

MINUTES  
INDEPENDENCE CITY PLANNING COMMISSION  
May 11, 2021

**MEMBERS PRESENT**

Cindy McClain, Chair  
Bill Preston, Vice-Chair  
Joe Weir  
Rick Dreher  
Virginia Ferguson  
Heather Wiley

**STAFF PRESENT**

Rick Arroyo – Assistant Community Development Director  
Jordan Ellena – Development Manager  
Brian Harker – Planner  
Mitch Langford – City Prosecutor

A meeting of the Independence City Planning Commission was held via GoToMeeting, due to the City of Independence State of Emergency, at 6:00 p.m. on May 11, 2021. The meeting was called to order.

**CONTINUED PUBLIC HEARING**

**Case #21-100-04 – Rezoning – 9304 E. US 40 Highway**

**Case #21-200-01 – Special Use Permit – 9304 E. US 40 Highway**

**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 outlined three conditions to the Special Use Permit, including: provide a solid wood screen for cars awaiting repair, provide a landscaped, solid fence line for the adjacent residential buffer and to provide a detailed parking/screening/site plan.

In response to Commissioner Weir's question, Mr. Harker stated the applicant provided an affidavit and list of property owners that were notified of these proposed changes.

In response to Commissioner Preston's question, Mr. Harker stated the current sign is not permitted and was not reviewed by the City. He noted the sign should be removed. Commissioner Preston stated he is concerned about the incomplete fence. He stated he's not sure about approving an application with code violations.

Chairwoman McClain asked if C-2 zoning is sufficient for light auto repair and Mr. Harker confirmed it is allowed and they are currently licensed for light auto repair.

Commissioner Preston stated he cannot seriously consider this application without a site plan. Commissioner Wiley and Commissioner Dreher stated they both agree that without a site plan, they don't believe they can consider this application at this time.

Jordan Ellena stated it is a condition of approval, that they provide a site plan to staff.

Commissioner Dreher asked if the City Council could put a cap on the number of used car lots. Mr. Ellena stated staff is unsure of where the City Council would stand on the issue but that the Planning Commission could direct staff to write such an amendment if they wished.

#### **Applicant Comments**

Cortland Thurman, with Midwest Kustoms Automotive, 1118 Queens Place, Kansas City, MO, stated they run an auto group and body work repair shop. He stated he doesn't consider fender replacement as a heavy auto repair use. Mr. Thurman stated the fence was started last year and they stopped because of the weather. He said the front lot will feature the cars for sale.

In response to Commissioner Preston's question, Mr. Thurman stated they have been in the facility for a while, but they did not open for business until this year. He noted they use water-based paints and do not use solvents.

While looking at pictures of the current lot condition, Commissioner Wiley asked if there are always that many cars on the lot. Mr. Thurman stated they've been working to move some of those cars to a different lot. He noted the cars in the pictures were repaired vehicles and not vehicles for sale.

In response to Commissioner Weir's question, Mr. Thurman stated they do have a dealer's license at a different location. Mr. Thurman confirmed the only business open right now is for light mechanical repair.

Mr. Thurman stated he has no issue with the conditions as stated by staff. He said he does have a plan for the lot and can provide that to staff.

In response to Chairwoman McClain's question, Mr. Thurman stated this is the first time he's ever applied for something like this. He said he turned in a complete application as required and wasn't aware he needed a site plan.

Commissioner Weir stated he is concerned about approving another used car lot on a major corridor in the City.

#### **Public Comments**

No public comments.

Mr. Thurman stated he would like to withdraw his applications at this time and will work with staff to reapply at a future time with a site plan.

### **PUBLIC HEARING**

#### **Case #21-810-02 – Preliminary Development Plan – 2901-2925 S. Harvard Avenue**

##### **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 outlined several conditions including:

##### **Applicant Comments**

Rob Clifton, 36 N Street, Lake Lotawana, MO, stated he's been building houses for 25 years. He stated they designed some nice town homes with quality materials. He stated they will put

together a landscaping plan. Mr. Clifton said they can include trees along Sterling to help with screening. He stated he would like to use four-foot stone on the front for economic reasons.

Commissioner Weir asked if they're building these with basements or on pads. Mr. Clifton stated each will be on a slab and each building will be sold separately.

In response to Commissioner Weir's question, Mr. Clifton stated they study the grade of the area and will raise some of the slabs to account for the water that will run downhill.

Robert Walquist, 1201 Nottingham, Greenwood, MO, stated he first made this design years ago. Mr. Walquist stated detention is already there, it's just overgrown. He said they will test the capacity before moving forward. Mr. Walquist stated Sterling has curb and gutter which helps prevent the water coming down the hill.

In response to Commissioner Preston's question, Mr. Walquist stated he knows the senior housing nearby has a storm shelter, but a storm shelter for this project is not part of the plan for economic reasons.

#### **Public Comments**

No public comments.

#### **Motion**

Commissioner Preston made a motion to approve Case #21-810-02 – Preliminary Development Plan – 2901-2925 S. Harvard Avenue, including the recommendations from staff. Commissioner Wiley seconded the motion. The motion passed with six affirmative votes.

#### **APPROVAL OF MINUTES**

The minutes of the April 13, 2021 Planning Commission meetings were approved as presented.

#### **ADJOURNMENT**

*The meeting was adjourned at 7:31 p.m.*