

AN ORDINANCE OF THE NIXA CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE CLASSIFICATION OF LOT 33 OF THE GLEN ESTATES 1ST ADDITION SUBDIVISION FROM R-1 SINGLE-FAMILY TO NC NEIGHBORHOOD COMMERCIAL

Background:

The Nixa Senior Citizen Center has applied to rezone a piece of their property from R-1 single-family to Neighborhood Commercial (NC) to match the zoning that exists on their property. The Senior Center acquired lot 33 of the Glen Estates 1st addition in 1995 and built a parking lot on it around that time. The lot is currently zoned R-1 (single family residential). In June of 2023 Nixa Senior Citizen Center applied for a permit to build an accessory structure (garage) on this lot. An accessory structure with no primary structure is prohibited in the R-1 zoning district. Nixa Senior Citizen Center then proposed to rezone lot 33 to NC (neighborhood commercial) for congruency with their current property and the proper zoning to allow for an accessory structure. They also applied for a Minor Subdivision to combine their 3 lots into 1.

Analysis:

Land Use

The property subject to the application is currently a parking lot for the Nixa Senior Center. The property is bounded by single-family zoning to the south and east, and Neighborhood Commercial zoning to the north and west.

The proposed zoning change is consistent with the pattern of zoning for this area shown on the Future Land Use Designation map.

Transportation

The subject property has existing access to South Main Street (collector) and South Devonshire Street (Local). The transportation facilities serving the subject property for collection and arterial purposes have sufficient capacity to support the Senior Centers traffic likely to be generated from the proposed zoning change.

Public Utilities (Water, Wastewater, Electric)

The subject property has immediate access to municipal water, wastewater facilities, and electric service. These facilities have adequate capacity to serve the proposed accessory structure.

Stormwater Management

Any addition of impervious surface to the property will require compliance with adopted stormwater regulations.

Planning and Zoning Commission:

A public hearing was held at the August 7th Planning and Zoning Commission meeting. Nobody approached the Commission during the hearing. The P&Z Commission unanimously voted to recommend approval to the Nixa City Council. In addition to the rezone, the applicant submitted a Minor Subdivision request to combine their 3 lots into 1 lot. The Planning and Zoning Commission unanimously approved the request.

Recommendation:

The proposed rezone would be an extension of existing zoning in the area and would provide one zoning district for the Nixa Senior Center property. Staff recommends approval.

MEMO SUBMITTED BY:

Scott Godbey | Director of Planning and Development

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1 AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA REZONING THE REAL
2 PROPERTY GENERALLY LOCATED AT 404 SOUTH MAIN STREET FROM A
3 SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT TO A NEIGHBORHOOD
4 COMMERCIAL (NC) DISTRICT.

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7 **WHEREAS** an application has been filed for a zoning change of the property
8 generally located at 404 South Main 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 Neighborhood Commercial (NC)
12 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 August 7, 2023, meeting; and
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17 **WHEREAS** the Commission, after considering the Application, staff’s
18 recommendation, and after holding a public hearing, issued a recommendation of
19 approval; 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 404 South Main Street and
30 being more specifically described as: Lot 33 of the GLEN ALLEN ESTATES FIRST
31 ADDITION A REPLAT OF PART OF CARTER’S SUBDIVISION, is hereby rezoned from
32 a Single-Family Residential (R-1) district, or such other zoning district that may apply to
33 said real property, to a Neighborhood Commercial (NC) District, and the regulations
34 applicable to said district, as established in the Nixa City Code, shall hereafter apply to
35 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 28th DAY OF August, 2023.**

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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 _____, 2023.**

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ATTEST:

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MAYOR

CITY CLERK

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62 APPROVED AS TO FORM:

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CITY ATTORNEY

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