

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-1 (NEIGHBORHOOD COMMERCIAL) TO DISTRICT R-A (RESIDENTIAL AGRICULTURE) FOR THE PROPERTY AT 2000 N. ELSEA SMITH 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 C-1 (Neighborhood Commercial) and being subject to the regulations of District C-1 (Neighborhood Commercial) as specified in Section 14-301 of the Code of the City of Independence, Missouri; and an application was filed on May 15, 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-A (Residential Agriculture) 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 May 22, 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 23, 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-1 (Neighborhood Commercial) as specified in Section 14-301 of the Code of the City of Independence, Missouri, to District R-A (Residential Agriculture) as specified in Section 14-300 thereof; and,

WHEREAS, at the Independence Planning Commission virtual 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 virtually 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-1 (Neighborhood Commercial) zoning allows the following uses: retail, office, restaurants, banks, daycare centers, government facilities, churches, schools, and medical services.
4. That, the proposed R-A (Residential-Agriculture) allows the following uses: single family dwellings, cropland, ranches, churches, schools and government facilities.
5. That, at the Planning Commission hearing, Douglas Shrout, spokesman for the ownership trust, spoke in favor of the application, and no one spoke against the proposed rezoning.
6. That, no protest petition was submitted in opposition to the application.
7. That, at its June 23, 2020 Planning Commission meeting, the Commission voted 7-0 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:

The northern 100 feet of Lot 2A, Ben H. Morrow – Replat, a replat of Lots 1 and 2, a subdivision of Ben H. Morrow, a subdivision in Independence, Jackson County, Missouri

causing the same to be zoned District R-A (Residential Agriculture) 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