

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICTS R-6 (SINGLE FAMILY RESIDENTIAL) AND C-2 (GENERAL COMMERCIAL) TO DISTRICT C-3 (SERVICE COMMERCIAL) FOR THE PROPERTY AT 603 E. US 24 HIGHWAY AND 909 N. EMERY STREET, 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 Districts R-6 (Single Family Residential) and C-2 (General Commercial) and being subject to the regulations of Districts R-6 (Single Family Residential) and C-2 (General Commercial) as specified in Sections 14-300 and 14-301 respectively, of the Code of the City of Independence, Missouri; and an application was filed on May 1, 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 C-3 (Service Commercial) and be subject to the regulations of said district as specified in Section 14-301 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 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 Districts R-6 (Single Family Residential) and C-2 (General Commercial) as specified in Sections 14-300 and 14-301 respectively of the Code of the City of Independence, Missouri, to District C-3 (Service Commercial) as specified in Section 14-301 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-2 (Neighborhood Commercial) zoning allows the following uses: retail, office, restaurants, small meeting halls, banks, daycare centers, government facilities, churches, schools, colleges and universities, and medical services.
4. That, the current R-6 (Single Family Residential) allows the following uses: single family dwellings, churches, schools and government facilities.
5. That, the proposed C-3 (Service Commercial) zoning allows the following uses: retail, office, restaurants, small meeting halls, banks, daycare centers, government facilities, automotive repair

- shops, wood and machine shops, and medical services.
6. That, at the Planning Commission hearing, the owner's agent spoke in favor of the application, and no one spoke against the proposed rezoning.
 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:

All of Lot 32, Norman Place, a subdivision in Independence, Jackson County, Missouri.

and,

All of Lot 31, except the south one half thereof, all in Norman Place, a subdivision in Independence, Jackson County, Missouri.

causing the same to be zoned District C-3 (Service Commercial) and be subject to the regulations of said district as specified in Section 14-301 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