

## **RESOLUTION 2019-112**

### **A RESOLUTION OF THE CITY COUNCIL OF NIXA, MISSOURI, APPROVING THE AMENDED PRELIMINARY PLAT FOR FOREST HEIGHTS**

**WHEREAS**, the Council of the City of Nixa, Missouri, met November 12<sup>th</sup>, 2019, to review the Forest Heights Amended Preliminary Plat, and finds the application in conformance with the following review criteria:

- 1.) Compliance with the provisions of City of Nixa Code of Ordinances.
- 2.) Compliance with the provisions of Chapter 25 of the Code of Ordinances.
- 3.) Compliance with the applications procedures for submittal of a preliminary plat.
- 4.)
  - a. The preliminary plat will not endanger the value of adjoining property or abutting property.
  - b. The preliminary plat is generally in harmony with the area in which it is located.
  - c. The preliminary plat is in conformity with the comprehensive plan, thoroughfare plan, and other plans officially adopted by the City Council.

**NOW, THEREFORE**, be it resolved that the Council of the City of Nixa, Missouri, hereby finds that the proposed Preliminary Plat meets the adopted review criteria, and recommends approval, subject to the following conditions of approval.

1. As shown on the preliminary plat and required in the Annexation Agreement, the applicant must provide 40 feet of R.O.W. from the center of South Ozark Road, South Elegant Drive and East Muskego Road and will be responsible for contribution to the Collector Street Policy.
2. The proposed plat reflects several lots shown as common open space lots. The applicant is proposing the creation of a Homeowners Association for maintenance and upkeep of the open space areas. The HOA document must provide for maintenance and upkeep of the common areas as provided by Nixa City Code. Prior to recordation of the document the City must sign off on the language provided to ensure that maintenance is provided in perpetuity by the residents of Forest Heights.
3. No direct driveway access shall be provided to South Elegant Drive, South Ozark Road, or East Muskego Road. All access to homes must be provided from the internal street system.
4. Site visibility improvements must be made to the intersection of South Ozark Road and East Muskego Road.
5. Reverse corner lots shall not be provided. In circumstances where a lot has roadway adjacent to two sides of the lot the home shall front the lesser traveled of the streets unless otherwise dictated to provide for continuity to the street layout. Direction for home placement shall be provided on the final plat as dictated by the City of Nixa in conformance with the subdivision regulations.

6. Sewer for this site will flow in two directions. The Northeast portion of the property will flow towards the Northeast Regional Lift Station. The Southwest portion will flow through Cobble Creek subdivision to the treatment plant.
7. The neighborhood collector street making connection from South Elegant Drive is shown as a 30' wide street, parking shall be allowed on both sides of the street. The remaining internal streets are shown 27' wide streets and shall only allow parking on one side of the street. To ensure that pedestrian site visibility is maintained, the no parking side of the street shall be coordinated with the side of the street that the sidewalks are required.
8. Installation of two (2) islands for traffic calming purposes on the long North-South road on the Eastern side of the subdivision, is required.
9. Street names and addressing of the phase will be coordinated with Christian County E911. It shall be the applicant's responsibility to provide E911 with all proposed street names to gain approval for their use.
10. The engineer must submit with the construction plans for streets and drainage a planned route for construction equipment and traffic access to the property.
11. Storm water will be transported through concrete ditches or in underground pipes to non-buildable areas that meet the 100-year storm requirements and other requirements of the city's Technical Specs Manual.
12. In accordance with the subdivision regulations, it will be the engineer's responsibility at the end of each phase and prior to signing of the final plat or release of security bonding, to provide the city with a stamped and sealed set of as-builts, as well as, a copy of the construction plans and final plat on disc.
13. Obtaining water and sewer service is the responsibility of the applicant. Any easements or dedication of land necessary to obtain connections meeting the City's adopted connection criteria are also the responsibility of the applicant.
14. Erosion control measures must be implemented during all phases of construction to avoid siltation build-up in drainage areas. This will include hay bale barriers, silt fences or other erosion control measures where needed. If initial erosion control measures are washed out or damaged, it will be the developer's responsibility to replace and improve these efforts. The developer will be responsible for cleaning debris from drainage channels if they become blocked or clogged.
15. All storm water produced by this development must be diverted to detention basins that are sized to handle the 100-year storm and must be constructed in accordance with city specifications.
16. Fire hydrants are required to be located every six hundred feet as well as at the end of all cul-de-sacs throughout the development.
17. Sidewalks are required to be constructed on the side of the street that the water line is placed. All sidewalk infrastructure must be in place along with all other public improvements prior to recordation of the final plat.

18. When recorded, the final plat must include a 15' utility easement along the rear of all perimeter lots. Also, a 10' utility easement will need to be located between lots as required for the placement of streetlights. The City's electric superintendent will inform the developer where the easements are to be placed prior to recording of the final plat.

**Section I.** This resolution shall be in force from and after the date of its passage.

**Passed and approved this 12<sup>th</sup> day of November 2019.**

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MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY