

AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT OF THE ZONING CLASSIFICATION OF APPROXIMATELY 17.19 ACRES, LOCATED AT 3020 AND 2946 NORTH YORK AVENUE, FROM AGRICULTURAL (AG) TO 6-POINT JUNCTION 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, James Wade (“Applicant”) submitted an application to the City’s BUILDS Department for an amendment to the Zoning Code and Official Zoning Map to rezone certain real property consisting of approximately 17.19 acres, located at 3020 and 2946 North York Avenue in Republic, Missouri, from Agricultural (AG) to the 6-Point Junction Planned Development District (PDD); and

WHEREAS, Applicant additionally sought approval of a development plan for the 6-Point Junction Planned Development District, identified as PDD 23-004 (“Development Plan”); and

WHEREAS, the City submitted the application and Development Plan to the Planning and Zoning Commission (“PZ Commission”) and set a public hearing on the application for September 11, 2023; and

WHEREAS, pursuant to Republic Municipal Code § 405.980, the City published notice of the time and date for the public hearing on the application on August 23, 2023, in the *Greene County Commonwealth*, a newspaper of general circulation in the City, such notice being at least fifteen (15) days before the public hearing; and

WHEREAS, pursuant to Republic Municipal Code § 405.980, the City gave notice of the public hearing on the application to the record owners of all properties located within 185 feet of the Property, consistent with the information shown by the Greene County Assessor’s Office; and

WHEREAS, the PZ Commission conducted the public hearing on the application and Development on September 11, 2023, after which the PZ Commission rendered written findings of fact on the application, Development Plan, and rezoning and, thereafter, submitted the same, together with its recommendations, to the Council; and

WHEREAS, the PZ Commission, by a vote of 3 Ayes to 2 Nays, recommended approval of the application for rezoning and the Development Plan; 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 for a first reading at its regular meeting on September 19, 2023, after which the City Council hearing the second reading on October 3, 2023, voted to rezone such property approve the Development Plan, and amend the Zoning Code consistent with the application.

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 comprising of 17.19 acres located at 3020 and 2946 North York Avenue, Republic, Missouri, more fully described in the legal

description herein below, from Agricultural (AG) to the 6-Point Junction Planned Development District (PDD).

TRACT I:

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER (NE¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION TWO (2), TOWNSHIP TWENTY-EIGHT (28) NORTH, RANGE TWENTY-THREE (23) WEST, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER (NE¼) AT THE NORTHWEST QUARTER (NW¼); THENCE NORTH 02°07'36" EAST WITH THE WEST LINE OF SAID NORTHEAST QUARTER (NE¼) OF THE NORTHWEST QUARTER (NW¼), A DISTANCE OF 628.06 FEET TO A POINT FOR CORNER; THENCE SOUTH 87°52'24" EAST A DISTANCE OF 466.69 FEET TO A POINT FOR CORNER; THENCE NORTH 02°07'36" EAST A DISTANCE OF 466.75 FEET TO A POINT FOR CORNER; THENCE NORTH 87°52'24" WEST A DISTANCE OF 466.69 FEET TO A POINT ON SAID WEST LINE FOR CORNER; THENCE NORTH 02°07'36" EAST WITH SAID WEST LINE, A DISTANCE OF 319.21 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER (NE¼) OF THE NORTHWEST QUARTER (NW¼) FOR CORNER; THENCE SOUTH 88°07'10" EAST WITH SAID NORTH LINE, A DISTANCE OF 459.76 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY 360 FOR CORNER; THENCE SOUTH 01°52'50" WEST WITH SAID HIGHWAY RIGHT-OF-WAY LINE, A DISTANCE OF 24.47 FEET TO AN EXISTING 100-D NAIL FOR CORNER; THENCE SOUTH 73°53'39" EAST A DISTANCE OF 67.59 FEET TO AN EXISTING 100-D NAIL FOR CORNER; THENCE SOUTH 85°53'19" EAST A DISTANCE OF 212.55 FEET TO AN EXISTING RIGHT-OF-WAY MARKER FOR CORNER; THENCE SOUTH 43°14'07" EAST A DISTANCE OF 130.11 FEET TO AN EXISTING RIGHT-OF-WAY MARKER FOR CORNER, SAID MARKER BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE SOUTH 22°53'05" WEST WITH SAID RAILWAY RIGHT-OF-WAY, A DISTANCE OF 1,361.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE¼) OF THE NORTHWEST QUARTER (NW¼) FOR CORNER; THENCE NORTH 88°29'44" WEST A DISTANCE OF 348.10 FEET TO THE POINT OF BEGINNING.

TRACT II:

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER (NE¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION TWO (2), TOWNSHIP TWENTY-EIGHT (28) NORTH, RANGE TWENTY-THREE (23) WEST, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER (NE¼) OF THE NORTHWEST QUARTER (NW¼); THENCE NORTH 02°07'35" EAST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER (NE¼) OF THE NORTHWEST QUARTER (NW¼), A DISTANCE OF 628.06 FEET TO A CORNER FOR A POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE SOUTH 87°52'24" EAST A DISTANCE OF 466.69 FEET TO A POINT FOR CORNER; THENCE NORTH 02°07'36" EAST, A DISTANCE OF 466.75 FEET TO A POINT FOR CORNER; THENCE NORTH 87°52'24" WEST A DISTANCE OF 466.69 FEET TO A POINT FOR CORNER, SAID POINT BEING ON SAID WEST LINE; THENCE SOUTH 02°07'36" WEST, ALONG SAID WEST LINE, A DISTANCE OF 466.75 FEET TO THE POINT OF BEGINNING.

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 _____, 2023.

Attest:

Matt Russell, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: