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 92.85 ACRES FROM AGRICULTURAL (AG) AND GENERAL COMMERCIAL (C-2) TO PLANNED DEVELOPMENT DISTRICT (PDD), LOCATED AT 3456 SOUTH FARM ROAD 101

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, an application for an amendment to the Zoning Code and Official Zoning Map to rezone real estate located at 3456 South Farm Road 101, and comprising approximately 92.85 acres from Agricultural (AG) and General Commercial (C-2) to Planned Development District (PDD), was submitted to the City's BUILDS Department by United Bank & Trust("Applicant"); and

WHEREAS, an application for approval of a development plan for the Stone Creek Falls Planned Development District identified as PDD 21-004 ("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 July 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 June 23, 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 July 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 Council; and

WHEREAS, the Planning and Zoning Commission, by a vote of 5 Ayes to 0 Nay, 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 July 20, 2021, after which the City Council did proceed to vote to rezone such property, approve the Development Plan, 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 located located at 3456 South Farm Road 101, and comprising approximately 92.85 acres from Agricultural (AG) and General Commercial (C-2) to Planned Development District (PDD), such tract being more fully described as follows:

A TRACT OF LAND, BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, AND A PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 23 WEST, CITY OF REPUBLIC, GREENE COUNTY, MISSOURI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 11; THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2 NORTH 01°49'35" EAST, 46.90 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE NORTH 29°30'07" EAST A DISTANCE OF 1,320.77 FEET; THENCE CONTINUING ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,559.19 FEET, A DELTA OF 00°39'49", AN ARC LENGTH OF 133.85 FEET, AND A CHORD WHICH BEARS NORTH 29°10'12" EAST HAVING A CHORD DISTANCE OF 133.85 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2; THENCE ALONG SAID NORTH LINE SOUTH 89°03'23" EAST, 646.94 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2; THENCE ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2 SOUTH 01°47'15" WEST, 1,331.77 FEET TO A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 11; THENCE SOUTH 88°45'55" EAST ALONG SAID NORTH LINE 1,320.71 FEET TO THE NORTHEAST CORNER OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 11; THENCE SOUTH 01°40'20" WEST ALONG THE EAST LINE OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 11 A DISTANCE OF 388.84 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 60; THENCE SOUTH 57°27'19" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 1,694.96 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHWEST QUARTER; THENCE NORTH 88°52'01" WEST ALONG SAID SOUTH LINE A DISTANCE OF 806.65 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE NORTH 32°25'12" WEST ALONG SAID EAST LINE A DISTANCE OF 780.16 FEET TO A POINT ON THE WEST LINE OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 11; THENCE NORTH 01°50'57" EAST ALONG SAID WEST LINE A DISTANCE OF 683.29 FEET TO THE POINT OF BEGINNING, AND CONTAINING 92.85 ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY.

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 _____ 2021.

_____
Matt Russell, Mayor

Attest:

_____
Laura Burbridge, City Clerk

Approved as to Form: _____, City Attorney

Final Passage and Vote: _____