

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP AS TO A TRACT OF GROUND LOCATED AT 2116 S. STERLING AVENUE FROM DISTRICT O-1 (OFFICE-RESIDENTIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

WHEREAS, the hereinafter described property have been classified by the City Council in the Code of the City of Independence, Missouri, as lying and being within District O-1 (Office-Residential) and being subject to the regulations of District O-1 (Office Residential) as specified in Section 14-301 of the Code of the City of Independence, Missouri; and an application was filed on December 21, 2018 with the Community Development Department requesting that the district boundaries of the Zoning District Map be amended so that the entire 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 January 12, 2019, 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 January 29, 2019 (continued to February 12, 2019) and by the City Council on March 4, 2019 (but moved to March 18, 2019), at 6:00 p.m., in the City Hall Council Chambers, at 111 E. Maple Avenue in Independence, Missouri, which said notice proposed that the property described hereinafter be so rezoned from District O-1 (Office-Residential) as specified in Section 14-301 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 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 not 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, the R-6 zoning classification allows for single-family dwellings and various other uses (cemeteries, schools, government facilities and some agricultural activities);
4. That, the tract is zoned O-1, an appropriate zoning for the office building and allows for apartments, churches, child care operations, hair salons, banks, artist studios, and food/beverage sales.
5. That, at the Planning Commission hearing, no one spoke in opposition to the rezoning application;
6. That, at the hearing, no protest petition was submitted in opposition to the application.

7. That, at its February 12, 2019 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:

Lot 2, except for the North 50 feet thereof, and all of Lot 3, Block 15, Englewood, a subdivision in Independence, Jackson County, Missouri, together with a 20 foot strip of land lying East of, and adjacent to, the above described tract, said strip being the West 20 feet of vacated Sterling Avenue.

causing the same to be zoned District R-6 (Single-Family Residential) as defined Section 14-300 the Code of the City of Independence, Missouri.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, 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