



**Issue:** AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA REZONING THE REAL PROPERTY GENERALLY LOCATED ALONG THE 300 BLOCK OF SOUTH NICHOLAS ROAD FROM THE R-1 DISTRICT TO A THE M-1 DISTRICT.

**Date:** September 13, 2021

**Submitted By:** Garrett Tyson, Director of Planning and Development

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## **Background**

Christi Fairchild, on behalf of MacMurray Farms LLC and 3C's Family LP, has applied to change the zoning classification of approximately 7 acres of land located along the 300 Block of South Nicholas Road from R-1 (single-family residential) to M-1 (light manufacturing).

The land subject to the application is a portion of Lot 2 of the Key Heights Phase I subdivision, which was platted in 1999. The land remains vacant and unimproved.

## **Analysis**

### **Land Use**

Existing land uses in the immediate vicinity of the subject property include an existing self-storage facility to the south (within the M-1 zoning district), vacant single-family residential zoning to the east and north, and vacant general commercial zoning to the west.

The general land use pattern in the area is a mixture of industrial, commercial, and higher densities of residential land uses. The City's adopted future land use plan appears to simply recommend existing zoning arrangements at the time of adoption as appropriate for future development (which is obviously not very helpful for planning purposes).

### **Transportation**

The subject property does not enjoy immediate access to any public thoroughfare but is planned to be combined to an existing lot within the Maples West Side Industrial Phase II subdivision which will provide it with direct access to South Nicholas Road (primary arterial). The impact of any development of the subject property will be studied at the time the improvements are proposed so that appropriate traffic solutions can be provided for in proportion to the developments expected impact.

### **Public Utilities (Water, Wastewater, Electric)**

The subject property enjoys immediate access to municipal electric facilities that are of sufficient capacity to serve light industrial or light manufacturing uses at this location. The subject property



does not enjoy direct access to municipal water or sanitary sewer services. Any services needed to support development of the subject property will need to be extended to the site by the developer at that time and at their cost.

The municipal water facilities in vicinity of the subject property can provide sufficient service to the types of land uses permitted within the light manufacturing district. The sanitary sewer services available to the subject property involve a gravity main that will collect any wastewater from the subject property and carry it to the Oakmont Lift Station. Unfortunately, the Oakmont Lift Station is nearing its capacity limit and any substantial additional wastewater flows generated from the subject property could be problematic. If the expected wastewater flow at the time of development cannot be managed by the existing lift station, the city will be forced to either improve the capacity in this drainage basin or else place a suspension on development in the basin until capacity is increased later.

### **Stormwater Management**

Development of the subject property will be required to manage stormwater runoff according to the requirements of the Nixa City Code. There are no known or suspected sinkholes on the subject property nor is there any designated flood hazard area.

### **Other Public Services**

The proposed zoning arrangement will add traffic and population to the City's jurisdiction, which will impact a variety of public services in proportion to those increases. Ideally, the impact of these additional residents and patrons will produce economies sufficient to cover additional costs. The City's development regulations will require standards to be met to ensure sufficient access to the site for emergency response, rescue, and fire suppression.

### **Recommendation**

Staff recommends the approval of this bill.

1           **AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA REZONING THE**  
2           **REAL PROPERTY GENERALLY LOCATED ALONG THE 300 BLOCK OF SOUTH**  
3           **NICHOLAS ROAD FROM AN R-1 DISTRICT TO A M-1 DISTRICT.**  
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6           **WHEREAS** an application has been filed for a zoning change of the property  
7 generally located along the 300 Block of South Nicholas Road and which is more  
8 specifically described on “Council Bill Exhibit A” (“Application”); and  
9

10           **WHEREAS** the Application requests that the City Council rezone said property  
11 from the R-1 District to the M-1 District; and  
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13           **WHEREAS** the Planning and Zoning Commission held a public hearing on the  
14 Application at the Commission’s September 7, 2021, meeting; and  
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16           **WHEREAS** the Commission, after considering the Application, staff’s  
17 recommendation regarding the Application, and after holding a public hearing on the  
18 Application, issued a recommendation of approval of the Application; and  
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20           **WHEREAS** the City Council, now having considered the Application, staff’s  
21 recommendation regarding the Application, and after providing an opportunity for public  
22 comment on the Application, now desires to rezone the subject property and amend the  
23 City’s official zoning map to reflect City Council’s action.  
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25           **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**  
26 **NIXA, AS FOLLOWS, THAT:**  
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28           **SECTION 1:** The real property described on “Council Bill Exhibit A,” which is  
29 attached hereto and incorporated herein by this reference, is hereby rezoned from the  
30 R-1 District, or such other zoning district that may apply to said real property, to a M-1  
31 District and the regulations applicable to said district, as established in the Nixa City  
32 Code, shall hereafter apply to said real property.  
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34           **SECTION 2:** The Director of Planning and Development, pursuant to section  
35 117-57 of the Nixa City Code, shall amend the City’s official zoning map, said map  
36 being established pursuant to section 117-56 of the Nixa City Code, to reflect the zoning  
37 action contemplated by this Ordinance.  
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39           **SECTION 3:** This Ordinance shall be in full force and effect from and after its  
40 final passage by the City Council and after its approval by the Mayor, subject to the  
41 provisions of section 3.11(g) of the City Charter.  
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43  
44           **[Remainder of page intentionally left blank. Signatures follow on the next page.]**  
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47 **ADOPTED BY THE CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.**  
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49  
50 **ATTEST:**  
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52 \_\_\_\_\_  
53 **CITY CLERK**

\_\_\_\_\_ **PRESIDING OFFICER**

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55  
56 **APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.**  
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58  
59 **ATTEST:**  
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61 \_\_\_\_\_  
62 **CITY CLERK**

\_\_\_\_\_ **MAYOR**

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64  
65 **APPROVED AS TO FORM:**  
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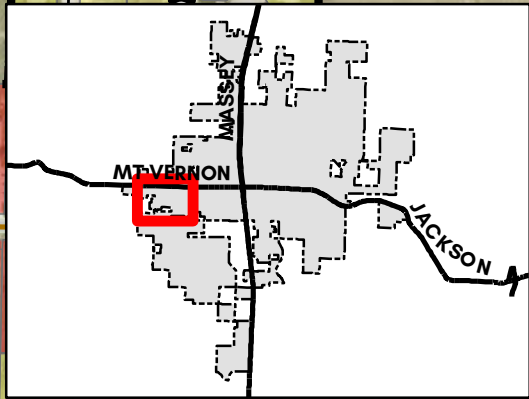
67 \_\_\_\_\_  
68 **CITY ATTORNEY**

## COUNCIL BILL EXHIBIT A

A TRACT OF LAND LYING IN LOT 2 OF KEY HEIGHTS PHASE 1, A SUBDIVISION IN NIXA, CHRISTIAN COUNTY, MISSOURI AND BEING RECORDED IN BOOK G, PAGE 775 OF THE CHRISTIAN COUNTY RECORDER'S OFFICE, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2, THENCE ALONG THE WEST LINE OF LOT 2 NORTH 01°53'23" EAST, 308.00 FEET; THENCE LEAVING SAID WEST LINE SOUTH 88°25'16" EAST, 990.71 FEET; THENCE SOUTH 02°03'32" WEST, 308.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2: THENCE ALONG SAID SOUTH LINE NORTH 88°25'16" WEST, 989.80 FEET TO THE POINT OF BEGINNING. CONTAINING 7.00 ACRES MORE OR LESS. ALL IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

# RZN 21-005



## Legend

### CLASS

- FREEWAY
- EXPRESSWAY
- PRIMARY ARTERIAL
- SECONDARY ARTERIAL
- COLLECTOR
- RURAL COLLECTOR
- BOULEVARD
- LOCAL
- RAILROAD
- RAMP
- PRIVATE
- Agricultural
- Single-Family
- Two-Family
- Multi-Family
- City Center
- Transitional Office
- Neighborhood Commercial
- General Commercial
- Highway Commercial
- Light Industrial

