

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 When portions of the 911 addressing system were being established, an outdated map was used, resulting in deeds being created for roads that did not actually exist.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.