

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-18/PUD (MEDIUM DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) TO DISTRICT R-6 (SINGLE FAMILY RESIDENTIAL) FOR PROPERTIES GENERALLY LOCATED BETWEEN E. TRUMAN ROAD AND E. 14TH STREET S. AND BETWEEN THE UNION PACIFIC RAILROAD RIGHT-OF-WAY AND S. HARDY AVENUE, 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 R-18/PUD (Medium Density Residential/Planned Unit Development) and being subject to the regulations of District R-18/PUD (Medium Density Residential/Planned Unit Development) as specified in Section 14-300 of the Code of the City of Independence, Missouri; and an application was filed on August 31, 2020 by 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 September 26, 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 by the Planning Commission on October 13, 2020 and by the City Council on November 16, 2020 at 6:00 p.m., which said notice proposed that the property described hereinafter be so rezoned from District R-18/PUD (Medium Density Residential/Planned Unit Development) as specified in Section 14-300 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 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 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, at the Planning Commission hearing, two people spoke in favor of the proposed rezoning and none spoke in opposition.
4. That, the current R-18/PUD (Medium Density Residential/Planned Unit Development) zoning classification allows for two-family dwellings, multiple-family dwellings and various other uses

- (cemeteries, schools, government facilities and some agricultural activities).
5. That, the proposed R-6 (Single Family Residential) allows the following uses: single-family dwellings, cropland, churches, schools and government facilities.
 6. That, the properties are sites of single-family residences or vacant lots.
 7. That, no protest petition was submitted in opposition to the application.
 8. That, at its October 13, 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:

Maywood Continuation

Block 9, All of the 14th Street alley vacation and Block 9 Tract

Block 10, Lots 1 through 9, Except for Lot 3 and the North 92 feet of Lot 9

Block 11, Lots 1 through 10, Except the South 92 feet of Lot 5 and the North 50 feet of Lot 4

Block 12, Lots 2 through 9, Except the South 45 feet of Lot 2

All property lying within the City of Independence, Jackson County, Missouri.

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