Planning and Zoning Commission Meeting

November 13, 2025

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 14, 2025, Planning Commission Minutes**

3. **Staff Report**

4. **Public Hearing – Rezoning a portion of 13616 N. Virginia from A-1 to A-R**

   The purpose of this hearing is to take public comment on the proposed rezoning to allow a single phase final plat.

5. **Rezoning a portion of 13616 N. Virginia from A-1 to A-R**

   The Commission shall discuss the proposed findings of fact (includes final ordinance) and make its' recommendation to the Board of Aldermen.

6. **Public Hearing – Umholtz Homestead Final Plat– 2 lots**

   The purpose of this hearing is to take public comment on the proposed Final Plat.

7. **Umholtz Homestead Final Plat– 2 lots**

   Applicant seeks to create one additional lot of 3 acres out of his 19.99 acre lot, subject to the rezoning of this lot to A-R.

8. **Site Plan Review – Addition to Major Lumber building at 203 E. Meadow**

   Applicant seeks to make an addition to the east portion of the existing office building using different materials than the existing building.

9. **Adjourn**

Posted by Jack Hendrix, November 7, 2025, 2025 at 4:00 p.m.
107 W. Main Street, Smithville, MO 64089

Accommodations Upon Request

SMITHVILLE PLANNING COMMISSION

REGULAR SESSION
October 14, 2025
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, and Mayor Damien Boley. Rob Scarborough and Billy Muessig were absent. John Wallace resigned from the Committee in September 2025.

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

2. MINUTES

The August 12, 2025, Regular Session Meeting Minutes were moved for approval by MAYOR BOLEY, Seconded by ALDERMAN WILSON.

Ayes 3, Noes 0, Abstain 1 (Chevalier). Motion carried.

3. STAFF REPORT

HENDRIX reported:

Informed that we have issued 15 new residential building permits since January 1, 2025. For our fiscal year, 11/1/24 – 10/31/25, we have issued 82 new residential building permits.

Demolition has started in the old Kay Furniture building. They are only tearing down the front portion of the building. They will tear out the building pad so they can start working on the buildings and install a larger parking lot.

ALDERMAN WILSON stated that she has noticed some activity at the gas station located at 124 N 169 Hwy. She asked for an update on what they are doing there.

HENDRIX stated that there are new owners of this property. We issued a permit for the new retaining wall they are installing. All other work being done is to freshen the building up since it's been closed for almost 2 years.

HENDRIX also explained that the consultant Julie Kruse for the 169 South Employment Overlay was supposed to give an overview during the staff report. It may be better to have her give her presentation during the public hearing portion of the agenda (Item # 4). Also, item # 10 and 11 of the agenda need to be postponed. MODOT has not provided their comments regarding the traffic study that was conducted for this potential new subdivision.

HALL motioned to move the consultant presentation for the 169 South Employment Overlay to Item #4 and postpone Item # 10 & 11. Seconded by MAYOR BOLEY.

THE VOTE: HALL-AYE, ALDERMAN WILSON-AYE, CHEVALIER-AYE, MAYOR BOLEY-AYE.

AYES-4, NOES-0. MOTION PASSED

4. PUBLIC HEARING – 169 SOUTH EMPLOYMENT CENTER OVERLAY ORDINANCE

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED OVERLAY DISTRICT RULES AND REGULATIONS**

Public hearing opened.

Doug Cirricione 728 Spelman Dr —Stated while reviewing the packet information a couple of items caught his attention. It referred to green spaces. Currently that property is over half very mature trees, decades old, and a project of this nature can level those in a heartbeat, as we've seen with some other projects in the city. I think

some people mentioned it in the past where, with those mature trees, maybe setting aside an acre or more of the matured trees that then could become a park area with mature trees versus having to wait for the trees to grow up. Potentially could be a dog park in that area for the people that eventually would live there. With this being on the west side of 169, southbound 169, as we know, is the original 169 highway, with its hills and valleys. The northern entrance for this lines up with Amory Rd and the southern entrance lines up with 136th St and another one about halfway in between. The entrance at Amory Rd is definitely beyond just the hillside, so it'll be a totally blind turn coming in and out. I didn't see any reference to potential turn lanes off 169 South into this development. The one at 136th St is a little more open line of sight, so that one may not be as bad. But the two northern ones could be questionable. Additionally, with this being on the west side, what's that mean for the crossovers at 136th St and Amory Rd for traffic getting across to go into this? I know with this being 169, MoDOT has to have their take on it for anything that eventually goes in place. And we'll have their input into that as to what may or may not be required, whether that be traffic lights or turn lanes, etc. But he wanted to bring that up to the commission.

Julie Kruse from Snyder and Associates presented the ordinance for the 169 South Employment Overlay District to the Planning and Zoning Commission. She stated that the feedback that they received from the August Planning and Zoning Commission meeting has been incorporated.

Public hearing closed.

5. 169 SOUTH EMPLOYMENT CENTER OVERLAY ORDINANCE RECOMMENDATION

- **THE COMMISSION SHALL DISCUSS THE PROPOSED FINAL ORDINANCE AND MAKE ITS RECOMMENDATION TO THE BOARD OF ALDERMEN.**

ALDERMAN WILSON motioned to approve the recommendations for the 169 South Employment Overlay Ordinance. Seconded by MAYOR BOLEY.

Discussion:

CHEVALIER stated that he wanted to touch on some of Mr. Cirricione's comments. The traffic and the trees, all of that will be handled when the actual site plans are submitted, correct?

HENDRIX stated that is correct. Even if we didn't have the overlay, they would have to do the traffic studies, the stormwater studies, the layout, etc. MODOT will be directly involved in this as well.

CHEVALIER asked if MODOT would lower the speed limit on 169 Hwy because there's so much activity coming on both sides?

HENDRIX stated that MoDOT has often told staff that getting a speed limit changed on a highway of this size is very difficult. It has to be approved through the Jefferson City office, which is the main highway transportation office. It's not something that can be approved by the local offices.

MAYOR BOLEY stated what we've learned in the past from development on the south end is that storage units don't require a lot of MoDOT work. That's what the motivation was for getting this done. Not seeing an explosion of storage units on the south end like Trimble. I'm also glad there's a minimum percentage of green space. And like one of the items later on in tonight's agenda, we're looking at a plat that was done in 2006.
It might be 20-30 years before anybody looks at developing this area. We don't know. But we don't want the wrong stuff there.

HALL stated this just sets the outline for what we would allow into it. Just because we allow, it doesn't mean it's going in there. And until somebody comes with a plan, it's a moot point, because it still has to go through that standard process.

ALDERMAN WILSON stated as we also mentioned this helps any future development have an understanding of what we anticipate being there to help them even look at what they would consider putting in there. It all works together.
HENDRIX stated these overlay districts do not hinder it. They make it a lot easier for a developer to come in, because now they understand that this is

what the city's looking for. Nothing will prevent in 5 years or 10 years, if nothing's developed on it, to come back in and make changes to it.

THE VOTE: HALL-AYE, MAYOR BOLEY-AYE, CHEVALIER-AYE, ALDERMAN WILSON-AYE.

AYES-4, NOES-0. MOTION PASSED

6. PUBLIC HEARING – SMITHVILLE MARKETPLACE REPLAT LOT 6A AND 7

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED FINAL PLAT**

Public hearing opened.

HENDRIX stated that the Staff Report has been provided in the packet. They have 2 interested parties and in order to do it they needed to create lots of the right size and shape for the interested parties. The problem was they only had 2 lots. They had to adjust those boundaries and create an extra lot. All infrastructure is in place.

No Public Comment.

Public hearing closed.

7. SMITHVILLE MARKETPLACE REPLAT LOT 6A AND 7

- **APPLICANT SEEKS TO CREATE ONE ADDITIONAL LOT AND ADJUST THE BOUNDARIES OF THE TWO OTHERS.**

HALL motioned to approve the Smithville Marketplace Replat lot 6A and 7. Seconded by ALDERMAN WILSON.

Discussion:

CHEVALIER asked if this affects the TIF for this area?

HENDRIX stated any additional retail sales tax will go into the TIF to pay it off quicker and since this is the old TIF there are several taxes that have passed since then. Our capital improvement sales tax, the parks sales tax, and now the law enforcement sales tax. These won't be divided like the other taxes were for these two lots. It just starts adding more money into the payoff of that TIF so that their investment returns are met in accordance with that TIF agreement.

THE VOTE: ALDERMAN WILSON -AYE, CHEVALIER -AYE, HALL-AYE, MAYOR BOLEY-AYE.

AYES-4, NOES-0. MOTION PASSED

8. PUBLIC HEARING – RIVERPLACE REZONING FROM R-1B TO R-1D AND R-2

- **REZONING THE RIVERPLACE SUBDIVISION DEVELOPMENT AT APPROXIMATELY 210 KK HWY FROM 166 LOTS OF R-1B TO 166 LOTS OF R-1D AND R-2.**

Public hearing opened.

HENDRIX stated the packet you have includes all materials, with typographical errors now corrected. We reviewed and fixed them after some were initially missed. The updated documents before you are the corrected versions for the public hearing review. The plat included is for illustrative purposes only: numbers with a "D" indicate duplex units, while numbers without a "D" indicate single-family homes. The applicant who designed the plat, is present and available to answer questions or make a presentation during the next part of the meeting.

Robert Parks - Weiskirch and Parks Engineering 111 N Main Street Independence, MO— Stated they have been working with the developer on this for a while. Unfortunately, he's out of the country right now and couldn't be here. He would be available for any questions.

John Lizar 211 KK Hwy — Noted his concerns about traffic impacts, particularly on KK Highway and access to 169, citing existing safety issues and the need for MoDOT involvement and possible improvements like turn lanes or shoulders. He raised questions about utility impacts, such as water pressure and sewer capacity, referencing past problems in the Forest Oaks Subdivision. Stated that the previous plan from 2006 had 166 lots and the new proposal appears to increase total dwellings to around 200 due to duplexes, which is concerning. He asked whether the 75-foot frontage requirement still applies, as the lots seem closely spaced. He asked if the city plans to provide a public briefing on the proposal from the builder or developer.

HENDRIX stated there will be another public hearing. If we get the MoDOT paperwork, it will be next month at City Hall in this very same room. That's when the traffic study will be released. The stormwater information and storm studies will be released. They'll be on the city website as well, so you'll be able to see all that ahead of time.

Randa Blakeslee 201 County Rd KK — Stated that her main concern is traffic safety. Living near a blind corner, they already experience difficulty safely exiting their driveway, and worry that additional homes will greatly increase traffic, especially during busy morning hours. She is also concerned about safety for her children as future drivers. She mentioned hazardous conditions near the daycare on Highway 169, where cars turning left cause others to pass on the shoulder, creating risks for families. She raised concerns about mail delivery safety on the blind corner and how increased traffic could worsen the issue. She questioned how the influx of new residents would impact local schools and whether the district is prepared to handle a larger student population.

Kelly Brown 609 Spelman Dr — Stated that she is a longtime resident. She owns the property located at 201 KK Hwy which is near the blind corner on. She expressed strong concerns about traffic safety, noting that adding more homes could create dangerous conditions and potential accidents. She asked whether the traffic study would examine both directions of travel to assess full impacts. Her additional concerns included how the development would affect schools, sewer capacity, and the lack of clear information provided to residents. She was also concerned about the shift from single-family homes to duplexes, saying it would increase housing density and worsen traffic issues.

Robert Angle 209 County Rd KK — Expressed concerns about the density of the proposed development. He noted that the addition of duplexes and smaller single-family lots could result in at least 432 vehicles, not including school buses, deliveries, or visitors, straining KK Highway, which lacks shoulders and has speeding issues. He highlighted existing traffic congestion at the KK and 169 intersection, which would worsen. While not opposing development outright, he has concerns to the zoning changes that allow higher density. He feels that duplexes are inappropriate for the area and that the original single-family zoning should be maintained.

Jeff Wolken 207 County Rd KK — Expressed concerns about traffic and safety. His house is near a blind corner, making driveway exits dangerous, and worries the high density of the project (including multifamily dwellings) will worsen traffic on KK Highway and 169. He explained that through his job he has experience with infrastructure and MoDOT, and noted the lack of traffic improvements, and highlighted poor road maintenance and slow snow removal as additional risks. While not opposing development entirely, his concerns are the proposed density, multifamily dwellings, and traffic.

Randy Smith 203 County Rd KK — Spoke his concerns about traffic and safety while raising several additional questions about the proposed development. He asked whether MoDOT would continue maintaining KK Highway, noting past issues when roads were transferred to city control. He inquired about plans for sidewalks, street lighting, and who would bear the costs of installing utilities and infrastructure—stressing that taxpayers should not be responsible. He questioned whether the new homes would be single-family, multifamily, or rentals, expressing concern that higher density and multifamily units could lower surrounding property values. He also asked how "public gain" from rezoning is determined and by whom, arguing the rezoning is not justified given existing congestion. He mentioned the need for more police patrols to address speeding and asked about the impact on local schools.

Cheyenne Smith 203 County Rd KK — She spoke about being a lifelong Smithville resident and recent graduate. She expressed disappointment with the city's rapid growth and loss of its small-town character. She voiced concerns about traffic safety on KK Highway, describing dangerous conditions near the blind corner, excessive speeding, poor snow removal, and unsafe access to mailboxes. She also questioned fairness in zoning and frontage requirements, noting their family was restricted to one house on

their property due to frontage limits, while the proposed development would allow many closely packed homes without the same constraints.

Brooke French 17990 County Line Rd — Stated that her family owns farmland directly north of the proposed development. She expressed concerns about flooding and runoff onto their property, noting that the northwest corner of the site is prone to flooding. She asked that this issue be addressed through sewer or drainage studies. She requested that proper fencing between the new development and their farmland be required to prevent any impact on their property. She has concerns about traffic and acknowledged those issues had already been discussed by others.

Public hearing closed.

9. REZONE 210 KK HWY FROM R-1B TO R-1D AND R-2

- **APPLICANT SEEKS TO REZONE THE SUBDIVISION LAND OF RIVERPLACE SUBDIVISION CREATED IN MARCH 2006 THAT WAS ZONED R-1 IN ACCORDANCE WITH 166 LOT PRELIMINARY PLAT (EFFECTIVLY R-1B) TO A NEW SUBDIVISION OF 166 LOTS WITH R-1D AND R-2 LOTS.**

ALDERMAN WILSON motioned to approve the Rezone at 210 KK Hwy from R-1B to R-1D and R-2. Seconded by MAYOR BOLEY.

Discussion:

HENDRIX explained that traffic impact is measured by trip counts, not by the number of cars. For example, a single-family home averages about 10 trips per day, while a duplex averages around 9.4. These figures come from standard traffic engineering formulas. A traffic study has been completed by a hired engineer, but it is still under review by MoDOT, which has final authority. MoDOT's review could require changes or additional improvements, and the traffic report would then need to be revised accordingly. Until MoDOT provides feedback, the city cannot move forward with items 10 and 11 on the agenda tonight, as design or road improvement requirements could change. Any necessary off-site improvements, such as added turn lanes, will be the developer's responsibility under city code. The

city requires developers to pay for any off-site improvements, such as turn lanes or highway modifications. For example, a nearby development (Greyhawke) was previously required to install a right-turn lane on Highway 169 at 180th Street as part of its traffic study conditions. The stormwater, sewer, and water system improvements are all the developer's responsibility and must meet city standards. A major interceptor sewer project by the city is planned through the property, and the proposed development cannot begin construction until that project is complete. Water system design studies will also be done later, after subdivision approval, since those are costly and depend on the project moving forward.

HALL asked about maintenance of KK and for clarification if it's a state highway.

HENDRIX confirmed that it's a state highway. When more traffic is added to a road maintained by MoDOT it goes up there in their priority list. The lower the traffic, the less likely they are to do it. More traffic would likely speed that up. When our city trucks are going to the area to plow this subdivision in the future, if it comes in, whether they drop the blade to clear off some of it, I can't tell you. They do it sometimes, sometimes they don't.

ALDERMAN WILSON stated there was a lot of concern about KK Hwy and 169. Do you know if that was included in the traffic study?

HENDRIX stated that absolutely all of it is. That's the biggest concern because that's two of the biggest traffic areas in the city. Obviously, the other one is obviously that blind curve.

ALDERMAN WILSON provided an answer to one of the questions that came up several time during the public comment which was about the frontage. That's all driven by the actual zoning. Here tonight where you see R-1D at 50 feet. That frontage was set smaller because they're smaller lots. R-1B zoning is 75 feet. That's the difference when you're seeing 50 feet versus 75 feet. It's all tied to what zoning that is.

HENDRIX stated that the other aspect of it is the Comprehensive Plan called for it. In 2021, one of the first things we did was address the size of lot requirements, the lot frontage. The mailbox locations are going to be addressed by USPS. The city doesn't get much say on that. This development will have the cluster boxes inside the subdivision.

MAYOR BOLEY stated that he won't speak for the school district, but he meets with the superintendent regularly. They ask when this is going to be done often because they are behind on population at the district. This is one subdivision they've asked about many, many times.

CHEVALIER also stated that he has had conversations with the school district. As population of the district goes down then they also lose funding from the state and things like that, so they want increases.

HALL asked what was the reasoning behind the zoning change?

MR. PARKS replied that his understanding was it's the density. There's a site in the development for a future pool and a clubhouse. And to make their numbers work they need to have so many households. Like any amenity in a new subdivision, if you don't have enough homes to cover the costs then it doesn't work.

MAYOR BOLEY stated that we also have land developing off Second Creek that has some trail going north along the river. Does this have space to connect that in to take the pedestrian traffic down to 2nd Creek?

HENDRIX stated it'd require a bridge to get there, but yes. There have been discussions, at least on their side, as to whether some of the land could become a city park but a lot of it unfortunately is floodway. With floodway, you can't really do much in it. Flood plain, if you're building ball fields or something, it's okay.

MAYOR BOLEY asked if they will have to build sidewalks leading to KK Hwy at a minimum.

HENDRIX stated yes. He assumes that putting sidewalks up to 169 Hwy will probably be something that MODOT will not be interested in.

THE VOTE: CHEVALIER -AYE, MAYOR BOLEY-AYE, HALL-AYE, ALDERMAN WILSON -AYE.

AYES-4, NOES-0. MOTION PASSED

10. PUBLIC HEARING – RIVERPLACE SUBDIVISION TO CREATE 166 LOTS

- **APPLICANT SEEKS TO REORGANIZE THE LOTS AND SIZES OF THE 2006 SUBDIVISION OF RIVERPLACE TO UPDATED STANDARDS OF OUR ZONING AND SUBDIVISION ORDINANCES BY CHANGING THE SIZES OF THE EXISTING LOTS TO ACCOMMODATE THE SAME NUMBER OF LOTS BUT WOULD ALLOW UP TO 200 DWELLINGS IN A COMBINATION OF R-1D AND R-2 LOTS. (106 R-1D AND 50 R-2 LOTS).**

A vote occurred during agenda item #3 to postpone this. The motion passed unanimously.

11. PRELIMINARY PLAT – RIVERPLACE SUBDIVISION – 166 LOTS

- **APPLICANT SEEKS TO PRELIMINARILY PLAT A NEW (UPDATED) SUBDIVISION TO BE CALLED RIVERPLACE WITH 166 LOTS IN ACCORDANCE WITH A REZONING OF THE LAND.**

A vote occurred during agenda item #3 to postpone this. The motion passed unanimously.

12. ADJOURN

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

VOICE VOTE: UNANIMOUS

CHAIRMAN CHEVALIER declared the session adjourned at 8:30 p.m.

SMITHVILLE
DEVELOPMENT

STAFF REPORT
November 7, 2025

Rezoning of Parcel Id # 09-302-00-02-014.00
Application for Rezoning District Classification Amendment

Code Sections:
400.560.C Zoning District Classification Amendments

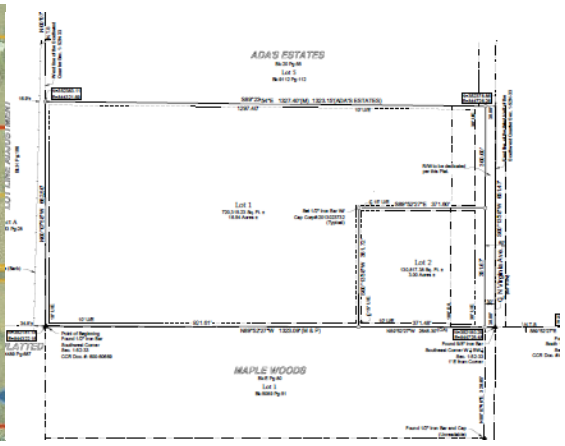
Property Information:

Address:	13616 N. Virginia Ave.
Owners:	Robert Umholtz
Current Zoning:	A-1
Proposed Zoning:	A-R (in part)

Public Notice Dates:

1st Publication in Newspaper:	October 29, 2025
Letters to Property Owners w/in 185':	October 29, 2025

GENERAL DESCRIPTION



The applicant seeks to rezone the southeast section of the subject property from A-1 to A-R. These properties were zoned many years ago at the

time of annexation. The purpose of the rezoning is to allow the existing house to be separated onto its' own 3 acre lot to be sold, and the remaining 17+/- acres to remain A-1.

EXISTING ZONING:

The existing zoning is A-1.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is a predominantly agricultural with single family homes on all sides.

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

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 seeks to continue this area as large lot single family homes.

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

The property has existing utilities sufficient for housing and any other A-R use.

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

The current use is a single family home on A-1 zoned land with the area surrounding the land developed into large lot residences.

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

The property was developed with a single family home on a 20 acre lot with an existing metal barn located in the middle of the property.

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

The proposed district is compatible with the existing nearby land as all the uses are large lot residential.

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

No detrimental effects are anticipated to the adjacent property values.

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

No detrimental effects are anticipated to adjacent properties.

STAFF RECOMMENDATION:

Staff recommends that the rezoning to A-R be approved.

FINDING OF FACTS AND
CONCLUSIONS OF LAW

Applicant: Robert Umholtz

Land Use Proposed: A-R

Zoning: A-1

Property Location: 13616 N. Virginia Ave

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 13, 2025, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

Finding of Facts

1. *Character of the neighborhood.*

The surrounding area is a predominantly agricultural with single family homes on all sides.

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 seeks to continue this area as large lot single family homes.

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

The property has existing utilities sufficient for housing and any other A-R use.

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

The current use is a single-family home on A-1 zoned land with the area surrounding the land developed into large lot residences.

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

The property was developed with a single-family home on a 20 acre lot with an existing metal barn located in the middle of the property.

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

The proposed district is compatible with the existing nearby land as all the uses are large lot residential.

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 13, 2025, 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 A-R 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 rezoning the land to A-R.

BILL NO. 30XX-25 **ORDINANCE NO. XXXX-25**

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 13616 N. Virginia Ave on September 11, 2025; 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 Hearing conducted before the Planning Commission on November 13, 2025; 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:

Lot 2 of the Umholtz Homestead Final Plat

is hereby changed from A-1 to A-R.

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 ____, 2025

_____
Damien Boley, Mayor

ATTEST:

_____
Linda Drummond, City Clerk

First Reading: / /2025

Second Reading / /2025

STAFF REPORT
November 7, 2025
Platting of Parcel Id # 09-302-00-02-014.00

Application for a Plat Approval

Code Sections:

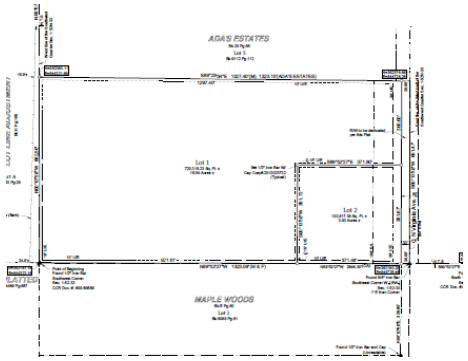
425.285.A.4 Single Phase Final Plat Approval

Property Information:

Address:	13616 N. Virginia Ave.
Owner:	Robert Umholtz
Current Zoning:	A-1 (A-R if approved)
Public Notice Dates:	October 29, 2025
185' Notices:	October 29, 2025

GENERAL DESCRIPTION:

The property is currently a 19.99-acre farm with a newer single family home near the road and a metal barn in the middle of the property. The parcel is surrounded by generally farmsteads with single family houses on large to very large lots. The applicant seeks to divide the parcel into 2 lots, one being 3 acres (and include the house) and the remainder of 16.99 acres with the barn. The 3 acre size is required for lots without sewers.



GUIDELINES FOR REVIEW – SINGLE PHASE SUBDIVISION FINAL PLATS *See 425.285.A.4*

The Planning Commission shall consider the following criteria in making a recommendation on the plat:

a. The plat conforms to these regulations and the applicable provisions of the Zoning Ordinance and other land use regulations. ***Yes, the layout complies with zoning and subdivision requirements.***

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

c. The development shall be laid out in such a way as to result in:

(1) Good natural surface drainage to a storm sewer or a natural watercourse. ***Yes, the existing drainage areas are being maintained with no changes as a result of the subdivision.***

(2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth. ***Yes, no grading, other than for residential style buildings is anticipated.***

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

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

(5) Adequate lot depth for outdoor living space. ***Yes.***

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

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

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

e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles. ***No streets are anticipated or needed as both lots have sufficient frontage.***

f. The plat is served or will be served at the time of development with all necessary public utilities and facilities, including, but not limited to, water, sewer, gas, electric and telephone service, schools, parks, recreation and open space and libraries. ***Yes, the subdivision is fully served at this time.***

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***

development meets the code requirements and no development changes are anticipated.

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

i. The plat is located in an area of the city that is appropriate for current development activity; it will not contribute to sprawl nor to the need for inefficient extensions and expansions of public facilities, utilities and services. *Yes.*

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. *No dedication of additional land is needed or requested, but there will be park fees in lieu of dedication in the amount of $625 for the new lot required prior to releasing the plat for recording.*

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

m. The applicant agrees to provide additional improvements, which may include any necessary upgrades to adjacent or nearby existing roads and other facilities to current standards and shall include dedication of adequate rights-of-way to meet the needs of the City's transportation plans. *n/a*

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat.

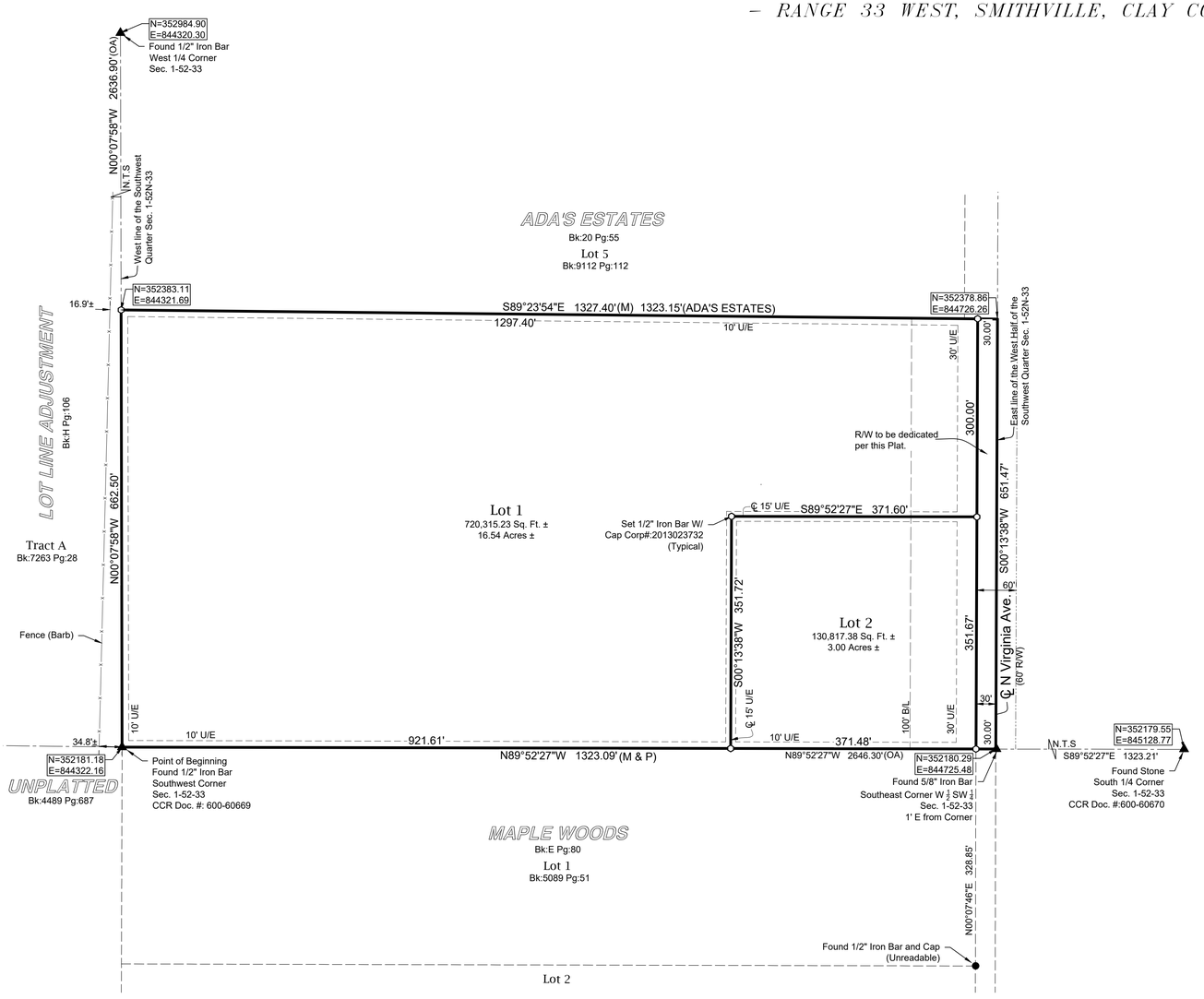
Respectfully Submitted,

_____

Director of Development

UMHOLTZ HOMESTEAD

ALL THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1– TOWNSHIP 52 NORTH – RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI



TRAVERSE TABLE G.P.S.

Location	Bearing	Distance (Grid Meters)	Northing	Easting
CL-04			350,717.747	846,039.830
CL-04 To Point of Beginning	N 15°16'15" W	1517.318	352,181.18	844,322.16

STATE PLANE COORDINATES BY G.P.S.

NOTE:
The bearings and coordinates shown on this plat are based upon the Missouri State Plane Coordinate System, NAD 1983 (adjustment 2001), using a grid factor of .9998979. All coordinates are in meters.

GENERAL NOTES

1. NO TITLE REPORT WAS PROVIDED FOR THIS SURVEY. THEREFORE, ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.
2. BASIS OF BEARING: MISSOURI STATE PLANE COORDINATE SYSTEM (NAD 83).
3. THIS TRACT CONTAINS 870,680.45 SQUARE FEET OR 19.99 ACRES, MORE OR LESS.
4. NO UNDERGROUND UTILITIES WERE LOCATED FOR THIS SURVEY. MISSOURI LAW REQUIRES THE USE OF THE MISSOURI ONE CALL SYSTEM (TOLL FREE 1-800-344-7483) PRIOR TO ANY EXCAVATING OR DIGGING. IT IS THE EXCAVATOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF AND PROTECT ALL UTILITIES WHETHER SHOWN OR NOT.

LOCATION MAP
SECTION 1-52-33
(NOT TO SCALE)

Know what's below. Call before you dig.

0 100 FEET

DESCRIPTION:
All that part of the Southwest Quarter of the Southwest Quarter of Section 1, Township 52 North, Range 33 West, in the City of Smithville, Clay County, Missouri, more particularly described as follows; Beginning at the Southwest Corner of said Section 1, also being the Northwest Corner of MAPLE WOODS, a subdivision in the City of Smithville, Clay County, Missouri and the Southeast Corner of Tract A, in LOT LINE ADJUSTMENT by Aylett Survey & Engineering Co., recorded in Book H at Page 106; thence North 00 degrees 07 minutes 58 seconds West, along the West line of the Southeast Quarter of said Section 1, also being the East line of said Tract A, a distance of 662.50 feet to the Southwest Corner of ADA'S ESTATES, a subdivision of land in the City of Smithville, Clay County, Missouri; thence South 89 degrees 23 minutes 54 seconds East, along the South line of said ADA'S ESTATES, a distance of 1327.40 feet to the East line of the West half of the Southwest Quarter of said Section 1; thence South 00 degrees 13 minutes 38 seconds West, along the aforementioned line, a distance of 651.47 feet to the Southeast Corner of the West half of the Southwest Quarter of said Section 1; thence North 89 degrees 52 minutes 27 seconds West, along said South line of said Section 1, also being the North line of said MAPLE WOODS, a distance of 1323.09 feet to the Point of Beginning. Said Tract contains 870,680.45 square feet or 19.99 acres, more or less.

EASEMENTS: An easement or license is hereby granted to the City of Smithville, Missouri to locate, construct and maintain or to authorize the location, construction, maintenance and use of conduits, gas, poles or wires, and anchors upon, over and under the areas outlined on this plat and designated by the words "Utility Easement" or "U/E.

BUILDING LINES: Building lines or setback lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be built between this line and the street line.

STREETS: Streets shown on this plat and not heretofore dedicated to public use as thoroughfares, are hereby so dedicated.

DEDICATION: The undersigned proprietor of the tract of land described hereon has caused the same to be subdivided in the manner as shown on the accompanying plat which subdivision shall hereafter be known as "UMHOLTZ HOMESTEAD".

IN TESTIMONY WHEREOF: Robert D. Umholtz, a single Person, have subscribed his names this _____ day of _____, 20____.

_____
Robert D. Umholtz, a single person

STATE OF _____
}SS
COUNTY OF _____

Be it remembered that on this_____day of _____, 2025 before me the undersigned Notary Public in and for the County and State above mentioned, came Robert D. Umholtz, a single person, who is personally known to me and duly sworn did say that they executed this instrument as the free act and deed.

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

My Commission Expires: _____ _____
NOTARY PUBLIC

This plat of "UMHOLTZ HOMESTEAD" has been submitted to and approved by the Planning Commission this _____ day of _____, 20____.

_____ _____
CHAIRMAN SECRETARY

The dedications shown on this plat have been accepted by the Board of Aldermen of the City of Smithville, Missouri, this____ day of _____, 20____.

_____ _____
MAYOR CITY CLERK

STATE OF MISSOURI)
COUNTY OF _____)S.S.

This is to certify that this instrument was filed for record in the Register Of Deeds Office on the _____ day of _____,_____20___.
In Book _____, Page _____ at _____ PM/AM O'Clock.

_____ _____
DEPUTY RECORDER OF DEEDS

LEGEND

SET 1/2" REBAR, CAP #2013023732 (UNLESS OTHERWISE NOTED)	○
FOUND MONUMENT (AS NOTED)	● ▲
FENCE (BARB)	-x-x-x-
CENTERLINE	℄
RIGHT-OF-WAY	R/W
UTILITY EASEMENT	U/E
BUILDING LINE	B/L
BOOK	BK
PAGE	PG
NOT TO SCALE	N.T.S
OVERALL DISTANCE	(OA)
MEASURED DISTANCE	(M)
PLATTED DISTANCE	(P)

I hereby state that the plat of "UMHOLTZ HOMESTEAD" subdivision is based on an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current Missouri Minimum Standards for Property Boundary Surveys as established by the Missouri Department of Natural Resources, Division of Geological Survey and Resources Assessment, and Missouri Standards for Property Boundary Surveys, established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. I further state that I have complied with all statutes, ordinances and regulations governing the practice of surveying and the platting of subdivisions to the best of my professional knowledge and belief.

STATE OF MISSOURI
ZACHARY ALLEN BRINKER
NUMBER PLS-2016042019
PROFESSIONAL LAND SURVEYOR

DATE: _____

_____
ZACHARY A. BRINKER -PLS 2016042019
SNYDER & ASSOCIATES CORP. #: 2013023732

MARK	REVISION	DATE	BY
Surveyor: ZAB	Checked By: ZAB	Scale: 1" = 100'	
Technician: TDC	Date: 09/30/2025	T-R-S: 52N-33W-01	
Project No: 125.1053.13		Sheet 1 of 1	

UMHOLTZ HOMESTEAD: Sec. 1-52N-33W, Smithville, Clay County, MO

11330 N. Virginia Ave. Smithville, Missouri 64089

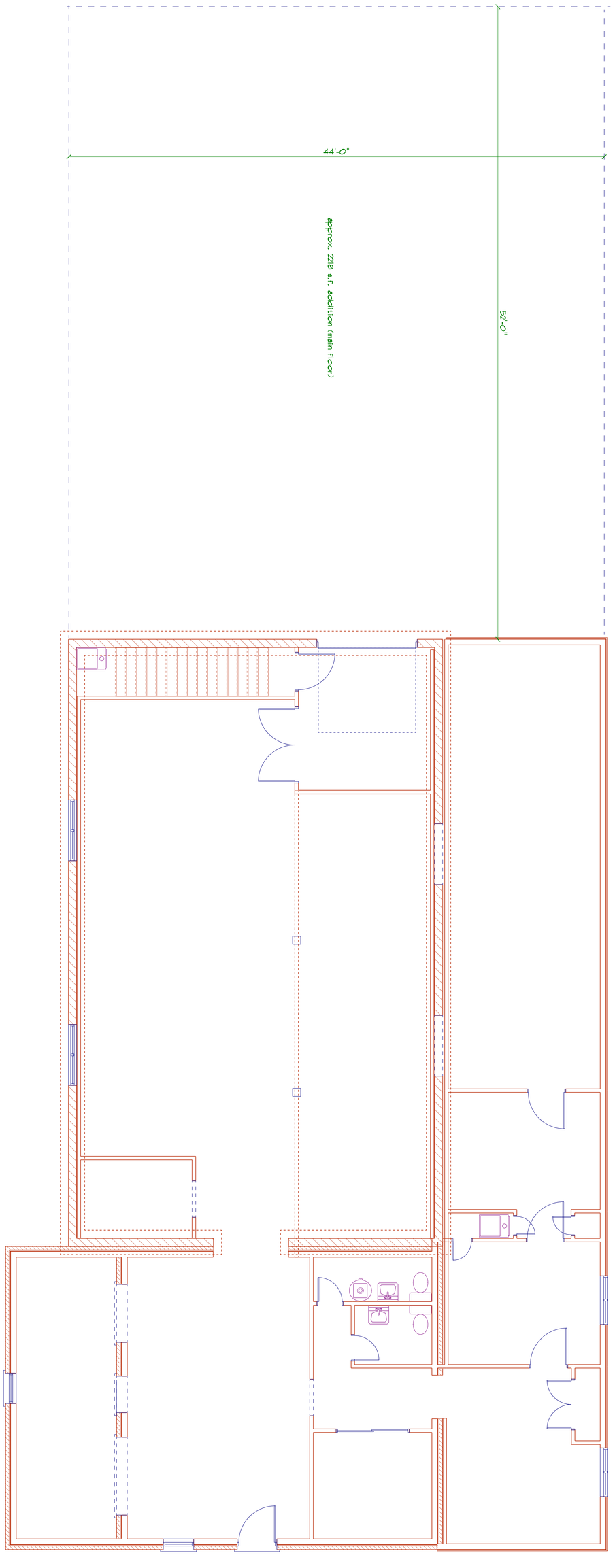
Prepared for: Robert Umholtz

SNYDER & ASSOCIATES, INC.
201 NW 72ND ST
GLADSTONE, MISSOURI 64118
816-436-0732 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 125.1053.13

Sheet 1 of 1



GROUND FLOOR PLAN

SCALE 1/4" = 1'-0"

approx. 3434 s.f.

Job. No. 25.032	Thursday, October 31, 2013	Sheet 1	**ArchiTuckture** 816.628.5013 Dennis@ArchiTuckture.com	Dennis E. Tuck, Architect 12319 Moffitt Liberty, MO 64068	Addition to Major Lumber Company Smithville, MO

GROUND SNOW LOAD - 20#/S.F.
WIND SPEED - 115 M.P.H.
SEISMIC DESIGN CATEGORY - A
FROST LINE DEPTH - 36"

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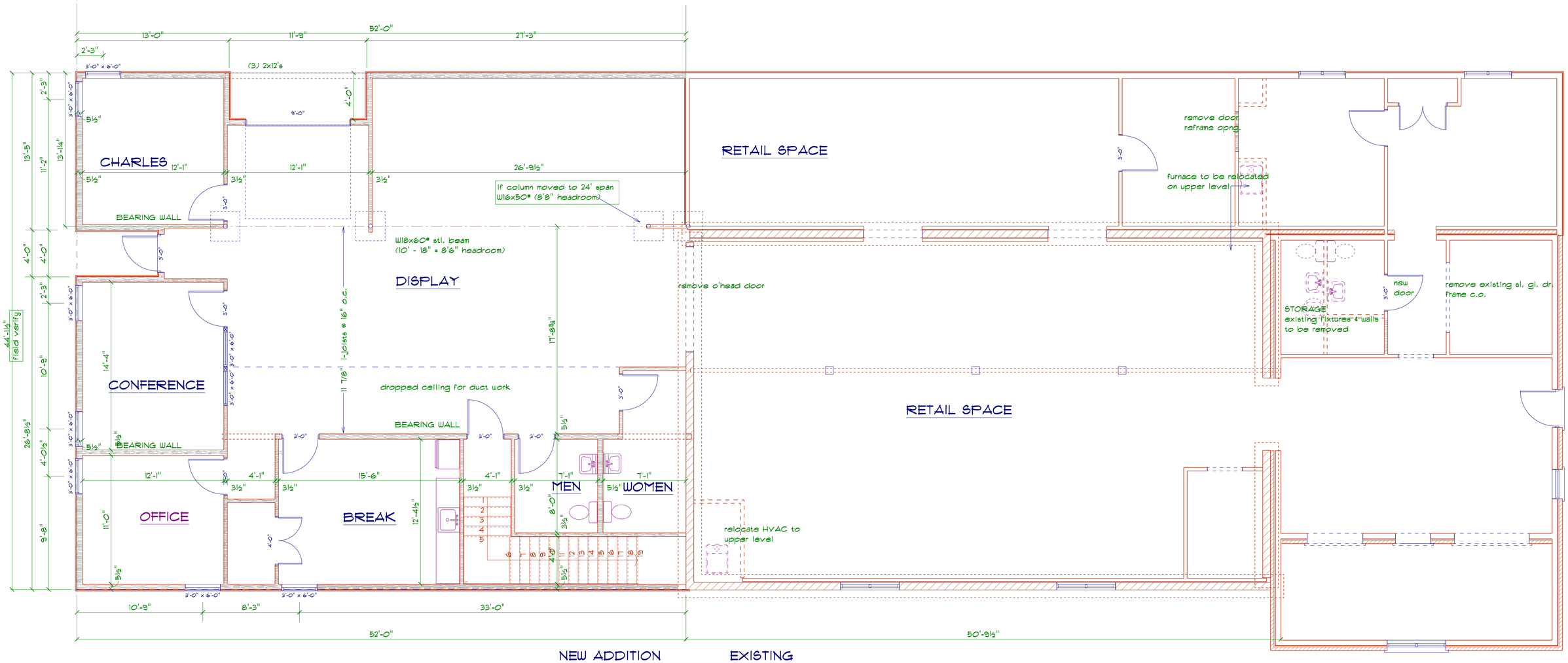

NEW ADDITION 2218 S.F.

EXISTING 3434 S.F.

20" wide footing - either 20"x36" trench or 10"x20" spread footing with 10" wall

Business Area - 3324 s.f. existing
2218 s.f. new
Total 5542 s.f. @ 150 gross = 37 occupants
Storage - 1650 s.f. existing
2237 s.f. new
Total 3887 s.f. @ 300 gross = 13 occupant

Total building area - 9429 s.f. 50 occupants
1 restroom/sex (ADA required)

GROUND FLOOR PLAN

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

AREA CALCULATIONS

	Existing	New Addition	
Main level	3434 s.f.	2218 s.f.	
Upper	1540 s.f.	2237 s.f.	
Total	4974 s.f.	4455 s.f.	9429 s.f. TOTAL

GROUND SNOW LOAD - 20*S.F.
WIND SPEED - 115 M.P.H.
SEISMIC DESIGN CATEGORY - A
FROST LINE DEPTH - 36"

Addition to
Major Lumber Company
Smithville, MO

Dennis E. Tuck, Architect
1239 Moffitt
Liberty, MO 64068

ArchiTuckture
816.628.5013 Dennis@ArchiTuckture.com

Sheet 2

Thursday, October 30, 2025

Job. NO. 25.032

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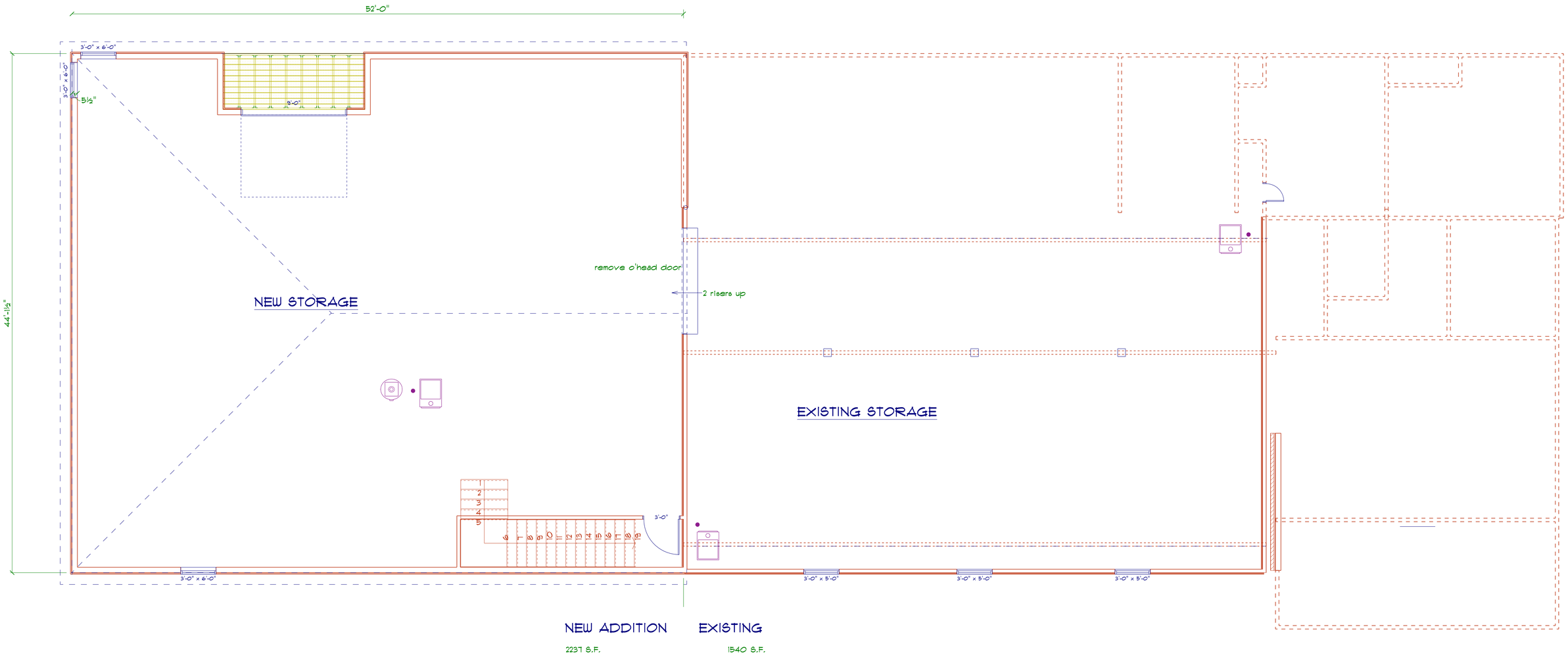

UPPER FLOOR PLAN

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

GROUND SNOW LOAD - 20#/S.F.
WIND SPEED - 115 M.P.H.
SEISMIC DESIGN CATEGORY - A
FROST LINE DEPTH - 36"

Addition to
Major Lumber Company
Smithville, MO

Dennis E. Tuck,
Architect
12313 Moffitt
Liberty, MO 64068

ArchiTuckture
816.628.5013 Dennis@ArchiTuckture.com

Sheet
3

Thursday, October 30, 2025

Job. NO.
25.032

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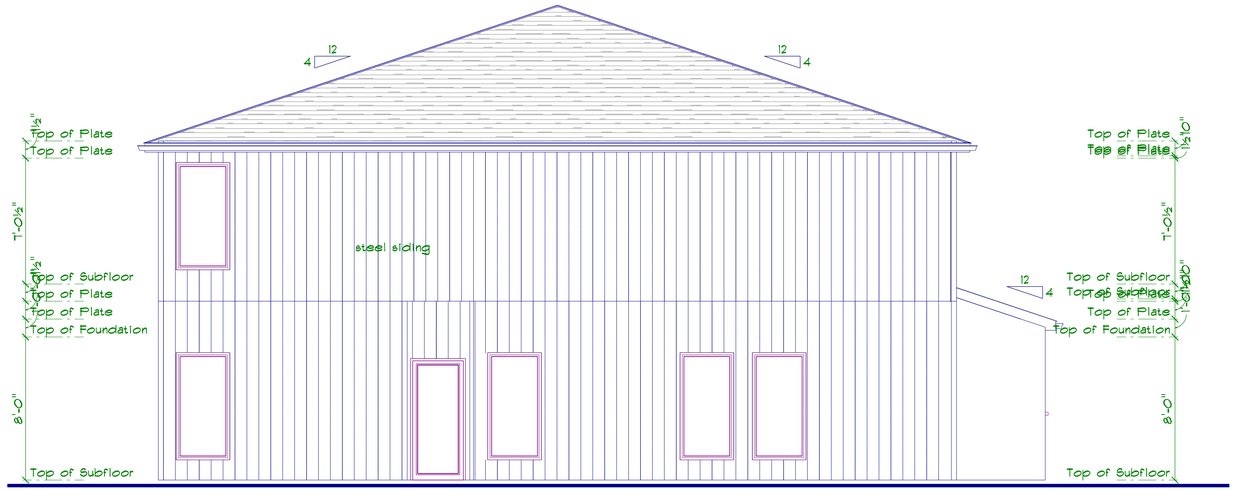

EAST ELEVATION

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

NORTH ELEVATION

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

GROUND SNOW LOAD - 20#/S.F.
WIND SPEED - 115 M.P.H.
SEISMIC DESIGN CATEGORY - A
FROST LINE DEPTH - 36"

Addition to
Major Lumber Company
Smithville, MO

Dennis E. Tuck,
Architect
12319 Moffitt
Liberty, MO 64068

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816.628.5013
DennisE@ArchiTuckture.com

Sheet
4

Thursday, October 30, 2008

Job. NO.
25.032

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GROUND SNOW LOAD - 20#/S.F.
WIND SPEED - 115 M.P.H.
SEISMIC DESIGN CATEGORY - A
FROST LINE DEPTH - 36"

Addition to
Major Lumber Company
Smithville, MO

Dennis E. Tuck,
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816.628.5013 DennisArchiTuckture.com

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5

Thursday, October 30, 2025

Job. NO.
25.032

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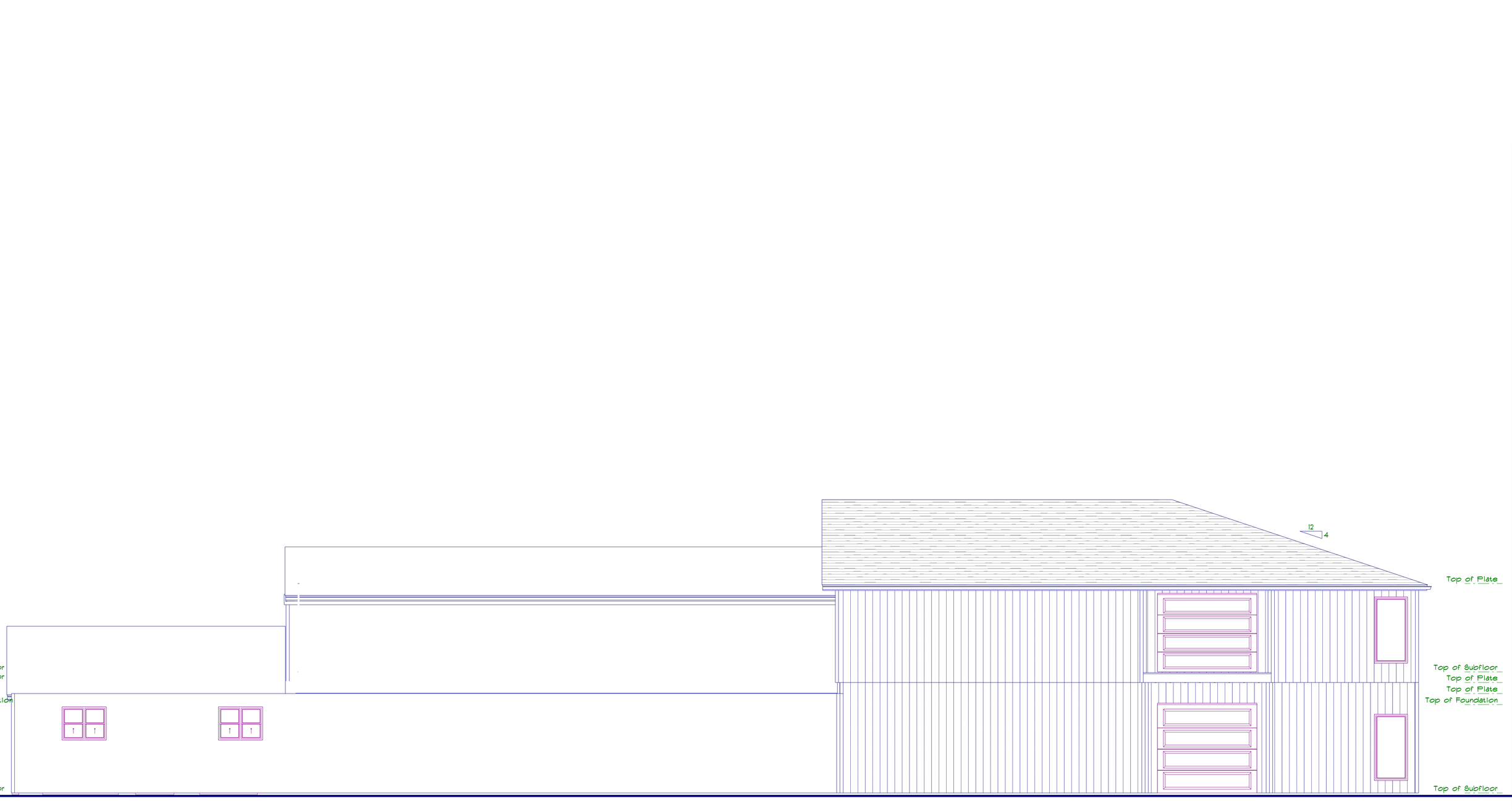

EXISTING ADDITION

SOUTH ELEVATION
SCALE: 1/4" = 1'-0"