

A ZONING ORDINANCE, AS AUTHORIZED UNDER SECTION 405.390 OF THE MUNICIPAL CODE OF THE CITY OF WARRENTON, MISSOURI, APPROVING A SITE PLAN FOR IMO'S RESTAURANT AND RETAIL STORES, LOCATED AT 609 NORTH HIGHWAY 47

WHEREAS, an application for site plan approval was filed on May 6, 2016 by Jim Cook, ACC Properties, LLC; and

WHEREAS, property owners within three hundred (300) feet of 609 North Highway 47 were notified by mail on May 19, 2016 and signage was posted at the property site; and

WHEREAS, the public was notified of the public hearing by publication in the Warren County Record on May 12, 2016; and

WHEREAS, a public hearing was held on June 2, 2016, by the Planning and Zoning Commission, to solicit input from the public; and

WHEREAS, the Planning and Zoning Commission of the City of Warrenton at their meeting of June 2, 2016, following said public hearing, recommended approval of said site plan; and

WHEREAS, the public was notified of the public hearing by publication in the Warren County Record on June 2, 2016; and

WHEREAS, a public hearing was held on June 21, 2016, by the Board of Aldermen, to solicit input from the public; and

WHEREAS, the Board of Aldermen of the City of Warrenton at their meeting on June 21, 2016, following said public hearing, after due and careful consideration, has concluded that the approval of the site plan for a restaurant and retail stores, located at 609 North Highway 47 is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARRENTON, MISSOURI, AS FOLLOWS:

SECTION I. As authorized in the Zoning Ordinance of the City of Warrenton, Section 405.390 of Article VI of Title IV of the Municipal Code of the City of Warrenton, and approving a site plan:

- 1) The Application for Site Plan Approval accompanied with a Site Plan on the tract of land described as:

A tract of land being part of Lot 6, part of Lot 7, part of Lot 8 of Block 2 of the

Wehrmann Addition to the College Heights Addition to the City of Warrenton, as shown in Slide A-27 of the Warren County records and part of the Northeast Quarter of the Southwest Quarter and part of the Southeast Quarter of the Southwest Quarter of Section 21, Township 47 North, Range 2 West, City of Warrenton, Warren County, Missouri and being described as follows:

Commencing at a Missouri State Land Survey monument at the South Quarter corner of Section 21; thence North $10^{\circ}-23'-15''$ West 1232.99 feet to a cut cross on a concrete curb at the place of beginning of the said tract of land; thence along the North line of a tract of land described in Book 928 Page 209 of the Warren County records, North $89^{\circ}-15'$ West 205.84 feet to an old iron rod; thence along the East line of a tract of land described in Book 658 Page 326 of the Warren County records, North $06^{\circ}-57'$ East 199.00 feet to an iron rod; thence along the South line of Veterans Memorial Parkway (Old Highway "40") South $70^{\circ}-43'$ East 164.70 feet to an old iron rod; thence along a curve to the right, said curve having a radius of 167.57 feet and a chord of South $29^{\circ}-36'-41''$ East 81.92 feet to an old nail; thence along the West line of Missouri State Highway "47", with a curve to the left, said curve having a radius of 459.26 feet and a chord of South $10^{\circ}-47'-02''$ West 75.95 feet to the place of beginning, and containing 0.76 acres, more or less.

- 2) Said Application for Site Plan Approval accompanied with a Site Plan heretofore filed is hereby APPROVED for the proposed use and development contained therein for a restaurant and retail stores.
- 3) All uses and development approved in Section (2) is subject to all the regulations and requirements contained in Section 405.150, "C-3" Highway Commercial District of the Zoning Ordinances of the City.
- 4) All uses and development not otherwise authorized by the Ordinances of this City and not herein specifically approved in Section (2) above are hereby disapproved and prohibited and it is the intention of this Board that this Ordinance be strictly construed and the approval of no use shall be presumed or implied.
- 5) The Site Development Plan attached to this Ordinance is incorporated herein by reference and made a part hereof and marked Exhibit "A".
- 6) The approval of the Application for Site Plan shall terminate and expire on June 21, 2016 and shall not be valid thereafter.

SECTION II. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION III. This Ordinance shall take effect and be in full force from and after the passage and approval thereof.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 5th day of July, 2016.



President of the Board of Aldermen

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 5th day of July, 2016.



Mayor

ATTEST:



City Clerk

