



Planning Commission

January 28, 2025 6:00 PM,

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

CALL TO ORDER

ROLL CALL

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 – January 14, 2025**
2. **Case 24-320-06 – Final Plat – Timber Creek Ranch, 5th Plat** – A request for approval of a Final Plat generally located north of Bundschu and Old Mill Road.

PUBLIC HEARINGS

1. **Continued Case 25-100-03 – Rezoning – 10900 E Truman Rd** – A request to rezone the property from I-1 (Industrial), C-2 (General Commercial), and R-12 (Two Family Residential) to I-1 (Industrial).
2. **Case 25-100-06 – Rezoning – 336 N. Hocker Ave** – A request to rezone the property from I-1 (Industrial) to R-6 (Single Family Residential).

ROUNDTABLE - NEXT MEETING FEBRUARY 11, 2025

ADJOURNMENT



Planning Commission Minutes

January 14, 2025 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 1/14/2025, in the 111 E Maple Avenue, 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 – November 19, 2024

Motion

Commissioner Edward Nesbitt made a motion to approve the Consent Agenda. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

CASE TO BE CONTINUED - THE APPLICANT REQUESTS THIS CASE BE CONTINUED TO THE JANUARY 28, 2025 MEETING.

1. **Case 25-100-03 – Rezoning – 10900 E Truman Rd** – A request by Dustin Ferrell to rezone the property from I-1 (Industrial), C-2 (General Commercial), and R-12 (Two Family Residential) to I-1 (Industrial).

Motion

Commissioner Edward Nesbitt made a motion to continue the case to January 28, 2025 meeting. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

PUBLIC HEARINGS

1. **Case 25-100-01 – Rezoning – 2000 N. Elsea Smith Road** – A request by Derick Krones to rezone the property from R-A (Residential-Agricultural) to R-4 (Single Family Residential Low Density).

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. Mr. Harker noted that Residential-Agricultural requires a 250-foot lot frontage and splitting the lot would not meet that requirement. The R-4 zoning would only require a 75-foot lot frontage and would allow their minor subdivision application to move forward.

Applicant Comments

Derick Krones, 2000 N. Elsea Smith Road, stated he would like to split his lot into two lots so a second house can be built on the newly separated lot. He's hoping his family would be able to purchase the second lot to build a home next door to his.

Public Comments

Dawn Zachgo, 1512 N. Elsea Smith Road, stated provided a history of the property. She stated R-4 zoning does not match the 2040 Comprehensive Plan. Ms. Zachgo said this would allow more urban style development and create additional traffic that the roads are not designed to handle. This rezoning would cause a domino effect, setting a precedence for other property owners to do the same. Ms. Zachgo is concerned about the impact on public health and the long-term consequences for infrastructure and the surrounding community.

Gwen Herner, 1732 N. Elsea Smith Road, stated she has been fighting with Jackson County about her agricultural property. She's concern approving this rezoning will open a can of worms. Ms. Hefner feels if the City approves this rezoning, Jackson County will continue to try to change their property to residential instead of agricultural.

Bryan Etter, 1811 N. Elsea Smith Road, stated he's concerned about the waterway being contaminated with additional septic tanks.

Debbie Ruth, 1721 N. Elsea Smith Road, stated she's owned her property for ten years and they picked this area because of the rural surrounding. She said she agrees with past speakers and is concerned this will allow Jackson County to say the area is not agricultural.

John Veldheer, 1607 N. Elsea Smith Road, said the road is very narrow and he's concerned about additional traffic.

Linda Nix, 1515 N. Elsea Smith Road, stated she was the first to build their house on that side of the street in 1989. She is concerned this change will destroy their land and she wants her property to stay zoned Residential-Agricultural.

Dennis Heimsoth, 1507 N. Elsea Smith Road, said they don't want another housing addition because as soon as this starts, it's going to create houses everywhere.

Pam Wrinkle, 915 N. Elsea Smith Road, stated she would like the property to stay zoned Residential-Agricultural.

Rita Veldheer, 1607 N. Elsea Smith Road, said she signed up for R-A zoning and wants it to remain as it is.

Mr. Krones stated he would like to only have one additional house on the property and hopes that his family can purchase it to build a home next to theirs.

Commissioner Comments

In response to Commissioner Nesbitt's question, Mr. Harker stated you can only have one house on a property. He said with R-4 they can still have chickens. Mr. Harker stated the property could not stay R-A and allow the lot split due to the minimum lot frontage.

Rick Arroyo provided additional information on the restrictions and what the R-4 zoning would allow. He explained only one additional home would be allowed on the property due to the requirement to have 75-foot lot footage and sewer requirements.

Chairwoman Wiley confirmed with Mr. Harker that this rezoning will only allow one additional residential structure to be built. Mr. Harker added that the sewer system and lot frontage will not allow more than one property to be built.

Commissioner Nesbitt stated the surrounding property owners purchased their land with an R-A zoning and would like to see it stay R-A.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Edward Nesbitt seconded the motion. The motion failed Yes 2, No 5, Abstained 0.

2. **Case 25-100-04 – Rezoning – Evanston Park Rezoning** – A City request to rezone the property located at 9408 E. Winner Road from O-1 (Office-Residential) to R-6 (Single Family Residential) and the properties located at 715 & 717 S. Brookside, 812, 818 & 820 S. Glenwood, 9306 & 9310 E. 9th Street S, and 9400, 9402, 9404 & 9406 E. Winner Road from R-30/PUD (High Density Residential/Planned Unit Development) 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.

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.

3. **Case 25-100-05 – Rezoning – Liberty Street Rezoning** – A City request to rezone the properties located at 1420, 1422, 1424 & 1426 S. Liberty Street from R-30/PUD (High Density Residential/Planned Unit Development) 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.

Public Comments

No public comments.

Motion

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

OTHER BUSINESS

1. **Case 24-310-06 – Preliminary Plat – Liberty Commons** – A request by Derek Kennedy for approval of a preliminary plat.

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. Mr. Glaser reviewed the conditions of approval.

Applicant Comments

Dan Foster, 14920 W 107th St., Lenexa, KS, stated he's representing the developer. He said they agree with the staff's report and agree to all the conditions.

Public Comments

No public comments.

Commissioner Comments

Chairwoman Wiley and Commissioner O'Neill both expressed gratitude to the applicant for creating additional housing.

Motion

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

ROUNDTABLE - NEXT MEETING JANUARY 28, 2025

Chairwoman Wiley requested permission from the Planning Commissioners to talk to staff about not mailing the packets. She noted the Commission does have access to the packet online.

Commissioner Nesbitt said he would be okay with online packets, if they'll receive the same information online.

Commissioner Ashbaugh stated he's having issues with the small maps and questioned if the online version will allow them to zoom in. Mr. Arroyo stated the largest map they could print would be 11x17.

Chairwoman Wiley noted all Commissioners received the new City Council approved Member Agreement and will need to turn it in before the next meeting.

ADJOURNMENT

The meeting was adjourned at 7:34 p.m.

MEETING DATE: January 28, 2025

STAFF: Brian Harker, Senior Planner

PROJECT NAME: Timber Creek Ranch, 5th Plat

CASE NUMBER/REQUEST: **Case 24-320-06 – Final Plat – Timber Creek Ranch, 5th Plat** – A request for approval of a Final Plat generally located north of Bundschu and Old Mill Road.

APPLICANT: Timber Creek Ranch, 5th Plat

OWNER: Pollard Development, LLC

PROPERTY LOCATION: On N. Heartland Court & N. Hanover Court north of E. 13th Street N.

SITE ACERAGE: 6.949-acres

NUMBER OF LOTS: 24-lots

SURROUNDING ZONING/LAND USE:

North: R-6 (Single-Family Residential)...single-family homes

S/E/W: R-4 (Single-Family Residential)...single-family homes

FURTHER ACTION:

Following action by the Planning Commission, this Final Plat request is scheduled for resolution by the City Council on March 17, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of this Final Plat with the following conditions.

1. Situs Addresses for the Lots on the Final Plat shall be as follows:
 - Lots 94 through 99 will be 1329 through 1349 N. Hanover Court (odd every fourth).
 - Lots 100 through 105 will be 1348 through 1328 N. Hanover Court (even every fourth).
 - Lots 114 through 119 will be 1329 through 1329 N. Heartland Court (odd every fourth).
 - Lots 120 through 125 will be 1348 through 1328 N. Heartland Court (even every fourth).
2. Public improvements are needed in conjunction with the construction this phase per engineering requirements.
3. Include the name, "Susanne Holland," on the City Clerk's signature line.
4. Provide state plane coordinates.
5. Easements as shown on the Plat should match the easements as shown on the Approved "Water Engineering Plans".

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A request by Jim Pollard, Pollard Development, Inc., to approve a Final Plat the property located at N. Heartland Court and N. Hanover Court.

Current Zoning: R-4 (Single-Family Residential)

Current Use: Undeveloped lots

Proposed Use: Single-Family Homes

Proposal:

This is the final build out of 24-lots for Timber Creek Ranch to finish out the subdivision.

Physical Characteristics of Property:

The proposed 24-lot plat is a 6.949-acre area, located at the north of the existing terminuses of Heartland Court and Hanover Court. It has slightly sloping topography that slopes southeastward toward a creek basin.

Characteristics of the Areas:

The property to the north is developed single-family residential neighborhood. To the west is an undeveloped phase of Timber Creek Ranch. To the east is a creek. To the south is an undeveloped portion of the subdivision.

The existing homes in the area are a mixture of ranch and two-story homes with siding and brick wainscots.

ANALYSIS

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

Both water and sanitary services are available along the Hanover Court and Heartland Court rights-of-way and in the general area. Electrical service will be available in easements at the rear of the property.

Storm Water Detention, Stream Buffers and Flood Plain Area:

The development drains to detention basins located in the east central and southern portions of the property located in a creek basin within a stream buffer area. Stream Buffers, the 100-year flood plains and floodway are confined to the east central, southern and southwestern portions of the subdivisions. The common tracts are within the federally designated flood plain area and within the City's designated Stream Buffer Area.

CIP Investments:

The City does not have any capital improvements projects planned near this area.

Driveways and Sidewalks:

Each home will have a two-car wide driveway and garage.

Covenants (CC&R's):

The existing CC&R's, with its covenants and restrictions, will be updated with these lots added. Annual dues are collected to maintain the detention basins, entrances and pay taxes on the common tracts.

EXHIBITS

1. Narrative
2. Application
3. Preliminary Plat
4. Final Plat
5. Comprehensive Plan
6. Zoning Map

POLLARD DEVELOPMENT, LLC
Jim Pollard
3030 S. Crenshaw
Independence, Missouri 64057

June 17, 2024

To: City of Independence

This is the final build out of 64 lots for Timber Creek Ranch to finish out the subdivision. The engineering for the 3 final phases have been submitted and phase 3 and 4 have been approved. I have submitted corrections on comments on phase 5.

The existing homes association with its covenants and restrictions will be updated with these lots added. Annual dues are collected to maintain the detention basins, entrances and pay taxes on the common tracts.

Jim Pollard

Developer

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☐ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☒ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business ☐ Short-Term Rental	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

TIMBER CREEK RANCH 5TH PLAT
Project Name

THE END of N HOLLAND CT & END OF N HANOVER CT
Project Address/Location

24 LOTS
Number of Lots/Tracts

Sq. Ft. of Building Acreage Steam Buffer (Yes or No)

Existing Zoning Proposed Zoning Existing Land Use Proposed Land Use

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☐ Completed & Signed Application Form ☐ Application Fee ☐ Cover Letter Describing Details of Project	☐ One 24" x 36" set of plans for Land Sub. & Site Dev. ☐ One PDF copy of a plat map or site plan ☐ Legal Description of the property in question
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Contact Information

Applicant

JIM POLLARD - Pollard Development LLC
Name Company

3030 S. CLEMENS RD. INDEP MO 64057
Address

816-686-8800 jim@dreamsb6@gmail.com
Phone Email

Architect/Engineer/Surveyor/Other: _____

Todd Polk CRS Engineers
Name Company

3015 E CARO ST SPRINGFIELD MO 65802
Address

417-986-4067 tpolk@cre.com
Phone Email

Owner

SAME AS APPLICANT
Name Company

Address

Phone Email

Architect/Engineer/Surveyor/Other: _____

BRIAN GLENN
Name Company

PHOENIX ENG & SURVEYING LLC
Address

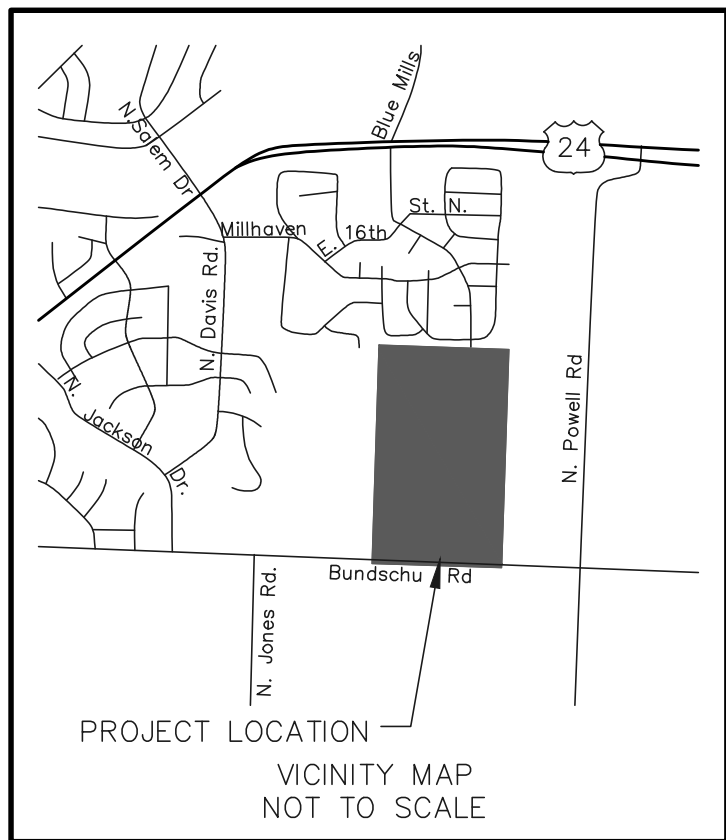
38555 NORTHERN BLVD INDEP MO 64052
Phone Email

The applicant hereby agrees that the information provided above is accurate.

[Signature] June 17, 2024
Applicant's Signature Date

[Signature] June 17, 2024
Owner's Signature Date

THE EAST 1/2 OF THE NW 1/4 OF SEC. 28 T2N 50N R3E 31W, A SUBDIVISION
OF LAND IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.



PROPOSED		EXISTING	
●	Manhole	○	
●	Curb Inlet	⌘	
■	Field Inlet	△	
Flared End Section		△	
■	Fire Hydrant	⌘	
●	Blow Off	●	
●	Water Valve	●	
●	Water Meter	○	
●	Straddle	○	
4' Sidewalk			
2' Curb			
Contour			
Handicap Ramp			

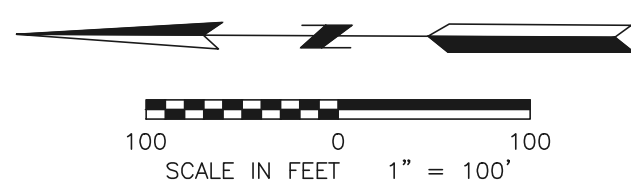
LOT#	OWNER/ADDRESS
34	Juliana Bryon T. & Jill R. 1401 Old Mill Ct. Independence, MO. 64056
35	Cape Kent K. 1403 Old Mill Ct. Independence, MO. 64056
130	Kellis Michael D. & Katherine F. 1404 Holland Dr. Independence, MO. 64056
131	Hernandez Jorge H. & Veronica 1404 Holland Dr. Independence, MO. 64056
484	US SFE Asset Company 5 LLC 20307 E. 14th St. N. Independence, MO 64056
485	Harp Matthew E. & Jennifer 20305 E. 14th St. N. Independence, MO. 64056
486	Wilson Larry Raymond & Deborah S. 20307 E. 14th St. N. Independence, MO. 64056

LOT#	OWNER/ADDRESS
487	Howell Scott D. Jr. & Stacy A. 20301 S 14th St. N. Independence, MO 64056
535	Farmer Jared. 20225 E 14th St. N. Independence, MO 64056
536	Highland Scott A. 20221 E 14th St. N. Independence, MO 64056
537	D'Arcy Investments LLC 20219 E Burgess Rd Buckner, MO 64016
538	Oliver Gayle R. 20213 E 14th St. N. Independence, MO 64056
539	Schumacher George L. & Lisa M. 20209 E 14th St. N. Independence, MO 64056
540	Turner Travis L. & Trina D.. 20207 E 14th St. N. Independence, MO 64056

LOT #	OWNER/ADDRESS
541	Allison Joshua 20205 E 14th St. N. Independence, MO. 64056
542	Gotway Robert L. 20203 E 14th St. N. Independence, MO. 64056
543	Lloyd Clayton E. & Susan A. 21013 E 14th St. N. Independence, MO. 64056
544	Oliver Charles K. & Amanda L. 21111 E 14th St. N. Independence, MO. 64056
545	Jorgensen Benjamin & Diana. 20005 E. 14th St. N. Independence, MO. 64056
546	Andrews Michael D. 20313 E. 17th TER. N. Independence, MO. 64056
547	Macdonald Larry B. & Nancy 20117 E. 14th St. N. Independence, MO. 64056

LOT#	OWNER/ADDRESS
548	Helm Bradley W. 1400 N Holland Dr. Independence, MO. 64056

CONSTRUCTION PHASE	# OF LOTS
PHASE 1	41 LOTS
PHASE 2	46 LOTS
PHASE 3	23 LOTS
PHASE 4	20 LOTS
PHASE 5	21 LOTS
PHASE 6	2 LOTS



LEGAL DESCRIPTION:
THE EAST HALF OF THE NORTHWEST QUARTER OF
SECTION 28, TOWNSHIP 50 NORTH, RANGE 31 WEST
OF THE 5TH PRINCIPAL MERIDIAN, INDEPENDENCE,
JACKSON COUNTY, MISSOURI, CONTAINING 80.4 ACRES,
MORE OR LESS.

DEVELOPER:
ANDACHTER-POLLARD DEVELOPMENT LLC
3030 S. CRENSHAW ROAD
INDEPENDENCE, MO. 64057
PH. 816-686-8800
FAX 816-795-6360

TIMBER CREEK RANCH

THE EAST 1/2 OF THE NW 1/4 OF
SEC. 28 T2N 50N R6E 31W,
A SUBDIVISION OF LAND IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

BID DOCUMENTS	
ISSUE DATE	-/-/-
No Description	Done

PRELIMINARY
PLAT

C1.0

NOT FOR
CONSTRUCTION

[illegible]

Designed by: TRP	Date: 5/18/2022
Dwn by: DJS	Project No. 22-5321
Submitted by: TRP	Plot scale: NA
File name: DJS_22-5321 TOR PrePlot.dwg	

CFS ENGINEERS

cfse.com

LEGAL DESCRIPTION:

THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 50 NORTH, RANGE 31 WEST OF THE FIFTH PRINCIPAL MERIDIAN, INDEPENDENCE, JACKSON COUNTY, MISSOURI DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE N87°42'42"W ON THE NORTH LINE OF SAID NORTHWEST QUARTER, 415.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N87°42'42"W ON SAID NORTH LINE, 612.89 FEET TO THE NORTHEAST CORNER OF LOT 140, TIMBER CREEK RANCH 3RD PLAT, A SUBDIVISION OF RECORD; THENCE S02°04'05"W ON THE EAST LINE OF LOTS 135 THROUGH LOT 140 INCLUSIVE, TIMBER CREEK RANCH 3RD PLAT, 494.31 FEET TO THE NORTHWEST CORNER OF LOT 126, TIMBER CREEK RANCH 4TH PLAT, A SUBDIVISION OF RECORD; THENCE S87°55'55"E ON THE NORTH LINE OF LOT 126, LOT 113, LOT 106 AND THE EASTERLY EXTENSION THEREOF, 490.00 FEET TO THE EAST RIGHT OF WAY LINE OF NORTH HANOVER COURT; THENCE S02°04'05"W ON SAID EAST RIGHT OF WAY LINE, 3.85 FEET TO THE NORTHWEST CORNER OF LOT 93, TIMBER CREEK RANCH 4TH PLAT; THENCE S87°55'55"E ON THE NORTH LINE OF SAID LOT 93, 122.88 FEET TO THE NORTHEAST CORNER OF SAID LOT 93; THENCE N02°04'05"E, 495.80 FEET TO THE POINT OF BEGINNING. CONTAINS 6.949 ACRES MORE OR LESS.

NOTES

1. THIS DOCUMENT WAS PREPARED FROM INFORMATION PROVIDED BY AND THE LAND REFERRED TO IN FIRST AMERICAN TITLE INSURANCE COMPANY'S CONDITION OF TITLE - GUARANTEE NO.: 1638315, EFFECTIVE DATE JULY 13, 2023.

2. THIS SURVEY MEETS OR EXCEEDS THE MISSOURI DEPARTMENT OF NATURAL RESOURCES MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEY REQUIREMENTS FOR URBAN CLASS PROPERTY.

3. BEARINGS SHOWN HEREON ARE REFERENCED TO THE MISSOURI STATE PLANE COORDINATE SYSTEM OF 1983, WEST ZONE BY UTILIZATION OF NATIONAL GEODETIC SURVEY - NGS DATA SHEET "SHROUT AZ MK" 2023 ADJUSTMENT DATA.

4. THE SUBJECT TRACT CONTAINS 6.949 ACRES MORE OR LESS.

5. ITEM NO. 1 OF THE ABOVE REFERENCED TITLE COMMITMENT SCHEDULE B REFERS TO A SEWER EASEMENT TO THE CITY OF INDEPENDENCE, MISSOURI CITY RECORDED AS DOCUMENT NO. 19740181899. SAID EASEMENT DOES NOT CROSS THE SUBJECT PROPERTY AND THEREFORE IS NOT SHOWN HEREON.

6. ITEM NO. 2 OF THE ABOVE REFERENCED TITLE COMMITMENT SCHEDULE B REFERS TO A SEWER EASEMENT TO THE CITY OF INDEPENDENCE, MISSOURI CITY RECORDED AS DOCUMENT NO. 19740181900. SAID EASEMENT DOES NOT CROSS THE SUBJECT PROPERTY AND THEREFORE IS NOT SHOWN HEREON.

7. ITEM NO. 3 OF THE ABOVE REFERENCED TITLE COMMITMENT SCHEDULE B REFERS TO A SEWER EASEMENT TO THE CITY OF INDEPENDENCE, MISSOURI CITY RECORDED AS DOCUMENT NO. 19760263962. SAID EASEMENT DOES NOT CROSS THE SUBJECT PROPERTY AND THEREFORE IS NOT SHOWN HEREON.

8. THE SUBJECT PROPERTY IS LOCATED WITHIN "ZONE X" (UNSHADED); AN AREA DESIGNATED AS AN AREA OF MINIMAL FLOODING ACCORDING TO THE JACKSON COUNTY, MISSOURI AND INCORPORATED AREAS, FLOOD INSURANCE RATE MAPS (FIRM), MAP NUMBER 29095C01906, MAP REVISED DATE: JANUARY 20, 2017 & MAP NUMBER 20905C20302G, MAP REVISED DATE: JANUARY 20, 2017

9. ALL REAR LOT CORNERS SHALL BE SET WITH 1/2" IRON BAR & CAP UPON SUBSTANTIAL COMPLETION OF GRADING AND THE PROLONGATION OF THE SIDE LOT LINES SHALL BE MONUMENTED BY A CHISELED CUT ON THE CURB.

10. LOTS 94 THROUGH 98 ARE SUBJECT TO THE CITY OF INDEPENDENCE, MISSOURI'S "STREAM BUFFERS AND SETBACK REGULATIONS". THE OUTER ZONE OF THE REQUIRED STREAM BUFFER, BASED ON DATA PROVIDED BY THE CITY OF INDEPENDENCE, MISSOURI, IS CONTAINED WITHIN THE 20-FOOT REAR YARD SETBACK REQUIRED BY ZONING REGULATIONS. NO STRUCTURES SHALL BE CONSTRUCTED EXCEPT FOR FENCING WITHIN THE STREAM BUFFER OUTER ZONE.

LEGEND

- = FOUND SECTION CORNER / 1/4 SECTION CORNER MONUMENT AS NOTED
- ◆ = SET MONUMENT, 5/8" IRON BAR WITH ALUMINUM CAP STAMPED "M02000 151303"
- = SET MONUMENT, 1/2" IRON BAR WITH PLASTIC CAP STAMPED "M02000 151303"
- = FOUND SURVEY MONUMENT AS NOTED

- (M) = MEASURED DIMENSION
- (D) = DEED DIMENSION
- C/L = CENTERLINE
- R/W = RIGHT OF WAY
- D/E = DRAINAGE EASEMENT
- L/E = LANDSCAPE EASEMENT
- U/E = UTILITY EASEMENT
- B/L = BUILDING SETBACK LINE
- (NR) = NON-RADIAL
- R = RADIUS
- L = ARC LENGTH
- Pr. O.S. = PRIVATE OPEN SPACE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF "TIMBER CREEK RANCH 5TH PLAT", IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI CODE OF STATE REGULATIONS (DIVISION 2030, CHAPTER 16) TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

Wesley Scroggins M.O.L.S. 2184
as agent of Phoenix Engineering & Surveying LLC. M.O.L.S. 2000151303

06/01/2023

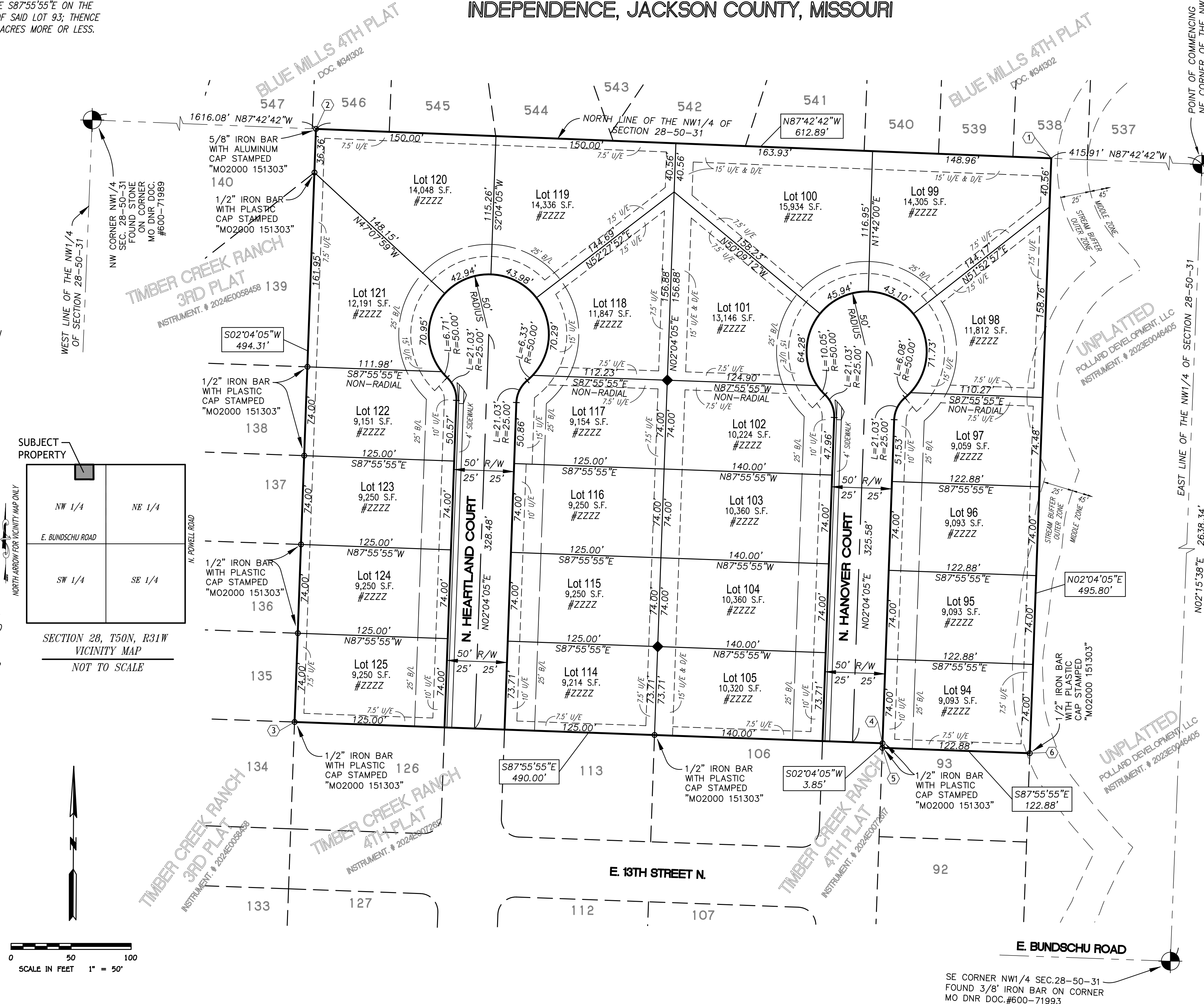
Date of Survey

FINAL PLAT

TIMBER CREEK RANCH 5TH PLAT

LOTS 94 THROUGH 105 & 114 THROUGH 125

PART OF THE NW 1/4 OF SEC 28, TOWNSHIP 50N, RANGE 31W,
INDEPENDENCE, JACKSON COUNTY, MISSOURI



DEDICATION:

THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT, WHICH PLAT AND SUBDIVISION SHALL HEREAFTER BE KNOWN AS "TIMBER CREEK RANCH 5TH PLAT".

STREETS: STREETS SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED.

EASEMENTS: AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF INDEPENDENCE, MISSOURI, TO LOCATE, CONSTRUCT AND MAINTAIN OR TO AUTHORIZE THE LOCATION, CONSTRUCTION AND MAINTENANCE AND USE OF CONDUITS FOR ALL OR ANY PURPOSE, WATER, GAS, SEWER MAINS, STORM SEWERS, POLES AND WIRES TO ALL OR ANY OF THEM OVER, UNDER AND ALONG THE STRIPS MARKED "UTILITY EASEMENT" (U/E) OR WITHIN ANY STREET OR THOROUGHFARE DEDICATED TO PUBLIC USE ON THIS PLAT.

THOSE EASEMENTS LABELED AS "UTILITY & DRAINAGE EASEMENT" (U/E & D/E) SHALL BE ESTABLISHED WITH THE ABOVE CRITERIA FOR "U/E" WITH THE ADDITION OF THE LOCATION, CONSTRUCTION, AND MAINTENANCE OF SURFACE DRAINAGE SWALES.

BUILDING LINES: BUILDING LINES OR SET BACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE CONSTRUCTED BETWEEN THIS LINE AND THE STREET RIGHT OF WAY LINE.

EXECUTIONS:

IN TESTIMONY WHEREOF: JAMES POLLARD OF POLLARD DEVELOPMENT, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED THIS ____ DAY OF ____, 20__.

POLLARD DEVELOPMENT, LLC

JAMES POLLARD

ATTEST

STATE OF MISSOURI)

SS

COUNTY OF JACKSON)

BE IT REMEMBERED: THAT ON THIS ____ DAY OF ____, 20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, APPEARED JAMES POLLARD OF POLLARD DEVELOPMENT, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED HEREIN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND BEING DULY SWORN BY ME ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED AND ON BEHALF OF SAID LLC.

IN WITNESS THEREOF: I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID COUNTY, THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

MY COMMISSION EXPIRES

ACKNOWLEDGMENT:

THIS CERTIFIES THAT THE PLAT OF TIMBER CREEK RANCH 5TH PLAT, WAS SUBMITTED TO AND DULY APPROVED BY THE CITY OF INDEPENDENCE, MISSOURI, THIS ____ DAY OF ____, 20__, BY ORDINANCE NO. ____.

BY: ____
CITY CLERK

CITY OF INDEPENDENCE, MISSOURI APPROVALS:
STREET LOCATIONS AND LOT DIMENSIONS APPROVED

BY: ALEX LOPEZ
MUNICIPAL SERVICES DIRECTOR DESIGNEE

BY: TOM SCANNELL
DIRECTOR OF COMMUNITY DEVELOPMENT

BY: JACKSON COUNTY ASSESSOR

DEVELOPER

POLLARD DEVELOPMENT, LLC
ATTENTION: JAMES POLLARD
3030 S. CRENSHAW ROAD
INDEPENDENCE, MO 64057
PHONE: 816-686-8800
FAX: 816-795-6360

PREPARED BY:

PHOENIX ENGINEERING
& SURVEYING, LLC

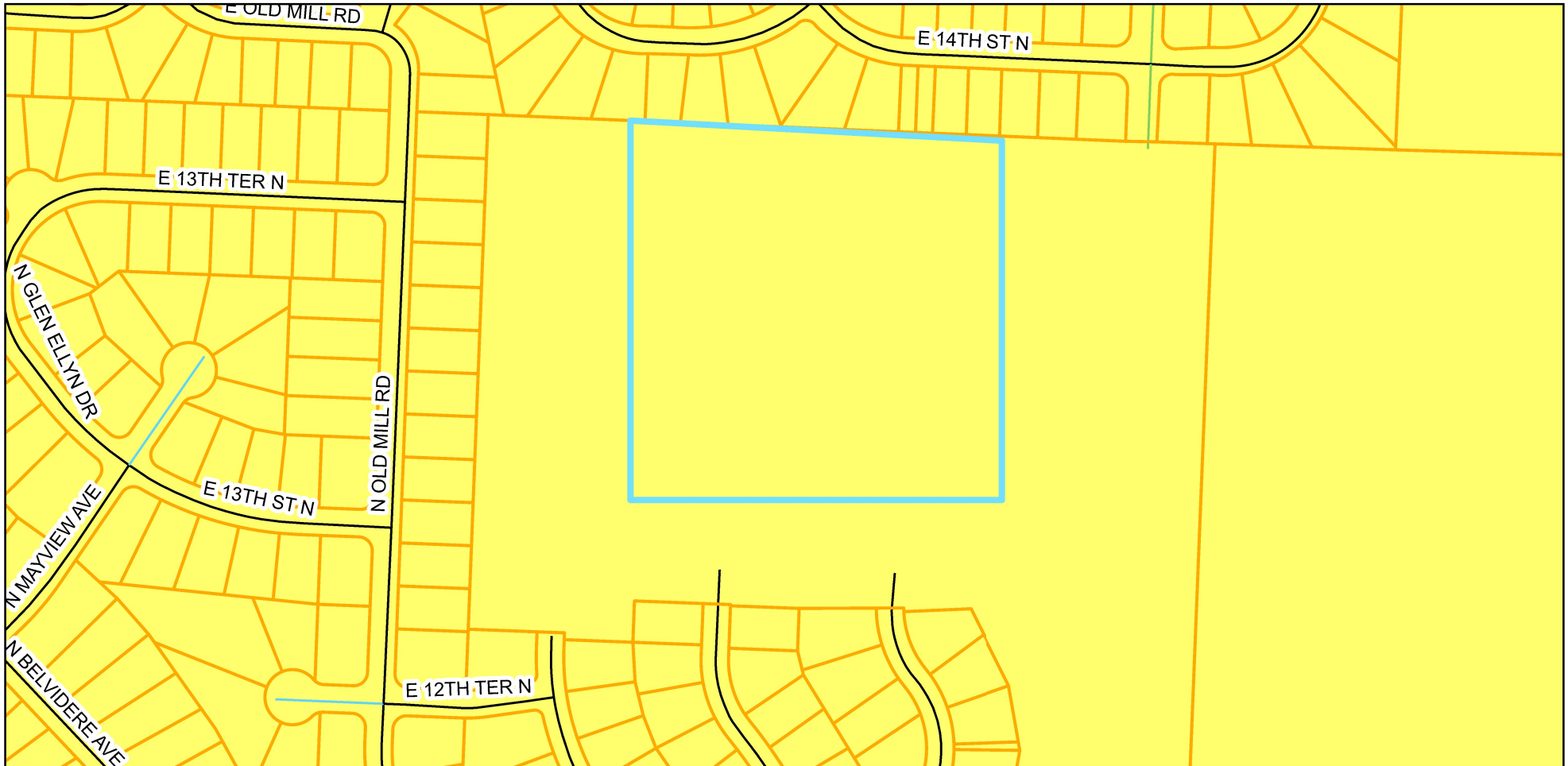
3855 S. NORTHERN BLVD., INDEPENDENCE, MO 64052
(816) 743-9000

PROJECT NO. 040020 DATE PREPARED: 12-09-2024
PROJECT NAME: TIMBER CREEK RANCH 5TH PLAT
DIR. & DWG. NAME: S:\PROJECTS\2004\040020 - Timber Creek Ranch 5th\dwg\TCR5FINALPLAT.DWG

M5031-28 SHEET 1 of 1

Comprehensive Plan

#24-320-06



Legend

Parcels

Parcels

Streets

Collector
Local
Subsurface

City Limits

City Limits

Proposed Land Use (Comp Plan)

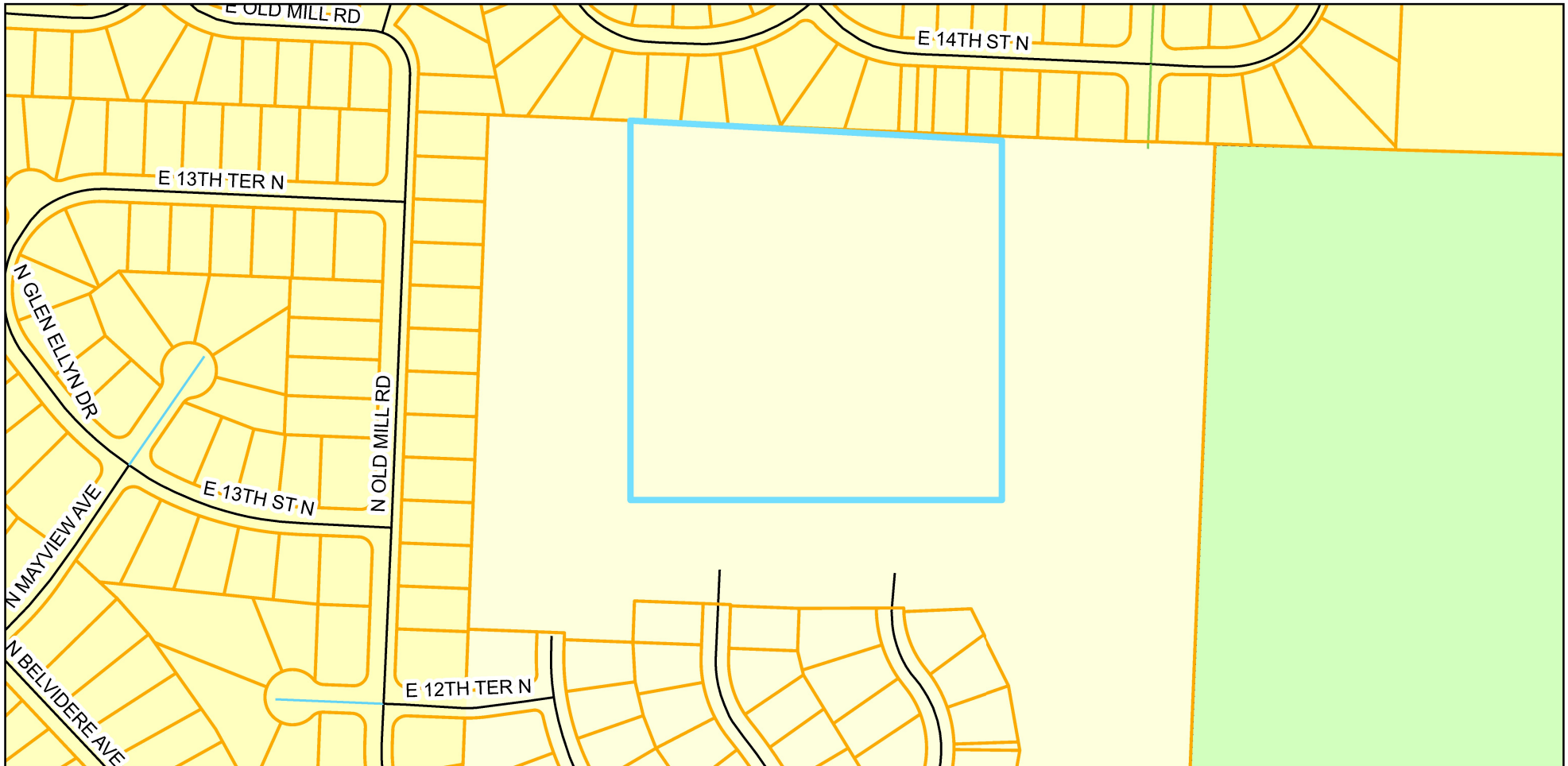
Residential Neighborhoods

0 0.05 0.1 0.2 Miles

Prepared by: Gabe Glaser
Community Development Department
Date Saved: 1/17/2025 11:59 AM

Zoning Map

#24-320-06



Legend

Parcels

 Parcels

Streets

 Collector
 Local
 Subsurface

City Limits

 City Limits

Zoning District

 R-4
 R-6
 R-A

0 0.05 0.1 0.2 Miles



Prepared by: Gabe Glaser
 Community Development Department

Date Saved: 1/17/2025 11:59 AM

MEETING DATE: January 28, 2025

STAFF: Gabe Glaser, Planner

PROJECT NAME: Teds Place Rezoning

CASE NUMBER/REQUEST: Continued Case 25-100-03 – Rezoning – 10900 E Truman Rd – A request to rezone the property from I-1 (Industrial), C-2 (General Commercial), and R-12 (Two Family Residential) to I-1 (Industrial).

APPLICANT: Dustin Ferrell

PROPERTY LOCATION: 10900 E Truman Rd

SURROUNDING ZONING/LAND USE:

North: R-12 (Two-Family Residential)Single-Family Residence
I-1 (Industrial)Construction Services; Industrial
Machinery/Equipment Service; Undisturbed Stream Buffer

East: R-12 (Two-Family Residential)Single-Family Residence; Two-Family
Residence (Duplex)
C-2 (General CommercialMulti-Family Residence; City-Owned
Property (Vacant); Single-Family Residence
I-1 (Industrial)Single-Family Residence; Tow Service Business

South: C-2 (General Commercial)Liquor Establishment; Single-Family
Residence
C-3 (Service Commercial)

West: R-12 (Two-Family Residential)Single-Family Residence; Two-Family
Residence (Duplex)
C-2 (General Commercial)Tow Service Business

PUBLIC NOTICE:

- Letters to property owners – January 2, 2025
- Public Notice published in the Independence Examiner – December 28, 2024
- Signs posted on property – January 10, 2025

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on March 3, 2025, and the public hearing/second reading on March 17, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A rezoning from I-1, C-2 and R-12 to I-1.

Current Zoning: C-2 (General Commercial); R-12 (Two-Family Residential); and I-1 (Industrial)

Proposed Zoning: I-1 (Industrial)

Current Use: Refuse Collection Business

Proposed Use: Refuse Collection Business

Zoning History:

The majority of the subject site is comprised of unplatted tracts of land. While a small portion of the eastern region of this site was platted in 1923 as part of the Fairmount Highlands subdivision.

The subject site was annexed into the City of Independence, in 1961, as part of Ordinance 14871. In 1965, when the City of Independence adopted the Zoning Ordinance, this property was assigned multiple zoning district classifications: M-1 (Light Manufacturing), C-3 (Commercial), and R-2 (Two-Family Residential). In 1980, when the city updated its Zoning Ordinance, the zoning classifications remained largely unchanged: M-1 (Industrial), C-2 (General Commercial), and R-2 (Two-Family Residential). Most recently, when the city adopted the Unified Development Ordinance, in 2009, the zoning district classification, once again, remained largely unchanged: I-1 (Industrial), C-2 (General Commercial), and R-12 (Two-Family Residential). Since the adoption of the Zoning Ordinance, the zoning district classification of the properties comprising this application have remained consistent.

Missouri Secretary of State records indicate that Ted's Trash Service, Inc. was incorporated in 1970. Jackson County real estate records indicate that Ted's Trash Service, Inc. originally acquired the subject property in 1972. Based on information obtained via public record, the property owner has operated a refuse collection business from this property since 1972.

Proposal:

The applicant has a separate application for a minor subdivision, to combine the various tax parcels that comprise the subject site. The application for a minor subdivision (case #24-330-22) is being processed concurrently with this application for a rezoning.

Due to the amalgamation of zoning district classifications that comprise the proposed single lot, the property owner is required to rezone the entire subject site under one classification, prior to approval of an application for a minor subdivision.

Physical Characteristics of Property:

The subject site is comprised of ±8.5 acres. The area of the site that fronts Truman Rd consists of two garage bays for vehicle/equipment storage; an office space for customer service; and recycling bins available to the public. This area is paved with concrete, meeting the City's development standard for all parking and loading areas in commercial districts to consist of paved, all-weather surfaces.

The remainder of the site is paved with gravel and/or other aggregate material and includes a gravel drive entrance off Harris Ave. These areas are used for vehicle/equipment storage. Any of these areas that are composed of gravel/aggregate are considered legal non-conforming. Future development will be required to be in full compliance with the development ordinance.

Characteristics of the Area:

The subject site is surrounded by a variety of zoning district classifications and property uses, ranging from single family residential to industrial.

South of the subject site, across Truman Road, contains a mixture of commercial establishments and residential dwellings. East of the subject site is the location of a legal nonconforming, multi-family development; the Fairmount Highlands subdivision, containing a mixture of single-family residences, duplexes, a restaurant, licensed tow lot, industrial equipment supplier, and used auto sales lot. West of the subject property houses a tow lot with two licensed tow operators, and a mixture of single-family and duplex residential uses. Lastly to the North of the subject site sits a large, undeveloped, wooded area along with the Pat-Mar Addition comprised of predominantly single-family residences.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

This proposal conforms with Independence for All, Strategic Plan's objective to retain quality employers. Approval of this rezoning supports the applicant and their desired site improvements.

Comprehensive Plan Tools and Policies for the Current Designation:

Imagine Independence Comprehensive Plan 2040 envisions this property and the surrounding area to be designated for residential use. Although the proposed rezoning does not conform to future land-use designations, the subject site has been designated a commercial and industrial zoning classification since the adoption of the Zoning Ordinance in 1965.

The guiding principles of Imagine Independence direct the city to, "Promote growth, innovation, investment and opportunity," in the business & jobs sector. Imagine Independence provides a tool/policy to, "Focus retention on high-performing, capital intensive, existing employers so they may grow in place."

Sub-Area Plans:

Although the subject site is located within the boundaries of the Downtown Redevelopment Area, this rezoning case falls outside of the scope of said sub-area plan.

Zoning:

The current zoning classification of the subject site is a broad amalgamation of two-family, general commercial and industrial. The proposed rezoning would help to unify the zoning classification in conformity with the current use of the site.

Platting:

The applicant has a separate application for a minor subdivision that is currently being processed administratively. One of the conditions for approval of the application for a minor subdivision

(#24-330-22) requires the property owner to rezone their property. All lots in Independence must be comprised of one single zoning classification.

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

All utilities are present and available to the applicant.

Floodplain/Stream Buffer:

A second order stream bisects the subject site, running generally Northwest. City Code requires stream buffers to be delineated on any plat recorded with Jackson County. As per City Code **Sec. 7.05.005.B.2.** second order streams are required to have a minimum average buffer width of 105 feet on each side of the stream. Language on the plat (#24-330-22) will be added indicating that there will no land disturbance/grading/development within the boundaries of the required stream buffer.

The second order stream buffer includes a flood zone designated by FEMA. This area has been delineated on the applicant's plat and has been reviewed by City staff for conformity with all local, State, and Federal requirements.

CIP Investments:

The city does not have any capital improvements projects planned near this area.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. Conformance of the requested zoning with the Comprehensive Plan.

Although Imagine Independence envisions Residential uses for the area, the Tools and Policies direct city staff to, "Focus retention on high-performing, capital intensive, existing employers so they may grow in place." The approval of this rezoning supports the Tools and Policies outlined in Imagine Independence Comprehensive Plan 2024

2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.

Although the subject site is located within the Downtown Redevelopment Area, the nature of this proposal falls outside of its scope.

3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.

This area contains a variety of zoning classifications, including legal nonconforming uses—uses that would not be approved under the current version of the Development Code. Industrial uses surround the subject site to the West, Northwest, and East. This proposal is compatible with the current zoning and use of surrounding properties.

4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.

The character of the neighborhood includes a variety of zoning classification and uses. The subject site adjoins several industrial uses, as well as residential and commercial. This proposal is consistent with the character of the neighborhood.

5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.

This proposed rezoning will reduce existing nonconformities of the subject site. The proposed rezoning will allow for future development of the site, aiding in a well-planned community.

6. The length of time the subject property has remained vacant as zoned.

The property has been occupied since the early 1970's, according to available public records.

7. The extent to which approving the rezoning will detrimentally affect nearby properties.

The rezoning should have no detrimental effect on area properties. The current use adjoins several similar uses, and this property has been operated for several decades already. This proposal will not alter the character of the neighborhood.

8. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

If rezoning is denied, the property cannot be replatted according to the applicant's desired plan. Both this application for a rezoning and a subsequent minor subdivision will reduce existing nonconformities of the subject site.

EXHIBITS

1. Narrative
2. Application
3. Notification letter
4. Address List
5. Notification Area Map
6. Affidavit
7. Minor Subdivision
8. Comprehensive Plan map
9. Zoning map



LAND SURVEYORS

INDUSTRIAL MEASUREMENT SPECIALISTS

FOUNDER: JAMES P. ANDERSON 1897 — 1948

PROFESSIONAL LAND SURVEYORS

JAMES S. ANDERSON, President
OLIVER S. ANDERSON 1926-1983
ROBERT W. ANDERSON 1924-1965
ROBERT J. ANDERSON
JOHN P. WEBSTER

November 27, 2024

City of Independence, Missouri
Community Development
Planning Department

APPLICANT COVER LETTER

RE: FAIRMOUNT HIGHLANDS, LOT 326 AND PART OF THE SOUTHWEST
QUARTER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 49, RANGE
32.

Fairmount Highlands, Lot 326 and part of the Southwest quarter of the Northeast quarter of Section 4, Township 49, Range 32 is a proposed Minor Subdivision Plat located at 10736 East Truman Road, Independence, Jackson County, Missouri.

The subject property currently has a metes and bounds description and is one lot platted. The owner intends to install a carport structure and seeks to combine the entire property to create a single lot to effectively eliminate building setback issues.

The owner also plans to dedicate a stream buffer zone.

The owner seeks to classify the entirety of the property under one single zoning designation.

All infrastructure and utilities are available and active to the subject property.



*The quiet of our estates, in a great measure, depends upon
the faithfulness, understanding, and care of our surveyors.
Virginia Statutes, 1705*



Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☒ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☒ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

Teds Place

Project Name

10900 E Truman Rd. Independence, MO 64052

Project Address/Location

Sq. Ft. of Building

Acreage

Number of Lots/Tracts

Stream Buffer (Yes or No)

Existing Zoning

Proposed Zoning

Existing Land Use

Proposed Land Use

8.58 4 (proposed 1) Yes
I-1, C-2, R-12 I-1 Trash Hauler Trash Hauler

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☒ Completed & Signed Application Form ☒ Application Fee ☒ Cover Letter Describing Details of Project	☐ One 24" x 36" set of plans for Land Sub. & Site Dev. ☒ One PDF copy of a plat map or site plan ☐ Legal Description of the property in question
--	--

Contact Information

Applicant

Dustin Ferrell Ted's Trash Service Inc.

Name

Company

10736 E Truman Rd. Independence, MO 64052

Address

816-645-4194

dusty@tedstrash.com

Phone

Email

Architect/Engineer/Surveyor/Other:

Russ Bishop Anderson Survey

Name

Company

1270 NE Delta School Rd Lee's Summit, MO 64064

Address

816-246-5050

rb@andersonsurvey.com

Phone

Email

Owner

Teddy Ferrell Ted's Trash Service Inc.

Name

Company

10900 E Truman Rd. Independence, MO 64052

Address

816-252-1594 ext 103

dusty@tedstrash.com

Phone

Email

Architect/Engineer/Surveyor/Other:

Nick Wahl Wahl Construction

Name

Company

103 W 26 Ave STE 240 Kansas City, MO 64116

Address

816-800-2148

nick@wahlcco.com

Phone

Email

The applicant hereby agrees that the information provided above is accurate.

[Signature]
Applicant's Signature

11-25-24

Date

[Signature]
Owner's Signature

11/25/2024

Date

Appendix B - Property Owner Notification Letter

City of Independence, Missouri

Date: 1-2-2025

Case No. 25-100-03

Dear Property Owner:

This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):

- ☒ Rezoning ☐ Rezoning/PUD ☐ Special Use Permit
☐ Preliminary Development Plan

Proposed project description: Construction of a canopy structure
for Ted's Trash Service Inc.

Applicant: Dusty Ferrell

Location of Property: 10900 E Truman Rd Independence, MO 64052

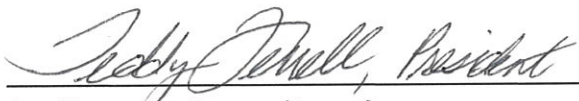
Planning Commission Meeting Date: January 28th, 2025, at 6:00 p.m.

City Council Meeting Date: March 17th, 2025, at 6:00 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.


Applicant (or Owner/Agent)

For more information, contact the Community Development Department at 816-325-7421.

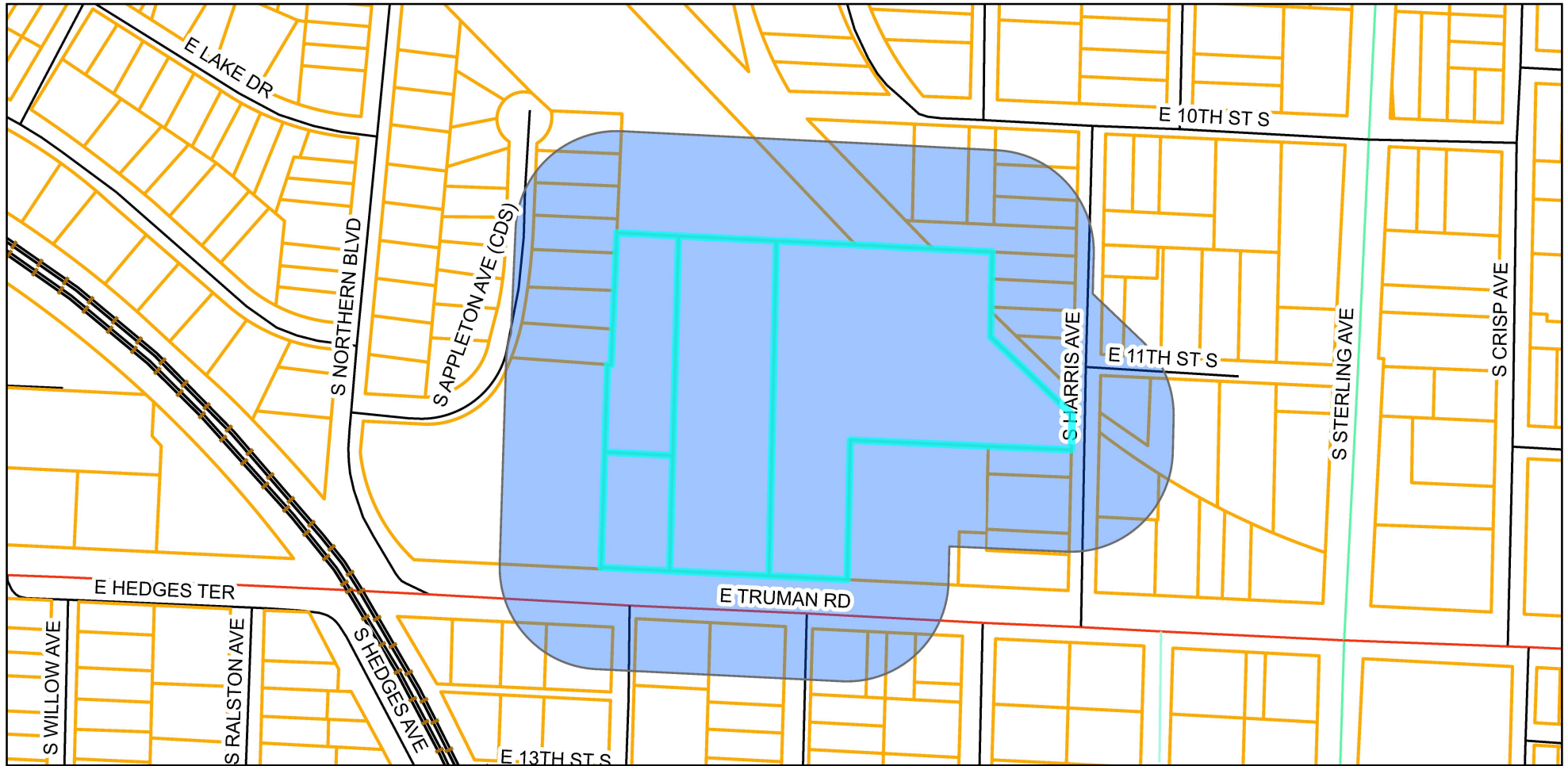
Property Address	Property Owner	Owner Address	City	State	ZIP Code
10736 E TRUMAN RD	TED'S TRASH SERVICE OFFICE LLC	10736 E TRUMAN RD	INDEPENDENCE	MO	64052
1109 S APPLETON AVE	LORBER LIGHT LLC	750 NELSON RANCH RD	CEDAR PARK	TX	78613
1008 S HARRIS AVE	BEAVER TALL PROPERIES LLC	1701 MCKINLEY	KANSAS CITY	MO	64126
1105 S APPLETON AVE	HUFF MICHAEL	16501 E GEORGE FRANKLYN DR	INDEPENDENCE	MO	64055
1101 S APPLETON AVE	HUFF MICHAEL J	16501 E GEORGE FRANKLYN DR	INDEPENDENCE	MO	64055
1014 S HARRIS AVE	MKMM NO 3 LLC	PO BOX 25	INDEPENDENCE	MO	64050
1010 S HARRIS AVE	BUCK PAUL A	P O BOX 520282	INDEPENDENCE	MO	64052
10906 E TRUMAN RD APT 3	LOSTAL ENTERPRISES LLC	401 N 5TH ST	KANSAS CITY	KS	66101
10710 E TRUMAN RD	TED'S TRASH SERVICE OFFICE LLC	10736 E TRUMAN RD	INDEPENDENCE	MO	64052
10900 E TRUMAN RD	TEDS TRASH SERVICE INC	10900 E TRUMAN RD	INDEPENDENCE	MO	64052
801 S NORTHERN BLVD	801-901 SOUTH NORTHERN BOULEVARD LLC	901 S NORTHERN BLVD	INDEPENDENCE	MO	64053
10730 E TRUMAN RD	ITR LLC	1015 S BETHANY ST	KANSAS CITY	KS	66105
1019 S APPLETON AVE	CABRERA JUAN	1019 S APPLETON AVE	INDEPENDENCE	MO	64053
1020 S HARRIS AVE	JOHNSON TALIGAI	1020 HARRIS	INDEPENDENCE	MO	64054
10800 E TRUMAN RD	TED'S TRASH SERVICE OFFICE LLC	10736 E TRUMAN RD	INDEPENDENCE	MO	64052
1108 S HARRIS AVE	SLH LLC	4024 EMERALD ST # 200C	TORRANCE	GA	90503
1017 S APPLETON AVE	HUFF MICHAEL J	16501 E GEORGE FRANKLYN DR	INDEPENDENCE	MO	64055
1022 S HARRIS AVE	JOHNSON TALIGAI PELA	1020 HARRIS	INDEPENDENCE	MO	64054
10903 E 10TH ST S	KERN GREGORY JOHN AND LUANN M	10903 E 10TH ST S	INDEPENDENCE	MO	64054
10907 E 10TH ST S UNIT B	JEAN NELSON LLC	PO BOX 12108 MC068	AUSTIN	TX	78711
10909 E 10TH ST S	LAND TRUST OF JACKSON COUNTY MISSOURI	4035 CENTRAL ST	KANSAS CITY	MO	64111
1006 S HARRIS AVE	KREISEL JEFFERY & MARY	1006 S HARRIS AVE	INDEPENDENCE	MO	64054
1114 S HARRIS AVE	HILLS ELDON R II	1114 S HARRIS	INDEPENDENCE	MO	64054
1107 S HARRIS AVE	ELMORE LANGER CYNTHIA & LANGER ANDREW	11074 E TRUMAN RD	INDEPENDENCE	MO	64052
11103 E 11TH ST S	BURNUP NINA C	1304 W SHORT	INDEPENDENCE	MO	64050
1101 S HARRIS AVE	ERAZO REYNA R	1101 S HARRIS AVE	INDEPENDENCE	MO	64054
1015 S APPLETON AVE	HAROLD JOHN R	1015 S APPLETON AVE	INDEPENDENCE	MO	64053
10805 E TRUMAN RD	MGM PROPERTY GROUP LLC	218 ADDYSTON	PARC SAINT PETERS	MO	63376
10817 E TRUMAN RD	FRYER BRANDON	16514 E MECHANIC AVE	INDEPENDENCE	MO	64050

10901 E TRUMAN RD	WAFIE MAHMOUD AL AND CHOUDHARY FAISAL MAHMOOD	7835 DONNELLY AVE	KANSAS CITY	MO	64138
1002 S HARRIS AVE	MOLINO FRANK J	19510 BUNDSCHU RD	INDEPENDENCE	MO	64056
10909 E TRUMAN RD	MONTALDI ANDREW	5527 WOODLAND LN	FT LAUDERDALE	FL	33312
10725 E TRUMAN RD	FATEH AZAD & OTHMAN ZIYAN	8818 NE 116TH PL	KANSAS CITY	MO	64157
11100 E 11TH ST S	FALTYNOWSKI HAILEY	11100 E 11TH ST S	INDEPENDENCE	MO	64054
10913 E TRUMAN RD	ACOSTA RAFAEL & HERCULES RAMOS MARIA DEL ROSARIO	1706 S POLLARD AVE	INDEPENDENCE	MO	64055
11014 E TRUMAN RD	LANGER RUDY F-TRUSTEE	4939 WARD PKWY	KANSAS CITY	MO	64112
11102 E 11TH ST S	HUMPHREY MAY ANN	11102 E 11TH ST	INDEPENDENCE	MO	64054
10717 E TRUMAN RD	DELA CALZADA SHAUN & TAHNEE	1814 WAIHEE ST	HONOLULU	HI	96817
1013 S APPLETON AVE	NEW EARTH PROPERTIES LLC	31605 E BURGESS RD	BUCKNER	MO	64016
1116 S HARRIS AVE	NEW DIRECTION IRA INC	13952 E MARINA DR APT 311	AURORA	CO	80014
11008 E TRUMAN RD	CITY OF INDEPENDENCE	111 E MAPLE	AVEINDEPENDENCE	MO	64050
10917 E TRUMAN RD	WOODS JIMMY	2001 BENTON BLVD	KANSAS CITY	MO	64127
1000 S HARRIS AVE	BLANKENSHIP CAROL	19510 E BUNDSCHU RD	INDEPENDENCE	MO	64056
11102 E TRUMAN RD	LANGER RUDY & LANGER CINDY	4939 WARD PARKWAY	KANSAS CITY	MO	64112

Notification Area Map

10900 E Truman Rd

#25-100-03



Legend

Parcels

Parcels

Streets

Highway

Local

Major Arterial

Unknown

City Limits

City Limits

0 0.05 0.1 0.2 Miles

Prepared by: Gabe Glaser
Community Development Department

Date Saved: 1/17/2025 10:53 AM

Appendix C - Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 25-100-03

I, Teddy Ferrell, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

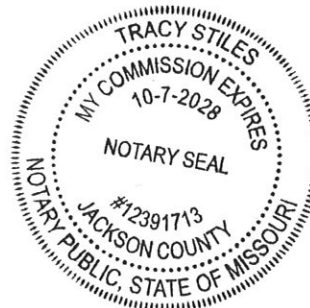
These notices were mailed on the 2 day of January, 2025.

Teddy Ferrell Resident
Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 2 day of January, 2025

Tracy Stiles
Notary Public

10/7/2028
Commission Expiration Date



[illegible]

**ASH SERVICE
EAST TRIMM**

...EAST I KUM
...DENCE, MISS

DAY OF _____
 _____ }
 MEMBER OR CLERK
 THE SAME AS THE
 NT OF SAID LIMIT

DATE		REVISION		BY	
MINOR SUBDIVISION					
DATE: SEPTEMBER 30, 2024		PROJECT LOCATION:			
FOR: WAHL CONSTRUCTION		10736 EAST			
10736 EAST		TROBEN ROAD,			
NORTH KANSAS CITY, MISSOURI 64116		JACKSON COUNTY, MISSOURI			
ATTN: NOCK WAHL					

MY COMMISSION

NOTARY PUBLIC

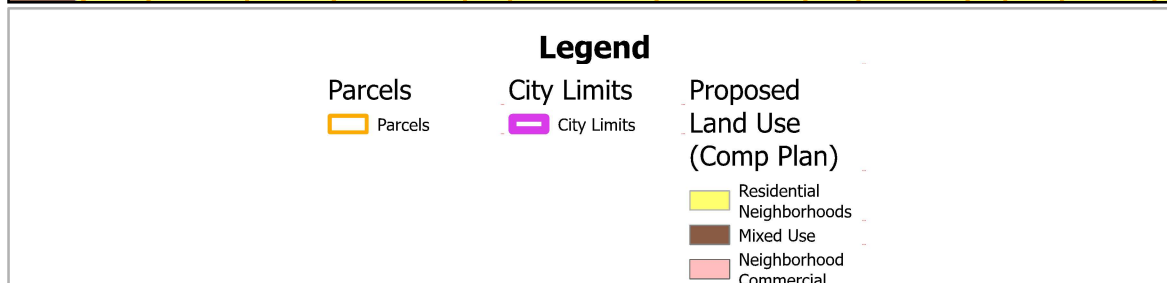
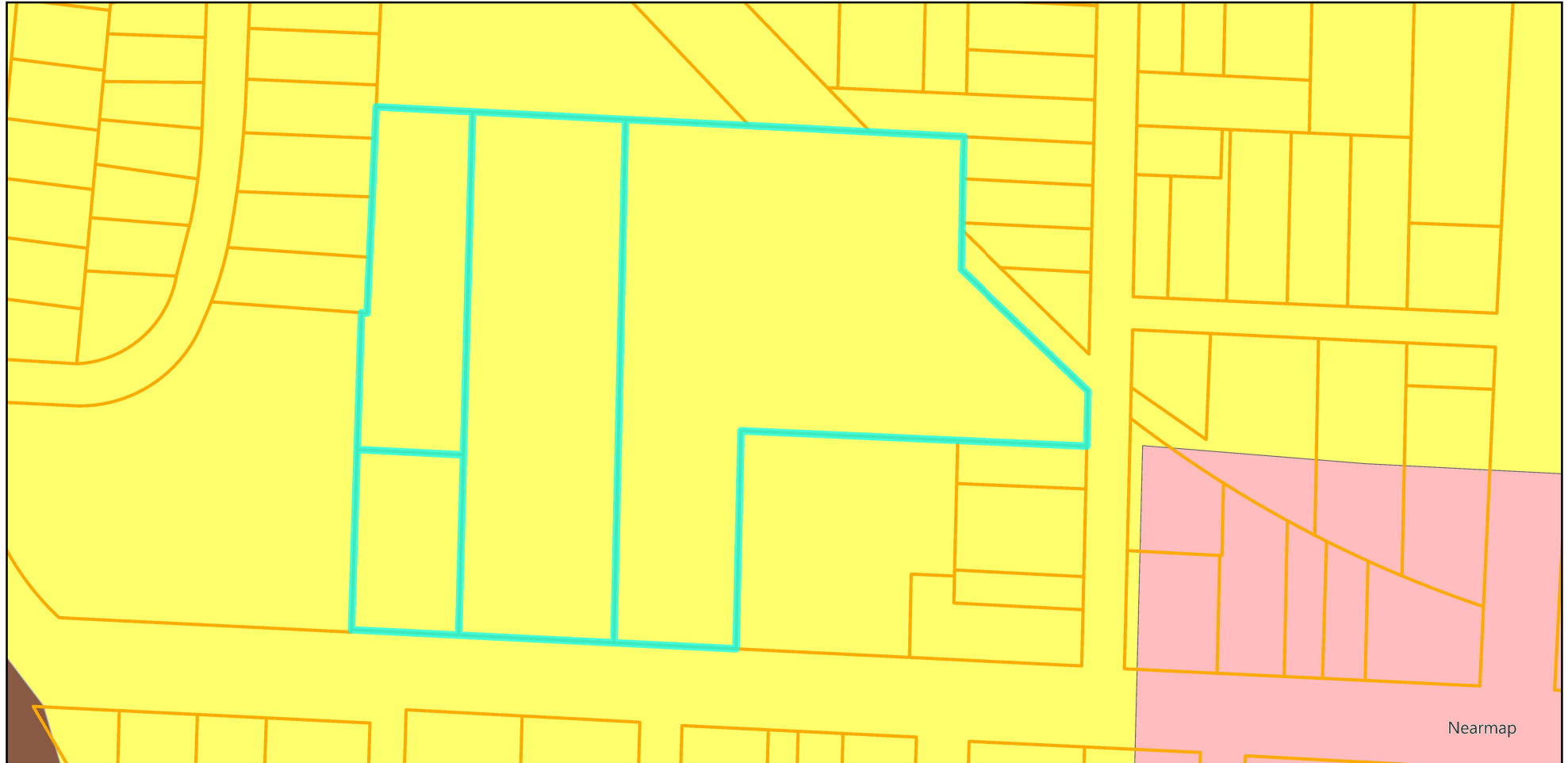
ROBERT J. ANDEF

ROBERT J. ANDEF

Comprehensive Plan

10900 E Truman Rd

#25-100-03



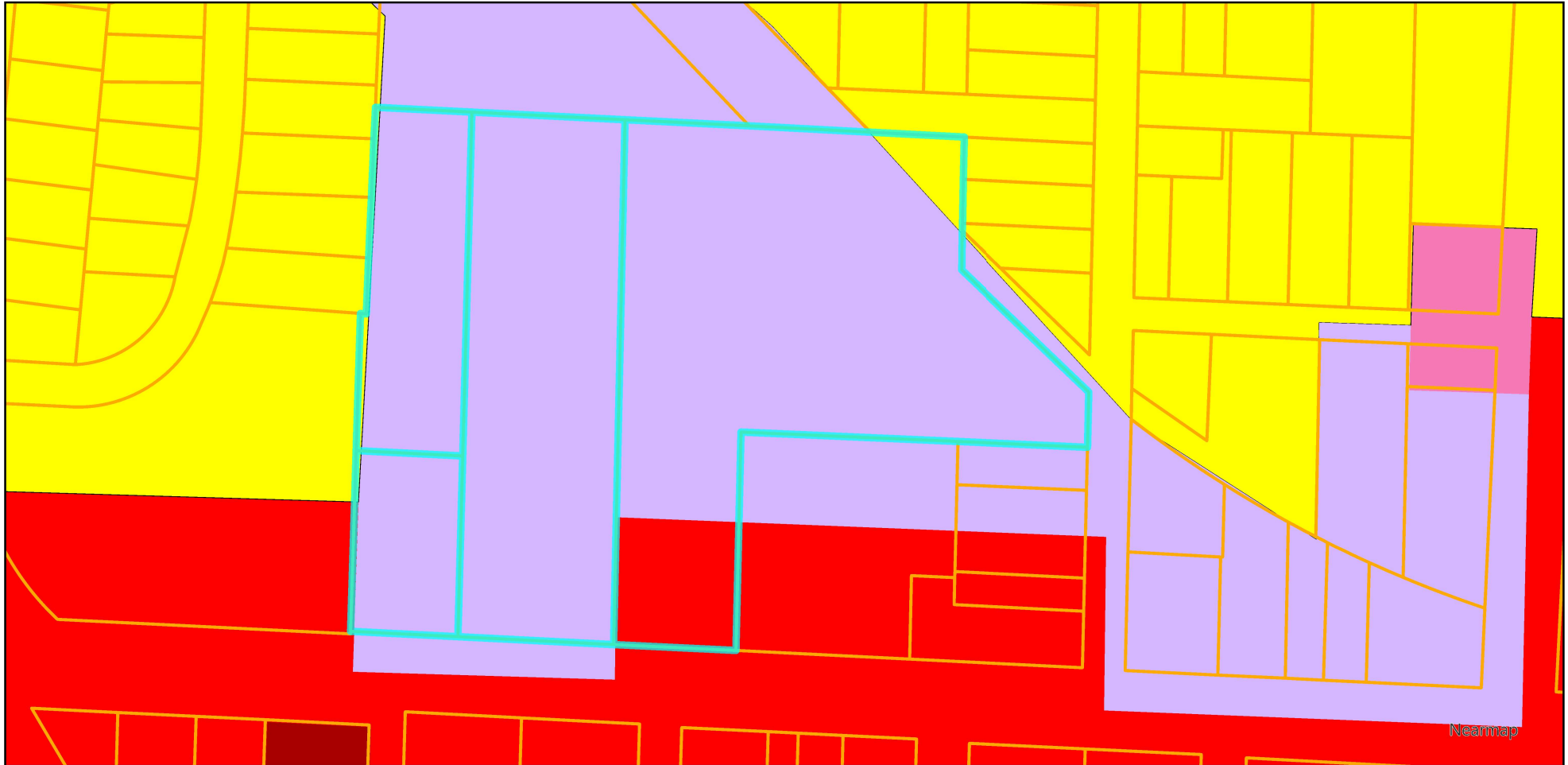
0 0.03 0.06 0.12 Miles

Prepared by: Gabe Glaser
Community Development Department
Date Saved: 1/17/2025 10:53 AM

Zoning Map

10900 E Truman Rd

#25-100-03



Nearmap

Legend

Parcels
Parcels

City Limits
City Limits

Zoning District
C-1
C-2
C-3
I-1
R-12
R-18/PUD

0 0.03 0.06 0.12 Miles

Prepared by: Gabe Glaser
Community Development Department
Date Saved: 1/17/2025 10:53 AM

MEETING DATE: January 28, 2025

STAFF: Brian L. Harker, Senior Planner

PROJECT NAME: Yogi Gupta Rezoning

CASE NUMBER/REQUEST: **Case 25-100-06 – Rezoning – 336 N. Hocker Ave** – A request to rezone the property from I-1 (Industrial) to R-6 (Single Family Residential).

APPLICANT: Yogi Gupta

PROPERTY LOCATION: 336 N. Hocker Avenue

SURROUNDING ZONING/LAND USE:

- North:** I-1 (Industrial)...vacant lots
South: R-18/PUD (Moderate Density Residential/Planned Unit Development)...apartment complex
East: I-1 (Industrial) and R-18/PUD (Moderate Density Residential/Planned Unit Development)...single-family home and apartment complex
West: I-1 (Industrial) and R-18/PUD (Moderate Density Residential/Planned Unit Development)...city park and apartment complex

PUBLIC NOTICE:

- Letters to property owners – January 10, 2025
- Public Notice published in the Independence Examiner – January 11, 2025
- Signs posted on property – January 10, 2025

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on March 3, 2025 and the public hearing/second reading on March 17, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A rezoning for this property from I-1 (Industrial) to R-6 (Single-Family Residential Low Density).

Current Zoning:	I-1 (Industrial)	Proposed Zoning:	R-6 (Single-Family Residential)
Current Use:	Vacant House		
Proposed Uses:	Restored Residence		

Zoning History:

In 1868, the property to be rezoned was platted as part of Johnsons 2nd Addition. It contains the north 45 feet of Lot 3 and the south 30 feet of Lot 5. The property was annexed by the City of Independence in 1851.

At the time Independence adopted its Zoning District Map (Ordinance No. 1132) in 1965, the property was designated M-1 (Industrial). In 2009, when the City adopted its Unified Development Ordinance (Ordinance No. 17339), this property was relabeled I-1 (Industrial).

Proposal:

Yogi Gupta seeks to rezone the property at 336 N. Hocker Avenue to R-6 (Single-Family Residential) to rehabilitate a structure designed as a single-family home. It will better conform with the existing land use and character of the surrounding neighborhood.

Physical Characteristics of Property:

The small, dilapidated, pre-World War II house, deeper than it is wide, sits on an embankment west of a steep Hocker Avenue sloping down to the south. The only other house in the immediate vicinity is across the street to the northeast. About one-half block to the north is a cluster of homes zoned I-1 (industrial) as well.

Characteristics of the Area:

Residences in this neighborhood vary in era from the 1920's to 1960's. The single-family homes to the north are mostly small and of similar size. The apartment complex to the south dates from the early 1970's.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

This proposal conforms with Independence for All, Strategic Plan's objective, "Stabilize and revitalize neighborhoods."

Comprehensive Plan Tools and Policies for the Current Designation:

Imagine Independence Comprehensive Plan 2040 envisions the area to be designated for Residential uses. The relevant 'Tool and Policies' is, "Identify areas within established neighborhoods where infill development would be appropriate."

Sub-Area Plans:

This property is not located within any sub-area plan.

Zoning:

The proposed R-6 (Single-Family Residential) zoning classification allows for single-family dwellings and various other uses (schools, churches, government facilities, cemeteries, home-based daycare, agriculture and others with conditions). Whereas, the existing I-1 (Industrial) zoning allows for warehousing, wholesaling, vehicle repair, small engine repair, vehicle storage, office use, government facilities, utilities and manufacturing. The size of the lot would not be conducive for industrial type buildings, site configurations and uses.

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

All utilities are available in the near-by right-of-way and easements.

Access and Driveway:

The property has a nonconforming gravel driveway that has been covered by soil and grass. The rehabilitated house will need a new paved driveway.

Floodplain/Stream Buffer:

There are no federal flood plains or city designated stream buffers in the area of the rezoning.

CIP Investments:

There are no CIP Investments planned for this area at this time.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. Conformance of the requested zoning with the Comprehensive Plan.

The Comprehensive Plan envisions Residential Established Neighborhood for the area. The relevant 'Tool and Policies' is, "Identify areas within established neighborhoods where infill development would be appropriate." Staff feels single-family residential zoning is appropriate given the development pattern of the area.

2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.

The property is not within a sub-area plan area.

3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.

There are nearby single-family homes to the north and northeast.

4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.

The proposed R-6 zoning is compatible with the area's existing housing stock.

5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.

The I-1 zoning is not compatible with existing housing stock and uses in the area. Further, the size of the lot would not be conducive for industrial type buildings, site configurations and uses.

6. The length of time the subject property has remained vacant as zoned.

The property has been vacant for three years.

7. The extent to which approving the rezoning will detrimentally affect nearby properties.

The rezoning should not have a detrimental effect on area properties.

8. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

If rezoning is denied, the property owner will not be able to rehabilitate this property. The lot is small, and the design of the small structure is not appropriate for industrial uses.

EXHIBITS

1. Narrative
2. Application
3. Notification letter
4. Address List
5. Notification Area Map
6. Aerial Photograph
7. Affidavit
8. Comprehensive Plan map
9. Zoning map

we purchased the house from a
wholesaler & looks like it was vacant
for more than allowable period.

The property was grandfathered as
it & now it is II.

request you to rezone.

A handwritten signature in cursive script, appearing to be 'J. L.', followed by a horizontal line.



Planning and Zoning Application Form

Community Development
111 E. Maple Avenue
Independence, MO 64050
(816) 325-7421
cdplanning@indepmo.org

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☐ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business ☐ Short-Term Rental	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

Project Name: 336 Hoecker

Project Address/Location: 336 Hoecker Ave., Independence, mo.

Sq. Ft. of Building: 800 sq. Acreage: 1 Number of Lots/Tracts: 1 Steam Buffer (Yes or No): Yes

Existing Zoning: I-1 Proposed Zoning: RG Existing Land Use: Vacant SFR Proposed Land Use: SFR

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☐ Completed & Signed Application Form	☐ One 24" x 36" set of plans for Land Sub. & Site Dev.
☐ Application Fee	☐ One PDF copy of a plat map or site plan
☐ Cover Letter Describing Details of Project	☐ Legal Description of the property in question

Contact Information

Applicant		Owner	
Name	Company	Name	Company
Address		Address	
Phone	Email	Phone	Email
Architect/Engineer/Surveyor/Other:		Architect/Engineer/Surveyor/Other:	
Name	Company	Name	Company
Address		Address	
Phone	Email	Phone	Email

The applicant hereby agrees that the information provided above is accurate.

Applicant's Signature	Date	Owner's Signature	Date
<u>[Signature]</u>	<u>12/4/24</u>		

May 2022

Appendix B - Property Owner Notification Letter

City of Independence, Missouri

Date: 01/10/2025

Case No. #25-100-06

Dear Property Owner: CITY OF INDEPENDENCE

This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):

- ☐ Rezoning ☐ Rezoning/PUD ☐ Special Use Permit
☐ Preliminary Development Plan

Proposed project description: Converting commercial property into a residential property

Applicant: 22 CENTURY INVESTMENTS LLC

Location of Property: 336 N HOCKER AVE INDEPENDENCE, MO 64050

Planning Commission Meeting Date: January 28, 2025 at 6:00 p.m.

City Council Meeting Date: March 17, 2025, at 6:00 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

Yogendra Gupta

Applicant (or Owner/Agent)

For more information, contact the Community Development Department at 816-325-7421.

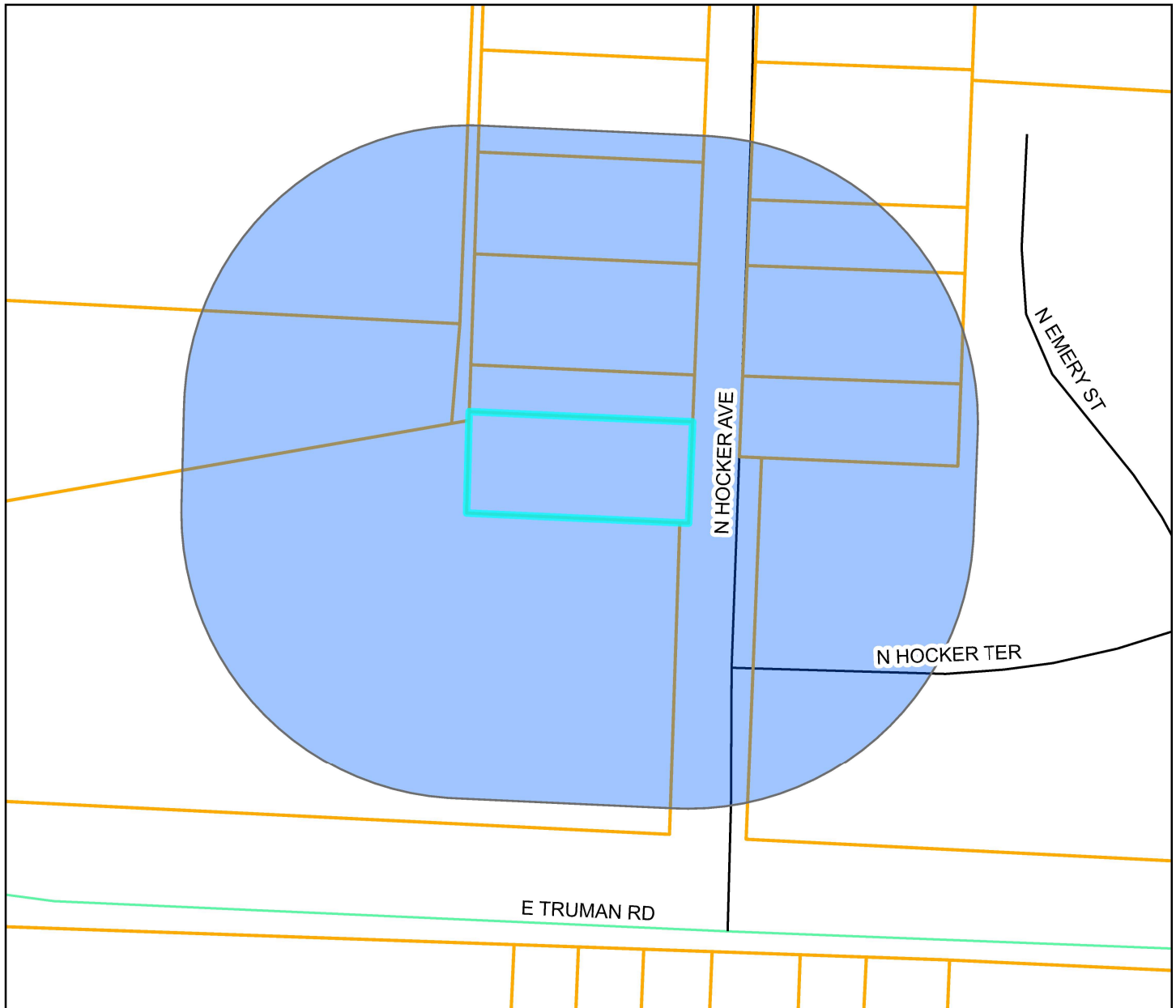
Property Address	Property Owner	Owner Address	City	State	ZIP Code
414 N EMERY ST	INDEPENDENCE HOUSING AUTHORITY	210 S PLEASANT ST APT 112	INDEPENDENCE	MO	64050
336 N HOCKER AVE	22 CENTURY INVESTMENTS LLC	7500 W 151ST ST STE 23201	OVERLAND PARK	KS	66283
323 N HOCKER AVE	KL INVESTMENT PROPERTIES LLC	1140 S DODGION AVE	INDEPENDENCE	MO	64050
400 N HOCKER AVE	CITY OF INDEPENDENCE	111 E MAPLE	AVEINDEPENDENCE	MO	64050
401 N HOCKER AVE	LAND TRUST OF JACKSON COUNTY MISSOURI	4035 CENTRAL ST	KANSAS CITY	MO	64111
414 N HOCKER AVE	CHRISMAN GEORGE W III	424 N HOCKER ST	INDEPENDENCE	MO	64050
501 N DODGION AVE	TRUMAN HERITAGE HABITAT FOR HUMANITY INC	505 N DODGION	INDEPENDENCE	MO	64050
338 N HOCKER AVE	REDMOND YVONNE P	2006 PARK TOWER DR	KANSAS CITY	MO	64126



185ft Notification Area

336 N Hocker Ave

#25-100-06



Legend

Parcels

Parcels

Streets

Local

Major Arterial

City Limits

City Limits

185ft Notification Area

0 0.02 0.04 0.07 Miles

Prepared by: Gabe Glaser

Community Development Department

Date Saved: 1/8/2025 3:10 PM

Community Development Front Counter Map



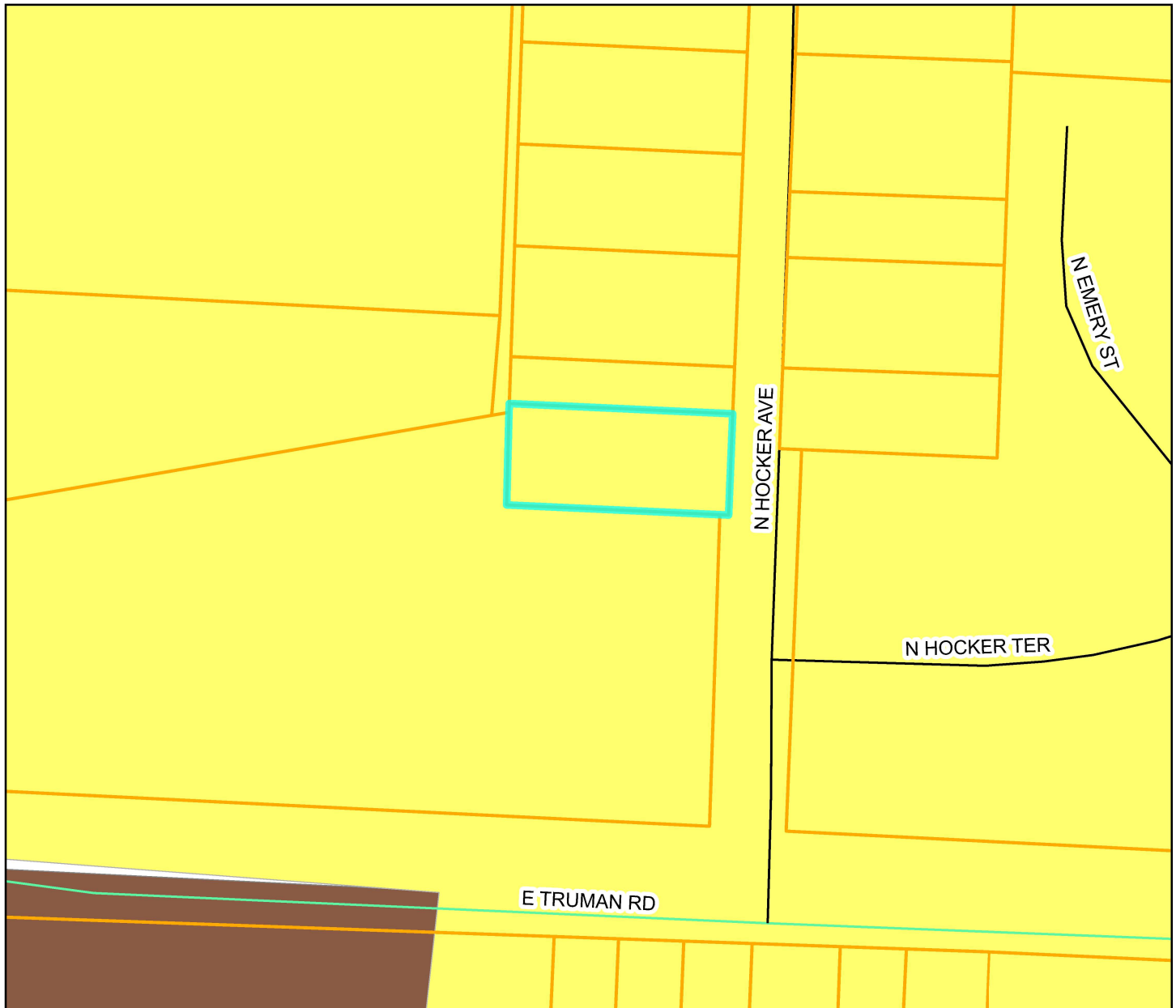
9/13/2023, 3:03:51 PM

Addresses
ParcelViewer - Tax
Zoning District
I-1
R-18/PUD
R-6
Municipal Boundaries 2023

Comprehensive Plan

336 N Hocker Ave

#25-100-06



Legend

Parcels

 Parcels

Streets

 Local

 Major Arterial

City Limits

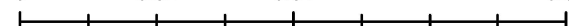
 City Limits

Proposed Land Use (Comp Plan)

 Residential
Neighborhoods

 Mixed Use

0 0.02 0.04 0.07 Miles



Prepared by: Gabe Glaser

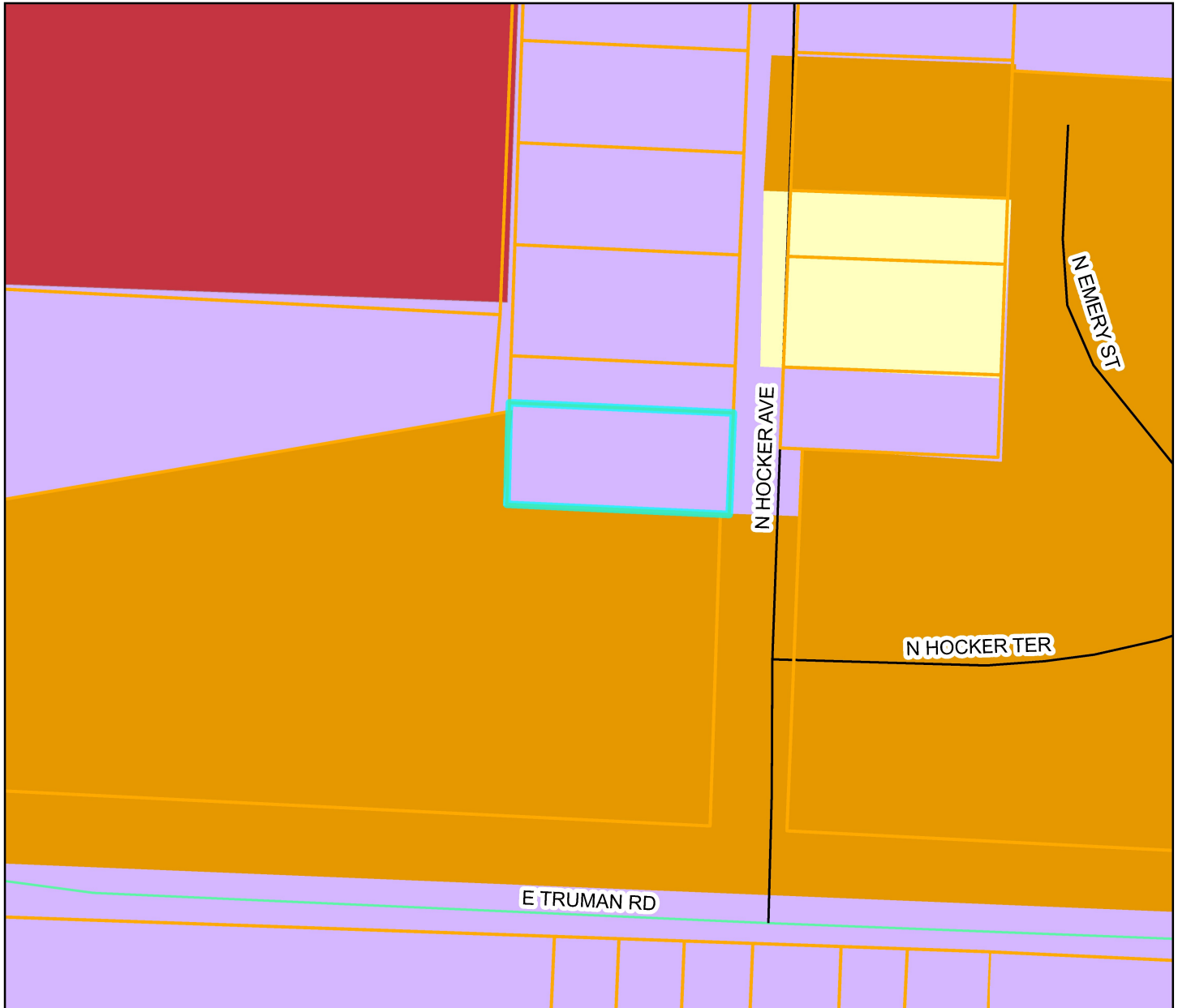
Community Development Department

Date Saved: 1/17/2025 11:15 AM

Zoning Map

336 N Hocker Ave

#25-100-06



Legend

Parcels

 Parcels

Streets

 Local

 Major Arterial

City Limits

 City Limits

Zoning District

 I-1

 R-18/PUD

 R-6

 Service Commercial/
Historic Landmark

0 0.02 0.04 0.07 Miles



Prepared by: Gabe Glaser

Community Development Department

Date Saved: 1/17/2025 11:15 AM