

AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT OF THE ZONING CODE AND OFFICIAL MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 40 ACRES, LOCATED AT 3445 EAST HINES STREET, FROM MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL (R1-M) TO HIGH DENSITY SINGLE-FAMILY RESIDENTIAL (R1-H)

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, S6 Tiger Creek LLC (“Applicant”) submitted an application to the City’s BUILDS Department to rezone certain real property consisting of approximately 40.00 acres located at 3445 East Hines Street in Republic, Missouri, from Medium Density Single-Family Residential (R1-M) to High Density Single-Family Residential (R1-H); and

WHEREAS, the City submitted the application 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 was conducted by the Planning and Zoning Commission on February 7, 2022, at which all interested persons and entities were afforded the opportunity to present evidence or statement on the application, after which the Commission rendered written findings of fact and 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 for rezoning; and

WHEREAS, the application for rezoning and 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 did proceed to vote to rezone such property 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 of approximately 40.00 acres located at 3445 East Hines Street in Republic, Missouri, more fully described in the legal description herein below, from Medium Density Single-Family Residential (R1-M) to High Density Single-Family Residential (R1-H).

ALL THAT PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION FOURTEEN (14), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-

THREE (23), REPUBLIC, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON PIN WITH ALUMINUM CAP AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE NORTH 01°53'04" EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4), 15.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF FARM ROAD 178; THENCE NORTH 01°53'04" EAST CONTINUING ALONG SAID WEST LINE, 1314.49 FEET TO A FOUND IRON PIN AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 88°28'22" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4), 1280.25 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROUTE ZZ; THENCE SOUTH 01°48'22" WEST ALONG SAID RIGHT-OF-WAY LINE, 7.20 FEET TO A POINT RIGHT-OF-WAY MARKER; THENCE SOUTH 88°11'38" EAST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, 5.00 FEET; THENCE SOUTH 01°48'15" WEST, 1214.21 FEET TO A FOUND RIGHT-OF-WAY MARKER; THENCE SOUTH 34°27'37" WEST, 65.01 FEET TO A FOUND RIGHT-OF-WAY MARKER; THENCE SOUTH 86°17'42" WEST, 296.35 FEET; THENCE SOUTH 02°02'17" WEST 10.00 FEET TO A POINT ON THE SAID NORTH RIGHT-OF-WAY LINE OF FARM ROAD 178; THENCE NORTH 88°33'35" WEST ALONG SAUD RIGHT-OF-WAY LINE, 956.99 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESERVATIONS, COVENANTS, AND RESTRICTIONS OF RECORD. SUBJECT TO ANY PART THEREOF TAKEN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES.

Section 2: 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 3: The whereas clauses are hereby specifically incorporated herein by reference.

Section 4: 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: