

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A FINAL PLAT FOR HUB SHOPPING CENTER, IN
INDEPENDENCE, MISSOURI.

WHEREAS, the application submitted by Daniel Snead, requesting approval of the final plat entitled "Hub Shopping Center," was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Planning Commission considered the final plat on November 14, 2023, and rendered a report to the City Council recommending the plat be approved by a vote of 5-0; and,

WHEREAS, the City Council rendered a decision to approve the final plat on January 2, 2024; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the final plat is consistent with the approval criteria in Section 14-702-04.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the final plat entitled "Hub Shopping Center" is a subdivision located in the Southwest Quarter of Section 7, Township 49 North, Range 31 West, in Independence, Jackson County, Missouri and being more particularly described as follows:

A tract of land being a part of Lot 46, TWIN TRAILS and part of Lots 2, 3 and 4, ESGAR'S ACRES, both being subdivisions in Independence, Jackson County, Missouri and a part of the North Half of the Southwest Quarter of Section 7, Township 49 North, Range 31 West of the Fifth Principal Meridian, all being more particularly described as follows:

Commencing at the Northwest Corner of the Southwest Quarter of said Section 7; thence South 87°45'34" East along the North line of said Southwest Quarter a distance of 753.39 feet; thence South 02°14'26" West a distance of 44.78 feet to the intersection point of the East line of Lot 5 of said TWIN TRAILS and the South right-of-way line of 23rd Street as it currently exists 45 feet from the centerline thereof, said point being the POINT OF BEGINNING; thence South 87°43'04" East along said South right-of-way line a distance of 529.09 feet to the West right-of-way line of Hub Drive as established by Document No. 1996I-0035491 in Book I-2851 at Page 2053; thence along said West right-of-way line the following thirteen (13) courses; thence South 47°52'24" East a distance of 38.28 feet; thence South 21°22'24" East a distance of 26.39 feet; thence South 02°07'36" West a distance of 130.50 feet; thence along a curve to the left with a central angle of 24°59'59" a radius of 236.06 feet and an arc length of 103.00 feet; thence North 67°07'36" East a distance of 5.00 feet; thence along a curve to the left whose initial tangent bears South 22°52'24" East with a central angle of 14°59'59" a radius of 231.06 feet and an arc length of 60.49 feet; thence South 37°52'29" East a distance of 20.00 feet; thence South 02°07'34" West a distance of 30.00 feet; thence South 87°52'15" East a distance of 20.00 feet; thence South 02°07'38" West a distance of 25.19 feet; thence South 87°43'04" East a distance of 19.90 feet; thence along a curve to the right whose initial tangent bears South 21°08'20" East with a central angle of 23°15'53" a radius of 183.92 feet and an arc length of 74.68 feet; thence South 02°07'36" West a distance of 544.26 feet; thence departing said right-of-way line North 88°14'06" West a distance of 330.82 feet; thence South 55°50'03" West a distance of 60.91 feet; thence

North 88°04'46" West a distance of 144.65 feet; thence South 40°11'29" West a distance of 46.73 feet; thence North 87°46'02" West a distance of 135.20 feet to the East line of Lot 46 of said TWIN TRAILS; thence South 01°45'09" West along said East line a distance of 28.34 feet to the Southeast corner of said Lot 46; thence North 87°58'02" West along the South line of said Lot 46 a distance of 142.77 feet to the Southwest corner thereof; thence North 01°45'09" East along the West line of said Lot 46 a distance of 55.22 feet; thence South 87°58'02" East a distance of 142.77 feet to the East line of said Lot 46; thence North 01°45'09" East along the East line of Lots 5 through 13 and part of Lot 46 of said TWIN TRAILS a distance of 1065.07 feet to the POINT OF BEGINNING.

Containing 686,603 square feet or 15.7622 acres, more or less.

SECTION 2. All of the conditions of the Planning Commission's approval has been resolved by the applicant except for the condition listed below:

1. Include a subtitle indicating the existing subdivision and existing lots to be replatted, "A Replat of Esgars Acres, Part of Lots 2, 3 and 4; and Twin Trails, Part of Lot 46;"
2. Remove Becky K. Behren's name from the City Clerk's signature block;
3. Include address numbers on the plat: Lot 1 will be 16611-16659 E. 23rd Street S., Lot 2 will be 16703 E. 23rd Street S., Lot 3 will be 16665 E. 23rd Street S., Lot 4 will be 16675 E. 23rd Street S. and Lot 5 will be 16685 E. 23rd Street S.;
4. Provide a cross-access easement for vehicular traffic;
5. Show the MoDOT proposed sidewalk along the south side E 23rd Street S. frontage.

SECTION 3. 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 4. 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 5. 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.

SECTION 6. That this ordinance, in the judgment of the Council, is deemed to be of an urgent nature and that its immediate passage is necessary for the preservation of the public peace, property, health, safety and welfare of the residents of Independence and should become effective immediately upon the date of its passage by the City Council. Therefore, this emergency ordinance is consistent with the facts outlined above.

Final Plat Case #23-320-03
Hub Shopping Center
11/30/23-SH

PASSED AS AN EMERGENCY THIS _____ DAY OF _____, 2024, 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