

AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT OF THE ZONING CLASSIFICATION OF APPROXIMATELY 0.93 ACRES OF REAL PROPERTY LOCATED AT 501 WEST BROOKFIELD AVENUE FROM GENERAL COMMERCIAL (C-2) TO MULTI-FAMILY RESIDENTIAL (R-3)

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, Apple Properties, LLC applied for (“Application”) an amendment to the Zoning Code and Official Zoning Map rezoning certain real property consisting of approximately 0.93 acres located at 501 West Brookfield Avenue (the “Property”), from its current zoning of General Commercial (C-2) to Multi-Family Residential (R-3); and

WHEREAS, the City set a public hearing on the Application before the Planning and Zoning Commission (“PZ Commission”) for November 4, 2024; and

WHEREAS, on October 16, 2024, 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 4, 2024, 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 5 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 5, 2024 and second read at its regular meeting on November 19, 2024, 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 0.93 acres located at 501 West Brookfield Avenue in Republic, Missouri, more fully described in the legal description herein below, from the zoning classification of General Commercial (C-2) to Multi-Family Residential (R-3):

ALL OF LOT ONE (1), FINAL PLAT WEST BROOK CENTRE, A SUBDIVISION IN REPUBLIC, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

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 _____, 2024.

Attest:

Eric Franklin, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: