



Planning and Zoning Commission Meeting

August 11, 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 July 14, 2026, Planning Commission Minutes**
- 3. Staff Report**
- 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 a individual lot coverage limit.

- 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.

- 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.

- 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.

- 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



9. Rezoning a Portion of 14600 N 169 Hwy to I-1

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

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.

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.

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.

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

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.

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.

16. Adjourn



SMITHVILLE PLANNING COMMISSION

REGULAR SESSION

July 14, 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, Rob Scarborough, and Deb Dotson. Billy Muessig and Mayor Damien Boley were absent.

Staff present: Jack Hendrix and Brandi Schuerger.

2. MINUTES

The June 9, 2026, Regular Session Meeting Minutes were moved for approval by ALDERMAN WILSON, Seconded by DOTSON.

Ayes 4, Noes 0, Abstain 1 (Scarborough). Motion carried.

3. STAFF REPORT

HENDRIX reported:

Staff has been busy and we are going to remain busy for the next couple of months. We'll have several more applications coming before the commission.

4. PUBLIC HEARING – STREET/HIGHWAY VACATION REQUEST – NE 132ND STREET ACROSS PARCEL 09-303-00-01-002.01

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED REQUEST TO VACATE A RIGHT OF WAY FOR**

AN UNDEVELOPED HIGHWAY 30' IN WIDTH RUNNING NORTH AND SOUTH THROUGH THE PARCEL.

Public hearing opened.

HENDRIX informed that the packet includes visual references showing the roadway in question. The roadway is a 30-foot-wide, largely unimproved corridor. Staff was previously unaware of its existence; records indicate it was deeded to the Clay County Highway and Transportation Department in the 1950s and later became part of the city through annexation. There is a possibility that the right-of-way may have been extinguished if it was not maintained for five years before annexation, but no records exist to confirm this. As a result, the proposed vacation of the easement is the most practical way to resolve the issue. The vacation applies only to the specific portion shown in the supporting exhibits. The aerial imagery demonstrates that most of the 30-foot-wide corridor is heavily wooded and not in active use. Based on the available information, the request is a straightforward vacation of a 30-foot-wide highway easement originally granted to Clay County and later transferred to the city through annexation in the 1990s.

John Woods - 13600 N 169 Hwy Smithville, MO 64089--- Stated that the property had been owned by his family for many years and that right-of-way was always a mistake. When portions of the 911 addressing system were being established, an outdated map was used, resulting in deeds being created for roads that did not actually exist. This right-of-way in question is believed to have originated from one of those mapping errors rather than from an actual roadway.

Public hearing closed.

5. VACATE HIGHWAY ACROSS PARCEL 09303000100201 OFF NE 132ND STREET

- **APPLICANT SEEKS TO VACATE A ROAD RIGHT OF WAY ORIGINALLY DEEDED TO CLAY COUNTY FOR HIGHWAY PURPOSES BUT NEVER IMPROVED OR USED AS SUCH THAT BISECTS ITS PROPERTY.**

HALL motioned to Vacate Highway across Parcel 09303000100201 off NE 132nd Street. Seconded by ALDERMAN WILSON.

Discussion: None

THE VOTE: HALL-AYE, DOTSON-AYE, SCARBOROUGH-AYE, CHEVALIER-AYE, ALDERMAN WILSON-AYE.

AYES-5, NOES-0. MOTION PASSED

6. PUBLIC HEARING – CONDITIONAL USE PERMIT - BATTERY ENERGY STORAGE FACILITY AT THE NORTHEAST CORNER OF 169 HIGHWAY AND NE 132ND STREET

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED BATTERY ENERGY STORAGE FACILITY TO BE LOCATED ON 32.1 ACRES NORTH OF THE KANSAS CITY LIMITS, JUST NORTH OF 132ND STREET ON THE EAST SIDE OF 169 HIGHWAY**

Public hearing opened.

HENDRIX stated that the Staff Report has been provided in the packet.

Gary Johnson - 350 NE 132nd Street Kansas City, MO 64165---

Stated that their home is located directly adjacent to the area where new development is occurring. Their property is surrounded by nearby industrial facilities. He expressed frustration that he was never notified about the surrounding projects. He explained that multiple generations of their family live at the property and that they feel trapped by the surrounding development. He raised concerns that the property's value has been damaged. He emphasized that he was not trying to create conflict but wanted public officials to understand the challenges he and his neighbors are facing. He hopes that ongoing discussions could help resolve the

situation and believes that many nearby residents may experience similar impacts as a result of the development.

Carol O'Dell - 917 Aspen Dr Smithville, MO 64089--- Stated that she has lived at the property for a little over a year. She expressed concerns about the proposed battery manufacturing facility and questioned whether adequate environmental studies have been conducted. She emphasized the importance of protecting nearby natural resources, particularly Smithville Lake, and urged the Commission to evaluate potential runoff and impacts to water quality and the local water table. She raised concerns about whether the Fire Department has the resources and capability to respond to potential fires or other hazards associated with battery-related facilities. She urged the Commission to ensure that all necessary studies and evaluations are completed before approving the conditional use permit. She believes that the conditional use permit itself acknowledges the potential for impacts and concerns that warrant careful review.

Public hearing closed.

7. CONDITIONAL USE PERMIT – BATTERY ENERGY STORAGE FACILITY AT NE 132ND STREET AND 169 HIGHWAY

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

HALL motioned to approve the Conditional Use Permit for Battery Energy Storage Facility at NE 132nd Street and 169 Highway. Seconded by SCARBOROUGH.

Discussion:

HENDRIX mentioned concerns raised about fire safety and facility risks during the previous public hearing. He explained that those issues were specifically addressed during the development of new regulations governing this type of facility. Fire Chief Dave Cline presented his key concerns at a previous Planning Commission meeting, including compliance with National

Fire Protection Association (NFPA) standards and specific design and safety requirements. Those recommendations were incorporated into the ordinance, and the applicant's submitted plans were designed to comply with the adopted regulations. Chief Cline's concerns were directly reflected in the regulatory requirements and addressed as part of the application review process. The applicant also has a slideshow presentation to present tonight.

Several representatives for Nextera Energy Resources were present. They provided a presentation to the commission regarding this project. They also answered questions and concerns that the commission had.

THE VOTE: ALDERMAN WILSON -AYE, SCARBOROUGH-AYE, DOTSON-AYE, HALL-AYE, CHEVALIER -NO.

AYES-4, NOES-1. MOTION PASSED

8. PUBLIC HEARING – REZONING 13800 N. US 169 HWY

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED REZONING OF LAND FROM A-1 TO B-3 FOR A FUTURE CONCEPTUAL PLAN IN THE 169 SOUTH EMPLOYMENT OVERLAY DISTRICT ON BOTH THE EXISTING B-3 LAND AND THE LAND TO BE REZONED.**

Public hearing opened.

HENDRIX stated the staff report, development plan, preliminary plat and a draft version of findings of fact were provided in the packet.

Dan Fuller – 13518 N 169 Hwy Smithville, MO 64089— Stated that his understanding was this was a battery manufacturing plant. Is that correct? Also stated that he is not receiving the notification letters.

HENDRIX informed that a battery manufacturing plant is 100% incorrect. He also informed that Mr. Fuller needs to check with Clay County to see what mailing address is on file with them. All addressing for the certified letters are pulled from them.

Public hearing closed.

9. REZONING 13800 N. US 169 HWY

- **THE APPLICANT SEEKS TO REZONE THE PORTION OF ITS 155-ACRE LAND THAT IS A-1 TO B-3 TO MATCH THE ENTIRE PROJECT AREA AND A CONCEPTUAL PLAN ON ALL 155 ACRES FOR A COMMUNITY SCALE MANUFACTURING FACILITY ON A PORTION OF SUCH LAND, WITH FUTURE RESTAURANT/RETAIL ALONG 169 HIGHWAY.**

SCARBOROUGH motioned to approve the rezoning at 13800 N US 169 Hwy. Seconded by DOTSON.

Discussion:

HENDRIX stated that most of the commission members were involved in developing the 2020 Comprehensive Plan and nearly all were also involved with the planning for the Overlay District in 2025. He reminded that this rezoning application directly relates to those citizen-driven planning initiatives. At the last meeting we provided from our legal counsel the definition of community-scale manufacturing. That was because it's not defined in our existing ordinance and the reason that's relevant to the rezoning is the B-3 district designation that they're seeking allows all of those items that are listed within that table of uses, one of which is community scale manufacturing. He wanted to tie those 2 together so the commission understood where those were coming from. The front of the property is currently B-3. Their application is to rezone the A-1 and B-3, and that was at my suggestion because I found some old records that indicate that the B-3 in front is a B-3P. There was a plat, but it wasn't recorded with the ordinance, and we have no record of it, so I can't find any of that. If this is going to change, the recommendation was changing all of the A-1 and the B-3, if it was B-3P properly done. This will change it all to B-3, which would fit under the overlay district.

THE VOTE: DOTSON-AYE, SCARBOROUGH-AYE, ALDERMAN WILSON-AYE, HALL-AYE, CHEVALIER-AYE.

AYES-5, NOES-0. MOTION PASSED

10. PUBLIC HEARING – PRELIMINARY PLAT FOR PROJECT ROCKET SHIP AT 13800 US 169 HWY

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED PRELIMINARY PLAT ON 155 ACRES FOR A MULTI-USE DEVELOPMENT WITH A LARGE LOT FOR COMMUNITY SCALE MANUFACTURING AND ACCESSORY USES, AS WELL AS 2 LOTS FOR FUTURE RETAIL/RESTAURANT DEVELOPMENT.**

Public hearing opened.

HENDRIX stated the staff report, development plan, rezoning, preliminary plat were provided in the packet.

John Woods – 13600 N 169 Hwy Smithville, MO 64089— Stated that his property borders the proposed development on two sides. He expressed concerns for greater transparency, stronger enforcement of development requirements, and more detailed information regarding traffic, trucking operations, noise, lighting, environmental impacts, and infrastructure capacity before the project moves forward.

Doug Ciricione – 728 Spelman Dr Smithville, MO 64089— Noted that several of his concerns had already been raised by previous speakers. and focused on two primary issues. When the South Employment District was first proposed the conceptual plan that was originally proposed is quite a bit different than what is before us tonight. He believes that the intent falls within the same guidelines. He commended the applicant for designing the project in a way that appears to retain a significant number of existing trees, particularly along the north and south property lines and in the southwest corner of the site. He also spoke about the traffic study and recent transportation information that had been provided. While acknowledging efforts to address traffic concerns and intersection movements, he noted that the study did not appear to adequately address visibility issues for southbound traffic.

Public hearing closed.

11. PRELIMINARY PLAT FOR PROJECT ROCKET SHIP – 3 LOTS

- **THE APPLICANT SEEKS TO PRELIMINARILY PLAT 155 ACRES FOR A MULTI-USE DEVELOPMENT WITH A LARGE LOT FOR COMMUNITY SCALE MANUFACTURING AND ACCESSORY USES, AS WELL AS 2 LOTS FOR FUTURE RETAIL/RESTAURANT DEVELOPMENT.**

SCARBOROUGH motioned to approve the Preliminary Plat for Project Rocket Ship – 3 Lots. Seconded by DOTSON.

Discussion:

HENDRIX clarified that the item under consideration was a preliminary plat. The purpose of the preliminary plat is to divide the property into three lots: two lots along the highway intended for future retail development and a larger rear lot intended for manufacturing or industrial use. Many of the concerns raised by previous commenters would be more appropriately addressed during the Conceptual Plan Review. He noted that the project will return for a final plat review. He spoke regarding transportation planning explaining that the proposed right-of-way dedication is intended to preserve the ability to extend a roadway in the future and connect with surrounding development. The ultimate design of that roadway and its intersection configuration will depend on future traffic studies and the development of neighboring properties within the district. He also addressed concerns about previous highway planning assumptions explaining that earlier concepts for are no longer part of current transportation plans. Current planning relies on J-turn intersections, which have replaced earlier roadway concepts. He informed that only the large rear lot is associated with the next agenda item. Any future development proposed on the two highway-frontage lots would be required to undergo a separate conceptual plan review and approval process.

Several representatives for Central Power Systems & Services were present. They provided a presentation to the commission regarding this project. They also answered questions and concerns that the commission had.

THE VOTE: CHEVALIER-AYE, ALDERMAN WILSON-AYE, SCARBOROUGH-AYE, DOTSON-AYE, HALL-AYE.

AYES-5, NOES-0. MOTION PASSED

12. PUBLIC HEARING –CONCEPTUAL PLAN FOR PROJECT ROCKET SHIP, LOT 1 AT 13800 US 169 HWY

- **APPLICANT SEEKS CONCEPTUAL PLAN APPROVAL FOR BUILDINGS TO BE CONSTRUCTED WITH THE COMMUNITY SCALE MANUFACTURING DESIGNATION WITHIN THE 169 SOUTH EMPLOYMENT OVERLAY DISTRICT TO INCLUDE A MANUFACTURING BUILDING AND A SEPARATE WAREHOUSE BUILDING.**

Public hearing opened.

HENDRIX stated the staff report for the conceptual plan, conceptual development plan findings document and the development plan document were provided in the packet.

John Woods – 13600 N 169 Hwy Smithville, MO 64089— Stated that he felt like there was a lot of secrecy regarding this project and just wondered why. He had also heard that both readings at the Board of Aldermen meeting would happen all at one meeting.

HENDRIX stated this application was submitted a while ago for this hearing. It would have been on June's Planning Commission Meeting, but MoDOT didn't have their information completed sufficiently to move forward, so the applicant asked that we postpone it. The readings at the Board meeting are within the board purview. Nobody in this room can control that.

ALDERMAN WILSON stated that it depends on what's being presented to the Board whether it's one reading or two readings in the same meeting.

Shauna Houghton – 113 Lakeland Dr Smithville, MO 64089— Stated that she is deeply involved in our community. In addition to her Smithville Lake Festival responsibilities, she serves on the Smithville Parks & Rec Committee, is involved with Kids Rock in Smithville, and have volunteered over the years as a soccer coach, Girl Scout leader, booster club president, and participated in the Citizens Academy. She cares deeply about Smithville and has spent many years listening to discussions about how to make our city stronger. One recurring goal has been attracting quality employers and creating local job opportunities. While Smithville has added smaller employers, she is not aware of a major employer with more than 200 jobs coming to the area during the more than 20 years she has lived here. For that reason, she supports bringing the new Central Power Systems facility to Smithville. She has visited their Platte City location and found it to be well maintained and a positive community presence. Through her interactions with company representatives, she has found them professional, personable, and committed to supporting the communities where they operate. She also want to acknowledge that some inaccurate information has circulated during this discussion. Several residents have worked to correct misconceptions and provide accurate information. Her message is simple: the company appears to be responding to the community's requests for jobs and economic development, and she encourages decision-makers to take that into consideration when evaluating the project.

Public hearing closed.

**13. CONCEPTUAL PLAN APPROVAL PROJECT ROCKET SHIP AT 13800
US 169 HWY**

- **APPLICANTS CONCEPTUAL PLAN REQUEST IS FOR TWO BUILDINGS IN THE FIRST PHASE OF DEVELOPMENT OF LOT 1 OF THE PROJECT ROCKETSHIP PRELIMINARY PLAT TO INCLUDE A 689,920 SQ. FT. MANUFACTURING FACILITY AND A 504,000 SQ. FT. WAREHOUSE TO INCLUDE A SECOND PHASE TO INCLUDE AN ADDITION TO THE MANUFACTURING BUILDING OF 188,160 SQ. FT. AND AN ADDITIONAL WAREHOUSE.**

HALL motioned to approve the Conceptual Plan for Project Rocket Ship at 13800 US 169 Hwy. Seconded by DOTSON.

Discussion:

HENDRIX explained that conceptual plans are a common planning tool used to establish development layouts and access. A nearby property south of the project area was the community's first conceptual plan project, and the access arrangement there serves as a precedent for how access would be handled in this development. Instead of requiring a constructed public frontage road, the developer would provide alternative access and ingress/egress at their own expense, including construction and maintenance. The primary access point would be from 136th Street, with a possible future secondary access point that has already been evaluated as part of the Traffic Impact Study. The conceptual plan also addresses the design and appearance of the proposed development. Due to the large scale of the buildings, traditional site plan drawings do not fully convey their size. The manufacturing building is approximately 689,000 square feet, and a second building is approximately 504,000 square feet. The submitted plans include building colors, architectural treatments, striping, and design elements intended to reduce the visual impact of such large structures. Any future building signage would still require a separate approval process. Landscaping plans are also included and will be reviewed to ensure appropriate species selection and placement. The community-scale manufacturing designation requires specific approval as part of the overlay district regulations. Staff indicated that the project meets the applicable standards for that designation. Stormwater management is addressed through a large dry detention basin, which is considered safer because it does not permanently hold water. During project review, engineers evaluated the possibility of a north-south road through the property but determined that the terrain would likely require a significant retaining wall. Based on engineering recommendations and maintenance concerns associated with retaining walls, that roadway connection is not being pursued. He noted that substantial acreage remains available for future development within the overlay district and that the project meets the standards identified in the staff report. Infrastructure requirements will be addressed during the engineering phase. The developer is required to install water infrastructure capable of supporting fire protection needs, including sprinkler systems throughout the buildings. Additional water-use demand could also improve utilization of the community's water storage system. A new 12-inch water line is planned to serve the development and future

growth areas. Detailed pressure and flow testing will determine whether any supplemental fire-protection infrastructure, such as additional storage or pumping equipment, is necessary, although engineers believe the existing water tower location should adequately support the project. He also emphasized the importance of the visual impact of the proposed buildings. Because the structures are 35-foot-tall concrete tilt-up buildings, staff requested visual simulations to show how they would appear from surrounding areas. The buildings are positioned on flatter ground away from roadways, and future development may further reduce their visibility. Existing tree buffers on the south, west, and north sides of the property are largely being preserved, with tree removal limited primarily to building sites. Staff concluded that the project addresses buffering, screening, and compatibility goals identified in the comprehensive plan and therefore recommended approval.

DOTSON motioned remove the Silver Maple trees from the landscaping plan. Seconded by ALDERMAN WILSON.

THE VOTE: HALL-AYE, DOTSON-AYE, SCARBOROUGH-AYE, ALDERMAN WILSON-AYE, CHEVALIER-AYE.

AYES-5, NOES-0. MOTION PASSED

CHEVALIER asked if there was any discussion. There was none. He called for the vote on the motion as amended.

THE VOTE: SCARBOROUGH-AYE, ALDERMAN WILSON-AYE, CHEVALIER-AYE, DOTSON-AYE, HALL-AYE.

AYES-5, NOES-0. MOTION PASSED

14. PUBLIC HEARING –FENCE CODE REVISION REQUEST

- **AT THE REQUEST OF A CITIZEN, CHANGES PROPOSED TO THE FENCE CODE PERTAINING TO CORNER LOTS IS PRESENTED.**

Public hearing opened.

HENDRIX stated that during our May 14th Planning Commission meeting Mr. Trenton Ballard requested a modification to the fence regulations for his double frontage lot. That is what this public hearing and next agenda item will address.

No citizens present wished to speak.

Public hearing closed.

15. FENCE CODE REVISION

- **CITIZEN REQUESTED A REVISION TO THE FENCE CODE PERTAINING TO THE FRONT YARD SETBACK ON A DOUBLE FRONTAGE LOT THAT IS ADJACENT TO THE PRIMARY ENTRANCE OF ANOTHER PARCEL.**

SCARBOROUGH motioned to approve the Fence Code Revision pertaining to the front yard setback on a double frontage lot that is adjacent to the primary entrance of another parcel. Seconded by HALL.

Discussion:

HENDRIX explained that the proposed fence provision was drafted to apply only to a very limited type of property: a double-frontage lot situated between two streets and not a corner lot. Under the current ordinance, 4-foot-tall decorative fences may be located near the street, but taller privacy fences of six feet or more generally must be set back approximately 30 feet to the building line. Creating an exception for double-frontage lots would allow a taller, non-decorative privacy fence to extend closer to the front corner of the property. He explained that applying the same concept to corner lots would result in fence layouts that do not work well and could create undesirable outcomes. For that reason, the draft language was intentionally written narrowly to apply only to double-frontage lots with parallel frontages and no corner-lot conditions. After reviewing the city's GIS map, there are approximately 15 double frontage lots in town, most of them located in the same area. However, only one property could realistically benefit from the proposed exception. The language was specifically crafted

to address that property's situation by allowing the fence to extend to the corner and then connect back to the neighboring build line.

THE VOTE: CHEVALIER-AYE, ALDERMAN WILSON-AYE, SCARBOROUGH-AYE, DOTSON-AYE, HALL-AYE.

AYES-5, NOES-0. MOTION PASSED

16. ADJOURN

HALL made a motion to adjourn. SCARBOROUGH seconded the motion.

VOICE VOTE: UNANIMOUS

CHAIRMAN CHEVALIER declared the session adjourned at 9:20 p.m.



Planning and Zoning Commission Procedural Summary

MEETING DATE: 8/11/2026

DEPARTMENT: Development

AGENDA ITEM: Clay Creek Meadows Conceptual Plan

REQUESTED COMMISSION ACTION:

A motion to approve the findings for the Clay Creek Meadows Conceptual Plan

SUMMARY OF PROCEDURE:

The application is to approve a conceptual plan for the R-3 zoning at Clay Creek Meadows, Phases II and III.

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

July 9, 2026

Conceptual Plan Rezoning of Phase II of Clay Creek Meadows Subdivision and Parcel Id
- 01-903-00-01-006.00

Application for a Planned Development Overlay District Conceptual Plan

Code Sections:

400.200.B Planned Development Overlay District Classification
Amendments

Property Information:

Address: 169 Highway and W Highway
Owner: D.R. Horton Inc./Clay Creek Meadows LLC
Current Zoning: R-3
Proposed Zoning: R-3 in accordance with the Conceptual Plan

Public Notice Dates:

1st Publication in Newspaper: July 22, 2026
Letters to Property Owners w/in 185': July 22, 2026

GENERAL DESCRIPTION:

The applicant has submitted a Conceptual Plan request to change the method for calculating lot coverage. The existing ordinances calculate the maximum lot coverage at 30% of EACH LOT. Applicant's sole purpose of its' conceptual plan is to modify the maximum lot coverage to be calculated as an entire subdivision but not changing the 30% maximum coverage requirement. The currently approved site plan for the development includes each of the lots that back up to 169 Highway to have additional square footage per lot to allow a larger buffer from the highway impacts, significantly increase the total square footage of each lot. Additionally, there are two cul de sacs and one knuckle in the road system that significantly increase the square footage of those lots as well. These increased size lots then reduce the overall size of other lots.

The impact of these items makes some cul de sac lots with very low coverage and other lots with higher than allowed coverages. There are 11 lots with an excess coverage (30%+) and 12 lots with a coverage of less than 21% coverage. The proposed conceptual plan change would result in an overall coverage of 24.8%, well below the maximum coverage limit of 30%.

The stated Intent of the conceptual plan is to "*encourage latitude and flexibility in the . . . variations in yards, open spaces, etc., subsequent to final approval of the plan. The result is to allow development of tracts of land to their fullest extent and at the same time observe the general intent and spirit of these regulations.*" The intent of these regulations is to limit lot coverage to no more than 30%, and the proposed change keeps that coverage below 25%.

EXISTING ZONING:

The existing zoning is R-3 with an approved Site Plan and would not change other than the collective nature of calculating the lot coverage requirements.

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.

There is no proposed change to any aspect of the approved site plan, but only a change to how the lot coverage is calculated.

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.

There is no change to the approved site plan in this matter.

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.

The proposed change has no impact on the setbacks, just the lot coverage being calculated collectively as a neighborhood.

ARCHITECTURE

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

The Conceptual Plan does not impact the approved architectural designs

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 proposed change does not impact the stormwater design as it was designed based upon 30% coverage and the actual will be 24.8%

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.

No change is proposed to the approved site plan.

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.

None identified.

STAFF RECOMMENDATION:

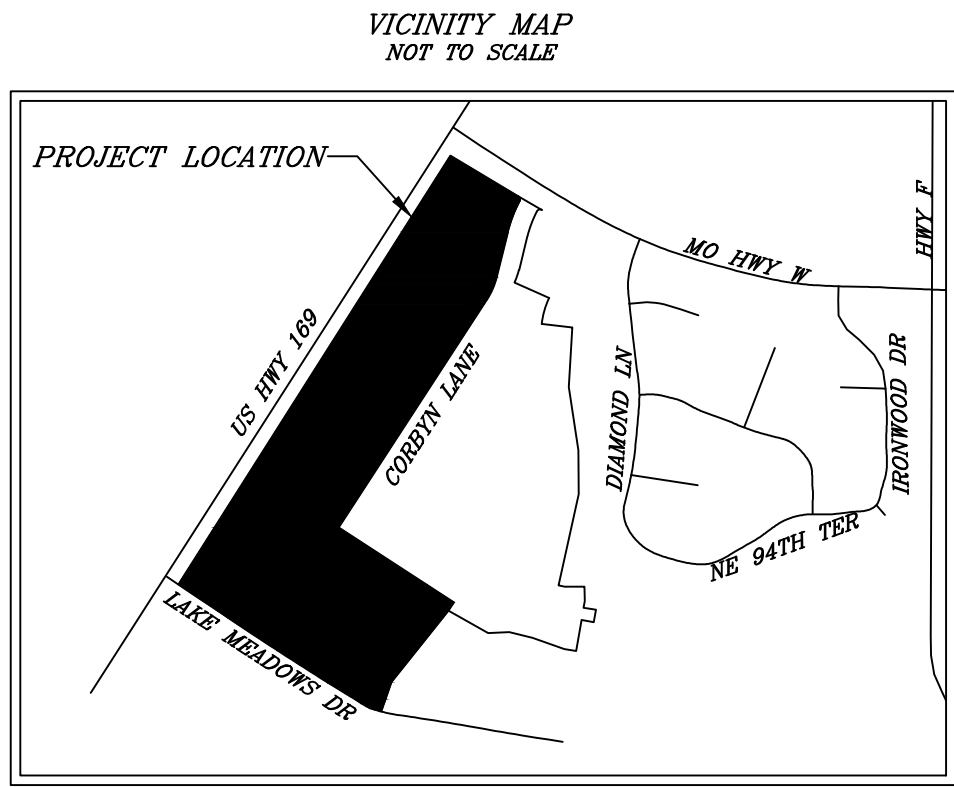
Staff recommends APPROVAL of the proposed conceptual plan based upon the intent of the district is still met with 24.8% coverage.

Respectfully Submitted,

Zoning Administrator

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.



UNPLATTED
MJP, INC.

UNPLATTED
REORGANIZED CHURCH OF JESUS
CHRIST OF LATTER DAY SAINTS

SOUTH LINE OF THE NORTHEAST
QUARTER OF SECTION 35-54-33
CENTER SEC 35
T-54N R-33W
FOUND 1/2" BAR

NORTH LINE OF THE SOUTHEAST
QUARTER OF SECTION 35-54-33
N89°38'38"W
2069.10'

MATCH LINE - SHEET 3
MATCH LINE - SHEET 2

UNPLATTED
TODD & TRACY GRAVES

UNPLATTED
HELM INVESTMENTS, LLC

PLANNED DEVELOPMENT OVERLAY CONCEPTUAL PLAN CLAY CREEK MEADOWS - PHASE 2 & 3 A SUBDIVISION IN PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 54 NORTH, RANGE 33 WEST SMITHVILLE, CLAY COUNTY, MISSOURI

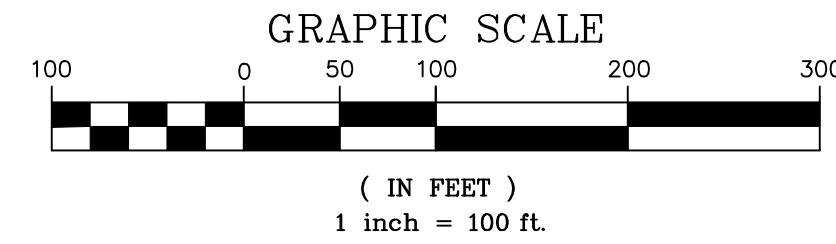
PROPERTY DESCRIPTION
CONTAINING 1,081,886 SQUARE FEET OR 24.38 ACRES

ALL THAT PART OF THE EAST ONE-HALF OF SECTION 35, TOWNSHIP 54 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SOUTHEAST QUARTER OF SAID SECTION 35, ALSO BEING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 35, THENCE N89°38'39" WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, ALSO BEING THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1048.84 FEET TO A POINT ON THE WESTERLY LINE OF CLAY CREEK, A SUBDIVISION OF LAND IN SMITHVILLE, CLAY COUNTY, MISSOURI, AND THE WESTERLY RIGHT OF WAY LINE OF CORBYN LANE, ALSO BEING THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE S33°00'33" W, ALONG THE EASTERLY LINE OF SAID CLAY CREEK AND THE WESTERLY RIGHT OF WAY LINE OF SAID CORBYN LANE, A DISTANCE OF 1066.87 FEET TO THE WESTERLY MOST CORNER OF SAID CLAY CREEK; THENCE S56°59'27" E, ALONG THE SOUTHERLY LINE OF SAID CLAY CREEK, A DISTANCE OF 549.36 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY LINE, S33°00'33" W, A DISTANCE OF 39.38 FEET TO A CORNER ON SAID SOUTHERLY LINE, THENCE S88°09'45" W, A DISTANCE OF 342.55 FEET TO THE NORTHWEST CORNER OF LOT 10, LAKE MEADOWS FIRST PLAT, A SUBDIVISION OF LAND IN SMITHVILLE, CLAY COUNTY, MISSOURI; THENCE N86°34'53" W, A DISTANCE OF 93.86 FEET; THENCE N66°59'27" W TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID CORBYN LANE, THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID CORBYN LANE, ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF N33°13'30" E AND A RADIUS OF 970.00 FEET, AN ARC DISTANCE OF 10.00 FEET; THENCE N66°59'27" W, A DISTANCE OF 281.00 FEET; THENCE S33°00'33" W, A DISTANCE OF 135.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF LAKE MEADOWS DRIVE, THENCE N66°59'27" W, ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID LAKE MEADOWS DRIVE, A DISTANCE OF 216.28 FEET TO THE NORTHERLY MOST CORNER OF SAID LAKE MEADOWS FIRST PLAT, SAID POINT ALSO BEING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF MISSOURI STATE HIGHWAY NO. 169, THENCE N33°00'33" E, ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID MISSOURI STATE HIGHWAY NO. 169, A DISTANCE OF 1917.51 FEET; THENCE N78°21'44" E, A DISTANCE OF 153.31 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF MISSOURI STATE HIGHWAY W, THENCE S56°20'41" E, ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID MISSOURI STATE HIGHWAY W, A DISTANCE OF 94.79 FEET; THENCE SOUTHEASTERLY, CONTINUING ALONG SAID LINE, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE, HAVING A RADIUS OF 3924.02 FEET, AN ARC DISTANCE OF 136.07 FEET TO A POINT ON THE WESTERLY LINE OF SAID CLAY CREEK; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID CLAY CREEK, ALONG A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, AN ARC DISTANCE OF 22.71 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID CORBYN LANE, THENCE CONTINUING SOUTHERLY ALONG THE WESTERLY LINE OF SAID CLAY CREEK AND THE WESTERLY RIGHT OF WAY LINE OF SAID CORBYN LANE, ALONG A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 539.85 FEET, AN ARC DISTANCE OF 131.65 FEET; THENCE S13°58'00" W, CONTINUING ALONG SAID LINE, A DISTANCE OF 185.68 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG SAID LINE, SOUTHWESTERLY ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE HAVING A RADIUS OF 300.00 FEET, AN ARC DISTANCE OF 99.71 FEET; THENCE S33°00'33" W, CONTINUING ALONG SAID LINE, A DISTANCE OF 21.93 FEET TO THE POINT OF BEGINNING.

POINT OF
COMMENCEMENT
NE COR. SE 1/4
SEC 35 T-54N R-33W
FOUND 1/2" BAR

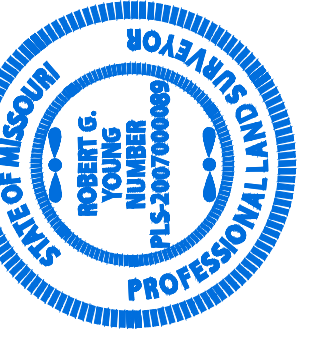
POINT OF
BEGINNING

CLAY CREEK MEADOWS COVERAGE - PHASE 2 & 3					
LOT NO	PHASE	LOT AREA (S.F.)	UNIT AREA (S.F.)	UNIT TYPE	COVERAGE
14	2	14,500	4,193	4 PLEX	28.9%
15	2	12,890	4,193	4 PLEX	32.5%
16	2	14,586	4,193	4 PLEX	28.7%
17	2	16,115	3,140	3 PLEX	19.5%
18	2	13,256	3,140	3 PLEX	23.7%
19	2	9,627	2,088	DUPLEX	21.7%
20	2	14,678	4,193	4 PLEX	28.6%
21	2	17,685	5,245	5 PLEX	29.7%
22	2	13,577	4,193	4 PLEX	30.9%
23	2	14,719	4,193	4 PLEX	28.5%
24	2	21,162	5,245	5 PLEX	24.8%
25	2			POOL	
26	2	24,839	5,245	5 PLEX	21.1%
27	2	17,299	4,193	4 PLEX	24.2%
28	2	16,921	4,193	4 PLEX	24.8%
29	2	17,440	4,193	4 PLEX	24.0%
30	2	19,925	4,193	4 PLEX	21.0%
31	2	20,192	4,193	4 PLEX	20.8%
32	2	14,576	4,193	4 PLEX	28.8%
33	2	15,692	4,193	4 PLEX	26.7%
34	2	16,163	4,193	4 PLEX	25.9%
35	2	17,645	4,193	4 PLEX	23.8%
36	2	14,526	4,193	4 PLEX	28.9%
37	2	15,026	4,193	4 PLEX	27.9%
38	2	17,458	4,193	4 PLEX	24.0%
39	2	15,759	5,245	5 PLEX	33.3%
40	3	12,879	4,193	4 PLEX	32.6%
41	3	13,511	4,193	4 PLEX	31.0%
42	3	12,918	4,193	4 PLEX	32.5%
43	3	12,510	4,193	4 PLEX	33.5%
44	3	14,678	4,193	4 PLEX	28.6%
45	3	16,155	4,193	4 PLEX	26.0%
46	3	14,219	4,193	4 PLEX	29.5%
47	3	14,960	4,193	4 PLEX	28.0%
48	3	13,784	4,193	4 PLEX	30.4%
49	3	10,833	2,088	DUPLEX	19.3%
50	3	11,635	2,088	DUPLEX	17.9%
51	3	18,935	3,140	3 PLEX	16.6%
52	3	16,396	3,140	3 PLEX	19.2%
53	3	16,302	3,140	3 PLEX	19.3%
54	3	18,245	4,193	4 PLEX	23.0%
55	3	19,505	4,193	4 PLEX	21.5%
56	3	19,523	4,193	4 PLEX	21.5%
57	3	20,911	4,193	4 PLEX	20.1%
58	3	20,519	4,193	4 PLEX	20.4%
59	3	20,124	4,193	4 PLEX	20.4%
60	3	20,937	4,193	4 PLEX	20.0%
61	3	20,520	4,193	4 PLEX	20.4%
62	3	13,548	4,193	4 PLEX	30.9%
63	3	14,124	4,193	4 PLEX	29.7%
64	3	13,481	4,193	4 PLEX	31.1%
65	3	13,037	4,193	4 PLEX	32.2%
66	3	14,638	4,193	4 PLEX	28.6%
TOTAL		672,288	166,648		24.8%



MB DENOTES MAILBOX CLUSTER

APPLICANT/OWNER:
CLAY CREEK MEADOWS, LLC
19935 HIGHWAY B
EDGERTON, MO 64444



SURVEYOR'S CERTIFICATION
I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES HEREIN DESCRIBED WHICH MEET OR EXCEED THE CURRENT "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS JOINTLY ESTABLISHED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF SURVEYS, AND THE MISSOURI SURVEYORS ASSOCIATION. WE ARE PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

ROBERT G. YOUNG, PLS-2007000089 08/26/2024 DATE

R.L. Buford & Associates, LLC

LAND SURVEYING - DEVELOPMENT CONSULTANTS
R.L. BUFORD & ASSOCIATES, LLC, MO. CERT. OF
AUTHORITY: 0000000000

P.O. BOX 14069, PARKVILLE, MO. 64112 (816) 741-6152

FOR SEC-TWP-RGE. COUNTY JOB NO.
35-54-33 CLAY L-23197

DATE FIELD BOOK
05/11/2024

DRAWN BY
J.K.R.

CLAY CREEK MEADOWS, LLC

OVERLAY CONCEPT PLAN

FOR CLAY CREEK MEADOWS, LLC

OVERLAY CONCEPT PLAN



Planning and Zoning Commission Procedural Summary

MEETING DATE: 8/11/2026

DEPARTMENT: Development

AGENDA ITEM: Single Phase Final Plat for Clay Park subdivision

REQUESTED COMMISSION ACTION:

A motion to recommend to approve (or disapprove) the proposed Single Phase Final Plat.

SUMMARY OF PROCEDURE:

The application is to create a new single-phase final plat subdivision consisting of 2 lots on 37.28 acres of land located west of 169 and south of 148th Street.

The Commission shall take into account the public hearing input, the staff report and any other documents or photographs provided at the hearing. The staff report is organized with each of the Guidelines for Review identified in §425.285.A.4 of the Code of Ordinances with staff and/or engineering findings of each item for evaluation.

In cases where the recommendation is for the disapproval of the plat, the applicant shall be notified of the reason for such action and what requirements shall be necessary to obtain the recommendation of approval of the Planning and Zoning Commission.

ATTACHMENTS:

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



STAFF REPORT
August 4, 2026
Platting of Parcel Id #05-820-00-02-003.00

Application for a Plat Approval

Code Sections:

425.285.A.4

Single Phase Final Plat Approval

Property Information:

Address:	14600 N US 169 Hwy
Owner:	KC Garage Storage LLC/AYPA Power
Current Zoning:	B-3
Public Notice Dates:	July 22, 2026
185' Notices:	July 22, 2026

GENERAL DESCRIPTION:

The property is currently a 37-acre parcel partially developed with an RV Storage Facility. The proposal would divide the parcel into two separate parcels, the north 10 acres would become Lot 1 of a new 2 lot subdivision to be called Clay Park. The purpose of the subdivision is to authorize the sale of this 10.37-acre parcel to AYPa Power for a future Battery Energy Storage Facility. 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, or proper bonding be put in place in accordance with Chapter 425 that guarantees the performance of certain required improvements.

The applicant has submitted not only a Final Plat for the subdivision, but also a rezoning application to I-1 and a request for a conditional use permit for a BESF on industrial zoned land. These other applications are on the same agenda as this plat request.

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.***
- b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. ***Yes.***
- 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 identified in the currently approved site plan for RV storage will be used for this less impactful project.***
 - (2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth. ***Yes as all grading to prepare this site for RV storage occurred in 2018 and is sufficient for the future development intended. The grading will be minimal, and there are no good trees or desirable natural growth to be preserved or maintained.***
 - (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. ***Yes.***
 - (5) Adequate lot depth for outdoor living space. ***N/A as this is B-3 property.***
 - (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.***
- 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 reduces the overall flow from currently approved plans and storm study for the RV project.***

h. Each lot in the plat of a residential development has adequate and safe access to/from a local street. ***N/A.***

i. 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 place 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, all right of way was dedicated in 2021.***

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. ***There is a development agreement that will require both waterline and street extensions in accordance with the previously approved site plan of the RV Storage Facility.***

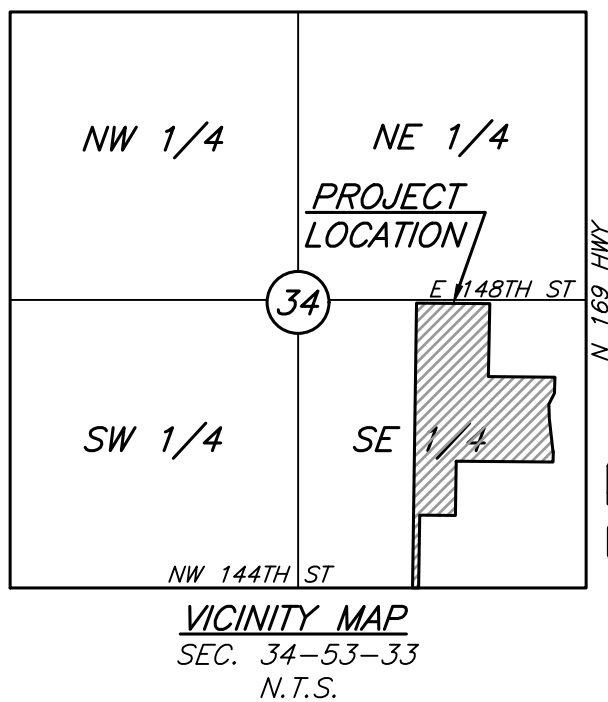
STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat conditioned upon completing the requirements contained in the development agreement.

Respectfully Submitted,

Director of Development

FINAL PLAT CLAY PARK



MISSOURI STATE PLANE COORDINATE SYSTEM

NAD 1983, MISSOURI WEST ZONE (METER)
Reference Monument: SMITHVILLE 3
COMBINED SCALE FACTOR= 0.9999003

MISSOURI STATE PLANE COORDINATES		
Point #	Northing	Easting
1	354904.26(m)	842779.50(m)
19	354388.52(m)	842745.79(m)
25	354390.01(m)	842559.12(m)
26	354343.30(m)	842744.25(m)
27	354312.66(m)	842728.79(m)
28	354272.23(m)	842728.95(m)
29	354178.85(m)	842740.38(m)
33	354150.50(m)	842740.25(m)
38	354152.48(m)	842468.84(m)
39	354000.21(m)	842466.35(m)
40	354001.01(m)	842366.41(m)
202	354391.63(m)	842354.55(m)
203	354596.22(m)	842357.40(m)
204	354594.92(m)	842562.79(m)
205	353801.68(m)	842363.21(m)
206	353801.82(m)	842346.35(m)
207	354178.88(m)	842741.39(m)

CLIENT:

CLAYTHORNE RELIABILITY PROJECT LLC
Jackson Chenoweth
email: JChenoweth@aypa.com

PROPERTY LOCATION:

14600 N 169 Hwy.
Smithville, Missouri 64089

GENERAL SURVEY NOTES:

1.) The plat of LOT LINE ADJUSTMENT PLAT is recorded in Book 1 at Page 36.1 in the Recorder of Deeds Office in Clay County, Missouri.

2.) Deed of record is recorded in Book 9650, Page 42, dated 11/01/2023 in the Recorder of Deeds Office, Clay County, Missouri.

3.) Title Report # 25000370563-02, dated December 5, 2025 at 8:00 AM provided by Stewart Title Guaranty Company, was provided by client.

4.) Bearings used on this survey are established by the Missouri State Plane Coordinate System from GPS observation.

5.) The subject property is located in Zone X, areas determined to be outside the 0.2% annual chance floodplain, as shown on Flood Insurance Rate Map (FIRM) 29047C0102E, effective August 3, 2015.

PROPERTY DESCRIPTION:

A tract of land in the Southeast Quarter of Section 34, Township 53 North, Range 33 West, Smithville, Clay County, Missouri, being more particularly described as follows, surveyed and described on May 22nd, 2026 by Steven P. Timberlake LS-2451 on May 18th, 2026:

Commencing at the Southeast corner of said Southeast Quarter; Thence North 89°32'27" West along the South line of said Southeast Quarter, 1271.90 feet to the Point of Beginning; Thence continuing North 89°32'27" West along said South line, 55.26 feet; Thence North 00°47'50" East, 2636.58 feet to the North line of said Southeast Quarter; Thence South 89°38'05" East along said North line, 673.85 feet; Thence South 01°01'27" West, 672.37 feet; Thence South 89°32'41" East, 612.46 feet to the West Right-of-Way line of US HWY 169, as now established, and continuing along said West Right-of-Way for the next six courses; Thence South 01°57'24" West, 148.45 feet; Thence South 26°46'26" West, 112.59 feet; Thence South 01°38'55" East, 132.71 feet; Thence South 06°22'13" East, 308.27 feet; Thence North 87°57'15" East, 3.31 feet; Thence on a curve to the left, having an initial tangent bearing of South 02°26'32" West, a radius of 17226.47 feet and an arc length of 93.22 feet; Thence North 89°34'55" West, 890.47 feet; Thence South 00°56'18" West, 499.61 feet; Thence North 89°32'44" West, 327.89 feet; Thence South 00°55'15" West, 684.04 feet to the Point of Beginning. Contains 1,667,097 Square Feet or 38.27 Acres, more or less.

PLAT DEDICATION:

The undersigned proprietor of the property described herein has caused the same to be subdivided in the manner shown on this plat and said property shall hereafter be known as:

"CLAY PARK

Known all persons by the presents that the undersigned owner of the land shown and described herein have caused the same to be subdivided in the manner shown on this plat, and do hereby dedicate to the City of Smithville, Missouri and/or to the public, all streets, alleys, easements, right-of-way, and other public areas as shown hereon, that are not heretofore dedicated, for public use forever, easements are hereby reserved for the installation and maintenance of utilities, drainage facilities, and other purposes as indicated on this plat.

STREET DEDICATION:

Streets shown hereon and not heretofore dedicated for public use as street right-of-way are hereby dedicated.

ACKNOWLEDGMENTS:

IN TESTIMONY WHEREOF:
KANSAS CITY GARAGE STORAGE OPERATING LLC, has caused these presents to be executed this _____
day of _____, 2026.

Greg Kranias, Member

STATE OF)
COUNTY OF) ss

Be it remembered that on this _____ day of _____, 2026, before me, a Notary Public in and for said County and State, came Greg Kranias, Member for KANSAS CITY GARAGE OPERATING LLC, to me personally known to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

IN TESTIMONY WHEREOF: I have hereunto set my hand and affixed my Notarial Seal in my office the day and year last above written.

Notary Public

My Commission Expires : _____

APPROVALS:

This Final Plat of "CLAY PARK" subdivision was submitted to and approved by the Smithville Planning and Zoning Commission on the ____ day of _____ 2026.

Chairman *Secretary*

This Final Plat "CLAY PARK" approved by the Board of Aldermen of Smithville, Missouri, this ____ day of _____ 2026.

ATTEST:

Damien Boley, Mayor *Linda Drummond, City Clerk*

Entered on transfer record this _____ day of _____ 2026.

County Recorder



J & J
SURVEY
LLC

4. GREEN HILLS ROAD • KANSAS CITY, MO 64154
PHONE (816) 741-1017 • FAX (816) 741-1018

5-9-26 Date

Steven P. Timberlake LS-2451

CERTIFICATION: I hereby certify that this drawing is based on an actual field survey made by me or under my direct supervision on the 6th day of April, 2026 and that said survey meets or exceeds the current Missouri Standards for Property Boundary Surveys, as established by the Missouri Board for Architects, Professional Engineers and Land Surveyors, and the Missouri Department of Natural Resources, Division of Geology and Land Survey.

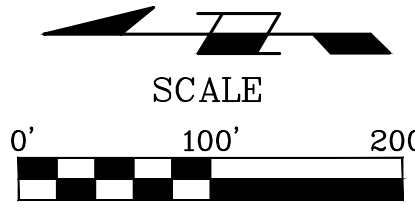
Location: S:\26.033 - 14600 N 169 Hwy\DRAWINGS\2026.05.15 FINAL PLAT\26.033 FINAL PLAT.dwg-Jun 12, 2026-11:54am

INITIAL SUBMITTAL	05-19-26
-------------------	----------

INITIAL SUBMITTAL

SHEET 1 OF 2

FINAL PLAT
CLAY PARK



CERTIFICATION: I hereby certify that this drawing is based on an actual field survey made by me or under my direct supervision on the 6th day of April, 2026 and that said survey meets or exceeds the current Missouri Standards for Property Boundary Surveys, as established by the Missouri Board for Architects, Professional Engineers and Land Surveyors, and the Missouri Department of Natural Resources, Division of Geology and Land Survey.

6-9
Date

86680A N. GREEN HILLS ROAD • KANSAS CITY, MO 64154
PHONE (816)741-1017 • FAX (816)741-1018



J & J
SURVEY
LLC

Location: S:\26.033 - 14600 N 169 Hwy\DRAWINGS\2026.05.15 FINAL PLAT\26.033 FINAL PLAT.dwg-Jun 12, 2026-11:54am

	INITIAL SUBMITTAL	05-19-26
	NAME & CERTIFICATION CHANGE	06-12-26
1		
2		

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into this ____ day of _____, 2021, by and between **CLAYTHORNE RELIABILITY PROJECT LLC**, ("Developer") and **THE CITY OF SMITHVILLE, MISSOURI**, a Missouri Corporation ("City") as follows:

WHEREAS, Developer plans on developing its proposed subdivision known as Clay Park located generally west of US 169 and south of the future extension of 148th Street. and being proposed to contain 2 lots; and

WHEREAS, the City will make certain requirements for off and on site improvements if said land is sought to be developed as a commercial subdivision; and

WHEREAS, it is in the best interest of both parties to enter into an agreement as to what improvements will be required of Developer; and

WHEREAS, this Agreement is necessary to provide for the safety, health and general welfare of the public and to provide for the orderly development of City.

NOW, THEREFORE, in consideration of the foregoing recitals and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The terms of this agreement apply to the following property and all portions thereof to be known as Clay Park Subdivision and, the legal description of which is set forth on said Final Plat as Exhibit A attached hereto.

2. It is recognized that the development will require extension of waterlines from the current end of the waterline lying along the southern edge of the 148th Street

right-of-way to the west property line of Lot 1 of Clay Park subdivision. Said waterline shall be constructed to city standards and be 12" in diameter, with fire hydrants not more than 600' apart. Developer shall be responsible for both the design and construction of said line, subject to city review and approval of the designed plans.

3. That the City and the Developer recognize the need for certain off-site improvements to the adjacent roads as a direct result of the subdivision of land into the proposed subdivision. As a result, the developer shall construct an extension of 148th Street (formerly Commercial) from its' current terminus, westerly along the right of way on the north side of said lots for a total distance of not less than 673.85 feet. Said street shall be constructed as a commercial collector street to city standards. Developer shall be responsible for both the design and construction of said street, subject to city review and approval of the designed plans. In addition, developer shall be responsible to install new street name signs on the stop lights at 169 Highway following approval by MODOT of the sign design and permits.

4. The parties agree that execution of this Agreement in no way constitutes a waiver of any requirements of applicable City Ordinances with which Developer must comply and does not in any way constitute prior approval of any future proposal for development.

5. All work agreed to be performed by Developer in this Agreement shall be done only after receiving written notice from City to proceed. The notice to proceed shall not be given by the City until a final plat of Richardson Street Plaza subdivision has

been approved by the City and final construction plans have been approved. The recording of said plat shall only occur in accordance with city ordinances.

6. In the event of default in this Agreement by either party, it is agreed that either party shall be entitled to equitable relief to require performance by the other party as well as for any damages incurred by the breach, including reasonable attorney fees.

7. This Agreement shall constitute the complete agreement between the parties and any modification hereof shall be in writing subject to the approval of both parties.

8. Any provision of this Agreement which is not enforceable according to law will be severed and the remaining provisions shall be enforced to the fullest extent permitted by law.

9. The undersigned represent that they each have the authority and capacity from the respective parties to execute this agreement.

10. This agreement shall not be effective until: (1) approved by Resolution duly enacted by the Board of Aldermen of Smithville, Missouri.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date first above written.

THE CITY OF SMITHVILLE, MISSOURI

ATTEST:

By _____
Mayor

CLAYTHORNE RELIABILITY PROJECT LLC

By _____

Managing Member

STATE OF MISSOURI)
) ss.
COUNTY OF CLAY)

On the ____ day of _____, 2026, before me, the undersigned Notary Public, personally appeared Damien Boley, to me known, and who, being by me duly sworn, did say that he is the Mayor of Smithville, Missouri, and said instrument was signed and sealed on behalf of said City by authority of its Board of Aldermen and said Mayor acknowledges said instrument to be the free act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Clay County, Missouri, on the day and year last written above.

Notary Public

My Commission Expires:

STATE OF MISSOURI)
) ss.
COUNTY OF CLAY)

On this ____ day of _____, 2021, before me, the undersigned Notary Public, personally appeared _____, to me known, and who, being by me duly sworn, did say that he/she is the managing Member of CLAYTHORNE RELIABILITY PROJECT LLC, and said instrument was signed and sealed on behalf of said CLAYTHORNE RELIABILITY PROJECT LLC by authority of its Board and he/she acknowledges said instrument to be the free act and deed of said CLAYTHORNE RELIABILITY PROJECT LLC.

CLAYTHORNE RELIABILITY PROJECT LLC

Member

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Clay County, Missouri, on the day and year last written above.

Notary Public

My Commission Expires:



Planning and Zoning Commission Procedural Summary

MEETING DATE: 8/11/2026

DEPARTMENT: Development

AGENDA ITEM: AYPa Rezoning to I-1

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 10.37 acres of land in Lot 1 of Clay Park Subdivision from B-3 to I-1.

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 | |



Planning and Zoning Commission Procedural Summary

MEETING DATE: 8/11/2026

DEPARTMENT: Development

AGENDA ITEM: Conditional Use Permit – BESF on Industrial Property – AYPa Power

REQUESTED COMMISSION ACTION:

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

SUMMARY OF PROCEDURE:

The application is for a Conditional Use Permit to operate a Battery Energy Storage Facility on land zoned industrial.

A draft findings of fact are presented, to be included within 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 Draft 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

August 3, 2026

Rezoning of Parcel Id # 05-820-00-02-003.00

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: 14600 169 Highway
Owner: KC Garage Storage LLC / AYPa Power
Current Zoning: B-3
Proposed Zoning: I-1

Public Notice Dates:

1st Publication in Newspaper: July 22, 2026
Letters to Property Owners w/in 185': July 22, 2026

GENERAL DESCRIPTION:

The owner submitted an application proposing to rezone approximately 10 acres from B-3 to I-1. The proposed zoning classification allows for light industrial uses on land, including Battery Energy Storage Facilities with a conditional use permit.

EXISTING ZONING:

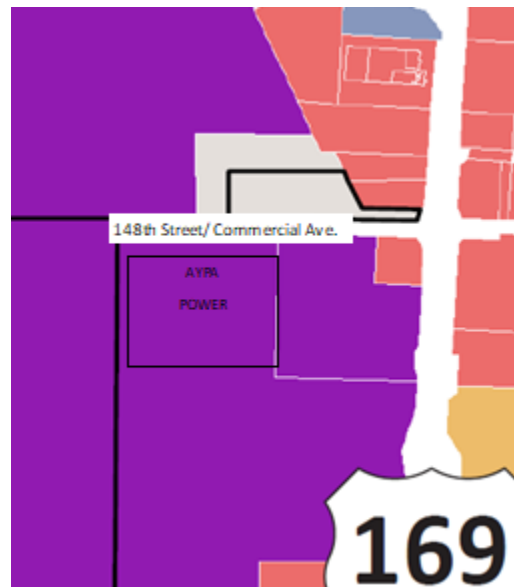
The existing zoning is B-3 and has existed for many years.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is I-1 industrial to the north and B-3 to the south. The majority of the 169 Highway frontage parcels to the north and the south are B-3 with various restaurants, shops and offices. Immediately to the north of the proposed parcel is the Smithville electrical substation for Evergy on land in the unincorporated county.

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

The existing Comprehensive Plan was approved on November 10, 2020. The Future Land Use Map in that plan identifies the area of this property and much of the area surrounding this parcel to become industrial as shown in purple below:



The proposed rezoning is in full compliance with the Future Land Use Map of the Comprehensive Plan.

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

Streets and Sidewalks:

Street extension of 148th Street would be required by the applicant in order to subdivide the lot, but the street system is more than adequate.

Water, Sewer and Storm water

The city has plentiful water, and sewer is available to the site. Stormwater is adequately controlled through the subdivision and development processes. Any such impacts will be handled in the normal subdivision 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 B-3 and contains a site plan approved for even more storage units. With recent proliferation within the city limits as well as in surrounding areas,

storage units are nearly saturated within the market. The highest and best use is that which is called for in the FLUM, industrial.

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

The property was zoned to its' existing district classification many years ago and development has stalled on the approved site plan for the parcel.

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

The proposed district is essentially the same as the existing adjacent uses.

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

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicant: Claythorne Reliability Project, LLC

Land Use Proposed: I-1

Zoning: B-3

Property Location: 14600 N. 169 Hwy (north 10.37 acres)

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 August 11, 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 is I-1 industrial to the north and B-3 to the south. The majority of the 169 Highway frontage parcels to the north and south are B-3 with various restaurants, shops and offices. Immediately to the north of the proposed parcel is the Smithville electrical substation for Evergy on land in the unincorporated county

2. Consistency with the City's Comprehensive Plan and ordinances.

The existing Comprehensive Plan was approved on November 10, 2020. The Future Land Use Map in that plan identifies the area of this property and much of the area surrounding this parcel to become industrial.

3. Adequacy of public utilities and other needed public services.

Adequate utilities are available for extension to serve this parcel.

4. Suitability of the uses to which the property has been restricted under its existing zoning.

The current use is B-3 and contains a site plan approved for even more storage units. With recent proliferation of storage units within the city limits as well as in surrounding areas, storage units are nearly saturated within the market. The highest and best use is that which is called for in the FLUM, industrial.

5. Length of time the property has remained vacant as zoned.

The property was zoned to its' existing district classification many years ago and development has stalled on the approved site plan for the parcel.

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

The proposed district is essentially the same as the existing adjacent uses.

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

No detriment is anticipated.

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 August 11, 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 to I-1 is governed by Section 400.560 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 setting the initial zoning to I-1.



STAFF REPORT
August 3, 2026
Conditional Use Permit for Parcel Id # 05-820-00-02-003.00

Application for a Conditional Use Permit – Industrial District

Code Sections:

400.570	Conditional Use Permit
400.375	Battery Energy Storage Facilities

Property Information:

Address:	14600 169 Highway
Owner:	KC Garage Storage LLC / AYPa Power
Current Zoning:	B-3
Proposed Use:	Battery Energy Storage Facility

Public Notice Dates:

1 st Publication in Newspaper:	July 22, 2026
Letters to Property Owners w/in 185':	July 22, 2026

GENERAL DESCRIPTION:

The applicant seeks to obtain a conditional use permit to operate a Battery Energy Storage Facility on property to be zoned I-1 at 14600 N. 169 Highway.

400.375 BESF

Permitted Locations And Parcel Size Requirements.

1. Large-Scale BESFs are prohibited within two hundred fifty (250) feet of existing residential dwellings, schools, hospitals, daycare centers, senior living facilities, or other sensitive land uses unless an approved mitigation plan demonstrates that potential impacts will be effectively minimized.

250 ft is clear

2. Facilities must not be located within a designated floodplain or wetland unless specifically approved with appropriate flood-proofing measures in place.

N/A

3. Parcel Size. Large-Scale BESFs shall be located on parcels no smaller than five (5) acres nor larger than fifty (50) acres.

10.37 acre parcel

4. Large-Scale BESF in industrial districts must follow the setback and buffering standards described in the Site Plan Development Ordinance, Sections 400.390 through 400.440 of this Code.

The layout is in full compliance with both setbacks and buffers.

5. Facilities in all districts must install security fencing of at least eight (8) feet in height, with appropriate warning signage and limited-access gates. Battery energy storage systems, including all mechanical equipment, shall be enclosed by a fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building.

Fencing is located inside the landscape buffer and is both 8' in total height and includes fabric shields.

6. Any outdoor lighting must be shielded and directed downward to minimize light pollution and glare on adjacent properties.

Photometric plan shows full compliance with off-site shielding.

7. The applicant has engaged with the Fire District to ensure compliance with all Fire Safety And Hazard Mitigation requirements in 400.375.

Yes.

8. As required by the National Electric Code (NEC), disconnect and other emergency management information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

Yes.

9. The BESFs will be equipped with thermal management systems to prevent overheating and detect early signs of thermal runaway, emergency venting systems to release gases in a controlled manner to prevent explosion hazards.

Yes.

10. The area within twenty (20) feet on each side of a battery energy storage system shall be cleared of combustible vegetation and surfaced with gravel or other non-combustible surfacing.

Yes.

11. Stormwater Management Requirements. All facilities must submit a Stormwater Management Plan (SWMP) for approval as part of the application process. The SWMP must outline measures to prevent chemical contamination of groundwater and nearby water bodies through stormwater runoff control, filtration systems, and containment barriers. Facilities must implement best management practices (BMPs), such as oil/water separators, spill containment structures, and designated hazardous material storage areas.

Complies, updated SWMP required following final grading plan approval and completion.

12. The applicant must submit an estimate for decommissioning with the initial approval, and every five (5) years thereafter for review and approval by the City's engineers.

Estimate provided based upon 2026 costs. Surety will be required following new estimate at actual construction year costs.

13. Facility owners must submit a comprehensive decommissioning and site restoration plan for approval by the City.

Included in application.

Staff's Recommendation for Findings of Fact:

1. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.
2. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public.
3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
4. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structures, walls and fences on the site; and
 - b. The nature and extent of landscaping and screening on the site.
5. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations and such areas will be screened from

adjoining residential uses and located so as to protect such residential uses from any injurious effect.

6. Adequate utility, drainage and other such necessary facilities have been or will be provided.

7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Conditional Use Permit based upon the proposed findings of fact.

Respectfully Submitted,

Zoning Administrator

CLAYTHORNE
RELIABILITY PROJECT
PRELIM CUP PACKAGE
CITY OF SMITHVILLE, MO

PROPERTY INFORMATION:

PARCEL ID: A PORTION OF 05820000200300
ADDRESS: 14600 N 169 HWY
PARCEL AREA: 37.28 AC
PROJECT AREA: 9.47 AC
PROPERTY OWNER: KANSAS CITY GARAGE
STORAGE OPERATING LLC
ZONING: B-3 TO BE REZONED TO I-1

PROJECT TEAM:

PROJECT MANAGER

AYPA POWER
11801 DOMAIN BLVD SUITE 525,
AUSTIN, TX
JACKSON CHENOWETH

LANDSCAPE ARCHITECT

KIMLEY-HORN
500 EAST 96TH/ STREET, SUITE 300
INDIANAPOLIS, IN
ERIC FIACABLE

CIVIL ENGINEER

AYPA POWER
11801 DOMAIN BLVD SUITE 525,
AUSTIN, TX
EVAN ZEMAITIS, P.E.

SURVEYOR

J&J SURVEY LLC
8680A N. GREEN HBILLS RD.
KANSAS CITY, MO
STEVEN TIMBERLAKE

PHOTOMETRIC ENGINEER

CBMC LIGHTING SOLUTIONS
5855 KOPETSKY DR. SUITE G.
INDIANAPOLIS, IN
RUSS MILLER



VICINITY MAP
1"=500'

PROJECT NOTES:

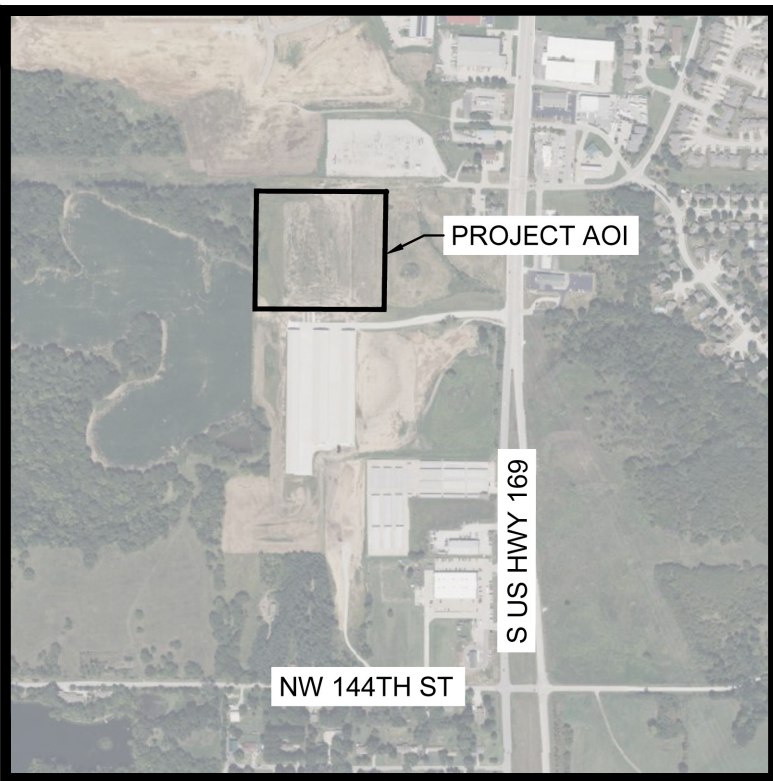
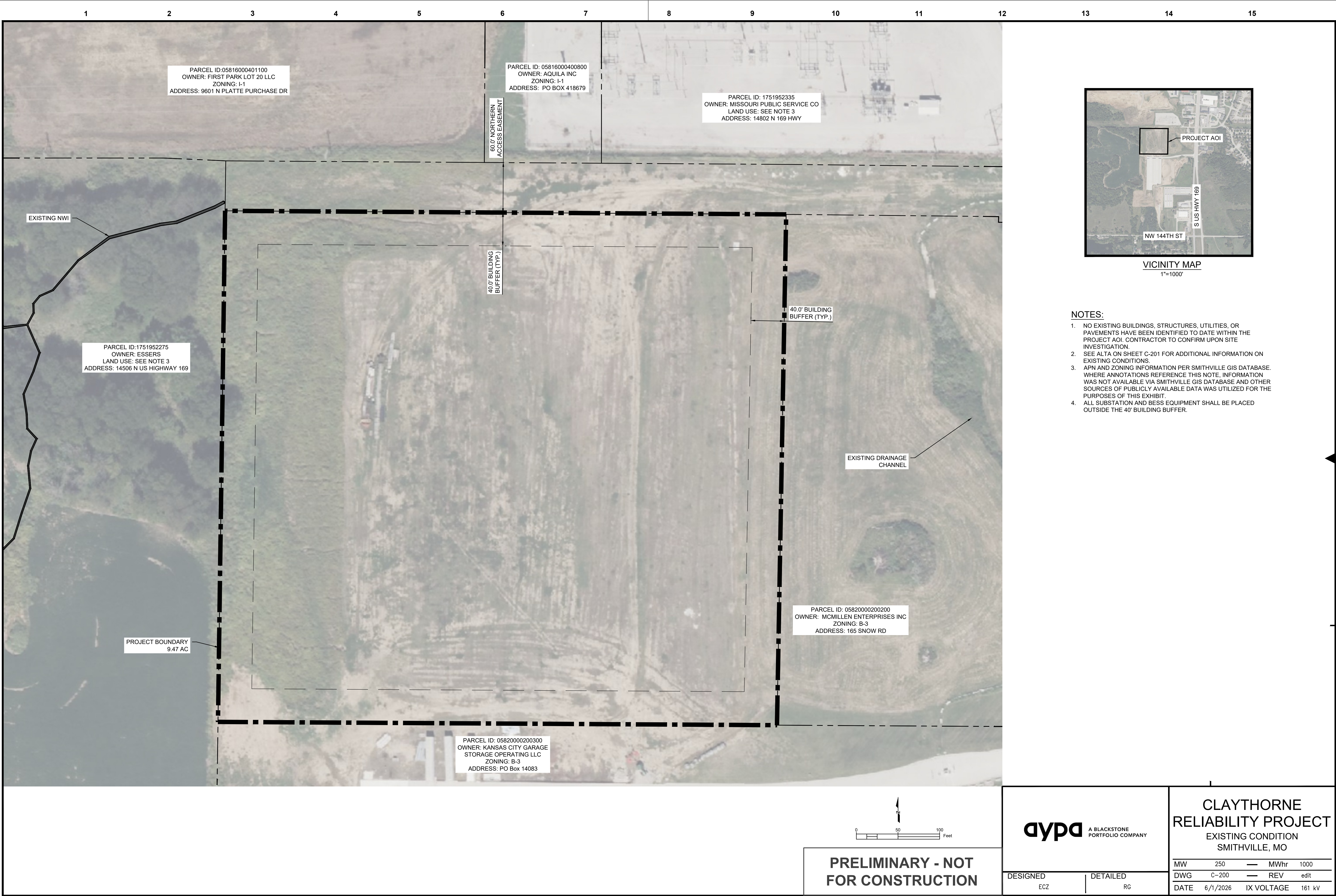
GENERAL NOTES:

- DRAWINGS ARE BASED ON SURVEY PREPARED BY J&J SURVEY, LLC DATED 06/02/2026 AND BOUNDARY. COORDINATES ARE BASED IN NAD83 MISSOURI STATE PLANE (WEST ZONE), US FOOT.
- ELEVATIONS SHOWN ARE FINISHED GRADE.
- SUBCONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES AS INDICATED, AS SPECIFIED, AND AS NECESSARY TO PERFORM THE WORK IN ACCORDANCE WITH ALL APPLICABLE LAND DISTURBANCE ORDINANCES AND REGULATIONS.
- FEMA FLOOD INSURANCE RATE MAP NUMBER [FIRM PANEL NUMBER, 29047C0102E], FLOODPLAIN ZONE X, AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. CLAY COUNTY, MISSOURI FIRM MAPS EFFECTIVE AUGUST 3, 2015.
- UPON APPROVAL, A COPY OF THE CURRENT APPROVED PLANS SHALL BE RETAINED ONSITE FOR THE DURATION OF CONSTRUCTION FOR PURPOSES OF INSPECTION BY CITY OF SMITHVILLE PERSONNEL. THE APPROVED PLANS SHALL BE STORED IN A WEATHERPROOF PERMIT BOX THAT IS EASILY AND SAFELY ACCESSIBLE NEAR THE MAIN ENTRANCE STORED IN A WEATHERPROOF PERMIT BOX THAT IS EASILY AND SAFELY ACCESSIBLE NEAR THE MAIN ENTRANCE TO THE SITE/STRUCTURE.

Sheet List Table	
Sheet Number	Sheet Title
C-100	COVER SHEET
C-200	EXISTING CONDITION
C-201	ALTA SURVEY
C-300	SITE PLAN
C-400	GRADING PLAN
C-500	DETAILS
C-501	DETAILS 2
C-600	EROSION CONTROL PLAN
C-700	PHOTOMETRIC PLAN
L1.0	LANDSCAPE PLAN
L1.1	LANDSCAPE DETAILS

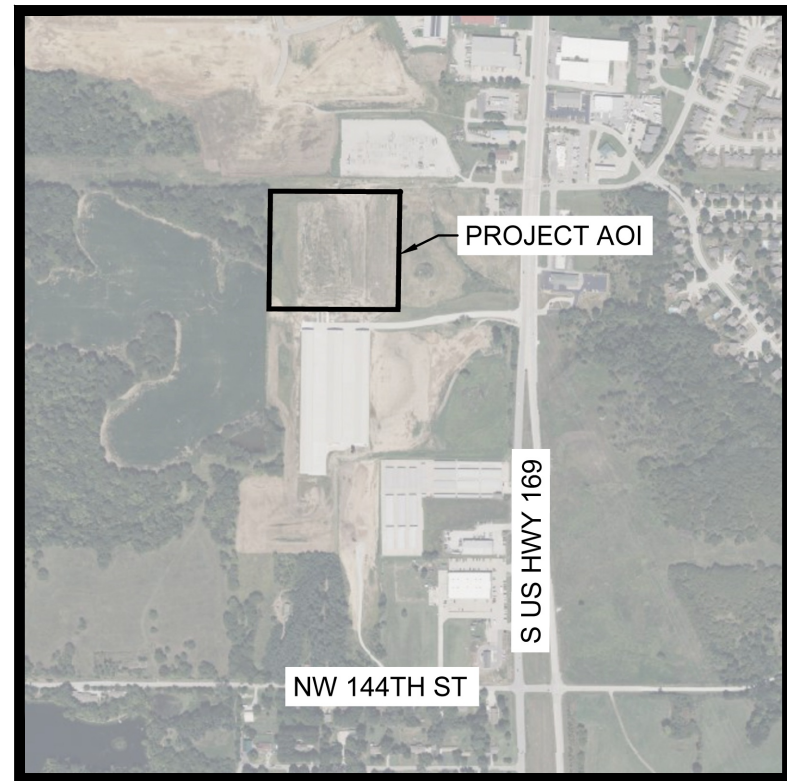
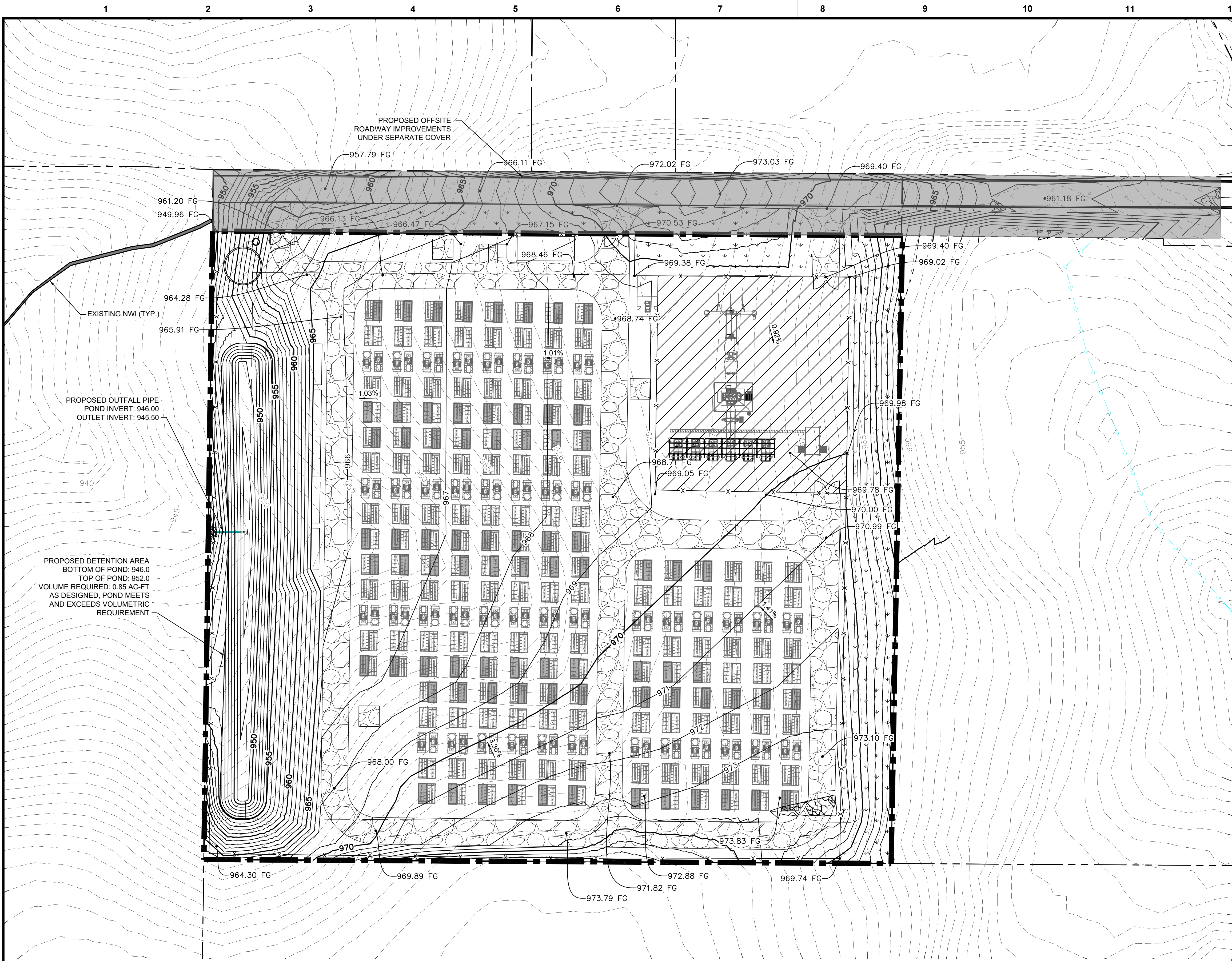
PRELIMINARY - NOT
FOR CONSTRUCTION

aypa A BLACKSTONE PORTFOLIO COMPANY		CLAYTHORNE RELIABILITY PROJECT COVER SHEET SMITHVILLE, MO	
MW	250	MW	1000
DWG	C-100	REV	edit
DATE	6/1/2026	IX VOLTAGE	161 kV
DESIGNED	ECZ	DETAILED	RG



VICINITY MAP
1"=1000'

- NOTES:
1. NO EXISTING BUILDINGS, STRUCTURES, UTILITIES, OR PAVEMENTS HAVE BEEN IDENTIFIED TO DATE WITHIN THE PROJECT AOI. CONTRACTOR TO CONFIRM UPON SITE INVESTIGATION.
 2. SEE ALTA ON SHEET C-201 FOR ADDITIONAL INFORMATION ON EXISTING CONDITIONS.
 3. APN AND ZONING INFORMATION PER SMITHVILLE GIS DATABASE. WHERE ANNOTATIONS REFERENCE THIS NOTE, INFORMATION WAS NOT AVAILABLE VIA SMITHVILLE GIS DATABASE AND OTHER SOURCES OF PUBLICLY AVAILABLE DATA WAS UTILIZED FOR THE PURPOSES OF THIS EXHIBIT.
 4. ALL SUBSTATION AND BESS EQUIPMENT SHALL BE PLACED OUTSIDE THE 40' BUILDING BUFFER.



VICINITY MAP
1"=1000'

LEGEND:

PROJECT BOUNDARY	— — — — —
PAD GRADED SITE	— — — — —
EXISTING MINOR CONTOUR	- - - - - XXXX
EXISTING MAJOR CONTOUR	- - - - - XXXX
PROPOSED MINOR CONTOUR	— — — — — XXXX
PROPOSED MAJOR CONTOUR	— — — — — XXXX
PROPOSED GRADE	X.XX%

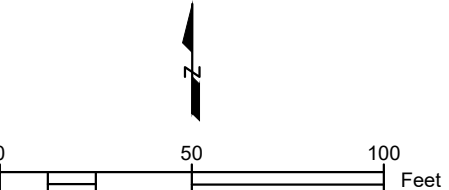
NOTES:

1. EXISTING SURFACE BUILT FROM PUBLICLY AVAILABLE DATA, ELEVATIONS SUBJECT TO CHANGE UPON SURVEYED TOPOGRAPHY.
2. PROPOSED GRADES ARE FOR REFERENCE ONLY.
3. PROPOSED SITE AND SOIL CONDITIONS SHALL BE IN ACCORDANCE WITH GEOTECHNICAL REPORT.
4. GRADING ACTIVITIES SHALL BE IN ACCORDANCE WITH GEOTECHNICAL REPORT AND COMPLIANT WITH AHJ SPECIFICATIONS.
5. GRADING DESIGN INTENT IS TO BE LOCALLY BALANCED IN THE FINAL CONDITION.
6. PROPOSED GRADE ONSITE NOT TO EXCEED 33% OR 3:1.
7. EQUIPMENT QUANTITIES, LOCATIONS AND LAYOUTS SHOWN ARE INDICATIVE AND SUBJECT TO CHANGE DURING DETAILED DESIGN.
8. SITE SPECIFIC FEATURES SUCH AS RETENTION PONDS AND DRAINAGE SHOWN FOR SCHEMATIC PURPOSES AND IS SUBJECT TO CHANGE DURING DETAILED DESIGN.
9. CONTRACTOR TO VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ONSITE AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO WORK.
10. PROPOSED GRADE TO MATCH EXISTING GRADE AT PROPERTY LINE EXTENTS.

PRELIMINARY EARTHWORK QUANTITIES:

CUT (CY): 27,561
FILL (CY): 31,040
STONE IMPORT (CY): 6,954
NET (CY): 3,375 (CUT)

*EARTHWORK AND STORMWATER QUANTITIES PER KIMLEY HORN GRADING AND DRAINAGE PLAN. QUANTITIES ARE PRELIMINARY IN NATURE AND IS INTENDED TO BE AS CLOSE TO BALANCED IN THE FINAL CONDITION AS FEASIBLE. CONTRACTOR TO CONFIRM QUANTITIES UPON RECEIPT OF EXISTING AND PROPOSED SURFACES. EXCESS CUT SHALL BE SPREAD THROUGHOUT THE SITE IN NON-STRUCTURAL AREAS TO REDUCE EXPORT.



PRELIMINARY - NOT
FOR CONSTRUCTION

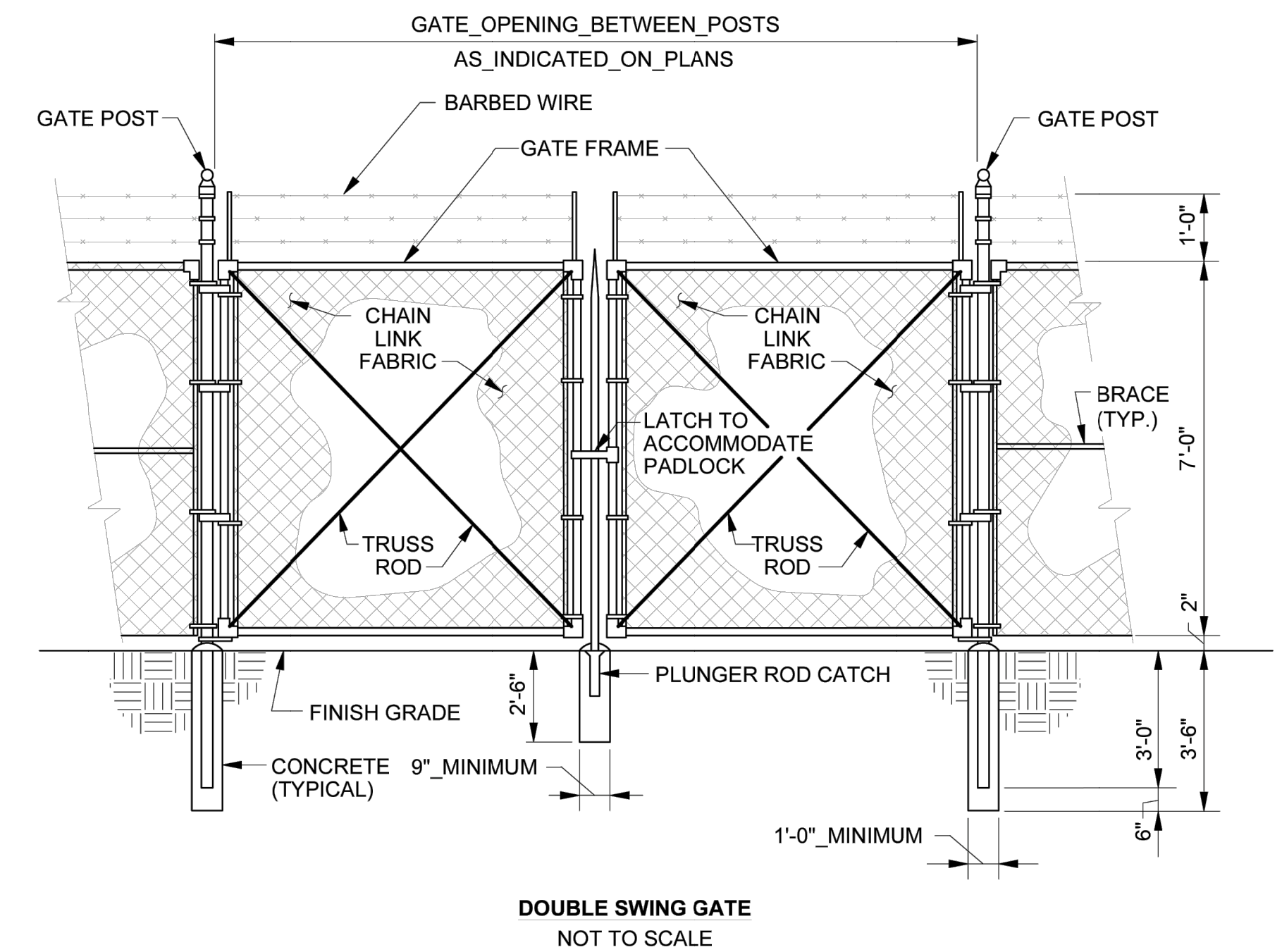
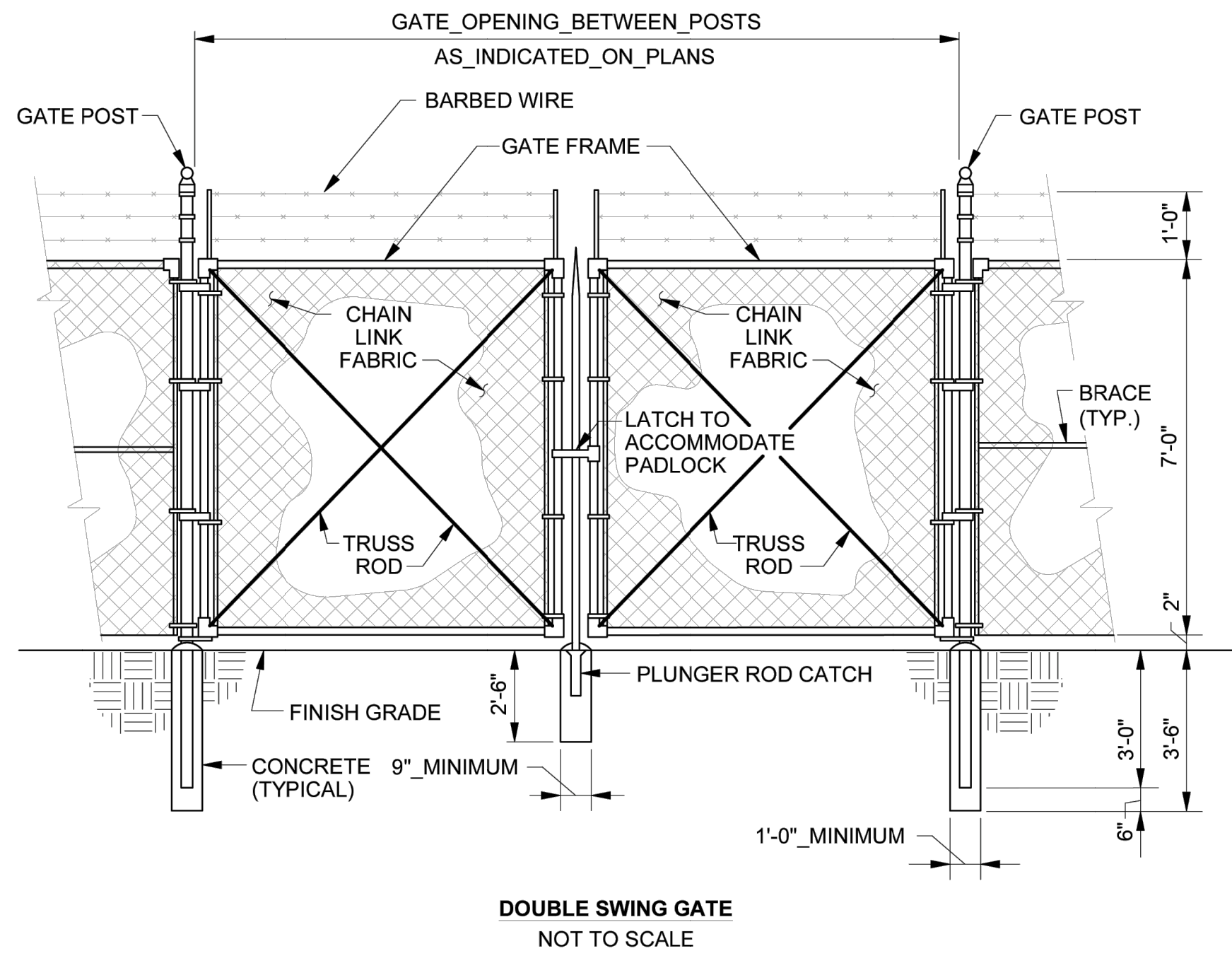
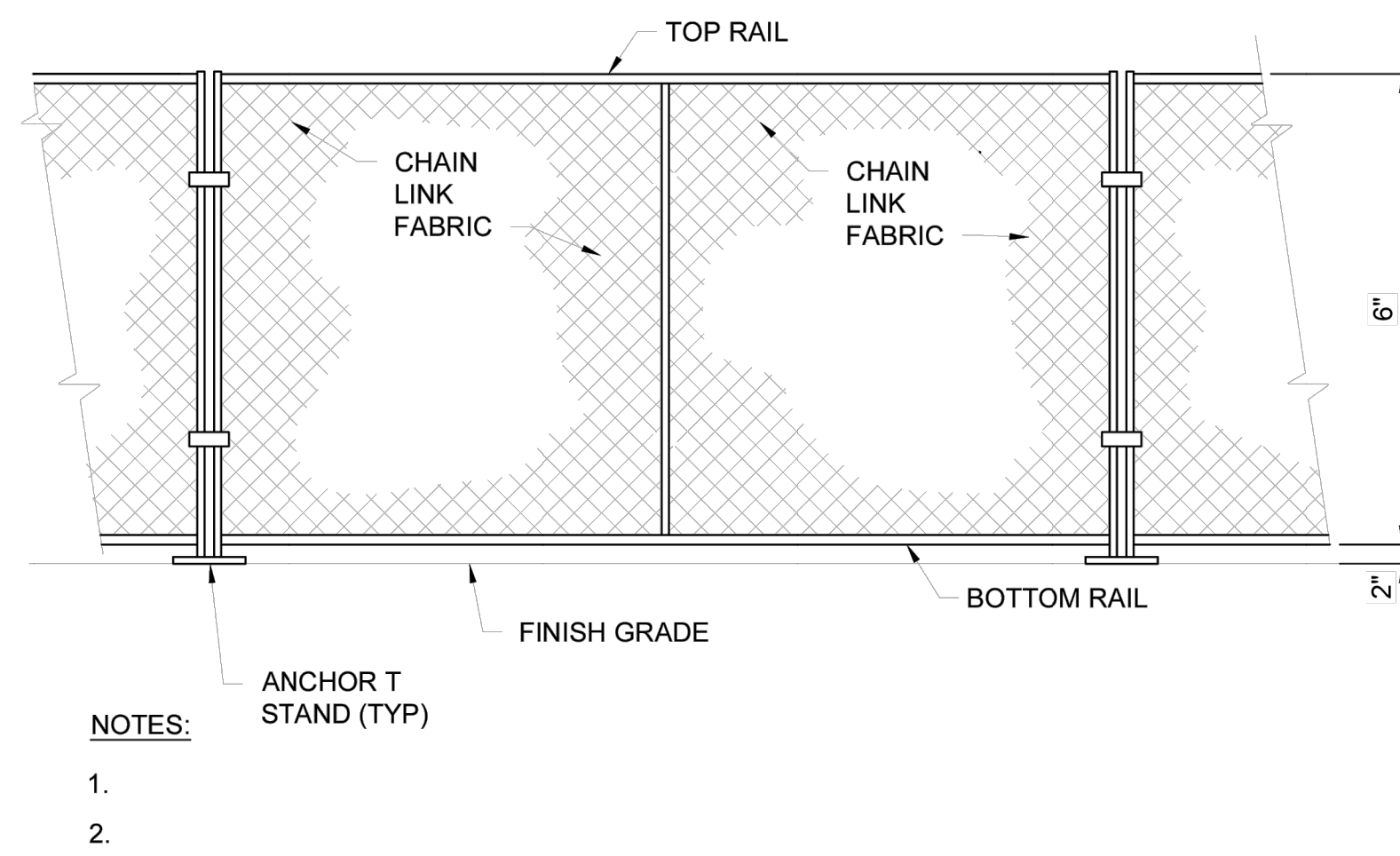
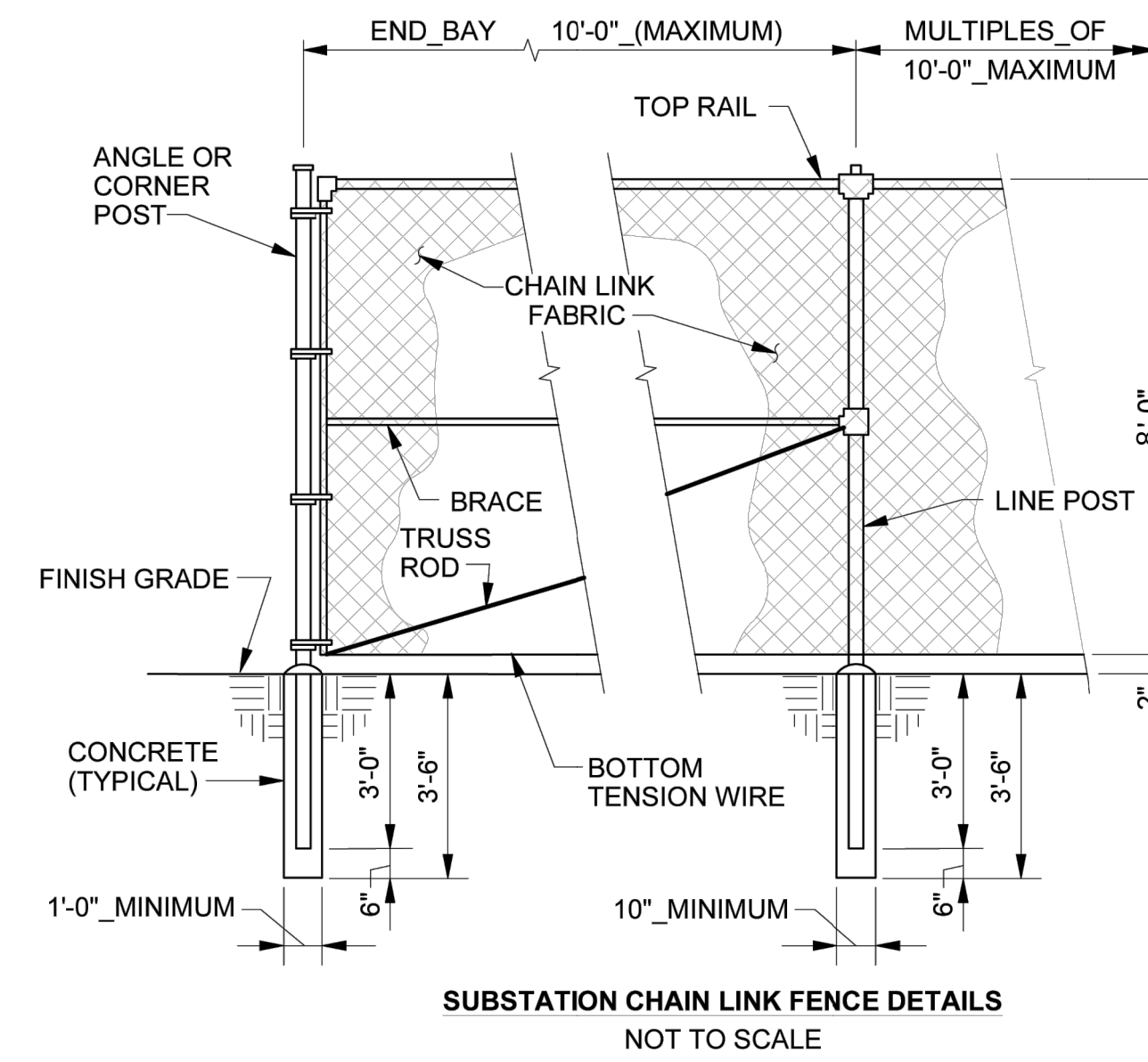
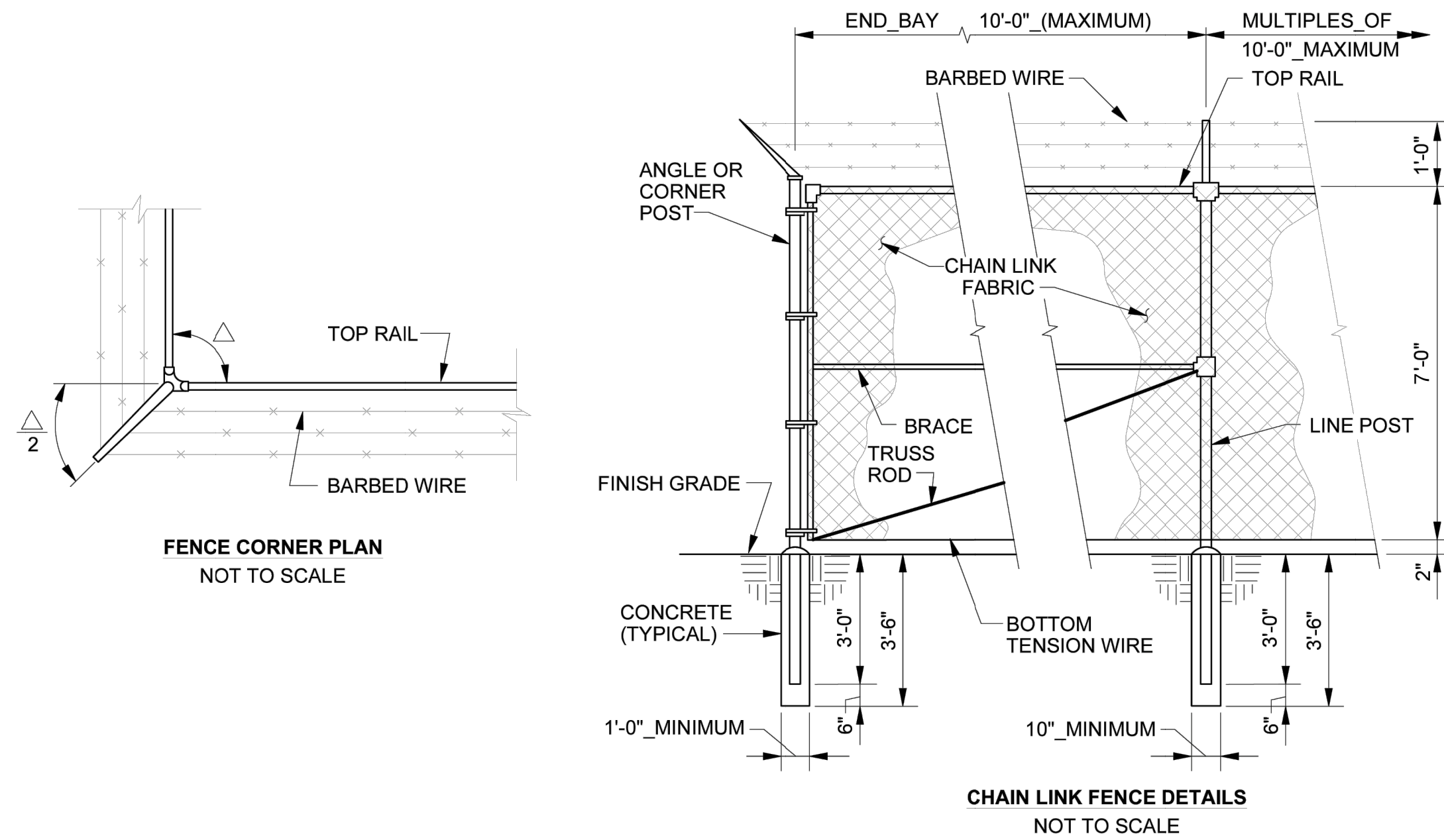
aypa A BLACKSTONE
PORTFOLIO COMPANY

CLAYTHORNE
RELIABILITY PROJECT
GRADING PLAN
SMITHVILLE, MO

DESIGNED
ECZ

DETAILED
RG

MW	250	—	MW/hr	1000
DWG	C-400	—	REV	edit
DATE	6/1/2026	IX VOLTAGE	161 kV	



NOTE: DETAILS ARE PRELIMINARY IN NATURE AND ARE TO BE CONFIRMED WITH PROJECT SPECIFIC GEOTECHNICAL RECOMMENDATIONS AT A LATER STAGE OF DESIGN.

**PRELIMINARY - NOT
FOR CONSTRUCTION**

aypa A BLACKSTONE
PORTFOLIO COMPANY

**CLAYTHORNE
RELIABILITY PROJECT**
DETAILS
SMITHVILLE, MO

DESIGNED
ECZ

DETAILED
RG

MW	250	—	MW/hr	1000
DWG	C-500	—	REV	edit
DATE	6/1/2026	IX VOLTAGE	161 kV	

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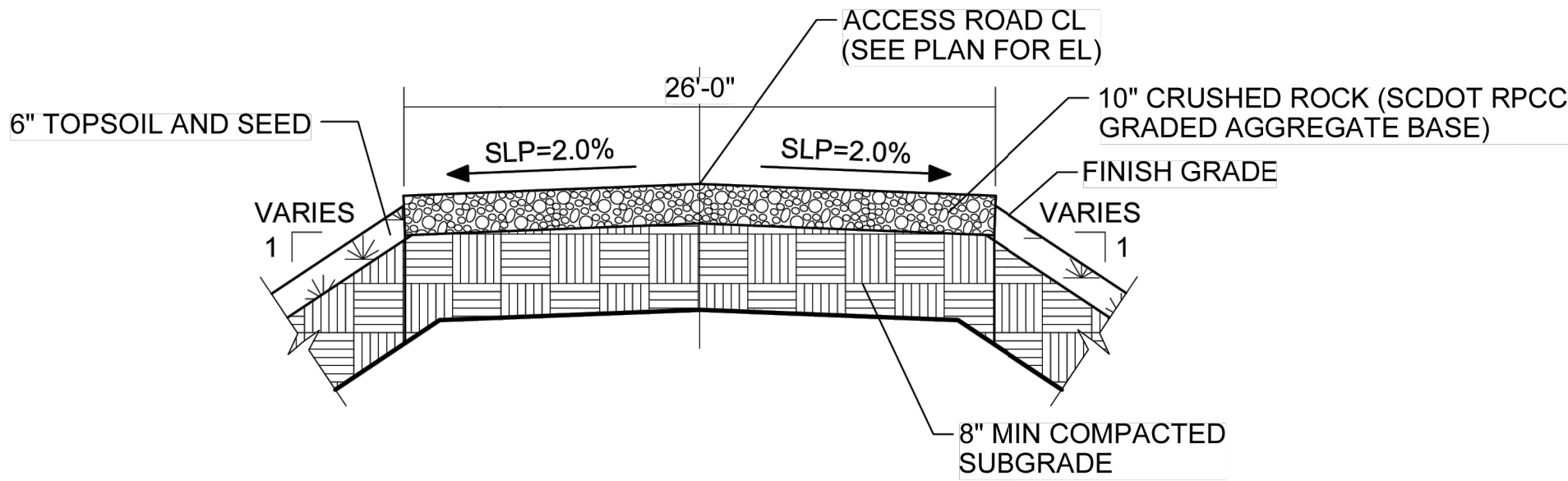
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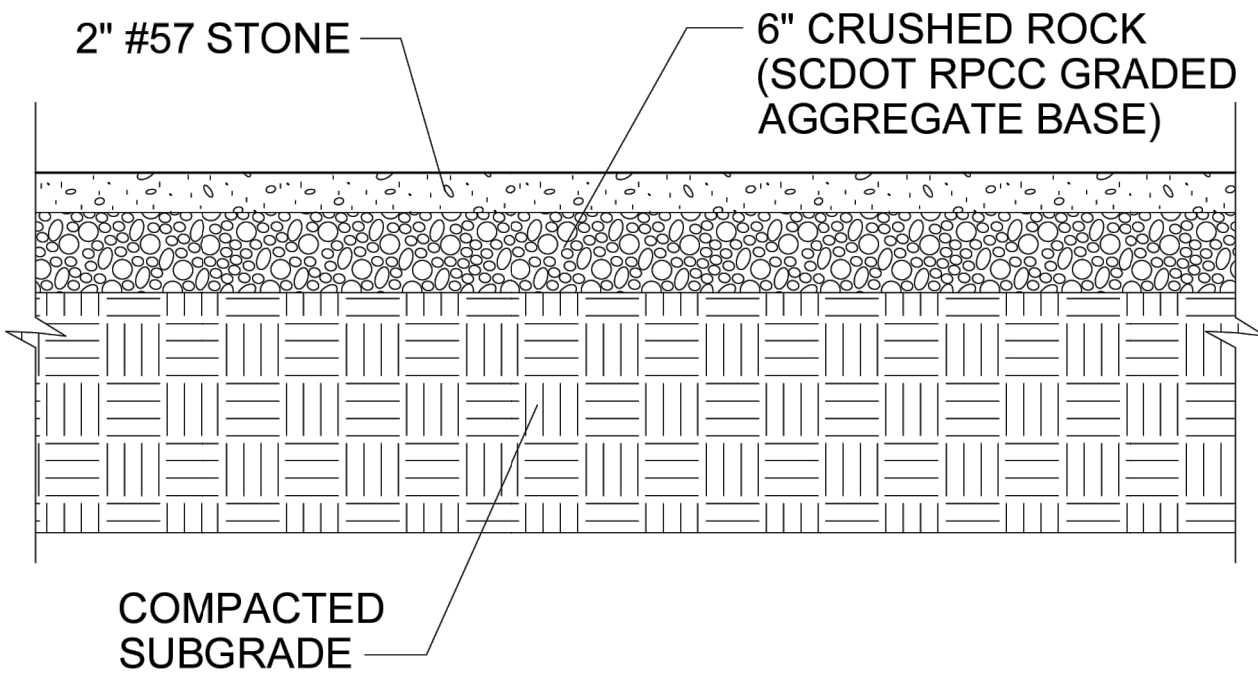
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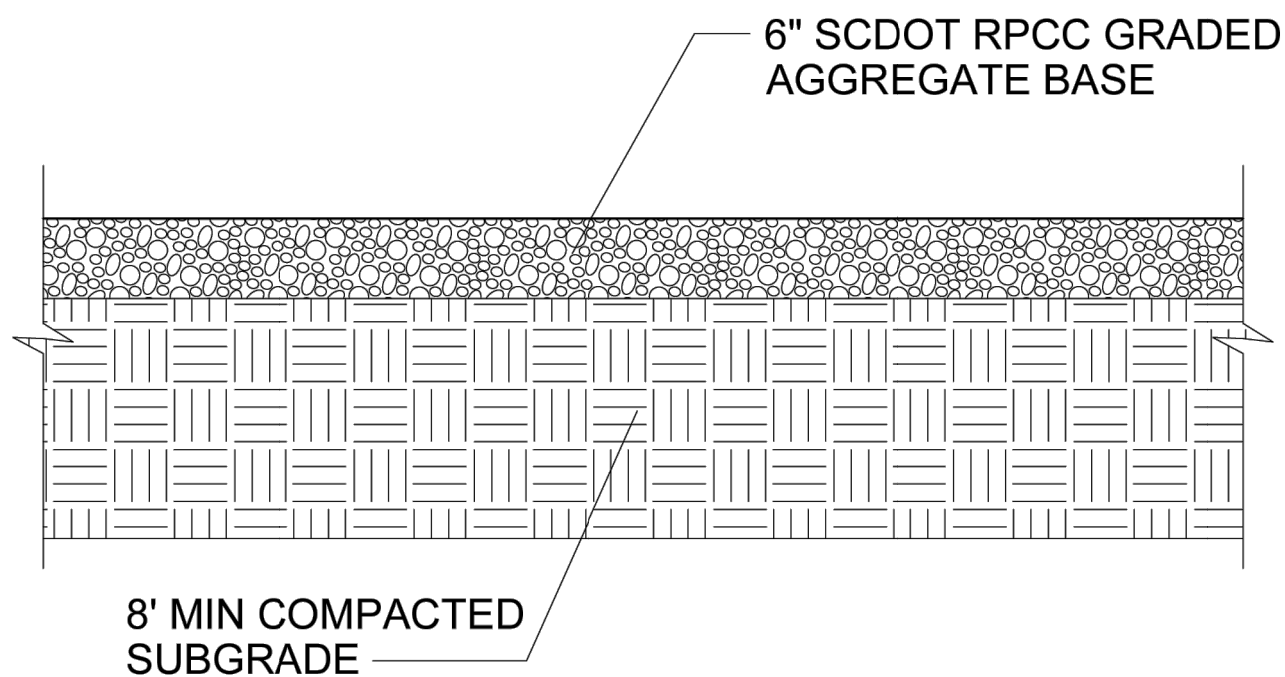
H



SUBSTATION ACCESS ROAD DETAIL
NOT TO SCALE



TYPICAL YARD/SUBSTATION ROCK SECTION
NOT TO SCALE



BESS ROAD/LAYDOWN ROCK SECTION
NOT TO SCALE

NOTE: DETAILS ARE PRELIMINARY IN NATURE AND ARE TO BE CONFIRMED WITH
PROJECT SPECIFIC GEOTECHNICAL RECOMMENDATIONS AT A LATER STAGE OF DESIGN.

PRELIMINARY - NOT
FOR CONSTRUCTION



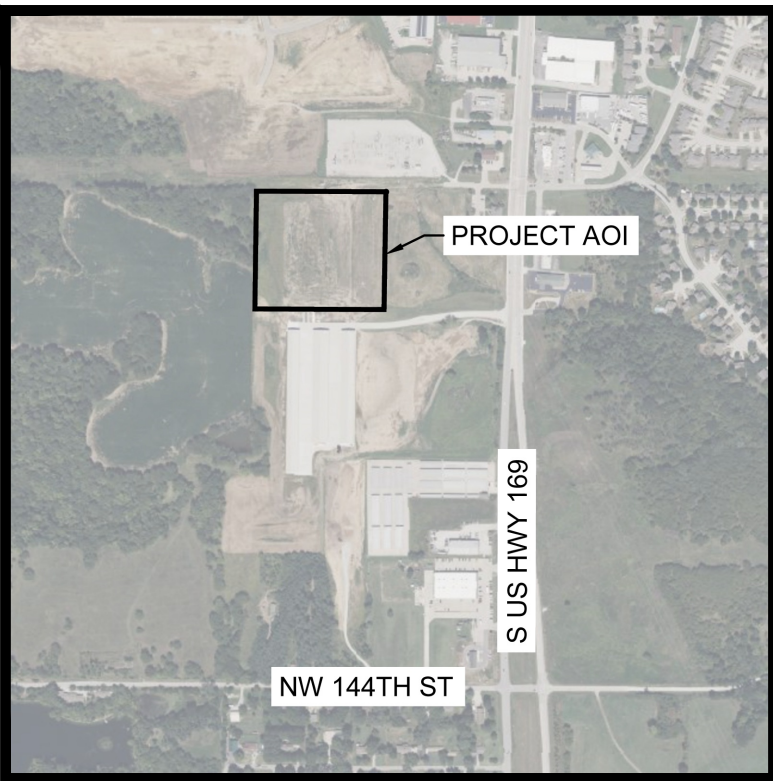
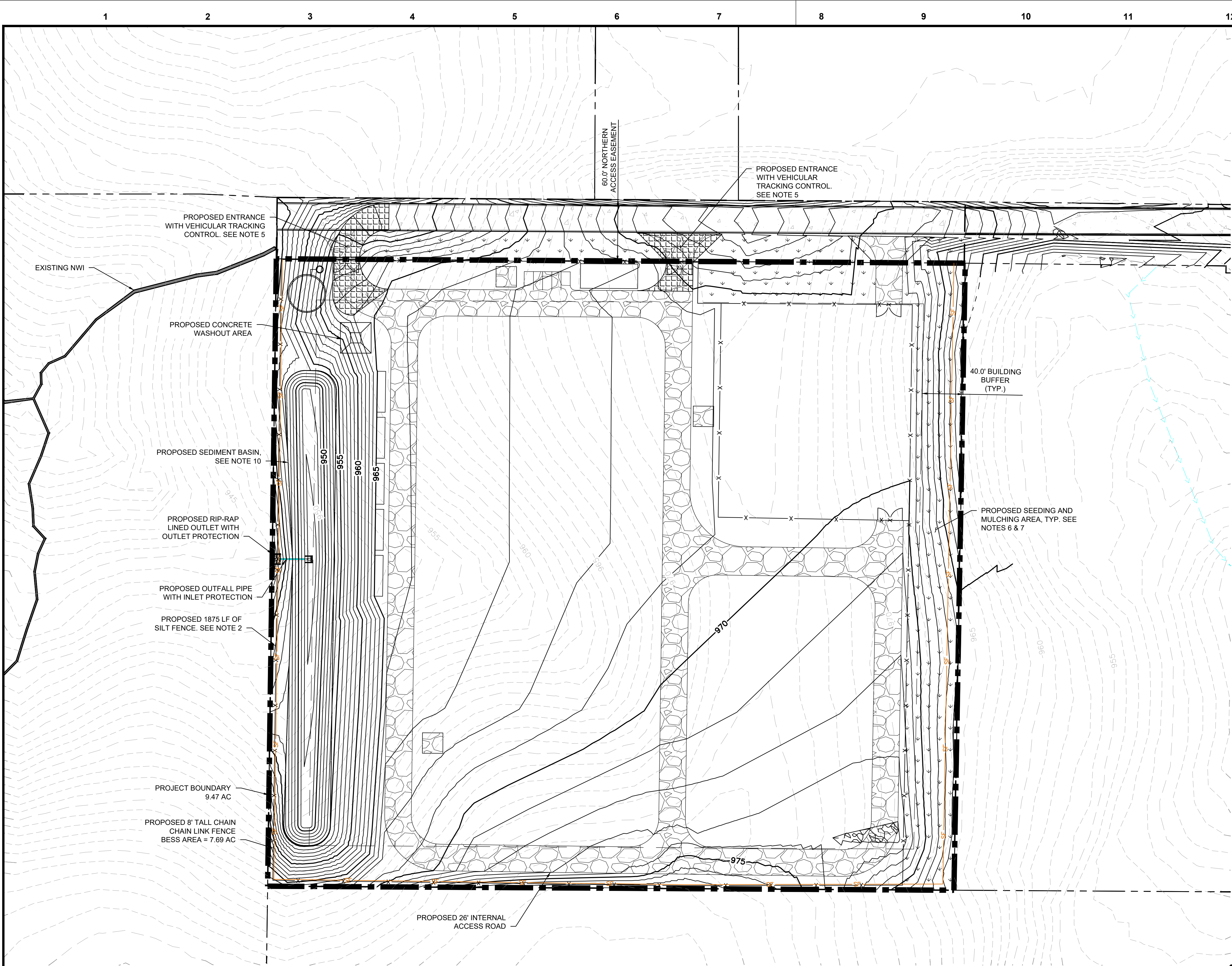
A BLACKSTONE
PORTFOLIO COMPANY

DESIGNED
ECZ

DETAILED
RG

CLAYTHORNE
RELIABILITY PROJECT
DETAILS 2
SMITHVILLE, MO

MW	250	—	MW/hr	1000
DWG	C-501	—	REV	edit
DATE	6/1/2026	IX VOLTAGE	161 kV	



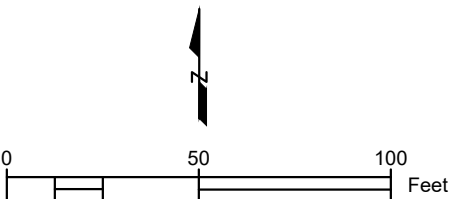
VICINITY MAP
1"=1000'

LEGEND:

PARCEL BOUNDARY	---
PROJECT BOUNDARY	— — — — —
26' INTERNAL ROAD	▨ ▨ ▨ ▨ ▨
PROPOSED FENCE	-x-x-x-x-
ASSUMED SETBACK	- - - - -
VEHICULAR TRAFFIC CONTROL	▤ ▤ ▤ ▤ ▤
SILT FENCE	—Sf—

NOTES:

1. THIS EROSION CONTROL PLAN HAS BEEN PREPARED TO PREVENT POLLUTION OF SURFACE AND GROUND WATER, SOIL EROSION, EXCESSIVE RUNOFF, AND FLOODING OF ADJACENT PROPERTIES DURING AND AFTER CONSTRUCTION. ALL WORK SHALL CONFORM TO THE CITY OF SMITHVILLE EROSION AND SEDIMENT CONTROL MANUAL AND MISSOURI DNR BEST MANAGEMENT PRACTICE (BMP) GUIDELINES.
2. SILT FENCES SHALL BE INSTALLED ALONG THE DOWNHILL PERIMETER OF ALL DISTURBED AREAS PRIOR TO ANY GRADING. FENCES SHALL BE ENTRENCHED A MINIMUM OF 6 INCHES INTO THE SOIL, MAINTAINED IN GOOD CONDITION THROUGHOUT CONSTRUCTION, AND REMOVED ONLY AFTER PERMANENT STABILIZATION IS ACHIEVED.
3. SEDIMENT PONDS OR TRAPS SHALL BE CONSTRUCTED AT LOW POINTS AND OUTLETS OF DISTURBED DRAINAGE AREAS AS SHOWN ON THE PLAN. PONDS SHALL BE SIZED PER MISSOURI DNR BMP STANDARDS AND INSPECTED AFTER 100-YR RAINFALL EVENTS; ACCUMULATED SEDIMENT SHALL BE REMOVED WHEN STORAGE CAPACITY IS REDUCED BY 50%.
4. ALL STORM SEWER INLETS WITHIN OR ADJACENT TO THE LIMITS OF DISTURBANCE SHALL BE PROTECTED WITH INLET PROTECTION DEVICES (FILTER BAGS, ROCK FILTERS, OR APPROVED EQUAL) PRIOR TO GRADING OPERATIONS. INLET PROTECTION DEVICES SHALL BE INSPECTED WEEKLY AND AFTER EACH SIGNIFICANT RAIN EVENT AND REPLACED OR CLEANED AS NEEDED.
5. A STABILIZED CONSTRUCTION ENTRANCE CONSISTING OF COMPACTED AGGREGATE (MINIMUM 6 INCHES DEPTH, 2-4 INCH STONE) SHALL BE INSTALLED AT ALL POINTS OF INGRESS/EGRESS PRIOR TO CONSTRUCTION. THE ENTRANCE SHALL BE MAINTAINED TO PREVENT TRACKING OF MUD AND SEDIMENT ONTO PUBLIC ROADWAYS; ANY TRACKED MATERIAL SHALL BE REMOVED IMMEDIATELY.
6. ALL DISTURBED AREAS THAT WILL REMAIN INACTIVE FOR 14 DAYS OR MORE SHALL BE TEMPORARILY SEEDED AND MULCHED WITHIN 7 DAYS OF GRADING COMPLETION. SEED MIX AND APPLICATION RATES SHALL CONFORM TO MISSOURI DNR BMP GUIDELINES; STRAW MULCH SHALL BE APPLIED AT A RATE OF 2 TONS PER ACRE AND CRIMPED OR TACKED IN PLACE.
7. UPON COMPLETION OF GRADING AND FINAL SHAPING, ALL DISTURBED AREAS SHALL RECEIVE PERMANENT SEEDING, SODDING, OR OTHER APPROVED GROUND COVER WITHIN THE TIMEFRAME REQUIRED BY THE MISSOURI DNR PERMIT.
8. THE CONTRACTOR SHALL INSPECT ALL EROSION AND SEDIMENT CONTROL BMPs AT LEAST ONCE PER WEEK. DAMAGED OR INADEQUATE CONTROLS SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS OF IDENTIFICATION; INSPECTION RECORDS SHALL BE MAINTAINED ON-SITE.
9. ANY DEWATERING ACTIVITIES SHALL BE DIRECTED TO A SEDIMENT TRAP OR VEGETATED FILTER STRIP PRIOR TO DISCHARGE AND SHALL NOT CAUSE EROSION, FLOODING, OR ADVERSE CHANGES TO THE WATER TABLE ON ADJACENT PROPERTIES. DEWATERING SHALL COMPLY WITH MISSOURI DNR NPDES PERMIT CONDITIONS AND ALL APPLICABLE LOCAL ORDINANCES.
10. THE PERMANENT DETENTION POND SHALL BE CONSTRUCTED TO ITS FINAL DESIGN GRADES DURING INITIAL SITE GRADING AND UTILIZED AS A SEDIMENT TRAP THROUGHOUT ALL PHASES OF CONSTRUCTION. UPON ACHIEVEMENT OF PERMANENT STABILIZATION OF ALL CONTRIBUTING DRAINAGE AREAS, THE POND SHALL BE CLEANED OF ACCUMULATED SEDIMENT, THE OUTLET STRUCTURE COMPLETED TO FINAL DESIGN, AND THE FACILITY CONVERTED TO ITS PERMANENT STORMWATER DETENTION FUNCTION.



PRELIMINARY - NOT
FOR CONSTRUCTION

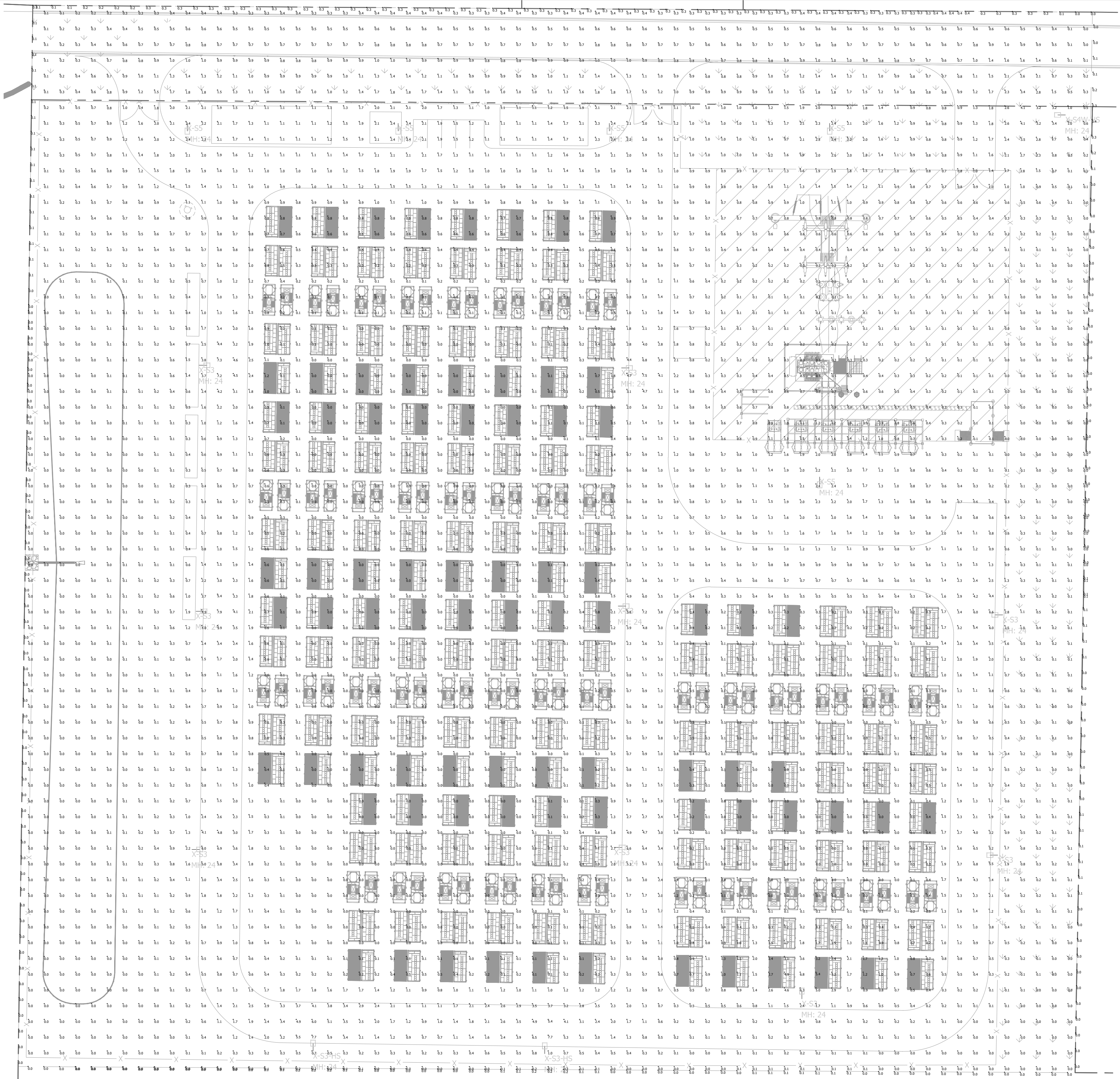
aypa
A BLACKSTONE
PORTFOLIO COMPANY

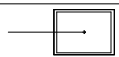
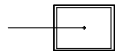
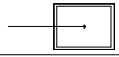
DESIGNED
ECZ

DETAILED
RG

CLAYTHORNE
RELIABILITY PROJECT
EROSION CONTROL PLAN
SMITHVILLE, MO

MW	250	—	MW/hr	1000
DWG	C-600	—	REV	edit
DATE	6/1/2026	IX VOLTAGE	161 kV	



Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Lum. Lumens	LLF	Lum. Watts	Description
	5	X-S5	Single	26363	0.900	207	NV-1-T5W-64L-1-40K7
	9	X-S3	Single	16184	0.900	136	NV-1-T3-64L-7-40K-UNV
	1	X-S4W-HS	Single	16197	0.900	207	NV-1-T4FTW-64L-1-40K7-HSS
	2	X-S3-HS	Single	16391	0.900	205	NV-1-T3-64L-1050-40K7-HSS

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
_Property Line	Illuminance	Fc	0.10	0.4	0.0	N.A.	N.A.
All Calc Points Within Property Line	Illuminance	Fc	0.63	7.9	0.0	N.A.	N.A.
Roadways	Illuminance	Fc	1.63	7.9	0.0	N.A.	N.A.

LIGHTING NOTES:

- Mounting Height = 24'
- Light Loss Factor = 0.90
- Footcandle Values Calculated @ Grade
- Reflectance Values - 80/50/20 (office spaces)
50/30/20 (warehouse areas)

National Lighting Vendor:

For pricing and technical assistance contact:
Russ Miller of CBMC INC, tel# 317-697-7510,
rmiller@cbmcinc.com

All electrical work shall comply with National, State, and Local codes including and not limited to the National Electric Code, NFPA 101 Life Safety Code, ASHREA and /or IECC Energy Codes.

The information contained in this document is proprietary to CBMC Lighting Solutions. This document is prepared for a specific site and incorporates calculations based on data available from the client at this time. By accepting and using this document, the recipient agrees to protect its contents from further dissemination, (other than that within the organization necessary to evaluate such specification) without the written permission of CBMC Lighting Solutions. the contents of this document are not to be reproduced or copied in whole or in part without the written permission of CBMC Lighting Solutions. **copyright © 2018 CBMC Lighting Solutions all rights reserved.**



5855 KOPETSKY DR. SUITE G. | INDIANAPOLIS, IN 46217
317-780-8350| WWW.CBMCINC.COM

SEE MORE



This lighting pattern represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with IESNA approved methods. Actual performance of any manufacturer's luminaire may vary due to variation in electrical voltage, tolerance in lamps and LED lumen package, location adjustments, and other variable field conditions.

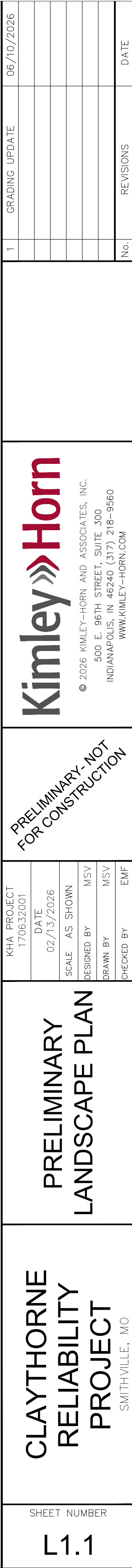
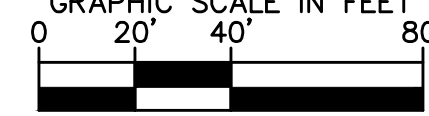
Contractor to check and verify all dimensions on site before commencing any work shown.

Claythorne Reliability Project
Smithville, MO

SITE LAYOUT

Scale:	1" = 40'	Drawing No:	C-700
Date:	6/11/26	Project No:	CB29703-SITE-2
Drawn By:	SJM		

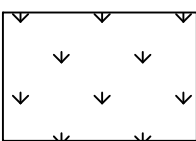
8' TALL OPAQUE PERIMETER -
FENCE, TYP.



CLAYTHORNE RELIABILITY PROJECT SMITHVILLE, MO	PRELIMINARY LANDSCAPE PLAN	KHA PROJECT 170632001	PRELIMINARY-NOT FOR CONSTRUCTION	 © 2026 KIMLEY-HORN AND ASSOCIATES, INC. 500 E. 96TH STREET, SUITE 300 INDIANAPOLIS, IN 46240 (317) 218-9560 WWW.KIMLEY-HORN.COM	1 GRADING UPDATE	06/10/2026
		SCALE AS SHOWN				
		DATE 02/13/2026				
		DESIGNED BY MSV				
		DRAWN BY MSV				
		CHECKED BY EMF				
					No. REVISIONS	DATE

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

ORDINANCE CHART		
ZONING: I-1		
REQUIREMENT	REQUIRED	PROVIDED
INDUSTRIAL ADJACENT TO RESIDENTIAL: West Property Line		
Industrial adjacent to Residential: 6' tall fence, 6' ht. evergreen trees spaced 10' o.c.	673' Frontage 68 evergreen trees 673 LFT 6' tall fence	68 Evergreen trees 607 LFT 6' tall fence
INDUSTRIAL ADJACENT TO INDUSTRIAL: North Property Line		
Industrial adjacent to Business: 1 deciduous tree/ 60 LFT 1 ornamental tree / 70 LFT 3 shrubs / 75 LFT	673' Frontage 11 deciduous trees 10 ornamental trees 9 shrubs	11 deciduous trees 10 ornamental trees 9 shrubs
INDUSTRIAL ADJACENT TO BUSINESS: South & East Property Lines		
Industrial adjacent to Business: 1 deciduous tree/ 60 LFT 1 ornamental tree / 70 LFT 3 shrubs / 75 LFT	1346' Frontage 23 deciduous trees 19 ornamental trees 28 shrubs	23 deciduous trees 19 ornamental trees 28 shrubs
STREET PLANTING REQUIREMENTS		
Required Street Plantings (in addition to the buffer): 1 shade tree or 2 ornamental trees / 75 LFT 3 shrubs / 40 LFT	671' Frontage 9 shade trees or 18 ornamental trees 51 shrubs	9 shade trees 51 shrubs
PARKING PERIMETER		
Additional required planting around parking 1 deciduous or ornamental tree / 60 LFT 1 shrub / 50 LFT	45' Frontage 1 tree 1 shrub	1 tree 1 shrub

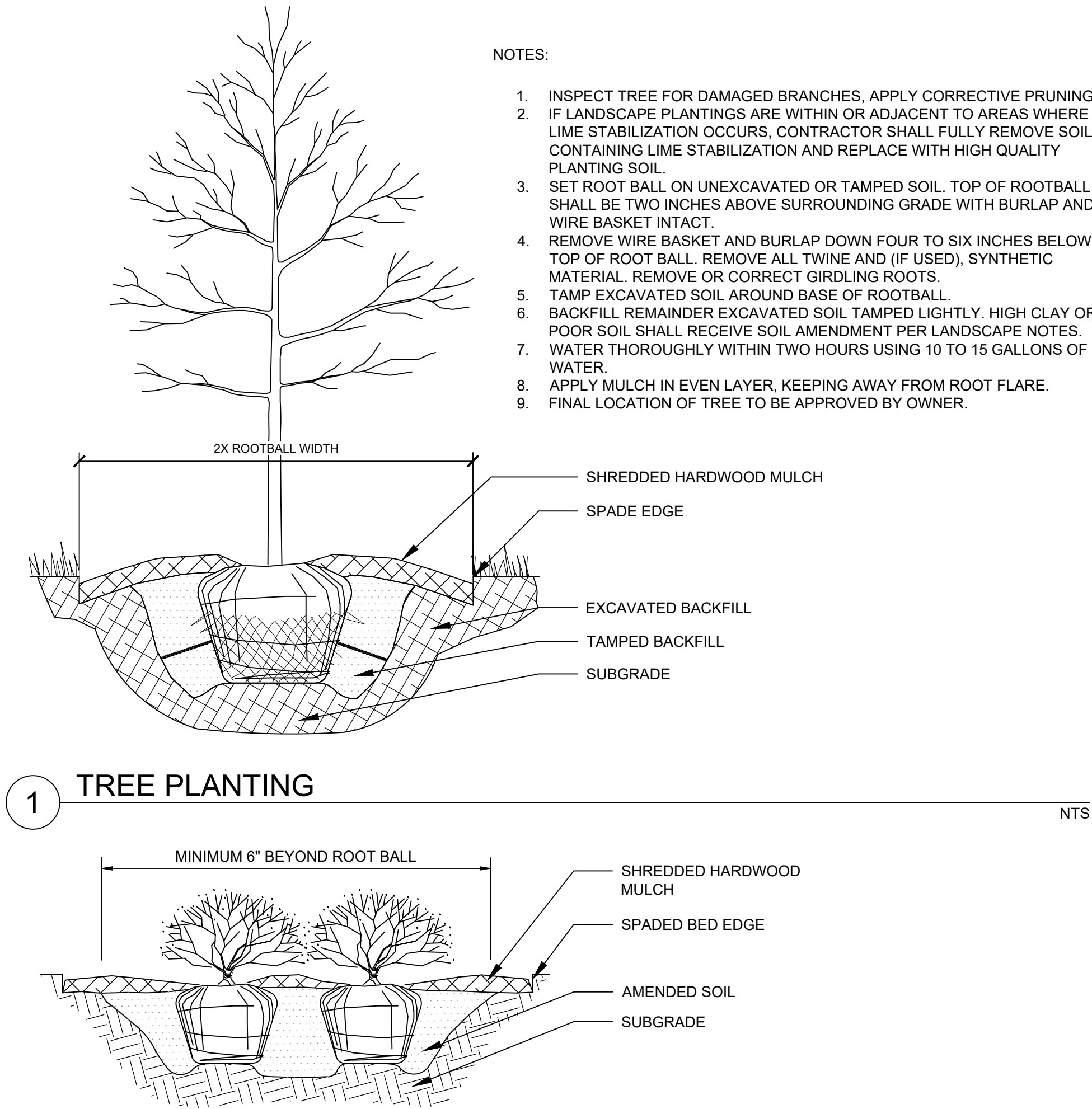
SEEDING LEGEND	
	PERMANENT SEEDING AMERITURF FRONTRUNNER BLEND TALL FESCUE; APPLY AT A RATE OF 350 LBS/ACRE (8LBS/1000 SQFT)

LANDSCAPE NOTES

1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING MATERIALS AND PLANTS SHOWN ON THE LANDSCAPE PLAN. THE CONTRACTOR IS RESPONSIBLE FOR THE COST TO REPAIR UTILITIES, ADJACENT LANDSCAPE, PUBLIC AND PRIVATE PROPERTY THAT IS DAMAGED BY THE CONTRACTOR OR THEIR SUBCONTRACTOR'S OPERATIONS DURING INSTALLATION OR DURING THE SPECIFIED MAINTENANCE PERIOD. CALL FOR UTILITY LOCATIONS PRIOR TO ANY EXCAVATION.
2. THE CONTRACTOR SHALL REPORT ANY DISCREPANCY IN PLAN VS. FIELD CONDITIONS IMMEDIATELY TO THE LANDSCAPE ARCHITECT, PRIOR TO CONTINUING WITH THAT PORTION OF WORK.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY OF THEIR TRENCHES OR EXCAVATIONS THAT SETTLE.
4. ALL NURSERY STOCK SHALL BE WELL BRANCHED, HEALTHY, FULL, PRE-INOCULATED AND FERTILIZED. DECIDUOUS TREES SHALL BE FREE OF FRESH SCARS. TRUNKS WILL BE WRAPPED IF NECESSARY TO PREVENT SUN SCALD AND INSECT DAMAGE. THE LANDSCAPE CONTRACTOR SHALL REMOVE THE WRAP AT THE PROPER TIME AS A PART OF THIS CONTRACT.
5. ALL NURSERY STOCK SHALL BE GUARANTEED, BY THE CONTRACTOR, FOR ONE YEAR FROM DATE OF FINAL INSPECTION.
6. PLANTING AREA SOIL SHALL BE TOPSOIL FOR ALL SHRUB, ORNAMENTAL GRASS, PERENNIAL AND ANNUAL BEDS. AMENDED TURF AREA SOIL SHALL BE STANDARD TOPSOIL.
7. SEED/SOD LIMIT LINES ARE APPROXIMATE. CONTRACTOR SHALL SEED/SOD ALL AREAS WHICH ARE DISTURBED BY GRADING WITH THE SPECIFIED SEED/SOD MIXES.
8. CONTRACTOR SHALL INSTALL SHREDDED HARDWOOD MULCH AT A 3" DEPTH TO ALL TREES, SHRUB, PERENNIAL, AND GROUNDCOVER AREAS. TREES PLACED IN AREA COVERED BY TURF SHALL RECEIVE A 4-FT WIDE MAXIMUM TREE RING WITH 3" DEPTH SHREDDED HARDWOOD MULCH. A SPADED BED EDGE SHALL SEPARATE MULCH BEDS FROM TURF OR SEEDED AREAS. A SPADED EDGE IS NOT REQUIRED ALONG CURBED EDGES.
9. WEED FABRIC SHALL BE APPLIED UNDER MULCH.
10. INSTALLATION OF TREES WITHIN PARKWAYS SHALL BE COORDINATED IN THE FIELD WITH LOCATIONS OF UNDERGROUND UTILITIES. TREES SHALL NOT BE LOCATED CLOSER THAN 5' FROM UNDERGROUND UTILITY LINES AND NO CLOSER THAN 10' FROM UTILITY STRUCTURES.
11. DO NOT DISTURB THE EXISTING PAVING, LIGHTING, OR LANDSCAPING THAT EXISTS ADJACENT TO THE SITE UNLESS OTHERWISE NOTED ON PLAN.
12. PLANT QUANTITIES SHOWN ARE FOR THE CONVENIENCE OF THE OWNER AND JURISDICTIONAL REVIEW AGENCIES. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL PLANT QUANTITIES AS DRAWN.
13. THE OWNER'S REPRESENTATIVE MAY REJECT ANY PLANT MATERIALS THAT ARE DISEASED, DEFORMED, OR OTHERWISE NOT EXHIBITING SUPERIOR QUALITY.
14. THE CONTINUED MAINTENANCE OF ALL REQUIRED LANDSCAPING SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY ON WHICH SAID MATERIALS ARE REQUIRED. ALL PLANT MATERIALS REQUIRED BY THIS SECTION SHALL BE MAINTAINED AS LIVING VEGETATION AND SHALL BE PROMPTLY REPLACED BY CONTRACTOR IF THE PLANT MATERIAL HAS DIED PRIOR TO FINAL ACCEPTANCE. PLANTING AREAS SHALL BE KEPT FREE OF TRASH, LITTER, AND WEEDS AT ALL TIMES.
15. SEE PROJECT MANUAL TECHNICAL SPECIFICATIONS FOR COMPLETE LANDSCAPE PLANTING & PLANTING SOIL PREPARATIONS.
16. ALL PLANTING AREAS SHALL RECEIVE 3" DEPTH OF SHREDDED HARDWOOD MULCH, FREE OF CORN COBS, WOOD CHIPS, GRAVEL AND CRUSHED STONE.
17. MULCH SHALL NOT BE HELD IN PLACE BY PLASTIC NET, OR SPRAYING OF ANY BINDER MATERIAL OR ASPHALT EMULSION.
18. PLANTS SHALL BE WATERED BY THE CONTRACTOR AFTER INSTALLATION PER PROJECT WATERING SCHEDULE. LOSSES DUE TO LACK OF WATER DURING WARRANTY PERIOD BECOME LIABILITY OF CONTRACTOR.
19. WEEDING, LANDSCAPE MAINTENANCE AND WATERING TO BE THE CONTRACTOR'S RESPONSIBILITY DURING CONSTRUCTION.
20. TOPSOIL SHALL CONFORM TO TECHNICAL SPECIFICATIONS FREE OF HEAVY CLAY, ROCKS AND DIRT CLODS OVER 1 INCH IN DIAMETER AS WELL AS CONTAIN 3%-5% ORGANIC MATTER.
21. CONTRACTOR SHALL STAKE INDIVIDUAL TREE AND SHRUB LOCATIONS AND OUTLINE AREAS FOR MULTIPLE HERBACEOUS PLANTINGS, ADJUST LOCATIONS WHEN REQUESTED AND OBTAIN PROJECT LANDSCAPE ARCHITECT'S ACCEPTANCE PRIOR TO PLANTING.
22. ALL PLANT ID TAGS SHALL BE REMOVED AFTER INSTALLATION.

PLANT SCHEDULE

CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	HT
EVERGREEN TREES						
JV	34	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	B & B	---	6' HT MIN
PG	22	PICEA GLAUCA	BLACK HILLS SPRUCE	B & B	---	6' HT MIN
TO	12	THUJA OCCIDENTALIS 'GREEN GIANT'	GREEN GIANT ARBORVITAE	B & B	---	6' HT MIN
ORNAMENTAL TREES						
AA	9	AMELANCHIER ARBOREA	DOWNY SERVICEBERRY	B & B	2" CAL.	---
CF	15	CORNUS FLORIDA	FLOWERING DOGWOOD	B & B	2" CAL.	---
OV	5	OSTRYA VIRGINIANA	IRONWOOD	B & B	2" CAL.	---
OVERSTORY TREES						
AG	11	AESCULUS GLABRA	OHIO BUCKEYE	B & B	2" CAL.	8' HT MIN
CO	3	CELTIS OCCIDENTALIS	COMMON HACKBERRY	B & B	2" CAL.	8' HT MIN
CV	8	CARYA OVATA	SHAGBARK HICKORY	B & B	2" CAL.	8' HT MIN
GD	9	GYMNOCLADUS DIOICA 'ESPRESSO'	ESPRESSO KENTUCKY COFFEETREE	B & B	2" CAL.	8' HT MIN
LT	4	LIRIODENDRON TULIPIFERA	TULIP POPLAR	B & B	2" CAL.	8' HT MIN
QM	9	QUERCUS MACROCARPA	BUR OAK	B & B	2" CAL.	8' HT MIN
CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
SHRUBS						
AF	16	AMORPHA FRUTICOSA	FALSE INDIGO	---	SEE PLAN	24" HT MIN
AM	24	ARONIA MELANOCARPA 'VIKING'	VIKING BLACK CHOKEBERRY	---	SEE PLAN	24" HT MIN
CA	17	CORYLUS AMERICANA	AMERICAN HAZELNUT	---	SEE PLAN	24" HT MIN
CD	10	CORNUS DRUMMONDII	ROUGHLEAF DOGWOOD	---	SEE PLAN	24" HT MIN
HA	6	HYDRANGEA ARBORESCENS	SMOOTH HYDRANGEA	---	SEE PLAN	24" HT MIN
HV	8	HAMAMELIS VERNALIS	OZARK WITCHHAZEL	---	SEE PLAN	24" HT MIN



- NOTES:
1. APPLY CORRECTIVE PRUNING.
2. SET ROOT BALL OR CONTAINER ON UNEXCAVATED OR TAMPED SOIL. TOP OF ROOTBALL (CONTAINER) SHALL BE ONE INCH ABOVE SURROUNDING GRADE. FOR LARGER SHRUBS WITHIN PLANTING BED DIG A DEEPER PIT ONLY FOR THOSE SHRUBS.
3. REMOVE BURLAP FROM TOP HALF THE LENGTH OF ROOTBALL. TWINE AND (IF USED) SYNTHETIC MATERIAL SHALL BE REMOVED FROM PLANTING BED. FOR CONTAINER GROWN SHRUBS, REMOVE CONTAINER AND LOOSEN ROOTS PRIOR TO INSTALLATION.
4. REMOVE OR CORRECT GIRDLING ROOTS.
5. PLUMB AND BACKFILL WITH AMENDED SOIL PER LANDSCAPE NOTES. WATER THOROUGHLY WITHIN TWO HOURS.
6. APPLY MULCH IN EVEN LAYER, KEEPING AWAY FROM ROOT FLARE. MULCH LIMITS FOR SHRUBS EXTEND TO ALL LIMITS OF PLANTING BED, SEE PLANS FOR BED LAYOUTS.

06/10/2026

GRADING UPDATE

1

REVISIONS

No.

DATE

Kimley»Horn

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500 E. 96TH STREET, SUITE 300
INDIANAPOLIS, IN 46240 (317) 218-9560
WWW.KIMLEY-HORN.COM

PRELIMINARY - NOT FOR CONSTRUCTION

KHA PROJECT
170632001

DATE
02/13/2026

SCALE AS SHOWN

DESIGNED BY
MSV

DRAWN BY
MSV

CHECKED BY
EMF

PRELIMINARY LANDSCAPE PLAN

CLAYTHORNE
RELIABILITY
PROJECT

SMITHVILLE, MO

SHEET NUMBER
L1.2

CUP Findings of Fact – Claythorne Reliability Project

1. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.
2. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public by reducing the need for additional electrical production capacity upon the local grid.
3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located as it is substantially similar to other nearby uses.
4. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structures, walls and fences on the site are located such that the outside perimeter of the project area is substantially filled with various types of trees, shrubs and other vegetation and a sight obscuring perimeter fence, 8' tall will be located behind the vegetative buffer; and
 - b. The nature and extent of landscaping and screening on the site is adequate and complies with the code requirements for buffering and landscaping in the site plan ordinance.
5. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect there is no regular traffic to the site, but the limited vehicular traffic will have parking behind the fencing and screening and no residential uses are near.
6. Adequate utility, drainage and other such necessary facilities have been or will be provided during construction phases and subject to updated plans that comply with updated studies as determined by the City.
7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys the access to and from the project area are more than sufficient for the limited total traffic needed for maintenance and operation of the site.

BILL NO. XXXX-26

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI AND APPROVING A SUBDIVISION PLAT.

WHEREAS, The City of Smithville received applications for a single-phase final plat, rezoning a portion of said plat land and a Conditional Use Permit for a Battery Energy Storage Facility on industrial zoned ground on a part of 14600 N. 169 Highway on June 12, 2026; and

WHEREAS, a public notice was provided in the local newspaper and via certified mail to adjoining property owners in accordance with the law on July 22, 2026.

WHEREAS, three Public Hearings were conducted before the Planning Commission on August 11, 2026, pertaining to each of the three applications; and

WHEREAS, the Planning Commission recommended approving the Final Plat for Clay Park subdivision attached hereto as Exhibit A; and, presented its' findings of fact concerning the rezoning to the Board of Aldermen attached as Exhibit B which recommended approval of the rezoning request; and, presented its' findings of fact concerning the Conditional Use Permit for a Battery Energy Storage Facility attached hereto as Exhibit C, and issuing a Conditional Use Permit for a Battery Energy Storage Facility; and,

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

Section 1. That the Single-Phase Final Plat for a two lot subdivision entitled Clay Park, is hereby approved in accordance with city ordinances.

Section 2. 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:

A tract in the Southeast Quarter of Section 34, Township 53 North, Range 33 West, in Smithville, Clay County, Missouri, being more particularly described as follows: Commencing at the Northeast Corner of said Southeast Quarter; Thence North 89°38'04" West along the North Line of said Southeast Quarter, 663.50 feet to the Point of Beginning; Thence South 01°01'27" West, 672.37 feet; Thence North 89°32'41" West, 671.18 feet; Thence North 00°47'50" East, 671.30 feet to said North Line; Thence South 89°38'05" East along said North Line, 673.85 feet to the Point of Beginning.

is hereby changed from B-3 to I-1.

Section 3. 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, a Conditional Use Permit to operate a Battery Energy Storage Facility on Lot 1 of Clay Park subdivision is hereby issued.

Section 4. 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 5. This ordinance shall take effect and be in full force from and after the approval.

PASSED THIS _____ DAY OF _____, 20____

Mayor

ATTEST:

City Clerk

First Reading: / /

Second Reading / /

Exhibit A

All that part of the North one half of Section 36, Township 34, Range 33, Clay County, Missouri, described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 36; thence North 89 degrees 49 minutes 48 seconds East along the North line of the Northeast Quarter of said Section 36, a distance of 662.69 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36; thence South 0 degrees 20 minutes 18 seconds West along the East line of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36, a distance of 663.23 feet to the Southeast corner of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36; thence North 89 degrees 50 minutes 00 seconds East along the South line of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36, a distance of 590.45 feet to the West line of the East 170 Acres of said Section 36; thence South 0 degrees 26 minutes 29 seconds West along the West line of the East 170 Acres of said Section 36, a distance of 114.37 feet; thence North 89 degrees 43 minutes 06 seconds West, a distance of 971.22 feet; thence South 56 degrees 32 minutes 56 seconds West, a distance of 98.83 feet; thence South 46 degrees 04 minutes 14 seconds West, a distance of 376.49 feet to the most Westerly corner of Tract "G", HARBOR LAKE FIFTH PLAT, a subdivision of land in the City of Smithville, Clay County, Missouri; thence North 89 degrees 43 minutes 06 seconds West, a distance of 238.15 feet; thence South 13 degrees 23 minutes 08 seconds West, a distance of 70.00 feet; thence North 89 degrees 43 minutes 06 seconds West, a distance of 1004.87 feet to a point on the East line of Lot 1, CARTER FARMS, a subdivision of land in the City of Smithville, Clay County, Missouri; thence North 00 degrees 34 minutes 50 seconds East, along the East line of said Lot 1, a distance of 60.52 feet to the Northeast corner of said Lot 1; thence North 89 degrees 28 minutes 47 seconds West, along the North line of said Lot 1, a distance of 528.68 feet to the Northwest corner of said Lot 1, said point also being on the East right of way line of Missouri State Highway "F"; thence North 0 degrees 34 minutes 50 seconds East along said right of way line, a distance of 794.51 feet; thence along said right of way line, along a curve to the left, tangent to the last described course, having a radius of 349.73 feet, an arc distance of 66.19 feet; thence South 89 degrees 38 minutes 07 seconds East, a distance of 192.23 feet; thence North 0 degrees 35 minutes 50 seconds East, a distance of 233.0 feet to the North line of the Northwest Quarter of said Section 36; thence South 89 degrees 38 minutes 07 seconds East along said line, a distance of 1666.64 feet to the point of beginning. Said tract contains 60.87 acres more or less.



STAFF REPORT

July 31, 2026

Rezoning of Parcel Id's # 06-703-00-01-016.00 & 06-704-00-04-047.00

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address:	Approximately 4200 NE 144 th Street
Owner:	Whisper Creek Farms LLC
Current Zoning:	County Ag
Proposed Zoning:	A-R

Public Notice Dates:

1 st Publication in Newspaper:	July 22, 2026
Letters to Property Owners w/in 185':	July 22, 2026

GENERAL DESCRIPTION:

The applicant submitted an application proposing to rezone approximately 158 acres +/- from County Ag to A-R. The proposed zoning classification allows for large lots (not less than 3 acres) to allow septic systems to be installed for the area.

EXISTING ZONING:

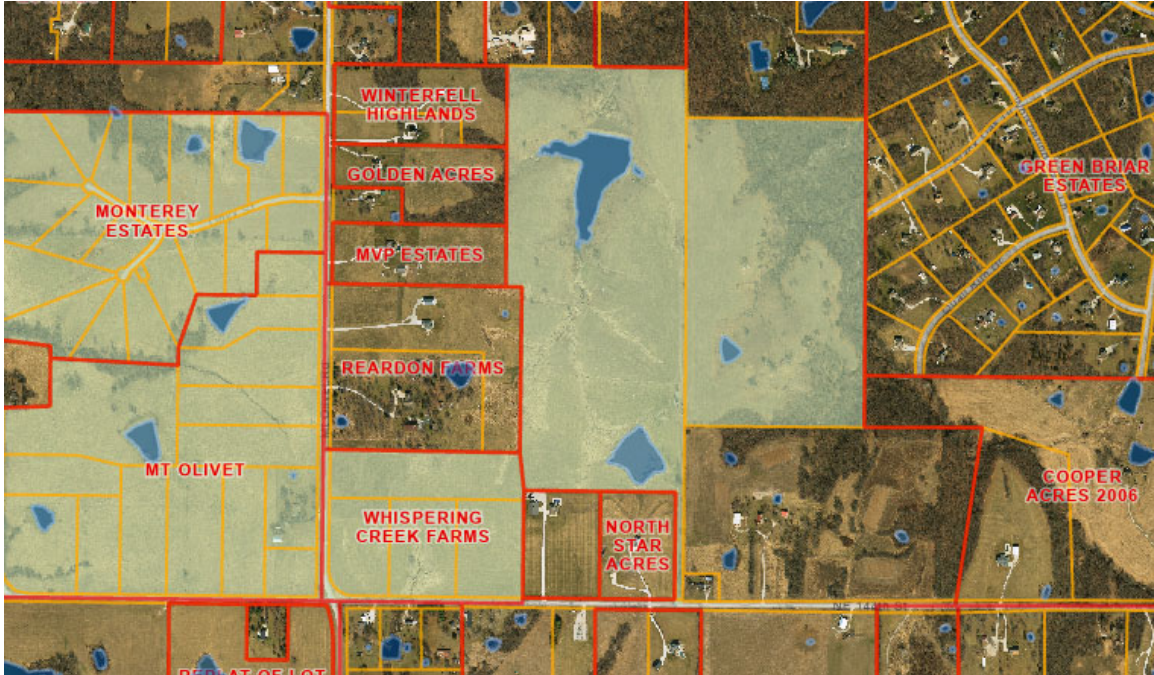
The existing zoning predates the annexation into the city limits and is County Agricultural.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is predominately single-family residential housing on varying sizes of lots, from 1.23 acres to well over 10 acres. This land will connect with an existing county subdivision with 3-5 acre lots to the east and north, larger lots ranging from 9.98 acres to 37 acres on the north, with several lots in the 12–19-acre sizes on the east and two more on the south.

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

The existing Comprehensive Plan was approved on November 10, 2020. The area adjacent (to the west) of the subject property is Mt. Olivet/Monterey Estates that lies just beyond several 12-19 acre lots (and two lots under 5 acres) that face Mt. Olivet Rd. The area of the city limits most closely connected with the subject development is low density residential approved in 2024. The subject property is proposed to be low density residential. It matches the general area of the plan and area significantly.



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

Streets:

Streets in the area are county-maintained Collector streets, which are adequate for the proposed additional traffic.

Water, Sewer and Storm water

The city does not have water or sewer in the area, but Clay County Water Supply District has water service available for the applicant to use, with all construction costs upon the developer. No sewers are available in the area, and all lots are currently septic systems. Stormwater is subject to any improvements in accordance with an approved stormwater study if and when the vacant land develops. Any impacts will be handled in the normal subdivision 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 County Ag, agricultural with lots or parcel adjacent to it ranging from 1.23 acres to 37.96 acres, with the average of all of the lots between 5 and 10 acres. The suitability of 158 acre lots is extremely limited and is not the highest and best use of the property. The highest and best use is large lot (3 acres +) development.

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

The property was zoned agricultural in Clay County and nearly all of the land around the land has already developed with housing on various large lot sizes.

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

The proposed district is the same or similar as the existing adjacent 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

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicants: Whisper Creek Farms LLC

Land Use Proposed: A-R

Zoning: County Ag

Property Location: Approximately 4200 NE 144th Street

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 August 11, 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 is predominately single-family residential housing on varying sizes of lots, from 1.23 acres to well over 10 acres. This land will connect with an existing county subdivision with 3-5 acre lots to the east and north, larger lots ranging from 9.98 acres to 37 acres on the north, with several lots in the 12–19-acre sizes on the east and two more on the south.
2. *Consistency with the City's Comprehensive Plan and ordinances.*
The existing Comprehensive Plan was approved on November 10, 2020. The area adjacent (to the west) of the subject property is Mt. Olivet/Monterey Estates that lies just beyond several 12-19 acre lots (and two lots under 5 acres) that face Mt. Olivet Rd. The area of the city limits most closely connected with the subject development is low density residential approved in 2024. The subject property is proposed to be low density residential. It matches the general area of the plan and area significantly..
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, so they are all adequate.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*
The current use is undeveloped County Ag, agricultural. It is surrounded completely with lots or parcels ranging from 1.23 acres to 37.96 acres, all with single family homes located on the lots. The average of all of the lots in the general area is between 5 and 10 acres. The suitability of 158 acre lots is extremely limited and is not the highest and best use of the property. The highest and best use is large lot (3 acres +) development.
5. *Length of time the property has remained vacant as zoned.*

The property was zoned to the existing county zoning with no changes while all the surrounding property has changed zoning to some form of residential lots on much smaller parcels.

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

The proposed district is specifically the same or similar as most of the adjacent existing uses.

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

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

9. That in rendering this Finding of Fact, testimony at the public hearing on August 11, 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 County Ag to A-R, 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 A-R.



Planning and Zoning Commission Procedural Summary

MEETING DATE: 8/11/2026

DEPARTMENT: Development

AGENDA ITEM: Whispering Creek Farms 2nd Plat SF Final Plat.

REQUESTED COMMISSION ACTION:

A motion to recommend to approve (or disapprove) the proposed Single Phase Final Plat.

SUMMARY OF PROCEDURE:

The application is to create a new single-phase final plat subdivision consisting of 32 lots on 158+/- acres of land located north of 144th Street and east of Mt. Olivet Road on recently annexed land.

The Commission shall take into account the public hearing input, the staff report and any other documents or photographs provided at the hearing. The staff report is organized with each of the Guidelines for Review identified in §425.285.A.4 of the Code of Ordinances with staff and/or engineering findings of each item for evaluation.

In cases where the recommendation is for the disapproval of the plat, the applicant shall be notified of the reason for such action and what requirements shall be necessary to obtain the recommendation of approval of the Planning and Zoning Commission.

ATTACHMENTS:

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



STAFF REPORT

August 3, 2026

Platting of Parcel Id's 06-703-00-01-016.00 & 06-704-00-04-047.00

Application for a Plat Approval

Code Sections:

425.285.A.4

Single Phase Final Plat Approval

Property Information:

Address:	4200 NE 144 th Street
Owner:	Whisper Creek Farms LLC
Current Zoning:	County Ag
Public Notice Dates:	July 22, 2026
185' Notices:	July 22, 2026

GENERAL DESCRIPTION:

The property is currently undeveloped, with a County Ag zoning designation. It is surrounded by developed single-family residences on varying lot sizes. Applicant seeks to construct a single-family subdivision in city zone district A-R with a total of 32 lots. 30 Lots would access 144th Street and two would access Black Oak Drive in Green Briar Estates. The overall average lot size would be 4.94 acres, ranging from 3 acres to 14.72 acres.

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:

- 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.***

b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. **Yes. HN3.1 Encourage additional residential units near existing residential uses to strengthen the neighborhoods of Smithville.**

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, since the area is a former crop field, the grading will be minimal, and the usable existing trees and desirable natural growth will be preserved or maintained.**

(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. **Yes, large to very large lots provide sufficient lot width.**

(5) Adequate lot depth for outdoor living space. **Yes, and will provide funds to improve the nearest city parks.**

(6) Generally regular lot shapes, avoiding acute angles. **Yes, to the extent practicable with cul de sac lots.**

(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, at the developer's sole cost and 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 uses the existing topography and any and all needed detention will be separately designed and approved with the storm study.**

h. Each lot in the plat of a residential development has adequate and safe access to/from a local street. **Yes.**

i. 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 surrounded by similar county development and is an infill project.

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.

Annexed in early 2026.

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 all needed facilities.***

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, applicant has agreed to improve the end of Black Oak Dr. and install signage with a permanent maintenance provision at the request of the County Highway Engineer.***

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat conditioned upon execution of the development agreement.

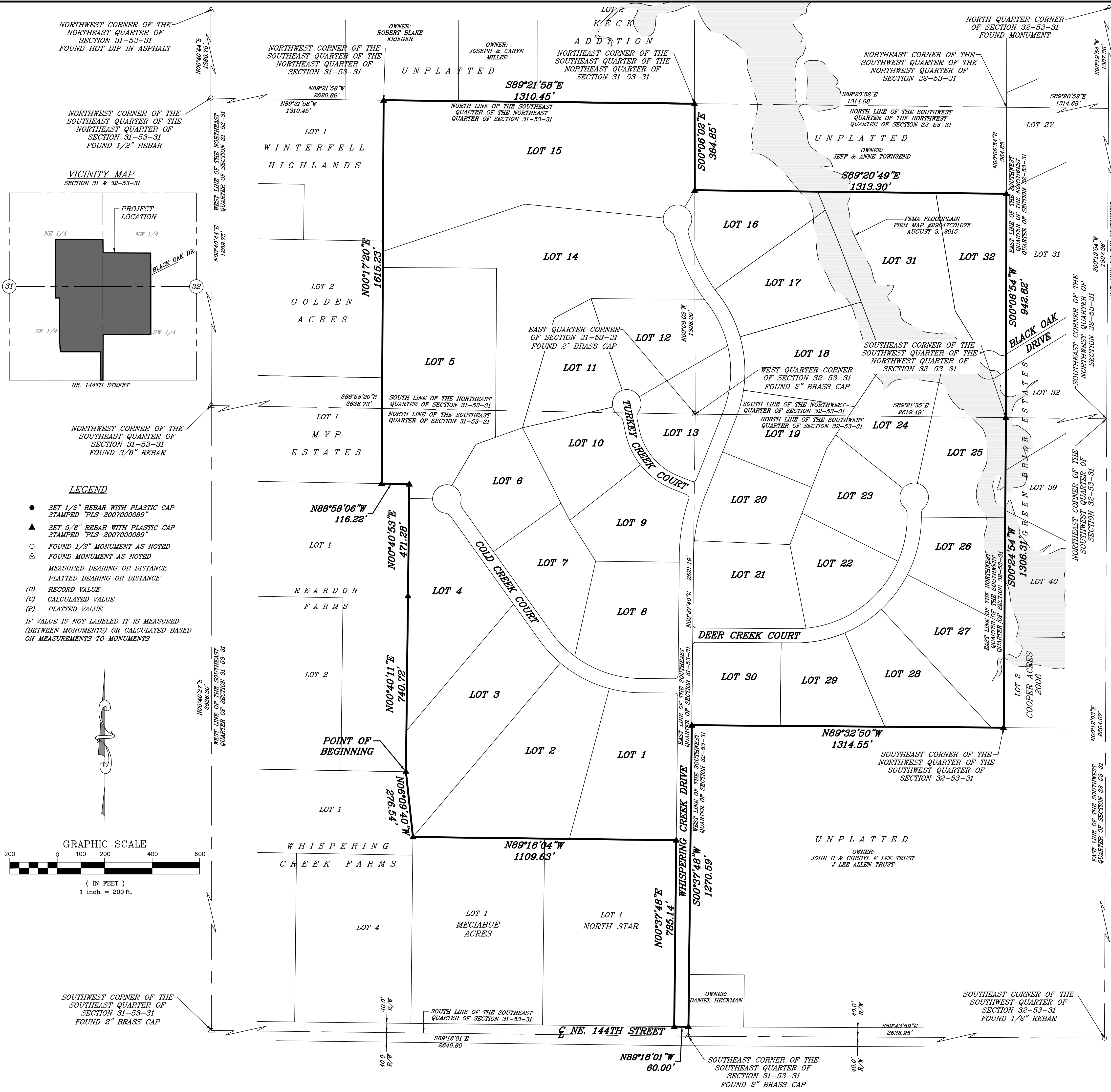
Respectfully Submitted,

Director of Development

Guidelines For Review — Single-Phase Subdivisions. The Planning and Zoning 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 Chapter 400, Zoning Regulations, and other land use regulations.
- b. The plat represents an overall development pattern that is consistent with the goals and policies of 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.
 - (2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth.
 - (3) A good grade relationship with the abutting streets, preferably somewhat above the street.
 - (4) Adequate lot width for the type or size of dwellings contemplated, including adequate side yards for light, air, access and privacy.
 - (5) Adequate lot depth for outdoor living space.
 - (6) Generally regular lot shapes, avoiding acute angles.
 - (7) Adequate building lots that avoid excessive grading, footings or foundation walls.
- d. The plat contains lot and land subdivision layout that is consistent with good land planning and site engineering design principles.
- e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles.
- 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.
- 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.
- h. Each lot in the plat of a residential development has adequate and safe access to/from a local street.

- i. 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.
- 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.
- 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.
- l. All applicable submission requirements have been satisfied in a timely manner.
- 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.



FINAL PLAT
WHISPERING CREEK FARMS
2ND PLAT
A SUBDIVISION IN THE EAST HALF OF SECTION 31,
TOWNSHIP 53 NORTH, RANGE 31 WEST AND THE WEST HALF
OF SECTION 32, TOWNSHIP 53 NORTH, RANGE 31 WEST
SMITHVILLE, CLAY COUNTY, MISSOURI
SHEET 1 OF 3

PROPERTY DESCRIPTION:
CONTAINING 6,909,676 SQUARE FEET OR 158.62 ACRES
A TRACT OF LAND IN THE EAST HALF OF SECTION 31, TOWNSHIP 53 NORTH, RANGE 32 WEST AND THE WEST HALF OF SECTION 32, TOWNSHIP 53 NORTH, RANGE 32 WEST IN SMITHVILLE, CLAY COUNTY, MISSOURI BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, WHISPERING CREEK FARMS, A SUBDIVISION IN SMITHVILLE, CLAY COUNTY, MISSOURI; THENCE N00°40'11"E, ALONG THE EAST LINE OF LOT 1, REARDON FARMS, A SUBDIVISION OF LAND IN CLAY COUNTY, MISSOURI, A DISTANCE OF 740.72 FEET; THENCE N00°40'53"E, CONTINUING ALONG SAID LINE, A DISTANCE OF 471.28 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE N88°58'06"W, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 116.22 FEET TO THE SOUTHEAST CORNER OF LOT 1, MVP ESTATES, A SUBDIVISION IN CLAY COUNTY, MISSOURI; THENCE N00°17'20"E, ALONG THE EAST LINE OF SAID LOT 1, MVP ESTATES AND THE EAST LINE OF LOT 2, GOLDEN ACRES, A SUBDIVISION IN CLAY COUNTY, MISSOURI AND THE EAST LINE OF LOT 1, WINTERFELL HIGHLANDS, A SUBDIVISION IN CLAY COUNTY, MISSOURI, A DISTANCE OF 1615.23 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, WINTERFELL HIGHLANDS AND THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 31; THENCE S89°21'58"E, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTH LINE OF KECK ADDITION, A SUBDIVISION IN CLAY COUNTY, MISSOURI AND ITS WESTERLY PROLONGATION THEREOF, A DISTANCE OF 1310.45 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHEAST CORNER OF SAID LOT 2, KECK ADDITION; THENCE S00°06'02"E, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 364.85 FEET; THENCE S89°20'49"E, A DISTANCE OF 1313.30 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 32 AND THE WEST LINE OF GREEN BRIAR ESTATES, A SUBDIVISION IN CLAY COUNTY, MISSOURI; THENCE S00°06'54"W, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE WEST LINE OF SAID GREEN BRIAR ESTATES, A DISTANCE OF 942.82 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE S00°24'54"W, CONTINUING ALONG THE WEST LINE OF SAID GREEN BRIAR ESTATES AND ALONG THE WEST LINE OF LOT 2, COOPER ACRES 2006, A SUBDIVISION IN CLAY COUNTY, MISSOURI AND ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, A DISTANCE OF 1306.31 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N89°32'52"W, A DISTANCE OF 1314.55 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE S00°37'48"W, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 32, A DISTANCE OF 1270.59 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF NE 144TH STREET; THENCE N89°18'04"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 60.00 FEET TO THE SOUTHEAST CORNER OF LOT 1, NORTH STAR, A SUBDIVISION OF LAND IN CLAY COUNTY, MISSOURI; THENCE N00°37'48"E, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 785.14 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE N89°18'04"W, ALONG THE NORTH LINE OF SAID LOT 1 AND THE NORTH LINE OF LOT 1, MECIABUE ACRES, A SUBDIVISION OF LAND IN CLAY COUNTY, MISSOURI, A DISTANCE OF 1109.63 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1 OF SAID WHISPERING CREEK FARMS; THENCE N08°09'40"W, ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 276.54 FEET TO THE POINT OF BEGINNING.

DEDICATION: THE UNDERSIGNED PROPRIETOR OF THE TRACT OF LAND DESCRIBED HEREON HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT WHICH SUBDIVISION SHALL HEREFTER BE KNOWN AS "WHISPERING CREEK FARMS - 2ND PLAT"

EASEMENTS: AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF SMITHVILLE, MISSOURI TO LOCATE, CONSTRUCT AND MAINTAIN OR TO AUTHORIZE THE LOCATION, CONSTRUCTION, MAINTENANCE AND USE OF CONDUITS, SEWERS AND WATER MAINS, GAS, POLES OR WIRES, ANCHORS AND SURFACE DRAINAGE, AND UNDER THE AREAS OUTLINED ON THIS PLAT AND DESIGNATED BY THE WORDS "UTILITY EASEMENT" OR "U/E", "SANITARY EASEMENT" OR "S/E", AND/OR "DRAINAGE EASEMENT" OR D/E.

STREETS: STREETS SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE AS THOROUGHFARES, ARE HEREBY SO DEDICATED.

BUILDING LINES: BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT BETWEEN THIS LINE AND THE STREET LINE.

IN TESTIMONY WHEREOF, WHISPERING CREEK FARMS, L.L.C. A MISSOURI LIMITED LIABILITY COMPANY, HAS BY THE AUTHORITY OF ITS MEMBERS CAUSED THIS INSTRUMENT TO BE EXECUTED BY ITS MEMBER THIS _____ DAY OF _____, 20____
WHISPERING CREEK FARMS, L.L.C.

DWIGHT FRIDLEY, MEMBER

STATE OF MISSOURI
COUNTY OF _____ JSS

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME DWIGHT FRIDLEY, MEMBER OF WHISPERING CREEK FARMS, L.L.C., A MISSOURI LIMITED LIABILITY COMPANY, TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____

THIS FINAL PLAT APPROVED BY THE BOARD OF ALDERMEN OF SMITHVILLE, MISSOURI, THIS _____ DAY OF _____, 20____

(SEAL) _____ MAYOR

ATTEST: _____ CITY CLERK

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 20____

COUNTY RECORDER _____

SURVEY NOTES:

- THE POSITION OF EXISTING MONUMENTATION, IF NOT THE TRUE CORNER, IS NOTED BY DIFFERENCES IN COORDINATES OR AT RIGHT ANGLES TO THE PROPERTY LINE AT THE NOTED DISTANCE FROM THE NEAREST BOUNDARY CORNER.
- THE BEARINGS SHOWN HEREON ARE BASED ON NAD83(2011) EPOCH 2010.00 ADJUSTMENT.
- THIS SURVEY DOES NOT REFLECT ANY OF THE FOLLOWING WHICH WERE EITHER NOT REQUESTED OR FURNISHED BY THE CLIENT OR ARE NOT WITHIN THE SCOPE OF THE SERVICES PROVIDED BY A PROFESSIONAL SURVEYOR; THEREFORE, THIS SURVEYOR DOES NOT ACCEPT ANY LIABILITY SHOULD ANY OF THEM BE APPLICABLE TO THE SUBJECT REAL ESTATE: SUBSURFACE CONDITIONS; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; AND ZONING OR OTHER LAND USE REGULATIONS.
- NO TITLE COMMITMENT WAS PROVIDED FOR THIS SURVEY.
- THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS OF AN URBAN PROPERTY SURVEY AS DEFINED BY THE "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS".
- ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, COMMUNITY-PANEL NUMBER 107 OF 350, MAP NUMBER 28047C0107E, EFFECTIVE AUGUST 3, 2015, THE SUBJECT AREA IS ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD AND ZONE A, AREAS DETERMINED TO BE INUNDATED BY THE 1% ANNUAL CHANCE FLOOD.

SURVEYOR'S CERTIFICATION
I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES HEREIN DESCRIBED WHICH MEET OR EXCEED THE CURRENT "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS JOINTLY ESTABLISHED BY THE MISSOURI SURVEYING BOARD AND THE MISSOURI BOARD OF ARCHITECTS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

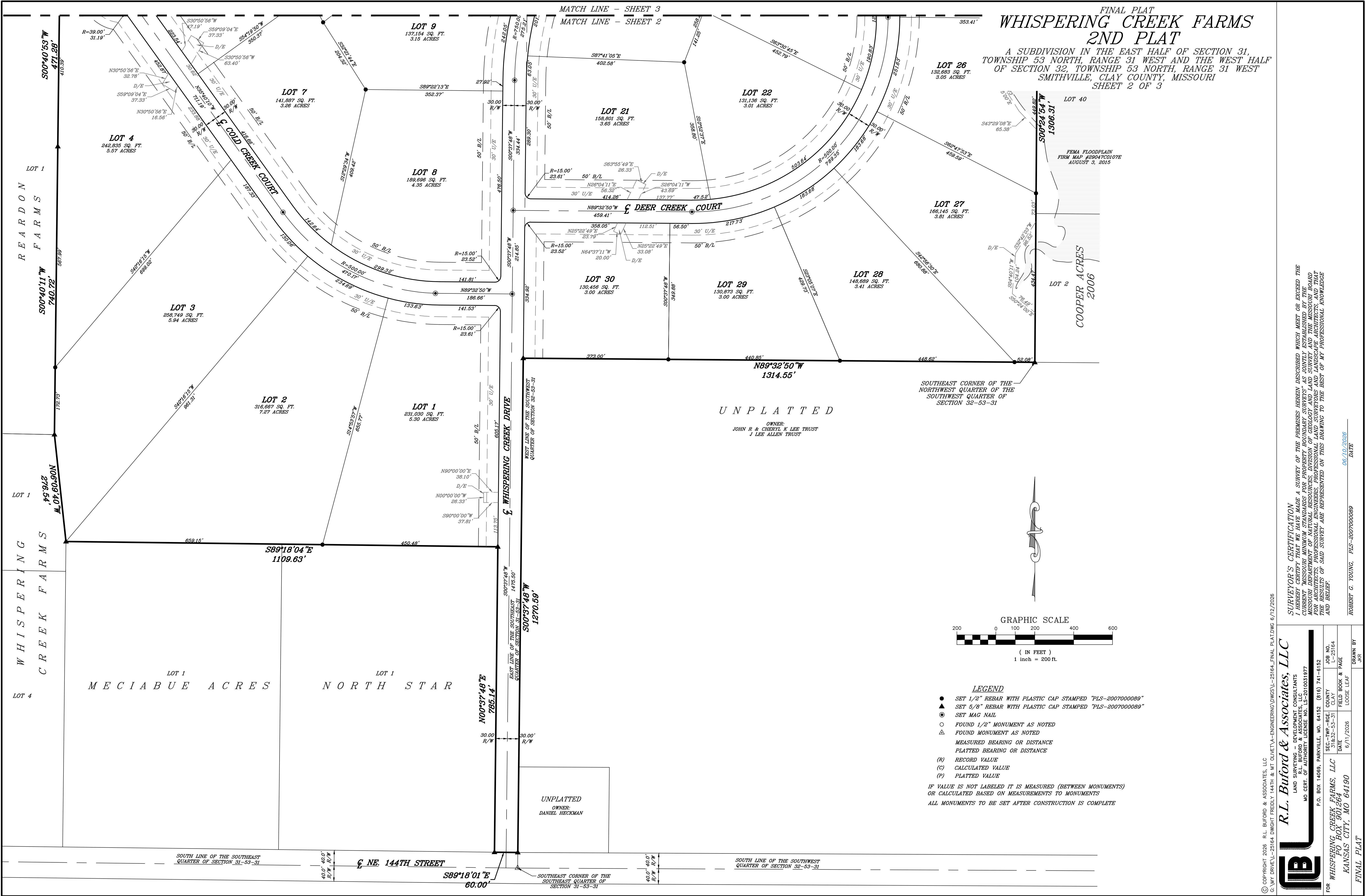
ROBERT G. YOUNG, PLS-2007000089 DATE 06/10/2026

R.L. Buford & Associates, LLC
LAND SURVEYING - DEVELOPMENT CONSULTANTS
R.L. BUFORD & ASSOCIATES, LLC
MO CERT. OF AUTHORITY LICENSE NO. LS-2010031977
P.O. BOX 14069, PARKVILLE, MO. 64152 (816) 741-6152

FOR WHISPERING CREEK FARMS, LLC	SEC-TWP-RGE, COUNTY	JOB NO.
PO BOX 901264	31&32-53-31	CLAY
KANSAS CITY, MO 64190	DATE	FIELD BOOK & PAGE
	6/11/2026	LOOSE LEAF

DRAWN BY JKR

FINAL PLAT



© COPYRIGHT 2026, R.L. BUFORD & ASSOCIATES, LLC
G:\MY DRIVE\L-25164 DWIGHT FREEDLY 144TH & MT OLIVET\A-ENGINEERING\DWG\L-25164.FINAL PLATTING 6/12/2026

R.L. Buford & Associates, LLC
LAND SURVEYING & DEVELOPMENT CONSULTANTS
R.L. BUFORD & ASSOCIATES, LLC
MO CERT. OF AUTHORITY LICENSE NO. LS-2010031977
P.O. BOX 14069, PARKVILLE, MO. 64152 (816) 741-6152

FOR	WHISPERING CREEK FARMS, LLC PLAT # 2007000089 KANSAS CITY, MO 64190	SEC.-TWP.-RGE. 31&32-53-31	COUNTY CLAY	JOB NO. L-25164
DATE	6/11/2026	FIELD BOOK & PAGE	LOOSE LEAF	
DRAWN BY	JKR			

FINAL PLAT

SURVEYOR'S CERTIFICATION
I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES HEREIN DESCRIBED WHICH MEET OR EXCEED THE
CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AS JOINTLY ESTABLISHED BY THE BOARD
OF SURVEYING AND MAPPING, THE MISSOURI SURVEYING SOCIETY, AND THE MISSOURI LAND SURVEYORS ASSOCIATION
FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS, AND THAT
THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE
AND BELIEF.
ROBERT G. YOUNG, PLS-2007000089 06/10/2026 DATE

