

## SMITHVILLE PLANNING COMMISSION

### REGULAR SESSION

March 10, 2020

7:00 P.M.

Council Chambers

A regular session of the Smithville Planning Commission was held on March 10, 2020 at 7:00 p.m. at Smithville City Hall in the Council Chambers.

Those attending the meeting: Deb Dotson, Carmen Xavier (arrived at 7:04 pm), Vice Chairman Connor Samenus, Alderman Steve Sarver, Dennis Kathcart, Mayor Damien Boley and Development Director Jack Hendrix. Chairman Rand Smith was absent.

#### **1. CALL TO ORDER**

Vice Chairman Connor Samenus called the meeting to order at 7:04 p.m.

#### **2. MINUTES**

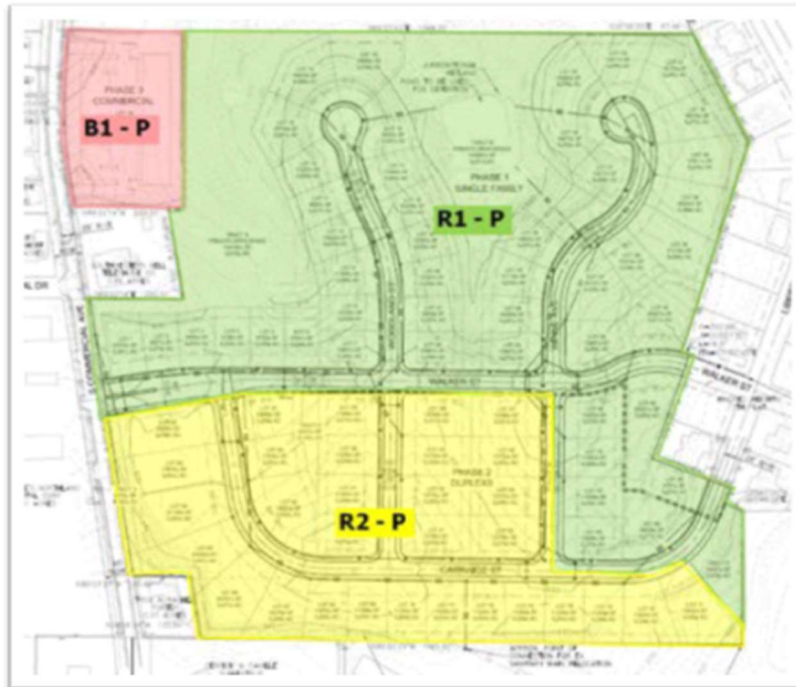
The February 11, 2020 Meeting Minutes were moved for approval by ALDERMAN SARVER, Seconded by KATHCART.

Ayes 4, Noes 0, MAYOR BOLEY abstained. XAVIER was not present at the time of the vote. Motion carried.

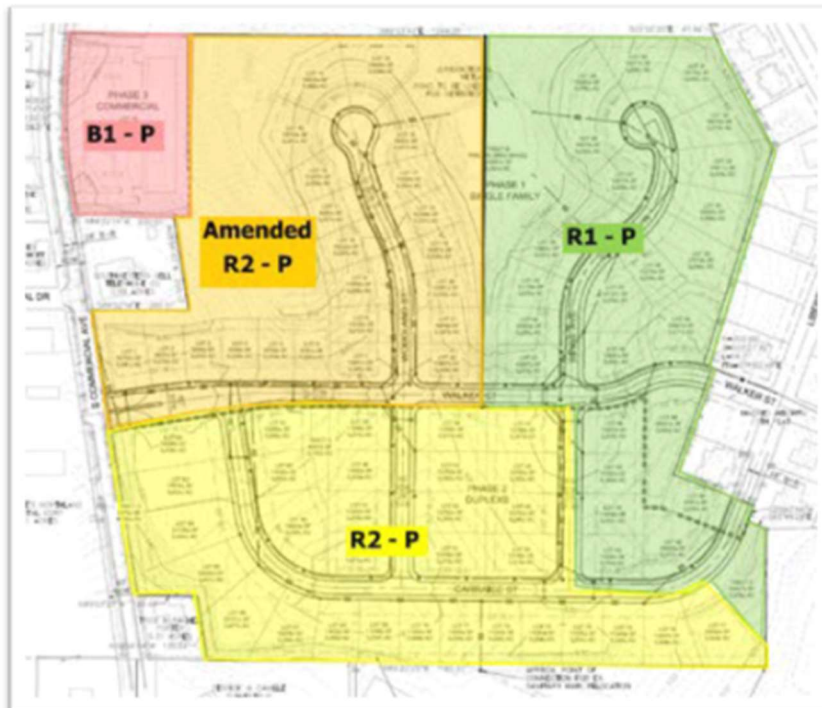
#### **3. AMENDING THE OVERLAY DISTRICT CONCEPTUAL PLAN FOR EAGLE RIDGE. PUBLIC HEARING---SAME AS REZONING**

**Eric Craig---Applicant---1220 Bainbridge Rd Smithville MO---**Stated that he is one of the partners on this development. He has been a real estate agent here in Smithville for 19 years. One thing that is of concern to him in Smithville is affordable housing. In his opinion once construction is completed in the Lake Meadows subdivision you will no longer see new construction single family homes for sale for under \$250,000. That is a pretty expensive home. Mr. Craig explained the proposed amendment to the commission and also showed the attached visuals. The area involved is shown below as amended R-2P with the original submission on the top:

Existing



Proposed



The two-family villas are proposed for 53 lots instead of 31 lots. The single family lots would be reduced from 46 lots to 24 lots and will maintain the buffer from the single-family lots to the east. The proposed density would change from 108 units to 130 units. The entire development is going to be maintenance provided which will include lawn care & snow removal. The expected fee for this maintenance provided neighborhood would range between \$100 to 125 per month. There will be restrictions and will be similar to what is in Ashmont. The restrictions will be enforced. Mr. Craig explained that the project ran into substantial cost overruns that would nearly double the lot costs which is the reason for requesting this amendment.

XAVIER stated that she is happy there will be another development like Ashmont in Smithville and supports it 100%. However, the monthly maintenance fee of \$115 that they pay in Ashmont is not enough to cover everything, for example painting, roofs and driveways. She asked that he make absolutely sure that the range of \$100 to \$125 is more than adequate and take into account for inflation. She also said he will need to be very clear with potential buyers what maintenance will be and will not be provided. Many people who live in Ashmont are retired so an increase of even \$5 a month is a big deal when you are living on a fixed income.

Mr. Craig stated that the HOA is not going to provide maintenance on the exterior of the units or the roofs. They will only provide lawn and snow removal.

### **PUBLIC HEARING:**

**Glen Owen---532 S Commercial Ave---**Stated that his biggest concern with this rezoning is the traffic on Commercial Ave. It's already difficult for some residents to get out of their driveways without this added to it.

**Linda Corten---628 Liberty Rd---**Asked how long will it be before phase 2 is finished? Why have the excavators not been working? She also asked why a pipe was put into the pond to let the water out?

Mr. Craig stated that if sales go as good as they think they will it will be started as soon as they get done with phase 1. They are currently working with the engineers about going ahead and putting in the infrastructure for phase 2. That excavator is doing a big project off of Indiana Ave and 152 Hwy. He pulled off this job to get that one completed before the end of their

contract. Right now the plan is to have homes start going in there by June 15<sup>th</sup>. Their engineers worked with the city's engineers and the pipe was put into the pond where the spillway will be installed. The pond will fill up once the spillway is done. This will all be done by end of June.

**Natalie Bankus---616 Liberty Rd---**She has only lived here for about a year and was not living here when this was originally approved. Stated that with the number of townhomes proposed she is concerned about what this will do to the class sizes for the schools. Her child attends Horizon Elementary and the class sizes are already large. She hopes that this will be taken into consideration. She stated she was told that there would be a greenspace between her house and the new single-family homes proposed for this subdivision. Is there any truth to that? She also asked if any of these new townhomes and villas would be rentals? She stated that she heard that the amendment being presented tonight is what was originally plan that was presented and then got vetoed. She asked why is it all of a sudden alright to revisit this idea because you are 44% over budget which is no one's fault here in this room?

Mr. Craig stated no, there is not going to be a greenspace between her lot and the new lots but there are utility easements. He stated that the lot sizes are actually bigger than the lots sizes on Liberty Rd. He stated that they are not looking to have package deals for investors. In 2008 when the market collapsed there were HOA's that had restrictions that said they could not rent their homes out. That got contested at state level and his opinion is that people just simply left their houses and let them get foreclosed on. He stated that he will not have stipulations that state they cannot be rented for that reason. He informed her that what she had been told about this amendment being the plan originally submitted was not true.

**Fred Barber---625 Liberty Rd---**Stated that he came to the initial planning meeting. His concern is density and with the children that walk to school. He is glad that there is a tract of land being given to the school so they children can still walk there. He stated that a 44% overture is a gross miscalculation. Is there any penalty against this contractor to relieve the absolute necessity for a higher density?

Mr. Craig stated that they did have a traffic study and did reach out to the engineer that conducted it. The City was provided an email from the engineer stating it's able to withhold the additional traffic. We are in the middle of negotiating with the excavator so we can get this project finished.

**Dale Best---639 S Commercial Ave---**Stated that other than receiving the notice to come here today he hasn't been contacted by anyone. A 44% overrun in the first stage is extremely high and we are not even in the home building stage yet. He stated he is holding off on putting more money into his property if there is a probability that it won't be there in 2 years.

Public hearing closed.

ALDERMAN SARVER made a motion to amend the Overlay District Conceptual Plan for Eagle Ridge. DOTSON seconded the motion.

### **DISCUSSION:**

Xavier stated that the last two speakers really struck a chord with her. She asked Mr. Hendrix to help her understand at what point a contractor's obligation to build what they present. I am thinking this is a reflection of what we can and cannot do in terms of approving additional or overlays to compensate for that kind of thing.

HENDRIX stated from the Planning and Zoning and even the Board of Alderman perspective, the City has no hand in those contracts. It's all private until they are done with the all the construction and all the infrastructure has been approved and inspected by the City's staff. Once everything is done according to the approved plan then the City gets involved because they have to give all of that to the City for maintenance in the future. That's how this subdivision process works. So, what the cost is and if it goes up or down, we don't really have a say in it.

XAVIER stated that increases or decreases in density does have an effect on traffic flow which is a very real thing and has been brought up tonight.

HENDRIX stated he doesn't disagree and will say this about Mr. Owen's concerns about traffic, when or if the development further east of this develops they will have to do a traffic study like this development did and they will then have to provide improvements based upon their impact. It will be based on the traffic at that time versus a speculation of what it will be like in 10 years.

KATHCART asked Mr. Craig if he will be selling the duplexes before the single-family homes? If so, will you be concerned about the sale of the single-family homes after building so many duplexes?

MR. CRAIG stated that the first phase is the duplexes and those will be sold first. Phase 2 will be the single-family homes. No concern on the sale of the single-family homes.

HENDRIX stated that Harborview is a good example. They have a mixture of duplexes and single-family homes. The duplexes are next to the busy street.

MAYOR BOLEY stated that he has listened to everyone's comments on this but has also spent a lot of time with the community. Our teachers, fire fighters and police officers can't afford to live here. We are losing our teacher of the year and our associate employee of the year this year because they cannot afford to buy a house here. If our schools start to decline our property values are going to decline way more than having this subdivision close to your house. These are the type of people who cannot afford to live in Greyhawke.

DOTSON stated that the people looking to buy the Ashmont style of homes are the grandparents who want to be near their children who are buying single-family homes so they can help take care of the grandkids in the afternoon after school so the parents don't have to worry about it. This type of development is also a win/win for retirees. They are also moving out of Smithville because they can no longer afford to live here. She believes this is a good thing.

**THE VOTE:** DOTSON-AYE, MAYOR BOLEY-AYE, KATHCART-AYE, ALDERMAN SARVER-AYE, XAVIER-AYE, SAMENUS-AYE.

**AYES-6, NOES-0. MOTION PASSED**

**4. AMENDING THE PRELIMINARY PLAT OF EAGLE RIDGE. ADJUSTING LOT LINES ON LOTS 16 AND 17 OF EAGLE RIDGE PRELIMINARY PLAT**

**Eric Craig---Applicant---1220 Bainbridge Rd Smithville MO---**Stated that one of the lots needs to be wider so we can build a ranch-style home on it. As it is right now it's too small.

HENDRIX stated that this could have been taken care of through a lot line adjustment and would have been approved by himself, but since they were coming in for the rezoning item he decided to handle it this way.

**PUBLIC HEARING:** None

Public hearing closed.

MAYOR BOLEY made a motion to amend the Preliminary Plat of Eagle Ridge. DOTSON seconded the motion.

**DISCUSSION:**

DOTSON stated that because of the density and the fact that there is so little greenspace there could that be an area there for a pocket park? Just a place for people to gather and talk with some nice landscaping?

MR. CRAIG stated that the topography there is very steep and so that would not be an ideal spot. We had to bring in quite a bit of fill dirt from the marketplace because it was so steep.

**THE VOTE:** ALDERMAN SARVER-AYE, XAVIER-AYE, DOTSON-AYE, MAYOR BOLEY-AYE, KATHCART-AYE.

**AYES-5, NOES-0. SAMENUS WAS NOT CALLED TO VOTE. MOTION PASSED**

## **5. STAFF REPORT**

HENDRIX provided the Commission with several documents as they relate to the Comprehensive Plan update process. He asked that the Commission read through this information and email him with any comments they may have. He will pass the information he receives along to the consultants.

MAYOR BOLEY stated that we need bold new ideas and challenged the Commission to think outside of the box.

We had 332 residents completed and submitted the 2030 Comprehensive Plan Community survey so far. There have been 54 people who signed up for the 4 taskforce meetings. The City would like to have more people sign

up so we are asking that the Commission speak with anyone they know about this and ask that they get involved by signing up on a taskforce.

White Iron Ridge event center has started installing the steel frame for the building.

Price Chopper has 85% of their foundation poured. About 65% of the deadmen (extra temporary pieces of foundation to support the walls when they go up) in the foundation are being poured now. The current plan is for the walls to start arriving on March 16<sup>th</sup> and then they will start setting them.

Porter's Ace hardware has their foundation in. They will pour the floor portion of the foundation as soon as the rain stops. They still have some plumbing to do before they can pour the foundation.

KCI RV Storage is still moving forward.

The second phase of the First Park industrial park has reevaluated some aspects of their infrastructure and are preparing plans for that. We have made communication with the medical marijuana manufacturing facility that will be going in there. They are preparing their final plans for site plan review.

A license was issued by the state for a medical marijuana dispensary on the south end of town where Full Features is. Mr. Mitchell will be coming forward with a site plan review for that and also moving forward with their storage facility in a site plan as well.

MAYOR BOLEY stated that the Council Chambers at City Hall will also be under construction soon to fix the sound issues. The layout of the room will change slightly as well. We will also be getting new technology for this room with this renovation.

## **6. PUBLIC COMMENT**

NONE

## **7. ADJOURN**



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

VOICE VOTE: UNANIMOUS

Samenus declared the session adjourned at 8:33 p.m.