

MEETING DATE: September 14, 2021

STAFF: Stuart Borders, Senior Planner

PROJECT NAME: Hayward House Rezoning

CASE NUMBERS/REQUEST: Case 21-100-11 – Rezoning – South KC Properties LLC requests to rezone the property at 1001 W. Hayward Avenue from I-1 (Industrial) to R-6 (Single Family Residential)

APPLICANT/OWNER: Micheala Miller, South KC Properties LLC

PROPERTY ADDRESS: 1001 W. Hayward Avenue

SURROUNDING ZONING/LAND USE:

North: I-1 (Industrial); vacant property

South: R-12 (Two Family Residential); Single family homes

East/West: I-1; Single family homes, vacant lots

PUBLIC NOTICE:

- Letters to adjoining property owners – August 25, 2021
- Public Notice published in the Independence Examiner – August 28, 2021
- Sign posted on property – August 26, 2021

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on October 4, 2021 and the public hearing/second reading on October 18, 2021.

RECOMMENDATION

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

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: South KC Properties LLC (South KC) requests to rezone the property at 1001 W. Hayward Avenue from I-1 (Industrial) to R-6 (Single Family Residential).

Current Zoning: I-1

Proposed Zoning: R-6

Current/Proposed Use: Single-family residence

Acreage: 0.19 acres +/-

BACKGROUND:

NOTE: In its original application, South KC sought to rezone this property to R-12 (Two Family Residential) but at the request of the City staff, the application was amended to R-6 as the lot contains a single-family home.

South KC purchased this property on W. Wayward Avenue, a couple of blocks east of S. Crysler Avenue, a few months ago. It now has a contractual buyer to purchase the property as-is, with the provision that its rezoned to R-6 (Single Family Residential). If the City Council approves this rezoning, it will be conveyed to the new owner who can start the rehabilitation of the house and property. The conversion of this property's zoning will resolve issues relating to obtaining a real estate loan, rebuilding the structure, and making improvements to the property itself.

The property contains a 'Gable Front' style wood frame house constructed in 1910. It's a single story home containing about 750 square feet. It's a vacant structure that needs rehabilitation.

ANALYSIS

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

There are no policies in this plan to address this type of application, but this rezoning will help retain the residential character on the south side of the street and other residential properties to the south of this site.

Comprehensive Plan Guiding Land Use Principles for the Current Designation:

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

Historic and Archeological Sites: There are no apparent historic issues with this property.

Public Utilities:

As this is a long-established residential neighborhood, all utility services are existing.

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 Urban 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.**
This proposed R-6 is consistent with the residential zoning that incorporates the residential area south of this site.
- 4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.**
This proposed R-6 zoning with its primary permitted use of single-family dwellings, is 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.**

This I-1 zoned tract, with its single-family home, has no industrial potential.

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

According to Jackson County records, the existing house was constructed in 1910.

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 effect on the current and contractual owners.

EXHIBITS

1. Applicant's letter
2. Mailing affidavit
3. Address List
4. Notification Letter
5. Comprehensive Plan map
6. Zoning map