

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT R-6 (SINGLE FAMILY RESIDENTIAL) FOR THE PROPERTY AT 2415 S. R. D. MIZE ROAD, IN INDEPENDENCE, MISSOURI.

WHEREAS, the hereinafter described property has been classified by the City Council in the Code of the City of Independence, Missouri, as lying and being within District C-2 (General Commercial) and being subject to the regulations of District C-2 (General Commercial) as specified in Section 14-301 of the Code of the City of Independence, Missouri; and an application was filed on March 31, 2020 with the Community Development Department requesting that the district boundaries of the Zoning District Map be amended so that the said property will lie and be in District R-6 (Single Family Residential) and be subject to the regulations of said district as specified in Section 14-300 of the Code of the City of Independence, Missouri; and,

WHEREAS, the Independence Planning Commission did cause to be published on April 25, 2020, a notice of the time and place of such hearing notifying all interested parties that a hearing on such proposed rezoning would be held virtually by the Planning Commission on June 9, 2020 and by the City Council on July 20, 2020 at 6:00 p.m., which said notice proposed that the property described hereinafter be so rezoned from District C-2 (General Commercial) as specified in Section 14-301 of the Code of the City of Independence, Missouri, to District R-6 (Single Family Residential) as specified in Section 14-300 thereof; and,

WHEREAS, at the Independence Planning Commission public hearing, all parties in interest were given an opportunity to be heard; and,

WHEREAS, at the Independence City Council public hearing, all parties in interest and citizens with new information were given an opportunity to be heard and the matter has been duly submitted and considered by the City Council, and no legal protest was signed, acknowledged, and presented for the application.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council hereby makes the following findings:

1. That, the rezoning is consistent with the review criteria listed in Section 14-701-02 of the City Code.
2. That, a public hearing was held pursuant to a notice duly published according to law, at which time all interested parties were given the full opportunity to be heard.
3. That, the current C-2 (General Commercial) zoning allows the following uses: retail, office, restaurants, meeting halls, banks, daycare centers, government facilities, churches, schools, colleges and universities, and medical services.
4. That, the proposed R-6 (Single Family Residential) allows the following uses: single family dwellings, churches, and schools.
5. That, at the Planning Commission hearing, the owner's representative spoke in favor of the application, and no one spoke against the proposed rezoning.
6. That, the project is in conformance with the Comprehensive Plan's recommended land use of 'Residential Neighborhood' for the site.

7. That, no protest petition was submitted in opposition to the application.
8. That, at its June 9, 2020 Planning Commission meeting, the Commission voted 6-0 to recommend approval of this rezoning application.

SECTION 2. That the Boundaries of the Zoning District Map as incorporated in the Code of the City of Independence, Missouri, relating to the zoning of properties within the corporate limits, are hereby amended as to property legally described as follows:

COMMENCING AT THE NW CORNER OF THE SE 1/4 OF SECTION 7, TOWNSHIP 49, RANGE 31; THENCE S2°24'32"W ALONG THE WEST LINE OF SAID SE 1/4 FOR A DISTANCE OF 982.49'; THENCE S87°43'25"E FOR A DISTANCE OF 39.00' TO A POINT ON THE EAST RIGHT OF WAY LINE OF R. D. MIZE ROAD, AS NOW ESTABLISHED, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING S87°43'25"E FOR A DISTANCE OF 151.50'; THENCE S2°24'34"W FOR A DISTANCE OF 90.00'; THENCE N87°43'25"W FOR A DISTANCE OF 151.50'; THENCE N2°24'34"E FOR A DISTANCE OF 90.00' TO THE POINT OF BEGINNING. SAID LOT CONTAINS 13634.96 SQUARE FEET OR 0.31 ACRES MORE OR LESS.

causing the same to be zoned District R-6 (Single Family Residential) and be subject to the regulations of said district as specified in Section 14-300 the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2020, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager