

BILL NO. 15-015

ORDINANCE NO. 4696

FIRST READING 06-02-2015

SECOND READING 06-16-2015

AN ORDINANCE REZONING, 4.5 +/- ACRE TRACT OF LAND LYING IN PART OF TRACT 2 OF PARSON'S SUBDIVISION ADMINISTRATIVE PLAT-MARX PLAT-NECAC PLAT, PART OF LOT 3 OF NORTH HANNIBAL COMMERCIAL PARK AND TRACT 2 OF NORTH HANNIBAL COMMERCIAL PARK-LOT 4-PLAT ONE, ALL IN THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 57 NORTH, RANGE 5 WEST, IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI, FROM E-COMMERCIAL TO B-MULTIPLE FAMILY ZONING DISTRICT AND AMENDING THE CITY'S ZONING MAP ACCORDINGLY

WHEREAS, an application to rezone a 4.5 +/- acre tract of land lying in part of Tract 2 of Parson's Subdivision Administrative Plat-Marx Plat-NECAC Plat, part of Lot 3 of North Hannibal Commercial Park and Tract 2 of North Hannibal Commercial Park-Lot 4-Plat One, all in the Southeast Quarter of Section 13, Township 57 North, Range 5 West, in the City of Hannibal has been filed by Preferred Family Healthcare, Inc., and

WHEREAS, the applicant requests a change in zoning of said property from E-Commercial to B-Multiple Family zoning district in the City of Hannibal, and

WHEREAS, the rezoning of said property will not cause undue burden to the congestion of streets, safety and security from fire, negatively impact health and general welfare, impede adequate lighting and air, contribute to the overcrowding of land, unduly concentrate population, impact features of historical significance, hinder adequate provision of transportation, water, sewerage, schools, parks, or other public requirements, and

WHEREAS, pursuant to Chapter 13.07 of the City Charter, notices were sent to all owners of property adjacent to or lying within 185 feet of the subject tract, and

WHEREAS, pursuant to Chapter 13.09 of the City Charter, notices were published in a newspaper fifteen (15) days in advance of the public hearing, and

WHEREAS, the Planning and Zoning Commission held its public hearing on May 21, 2015 at 4:00 P.M. to consider the application for rezoning, and

WHEREAS, the Planning and Zoning Commission issued a positive recommendation to the City Council to rezone a 4.5 +/- tract of land lying in part of Tract 2 of Parson's Subdivision Administrative Plat-Marx Plat-NECAC Plat, part of Lot 3 of North Hannibal Commercial Park and Tract 2 of North Hannibal Commercial Park-Lot 4-Plat One, all in the Southeast Quarter of Section 13, Township 57 North, Range 5 West, in the City of Hannibal, Marion County, Missouri from E-Commercial to B-Multiple Family, and

WHEREAS, the Hannibal City Council held its public hearing on June 2, 2015 at 6:30 P.M. to consider the application for rezoning, and

WHEREAS, after full consideration of the matter, the Hannibal City Council has determined that it is appropriate and in the best interests of the citizens of the City of Hannibal to grant the request.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Hannibal, Missouri to-wit:

SECTION ONE. The City Council of the City of Hannibal hereby rezones a 4.5 +/- tract of land lying in part of Tract 2 of Parson's Subdivision Administrative Plat-Marx Plat-NECAC Plat, part of Lot 3 of North Hannibal Commercial Park and Tract 2 of North Hannibal Commercial Park-Lot 4-Plat One, all in the Southeast Quarter of Section 13, Township 57 North, Range 5 West, in the City of Hannibal, Marion County, Missouri and being more fully described as follows to wit:

Beginning at the Southwest Corner of said North Hannibal Commercial Park-Lot 4-Plat One; thence North 01 degree, 08 minutes and 20 seconds East 176.51 feet; thence North 89 degrees, 08 minutes and 16 seconds West 207.95 feet; thence North 01 degree, 09 minutes and 27 seconds East 3.50 feet; thence North 89 degrees, 08 minutes and 17 seconds West 90.00 feet; thence North 01 degree, 05 minutes and 27 seconds East 91.29 feet; thence North 89 degrees, 31 minutes and 45 seconds West 109.94 feet; thence North 01 degree, 07 minutes and 15 seconds East 304.49 feet; thence South 89 degrees, 31 minutes and 45 seconds East 480.08 feet; thence South 01 degree, 08 minutes and 20 seconds West 577.18 feet; thence South 86 degrees, 43 minutes and 17 seconds West 20.18 feet; thence North 88 degrees, 46 minutes and 56 seconds West 51.88 feet to the Point of Beginning, containing 4.5 Acres, more or less, with the above described being subject to easements and rights-of-way of record or not of record, if any.

SECTION TWO. Said property shall enjoy all rights and privileges granted within the B-Multiple Family zoning.

SECTION THREE. The Acting City Engineer or representative is hereby directed to revise the City's zoning map accordingly.

SECTION FOUR. It hereby is declared to be the intention of the City Council that each and every part, portion and sub-portion of this Ordinance shall be separate and severable from each and every other part, portion or sub-portion hereof and that the City Council intends to adopt each said part, portion or sub-portion separately and independently of any other part, portion or sub-portion. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, portions and sub-portions shall be and remain in full force and effect.

SECTION FIVE. All ordinances and parts of ordinances in conflict with this ordinance, in so far as they conflict, are hereby repealed.

SECTION SIX. That this Ordinance shall be in full force and effect from and after its adoption and approval.

Adopted this 16th day of June, 2015.

Approved this 16th day of June, 2015.



Roy G. Hark, Mayor

ATTEST:



Angelica N. Vance, MRCC - City Clerk

CITY OF HANNIBAL

DEPARTMENT OF PUBLIC WORKS



INTEROFFICE MEMORANDUM

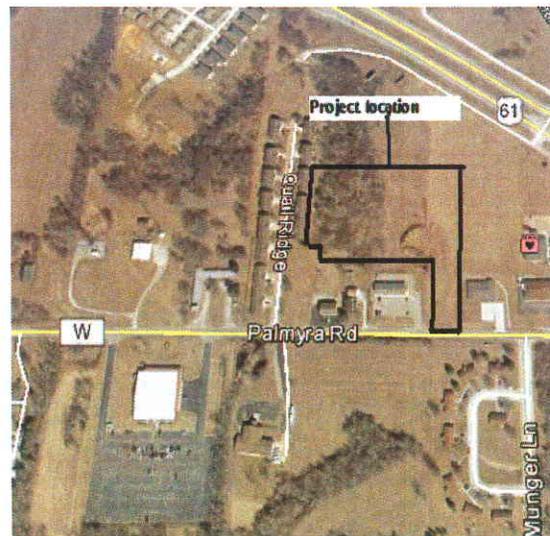
TO: MAYOR AND CITY COUNCIL MEMBERS
FROM: BRIAN CHAPLIN – SUPERINTENDENT - DPW
SUBJECT: REZONING – 4.5 ACRE TRACT OFF RT W & HWY 61
DATE: MAY 22, 2015

An application was received from Preferred Family Healthcare, Inc. to rezone, 4.5 +/- acre tract of land lying in part of Tract 2 of Parson's Subdivision Administrative Plat-Marx Plat-NECAC Plat, part of Lot 3 of North Hannibal Commercial Park and Tract 2 of North Hannibal Commercial Park-Lot 4-Plat One, all in the Southeast Quarter of Section 13, Township 57 North, Range 5 West, in the City of Hannibal, Marion County, Missouri and further indicated on the location map from E-Commercial to B-Multiple Family. Currently the tract of land is a vacant lot. Changing the zoning would allow them to build an apartment complex.

The current E-Commercial zoning does not allow for apartment complexes. The request for rezoning was reviewed by the Planning & Zoning Commission during the May 21, 2015 meeting where a public hearing was held. The Commission approved the rezoning and recommended it be sent to City Council for final approval.

The Department of Public Works staff has reviewed and recommends the request be approved for the aforementioned rezoning.

The public hearing will take place on June 2, 2015 at 6:30 p.m. before the City Council meeting. Following the public hearing, action to hear the first reading of the ordinance is being requested.



\\HANNIBAL\DPW\ENGINEERING\COMMITTEES\P & Z\ZONING\REZONING\PROJECTS\2015 REZONING PROJECTS\15-0009 (RT. W & HWY 61) PREFERRED FAMILY HEALTHCARE\COUNCIL MEMO.DOC

