



Board of Aldermen Request for Action

MEETING DATE: 5/19/2026

DEPARTMENT: Development

AGENDA ITEM: Bill No. 3115-26 – Collins Ridge Rezoning and Preliminary Plat – 1st Reading

REQUESTED BOARD ACTION

A motion to approve Bill No. 3115-26, an ordinance changing the zoning classifications or districts of certain lands located in the City of Smithville, Missouri and approving a preliminary plat for Collins Ridge subdivision. First reading by title only.

SUMMARY

This ordinance would authorize rezoning 820 East 92 Highway from A-1 to B-3, R-3 and R-1C and approve a development agreement and a Preliminary Plat for Collins Ridge Subdivision.

PREVIOUS ACTION

The current zoning has been in place since the land was annexed into the city, and this will be the first development on the site.

POLICY OBJECTIVE

Comply with the Comprehensive Plan requirements for increasing additional housing stock near existing housing and encourage pedestrian connections between both.

FINANCIAL CONSIDERATIONS

N/A

ATTACHMENTS

- | | |
|--|---|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input checked="" type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Reports | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Findings of Fact; Development agreement | |

P & Z Meeting Minutes Available to view [online](#)

BILL NO. 3115-26

ORDINANCE NO. 331X-26

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

WHEREAS, The City of Smithville received an application for rezoning and a Preliminary Plat for 820 East 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, 2026 concerning changing the zoning of the land; and

WHEREAS, the rezoning is to change the zoning from A-1 to R-1C R-3 and B-3 in accordance with the Collins Ridge Preliminary Plat; and

WHEREAS, a Public Hearing was also conducted before the Planning Commission on May 12, 2026 concerning a Preliminary Plat for Collins Ridge subdivision on the same the land; and

WHEREAS, a Development Agreement for timing of improvements was presented that allowed the proposed plat to meet development standards; and

WHEREAS, the Planning Commission recommended that the Preliminary Plat for Collins Ridge subdivision, subject to the Development agreement's terms, be approved; and

WHEREAS, the Planning Commission presented its' findings to the Board of Aldermen, attached as Exhibit A, and recommended approval of the rezoning request and the Collins Ridge Preliminary Plat; 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 and subdivision ordinances of the City of Smithville, Missouri, by a majority council vote, the zoning classification(s) or district(s) of the lands legally described hereafter 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. That the Development agreement for Collins Ridge subdivision in substantially the form attached hereto as Exhibit B and incorporated into this ordinance as if fully set forth herein, is approved and the appropriate official of the City is authorized to execute the same on behalf of the City.

Section 4. That the Preliminary Plat for Collins Ridge Subdivision attached hereto as Exhibit C is hereby approved.

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

PASSED THIS 2nd DAY OF JUNE, 2026

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 05/19/2026
Second Reading 06/02/2026

Exhibit A

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.

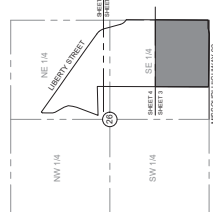
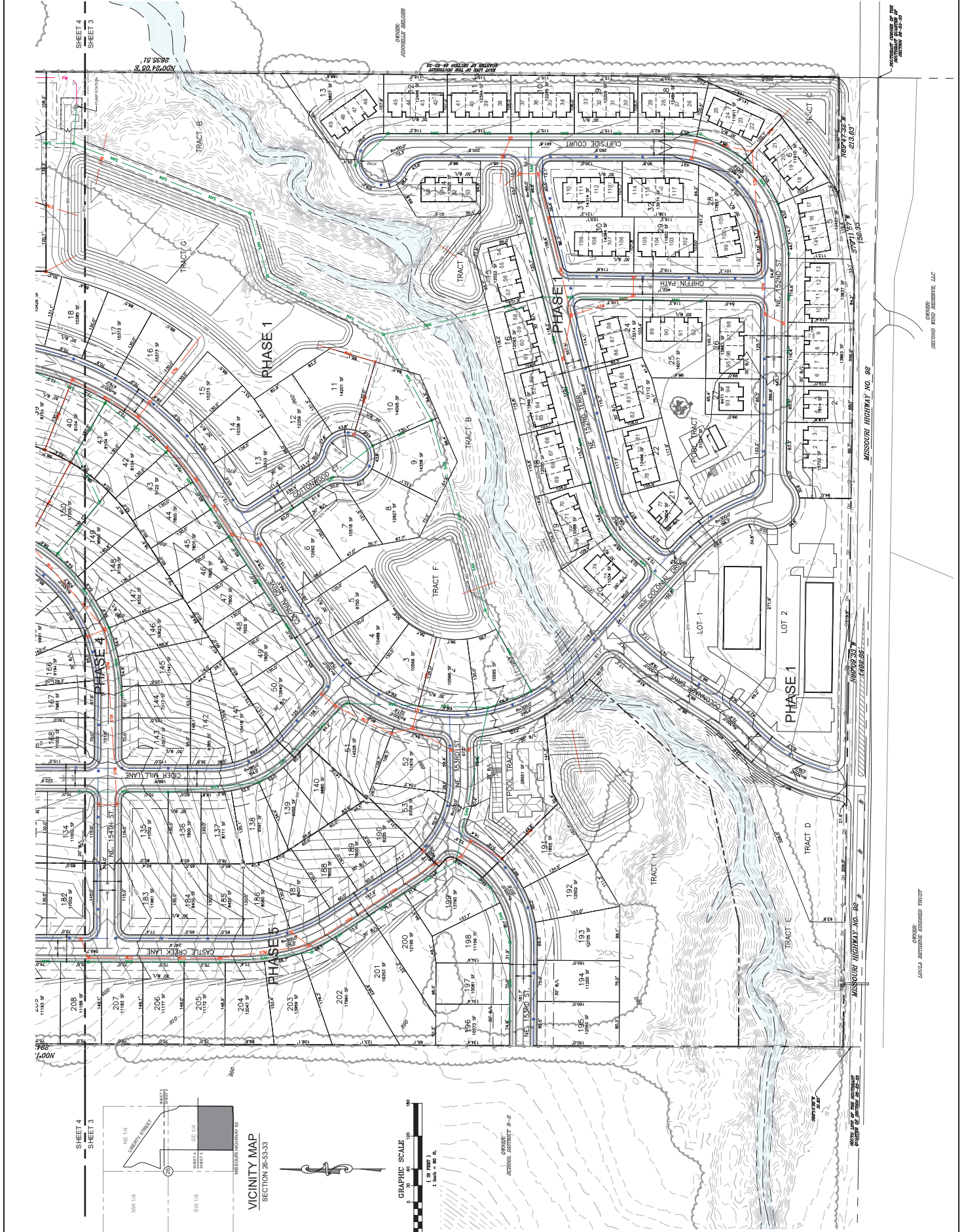
Recommendation of the Planning Commission

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

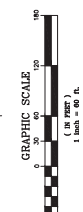
- A. This application and the Rezoning of this property from A-1 to B-3, R-3 and R-1C is governed by Section 400.550 of the zoning ordinance of Smithville, Missouri.
- B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.
- C. The Planning and Zoning 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.

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

NO.	DATE	DESCRIPTION	REVISED BY	CHECKED BY
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2				
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VICINITY MAP
SECTION 26-53-33



SCHOOL DISTRICT R-17

MISSOURI HIGHWAY NO. 69
MISSOURI HIGHWAY NO. 88
CHINA PATH
CLIFFSIDE COURT
NE 15TH ST
NE 16TH ST
NE 17TH ST
NE 18TH ST
NE 19TH ST
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NE 100TH ST

OWNER: LADIA HATHING GARDNER TRUST

OWNER: SECOND WIND RESORTS, LLC

CONTRACT NO. 211818

SHEET 4
SHEET 3

SHEET 4
SHEET 3

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into this ____ day of _____, 2026, by and between **KINDRED INVESTMENT COMPANY** ("Developer") and **THE CITY OF SMITHVILLE, MISSOURI**, a Missouri Corporation ("City") as follows:

WHEREAS, Developer plans on developing its proposed subdivision known as Collins Ridge located generally north of 92 Highway and east of the Smithville R-II School main campus in an area proposed to be residential density housing (2-4 D.U. per acre) north of the drainage area and moderate density (5-18 D.U. per acre) in accordance with the Comprehensive Plan. The preliminary plat includes 2 commercial buildings along 92 Highway, with 287 Single-Family detached residential dwelling units on 102 acres for a density of 2.8 units per acre in the R-1C area and 117 Single-Family attached dwelling units on approximately 19.5 acres for a density of 6 units per acre in the R-3 area. The combined residential density of both areas is 3.3 dwelling units per acre; and

WHEREAS, the City will make certain requirements for off and on site improvements if said land is developed as a single-family subdivision; and

WHEREAS, it is in the best interest of both parties to enter into an agreement as to what improvements and obligations under the city's subdivision code will be required of Developer; and

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

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

1. The terms of this agreement apply to the following property and all portions thereof to be in a subdivision called Collins Ridge, the legal description of which is set forth on the attached preliminary plat for Collins Ridge as shown on Exhibit A attached hereto.

2. Water. It is recognized that the development will require extension of waterlines from various locations upon full buildout to improve fire flows and waterline pressures for the development and the surrounding properties' and, therefore the parties agree that the Developer will, at their sole cost and expense, construct all such waterlines required for the subdivision based upon design plans and water model requirements to meet DNR requirements, Fire District and City approval.

3. Streets. That the City recognizes that the size of the development required a TIS and that the main access point of Colonial Drive is within an intersection and jurisdiction of MoDOT. The secondary access point is at a proposed new intersection between Colonial Drive and Liberty Street, east of the Liberty Street intersection approximately 2,320 feet, and a proposed future access into the school district property via NE 153rd Street. There will be certain off-site improvements required as a part of this development. All improvements herein are required to be at the Developer's sole cost and expense unless otherwise noted, and subject to plan approval by all entities with jurisdiction.

a. In the initial Phase I of development, the Colonial Drive and East 92 Highway MoDOT intersection shall include developer's construction of a right turn lane on west bound 92 Highway; a left turn lane on east bound 92 Highway; and both a left and right turn lane on southbound Colonial Drive. This intersection is subject to permitting and final design approval by MoDOT and shall include any additional or amended requirements as identified by MoDOT

in its' final approval of the TIS. This work shall be completed in Phase I of the project and prior to final plat approval for Phase I.

b. With Phase I, the developer shall also dedicate an additional 10' of right of way on the south side of Liberty street from Lot 26 of Kindred Heights (603 Liberty Road) southeasterly along the property to the rear of Lots 81 and 82 on the preliminary plat. This additional right of way shall provide additional space for the required force main along the Liberty Street right of way as well as future pedestrian sidewalks.

c. Liberty Street improvement construction shall also be required when the Colonial Drive intersection with Liberty Street is completed. This intersection shall be required to be completed with the final plat phase that generates lots sufficient for 215 dwelling units. When this intersection is triggered, the following improvements shall be required: The intersection shall have curb and gutter installed on Colonial Drive, and on Liberty Street on the adjacent lots numbered 235 and 249 as shown on the preliminary plat. The right of way of Liberty Street between Colonial Drive and Lot 26 of Kindred Heights (603 Liberty Rd.) lying approximately 2,300 feet east shall also be required to have a 5' sidewalk installed from the sidewalk on lot 249's Colonial Drive sidewalk, northwesterly along the entire property to Lot 26 of Kindred Heights prior to recording the last phase of development within the development.

d. Prior to completion of the Colonial Drive and Liberty Street intersection, the developer shall also install a 2" asphalt overlay from said intersection, northwesterly to Lot 26 of Kindred Heights. It is a condition precedent to any asphalt overlay that the road bed be inspected and approved and in the event that portions of the roadbed are inadequate at that time, the developer shall remove and/or replace the existing asphalt during the overlay itself; the

developer shall also improve the ditches and stormwater drainage as required in paragraph 4, below.

4. Stormwater. The parties agree that the development will be required to design and construct all necessary infrastructure required to meet the then existing city standards for stormwater control at its' own cost and expense. Such construction will be in accordance with an approved stormwater study, and any updates to such study may be required from time to time. In particular, given the increase traffic to the north from Colonial Drive along Liberty Street, the developer shall be required to replace the existing culvert just north of that intersection with a reinforced Concrete pipe that extends the full length of the right of way on the south side of Liberty Street (including the 10' additional ROW dedicated herein) with inflow details and, on the north side, such pipe shall extend beyond the existing pavement sufficiently to allow an outflow structure to be installed. This culvert extension to the south will allow clear, safe construction of the 5' sidewalk along this stretch. All road crossings of storm pipes shall be of RCP and sized in accordance with the updated storm study and stormwater designs for such work when required.

5. Sanitary Sewers. The parties agree that the development will be required to design and construct all necessary infrastructure required to meet the then existing city standards. It is understood that the installation of a new pump station from the southeasterly area of the property, and a force main from there, north along the property line and then along the Liberty Street right of way to a gravity manhole near the Liberty Street and Liberty Road intersection. The design of the pump station, access road (6" asphalt pavement) and any underground overflow storage required shall be the Developer's sole responsibility, along with all construction and review costs associated with this construction.

6. Parks. The parties agree that the Parkland dedication requirements of the city code will not be met by any parkland dedications for this subdivision. The two proposed pools, as private park improvements shall be entitled to credit of 50% of the total combined land area of those lots. Those lots are 31,021 and 28,551 ft² for a total of 59,572 ft². This area qualifies for 50% credit per the code, or 29,786 ft². The development shall then pay a prorated park fee using the following calculations. 404 dwelling units, multiplied by the Census Density of 2.85, multiplied again by .02 in accordance with the subdivision code formula results in a dedication requirement of 23.03 acres (1,003,099 ft²). The pools are on 28,551 ft² and 31,021ft² respectively, for a total of 59,572ft²/2= 29,786ft². The resulting 29,786 leaves a balance of 29,786/1,003,099 = a 3% reduction in the park fee required for each dwelling unit. In this case, the total fee would be \$604.44 per lot. This fee is required to be paid with each final plat based upon the total number of dwelling units included. The total development requirement is \$245,002.27, and for example, 117 townhomes in Phase I would require \$70,953.63 in park fees to be paid prior to release of the final plat for recording.

7. The parties agree that except as specifically noted herein, execution of this Agreement in no way constitutes a waiver of any requirements of applicable City Ordinances with which Developer must comply and does not in any way constitute prior approval of any future proposal for development or approval of construction plans required herein.

8. All work agreed to be performed by Developer in this Agreement shall be done only after receiving written notice from City to proceed. Notice to proceed shall not be given

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

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

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

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

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

13. This agreement shall not be effective until: (1) signed by both parties and (2) approved by an ordinance duly enacted by the Board of Aldermen of Smithville, Missouri.

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

THE CITY OF SMITHVILLE, MISSOURI

By _____
Mayor

ATTEST:

City Clerk



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:

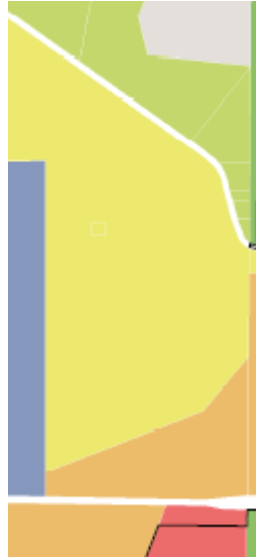
The applicant has simultaneously requested rezoning of this parcel in accordance with the attached preliminary plat and final approval of that rezoning is a condition precedent to approval of this plat. The proposed plat includes 287 single-family detached dwelling lots, 117 dwellings on 32 multi-family 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 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 215th 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



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:

1st 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 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 6th, 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