



Planning Commission

September 9, 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 – August 26, 2025**

OTHER BUSINESS

1. **Case 25-400-11 – Short-Term Rental – 1115 S Leslie Street** – A request to operate a Short-Term Rental.
2. **Case 25-400-12 – Short-Term Rental – 201 N Hardy Avenue** – A request to operate a Short-Term Rental.

PUBLIC HEARINGS

1. **Case 25-175-05 – UDO Amendment #76 – Community Garden** - A request to amend the Unified Development Ordinance relating to community gardens.
2. **Case 25-175-06 – UDO Amendment #77 – ARTS District Electronic Message Signs** – A request to amend the Unified Development Ordinance to allow electronic message signs in the ARTS District.

ROUNDTABLE - NEXT MEETING OCTOBER 14, 2025

ADJOURNMENT



Planning Commission Minutes

August 26, 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 8/26/2025, 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 - .

ELECTION OF OFFICERS

Chair and Vice-Chair

Motion

Commissioner Dan O'Neill made a motion to appoint Commissioner Laurie Dean Wiley as Chair and Commissioner Ashbaugh as Vice-Chair. Commissioner Jose Torres seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

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 – August 12, 2025

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.

PUBLIC HEARINGS

1. **Case 25-175-04 - UDO Amendment #75 – Fuel Sales & Auto Repair** – An Amendment to the Unified Development Ordinance pertaining to fuel sales and auto repair.

Staff Presentation

Rick Arroyo presented the case. Mr. Arroyo explained in 2023 amendments were made to the UDO to help prevent land use conflicts with auto related uses and the potential of altering the character of commercial corridors. One such amendment added a 750-foot separation requirement from other auto related uses for gasoline and fuel sales, and motor vehicle repair.

Since that time staff have recommended amendments to exempt this separation requirement for long-standing business along the Noland Road corridor, better known as the Miracle Mile, to help alleviate building challenges for businesses wishing to expand.

Mr. Arroyo stated this amendment seeks to expand this exemption to properties within four hundred (400) feet of an interstate. This amendment will better assist new fueling stations or vehicle repair businesses to invest and build within 400 ft of an interstate. This amendment would also allow these uses to expand and upgrade, if necessary, in the future.

In response to a question from Commissioner Nesbitt, Mr. Arroyo stated that reducing the distance requirement from 750 feet to 400 feet would still serve to prevent over-saturation of uses. Commissioner Nesbitt then asked whether the amendment would allow gas stations to be developed on all four corners of an interstate interchange. Mr. Arroyo responded that it would depend on the distance between intersections.

Commissioner Ashbaugh expressed concern with setting a strict distance requirement, stating he would prefer to evaluate each case on its own merits rather than by a fixed standard.

Regarding public comment, Commissioner Nesbitt stated that he is opposed to placing time limits on individual speakers. Commissioner Ashbaugh added that if a speaker is providing new or important information, they should be allowed to continue beyond any set timeframe.

Motion

Commissioner Eric Ashbaugh made a motion to limit the speakers to five minutes. He noted if new information was being provided, they could be allowed to speak longer. Commissioner Michael Young seconded the motion. The motion was approved Yes 6, No 1, Abstained 0.

Public Comments

Robert Merrit, 1834 S. Noland, representing Cable Dahmer, addressed the Commission. Mr. Merrit questioned the origin of the 400-foot requirement and asked why the proposed amendment also includes changes to the automotive/mechanic portion of the code.

Mr. Arroyo responded that the 400-foot standard is intended to apply not only to the current project but also to future projects along the I-70 corridor. He explained that the City has received

input from business owners who have expressed support for such an amendment, noting it would provide additional flexibility for businesses considering locating within the City.

Commissioner Comments

Commissioner Ashbaugh inquired whether the item could be tabled until the following case is decided. Mr. Arroyo clarified that the related Special Use Permit could not proceed without first adopting the proposed UDO amendment. In response to a question from Commissioner Nesbitt, Mr. Arroyo noted that QuikTrip is located approximately 410 feet from the interstate. He further explained that the measurement is taken from the MoDOT right-of-way.

Motion

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

2. **Case 25-200-07 – Special Use Permit - 4023 S. Noland Road** – A request by Wally's to operate a gas station.

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.

In response to Commissioner Nesbitt's question, Mr. Glaser confirmed the site has not yet been platted and noted that this plan would dedicate the streets to the City of Independence. Commissioner Nesbitt questioned why the City would want to assume responsibility for street maintenance.

Commissioner Ashbaugh commented that in his experience, he had never seen so many conditions contingent on additional plan submissions and reviews. Mr. Arroyo responded that this is a very complex project and emphasized that the plan before the Commission is preliminary in nature.

Commissioner Nesbitt observed that both K-Mart and Venture previously drew heavy traffic at this site without causing issues. He stated that traffic should be viewed positively, as it indicates business activity in Independence. Mr. Arroyo clarified that the proposed use differs significantly from past retail uses, and traffic patterns and study methodologies have since evolved.

Applicant Comments

Michael Rubenstein, CEO and Co-Founder of Wally's, thanked the City for its collaboration and the citizens for participating in a community meeting held to discuss the project and answer questions. He shared the history of Wally's and emphasized the company's alignment with Independence's legacy as the starting point of the great American road trip.

Mr. Rubenstein stated that the project will create over 200 jobs paying at or above minimum

wage, with a preference for using local contractors. He noted that Wally's paid for the demolition of the existing building as part of the acquisition, and the company is investing \$5–7 million in off-site improvements. He highlighted that Wally's is designed to be a travel destination known for its food, retail offerings, and clean restrooms, while prohibiting semi-tractor trailer traffic. Renderings of the proposed store and site were presented to the Commission.

Lindsey Diekemper, Civil Engineer with Cole & Associates, explained that screening for adjacent residential properties will include a 6-foot masonry wall, along with canopy plantings and trees. She stated that 51% of the site is dedicated to detention and green space, and the site will feature three access points, each with one entry lane and one exit lane.

In response to Commissioner Nesbitt, Ms. Diekemper confirmed discussions with staff are ongoing to address sanitary concerns. Mr. Arroyo added that the CIP project is in the design phase, and City staff will coordinate improvements with the applicant.

Julie Nolfo, Traffic Engineer with Lochmueller Group, summarized the traffic impact study, noting discussions with MoDOT and the City began in 2023. Data was collected while schools were in session, and five traffic scenarios—more than typically required—were analyzed, covering 21 intersections. A 10% traffic increase was factored in for conservatism.

Ms. Nolfo emphasized the need for acceleration and deceleration lanes off Noland Road and I-70. She stated that Wally's cannot be directly compared to QuikTrip or Buc-ee's, as their business model lies in between. She explained that Noland Road will be the primary access point, with recommended roadway and interchange improvements.

In response to Commissioner Nesbitt, Mr. Rubenstein confirmed that right-of-way acquisition will be necessary, but only after approval of the preliminary plan.

Chairwoman Wiley called a recess at 7:30 p.m. The meeting reconvened at 7:38 p.m.

Public Comments

Lucy Young, 2320 Viking Drive, expressed excitement about the development, noting the private investment without TIF support. She stated it aligns with the City's Strategic Plan and will provide an economic boost.

Bob Stikeleather, 16915 E. 54th Street, questioned whether the project will be included in the Noland Road Community Improvement District and asked when road improvements would occur and if all four ramps would be improved.

Mike Talcott, 1901 S. Lake Drive, supported the project as a way to reinforce Independence's identity as the "Queen City of the Trails," noting rejection might discourage future businesses.

Becky Hake, 10516 E. 26th Terrace, stated interstate travelers will benefit nearby restaurants and businesses, and may be encouraged to visit historic sites.

Wes Epperson, 3600 Poplar Ave, supported the project, citing Wally's investment in demolition and street improvements as a sign of commitment. He added the development would generate tax revenue otherwise lost to the proposed Lee's Summit Costco.

Robert Merritt, representing Cable Dahmer, said the business is neutral on the project. While additional traffic may help, he questioned whether the proposal fits the long-term needs of Noland Road. He also raised concerns about City street maintenance and the impact on food trucks currently using the area.

Robert Defuente, 211 E. Water Street, Springfield, representing Andy's Frozen Custard, spoke in favor, but expressed concern about customer awareness during construction. He stated Wally's has committed to keeping lanes open for their business.

Karen Downey, 5441 Phelps Road, Kansas City, and a property owner on Noland Road, opposed the proposal, citing traffic concerns and that the intersection is at max capacity, environmental concerns, and uncertainty about Wally's track record. She expressed concern about Wally's potential creation of a separate CID.

William Torres, 11504 E. 33rd Terrace, an engineer, stated it may be premature to approve. While mega-gas stations are popular, he said the corridor itself needs cleanup. He also questioned if this is what we want has our front door.

Dee Pack, 3206 Noland Road, CEO of Cargo Largo, voiced concerns that the project could undermine years of improvements led by the Noland Road CID. He questioned the sufficiency of the proposed \$5–7 million for roadway improvements believing it may cost twice that based on his recent construction experience and described the business as transient in nature.

Mr. Rubenstein reiterated that discussions with MoDOT will continue throughout the project. He noted Wally's first store, located at the start of Route 66, spurred significant economic growth.

Ms. Nolfo confirmed that all four interstate ramps will be improved as part of the project and stated MoDOT's second review is underway. Improvements are expected to be complete when Wally's opens. She again emphasized that Wally's should not be compared to Buc-ee's in terms of traffic impacts.

Commissioner Comments

In response to Commissioner Nesbitt, Nate Hale, Director of Construction with Wally's, stated that a sign package has not yet been submitted. He said they will aim to comply with the City's sign regulations and do not anticipate requesting a variance. He noted Wally's does not advertise gas prices but have tossed the idea around, confirmed sufficient power exists for EV charging, and stated both types of EV charging ports will be provided.

In response to Commissioner Nesbitt, Mr. Rubenstein stated Wally's will have security, extensive lighting, and cameras to ensure patron safety.

Commissioner Ashbaugh asked if Wally's would consider participation in the Noland Road

CID. Mr. Rubenstein confirmed they are currently members and are exploring funding options. He stressed they are not seeking a City-backed TIF.

Commissioner Nesbitt asked if they would be considering any economic incentives, yes or no, Mr. Rubenstein stated yes.

Chairwoman Wiley announced that she would abstain from voting on this case.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 5, No 1, Abstained 1.

ROUNDTABLE - NEXT MEETING SEPTEMBER 9, 2025

ADJOURNMENT

The meeting was adjourned at 8:44 p.m.

MEETING DATE: September 9, 2025

STAFF: Gabe Glaser, Planner

PROJECT NAME: 1115 S Leslie Street – Short-Term Rental

CASE NUMBER/REQUEST: **Case 25-400-11 – Short-Term Rental – 1115 S Leslie Street** – A request to operate a Short-Term Rental.

PROPERTY ADDRESS: 1115 S Leslie Ave

APPLICANT: Bryan Barton

APPLICANT ADDRESS: 114 Park Ave, Kansas City, Mo 64124

OWNER: Edwin Wendleton

OWNER ADDRESS: 1201 Allendale Dr, Greenwood, Mo 64034

SUBJECT PROPERTY ZONING/LAND USE: R-12 (Two-Family Residential)/Single-Family Residential

SURROUNDING ZONINGS/LAND USES:

N: R-12 (Two-Family Residential) / Single-Family Residential

S: R-12 (Two-Family Residential) / Single-Family Residential

E: R-12 (Two-Family Residential) / Single-Family Residential

W: R-12 (Two-Family Residential) / Single-Family Residential

PUBLIC NOTICE:

- Letters to property owners within 185 feet were mailed August 20, 2025
- Notification signs were posted on the property August 22, 2025

FURTHER ACTION:

Unless a valid protest petition is submitted, or the applicant seeks to appeal the action of the Planning Commission, this application is not reviewed by the City Council.

RECOMMENDATION

Staff recommends **APPROVAL** of this Short-Term Rental with the following conditions:

1. The short-term rental shall obtain a business license pursuant to Chapter 5 of the City Code.
2. The short-term rental operator shall remit transient guest tax to the City and comply with the operational standards outlined in Article 3, Chapter 5 of the City Code.
3. The business must comply with all safety and other standards established by Section 14-424 of the City Code.
4. The maximum occupancy of the premises shall be limited to four (4) persons total.
5. The maximum number of bedrooms shall be two (2).

6. A noise monitoring system conforming to City Code shall be installed and activated, the Good Neighbor Guidelines, evacuation plan and other notices must be properly posted, prior to approval of the business license.
7. The property must be inspected by the Fire Inspector and passed the Initial Short-Term Rental Fire and Life Safety Inspection.

PROJECT DESCRIPTION

PROJECT DESCRIPTION:

The applicant seeks approval of a Short-Term Rental at 1115 S Leslie Ave

Current Zoning: R-12 (Two-Family Residential) **Current Use:** Single-Family

Former Zoning: Prior to 2009: R-2 (Two-Family Residential)
Prior to 1980: R-2 (Two-Family Residential)
Prior to 1965: Not Zoned

Proposed Use: Short-Term Rental

BACKGROUND HISTORY

Proposal:

The applicant seeks approval from the Planning Commission to legally use this property as a Short-Term Rental.

Property History:

The subject site is defined as Lot 454 of the Eden Park subdivision recorded in 1887. At the time of recording, the subject site was situated on city limits, having been annexed in 1851, shortly after the original charter of Independence. Upon adoption of the Zoning Ordinance in 1965, the subject site was assigned an R-2(Two-Family) zoning designation. Since that time, the property has maintained a two-family residential zoning classification.

The subject site is not currently being listed on any booking platforms.

Physical Characteristics of Property:

The subject lot is approximately 6,970 ft² in size. County records indicate the dwelling was constructed in 1925 and contains approximately 946 ft² of living area. The dwelling is a ranch-style house with a gable roof, lap siding, and three bedrooms.

Characteristics of the Area:

The subject site is located in central Independence. Single-family residential homes neighbor the subject site to the north, west and south. Homes in the surrounding area are part of the Eden Park subdivision and are similar in characteristics, age, and design. This property is located north of the 23rd Street corridor containing a variety of commercial uses, including retail sales, restaurants, and gas stations.

Parking:

The subject site has a two-car wide drive entrance off Leslie Avenue. There is enough off-street parking to accommodate at least three (3) vehicles, satisfying the City's parking requirement.

Unruly Guest/Security:

The applicant has indicated a subscription to Minut noise monitoring service. The installation of a continuous noise monitoring device will need to be confirmed by city staff, prior to approval.

Short Term Rental Requirements:

The applicant must address the following topics:

- **Noise monitoring** –The applicant will need to provide evidence of the installation of an approved noise monitoring device.
- **Trash Removal** – The applicant has indicated a subscription to Ted’s Trash. Refuse is collected on a weekly basis.
- **Property listing** - The property will be listed on AirBNB.
- **Business operations/security** – The applicant has listed a responsible agent in accordance with City Code.
- **City’s Short Term Rental checklist** – The form was completed by the applicant covering licensing, future inspections, insurance, on-site information posting, and so forth.
- **Fire safety** – A fire evacuation plan had been submitted along with floor plans of the house. The fire escape plan must also be posted as required by city code.
- **City inspection** – The property must be inspected by the Fire Inspector and pass the Initial Short-Term Rental Fire and Life Safety Inspection.
- **Parking Plan** – The applicant has included a parking plan as part of their application. The parking plan satisfies City Code requirements for a two-bedroom short-term rental unit

This application follows the density limitations of the City Code.

EXHIBITS

1. Application
2. Notification Letter
3. Addresses
4. Notification Area Map
5. Affidavit
6. Floor Plan
7. Fire Safety Plan
8. Parking Plan
9. Nearest Short-Term Rental Map

1115 S Leslie St Independence MO 64050

STR License

Submitted

Application numberA00154

Application date2025-07-07

Applicant nameBryan Barton

> Collapse details

Submitted

Send license

Edit

Property Address

Parcel Number

1115 S LESLIE ST INDEPENDENCE MO 6405026510190900000000

Permit Held By

Rental Structure

OwnerSingle family

Permit Holder

First NameLast NamePhone Number

BryanBarton

Property Owner(s)

Property Owner #1

First NameLast NamePhone Number

BryanBarton

Property Owner #2

First NameLast NamePhone Number

JamesWendleton

Property Owner #3

First NameLast NamePhone Number

EdwinWendleton

Property Manager

First NameLast NamePhone Number

BryanBarton

Responsible Agent

First NameLast NamePhone Number

BryanBarton

Verification Documents

Floor PlanEvacuation PlanParking Plan

[floor_plan_2025-07-08-020600.jpeg](#)[fire_safety_2025-07-08-020600.jpeg](#)[parking_spaces_2025-07-08-020600.jpeg](#)

Supplemental Questions

Collapse all

What is the total number of bedrooms?

3

Total number of parking spaces available on the property?

3

What is your proposed total occupancy?

6

Is street parking allowed? ^

Yes

Please provide your Noise Management Plan: ^

To ensure a peaceful environment for neighbors and guests, we have implemented the following noise management plan in full compliance with the City of Independence short-term rental ordinance: Noise Monitoring Device: We utilize a Minut Noise Monitoring Device, which operates continuously during all guest stays. This device monitors decibel levels indoors without recording any audio, protecting guest privacy while ensuring compliance. Continuous Monitoring: The Minut device runs 24/7 while the home is occupied. If noise levels exceed acceptable thresholds, the property owner is immediately notified and will follow up promptly with the guest to resolve the issue. Quiet Hours: Quiet hours are clearly posted in a prominent location inside the home and are in accordance with City of Independence guidelines. Quiet Hours: 10:00 PM 8:00 AM Guest Communication & Enforcement: Guests are informed of quiet hours during booking confirmation and again in the welcome materials provided at check-in. Any violations of the city's noise ordinance may result in penalties, including immediate removal from the property.

Please provide your Trash Disposal & Collection Plan: ^

We will utilize Teds Trash Service, a licensed trash collection provider operating within the City of Independence. Trash Type: Standard household waste Container Placement: Trash bins are stored at the side/rear of the home, out of public view, in accordance with City Code. If a guest stay overlaps with a scheduled pickup day, the property owner will provide clear instructions on where to place the bins for collection. The owner will follow up to ensure bins are placed in the designated location on Tuesday evening and will also ensure that they are returned to the side or rear of the home following Wednesdays pickup.

Please provide all platforms that you plan to advertise on. ^

Airbnb

Possible Violations

We found no violations for this property

Add Note

Notes

Add



PROPERTY OWNER NOTIFICATION LETTER
For a Short-Term Rental Business

Date: August 18, 2025

Case Number: 25-400-11

Dear Property Owner:

This is to notify you that an application has been submitted for the consideration of a short-term rental business at the following address. A public hearing will be held for this application by the Independence Planning Commission at the date and time listed below.

Address of proposed Short-Term Rental: 1115 S. Leslie Ave

Total Maximum occupancy: Six (6) guests

Number of bedrooms used: Three (3)

PROPERTY OWNER:

Name: Bryan Barton

[REDACTED]

[REDACTED]

Planning Commission Meeting Date: September 9, 2025 at 6:00 p.m.

Location of public hearing: City Council Chambers, City Hall
111 E. Maple Ave, Independence, MO 64050

All interested persons are invited to participate and will have an opportunity to be heard at the public hearing. If you have questions regarding this short-term rental operation, you may wish to contact the property owner or manager, as listed above. For information regarding the filing of a protest petition, please contact the Community Development Department at 816-325-7421.

Gabe Glaser

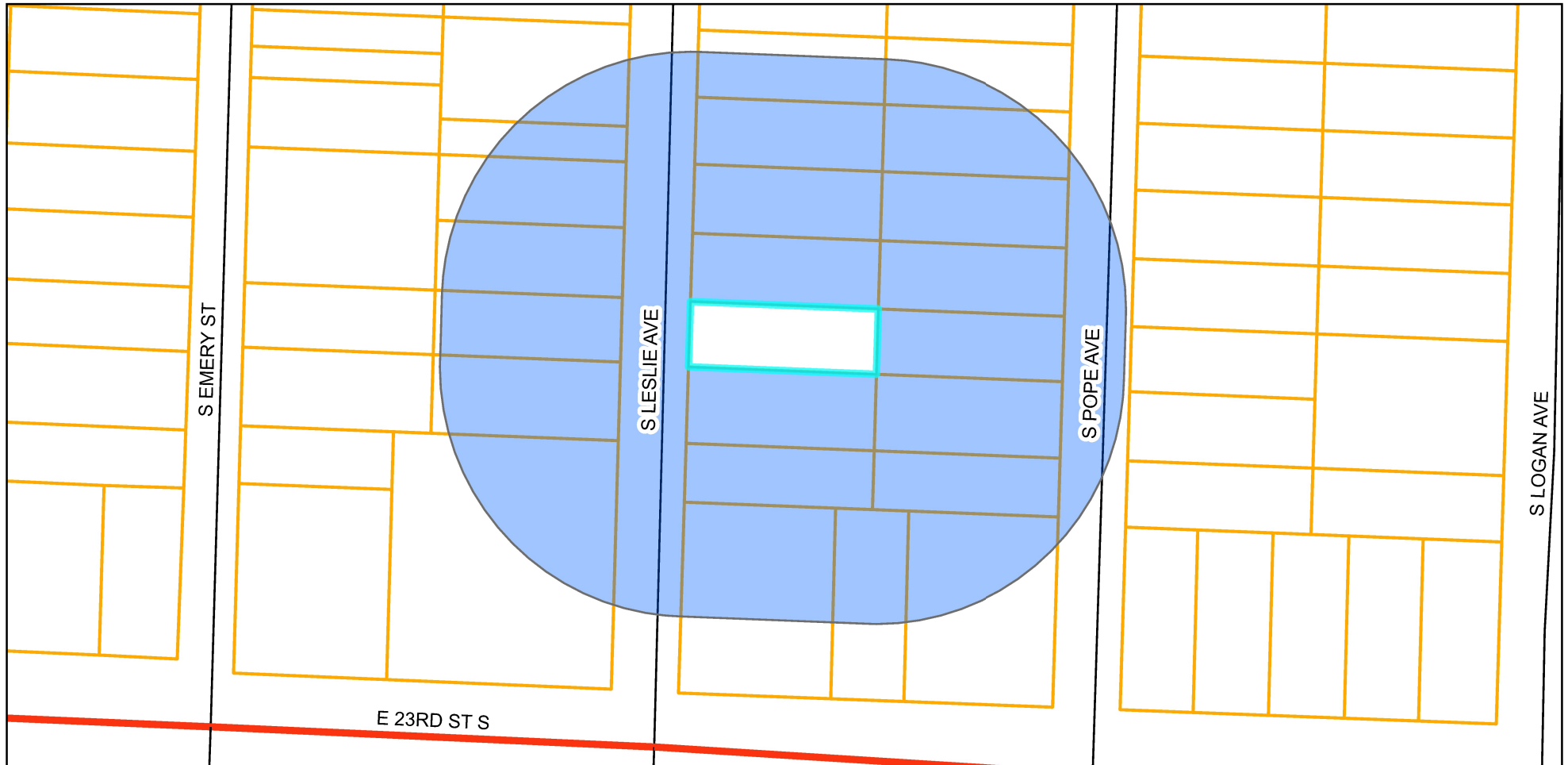
Gabe Glaser
Planner

Property Address	Property Owner	Owner Address	City	State	ZIP Code
1008 S POPE AVE	WYMAN DENNIS G & HOPKINS KIMBERLY A	PO BOX 82	INDEPENDENCE	MO	64051
1010 S POPE AVE	MARTINEZ MARK A	1010 S POPE AVE	INDEPENDENCE	MO	64050
1107 S LESLIE AVE	FORBIS JULIA	1107 S LESLIE ST	INDEPENDENCE	MO	64050
1108 S LESLIE AVE	BR INVESTMENT INC	601 W 57TH TER	KANSAS CITY	MO	64113
1109 S LESLIE AVE	SHINN JOHN W & RUBY M/TRUSTEES	2828 S ANN AVE	INDEPENDENCE	MO	64057
1110 S LESLIE AVE	NAMMAVALY MARK & AE	1112 S LESLIE ST	INDEPENDENCE	MO	64050
1111 S LESLIE AVE	IRA CLUB	67 E MADISON ST # 1510	CHICAGO	IL	60603
1112 S POPE AVE	1402 LEES SUMMIT ROAD INC	5249 W 121ST ST	LEAWOOD	KS	66209
1113 S LESLIE AVE	PEREZ OSWALDO SANCHEZ	1113 S LESLIE ST	INDEPENDENCE	MO	64050
1116 S LESLIE AVE	LANDMARK EQUITY GROUP LLC	15954 S MUR LEN RD STE 264	OLATHE	KS	66062
1116 S POPE AVE	GIBSON ANN LEINN	1707 N 1ST ST	BLUE SPRINGS	MO	64014
1117 S LESLIE AVE	TUTTLE THOMAS J & RACHEL M	1201 NE CRESTVIEW DR	BLUE SPRINGS	MO	64014
1118 S LESLIE AVE	STEVENSON SHAWNA M	1120 S LESLIE ST	INDEPENDENCE	MO	64050
1118 S POPE AVE	ARF 6 LLC	16657 E 23RD ST S STE 370	INDEPENDENCE	MO	64055
1120 S POPE AVE	MOKAN PROPERTY INVESTMENTS LLC	PO BOX 3253	INDEPENDENCE	MO	64055
1129 S LESLIE AVE	YOUNG STEPHEN	5101 CREST DR	KANSAS CITY	KS	66106
1130 S POPE AVE	SHINN JOHN & RUBY TRUST	2828 S ANN AVE	INDEPENDENCE	MO	64050
630 E 23RD ST S	ROYAL WHOLESALE INC	PO BOX 438	LEAVENWORTH	KS	66048
700 E 23RD ST S	KENDALL ANN M	PO BOX 520024	INDEPENDENCE	MO	64052
704 E 23RD ST S	GOLD RENTALS LLC	2905 SW US 40 HWY	BLUE SPRINGS	MO	64015
724 E 23RD ST S	ROLAND WARREN L & KAREN S TRUSTEE	2015 N ELSEA SMITH RD	INDEPENDENCE	MO	64056

Notification Area

1115 S Leslie Ave

Case #25-400-11



Legend

-  Notification Area
-  Parcels

0 50 100 200 US Feet


Prepared For: Planning Commission
Meeting Date: September 9, 2025



Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 25-400-11

I, Miranda Rice, 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 20th day of August, 2025.

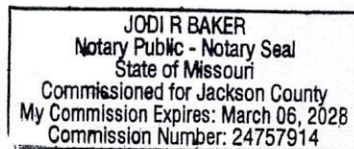
Miranda Rice

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 20 day of August, 2025.

Jodi R Baker
Notary Public

March 6, 2028
Commission Expiration Date



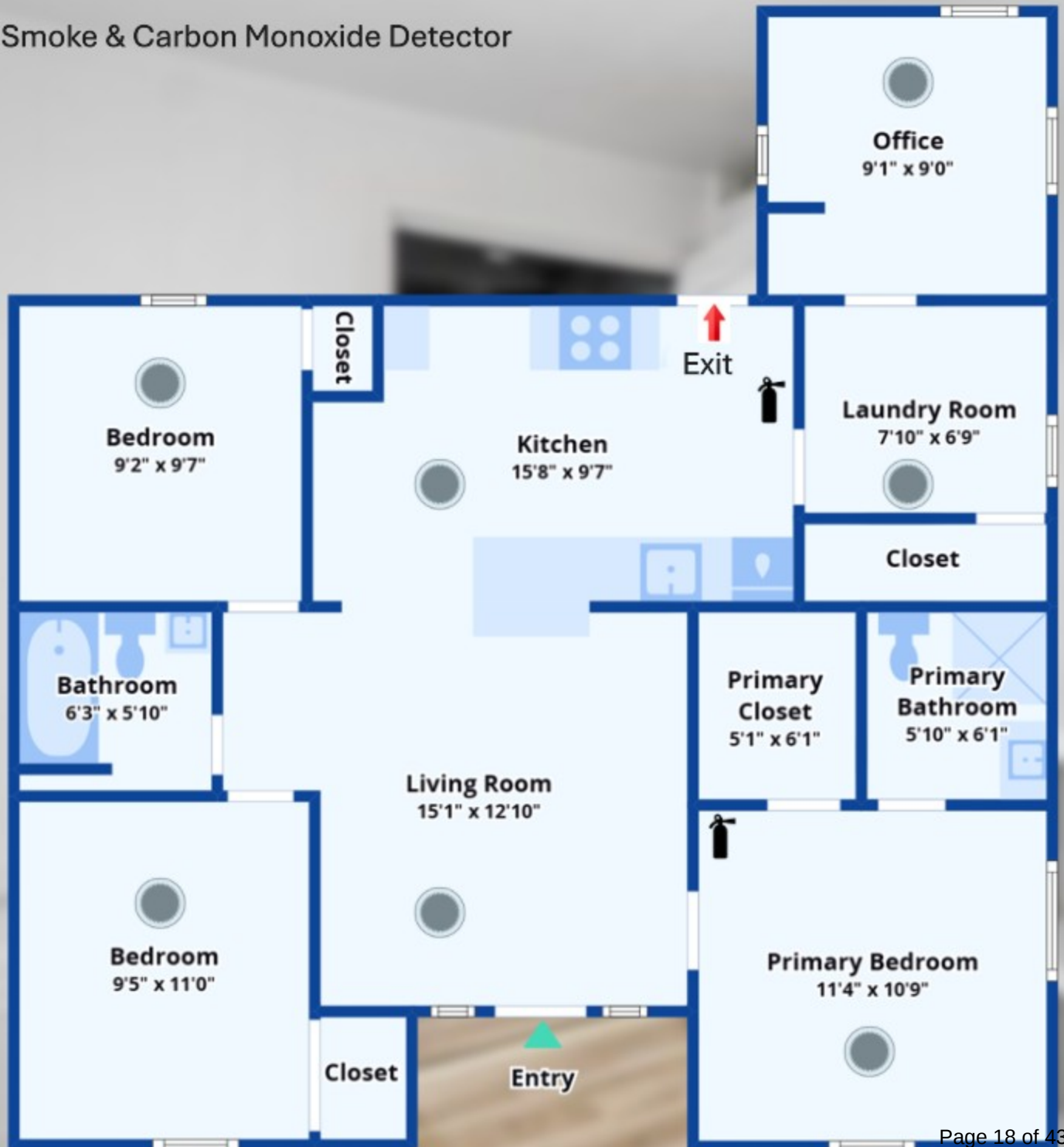


Fire Extinguisher

Floor 1



Smoke & Carbon Monoxide Detector



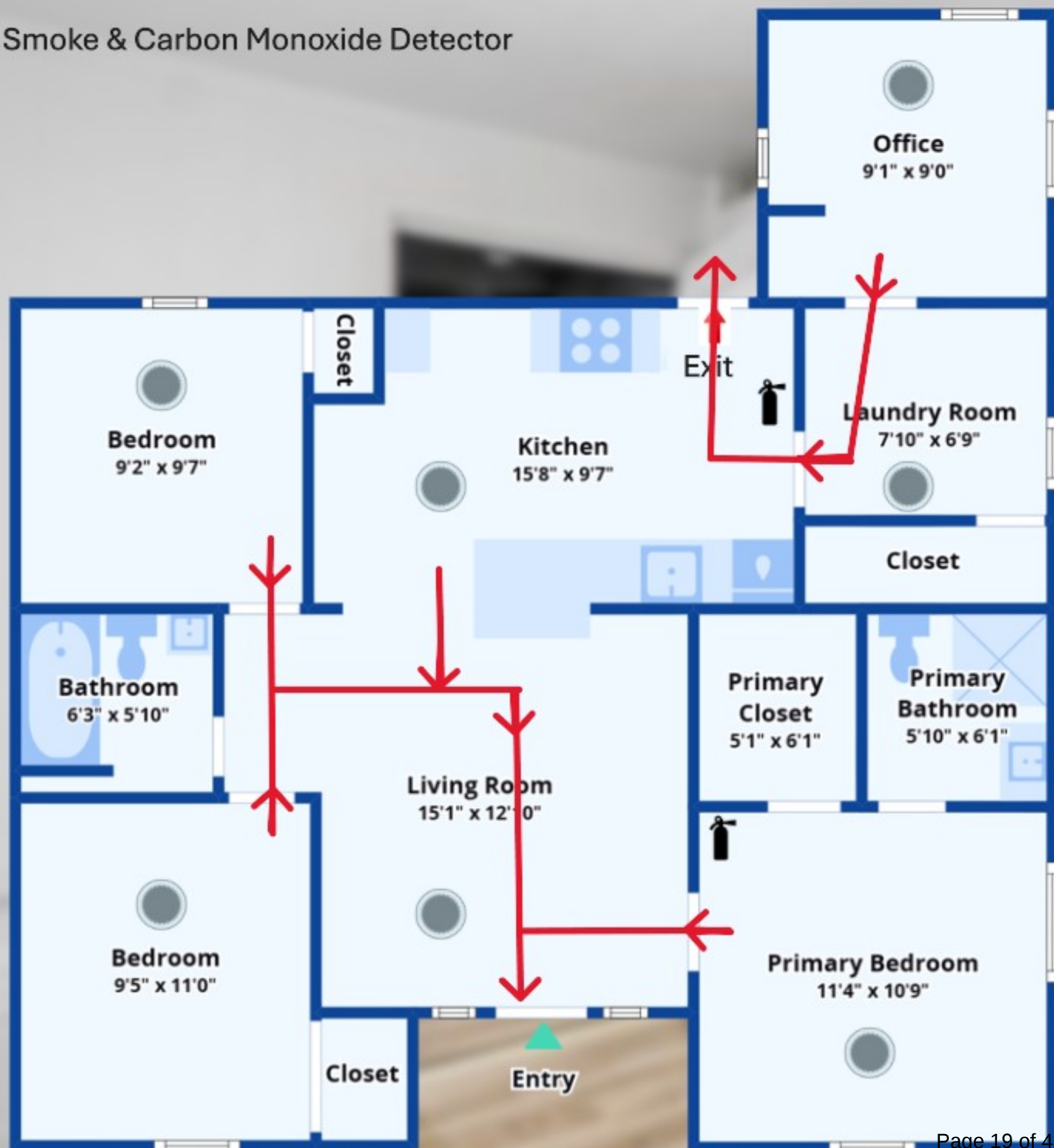


Fire Extinguisher

Floor 1



Smoke & Carbon Monoxide Detector



Parking Plan for
1115 S Leslie Ave
Independence MO
64050

House

Three vehicle parking
in extra long / wide
paved driveway

One car parking on
street

South Leslie Ave.

Nearest Short Term Rental

1115 S Leslie Ave

Case #25-400-11



Legend

- Subject Site
- S Short Term Rentals

0 250 500 1,000 US Feet

Prepared For: Planning Commission
Meeting Date: September 9, 2025



MEETING DATE: September 9, 2025

STAFF: Brian L. Harker, Planner

PROJECT NAME: 201 N. Hardy Avenue – Short-Term Rental

CASE NUMBER/REQUEST: **Case 25-400-12 – Short-Term Rental – 201 N. Hardy Avenue** – A request to operate a Short-Term Rental.

PROPERTY ADDRESS: 201 N. Hardy Avenue

APPLICANT/RESPONSIBLE AGENT: Nathaniel Bobbitt

APPLICANT/OWNER ADDRESS: 711 N. Arapaho Street

SUBJECT PROPERTY ZONING/LAND USE: R-12 (Two-Family Residential)...single-family home

SURROUNDING ZONINGS/LAND USES:

North: R-12 (Two-Family Residential)...single-family residences

South: R-12 (Two-Family Residential)...single-family residences

East: City of Sugar Creek...single-family residences

West: R-12 (Two-Family Residential)...single-family residences

PUBLIC NOTICE:

- Letters to property owners within 185 feet were mailed August 20, 2025
- Notification signs were posted on the property August 22, 2025

FURTHER ACTION:

Unless a valid protest petition is submitted, or the applicant seeks to appeal the action of the Planning Commission, this application is not reviewed by the City Council.

RECOMMENDATION

Staff recommends **APPROVAL** of this Short-Term Rental with the following conditions:

1. The short-term rental shall obtain a business license pursuant to Chapter 5 of the City Code
2. The short-term rental operator shall remit transient guest tax to the City and comply with the operational standards outlined in Article 3, Chapter 5 of City Code
3. The business must comply with all safety and other standards established by Section 14-424 of the City Code.
4. The maximum occupancy of the premises shall be limited to six (6) persons total.
5. The maximum number of bedrooms shall be three (3).
6. A noise monitoring system conforming to City Code shall be installed and activated, the Good Neighbor Guidelines, evacuation plan and other notices must be properly posted, prior to approval of the business license.
7. The property must be inspected by the Fire Inspector and passed the Initial Short-Term Rental Fire and Life Safety Inspection.

PROJECT DESCRIPTION

PROJECT DESCRIPTION:

The applicant seeks approval of a Short-Term Rental at 201 N. Hardy Avenue

Current Zoning:	R-12 (Two-Family Residential)
Current Use:	Single-Family Residence
Former Zoning:	Prior to 2009: R-2 (Two-Family Residential) Prior to 1980: R-2 (Two-Family Residential) Prior to 1965: Not Zoned
Proposed Use:	Short-Term Rental

BACKGROUND HISTORY

Proposal:

The applicant seeks approval from the Planning Commission to legally use this property as a Short-Term Rental.

Property History:

The property was platted on December 20, 1915, as Lots 174 and 175 of Jackson Lithia Place. At the time of recording, the lots were outside of city limits and would not be annexed until 1961. Upon adoption of the Zoning Ordinance in 1965, the subject site was assigned the R-2 (Two-Family Residential) zoning designation. Since that time, the property has maintained a two-family residential zoning classification, but contained a single-family residence.

Physical Characteristics of Property:

The property is approximately 9,148 square feet in area. The dwelling is a Cape Cod style house with tan siding. On the first floor is the living room, kitchen, dining, bathroom, master bedroom and a second bedroom. On the second floor is the third bedroom.

Characteristics of the Area:

The subject site is located in northwest Independence. Single-family residential homes neighbor the property to the north, south, east and west. The small homes in the area include bungalows, Cape Cods and small ranches built in the 1920's, 30's and 40's on 40-foot-wide lots and 80-foot-wide double lots.

Parking:

The subject site has two driveways. There is a single-car driveway off Scarritt Avenue, under a carport, just west of Hardy Avenue, and a two-car driveway further east in front of a two-car garage. Therefore, there will be three off-street parking spaces. The garage will be used as storage. Parking in the street is common in this area as well.

Unruly Guest/Security:

The applicant has indicated a subscription to Minut noise monitoring service. The installation of a continuous noise monitoring device will need to be confirmed by City staff, prior to approval of the business license. Quiet hours will be from 11:00 PM to 7:00 AM. Guests are expected to keep noise to a minimum during these hours, both inside the home and in the outdoor areas. Further, there will be a Blink Security Camera.

Short Term Rental Requirements:

The applicant must address the following topics:

- **Noise monitoring** –The applicant will need to provide evidence of the installation of an approved noise monitoring device.
- **Trash Removal** – The applicant has indicated a subscription to Ted’s Trash. Refuse is collected on a weekly basis on Tuesday mornings.
- **Property listing** - The property will be listed on AirBNB.
- **Business operations/security** – The applicant has listed a responsible agent in accordance with City Code.
- **City’s Short Term Rental checklist** – The form was completed by the applicant covering licensing, future inspections, insurance, on-site information posting, and so forth.
- **Fire safety** – A fire evacuation plan has been submitted along with floor plans of the house. The fire escape plan must also be posted as required by city code.
- **City inspection** – The property must be inspected by the Fire Inspector and pass the Initial Short-Term Rental Fire and Life Safety Inspection.
- **Parking Plan** – The applicant has included a parking plan as part of their application. The parking plan satisfies City Code requirements for a three-bedroom short-term rental unit.

This application follows the density limitations of the City Code.

EXHIBITS

1. Application
2. Notification Letter
3. Addresses
4. Notification Area Map
5. Affidavit
6. Floor Plan
7. Fire Safety Plan
8. Parking Plan
9. Zoning Map
10. Nearest Short-Term Rental Map

201 N Hardy Ave Independence MO 64053

STR License

Submitted

Application number

A00155

Application date

2025-07-08

Applicant name

Nathaniel Bobbitt

> Collapse details

Submitted

Send license

Edit

Property Address

201 N HARDY AVE INDEPENDENCE MO 64053

Parcel Number

14720110900000000

Permit Held By

Rental Structure

Owner

Single family

Permit Holder

First Name

Nathaniel

Last Name

Bobbitt

Phone Number

Property Owner(s)

Property Owner #1

First Name

Property Manager

First Name

Nathaniel

Last Name

Bobbitt

Phone Number

Responsible Agent

First Name

Nathaniel

Last Name

Bobbitt

Phone Number

Verification Documents

Floor Plan

[floor_plan_2025-07-08-203301.png](#)

Evacuation Plan

[fire_safety_2025-07-08-203301.jpeg](#)

Parking Plan

[parking_spaces_2025-07-08-203301.png](#)

Supplemental Questions

Collapse all

What is the total number of bedrooms?

3

Total number of parking spaces available on the property?

2

What is your proposed total occupancy?

6

Is street parking allowed?

Yes

Please provide your Noise Management Plan:

Noise Management Plan Property Owner/Manager Name: Nathan Bobbitt Phone Number: (660) 624-4344 Email: bobnathan1001@gmail.com Property Address: 201 N Hardy Ave, Independence, MO 64050 1. Noise Monitoring Device To ensure compliance with the City of Independence noise ordinance, the property is

equipped with security cameras that monitor audio. This device: * Operates 24/7 during all rental periods. Device Brand/Model: Blink Security Camera 2. Quiet Hours Quiet hours are clearly posted on the website and are as follows: Quiet Hours: 11:00 PM to 7:00 AM Guests are expected to keep noise to a minimum during these hours, both inside the home and in any outdoor areas (e.g., patio, driveway, or yard). 3. Guest Notification The following measures are in place to inform guests: * Quiet hours and the local noise ordinance are posted on the website. * Guests receive a copy of the noise policy via email and Airbnb messaging prior to check-in. * The penalties for violating noise policies are clearly outlined. 4. Penalties for Violations Per the City of Independence ordinance: First violation: Verbal or written warning. Second violation: Immediate termination of the rental stay without refund. Repeated violations: May result in suspension or revocation of short-term rental permit. The host will cooperate fully with city enforcement officials and neighbors in resolving any complaints. 5. Contact for Noise Complaints Neighbors or city officials may contact the property manager directly to report excessive noise: 24/7 Contact: Adrianna Bobbitt (660) 624-4344 Email: bobnathan1001@gmail.com

Please provide your Trash Disposal & Collection Plan:

1. Trash Collection Provider The property has contracted regular refuse service with the following licensed trash collection provider in the City of Independence: Trash Service Provider: Ted's Trash Co Service Type: Weekly curbside trash pickup Collection Day: Tuesday morning 2. Trash Disposal Process Guests are instructed to place all trash in the designated indoor trash bins located in the kitchen and bathrooms. Outdoor trash containers are located under the carport. Guests are asked to take out all trash from the home and place it in the provided bin under the carport.

Please provide all platforms that you plan to advertise on.

Airbnb

Possible Violations

We found no violations for this property

Add Note

Notes

Add



PROPERTY OWNER NOTIFICATION LETTER
For a Short-Term Rental Business

Date: August 18, 2025

Case Number: 25-400-12

Dear Property Owner:

This is to notify you that an application has been submitted for the consideration of a short-term rental business at the following address. A public hearing will be held for this application by the Independence Planning Commission at the date and time listed below.

Address of proposed Short-Term Rental: 201 N. Hardy Avenue

Total Maximum occupancy: Six (6) guests

Number of bedrooms used: Three (3)

PROPERTY OWNER:

Name: Nathaniel Bobbit

[REDACTED]

[REDACTED]

Planning Commission Meeting Date: September 9, 2025 at 6:00 p.m.

Location of public hearing: City Council Chambers, City Hall
111 E. Maple Ave, Independence, MO 64050

All interested persons are invited to participate and will have an opportunity to be heard at the public hearing. If you have questions regarding this short-term rental operation, you may wish to contact the property owner or manager, as listed above. For information regarding the filing of a protest petition, please contact the Community Development Department at 816-325-7823.

Brian L. Harker

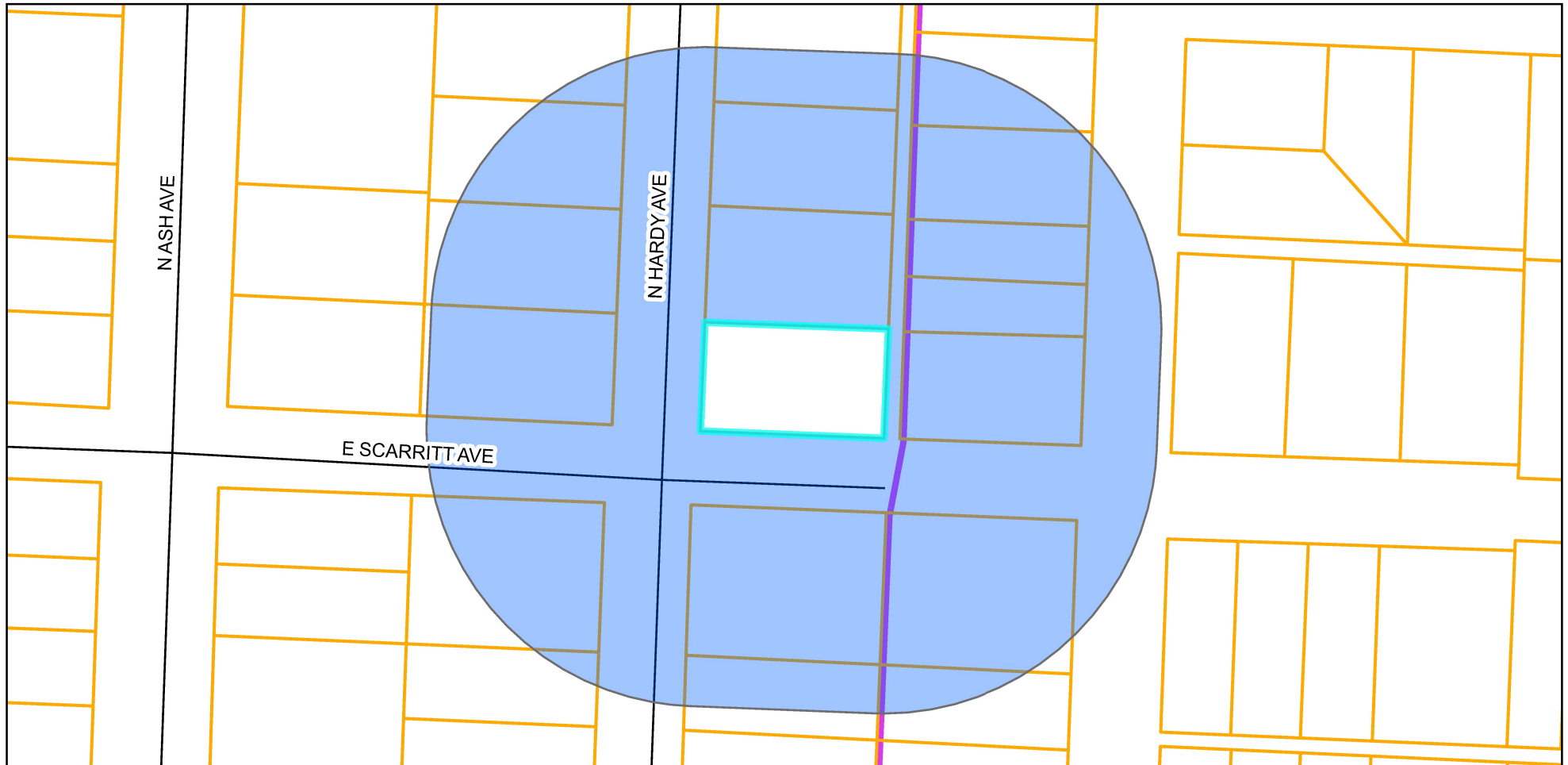
Brian L. Harker
Planner

Property Address	Property Owner	Owner Address	City	State	ZIP Code
132 N WILLOW AVE	SIMONS DEBRA	132 N WILLOW	SUGAR CREEK	MO	64054
139 N HARDY AVE	MAXWELL TAMMY R & RONALD D JR	139 N HARDY	INDEPENDENCE	MO	64054
140 N HARDY AVE	FUNDERBURKE JAMES MICHAEL	140 N HARDY AVE	INDEPENDENCE	MO	64053
140 N WILLOW AVE	BOTT DEBRA SUE	140 N WILLOW ST	SUGAR CREEK	MO	64054
144 N HARDY AVE	SIMPSON TERRENCE F & KAREN E TRUSTEE	144 N HARDY AVE	INDEPENDENCE	MO	64053
145 N HARDY AVE	TURNER JOHNNY RAY & KAREN D	145 N HARDY AVE	INDEPENDENCE	MO	64053
200 N HARDY AVE	MARTEN COLLEEN A & WILLIAM O	812 W 31ST ST	INDEPENDENCE	MO	64055
200 N WILLOW AVE	BRINK DONALD B	200 N WILLOW AVE	INDEPENDENCE	MO	64053
204 N WILLOW AVE	COOPER RUTH	206 N WILLOW AVE	SUGAR CREEK	MO	64053
205 N HARDY AVE	SHAW NICHOLAS ALEXANDER & CAITLIN KATHLEEN	205 N HARDY AVE	INDEPENDENCE	MO	64053
206 N HARDY AVE	MORRISON RAYMOND E & SHERRI L	206 S HARDY AVE	INDEPENDENCE	MO	64053
208 N WILLOW AVE	SMALLWOOD ROBERT D III & JENNIFER R	208 N WILLOW AVE	SUGAR CREEK	MO	64053
209 N HARDY AVE	BOOKER KENNETH K	209 N HARDY AVE	INDEPENDENCE	MO	64053
210 N HARDY AVE	FLORES SHELLY	210 N HARDY AVE	INDEPENDENCE	MO	64053
210 N WILLOW AVE	SIMPSON DAVID A & DUONG MAI Q	210 N WILLOW AVE	SUGAR CREEK	MO	64053
214 N HARDY AVE	ENGEL BRITTON & HALIE	214 N HARDY AVE	INDEPENDENCE	MO	64053
215 N HARDY AVE	WEBER LARRY & DEBORA	215 N HARDY AVE	INDEPENDENCE	MO	64053

Notification Area

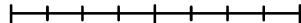
201 N Hardy Ave

Case #25-400-12



Legend

-  Notification Area
-  Parcels
-  City Limits

0 50 100 200 US Feet


Prepared For: Planning Commission
Meeting Date: September 9, 2025



Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 25-400-12

I, Miranda Rice, 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 20th day of August, 2025.

Miranda F Rice

Signature of Agent, Owner or Attorney

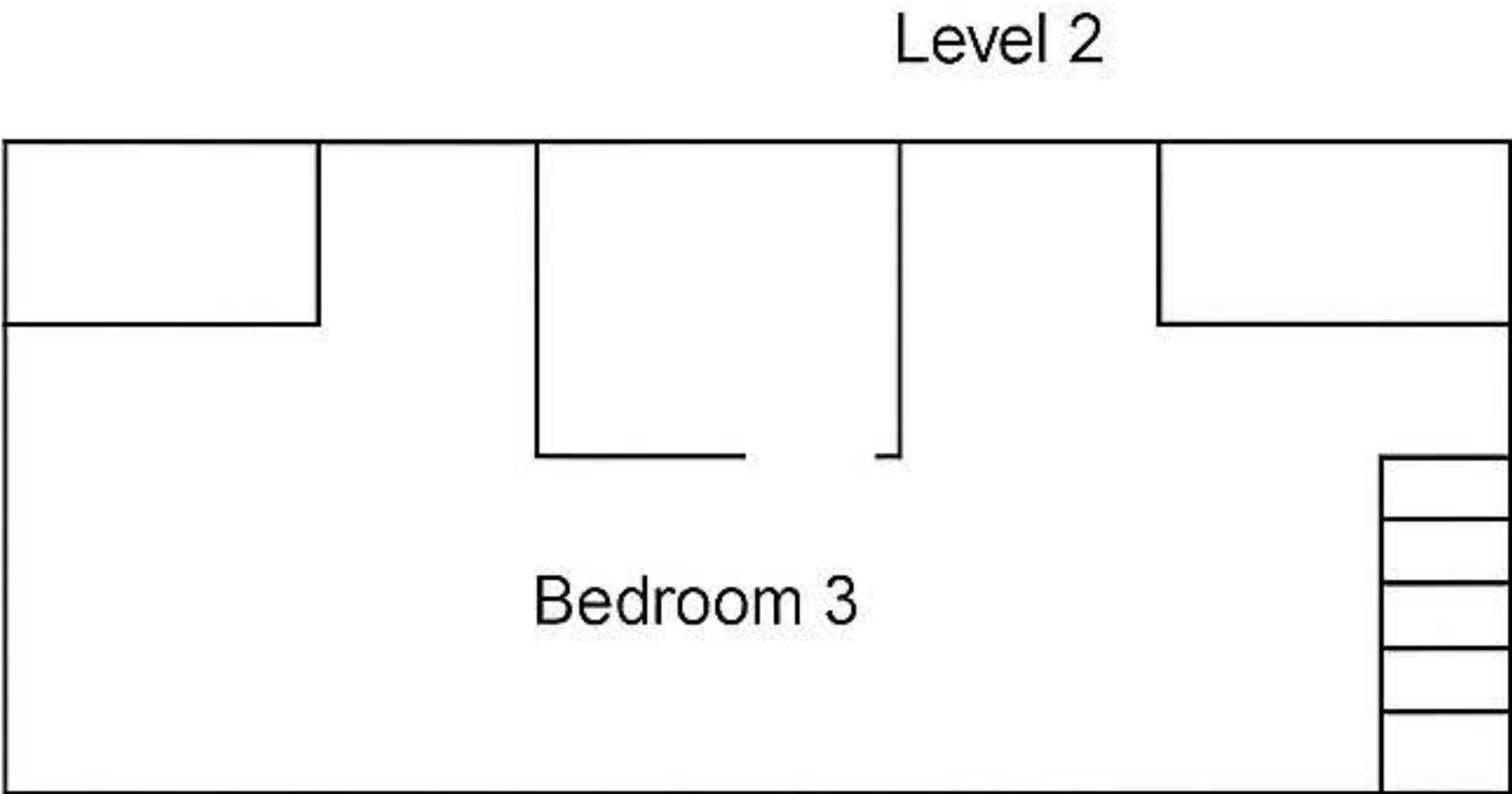
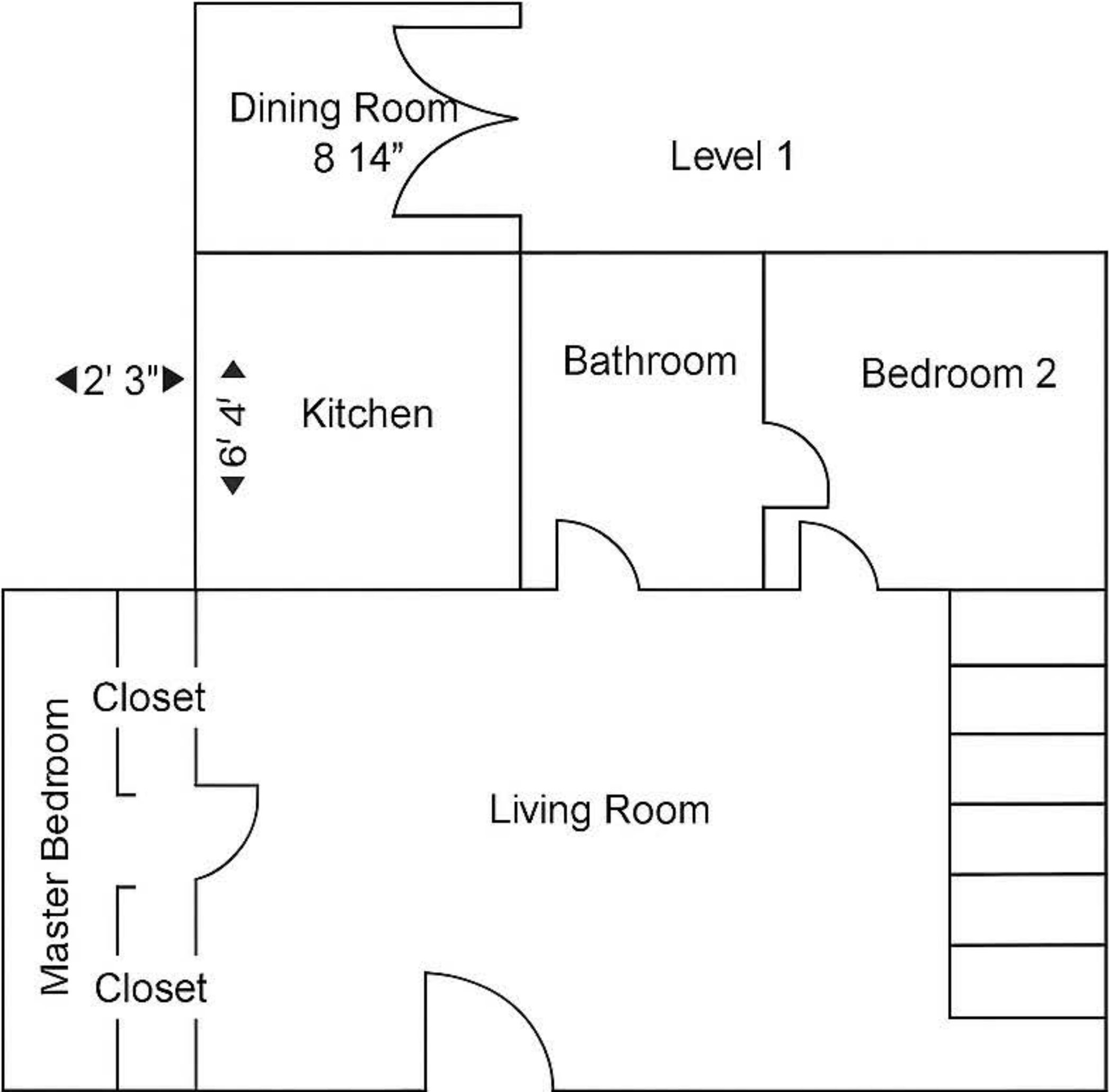
Subscribed and sworn to before me this 20 day of August, 2025.

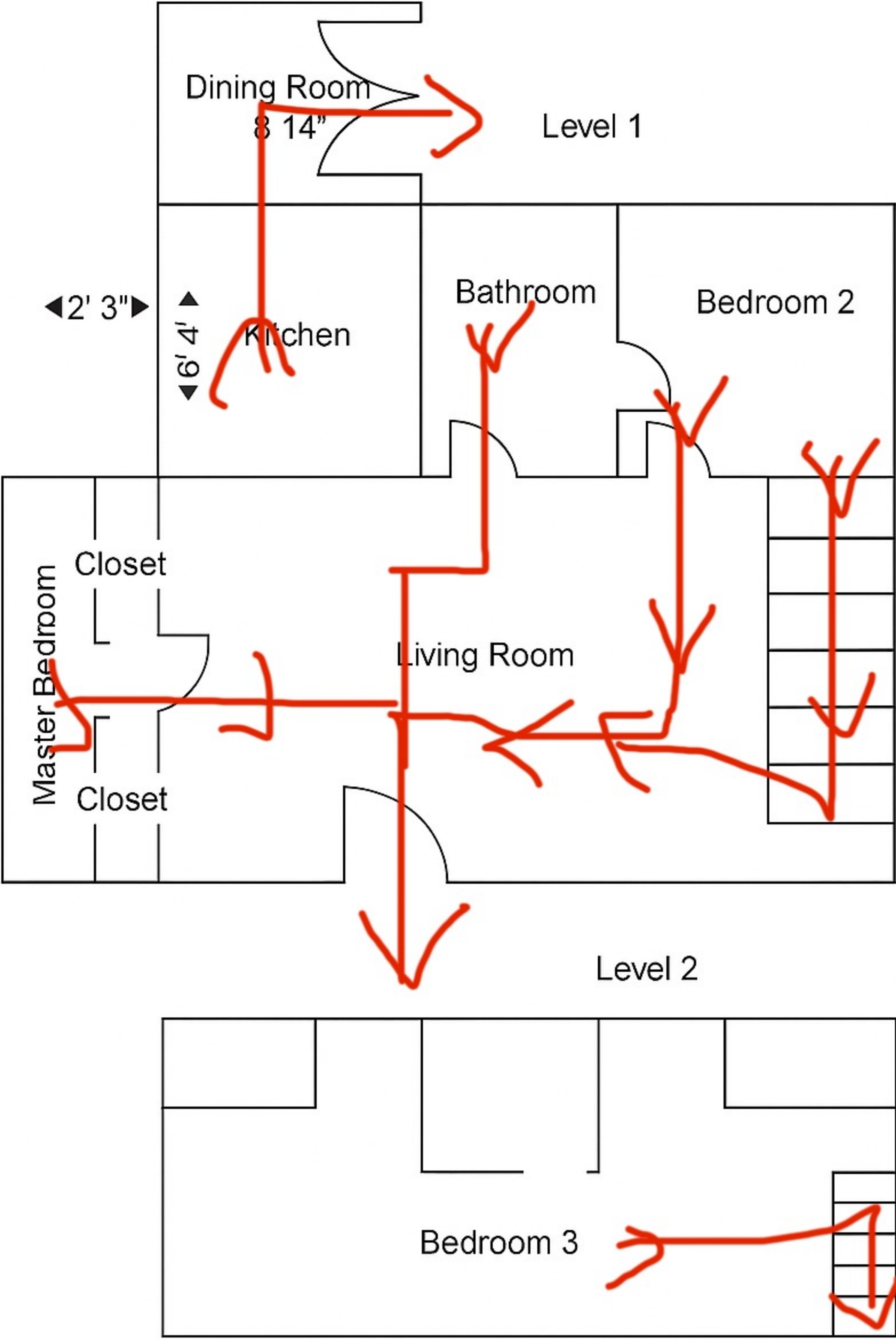
Jodi R Baker
Notary Public

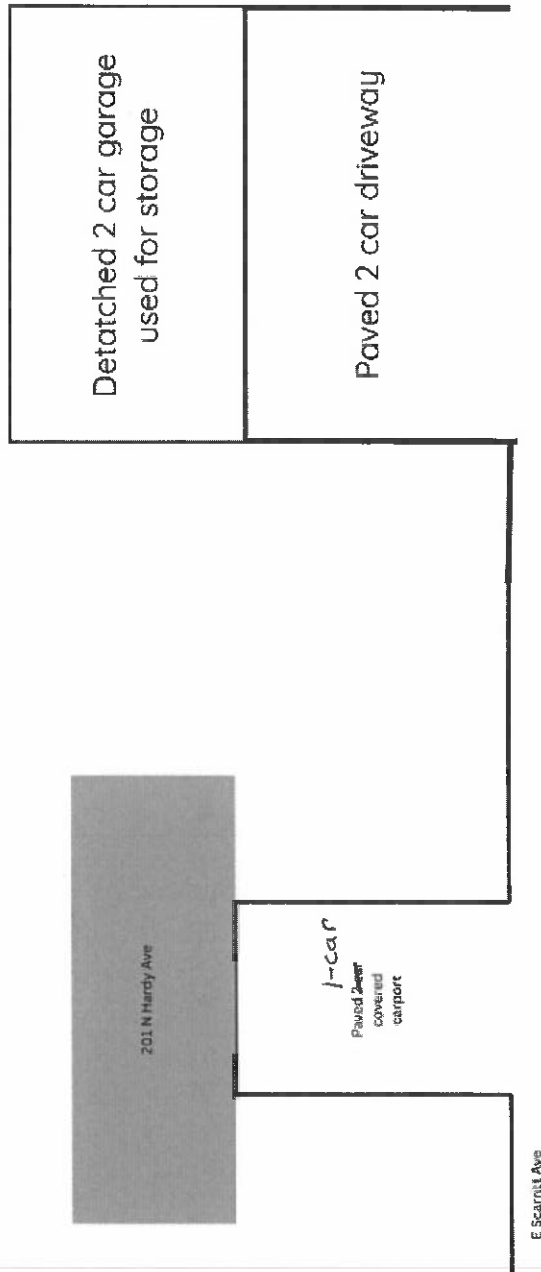
March 6, 2028

Commission Expiration Date

JODI R BAKER
Notary Public - Notary Seal
State of Missouri
Commissioned for Jackson County
My Commission Expires: March 06, 2028
Commission Number: 24757914







Zoning Map

201 N Hardy Ave

Case #25-400-12



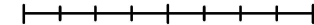
Legend

 Parcels

 City Limits

Zoning District

 R-12

0 50 100 200 US Feet


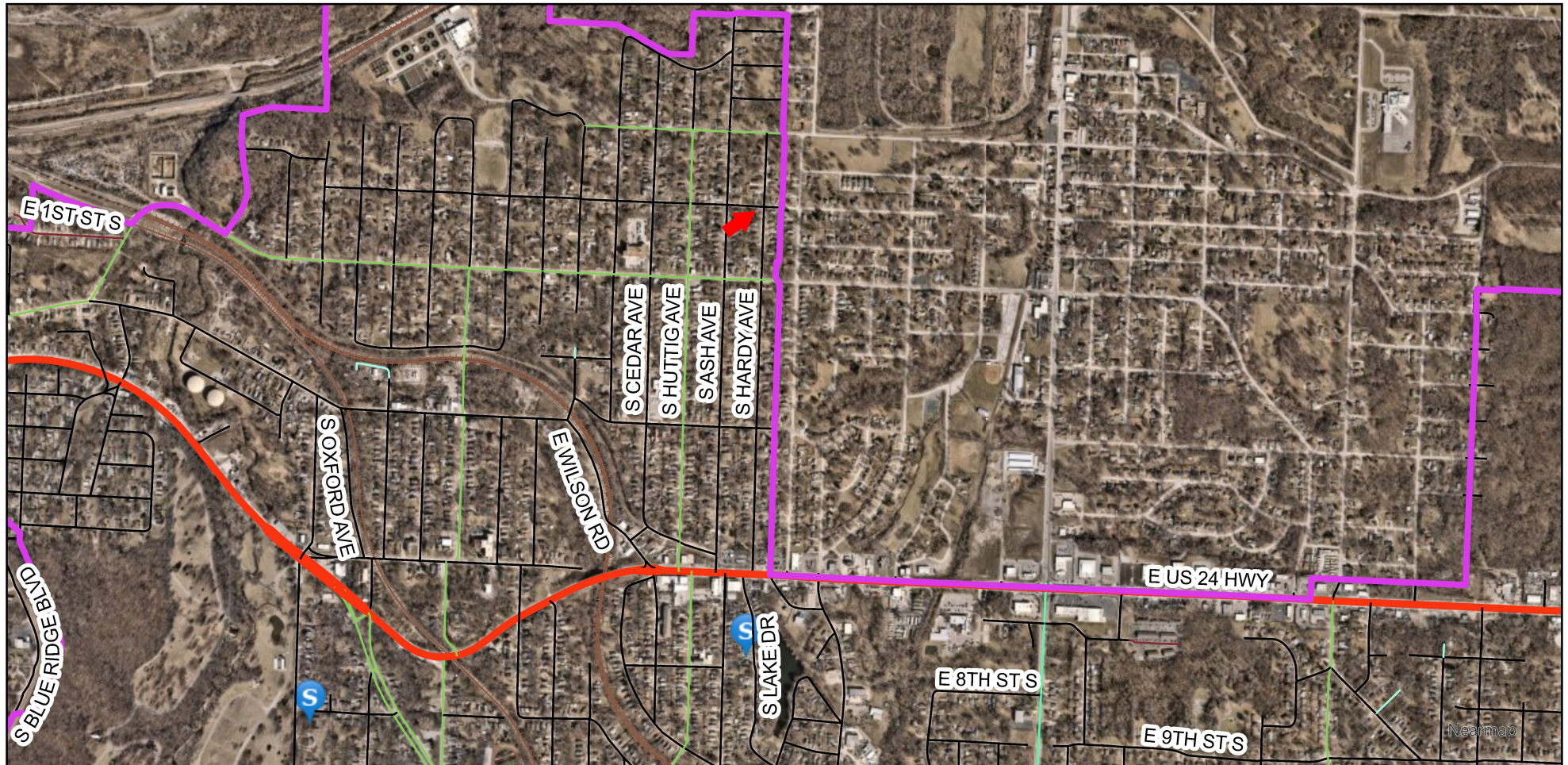
Prepared For: Planning Commission
Meeting Date: September 9, 2025



Nearest Short Term Rental

201 N Hardy Ave

Case #25-400-12



Legend

-  City Limits
-  Short Term Rentals
-  Subject Site

0 1,250 2,500 5,000 US Feet

Prepared For: Planning Commission
 Meeting Date: September 9, 2025



MEETING DATE: September 9, 2025,

STAFF: Tom Scannell, Community Development Director

PROJECT NAME: UDO Amendment #76

CASE NUMBER / REQUEST: Case 25-175-05 – UDO Amendment #76 – Community Garden – A request to amend the Unified Development Ordinance relating to Community Gardens.

APPLICANT: City of Independence

PUBLIC NOTICE:

- Public notice published in Independence Examiner – August 23, 2025

FURTHER ACTION:

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on October 6, 2025 and the public hearing/second reading on October 20, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

The City proposes Amendment #76 to the Unified Development Ordinance (UDO) to amend the Community Garden regulations.

BACKGROUND & HISTORY:

In March 2011, the City Council amended the UDO to include regulations pertaining to Community Gardens. These regulations were developed in cooperation with neighborhood groups and the City's Health Department to address access to food, community beautification, enhancing a sense of community as well as increasing educational opportunities.

The current regulations allow the storage of tools and equipment in a storage building. The proposed amendment would allow other activities associated with the community garden to take place such as community building and educational activities.

This amendment is in keeping with the original intent of the Community Garden regulations. It is worth noting that safeguards (i.e., minimum building setbacks, maximum size, etc.) are still in place to mitigate any potential negative effects.

EXHIBITS

1. Section 14-417 Community Garden

14-417 COMMUNITY GARDEN

14-417-01 Applicability

The standards of this section apply to community gardens.

14-417-02 Sales

Retail sales shall be prohibited on the community garden site, except for the sale of produce grown in the community garden.

14-417-03 Structures

Structures utilized for the storage of gardening materials and other activities associated with the community garden shall be permitted. All structures shall be set back a minimum of five feet from any interior side and rear property line. All structures shall be set back from an exterior property line equal to the street setback for that zoning district. The combined area of all structures shall not exceed 15 percent of the community garden site lot area.

14-417-04 Storage

All chemicals and fuels shall be stored in an enclosed, locked structure when the site is unattended.

14-417-05 Reside

Community garden group members shall not reside on the community garden site.

14-417-06 Hours of operation

Hours of operation shall be restricted to between dawn to dusk. Community gardens shall adhere to the noise standards of the Independence City Code.

14-417-07 Parking

No parking shall be required for community gardens on lots located on streets where on-street parking is permitted. For community gardens on lots located on streets where on-street parking is not permitted on either side of the street, a minimum of one on-site parking space shall be provided for every 15,000 square feet of lot area. All off-street parking areas shall comply with the construction specifications in the Design and Construction Manual of the City Code.

14-417-08 Setbacks

Cultivated areas shall not encroach onto adjacent properties. All cultivated areas shall be set back a minimum of three feet from the property line.

14-417-09 Signs

One permanent sign shall be permitted. Such sign shall be limited to four square feet in area per side and not exceed four feet in height.

14-417-10 Run off

The site shall be designed and maintained so that chemicals and water will not drain onto adjacent property.

14-417-11 Composting

Compost shall be permitted in appropriate composting containers. All containers shall be set back a minimum of five feet from any interior side and rear property line.

14-417-12 Fencing

A fence may be constructed up to the property line. Fences shall consist of black vinyl-coated chainlink and shall not exceed ~~four~~ six feet in height.

MEETING DATE: September 9, 2025,

STAFF: Tom Scannell, Community Development Director

PROJECT NAME: UDO Amendment #77

CASE NUMBER / REQUEST: **Case 25-175-06 – UDO Amendment #77 – ARTS District Electronic Message Signs** – A request to amend the Unified Development Ordinance to allow electronic message signs in the ARTS District.

APPLICANT: City of Independence

PUBLIC NOTICE:

- Public notice published in Independence Examiner – August 23, 2025

FURTHER ACTION:

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on October 6, 2025 and the public hearing/second reading on October 20, 2025.

RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

The City proposes Amendment #77 to the Unified Development Ordinance (UDO) to amend the ARTS District regulations to allow electronic message signs.

BACKGROUND & HISTORY:

In September 2010, the City Council amended the UDO to add the ARTS District to the UDO. In September 2011, the City Council approved Ordinance No. 17795 rezoning the area along Winner Road from Sterling to Ralston Avenue to ARTS District.

At the time of the 2010 UDO amendment, electronic message signs were prohibited in the ARTS District. In September 2021, the City of Independence amended the electronic message sign to modernize the regulations utilized by the city and represent the best practices of other communities and the sign industry.

The proposed amendment would allow electronic message signs in the ARTS District subject to approval by the Planning Commission of a special sign permit and subject the electronic message sign to regulations of 14-504-14-H.

EXHIBITS

1. Section 14-910-03 ARTS District Electronic Message Sign

Chapter 14 - UNIFIED DEVELOPMENT ORDINANCE
 ARTICLE 9. - SPECIAL PURPOSE AND OVERLAY ZONING DISTRICTS
 14-910 ARTS, ARTS DISTRICT

14-910 ARTS, ARTS DISTRICT

14-910-03 Sign requirements

Signs are allowed in the ARTS district in accordance with Table 910-2 below:

Table 910-2						
Land Use	Sign Type	Max. Number	Max. Area	Max. Height	Type of Illumination	Additional Requirements
Permanent Signs						
Single Tenant Building/Multi-Tenant Building	A-Frame (Sandwich Board)	1	6 sq. ft.	5 ft	None, direct illuminated	No off-site advertising is permitted. Sign shall be weighted to the ground
	Awning	1	18 sq. ft.	N/A	None or direct illuminated	
	Projecting	1	40 sq. ft.	N/A	None, direct illuminated or neon	A minimum clearance of 8 feet from finished grade to bottom of sign. Top edge of sign shall not exceed the height of the wall from which it projects. The sign shall not project more than 4 feet from building or 2 feet from curb, whichever is less.
	Wall	1	10% of tenant lease space	N/A	None, direct illuminated or neon	Sign shall not project more than 6 inches from facade. Raceways shall be painted to blend with the main building.
	Over Canopy/Under Canopy	1	50 sq. ft.	3 foot letters	None, direct illuminated or neon	A minimum clearance of 8 feet from finished grade to bottom of sign
	Window		20% of window surface area	N/A	None or neon	
District Identification Sign						
						Allowed pursuant to Sec. 14-910-03
Temporary Signs						

Chapter 14 - UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 9. - SPECIAL PURPOSE AND OVERLAY ZONING DISTRICTS
14-910 ARTS, ARTS DISTRICT

Single Tenant Building/Multi-Tenant Building	Banner	1 per business	32 sq. ft.	N/A	None	See Sec. 14-504-14-F
	Window		20% of window surface area	N/A	None	Maximum duration of 14 days per event. Maximum of 12 events per calendar year.

14-910-03-A.Alternative Signs. As an alternate to the sign requirements in Table 910-2, any property owner in the ARTS district can seek approval of any sign regulated by this section and Section 14-504-14-H in accordance with Section 14-904-06.

14-910-03-B.Prohibited Signs. The following signs are expressly prohibited:

~~1. Electronic message signs;~~

~~1. 2.~~ Portable signs;

~~2. 3.~~ Signs on trees and benches; and

~~3. 4.~~ Inflatable signs.

14-910-03-C.Signs as Art. Signs or murals used as art that meets the following criteria and can be shown to support the intent of this section are exempt from the sign requirements set forth within this section.

1. The sign is not used as advertisement;
2. The sign is structurally safe;
3. The sign meets all other applicable codes;
4. Signage should not block windows or entranceways, nor obstruct normal pedestrian circulation in and out of a building, or creating a "blind" spot for traffic or pedestrians; and
5. The signs must be in general good repair and fully functioning if the sign includes lights or animation.