

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. (Insert background information for context)

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



AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA APPROVING THE 1 PRELIMINARY PLAT OF THE OAKHURST SUBDIVISION GENERALLY LOCATED IN 2 THE 900 BLOCK OF SOUTH NORTON ROAD AND AUTHORIZING CERTAIN CITY 3 OFFICIALS TO TAKE CERTAIN ACTIONS UPON THE FILING OF A FINAL PLAT. 4 5 6 WHEREAS an original Preliminary Plat of the Oakhurst Subdivision dated April 10. 7 2023, is on file with the City's Department of Planning and Development ("Preliminary 8 Plat"); and 9 10 11 **WHEREAS** the Department of Planning and Development has issued a staff report finding the Preliminary Plat to be in substantial compliance with the requirement of the 12 Nixa City Code; and 13 14 WHEREAS the Planning and Zoning Commission considered the Preliminary Plat 15 at their meeting on June 5, 2023; and 16 17 WHEREAS the Commission, after considering the Preliminary Plat, staff's 18 recommendation regarding the Application, and after holding a public hearing on the 19 20 Application, issued a recommendation of approval of the Preliminary Plat; and 21 WHEREAS the City Council, now having considered the Preliminary Plat, staff's 22 recommendation regarding the Application, and after providing an opportunity for public 23 comment on the Preliminary Plat, now desires to approve the Preliminary Plat; and 24 25 26 WHEREAS the City Council desires to authorize the Director of Planning and Development, the Director of Public Works, and the City Clerk to take certain actions 27 consistent with this Ordinance. 28 29 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF 30 NIXA, AS FOLLOWS, THAT: 31 32 33 **SECTION 1:** City Council hereby approves the Preliminary Plat of the Oakhurst Subdivision which is generally located in the 900 block of south Norton road, as approved 34 by the Planning and Zoning Commission. The original preliminary plat of the Oakhurst 35 Subdivision is on file in the Department of Planning and Development, a reduced version 36 of which is attached hereto for general reference as "Council Bill Exhibit A." All of "Council 37 Bill Exhibit A" including any referenced attachments, is hereby incorporated herein by this 38 39 reference. 40 SECTION 2: The Director of Planning and Development, on behalf of the City of 41 Nixa, is hereby authorized to accept the land, easements, and improvements dedicated 42 to the City, as shown on the Preliminary Plat of the Oakhurst Subdivision, upon: (1) the 43 applicant filing and recording a final plat which is in accordance with this Ordinance. 44 including any conditions attached to and described in "Council Bill Exhibit A," and the 45

46 Subdivision Regulations of the City and said final plat shall substantially conform to the

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

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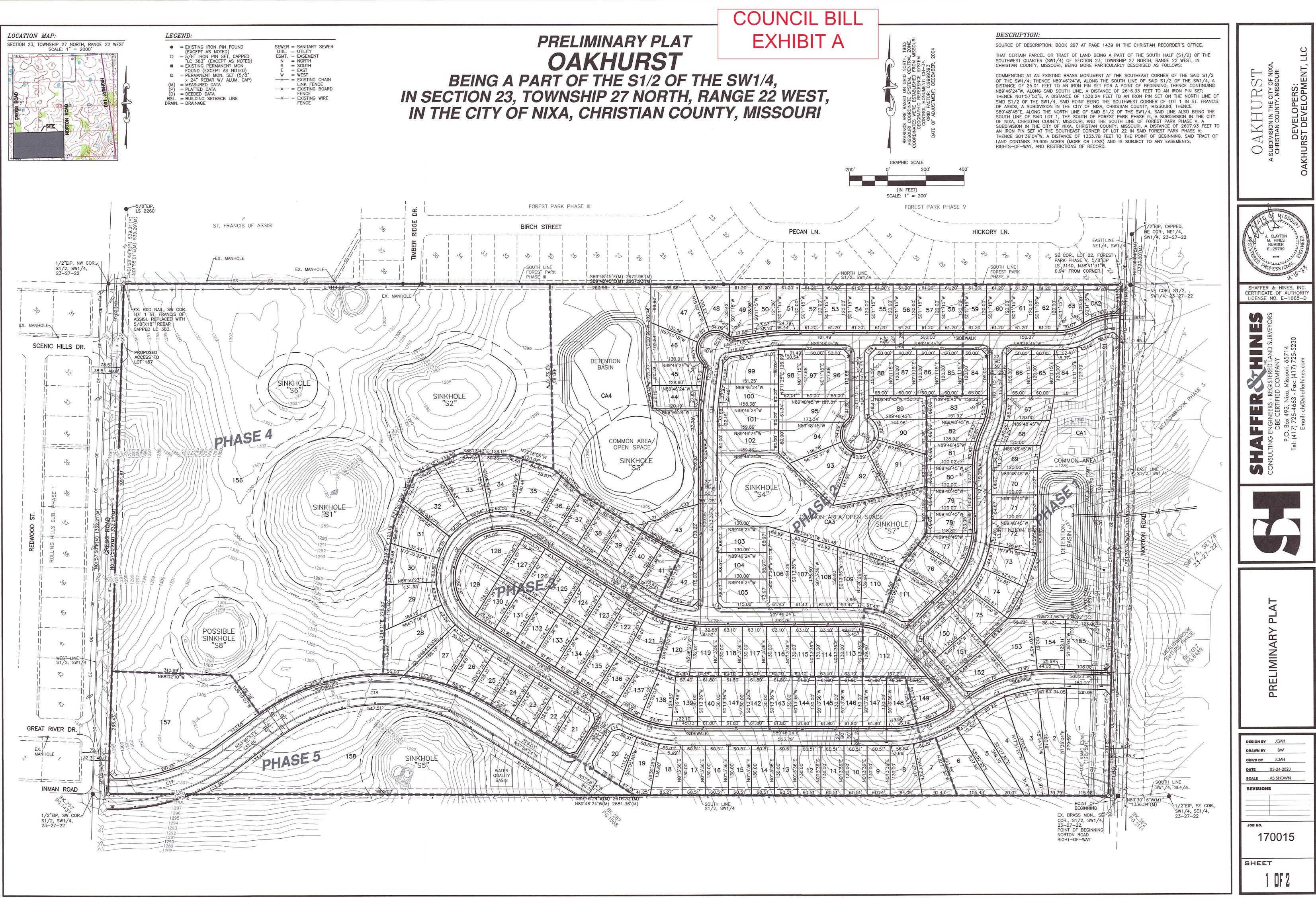
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52 **SECTION 3:** The final plat shall not be recorded until: (1) the public improvements relating to the Preliminary Plat have been constructed according to the specifications of 53 the City of Nixa, Missouri, and are approved by the Director of Public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

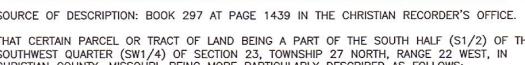
64 **SECTION 4:** Upon compliance with all the requirement of this Ordinance, including 65 any conditions described in "Council Exhibit A", the City Clerk is hereby authorized to 66 endorse the City Council's approval upon the final plat pursuant to Section 445.030 67 RSMo., and such endorsement shall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

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

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74	ADOPTED BY THE COUNCIL THIS	_ DAY OF		2023.
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76			ATTEST:	
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79	PRESIDING OFFICER		CITY CLER	K
80				
81	APPROVED BY THE MAYOR THIS	_ DAY OF		2023.
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83			ATTEST:	
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86	MAYOR		CITY CLER	K
87				
88				
	APPROVED AS TO FORM:			
90				
91				
92	CITY ATTORNEY			







LINE TABLE

LINE	TABL	<i>E</i> ':			
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			

NOTES:

1. 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. COMMUNITY MAP PANEL NO. 29043C0068D AND MAP PANEL NO. 29043C0064D, WHICH BEARS AN EFFECTIVE DATE OF 09-20-2019. 2. 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 SHAFFER & HINES, INC., DATED 08-16-2005, 07-20-2006, 05-05-2000; SURVEY BY AMSINGER SURVEYING INC., DATED 11-07-2003; FINAL PLAT OF HEDGPETH ADDITION; FINAL PLAT OF HEDGPETH ESTATES 4TH ADDITION; FINAL PLAT OF NEAL AND FASELER; 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. 3. NO INTERNAL FENCES WERE LOCATED DURING THE COURSE OF THIS SURVEY, AND ARE NOT SHOWN HEREON. 4. REFER TO SURVEY BY SHAFFER & HINES, INC. DATED 02-02-2017, PROJECT NO. 160058, FOR ADDITIONAL INFORMATION NOT SHOWN ON THIS DRAWING. 5. LOTS 1-155 AND CA1-CA4 ARE ZONED AS R1. 6. LOTS 156-158 ARE ZONED AS NC. (DEICHROPHOOD COMMERCIAL)

LOTS 156-158 ARE ZONED AS NC (NEIGHBORHOOD COMMERCIAL).
 LOT 157 IS ZONED AS R3 MULTI-FAMILY.

8. 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'. 9. SIDEWALKS WILL BE PROVIDED ON ONE SIDE OF ALL INTERNAL STREETS.
10. LOTS CA1-CA4 ARE COMMON AREA AND ARE TO BE DEEDED TO AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
11. ALL STREETS, SANITARY SEWER, WATER, AND STORM WATER IMPROVEMENTS WILL BE PROVIDED PER CITY OF NIXA SPECIFICATIONS.
12. THERE SHALL BE A 12 FEET WIDE UTILITY EASEMENT PARALLEL AND ADJACENT TO ALL STREET RIGHT-OF-WAY LINES ARE DADALLEL WITH THE CENTED INFE DATA EXCEPT AS NOTED.

13. STREET RIGHT-OF-WAY LINES ARE PARALLEL WITH THE CENTERLINE DATA, EXCEPT AS NOTED.

14. LARGEST LOT: LOT 156 (936,328 SQ.FT.)

15. SMALLEST LOT: LOT 78 (7,191 SQ.FT.) 16. DEVELOPER: OAKHURST DEVELOPMENT, LLC

17. FOR SINKHOLE INFORMATION REFER TO THE SINKHOLE REPORT BY 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.

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

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

.OT	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
	15,442	45	8,148	86	7,200	127	7,849
	13,620	46	9,357	87	7,200	128	10,992
	14,151	47	16,678	88	7,687	129	10,992
	10,966	48	9,195	89	9,228	130	7,688
	9,531	49	8,186	90	9,474	131	7,689
	7,867	50	7,625	91	14,866	132	7,689
	7,867	51	7,359	92	11,802	133	7,689
	7,867	52	7,344	93	13,330	134	7,689
	7,867	53	7,344	94	13,572	135	7,689
	7,867	54	7,344	95	11,373	136	7,689
	7,867	55	7,344	96	8,186	137	8,246
	7,867	56	7,344	97	7,661	138	8,566
	7,867	57	7,344	98	7,907	139	8,136
	7,867	58	7,344	99	11,498	140	8,034
	9,467	59	7,344	100	9,295	141	8,034
	10,276	60	7,344	101	9,571	142	8,034
	9,743	61	7,344	102	9,592	143	8,034
	8,181	62	7,344	103	8,967	144	8,034
	7,784	63	7,930	104	8,967	145	8,034
	7,784	64	7,333	105	9,504	146	8,034
	7,784	65	7,200	106	12,476	147	8,034
1	7,868	66	7,687	107	11,391	148	8,297
1	8,343	67	7,826	108	10,306	149	8,832
1	12,934	68	7,715	109	9,615	150	8,210
1	19,191	69	7,883	110	10,636	151	7,372
1	12,716	70	7,760	111	11,617	152	9,358
	11,188	71	7,760	112	13,827	153	14,411
	12,693	72	9,209	113	8,201	154	10,214
	15,702	73	9,677	114	8,203	155	15,775
	15,275	74	9,641	115	8,203	156	936,328
	13,195	75	9,339	116	8,203	157	81,601
	12,016	76	9,129	117	8,203	158	144,098
	8,153	77	8,645	118	8,203	CA1	137,593
	7,508	78	7,191	119	9,025	CA2	7,833
	7,508	79	7,200	120	10,172	CA3	81,601
1	7,596	80	7,200	121	9,785	CA4	182,756
	7,774	81	7,385	122	8,427		
1	7,769	82	8,415	123	7,851		

