



A GREAT AMERICAN STORY

Planning Commission Agenda

May 14, 2024

6:00 PM, City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

City Code Chapter 14 and the staff reports are entered into the record.

I. CALL TO ORDER

II. ROLL CALL

III. 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.

- A. Planning Commission Minutes – April 23, 2024

IV. CASES TO BE CONTINUED

- A. **The applicant requests this case be continued to the June 25, 2024 meeting.**
Continued Case 24-200-04 – Special Use Permit – 801 W. 23rd Street – A request by Unity Center of Independence to operate a group home.
- B. **The applicant requests this case be continued to the July 9, 2024 meeting.**
Case 24-200-05 – Special Use Permit – 4503 S. Crysler Avenue – A request by Suita Diaz-Dawson to operate a Bed & Breakfast.

V. PUBLIC HEARING

- A. Case 24-125-03 – Rezoning/PUD – C-2 to R-30/PUD – 304 S. Liberty Street – A request by SB Equity Management, LLC, to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approve a Preliminary Development Plan.

VI. OTHER

- A. Case 24-400-07 – Short Term Rental – 9913 N. Linwood Ave. – A request by Brian Critchfield for a Short-Term Rental.

VII. ROUNDTABLE – Next meeting June 11, 2024

VIII. ADJOURNMENT

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Planning Commission Minutes – April 23, 2024

Department:

Contact Person:

REVIEWERS:

Planning Commission

Approved

Council Action:

Council Action:

ATTACHMENTS:

- ▣ Draft PC Minutes

MINUTES
INDEPENDENCE CITY PLANNING COMMISSION
April 23, 2024

MEMBERS PRESENT

Cindy McClain, Chair
Virginia Ferguson
Laurie Dean Wiley
Eric Ashbaugh
Dan O'Neill

STAFF PRESENT

Brian Harker – Senior Planner
Josh Garrett – Planner
Rick Arroyo – Assistant Director
Jeremy Cover – City Attorney

A meeting of the Independence City Planning Commission was held at 6:00 p.m. on April 23, 2024, in the Independence City Hall Council Chambers, 111 E. Maple Ave. The meeting was called to order.

CONSENT AGENDA

Planning Commission Minutes – April 9, 2024

Case 24-320-02 – Final Plat – Wader's Place – Replat A - 816 N. Powell Road

Motion

Commissioner O'Neill made a motion to approve the Consent Agenda. Commissioner Ferguson seconded the motion. The motion passed with five affirmative votes.

ROUNDTABLE

Chairwoman McClain presented former Planning Commissioner Heather Wiley with a plaque of appreciation. The Planning Commission thanked Commissioner H. Wiley for her service.

CASE TO BE CONTINUED

Case 24-200-04 – Special Use Permit – 801 W. 23rd Street

Motion

Commissioner Ashbaugh made a motion to continue Case 24-200-04 to the May 14, 2024 meeting. Commissioner Wiley seconded the motion. The motion passed with five affirmative votes.

OTHER BUSINESS

Jeremy Cover conducted training for the Planning Commissioners.

ADJOURNMENT

The meeting was adjourned at 7:24 p.m.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Case 24-125-03 – Rezoning/PUD – C-2 to R-30/PUD – 304 S. Liberty Street – A request by SB Equity Management, LLC, to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approve a Preliminary Development Plan.

Department:

Contact Person:

REVIEWERS:

Planning Commission

Approved

Council Action:

Council Action:

ATTACHMENTS:

- ▣ Staff Report
- ▣ Letter from Applicant
- ▣ Application
- ▣ Notification Letter
- ▣ Notification Information
- ▣ Notification Affidavit
- ▣ Site Plan
- ▣ Zoning Plat
- ▣ Comp Plan Map
- ▣ Zoning Map

MEETING DATE: May 14, 2024

STAFF: Brian L. Harker, Senior Planner

PROJECT NAME: 304 S. Liberty Street

CASE NUMBER/REQUEST: **Case 24-125-03 – Rezoning/PUD – 304 S. Liberty Street** – A request by SB Equity Management to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development) and approve a Preliminary Development Plan.

APPLICANT/OWNER: Shane Sparks -SB Equity Management, LLC

PROPERTY ADDRESS: 304 S. Liberty Street

SURROUNDING ZONING/LAND USES:

North:	C-2...office building
South:	R-6...single-family residence
East:	C-2...office building
West:	C-2...office building

PUBLIC NOTICE:

- Letters to adjoining property owners – April 9, 2024
- Public Notice published in The Kansas City Star – January 6, 2024
- Signs posted on property – April 26, 2024

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on May 14, 2024 and the public hearing/second reading on June 17, 2024.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning and the preliminary development plan with the following conditions:

1. The structure will be limited to three residential units (two on the ground floor and one on the second floor).
2. The basement will be used for storage and as a utility room without any living units.
3. Include detailed and refined elevations and floor plans with the Final Development Plan.
4. Given the lot coverage of the existing structure and paved spaces, the landscaping requirements listed in the UDO will not be required.
5. A cross-access easement must be obtained for the northern portion of driveway.
6. The applicant must apply for a building permit in 30 days and begin construction in 60 days of permit issuance or the dangerous building case will resume.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

A request by Shane Sparks with SB Equity Management to rezone the property from C-2 (General Commercial) to R-30/PUD (High Density Residential/Planned Unit Development).

Current Zoning:	C-2 (General Commercial)	Proposed Zoning:	R-30/PUD (High Density Residential/Planned Unit Development)
Current Use:	Vacant multiple-family structure	Proposed Use:	Tri-plex
Lot Size:	4,844-square feet	Building Square Foot:	2,275-square feet

BACKGROUND:

The applicant recently purchased 304 S. Liberty Street, a vacant and vandalized property. It was previously an apartment building, with two units upstairs and another on the lower level that also incorporated a commercial store front fronting Liberty Street. The applicant wants to down zone the property and eliminate the commercial aspect of the building and restore the multiple-family use.

The 59-foot by 76-foot lot contains a multiple-family residential building, which covers most of the lot, with a two driveways on its northside providing parking for four vehicles. The building itself contains over 4,550-square feet of space be divided into three living units: two on the ground floor with one large unit above. The two first-floor units will be accessed by one entry on the front and one from the rear interior hallway. The north unit will also have a north exterior door. A stairway leads up from that rear interior hallway to another doorway on the second floor. There currently is also an exterior entry for the second floor on southside. The basement will be accessible via a stairway from the rear hallway.

The structure, clad with siding, has covered brick porches for the first-floor units abutting the sidewalk. The first-floor units each have an office, bedroom, bathroom, living room and kitchen. The second-floor unit will have a pantry, kitchen, living room, two bathrooms and two bedrooms. The basement will be used for storage and as a utility room without any living units.

When the apartment building was constructed, it was a residential neighborhood. It is now in a neighborhood of primarily commercial uses with a remnant of two older single-family homes.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

This rezoning would allow the building to be re-occupied with three units. The reuse of this building could contribute to the Strategic Plan by allowing the property to continue in residential use.

Comprehensive Plan Guiding Principles:

The Comprehensive Plan designates this site for Mixed Uses. The proposed application can provide affordable living units options by preserving the mix of home types and density levels currently in the neighborhood.

Historic and Archeological Sites:

This property is not located within an historic district.

Public Utilities:

The structure has long been connected to all utility services.

REVIEW CRITERIA

Recommendations and decisions for proposed planned unit development rezoning and its accompanying preliminary development plan must be based on consideration of the criteria listed in Section 14-703-05-H:

1. **The consistency with the Comprehensive Plan.**
The City's Comprehensive Plan, with its Mixed Use, is inclusive of this residential use.
2. **The consistency with the PUD standards of Section 14-902, including the statement of purpose.**
This type of application is not expressly addressed in this section as its not new development, but it "ensures that development can be conveniently, efficiently and economically served by existing and planned utility services."
3. **The nature and extent of Common Open Space in the PUD.**
There is no open space provided with this application.
4. **The reliability of the proposals for maintenance and conservation of Common Open Space.**
There is no open space provided with this application, the applicant will own the entire property.
5. **The adequacy or inadequacy of the amount and function of Common Open Space in terms of the densities and dwelling types proposed in the plan.**
There is no open space provided with this application.
6. **The extent to which the proposed use will adversely affect the capacity of safety portions of the street network or present parking problems in the vicinity of the property. Whether adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation, and visual enjoyment.**
This rehabilitation project will not adversely affect traffic or the street network in the vicinity of the project.
7. **The extent to which the proposed use will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area.**
Other than usual impacts that come with the now vacant building being occupied, there is no substantial adverse impact on the neighborhood. However, rezoning as an R-30/PUD would allow reconstruction of a higher density structure.
8. **Whether potential adverse impacts have been mitigated to the maximum practical extent.**
No significant impacts are expected with this application.
9. **Whether the Preliminary Development Plan represents such a unique development proposal that it could not have accomplished through use of (non-PUD) conventional zoning regulations.**
The proposed use of a triplex would require a R-30/PUD due to the number of living units in the building in conjunction with the modest area of the property itself.

10. **The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.**

This project will continue to be under one ownership.

EXHIBITS

1. Narrative
2. Application
3. Notification Letter
4. Address List
5. Affidavit
6. Site Plan, Floor Plan and Elevations
7. Zoning Plat
8. Comp Plan Map
9. Zoning Map

Rezoning Narrative – 304 S. Liberty St. Parcel Independence, Missouri

Ladies and Gentlemen of the Commission,

Mr. Shane Sparks, owner of the development company, S. B. Equity management, LLC has recently purchased the 304 S. Liberty St. property and building that is currently vacant and vandalized. The property is one door south of a law office that is on the corner of Liberty Street and the Walnut Street ring road that circles the Independence Square. Currently the building on the property is in considerable disrepair. It was previously an apartment building with five apartments and also served a commercial function on the main level fronting Liberty Street. The desire of the owner/developer is to down-zone the property, eliminate the commercial aspect of the building, (rezoned as commercial property sometime in the past) and restore the land and building again to multifamily use — more specifically as Planned Unit Development R-30. This process, incidentally, follows the usually desirable step-zoning guideline function: moving from north to south, first is the commercial Independence Square Development, then Walnut Street, then the commercial law office on the southwest corner of Walnut and Liberty, then the subject multifamily project, then the two adjacent properties to the south on Liberty that have recently been rezoned back to single-family residences.

The new owner's intent is to take an existing vacant substandard and vandalized property and create a completely remodeled three-unit apartment complex that will be a pleasing addition on this parcel immediately south of the Historic Independence Square.

The project architect, Jim Gamble, and the Owner, Shane Sparks are available to answer any questions regarding the design of this PUD site plan.

Thank you.

Jim Gamble
The Gamble Company, Inc.
816-809-8748
100jwg@gmail.com

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
<input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> PUD Rezoning	<input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Final Site Plan <input type="checkbox"/> Preliminary Dev Plan <input type="checkbox"/> Final Dev Plan (PUD)	<input type="checkbox"/> Special Use <input type="checkbox"/> Homebased Business <input type="checkbox"/> Short-Term Rental	<input type="checkbox"/> Admin. Adjustment <input type="checkbox"/> Variance <input type="checkbox"/> Street Name Change <input type="checkbox"/> Special Sign Permit

Project Information and Location

Project Name: 304 S. Liberty Street, Independence, MO

Project Address/Location: 4,484 0.1029 A One No

Sq. Ft. of Building: C-2 Acreage: PUD R-1B 30 Number of Lots/Tracts: Commercial Steam Buffer (Yes or No): 5 Apartments

Existing Zoning: C-2 Proposed Zoning: PUD R-1B 30 Existing Land Use: Commercial Proposed Land Use: 5 Apartments

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

<input checked="" type="checkbox"/> Completed & Signed Application Form <input checked="" type="checkbox"/> Application Fee <input checked="" type="checkbox"/> Cover Letter Describing Details of Project	<input type="checkbox"/> One 24" x 36" set of plans for Land Sub. & Site Dev. <input type="checkbox"/> One PDF copy of a plat map or site plan <input type="checkbox"/> Legal Description of the property in question
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Contact Information

Applicant / owner: Shane Sparks - SB Equity Management, LLC

Name: Shane Sparks Company: SB Equity Management, LLC

Address: 521 N.E. Emerald Dr, Lee's Summit, MO 64064

Phone: 816.489.5005 Email: shane.sparks@liberty.com

Architect/Engineer/Surveyor/Other: Jim Gamble - The Gamble Co. Inc.

Name: Jim Gamble Company: The Gamble Co. Inc.

Address: 3500 S. Mize Ridge Court, Independence, MO 64057

Phone: 816.809.8748 Email: 100NW@gmail.com

The applicant hereby agrees that the information provided above is accurate.

Applicant's Signature: Shane Sparks Date: 3-5-24 Owner's Signature: [Signature] Date: 3-7-24

Architect's Signature: [Signature]

Appendix B - Property Owner Notification Letter

City of Independence, Missouri

Date: 3-18-24

Case No. 24-125-03

Dear Property Owner:

This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):

☐ Rezoning ☒ Rezoning/PUD

☐ Special Use Permit

☐ Preliminary Development Plan

Proposed project description: Down-zone a single lot from C-2 to PUD R-30.

Applicant: S. B. Equity Management, LLC

Location of Property: 304 S. Liberty St.

Planning Commission Meeting Date: May 14, 2024 at 6:00 p.m.

City Council Meeting Date: June 17, 2024 at 6:00 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

[Signature]
Applicant (or Owner/Agent)

For more information, contact the Community Development Department at 816-325-7421.

Owner Name	Address	City	State	Zip Code
A1 ZION REALTY LLC	PO BOX 317	INDEPENDENCE	MO	64051
ABEL ADRIENNE	2641 ELM ST	DENVER	CO	80207
BURNWORTH ANTHONY D & MICHELE L - TRS	1873 SW 1225TH RD	GARDEN CITY	MO	64747
EJC OFFICE BLDGLC	300 S LIBERTY ST	INDEPENDENCE	MO	64050
JACKSON COUNTY BRD OF SERVVS FOR THE DEV	8508 HILLCREST RD	KANSAS CITY	MO	64138
JACKSON COUNTY MISSOURI	415 E 12TH ST	KANSAS CITY	MO	64106
PHILLIPS MCELIGOTT EWAN & HALL	233 W WALNUT	INDEPENDENCE	MO	64050
SB EQUITY MANAGEMENT LLC	304 S LIBERTY ST APT 1	INDEPENDENCE	MO	64050
SHEFFIELD ADAM	519 S OSAGE	INDEPENDENCE	MO	64050
SKYCO LLC	PO BOX 317	INDEPENDENCE	MO	64051
THREE TRAILS LAW BUILDING	233 W WALNUT	INDEPENDENCE	MO	64050
VILLATORO ANDREA	1300 WINDSOR ST	INDEPENDENCE	MO	64055

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 24-125-03

I, Jim Example, 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 9 day of April, 2024.



Signature of Agent, Owner or Attorney

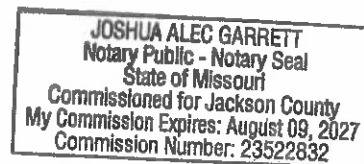
Subscribed and sworn to before me this 9 day of April, 2024.



Notary Public

August 9, 2027

Commission Expiration Date



Re-Construction 304 S. Liberty St. Independence, Missouri 64055

PROPERTY DESCRIPTION

Owner Name: - Shane Sparks
521 NE Emerald Dr. 64064
Lees Summit, Mo. -5005
Phone: 816-489-5005
shane.sparks.liberty.com

BUILDING DATA

OCCUPANCY TYPE: SINGLE FAMILY RESIDENCE
CONSTRUCTION TYPE: I B
NUMBER OF STORIES: ONE
BASEMENT FLOOR AREA: 1,130
FIRST FLOOR AREA: 1,770
SECOND FLOOR AREA: 1,293
TOTAL FLOOR AREA: 4,193

CODE DATA:

2018 INTERNATIONAL RESIDENTIAL CODE
2018 INTERNATIONAL FIRE CODE
2017 NATIONAL ELECTRICAL CODE
2018 INTERNATIONAL FUEL GAS CODE
2018 INTERNATIONAL PLUMBING CODE
2018 INTERNATIONAL MECHANICAL CODE

GENERAL NOTES:

ALL FRAMING LUMBER TO BE #2 OR BETTER
SOUTHERN YELLOW PINE OR DOUGLAS FIR
WINDOWS SHALL HAVE A MINIMUM U OF 0.35
STAR TREAD MIN. 10" DEPTH, RISER MAX. HT. 7"
EGRESS WINDOWS - MIN. 5 S.F. CLEAR

SHEET LEGEND

C-1 - COVER SHEET
A-1 - SITE PLAN
A-2 - BASEMENT FLOOR PLAN
A-3 - FIRST FLOOR PLAN
A-4 - SECOND FLOOR PLAN
A-5 - ELEVATIONS

ARCHITECT:

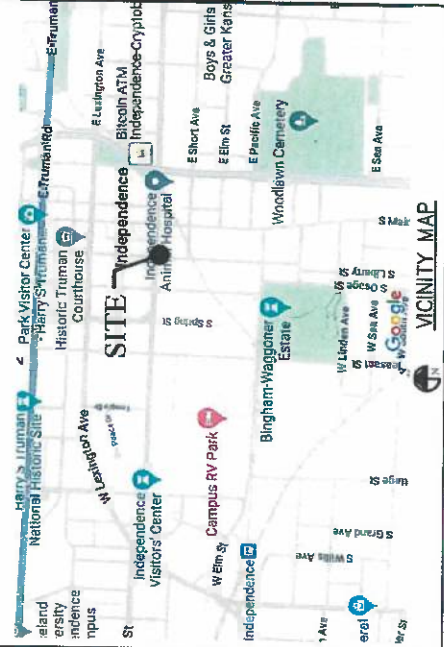
The Gamble Company, Inc.
3500 S. Mize Ridge Ct. 64057
Independence, Missouri
816-809-8748

Energy Ratings: Missouri Climate Zone 4 (Except Marine).

R Values
Attic Insulation R-48e
Cathedral Ceiling: R-30
Exterior walls (2x6) R-19

U Values
Exterior Doors--Tempered Glass U=0.30
Exterior Fiberglass Insulated Doors U=0.21
Exterior Insulated Garage Doors U=0.27
Exterior Double Pane Windows (Low E, Argon Gas) R=0.27

Shane Sparks
3-18-24



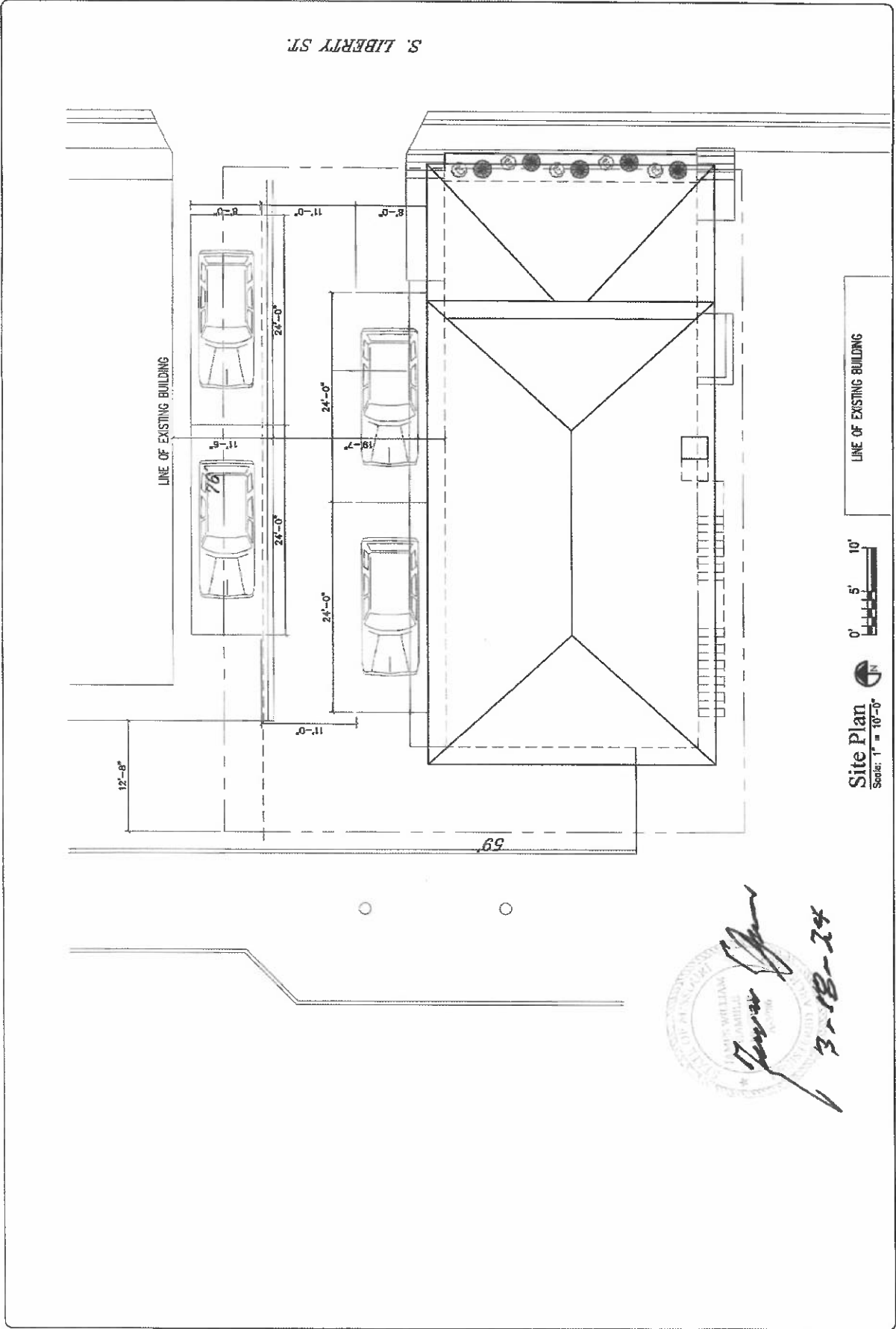
Drawn By: DP
Checked By: DP
Date Issued: 3/18/24
Dwg. Name:

Revisions:

Shane Sparks
521 NE Emerald Dr.
Lees Summit, Mo. 64064
Phone: 816-489-5005
email: shane.sparks.liberty.com

THE GAMBLE CO., INC.
Mo. License Identification Number A-3986
Phone: (816) 809-8748
Email: info@gambleco.com

Project No: -
Sheet No: C-1



Drawn By: JSP
 Checked By: JSP
 Date Issued: 2/17/22
 Dwg. Name:

Revisions
Δ
Δ
Δ
Δ

Shane Sparks
 521 N.E. Emerald Dr.
 Lees Summit, Mo. 64064
 Phone: 816-489-5005
 email: shane.sparks.liberty.com

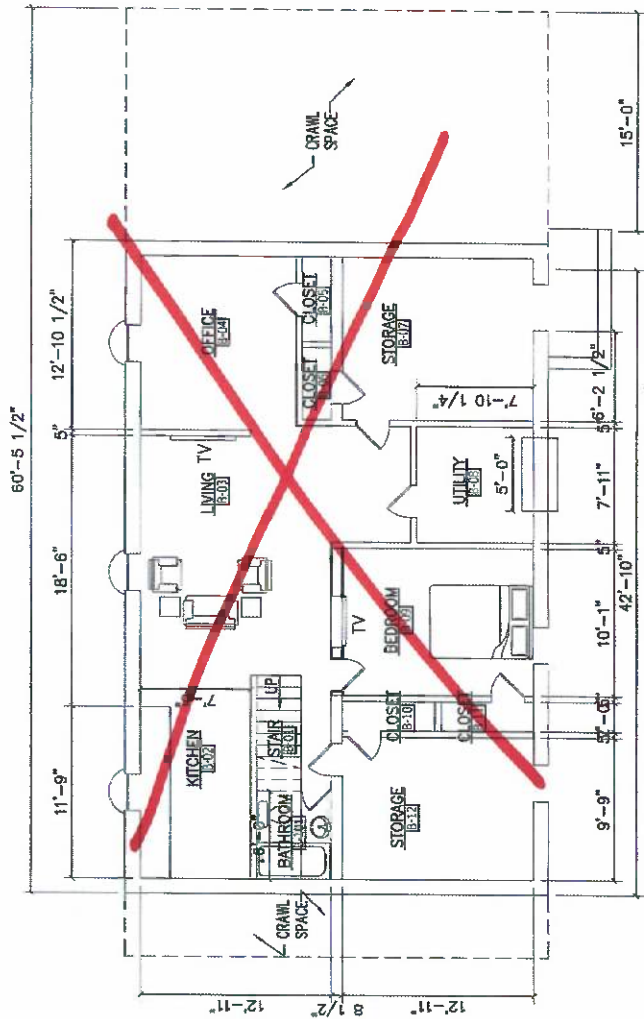
THE GAMBLE CO., INC.
 Mo. License Identification Number A-3986
 3500 S. Main Ridge Ct.
 Independence, Missouri 64057
 Phone: (816) 809-8748
 Email: tco@gambleco.com



Proj. No. -

Sheet No. A-2

Storage Only



Basement Floor Plan
 Scale: 1/8" = 1'-0"

Shane Sparks
 3-18-24

Drawn By: DP
 Checked By: JC
 Date Issued: 12/17/22
 Dwg. Name:

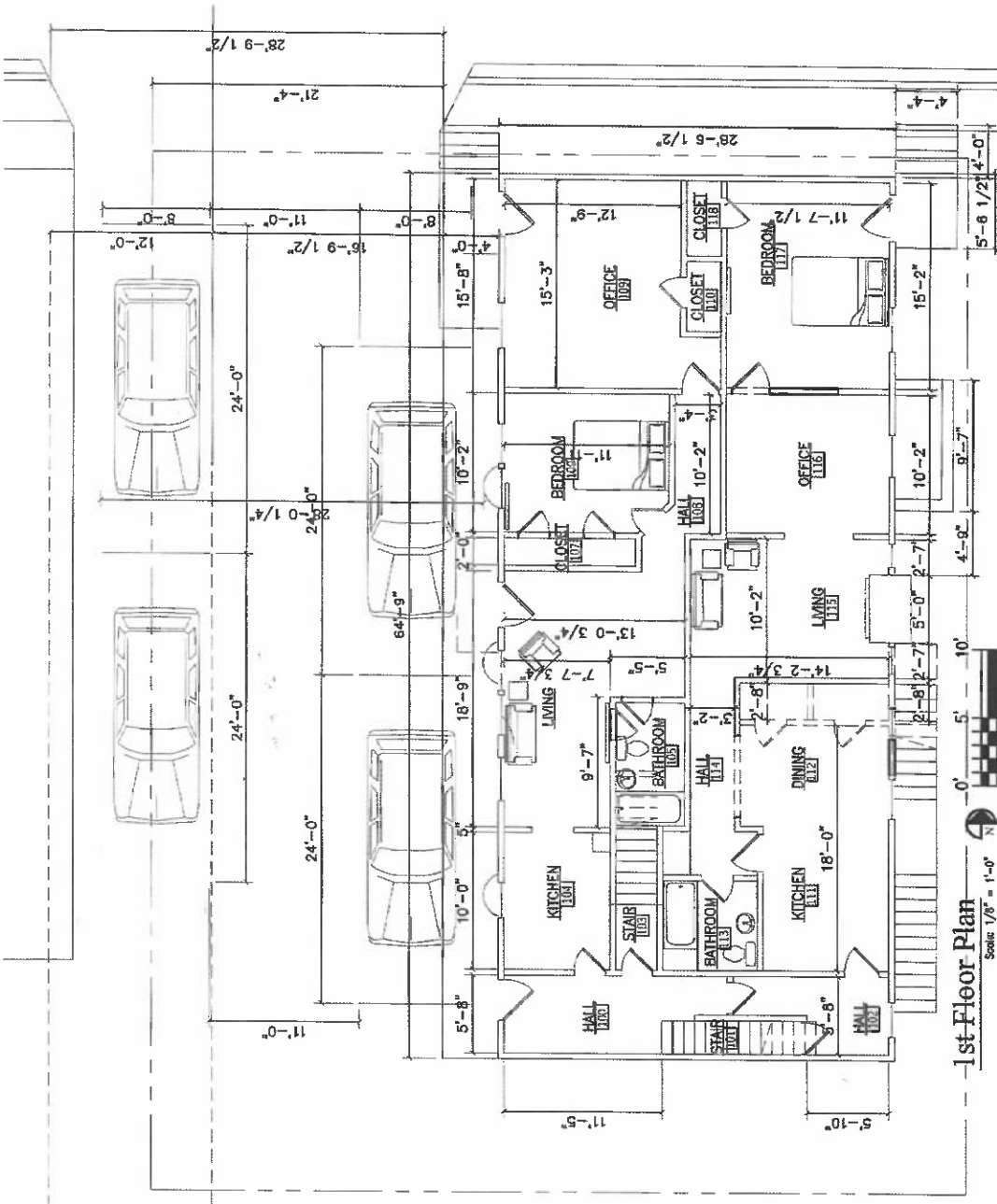
Revisions:
 1
 2
 3
 4
 5

Shane Sparks
 Lees Summit, Mo. 64064
 Phone: 816-489-5005
 email: shane.sparks.liberty.com

THE GAMBLE CO., INC.
 Mo. License Identification Number A-3986
 Project: (816) 608-8148
 Email: 1001@vgm.com
 3000 S. Mike Ridge Ct.
 Independence, Missouri 64057



Proj. No.:
 Sheet No. **A-3**



1st Floor Plan

Scale: 1/8" = 1'-0"

James Sparks
 8-18-24

Drawn By: DP
 Checked By: JS
 Date Issued: 9/17/21
 Dwg. Name: _____

Revisions:

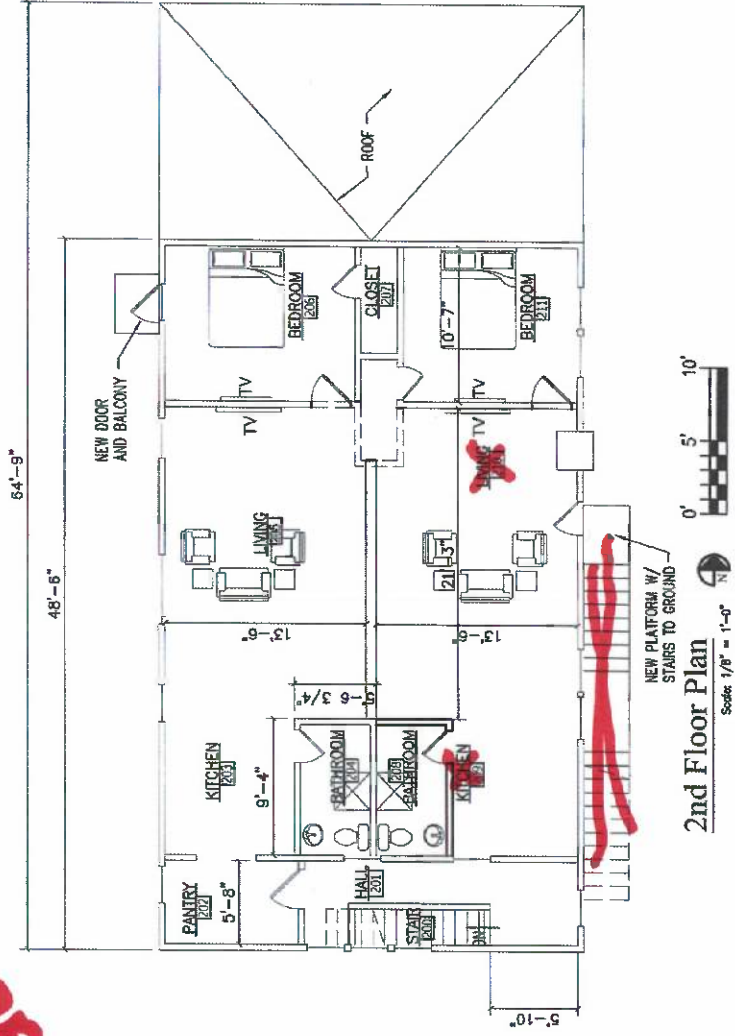
Shane Sparks
 Lees Summit, Mo. 64064
 Phone: 816-489-5005
 email: shane.sparks@liberty.com

THE GAMBLE CO., INC.
 Mo. License Identification Number A-3986
 Phone: (816) 808-8718
 Email: 100@thegamble.com
 3500 S. Wize Ridge Ct.
 Independence, Missouri 64057



Proj. No.: _____
 Sheet No.: **A-4**

Redesigned as one unit



2nd Floor Plan
 Scale: 1/8" = 1'-0"

3-18-21
[Signature]

Drawn By: *DP*
 Checked By: *AB*
 Date Issued: 2/7/22
 Dwg. Name:

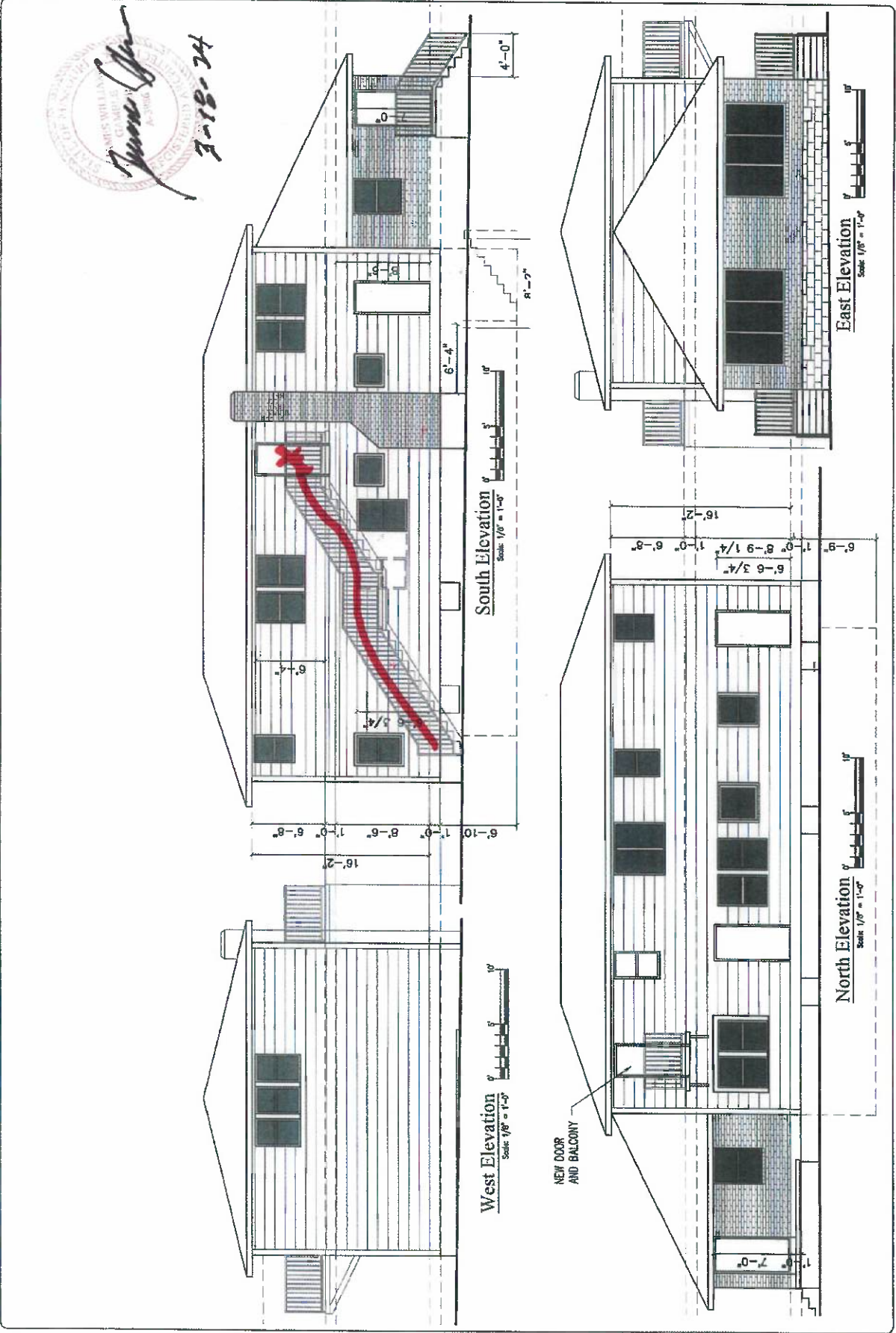
Revisions:
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☐
☐

Shane Sparks
 521 N.E. Emerald Dr.
 Lees Summit, Mo. 64064
 Phone: 816-489-5005
 email: shane.sparks.liberty.com

THE GAMBLE CO., INC.
 Mo. License Identification Number A-3986
 Phone: (816) 698-8748
 Email: info@gambleco.com
 3500 S. Main Ridge Ct.
 Independence, Missouri 64057



Proj. No.:
 Sheet No.: **A-5**



Re-Zoning Request 304 S. Liberty St. Independence, Missouri 64055

PROPERTY INFORMATION

Parcel Number: 26-230-31-20-00-0-00-000

Owner Name: SB Equity Management, L.L.C.

321 NE Emerald Dr. 64064

Lees Summit, Mo.

Phone: 816-489-5005

shon.sparks.liberty.com

Location:

304 S. Liberty Street

Independence, Mo. 64050

Independence, Missouri

Jackson, County

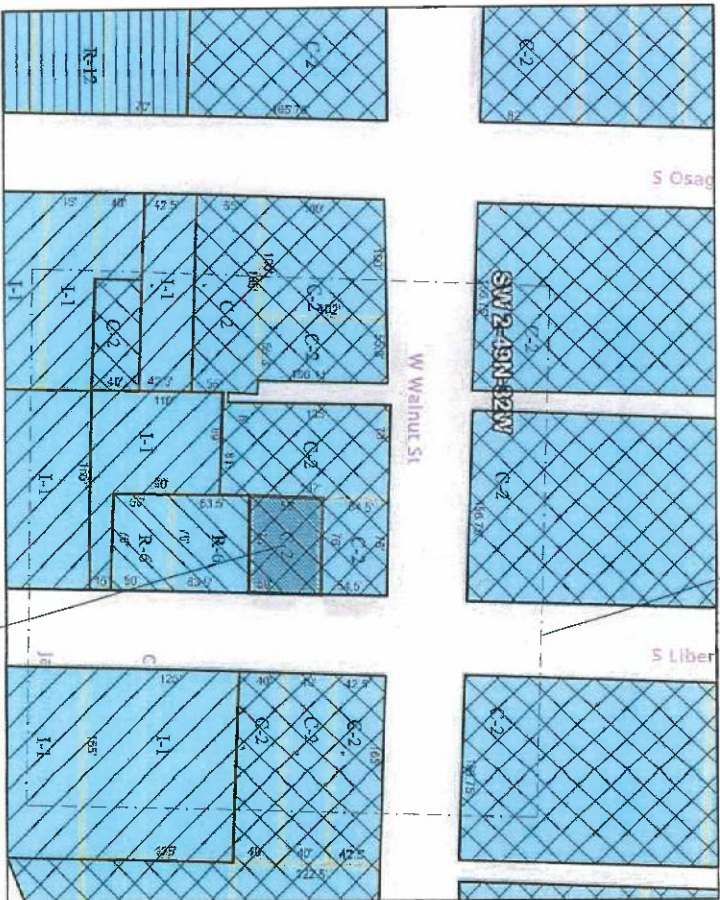
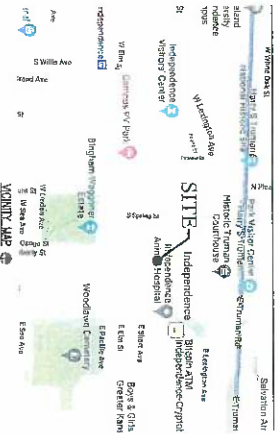
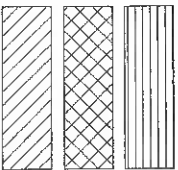
ZONE LEGEND

185' FROM PROPERTY

R-12

C-2

I-1



185 FEET
FROM PROPERTY

PARCEL TO BE REZONED -
CURRENT ZONING IS C-2
ZONING REQUEST IS PUD R-30

Sheet No.
A-1



THE GAMBLE CO., INC.
Mo. License Identification Number A-3986

3500 S. Mike Ridge Ct.
Independence, Missouri 64057

Phone: (816) 809-8748
Email: 100mg@gmail.com

Shane Sparks
521 N.E. Emerald Dr.
Lees Summit, Mo. 64064
Phone: 816-489-5005
email: shane.sparks.liberty.com

Drawn By: JLP
Checked By: JLP
Date Issued: 4/24/24
Dwg. Name: _____
Revisions: _____

Legend

Road Centerline



Parcels



Municipal Boundaries



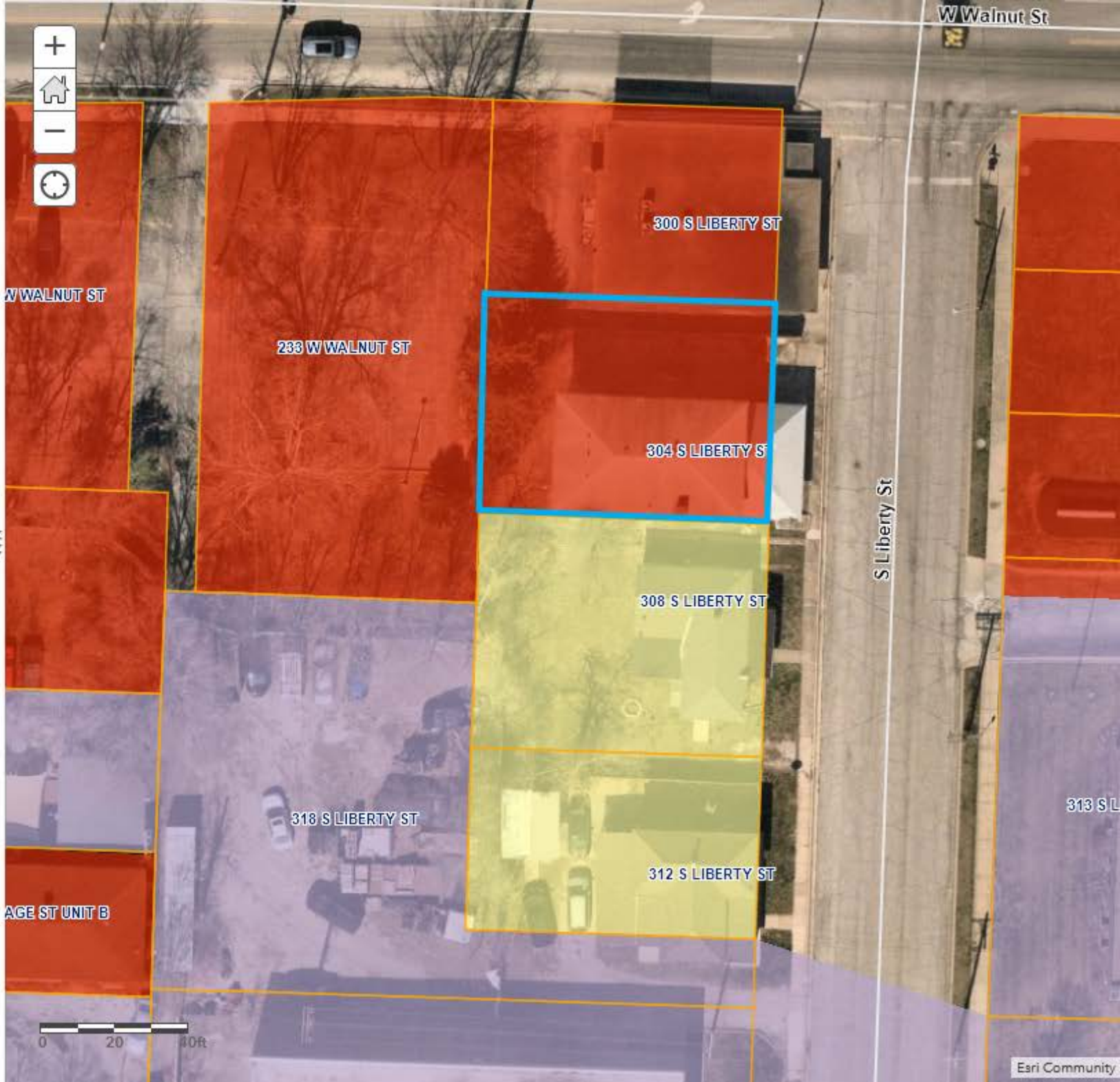
Proposed Land Use (Comp Plan)

-  Residential Neighborhoods
-  Residential Urban Neighborhoods
-  Mixed Use
-  Neighborhood Commercial
-  Community Commercial
-  Regional Commercial
-  Office
-  Business Park
-  Industrial
-  Civic/Public
-  Community Attraction
-  Parks
-  Agricultural



Legend
Zoning District

- ARTS
- BP
- BP/PUD
- C-1
- C-2
- C-2/HL
- C-2/I-1/U
- C-2/PUD
- C-2/SUP
- C-3
- C-3/SUP
- DFD
- I-1
- I-1/HL
- I-1/SUP
- I-1/U
- I-2
- O-1
- O-1/PUD
- R-1
- R-12
- R-12/HL



City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Case 24-400-07 – Short Term Rental – 9913 N. Linwood Ave. – A request by Brian Critchfield for a Short-Term Rental.

Department:

Contact Person:

REVIEWERS:

Planning Commission

Approved

Council Action:

Council Action:

ATTACHMENTS:

- ▣ Staff Report
- ▣ Application
- ▣ Notification Letter
- ▣ Notification Area Map
- ▣ Notification Information
- ▣ Notification Affidavit
- ▣ Floor Plan - Main Floor
- ▣ Floor Plan - Top Floor
- ▣ Floor Plan - Bottom Floor
- ▣ Fire Plan - Main Floor
- ▣ Fire Plan - Top Floor
- ▣ Fire Plan - Bottom Floor
- ▣ Parking Plan
- ▣ Nearest Short Term Rental Map
- ▣ Fire Inspection

MEETING DATE: May 14, 2024

STAFF: Joshua Garrett, Planner

PROJECT NAME: Brian Critchfield Short-Term Rental

CASE NUMBER/REQUEST: **Case 24-400-07 – Short-Term Rental – 9913 E. Linwood Blvd – A**
request by Brian Critchfield for a Short-Term Rental.

PROPERTY ADDRESS: 9913 E. Linwood Blvd, Independence, MO 64052

APPLICANT/PROPERTY MANAGER: Brian Critchfield

APPLICANT ADDRESS : 4212 S. Hocker Drive, Independence, MO 64055

SUBJECT PROPERTY ZONING: R-6 (Single-Family Residential)

SURROUNDING ZONINGS/LAND USES:

N/S/E/W: R-6 (Single-Family Residential) – Single Family Homes

PUBLIC NOTICE:

- Letters to property owners within 185 feet were mailed April 25, 2024
- Notification signs were posted on the property April 26, 2024

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 property shall be rezoned prior to a business license being issued and the short-term rental operating.
2. The Short-Term Rental shall obtain a business license in accordance with the City Code and comply with Article 3, Chapter 5 of the City Code. The occupation license number shall be listed on all advertisements and online platforms.
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 eight (8) persons total.
5. The maximum number of bedrooms shall be four (4).
6. The noise monitoring system 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.

PROJECT DESCRIPTION

PROJECT DESCRIPTION:

Brian Critchfield seeks approval of a Short-Term Rental at 9913 E. Linwood Blvd, Independence, MO 64052.

Current Zoning: R-6 (Single-Family Residential)

Current Use: Single-Family Residential

Former Zoning: Prior to 2009: R-1b (S.F. Res)
Prior to 1980: R-1 (S.F. Res.)
Prior to 1965: Not Zoned

Proposed Use: Short-Term Rental

BACKGROUND INFORMATION**PROPOSAL:**

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

PROPERTY HISTORY:

The residential lot was platted in June of 1925 as Lot 5 of Lakeside Farms. The home on the property was built in the same year. In 1965, it was zoned R-1(Single-Family Residential). In 1980 the zoning was updated to be R-1b (Single-Family Residential) and in 2009, when the current version of the UDO was adopted, the zoning was updated to R-6 (Single-Family Residential) The zoning of the property has remained unchanged since this update in 2009.

PHYSICAL CHARACTERISTICS OF PROPERTY:

The home sets on a 0.55-acre lot. It is a two-story home with a basement. The building has a stone facade. A large driveway lies on the north side of the building. The first floor has a living room, dining room, office, kitchen, bathroom, and a sunroom. The second floor has two bedrooms. The basement/bottom floor has an addition living room, laundry room, bathroom, and bedroom.

CHARACTERISTICS OF THE AREA:

The area surrounding the subject property features numerous single-family homes of similar age. The architectural design of the surrounding homes is a wide variety of styles. The character of the area is that of a single-family neighborhood.

PARKING:

The property has a long and wide driveway adjacent to the house. This driveway can easily accommodate many vehicles. The applicant provided a drawing showing that the space can easily accommodate more than nine vehicles. Paved driveway space is not an issue.

UNRULY GUESTS/SECURITY:

The applicant lives in Independence. Property management and booking will be handled by the applicant. The applicant does not currently have a noise monitoring device in place but has indicated one will be installed. This shall be completed before the business license is issued. In the event of an emergency, and the applicant is needed, he has indicated the ability to respond to issues or concerns.

SHORT TERM RENTAL REQUIREMENTS:

The applicant must address the following topics:

- **Noise monitoring** – The applicant does not have a noise monitoring device in place at the moment but has indicated that they will install one as required by code. This will have to be completed before the business license is issued.

- **Trash Removal** - Trash pick-up is scheduled as a weekly service on Thursday to be picked up by Ted's Trash.
- **Property listing** - The property will be listed on AirBNB and VRBO.
- **Business operations/security** – The applicant will oversee site security and general business operations, including screening customers, and coordinating bookings.
- **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 per Code requirement.
- **City inspection** – The property has been inspected by the Fire Inspector and passed the Initial Short-Term Rental Fire and Life Safety Inspection.

There are no other Short-Term rentals in this area, therefore this application follows the density limitations of the City Code.

EXHIBITS

1. Online Application
2. Notification Letter
3. Notification Area Map
4. Addresses
5. Affidavit
6. Floor Plan Main
7. Floor Plan Top
8. Floor Plan Bottom
9. Fire Plan Main
10. Fire Plan Top
11. Fire Plan Bottom
12. Parking Plan
13. Nearest Short Term Rental Map
14. Fire Inspection

9913 Linwood Blvd Independence MO 64052

STR License

Submitted

Application number	A00121	Applicant name	Brian Critchfield
Application date	2024-03-26		

▼

Collapse details

Submitted

▼

Send license

Edit

Property Address	9913 LINWOOD BLVD INDEPENDENCE MO 64052	Permit Held By	Owner
Parcel Number	27730050500000000	Rental Structure	Single family

Permit Holder

First Name	Brian
Last Name	Critchfield
Phone Number	816-878-4858
Email	betterplacesllc@gmail.com
Mailing Address	4212 S Hocker Dr, Independence, MO 64055

Property Owner(s)

Property Owner #1

First Name	Brian
Last Name	Critchfield
Phone Number	816-878-4858
Email	betterplacesllc@gmail.com
Mailing Address	4212 S Hocker Dr, Independence, MO 64055

Property Manager

First Name	Brian
Last Name	Critchfield
Phone Number	816-878-4858
Email	betterplacesllc@gmail.com
Mailing Address	4212 S Hocker Dr, Independence, MO 64055

Responsible Agent

First Name	Brian
Last Name	Critchfield
Phone Number	816-878-4858
Email	betterplacesllc@gmail.com
Mailing Address	4212 S Hocker Dr, Independence, MO 64055

Verification Documents

Floor Plan	floor_plan_2024-03-26-202709.jpeg floor_plan_2024-03-26-202709.jpeg floor_plan_2024-03-26-202709.jpeg
Evacuation Plan	fire_safety_2024-03-26-202709.jpeg fire_safety_2024-03-26-202709.jpeg fire_safety_2024-03-26-202709.jpeg
Parking Plan	parking_spaces_2024-03-26-202709.png

Supplemental Questions

Possible Violations

We found no violations for this property

Add Note

Notes

Add

What is the total number of bedrooms? ^

4

Total number of parking spaces available on the property? ^

9

What is your proposed total occupancy? ^

8

Is street parking allowed? ^

No

Please provide your Noise Management Plan: ^

Our listing will comply with the City of Independence noise ordinance. We will post the ordinance inside the listing in multiple places, and we will have a noise monitoring device which will communicate to us personally. In the event that a guest is violating our noise policy we will contact the guest or visit the property to address the issue promptly.

Please provide your Trash Disposal & Collection Plan: ^

We will be using Teds trash service. They pick up on Thursdays in this neighborhood.

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

Airbnb and VRBO



PROPERTY OWNER NOTIFICATION LETTER
For a Short-Term Rental Business

Date: April 24, 2024

Case Number: 24-400-07

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: 9913 Linwood Blvd, Independence, MO 64052

Total Maximum occupancy: Eight (8) total guests (two (2) adults per room, eight (8) total adults)

Number of bedrooms used: Four (4)

PROPERTY OWNER:

Name: Brian Critchfield

Phone: (816) 878-4858

E-Mail: betterplacesllc@gmail.com

Planning Commission Meeting Date: May 14, 2024, 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.

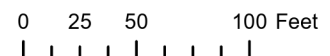
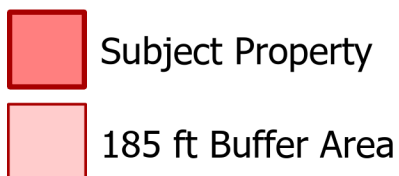
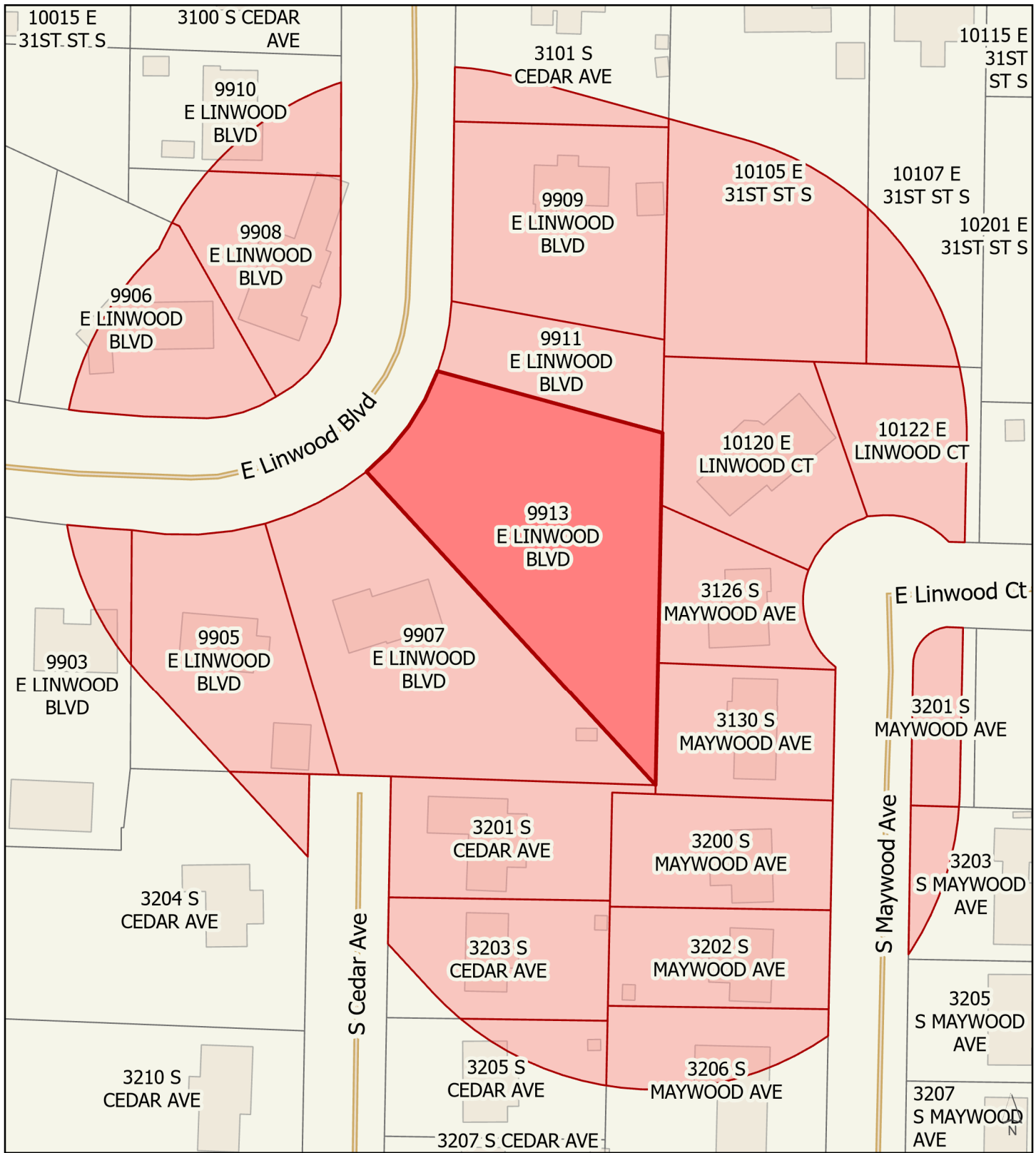
Joshua Garrett

Joshua Garrett
Planner

Notification Area

24-200-07

9913 E. Linwood Blvd, Independence, MO 64052



Owner	Address	Ciry	State	Zip Code
JOLLY & ASSOCIATES LLC	833 SW LEMANS LN STE 140	LEES SUMMIT	MO	64082
GAMBOA-CAMPOS MARIA ISABEL	3204 S CEDAR AVE	INDEPENDENCE	MO	64052
PARMON JOSEPH A & JEANNIE L	3206 S MAYWOOD AVE	INDEPENDENCE	MO	64052
WARE KERRY	3202 S MAYWOOD AVE	INDEPENDENCE	MO	64052
KANSAS CITY NEVADA LLC	9910 E LINWOOD BLVD	INDEPENDENCE	MO	64052
BERGMANN JOHN & ANDREA	9909 LINWOOD BLVD	INDEPENDENCE	MO	64052
HAMMOND SUSANNE M	9907 LINWOOD BLVD	INDEPENDENCE	MO	64052
SHAAD AARON C	9905 E LINWOOD BLVD	INDEPENDENCE	MO	64052
O RILEY MARQUITA E	3130 S MAYWOOD AVE	INDEPENDENCE	MO	64052
ALBENO JENNY	5834 E 12TH ST	KANSAS CITY	MO	64126
PUTERBAUGH MARY A	3203 MAYWOOD	INDEPENDENCE	MO	64052
CASTRO MARK ANTHONY	10107 E 31ST ST S	INDEPENDENCE	MO	64052
LHM MANAGEMENT CORPORATION	PO BOX 1028	ST JOSEPH	MO	64502
FREEMAN BETTY L	3200 MAYWOOD	INDEPENDENCE	MO	64052
REALSOURCE LLC	PO BOX 333	HARRISONVILLE	MO	64701
REX RESIDENTIAL PROPERTY OWN III LLC	997 MORRISON DR STE 402	CHARLESTON	SC	29403
HEBBLETHWAITE JAMES F & JOYCE A	3205 S CEDAR	INDEPENDENCE	MO	64052
MINISH DAVID E & NANETTE S	9903 E LINWOOD BLVD	INDEPENDENCE	MO	64052
CARUSO REALTY LLC	22283 LONG TROT DR	ESCONDIDO	CA	92029
RUSSELL ARLEAN YVETTE & AMOS DERRICK RAY	10122 LINWOOD CT CRES	INDEPENDENCE	MO	64052
GRANITE PARTNERS LLS	2102 BUFFALO HEIGHTS DR	GARDEN CITY	KS	67846
YOUNG MARY PATRICIA	9906 E LINWOOD	INDEPENDENCE	MO	64052
LAND TRUST OF JACKSON COUNTY MISSOURI	4035 CENTRAL ST	KANSAS CITY	MO	64111
GUEVARA MARIA DEL CARMEN VAZQUEZ & MORENO ALEJANDRO MALDONADO	3101 S CEDAR AVE	INDEPENDENCE	MO	64052

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 24-400-07

I, Jodi Baker, 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 25 day of April, 2024.

Jodi Baker

Signature of Agent, Owner or Attorney

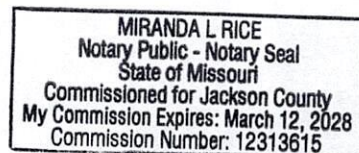
Subscribed and sworn to before me this 25 day of April, 2024.

Miranda L Rice

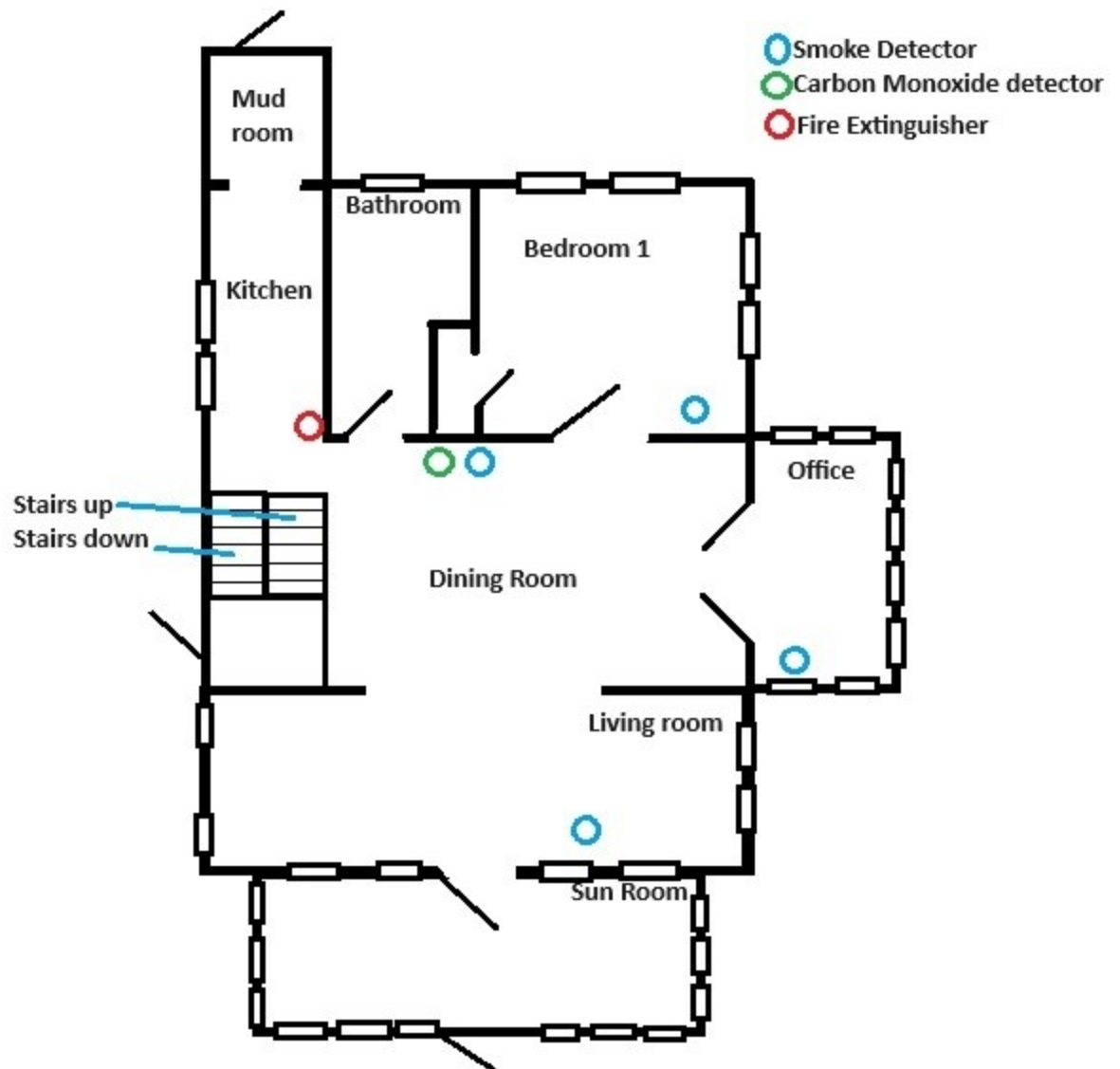
Notary Public

March 12, 2028

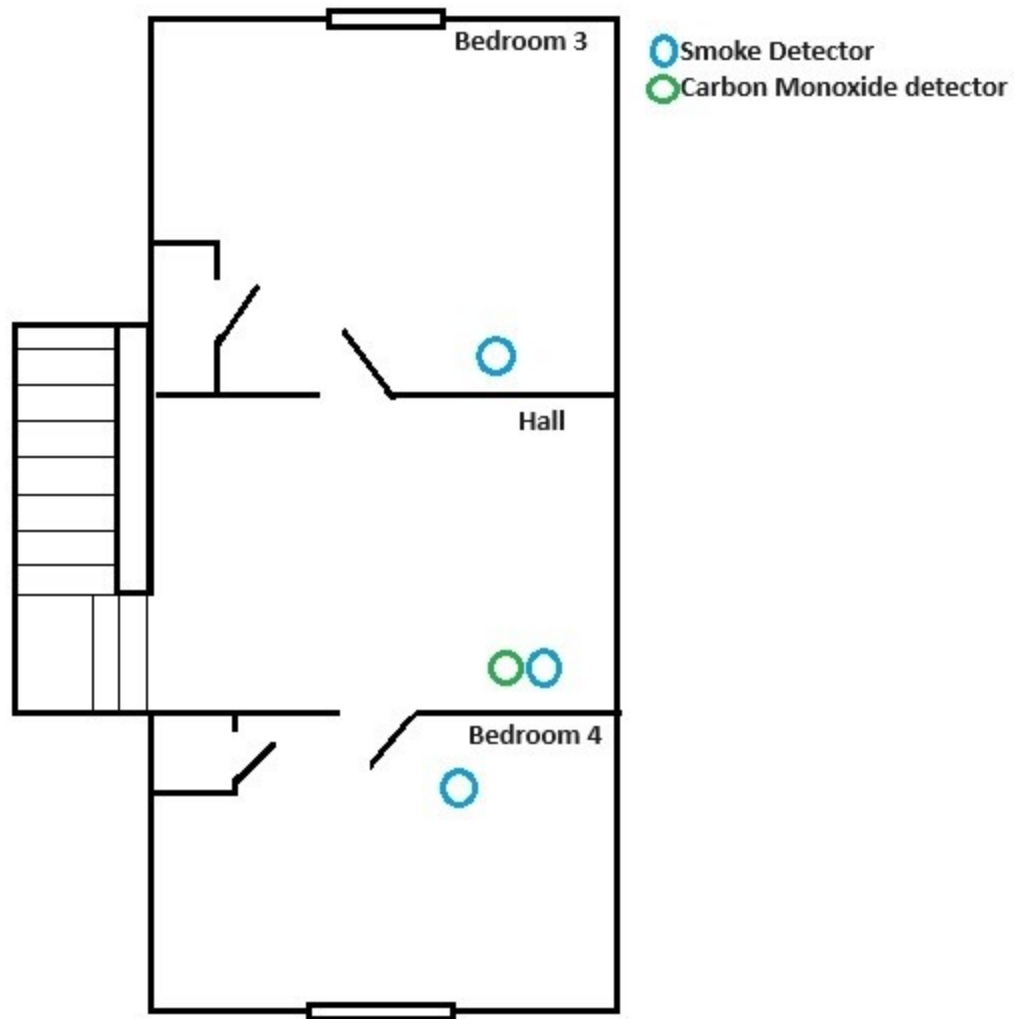
Commission Expiration Date



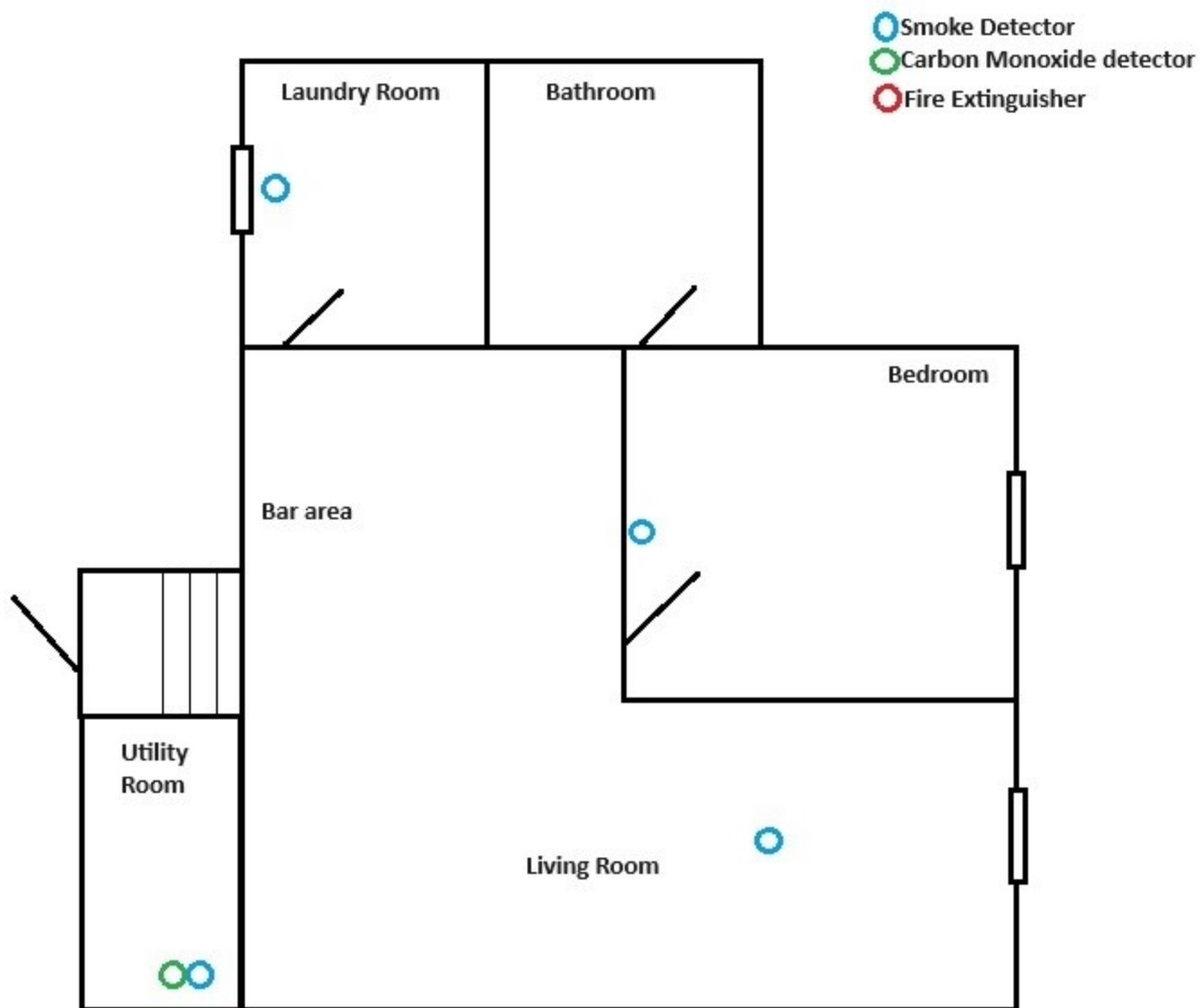
Floor Plan Main Floor



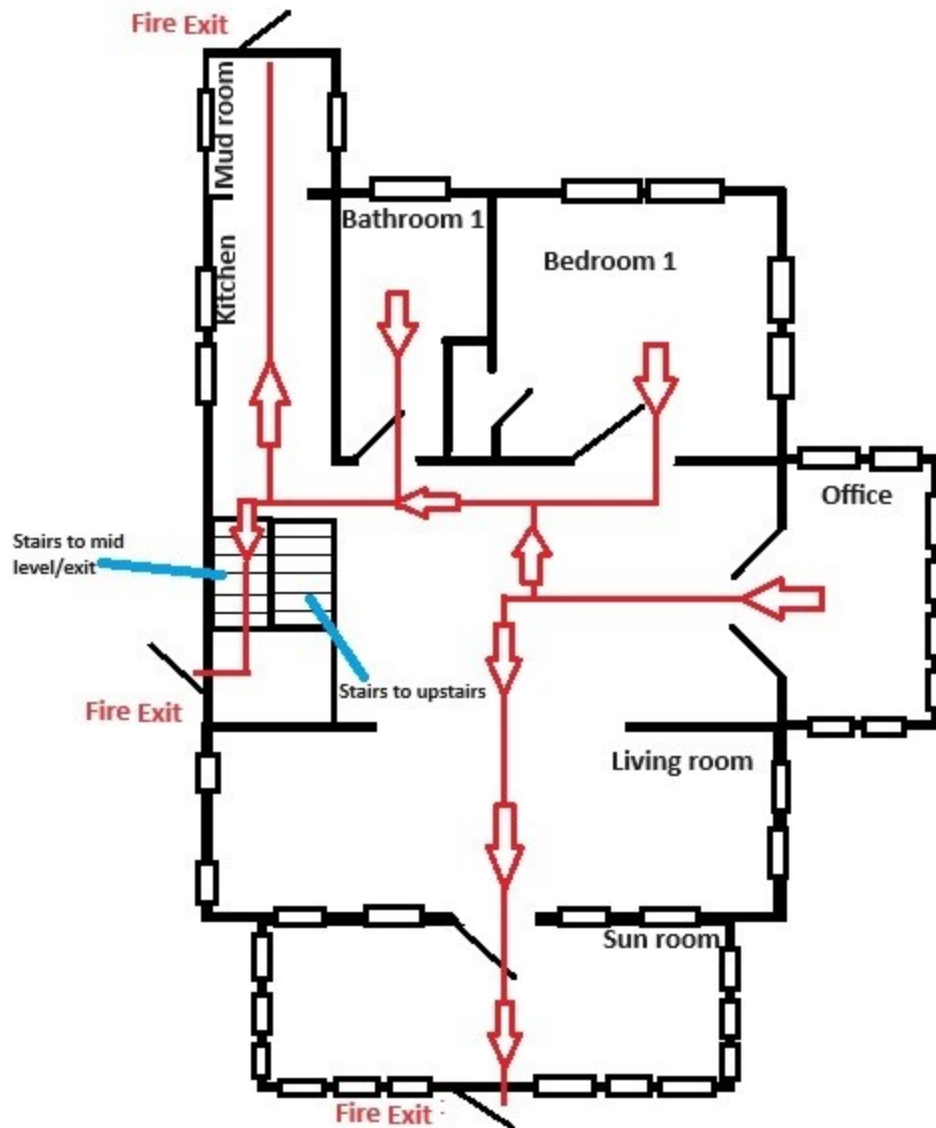
Floor Plan Upstairs



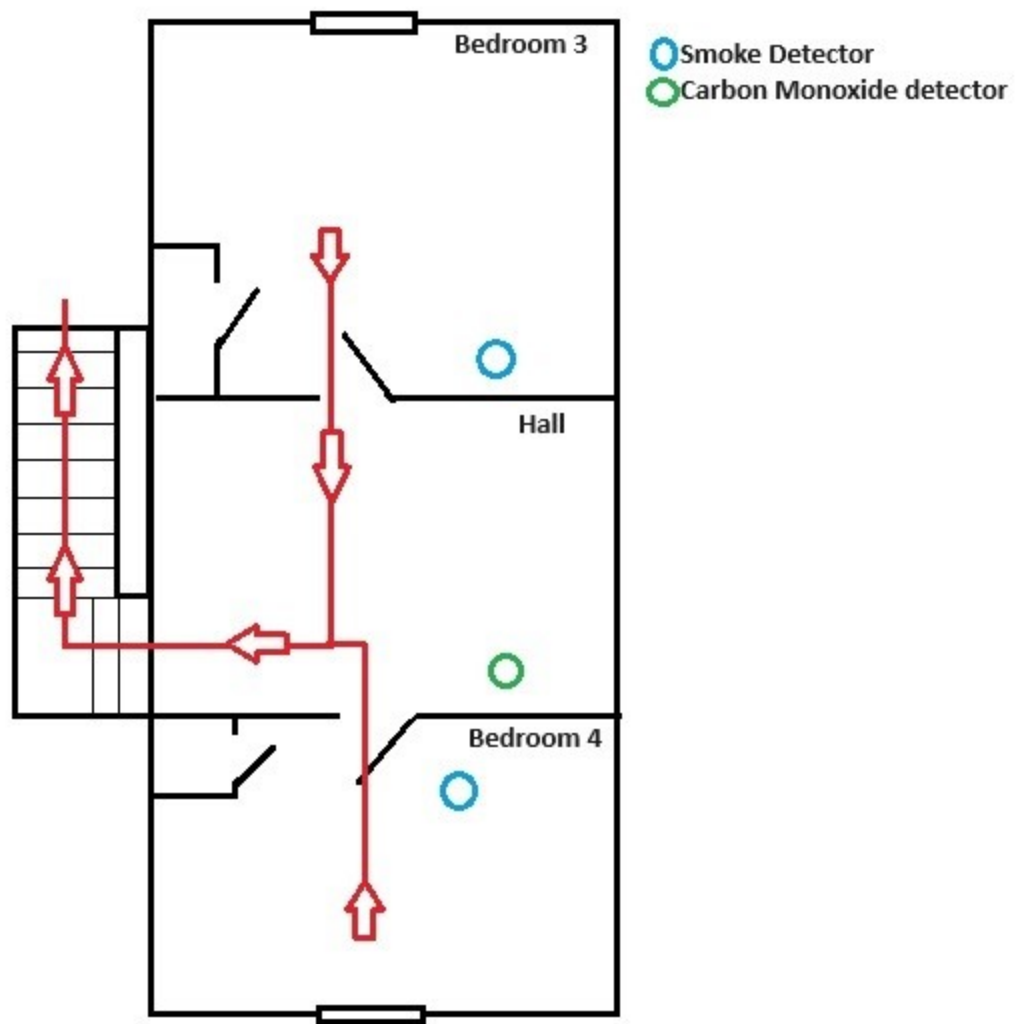
Floor plan Bottom Floor / Downstairs



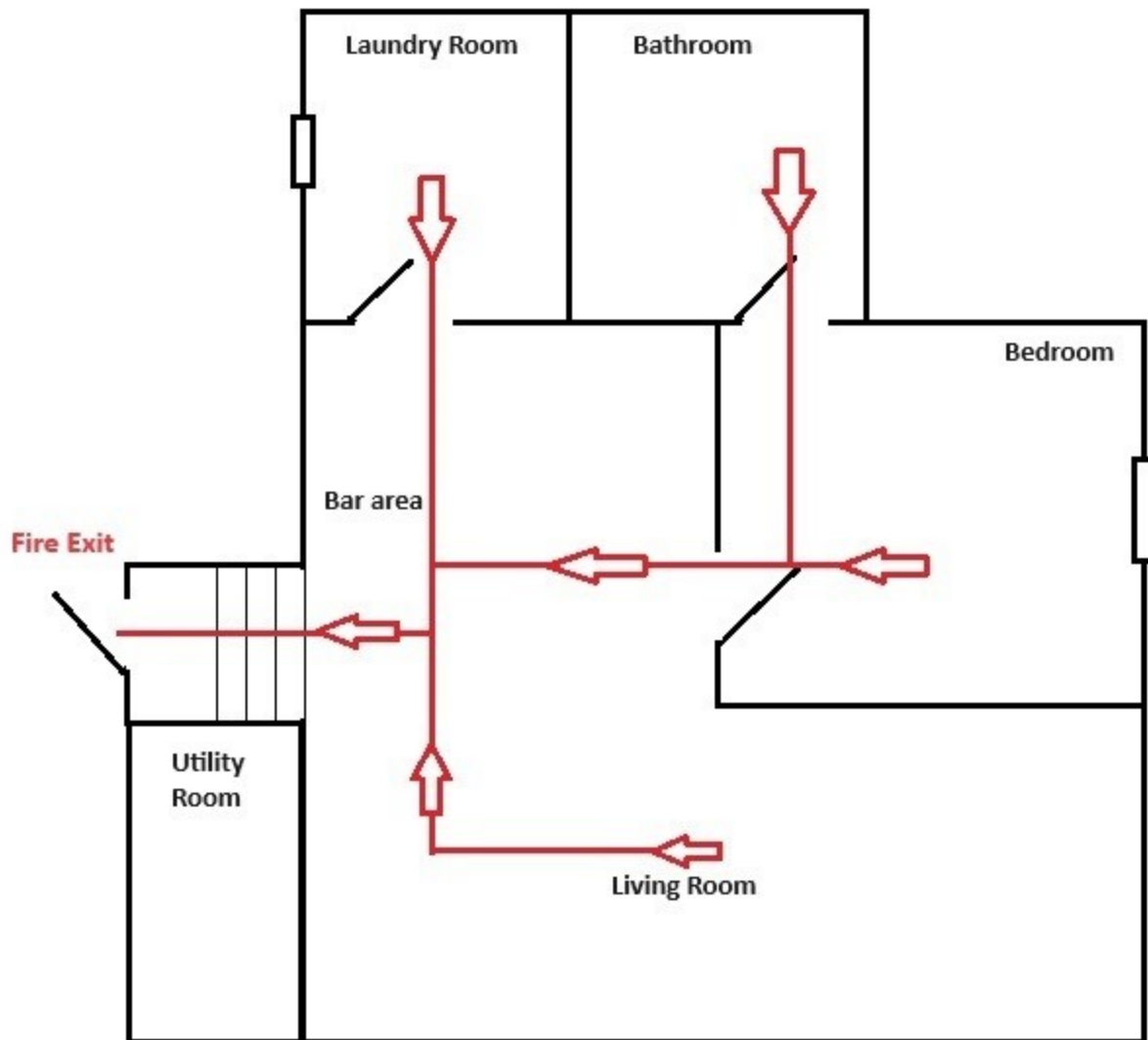
Fire Escape Plan Main Floor



Fire Escape Plan Upstairs



Fire Escape Plan Bottom Floor / Downstairs





S Cedar Ave

9001

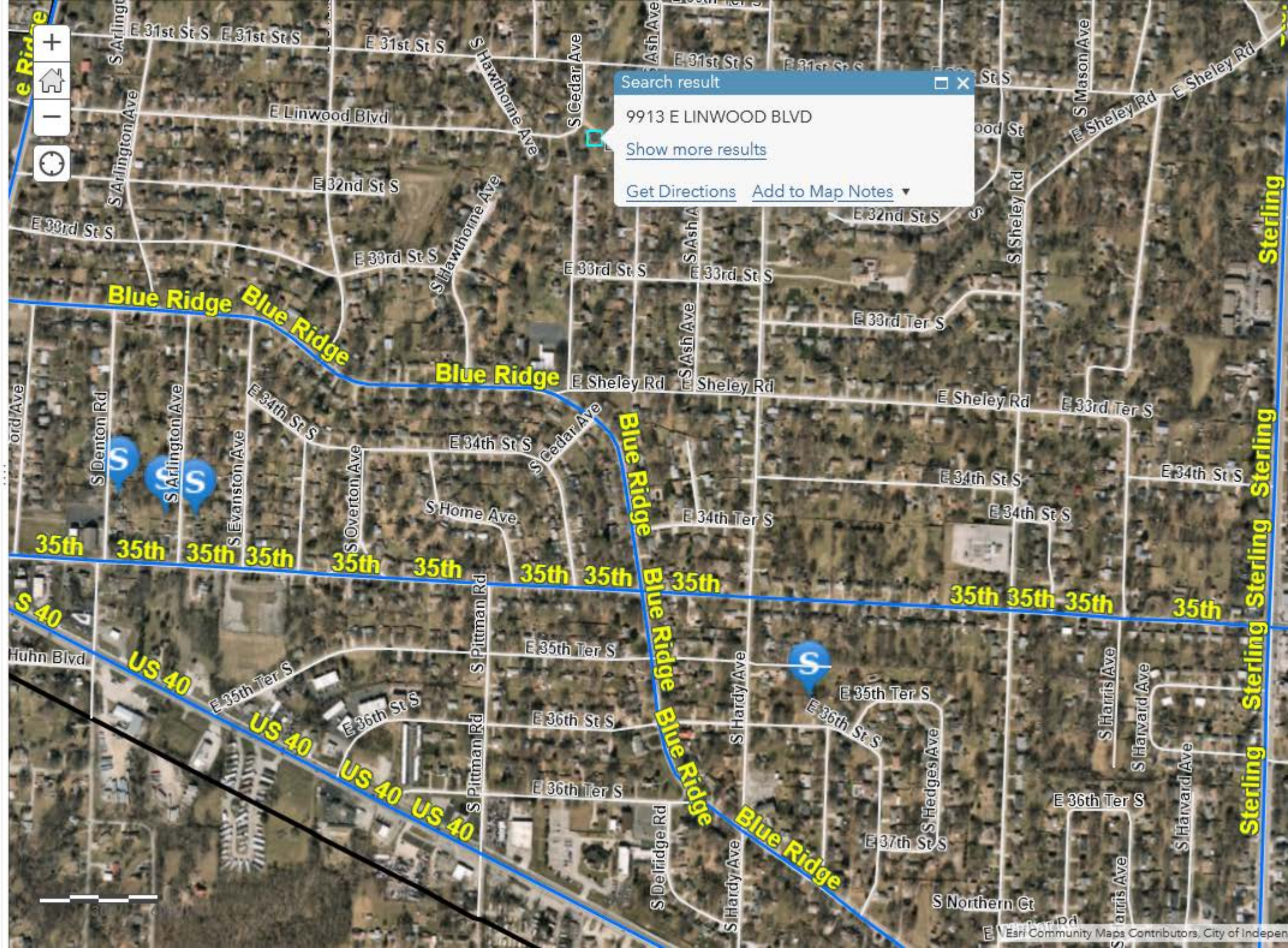
9911

Covered Parking

Driveway Parking



- Legend
- Major Roads
- Road Centerline
- Short Term Rentals
- Municipal Boundaries



Independence Fire Department
950 North Spring St.
Independence, MO 64050
816-325-7121



Tuesday, 30 April, 2024

Attn: Brian Critchfield
Short Term Rental
9913 Linwood Blvd
Independence, MO 64052

Property Address:
Short Term Rental
9913 Linwood Blvd
Independence, MO 64052

Re: Initial - Short Term Rental on April 30 2024

Congratulations, your business has satisfactorily completed and passed the Initial Short Term Rental Fire and Life Safety Inspection. The Independence Missouri Fire Department would like to take this time to thank you for making fire safety a priority.

Upon satisfactory completion and signing off of all inspections by all required City Departments, your City of Independence, Missouri Business License will be sent to the business owner to be displayed within the occupancy.

Note: Records of inspection reports are maintained by the Fire Prevention Bureau of the City of Independence, Missouri Fire Department and are part of the public record requirements of the State of Missouri. It is possible that information contained in these reports in addition to your failure to correct any noted fire code violations may be used against you in civil and/or criminal proceedings in the event of an incident related to any such violation. These records may also be accessed by your insurance carrier.

Inspector:



Fire Inspector George Turvill

gturvill@indepmo.org

816-325-7121

Property Representative:



Brian Critchfield

Violation/Information Page(s)

General Inspection Information

Are address numbers plainly visible and legible from the street and in contrast with the background?

Pass

Is the way to the exit obvious and unobstructed?

Pass

Is there a map identifying escape routes posted in each guest room?

Pass

Is emergency contact information for the owner or manager posted in each guest room?

Pass

Is a new or properly tagged, minimum 2A10BC portable fire extinguisher mounted on a bracket in plain view and near an exit?

Pass

Are functioning smoke detectors present in each bedroom and common area?

Pass

Are child proofed electrical outlets or electrical outlet protectors installed in any unused outlet?

Pass

Is a functioning carbon monoxide detector present on each occupied level?

Pass

Are heating and refrigeration units maintained with proper 36" clearance from combustibles?

Pass

Is the hot water heater equipped with a relief valve and a drain line that extends between 6 to 24 from the floor?

Pass

Are breaker/fuse boxes accessible and maintained with 30 inches in width, 36 inches depth and 78 inches in height of clear space in front of the panel with breakers free to operate?

Pass
