

RE: AN ORDINANCE OF THE NIXA CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 0.48 ACRES LOCATED ALONG THE 300 BLOCK OF SOUTH MARKET STREET FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO HIGH-DENSITY MULTI-FAMILY (R-3)

Background:

The owner of property in the 300 block of South Market Street has applied to rezone the site from Single-Family Residential (R-1) to High-Density Multi-Family (R-3) zoning. In 2006 the property was split into two lots with the creation of the James Brown Minor Subdivision. At that same time, the property was rezoned from Agricultural (AG) to Single-Family Residential (R-1). The property featured a single-family structure originally built in 1903 until August of 2022 when a demo permit was approved to remove the structure. The property owners plan to place a multi-family structure on each lot. The subject property is lots 1 and 2 of the James Brown Minor Subdivision.

Analysis:

Land Use

The subject property is bounded by Agricultural (AG) zoned property to the East and South, single-family residences to the north and West. The general character of surrounding land uses is a mix of single-family residential, multi-family residential (duplexes), and agricultural.

The proposed land use change is consistent with the land uses in the vicinity.

Transportation

The subject property is directly served by South Market Street (Local) and East Lynn Street (Local).

Public Utilities (Water, Wastewater, Electric)

Municipal water, sanitary sewer, and electric utilities are immediately accessible to the site and are all sufficient in capacity to serve a multi-family development of this size.

Stormwater Management

The subject property is not served by regional detention facilities and does not appear to be affected by flood hazard area or karst topography. Development of the site must conform to the City's regulations concerning stormwater management.

Density

Current density standards for the R-3 zoning district are 14.52 dwelling units per acre. Lots 1 and 2 of the James Brown Minor Subdivision are approximately 0.24-acres each and can support a maximum of three (3) dwelling units per lot. (14.52 X 0.24 = 3.48)

Other Public Services

The proposed zoning change could potentially add traffic to the City's jurisdiction, which will impact a variety of public services in proportion to those increases. Ideally, the impact of these additional patrons will produce economies sufficient to cover additional costs.

Planning and Zoning Commission:

A public hearing was held November 7, 2022, at the regular meeting of the Planning and Zoning Commission. During the public hearing, an adjacent property owner spoke in opposition of the rezone. The adjacent property owner voiced concerns that the local roads are becoming more frequently traveled and are too narrow for the additional traffic. Another concern voiced by the neighbor was about potential building height. The Planning and Zoning Commission unanimously voted in favor of this rezone to be recommended to City Council for approval.

Recommendation:

Staff recommends approval of this rezone.

MEMO SUBMITTED BY:

Scott Godbey | Planning & Development Director
sgodbey@nixa.com | 417-725-5850

1 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA REZONING THE REAL**
2 **PROPERTY GENERALLY LOCATED AT 300 BLOCK OF SOUTH MARKET STREET**
3 **FROM A SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT TO A HIGH-DENSITY**
4 **MULTI-FAMILY (R-3) RESIDENTIAL DISTRICT.**
5 _____
6

7 **WHEREAS** an application has been filed for a zoning change of the property
8 generally located at the 300 block of South Market Street (“Application”); and
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10 **WHEREAS** the Application requests that the City Council rezone said property
11 from a Single-Family Residential (R-1) District to a High-Density Multi-Family Residential
12 (R-3) District; and
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14 **WHEREAS** the Planning and Zoning Commission held a public hearing on the
15 Application at the Commission’s November 7, 2022, meeting; and
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17 **WHEREAS** the Commission, after considering the Application, staff’s
18 recommendation regarding the Application, and after holding a public hearing on the
19 Application, issued a recommendation of approval of the Application; and
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21 **WHEREAS** the City Council, now having considered the Application, staff’s
22 recommendation regarding the Application, and after providing an opportunity for public
23 comment on the Application, now desires to rezone the subject property and amend the
24 City’s official zoning map to reflect City Council’s action.
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26 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
27 **NIXA, AS FOLLOWS, THAT:**
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29 **SECTION 1:** The real property generally located at the 300 block of South Market
30 Street and being more specifically described as “ALL OF LOT ONE (1) AND TWO (2) OF
31 THE JAMES BROWN MINOR SUB, A MINOR SUBDIVISION IN NIXA, CHRISTIAN
32 COUNTY, MISSOURI”, is hereby rezoned from a Single-Family Residential (R-1) district,
33 or such other zoning district that may apply to said real property, to a High-Density Multi-
34 Family Residential (R-3) District and the regulations applicable to said district, as
35 established in the Nixa City Code, shall hereafter apply to said real property.
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37 **SECTION 2:** The Director of Planning and Development, pursuant to section 117-
38 57 of the Nixa City Code, shall amend the City’s official zoning map, said map being
39 established pursuant to section 117-56 of the Nixa City Code, to reflect the zoning action
40 contemplated by this Ordinance.
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42 **SECTION 3:** This Ordinance shall be in full force and effect from and after its final
43 passage by the City Council and after its approval by the Mayor, subject to the provisions
44 of section 3.11(g) of the City Charter.
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47 **ADOPTED BY THE COUNCIL THIS ____ DAY OF _____, 2022.**

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ATTEST:

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PRESIDING OFFICER

CITY CLERK

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55 **APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2022.**

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ATTEST:

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MAYOR

CITY CLERK

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63 APPROVED AS TO FORM:

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CITY ATTORNEY

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