

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA APPROVING THE PRELIMINARY PLAT FOR THE OAKHURST SUBDIVISION LOCATED IN THE 900 BLOCK OF SOUTH NORTON ROAD

Background:

The property owner of approximately 80.6 acres of undeveloped property located between South Gregg Road & South Norton Road, south of the Forest Park subdivision, has submitted a preliminary plat for Oakhurst Subdivision. The subject property was annexed into the Nixa City Limits in May of 2018. The subject property also received its current zoning at the same time. A previous preliminary plat was approved by Nixa City Council in May of 2018. In June of 2018 a realignment of Inman Road was approved to avoid sinkholes and site grade issues.

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 Oakhurst subdivision proposes to create 155 buildable single family residential lots that are all planned to be served by public streets, municipal water, municipal sanitary sewer, and municipal electric services. Additionally, the subdivision will create 4 common area lots that will be dedicated 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 Inman Rd and currently unnamed roads.

Oakhurst is planned to be developed in 5 phases. Phases 1-3 are zoned R-1 (Single Family Residential), phase 4 is zoned R-3 (Multi-family Residential), and phase 5 is zoned NC (Neighborhood Commercial).

Planning and Zoning Commission:

A public hearing was held at the June 5th Planning and Zoning Commission meeting. Nobody approached the Commission during the public hearing. The Planning and Zoning Commission unanimously voted to recommend approval to Nixa City Council.

Recommendation:

Staff has reviewed the Oakhurst 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-1, R-3, and NC 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 OAKHURST SUBDIVISION GENERALLY LOCATED IN**
3 **THE 900 BLOCK OF SOUTH NORTON ROAD AND AUTHORIZING CERTAIN CITY**
4 **OFFICIALS TO TAKE CERTAIN ACTIONS UPON THE FILING OF A FINAL PLAT.**
5
6

7 **WHEREAS** an original Preliminary Plat of the Oakhurst Subdivision dated April 10,
8 2023, is on file with the City’s Department of Planning and Development (“Preliminary
9 Plat”); and
10

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

15 **WHEREAS** the Planning and Zoning Commission considered the Preliminary Plat
16 at their meeting on June 5, 2023; and
17

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

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

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

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

33 **SECTION 1:** City Council hereby approves the Preliminary Plat of the Oakhurst
34 Subdivision which is generally located in the 900 block of south Norton road, as approved
35 by the Planning and Zoning Commission. The original preliminary plat of the Oakhurst
36 Subdivision is on file in the Department of Planning and Development, a reduced version
37 of which is attached hereto for general reference as “Council Bill Exhibit A.” All of “Council
38 Bill Exhibit A” including any referenced attachments, is hereby incorporated herein by this
39 reference.
40

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

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

51
52 **SECTION 3:** The final plat shall not be recorded until: (1) the public improvements
53 relating to the Preliminary Plat have been constructed according to the specifications of
54 the City of Nixa, Missouri, and are approved by the Director of Public Works, and all
55 engineering fees, permit fees, licenses, and other fees occasioned by or in connection
56 with the construction of said improvements have been paid to the City; or (2) in lieu of
57 construction of the improvements, that the Developer has filed with the Planning and
58 Development Director, according to the terms of the Subdivision Regulations of the City,
59 the prescribed financial assurances in a form acceptable to the City to ensure the
60 construction of the improvements and the payment to the City of all engineering fees,
61 permit fees, licenses, and other fees occasioned by, or which will be occasioned by, the
62 construction of the improvements.

63
64 **SECTION 4:** Upon compliance with all the requirement of this Ordinance, including
65 any conditions described in "Council Exhibit A", the City Clerk is hereby authorized to
66 endorse the City Council's approval upon the final plat pursuant to Section 445.030
67 RSMo., and such endorsement shall constitute the acceptance of the Public
68 Improvements contained therein.

69
70 **SECTION 5:** This Ordinance shall be in full force and effect from and after its final
71 passage by the City Council and after its approval by the Mayor, subject to the provisions
72 of section 3.11(g) of the City Charter.

73
74 **ADOPTED BY THE COUNCIL THIS 26th DAY OF June 2023.**

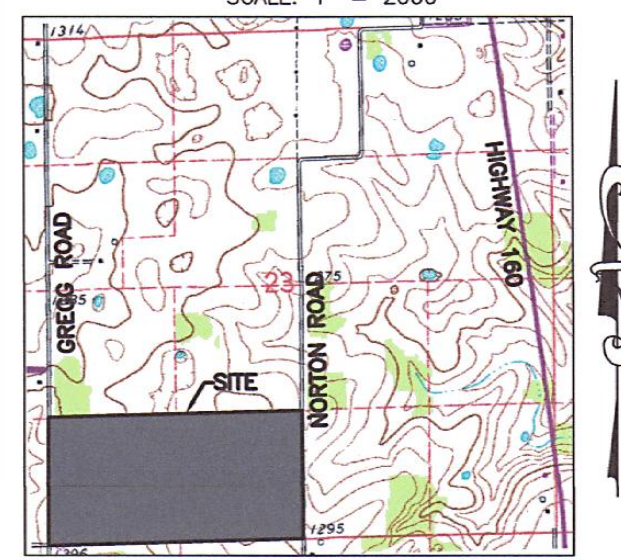
75
76 ATTEST:
77
78 _____
79 PRESIDING OFFICER CITY CLERK

80
81 **APPROVED BY THE MAYOR THIS _____ DAY OF _____ 2023.**
82
83 ATTEST:
84
85 _____
86 MAYOR CITY CLERK

87
88
89 APPROVED AS TO FORM:
90
91 _____
92 CITY ATTORNEY

COUNCIL BILL EXHIBIT A

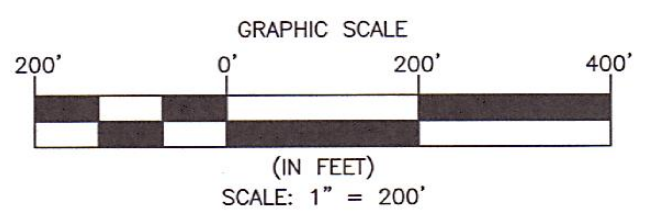
LOCATION MAP:
SECTION 23, TOWNSHIP 27 NORTH, RANGE 22 WEST
SCALE: 1" = 200'



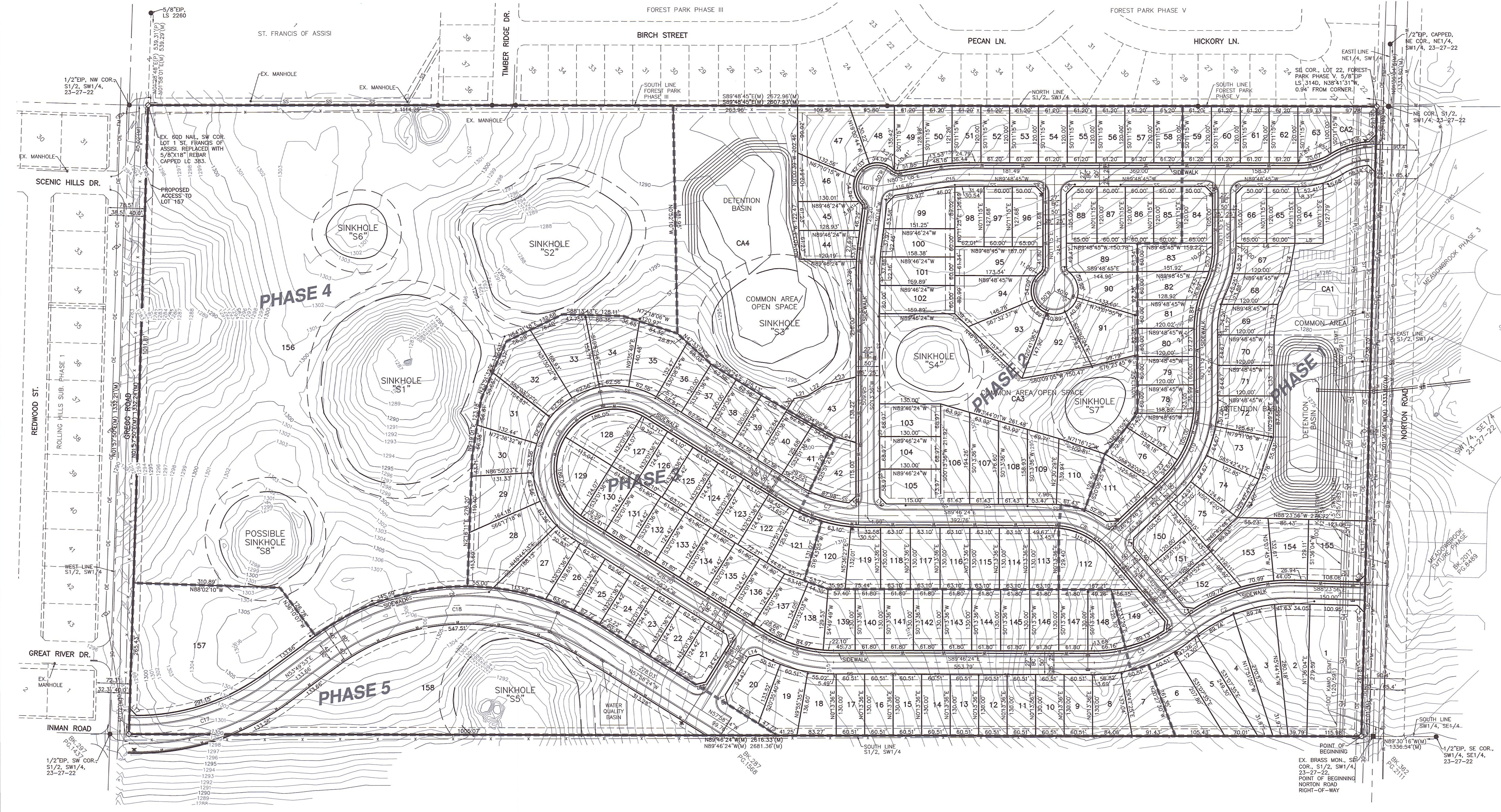
- LEGEND:**
- = EXISTING IRON PIN FOUND (EXCEPT AS NOTED)
 - = 5/8" IRON PIN SET, CAPPED LC 383 (EXCEPT AS NOTED)
 - = EXISTING PERMANENT MON. FOUND (EXCEPT AS NOTED)
 - = PERMANENT MON. SET (5/8" x 24" REBAR W/ ALUM. CAP)
 - (M) = MEASURED DATA
 - (D) = PLATTED DATA
 - (S) = DEEDED DATA
 - = BUILDING SETBACK LINE
 - = DRAINAGE
 - = SEWER = SANITARY SEWER
 - = UTIL. = UTILITY
 - = ESMT. = EASEMENT
 - N = NORTH
 - S = SOUTH
 - E = EAST
 - W = WEST
 - = EXISTING CHAIN LINK FENCE
 - = EXISTING BOARD FENCE
 - = EXISTING WIRE FENCE

PRELIMINARY PLAT OAKHURST BEING A PART OF THE S1/2 OF THE SW1/4, IN SECTION 23, TOWNSHIP 27 NORTH, RANGE 22 WEST, IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI

BEARINGS ARE BASED ON THE NAD 83 MISSOURI COORDINATE SYSTEM. LOCAL ZONE COORDINATES WERE ESTABLISHED FROM MISSOURI CONTROL MONUMENT C-134. GRID FACTOR: 0.999993. DATE OF ADJUSTMENT: DECEMBER, 2004.

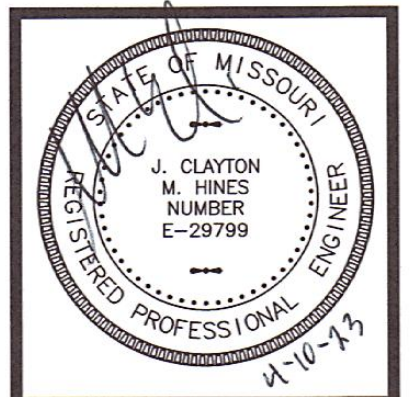


DESCRIPTION:
SOURCE OF DESCRIPTION: BOOK 297 AT PAGE 1439 IN THE CHRISTIAN RECORDER'S OFFICE.
THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE SOUTH HALF (S1/2) OF THE WESTERN QUARTER (SW1/4) OF SECTION 23, TOWNSHIP 27 NORTH, RANGE 22 WEST, IN CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT AN EXISTING BRASS MONUMENT AT THE SOUTHEAST CORNER OF THE SAID S1/2 OF THE SW1/4; THENCE N89°46'24"W, ALONG THE SOUTH LINE OF SAID S1/2 OF THE SW1/4, A DISTANCE OF 25.01 FEET TO AN IRON PIN SET FOR A POINT OF BEGINNING; THENCE CONTINUING N89°46'24"W, ALONG SAID SOUTH LINE, A DISTANCE OF 2616.33 FEET TO AN IRON PIN SET; THENCE N01°57'50"E, A DISTANCE OF 1332.24 FEET TO AN IRON PIN SET ON THE NORTH LINE OF SAID S1/2 OF THE SW1/4, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 1 IN ST. FRANCIS OF ASSISI, A SUBDIVISION IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI; THENCE S89°48'45"E, ALONG THE NORTH LINE OF SAID S1/2 OF THE SW1/4, SAID LINE ALSO BEING THE SOUTH LINE OF SAID LOT 1, THE SOUTH OF FOREST PARK PHASE III, A SUBDIVISION IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI, AND THE SOUTH LINE OF FOREST PARK PHASE V, A SUBDIVISION IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI, A DISTANCE OF 2607.93 FEET TO AN IRON PIN SET AT THE SOUTHEAST CORNER OF LOT 22 IN SAID FOREST PARK PHASE V; THENCE S01°36'04"W, A DISTANCE OF 1333.78 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 79.905 ACRES (MORE OR LESS) AND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.



OAKHURST
A SUBDIVISION IN THE CITY OF NIXA,
CHRISTIAN COUNTY, MISSOURI

DEVELOPERS:
OAKHURST DEVELOPMENT, LLC



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

SHAFFER & HINES
CONSULTING ENGINEERS - REGISTERED 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	JCAH
DRAWN BY	BW
CHECKED BY	JCAH
DATE	03-24-2023
SCALE	AS SHOWN
REVISIONS	
JOB NO.	170015
SHEET	1 OF 2

**PRELIMINARY PLAT
OAKHURST**
BEING A PART OF THE S1/2 OF THE SW1/4,
IN SECTION 23, TOWNSHIP 27 NORTH, RANGE 22 WEST,
IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI

LINE TABLE:

LINE	LENGTH	BEARING
L1	21.21'	S43°23'56"E
L2	21.21'	S46°36'04"W
L3	69.02'	S20°39'00"W
L4	65.72'	N10°28'44"E
L5	60.00'	S89°48'45"E
L6	125.00'	N89°48'45"W
L7	20.41'	N39°01'26"E
L8	19.83'	S56°42'42"E
L9	19.92'	N7°55'14"E
L10	22.39'	S82°10'56"E
L11	21.73'	N3°07'19"E
L12	22.87'	S87°02'52"W
L13	21.21'	S12°58'24"E
L14	21.44'	N76°25'22"E
L15	21.21'	N12°58'24"W
L16	21.21'	S77°01'36"W
L17	21.04'	N43°30'11"W
L18	20.13'	N48°05'40"E
L19	21.21'	S44°46'24"E
L20	28.21'	S32°01'36"W
L21	28.73'	N77°55'41"E
L22	46.02'	N58°48'50"E
L23	65.79'	N76°11'50"E
L24	45.26'	S75°34'56"E
L25	62.63'	N60°34'22"W
L26	24.05'	N44°13'42"E
L27	21.21'	S44°48'45"E
L28	21.21'	N45°11'15"E
L29	21.21'	S44°48'45"E
L30	21.21'	N45°11'15"E
L31	65.20'	N7°32'28"E
L32	64.67'	N0°11'15"E
L33	64.67'	N0°11'15"E
L34	20.57'	S45°07'08"E
L35	21.66'	N45°22'22"E

CURVE TABLE:

CURVE	RADIUS	LENGTH	TANGENT	CHORD	DELTA	CHORD BEARING
C2	350.00'	246.52'	128.62'	241.46'	040°21'23"	S71°25'22"W
C3	350.00'	4.83'	2.42'	4.83'	000°47'27"	S50°50'57"W
C4	300.00'	208.25'	108.52'	204.09'	039°46'22"	N70°20'25"E
C5	300.00'	166.50'	85.46'	164.38'	031°48'00"	S73°52'24"E
C6	149.42'	469.42'	INFINITY	298.84'	180°00'00"	S32°01'36"W
C7	300.00'	166.50'	85.46'	164.38'	031°48'00"	S73°52'24"E
C8	175.00'	141.98'	75.16'	138.12'	046°29'10"	N66°31'49"W
C9	175.00'	8.61'	4.31'	8.61'	002°49'07"	N41°52'41"W
C10	250.00'	203.00'	107.47'	197.47'	046°31'31"	N23°27'00"E
C11	200.00'	89.30'	45.41'	88.56'	025°35'00"	S12°58'45"W
C12	200.00'	89.30'	45.41'	88.56'	025°35'00"	N12°58'45"E
C13	150.00'	87.78'	45.19'	86.53'	033°31'47"	S74°50'10"W
C14	150.00'	84.08'	43.18'	82.98'	032°06'59"	N74°07'46"E
C15	500.00'	80.59'	40.38'	80.51'	009°14'07"	S85°34'12"W
C16	500.00'	63.51'	31.80'	63.47'	007°16'40"	S3°51'56"W
C17	500.00'	332.77'	172.81'	326.66'	038°07'57"	N72°53'52"E
C18	500.00'	595.12'	338.50'	560.60'	068°11'43"	S87°55'44"W
C19	15.00'	13.62'	7.32'	13.16'	052°01'12"	N17°54'40"E
C20	15.00'	13.62'	7.32'	13.16'	052°01'12"	S34°06'32"E
C21	15.00'	13.62'	7.32'	13.16'	052°01'12"	N26°11'51"E
C22	15.00'	13.62'	7.32'	13.16'	052°01'12"	S25°49'21"E
C23	15.00'	13.62'	7.32'	13.16'	052°01'12"	N18°30'20"E
C24	15.00'	13.62'	7.32'	13.16'	052°01'12"	S73°02'15"E

LOT AREA TABLE:

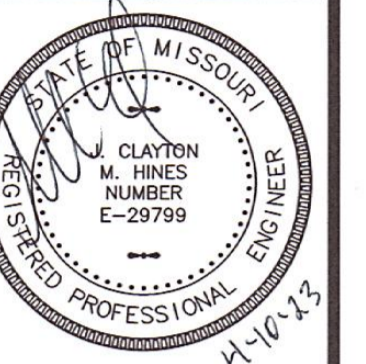
LOT	AREA (SQ.FT.)	LOT	AREA (SQ.FT.)	LOT	AREA (SQ.FT.)	LOT	AREA (SQ.FT.)
1	32,145	42	9,471	83	9,432	124	7,851
2	16,170	43	12,215	84	7,687	125	7,851
3	16,709	44	7,602	85	7,200	126	7,851
4	15,442	45	8,148	86	7,200	127	7,849
5	13,620	46	9,357	87	7,200	128	10,992
6	14,151	47	16,678	88	7,687	129	10,992
7	10,966	48	9,195	89	9,228	130	7,688
8	9,531	49	8,186	90	9,474	131	7,689
9	7,867	50	7,625	91	14,866	132	7,689
10	7,867	51	7,359	92	11,802	133	7,689
11	7,867	52	7,344	93	13,330	134	7,689
12	7,867	53	7,344	94	13,572	135	7,689
13	7,867	54	7,344	95	11,373	136	7,689
14	7,867	55	7,344	96	8,186	137	8,246
15	7,867	56	7,344	97	7,661	138	8,566
16	7,867	57	7,344	98	7,807	139	8,136
17	7,867	58	7,344	99	11,498	140	8,034
18	9,467	59	7,344	100	9,295	141	8,034
19	10,276	60	7,344	101	9,571	142	8,034
20	9,743	61	7,344	102	9,592	143	8,034
21	8,181	62	7,344	103	8,967	144	8,034
22	7,784	63	7,930	104	8,967	145	8,034
23	7,784	64	7,333	105	9,504	146	8,034
24	7,784	65	7,200	106	12,476	147	8,034
25	7,868	66	7,687	107	11,391	148	8,297
26	8,343	67	7,826	108	10,306	149	8,832
27	12,934	68	7,715	109	9,615	150	8,210
28	19,191	69	7,883	110	10,636	151	7,372
29	12,716	70	7,760	111	11,617	152	9,358
30	11,188	71	7,760	112	13,827	153	14,411
31	12,693	72	9,209	113	8,201	154	10,214
32	15,702	73	9,677	114	8,203	155	15,775
33	15,275	74	9,641	115	8,203	156	936,328
34	13,195	75	9,339	116	8,203	157	81,601
35	12,016	76	9,129	117	8,203	158	144,098
36	8,153	77	8,645	118	8,203	CA1	137,593
37	7,508	78	7,191	119	9,025	CA2	7,833
38	7,508	79	7,200	120	10,172	CA3	81,601
39	7,596	80	7,200	121	9,785	CA4	182,756
40	7,774	81	7,385	122	8,427		
41	7,769	82	8,415	123	7,851		

NOTES:

- THE PROPERTY SHOWN HEREON LIES WITHIN ZONE X A F.E.M.A. IDENTIFIED FLOOD HAZARD AREA, AN AREA OF MINIMAL FLOODING, ACCORDING TO PRELIMINARY COMMUNITY MAP PANEL NO. 29043C0068D AND MAP PANEL NO. 29043C0064D, WHICH BEARS AN EFFECTIVE DATE OF 09-20-2019.
- SOURCE OF SURVEY: FINAL PLAT OF JACK'S PLACE PHASE ONE; FINAL PLAT OF JACK'S PLACE PHASE TWO; FINAL PLAT OF JACK'S PLACE PHASE THREE; FINAL PLAT OF FOREST PARK PHASE FOUR; FINAL PLAT OF FOREST PARK PHASE 5; SURVEY BY SHAFER & HINES, INC., DATED 08-16-2005, 07-20-2006, 05-05-2000; SURVEY BY AMSINGER SURVEYING INC., DATED 11-07-2003; FINAL PLAT OF HEDOPETH ADDITION; FINAL PLAT OF HEDOPETH ESTATES 4TH ADDITION; FINAL PLAT OF NEAL AND FASLER; FINAL PLAT OF BAILLIE DIESEL; SURVEY BY GUNTER & ASSOCIATES, INC., DATED 10-21-1993, 10-20-2004; SURVEY BY ROZELL ENGINEERING CO., DATED 01-29-1986; FINAL PLAT OF ST. FRANCIS OF ASSISSI; SURVEY BY TODD SURVEYING DATED 09-09-1996; SURVEY RECORD BOOK 4 AT PAGE 210-211, DATED MARCH 20, 1906.
- NO INTERNAL FENCES WERE LOCATED DURING THE COURSE OF THIS SURVEY, AND ARE NOT SHOWN HEREON.
- REFER TO SURVEY BY SHAFER & HINES, INC. DATED 02-02-2017, PROJECT NO. 160058, FOR ADDITIONAL INFORMATION NOT SHOWN ON THIS DRAWING.
- LOTS 1-155 AND CA1-CA4 ARE ZONED AS R1.
- LOTS 156-158 ARE ZONED AS NC (NEIGHBORHOOD COMMERCIAL).
- LOT 157 IS ZONED AS R3 MULTI-FAMILY.
- R-1 BUILDING SETBACKS: FRONT 25', SIDEYARD 7', SIDEYARD WITH STREET FRONTAGE 12', REAR 20', REAR YARD SETBACK ALONG A SECONDARY ARTERIAL STREET IS 40'.
- SIDWALKS WILL BE PROVIDED ON ONE SIDE OF ALL INTERNAL STREETS.
- LOTS CA1-CA4 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 156 (936,328 SQ.FT.)
- SMALLEST LOT: LOT 78 (7,191 SQ.FT.)
- DEVELOPER: OAKHURST DEVELOPMENT, LLC
- FOR SINKHOLE INFORMATION REFER TO THE SINKHOLE REPORT BY PALMERTON & PARRISH, INC., PROJECT # 242844, DATED 10-19-17 AND 12-08-22 AND THE LIMITED SUBSURFACE INVESTIGATION BY PALMERTON & PARRISH, INC. PROJECT # 285300, DATED 03-01-23.

OAKHURST
A SUBDIVISION IN THE CITY OF NIXA,
CHRISTIAN COUNTY, MISSOURI

DEVELOPERS:
OAKHURST DEVELOPMENT, LLC



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

SHAFER & HINES
CONSULTING ENGINEERS - REGISTERED LAND SURVEYORS
DBE CERTIFIED COMPANY

P.O. Box 493, Nixa, Missouri, 65714
Tel: (417) 725-6663 - Fax: (417) 725-5230
Email: ch@shafferhines.com



PRELIMINARY PLAT

DESIGN BY JCMH
DRAWN BY BW
CHKD BY JCMH
DATE 03-24-2023
SCALE AS SHOWN

REVISIONS

JOB NO.

170015

SHEET

2 OF 2