

AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT OF THE ZONING CODE AND OFFICIAL MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 29.39 ACRES, LOCATED AT THE 2500 BLOCK OF SOUTH STATE HIGHWAY MM, FROM GENERAL COMMERCIAL (C-2) AND AGRICULTURAL (AG) TO IRON GRAIN DISTRICT PLANNED DEVELOPMENT DISTRICT (PDD)

WHEREAS, the City of Republic, Missouri, (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, Magers Republic No. 3C, LLC and Iron Grain District, LLC (together, “Applicants”) submitted an application to the City’s BUILDS Department to rezone certain real property consisting of approximately 29.39 acres, located at the 2500 block of South State Highway MM in Republic, Missouri, from General Commercial (C-2) and Agricultural (AG) to Iron Grain District Planned Development District (PDD”); and

WHEREAS, Applicants additionally sought approval of a development plan for the Iron Grain District Planned Development District, identified as PDD 21-002 (“Development Plan”); and

WHEREAS, the City submitted said application and Development Plan to the Planning and Zoning Commission and set a public hearing on the application for February 7, 2022; and

WHEREAS, a notice of the time and date of the public hearing on the application was given by publication on January 12, 2022, in the *Greene County Commonwealth*, a newspaper of general circulation in the City, such notice being at least fifteen (15) days before the date set for the public hearing; and

WHEREAS, the City gave notice of the public hearing on the application to the record owners of all properties within the area proposed to be rezoned and within 185 feet of the property proposed to be rezoned; and

WHEREAS, the public hearing on the application and Development Plan was conducted by the Planning and Zoning Commission on February 7, 2022, after which the Commission rendered written findings of fact on the proposed amendment, Development Plan, and rezoning and, thereafter, submitted the same, together with its recommendations, to the Council; and

WHEREAS, the Planning and Zoning Commission, by a vote of five (5) Ayes to zero (0) Nays, recommended the approval of such application and Development Plan for rezoning; and

WHEREAS, the application for rezoning, the Development Plan, and the request to amend the Zoning Code and Official Zoning Map was submitted to the City Council at its regular meeting on February 22, 2022, after which the City Council voted to rezone such property, approve the Development Plan, and amend the Zoning Code accordingly.

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

Section 1. The Zoning Code and Official Zoning Map are hereby amended to reflect the rezoning of the real property tract consisting approximately 29.39 acres, located at the 2500 block of

South State Highway MM in Republic, Missouri, more fully described in the legal description herein below, from General Commercial (C-2) and Agricultural (AG) to Iron Grain District Planned Development District (PDD).

ALL THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 29 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 35; THENCE, NORTH 88°11'38" WEST, A DISTANCE OF 619.73 FEET TO AN EXISTING IRON PIN ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 360 (JAMES RIVER EXPRESSWAY) AND THE POINT OF BEGINNING; THENCE, SOUTH 48°28'01" EAST, ALONG AND WITH SAID SOUTHERLY LINE, A DISTANCE OF 160.34 FEET TO AN EXISTING RIGHT-OF-WAY MARKER; THENCE, SOUTH 37°54'07" EAST, ALONG AND WITH SAID SOUTHERLY LINE, A DISTANCE OF 212.40 FEET TO AN EXISTING IRON PIN; THENCE, SOUTH 02°03'15" WEST, LEAVING SAID SOUTHERLY LINE, A DISTANCE OF 552.57 FEET TO AN EXISTING IRON PIN; THENCE, NORTH 87°36'08" WEST, A DISTANCE OF 220.05 FEET TO AN EXISTING IRON PIN ;THENCE, SOUTH 02°06'44" WEST, A DISTANCE OF 499.99 FEET TO AN EXISTING IRON PIN ON THE NORTH RIGHT-OF-WAY LINE OF FARM ROAD 156; THENCE, NORTH 88°31'54" WEST, ALONG AND WITH SAID NORTH LINE, A DISTANCE OF 282.66 FEET; THENCE, NORTH 53°55'46" WEST, ALONG AND WITH SAID NORTH LINE, A DISTANCE OF 49.52 FEET TO AN EXISTING IRON PIN; THENCE, NORTH 88°08'36" WEST, ALONG AND WITH SAID NORTH LINE, A DISTANCE OF 254.62 FEET TO AN EXISTING IRON PIN ON THE EAST RIGHT-OF-WAY LINE OF STATE ROUTE "MM"; THENCE, NORTHERLY, ALONG AND WITH SAID EAST LINE, THE FOLLOWING FIVE (5) COURSES:

NORTH 28°18'38" WEST, A DISTANCE OF 58.71 FEET TO AN EXISTING IRON PIN; THENCE, NORTH 01°27'26" EAST, A DISTANCE OF 109.11 FEET TO AN EXISTING IRON PIN; THENCE, NORTH 03°22'12" WEST, A DISTANCE OF 288.92 FEET TO AN EXISTING IRON PIN; THENCE, NORTH 13°43'27" WEST, A DISTANCE OF 180.50 FEET TO AN EXISTING IRON PIN; THENCE, NORTH 11°17'23" WEST, A DISTANCE OF 63.25 FEET; THENCE, NORTH 21°41'01" WEST, A DISTANCE OF 32.97 FEET TO AN EXISTING IRON PIN AT THE INTERSECTION OF SAID NORTHERLY LINE WITH THE EAST RIGHT-OF-WAY LINE OF OLD ROUTE "MM"; THENCE, NORTH 02°02'14" EAST, ALONG AND WITH SAID EAST LINE, A DISTANCE OF 576.09 FEET TO AN EXISTING IRON PIN ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 35; THENCE, SOUTH 88°12'54" EAST, ALONG AND WITH THE NORTH LINE OF SAID QUARTER-QUARTER SECTION, A DISTANCE OF 673.95 FEET TO THE POINT OF BEGINNING.

ALONG AND WITH
ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 29 NORTH, RANGE 23 WEST LYING SOUTH AND WEST OF U.S. HIGHWAY 360.

ALSO ALONG AND WITH
ALL THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 29 NORTH, RANGE 23 WEST LYING EAST OF STATE ROUTE "MM" AND SOUTH OF U.S. HIGHWAY 360.

Section 2: The Development Plan, as incorporated and attached to this Ordinance, is hereby approved and adopted by the Council along with any modifications and conditions imposed herein.

Section 3: Unless otherwise specifically defined by the approved Development Plan, the development of the tracts of realty contained herein will be regulated according to the requirements of the City of Republic’s Municipal Code of Ordinances.

Section 4: In all other aspects other than those herein amended, modified, or changed, the Zoning Code and Official Zoning Map shall remain the same and continue in full force and effect.

Section 5: The whereas clauses are hereby specifically incorporated herein by reference.

Section 6: This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 2022.

Attest:

Matt Russell, Mayor

Laura Burbridge, City Clerk

Approved as to Form:

Megan E. McCullough

Megan McCullough, City Attorney

Final Passage and Vote: