



Planning Commission

February 11, 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 28, 2025**

PUBLIC HEARINGS

1. **Case 25-100-08 – Rezoning – 1009 N Kiger Rd** – A request to rezone the property from R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

ROUNDTABLE - NEXT MEETING FEBRUARY 25, 2025

ADJOURNMENT



Planning Commission Minutes

January 28, 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 1/28/2025, 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.

Commissioner Nesbitt requested to pull case 24-320-06 off the Consent Agenda.

1. Planning Commission Minutes – January 14, 2025

Motion

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

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.

Commissioner Comments

In response to Commissioner Nesbitt's question, Mr. Harker explained that the reason the plat looks different is because the preliminary plat phase lines changed.

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.

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).

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.

In response to Commissioner Nesbitt's question, Mr. Glaser reviewed the stream buffer and water detention requirements.

Applicant Comments

Dustin Ferrell, 26917 E Flynn Rd, stated they would like an awning for their trucks and to complete this project, they need to combine these properties.

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.

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).

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 the applicant was unable to attend.

In response to Commissioner Ashbaugh's question, Mr. Harker stated Municipal Services would determine if any curbing needs to be extended.

In response to Commissioner Nesbitt's question, Mr. Harker stated the house is currently categorized as a dangerous building. He further noted that the applicant must obtain a permit to address this issue, in addition to rezoning.

Public Comments

No public comments.

Motion

Commissioner Eric Ashbaugh made a motion to approve the case. Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 6, No 0, Abstained 1.

ROUNDTABLE - NEXT MEETING FEBRUARY 11, 2025

ADJOURNMENT

The meeting was adjourned at 6:30 p.m.

MEETING DATE: February 11, 2025

STAFF: Gabe Glaser, Planner

PROJECT NAME: Kiger Home

CASE NUMBER/REQUEST: 25-100-08 – Rezoning – 1009 N Kiger Rd – A request to rezone the property from R-12 (Two Family Residential) to R-6 (Single-Family Residential).

APPLICANT: Tobin Kennedy

PROPERTY LOCATION: 1009 N Kiger Rd

SURROUNDING ZONING/LAND USE:

North: R-12 (Two-Family Residential) / Duplex
East: R-6 (Single-Family Residential) / Vacant Land
South: R-6 (Single-Family Residential) / Single-Family Residence
West: R-6 (Single-Family Residential) / Single-Family Residence

PUBLIC NOTICE:

- Letters to property owners – January 2, 2025
- Public Notice published in the Independence Examiner – January 25, 2025
- Signs posted on property – January 24, 2025

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on March 17, 2025, and the public hearing/second reading on April 7, 2025.

RECOMMENDATION

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

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A rezoning from R-12 to R-6

Current Zoning:	R-12 (Two-Family Residential)	Proposed Zoning:	R-6 (Single-Family Residential)
Current Use:	Vacant Land	Proposed Use:	Single-Family Residence

Zoning History:

The subject site comprises a portion of a previously platted lot, more specifically described as, “The North 65 feet of the South 165 feet of Lot 50 of the Broadacres Annex subdivision.” The Broadacres Annex subdivision was recorded in 1921. At the time the subdivision was recorded, it was located outside of Independence City limits. The area was annexed in 1948 as part of Ordinance No. 12643.

Upon the adoption of the Zoning Ordinance in 1965, this property fell within an R-1 (Single-Family) zoning district. Independence updated the Zoning Ordinance in 1980, and the zoning classification changed to R-1b (Single-Family).

In 1987, an application was made by the property owner at the time to rezone the subject property. Independence City Council voted to rezone the property from R-1b to R-2 (Two-Family) (Ordinance No. 9750).

Following the adoption of the Unified Development Ordinance, in 2009, the zoning classification of the subject site was converted to R-12 (Two-Family Residential).

Proposal:

The applicant intends to submit an application for a minor subdivision combining several lots that comprise a tax parcel under their ownership. The intent of the minor subdivision is to record one single developable lot. However, due to the misalignment of zoning classifications, the property is required to be rezoned under one single zoning classification.

Physical Characteristics of Property:

The subject site is ±8,255 square feet in size. It is a vacant lot with a gravel driveway running along the Northern property boundary extending to the rear of the property.

Characteristics of the Area:

The subject site is located within an existing subdivision—Broadacres Annex—and is surrounded by primarily single-family residences.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

This proposal conforms with Independence for All, Strategic Plan's objective to, "Stabilize and revitalize neighborhoods." Approval of this rezoning supports the applicant and their intention for a single family home on acreage.

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.

The land use building blocks of Imagine Independence direct the city to, "Foster redevelopment opportunities within the City in an effort to revitalize unused or underused property." Imagine Independence provides a tool/policy to, "Identify areas within established neighborhoods where infill development would be appropriate."

Sub-Area Plans:

The subject site is not located within any sub area plans or overlay districts.

Zoning:

The current zoning classification is R-12 (Two-Family Residential). The proposed rezoning aligns with the surrounding land use and zoning classifications.

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.

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.**
This application conforms to the land use building blocks, and tools and policies outlined in the Neighborhoods & Housing topic. The applicant seeks to utilize unused property for infill development in an existing neighborhood.
- 2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.**
The subject site is not located within any sub-area plans.
- 3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.**
The surrounding properties are predominantly single-family residential in use. This rezoning conforms to the surrounding land use and zoning classifications.
- 4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.**
The subject site is located within an existing developed subdivision. 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.**
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.**
Available City/public records do not indicate this property having ever been developed.
- 7. The extent to which approving the rezoning will detrimentally affect nearby properties.**
The rezoning should have no detrimental effect on area properties. 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.

EXHIBITS

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

Tobin Kennedy
Tobinkennedy24@gmail.com

January 02, 2025

Dear City Plan Commission :

Re: 1009 N. Kiger and 4+- acreage east.

With respect to the above referenced address, enclosed is the following:

1. Completed Planning and Zoning Application;
2. Property Owner Notification Letter;
3. Property Owner Notification Affidavit;
4. Community Development Front Counter Map with a rough placement for a single family home.
5. Map sent with with property notification letter.
6. Legal descriptions of the properties.

We are seeking to rezone the Lot located at 1009 N. Kiger to R6 from R12 so a buyer could build their single family house on acreage. The driveway would run through 1009 N. Kiger to the home detailed on the Community Development Front Counter Map (attached).

We look forward to working with City Plan Commission and Community Development. If you need any additional documents, or have any questions that arise after review, please do not hesitate to contact me.

Thank you,



Tobin L. Kennedy

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

Kiger Home on Acreage

Project Name

1009 N Kiger and Acreage East of.

Project Address/Location

	4+-	1	
Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Steam Buffer (Yes or No)
R6 and R12	R6	Residential	Residential
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

Tobin Kennedy	Whiteridge LLC
Name	Company
Po Box 46870 Gladstone Mo 64188	
Address	
816.888.0666	Tobinkennedy24@gmail.com
Phone	Email

Architect/Engineer/Surveyor/Other: Surveyor

Jake Young	J&J Survey
Name	Company
8680 N. Green Hills Rd Kansas City MO 64154	
Address	
816.741.1017	Jake@jandjsurvey.com
Phone	Email

Owner

Whiteridge LLC and	Properties of TLK LLC
Name	Company
Po Box 46870 Gladstone Mo 64188	
Address	
816.888.0666	Tobinkennedy24@gmail.com
Phone	Email

Architect/Engineer/Surveyor/Other:

Name	Company
Address	
Phone	Email

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

 01.02.25
Applicant's Signature Date

 01.02.25
Owner's Signature Date

Property Owner Notification Letter

City of Independence, Missouri

Date: 01.02.25

Case No. 25-100-08

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: Combine the vacant lot at 1009 N. Kiger and the 4+-
acres behind to create one single family lot.

Applicant: Tobin Kennedy

Location of Property: 1009 N Kiger Rd. Independence MO 64050

Planning Commission Meeting Date: February 11th, 2025, at 6:00 p.m.

City Council Meeting Date: April 7th, 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.

Tobin Kennedy
Applicant (or Owner/Agent)

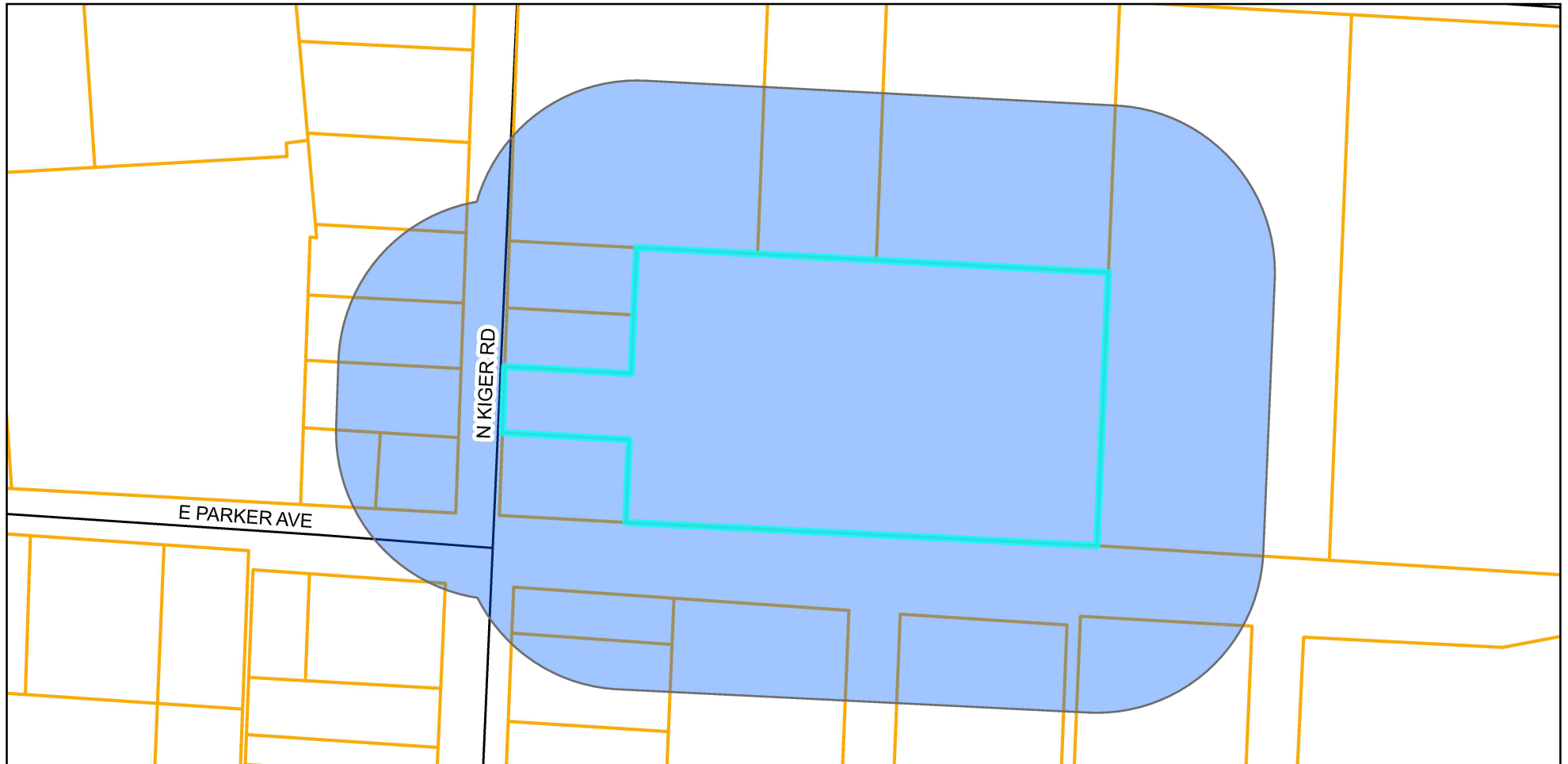
For more information, contact the Community Development Department at 816-325-7421.

Property Address	Property Owner	Owner Address	City	State	ZIP Code
1016 N KIGER RD	COOPER WILLIAM L & IRENE	1016 N KIGER RD	INDEPENDENCE	MO	64050
1018 N KIGER RD	BALL TANNER W	1018 N KIGER RD	INDEPENDENCE	MO	64050
1012 N KIGER RD	CASE RIVERA DELISS MARI	1012 N KIGER RD	INDEPENDENCE	MO	64050
1001 N KIGER RD	WALKER KELLY ELIZABETH & BAKER JESSE W	1001 N KIGER RD	INDEPENDENCE	MO	64050
1309 E MECHANIC AVE	KLAUSEN RICHARD STEVEN	1309 E MECHANIC AVE	INDEPENDENCE	MO	64050
1301 E MECHANIC AVE	RAFFETY JENNIFER	1301 E MECHANIC AVE	INDEPENDENCE	MO	64050
933 N KIGER RD	MCGINNIS RAYMOND L	933 N KIGER RD	INDEPENDENCE	MO	64050
1406 E PARKER AVE	WOLF ANGELA	1406 E PARKER AVE	INDEPENDENCE	MO	64056
1100 N KIGER RD	CHESTNUT DAVID F	1713 N PONCA DR	INDEPENDENCE	MO	64058
NO ADDRESS ASSIGNED BY CITY	GRANDSTAFF PHILLIP M & REYNOLDS JESSICA L	1712 E TC LEA RD	INDEPENDENCE	MO	64050
1401 E MECHANIC AVE	CRIDER KATIE & HARPER WESLEY	1401 E MECHANIC AVE	INDEPENDENCE	MO	64050
1014 N KIGER RD	WOLFE REGINALD G & BEVERLY A	1014 KIGER RD	INDEPENDENCE	MO	64050
916 N KIGER RD	LOVELL THERESA	916 N KIGER RD	INDEPENDENCE	MO	64050
15400 E T C LEA RD	TERRELL KENNETH B	15400 E T C RD	INDEPENDENCE	MO	64050
1023 N KIGER RD	MACKESTY PAULA E	1023 N KIGER RD	INDEPENDENCE	MO	64050
NO ADDRESS ASSIGNED BY CITY	WHITERIDGE LLC	PO BOX 46870	GLADSTONE	MO	64188
1019 N KIGER RD	KENNEDY TOBIN	1804 NW 79TH TER	KANSAS CITY	MO	64151
1313 E MECHANIC AVE	MORGAN PAULA M	1313 E MECHANIC AVE	INDEPENDENCE	MO	64050
1700 E T C LEA RD	CRANE JOHN A & JULIE A	1700 E TC LEA RD	INDEPENDENCE	MO	64050
937 N KIGER RD	BSFR II OWNER I LLC	997 MORRISON DR STE 402	CHARLESTON	SC	29403

Notification Area

1009 N Kiger Rd

#25-100-08



Legend

Parcels

 Parcels

Streets

 Local

City Limits

 City Limits

0 0.03 0.06 0.11 Miles


Prepared by: Gabe Glaser
Community Development Department
Date Saved:1/10/2025 11:28 AM

Appendix C - Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF Platte
~~JACKSON~~

Case No. 25-100-08

I, Tobin Kennedy, of lawful age being first duly sworn upon oath, state:

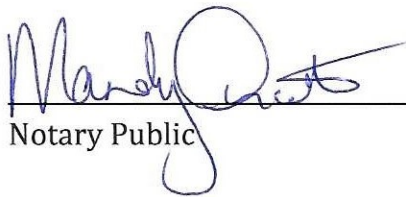
That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property.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

These notices were mailed on the 13th day of January, 2025.



Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 13th day of January, 2025

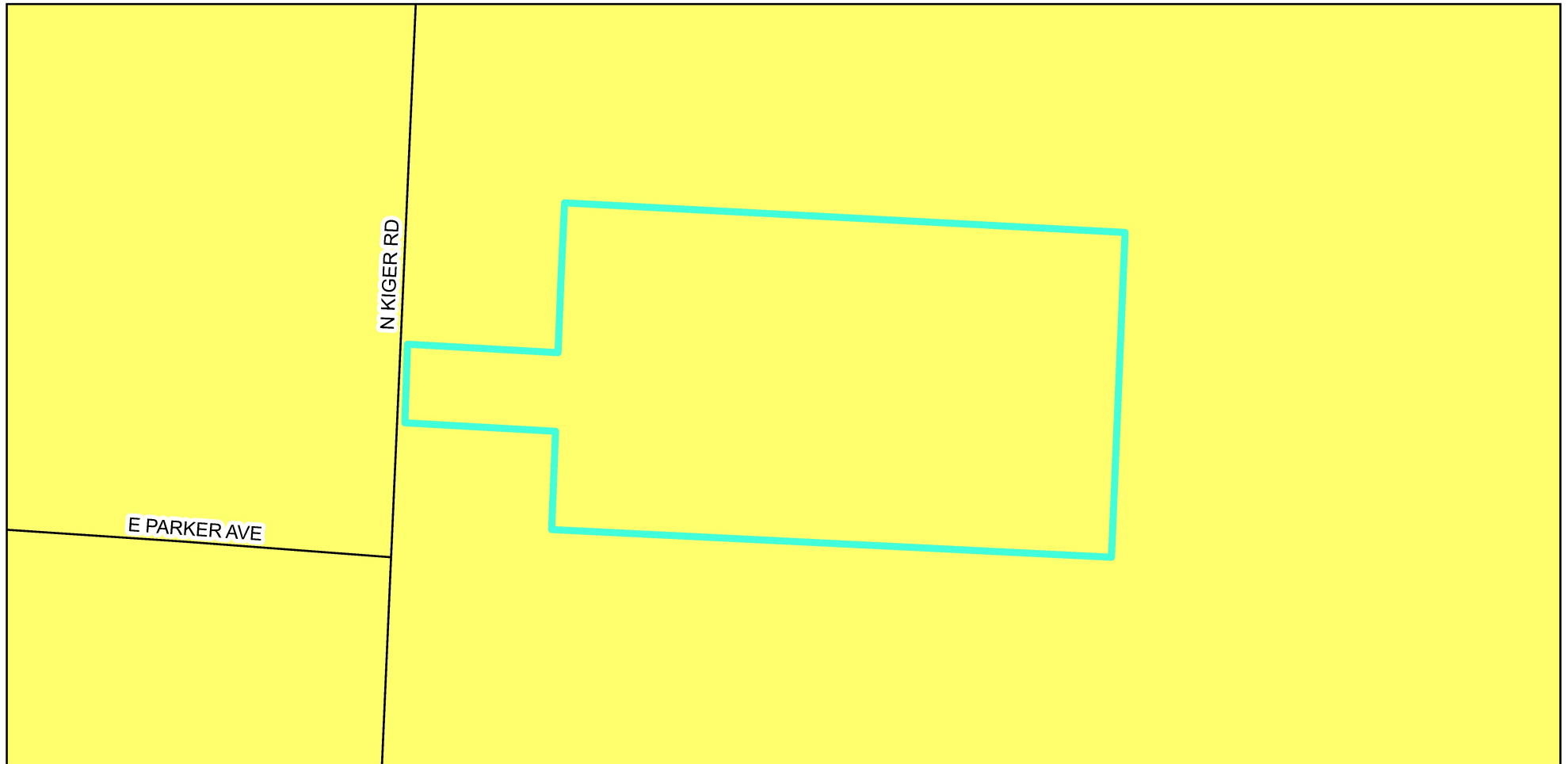

Notary Public

3/1/2026
Commission Expiration Date

MANDY ORCUTT
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES MARCH 1, 2026
PLATTE COUNTY
COMMISSION #13656130

Comprehensive Plan

1009 N Kiger Rd, Independence, Mo 64050



Legend

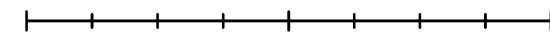
Streets

— Local

Proposed Land Use (Comp Plan)

 Residential Neighborhoods



0 125 250 500 Feet


Prepared For: Case #25-100-08
Community Development Department
Meeting Date: February 11, 2025

