



Planning Commission Minutes

June 10, 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 6/10/2025, 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.

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.

Motion

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

1. **Planning Commission Minutes – May 13, 2025**
2. **Case 25-320-02 – Final Plat – Tybrook 2nd Plat** – A request by Jim Pollard for approval of a Final Plat located west of Powell Road north of Truman Road.

PUBLIC HEARINGS

1. **Case 25-100-13 – Rezoning – 15430 & 15440 E. US 24 Highway** – A request to rezone the properties from R-6 (Single Family Residential) and C-2 (General Commercial) 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.

Applicant Comments

Amanda Kivet, attorney, work address is 1600 Genesee, Suite 635, KCMO 64102, speaking for applicant Ms. Bagby, who was out of the country. The property was purchased by the applicants' parents, Mr. and Mrs Yogi, in the 80's. She lives in Kansas and has a buyer, but needs it to be rezoned to correct the legal non-conforming classification.

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 25-100-14 – Rezoning – 11307 Aaron Lane** – A request to rezone the property from R-12 (Two Family Residential) and I-1 (Industrial) to R-6 (Single Family Residential).

Staff Presentation

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

Applicant Comments

Kody Lamming, 8509 Booth Ave, Raytown, MO. Project Manager. The home is currently a dangerous building and they would like approval to rezone to be able to rehab and save it from demolition to make it a livable property again.

Public Comments

No public comments.

Motion

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

3. **Case 25-200-06 – Special Use Permit – 104 E. Lexington Avenue** – A request by On The Square Convenience to operate a convenience store.

Staff Presentation

Mr. 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.

Responding to a question from Chair Wiley, Mr. Glaser explained the definition of a general store, noting that it typically offers a limited selection of grocery items. He stated that while a small portion of sales may include tobacco products, the City has reached its cap on smoke shop establishments. Additionally, he noted that if the applicant intends to sell intoxicating liquor in the future, they would be required to obtain a separate license from the City.

In response to Commissioner O'Neill's question, Mr. Glaser clarified that although there is a commercial suite facing Main Street, the primary entrance to the space is located on Lexington Avenue.

Applicant Comments

Jeremy Munden, 8303 S Noland Rd, Kansas City, MO, wants to provide a convenience store on the square.

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.

4. **Case 25-175-02 - UDO Amendment #73 – Billboard Setback Requirements** – The City proposes Amendment #73 of the Unified Development Ordinance pertaining to billboard setback requirements.

Staff Presentation

Rick Arroyo presented the case. Mr. Arroyo explained that current regulations require billboards to be set back 500 feet from residential areas and certain uses such as schools, parks, playgrounds, hospitals, and churches. However, the existing code does not clearly define the method for measuring this distance.

This amendment also clarifies that the setback applies to the specified uses regardless of whether they are located within or outside the city limits. Additionally, it updates the terminology used in the separation requirements to align with the definitions provided in the UDO. For example, "churches" has been revised to "religious assembly," and "parks" to "parks/recreation," as these terms are formally defined in the UDO.

This amendment will provide clear guidance on how billboard setbacks are measured and applied, making the regulations easier to understand and implement for users.

Public Comments

No public comments.

Commissioner Comments

In response to Commissioner Ashbaugh's question, Mr. Arroyo stated this would apply to

freestanding billboards that are along highways and not ones affixed to a building.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Jose Torres seconded the motion. The motion was approved Yes 6, No 1, Abstained 0.

OTHER BUSINESS

1. **Case 25-400-05 – Short-Term Rental – 14901 E. 40th St S** – A request by Hannah Mullins to operate a Short-Term Rental.

Motion

Commissioner Michael Young made a motion to move up the case on the Agenda following the Consent Agenda. Commissioner Jose Torres seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

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

Hannah Mullins, 14901 E 40th St S, and her husband currently reside in the home but will not live there while it is being rented. They intend to install a privacy fence and comply with the other conditions outlined by Staff.

In response to Commissioner Nesbitt's question, the applicant clarified that the address listed on the application is a family residence where they will stay during the rental period.

Mr. Glaser noted that Staff were not previously aware the owners occupied the property. He also clarified the distinctions in the city code between Short-Term Rentals and Bed and Breakfast establishments.

Mr. Glaser further reported that a formal legal protest petition, signed by 12 residents, was submitted. This satisfies the city code provision that in such cases, the Planning Commission's vote serves only as a recommendation and the matter will proceed to the City Council for final approval.

Responding to Commissioner Nesbitt's inquiry, Ms. Mullins confirmed the home has a total of 1,800 square feet, including the basement. She added that the basement will remain locked and inaccessible to renters.

Addressing public concerns, Ms. Mullins emphasized that parties are strictly prohibited and this rule will be enforced. She stated that the lawn is mowed weekly and, although unsure if she is permitted to touch the power pole due to safety concerns, she is willing to address it. Additionally, a parking plan has been developed in accordance with City guidelines.

Public Comments

Kelly Edwards, 14904 E 40th St. S, stated her support and was appreciative of the letter the applicants sent out providing their contact information and the plan for the rental.

Megan Stirco, 14908 E. 40th St. S, was also in full support and trusts it will be well maintained.

Sharon Jessin, 4229 S State Ave, was not in support; her concerns were the zoning, traffic, parking, and trash service possibly being an issue.

Chris Goble, 4001 Crane Ave, resides directly behind the proposed rental. She was opposed to this being used as a short-term rental, stating they currently do not maintain their home. Her main concerns were parties, traffic, and parking.

Commissioner Comments

Commissioner O'Neill visited the property and saw adequate parking spots.

In response to Chair Wiley's question, Mr. Glaser confirmed that there is no active rental listing for the property. He also reviewed the parking requirements, noting that one parking space is required for each bedroom in the home.

Commissioner Young added that, according to Zillow, the home has 1,424 square feet above ground and 375 square feet below.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Virginia Ferguson seconded the motion. The motion was recommended for approval: Yes 7, No 0, Abstained 0.

ROUNDTABLE - NEXT MEETING JUNE 24, 2025

ADJOURNMENT

The meeting was adjourned at 7:08 p.m.