



Planning Commission Minutes

January 13, 2026 6:00 PM

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

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 1/13/2026, in the 111 E Maple Avenue, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

1. **Planning Commission Minutes – November 18, 2025**

Motion

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

CASE TO BE CONTINUED - STAFF RECOMMENDS THIS CASE BE CONTINUED TO THE FEBRUARY 24, 2026 MEETING.

1. **Case 26-400-01 – Short-Term Rental – 12115 E. 47th Terrace S. – A request to**

operate a Short-Term Rental at the property.

Motion

Commissioner Edward Nesbitt made a motion to continue this case to February 24, 2026.

Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

OTHER BUSINESS

Motion

Commissioner Edward Nesbitt made a motion to move Case 25-400-15 before the Public Hearings. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

1. **Case 25-400-15 – Short-Term Rental – 14901 E. 40th Street S.** – A request to operate a Short-Term Rental at the property.

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 Street, stated she was speaking on behalf of herself and her husband, Timothy Mullins. Ms. Mullins said they have made a significant investment in the home and reviewed all applicable City rules and regulations prior to initially submitting an application to operate a short-term rental (STR). She stated they believe the property is well suited for use as an STR and noted the Planning Commission previously approved their application unanimously.

Ms. Mullins explained that a protest petition was submitted on the prior case, and when the matter was heard by City Council, neighbors later approached her stating they had been told the home would become a commercial “party house.” She emphasized that the City Council did not deny the application due to noncompliance with City regulations or due to safety concerns.

Commissioner Nesbitt asked whether the applicants currently reside in the home. Ms. Mullins stated that her family lives in the home and that during rental periods they would stay approximately five minutes away at her mother’s residence.

Public Comments

Renee Hughes, 14804 E. 40th Street S, stated the area is a family neighborhood and residents would like it to remain that way rather than allowing a short-term rental. She said the neighborhood already experiences parking congestion and expressed concern about intoxicated drivers on streets where many children live. Ms. Hughes also stated she has seen studies indicating property values may decrease when short-term rentals are introduced into an area.

Maureen Seskis, 15201 E. 41st Street, questioned the applicants' motivation for operating a short-term rental and stated she had been told it was because they could not afford their mortgage.

Jannette Miller, 14804 E. 40th Street, stated that those who signed the protest petition were not misled and read the language of the petition aloud. She said the petition cited concerns regarding parties and loud guests, parking issues, decreased property values, transient occupancy, and an increased potential for intoxicated drivers in the neighborhood. Ms. Miller stated she did not coerce anyone into signing the approximately 40 signatures submitted with the first application. She further stated that following the initial meeting, individuals who spoke in opposition were threatened by those in favor of the application.

Phobe Forbes, 14906 E. 41st Street, stated she agreed with the previous comments. She questioned the applicants' sincerity and said she does not believe they are acting as good neighbors. She expressed concern that the neighborhood would be turned into a commercial use and stated that fear has been created within the neighborhood. Ms. Forbes characterized the application as selfish and said it benefits only the applicants, not the neighborhood or the City. She reiterated that individuals who opposed the prior application were threatened and suggested that fewer people spoke in opposition due to fear.

In response to some of Ms. Forbes' comments, Mr. Glaser explained the required conditions for approval of a short-term rental and the factors staff considers when making a recommendation for approval or denial.

Anita Fuller, 14905 E. 40th Street S, stated the three-strike rule does not adequately protect neighbors and that one incident is too many. She said the applicants constructed a fence incorrectly and in violation of City code. She stated that instead of correcting the issue, uneven planks were installed that the applicant had intended to return. Ms. Fuller said the neighborhood is not a tourist destination and stated the application prioritizes the applicants' financial benefit over neighborhood concerns.

Ms. Mullins responded that the fence installation was intended to be a good-faith effort to be good neighbors. She stated letters were provided to neighbors prior to installation and that Ms. Fuller was asked which side of the fence she preferred. Ms. Mullins said the fence was installed as soon as possible and that staining has not yet occurred due to winter weather, with plans to complete it in the spring. She reiterated that the property would have 24-hour noise monitoring, guests would be screened to prevent party use, and all City requirements would be met.

Pam Ellis, 4002 S. Drumm Avenue, stated she shares a fence with the Mullins and spoke in favor of the application. Ms. Ellis acknowledged that issues are possible but stated they are not probable. She noted the applicants live in the home and would not want their personal residence damaged by parties. She stated this would be the first short-term rental in the neighborhood and that neighbors cannot assume outcomes based on experiences elsewhere. Ms. Ellis shared that she has stayed in short-term rentals and has had positive experiences and said she would welcome visitors to the neighborhood.

Harold Ellis, 4002 S. Drumm Avenue, stated Ms. Mullins has been a wonderful neighbor. He

said he would be more concerned about another long-term rental in the neighborhood than a short-term rental. He stated that property owners operating short-term rentals often maintain their homes well, which can increase property values. He also noted that with a maximum occupancy of six, he does not foresee party-related issues.

Shiela Holt, 14909 E. 40th Street, stated she lives two houses away from the Mullins and fully supports the application. She said the neighborhood does not experience traffic congestion and that parking is not an issue. Ms. Holt stated reports on property values are mixed and said she is not aware of any threats made toward those opposed. She asked the Commission to consider that many residents who received notification were comfortable with the proposal but did not realize they needed to attend the meeting to speak in favor.

Amy Weld, 14800 E. 40th Street, asked how guest screening would be conducted prior to rental. She stated that neighbors do not have control over who purchases property or occupies long-term rentals and similarly do not control short-term renters. Ms. Weld said the streets are not congested and stated that short-term rentals benefit not only the applicant but also the City through tax revenue.

Ms. Mullins added that Airbnb has strict no-party policies. She stated she plans to require identification that matches the form of payment, review renter ratings, and deny rentals when necessary. She reiterated that this is her personal home and that she does not want it damaged.

Commissioner Comments

In response to a question from Commissioner Nesbitt, Ms. Mullins stated they spoke with each neighbor about removing the existing chain-link fence prior to installing the privacy fence. Mr. Glaser stated staff could review the fence for compliance and notify Ms. Mullins if a violation exists. Ms. Mullins stated she would be willing to correct any violations identified.

In response to an additional question from Commissioner Nesbitt, Mr. Glaser explained that during the initial application, property owners within 185 feet submitted a protest petition, which required the application to be forwarded to City Council and approved by a supermajority vote. He stated the City Council vote was four in favor and four opposed, resulting in denial of the application.

Motion

Commissioner Ashbaugh made a motion to add a condition requiring the property to be in full compliance with Section 14-400-02 of the City Code related to fences, with the results to be reported back to the Planning Commission. Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 5, No 2, Abstained 0.

In response to Commissioner Young's question, Mr. Glaser reported that no valid protest petition had been filed for this application.

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

PUBLIC HEARINGS

1. **Case 26-100-01 – Rezoning – 724 and 726 N. Noland Road** - A request to rezone property from C-2 (General Commercial) 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. In response to Chairwoman Wiley's question, Mr. Glaser stated this is a corrective rezoning.

In response to Commissioner Nesbitt's question, Mr. Arroyo stated the street project is only in the design phase and the City wouldn't know if this property would be affected.

Applicant Comments

Matthew Brown, 2709 S. Maybrook, purchased this house while in the military and his intent is to fix up the property. Mr. Brown stated he was not aware of the CIP project planned.

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.

2. **Case 26-125-01 – Rezoning/PUD – 315, 317 and 319 S. Osage Street** - A request to rezone property from I-1 (Industrial) and C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approving a preliminary development plan.

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 Commissioner Nesbitt's question, Mr. Harker said he believes 315 is a duplex.

Applicant Comments

Roy Browne, 40 Oak Hill Cluster, stated he is the architect for the project and believes this is a corrective rezoning. Mr. Brown stated 317 is the building, but part of that extends into 315 and they have different zonings. He noted they'd like to cover some of the outside space to allow outside activities.

Adam Sheffield, 319 S Osage, described his ministry with property therapy.

Public Comments

No public comments.

Motion

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

ROUNDTABLE - NEXT MEETING JANUARY 27, 2026

ADJOURNMENT

The meeting was adjourned at 7:50 p.m.