



Planning Commission Minutes

October 29, 2024 6:00 PM

City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 10/29/2024, in the 111 E Maple Avenue City Council Chambers, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

1. Planning Commission Minutes – October 15, 2024

Motion

Commissioner Edward Nesbitt made a motion to approve the Consent Agenda. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

CASE TO BE CONTINUED - STAFF RECOMMENDS THIS CASE BE CONTINUED TO THE NOVEMBER 19, 2024 MEETING.

- 1. Case 24-100-24 – Rezoning – 2131 S. Scott Avenue** – A request by Andrew Rocco Mazzella to rezone the property from R-12 (Two-Family Residential) to C-2 (General Commercial).

Motion

Commissioner Edward Nesbitt made a motion to continue the case to the November 19, 2024 meeting. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Continued Case 24-125-05 Rezoning/PUD – 19300 E 37th Terrace** – A request by JC Weston Construction to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

Motion

Commissioner Edward Nesbitt made a motion to continue the case to the November 19, 2024 meeting. Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

PUBLIC HEARINGS

1. **Continued Case 24-100-17 – Rezoning – 18th Street** – A request by the City of Independence to rezone the properties at 10120, 10124, 10125, 10200, 10201, 10202, and 10205 E. 18th Street S. and 1802 S. Ash Avenue from C-2 (General Commercial) to R-6 (Single-Family Residential); 10321, 10323, 10325 and 10327 E. 18th Street S. from C-2 (General Commercial) to R-12 (Two-Family Residential); and 1803 S. Ash Avenue from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Public Comments

No public comments.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Jose Torres seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Case 24-100-25 – Rezoning – 2301 S. Chrysler Avenue** – A request by the City to rezone the property from I-1 (Industrial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Commissioner Nesbitt expressed concern that this is a historic site for the City and questioned if it's considered historic. In response to Commissioner Nesbitt's question, Mr. Arroyo stated if the site is considered historic, any plans would have to go through the Heritage Commission. Mr.

Arroyo believes the school district plans to use the stadium and not tear it down. Commissioner Nesbitt stated he would like more details about their plans for this site.

Commissioner Ashbaugh questioned if the Parks Department is still providing upkeep of the property and if they're in favor of this rezoning. Mr. Arroyo said this request came from the City Manager's Office and the City is in favor of this rezoning. Commissioner Ashbaugh stated he would like to continue this case to get more information.

In response to Chairwoman Wiley's question, Mr. Harker noted the rezoning is not needed for a use change, it's only needed because each parcel can only have one zoning type, which this would correct.

Motion

Commissioner Eric Ashbaugh made a motion to continue this case to the November 19, 2024 meeting. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 5, No 2, Abstained 0.

OTHER BUSINESS

1. **Case 24-175-08 – UDO Amendment #71 – Trash Haulers** – The City proposes Amendment #71 of the Unified Development Ordinance pertaining to Trash Haulers.

Staff Presentation

Rick Arroyo presented the case. He stated when the UDO was adopted in 2009, there were no use regulations within Chapter 14 of the City Code for uses related to trash haulers or as reference within the code as refuse collection. Currently, only Chapter 19 – Transportation Article 5, outlines the application process for those wishing to operate a refuse collection business by obtaining a certificate of public convenience and necessity. Mr. Arroyo said the intent of this proposed amendment is to include use regulations for refuse collection business in Chapter 14 of the UDO. He noted this proposed amendment allows refuse collectors within the Industrial I-1 and I-2 zoning districts with the application of a Special Use permit as proposed in Section 14-302. Mr. Arroyo stated a new section, 14-428, has been proposed under Chapter 14, Article 4. This section provides the applicability, and procedures and standards for application of a refuse collection business use. Staff believes these proposed amendments will better serve our community and better regulate these uses.

In response to Commissioner Nesbitt's question, Mr. Arroyo said current trash haulers would be grandfathered in and would not be required to get this permit.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Eric Ashbaugh seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

2. **Training provided by Lauber Law**

Chairwoman Wiley noted that the training has been moved to the November 19, 2024 meeting.

ROUNDTABLE - NEXT MEETING NOVEMBER 19, 2024

Mr. Arroyo provided the Commission with information on the difference between Preliminary and Final Plats.

ADJOURNMENT

The meeting was adjourned at 6:47 p.m.