

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT BP/PUD (BUSINESS PARK/PLANNED UNIT DEVELOPMENT) AND DISTRICT C-2/PUD (GENERAL COMMERCIAL/PLANNED UNIT DEVELOPMENT) TO DISTRICT I-1 (INDUSTRIAL) FOR THE PROPERTY AT THE SOUTHEAST CORNER OF M-78 HIGHWAY AND LITTLE BLUE PARKWAY.

WHEREAS, an application submitted by NorthPoint Development is requesting approval of a rezoning from District BP/PUD (Business Park/Planned Unit Development) and District C-2/PUD (General Commercial/Planned Unit Development) to District I-1 (Industrial) for the property at the Southeast Corner of M-78 Highway and Little Blue Parkway 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 public hearing for the consideration of the request on January 23, 2024, and rendered a report to the City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on March 4, 2024, 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 BP/PUD (Business Park/Planned Unit Development) and District C-2/PUD (General Commercial/Planned Unit Development) to District I-1 (Industrial) and shall be subject to the regulations of said district:

A tract of land in Section 2 and Section 3, Township 49 North, Range 31 West, lying Southeast of Missouri Highway 78, all in the City of Independence, Jackson County, Missouri, described as follows:

Commencing at the West Quarter Corner of said Section 3 as is monumented by a ½” iron bar with no ID cap;

Thence South 87°42'53" East, along the East-West centerline of Section 3, a distance of 2,158.93 feet, more or less, to the East right of way line of Missouri Highway 78, as now established;

Thence North 53°27'50" East, along said East right of way line, a distance of 1,792.06 feet to the true Point of Beginning;

Thence North 53°27'50" East, continuing along said East right of way line, a distance of 2,315.14 feet;

Thence South 24°37'39" West, a distance of 1,948.50 feet;

Thence North 53°26'03" West, a distance of 241.59 feet;

Thence South 70°43'57" West, a distance of 652.83 feet to a point on the Centerline of Little Blue Parkway, as now established, said point being the beginning of a curve radial to said line;

Thence Northerly, along said Centerline, a distance of 523.50 feet along the curve concave to the Southwest, having a radius of 1,909.86 feet and a central angle of 15°42'18" to the true POINT OF BEGINNING.

Containing 1,213,072 square feet or 27.85 acres more or less.

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 _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

Interim City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager