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**City of Smithville, Missouri  
Planning Commission - Regular Session Agenda  
July 14, 2020**

**7:00 pm – Senior Center \*\*Via Videoconference\*\***

**NOTICE:** \*Due to the Governor's Emergency Declaration and the Health Officer's orders for safety, public meetings and public comment during public meetings will require modification. The City of Smithville is committed to transparent public meetings and will continue this commitment during the COVID-19 crisis. Anyone who wishes to view the meeting may do so in real time as it will be streamed live on the city's FaceBook page through FaceBook Live.

For Public Hearing Comments you will need to email your request to the City Clerk at [ldrummond@smithvillemo.org](mailto:ldrummond@smithvillemo.org) prior to the meeting to be invited via Zoom.

If you do not have access to the internet you may give your Public Comment in person at the Senior Center – Only one person will be permitted at a time. You will enter in the east door and exit out the west door.

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1. Call to Order
  2. Approve the June 9, 2020 Planning Commission Minutes
  3. Staff Report
  4. Public Hearing - Zoning 2412 NE 157<sup>th</sup> to R-1B
  5. Public Hearing – Rezoning 2000 NE 132<sup>nd</sup> from A-1 to A-R
  6. Public Hearing – Preliminary Plat – Kylee Meadows – 22 lot subdivision
  7. Adjourn



Accommodations Upon Request



# SMITHVILLE PLANNING COMMISSION

## REGULAR SESSION

June 9, 2020

7:00 P.M.

Council Chambers

**Due to the COVID-19 pandemic this meeting was held via the Zoom meeting app. City staff were at City Hall for the meeting.**

**Planning and Zoning Commission members attended via the Zoom meeting app. The meeting was streamed live on the city's FaceBook page through FaceBook Live. Attendance in person for the Public Hearing was made accessible for public comment on the agenda items at the Senior Center.**

Those attending the meeting: Deb Dotson, Carmen Xavier, Connor Samenus, Alderman Steve Sarver, Dennis Kathcart, Mayor Damien Boley, Chairman Rand Smith, and Development Director Jack Hendrix.

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

Chairman Rand Smith called the meeting to order at 7:00 p.m.

### **2. MINUTES**

The May 5, 2020 Meeting Minutes were moved for approval by XAVIER, Seconded by DOTSON.

Ayes 7, Noes 0, Motion carried.

### **3. STAFF REPORT**

HENDRIX reported:

We have issued 17 new residential building permits since January 1, 2020.

Price Chopper and Porter's are still under construction and on scheduled to open before Labor Day this year. The building permit for the new 8,400 square foot commercial strip mall to go in south of Scooter's Coffee is anticipated to be coming soon.



White Iron Ridge Event Center is still under construction. They are 2-3 weeks away from having the roof on and outdoor siding installed.

KCI RV Storage is about to open the first building.

There is movement on the new commercial business side of things with questions coming in on certain parcels of property in various locations. When we start getting questions about utility access it generally means someone is pretty serious about developing on a property.

The medical marijuana dispensary on the south end of town is still working to rehab the inside of their facility. They are anticipating an October opening due to not having product until then.

The medical marijuana manufacturing is still finalizing all their plans and will bring them before this Commission for approval.

MAYOR BOLEY asked if we have heard anything from Herzog?

HENDRIX stated no. We are now waiting for them to come forward with a site plan and the building plans so they can start that process. They are wanting to be under construction this summer.

#### **4. PROPOSED CHANGES TO THE 2018 RESIDENTIAL CODES**

HENDRIX stated that he has provided each commission member with a draft of the ordinance language which shows the appendixes of the code that we propose to adopt, plus the recommended changes to the code. This process started 90 days ago. State law requires cities like Smithville to post a notice informing citizen that we are looking at adopting a model code like this. We sent out emails to all builders who have pulled a residential building permit within the last 2 years so they could provide their comments and also contacted IBTS, the plan review and inspection company that we have on retainer. We worked with IBTS on their recommendation on changes. They provided us with the Kansas City Home Builders association recommendations and their recommendation to the changes when going from the 2012 Building Code to the 2018 Building Code. This is important because this group tries to make the Kansas City metro area somewhat consistent so the builders will know what the codes are going to be. Jack



informed the Commission that he and Jim Waddle, City Building Inspector had went through the codes and have recommend the following changes to the residential codes.

Proposed 2018 IRC Changes  
City of Smithville, Missouri

Section	Smithville, MO
302.13 Fire Protection of Floors	Add an additional exception 5. Wood I-joists
303.4 Mechanical ventilation- less than 5 air changes per hour	Amend to less than 3 air changes per hour
R306 Sanitation	Add two provisions to require sanitary toilet facilities nearby and certain provisions for cleaning the site.
Section 319.2 Site Address Lighting (added 2012)	Single family dwellings shall have the ability to illuminate the address numbers during the hours of darkness with a power source connected to the electrical system of the house or other source of illumination.
R405.1 Foundation Drainage	Membrane not required w/ 18" of clean gravel
Section 507.9.2 Lateral Connection (Decks)	Amended to add: Installation of 1/2" lags or bolts spaced not less than 12" on center will be sufficient to attach the band or ledger joist in our area.
R602.6.1 Drilling and notching of top plate (plumbing related)	Requires minimum of 4 (Reduced from 8) - 10d nails per side for plates with > 50% of plate cut for piping.
Chapter 11 Energy Efficiency	Amend the testing requierments throughout the section
Insert Table 1102.1.1 Insulation and Fenestration Requirements	Only significant change from 2012 is improved U factors in windows from .35 to .32.
Section 1104.1 Electrical Power and Lighting Systems	This was deleted in the 2012 code due to cost and ability to get reasonably priced high-efficacy lamps. Now, LED fixtures are both reasonably priced and available. The new standard is that 90% of al permanenmt lighting must contain high efficacy lamps.
Section P2503 (Plumbing Inspections)	Amend all provisions to include "Where required by the Code Official"
Chapter 33 Storm Drainage	Amended to include specific requirements for sump pit, sump pump and associated piping, including provisions to meet the Radon Gas infiltration protection requiremnts.
E3901.9 Receptacle Outlets	Amend the portion on garages to require on plug per garage, not per garage bay. Also remove the outlet requirement outside the house adjacent to the HVAC unit since it isn't used by contractors (due to risk of tripping circuits in the house)



Proposed 2018 IRC Changes  
City of Smithville, Missouri

E3902.2 Garages and Accessory Building Receptacles	Added Exception - Receptacles utilizing the provisions of this section shall be permanently marked to indicate "[Type of Equipment] Only - No GFCI Protection". (1) A dedicated receptacle supplying only a garage door opener. (2) A dedicated receptacle supplying only a refrigerator and/or freezer.
E3902.5 Unfinished Basement Receptacles	added Exception 2. A dedicated receptacle supplying only a sump pump. 3. A dedicated receptacle supplying a refrigerator and/or freezer.
E3902.12 Arc-fault Circuit-interrupter Protection	Removed the requirement for AFCI protection in family rooms, dining rooms, living rooms, parlors, libraries, dens, sun rooms, recreation rooms, closets, hallways and similar rooms and areas.
All Swimming Pool Provisions are now contained in a separate code and are addressed in those provisions.	

These are the codes that that are the most significant and wanted to make sure we addressed the Home Builders Association but more importantly we protected out local citizens. New homes will have to be better quality houses with these new provisions.

**Public Hearing:** None

**Public Hearing closed**

MAYOR BOLEY made a motion recommend approval of the proposed changes to the 2018 Residential Codes. Kathcart seconded the motion.

**Discussion:**

DOTSON asked if they are saying one receptacle for the entire garage?

MAYOR BOLEY stated they were wanting one GFI receptacle per bay.

HENDRIX stated that this is in addition to any specialty receptacles such as for a garage door opener, etc. would not be included in this count. If you have a circuit dedicated to a refrigerator in your garage it is also not counted.

DOTSON asked if there was any kind of roofing code changes?



HENDRIX stated no.

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

**AYES-7, NOES-0. MOTION PASSED**

XAVIER stated that the Parkhill School District had a relationship a number of years ago with a national organization whose primary interest was green or carbon footprint construction. Does the Homebuilders association, the City or any of the agencies around the county have something like this that recognizes positive changes in terms of carbon footprint?

HENDRIX stated that for the City we do not because it is not in our budget, but the code does have specific LEED certification. There are about four or five certifications that houses can get. They are all options under the energy efficiency code.

**5. ADJOURN**

XAVIER made a motion to adjourn. SAMENUS seconded the motion.

VOICE VOTE: UNANIMOUS

SMITH declared the session adjourned at 7:30 p.m.





## STAFF REPORT

July 14, 2020

Rezoning of Parcel Id # 05908000303300

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### Application for a Zoning District Classification Amendment

#### Code Sections:

400.560.C Zoning District Classification Amendments

#### Property Information:

Address: 2412 NE 157th  
Owner: Judith Whaley  
Current Zoning: New annexation  
Proposed Zoning: R-1B

#### Public Notice Dates:

1<sup>st</sup> Publication in Newspaper: June 25, 2020  
Letters to Property Owners w/in 185': June 25, 2020

### GENERAL DESCRIPTION:

The applicant recently annexed her home in the Lakeside Crossing subdivision into the City Limits. The initial zoning needs to be set by the City. The home was one of 11 homes that were not annexed into the city when the subdivision annexed over 15 years ago. The area is a single family residential subdivision with adjacent R-1B zoning.

### EXISTING ZONING:

The existing zoning predates the annexation into the city limits.

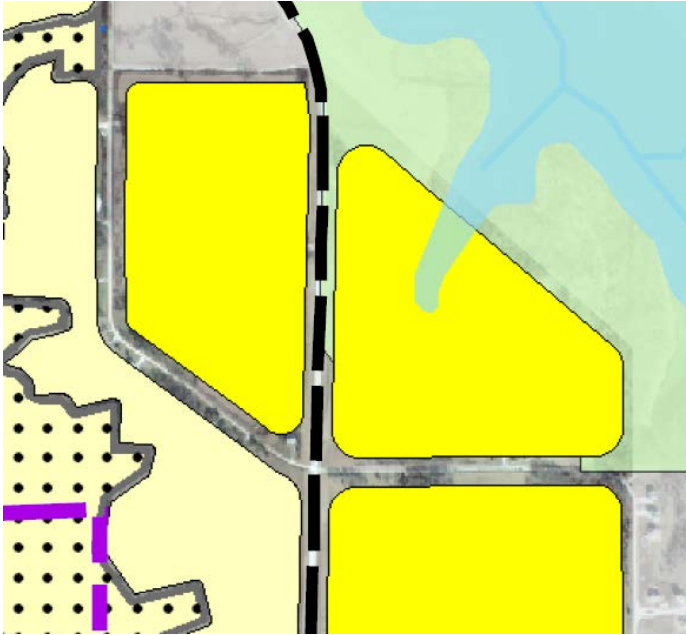
### CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is single family residential housing in a standard subdivision.

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



The existing Comprehensive Plan was approved on October 6, 2005, and calls for low density housing. It is in compliance with the plan.



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

The lot is in a fully completed subdivision with all utilities and public services.  
Streets and Sidewalks:

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

The current use is single family residential formerly outside the city limits.

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

The property was constructed in the county, but had never previously annexed while the bulk of the lots in the subdivision were annexed over 15 years ago.

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

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

EXTENT WHICH THE AMENDMENT MAY DETRIMENTALLY AFFECT NEARBY PROPERTY *400.560C.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 based upon the change  
meets the Comprehensive Plan recommendations.

Respectfully Submitted,

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Zoning Administrator





STAFF REPORT  
April 5, 2018  
Rezoning of Parcel Id # 09-304-00-01-007.05

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: 2000 NE 132<sup>nd</sup> St.  
Owner: Eric W. Dunham  
Current Zoning: A-1  
Proposed Zoning: A-R

Public Notice Dates:

1<sup>st</sup> Publication in Newspaper: June 25<sup>th</sup>, 2020  
Letters to Property Owners w/in 185': June 25<sup>th</sup> 2020

GENERAL DESCRIPTION:

The applicant previously submitted an application proposing to rezone approximately 73 acres +/- from A-1 to A-R. Since the original application, the applicant sold a 10 acre parcel, and is now seeking to rezone 63 acres to A-R to allow for lots smaller than 10 acres. The A-R district allows lots at least 2 acres in size if sewers are available.

EXISTING ZONING:

The existing zoning predates the annexation into the city limits.

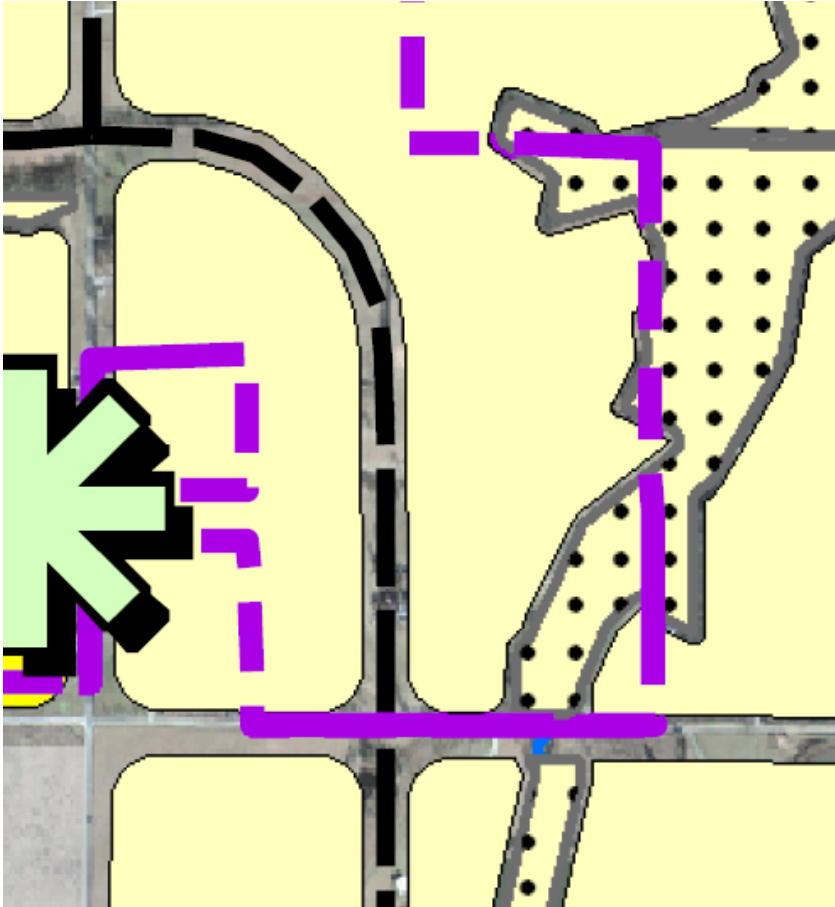
CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is generally large lot, single family residential housing on roughly 3+ acre lots in a large lot subdivision to the east, farm ground to the north and south, and 5-20+ acre residential the west side.



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

The existing Comprehensive Plan was approved on October 6, 2005 and calls for this area to be a conservation area, but allows very low density housing in this natural conservation area. In Conservation areas, a goal of not less than 25% of the site be undisturbed, and residential be on lots of 2 acres if sewers are installed.



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

### Streets and Sidewalks:

An additional consideration in the Comprehensive Plan is for a new street location to connect to Woodland Ave. in Kansas City. The assumed location is near this parcel and would then turn to the west to reconnect with Virginia. The exact location of this access is not yet determined, and at best would be adjacent to the parcels involved. Since the City is preparing to complete a Master Transportation Plan at this time, the best location of this future street will



be better determined in that process. The photograph below identifies the potential location of this street and assumes no changes to the location associated with the topography or existing structures.



The anticipated street design would be standard streets with curbs, but no sidewalks are required by the subdivision code.

#### Water, Sewer and Storm water

The city does not have sewer on site, so the developer must install a low pressure force main that connects to the development at Forest Oaks. There is existing water from a rural water district, but the developer must conduct an analysis of the water supply and will be required to insure adequate fire flow is available to the subdivision. The density of the subdivision is such that it is not anticipated that much, if any stormwater detention would be required, but there are more than adequate areas for such detention basins if necessary. Any such impacts will be handled in the normal subdivision final platting process, but the existing systems are more than 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 with a large single-family home located on a 63-acre lot. The property was for sale for over two years and no takers, so the proposed zone change would allow the hay ground around the home to be sold off in lots in a single development. The highest and best use that complies with the Comprehensive Plan is large lot (2 acres + with sewers) development.

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 existing single-family home and land was listed for sale for approximately two years. This proposed change would bring the property closer to the surrounding land uses of large lot (3+ acre) to very large lot residential.

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

The proposed district is essentially the same as the existing adjacent uses to the east, and very similar in character to the remaining lots, but will not contribute to additional septic systems near the drainage creek.

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

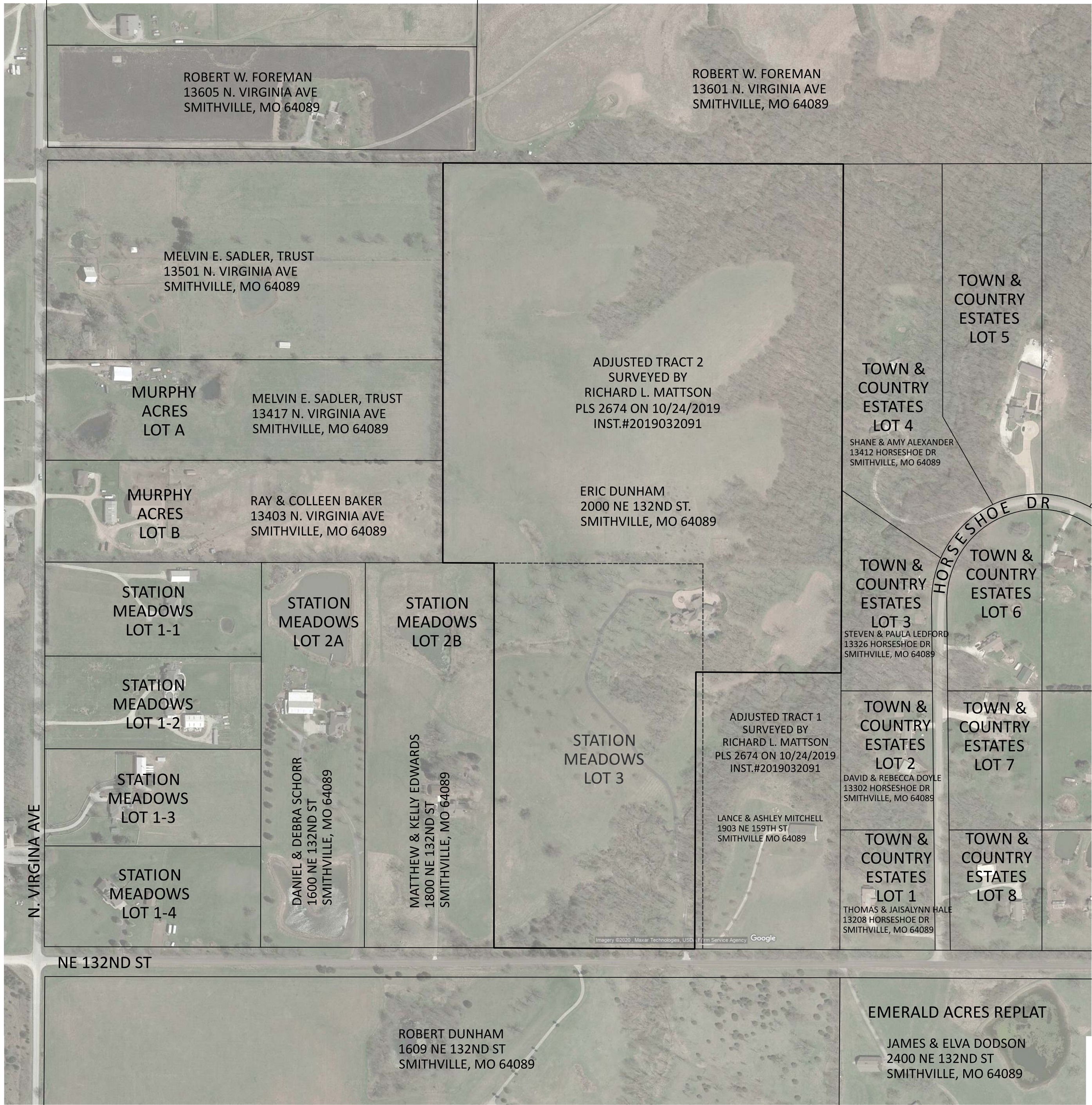
Staff recommends APPROVAL of the proposed district based upon compliance with the Comprehensive Plan recommendations.

Respectfully Submitted,

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Zoning Administrator

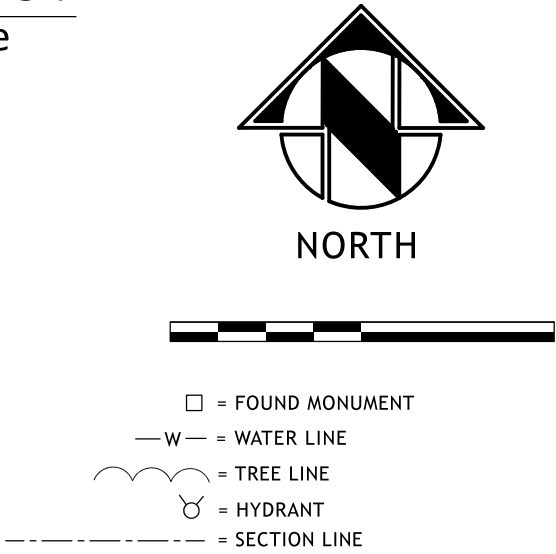




AREA LAYOUT  
not to scale

GENERAL NOTES:

- 1) PROPOSED ZONING IS "A-R" AGRICULTURAL RESIDENTIAL DISTRICT.
- 2) ALL LOTS ARE 2AC OR LARGER.
- 3) SANITARY SEWER WILL BE PROVIDED BY PUBLICALLY OWNED LOW PRESSURE SEWER INSTALLED BY DEVELOPER. SINGLE UNIT GRINDER PUMPS WILL BE PRIVATELY OWNED AND MAINTAINED BY HOMEOWNERS.
- 4) SETBACK LIMTS FOR A-R ZONING ARE:  
FRONT - 55'  
SIDE - 10'  
REAR - 20'
- 5) MINIMUM ROAD FRONTAGE FOR A-R ZONING IS 200'
- 6) WATER SERVICE WILL BE PROVIDED BY CLAY CO. PWSD #9.
- 7) THE PROPOSED DEVELOPMENT IS NOT SUITED FOR PARKS, TRAILS, OR OTHER OPEN SPACES AS REQUIRED PER CHAPTER 425, SECTION 425.210. DEVELOPER MAY BE REQUIRED TO MAKE PAYMENTS IN LIEU PER SECTION 425.220.
- 8) THE SUBJECT PROPERTY DOES NOT FALL WITHIN A FLOOD PLAIN ACCORDING TO FEMA FLOOD MAP 29047C0108E WITH EFFECTIVE DATE OF 8/3/2015.



OPEN SPACE DEDICATION REQUIREMENTS (PER SECTION 425.210):

TOTAL DWELLING UNITS:	21 UNITS
CITY OF SMITHVILLE CENSUS DENSITY:	3.1 PERSON/UNIT
REQUIRED RECREATION AREA:	.02 AC/PERSON
DEDICATION REQUIREMENT:	21x3.1x.02 = 1.30 AC
TOTAL DEDICATION PROVIDED:	0.00 AC
PAYMENT IN LIEU (PER SECTION 425.220):	\$625.00/UNIT
TOTAL PAYMENT:	\$625.00/UNIT x 21 UNIT = \$13,125.00

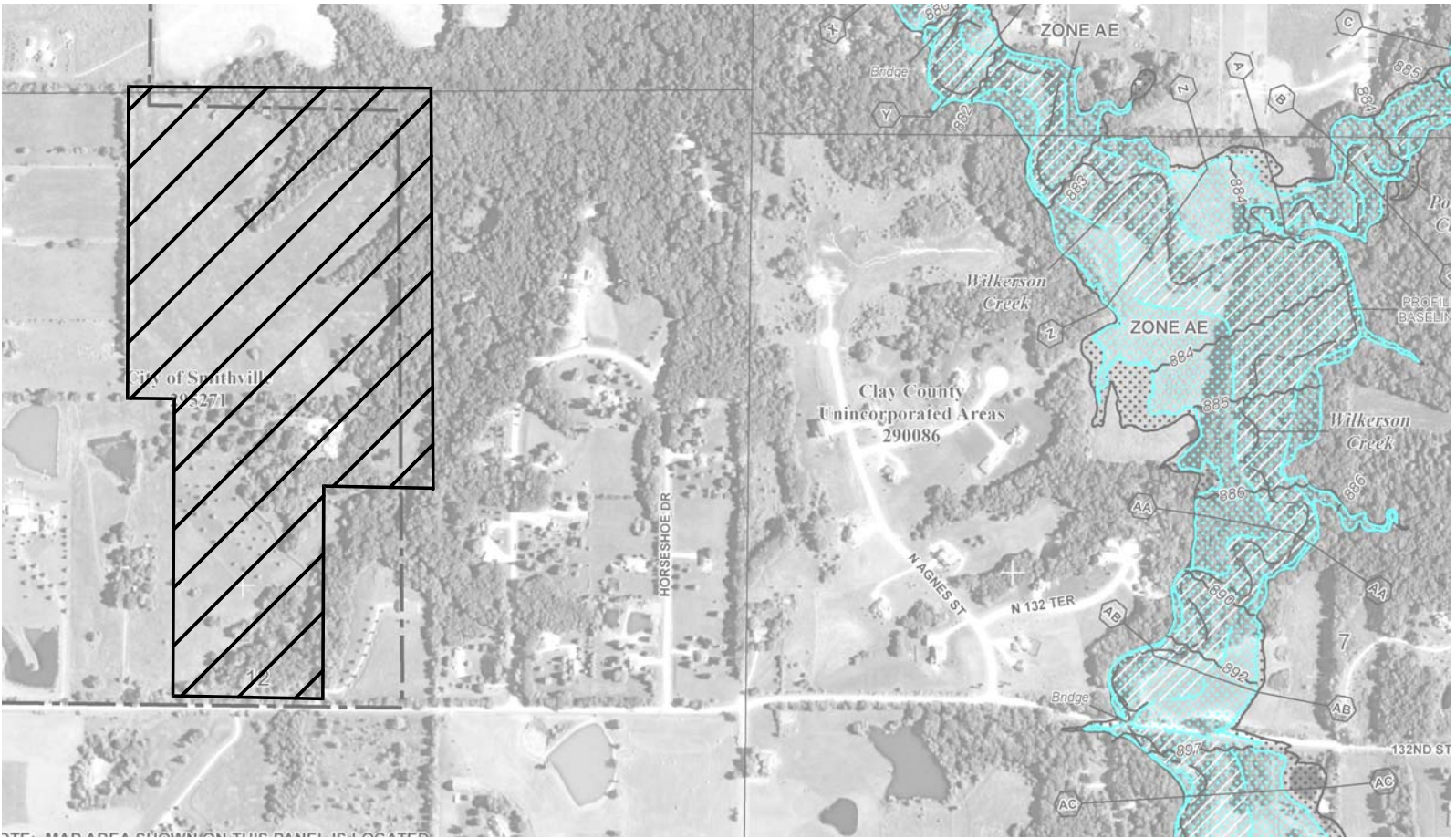
PRELIMINARY PLAT  
**KYLEE CREEK**  
NE 1/4, SECTION 12, T-52N, R-33W  
SMITHVILLE, CLAY COUNTY, MISSOURI

PROPERTY DESCRIPTION:

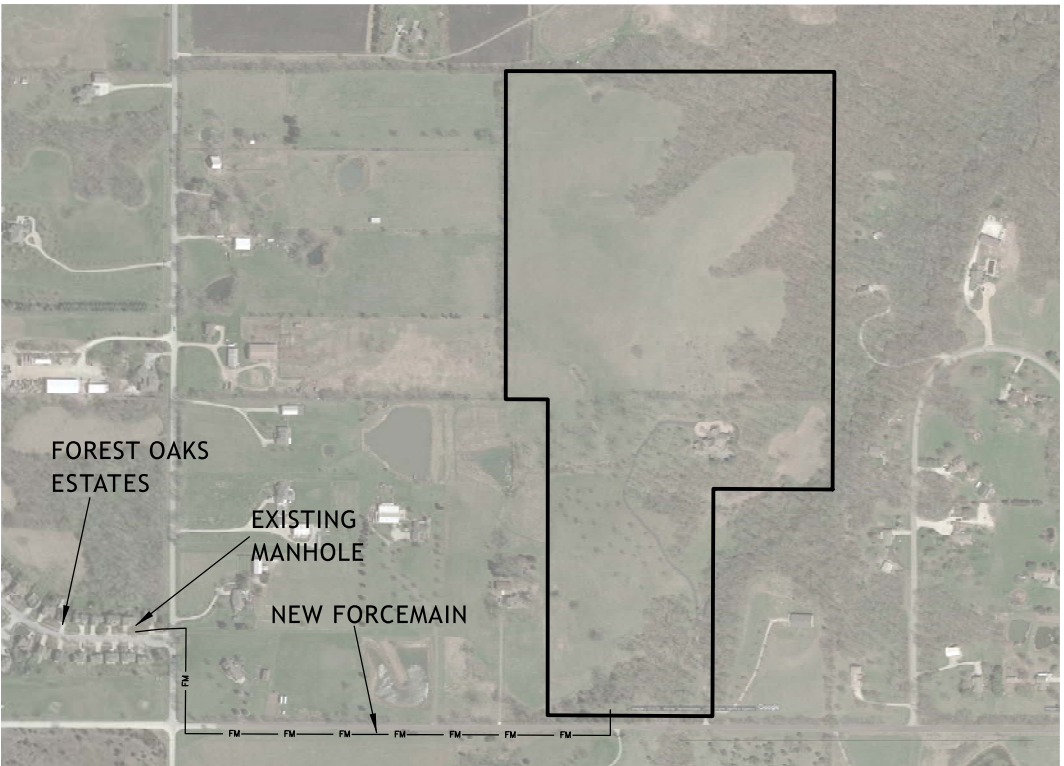
TRACT 2:

Commencing at the Center of Section 12, Township 52 North, Range 33 West, Smithville, Clay County, Missouri; thence with the South line of the Northeast Quarter of said Section, South 89 degrees 40 minutes 56 seconds East, 169.39 feet; thence departing from said line North 00 degrees 01 minutes 50 seconds East, 50.00 feet to the Point of Beginning; thence continuing along said line North 00 degrees 01 minutes 50 seconds East, 1266.90 feet; thence departing from said line, North 89 degrees 46 minutes 04 seconds West, 169.14 feet; thence North 00 degrees 02 minutes 28 seconds East, 1316.64 feet; thence South 89 degrees 50 minutes 36 seconds East, 1317.82 feet; thence South 00 degrees 15 minutes 17 seconds West, 1675.34 feet; thence North 89 degrees 40 minutes 56 seconds West, 477.83 feet; thence South 00 degrees 15 minutes 17 seconds West, 911.62 feet; thence North 89 degrees 40 minutes 56 seconds West, 660.98 feet to the point of beginning.

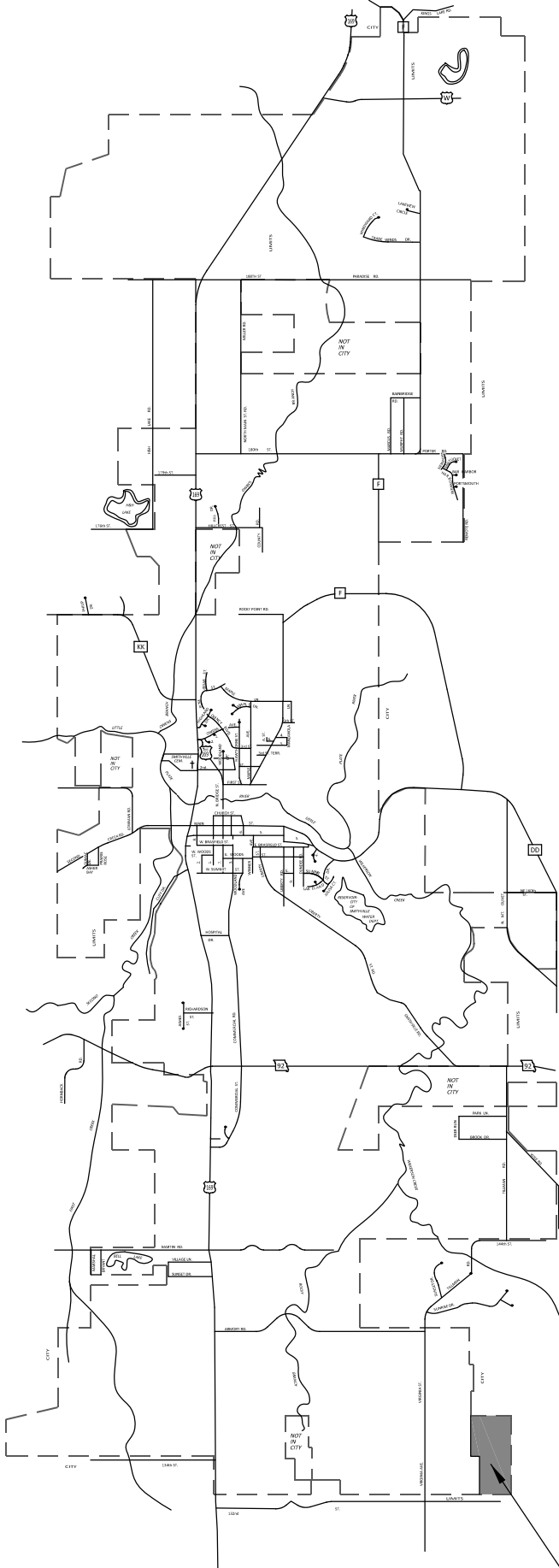
The above described tract of land contains 63.00 acres, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.



FEMA MAP INSET  
not to scale



SANITARY SEWER CONNECTION  
not to scale



OWNERS:  
Eric Dunham  
2000 NE 132nd St.  
Smithville, MO 64089  
(816) 835-3478

ENGINEER:  
Schulte Engineering & Consulting, LLC  
Doug Schulte  
21 Gates Dr.  
Platte City, MO 64079  
(816) 260-3328



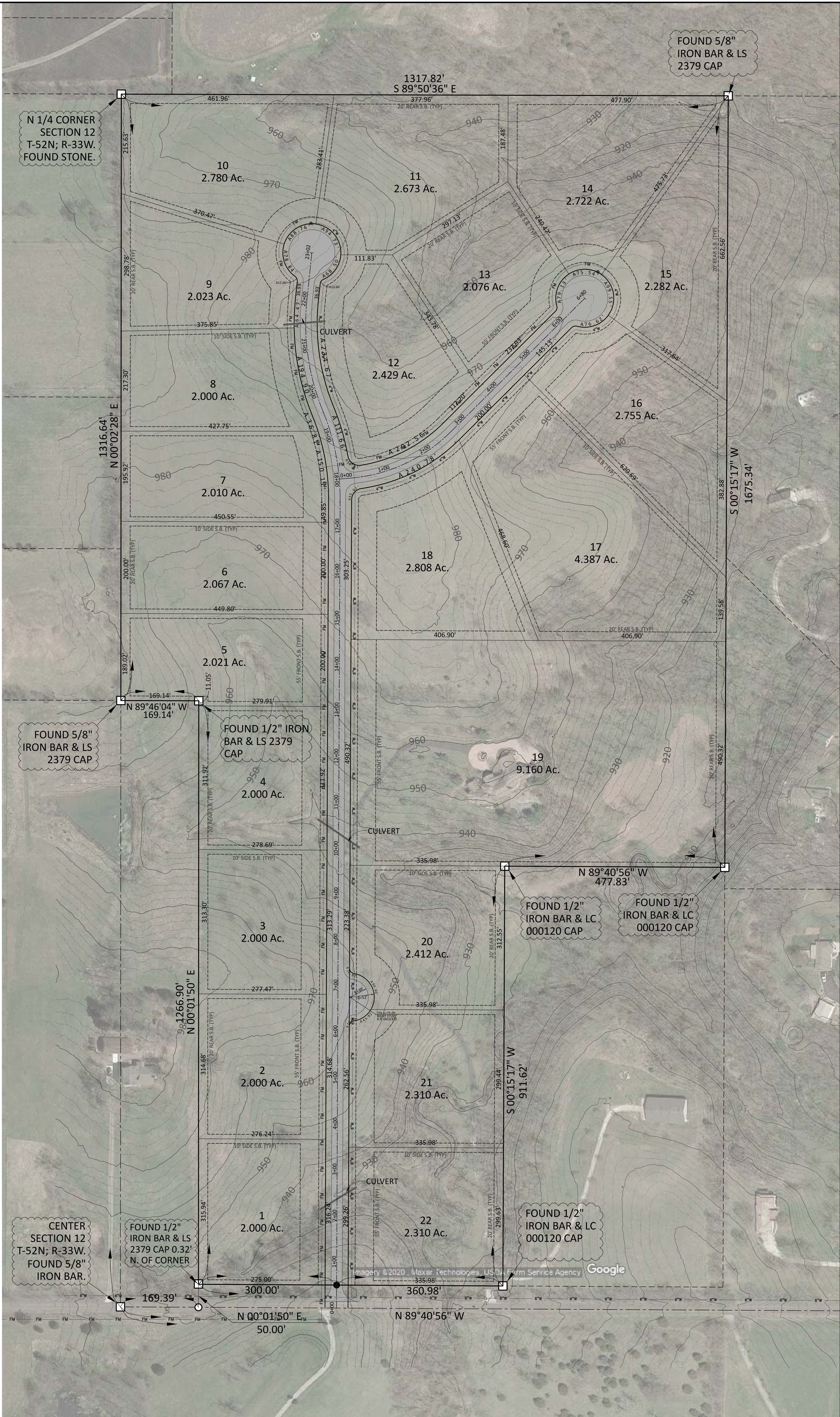
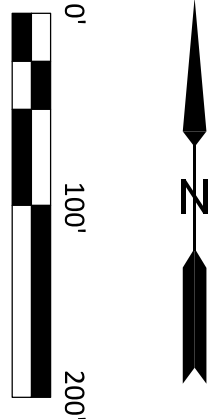
KYLEE MEADOWS 2000 NE 132ND ST SMITHVILLE, MO NE 1/4, S12, T52, R33		ERIC DUNHAM SMITHVILLE, MO		Schulte Engineering & Consulting, LLC			
DRAWING NUMBER:		SHT. 1 OF 4		CLIENT:			
REV.	DRAWN BY:		DIS	DATE:	04-02-2018		
0	ELECTRONIC FILE NAME:		SCALE		AS NOTED		
SITE LAYOUT				21 Gates Dr. Platte City, MO 64079 www.schultengineering.com admin@schultengineering.com PHONE: (816) 260-3328			
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11X17 PRINTS ARE 1/2 SCALE



11X17 PRINTS ARE 1/2 SCALE

KYLEE CREEK ESTATES  
1"=100'



KYLEE MEADOWS 2000 NE 132ND ST SMITHVILLE, MO NE 1/4, S12, T52, R33		CLIENT: ERIC DUNHAM SMITHVILLE, MO		<div>Schulte Engineering &amp; Consulting, LLC</div> <div>21 Gates Dr. Platte City, MO 64079 www.schulteengineering.com admin@schulteengineering.com PHONE: (816) 260-3328</div>		-	-	-	-
						-	-	-	-
REV: 0	DRAWING NUMBER: PLAT LAYOUT	DRAWN BY: DJS	DATE: 04-02-2018			1	03-03-2020	DJS	INITIAL SUBMITTAL TO CITY
SHT. 2 OF 4		ELECTRONIC FILE NAME:	SCALE AS NOTED			REV.	DATE	BY	DESCRIPTION





STAFF REPORT  
July 14, 2020  
Preliminary Plat of Parcel Id # 09-304-00-01-007.05

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Application for a Preliminary Plat Approval

Code Sections:

425.275. A.3 Preliminary Plat Approval

Property Information:

Address:	2000 NE 132 <sup>nd</sup> St.
Owner:	Eric Dunham
Current Zoning:	A-1
Proposed Zoning:	A-R

Public Notice Dates:

Publication in Newspaper:	June 25th, 2020
Letters to Property Owners w/in 185':	June 25th, 2020

GENERAL DESCRIPTION:

The property was previously two parcels totaling 73 acres, with a single residential home and an outbuilding on what is currently hay ground and treed areas on the slopes and includes several natural drainage areas. In 2019, 10 acres and the outbuilding were sold, leaving the home and 63 acres on one lot. The applicant has submitted a simultaneous application for Rezoning and for Preliminary Plat approval of a new subdivision. A preliminary plat for the entire subdivision has been submitted. While the owner intends to complete the project in one phase, they seek only preliminary Plat approval currently. If approved, they will immediately begin the detail engineering required to submit a final plat and understand the added cost to them for such path.

GUIDELINES FOR REVIEW – PRELIMINARY PLATS *See 425.275.A.3*



3. Guidelines for review. The Planning 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 the Zoning Ordinance and other land use regulations. **Yes.**

b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. ***Proposal is for 2 acre residential lots in a Conservation area, and the CP calls for those areas to be developed in residential uses if the lots are 3 acres or more. (2 acres if sewers provided). The proposed low-pressure sewer would not involve a public pump station, but instead would be served by grinder pumps for each house constructed.***

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. ***Limited impact on site, and no changes to the natural drainage locations that exit the property occurs.***

(2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth. ***Planned roads have been located to save the most mature trees as possible and reduce grading requirements.***

(3) A good grade relationship with the abutting streets, preferably somewhat above the street. ***Entire subdivision is laid out using the ridgeline as the basis of the street system, and lots on either side of streets with 50' setbacks.***

(4) Adequate lot width for the type or size of dwellings contemplated, including adequate side yards for light, air, access and privacy. ***Lots are 2 acres minimum, no size issues.***

(5) Adequate lot depth for outdoor living space. ***Lots are 2 acres minimum, no size issues.***

(6) Generally regular lot shapes, avoiding acute angles. ***Meets generally accepted engineering principles.***

(7) Adequate building lots that avoid excessive grading, footings or foundation walls. ***Meets generally accepted engineering principles.***

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



e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles.

***Meets generally accepted engineering principles.***

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 must complete the sanitary sewer extension at his own costs, and must evaluate the current rural water supply to insure adequate fire flow exists, or install a city water line from Forest Oaks to meet a minimum of 750 gpm for fire flow.***

g. The plat shall comply with the storm water 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 storm water runoff after development will be no greater than the amount of off-site storm water runoff before development. ***Meets generally accepted engineering principles, and final design and construction requirements are met prior to final plat approval.***

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 Comprehensive Plan identifies this as an area for residential development as allowed in Conservation areas. (2 acres with sewers)***

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. ***Plat is in conformance with Engineer's recommendations, including dedications as contained in the plat.***

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. ***Off -site or additional facilities are required for final plat approval.***

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Preliminary Plat conditioned upon meeting the requirements of the City Engineer following full engineering design. The approved preliminary plat assumes full engineering approval occurs prior to construction.

Respectfully Submitted,

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Director of Development



June 8, 2020

Ladies and Gentlemen of the City Council,

We are the Henley's, Cindy and Jesse. We reside at 13416 Horseshoe Drive W., Smithville, MO. We have been living at this location since 1987.

We have two main concerns about this second attempt at building a new subdivision in our area.

First, the water pressure available in our area is already low, especially in peak demand times of the day. All of my neighbors have experienced the ill effects of low water pressure, and we believe the addition of 22 more homes on the same water line will lower property values and create water shortages for all.

Second, the area in which the proposed street will exit the proposed development is very hilly and with no shoulder. With all of the blind hills and fast traffic we believe this entrance will create a dangerous intersection.

The owner of this property has stated that he does not care about the best interest of our community, but we do. In closing, on the first attempt at building this development which all of us stood together to defeat and won, I don't see that anything is much different than his first attempt. We hope that the council will reject the idea as before.

Thank you all for your time and consideration in this important issue.

A handwritten signature in black ink that reads "Cindy + Jesse Henley". The signature is written in a cursive, flowing style. Below the main text of the signature, there is a small, stylized mark that appears to be a checkmark or a flourish.

Cindy and Jesse Henley

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