



EXHIBIT C

ISSUE STATEMENT: PUBLIC HEARING AND RECOMMENDATION TO CITY COUNCIL CONCERNING A PROPOSED REZONE OF 4.83 ACRES OF THE PROPOSED 24.3 ACRE CENTURY HEIGHTS SUBDIVISION FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-4 (TWO-FAMILY RESIDENTIAL)

DATE: AUGUST 7, 2023

SUBMITTED BY: D&P DEVELOPMENT LLC, DAVE EMERSON

PRESENTED BY: PLANNING AND DEVELOPMENT DEPARTMENT

Background

D & P Development LLC is the owner of approximately 24.3 acres of undeveloped land located in the 1500 block of North Owen Road. The parcel of concern was annexed in May of 2003 and zoned R-1 single-family residential at that time. Nixa Planning and Development was approached by the owners of the real property concerning a residential development which would be composed of single-family homes and duplexes and applied to rezone a portion of this lot to accommodate R-4 two-family housing.

Analysis


The property subject to this application is presently vacant. The property is currently bound by vacant R-1 single-family residential zoned parcel to the North, vacant highway commercial (HC) zoned parcel to the East, unannexed KAMO substation to the Northwest, unannexed Single family residences to the Southwest, and unannexed vacant land to the South.

The Future Land Use Designation map shows that the subject property is zoned correctly as R-1. The Future Land Use Designation map shows that the adjacent property east of the subject property should be zoned R-4 two-family, it is currently zoned HC. If the adjacent property develops as currently zoned, the property subject to the rezone would be providing transitional zoning between the adjacent HC and the rest of the subject properties R-1 zoning.

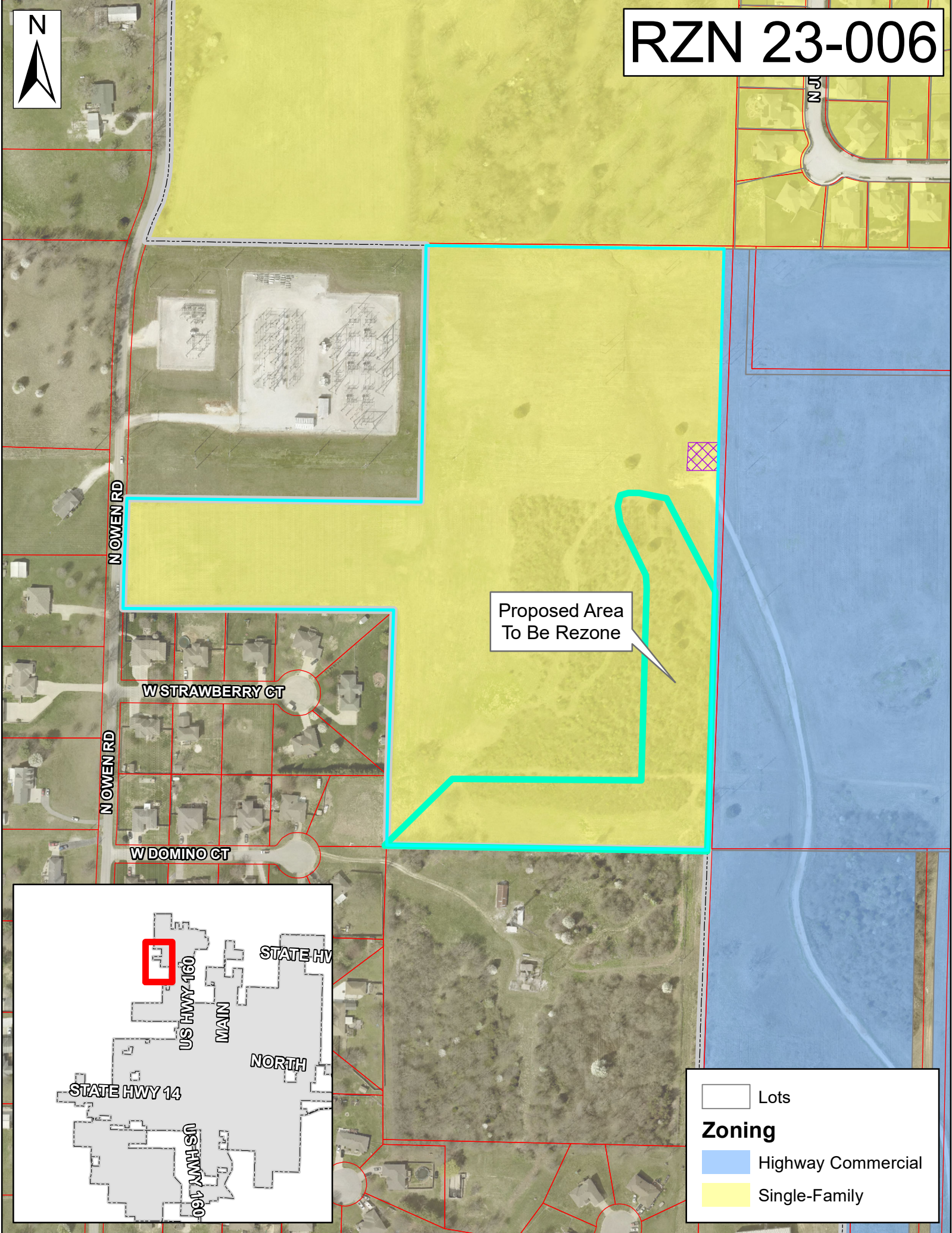
Recommendation

The proposed rezone would provide transitional zoning for future development and staff recommends approval.

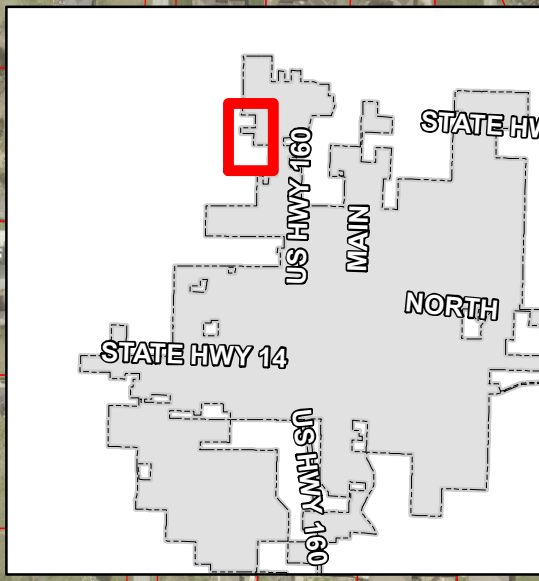
REZONE APPLICATION

Date of Application 10-26-23		File No. RZN 23-0001	
Applicant Name DAVE EMERSON D+P Development LLC			
Mailing Address - Street Name/Number (Applicant) 2188 Union Chapel Rd		City Nixa	State MO
		Zip Code 65714	
Applicant Phone Number 417-840-4509		Applicant Email Address 11americanexcavating@gmail.com	
General Location of Site Subject to this Application (street address preferred) Behind Bowling alley off TRUCKER Rd + next to Power station on Owen			
Current Zoning District R1		Current Use of Property	
REQUESTED ZONING DISTRICT (if multiple, legal descriptions must be provided for each)			
<input type="checkbox"/> Agricultural (AG)	<input type="checkbox"/> Single-Family Residential (R-1)	<input checked="" 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 (MI)	<input type="checkbox"/> Heavy Industrial (M-2)
<input type="checkbox"/> Modular Home Sub. (R-MHS)	<input type="checkbox"/> Manufactured Home Comm. (R-MHC)	<input 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 10-26-23	
Received by		Date	
Fees Collected	Date Paid	Receipt No.	

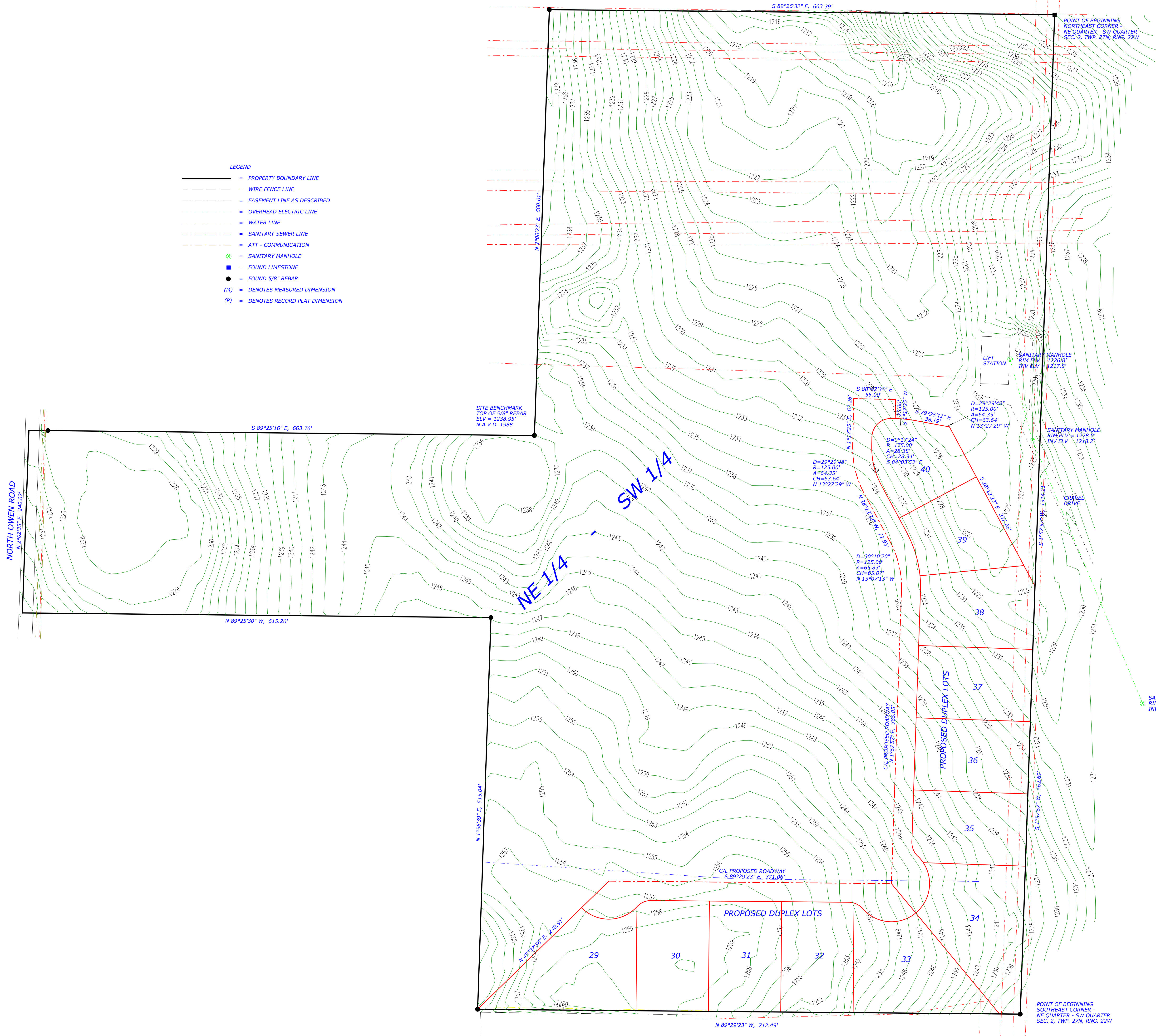
RZN 23-006



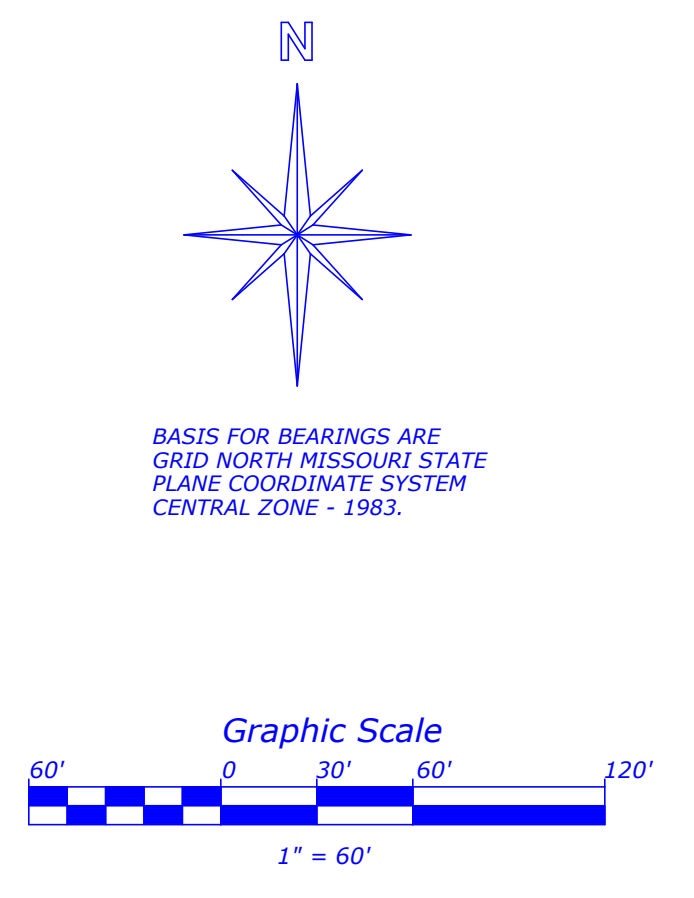
Proposed Area
To Be Rezone



	Lots
Zoning	
	Highway Commercial
	Single-Family



- LEGEND**
- = PROPERTY BOUNDARY LINE
 - - - = WIRE FENCE LINE
 - · - · - = EASEMENT LINE AS DESCRIBED
 - · - · - = OVERHEAD ELECTRIC LINE
 - · - · - = WATER LINE
 - · - · - = SANITARY SEWER LINE
 - · - · - = ATT - COMMUNICATION
 - ⊙ = SANITARY MANHOLE
 - = FOUND LIMESTONE
 - = FOUND 5/8" REBAR
 - (M) = DENOTES MEASURED DIMENSION
 - (P) = DENOTES RECORD PLAT DIMENSION



SOURCE OF PARENT TRACT DESCRIPTION: DEED BOOK 2023 AT PAGE 3869, CHRISTIAN COUNTY RECORDER'S OFFICE, OZARK, MISSOURI.

DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 27 NORTH, RANGE 22 WEST, CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2; THENCE NORTH 89°29'23" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 712.49 FEET; THENCE NORTH 45°37'36" EAST, 240.91 FEET; THENCE SOUTH 89°29'23" EAST PARALLEL WITH SAID SOUTH LINE OF NORTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 371.06 FEET; THENCE NORTH 1°57'57" EAST PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 385.85 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 30°10'20"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 65.83 FEET AND BEING SUBTENDED BY A LONG CHORD OF 65.07 FEET BEARING NORTH 13°07'13" WEST; THENCE NORTH 28°12'23" WEST, 72.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 29°29'48"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 64.35 FEET AND BEING SUBTENDED BY A LONG CHORD OF 63.64 FEET BEARING NORTH 13°27'29" WEST; THENCE NORTH 1°17'25" EAST, 62.26 FEET; THENCE SOUTH 88°42'35" EAST, 55.00 FEET; THENCE SOUTH 1°17'25" WEST, 25.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET AND A CENTRAL ANGLE OF 9°17'24"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 28.38 FEET AND BEING SUBTENDED BY A LONG CHORD OF 28.34 FEET BEARING SOUTH 84°02'53" EAST; THENCE SOUTH 29°29'11" EAST, 38.19 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 225.00 FEET AND A CENTRAL ANGLE OF 1°24'30"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 5.53 FEET AND BEING SUBTENDED BY A LONG CHORD OF 5.53 FEET BEARING SOUTH 80°07'25" EAST; THENCE SOUTH 28°12'23" EAST, 237.66 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 1°57'57" WEST ALONG SAID EAST LINE A DISTANCE OF 362.69 FEET TO THE POINT OF BEGINNING OF THE PORTION HEREIN DESCRIBED CONTAINING 4.83 ACRES, SUBJECT TO RIGHT-OF-WAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

POINT OF BEGINNING
SOUTHWEST CORNER -
NE QUARTER - SW QUARTER
SEC. 2, TWP. 27N, RNG. 22W

SITE BENCHMARK
TOP OF 5/8" REBAR
ELV = 1238.95'
N.A.V.D. 1988

LIFT STATION
RIM ELV = 1228.0'
INV ELV = 1217.8'

SANITARY MANHOLE
RIM ELV = 1228.0'
INV ELV = 1218.2'

SANITARY MANHOLE
RIM ELV = 1230.5'
INV ELV = 1220.1'

D=29°29'48"
R=125.00'
A=63.31'
CH=63.64'
N 13°07'13" W

D=90°10'20"
R=125.00'
A=65.83'
CH=65.07'
N 13°07'13" W

D=9°17'24"
R=125.00'
A=28.38'
CH=28.34'
S 84°02'53" E

D=29°29'48"
R=125.00'
A=63.31'
CH=63.64'
N 13°07'13" W

D=9°17'24"
R=125.00'
A=28.38'
CH=28.34'
S 84°02'53" E

D=29°29'48"
R=125.00'
A=63.31'
CH=63.64'
N 13°07'13" W

D=9°17'24"
R=125.00'
A=28.38'
CH=28.34'
S 84°02'53" E

D=29°29'48"
R=125.00'
A=63.31'
CH=63.64'
N 13°07'13" W

D=9°17'24"
R=125.00'
A=28.38'
CH=28.34'
S 84°02'53" E

D=29°29'48"
R=125.00'
A=63.31'
CH=63.64'
N 13°07'13" W

D=9°17'24"
R=125.00'
A=28.38'
CH=28.34'
S 84°02'53" E

D=29°29'48"
R=125.00'
A=63.31'
CH=63.64'
N 13°07'13" W

D=9°17'24"
R=125.00'
A=28.38'
CH=28.34'
S 84°02'53" E

D=29°29'48"
R=125.00'
A=63.31'
CH=63.64'
N 13°07'13" W

D=9°17'24"
R=125.00'
A=28.38'
CH=28.34'
S 84°02'53" E

D=29°29'48"
R=125.00'
A=63.31'
CH=63.64'
N 13°07'13" W

D=9°17'24"
R=125.00'
A=28.38'
CH=28.34'
S 84°02'53" E

D=29°29'48"
R=125.00'
A=63.31'
CH=63.64'
N 13°07'13" W

D=9°17'24"
R=125.00'
A=28.38'
CH=28.34'
S 84°02'53" E

N 89°29'23" W, 712.49'

N 89°25'30" W, 615.20'

S 89°25'16" E, 663.76'

N 2°00'23" E, 560.01'

S 89°25'32" E, 663.39'

NORTH OWEN ROAD
N 2°02'35" E, 240.02'

SW 1/4

NE 1/4

PROPOSED DUPLEX LOTS

PROPOSED DUPLEX LOTS

C/L PROPOSED ROADWAY
S 89°29'23" E, 371.06'

N 1°56'39" E, 515.04'

N 49°37'29" E, 240.91'

POINT OF BEGINNING
SOUTHWEST CORNER -
NE QUARTER - SW QUARTER
SEC. 2, TWP. 27N, RNG. 22W