

AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT OF THE ZONING CODE AND OFFICIAL MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 28.88 ACRES OF PROPERTY, LOCATED AT THE 7200 BLOCK OF WEST FARM ROAD 170, FROM AGRICULTURAL (AG) AND GENERAL COMMERCIAL (C-2) TO KIRKWOOD ESTATES PLANNED DEVELOPMENT DISTRICT (PDD)

WHEREAS, the City of Republic, Missouri, (“City” and/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, Kyle Kirk and Kirk Werks, LLC (together, “Applicant”) submitted an application to the City’s BUILDS Department to rezone certain real property consisting of approximately 28.88 acres, located at the 7200 Block of West Farm Road 170, from Agricultural (AG) and General Commercial (C-2) to Kirkwood Estates Planned Development District (PDD); and

WHEREAS, Applicant additionally sought approval of a development plan for the Kirkwood Estates Planned Development District (“Development Plan”); and

WHEREAS, the City submitted the application and Development Plan to the Planning and Zoning Commission and set a public hearing on the application for July 11, 2022; and

WHEREAS, a notice of the time and date of the public hearing on the application was given by publication on Wednesday, June 22, 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 July 11, 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 6 Ayes to 0 Nay, recommended the approval of such application for rezoning; and

WHEREAS, the application and Development Plan was submitted to the City Council for first read at its regular meeting on July 19, 2022, and second read at its regular meeting on July 26, 2022, after which the City 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 tract comprising of approximately 28.88 acres, located at the 7200 Block of West Farm Road 170, more fully described in the

legal description herein below, from Agricultural (AG) and General Commercial (C-2) to Kirkwood Estates Planned Development District (PDD):

BLOCK A DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 28, RANGE 23 WEST IN GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT AN EXISTING COTTON PICKER SPINDLE MARKING THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 28 NORTH, RANGE 23 WEST; THENCE N01°54'00"W ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, 20.00 FEET; THENCE LEAVING SAID EAST LINE, N88°29'47"W, 667.50 FEET TO A 5/8-INCH IRON PIN (CAPPED "PLS-2007017965") ON THE NORTH RIGHT-OF-WAY LINE OF FARM ROAD 170; THENCE N1°54'00"W, 20.00 FEET TO A 5/8-INCH IRON PIN (CAPPED "PLS-2007017965"); THENCE N88°29'47"W ALONG SAID RIGHT-OF-WAY LINE, 202.98 FEET TO A 5/8-INCH IRON PIN (CAPPED "PLS-2007017965") FOR THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN; THENCE N88°29'28"W, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 463.11 FEET TO A 5/8-INCH IRON PIN (CAPPED "PLS-2007017965"); THENCE N1°55'25"E, A DISTANCE OF 340.21 FEET TO A 5/8-INCH IRON PIN (CAPPED "PLS-2007017965") ON THE SOUTH RIGHT-OF-WAY LINE EAST BOUND US HIGHWAY 60; THENCE N64°20'48"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF EAST BOUND US HIGHWAY 60, A DISTANCE OF 522.13 FEET TO A 5/8-INCH IRON PIN (CAPPED "PLS-2007017965"); THENCE S1°53'41"W, A DISTANCE OF 636.48 FEET TO THE POINT OF BEGINNING, CONTAINING 4.9 ACRES.

BLOCK B DESCRIPTION:

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 28, RANGE 23 WEST IN GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT A SURVEY MONUMENT CAPPED "PLS2190" MARKING THE SOUTHWEST CORNER OF LOT 14 OF OLDE TOWN AT THE KERR PLACE SUBDIVISION; THENCE N88°20'38"W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 28, RANGE 23, A DISTANCE OF 588.38 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N88°20'38"W, ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 215.20 FEET TO A SURVEY MONUMENT; THENCE N1°44'21"E, A DISTANCE OF 1309.32 FEET TO A SURVEY MONUMENT ON THE SOUTH RIGHT-OF-WAY LINE OF FARM ROAD 170; THENCE S88°07'01"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 218.98 FEET; THENCE S1°54'17"W, A DISTANCE OF 1308.46 FEET TO THE POINT OF BEGINNING, CONTAINING 6.5 ACRES.

BLOCK C DESCRIPTION:

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 28, RANGE 23 WEST IN GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT A SURVEY MONUMENT CAPPED "PLS 2190" MARKING THE SOUTHWEST OF LOT 14 OF OLDE TOWN AT THE KERR PLACE SUBDIVISION. THENCE N1°52'33"E, ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE TO 1306.13 FEET; THENCE N88°07'01"W, A DISTANCE OF 507.72 FEET; THENCE S01°54'17"W, A DISTANCE OF 1308.15 FEET TO A POINT ON THE SOUTH

LINE OF THE NE1/4 OF THE NW1/4 OF SECTION 15, TOWNSHIP 28, RANGE 23;
THENCE S88°20'38"E, A DISTANCE OF 508.38 FEET TO THE POINT OF BEGINNING,
CONTAINING 15.3 ACRES.

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.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: