

MINUTES
INDEPENDENCE CITY PLANNING COMMISSION
January 24, 2023

MEMBERS PRESENT

*Cindy McClain, Chair
Bill Preston, Vice-Chair
Heather Wiley
Butch Nesbitt
Laurie Dean Wiley

STAFF PRESENT

Rick Arroyo – Assistant Director
Stuart Borders – Senior Planner
Brian Harker – Planner
Rich Wood – Assistant City Attorney

*Chairwoman McClain attended virtually via Microsoft Teams.

A meeting of the Independence City Planning Commission was held at 6:00 p.m. on January 24, 2023, in the Independence City Hall Council Chambers, 111 E. Maple Ave. The meeting was called to order.

CONSENT AGENDA

1. Planning Commission Minutes – January 10, 2023

Motion

Commissioner Nesbitt made a motion to approve the Consent Agenda. Commissioner H. Wiley seconded the motion. The motion passed with five affirmative votes.

PUBLIC HEARINGS

Continued Case 22-100-22 – Rezoning/Preliminary Development Plan – 420 S. Main Street

Staff Presentation

Brian Harker presented the case and noted updated from when the case was first heard before the Planning Commission on December 13, 2022. 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 noted staff recommends approval of this Rezoning/Preliminary Development Plan with the following conditions:

1. The development shall be in accordance with the Preliminary Development Plan dated January 5, 2023; and,
2. That the applicant obtains all appropriate building permits required by City Code.

In response to Vice-Chair Preston's question, Assistant City Attorney Rich Wood stated that the Review Criteria states that the plan has to be consistent with the PUD standards in Section 14-902. Within that City Code, it states that the plan has to be conveniently, efficiently and economically served by existing and planned utilities and services. Mr. Wood stated utilities are something the Planning Commission can take into account when rendering their recommendation.

Applicant Comments

Montague Nordeen, 509 NW Fairway Drive, Blue Springs, stated he's under contract to purchase the property, which has been sitting vacant for some time. He reviewed their plans and noted there will be a new six-foot opaque fence to help screen the property from the commercial, industrial, and single-family residential properties nearby. Mr. Nordeen reviewed the landscape and parking lot plan. He said they will have a nice trash enclosure and they've added a barbeque picnic area.

Jim Gamble, 3500 S. Mize Ridge Court, stated he is the architect for this project. He showed the commission a rendering and reviewed the project. Mr. Gamble noted all new windows will be installed, the guardrail on the front is not up to code, so it will come down a new one installed.

Vice-Chair Preston asked Mr. Gamble to talk about the utilities. Mr. Gamble stated there are already 13 meters in the back and the electricity use should be similar to the office use that was previously there. He said the water and sewage lines should be big enough to handle the new residential use.

In response to Commissioner Nesbitt's question, Mr. Harker stated the number of handicapped parking spaces is determined by the total number of parking spaces. Mr. Gamble noted they have exceeded the number of parking spaces required for the project.

Public Comments

No public comments.

Commissioner Comments

Commissioner H. Wiley stated she likes the rendering and believes this will be a great project for the area.

Commissioner L. Wiley said she appreciated that the applicant listened to the items the Planning Commission wanted to see before making a recommendation on this project. She stated she is also excited for this project.

Chairwoman McClain stated this updated plan has exceeded her expectations and she's glad this project will be moving forward.

Motion

Commissioner Nesbitt made a motion to approve Case 22-100-22 – Rezoning/Preliminary Development Plan – 420 S. Main Street, with recommendations and outlined by staff.

Commissioner H. Wiley seconded the motion. The motion passed with five affirmative votes.

Case 23-100-02 – Rezoning – 308 and 312 S. Liberty Street

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

Lynn Papenbrook, stated she is representing Adrienne Hill who lives in Colorado. She stated she is the real estate agent attempting to sell one of the properties. She said buyers have been unable to secure a mortgage because of the industrial zoning for the single-family home. Ms.

Papenbrook noted the underwriters won't sign off because if the property were to burn down, a single-family home could not be re-built on the property.

Public Comments

No public comments.

Motion

Commissioner H. Wiley made a motion to approve Case 23-100-02 – Rezoning – 308 and 312 S. Liberty Street. Commissioner Nesbitt seconded the motion. The motion passed with five affirmative votes.

Case 23-100-03 – Rezoning – 3300 S. Blue Ridge Cut-Off

Case 23-200-01 – Special Use Permit – 3300 S. Blue Ridge Cut-Off, Unit B/C

Staff Presentation

Stuart Borders noted there was no applicant present for Cases 23-100-03 and 23-200-01.

Public Comments

Wes Epperson, 3600 Poplar Avenue, stated he's concerned because he only knew about this proposed case because of the ad in the Examiner. He stated the sign on the property was on the ground and he provided staff the sign that he picked up. He said he's concerned neighbors did not know about this proposed case.

Mr. Borders stated he had put two signs up, one for each case on the property. He said signs are sometimes knocked over or the wind will pick them up. Mr. Borders stated they do put up new signs if they're aware they come down. He noted the signs are not a requirement by state law. Mr. Borders said that the owner did provide an affidavit stating they mailed letters to those properties within 185 feet and the City did notice the proposal in the Examiner as required by law.

Motion

Commissioner Nesbitt made a motion to continue Case 23-100-03 – Rezoning – 3300 S. Blue Ridge Cut-Off, to the February 14, 2023, Planning Commission meeting. Commissioner H. Wiley seconded the motion. The motion passed with five affirmative votes.

Commissioner Nesbitt made a motion to continue Case 23-200-01 – Special Use Permit – 3300 S. Blue Ridge Cut-Off, Unit B/C, to the February 14, 2023, Planning Commission meeting. Commissioner H. Wiley seconded the motion. The motion passed with five affirmative votes.

Case 23-175-01 – UDO Amendment #55 – Group Living Facilities

Staff Presentation

Rick Arroyo stated a major concern for officials and staff has been the population of those in our community without shelter. Independence has not been alone in this endeavor to find solutions; staff has found several of our neighboring communities to either have passed new ordinances or are considering code changes to address the unhoused population. The City has already seen multiple homeless camps arise in various parts of our community and we have seen homelessness place further strain on emergency services that were fully tasked with the COVID-19 pandemic.

Mr. Arroyo stated staff feels it is critical to review our current code related to Group Living Facilities and provide clear standards when providing shelter and resources to those who may be

chronically or temporarily homeless. He noted staff researched best practices from communities around the region and around the country, which have been incorporated into this change. Mr. Arroyo noted several of the changes including the requirement to have an operational plan in place, there would be a maximum of 30 people, a Special Use Permit would be required, and they'd have to be within a half mile of public transportation.

In response to Commissioner L. Wiley's question, Mr. Arroyo stated there is no required distance between a homeless shelter and a school. He noted transitional housing and domestic violence shelters could not be within 500 feet of a school.

Public Comments

No public comments.

Commissioner Comments

Commissioner H. Wiley thanked City staff for bringing these changes forward as they're needed.

Commissioner L. Wiley asked if there's anything in the proposed City Code that would restrict an all-male homeless shelter. Mr. Arroyo said there are no provisions in this proposal that would dictate the type of homeless allowed. He advised that information would be in their operational plan. Commissioner L. Wiley also thanked City staff for bringing these changes forward.

In response to Commissioner Nesbitt's question, Mr. Arroyo confirmed if there were issues, Code Enforcement staff would handle any violations of this code. Mr. Arroyo said the current shelters would not be required to obtain a Special Use Permit.

Motion

Commissioner Nesbitt made a motion to approve Case 23-175-01 – UDO Amendment #55 – Group Living Facilities. Commissioner H. Wiley seconded the motion. The motion passed with five affirmative votes.

ADJOURNMENT

The meeting was adjourned at 7:16 p.m.