

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT O-1 (OFFICE-RESIDENTIAL) TO DISTRICT C-2 (GENERAL COMMERCIAL) FOR THE SOUTH PART OF 2400 S. LEE’S SUMMIT ROAD IN INDEPENDENCE, MISSOURI.

WHEREAS, an application submitted by GMC 2400 LLC requesting approval of a rezoning from District O-1 (Office Residential) to District C-2 (General Commercial) for the south portion of the property at 2400 S. Lee’s Summit Road was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a virtual public hearing for the consideration of the request on November 16, 2021, and rendered a report to the City Council recommending that the rezoning be approved by a vote of 7-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on December 20, 2021, and rendered a decision to approve the rezoning of the said property; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the rezoning was consistent with the review criteria in Section 14-701-02; and,

WHEREAS, no legal protests were 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 following legally described property is hereby rezoned from District O-1 (Office Residential) to District C-2 (Single Family Residential) and shall be subject to the regulations of said district:

The South 152 feet of the following described property:

Part of Lot 8 of Freling Orchard Acres, a subdivision in Independence, Jackson County, Missouri described as follows: Beginning at a point on the North line of said lot said point 6 feet West of the original Northeast corner of said lot and said point on the West right-of-way line of Lee’s Summit Road, thence South 60.00 feet to the True Point of Beginning; thence continuing South 242.82 feet to the South line of said lot; thence west 211 feet; thence north 242.89 feet; thence East 211 feet to the Point of Beginning (Tract B on the Certificate of Survey T3, page-75).

SECTION 2. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 3. Scrivener’s Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 4. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2021, 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