



## **Planning and Zoning Commission Meeting**

**May 12, 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 April 14, 2026, Planning Commission Minutes**
- 3. Staff Report**
- 4. Site Plan Review – 1503 E. Main St. - Cabins**

Applicant seeks approval of a site plan for Smithville Lake Cabins, which is a facility consisting of 9 cabins and 6 RV pad sites for rent adjacent to Smith's Fork Park.

- 5. Public Hearing – Rezoning 820 E. 92 Highway from A-1 to R-1C, R-3 and B-3**

The purpose of this hearing is to take public comment on the proposed rezoning approximately 152 acres to R-1C, R-3 and B-3 zoning districts for a new subdivision with 404 dwelling units and two commercial buildings.

- 6. Rezoning 820 E. 92 Highway to accommodate Collins Ridge subdivision**

Applicant seeks approval for rezoning for a new subdivision including 117 townhomes, 287 single-family detached housing units, and two commercial buildings at land north of 92 highway and adjacent to the main campus of Smithville School District.

- 7. Public Hearing – Preliminary Plat – Collins Ridge Subdivision at 820 E. 92 Hwy.**

The purpose of this hearing is to take public comment on a proposed new subdivision on 152+/- acres east of the school district's main campus to include 404 total dwelling units and two commercial buildings.



**8. Preliminary Plat Approval – Collins Ridge subdivision at 820 E. 92 Hwy.**

Applicant seeks approval of a Preliminary Plat to create a new mixed-use subdivision to include 404 dwelling units and 2 commercial spaces east of the main school campus.

**9. Adjourn**



SMITHVILLE PLANNING COMMISSION

REGULAR SESSION

April 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, Mayor Damien Boley, Rob Scarborough, Billy Muessig and Deb Dotson.

Staff present: Jack Hendrix, Brandi Schuerger, and Will Stubbs.

**2. MINUTES**

The February 10, 2026, Regular Session Meeting Minutes were moved for approval by MUESSIG, Seconded by ALDERMAN WILSON.

Ayes 6, Noes 0, Abstain 1 (Scarborough). Motion carried.

**3. STAFF REPORT**

HENDRIX reported:

At our June 9<sup>th</sup> meeting we will potentially have our first submittal for the South Employment Overlay District application.

Clay Creek Meadows Phase 2 will be recording their plat soon. Once recorded building permits can start being submitted for review.

We have issued 25 residential building permits since January 1, 2026.

The new strip malls located at the site of the old Kay Furniture building is complete. Pizza Shoppe is moving into one of the spaces and will have their final inspection on Friday.

Anticipates receiving an application for an 8,600 square foot stand-alone building at the Smithville Plaza. 5,000 square foot will be a restaurant and the other remaining 3 units in the building will be 1,200 square feet each. This building will have a fire sprinkler. This may also be on our June 9<sup>th</sup> meeting agenda.

There is a possibility for 2 different applications for Battery Energy Storage System facilities on our agendas this year.

#### **4. PUBLIC HEARING – SINGLE PHASE FINAL PLAT – WEATHERSTONE 2**

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED FINAL PLAT FOR A NEW 20 LOT RESIDENTIAL SUBDIVISION**

**Public hearing opened.**

HENDRIX informed the commission that the Staff Report and Plat document were provided in the packet. The applicant is here to answer any questions.

No Public Comment.

**Public hearing closed.**

#### **5. SINGLE PHASE FINAL PLAT – WEATHERSTONE 2 SUBDIVISION**

- **APPLICANT SEEKS APPROVAL FOR A FINAL PLAT FOR 20 ADDITIONAL LOTS IN THE WEATHERSTONE SUBDIVISION**

HALL motioned to approve the Final Plat for Weatherstone 2 subdivision. Seconded by SCARBOROUGH.

## **Discussion:**

HENDRIX stated that the Staff Report was included in the packet. This simply ties Diamond Creek into Fourth Terrace. If you've looked at the GIS map in the last 25 years, you've seen all of the undeveloped lots in that area. Those are Weatherstone and the developer of this project purchased those lots. He is going to build the streets and install the water and sewer. His plan is to be the primary builder. The zoning doesn't have to change. It's all R-1B, and he's matching the lot sizes of the existing lots around there. Staff recommendation is for approval.

SCARBOROUGH asked if there are any plans to connect that neighborhood to downtown as far as walkability.

HENDRIX stated that currently there are sidewalks on First Street, but they stop at the Housing Authority and don't go any further up. There is a potential for this in the future. There will be sidewalks inside the subdivision.

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

**AYES-7, NOES-0. MOTION PASSED**

### **6. PUBLIC HEARING – CONDITIONAL USE PERMIT – ACCESSORY DWELLING UNIT (ADU) AT 1600 E. MAIN STREET**

- THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED ADU BEHIND THE EXISTING HOME AT 1600 E. MAIN STREET**

**Public hearing opened.**

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

No Public Comment.

**Public hearing closed.**

**7. CONDITIONAL USE PERMIT -ADU AT 1600 E. MAIN ST.**

- **APPLICANT SEEKS A CONDITIONAL USE PERMIT TO CONSTRUCT AN ADU BEHIND THEIR HOUSE AT 1600 E. MAIN ST.**

ALDERMAN WILSON motioned to approve the Conditional Use Permit for an ADU at 1600 E. Main Street. Seconded by DOTSON.

**Discussion:**

STUBBS stated everything in this applications follows the ADU guidelines. The property is zoned A-1. Clay County Health Department will need to approve the additional plumbing traps since the property has a septic system. The property is under single ownership. The sizing and location is appropriate. It's located within 100 feet of the primary dwelling and is 86% of the size of the primary dwelling. Lot coverage is well within the maximum. The only potential issue is that the driveway itself is over 100 feet long. If an emergency would happen, we would want to make sure that there are no issues with First Responders making their way down the driveway and having long enough hoses to get there.

HENDRIX did discuss this with Chief Cline. He has no regulations that would require a fire access drive in residential or agricultural. The homeowners will be made aware that if there's a fire down there, it'll take a while to get all the hoses put together to get down there. It's 700 and some feet from the road, but the existing house is 550 feet from the road. The gravel drive entrance is not sufficiently stable enough for them to drive their truck on it. If it's been raining at all, they won't even go down it, because it'll sink their truck and that doesn't do anybody any good.

DOTSON asked if the homeowner will be made aware of this.

HENDRIX stated the homeowner will be made aware of it. They have to pull a building permit, and we'll address it all then.

SCARBOROUGH stated that he thought that the ADU ordinance requires them to recertify every 3 years. Will there be any interior inspections during that time to certify it hasn't become a business.

STUBBS stated no. There is an affidavit that will be signed by the owner confirming they understand they can't have a business located in the ADU.

HENDRIX stated that is more of an enforcement issue. If we discover a business located within the ADU, this is a violation of the terms of that conditional use permit and would allow us to remove their conditional use permit. This would also eliminate the zoning authority to even run as an accessory dwelling unit. We don't really have any provisions other than our normal enforcement provisions. And that's the biggest issue we have in residential and agricultural zonings is people running home occupations that aren't allowed under our zoning code, or they never get a business license. Those are hard to catch. But we do have other ordinances that deal with them.

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

**AYES-7, NOES-0. MOTION PASSED**

## **8. PUBLIC HEARING – BATTERY ENERGY STORAGE SYSTEM (BESS) ORDINANCE**

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON AN ORDINANCE THAT WOULD PROVIDE SPECIFIC REGULATIONS CONCERNING THESE USES.**

**Public hearing opened.**

HENDRIX stated an updated ordinance was placed on the commissioner's desks.

**Melissa Vancrum – Rouse, Frets, White, Goss Law Firm 801 W 47<sup>th</sup> Street Suite 500 Kansas City, MO 64112**— Stated it's clear that a great deal of thought has gone into this ordinance, and having worked on similar

projects across the country, this is one of the more well-considered examples. It reflects professional standards and provides meaningful guidance, which benefits both the community and applicants by offering protection, predictability, and clarity. This BESS is a proven technology that supports grid reliability, which is especially important for a growing area like Smithville, and it also brings strong economic benefits, including tax revenue and construction jobs. There are a couple of areas that may be worth further consideration, though some may already be addressed in the updated ordinance. While the standards work well for agricultural districts, they may be less suitable for industrial districts, where conditions and surrounding uses differ significantly. Industrial areas already rely on a site plan review process that evaluates setbacks, buffering, lighting, and impacts on a case-by-case basis and treating this use similarly could provide greater flexibility while maintaining appropriate oversight. Another important consideration is fire safety. While the ordinance appropriately references emergency response planning, prescribing specific fire suppression methods may be less effective given how quickly the technology is evolving. Pointing instead to recognized standards and allowing experts to determine best practices would help ensure safety measures remain current and effective. Overall, this is a great ordinance, and we appreciate the time and effort of staff and officials in developing and considering it.

**Public hearing closed.**

## **9. BATTERY ENERGY STORAGE SYSTEM ORDINANCE**

- **PROPOSED NEW REGULATIONS CONCERNING THESE USES THAT ARE CURRENTLY ALLOWED IN OUR CODE, BUT THERE ARE NO SPECIFIC REGULATIONS ON HOW THEY ARE ADDRESSED**

HALL motioned to approve the Battery Energy Storage System Ordinance. Seconded by SCARBOROUGH.

**Discussion:**

HENDRIX addressed some of the questions raised by Ms. Vancrum about the ordinance and the changes that have been proposed. To clarify distinctions between industrial and non-industrial areas, the language was revised from "industrial and agricultural" to "industrial and non-industrial" to avoid the need for future amendments. Currently, the use is allowed only with conditional use permits in A-1 and I-1 districts, but the existing standards are extremely limited and do not adequately address issues such as fire safety. Staff believes adding regulations is preferable to relying on unclear or indirect provisions. In developing the ordinance, staff reviewed Missouri examples and found the most comprehensive model in Cass County. The proposed ordinance was adapted through revisions made in consultation with the fire chief and inspectors to determine what standards were necessary. As discussions continued with potential applicants, concerns arose, particularly about applying agricultural-style standards to industrial districts. Because Smithville already has a robust site plan review process for industrial uses that addresses setbacks, buffering, lighting, and similar issues, the ordinance was adjusted so projects in industrial districts follow that existing process. Separate setbacks and buffers were retained for non-industrial areas, which currently are agricultural districts, because those areas often abut residential subdivisions and lack clear, directive standards. The proposal includes a 100-foot setback from all property lines, increased to 250 feet from any residential structure, including existing homes and platted but undeveloped residential lots, to better protect where people live while maintaining flexibility for unplatted land. Noise standards were also reconsidered after discussions with the Chief of Police, who noted that a 50-decibel limit is lower than normal conversational noise and would be impractical to enforce, especially in industrial districts where ambient noise is common. Because these facilities are generally quiet after construction and construction noise is already regulated, the recommendation is to delete the noise provisions and rely on the city's existing noise ordinance. Additional changes include requiring eight-foot-high fencing in all districts as a protective measure. Finally, in response to concerns about fire safety, the ordinance was revised to remove prescriptive fire suppression methods and instead rely on NFPA 855 and International Fire Code standards. The Fire Chief recommended this approach because those are the standards enforced locally and they update regularly as technology evolves. Given how rapidly this field is changing, referencing these nationally recognized standards will ensure the ordinance remains effective without requiring frequent amendments.

HALL asked Fire Chief Dave Cline if since the codes update every 3 years, does the city adopt them every 3 years?

CHIEF CLINE stated the adopted code does not automatically update every 3 years, but it is a cycle that we're working towards with the fire code to keep up to the most current. There's some years, especially the fire code, there aren't necessarily changes that are applicable that worth the work of going through adopting to the most current. That's kind of the guide that we use. I think that is the best approach, though, is to have the most current version of the particular standard reference and we'll just take it then on a case-by-case basis.

MUESSIG asked if the 855 code actually cover battery installations?

CHIEF CLINE stated that it does. It addresses the monitoring system and the suppression system that goes along with that. This technology has greatly evolved and quickly as it's kind of changed with even with the design of the systems, the containers themselves, what types of buildings or structures to put in so that it does go along with the speed of the change. He thinks the current standards that are in there address where it comes to the monitoring. To him, the monitoring is as important as the suppression system and in training and discussions that we've had they're able to shut those devices down and structures down even when things start to get a little out of line long before an actual runaway.

HENDRIX explained that he would like to highlight that the ordinance as drafted would be substantially similar to what would be presented to the Board of Aldermen if approval is recommended by this commission tonight. It adopts a new provision establishing specific standards and then adds those provisions to each district where the use is currently allowed. The first change is in Chapter 570, the conditional use permit section, where these standards would be included under the city's supplementary district regulations, similar to how standards exist for uses like boarding kennels and indoor firing ranges. Chapter 570 would incorporate these requirements directly into the CUP process, using the minimum standards outlined in the staff report and referencing additional requirements already established for other uses so they are reviewed consistently and defensible if challenged. The I-1 and A-1 district provisions simply add battery energy storage systems explicitly to the existing language. Staff and the city attorney believe the current categories, such as electric generation plants and utility facilities, are already broad enough to include these uses, meaning they are

effectively allowed today with no specific regulation. This ordinance clarifies that allowance and applies conditional use permits to ensure standards are met. A new provision is also added for the I-2 district. Although no heavy industrial districts currently exist, battery energy storage systems would be permitted there without a conditional use permit as long as they comply with the adopted safety and fire protection standards, unless they are located within 500 feet of a residential structure or lot. In that case, a conditional use permit would be required to provide additional transparency and an opportunity for public comment. The zoning structure already intends I-2 districts to be buffered from residential areas by less intensive industrial districts, and this approach maintains that separation. The final page includes the required Planning Commission statement for a text amendment, along with suggested language for consideration.

ALDERMAN WILSON stated she was reading the conditional use permit. On item 3 page 2, the Large-Scale BESF are prohibited within 250 feet of existing residential dwellings. I personally would like to see that further away. So why 250? Why not 500 like you're doing in the other?

HENDRIX stated the distance is more than any of the other buffers we have anywhere else. The biggest we have is generally 185 feet for notices, etc. Cass County had 250 feet. I thought it was a reasonable number. But if I wanted to bring it into the I-2 district, I wanted that to stretch it out to 500 feet.

DOTSON asked if there was any future or existing residential would be affected by this?

HENDRIX stated no platted lots within or adjacent to any of this for residential. A future residential area would know there's something in place. The first application will likely be coming in on the south side of 148<sup>th</sup> Street. 148th Street is the extension of Commercial Street. The north part of Outrig Storage, that north 10 acres, is where this would be. So, there's no houses near that area. It's up on the west side by the existing Evergy plant. The other potential application is way down south right next to Kansas City. There is a house near that one. The problem with getting the bigger areas like that is it reduces the usable space on a specific parcel substantially, because with the 500 feet, theoretically could be on 3 sides of it, or 2 sides of it. So, you're talking about a 40-acre parcel and you're probably taking 10 or 12 acres that become unusable. So, 250 feet is a lot when you sit down and look at it.

SCARBOROUGH asked what the risks versus rewards are for having a battery storage facility inside of our city limits.

HENDRIX explained that the risks associated with the technology are largely mitigated by current safety standards, particularly those required under NFPA 855. The reward is that the equipment remains taxable, meaning it would still generate property tax revenue.

ALDERMAN WILSON spoke about a conversation regarding the type of facility that would be built, and you and I talked about if something were to happen of that going up instead of out. Would that be done in the site plan review or how is that taken?

HENDRIX stated that would be handled through the ERP, the emergency response program. All of the fire safety stuff is going to be a check off list that Chief Cline or his successor handles. We want the Fire Department handling the fire stuff. All of the emergency response protocols will be provided to the Fire Department, and he will either like it or not. At the time we get an application, we will probably know that. But the information I gave you about the off-gassing and stuff came directly from Chief Cline.

DOTSON asked if there would be any annual routine inspections by the Fire Department.

CHIEF CLINE stated that there are requirements for them to provide annual reporting. With how these facilities are set up he doesn't believe the Fire Department will do any onsite inspections. These are secure facilities. Inspections could be arranged if needed but from the Fire District side of this we would rely on subject matter experts and a 3rd party inspection and certification. Just like we do with the marijuana grow facility. They have processes in there that we do approve, but we don't do the final inspection. We rely on third party testing. I could check the box and say, yeah, this looks okay, but I rely on them to make that certification.

MUESSIG asked if there are any tax incentives?

HENDRIX stated that there are no incentives. They are doing this purely as an investment.

MAYOR BOLEY stated that it is taxed as commercial property tax and decreases the burden on the residential property tax.

HENDRIX stated that it's taxed at a higher rate. It's not taxed at the residential rate of 0.19 X \$100 assessed valuation. It's taxed at 0.32.

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

**AYES-7, NOES-0. MOTION PASSED**

## **10. ADJOURN**

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

VOICE VOTE: UNANIMOUS

CHAIRMAN CHEVALIER declared the session adjourned at 7:54 p.m.

Not Yet Approved



**Planning and Zoning Commission  
Procedural Summary**

**MEETING DATE:** 5/12/2026

**ACTION ITEM:** Site Plan Review

**AGENDA ITEM:** Site Plan Review – 1503 E. Main St.

**REQUESTED COMMISSION ACTION:**

A motion to approve the site plan for a new rental cabin facility at 1503 E. Main St.

**SUMMARY OF PROCEDURE:**

The application is to obtain site plan approval for 9 rental cabins totaling 5,616 ft<sup>2</sup> and 6 RV parking spots on 1.78 acres adjacent to Smith’s Fork Park.

In order to evaluate the submission, the following items should be considered, to the extent possible.

1. The extent to which the proposal conforms to these regulations.
2. The extent to which the development would be compatible with the surrounding area.
3. The extent to which the proposal conforms to the provisions of the City's subdivision regulations concerning the design and layout of the development, as well as water system, sewer system, stormwater protection and street improvements.
4. The extent to which the proposal conforms to the policies and provisions of the City's Comprehensive Plan.
5. The extent to which the proposal conforms to the adopted engineering standards of the City.
6. The extent to which the locations of streets, paths, walkways and driveways are located so as to enhance safety and minimize any adverse traffic impact on the surrounding area.
7. The extent to which the buildings, structures, walkways, roads, driveways, open space and parking areas have been located to achieve the following objectives:
  - a. Preserve existing off-site views and create desirable on-site views;
  - b. Conserve natural resources and amenities available on the site;
  - c. Minimize any adverse flood impact;
  - d. Ensure that proposed structures are located on suitable soils;
  - e. Minimize any adverse environmental impact; and
  - f. Minimize any present or future cost to the municipality and private providers of utilities in order to adequately provide public utility services to the site.

**ATTACHMENTS:**

- |  |   |
|--|---|
| <input type="checkbox"/> Resolution              | <input checked="" type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Other:           |



## STAFF REPORT

Site Plan Review of Parcel Id #05-618-00-01-009.00 & 05-604-00-01-003.02

---

### Application for Site Plan Approval

Code Sections:

400.390 – 400.440

Site Plan Approval

Property Information:

Address: 1503 E. Main Street

Owner: OTOE Missouriia Park LLC and Lepe Construction LLC

Current Zoning: B-3

Application Date:

03/05/2026

**GENERAL DESCRIPTION:** The applicant seeks to obtain site plan approval for a new rental Cabin complex with 4-754 ft<sup>2</sup>, 5-520 ft<sup>2</sup> cabins; 6 RV Pads and 18 parking spaces at 1503 E. Main St.

### Section 400.425 Standard of Review

1. The extent to which the proposal conforms to these regulations. B-3 zoning allows rental cabins, and this specific proposal matches the Comprehensive Plan's recommendation of a future Smith's Fork Park Commercial Overlay District to encourage more visitors to Smithville Lake.

A. **Building Materials.** The exterior building materials utilized relate to the residential style use as rental cabins. All buildings will have standing seam metal roofs, with Smart siding and trim on all sides; vinyl windows and fiberglass doors. The planned design and materials meet or exceed the minimum standards in our ordinances.

B. **Building Color.** Color schemes shall strive to tie building elements together, highlight significant architectural details consistent with

original usages and generally enhance the historic nature of the area. The cabins will use one of three color schemes that use general earthtones (beige, evergreen fog and pool house blue) with complementary siding and window colors. The metal roofs will be Dark Charcoal.

- C. Building Massing and Facade Treatment. Any wall exceeding sixty (60) feet in length shall include vertical architectural features such as columns, ribs, pilasters, piers, changes in wall planes, changes in texture or materials and window/door pattern no less than twelve (12) inches in width. Each cabin is less than half the stated length, and the wall articulations are focused on gable ends, along with lean to style roof and wall lines on the loft versions. The buildings are not of the size that requires multiple articulations in either horizontal or vertical versions.
- D. Site Layout Principles.
  - 1. Buildings located mid-block should be oriented with the primary facade facing the public right-of-way. A minimum of sixty percent (60%) of the off-street parking spaces provided shall be located in the side or rear yard areas. The remaining forty percent (40%) of spaces may be located between the facade and the right-of-way. The site plan follows the more residential nature of these buildings, with a single entrance, all parking facing a central courtyard similar to a more residential layout.
  - 2. Primary Facades and Landscaping. There is a well-defined entrance on each cabin facing the inner courtyard with windows on each side of the building for internal light and air. doors. Landscaping includes 28 trees and 92 Shrubs focused along the public road frontage and the west property line.
- 2. The extent to which the development would be compatible with the surrounding area. The building aesthetics generally fit in with the intended use, as nearby buildings are a very large church, and primarily agricultural type barns and buildings over 900 feet from the entrance.
- 3. The extent to which the proposal conforms to the provisions of the City's subdivision regulations concerning the design and layout of the development, as well as water system, sewer system, stormwater protection and street improvements. All utilities will be served to the development in accordance with design standards. The proposed layout will not increase the amount of off-site stormwater runoff and will comply with engineering standards. Stormwater detention is not desirable due to the proximity to the floodplain as detention in a floodplain is generally prohibited.

4. The extent to which the proposal conforms to the policies and provisions of the City's Comprehensive Plan. The plan is agreeable with the 2030 Comprehensive Plan, provisions, particularly the future overlay for commercial uses including "commercial establishments relating to Smithville Lake that encourage more visitors and customers to the area."

5. The extent to which the proposal conforms to the adopted engineering standards of the city. The buildings will be constructed in accordance with all building codes.

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

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

a. Preserve existing off-site views and create desirable on-site views; No off-site views will be diminished.

b. Conserve natural resources and amenities available on the site; There are no current natural resources or amenities on the site.

c. Minimize any adverse flood impact; The area is adjacent to the floodplain so detention in this area is excluded to lessen flood impacts.

d. Ensure that proposed structures are located on suitable soils; The area was formerly a home site, and much of it fully undeveloped former farmlands. The development's landscaping plan brings in acceptable plants.

e. Minimize any adverse environmental impact; All erosion control will be in place during construction. No adverse environmental impact is expected.

f. Minimize any present or future cost to the municipality and private providers of utilities in order to adequately provide public utility services to the site. All utilities and infrastructure will be constructed in compliance with current city standards.

#### STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Site Plan conditioned upon construction meeting the requirements of final approved plans.

Respectfully Submitted,

---

Director of Development

# Smithville Lake Cabins

## Color Elevations

# Option 1



Material Schedule	
1. Standing Seam Metal Roof	Dark Charcoal
2. Smart Siding	Accessible Beige SW7036
3. Smart Trim	Iron Ore SW7036
4. Vinyl Windows	Black Vinyl
5. Treated Cedar Posts	
6. Fiberglass Door	Iron Ore SW7036

1 Front Elevation  
SCALE: 1/4" = 1'-0"



3 Right Elevation  
SCALE: 1/8" = 1'-0"



4 Rear Elevation  
SCALE: 1/8" = 1'-0"

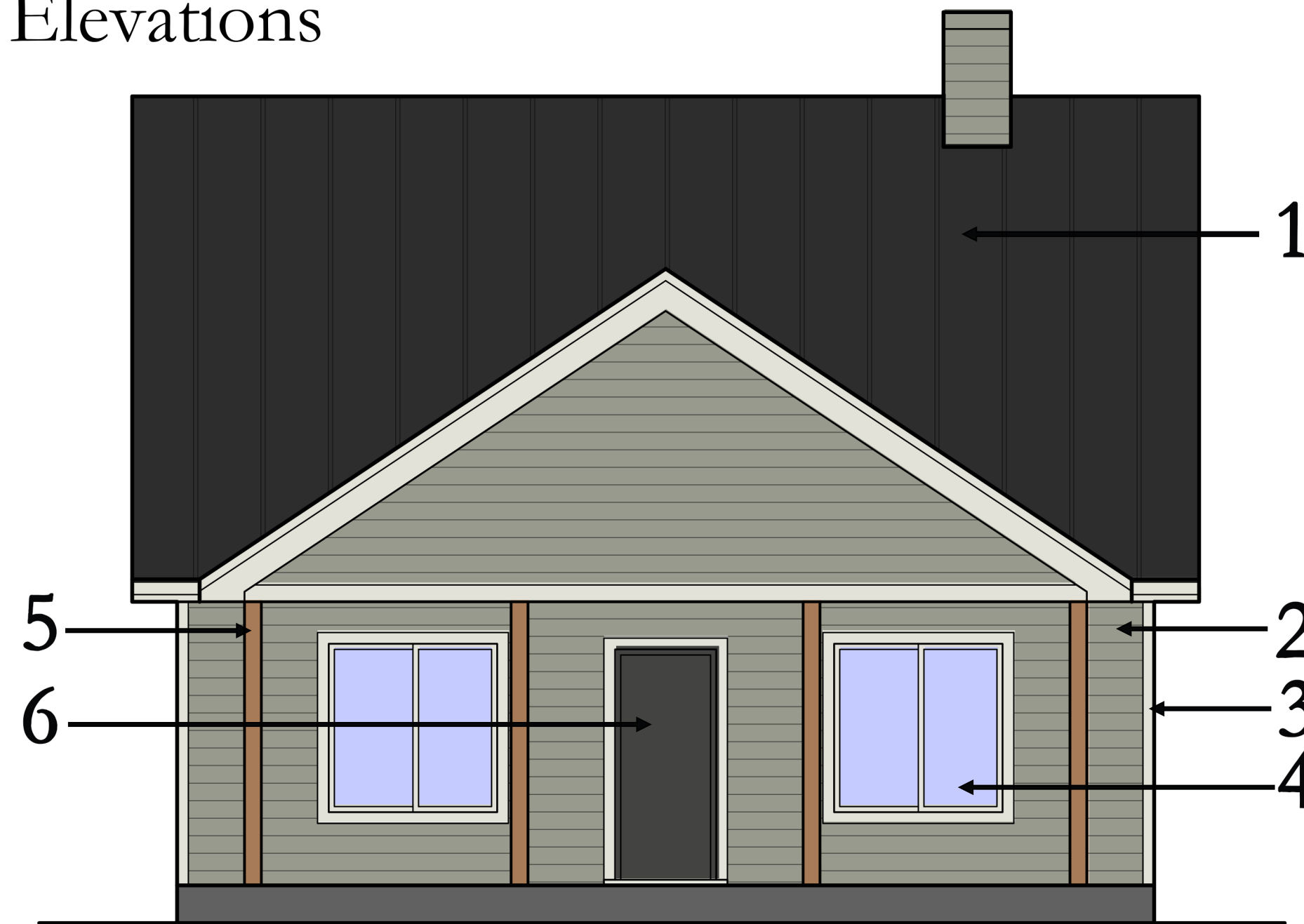


2 Left Elevation  
SCALE: 1/8" = 1'-0"

# Smithville Lake Cabins

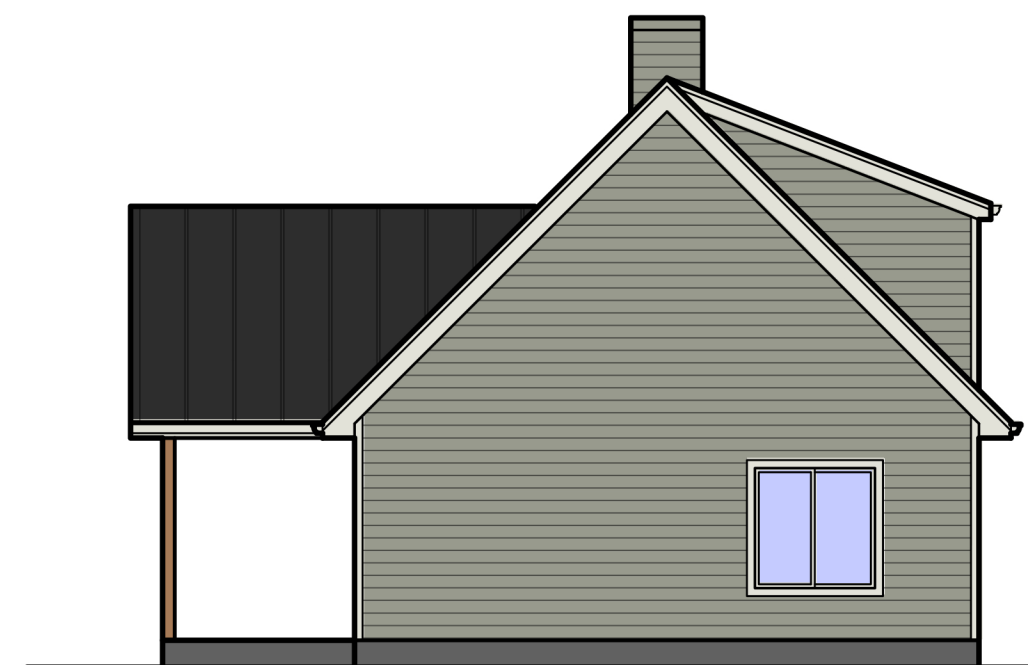
## Color Elevations

# Option 2

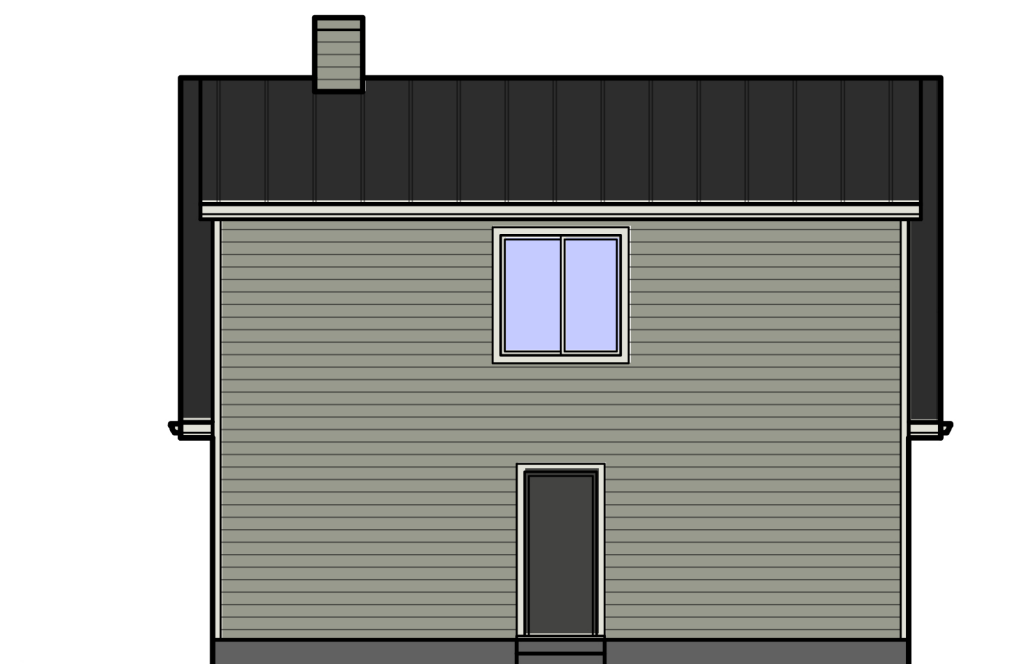


Material Schedule	
1. Standing Seam Metal Roof	Dark Charcoal
2. Smart Siding	Evergreen Fog SW9130
3. Smart Trim	Ethereal White SW6182
4. Vinyl Windows	White Vinyl
5. Treated Cedar Posts	
6. Fiberglass Door	Iron Ore SW7069

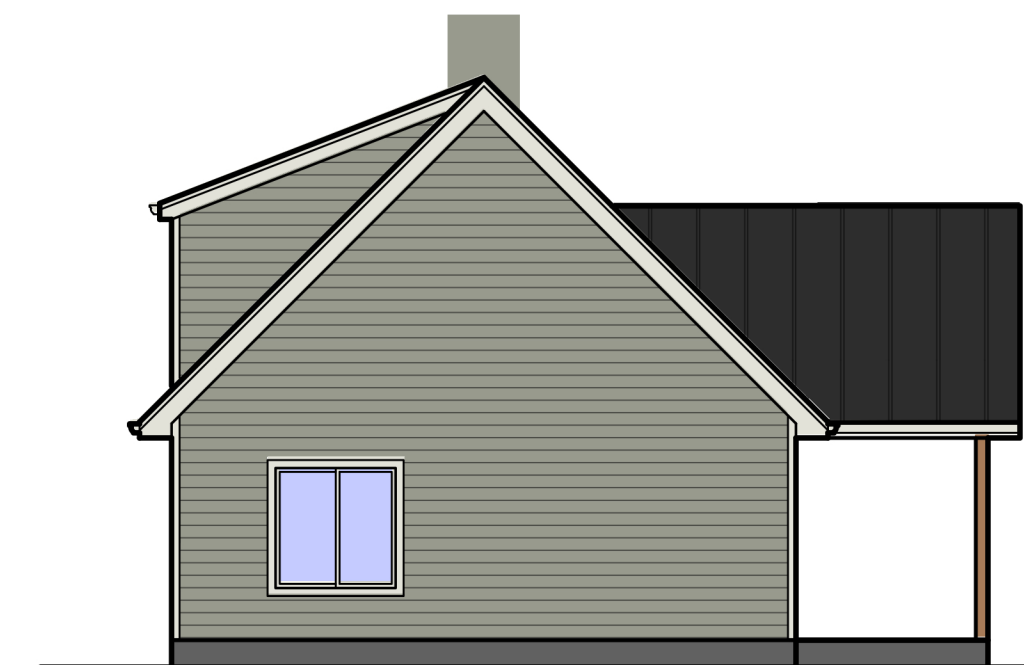
1 Front Elevation  
SCALE: 1/4" = 1'-0"



3 Right Elevation  
SCALE: 1/8" = 1'-0"



4 Rear Elevation  
SCALE: 1/8" = 1'-0"

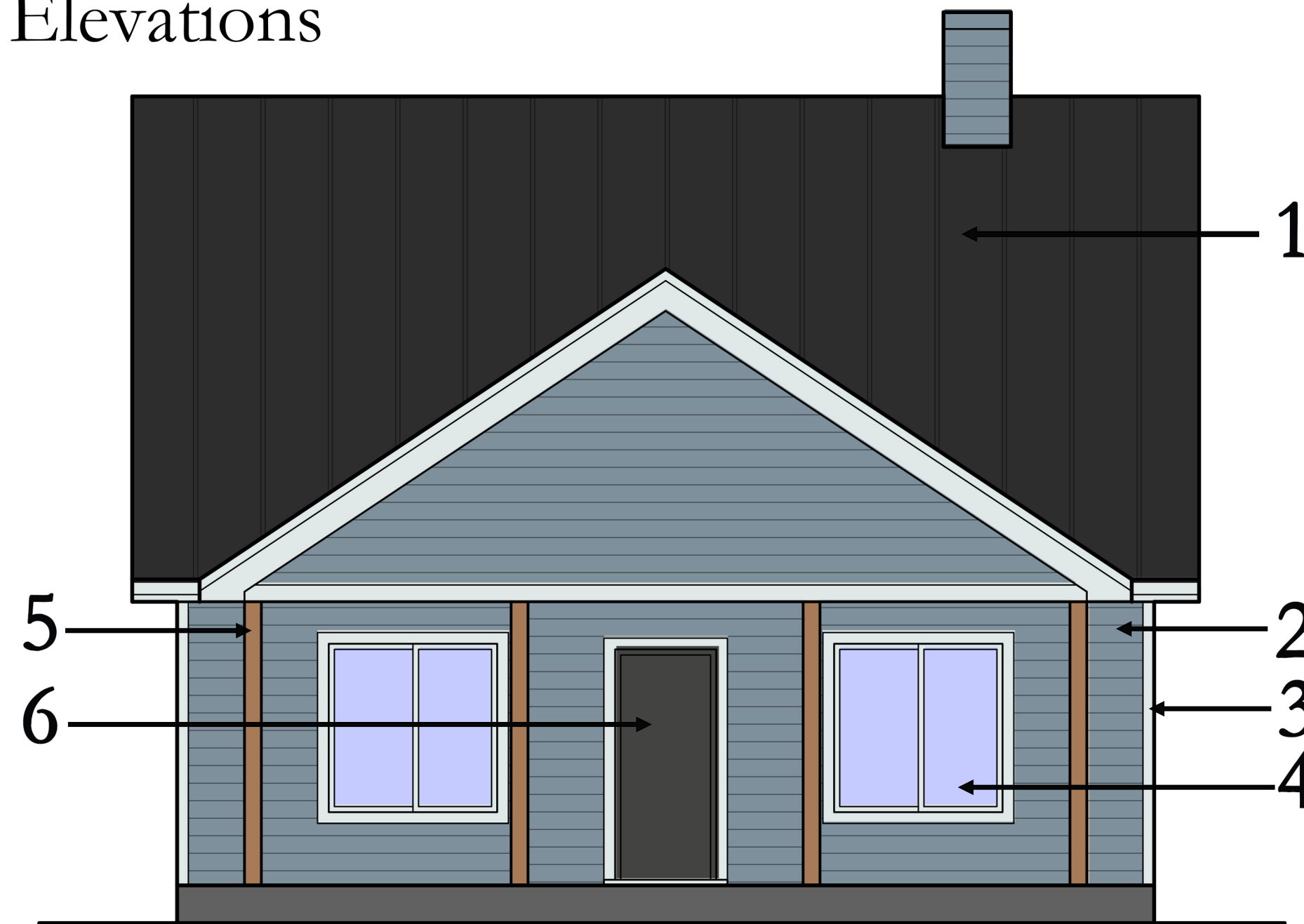


2 Left Elevation  
SCALE: 1/8" = 1'-0"

# Smithville Lake Cabins

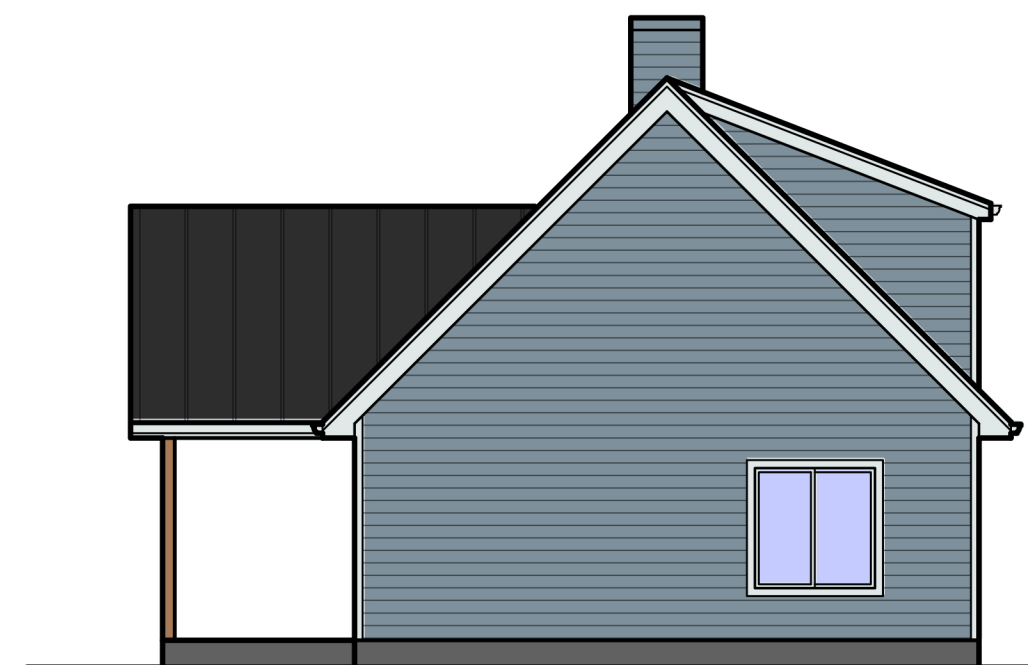
## Color Elevations

# Option 3

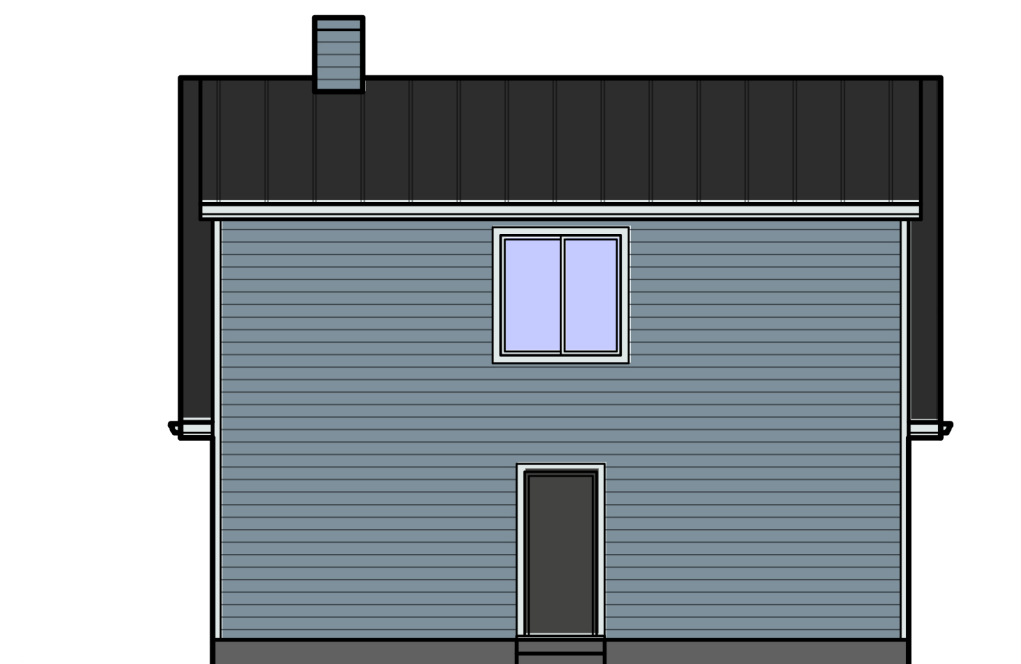


<u>Material Schedule</u>	
1.	Standing Seam Metal Roof Dark Charcoal
2.	Smart Siding Pool House SW7603
3.	Smart Trim Snow Drop SW6511
4.	Vinyl Windows White Vinyl
5.	Treated Cedar Posts
6.	Fiberglass Door Iron Ore SW7069

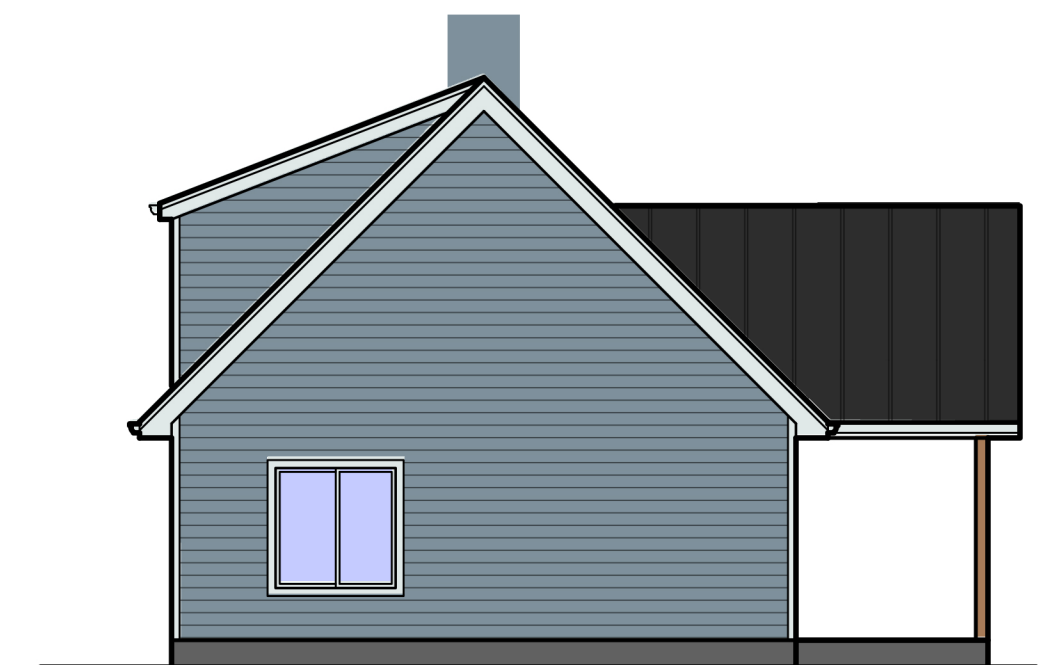
1 Front Elevation  
SCALE: 1/4" = 1'-0"



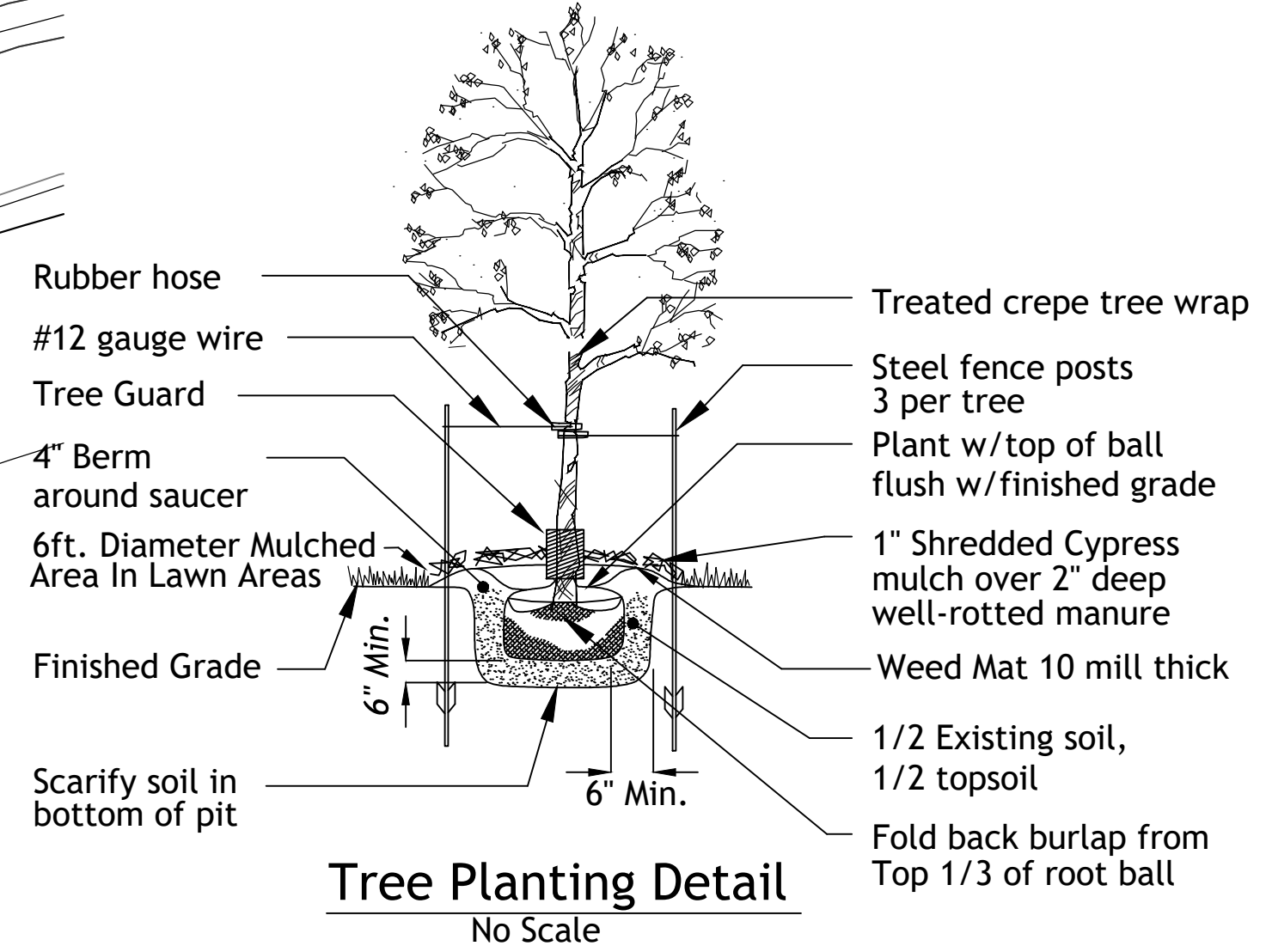
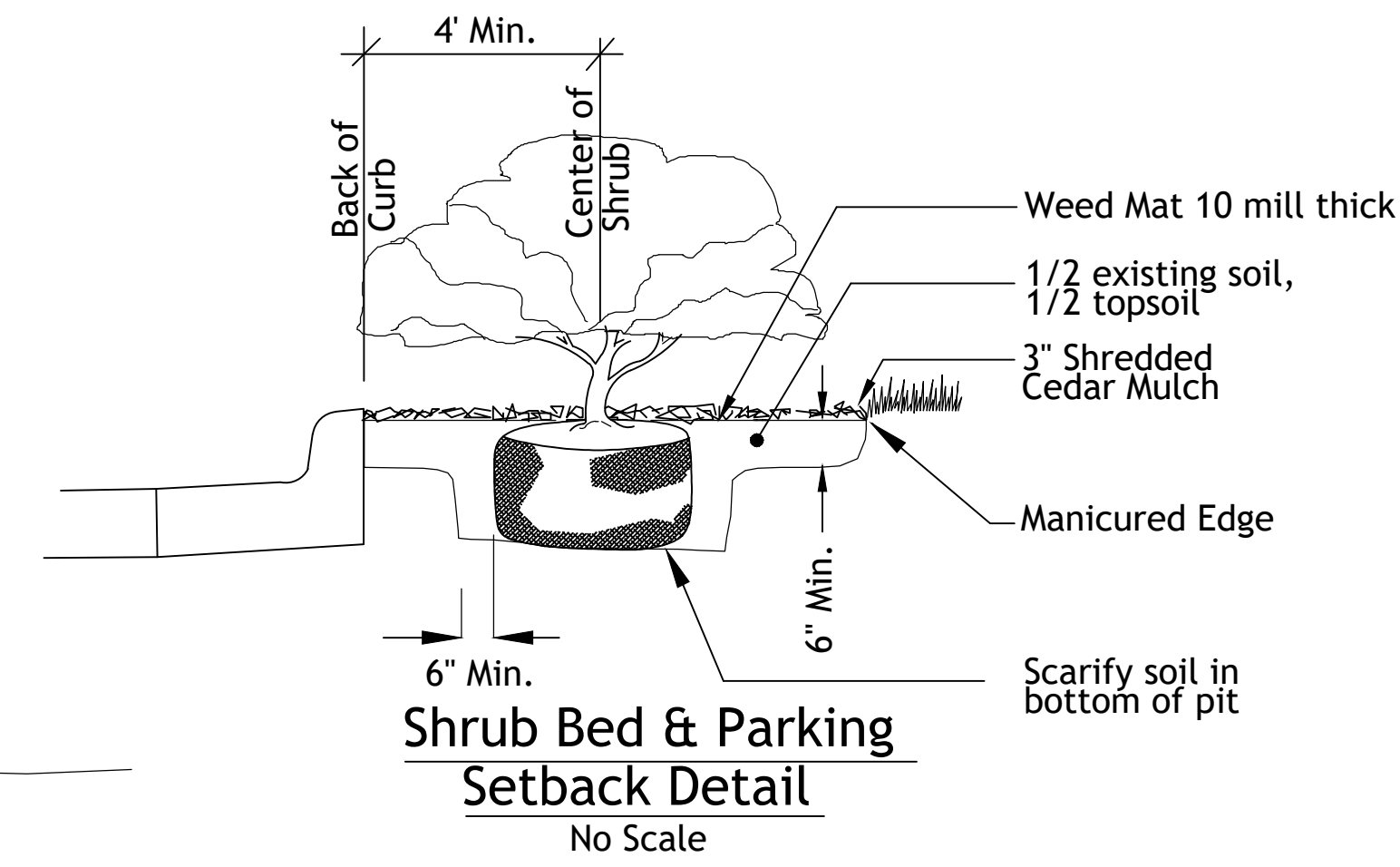
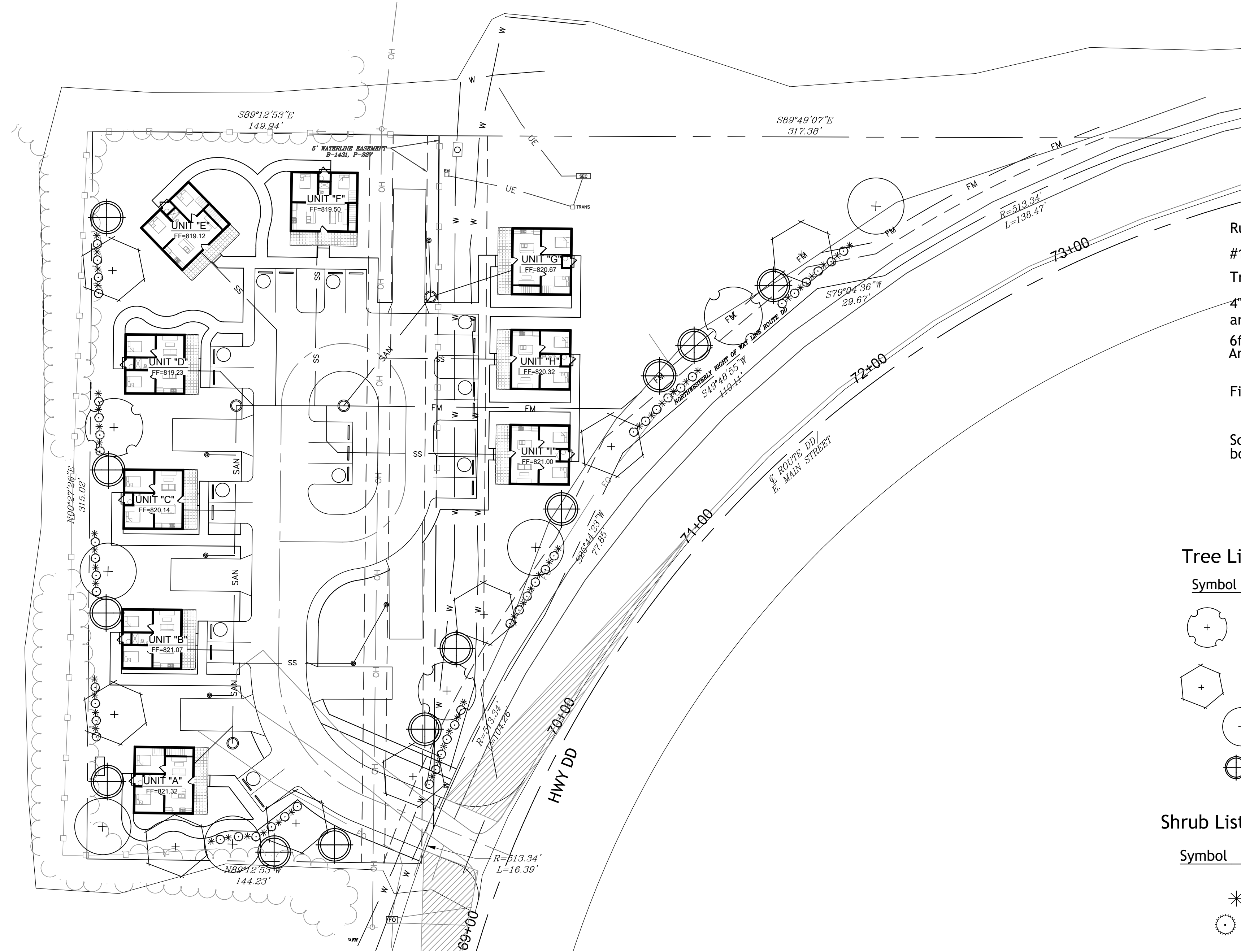
3 Right Elevation  
SCALE: 1/8" = 1'-0"



4 Rear Elevation  
SCALE: 1/8" = 1'-0"



2 Left Elevation  
SCALE: 1/8" = 1'-0"

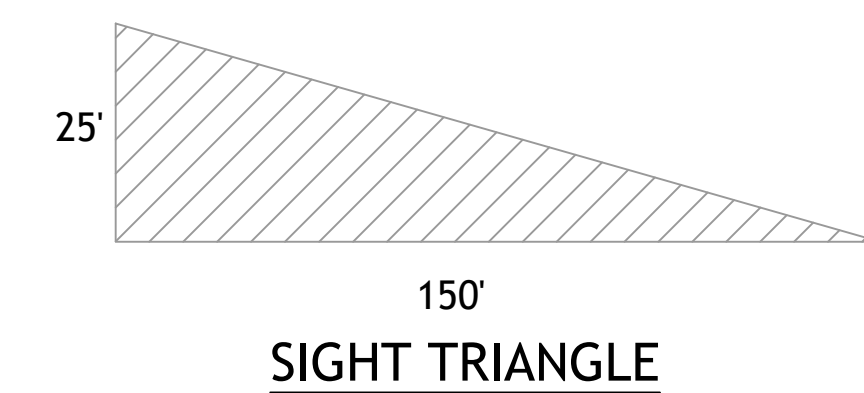


**Tree List**

Symbol	Quantity	Common Name	Botanical Name	Size	Condition	Spacing
+	3	River Birch	Betula Nigra 'Heritage'	2" cal	BB	As Shown
+	8	Skyline Honeylocust	Gleditsia Triacanthos 'Skyline'	2" cal	BB	As Shown
+	5	Red Oak	Quercus Rubra	2" cal	BB	As Shown
+	12	Amur Maple	Acer Ginnala 'Flame'	1 1/2" cal	BB	As Shown

**Shrub List**

Symbol	Quantity	Common Name	Botanical Name	Size	Condition	Spacing
*	46	Morning Light Maiden Grass	Miscanthos Sinensis 'Morning Light'	3 gal.	Cont.	3'o.c.
○	46	Seagreen Juniper	Juniperus Chinensis 'Seagreen'	18"-24'sp.	Cont.	4'o.c.



**LANDSCAPE NOTES**

CONTRACTOR REQUIRED TO LOCATE ALL UTILITIES BEFORE INSTALLATION TO BEGIN.

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

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

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

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

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

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

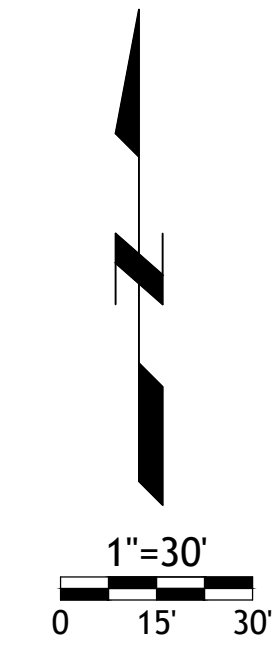
Sizes indicated on the plant list are the minimum, acceptable size. In no case will sizes less than specified be accepted.

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

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

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

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



DATE: 4-21-26

**SMITHVILLE CABINS**  
SMITHVILLE, MO

**LANDSCAPE PLAN**

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

SHEET 1 OF 1

FOUND 1/2" BAR WITH CAP  
STAMPED PLS-2016042019

S89°12'53"E  
149.94' (M)  
150.00' (D)

POINT OF BEGINNING  
NORTHEAST CORNER OF THE SOUTHEAST  
QUARTER OF SECTION 23-53-33  
NORTHWEST CORNER OF THE SOUTHWEST  
QUARTER OF SECTION 24-53-33  
FOUND 3" GAS CAP ON PIPE STAMPED LS-61

S89°49'07"E  
317.38'

NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24-53-33  
BASED ON THE ANGLES SHOWN ON THE PLAT OF GRACE COMMUNITY CHURCH

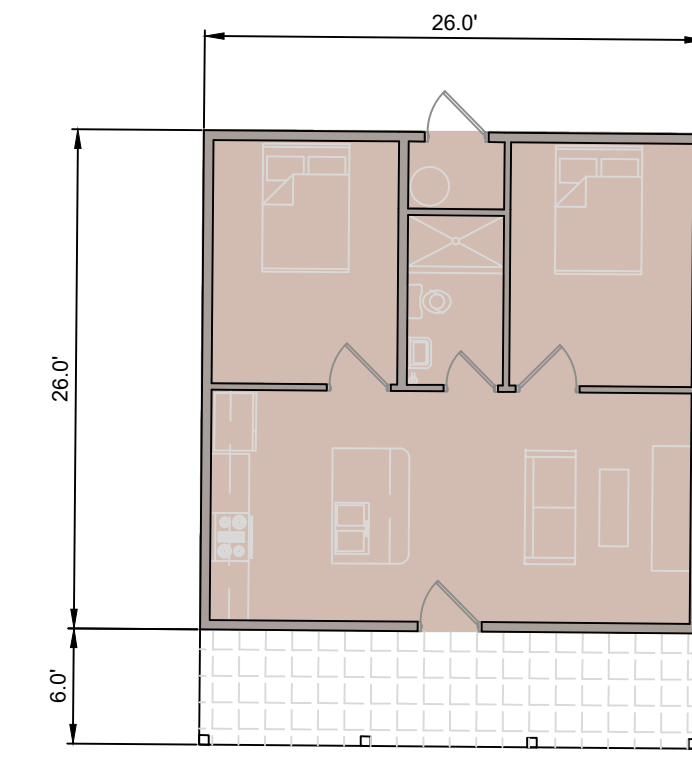
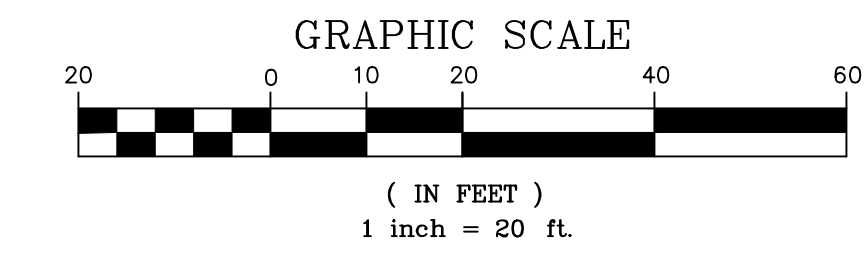
TRACT 2  
31,130 SQUARE FEET  
0.71 ACRES

TRACT 1  
47,187 SQUARE FEET  
1.08 ACRES

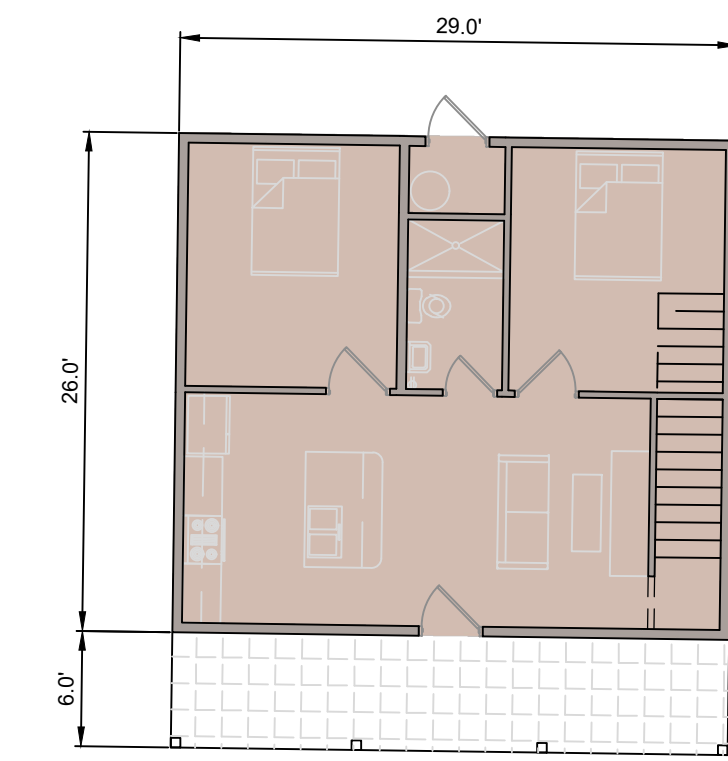
ITEM NO. 4  
5' WATERLINE EASEMENT  
B-1431, P-227

DEVELOPMENT DATA

- TOTAL UNITS - 9
- 26'X29' LOFT UNITS - 4
- 26'X26' NO LOFT UNITS - 5
- TOTAL PARKING STALLS - 18
- TOTAL RV PADS - 6
- TOTAL LAND AREA - 1.8 AC. +/-



LAKE CABIN 2  
NO LOFT  
UNITS B, C, D, H & I



LAKE CABIN 3  
WITH LOFT  
UNITS A, E, F, & G

N00°27'26"E  
315.02'

NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 23-53-33

N89°12'53"W  
144.23'

FOUND 1/2" BAR WITH CAP  
STAMPED PLS-2016042019

R=513.34'  
L=16.39'

R=513.34'  
L=104.26'

S89°44'23"W (M)  
77.85'

S89°43'28"W (D)  
77.88'

S49°48'55"W (M)  
110.11'

S49°48'00"W (D)

S79°04'36"W (M)  
29.67'

S79°03'41"W (D)

R=513.34'  
L=138.47'

ITB: S72°11'01"W

NO.	DATE	DESCRIPTION	REVISIONS
1			
2			
3			
4			
5			
6			
7			

SMITHVILLE AIR BNB  
SMITHVILLE, CLAY COUNTY, MISSOURI  
LAKE CABIN LAYOUT

R.L. Buford & Associates Engineering, LLC  
LAND SURVEYING - CIVIL ENGINEERS - DEVELOPMENT CONSULTANTS  
R.L. BUFORD & ASSOCIATES, LLC  
P.O. BOX 14889, PARKVILLE, MO. 64152 (816) 741-6152  
SEC. - IMP. - REG. COUNTY CLERK  
PLAN DATE: APRIL 2025  
CHECKED BY: [Signature]  
DRAWN BY: [Signature]



## STAFF REPORT

May 5, 2026

Rezoning of Parcel Id # 05-910-00-02-002.00 & a portion of 05-906-00-07-015.00

---

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: 820 E. 92 Highway  
Owner: Kindred Investment Co.  
Current Zoning: A-1  
Proposed Zoning: R-1C, R-3 and B-3

Public Notice Dates:

1<sup>st</sup> Publication in Newspaper: April 22, 2026  
Letters to Property Owners w/in 185': April 24, 2026

### GENERAL DESCRIPTION:

The applicant has applied proposing to rezone approximately 128 acres +/- from A-1 to R-1C, R-3 and B-3. The proposed zoning classifications allow for 60' wide lots of single-family residential, townhomes and commercial lots.

### EXISTING ZONING:

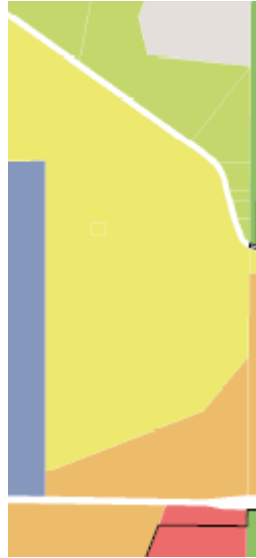
The existing zoning is A-1 and predates the annexation into the city limits.

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

The surrounding area adjacent to the project includes the Smithville R-2 school district's main campus to the west, and generally agricultural uses to the north and east. The property is adjacent to single family residential lots in Kindred Heights.

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

The existing Comprehensive Plan was approved in November of 2020 and delineates both "residential" (yellow 2-4 units per acre) and "moderate density residential" (orange – 5-18 units per acre) with commercial zoning across 92 Highway from the site.



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

##### Streets and Sidewalks:

The adjacent streets consist of Missouri State Highway 92 to the south where the primary entrance will be located, and Liberty Street to the north where the secondary entrance would be located before the 215<sup>th</sup> dwelling. All improvements will be at the expense of the developer and in accordance with existing APWA standards and the Transportation Master Plan.

##### Water, Sewer and Storm water

The city has water and sewer in the area, and stormwater is expected to be handled in the normal subdivision process, but the existing systems are adequate.

##### All other utilities

Future Development will be conditioned upon installation of all other needed utilities at the cost of the development.

#### SUITABILITY OF THE USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED UNDER ITS EXISTING ZONING *400.560.C.4*

The current use is A-1, agricultural. The property has remained undeveloped, but the northern portion was preliminarily platted as Kindred Heights in 1998, with

single family housing at the north end and future development further south on the parcel.

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

The property was zoned to its' existing district classification when annexed, and the agricultural nature hasn't changed.

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

The proposed district is complimentary to the school property to the west and is generally compatible within the Future Land Use map of the current Comprehensive Plan.

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 changes based upon the change meets the Comprehensive Plan recommendations.

Respectfully Submitted,

---

Zoning Administrator

---

**Fw: Concern Regarding Proposed Rezoning Across from 701 Liberty Street**

---

**From** Damien Boley <Mayor@smithvillemo.org>

**Date** Thu 4/30/2026 9:27 PM

**To** Jack Hendrix <JHendrix@smithvillemo.org>; Brandi Schuerger <bschuerger@smithvillemo.org>

**Cc** Cynthia Wagner <cwagner@smithvillemo.org>

Jack see below.

Mayor Damien Boley  
Mayor@smithvillemo.org

---

**From:** Kevin Kirtley <kkirt1@hotmail.com >

**Sent:** Thursday, April 30, 2026 8:52:46 PM

**To:** Damien Boley <Mayor@smithvillemo.org >

**Subject:** Concern Regarding Proposed Rezoning Across from 701 Liberty Street

**Allo Business Email Security**

**Warning:** Sender [kkirt1@hotmail.com](mailto:kkirt1@hotmail.com) is not yet trusted by your organization. Please be careful before replying or clicking on the URLs.

[Report Phishing](#) [Remove Banner](#)

powered by Graphus®

You don't often get email from [kkirt1@hotmail.com](mailto:kkirt1@hotmail.com). [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Boley,

I am unable to attend the May 12th meeting as I will be out of town. I would like you to please share my comments for consideration by the Board.

As a resident of 701 Liberty Street in Ward 1, I have strong concerns about the proposed rezoning of the property directly across the street from my home from A-1 (agricultural) to R-1C, R-3, and B-3 districts. This change would allow significantly higher-density residential development and commercial uses in an area that has long maintained a lower-density, more rural character.

I am particularly concerned about:

- \* Traffic impacts — Will the developer be required to improve Liberty Street, including curbs, sidewalks, road widening, and the single-lane bridge crossing Wilkerson Creek, to safely handle the increased traffic flow?
- \* Stormwater drainage — A significant portion of this property's stormwater currently flows through my property, and I am concerned about potential flooding or drainage issues from the new development.

I respectfully request that the Board carefully consider these neighborhood impacts during the review process and any public hearings. I would appreciate any updates on this application and the opportunity to provide additional input.

Thank you for your time and service to our community. I look forward to your response.

Sincerely,

Kevin Kirtley

701 Liberty Street

Smithville, MO 64089

816 807-2130

[Kkirt1@hotmail.com](mailto:Kkirt1@hotmail.com)

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

Applicants: Kindred Investment Co.

Land Use Proposed: Single-family detached, multi-family and commercial

Zoning: R-1C, R-3 and B-3

Property Location: Approximately 820 E 92 Hwy

Pursuant to the provisions of Section 400.560(C) of the Smithville Code, the Planning Commission does hereby make the following findings of fact based upon the testimony and evidence presented in a public hearing of the Planning and Zoning Commission of the City of Smithville, held on May 12, 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 adjacent to the Smithville R-2 school district's main campus to the west, and generally agricultural uses to the north and east. The property is adjacent to single family residential lots in Kindred Heights.
2. *Consistency with the City's Comprehensive Plan and ordinances.*  
The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan delineates both "residential" and "moderate density residential" with commercial zoning across 92 Highway from the site.
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.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*  
The current use is vacant agricultural land that is basically a large hay field. The change would allow smaller lots in accordance with zone district updates from 2021, as well as multifamily and commercial lots adjacent to 92 Highway. The current use is farmland and the approved preliminary plat has remained undeveloped since 1998.
5. *Length of time the property has remained vacant as zoned.*

The property was zoned to the existing district classification when annexed and was preliminary platted for residential in 1998 but never developed.

6. *Compatibility of the proposed district classification with nearby properties.*  
The proposed district is complimentary to the school property to the west and is generally compatible within the Future Land Use map of the current Comprehensive Plan.
7. *The extent to which the zoning amendment may detrimentally affect nearby property.*  
No detrimental effects are anticipated to the adjacent property values.
8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*  
No detrimental effects are anticipated to adjacent properties so no great loss is expected.
9. That in rendering this Finding of Fact, testimony at the public hearing on May 12, 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 A-1 to B-3, R-3 and R-1C is governed by Section 400.550 of the zoning ordinance of Smithville, Missouri.
- B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.
- C. The Planning and Zoning Commission of the City of Smithville, Missouri recommends approval of rezoning the property to R-1C, R-3 and B-3 as shown on the Collins Ridge Preliminary Plat.

**BILL NO. 3XXX-25**

**ORDINANCE NO. \_\_\_\_\_**

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

**WHEREAS**, The City of Smithville received an application for rezoning 820 E. 92 Highway on March 2, 2026; and

**WHEREAS**, the public was notified by publishing in the CT paper and notices mailed to adjoining property owners on April 22, 2026 as required by state law.

**WHEREAS**, a Public Hearing was conducted before the Planning Commission on May 12, 20206; and

**WHEREAS**, the rezoning is to change the zoning from A-1 to R-1C R-3 and B-3; and

**WHEREAS**, the Planning Commission presented its' findings to the Board of Aldermen and recommended approval of the rezoning request; and,

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

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

The property legally described as:

**B-3 Zoning**

A Tract Of Land In The Southeast Quarter Of Section 26, Township 53 North, Range 33 West, Smithville, Clay County, Missouri Being Described As Follows: Commencing At The Southwest Corner Of Said Quarter Section; Thence S88°57'59"E, Along The South Line Of Said Quarter Section, A Distance Of 860.70 Feet; Thence N00°13'30"E, A Distance Of 31.83 Feet To A Point On The North Right Of Way Line Of Missouri Highway No. 92, Said Point Being The Point Of Beginning Of The Tract Of Land To Be Described Herein; Thence N00°13'30"E, A Distance Of 190.35 Feet; Thence S89°46'30"E, A Distance Of 223.74 Feet; Thence N77°45'27"E, A Distance Of 253.69 Feet; Thence N42°01'04"E, A Distance Of 319.69 Feet; Thence S48°06'11"E, A Distance Of 286.91 Feet; Thence Southeasterly Along A Curve To The Right Being Tangent To The Previously Described Course Having A Radius Of 300.00 Feet, An Arc Distance Of 255.33 Feet; Thence S00°39'44"W, A Distance Of 76.95 Feet To A Point On The North Right Of Way Line Of

Said Missouri Highway No. 92; Thence N89°09'33"W, Along Said Right Of Way Line, A Distance Of 998.96 Feet To The Point Of Beginning.

#### R-3 Zoning

A Tract Of Land In The Southeast Quarter Of Section 26, Township 53 North, Range 33 West, Smithville, Clay County, Missouri Being Described As Follows: Commencing At The Southeast Corner Of Said Section; Thence N00°24'05"E, Along The East Line Of Said Section, A Distance Of 70.87 Feet To A Point On The North Right Of Way Line Of Missouri Highway No. 92, Said Point Being The Point Of Beginning Of The Tract Of Land To Be Described Herein; Thence N89°47'32"W, Along Said Right Of Way Line, A Distance Of 213.63 Feet; Thence S79°11'57"W, Continuing Along Said Right Of Way Line, A Distance Of 152.33 Feet; Thence N89°09'33"W, Continuing Along Said Right Of Way Line, A Distance Of 403.89 Feet; Thence N00°39'44"E, A Distance Of 76.98 Feet; Thence Northwesterly Along A Curve To The Left Being Tangent To The Previously Described Course, A Distance Of 255.33 Feet; Thence N48°06'11"W, A Distance Of 286.91 Feet; Thence N42°01'04"E, A Distance Of 94.43 Feet; Thence N60°01'43"E, A Distance Of 121.63 Feet; Thence N66°39'03"E, A Distance Of 401.99 Feet; Thence N43°31'53"E, A Distance Of 98.93 Feet; Thence N26°36'07"E, A Distance Of 237.54 Feet; Thence N74°36'40"E, A Distance Of 119.05 Feet; Thence N21°30'41"E, A Distance Of 340.03 Feet; Thence N00°03'52"E, A Distance Of 48.76 Feet; Thence S89°56'08"E, A Distance Of 138.02 Feet To A Point On The East Line Of Said Section; Thence S00°24'05"W, Along The East Line Of Said Section, A Distance Of 1444.53 Feet To The Point Of Beginning.

#### R-1C Zoning

A Tract Of Land In The East Half Of Section 26, Township 53 North, Range 33 West, Smithville, Clay County, Missouri Being Described As Follows: Commencing At The Northeast Corner Of The Southeast Quarter Of Said Section; Thence S00°24'05"W, Along The East Line Of Said Southeast Quarter, A Distance Of 398.49 Feet To A Point On The Southwesterly Right Of Way Line Of Liberty Street; Thence S00°24'05"W, Along The East Line Of Said Southeast Quarter, A Distance Of 721.62 Feet; Thence N89°56'08"W, A Distance Of 138.02 Feet; Thence S00°03'52"W, A Distance Of 48.76 Feet; Thence S21°30'41"W, A Distance Of 340.03 Feet; Thence S74°36'40"W, A Distance Of 119.05 Feet; Thence S26°36'07"W, A Distance Of 237.54 Feet; Thence S43°31'53"W, A Distance Of 98.93 Feet; Thence S66°39'03"W, A Distance Of 401.99 Feet; Thence S60°01'43"W, A Distance Of 121.63 Feet; Thence S42°01'04"W, A Distance Of 414.12 Feet; Thence S77°45'27"W, A Distance Of 253.69 Feet; Thence N89°46'30"W, A Distance Of 223.74 Feet; Thence N00°13'30"E, A Distance Of 2752.71 Feet; Thence N32°48'57"E, A Distance Of 817.57 Feet To A Point On The Southwesterly Right Of Way Line Of Said Liberty Street; Thence S54°39'47"E, Along Said Right Of Way Line, A Distance Of 645.69 Feet; Thence S54°20'45"E Continuing Along Said Right Of Way Line, A Distance Of 323.53 Feet; Thence S54°11'28"E Continuing Along Said Right Of Way Line, A Distance Of 191.60 Feet; Thence Continuing Along Said Right Of Way Line, Southeasterly Along A Curve To The Right Being Tangent To The Previously Described Course Having A Radius Of 475.00 Feet, An Arc Distance Of 92.54 Feet; Thence Continuing Along Said Right Of Way Line, Southeasterly Along A Compound Curve To The Right Having A Radius Of 275.00 Feet, An Arc Distance Of 132.11 Feet; Thence S15°30'19"E Continuing Along Said Right Of Way Line, A Distance

Of 214.35 Feet; Thence S15°16'23"E Continuing Along Said Right Of Way Line, A Distance Of 253.28 Feet; Thence Continuing Along Said Right Of Way Line, Along A Curve To The Left Being Tangent To The Previously Described Course Having A Radius Of 254.27 Feet, An Arc Distance Of 205.44 Feet To The Point Of Beginning.

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

Section 3. This ordinance shall take effect and be in full force from and after the approval.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026

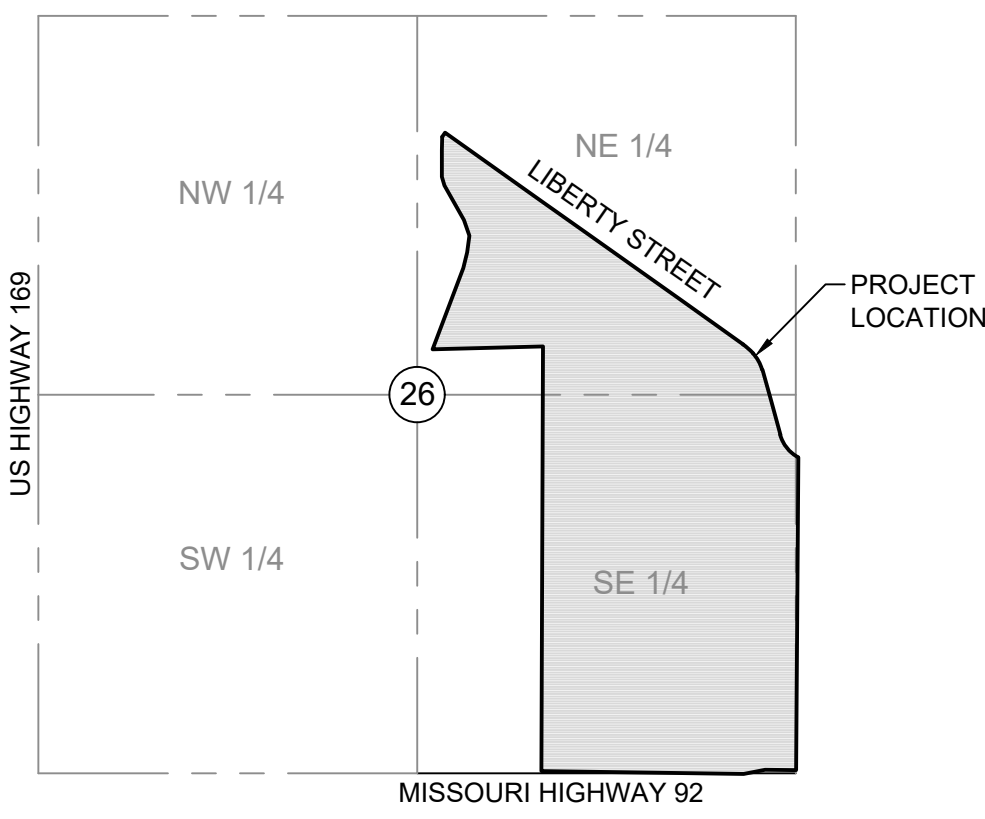
\_\_\_\_\_  
Damien Boley, Mayor

ATTEST:

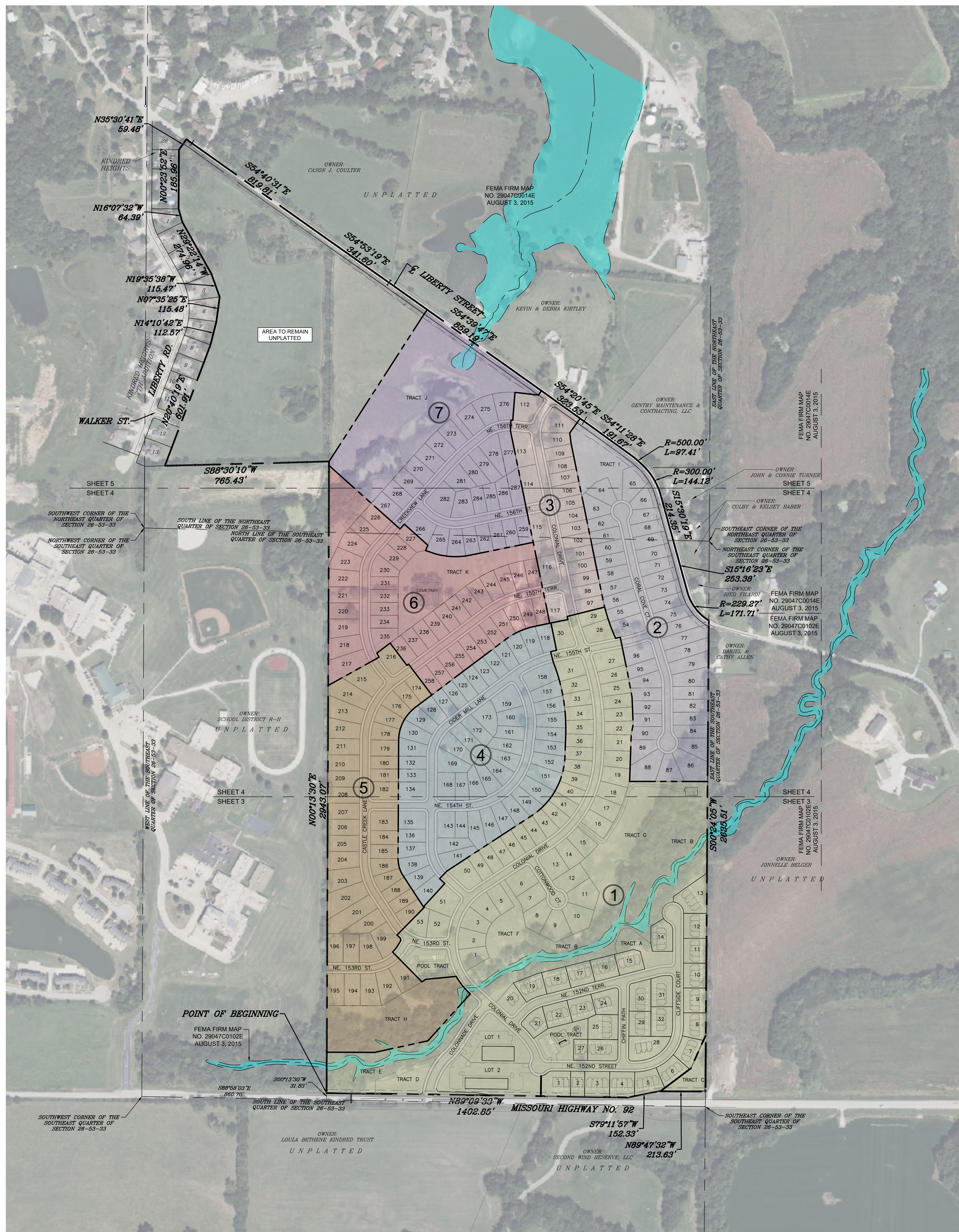
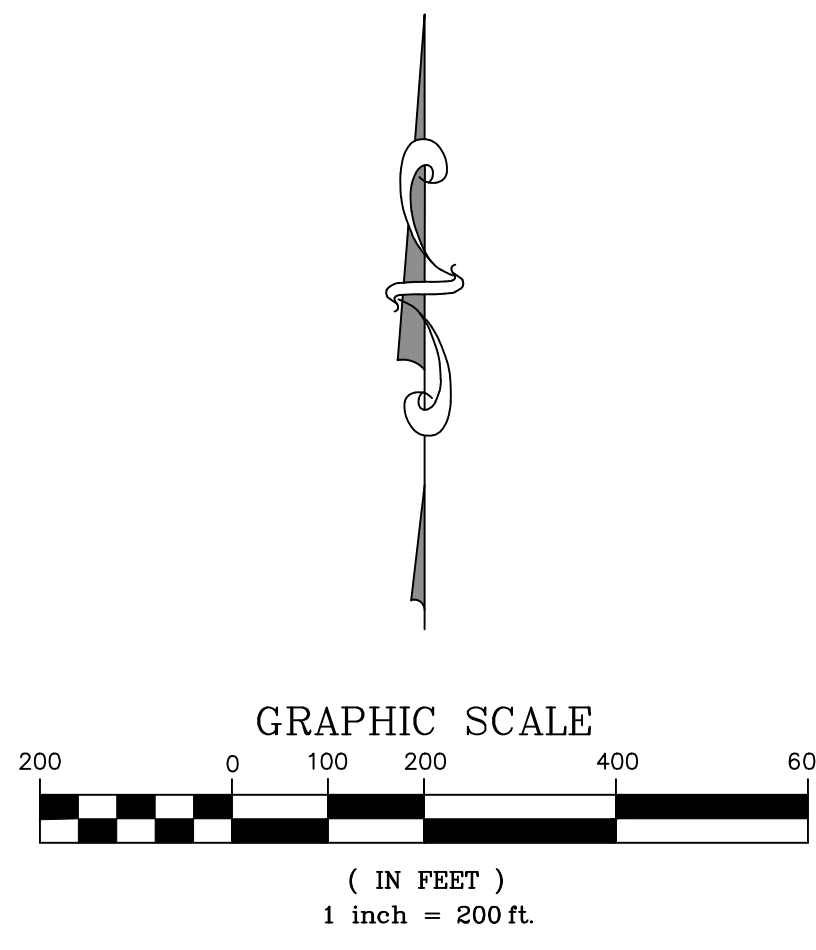
\_\_\_\_\_  
Linda Drummond, City Clerk

First Reading:                    /       /

Second Reading                 /       /



VICINITY MAP  
SECTION 26-53-33



PROPERTY DESCRIPTION

CONTAINING 6.648,402 SQUARE FEET OR 152.64 ACRES  
 A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 53 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE S88°57'59"E, ALONG THE SOUTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 860.70 FEET; THENCE N00°13'30"E, A DISTANCE OF 31.83 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF MISSOURI HIGHWAY NO. 92, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE DESCRIBED HEREIN; THENCE N00°13'30"E, A DISTANCE OF 2943.07 FEET; THENCE S88°30'10"W, A DISTANCE OF 765.43 FEET TO THE SOUTHEAST CORNER OF LOT 13, KINDRED HEIGHTS 7TH ADDITION, A SUBDIVISION IN SMITHVILLE, CLAY COUNTY, MISSOURI; THENCE N20°40'19"E, ALONG THE EASTERLY LINE OF SAID KINDRED HEIGHTS 7TH ADDITION, A DISTANCE OF 601.91 FEET; THENCE N14°10'42"E, CONTINUING ALONG SAID LINE, A DISTANCE OF 112.57 FEET; THENCE N07°35'25"E, CONTINUING ALONG SAID LINE, A DISTANCE OF 115.48 FEET; THENCE N19°35'38"W, CONTINUING ALONG SAID LINE, A DISTANCE OF 115.47 FEET; THENCE N29°22'14"W, CONTINUING ALONG SAID LINE, A DISTANCE OF 274.86 FEET; THENCE N16°07'32"W, CONTINUING ALONG SAID LINE, A DISTANCE OF 64.39 FEET TO THE NORTHEAST CORNER OF LOT 1 OF SAID KINDRED HEIGHTS 7TH ADDITION; THENCE N00°13'30"E, ALONG THE EAST LINE OF LOT 26, KINDRED HEIGHTS, A SUBDIVISION IN SMITHVILLE, CLAY COUNTY, MISSOURI AND ITS SOUTHERLY PROLONGATION THEREOF, A DISTANCE OF 185.96 FEET TO THE NORTHEAST CORNER OF SAID LOT 25; THENCE N35°30'41"E, ALONG THE SOUTHEASTLY LINE OF LOT 26 OF SAID KINDRED HEIGHTS, A DISTANCE OF 59.48 FEET TO A POINT ON THE CENTERLINE OF LIBERTY STREET; THENCE S54°40'31"E, ALONG THE CENTERLINE OF SAID LIBERTY STREET, A DISTANCE OF 819.81 FEET; THENCE S54°53'19"E, CONTINUING ALONG SAID LINE, A DISTANCE OF 341.60 FEET; THENCE S54°39'47"E, ALONG SAID LINE, A DISTANCE OF 859.19 FEET; THENCE S54°20'45"E CONTINUING ALONG SAID LINE, A DISTANCE OF 323.53 FEET; THENCE S54°11'28"E CONTINUING ALONG SAID LINE, A DISTANCE OF 191.67 FEET; THENCE CONTINUING ALONG SAID LINE, SOUTHEASTERLY ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE HAVING A RADIUS OF 500.00 FEET, AN ARC DISTANCE OF 97.41 FEET; THENCE CONTINUING ALONG SAID LINE, SOUTHEASTERLY ALONG A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET, AN ARC DISTANCE OF 144.12 FEET; THENCE S15°30'19"E CONTINUING ALONG SAID LINE, A DISTANCE OF 214.35 FEET; THENCE S15°16'23"E CONTINUING ALONG SAID LINE, A DISTANCE OF 253.38 FEET; THENCE CONTINUING ALONG SAID LINE, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE HAVING A RADIUS OF 229.27 FEET, AN ARC DISTANCE OF 171.71 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE S00°24'05"W, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2635.51 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF MISSOURI HIGHWAY NO. 92; THENCE N89°47'32"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 213.63 FEET; THENCE S79°11'57"W, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 152.33 FEET; THENCE N89°09'33"W, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1402.85 FEET TO THE POINT OF BEGINNING.

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
C1	OVERALL SITE PLAN
C2	ZONING PLAN
C3	PRELIMINARY PLAT - SHEET 3
C4	PRELIMINARY PLAT - SHEET 4
C5	PRELIMINARY PLAT - SHEET 5

PROJECT CONTACT LIST

**PROPERTY OWNER:**  
 KINDRED INVESTMENT CO.  
 P.O. BOX 450  
 SMITHVILLE, MO 64089

**SURVEYOR:**  
 R.L. BUFORD & ASSOCIATES, LLC  
 P.O. BOX 14069  
 PARKVILLE, MO 64152  
 (816) 741-6152  
 ROBERT YOUNG  
 rob@rlbuford.com

**ENGINEER:**  
 R.L. BUFORD & ASSOCIATES ENGINEERING, LLC  
 P.O. BOX 14069  
 PARKVILLE, MO 64152  
 (816) 741-6152  
 LINDSAY VOGT  
 lindsay@rlbuford.com

COLLINS RIDGE DEVELOPMENT DATA

PHASE	EXISTING ZONING	PROPOSED ZONING	LAND USE	GROSS ACRES	PROPOSED R/W	OPEN SPACE / DETENTION	NET AREA	UNITS	LOTS	AVERAGE GROSS DENSITY DU/AC	COMMENCEMENT / COMPLETION DATES
1	A-1	R3B-3	MULTI-FAMILY / COMMERCIAL	47.46	7.89	15.36	24.21	170	87	3.58	2026-2027
2	A-1	R-1C	SINGLE FAMILY RESIDENTIAL	13.79	2.35	1.23	10.21	43	43	3.12	2027-2028
3	A-1	R-1C	SINGLE FAMILY RESIDENTIAL	6.34	1.61	0.15	4.58	21	21	3.31	2028-2029
4	A-1	R-1C	SINGLE FAMILY RESIDENTIAL	15.13	2.71	0.00	12.42	56	56	3.70	2028-2030
5	A-1	R-1C	SINGLE FAMILY RESIDENTIAL	16.51	2.23	3.29	10.99	43	43	2.60	2030-2031
6	A-1	R-1C	SINGLE FAMILY RESIDENTIAL	13.88	1.61	3.49	6.78	42	42	3.03	2031-2032
7	A-1	R-1C	SINGLE FAMILY RESIDENTIAL	15.76	1.44	7.32	7.00	29	29	1.84	2032-2033
TOTALS	A-1	N/A	REMAINING	23.77			23.77				

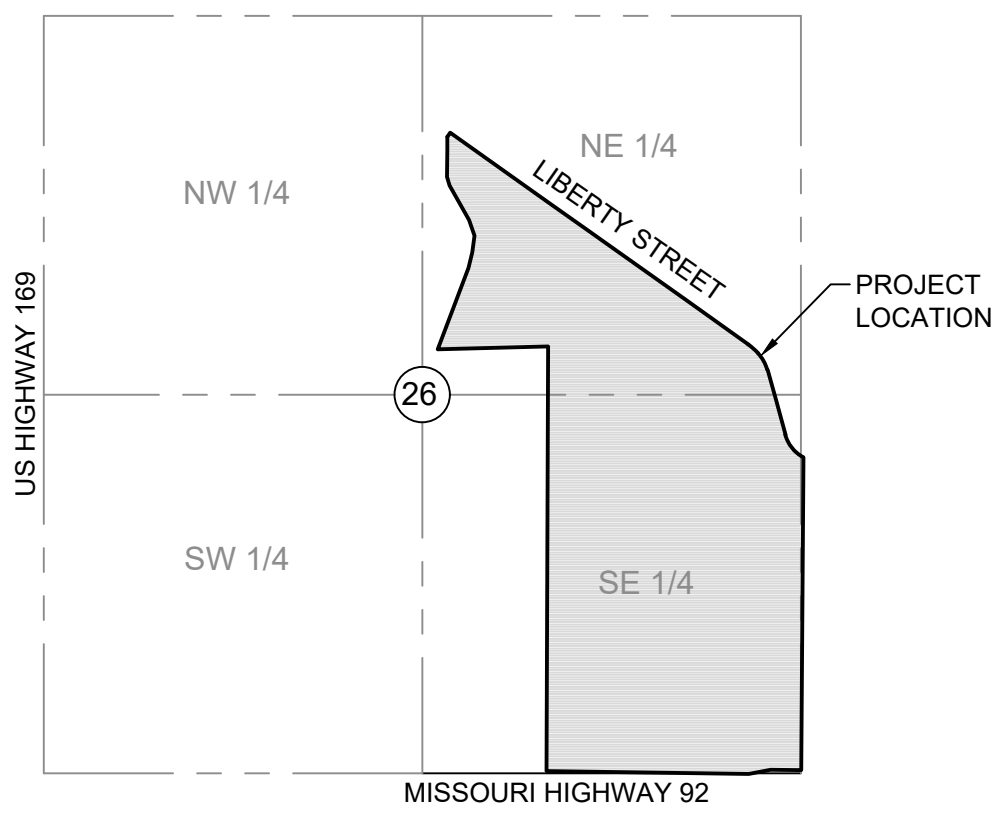
REVISIONS

NO.	DATE	DESCRIPTION	REVISION BY	CHECKED BY
1				
2				
3				
4				
5				
6				
7				

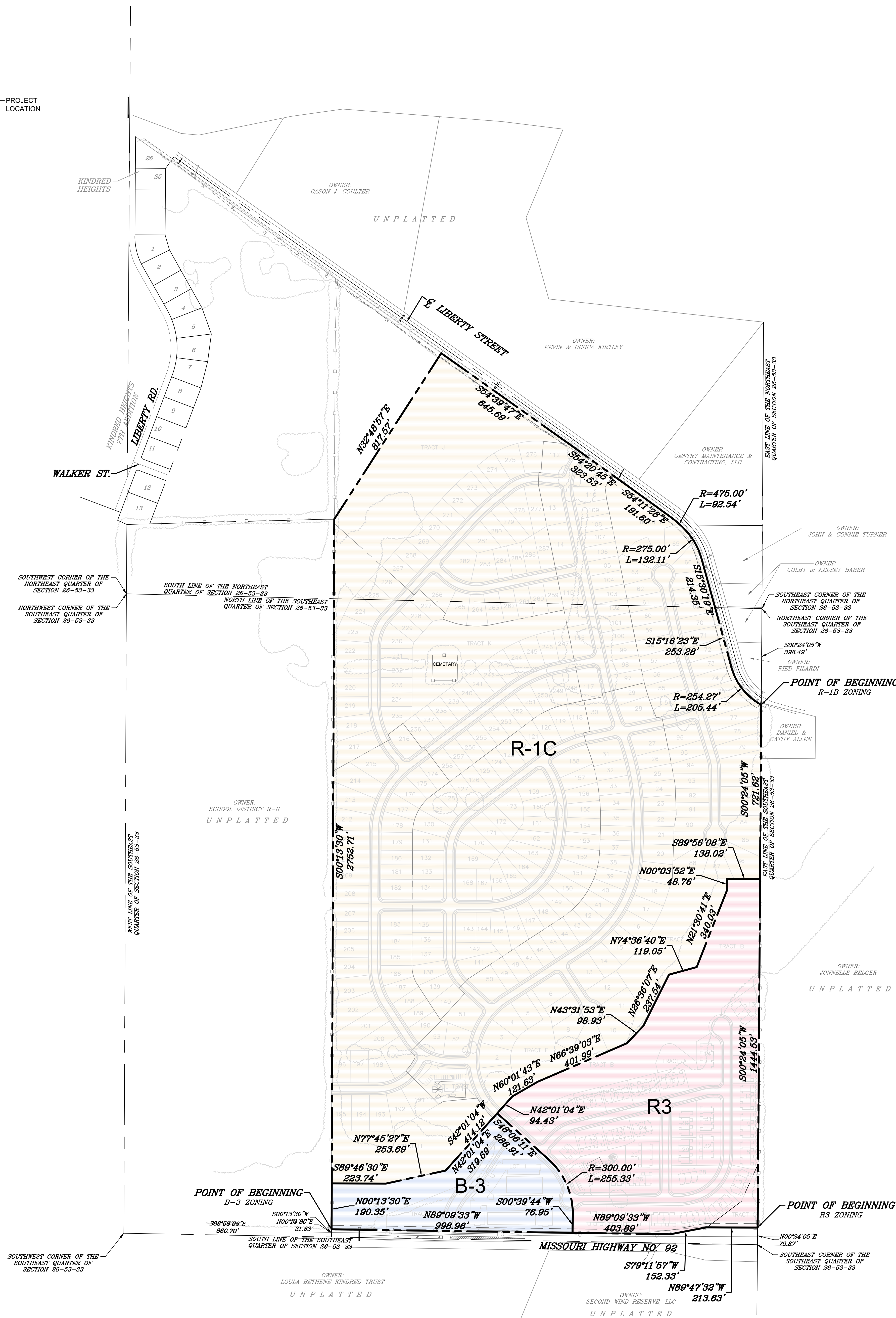
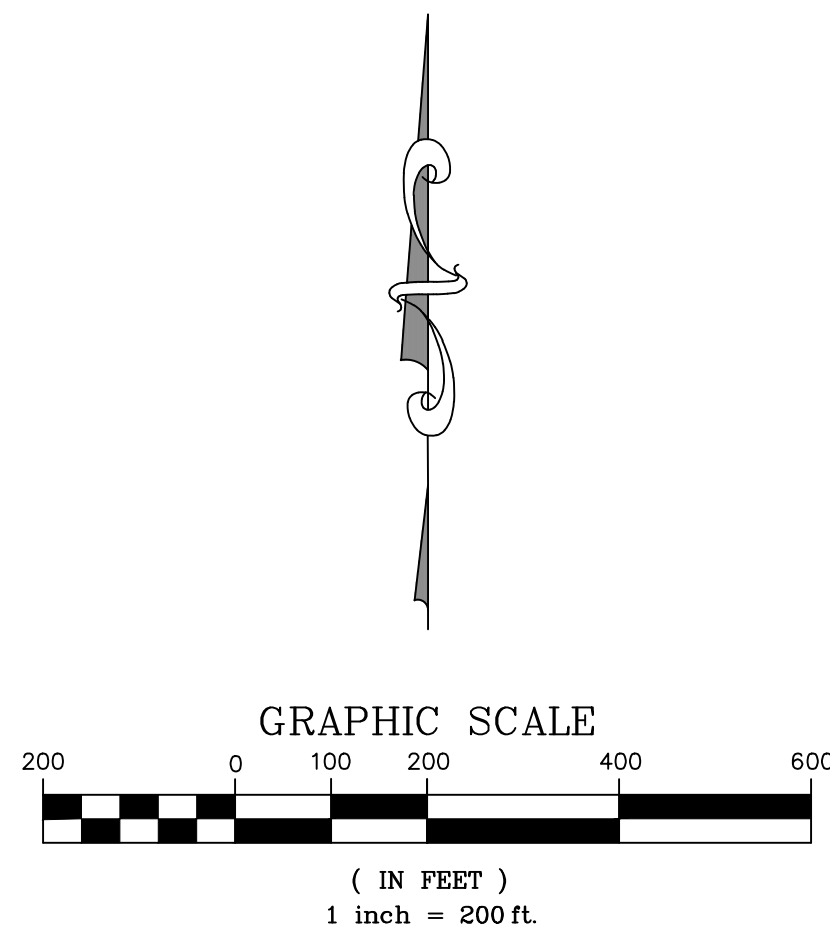
**COLLINS RIDGE**  
 SMITHVILLE, CLAY COUNTY, MISSOURI  
 DEVELOPMENT PLAN & PRELIMINARY PLAT  
 OVERALL SITE PLAN

**R.L. Buford & Associates Engineering, LLC**  
 LAND SURVEYING & ENGINEERING CONSULTANTS  
 P.O. BOX 14069, PARKVILLE, MO. 64152 (816) 741-6152  
 FOR ERIC CRAIG

SHEET NO. C1



VICINITY MAP  
SECTION 26-53-33



**B-3 ZONING**

CONTAINING 285,178 SQUARE FEET OR 6.55 ACRES

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 53 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE S88°57'59"E, ALONG THE SOUTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 860.70 FEET; THENCE N00°13'30"E, A DISTANCE OF 31.83 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF MISSOURI HIGHWAY NO. 92, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE DESCRIBED HEREIN; THENCE N00°13'30"E, A DISTANCE OF 190.35 FEET; THENCE S89°46'30"E, A DISTANCE OF 223.74 FEET; THENCE N77°45'27"E, A DISTANCE OF 253.69 FEET; THENCE N42°01'04"E, A DISTANCE OF 319.69 FEET; THENCE S48°06'11"E, A DISTANCE OF 286.91 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE HAVING A RADIUS OF 300.00 FEET, AN ARC DISTANCE OF 255.33 FEET; THENCE S00°39'44"W, A DISTANCE OF 76.95 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID MISSOURI HIGHWAY NO. 92; THENCE N89°09'33"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 998.96 FEET TO THE POINT OF BEGINNING.

**R3 ZONING**

CONTAINING 878,449 SQUARE FEET OR 20.17 ACRES

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 53 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION; THENCE N00°24'05"E, ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 70.87 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF MISSOURI HIGHWAY NO. 92, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE DESCRIBED HEREIN; THENCE N89°47'32"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 213.63 FEET; THENCE S79°11'57"W, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 152.33 FEET; THENCE N89°09'33"W, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 403.89 FEET; THENCE N00°39'44"E, A DISTANCE OF 76.98 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE, A DISTANCE OF 255.33 FEET; THENCE N48°06'11"W, A DISTANCE OF 286.91 FEET; THENCE N42°01'04"E, A DISTANCE OF 94.43 FEET; THENCE N60°14'43"E, A DISTANCE OF 121.63 FEET; THENCE N66°39'03"E, A DISTANCE OF 401.99 FEET; THENCE N43°31'53"E, A DISTANCE OF 98.93 FEET; THENCE N26°36'07"E, A DISTANCE OF 237.54 FEET; THENCE N74°36'40"E, A DISTANCE OF 119.05 FEET; THENCE N21°30'41"E, A DISTANCE OF 340.03 FEET; THENCE N00°03'52"E, A DISTANCE OF 48.76 FEET; THENCE S89°56'08"E, A DISTANCE OF 138.02 FEET TO A POINT ON THE EAST LINE OF SAID SECTION; THENCE S00°24'05"W, ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 1444.53 FEET TO THE POINT OF BEGINNING.

**R-1C ZONING**

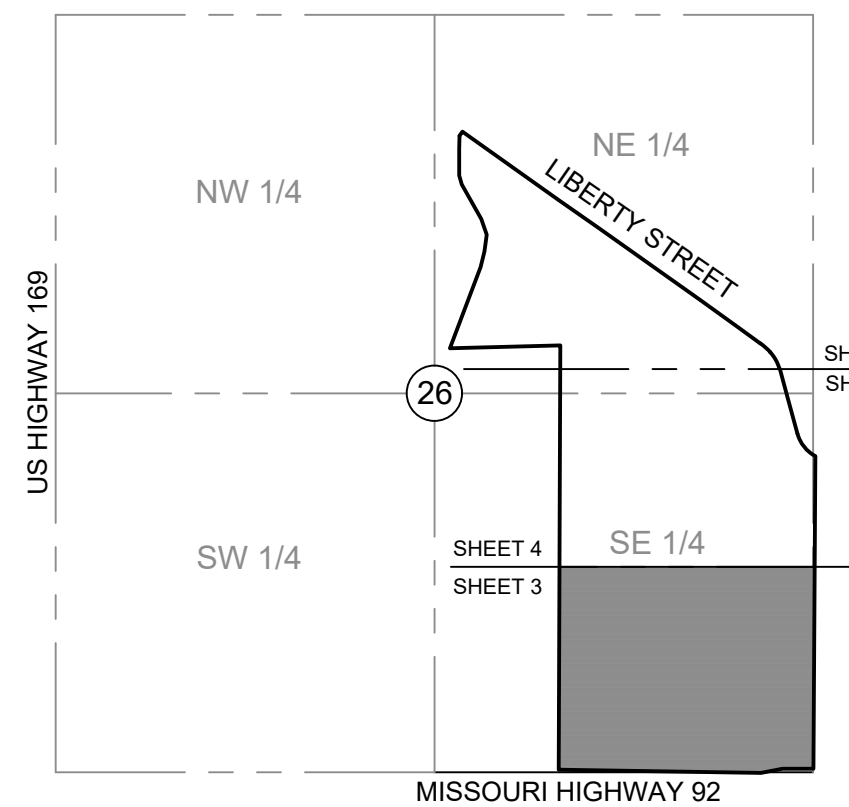
CONTAINING 4,399,026 SQUARE FEET OR 100.99 ACRES

A TRACT OF LAND IN THE EAST HALF OF SECTION 26, TOWNSHIP 53 NORTH, RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE S00°24'05"W, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 398.49 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF LIBERTY STREET; THENCE S00°24'05"W, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 721.62 FEET; THENCE N89°56'08"W, A DISTANCE OF 138.02 FEET; THENCE S00°03'52"W, A DISTANCE OF 48.76 FEET; THENCE S21°30'41"W, A DISTANCE OF 340.03 FEET; THENCE S74°36'40"W, A DISTANCE OF 119.05 FEET; THENCE S26°36'07"W, A DISTANCE OF 237.54 FEET; THENCE S43°31'53"W, A DISTANCE OF 98.93 FEET; THENCE S66°39'03"W, A DISTANCE OF 401.99 FEET; THENCE S80°14'43"W, A DISTANCE OF 121.63 FEET; THENCE S42°01'04"W, A DISTANCE OF 414.12 FEET; THENCE S77°45'27"W, A DISTANCE OF 253.69 FEET; THENCE N89°46'30"W, A DISTANCE OF 223.74 FEET; THENCE N00°13'30"E, A DISTANCE OF 2752.71 FEET; THENCE N32°48'57"E, A DISTANCE OF 817.57 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID LIBERTY STREET; THENCE S54°39'47"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 645.69 FEET; THENCE S54°20'45"E CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 323.53 FEET; THENCE S54°11'28"E CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 191.00 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, SOUTHEASTERLY ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE HAVING A RADIUS OF 475.00 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, SOUTHEASTERLY ALONG A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 275.00 FEET, AN ARC DISTANCE OF 132.11 FEET; THENCE S15°30'19"E CONTINUING ALONG SAID RIGHT OF WAY LINE, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE HAVING A RADIUS OF 254.27 FEET, AN ARC DISTANCE OF 205.44 FEET TO THE POINT OF BEGINNING.

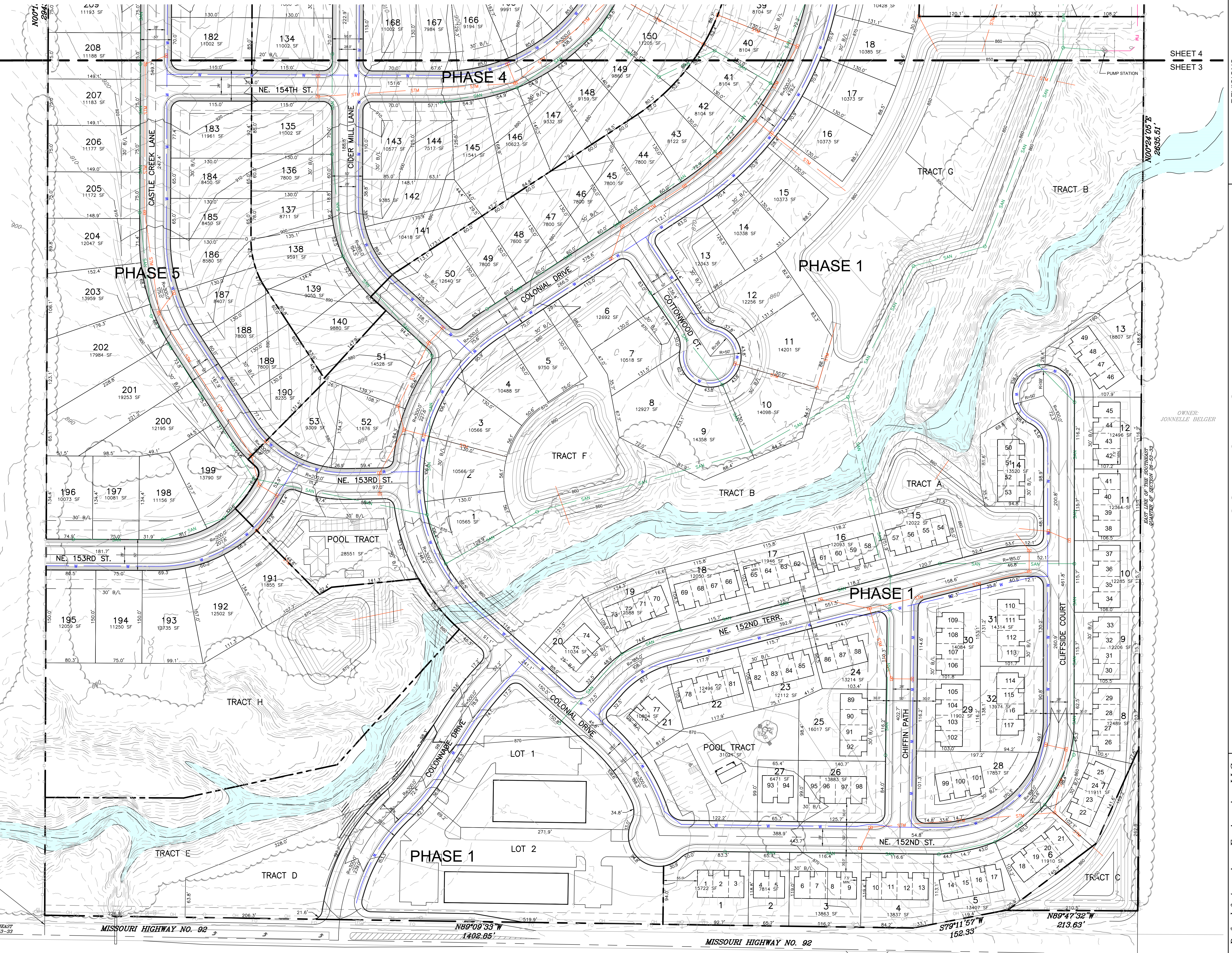
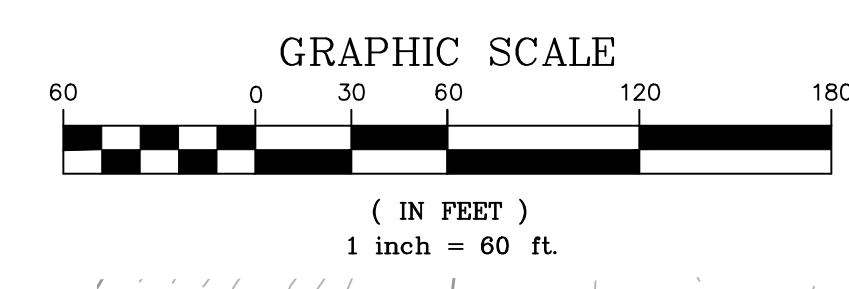
REVISIONS	
NO.	DATE
1	
2	
3	
4	
5	
6	
7	

**COLLINS RIDGE**  
SMITHVILLE, CLAY COUNTY, MISSOURI  
DEVELOPMENT PLAN & PRELIMINARY PLAT  
ZONING PLAN

**R.L. Buford & Associates Engineering, LLC**  
LAND SURVEYING & ENGINEERING CONSULTANTS  
P.O. BOX 14085, PARKVILLE, MO. 64112 (816) 741-6152  
CLAY COUNTY, MISSOURI  
SECTION 26-53-33  
PLAT DATE: FEB. 2026  
DRAWN BY: JRS  
CHECKED BY: LY  
FOR: ERIC CRAIG  
SHEET NO. C2



VICINITY MAP  
SECTION 26-53-33



SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26-53-33

MISSOURI HIGHWAY NO. 92

$N89^{\circ}09'33''W$   
 $1402.85'$

MISSOURI HIGHWAY NO. 92

$S79^{\circ}11'57''W$   
 $152.33'$

$N89^{\circ}47'32''W$   
 $213.83'$

SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 26-53-33

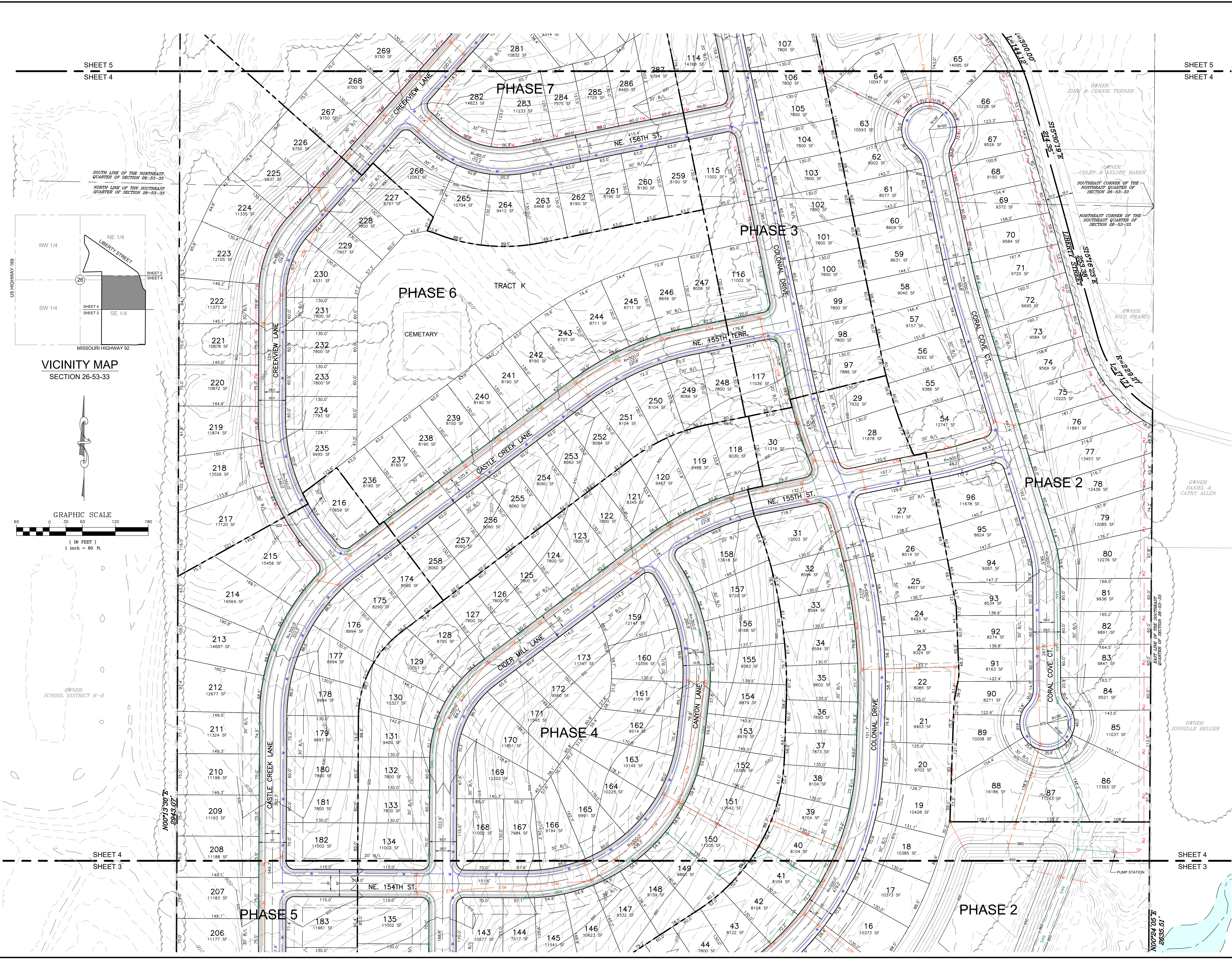
OWNER:  
LOULA BETHENE KINDRED TRUST

OWNER:  
1400 WIND RESERVE, LLC

NO.	DATE	DESCRIPTION	REVISIONS	CHECKED BY:
1				
2				
3				
4				
5				
6				
7				

**COLLINS RIDGE**  
SMITHVILLE, CLAY COUNTY, MISSOURI  
DEVELOPMENT PLAN & PRELIMINARY PLAT  
PRELIMINARY PLAT - SHEET 3

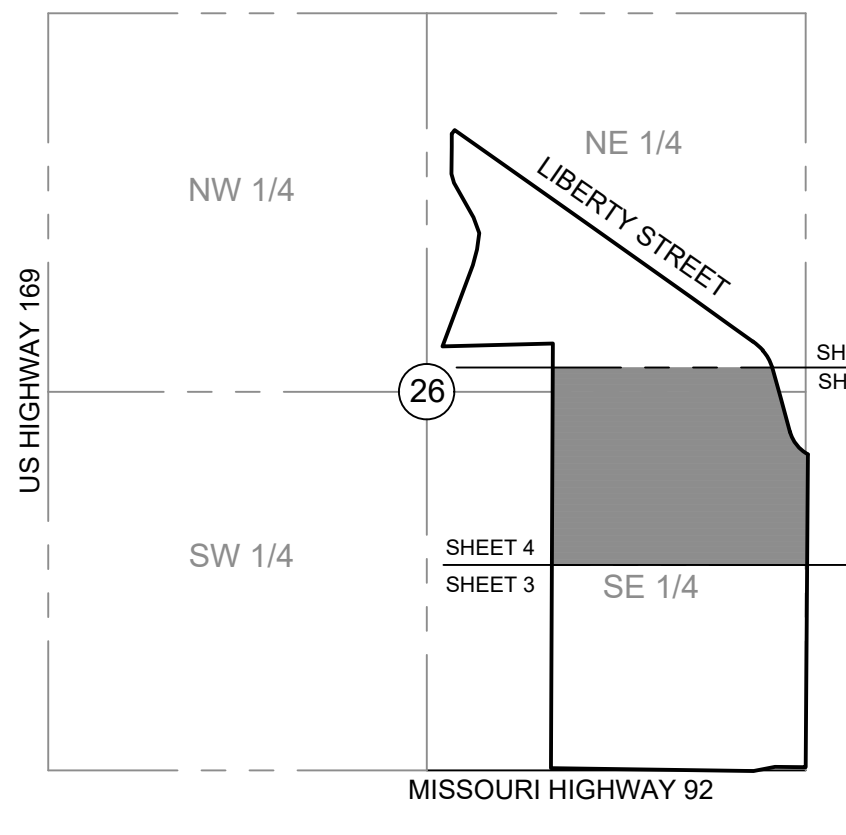
**R.L. Buford & Associates Engineering, LLC**  
LAND SURVEYING & ENGINEERING CONSULTANTS  
P.O. BOX 14085, PARKVILLE, MO. 64112 (816) 741-6152  
SERVICES: SURVEYING, ENGINEERING, PLANNING, DESIGN, CONSTRUCTION ADMINISTRATION  
CLAY COUNTY, MISSOURI  
SECTION: 26-53-33  
PLAN DATE: FEB. 2025  
CHECKED BY: LY  
DRAWN BY: MR  
FOR: ERIC CRAIG  
SHEET NO. C3



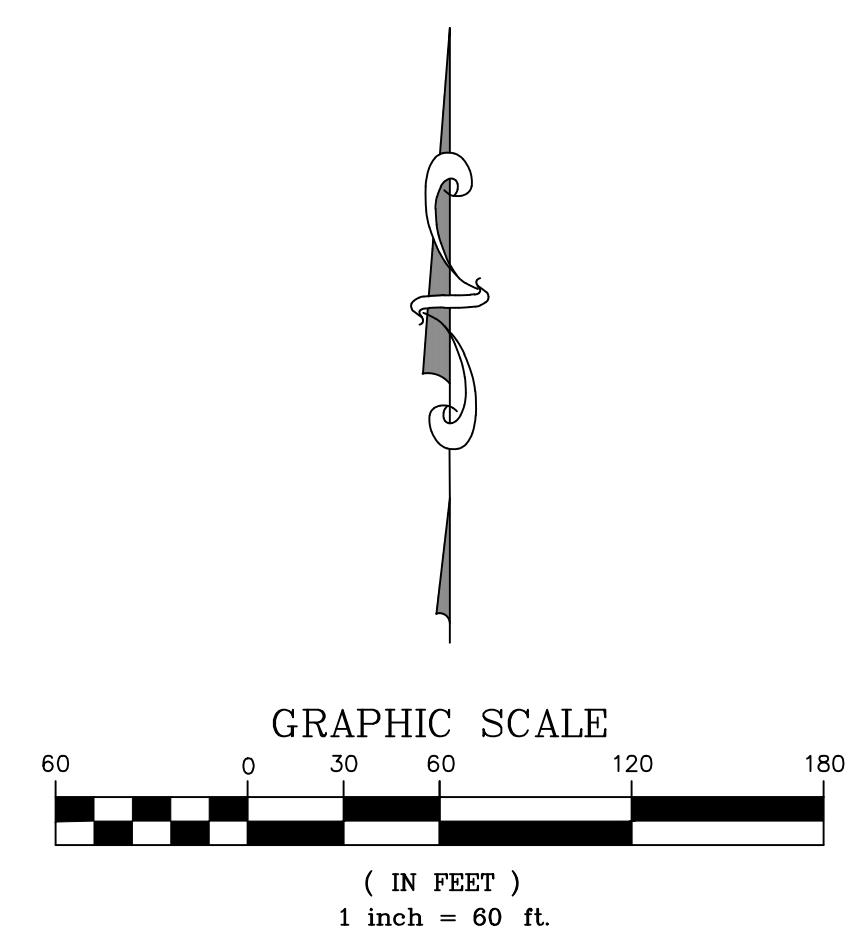
SHEET 5  
SHEET 4

SHEET 5  
SHEET 4

SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 26-53-33  
NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26-53-33



VICINITY MAP  
SECTION 26-53-33



SHEET 4  
SHEET 3

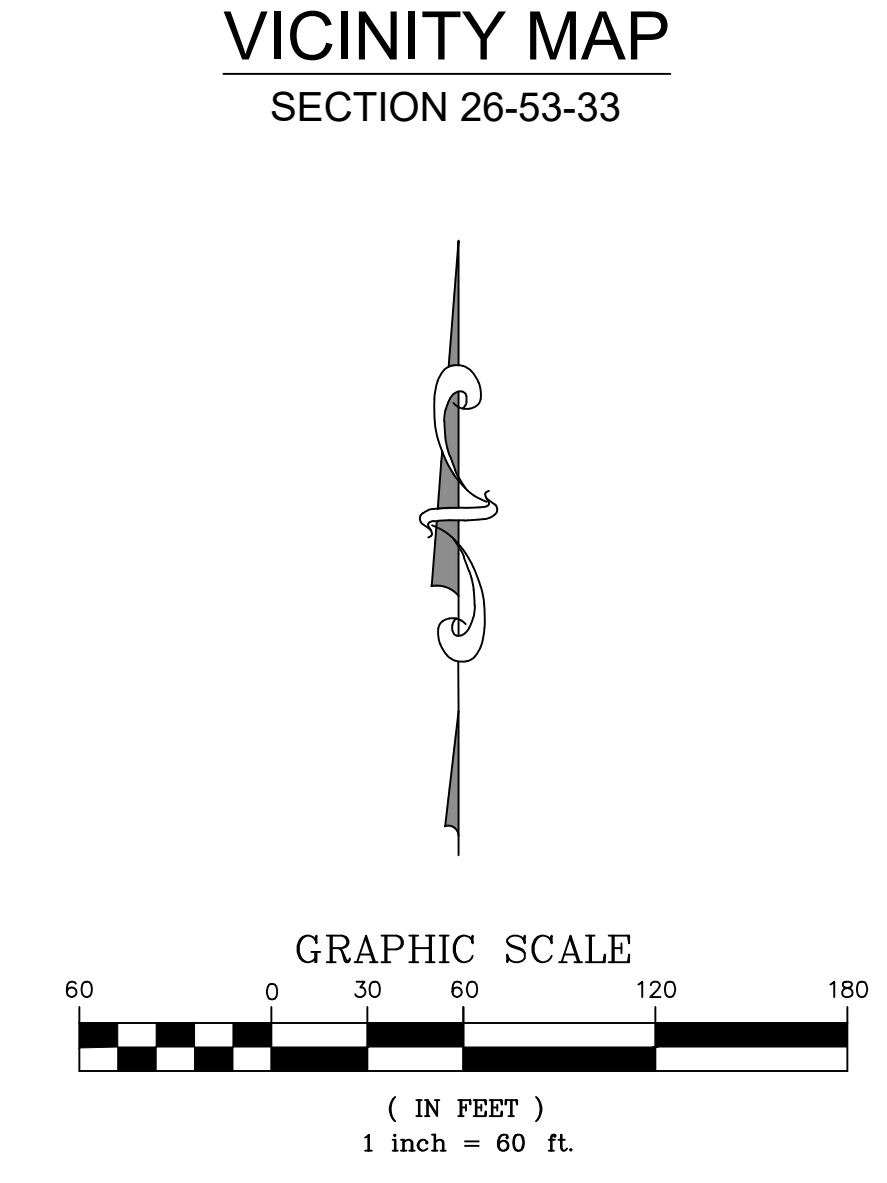
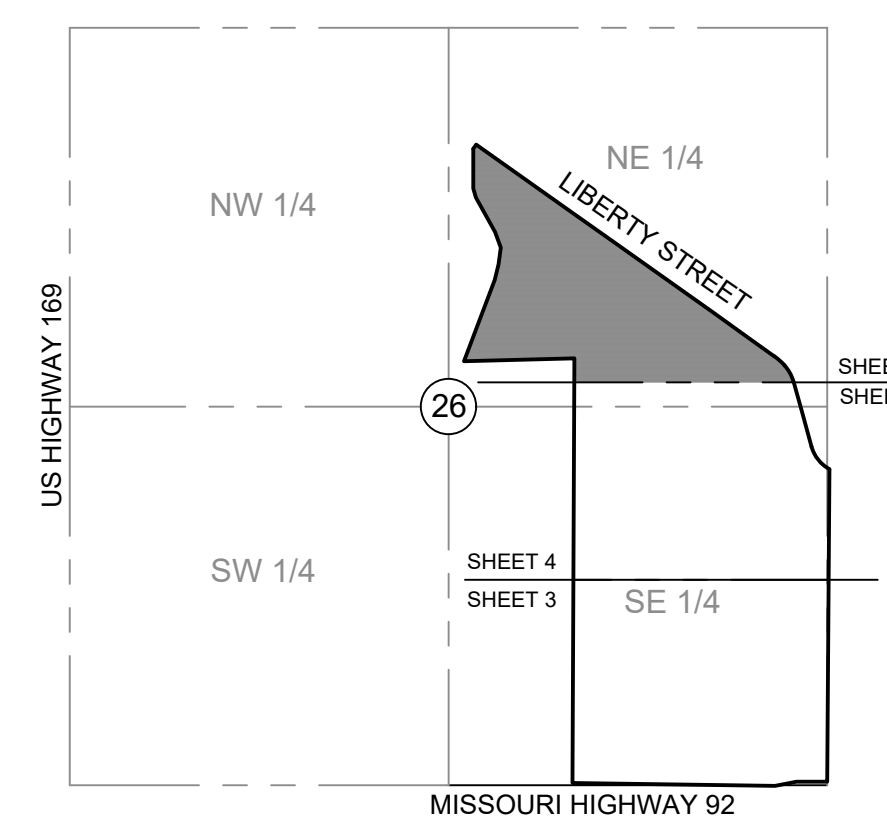
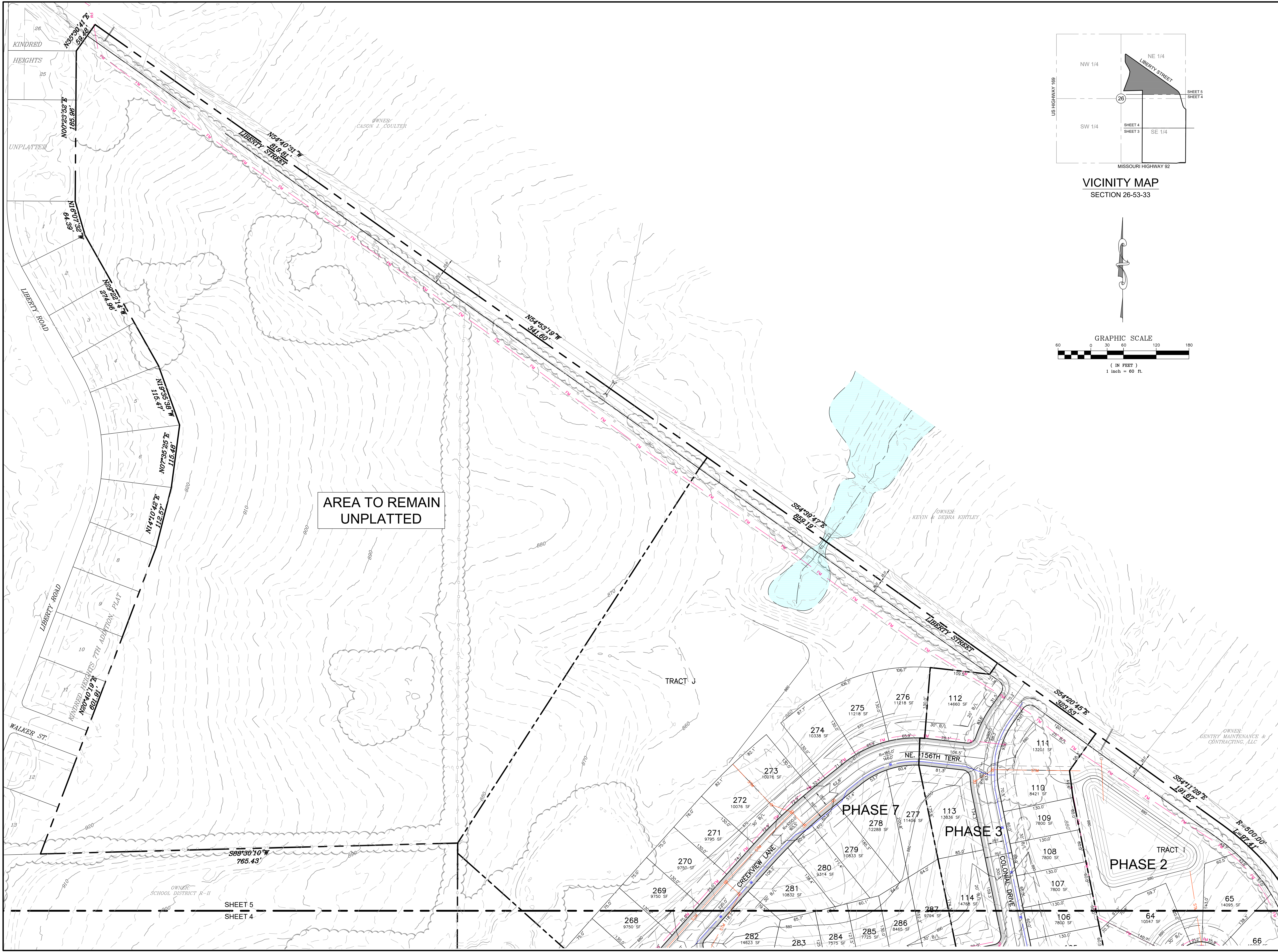
SHEET 4  
SHEET 3

REVISIONS	
NO.	DESCRIPTION
1	
2	
3	
4	
5	
6	
7	

**COLLINS RIDGE**  
 SMITHVILLE, CLAY COUNTY, MISSOURI  
 DEVELOPMENT PLAN & PRELIMINARY PLAT  
 PRELIMINARY PLAT - SHEET 4

**R.L. Buford & Associates Engineering, LLC**  
 LAND SURVEYING & CIVIL ENGINEERING CONSULTANTS  
 P.O. BOX 14085, PARKVILLE, MO. 64112 (816) 741-6121  
 FOR ERIC CRAIG

SHEET NO. C4



REVISIONS	
NO.	DESCRIPTION
1	
2	
3	
4	
5	
6	
7	

**COLLINS RIDGE**  
 SMITHVILLE, CLAY COUNTY, MISSOURI  
 DEVELOPMENT PLAN & PRELIMINARY PLAT  
 PRELIMINARY PLAT - SHEET 5

**R.L. Buford & Associates Engineering, LLC**  
 LAND SURVEYING & ENGINEERING CONSULTANTS  
 P.O. BOX 14085, PARKVILLE, MO. 64112 (816) 741-6152  
 STATE OF MISSOURI  
 COUNTY OF CLAY  
 PLAN NO. 26-53-33  
 PLAN DATE FEB. 2025  
 CHECKED BY LY  
 DRAWN BY JRS

OWNER: GENTRY MAINTENANCE & CONTRACTING, LLC

OWNER: KEVIN & DEBRA KURTLEY

OWNER: CASON J. COULTER

OWNER: SCHOOL DISTRICT R-II

SHEET NO. C5



STAFF REPORT  
December 4, 2025  
Platting of Parcel Id's # # 05-910-00-02-002.00 &  
a portion of 05-906-00-07-015.00

---

Application for a Preliminary Plat Approval – Multiphase subdivision

Code Sections:

425.275.A.3                      Multiphase Plat Approval

Property Information:

Address:                      820 E. 92 Highway  
Owner:                        Kindred Investment Co.  
Current Zoning:            A-1

Public Notice Dates:

1st Publication in Newspaper:                      April 22, 2026  
Letters to Property Owners w/in 185':                      April 24, 2026

GENERAL DESCRIPTION:

The applicant has simultaneously requested rezoning of this parcel in accordance with the attached preliminary plat and final approval of that rezoning is a condition precedent to approval of this plat. The proposed plat includes 287 single-family detached dwelling lots, 117 dwellings on 32 multi-family lots and 2 commercial lots.

**GUIDELINES FOR REVIEW – PRELIMINARY PLATS** *See 425.275.A.3*

Guidelines For Review. The Planning and Zoning Commission shall consider the following criteria in making a recommendation on the preliminary plat:

- a. The plat conforms to these regulations and the applicable provisions of Chapter 400, Zoning Regulations, and other land use regulations.

*The plat conforms to the subdivision zoning regulations of the City.*

b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan.

*The plat is consistent with the Comprehensive Plan's future land use maps which recommended residential classifications (2-4 dwellings per acre) in the north area, (5-18 dwellings per acre) in this location and a large commercial district is across the highway from the proposed commercial lots..*

*The proposal specifically addresses multiple Action Steps in the Comprehensive Plan as follows:*

*HN 1.1 Support providing additional housing stock throughout the city of Smithville to meet current and future residents' needs by encouraging new residential development in areas identified in the Future Land Use Map.*

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

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

*HN 4.1 Encourage additional residential units near existing residential uses to strengthen the neighborhoods of Smithville.*

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

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.

*The subdivision drains to existing natural drainage areas through several detention basins.*

(2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth.

*The area is generally an undeveloped farm field with a large drainage channel bisecting the parcel. The site only has limited trees along the*

***drainage channel and most will be saved, but no significant other vegetation is available.***

(3) A good grade relationship with the abutting streets, preferably somewhat above the street.

***Yes, to the extent possible, lots are generally above the adjacent streets which will be used for access.***

(4) Adequate lot width for the type or size of dwellings contemplated, including adequate side yards for light, air, access and privacy.

***Yes, the lots widths meet the standards in the zoning code for the allowed districts, including all setbacks.***

(5) Adequate lot depth for outdoor living space.

***The lots meet the minimum sizes.***

(6) Generally regular lot shapes, avoiding acute angles.

***To the extent practicable with cul-de-sacs and knuckles, the lots involved are appropriate for the two- and single-family buildings intended.***

(7) Adequate building lots that avoid excessive grading, footings or foundation walls.

***The amount of grading is not excessive in any area so footings and foundation walls will be within the normal range.***

d. The plat contains a lot and land subdivision layout that is consistent with good land planning and site engineering design principles.

***The plat is laid out following standard design principles and matches the proposed zoning districts proposed on this property.***

e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles.

***The plat contains 404 potential dwelling units with multiple access roads. The proposal was subject to the State of Missouri's Traffic Impact Study requirements (in addition to the City's). MoDOT's approval of that study's requirements was conditioned upon moving the proposed entrance further to the west than originally proposed. On***

***May 6<sup>th</sup>, MoDOT finally reviewed and approved the new location. The final approval of that report is conditioned upon completion of various improvements in the MoDOT right of way and other improvements in accordance with a development agreement.***

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 in the form of a development agreement.

***The developer and city have proposed a development agreement for certain highway improvements, sewer improvements, storm water improvements and park dedications as required by the code.***

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 layout and detention areas proposed in the stormwater study will not exceed the detention areas with off-site stormwater runoff and is in accordance with engineering standards. The final design of all stormwater systems will be subject to final plan review and approval in accordance with the Final Plat procedures and the standards in place at the time of proposed construction.***

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.

***The location is located such that it will actually reduce sprawl and all extensions and expansions of existing public facilities are completed in the most efficient manner allowable on the lots.***

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.

***The development is bound by a development agreement that addresses all dedication requirements.***

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

**Yes.**

m. The applicant agrees, in the form of a development agreement, 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. The proposed development agreement is in accordance with the Public Works' Departments requests for improvements on this project area and includes park fees in lieu of dedications beyond the two private pools.***

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Preliminary Plat following approval and execution of the Development Agreement as approved by the Board of Aldermen.

Respectfully Submitted,

          /s/ Jack Hendrix /s/            
Director of Development