

MEETING DATE: April 13, 2021

STAFF: Stuart Borders, Planner

PROJECT NAME: Parker Rezoning

CASE NUMBERS/REQUEST: Case 21-100-05 – Rezoning – Don and Lisa Parker request to rezone property from C-1 (Neighborhood Commercial) to R-A (Residential-Agriculture)

APPLICANT/OWNER: Don and Lisa Parker

PROPERTY ADDRESS: 1801 S. M-7 Highway

SURROUNDING ZONING/LAND USE:

- North:** R-A; Lake City Ammunition plant
- South:** R-A, C-1; Vacant commercial building, undeveloped land
- East:** R-A; single family home
- West:** R-A; Single family homes on large lots

PUBLIC NOTICE:

- Letters to adjoining property owners – March 21, 2021
- Public Notice published in the Independence Examiner – March 27, 2021
- Sign posted on property – March 25, 2021

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on May 3, 2021 and the public hearing/second reading on May 17, 2021.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: Don and Lisa Parker request to rezone their property at 1801 S. M-7 Highway from C-1 (Neighborhood Commercial) to R-A (Residential-Agricultural).

Current Zoning:	C-1 (Neighborhood Commercial)	Proposed Zoning:	R-A (Residential-Agricultural)
Current Use:	Undeveloped	Proposed Use:	Part of a larger lot with a single-family residence
Acreage:	0.97 acres+/-		

BACKGROUND:

The property, containing less than an acre on the southeast corner of S. M-7 Highway and E. Truman Road has been zoned C-1 since at least June 1980. Just south of this site is a long-closed gasoline station, which probably relates to why the zoning of this being zoned commercial. Mr. Parker is in the process of combining this property with his larger tract to the east which contains his personal home. To consolidate the lots, it is necessary that all involved properties have consistent zoning. The site is essentially a ravine with some forestation and heavy brush.

ANALYSIS

The Proposal's Consistency with *Independence for All*, Strategic Plan:

There are no policies in this plan to address this type of issue, but this rezoning would help to preserve the agricultural/large lot residential character of the area.

Comprehensive Plan Guiding Land Use Principles for the Current Designation:

The City Comprehensive Plan recommends Residential Neighborhood uses for this site.

Historic and Archeological Sites:

There are no apparent historic/archeological issues with this property.

Public Utilities:

Water and electrical services are available to the property; all property in this area must utilize septic systems.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. Conformance of the requested zoning with the Comprehensive Plan.

The Comprehensive Plan envisions Residential Neighborhood uses for this site.

2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.

There are no neighborhood or sub-area plans for this area.

3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.

With the exception of the industrial zoning for the Lake City ammunition plant, the proposed R-A zoning is the predominate zoning in this area, with agricultural uses and large lot homes being the character of the neighborhood.

4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.

This proposed R-A zoning with its primary permitted uses of single-family homes and agriculture, is quite compatible with the character of the neighborhood.

5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.

Considering its location along a lightly traveled State highway, and the site's rough terrain, it has little potential commercial use.

6. The length of time the subject property has remained vacant as zoned.

From the information available, the property has been vacant for over 40 years.

7. The extent to which approving the rezoning will detrimentally affect nearby properties.

The rezoning will have no detrimental effect on area properties.

8. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

If the rezoning is denied it, would have a negative financial effect on the owner as she would not be able to consolidate the property.

EXHIBITS

1. Mailing affidavit
2. Zoning plat
3. Zoning map
4. Comprehensive plan map