



Planning Commission

April 29, 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 – April 15, 2025**

CASES TO BE CONTINUED - Staff requests these cases be continued to the June 10, 2025 meeting.

1. **Case 25-100-12 – Rezoning – 12939 E. US 40 Highway & 4611 S. Norfleet Road** – A request by Ed Reese to rezone the property on 40 Highway from C-2 (General Commercial) to C-3 (Service Commercial) and the property on Norfleet from C-1 (Neighborhood Commercial) to C-3 (Service Commercial).
2. **Case 24-400-06 – Short-Term Rental – 300 N. Cedar Ave** – A request by William Zhong to operate a Short-Term Rental.

PUBLIC HEARINGS

1. **Case 25-125-01 – Rezoning/PUD – 11601 E. US 24 Highway** – A request by Sparks Real Estate to rezone the property from R-6 (Single Family Residential) to R-30/PUD (High Density Residential/Planned Unit Development) and to approve a preliminary development plan.

2. **Case 25-200-04 – Special Use Permit – 18801 E. 39th Street #D09D** – A request by Distinguished Body Art to operate a Tattoo Shop.

ROUNDTABLE - NEXT MEETING MAY 13, 2025

ADJOURNMENT



INDEPENDENCE * MISSOURI *

A GREAT AMERICAN STORY

Planning Commission Minutes

April 15, 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 4/15/2025, 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, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - Eric Ashbaugh.

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 – March 25, 2025**

Motion

Commissioner Edward Nesbitt made a motion to approve the consent agenda. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 6, No 0, Abstained 0.

OTHER BUSINESS

1. **Case 25-600-02 – Special Sign Permit – 20001 E. Jackson Drive** – A request by GrandMark Signs for a Special Sign Permit.

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 reviewed the conditions of approval.

In response to Chairwoman Wiley's question, Mr. Harker stated the height is needed to be seen from the highway. Mr. Harker said requiring masonry signs has become standard due to the aesthetic.

Commissioner Nesbitt noted that since the shopping center is 50% empty, the sign would be 50% empty.

Applicant Comments

Joe Tindall, 2105 Rivera Dr, Lawrence, KS, said this sign would greatly increase the owners' chances of retaining the current occupants and obtaining new tenants. He said the new owners have a history of turning around old shopping centers.

In response to Commissioner Nesbitt's question, Mr. Tindall said he believes there will be two larger sign spots for anchor stores and the rest will be the same size. Mr. Tindall said if a masonry sign is required, they will comply.

In response to Mr. Tindall's questions, Mr. Harker stated stone would be required to fit the character of the current Hartman Heritage and Menard's signs. Mr. Harker also noted the Menard's sign is 60-feet tall.

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 6, No 0, Abstained 0.

2. **Case 25-400-03 – Short-Term Rental – 1204 W. 32nd Street** – A request by Zoey LaFever to operate a Short-Term Rental.

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

Shannon LaFever, 5100 Sterling Ave, Raytown, stated they would like to offer this house to families looking for an affordable place to stay. She said eventually they would like to see it become a long-term rental. Ms. LaFever said they are okay with all the conditions of approval and that she lives about 5 minutes away if there are any issues.

In response to Commissioner Nesbitt's question, Ms. LaFever said the camper will be moved

before it's rented.

Public Comments

No public comments.

Motion

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

3. **Case 25-175-01 – UDO Amendment #72 – Auto Repair** – The City proposes Amendment #72 of the Unified Development Ordinance pertaining to auto repair.

Staff Presentation

Rick Arroyo presented the case. Mr. Arroyo explained this would expand this exception from the properties abutting Noland Road along the Miracle Mile to include the properties within 1,320 feet of Noland Road along this same stretch. There are a few existing auto repair and body shops located along 31st Street and off 32nd Street; these facilities are used by not only by the dealers along the Miracle Mile but customers as well. This amendment would allow these uses to expand and upgrade, if necessary, in the future. The map below highlights the area where the 750-foot separation requirement would not apply.

Mr. Arroyo said the city proposes a new use group called Motor Vehicle Equipment Installation, which are establishment primarily engaged in the replacement or improvement of existing systems, parts, or components, accessories or adding equipment for specific purposes (e.g., safety features like backup camera or entertainment systems).

This amendment will better assist the existing auto repair facilities to invest and expand along the Miracle Mile. Additionally, this amendment will clarify installation services that do not fit the auto repair classification.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Michael Young seconded the motion. The motion was approved Yes 6, No 0, Abstained 0.

ROUNDTABLE - NEXT MEETING APRIL 29, 2025

Chairwoman Wiley wished Mr. Arroyo a happy belated birthday.

ADJOURNMENT

The meeting was adjourned at 6:38 p.m.

MEETING DATE: April 29, 2025

STAFF: Brian L. Harker, Senior Planner

PROJECT NAME: Queen City Kitchenettes

CASE NUMBER/REQUEST: **Case 25-125-01 – Rezoning/PUD – 11601 E. US 24 Highway** – A request by Sparks Real Estate to rezone the property from R-6 (Single Family Residential) to R-30/PUD (High Density Residential/Planned Unit Development) and to approve a preliminary development plan.

APPLICANT/OWNER: Sparks Real Estate, LLC

PROPERTY ADDRESS: 11601 E. US Highway 24

SURROUNDING ZONING/LAND USE:

- North:** City of Sugar Creek...liquor store/smoke shop and auto body shop
- South:** R-6 (Single-Family Residential)...single-family residences
- East:** C-2 (General Commercial)...restaurant
- West:** C-2 (General Commercial)...laundry mat

PUBLIC NOTICE:

- Letters to adjoining property owners – April 8, 2025
- Public Notice published in the Independence Examiner – April 12, 2025
- Signs posted on property – April 11, 2025

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on June 2, 2025 and the public hearing/second reading on June 16, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request and the preliminary development plan.

1. A 6-foot opaque fence shall be provided along the west side of the property within 60 days from approval of this rezoning.
2. A van-accessible handicapped parking space along with the required signage shall be provided.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT REQUEST: – A request by Sparks Real Estate to rezone the property from R-6 (Single Family Residential) to R-30/PUD (High Density Residential/Planned Unit Development) and to approve a Preliminary Development Plan.

Current Zoning:	R-6 (Single-Family Residential)	Proposed Zoning:	R-30/PUD (High Residential/Planned Unit Development)
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Current and Continued Use: Tiny, single-family, long-term residences

Zoning History 1965 – 1980: R-1 (Single-Family Residential)
 1980 - 2009: R-1b (Single-Family Residential)
 2009 - Present: R-6 (Single-Family Residential)

Property History:

Mr. Shane Sparks, owner of the development company, Sparks Real Estate, LLC, purchased the property 11601 E. U.S. Highway 24 approximately six months ago. The location has been known for many years as Queen City Kitchenettes and consists of fifteen buildings, eighteen living units and twenty parking spaces. The property is well-maintained.

Proposal:

The current R-6 (Single-Family Residential) zoning for what had long been a motel/travel lodge use, is requested to be changed to R-30/PUD (High Density Residential/Planned Unit Development) zoning, given the property’s recent use as a long-term, residential complex.

Physical Characteristics of Property:

The property is perched on a high spot along the south side US 24 Highway corridor. Set above a small retaining wall and behind a black chain-link fence, the complex of small, well-maintained, motor-lodge kitchenettes sets close to US Highway 24.

Characteristics of the Area:

The existing motel/travel lodging use (with existing long-term residential uses) was built decades ago along a portion of the US Highway 24 corridor. The adjacent and nearby uses along the highway are retail, restaurant and service businesses. A single-family residential subdivision lies to the south.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

The objective of the Independence for All Strategic Plan is to ‘improve housing affordability.’ Although this application does not result in the construction of new housing units, it does seek to preserve the units currently on the tract.

Comprehensive Plan Tools and Policies for the Current Designation:

This site, along with all the properties in the vicinity, is designated for ‘Residential Neighborhoods’ by the City’s Comprehensive Plan. The related, ‘Tool and Policy,’ would be to, “Encourage locating housing near existing and developing centers of economic activity”.

Sub-Area Plans:

The property is located in the ‘24 Highway Plan Area.’

Zoning:

As noted previously, this site has had single-family zoning since at least 1965. Permitted R-6 (Single-Family Residential) uses include single-family homes, churches, schools, home-based child-care centers, government buildings, parks, cemeteries, home gardens, and field crops. The proposed R-30/PUD (High Density Residential/Planned Unit Development), zoning classification would allow for

two-family and multiple-family dwellings and various other uses (schools, churches, government facilities, cemeteries, home-based daycare, agriculture and others with conditions) all on the same lot.

Parking and Driving Surface:

The existing legal nonconforming, driving and parking surfaces are not being expanded or changed, except for one proposed additional parking space. Aside from the 13 standard parking spaces and the one van-accessible parking space, individuals can also park at portions of the drive in-front of the individual units.

Elevations and Building Footprints:

The existing elevations and building footprints are not being expanded or changed. The site contains a mix of different looking single-family units and a couple of multiple-family structures. No new construction is anticipated.

Historic and Archeological Sites:

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

Public Utilities:

Water, sanitary sewer, and electrical services are connected to structures on this property.

Floodplain/Stream Buffer:

This property is not in a federally identified flood zone or city designated Stream Buffer zone.

Landscaping/Screening:

The applicant shall provide an opaque fence for a screen along the west side of the property. An existing fence and retaining wall lie to the east and south. Given no new construction on the property is planned, no additional landscaping will be required.

CIP Investments:

The city does not have any additional capital improvements projects planned near this area. MoDOT has recently completed curb, gutter and sidewalk improvements for this section of the US Highway 24 corridor.

REVIEW CRITERIA

Recommendations and decisions for proposed planned unit development rezoning and its accompanying preliminary development plan must be based on consideration of the criteria listed in Section 14-703-05-H:

1. **The consistency with the Comprehensive Plan.**
The City's Comprehensive Plan envisions, "Residential Neighborhood," uses in this area.
2. **The consistency with the PUD standards of Section 14-902, including the statement of purpose.**
This type of application is not expressly addressed in this section as it is not a new development, but it could ensure "that development can be conveniently, efficiently and economically served by existing and planned utility services".
3. **The nature and extent of Common Open Space in the PUD.**
The little open space area indicated by this application is not, "common space" in the sense of it being on a separate tract.

4. **The reliability of the proposals for maintenance and conservation of Common Open Space.**
There is no real, "common space," provided with this application, the applicant owns the entire property.
5. **The adequacy or inadequacy of the amount and function of Common Open Space in terms of the densities and dwelling types proposed in the plan.**
There is no real, "common space," space provided with this application.
6. **The extent to which the proposed use will adversely affect the capacity of safety portions of the street network or present parking problems in the vicinity of the property. Whether adequate provision for public services exists or provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation, and visual enjoyment.**
The complex produces little to no adverse effect to traffic or the street network in the vicinity of the project. No changes to the existing site layout is proposed. This rezoning is a mechanism to resolve the nonconforming issue but isn't planning for land development.
7. **The extent to which the proposed use will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area.**
Since this property has existed for many years, if rezoned, it is not expected that adverse impacts would occur on the neighboring properties.
8. **Whether potential adverse impacts have been mitigated to the maximum practical extent.**
The intent of the nonconforming section of the UDO is to place reasonable limits on nonconformities that have the potential to adversely affect surrounding properties and to promote maintenance, reuse and rehabilitation of existing buildings.
9. **Whether the Preliminary Development Plan represents such a unique development proposal that it could not have accomplished through use of (non-PUD) conventional zoning regulations.**
The existing situation requires R-30/PUD zoning because R-6 zoning is for single-family residences and R-30/PUD zoning permits a multiple unit property. This rezoning is a mechanism to resolve the nonconforming issue but isn't planning for land development.
10. **The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.**
This property would continue to be under the same ownership.

EXHIBITS

1. Narrative
2. Application
3. Notification letter
4. Notification area map
5. Mailing list
6. Mailing affidavit
7. Architects Zoning Map and Site Plan
8. Comprehensive Plan map
9. Zoning map

Rezoning Narrative – 11601 E. US 24 Highway Parcel Independence, Missouri

Ladies and Gentlemen of the Commission,

Mr. Shane Sparks, owner of the development company, Sparks Real Estate, LLC, purchased the 11601 E. U.S. 24 Highway property approximately six months ago. The location has been known for many, many years as Queen City Kitchenettes and consists of fifteen buildings, eighteen living units, and twenty parking spaces. The property is currently being well maintained, and among other tenants, currently houses a population of approximately seven otherwise homeless people, sometimes in coordination with not-for-profit organizations supporting such activities.

Less than a month ago, the City of Independence's Community Development Department offered to the Independence City Council an ordinance change (subsequently executed) that modified the operation of the recently acquired property; and then the City sent a notification to the new owner. Typically and historically in such matters, Independence and other jurisdictions, when changing zoning rules, permit the continuation of former activities, but then designates such parcels as, "Legally Nonconforming", and allow that title to remain until the property has become empty or abandoned for a designated length of time; only at that time does enforcement of new zoning rules that occur. In this instance, however, the City is requesting that the new owner rezone the property from the current R-6 designation to a R-30/PUD. Please accept this submittal today as the property owner's effort to comply with the City's request.

The project architect, Jim Gamble, and the Owner, Shane Sparks are available to answer any questions regarding the submittal of this PUD site.

Thank you.



Jim Gamble
The Gamble Company, Inc.
816-809-8748
100jwg@gmail.com

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
<input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> PUD Rezoning	<input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Final Site Plan <input type="checkbox"/> Preliminary Dev Plan <input type="checkbox"/> Final Dev Plan (PUD)	<input type="checkbox"/> Special Use <input type="checkbox"/> Homebased Business	<input type="checkbox"/> Admin. Adjustment <input type="checkbox"/> Variance <input type="checkbox"/> Street Name Change <input type="checkbox"/> Special Sign Permit

Project Information and Location

Queen City Kitchennettes
 Project Name

11601 E. US Highway 24, Independence, MO
 Project Address/Location

15 Buildings **0.776 AC.** **one tract**
 Sq. Ft. of Building Acreage Number of Lots/Tracts Steam Buffer (Yes or No)

R-6 **R-30/PUD** **Multipal units** **Same**
 Existing Zoning Proposed Zoning Existing Land Use Proposed Land Use

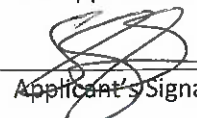
Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

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

Contact Information

Applicant		Owner	
Sparks Real Estate, LLC			
Name	Company	Name	Company
521 N.E. Emerald Dr., Lee's Summit, MO 64064		64064	
Address		Address	
816-489-5005 Shan.sparks.liberty.com			
Phone	Email	Phone	Email
Architect/Engineer/Surveyor/Other: Jim Gamble			
The Gamble Company, Inc.			
Name	Company	Name	Company
3500 S. Mize Ridge Court, Independence, MO 64057		64057	
Address		Address	
816-809-8748 100JWG@gmail.com			
Phone	Email	Phone	Email

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

	3-11-25		
Applicant's Signature	Date	Owner's Signature	Date

Property Owner Notification Letter

City of Independence, Missouri

Date: 4-7-2025

Case No. 25-125-01

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: See the attached narrative.

Applicant: Shane Sparks

Location of Property: 11601 E. 43 24 Hwy.

Planning Commission Meeting Date: April 29, 2025 at 6:00 p.m.

City Council Meeting Date: June 2, 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).

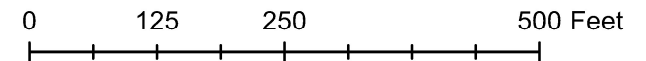
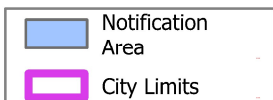
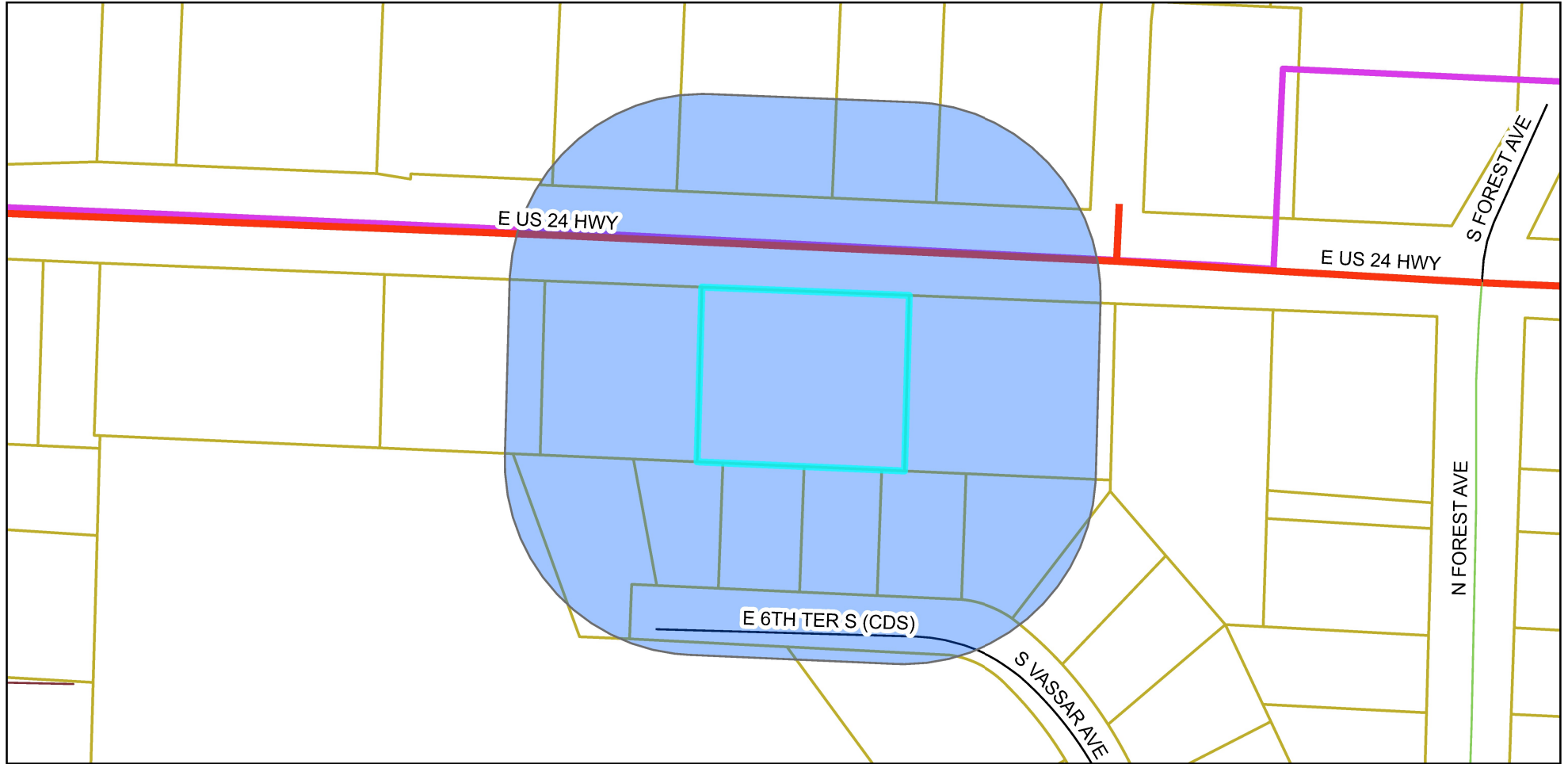
REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

James W. Gable
Applicant (or Owner/Agent)

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

Notification Area

11601 E US 24 Hwy



Prepared For: Planning Commission
Community Development Department
Meeting Date: April 29, 2025

Property Address	Property Owner	Owner Address	City	State	ZIP Code
11601 E US 24 HWY	SPARKS REAL ESTATES LLC	521 NE EMERALD DR	LEES SUMMIT	MO	64064
11525 W US 24 HWY	QUARTER KING LLC	410 SW ROUTE ROUTE 7	BLUE SPRINGS	MO	64014
600 S VASSAR AVE	LANDERS CHARLENE A-TRUSTEE	600 S VASSAR AVE	INDEPENDENCE	MO	64054
11504 E 6TH TER S	EMBREE WILLIAM J JR & NIKKI L	11504 E 6TH TERRACE	SOUTH INDEPENDENCE	MO	64054
11508 E 6TH TER S	MORALES LAURIE	11508 E 6TH ST TER S	INDEPENDENCE	MO	64054
11608 E 6TH TER S	DUNCAN CHRISTINA R	11608 E 6TH TER S	INDEPENDENCE	MO	64054
601 S VASSAR AVE	JORGENSEN MARTIN E & PATRICIA	601 VASSAR ST	INDEPENDENCE	MO	64054
11610 E US 24 HWY	UNITY EZ LLC	11045 W 146TH ST	OVERLAND PARK	KS	66221
11600 E 6TH TER S	SMITH ASHLEY S	11600 E 6TH TER S	INDEPENDENCE	MO	64054
11501 W US 24 HWY	FCFS MO INC	1600 W 7TH ST	FORT WORTH	TX	76102
11604 E 6TH TER S	KOVAL OKSANA A	1539 FOUR OAKS CIRCLE	SAN JOSE	CA	95131
11500 E 6TH TER S	EMBREE NIKKI	11500 E 6TH TER S	INDEPENDENCE	MO	64054
11701 W US 24 HWY	ELBEYA PROPERTY LLC	5300 LAKEWOOD ST	KANSAS CITY	KS	66106
11400 E 9TH ST S	CITY OF INDEPENDENCE	111 E MAPLE	AVEINDEPENDENCE	MO	64050
11620 W US 24 HWY	SAITTA INVESTMENTS LLC	12521 E US 40 HWY STE A	INDEPENDENCE	MO	64055
11424 W US 24 HWY	SUGAR CRK AERIE # 3717 FRAT ORD OF EAGLE	11424 E US 24 HWY	SUGAR CREEK	MO	64054
11622 W US 24 HWY	JAMAL FARRUKH & MOONA	16960 METCALF AVE	STILWELL	KS	66085
11600 E US 24 HWY	OPTIMIST CLUB INTER CY SC	PO BOX 7828	INDEPENDENCE	MO	64053

Property Owner Notification Affidavit

STATE OF MISSOURI

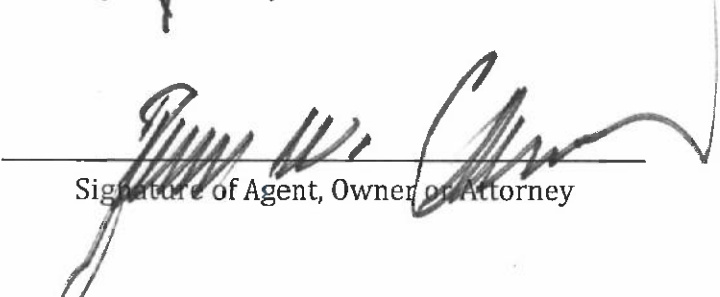
COUNTY OF JACKSON

Case No. 25-125-01

I, Don Grumble, 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.**

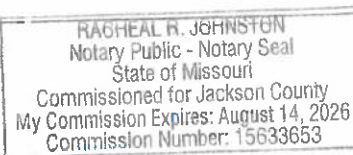
These notices were mailed on the 8TH day of April, 2025


Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this _____ day of _____, 20_____.


Notary Public

August 14, 2026
Commission Expiration Date



Re-Zoning Request

11601 E US Hwy. 24 Independence, Mo. 64054

PROPERTY INFORMATION

Parcel Number: 26-320-05-04-00-0-00-000

Owner Name: Spark Real Estate, L.L.C.
 521 NE Emerald Dr.
 Lees Summit, Mo. 64064
 Phone: 816-489-5005
 shan.sparks.liberty.com


Location: 11601 E US Hwy. 24
 Independence, Mo. 64054
 Independence, Missouri
 Jackson, County

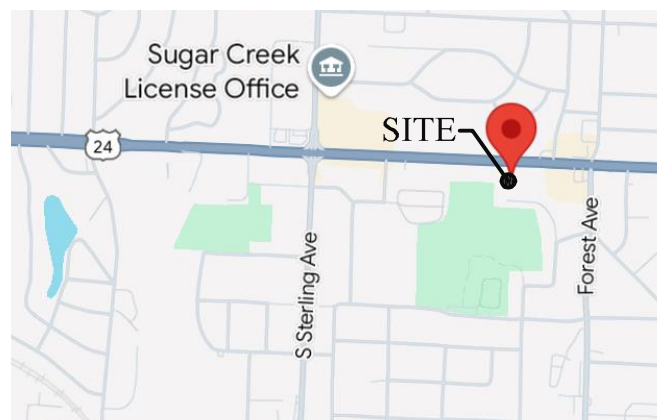
ZONE LEGEND


185' FROM PROPERTY - - - - -

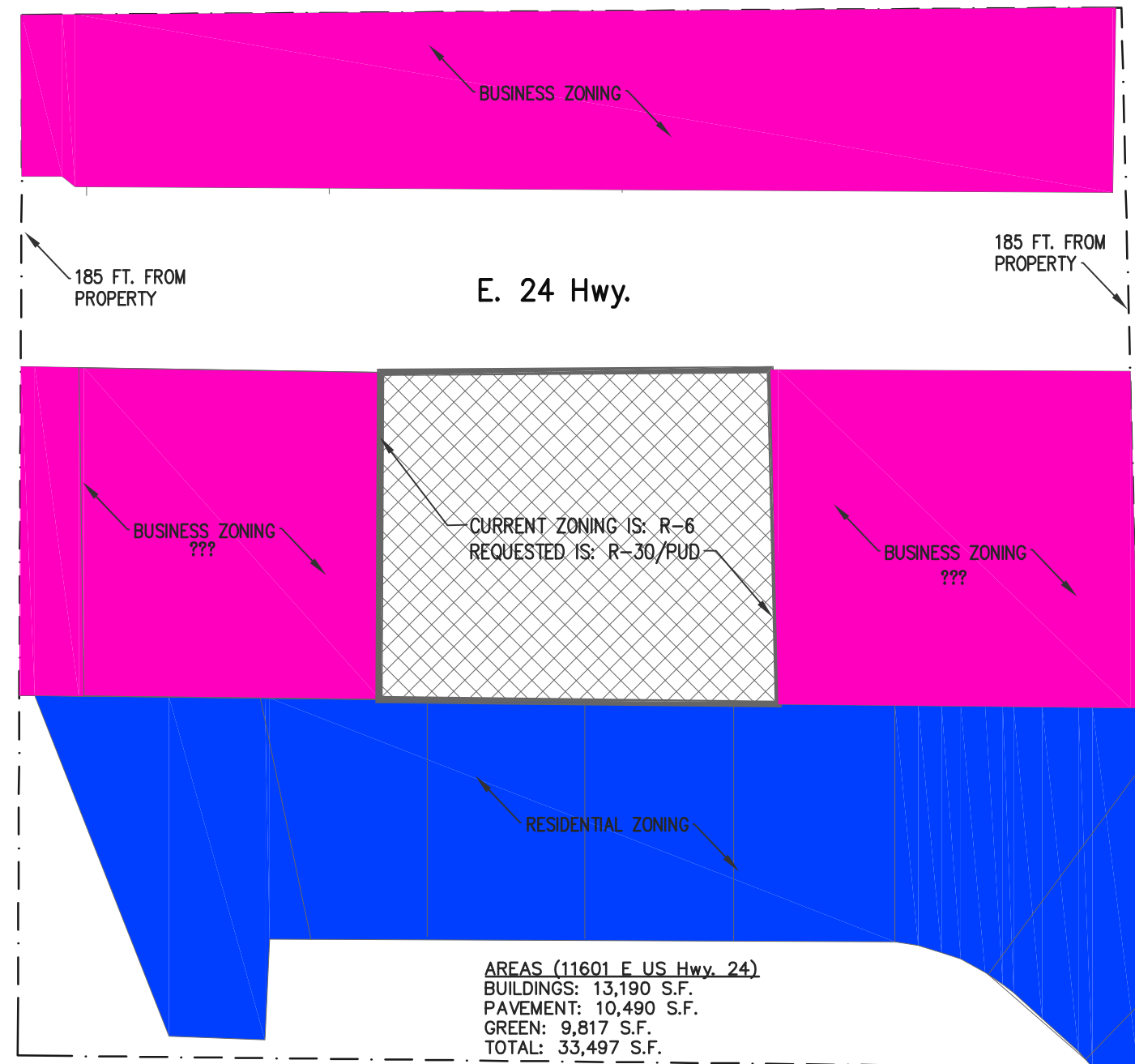
COMMERCIAL 

RESIDENTIAL 

CURRENT ZONING IS: R-6 
 REQUESTED IS: R-30/PUD



VICINITY MAP 



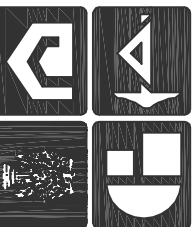
Drawn By: DP
 Checked By: JG
 Date Issued: 9/7/25
 Dwg. Name: _____

Revisions:
 △ _____
 △ _____
 △ _____
 △ _____

Queen City Kitchens
 11601 E US Hwy. 24
 Independence, Mo. 64054
 Phone: _____
 email: _____

THE GAMBLE CO., INC.
 Mo. License Identification Number A-3986

3500 S. Mize Ridge Ct.
 Independence, Missouri 64057
 Phone: (816) 809-8748
 Email: 10jwg@gmail.com



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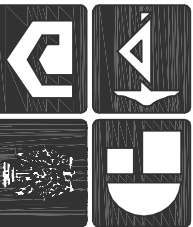
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Drawn By: DP
 Checked By: JG
 Date Issued: 9/7/25
 Dwg. Name: _____

Revisions:
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Queen City Kitchens
 11601 E US Hwy. 24
 Independence, Mo. 64054
 Phone: _____
 email: _____

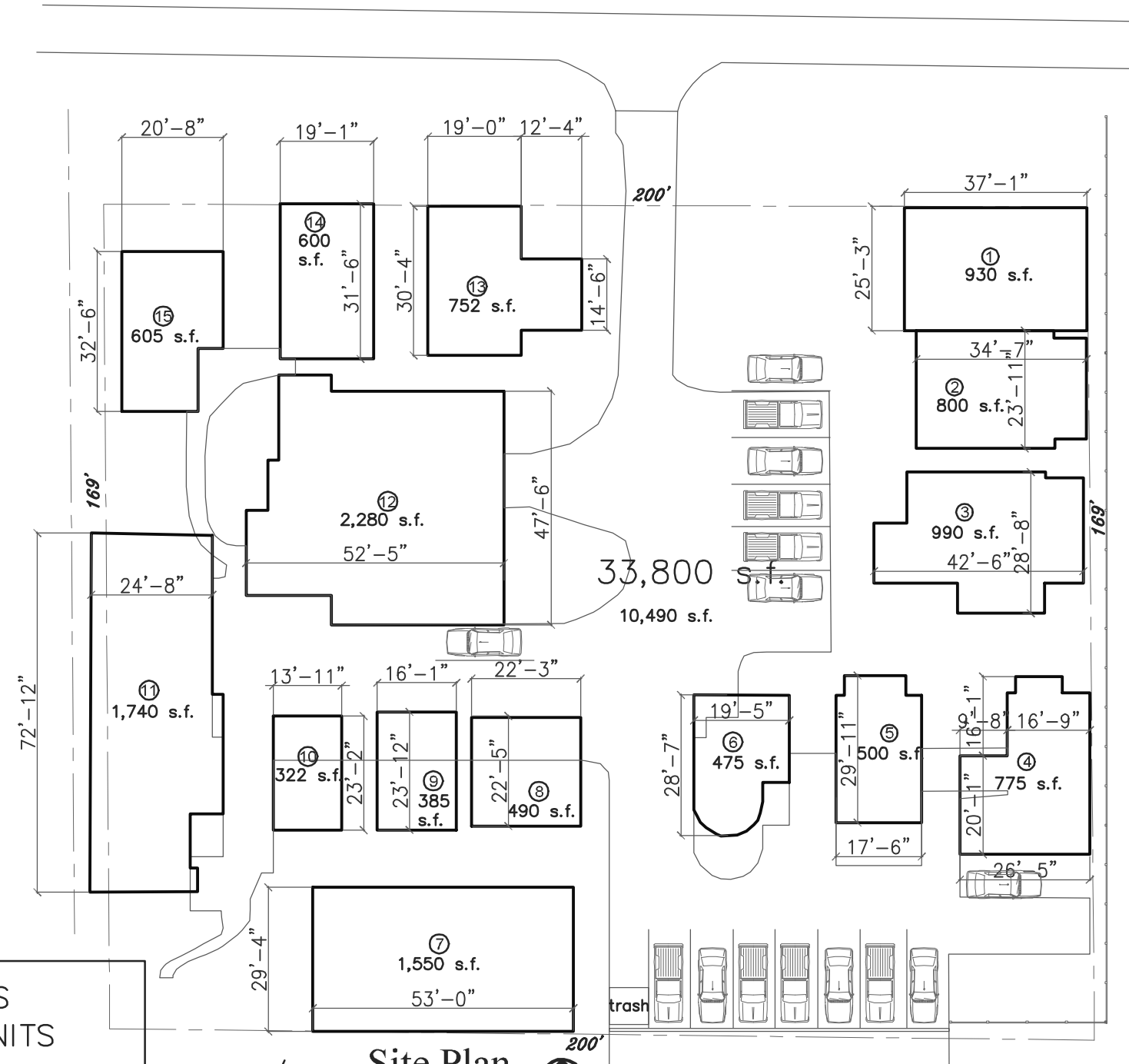
THE GAMBLE CO., INC.
 Mo. License Identification Number A-3986
 Phone: (816) 809-8748
 Email: 10jwg@gmail.com
 3500 S. Mize Ridge Ct.
 Independence, Missouri 64057



Proj. No: _____

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E US HWY 24



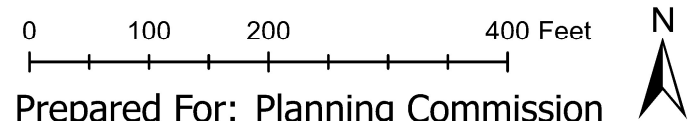
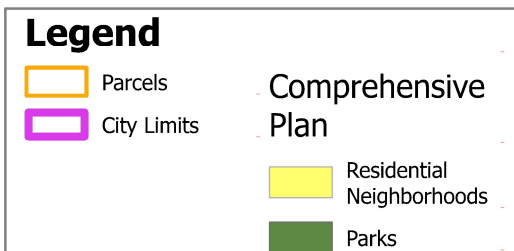
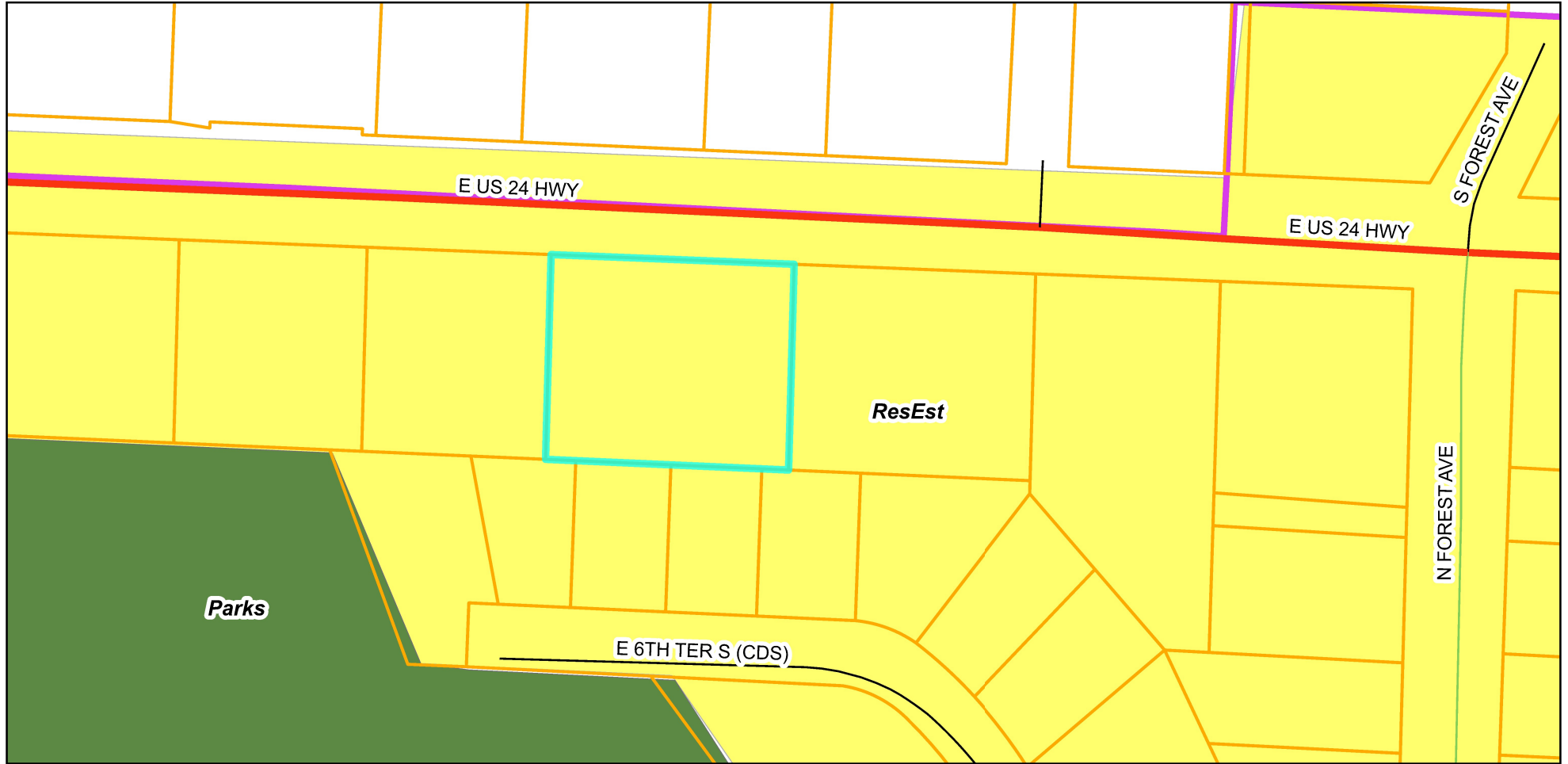
15 BUILDINGS
 18 LIVING UNITS
 20 PARKING SPACES

R-30/PUD **Site Plan**
 Scale: 1" = 30'-0"

Comprehensive Plan

11601 E US 24 Hwy

Case #25-125-01

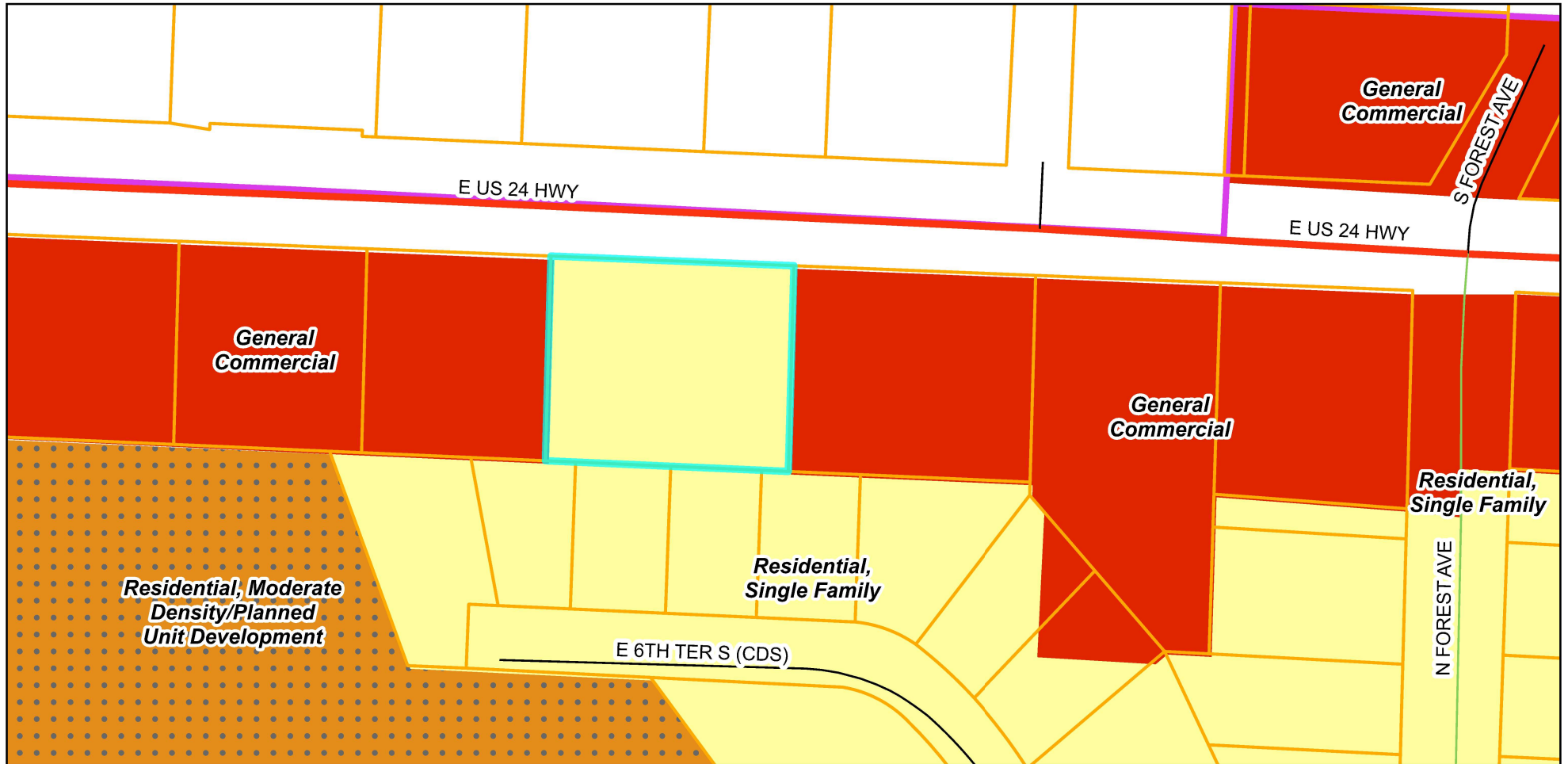


Prepared For: Planning Commission
Community Development Department
Meeting Date: April 29, 2025

Zoning Map

11601 E US 24 Hwy

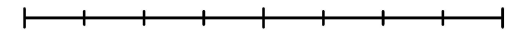
Case #25-125-01



Legend

Parcels	Zoning District
City Limits	C-2
	R-18/PUD
	R-6

0 100 200 400 Feet



Prepared For: Planning Commission
Community Development Department
Meeting Date: April 29, 2025

MEETING DATE: April 29, 2025

STAFF: Gabe Glaser, Planner

PROJECT NAME: Distinguished Body Art

CASE NUMBER/REQUEST: Case 25-200-04 – Special Use Permit – 18801 E. 39th Street #D09D – A request by Distinguished Body Art to operate a Tattoo Shop.

APPLICANT: Anthony & Brandy Karnes

OWNER: Taylor Foster, Operations Manager

PROPERTY ADDRESS: 18801 E 39th St S Unit 1100

SURROUNDING ZONING/LAND USE:

North: C-2 (General Commercial)Financial Institution
Restaurant
General Retail

East: R-18/PUD (Moderate Density Residential/Planned Unit Development)Apartments

South: R-18/PUD (Moderate Density Residential/Planned Unit Development)Apartments
State Right-of-Way (ROW)I-70/291 Interchange

West: C-2 (General Commercial)General Retail

PUBLIC NOTICE:

- Letters to property owners – April 9, 2025
- Public Notice published in the Independence Examiner – April 12, 2025
- Signs posted on property – April 11, 2025

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on June 2, 2025 and the public hearing/second reading on June 16, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of this Special Use Permit request, subject to the following conditions:

1. Business shall obtain an Independence Health Permit and comply with all operational standards and health and sanitary requirements as prescribed by Chapter 11, Article 16 of the City Code.
2. Business shall obtain and maintain an Independence business license and comply with all of the requirements of Chapter 5 of the City Code.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: Request for special use approval for a body art establishment operating out of the Independence Center.

Current Zoning: C-2 (General Commercial) **Proposed Zoning:** C-2 (General Commercial)

Current Use: Vacant Commercial Suite

Proposed Use: Tattoo and Body Art Establishment

Commercial Suite Sq Ft: 2500

Zoning History:

The subject site was annexed into the City of Independence in 1963. Upon the City's adoption of the Zoning Ordinance, in 1965, the subject site was designated an R-1 (Single Family Residential) zoning district classification. In August of 1972, the City Council passed Ordinance No 3019, changing the zoning district classification for the subject site to C-2. The subject site has been designated C-2 since that time. The Final Plat of Independence Center was approved by City Council, in September of 1974.

Proposal:

Whereas tattoo establishments fall under the definition of a body art service in the City Code, special use permit approval is required for any body art service located less than 500 feet from any residential use.

Distinguished Body Art currently operates a body art service in Oak Grove, Mo. The applicant proposes to expand their operations and open a location within the Independence Center. The proposed location will consist of one tattooing station and two piercing stations. In addition, the applicant will engage in retail sales of piercing jewelry.

Physical Characteristics of Property:

The applicant proposes utilizing suite 1100 for the operations of a tattoo and body art establishment. Suite 1100 is located on the lower level of the Independence Center and is ±2,500 square feet in size mostly consisting of open floor space.

Characteristics of the Area:

A variety of uses encompass the subject site, abutting multi-family residential to the East/Southeast, and general commercial to the North/Northwest. The Independence Center itself offers a variety of general retail, and food establishments.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

Independence for All, Strategic Plan 2022-2026 directs the City to increase the economic prosperity of the community. Approval of this special use permit supports this goal by attracting quality employers.

Comprehensive Plan Tools and Policies for the Current Designation:

Imagine Independence, Comprehensive Plan 2040 designates the subject site as a regional commercial classification. The comprehensive plan prescribes a guiding principle to adapt the retail sector to marketplace trends. The proposed body art service establishment will serve local and regional demand, attracting customers from outside of Independence.

Historic and Archeological Sites:

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

Public Utilities:

All utilities are available on the subject site.

Floodplain/Stream Buffer:

There are no floodplain/stream buffer issues with the subject site.

CIP Investments:

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

REVIEW CRITERIA

Recommendations and decisions on special use permit applications must be based on consideration of all the following criteria:

1. **Compatibility of the proposed use with the character of the neighborhood.**
There are a variety of uses within and surrounding the Independence Center. The proposed use is compatible with the character of the neighborhood.
2. **The extent to which the proposed use is compatible with the adjacent zoning and uses.**
The proposed use falls within the permitted uses of the subject site and the surrounding commercial districts. However, special use permit approval is required when the proposed use is located less than 500 feet from any residential use. The Independence Center abuts a multi-family development to the East.
3. **The impact of the proposed use on public facilities.**
The proposed use will not adversely affect public facilities.
4. **The suitability of the property for the permitted uses to which it has been restricted under the applicable zoning district regulations.**
The subject site is suitable for the proposed use. The applicant has a separate commercial building permit application being processed concurrently to establish a new use occupancy category.
5. **The extent to which the proposed use may injure or detrimentally affect the use of enjoyment of property in the area.**
The proposed use will not detrimentally affect the use and/or enjoyment of property in the area. The applicant is required to comply with all applicable regulations prescribed by Chapter 11 of the City Code related to the Health Department.

6. **The extent to which the proposed use will create excessive stormwater runoff, air pollution, noise pollution or other environmental harm.**
The proposed use will have no adverse environmental impacts
7. **The extent to which there is a need for the use in the community.**
There is currently no licensed body art service operating out of the Independence Center. The proposed use is unique to the area.
8. **The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to this article.**
The applicant has indicated the willingness and ability to conform with all applicable Health Code regulations.
9. **The extent to which public facility and services are available and adequate to meet the demand for facilities and services generated by the proposed use.**
Public facilities and services are available and adequate to meet the demand generated by the proposed use.
10. **Conformance of the proposed use to the comprehensive plan and other adopted plans and polices.**
The proposed use is supported by Independence for All, Comprehensive Plan 2040 and its directive for the city to attract and retain business that support the local and regional market.
11. **The extent to which the use will impact sustainability or revitalization of a given area.**
The proposed use will occupy a commercial tenant space of the Independence Center, reducing vacancy and bringing in commercial activity to the area.

EXHIBITS

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

Distinguished Body Art LLC

Cover Letter

Hello, my name is Anthony Karnes. My wife, Brandy Karnes, and I are planning on opening the highest grade Piercing and Tattooing establishment in Independence, Missouri. We will be located within the Independence Center Mall. The services provided at this location will be Piercing and Tattooing. We are excited to be the only establishment in Independence that will be APP certified (Association of Professional Piercers). This is the highest standard of cleanliness, service, and customer care within our industry. It will be my wife and I tattooing and piercing for we are both dually licensed. We will also have 2 other piercers from our other shop filling in, as needed. They are both licensed in Missouri and are 1099 independent contractors that pay a percentage of services to us. A total of 4 people at this location with a combined total of over 26 years of experience. Thank you for your consideration. We are extremely excited to be bringing this business to the City of Independence.

(Owner D.B.A) Anthony Karnes

x  3-31-25

(Owner D.B.A) Brandy Karnes

x  3-31-25

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
<input type="checkbox"/> Rezoning <input type="checkbox"/> PUD Rezoning	<input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Final Site Plan <input type="checkbox"/> Preliminary Dev Plan <input type="checkbox"/> Final Dev Plan (PUD)	<input checked="" type="checkbox"/> Special Use <input type="checkbox"/> Homebased Business	<input type="checkbox"/> Admin. Adjustment <input type="checkbox"/> Variance <input type="checkbox"/> Street Name Change <input type="checkbox"/> Special Sign Permit

Project Information and Location

Project Name: Distinguished Body Art

Project Address/Location: 18801 E 89th St South unit 1120

Sq. Ft. of Building: 2500 Acreage: NO Number of Lots/Tracts: NO Steam Buffer (Yes or No): NO

Existing Zoning: _____ Proposed Zoning: _____ Existing Land Use: _____ Proposed Land Use: _____

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

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

Contact Information

Applicant		Owner	
Name: <u>Anthony Karnes</u>	Company: <u>Distinguished Body</u>	Name: <u>Taylor Foster</u>	Company: <u>CAPITAL COLE</u>
Address: <u>605 N Austin St #1A Oak Grove, Mo</u>		Address: <u>18801 E 89th Sts, Independence MO 64057</u>	
Phone: <u>913-205-4579</u>	Email: <u>distinguished.body@gmail.com</u>	Phone: <u>(816) 699-5060</u>	Email: <u>tfoster@shopindependencemissouri.com</u>
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.

[Signature] 3-31-25
Applicant's Signature Date

[Signature] 3/31/25
Owner's Signature Date

Property Owner Notification Letter
City of Independence, Missouri

Date: 4.9.25

Case No. 25-200-04

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: An establishment providing beauty & body art services

Applicant: Distinguished Body Art LLC

Location of Property: 18801 E. 39th St S, Independence, MO. 64075

Planning Commission Meeting Date: April 29th, 2025 at 6:00 p.m.

City Council Meeting Date: June 16th, 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.

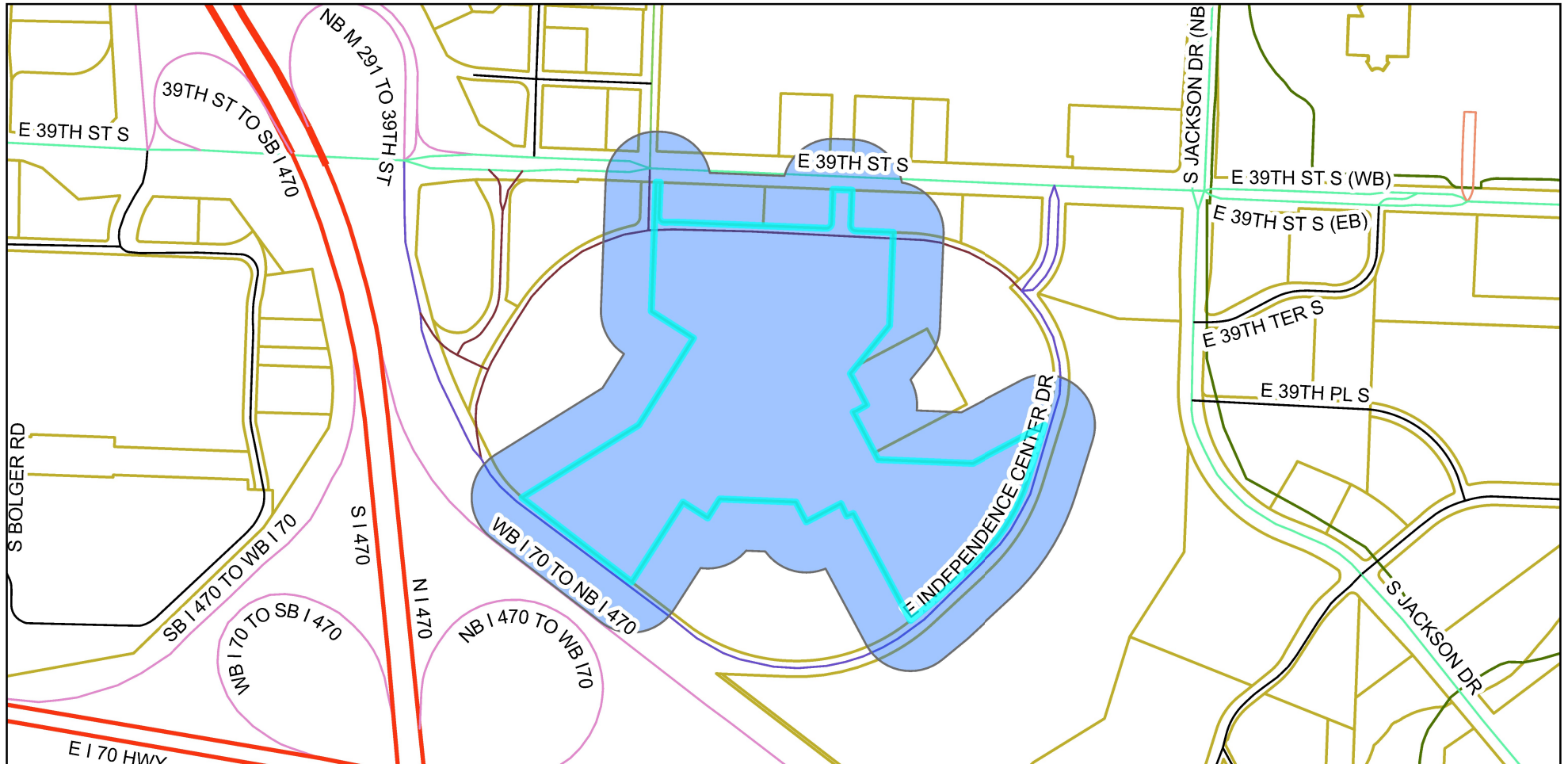
Brandy Karmes
Applicant (or Owner/Agent)

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

Property Address	Property Owner	Owner Address	City	State	ZIP Code
18701 E 39TH ST S	SALFITY REAL ESTATE LLC	PO BOX 411299	KANSAS CITY	MO	64141
18710 E 39TH ST S	CEH HOLDINGS LLC	7909 JEFFERSON CIR	COLLEYVILLE	TX	76034
18777 E 39TH ST S	TF INDEPENDENCE MO LLC	5407 TRILLIUM BLVD STE B120	HOFFMAN ESTATES	IL	60192
18800 E 39TH ST S	DT INDEPENDENCE COMMONS LLC	3300 ENTERPRISE PKWY	BEACHWOOD	OH	44122
18805 E 39TH ST S	DILLARD DEPARTMENT STORES INC	4501 N BEACH ST	FORT WORTH	TX	76137
18809 E 39TH ST S	THE MAY DEPT STORES CO	145 PROGRESS PLACE	CINCINNATI	OH	45246
18900 E 39TH ST S	DANIEL P MCLOUGHLIN REVOCABLE TRUST DATED 7-23-2007	2207 MOUNT VEEDER RD	NAPA	CA	94558
19000 E 39TH ST S	SMOKEHOUSE BBQ INC	104 NE 72ND ST STE J	GLADSTONE	MO	64118-1830
19007 E 39TH ST S	CL INDEPENDENCE POINT MO LLC	3300 ENTERPRISE PKWY	BEACHWOOD	OH	44122
19101 E 39TH ST S	INDEPENDENCE MALL HOLDING LLC	5919 W 3RD ST STE 2B	LOS ANGELES	CA	90036
3950 E JACKSON DR	SEVEN65 CORNERSTONE LLC	37 GRAHAM ST STE 200B	SAN FRANCISCO	CA	94129

Notification Area

18801 E 39th St S



Notification Area



0 250 500 1,000 Feet

Prepared For: Planning Commission
Community Development Department
Meeting Date: April 29, 2025

Property Owner Notification Affidavit

STATE OF MISSOURI

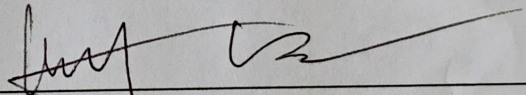
COUNTY OF JACKSON

Case No. 25-200-04

I, Anthony Barnes 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 10th day of April, 2025.

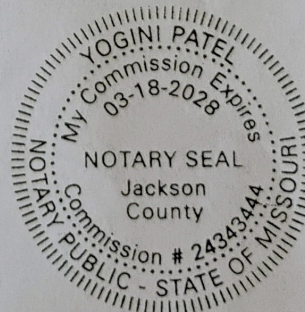


Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 10th day of April, 2025.

Yogini Patel
Notary Public

3/18/2028
Commission Expiration Date



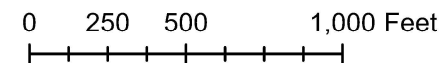
Zoning Map

18801 E 39th St S

Case #25-200-04



Legend		
Parcels	C-2/SUP	R-30/PUD
Zoning District	O-1	R-6
C-2	R-18/PUD	R-A

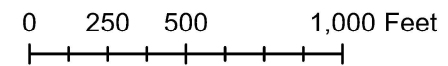
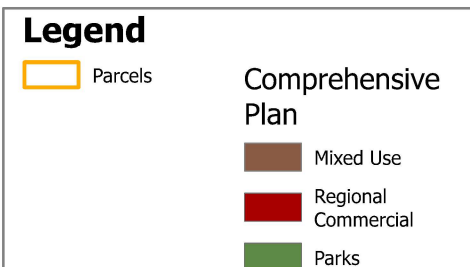


Prepared For: Planning Commission
Community Development Department
Meeting Date: April 29, 2025

Comprehensive Plan

18801 E 39th St S

Case #25-200-04



Prepared For: Planning Commission
 Community Development Department
 Meeting Date: April 29, 2025