

City of Independence

Community Development Department

October 24, 2017

TO: Planning Commission
PREPARED BY: Community Development
RE: Case #17-100-09 – Rezoning – 24301 E. Bundschu Road

PROJECT DESCRIPTION

MC Power Companies, Inc. requests to rezone the property at 24301 E. Bundschu Road from R-6 (Single-Family Residential) to I-1 (Industrial).

RECOMMENDATION

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

PROPERTY INFORMATION

Owner/Applicant: MC Power Companies, Inc.
Current Zoning: R-6 (Single-Family Residential)
Proposed Zoning: I-1 (Industrial)
Current Use: Cropland

Surrounding Zoning and Land Use

North: R-A...elementary school
South: I-1.....undeveloped land
East: I-1.....solar farm
West: I-1.... cropland

Thoroughfare Plan: E. Bundschu Road = arterial

BACKGROUND

MC Power Companies, Inc. requests to rezone a 7.14 acre tract, located at 24301 E. Bundshu Road, from R-6 (Single-Family Residential) to I-1 (Industrial) to construct and operate the second phase of a recently constructed community solar farm located immediately to the east. The tract would be leased from Little Blue Valley Northeast, LLC, but MCP-Independence would own and operate the facility. Having contracted with Independence Power and Light (IPL), MC Power intends to expand the existing three megawatt array to supply an additional 0.7 megawatts of power to IPL's distribution grid.

Industrial zoning would also require an exterior yard setback from the E. Bundschu Road right-of-way of 50 feet.

ANALYSIS

Public Works and Engineering: Public Works would not require any public improvements to the right-of-way other than that for a driveway apron and culvert for any point of access.

Historic Building/Site: This is not a known historic site.

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

1. Conformance of the requested zoning with the Comprehensive Plan – *The Comprehensive Plan envisions Agricultural/Rural Residential uses for this tract and for those located to the north, east, and Open Space for those to the west and south;*
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 adopted neighborhood or sub-area plans for these tracts;*
3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning – *Although R-A (Residential/Agricultural) uses lie north of E. Bundschu Road, the tract lies near industrial zoned properties to the west, south and east;*
4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood – *The existing solar power array lies adjacent to the east and further to the east lies a mini-storage facility. To the southwest is an active railroad right-of-way;*
5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations – *The property is suitable for agricultural and residential uses;*
6. The length of time the subject property has remained vacant as zoned – *The property has been farmland;*
7. The extent to which approving the rezoning will detrimentally affect nearby properties – *The rezoning would be compatible with surrounding zonings to the west, south and east;*
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 zoning was denied it would have a negative financial effect on the owner, but leave a pleasant view shed from the nearby school.*

EXHIBITS

1. Applicant's letter
2. Zoning plat/site plan
3. Parcel survey
4. List of surrounding property owners
5. Signed property owner notification affidavit

PUBLIC NOTICE

Letters mailed to adjoining property owners – October 6, 2017

Public notice published in Independence Examiner – October 7, 2017

Signs were posted on property

Vicinity Map

