

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT C-2 (GENERAL COMMERCIAL) FOR THE PROPERTIES AT 1401, 1409, 1503 AND 1505 E. 23RD STREET S., IN INDEPENDENCE, MISSOURI.

WHEREAS, the hereinafter described property has been classified by the City Council in the Code of the City of Independence, Missouri, as lying and being within District R-6 (Single-Family Residential) and being subject to the regulations of District R-6 (Single-Family Residential) as specified in Section 14-300 of the Code of the City of Independence, Missouri; and an application was filed on May 27, 2020 with the Community Development Department requesting that the district boundaries of the Zoning District Map be amended so that the said property will lie and be in District C-2 (General Commercial) and be subject to the regulations of said district as specified in Section 14-301 of the Code of the City of Independence, Missouri; and,

WHEREAS, the Independence Planning Commission did cause to be published on June 27, 2020, a notice of the time and place of such hearing notifying all interested parties that a hearing on such proposed rezoning would be held virtually by the Planning Commission on July 14, 2020 and by the City Council on August 17, 2020 at 6:00 p.m., which said notice proposed that the property described hereinafter be so rezoned from District R-6 (Single-Family Residential) as specified in Section 14-300 of the Code of the City of Independence, Missouri, to District C-2 (General Commercial) as specified in Section 14-301 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 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 current R-6 (Single Family Residential) zoning allows the following uses: single-family dwellings, churches, and schools.
4. That, the proposed. C-2 (General Commercial) zoning allows the following uses: retail, services, office, restaurants, meeting halls, banks, daycare centers, government facilities, churches, schools, colleges and universities, and medical services.
5. That, at the virtual Planning Commission hearing, the owner spoke in favor of the application, and two people spoke against the proposed rezoning.
6. That, no protest petition was submitted in opposition to the application.
7. That, at its July 14, 2020 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:

causing the same to ALL THAT PART OF LOTS 1 AND 3, TAUBMAN-CHILES MANOR, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF EAST 23RD STREET, AS NOW ESTABLISHED WITH THE EAST LINE OF SAID LOT 1; THENCE SOUTH 1°-53'-06" WEST ALONG SAID EAST LINE, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 1°-53'-06" WEST ALONG SAID EAST LINE, A DISTANCE OF 146.68 FEET; THENCE NORTH 88°-08'-54" WEST, A DISTANCE OF 554.41 FEET; THENCE NORTH 1°-53'-53" EAST, A DISTANCE OF 292.24 FEET TO SAID SOUTH RIGHT OF WAY LINE; THENCE SOUTH 87°-36'-18" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE 28.14 FEET; THENCE SOUTH 87°-31'-18" EAST CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 466.24 FEET; THENCE SOUTH 1°-53'-06" WEST, A DISTANCE OF 139.46 FEET; THENCE SOUTH 87°-26'-30" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

be zoned District C-2 (General Commercial) and be subject to the regulations of said district as specified in Section 14-301 the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2020, 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