

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 3.55 ACRES FROM TWO-FAMILY RESIDENTIAL (R-2) TO 3.3 ACRES OF TWO-FAMILY RESIDENTIAL (R-2) AND APPROXIMATELY 8.19 ACRES FROM MULTI-FAMILY RESIDENTIAL (R-3) TO 8.5 ACRES OF MULTI-FAMILY RESIDENTIAL (R-3), LOCATED AT 634 WEST HINES

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, on July 28, 2003, in Ordinance 03-49, after notice and public hearing, the Board of Alderman of the City rezoned the property subject to the rezone request to a combination of R-2 and R-3 zoning; and

WHEREAS, after the City received a proposed new preliminary plat for the property subject to this rezoning request, it was determined by the City this property would need to be rezoned for the new proposed preliminary plat to be in compliance with the Ordinances of the City; and

WHEREAS, an application for an amendment to the Zoning Code and Official Zoning Map to rezone real estate located at 634 West Hines, and comprising approximately 3.55 acres from Two-Family Residential (R-2) to 3.3 Acres of Two-Family Residential (R-2) and Approximately 8.19 acres from Multi-Family Residential (R-3) to 8.5 Acres of Multi-Family Residential (R-3), was submitted to the Community Development Department Staff by Ceder Park Investments, LLC (hereinafter called the "Applicant"); and

WHEREAS, the Community Development Staff did thereafter submit said application to the Planning and Zoning Commission, which did set January 11, 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 December 16, 2020, 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 January 11, 2021, after which the Commission rendered written findings of fact on the proposed amendment 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 4 Ayes to 1 Nays, recommended the approval of such application for rezoning; and

WHEREAS, the application for rezoning and to amend the Zoning Code and Official Zoning Map was submitted to the City Council at its regular meeting on January 19, 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 located at 634 West Hines, and comprising approximately 3.55 acres from Two-Family Residential (R-2) to 3.3 Acres of Two-Family Residential (R-2) and Approximately 8.19 acres from Multi-Family Residential (R-3) to 8.5 Acres of Multi-Family Residential (R-3), such tract being more fully described as follows:

DESCRIPTION OF PROPOSED R-2 ZONING AREA THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 28 NORTH, RANGE 23 WEST, BEING DESCRIBED AS FOLLOWS: COMMENCING AT AN EXISTING 5/8" IRON PIN WITH A CAP STAMPED "GPS" AT THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4; THENCE, N87°41'53"W, ALONG THE NORTH LINE OF WEST BROOK CENTER, A PLATTED SUBDIVISION IN THE CITY OF REPUBLIC, GREENE COUNTY, MISSOURI, A DISTANCE OF 195.23 FEET; THENCE, N01°54'23"E, A DISTANCE OF 150.80 FEET; THENCE, N43°13'52"W, A DISTANCE OF 65.50 FEET TO A POINT OF CURVATURE TO THE RIGHT; THENCE, ALONG SAID CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 55.00 FEET, AN ARC DISTANCE OF 86.39 FEET, A CENTRAL ANGLE OF 90°00'00", ALONG A CHORD BEARING N01°46'08"E, A CHORD DISTANCE OF 77.78 FEET; THENCE, N46°46'08"E, A DISTANCE OF 37.07 FEET TO A POINT OF CURVATURE TO THE LEFT; THENCE, ALONG SAID CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 200.00 FEET, AN ARC DISTANCE OF 191.99 FEET, A CENTRAL ANGLE OF 55°00'00", ALONG A CHORD BEARING N19°16'08"E, A CHORD DISTANCE OF 184.70 FEET; THENCE, N08°13'52"W, A DISTANCE OF 122.53 FEET TO A POINT OF CURVATURE TO THE RIGHT; THENCE, ALONG SAID CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 100.00 FEET, AN ARC DISTANCE OF 103.21 FEET, A CENTRAL ANGLE OF 59°08'09", ALONG A CHORD BEARING N21°20'12"E, A CHORD DISTANCE OF 98.69 FEET; THENCE, N50°54'17"E, A DISTANCE OF 104.81 FEET TO A POINT F CURVATURE TO THE RIGHT; THENCE, ALONG SAID CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 100.00 FEET, AN ARC DISTANCE OF 77.83 FEET, A CENTRAL ANGLE OF 44°35'44", ALONG A CHORD BEARING N69°35'57"E, A CHORD DISTANCE OF 75.88 FEET; THENCE, S01°54'22"W, A DISTANCE OF 789.95 FEET TO THE POINT OF COMMENCEMENT. CONTAINING 3.3 ACRES, MORE OR LESS.

DESCRIPTION OF PROPOSED R-3 ZONING AREA THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 28 NORTH, RANGE 23 WEST, BEING DESCRIBED AS FOLLOWS: COMMENCING AT AN EXISTING 5/8" IRON PIN WITH A CAP STAMPED "GPS" AT THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4; THENCE, N87°41'53"W, ALONG THE NORTH LINE OF WEST BROOK CENTER, A PLATTED SUBDIVISION IN THE CITY OF REPUBLIC, GREENE COUNTY, MISSOURI, A DISTANCE OF 195.23 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUING N87°41'53"W, A DISTANCE OF 195.43 FEET; THENCE, N87°38'32"W, A DISTANCE OF 269.07 FEET; THENCE, N01°46'01"E, A DISTANCE OF 767.60 FEET; THENCE, S88°05'20"E, A DISTANCE OF 447.13 FEET TO A POINT OF NON-TANGENT CURVE TO THE RIGHT; THENCE, ALONG SAID NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 276.16 FEET, AN ARC DISTANCE OF 98.93 FEET, A CENTRAL ANGLE OF 20°31'31", ALONG A CHORD BEARING N81°37'28"E, A CHORD DISTANCE OF 98.40 FEET; THENCE, S88°06'36"E, A DISTANCE OF 117.77 FEET TO A POINT OF NON-TANGENT CURVE TO THE LEFT; THENCE, ALONG SAID NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 100.13 FEET, AN ARC DISTANCE OF 77.97 FEET, A CENTRAL ANGLE OF 44°37'09", ALONG A CHORD BEARING S69°37'31", A CHORD DISTANCE OF 76.02 FEET; THENCE, S50°54'17"W, A DISTANCE OF 104.81 FEET TO A POINT OF CURVATURE TO THE LEFT; THENCE, ALONG SAID CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 100.00 FEET, AN ARC DISTANCE OF 103.21 FEET, A CENTRAL ANGLE OF 90°00'00", ALONG A CHORD BEARING S21°20'12"W, A CHORD DISTANCE OF 98.69 FEET; THENCE, S08°13'52"E, A DISTANCE OF 122.53 FEET TO A POINT OF CURVATURE TO THE RIGHT; THENCE, ALONG SAID CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 200.00 FEET, AN ARC DISTANCE OF 191.99 FEET, A CENTRAL ANGLE OF 55°00'00", ALONG A CHORD BEARING S19°16'08"W, A CHORD DISTANCE OF 184.70 FEET; THENCE, S46°46'08"W, A DISTANCE OF 37.07 FEET TO POINT OF CURVATURE TO THE LEFT; THENCE, ALONG SAID CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 55.00 FEET, AN ARC DISTANCE OF 86.39 FEET, A CENTRAL ANGLE OF 90°00'00", ALONG A CHORD BEARING S01°46'08"W, A CORD DISTANCE OF 77.78 FEET; THENCE, S43°13'52"E, A DISTANCE OF 65.50 FEET; THENCE, S01°54'23"W, A DISTANCE OF 150.80 FEET TO THE POINT OF BEGINNING. CONTAINING 8.5 ACRES, MORE OR LESS.

- 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 _____ 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.01.14 09:23:26 -06'00', Scott Ison, City Attorney

Final Passage and Vote: _____