

Planning and Zoning Commission Meeting

November 10, 2026

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

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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 October 13, 2026, Planning Commission Minutes**

3. **Staff Report**

4. **Public Hearing – Rezoning 632 S. 169 Hwy (Croft Trailer Supply)**
   The purpose of this hearing is to take public comment on the proposed rezoning the former Croft Trailer Supply property from B-2 Non-retail Business to B-3 General Business to allow retail operations on the site.

5. **Rezoning 632 S. 169 Hwy from B-2 to B-3**

   Applicant seeks to rezone the former Croft Trailer Supply property from B-2 Non-retail Business to B-3 General Business to allow retail operations on the site.

6. **Adjourn**

Posted by Brandi Schuerger, Assistant City Clerk, November 4, 2026, at 4:00 p.m.
107 W. Main Street, Smithville, MO 64089

Accommodations Upon Request

SMITHVILLE PLANNING COMMISSION

REGULAR SESSION
October 13, 2026
7:00 P.M.
City Hall Council Chambers and Via Videoconference

Not Yet Approved

1. CALL TO ORDER

Chairman John Chevalier called the meeting to order at 7:40 p.m.

A quorum of the Commission was present: Alderman Melissa Wilson, John Chevalier, Terry Hall, Matt Tyson, Rob Scarborough and Deb Dotson. Andrea Sheridan was absent.

Staff present: Jack Hendrix and Brandi Schuerger.

2. MINUTES

The September 8, 2026, Regular Session Meeting Minutes were moved for approval by HALL, Seconded by ALDERMAN WILSON.

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

3. STAFF REPORT

HENDRIX reported:

Project Rocketship (Central Power) is moving forward on the south end of town. Both of their construction permits were pulled today. Between the manufacturing facility and the warehouse there will be 1.2 million square feet of building construction going in down there.

4. PUBLIC HEARING – SINGLE PHASE FINAL PLAT DAVENPORT FARMS COMMERCIAL 1ST PLAT – 1806 NE 188TH STREET

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED SINGLE-PHASE PLAT FOR DAVENPORT FARMS FOR A NEW 2 LOT SUBDIVISION INCORPORATING THE ORIGINAL COMMERCIAL LOT AND CREATING AN ADDITIONAL LOT FOR AN AMBULANCE FACILITY.**

Public hearing opened.

HENDRIX informed that the packet includes the staff report and final plat document. There is no traffic study required. The potential entities moving into these two lots will have to do their own traffic impact analysis when they come in for site plan approval. NRAD is looking at buying one of the lots.

No citizens present wished to speak.

Public hearing closed.

5. SINGLE PHASE FINAL PLAT FOR DAVENPORT FARMS SUBDIVISION

- **APPLICANT SEEKS TO CREATE TWO LOTS BY MODIFYING THE ORIGINAL 2005 PRELIMINARY PLAT FOR THIS SUBDIVISION BY CREATING A NEW LOT ON THE NORTH OF DAVENPORT LANE FOR AN AMBULANCE FACILITY AND PLATTING THE EXISTING COMMERCIALLY ZONED AREA NORTH OF EAGLE HEIGHTS ELEMENTARY.**

SCARBOROUGH motioned to approve the Single-Phase Final Plat for Davenport Farms Subdivision. Seconded by HALL.

Discussion: None

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

AYES-6, NOES-0. MOTION PASSED

Not Yet Approved

6. WHISPERING CREEK FARMS 2ND PLAT – CONTINUATION OF DISCUSSION FROM THE AUGUST 8, 2026 PLANNING AND ZONING COMMISSION MEETING – TIS AND PLAT RESUBMISSION

- **THIS IS A CONTINUATION OF THE AUGUST MEETING WHERE THE COMMISSION REQUESTED A FULL TRAFFIC IMPACT STUDY AND DENSITY CHANGE.**

HENDRIX stated that the traffic impact study is in the packet. A public hearing was held in August where evidence was presented and reviewed. During the discussion, a motion was made and seconded to require a full Traffic Impact Study (TIS) rather than only a safety-focused study. The full study has since been completed, and a copy has been provided to the commission.

Public hearing opened for the limited purpose of receiving the full TIS and reduction of housing.

Marvin Davis – 13355 NW 73rd Street Parkville, MO — Stated that he served on the Clay County Planning and Zoning Committee for approximately five years. He noted that a traffic study was previously required and completed. He wanted to place on the record that the project had already undergone the traffic study process and received the necessary county approvals.

Larry Yeatman – 4014 NE 144th Street Smithville, MO — Stated that he is a current member of the Clay County Planning and Zoning Commission and believes that there is a better option for roadway access than the route currently proposed. He referenced engineering plans showing an alternative connection to Mount Olivet Road with good sight distance and visibility.

Kristine Bunch – 206 Richardson Street #749 Smithville, MO — Urged decision makers to carefully consider roadway safety when evaluating the proposed development.

Carmen Maguire – 4803 NE 144th Street Smithville, MO — Stated that a better access route for the development would be through a neighboring property rather than connecting to NE 144th Street. She

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expressed concerns about increased traffic volume, long-term road maintenance costs, and the impact on local infrastructure.

Dale Greene – 4807 NE 144th Street Smithville, MO — Stated that he opposed the proposed intersection on safety grounds, citing a history of accidents in the area. He suggested that access via Mount Olivet Road would be a safer alternative and urged decision makers to consider other options before approving the current roadway plan.

Nicole Pfaff – 3405 NE 144th Street Smithville, MO — She questioned the accuracy of the traffic study. She emphasized concerns about traffic safety, stating that the area experiences frequent speeding and accidents and that those issues should be carefully addressed before the project moves forward.

Jeff Cindrich – 4814 NE 144th Street Smithville, MO — He noted that the project could add significantly more homes to an area that has historically consisted of large-acreage properties, resulting in a substantial increase in traffic on roads that already have safety concerns. He questioned whether additional residential growth is necessary given the potential strain on roads, schools, and infrastructure and argued that the property could still be developed with larger lots and lower traffic impacts.

Michael Ballenger – 14975 Mt. Olivet Rd Smithville, MO —
Referenced back to the hearing in 2020, the study that was done was a trip generation study and part of the Clay County Commissioner's rejection of the neighborhood is because they wanted a full traffic impact study, which was done now. He raised concerns about who would maintain a proposed flashing warning beacon at the neighborhood entrance and questioned whether the traffic study may underestimate vehicle trips.

Daniel Heckman – 4202 NE 144th Street Smithville, MO — He expressed concerns about traffic safety, visibility and speeding issues.
He stated that adding approximately 30 new homes to a road that currently serves only about 13 homes would significantly increase traffic on a narrow roadway that struggled even during past detour traffic. He urged officials to carefully consider the safety, traffic, and quality-of-life concerns raised by neighboring property owners.

Public hearing closed.

Not Yet Approved

Discussion:

Lindsay Vogt -- RL Buford & Associates Engineering-- Provided a presentation to the commission. She informed the commission that the developer intends to keep 10 of the 32 lots for himself (total of 63 acres) and plans to live within the development. Her presentation addressed the projects history, road access, traffic safety, traffic study findings and development design. She informed she was available for any questions and concerns that the commission had.

Dwight Friedley, Applicant-- was also present and available for questions from the commission.

HALL motioned to approve the Single-Phase Final Plat for Whispering Creek Farms 2nd Plat. Seconded by DOTSON.

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

AYES-6, NOES-0. MOTION PASSED

7. CONCEPTUAL PLAN – SMITHVILLE PLAZA APARTMENTS – RETURNED TO COMMISSION BY BOARD OF ALDERMEN FOR FURTHER DISCUSSION ON DENSITY AND PARKING REQUIREMENTS – REVISED BY APPLICANT TO 176-UNIT COMPLEX WITH 300 PARKING SPACES ON 8.5 ACRES OF LAND AT 119 N 169 HIGHWAY ON LAND ZONED R-3

Public hearing opened to receive further testimony regarding the Conceptual Plan of the Smithville Plaza Apartments.

Kristine Bunch – 206 Richardson Street #749 Smithville, MO — She expressed concern that a 176-unit development does not appear to meet the city's parking requirements.

Ann Darr – 2625 Little Platte Rd Smithville, MO — Spoke regarding potential flood risk and public safety, infrastructure capacity, and the potential destruction of archaeological and historically significant land.

Not Yet Approved

<u>David Pence – Applicant – Consult KC 24 S Main Street Liberty, MO 64068—</u> Provided a presentation to the commission which explained the reduction of units from 200 to 176, parking requirements and flood concerns.

Public hearing closed.

8. CONCEPTUAL PLAN – R-3P FOR A 176-UNIT APARTMENT COMPLEX

- **APPLICANT SEEKS APPROVAL OF A CONCEPTUAL PLAN FOR A TWO-BUILDING COMPLEX WITH 176 UNITS AND 300 ADDITIONAL PARKING SPACES.**

SCARBOROUGH motioned to approve the Conceptual Plan – R-3p for a 176-unit apartment complex. Seconded by ALDERMAN WILSON.

Discussion:

The Commission members, Mr. Pence and Mr. Hendrix discussed parking, crime, storm water, landscape plan, onsite lighting design and updating the city requirements for parking.

<u>Penny Huff – 2120 County Rd KK Smithville, MO —</u> Expressed concerns that the removal trees along the riverbank may have weakened soil stability on a flood-prone property. She questioned whether the impact has been evaluated and whether the site can safely support the proposed two four-story buildings.

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

AYES-6, NOES-0. MOTION PASSED

Not Yet Approved

9. ADJOURN

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

VOICE VOTE: UNANIMOUS

CHAIRMAN CHEVALIER declared the session adjourned at 9:13 p.m.

Not Yet Approved

Planning and Zoning Commision
Procedural Summary

MEETING DATE: 11/10/2026 **DEPARTMENT:** Development

AGENDA ITEM: Rezoning 632 S. 169 Highway

REQUESTED COMMISSION ACTION:
A motion to approve the findings of fact and recommendation to the Board of Aldermen.

SUMMARY OF PROCEDURE:
The application is to amend the B-2 district zoning to B-3.

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

Voting to approve the Findings of Fact will send the draft ordinance to the Board. If a Commissioner seeks to amend one or all of the proposed findings, then a motion to amend (*state paragraph #*) with language on what change is sought should be made. If that motion to amend is seconded, it then becomes the discussion point of the Commission. After discussion closes on an amendment, a vote must occur. This process continues until there are no more proposed amendments.
Once the original motion is amended, or if no amendments are made, discussion can focus on the proposed findings (as amended). When discussion is complete, the chair shall call for a vote.

ATTACHMENTS:

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

STAFF REPORT

October 15, 2026

Rezoning of Parcel Id # 05-802-00-01-004.00

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

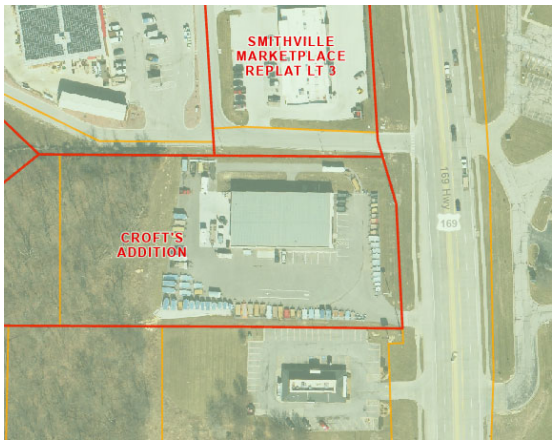
Address:	632 S. 169 Highway
Owner:	Meraki Capital KC LLC
Current Zoning:	B-2
Proposed Zoning:	B-3

Public Notice Dates:

1st Publication in Newspaper:	October 21, 2026
Letters to Property Owners w/in 185':	October 21, 2026

GENERAL DESCRIPTION:

The owners submitted an application to amend the zone district of its' property at 632 S. 169 Hwy (formerly Croft Trailer Supply) from B-2 Non-Retail Business District to B-3 General Business District. This classification change will allow the property to lease or sell to retail tenants and provide more use options.



EXISTING ZONING:

The existing zoning was put in place in 1980.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is predominantly B-3 General Business zoning fronting on 169 Hwy and west of the hospital.

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

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

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

The site is fully developed with all utilities and other public services.

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

The current use is B-2, which generally a non-retail district, and the area has, over its recent existence, converted to primarily a retail area. The highest and best use is the retail uses allowed in the B-3 district.

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

The property was zoned to its' existing district classification in 1980 and was the location of a trailer repair business for many years. This business closed and the owners sold the building, and the new owners seek to open this site to retail as there is limited desire for the zoning limitations of B-2 on 169 Highway frontage.

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

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

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

No detrimental effects are known.

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

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

STAFF RECOMMENDATION:

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

Respectfully Submitted,

_____

Zoning Administrator

BILL NO. 3102-26 **ORDINANCE NO. 329X-26**

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

WHEREAS, The City of Smithville received an application for rezoning 632 S. 169 Highway on September 8, 2026; and

WHEREAS, Public Notice was published in the Courier Tribune and letters to property owners within 185' were sent not less than 15 days prior to the Public Hearings conducted before the Planning Commission on November 10, 2026; and

WHEREAS, the Planning Commission presented its' findings (attached as "Exhibit A") 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 along with Findings of Fact and Conclusions of Law attached hereto as **Exhibit A**, 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 below, are hereby changed to the B-3 zoning classification.

Legal Description: **Croft's Addition, Lot 1**

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 15th DAY OF DECEMBER 2026

_____

Damien Boley, Mayor

ATTEST:

_____

Linda Drummond, City Clerk

First Reading: 11/17/2026

Second Reading: 12/15/2026

EXHIBIT A

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicant: Meraki Capital LLC

Land Use Proposed: B-3

Zoning: B-2

Property Location: 632 S. 169 Highway

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 November 10, 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 consists of developed retail properties on the north side of the property (MarketPlace) and the hospital on the eastside of 169. Pizza Hut and the Richardson Street Plaza are all on the south.

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

The existing Comprehensive Plan was approved on November 10, 2020, by the Planning Commission and adopted as the official development policy of the City on November 17, 2020, by the Board of Aldermen. That plan calls for this area to remain commercial.

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

The property is currently developed and all of the public utilities and needed public services are available.

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

The current use is B-2, non-retail business in an area that has developed into a significant retail area of the city.

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

The property was zoned to its' existing district classification in 1980, and had been a trailer repair and supply store for many years. That business closed the Smithville location and the property was put up for sale. The highest and best use is B-3 to encourage more retail in the area on 169 Highway frontage. The uses in B-2 no longer lend themselves to highway frontage.

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

The proposed district is compatible with the adjacent uses, particularly when the retail opportunities.

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

No detriment is anticipated.

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

No loss to landowners is expected.

9. That in rendering this Finding of Fact, testimony at the public hearing on November 10, 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 Zoning of this property from B-2 Non-Retail Business to B-3 General Business is governed by Section 400.560 of the zoning ordinance of Smithville, Missouri.

B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.

C. The Planning and Zoning Commission of the City of Smithville, Missouri recommends approval of zoning the property to B-3.