

**AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT OF THE ZONING CLASSIFICATION OF APPROXIMATELY FOUR (4) ACRES OF REAL PROPERTY LOCATED AT 1192 SOUTH STATE HIGHWAY MM, FROM AGRICULTURAL (AG) TO HEAVY INDUSTRIAL (M-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**, the City’s BUILDS Department received an Application from Wilson’s Creek Villas LLC (“Applicant”) for an amendment to the Zoning Code and Official Zoning Map by rezoning approximately 4 acres of real property located at 1192 South State Highway MM subdivision from Agricultural (AG) to Heavy Industrial (M-2); and

**WHEREAS**, the City submitted the Application to the Planning and Zoning Commission (“Commission”) and set a public hearing before the Commission for July 10, 2023; and

**WHEREAS**, the City published notice of the time and date of the public hearing at least fifteen (15) days in advance, on June 21, 2023, in the *Greene County Commonwealth*, a newspaper of general circulation in the City; and

**WHEREAS**, the City gave notice of the Application and public hearing to the record owners of all real properties within 185 feet of the Property; and

**WHEREAS**, the Commission conducted the public hearing as scheduled on July 10, 2023, at which all interested persons and entities were afforded the opportunity to present evidence or statement, and after which the Commission rendered written findings of fact and submitted those along with its recommendations to the Council; and

**WHEREAS**, the Commission, by a vote of four (4) Ayes to zero (0) Nays, recommended the approval of the Application; and

**WHEREAS**, the Application was submitted to the Council for first read at its regular meeting on July 18, 2023, and submitted for second read at its regular meeting on August, 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 four (4) acres of real property located at 1192 South State Highway MM, more fully identified in the legal description below, from Agricultural (AG) to Heavy Industrial (M-2):

**BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-SIX (26), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-THREE (23), IN GREENE COUNTY, MISSOURI, THENCE NORTH 208.75 FEET, THENCE EAST 835 FEET, THENCE SOUTH 208.75 FEET, THENCE WEST TO THE POINT OF BEGINNING.**

**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 City Administrator or his/her designee, on behalf of the City, is authorized to take the necessary steps to execute this Ordinance.

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

**Section 5:** The WHEREAS clauses above are 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:**