

AN ORDINANCE OF THE NIXA CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY .92 ACRES OF R-3 PROPERTY LOCATED AT THE SOUTHWEST CORNER OF SOUTH GREGG ROAD AND WEST CARE AVENUE TO A PLANNED UNIT DEVELOPMENT MIXED USE (PUD-MU) ZONING DISTRICT

Background:

Promise Care Associates LLC owns approximately .92 acres of vacant land located on the Southwest corner Gregg Road and Care Avenue. This property is currently zoned R-3 High-Density Multi-Family Residential. The property subject to the rezone is Lot 1 of the Life Enhancement Village of the Ozarks. The property was annexed in June of 1998 and designated with R-3 zoning at that time. The applicant is requesting a Planned Unit Development Mixed Use (PUD-MU) to allow for a mixed-use development.

Analysis:

Land Use

The property subject to the applications is currently vacant and contains no buildings or structures. The adjacent properties to the North and West are developed high-density housing zoned R-3. The properties to the South are single-family structures in R-1 zoning. To the East is South Gregg Road.

The proposed land use change is consistent with the pattern of development in the vicinity.

Transportation

The proposed development will access Care Avenue, which is categorized as a Local Road. The transportation facilities serving the subject property for collection and arterial purposes have sufficient capacity to support the residential and commercial traffic likely to be generated from the proposed zoning change.

Where the subject property accesses South Gregg Road (Secondary Arterial), as required by Section 115-133 of the Nixa City Code, a traffic impact study will be performed at the time of development. That study will inform the nature and extent of physical improvements that will be needed to ensure the safe and efficient flow of traffic at these intersections.

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 residential development. There are 2 possible sewer connection locations on this site. Connection along Gregg Road would be encouraged to prevent additional load being added to the Oakmont lift station which is near capacity.

Stormwater Management

The subject property might be served by regional detention facilities and does not appear to be affected by flood hazard area or karst topography. Development of the site must conform to the City's regulations concerning stormwater management.

Density

The property owner is requesting a slight increase in max density over what would typically be allowed in the R-3 zoning district. Current density standards for the R-3 zoning district is 14.52 dwelling units per acre allowing for 13.36 dwelling units for this site. The developer has proposed an increase in max density according to Sec. 117-215(h)(i). See Architectural Site Plan in PUD document for breakdown of allowed density increases.

The applicant is proposing to construct two buildings with 15 dwelling units in total. The building on the west side of the site will be a row of 5 townhomes. The building on the east side of the site will consist of commercial use on the ground floor and 2 floors of multi-family dwelling units for a total of 10 dwelling units.

Other Modifications from Current City Code

The applicant is requesting an increase in maximum building height. Building height shall not exceed 3 stories above grade or 40 feet, whichever is less restrictive. The current city standard for maximum building height is 35 feet. The Nixa Fire Protection District has the proper equipment to provide service to the structures. The buildings will be reviewed for compliance with adopted building regulations.

The applicant is limiting the approved commercial uses to the following types:

- Retail sales and rentals, personal services shops.
- Office, professional, medical, and the like.
- Animal services.

Other Public Services

The proposed zoning change 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.

Planning and Zoning Commission:

A public hearing was held at the November 6th Planning and Zoning Commission meeting. An adjacent property owner approached the commission to voice concerns about their privacy with a 3-story building being constructed behind them. The P&Z Commission voted unanimously (5-0) to recommend approval to the Nixa City Council.

Recommendation:

Staff has reviewed this PUD-MU proposal and finds it to be in conformance with Sec. 117-215-Review criteria for PUDs. Staff recommends the approval of this application.

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 REZONING THE REAL**
2 **PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF SOUTH**
3 **GREGG ROAD AND WEST CARE AVENUE FROM A HIGH-DENSITY MULTI-FAMILY**
4 **(R-3) RESIDENTIAL DISTRICT TO A PLANNED UNIT DEVELOPMENT.**
5
6

7 **WHEREAS** an application has been filed for a zoning change of the property
8 generally located at the southwest corner of south Gregg Road and West Care Avenue;
9 and
10

11 **WHEREAS** the Application requests that the City Council rezone said property
12 from a High-Density Multi-Family (R-3) residential district to a Planned Unit Development;
13 and
14

15 **WHEREAS** the proposed Planned Unit Development requirements are attached
16 hereto as "Council Bill Exhibit A"; and
17

18 **WHEREAS** the City's Planned Unit Development regulations (Article VI of Chapter
19 117 of the Nixa City Code) allow for a more flexible means of developing land within the
20 City; and
21

22 **WHEREAS** the Planning and Zoning Commission held a public hearing on the
23 Application at the Commission's November 6, 2023, meeting; and
24

25 **WHEREAS** the Commission, after considering the Application, staff's
26 recommendation regarding the Application, and after holding a public hearing on the
27 Application, issued a recommendation of approval of the Application; and
28

29 **WHEREAS** the City Council, now having considered the Application, staff's
30 recommendation regarding the Application, and after providing an opportunity for public
31 comment on the Application, now desires to rezone the subject property and amend the
32 City's official zoning map to reflect City Council's action.
33

34 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
35 **NIXA, AS FOLLOWS, THAT:**
36

37 **SECTION 1:** The real property generally located at the Southwest Corner of South
38 Gregg Road and West Care Avenue and being more specifically described as: **ALL OF**
39 **LOT THREE (3) IN THE CORRECTED FINAL PLAT OF LIFE ENHANCEMENT**
40 **VILLAGE OF THE OZARKS, CHRISTIAN COUNTY, MISSOURI**, is hereby rezoned from
41 a High Density Multi-Family (R-3) district, or such other zoning districts that may apply to
42 said real property, to a Planned Unit Development and the requirements and standards
43 contained in "Council Bill Exhibit A," which is attached hereto and incorporated herein by
44 this reference, as well as the applicable provisions of the Nixa City Code shall hereafter
45 apply to said real property.
46

47 **SECTION 2:** The Director of Planning and Development, pursuant to section 117-
48 57 of the Nixa City Code, shall amend the City’s official zoning map, said map being
49 established pursuant to section 117-56 of the Nixa City Code, to reflect the zoning action
50 contemplated by this Ordinance.

51
52 **SECTION 3:** This Ordinance shall be in full force and effect from and after its final
53 passage by the City Council and after its approval by the Mayor, subject to the provisions
54 of section 3.11(g) of the City Charter.

55
56

ADOPTED BY THE COUNCIL THIS 27th DAY OF November, 2023.

58
59

ATTEST:

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PRESIDING OFFICER

CITY CLERK

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APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2023.

65
66
67

ATTEST:

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MAYOR

CITY CLERK

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APPROVED AS TO FORM:

73
74
75

CITY ATTORNEY

76

NIXA MIXED-USE

LIFE ENHANCEMENT OF THE OZARKS, LOT #3
CITY OF NIXA, MO 65714



ARCHITECTURE

August 10, 2023

Mr. Scott Godbey
Planning and Development Department
City of Nixa
715 W. Mt. Vernon St.
P.O. Box 395
Nixa, MO 65714

RE: Nixa Mixed-Use, PUD Pre-Submittal

Dear Mr. Godbey,

This Planned Unit Development (P.U.D.) consists of 0.92 acres (40,024 S.F.) located off the corner of Gregg Road and Care Avenue. The current project area is zoned for R-3, residential, and is adjacent to single-family (R-1) homes east and south of our site, an apartment building (R-3) to the west, and an assisted living facility (R-3) to the north. Epsy Elementary School resides north of our site within one thousand feet while Mathews Elementary and Nixa High School reside to our south. Given our site's context, we feel that the multifamily zoning combined with commercial use creates a unique and beneficial transition between all of these community elements.

Our intent for this development is to create a cohesive area that brings small scale commercial space to a residential community surrounding multiple grade schools. The development is proposed to provide units needed in a growing city, convenient amenities to those in the area and the semi-urban development that encourages community and growth while respecting the suburban scale of the neighborhoods surrounding. The garden style design promotes commercial amenity and density without creating a "parking island" caused by larger scale developments. In addition to fifteen (15) dwelling units, this development will provide approximately 5,000 sq ft of commercial office servicing the area and providing local jobs.

Our objective is to create an impactful development that leverages an unused site for the benefit of those living in the area and those joining soon. To achieve this, we are pursuing a Planned Unit Development (P.U.D.). This request will allow the land to be utilized more efficiently while delivering a project that benefits the area as a whole.

Thank you,
BOTI Architecture

Rich Conyers, AIA NCARB
Principal / Architect
7253 Watson Rd. #1206
St. Louis, MO 65810
417.693.6358

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17	EXHIBIT #4: SITE PLAN (Arch D 24x36 Format)

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EXHIBIT #1

REQUIREMENTS AND STANDARDS APPLICABLE TO PLANNED UNIT DEVELOPMENTS - #__

DEFINITIONS: For purposes of this Planned Unit Development No. ____, the following definitions shall apply:

Building Height: The height of a building measured to the bottom of the highest roof's eave, not the top of the gable.

Density: The number of dwelling units per unit of land normally expressed as dwelling units per acre. Gross density includes all the land within the boundaries of the particular area including land that may eventually be devoted to streets, public lands and common area.

Dwelling, Multifamily: Attached dwellings, involving no horizontal subdivision of land, shall be treated as multifamily dwellings.

Floor Area, Gross: The sum of the gross horizontal areas of the several floors of a building measured from exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including parking or loading spaces for motor vehicles. The gross floor area shall include public or common areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms, lobbies or mall areas, whether closed or enclosed and shall also include all outdoor areas devoted to retail sales, storage, or other activities incidental to the building.

Floor Area Ratio (FAR): The gross floor area of all buildings on a lot divided by the lot area.

$$\text{FAR} = \frac{\text{Gross Floor Area}}{\text{Total site Area}}$$

Impervious Surface: Any part of a lot that is covered by buildings, structures, parking areas, driveways, and any other surface which reduces or prevents the absorption of water.

Impervious Surface Ratio (ISR): The proportion of the site covered by impervious surfaces, and shall be determined as follows:

$$\text{ISR} = \frac{\text{Area covered by impervious surfaces}}{\text{Total site area}}$$

Open Space: Any occupied space on a lot that is unobstructed to the sky except for the ordinary projection of cornices and eaves. Open space shall not include areas covered by structures, decks, porches, parking areas, driveways, internal streets and other forms of impervious surface.

Open Space Ratio (OSR): The proportion of a site covered by open space which shall be determined as follows:

$$\text{OSR} = \frac{\text{Area covered by open space}}{\text{Total site area}}$$

Total site area

Vehicular Use Area: That portion of a lot that is used by vehicles for access, circulation, parking and loading and unloading. It comprises the total circulation areas, loading and unloading areas, and parking areas.

A.) USES PERMITTED: The following uses shall be permitted on Lot #3 of the Life Enhancement Village of the Ozarks:

1. Residential Uses: Multifamily dwellings.
2. Accessory uses incidental to residential development designed for and available to residents but not open to the public on a common basis. Typical uses include management offices not exceeding one thousand (1,000) square feet, garages, and/or maintenance buildings.
3. Commercial Sales and Service limited to the following types:
 - Retail sales and rentals, personal services shops.
 - Office, professional, medical, and the like
 - Animal services

B.) INTENSITY OF DEVELOPMENT: Development shall adhere to the following:

1. The maximum residential gross density shall not exceed standard R-3 density regulations as set forth in the City of Nixa Land Development Code, unless additional amenities as detailed in the “Design Standards” portion below are met.
2. Development intensity for mixed-use projects, i.e. developments involving combinations of residential and nonresidential uses, shall be calculated by the following formula:

- Total Site Area (Acres) =
$$\frac{\text{Number of Dwelling Units (DUs) proposed}}{\text{Maximum net residential density allowed (DUs/Acre)}} + \frac{\text{Gross floor area proposed (square feet)}}{\text{Floor area ratio (FAR) X 43,560 square feet/acre}}$$

C.) MINIMUM DIMENSIONAL STANDARDS: Development shall adhere to the following:

1. The minimum dimensional standards shall not exceed the standard R-3 district (multifamily) except as follows.
2. The maximum impervious surface ratio on the building lot shall not exceed 80%.
3. Building height shall not exceed 3 stories above grade or 40 feet, whichever is less restrictive.
4. Setback requirements shall not deviate from *Nixa Code of Ordinances*. The development is requesting the consideration that Gregg Road be treated as the front yard to provide adequate setbacks from the main thoroughfare as the site is almost perfectly square (determining factor of the setback side).

D.) DESIGN STANDARDS: Density increases in the multifamily area shall be allowed above the standard allowable density as defined in the Nixa Land Development Code:

Maximum Density Increase	Amenity or Public Improvement in Excess of What is Typically Required
5 percent	Ten percent additional landscaping
3 percent	Additional streetscape (landscaping/furniture)
3 percent	Rear (alley) access
3 percent	Sidewalk/trail to parks and public use areas
1 percent	Additional off-street parking
3 percent	Landscaping/berm instead of fencing
1 percent	Joint use parking in PUD-MU
3 percent	Removing unsafe structures
5 percent	Rehabilitation substandard structures
3 percent	Constructing pedestrian over-/under-pass
5 percent	Substructure parking
5 percent	Creation of new jobs
3 percent	Dedication of City park land
3 percent	Dedicating land for public easement/right-of-way
5 percent	Five percent additional improved open space
3 percent	Five percent additional unimproved open space
1 percent	If dwelling is within 1,500 feet of a school
1 percent	Additional fire protection techniques

E.) Parking Standards: Development shall adhere to the following:

1. Multifamily required parking can be reduced by a total of 1 space or 5% (whichever is greater) for apartments if the following requirements are met:
 - Multifamily uses outside that of apartments provide twice as many private spaces than is required by *Nixa's Code of Ordinances*.
 - Bicycle parking is provided over which is specified by *Nixa's Code of Ordinances* by 50%.
2. The City's off-street parking requirements, as defined by Chapter 111, Article V of *Nixa's Code of Ordinances*, unless noted above:

Section 111-201 - Table of Required Parking

Multifamily	1.5 spaces per dwelling unit. Multifamily limited to senior citizens require only one space per unit.
Retail sales and rentals	One space per 300 square feet of gross floor area
Animal Services	One space per 300 square feet of gross floor area
Office, Professional, medical, etc.	One space per 400 square feet of gross floor area

Section 111-204 - Accessible Parking Spaces for Physically Disabled Persons

Total Parking Spaces Provided	Required Minimum Number of Accessible Spaces
1 to 25	1 space
26-50	2 spaces

Section 111-205 - Required Widths of Parking Aisles

Aisle Width	0 Degrees	30 Degrees	45 Degrees	60 Degrees	90 Degrees
One-way Traffic	13'	11'	13'	18'	24'
Two-way Traffic	19'	20'	21'	23'	24'

Nixa Code of Ordinances **Section 111-203 - Parking Space Dimensions**

1. The first ten spaces and 80 percent of the spaces over and above the first ten must be nine-foot by 19-foot full-size spaces
2. If so desired, 20 percent of the required off-street parking spaces over and above the first ten required spaces can be provided in eight-foot by 16-foot compact spaces
3. All compact spaces must be permanently marked for “compacts only.”
4. Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of such parking areas shall not be less than 22 feet by nine feet.
5. Handicapped parking space dimensions shall be nine-foot by 19-foot containing a four-foot access aisle; van-accessible spaces must include an eight-foot-wide access aisle adjacent and parallel to the space.

Nixa Code of Ordinances **Section 111-206 - General Design Requirements**

- (a) Unless no other alternative is available, vehicle accommodation areas shall be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas consisting of driveways that serve one- or two-family dwelling units, although backing onto arterial streets is discouraged.
- (b) Vehicle accommodation areas of all developments shall be designed so that sanitation, emergency, and other public service vehicles can serve such developments without the necessity of backing unreasonable distances or making other dangerous or hazardous turning movements.
- (c) Every vehicle accommodation area shall be designed so that vehicles cannot extend beyond the perimeter of such an area onto adjacent properties or public rights-of-way. Accommodation areas adjacent to sidewalks shall include parking blocks so that vehicles do not extend over sidewalks or tend to bump against or damage any wall, vegetation, or other obstruction.
- (d) Circulation areas shall be designed so that vehicles can proceed safely without posing a danger to pedestrians or other vehicles and without interfering with parking areas.

Nixa Code of Ordinances **Section 111-207 - Vehicle accommodation area surfaces**

- (a) Vehicle accommodation areas that include lanes for drive-in windows; or contain parking areas that are required to accommodate public vehicular traffic shall be graded and surfaced with asphalt, concrete or other hard surface material.
- (b) All other vehicle accommodation areas shall be graded and surfaced with crushed stone, gravel or other suitable material to provide a surface that is stable and will help to reduce dust and erosion. Bricks, stones, railroad ties, or other similar devices shall define the perimeter of such parking areas. In addition, whenever such a vehicle accommodation area abuts a paved street, the driveway leading from such street to such area (or, if there is no driveway, to the portion of the vehicle accommodation area that opens onto such streets), shall be paved as provided in the technical specifications manual for driveway openings for a distance of 15 feet back from the edge of the paved street.

Nixa Code of Ordinances **Section 111-208 - Satellite Parking**

- (a) If the number of off-street parking spaces required by this chapter cannot reasonably be provided on the same lot where the principal use associated with these parking spaces is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off-site spaces are referred to in this section as satellite parking spaces.
- (b) All such satellite parking spaces must be located within 400 feet of the use or building which is the subject of an application for joint use of parking.
- (c) The developer wishing to take advantage of the provisions of this section must present satisfactorily written evidence that he has permission of the owner or other persons in charge of the satellite parking spaces to use such spaces. The written evidence shall at a minimum consist of a perpetual, mutual parking/access easement submitted for review by the city planner and duly filed and recorded with the county recorder; said easement shall include a specific time schedule for the availability of parking by use. The demand for available parking created by each of the uses must occur at separate times, thereby eliminating a conflict of need.
- (d) Persons who obtain satellite parking spaces in accordance with this section shall not be held accountable for ensuring that the satellite parking areas from which they obtain their spaces satisfy the design requirements of this article.

Nixa Code of Ordinances **Section 111-210 - Loading and unloading areas**

- (a) Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area must be provided in accordance with this section to accommodate the delivery or shipment operations in a safe and convenient manner.
- (b) The loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area, given the nature of the development in question. The following table indicates the number and size of spaces that, presumptively, satisfy the standard set forth in this subsection. However, the permit-issuing authority may require more or less loading and unloading area if necessary to satisfy the foregoing standard.

Gross Leaseable Area of Building	Number of Spaces
1,000 - 19,999	1
20,000 - 79,999	2
80,000 - 127,999	3
128,000 - 191, 999	4
192,000 - 255,999	5
256,000 - 319,999	6
320,000 - 391,999	7
Plus one space for each additional 72,000 square feet or fraction thereof.	

*Minimum dimensions of 12 feet x 55 feet and overhead clearance of 14 feet from street grade required.

- (c) Loading and unloading areas shall be so located and designed that the vehicles intended to use them can perform all maneuvering and staging on the lot without using the public right-of-way.
- (d) No area allocated to loading and unloading facilities may be used to satisfy the area requirement for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.
- (e) Whenever:
 - (1) There exists a lot with one or more structures on it constructed before the effective date of the ordinance from which this chapter is derived;
 - (2) A change in use that does not involve any enlargement of a structure is proposed for such lot; and
 - (3) The loading area requirements of this section cannot be satisfied because there is not sufficient area available on the lot that can be used practically for loading and unloading;
 then the developer need only comply with this section to the extent reasonably possible.

F.) Landscaping and Open Space Requirements: Development shall adhere to the following:

- 1. The screening and buffer yards provision defined in Sec. 105-58 of the Nixa City Code General Screening Standard shall be in effect for all neighboring site uses, however, screening shall not be required between uses within the development area of this proposed document.
- 2. Shading shall be provided as defined by the *Nixa Code of Ordinances*.

G.) Exterior Lighting: Development shall adhere to the following:

- 1. Exterior lighting shall be designed, located and constructed to eliminate or significantly reduce glare and/or a general increase in lighting intensity within the adjoining existing or proposed residential areas.
- 2. The developer(s) shall submit a lighting plan with the final development plan demonstrating compliance with this section.

H.) MAINTENANCE OF COMMON AREAS AND FACILITIES: Development shall adhere to the following:


1. The maintenance of common areas and facilities within the District shall remain the responsibility of the developer(s) or by current owner of the entire property.

I.) FINAL DEVELOPMENT PLAN.

1. The final development plan shall consist of a site plan showing the structure(s), parking, points of access, buffering and other requirements of the Exhibit showing conformance with these regulations and standards to be submitted.
2. The Planning and Development Director is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:
 1. Any uses within the district other than those specifically prescribed by the ordinance.
 2. Any increase in the intensity of use permitted within the district.
 3. Any deviation from the height and setback standards prescribed by the ordinance.
 4. Any increase in the required parking prescribed by the ordinance.

END OF EXHIBIT #1

REZONE APPLICATION

Date of Application 8/14/23		File No.																	
Applicant Name Rich Conyers																			
Mailing Address - Street Name/Number (Applicant) 504 W College		City Springfield	State MO																
		Zip Code 65806																	
Applicant Phone Number 417-693-6358		Applicant Email Address RICH@BOTI.STUDIO																	
General Location of Site Subject to this Application (street address preferred) CARE AVE AND GREGG RD																			
Current Zoning District R-3		Current Use of Property VACANT																	
<p>REQUESTED ZONING DISTRICT (if multiple, legal descriptions must be provided for each)</p> <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Agricultural (AG)</td> <td><input type="checkbox"/> Single-Family Residential (R-1)</td> <td><input type="checkbox"/> Two-Family Residential (R-4)</td> <td><input type="checkbox"/> Low-Density Multi-Family (R-5)</td> </tr> <tr> <td><input type="checkbox"/> High-Density Multi-Family (R-3)</td> <td><input type="checkbox"/> Neighborhood Commercial (NC)</td> <td><input type="checkbox"/> Center City (CC)</td> <td><input type="checkbox"/> Transitional Office (O)</td> </tr> <tr> <td><input type="checkbox"/> General Commercial (GC)</td> <td><input type="checkbox"/> Highway Commercial (HC)</td> <td><input type="checkbox"/> Light Industrial (M1)</td> <td><input type="checkbox"/> Heavy Industrial (M-2)</td> </tr> <tr> <td><input type="checkbox"/> Modular Home Sub. (R-MHS)</td> <td><input type="checkbox"/> Manufactured Home Comm. (R-MHC)</td> <td><input checked="" type="checkbox"/> Planned Unit Development (PUD)*</td> <td><i>*if PUD, complete separate PUD application form</i></td> </tr> </table>				<input type="checkbox"/> Agricultural (AG)	<input type="checkbox"/> Single-Family Residential (R-1)	<input type="checkbox"/> Two-Family Residential (R-4)	<input type="checkbox"/> Low-Density Multi-Family (R-5)	<input type="checkbox"/> High-Density Multi-Family (R-3)	<input type="checkbox"/> Neighborhood Commercial (NC)	<input type="checkbox"/> Center City (CC)	<input type="checkbox"/> Transitional Office (O)	<input type="checkbox"/> General Commercial (GC)	<input type="checkbox"/> Highway Commercial (HC)	<input type="checkbox"/> Light Industrial (M1)	<input type="checkbox"/> Heavy Industrial (M-2)	<input type="checkbox"/> Modular Home Sub. (R-MHS)	<input type="checkbox"/> Manufactured Home Comm. (R-MHC)	<input checked="" type="checkbox"/> Planned Unit Development (PUD)*	<i>*if PUD, complete separate PUD application form</i>
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<input type="checkbox"/> Modular Home Sub. (R-MHS)	<input type="checkbox"/> Manufactured Home Comm. (R-MHC)	<input checked="" type="checkbox"/> Planned Unit Development (PUD)*	<i>*if PUD, complete separate PUD application form</i>																
CERTIFICATION OF APPLICATION																			
<p>I/We, the undersigned applicant being either the owner of the subject property or a duly authorized representative of such owner(s), do attest to the truth and accuracy of the information provided with this application. I also hereby agree to reimburse the City for all costs associated with the provision of notice of public hearings necessitated by this application, including costs for certified mailing and publication in a local newspaper.</p>																			
Applicant Signature 		Date 8/14/23																	
Received by		Date																	
Fees Collected	Date Paid	Receipt No.																	

SEE REVERSE FOR CHECKLIST OF OTHER REQUIRED DOCUMENTS THAT MUST ACCOMPANY THIS APPLICATION FORM.



REQUIRED DOCUMENTS TO BE SUBMITTED WITH APPLICATION	
<i>(all digital submittals sent to planningnixa.com)</i>	
<input type="checkbox"/>	Ownership Report (certified by a Title Company) identifying owner(s) of all fee interests of record
<input type="checkbox"/>	Legal Description(s) for all area(s) to be rezoned (Microsoft Word format)
<input type="checkbox"/>	Payment of application fee in amount of \$250.00

TYPICAL PROCESS AND TIMELINE		
Preparati on Phase	Application received for staff review and preparation for hearings.	~30 days
	Provide notice of hearing for publication in a local newspaper at least 15	
	Provide notice of hearing to all owners of real estate within 185 of subject	
	Posting of notice of public hearing sign on the subject property.	
Hearing Phase	Public held before Planning & Zoning Commission.	~20 days
	Planning & Zoning Commission makes Finding of Facts and recommendation	
	First Reading of Ordinance by City Council.	
	Second Reading of Ordinance and Final Passage by City Council.	

For questions concerning this application or the process described above, please contact the

NIXA.COM



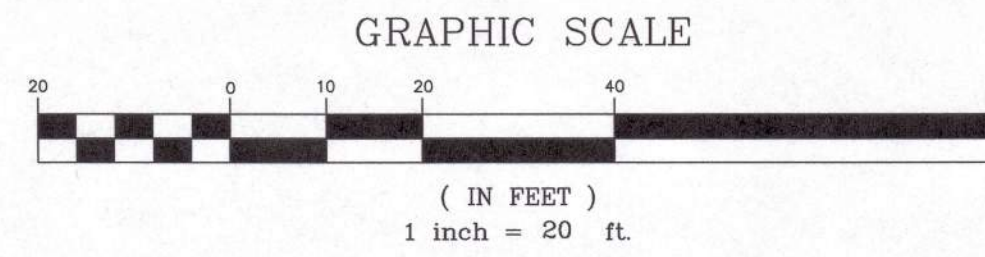
Last updated: March 2021



LOCATION SKETCH
SEC. 15, T27N, R22W
NOT TO SCALE



PROMISE CARE ASSOCIATES, LLC
BOOK 2022, PAGE 3983

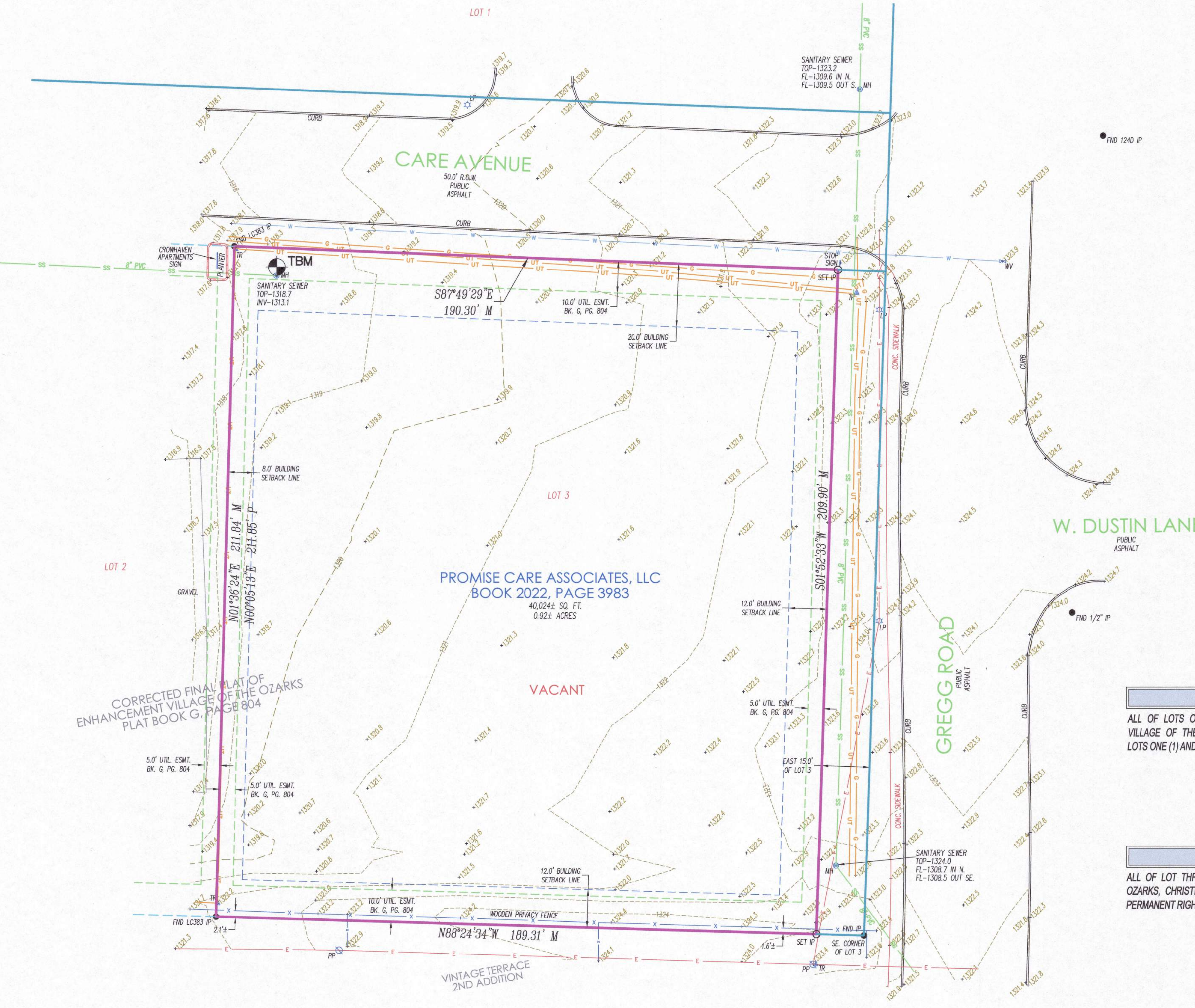


BEARINGS BASED ON GRID NORTH OF
THE MISSOURI COORDINATE SYSTEM
OF 1983, CENTRAL ZONE.

LEGEND

● CP	CONTROL POINT
● FND IP	FOUND IRON PIN
● SET IP	SET IRON PIN
△ RWM	RIGHT-OF-WAY MARKER
● GY	POWER POLE W/ GUY
⊙ MH	MANHOLE
⊙ SCO	SEWER CLEANOUT
⊙ GM	GAS METER
⊙ LP	LIGHT POLE
-	SIGN
⊙ WM	WATER METER
⊙ WV	WATER VALVE
⊙ GV	GAS VALVE
⊙ FH	FIRE HYDRANT
⊙ TR	TELEPHONE RISER
⊙ BP	BUMPER POST
⊙ IG	GRATE INLET
⊙	TREELINE
⊙	BUSH
⊙ ER	ELECTRICAL RISER
⊙ TS	TRAFFIC SIGNAL BOX
⊙ EM	ELECTRIC METER
⊙ MB	MAIL BOX
⊙ BH	BOREHOLE
⊙ ICV	IRRIGATION CONTROL VALVE

PROPERTY LINE	—
SANITARY SEWER	SS
STORM SEWER	SW
TELEPHONE LINE	T
UNDERGROUND TELEPHONE	UT
GAS LINE	G
WATER LINE	W
OVERHEAD ELECTRIC LINE	E
UNDERGROUND ELECTRIC	UE
FENCE LINE	X
RETAINING WALL	—
LINE LABELS	MEASURED 100' M
LINE LABELS	DEED 100' D
LINE LABELS	MEASURED 100' M
LINE LABELS	PLAT 100' P



RECORD DESCRIPTION

ALL OF LOTS ONE (1) AND THREE (3) IN THE CORRECTED FINAL PLAT OF LIFE ENHANCEMENT VILLAGE OF THE OZARKS, CHRISTIAN COUNTY, MISSOURI, EXCEPT THE EAST 15 FEET OF SAID LOTS ONE (1) AND THREE (3) FOR PERMANENT RIGHT-OF-WAY FOR PUBLIC STREET.

SURVEYED DESCRIPTION

ALL OF LOT THREE (3) IN THE CORRECTED FINAL PLAT OF LIFE ENHANCEMENT VILLAGE OF THE OZARKS, CHRISTIAN COUNTY, MISSOURI, EXCEPT THE EAST 15 FEET OF SAID LOT THREE (3) FOR PERMANENT RIGHT-OF-WAY FOR PUBLIC STREET.

3213 S. West Bypass
Springfield, MO 65807
417.866.2741
weareown.com

FORMERLY ANDERSON ENGINEERING

BOTI ARCHITECTURE

1111 W. CARE AVENUE
NIXA, MO. 65714

REVISIONS

NO.	DESCRIPTION	DATE

DRAWING INFORMATION

PROJECT NO: 23SP20095
DRAWING NO: 111806.DWG
DRAWN BY: BAC
CHECK BY: KLN
FIELD BOOK: -
FIELD BY: CB
ISSUED DATE: 06/27/2023

ISSUED BY: SURVEYOR
LICENSE NO: PLS 2017040269

A licensed Missouri
Engineering Corporation
COA 00062

SHEET TITLE
BOUNDARY & TOPOGRAPHIC SURVEY

SHEET NUMBER
1/1

FLOOD NOTE:
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 220432265C, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 17, 2019, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

SURVEYORS NOTE:
WITH THIS SURVEY WE DO NOT GUARANTEE THAT OWNERSHIP IS TO THE SURVEY LINES DEPICTED HEREON. THIS SURVEY IS A GRAPHIC REPRESENTATION OF THE OPINION OF THE SURVEYOR AS TO THE LOCATION OF THE RECORD DESCRIPTION. NO OPINION AS TO THE VALIDITY OF TITLE IS GIVEN OR IMPLIED.

UTILITY NOTE:
THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM UTILITY COMPANIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. LOCATE NUMBER 231704540.

ZONING DATA

SUBJECT PROPERTY IS R-3 (MULTIFAMILY DISTRICT).
FRONT YARD SETBACK: 30 FEET
REAR YARD SETBACK: 12 FEET
SIDE YARD SETBACK: 8 FEET
SIDE YARD ADJACENT TO STREET: 12 FEET

BENCHMARK
TBM IS THE NORTH RIM OF SANITARY SEWER MANHOLE AT THE NORTHWEST CORNER OF SUBJECT PROPERTY WITH AN ELEVATION OF 1318.67, VERTICAL DATUM = NAVD 1988.

SURVEYORS DECLARATION
I, THE UNDERSIGNED, DO HEREBY DECLARE THAT THE BOUNDARY AND TOPOGRAPHIC SURVEY SHOWN HEREON WAS MADE UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE THE INFORMATION IS AS SHOWN AND IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR BOUNDARY PROPERTY SURVEYS, DRAWING LAST REVISED ON JUNE 28, 2023.

OWN, INC.
BY: KEVIN L. NELSON, P.L.S. 2017040269



6-28-2023
DATE

PROJECT DATA

Codes Adopted (a) ICC International Building Code, 2018 edition Nixa, MO Code of Ordinances Sec. 103-1

Basic Project Data
Existing Site Zoning: R-3
Proposed Site Zoning: PUD-MU
Maximum Dwelling Units (Per Sec. 117-277): 14.52 Dwelling Units / Acre
Project Site Area: 40,024 S.F. (0.92 Acres)
Base Max. Dwelling Units for Project Site: 0.92 Acres * 14.52 Dwelling Units / Acre = 13.36 Dwelling Units
Provided Dwelling Units (See Density Increase below): 15 Total (5) Walk-up 3BR, 3.5 Bath Townhomes, (10) +/- 1,200 SF 2BR Apartments
Provided Commercial Space: 4,993 Gross SF

Density Increase per Nixa, MO Code of Ordinances [Sec. 117-215(h)(1)]

Applicable Density Increases per Table 117-215(h)(1):
3 percent Additional streetscape (landscaping/furniture)
3 percent Landscaping/berm instead of fencing
1 percent Joint use parking in PUD-MU
5 percent Creation of new Jobs
1 percent If dwelling is within 1,500 feet of a school
13 percent Total density increase

Maximum Dwelling Units (w/ Increases) 13.36 Base Dwelling Units + (13.36 Base Dwelling Units * 13%)
13.36 Base Dwelling Units + (1.74)
15.1 Dwelling Units Total

Parking Spots Provided on-site

Public Parking Lot spaces: 26 Total (4 ADA)
Private Residential Spaces: 20 Total (Garage & Driveway Capacity)
Total Siteside: 46 Total Spaces

Site Required Parking Spaces per Sec. 111-201

Site Use and Quantity	Parking Calculation	Required Spaces	Actual Provided
Multifamily Dwelling Units, Apartments (10)	10 * 1.5 = 15 spaces	15 Spaces	14 Spaces
Multifamily Dwelling Units, Townhomes (5)	5 * 1.5 = 7.5 spaces	7.5 Spaces	20 Spaces
Commercial Office, Professional, Medical (2,496.5 SF GROSS)	4,993 SF / 400 SF = 12.5 spaces	12.5 Spaces	12 Spaces
Totals		34 Spaces	46 Spaces
		(22 Multifamily)	(34 Multifamily)
		(12 Commercial)	(12 Commercial)

ADA Required Parking

Total Siteside Parking: 46 Spaces
Per Sec. 111-204 - Accessible parking spaces for physically disabled persons: 2 Spaces Minimum Required

Landscaping and Open Yard Requirements (Sec. 105-26 thru Sec. 105-34)

Buffer Yard Requirements:
GC (General Commercial):
12' Street Buffer Yard
5' Perimeter Buffer Yard
R-3:
10' Street Buffer Yard
5' Perimeter Buffer Yard

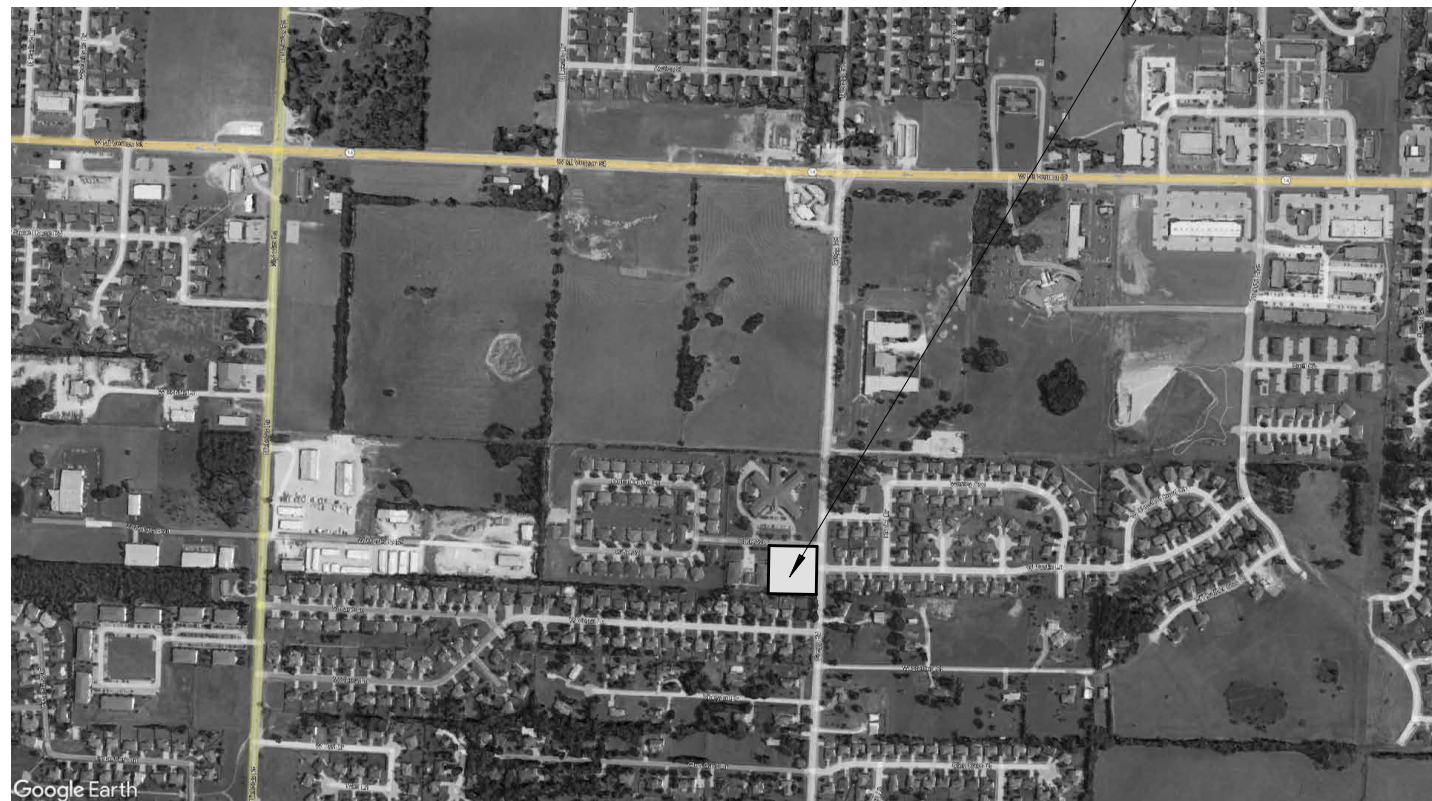
Landscaping Installation Requirements:
GC (General Commercial):
Three shade trees & 6 shrubs planted per 1,000 S.F. of buffer yard area
One shade tree & five shrubs planted per parking lot island.

On-Sight Residential Planting Requirements

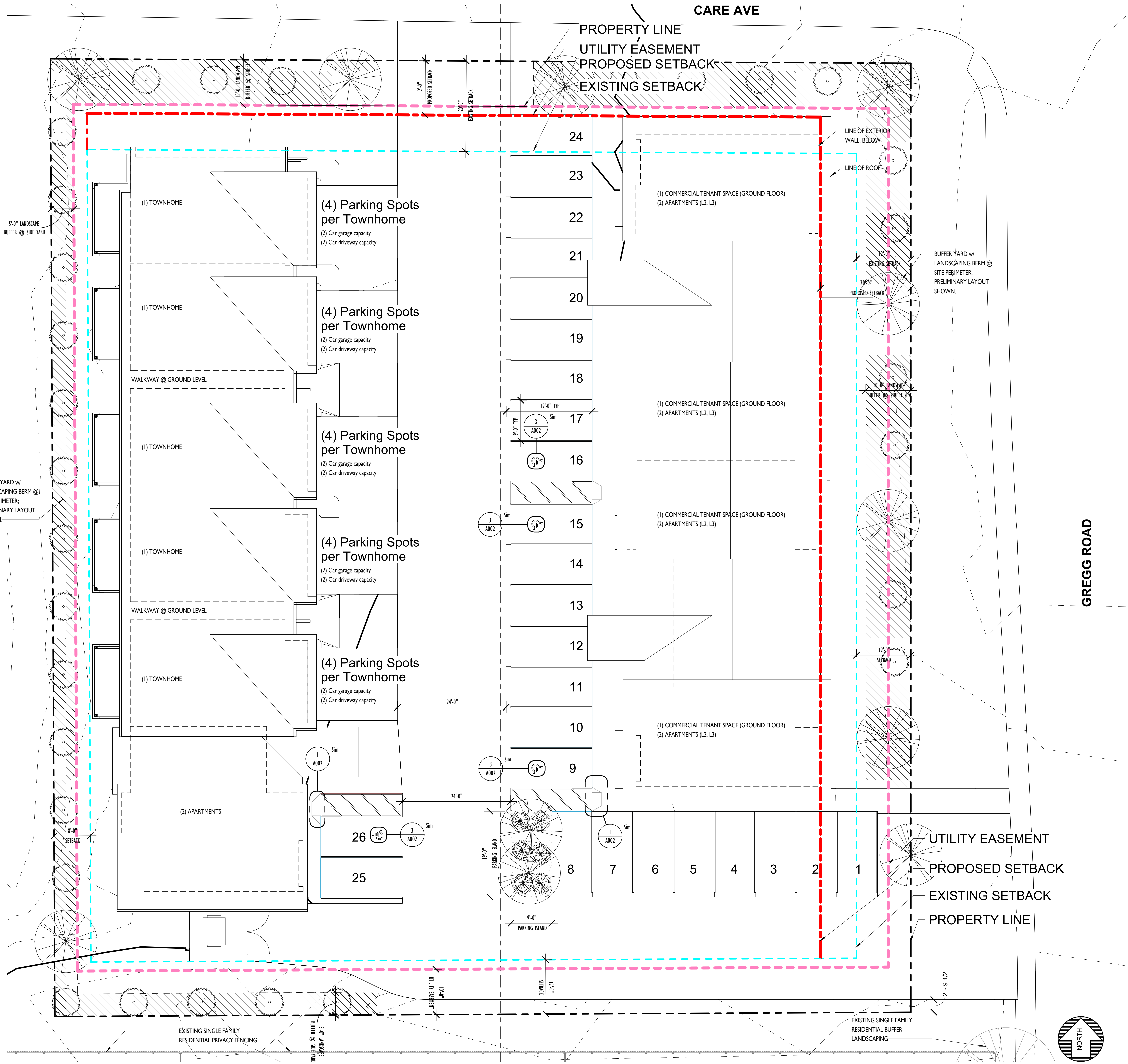
Townhome (5) Dwelling Units on Site
(8) Shade Trees Required
(5) Ornamental/Evergreen Trees Required
Multifamily Dwellings (10) Dwelling Units on Site
(20) Shade Trees Required
(20) Ornamental/Evergreen Trees Required
Total Shade Trees Required: (28) Shade Trees
Total Ornamental/Evergreen Trees Required: (25) Ornamental Trees

PUD Variance Request (See EXHIBIT #1 for additional information)

EXHIBIT #1 - E: Parking decrease for Apartment Use by (1) space with consideration for overparked townhomes and bicycle parking provided on-site.
EXHIBIT #1 - C: Adjusting Gregg Rd to "Front Yard" setback given the square nature of the site and creating a more significant buffer to the higher traffic street.
EXHIBIT #1 - A: Providing Commercial Sales and Service in addition to Residential (R-3) zoning.



SITE LOCATION MAP



1 ARCHITECTURAL SITE PLAN
3/32" = 1'-0"

PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION

THE SEAL AND SIGNATURE APPLY ONLY TO THE DOCUMENT TO WHICH THEY ARE AFFIXED AND WE EXPRESS NO LIABILITY OR RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT.

CLIENT INFORMATION:
CLIENT STREET ADDRESS
CITY, STATE, ZIP CODE
PRELIMINARY LAYOUT SHOWN

PROJECT NAME:
NIXA MIXED-USE
LIFE ENHANCEMENT OF THE OZARKS,
LOT #3
CITY OF NIXA, CHRISTIAN COUNTY
MISSOURI, 65714
SHEET NAME:
ARCHITECTURAL SITE PLAN



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Contractor is responsible for confirming and correlating dimensions at job site; the Architect will not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the project.

REV. #	DATE	DESCRIPTION

PROJECT NUMBER: 23-020
RELEASE DATE: 08.10.2023

A001