

RE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA APPROVING THE PRELIMINARY PLAT FOR THE WILLOW BROOK SUBDIVISION GENERALLY LOCATED ALONG THE 700 BLOCK OF SOUTH ELEGANT DRIVE

Background:

The property owner of approximately 17.37 acres of undeveloped property located in the 700 block of South Elegant Drive has proposed a new subdivision called Willow Brook. The subject property was annexed into the Nixa City Limits in 2005 and zoned for single-family residential. The Willow Brook subdivision was rezoned in January 2023 to an R-4 two-family residential subdivision. Shaffer & Hines has submitted a preliminary plat for Willow Brook, on behalf of the property owners, illustrating the proposed arrangement of the lots and the public infrastructure required to serve them. The subdivision will consist of patio homes that have a property line down the middle of the structure which will allow each side of the structure to be bought and sold individually.

Preliminary plats are a means to provide subdivision developers with an initial approval concerning compliance of planned arrangement with the City's zoning, subdivision, and other pertinent regulations prior to engaging the more expensive actions of detailed engineering and construction.

Analysis:

The Willow Brook subdivision proposes to create 47 buildable two-family residential lots that are all planned to be served by public streets, municipal water, municipal sanitary sewer, and municipal electric services. The lots are split into an A and B lot which will provide for 47 residential structures to be built with two dwelling units per structure for a total of 94 dwelling units. Additionally, the subdivision will create 2 common area lots that will be dedicated to and maintained by a homeowner's association. At the time of development, a traffic impact study must be submitted to determine if any off-site transportation improvements will need to be made at the access point onto South Elegant Drive.

Planning and Zoning Commission

A public hearing was held at the March 6, 2023, Planning and Zoning Commission meeting. During the public hearing, no neighbors approached the commission. The Commissioners voiced concerns that the two ingress/egress points were in the southern part of the subdivision. With the concerns in mind the commission voted 4-1 to recommend approval to City Council.

Recommendation:

Staff has reviewed the preliminary plat and has determined the document to be in conformance with the applicable regulations of the Nixa City Code concerning major subdivisions within the R-4 zoning districts.

MEMO SUBMITTED BY:

Scott Godbey | Director of Planning and Development

sgodbey@nixa.com | 417-725-5850

1 AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA APPROVING THE
2 PRELIMINARY PLAT OF THE WILLOW BROOK SUBDIVISION GENERALLY
3 LOCATED ALONG THE 700 BLOCK OF SOUTH ELEGANT DRIVE AND
4 AUTHORIZING CERTAIN CITY OFFICIALS TO TAKE CERTAIN ACTIONS UPON THE
5 FILING OF A FINAL PLAT.
6
7

8 **WHEREAS** an original Preliminary Plat of the Willow Brook Subdivision dated
9 January 31, 2023, is on file with the City’s Department of Planning and Development
10 (“Preliminary Plat”); and
11

12 **WHEREAS** the Department of Planning and Development has issued a staff report
13 finding the Preliminary Plat to be in substantial compliance with the requirement of the
14 Nixa City Code; and
15

16 **WHEREAS** the Planning and Zoning Commission considered the Preliminary Plat
17 at their meeting on March 6, 2023; and
18

19 **WHEREAS** the Commission, after considering the Preliminary Plat, staff’s
20 recommendation regarding the Application, and after holding a public hearing on the
21 Application, issued a recommendation of approval of the Preliminary Plat; and
22

23 **WHEREAS** the City Council, now having considered the Preliminary Plat, staff’s
24 recommendation regarding the Application, and after providing an opportunity for public
25 comment on the Preliminary Plat, now desires to approve the Preliminary Plat; and
26

27 **WHEREAS** the City Council desires to authorize the Director of Planning and
28 Development, the Director of Public Works, and the City Clerk to take certain actions
29 consistent with this Ordinance.
30

31 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
32 **NIXA, AS FOLLOWS, THAT:**
33

34 **SECTION 1:** City Council hereby approves the Preliminary Plat of the Willow
35 Brook Subdivision which is generally located along the 700 block of South Elegant Drive,
36 as approved by the Planning and Zoning Commission. The original preliminary plat of the
37 Willow Brook Subdivision is on file in the Department of Planning and Development, a
38 reduced version of which is attached hereto for general reference as “Council Bill Exhibit
39 A.” All of “Council Bill Exhibit A” including any referenced attachments, is hereby
40 incorporated herein by this reference.
41

42 **SECTION 2:** The Director of Planning and Development, on behalf of the City of
43 Nixa, is hereby authorized to accept the land, easements, and improvements dedicated
44 to the City, as shown on the Preliminary Plat of the Willow Brook Subdivision, upon: (1)
45 the applicant filing and recording a final plat which is in accordance with this Ordinance,
46 including any conditions attached to and described in “Council Bill Exhibit A,” and the

47 Subdivision Regulations of the City and said final plat shall substantially conform to the
48 Preliminary Plat, and (2) upon the Director of Public Works certifying to the Director of
49 Planning and Development that the public improvements have been made in accordance
50 with the City standards and specifications. Said public improvements shall not be
51 accepted until the occurrence of the above written conditions.
52

53 **SECTION 3:** The final plat shall not be recorded until: (1) the public improvements
54 relating to the Preliminary Plat have been constructed according to the specifications of
55 the City of Nixa, Missouri, and are approved by the Director of Public Works, and all
56 engineering fees, permit fees, licenses, and other fees occasioned by or in connection
57 with the construction of said improvements have been paid to the City; or (2) in lieu of
58 construction of the improvements, that the Developer has filed with the Planning and
59 Development Director, according to the terms of the Subdivision Regulations of the City,
60 the prescribed financial assurances in a form acceptable to the City to ensure the
61 construction of the improvements and the payment to the City of all engineering fees,
62 permit fees, licenses, and other fees occasioned by, or which will be occasioned by, the
63 construction of the improvements.
64

65 **SECTION 4:** Upon compliance with all the requirement of this Ordinance, including
66 any conditions described in "Council Exhibit A", the City Clerk is hereby authorized to
67 endorse the City Council's approval upon the final plat pursuant to Section 445.030
68 RSMo., and such endorsement shall constitute the acceptance of the Public
69 Improvements contained therein.
70

71 **SECTION 5:** This Ordinance shall be in full force and effect from and after its final
72 passage by the City Council and after its approval by the Mayor, subject to the provisions
73 of section 3.11(g) of the City Charter.
74

75 **ADOPTED BY THE COUNCIL THIS _____ DAY OF _____ 2023.**

76
77 ATTEST:
78
79 _____
80 PRESIDING OFFICER CITY CLERK

81
82 **APPROVED BY THE MAYOR THIS _____ DAY OF _____ 2023.**

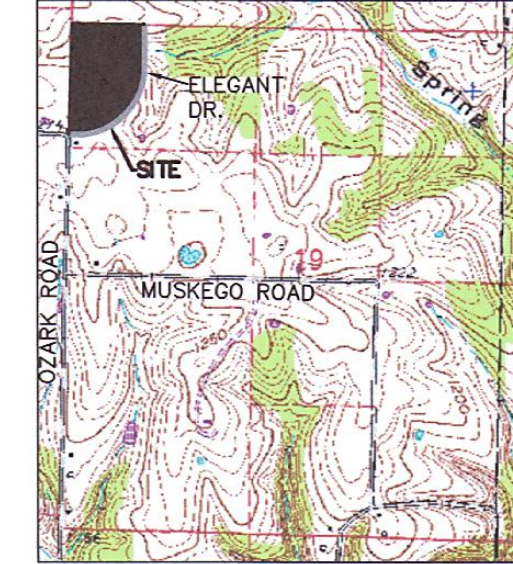
83
84 ATTEST:
85
86 _____
87 MAYOR CITY CLERK

88
89 APPROVED AS TO FORM:

90
91 _____
92 CITY ATTORNEY

PRELIMINARY PLAT
WILLOW BROOK
 A SUBDIVISION IN THE CITY OF NIXA,
 CHRISTIAN COUNTY, MISSOURI
 OWNER/DEVELOPER: CRM BUILT LLC

LOCATION MAP:
 SECTION 19, TOWNSHIP 27 NORTH, RANGE 21 WEST
 SCALE: 1" = 2000'



LOT AREA TABLE

LOT	AREA (SQ.FT.)	LOT	AREA (SQ.FT.)
1A	4,991±	25A	4,146±
1B	4,359±	25B	4,129±
2A	5,529±	26A	4,296±
2B	4,780±	26B	4,296±
3A	4,976±	27A	4,310±
3B	4,209±	27B	4,946±
4A	4,161±	28A	7,203±
4B	4,218±	28B	4,352±
5A	4,190±	29A	4,289±
5B	4,121±	29B	4,446±
6A	4,052±	30A	4,348±
6B	4,052±	30B	4,371±
7A	4,070±	31A	4,467±
7B	5,546±	31B	6,393±
8A	5,897±	32A	8,810±
8B	4,160±	32B	7,616±
9A	4,607±	33A	8,597±
9B	4,662±	33B	9,911±
10A	4,695±	34A	6,569±
10B	4,670±	34B	6,678±
11A	4,695±	35A	4,980±
11B	4,673±	35B	4,064±
12A	4,329±	36A	4,125±
12B	4,319±	36B	4,125±
13A	4,313±	37A	4,125±
13B	4,313±	37B	4,125±
14A	4,313±	38A	4,125±
14B	4,313±	38B	4,125±
15A	4,313±	39A	4,125±
15B	4,313±	39B	4,125±
16A	4,464±	40A	4,125±
16B	4,771±	40B	4,125±
17A	4,568±	41A	4,125±
17B	6,594±	41B	4,125±
18A	8,781±	42A	4,097±
18B	5,335±	42B	4,427±
19A	4,978±	43A	4,125±
19B	4,899±	43B	4,070±
20A	4,963±	44A	4,105±
20B	4,853±	44B	4,105±
21A	5,038±	45A	4,296±
21B	5,177±	45B	7,032±
22A	5,269±	46A	8,425±
22B	5,166±	46B	5,229±
23A	10,127±	47A	5,229±
23B	6,356±	47B	6,581±
24A	4,368±	CA48	143,261±
24B	4,356±	CA49	17,098±

DESCRIPTION:

SOURCE OF DESCRIPTION: BOOK 2022 AT PAGE 13753 AND BOOK 2021 AT PAGE 23385

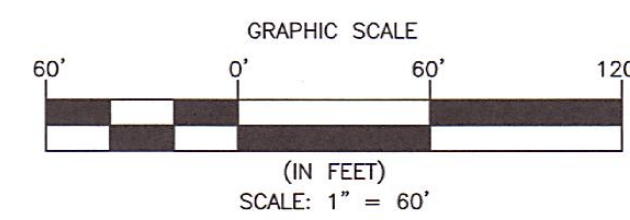
ALL THAT PART OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) IN SECTION 19, TOWNSHIP 27 NORTH, RANGE 21 WEST, LYING NORTH AND WEST OF ELEGANT DRIVE (AS IT NOW EXISTS), IN NIXA, CHRISTIAN COUNTY, MISSOURI, EXCEPT LOT ONE (1), FINAL PLAT RICHMOND PHASE 1, A SUBDIVISION IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI.

AND ALSO,

ALL OF LOT ONE (1) OF THE FINAL PLAT OF RICHMOND PHASE 1, A SUBDIVISION IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

SAID TRACT BEING 17.374 ACRES (MORE OR LESS) AND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, OR RESTRICTIONS OF RECORD.

BEARINGS AND SIZES ALIGNED WITH 1983 MISSOURI COORDINATE SYSTEM. CENTRAL ZONE COORDINATES WERE ESTABLISHED FROM MISSOURI CONTROL MONUMENT. 64-22
 GRID FACTOR: 0.999974712
 DATE OF ADJUSTMENT: DECEMBER, 2004



LEGEND:

- = EXISTING IRON PIN FOUND (EXCEPT AS NOTED)
- = 5/8" IRON PIN SET, CAPPED
- = EXISTING PERMANENT MON. FOUND (EXCEPT AS NOTED)
- = PERMANENT MON. SET (5/8" x 24" REBAR W/ ALUM. CAP)
- (M) = MEASURED DATA
- (P) = PLATTED DATA
- (D) = DEEDED DATA
- BSL = BUILDING SETBACK LINE
- UDE = UTILITY & DRAINAGE EASEMENT
- EP = EXISTING IRON PIN
- ☼ = STORMWATER INLET
- ☼ = FIRE HYDRANT
- UE = UTILITY EASEMENT
- N = NORTH
- S = SOUTH
- E = EAST
- W = WEST
- = EXISTING CHAIN LINK FENCE
- = EXISTING BOARD FENCE
- = EXISTING WIRE FENCE
- ⊙ = SEWER MANHOLE
- SS— = SANITARY SEWER LINE
- W— = WATER LINE
- ST— = STORMWATER PIPE

BENCHMARK DATA:

⊕ B.M. #1 FROM THE FINAL PLAT OF RICHMOND PHASE 1, "E1" CUT IN THE NORTHEAST CORNER OF A STORM INLET LOCATED NEAR THE SOUTHWEST CORNER OF LOT 28 IN RICHMOND PHASE 1.
 ELEVATION: 1243.67'

NOTES:

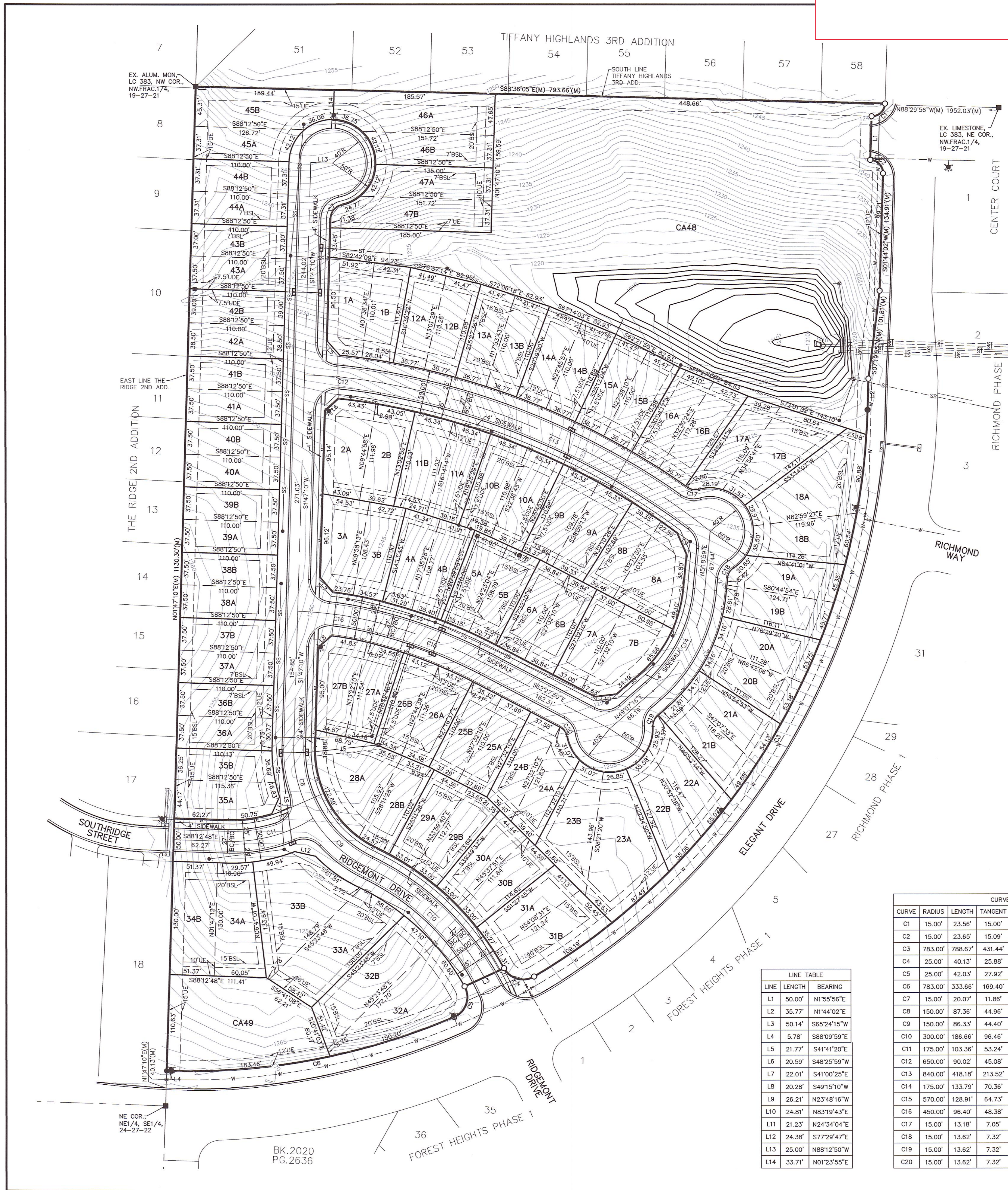
- THE PROPERTY SHOWN HEREON LIES WITHIN AN AREA OF MINIMAL FLOODING, ZONE X, ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY MAP PANEL NO. 29043C0070C, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 17, 2010.
- SOURCE OF SURVEY: FINAL PLAT OF THE RIDGE 2ND ADDITION; FINAL PLAT OF TIFFANY HIGHLANDS 3RD ADDITION; FINAL PLAT OF RICHMOND PHASE 1; FINAL PLAT OF FOREST HEIGHTS PHASES 1, 2, AND 3.
- NO INTERNAL FENCES WERE LOCATED DURING THE COURSE OF THIS SURVEY, AND ARE NOT SHOWN HEREON.
- ZONING IS R-4.
- R-4 BUILDING SETBACKS: FRONT 20', SIDEYARD 7', SIDEYARD WITH STREET FRONTAGE 12', REAR 15', SETBACK ALONG ELEGANT DRIVE IS 20'.
- SIDEWALKS WILL BE PROVIDED ON ONE SIDE OF ALL INTERNAL STREETS.
- LOTS CA48 & CA49 ARE COMMON AREA AND ARE TO BE DEEDED TO AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- ALL STREETS, SANITARY SEWER, WATER, AND STORM WATER IMPROVEMENTS WILL BE PROVIDED PER CITY OF NIXA SPECIFICATIONS.
- THERE SHALL BE A 12 FEET WIDE UTILITY EASEMENT PARALLEL AND ADJACENT TO ALL STREET RIGHT-OF-WAY LINES EXCEPT AS NOTED.
- STREET RIGHT-OF-WAY LINES ARE PARALLEL WITH THE CENTERLINE DATA, EXCEPT AS NOTED.
- LARGEST LOT: LOT CA48 (143,261 SQ.FT.)
- SMALLEST LOT: LOT 6A & 6B (4,052 SQ.FT.)
- OWNER/DEVELOPER: CRM BUILT, LLC
- THERE SHALL BE NO DIRECT VEHICULAR ACCESS ONTO ELEGANT DRIVE FROM LOTS 18A-23A, 31B AND 32A.

CURVE TABLE

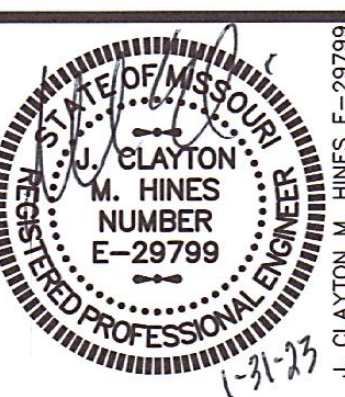
CURVE	RADIUS	LENGTH	TANGENT	CHORD	DELTA	CHORD BEARING
C1	15.00'	23.56'	15.00'	21.22'	90°00'36"	N46°24'12"E
C2	15.00'	23.65'	15.09'	21.28'	90°20'07"	N43°26'02"W
C3	783.00'	788.67'	431.44'	755.75'	57°42'37"	S30°55'55"W
C4	25.00'	40.13'	25.88'	35.96'	91°58'13"	N74°33'40"W
C5	25.00'	42.03'	27.92'	37.25'	96°19'32"	S18°51'39"W
C6	783.00'	333.68'	169.40'	331.14'	24°24'55"	S79°13'52"W
C7	15.00'	20.07'	11.86'	18.61'	76°39'27"	S40°06'34"W
C8	150.00'	87.36'	44.96'	86.13'	33°22'05"	S14°53'52"E
C9	150.00'	86.33'	44.40'	85.14'	32°58'33"	S48°04'11"E
C10	300.00'	186.68'	96.46'	183.66'	35°39'56"	N46°44'00"W
C11	175.00'	103.36'	53.24'	101.87'	33°50'31"	N74°51'56"E
C12	650.00'	90.02'	45.08'	89.95'	7°56'07"	N83°56'41"W
C13	840.00'	418.18'	213.52'	413.87'	28°31'25"	N85°42'55"W
C14	175.00'	133.79'	70.36'	130.56'	43°48'17"	N27°13'07"E
C15	570.00'	128.91'	64.73'	128.63'	12°57'28"	N88°56'34"W
C16	450.00'	96.40'	48.38'	96.21'	12°16'26"	N81°33'31"W
C17	15.00'	13.18'	7.05'	12.76'	50°19'57"	S80°02'05"E
C18	15.00'	13.62'	7.32'	13.16'	52°01'12"	S31°19'35"W
C19	15.00'	13.62'	7.32'	13.16'	52°01'12"	S23°06'40"W
C20	15.00'	13.62'	7.32'	13.16'	52°01'12"	N36°27'13"W

LINE TABLE

LINE	LENGTH	BEARING
L1	50.00'	N1°55'56"E
L2	35.77'	N1°44'02"E
L3	50.14'	S65°24'15"W
L4	5.78'	S88°09'59"E
L5	21.77'	S41°41'20"E
L6	20.59'	S48°25'59"W
L7	22.01'	S41°00'25"E
L8	20.28'	S49°15'10"W
L9	26.21'	N23°48'16"W
L10	24.81'	N83°19'43"E
L11	21.23'	N24°34'04"E
L12	24.38'	S77°29'47"E
L13	25.00'	N88°12'50"W
L14	33.71'	N01°23'55"E



WILLOW BROOK
 A SUBDIVISION IN THE CITY OF NIXA,
 CHRISTIAN COUNTY, MISSOURI
 OWNER/DEVELOPER:
 CRM BUILT LLC



SHAFFER & HINES, INC.
 CERTIFICATE OF AUTHORITY
 LICENSE NO. E-1665-D

SHAFER & HINES
 CONSULTING ENGINEERS - PROFESSIONAL LAND SURVEYORS
 DBE CERTIFIED COMPANY
 P.O. Box 493, Nixa, Missouri, 65714
 Tel: (417) 725-4663 • Fax: (417) 725-5230
 Email: ch@shafferhines.com



PRELIMINARY PLAT

DESIGN BY: JCH/H
 DRAWN BY: RBW
 CHECKED BY: JCH/H
 DATE: 01-31-2023
 SCALE: 1" = 60'

REVISIONS

NO.	DATE	DESCRIPTION

JOB NO.
 220011
 SHEET
 1 OF 1