

AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT OF THE ZONING CLASSIFICATION OF APPROXIMATELY 0.81 ACRES OF REAL PROPERTY LOCATED AT 445 US HIGHWAY 60 EAST, FROM LOCAL COMMERCIAL (C-1) TO GENERAL COMMERCIAL (C-2)

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, Clayron LP (“Applicant”) submitted an application (“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 0.81 acres, located at 445 US Highway 60 East (“the Property”), from Local Commercial (C-1) to General Commercial (C-2), and

WHEREAS, the City submitted the Application to the Planning and Zoning Commission (“PZ Commission”) and set a public hearing on the application for November 13, 2023; and

WHEREAS, on October 25, 2023, pursuant to Republic Municipal Code § 405.980, the City published notice of the time and date for the public hearing on the Application 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 November 13, 2023, at which all interested persons and entities were afforded the opportunity to present evidence or statement, and after which the PZ Commission rendered written findings of fact and submitted those along with its recommendations to the Council; and

WHEREAS, the PZ Commission, by a vote of 6 Ayes to 0 Nays, recommended approval of the Application; and

WHEREAS, the Application was submitted to the City Council for first read at its regular meeting on November 14, 2023, and for second read at its regular meeting on December 12, 2023, after which the Council voted to approve the Application 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 consisting of approximately 0.81 acres, located at 445 US Highway 60 East in Republic, Missouri, more fully described in the legal description herein below, from Local Commercial (C-1) to General Commercial (C-2):

COMMENCING AT A POINT 381 FEET NORTH AND 24 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF

SECTION TWENTY (20), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), SAID POINT BEING ON THE EAST LINE OF HAMPTON STREET; THENCE NORTH ALONG SAID STREET LINE A DISTANCE OF 198.6 FEET; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF MILL STREET A DISTANCE OF 99.6 FEET; THENCE NORTHEASTERLY AND MAKING AN ANGLE OF 11°02' TO THE LEFT FROM THE LAST DESCRIBED COURSE A DISTANCE OF 84 FEET TO A POINT 160 FEET SOUTH OF THE SOUTH LINE OF MILL STREET; THENCE EAST AND PARALLEL TO MILL STREET A DISTANCE OF 167 FEET; THENCE NORTH 160 FEET TO MILL STREET FOR A POINT OF BEGINNING; THENCE EAST AND ALONG THE SOUTH LINE OF MILL STREET A DISTANCE OF 245.65 FEET; THENCE SOUTHEASTERLY A DISTANCE OF 42.01 FEET TO A POINT 11.5 FEET SOUTH OF THE SOUTH LINE OF MILL STREET AND 660 FEET OF THE WEST LINE OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION TWENTY (20); THENCE SOUTH A DISTANCE 185.5 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 60; THENCE SOUTHWESTERLY AND ALONG SAID RIGHT-OF-WAY 42.05 FEET TO THE CENTER OF A DRIVE; THENCE NORTHWESTERLY 334.60 FEET TO THE POINT OF BEGINNING, ALL IN THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY (20) TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), IN THE CITY OF REPUBLIC, GREENE COUNTY, MISSOURI, EXCEPT ANY PART TAKEN OR USED FOR ROADS.

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 above are specifically incorporated herein by reference.

Section 4: The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

Section 5: 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:

A handwritten signature in blue ink, appearing to read 'Megan McCullough', is written over a horizontal line.

Megan McCullough, City Attorney

Final Passage and Vote: