shown
	5	Golden Raintree	Koelreuteria Paniculata	1 1/2" cal	BB	As Shown
	6	Prairiefire Crabapple	Malus Sp. 'Priariefire'	1 1/2" cal	BB	As Shown
	4	Canaert Juniper	Juniperus Virginiana 'Canaertii'	6' hgt	BB	As Shown

Shrub List

Symbol	Quantity	Common Name	Botanical Name	Size	Condition	Spacing
	40	Seagreen Juniper	Juniperus Chinensis 'Seagreen'	18"-24" sp.	Cont.	4'o.c.
	30	Morning Light Maiden Grass	Miscanthos Sinensis 'Morning Light'	3 gal.	Cont.	3'o.c.
	35	Snowmound Spirea	Spirea Nipponica 'Snowmound'	18"-24" sp.	Cont.	4'o.c.

DATE: 7-15-26

SMITHVILLE PLAZA LOT 2
SMITHVILLE, MO

LANDSCAPE PLAN

OCHS LAND PLANNING
533 LAKE FOREST
BONNER SPRINGS, KS 66012
913-961-6578 garrettochs@gmail.com

SHEET 1 OF 1

Exhibit C

Conceptual Development Plan Findings

- a. That the Commission has reviewed the conceptual development plan with consideration of the issues contained in Subsection 400.200 (B)(3) (site plan standards); and
- b. That the conceptual development plan is in conformance with the comprehensive land use plan and other appropriate sections of the Code of Ordinances; and
- c. That the conceptual development plan provides for an organized and unified system of land use intensities which are compatible with the surrounding areas; and
- d. 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.

BILL NO. 3119-26

ORDINANCE NO. XXXX-26

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR
DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY
OF SMITHVILLE, MISSOURI**

WHEREAS, The City of Smithville received an application for rezoning a portion of 119 N 169 Highway on July 16, 2026; and

WHEREAS, additionally, the City received an application for a Conceptual Plan for the development of the non-commercial area of the entire parcel; and,

WHEREAS, the public was notified by publishing in the CT paper and notices mailed to adjoining property owners on August 19, 2026 as required by state law; and

WHEREAS, two separate Public Hearings were scheduled before the Planning Commission on September 8, 2026; and

WHEREAS, the public hearings were heard on September 8, 2026, and following the hearings, the Commission made the following recommendations:

It recommended rezoning the property from B-3 in part to R-3 and their required findings are attached as Exhibit A; and

It recommended that the Conceptual Plan, attached as Exhibit B, be approved in accordance with the staff report recommendations and provided the Board with its required Findings, attached as Exhibit C.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF
THE CITY OF SMITHVILLE, MISSOURI, THAT:**

Section 1. Having received a recommendation from the Planning Commission, and proper notice having been given and public hearing held as provided by law, and under the authority of and subject to the provisions of the zoning ordinances of the City of Smithville, Missouri, by a majority council vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The property legally described as:

TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 53 NORTH, RANGE 33 WEST, SMITHVILLE. CLAY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE S89°24'23"E, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 167.63 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE HEREIN DESCRIBED: THENCE S89°24'23"E, CONTINUING ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 668.31 FEET TO POINT ON THE WESTERLY RIGHT OF WAY LINE OF BRIDGE STREET; THENCE S00°16'04"W, ALONG SAID WESTERLY RIGHT OF WAY, A DISTANCE OF 236.22 FEET TO THE NORTHEAST CORNER OF TRACT RECORDED IN BOOK 7960, AT PAGE 47; THENCE N89°22'59"W, ALONG THE NORTHERLY LINE OF SAID TRACT, A DISTANCE OF 165.23 FEET; THENCE S00°16'04"W, ALONG THE WESTERLY LINE OF SAID TRACT, A DISTANCE OF 255.90 FEET TO A POINT ON THE MEANDERING CENTER LINE OF SMITH FORK OF LITTLE PLATTE RIVER; THENCE ALONG SAID MEANDERING CENTERLINE S87°33'42"W A DISTANCE OF 36.11 FEET; THENCE CONTINUING ALONG SAID MEANDERING CENTERLINE S80°24'12"W A DISTANCE OF 132.57 FEET; THENCE CONTINUING ALONG MEANDERING CENTERLINE S63°34'55"W, A DISTANCE OF 126.50 FEET; THENCE CONTINUING ALONG SAID MEANDERING CENTERLINE S53°29'15"W, A DISTANCE OF 124.89 FEET; THENCE CONTINUING ALONG SAID MEANDERING CENTERLINE S55°16'45"W, A DISTANCE OF 175.44 FEET; THENCE CONTINUING ALONG SAID MEANDERING CENTERLINE S53°54'19"W, A DISTANCE OF 121.80 FEET; THENCE CONTINUING ALONG SAID MEANDERING CENTERLINE S69°12'07"W, A DISTANCE OF 104.03 FEET; THENCE CONTINUING ALONG SAID MEANDERING CENTERLINE S84°31'37"W, A DISTANCE OF 84.98 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 169; THENCE N11°26'40"E, ALONG SAID EASTERLY RIGHT OF WAY LINE. A DISTANCE OF 163.81 FEET; THENCE N63°45'34"E, A DISTANCE OF 318.07 FEET; THENCE N27°47'53"W, A DISTANCE OF 147.33 FEET; THENCE N62°12'07"E, A DISTANCE OF 92.55 FEET; THENCE N02°00'18"E, A DISTANCE OF 130.83 FEET; THENCE N78°30'46"W, A DISTANCE OF 78.09 FEET; THENCE N10°21'06"E, A DISTANCE OF 251.32 FEET TO THE POINT OF BEGINNING.

Is hereby changed to R-3P.

Section 2. Upon the taking effect of this ordinance, the above zoning changes shall be entered and shown upon the "Official Zoning Map" previously adopted and said Official Zoning Map is hereby reincorporated as a part of the zoning ordinance as amended.

Section 3. That the Conceptual Plan for the Smithville Plaza Apartments is hereby approved as the conceptual plan for said property and shall represent the plan in the "P" designation in the above listed R-3P district.

This ordinance shall take effect and be in full force from and after the approval.

PASSED THIS 6th DAY OF OCTOBER 2026.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 09/29/2026

Second Reading 10/06/2026

Exhibit A

REZONING FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicants: 101 169 Hwy LLC

Land Use Proposed: R-3

Zoning: B-3 and R-3

Property Location: Approximately 119 N US 169 Hwy

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 September 8, 2026, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

Finding of Facts

1. *Character of the neighborhood.*
The surrounding area predominantly commercial to the north and west, with the river to the south and mixed uses thereafter to the south. The east side is zoned both R-3 and B-4 with single family residential houses.
2. *Consistency with the City's Comprehensive Plan and ordinances.*
The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan seeks additional residential density in and near the downtown core to provide a vibrant downtown culture.
3. *Adequacy of public utilities and other needed public services.*
The property is accessible to all utilities and other public services and the development is required to construct connections to those utilities and services at its own cost.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*
The current use is B-3, adjacent to R-3, and no development has occurred on either part. The highest and best use of the entire parcel is the mixed uses of retail and residential as proposed.
5. *Length of time the property has remained vacant as zoned.*

The property was zoned to the existing district classification when zoning was established, and no development or change has occurred.

6. *Compatibility of the proposed district classification with nearby properties.*

The proposed district essentially adjusts the current boundary between the B-3 and R-3 portions of the parcel to the west to the existing commercial uses and is both complimentary and compatible to the nearby properties.

7. *The extent to which the zoning amendment may detrimentally affect nearby property.*

No detrimental effects are anticipated to the adjacent property values.

8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*

No detrimental effects are anticipated to adjacent properties, so no great loss is expected.

9. That in rendering this Finding of Fact, testimony at the public hearing on September 8, 2026, has been taken into consideration as well as the documents provided.

Recommendation of the Planning Commission

Based on the foregoing findings of fact, we conclude that:

- A. This application and the Rezoning of this property from B-3 and R-3 to R-3, is governed by Section 400.550 of the zoning ordinance of Smithville, Missouri.
- B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.
- C. The Planning and Zoning Commission of the City of Smithville, Missouri recommends approval of rezoning the property to R-3.

Exhibit C

Conceptual Development Plan Findings

- a. That the Commission has reviewed the conceptual development plan with consideration of the issues contained in Subsection 400.200 (B)(3) (site plan standards); and
- b. That the conceptual development plan is in conformance with the comprehensive land use plan and other appropriate sections of the Code of Ordinances; and
- c. That the conceptual development plan provides for an organized and unified system of land use intensities which are compatible with the surrounding areas; and
- d. 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.