

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, APPROVING AMENDING THE ZONING CODE AND OFFICIAL MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 40.9 ACRES FROM AGRICULTURAL (AG) TO PLANNED DEVELOPMENT DISTRICT (PDD), LOCATED IN THE 1800 BLOCK OF EAST MILLER

WHEREAS, the City of Republic, Missouri, (herein called the "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, an application for an amendment to the Zoning Code and Official Zoning Map to rezone real estate located in the 1800 Block of East Miller, and comprising approximately 40.9 acres from Agricultural (AG) to Planned Development District (PDD), was submitted to the City's BUILDS Department by Mason Ridge, LLC (hereinafter called the "Applicant"); and

WHEREAS, an application for approval of a development plan for the Mason Ridge Planned Development District identified as PDD 21-001 (hereafter "Development Plan") was received from Applicant; and

WHEREAS, the City did thereafter submit said application and Development Plan to the Planning and Zoning Commission, which did set April 12, 2021, as the date a public hearing would be held on such application and proposed amendment; and

WHEREAS, a notice of the time and date of the public hearing was given by publication on March 24, 2021, in *The Greene County Commonwealth*, a newspaper of general circulation in the City, such notice being at least 15 days before the date set for the public hearing; and

WHEREAS, the City gave notice of such public hearing 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, a public hearing was conducted by the Planning and Zoning Commission on April 12, 2021, 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 City Council; and

WHEREAS, the Planning and Zoning Commission by a vote of 6 Ayes to 0 Nays, recommended the approval of such application and Development Plan for rezoning; and

WHEREAS, the application for rezoning, Development Plan, and to amend the Zoning Code and Official Zoning Map was submitted to the City Council at its regular meeting on April 20, 2021, 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 insofar as the same relates to a certain tract of realty in the 1800 Block of East Miller, and comprising approximately 40.9 acres from Agricultural (AG) to Planned Development District (PDD), such tract being more fully described as follows:

THAT CERTAIN PARCEL OR TRACT OF LAND BEING THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 28 NORTH, RANGE 23 WEST, BEING DESCRIBED AS FOLLOWS: COMMENCING AT AN EXISTING RAILROAD SPIKE AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE, N88°40'44 "W, ALONG THE NORTH LINE OF SAID SECTION 28, A DISTANCE OF 1340.03 FEET TO A SET COTTON SPINDLE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28, AND THE POINT OF BEGINNING; THENCE, S02°00'49"W, ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1329.08 FEET TO AN EXISTING 1/2" IRON PIN WITH A CAP STAMPED "WOLFE", SAID POINT BEING THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE, N88°40'21"W, ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1341.51 FEET TO AN EXISTING BENT 1/2" IRON PIN AT THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE, N02°04'39"E, ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1328.94 FEET TO AN EXISTING BOAT SPIKE AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE, S88°40'44"E, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1340.03 FEET TO THE POINT OF BEGINNING. CONTAINING 40.9 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENT OR RESTRICTION OF RECORD, IF ANY, AND ANY PART USED FOR ROAD RIGHT-OF-WAY PURPOSE.

Section 2. The Development Plan for PDD 21-001, as incorporated and attached to this Ordinance, is hereby approved and adopted by the City 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.

BILL NO. 21-29


ORDINANCE NO.

PASSED AND APPROVED at a regular meeting of the City Council of the City of
Republic, Missouri, this _____ day of _____ 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.04.13 14:45:59 -05'00', Scott Ison, City Attorney

Final Passage and Vote: _____