



## **EXHIBIT D**

**ISSUE STATEMENT:** PUBLIC HEARING AND RECOMMENDATION TO CITY COUNCIL CONCERNING A PRELIMINARY PLAT FOR APPROXIMATELY 2.2 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF W GLEN OAKS DRIVE AND S GREGG ROAD.

**DATE:** AUGUST 7, 2023

**SUBMITTED BY:** VIKTOR GOSSEN

**PRESENTED BY:** NIXA PLANNING & DEVELOPMENT

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### **Background**

The property owner of approximately 2.2 acres, located at the Northwest corner of the intersection of South Gregg Road and West Glen Oaks Drive, has submitted a preliminary plat to replat lots 1,2,3, and 4 of the Spence Addition of the Glen Oaks Estates Subdivision. The Spence Addition was originally platted and recorded in 1987. There was a single-family structure on Lot 4, it was demolished by the current owner in 2022. The subject property was then annexed in March of 2023 and zoned R-1 (single-family) at the time of annexation.

### **Analysis**

The preliminary plat consists of 6 lots. Since this is a replat of existing lots in the Spence Addition, the numbering of the new lots will be added to the highest number of lots for the recorded addition. The Spence Addition currently consists of 8 lots, 1-4 on the north side of Glen Oaks Drive and lots 5-8 on the south side. The new lots will be numbered 9-15. The proposed lot 9 is 1.1 acres and has a known sinkhole on the west and central portions of the lot. There is buildable space on the east portion of the proposed lot 9, all of lot is to be maintained by the property owner. The remaining proposed lots are approximately .19 acres (8,400 Sq. ft.). The subject property is served by a public street, West Glen Oaks Drive (local). At the time of annexation, the city required an additional 10' of right-of-way (r.o.w.) from the proposed lots along the North side of Glen Oaks Drive to comply with local street right-of-way requirements. The additional r.o.w. is shown on the preliminary plat.

The subject property has access to municipal water service via a 6" water main on the south side of Glen Oaks Drive. The water main has adequate pressure to serve the additional residences. Services lines and meter pits will need to be extended from the main to each new lot.



Sanitary sewer is located along the east side of South Gregg Road. The sewer main has adequate capacity to serve the proposed new residences.

The subject property will be served by municipal electric, there are connections along the East and West side of Gregg Road. The cost to extend municipal services will be incurred by the developer.

The development of the site will be required to conform to the City's adopted stormwater management regulations. The site contains an apparent sinkhole (shown on map enclosed with this exhibit). The presence of a sinkhole will require development to conform to the city's regulations concerning development near karst topography. These regulations address both flooding and water quality concerns.

**Recommendation**

Staff has reviewed the 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 zoning district. Staff Recommends approval.





# Development Department P & Z Application

Application Date: \_\_\_\_\_

Project Type: Subdivision

Title as it Appears on Plans: \_\_\_\_\_

Preliminary Plat of Lot's 1, 2, 3, 4, 5 and 6 of the Replat of Lot's 1, 2, 3 and 4, Spence Addition to Glen Oaks Estates.

<input type="checkbox"/>	Annexation, Zoning & Concept Plan	<input type="checkbox"/>	Board of <u>Adjustments</u>
<input checked="" type="checkbox"/>	Preliminary Plat	<input type="checkbox"/>	Exception to Subdivision Regulations
<input type="checkbox"/>	Special Use Permit	<input type="checkbox"/>	Zoning Code Amendment
<input type="checkbox"/>	Rezoning and Concept Plan	<input type="checkbox"/>	Vacation of Easement
<input type="checkbox"/>	Minor Subdivision (3 or less lots)	<input type="checkbox"/>	Vacation of Right-of-Way
<input type="checkbox"/>	Final Plat	<input type="checkbox"/>	Other _____

### INFORMATION

**Applicant's Name** Viktor Gossen      **Project Location** Spencer Addition, Glen Oaks Estates

**Applicant Address:** 2017 State Highway U,      **Existing Use** Vacant Property  
Rogersville, MO 65742      **Proposed Use** Residential Single Family Homes

**Phone/Fax/Mobile** 417-421-0705      **Existing Zoning** R-1

**Relationship to Owner** Business Partner      **Zoning** R-1

### Legal Description of Property

ALL OF LOTS ONE (1), TWO (2), THREE (3) AND FOUR (4) OF SPENCE ADDITION TO GLEN OAKS ESTATES,  
 A SUBDIVISION IN CHRISTIAN COUNTY, MISSOURI ACCORDING TO THE RECORDED PLAT THEREOF IN PLAT BOOK G  
 AT PAGE 153.  
 SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

Pre-application conference was held with \_\_\_\_\_

### PERSONS IN INTEREST

Name	Address	Zip	Phone/Fax/Mobile
<b>PROPERTY OWNER(S) (Identify General Partners)</b>			
Balyk Volodymyr			

### Mortgages

### Optionees



# Development Department P & Z Application

**CONSULTANTS**

Name	Address	Zip	Phone/Fax/Mobile
Bradley N. Mackey	162 Oak Tree Acres Lane, Branson, MO	65616	417-300-1781

**CONTACT PERSON :** Viktor Gossen

**Identify one person to serve as the contact for the Planning Department during the review process. This will be the only person notified by the Planning Department of meeting schedules. It will be his/her responsibility to notify the other parties who may be**

**Address** 2017 State Highway U,  
Rogersville, MO 65742

**Phone/Fax** 417-421-0705

**OWNER CERTIFICATION**

**I certify that I am a person in interest and the information and exhibits herewith are true and correct to the best of my knowledge and that in filing this application, I am acting with the knowledge and consent of all persons in interest. Without the consent of persons in interest, the requested action cannot lawfully be accomplished.**

**Address** \_\_\_\_\_  
\_\_\_\_\_

**Phone/Fax** \_\_\_\_\_

**Name** Balyk Volodymyr

Owner's Signature \_\_\_\_\_ Capacity \_\_\_\_\_

**STAFF USE ONLY**  
**APPLICATION ACCEPTED**

Date \_\_\_\_\_

Time \_\_\_\_\_

By \_\_\_\_\_

Fee Received \_\_\_\_\_

Property Owners within 185 feet notified

Application Requirements Complete



# SUB 23-006

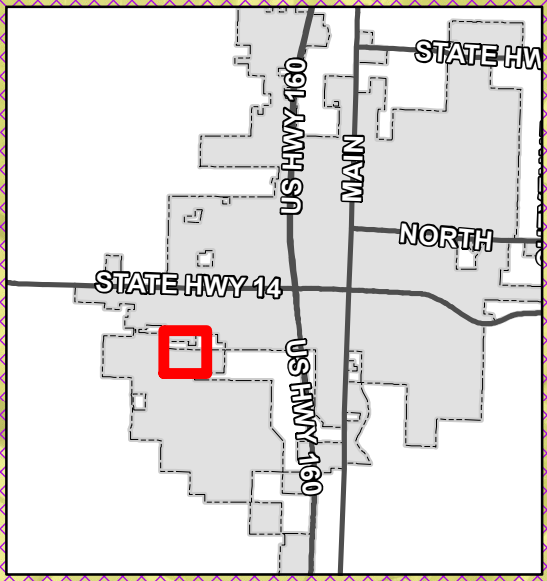
W VINEYARD DR

Proposed Preliminary Plat

W GLEN OAKS DR

S GREGG RD

W JENDEL ST



Legend:

- Lots
- Zoning**
- Single-Family

**PRELIMINARY PLAT OF SPENCE AMENDED ADDITION TO GLEN OAKS ESTATES  
REPLAT OF LOTS 1, 2, 3 AND 4, SPENCE ADDITION  
TO GLEN OAKS ESTATES**

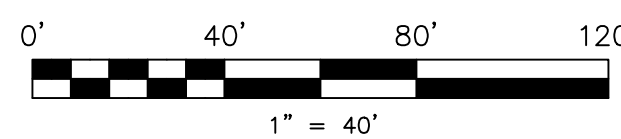
LOCATED IN THE NE1/4 OF THE NE1/4 OF SECTION 22,  
T27N, R22W OF THE 5th. P.M. IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI

ALL BEARINGS ARE BASED ON GRID NORTH, 1983 MISSOURI COORDINATE SYSTEM, CENTRAL ZONE. ALL COORDINATES SHOWN HEREON ARE GIVEN IN FEET AND ARE BASED ON THE 1983 MISSOURI COORDINATE SYSTEM. COORDINATES WERE ESTABLISHED FROM MISSOURI GEOGRAPHIC REFERENCE SYSTEM CONTROL MONUMENT: CH-22  
GRID FACTOR: 0.9999372  
DATE OF ADJUSTMENT: 2004

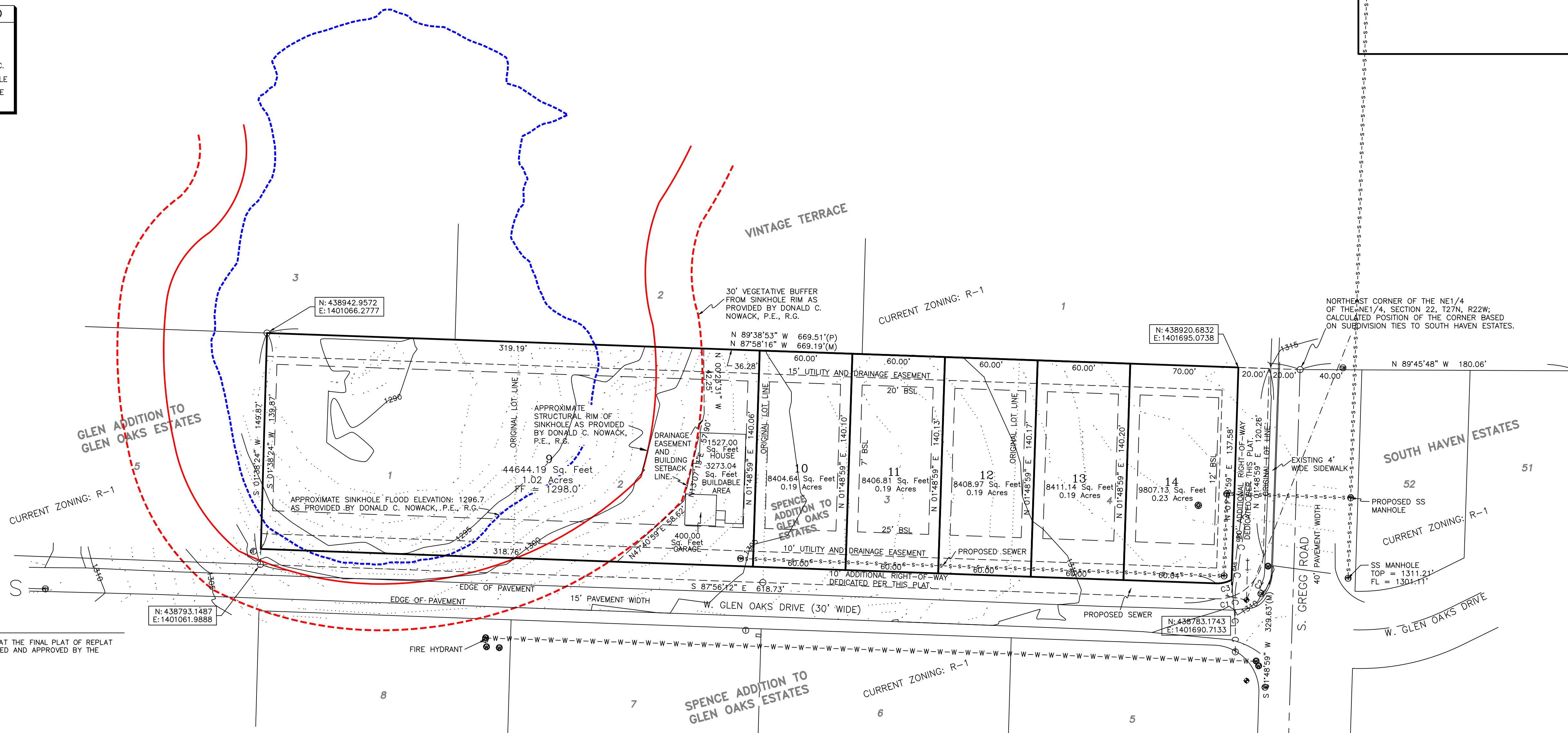
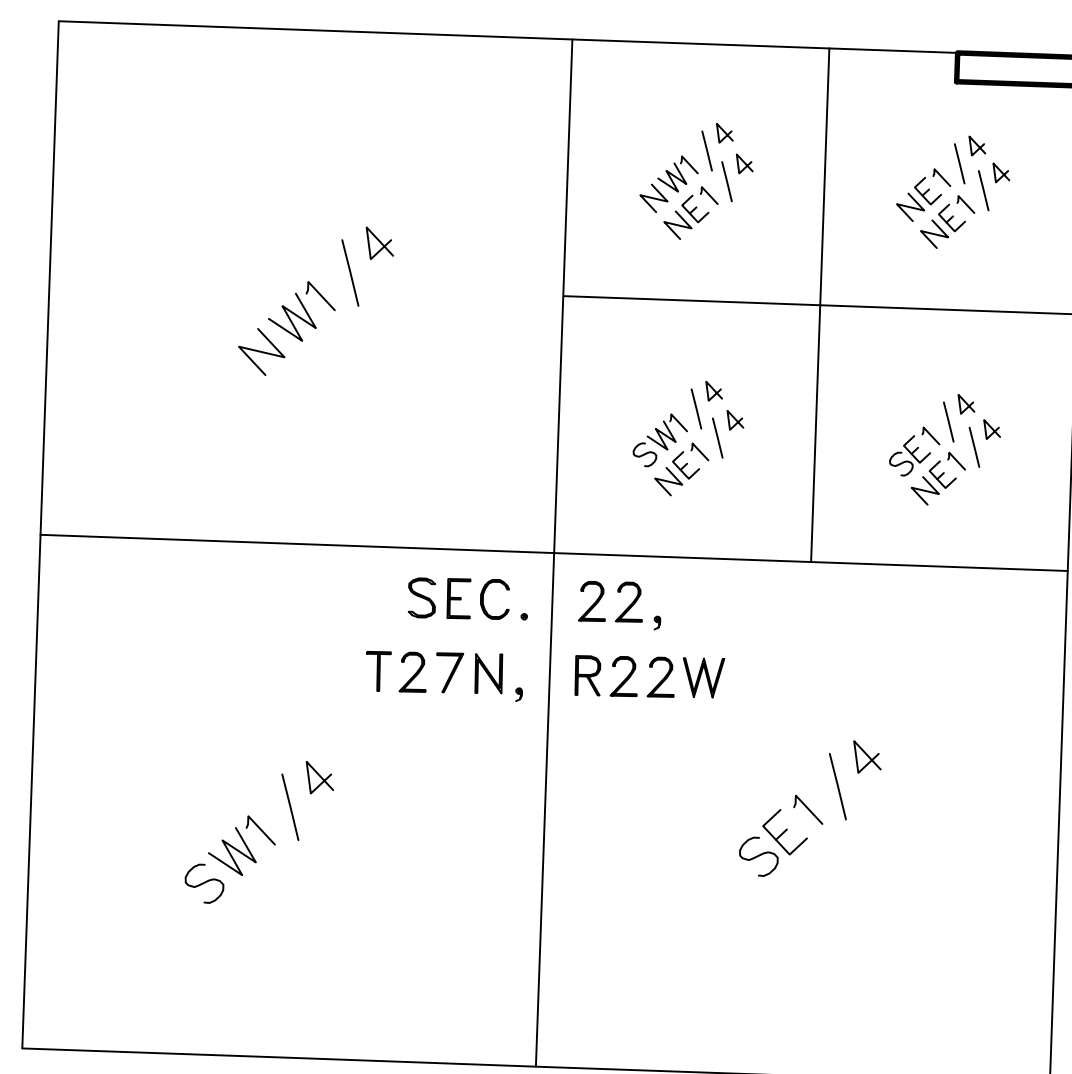
ELEVATIONS ARE BASED ON GPS OBSERVATIONS USING THE 2018 GEOID MODEL.

CONTOUR INTERVAL = 1'

LEGEND	
△	— CALCULATED POINT
○	— FOUND EXISTING 1/2" DIA. IRON PIN BY PLS-2190.
●	— SET IRON PIN WITH PLS-2002014103 CAP.
⊙	— EXISTING WATER VALVE
⊙	— TELEPHONE/CABLE
⊙	— EXISTING SEWER MANHOLE
⊙	— UNDERGROUND ELEC.
⊙	— EXISTING FIRE HYDRANT
⊙	— UNDERGROUND CABLE
(M)	— MEASURED (P) — PLAT
—	— POWER/UTILITY POLE
—	— Ex. SANITARY SEWER



LOCATION SKETCH  
1" = 1000'



**CITY COUNCIL CERTIFICATE:**  
I, REBEKKA COFFEY, CITY CLERK OF NIXA, CHRISTIAN COUNTY, MISSOURI, DO HEREBY CERTIFY THAT THE FINAL PLAT OF REPLAT OF LOTS 1, 2, 3 AND 4, SPENCE ADDITION TO GLEN OAKS ESTATES WAS PRESENTED TO, ACCEPTED AND APPROVED BY THE COUNCIL OF SAID CITY OF NIXA ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

REBEKKA COFFEY - CITY CLERK \_\_\_\_\_ DATE \_\_\_\_\_

**COLLECTOR'S STATEMENT:**  
I HEREBY CERTIFY ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, THAT ALL TAXES OWED ON PARCEL No. 10-05-22-001-001-000 HAVE BEEN PAID.

TED NICHOLS - COUNTY COLLECTOR \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE CITY PLANNER OF THE CITY OF NIXA:**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI.

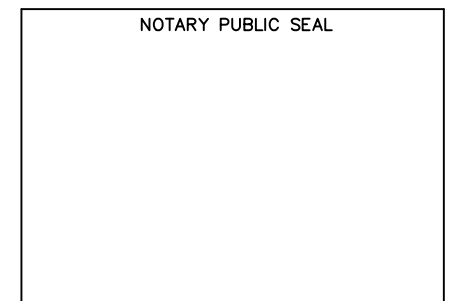
MUNICIPAL PLANNER \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF OWNERSHIP AND DEDICATION:**  
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF NIXA, THAT I HEREBY FREELY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAT AS STREETS, ALLEYS, WALKS, PARKS, OPEN SPACE, AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE, AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH OTHER USE IS APPROVED BY THE NIXA BOARD OF ALDERMEN IN THE PUBLIC INTEREST.

BALYK VOLODYMYR (PRESIDENT, IVAN-CO, A MISSOURI CORPORATION) \_\_\_\_\_ DATE \_\_\_\_\_

**ACKNOWLEDGEMENT:**  
STATE OF MISSOURI } s.s.  
COUNTY OF CHRISTIAN }  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ OF, 20\_\_\_\_, BEFORE ME PERSONALLY APPEARED BALKY VOLODYMYR, PRESIDENT OF IVAN-CO, A MISSOURI CORPORATION, KNOWN TO BE THE PERSON WHO EXECUTED THE WITHIN PLAT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL, AT MY OFFICE IN NIXA, CHRISTIAN COUNTY, MISSOURI, THE DAY AND THE YEAR FIRST WRITTEN ABOVE.

NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_



**MINIMUM FLOOR ELEVATION FOR STORMWATER:**

LOT 1: 1298.0'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	29.87'	10.19'	10.14'	N 82°17'30" E	19°32'36"
C2	29.87'	36.86'	34.57'	N 37°10'05" E	70°42'13"
C3	19.87'	10.42'	10.30'	N 77°02'49" E	30°01'57"

**DESCRIPTION:**  
ALL OF LOTS ONE (1), TWO (2), THREE (3) AND FOUR (4) OF SPENCE ADDITION TO GLEN OAKS ESTATES, A SUBDIVISION IN CHRISTIAN COUNTY, MISSOURI ACCORDING TO THE RECORDED PLAT THEREOF IN PLAT BOOK G AT PAGE 153.

SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

**NOTES:**  
RECORD SOURCE PLAT: SPENCE ADDITION AND GLEN ADDITION TO GLEN OAKS ESTATES, PLAT BOOK G, PAGE 153 BY PLS-2190.  
REFERENCE PLAT: FINAL PLAT OF SOUTH HAVEN ESTATES, PLAT BOOK G, PAGE 882, DOC #2001L10198, SLIDE #1188 BY PLS-2671.  
RECORD SOURCE DEED: IVAN-CO; DEED IN BOOK 2021 AT PAGE 016708.  
RECORD SOURCE FOR SINKHOLE EVALUATION: DONALD C. NOWACK, P.E., R.G., PPI PROJECT No. 284276 DATED DECEMBER 6, 2022.  
TOTAL AREA OF LOTS: 2.01 ACRES  
BUILDING SETBACKS: 25' FRONT YARD  
7' SIDE YARD  
20' REAR YARD  
12' SIDE YARD ADJACENT TO STREET  
CURRENT ZONING: R-1  
PROPERTY SHOWN HEREON DOES NOT LIE WITHIN A F.E.M.A. IDENTIFIED FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL MAP No. 29043C0065C, EFFECTIVE DECEMBER 17, 2010.  
OWNER/DEVELOPER: IVAN-CO

**DECLARATION NOTES:**  
MONUMENTS AND IRON PINS SHOWN AS SET WERE PLACED UNDER THE PERSONAL SUPERVISION OF BRADLEY N. MACKEY, PLS-2002014103. LOCATION OF IMPROVEMENTS AS SHOWN HEREON WAS TAKEN FROM VISUAL INSPECTION OF PHYSICAL EVIDENCE ON THE PREMISES AND EASEMENTS, IF ANY ARE SHOWN, ARE THOSE WRITTEN, PROVIDED, OR DISCOVERED; AND THESE ITEMS MAY NOT BE ALL INCLUSIVE. PROPERTY BOUNDARIES AS SHOWN ARE GENERALLY BASED ON DEEDS OF RECORD. VARIATIONS FOUND OUT OF HARMONY AGREEMENT WITH RECORD TITLE LINES ARE AS SHOWN. THIS SURVEY IS CLASSIFIED AS URBAN.

**CERTIFICATE OF SURVEY AND ACCURACY:**  
I, BRADLEY N. MACKEY, PLS-2002014103, HEREBY STATE THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREON WERE PLACED UNDER PERSONAL SUPERVISION OF BRADLEY N. MACKEY, PLS-2002014103, IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.  
Bradley N. Mackey  
BRADLEY N. MACKEY, PLS-2002014103  
07/25/2023  
DATE

**DECLARATION:**  
I, BRADLEY N. MACKEY, PROFESSIONAL LAND SURVEYOR #2002014103, HEREBY CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY UNDER MY SUPERVISION AND THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS PLAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF. I DID ATTEMPT TO MEET THE CURRENT STANDARDS FOR PROPERTY BOUNDARY SURVEYS OF THE MISSOURI DEPARTMENT OF AGRICULTURE, AND THE STANDARDS ADOPTED BY THE BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND PROFESSIONAL LANDSCAPE ARCHITECTS. WITNESS BY MY SIGNATURE, REGISTRATION NUMBER AND SEAL, THIS 25th, DAY OF JULY, 2023.

<b>MACKEY SURVEYING</b> LAND SURVEYORS AND PLANNERS		PROFESSIONAL LAND SURVEYOR LICENSE NUMBER: PLS-2002014103 PLS CORP. NUMBER: 2022012827
CLIENT: IVAN-CO	417-300-1781 JOB No.: 22-1147-5	
DESCRIPTION: PRELIMINARY PLAT/REPLAT	DATE: 07/25/2023	
LOCATION: LOTS 1-4, SPENCE ADDITION TO GLEN OAKS ESTATES; NE1/4, SEC. 22, T27N, R22W IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI.	SCALE: 1" = 40'	
ORDERED BY: VIKTOR GOSSON	DWG. No.: 1147-5-1 PAGE No.: 1 OF 1	

**PRELIMINARY ENGINEERING REPORT  
FOR  
PRELIMINARY PLAT OF LOTS 1-6 OF SPENCE ADDITION TO GLEN OAKS ESTATES**

**SITE LOCATION:**

THE SITE IS LOCATED AT THE CORNER OF W. GLEN OAKS DRIVE AND S. GREGG ROAD, ON THE NORTH SIDE OF W. GLEN OAKS DRIVE, NIXA, MO.

**NARRATIVE:**

CURRENTLY, THIS PROPERTY IS NOT SERVED DIRECTLY WITH SANITARY SEWER AND POTABLE WATER. BOTH UTILITIES WILL HAVE TO BE EXTENDED TO SERVE THE PROPERTY. ACCESS TO THE LOTS WILL BE PROVIDED OFF W. GLEN OAKS DRIVE. W. GLEN OAKS DRIVE IS AN EXISTING 30' WIDE PAVED ROADWAY WITH V SHAPED DITCHES ON BOTH SIDES OF THE ROAD TO CONVEY THE EXISTING STORM WATER FLOW TO THE EXISTING SINKHOLE. UTILITY EXTENSIONS DESCRIBED AS FOLLOWS:

**SANITARY SEWER:**

TO SERVE THE PROPOSED SUBDIVISION, 8" PVC SANITARY SEWER WILL BE EXTENDED FROM A MANHOLE ON THE EAST SIDE OF S. GREGG ROAD. THERE IS AN EXISTING MANHOLE JUST NORTH OF THE EXISTING STOP SIGN AT THE INTERSECTION. ROAD BORING S. GREGG ROAD WILL BRING THE SEWER FROM THE EAST SIDE OF S. GREGG ROAD TO THE WEST SIDE. 4" SERVICE LATERALS WILL BE PROVIDED FOR EACH PROPOSED LOT.

**POTABLE WATER:**

TO SERVE THE PROPOSED SUBDIVISION, 8" PVC WATER MAIN WILL BE EXTENDED. BEGINNING AT AN EXISTING FIRE HYDRANT LOCATED APPROXIMATELY 500' WEST OF THE INTERSECTION OF S. GREGG ROAD AND W. GLEN OAKS DRIVE. WATER WILL BE EXTENDED TO SERVE ALL 6 LOTS AND WATER METERS WILL BE PROVIDED FOR ALL 6 LOTS.

**STORM WATER:**

EXISTING STORM WATER RUNOFF TRAVELS OVERLAND AND DOWN EXISTING DITCHES TO AN EXISTING SINKHOLE LOCATED ON THE WEST END OF THE PROPERTY. THIS IS THE NATURAL LOW POINT FOR THIS PROPERTY. NO ADDITIONAL IMPROVEMENTS ARE PROPOSED FOR THE ROADWAY AND DITCHES. PROPOSED STORM WATER CULVERTS WILL BE PROVIDED FOR EACH DRIVEWAY. NO STRUCTURE WILL BE CONSTRUCTED WITHIN THE DRAINAGE EASEMENT AND BUILDING SETBACK LINES PROVIDED ON THE PRELIMINARY PLAT. THIS IS A SETBACK FROM THE STRUCTURAL RIM OF THE EXISTING SINKHOLE. LOCATION PROVIDED BY DONALD NOWACK P.E.. THE MOWED LAWNS WILL SERVE AS A FILTER FOR THE STORM WATER THAT WILL NATURALLY TRAVEL TO THE SINKHOLE ONCE THE DEVELOPMENT IS COMPLETE. WE ARE NOT PROPOSING ANY STORM WATER DETENTION. DURING CONSTRUCTION, BMP'S WILL BE IN PLACE TO PROTECT THE WATER QUALITY GOING INTO THE SINKHOLE. THE DESIGN PLANS WILL INCLUDE A SOIL EROSION & SEDIMENT CONTROL PLAN TO SHOW PLACEMENT. THIS WILL BE MONITORED AND MAINTAINED FOR THE DURATION OF CONSTRUCTION TO ENSURE WATER QUALITY.

6-06-2022

**GAS, CABLE, AND ELECTRIC.:**

GAS, CALBLE AND ELECTRIC ARE ALL AVAILABLE ALONG W. GLEN OAKS DRIVE AND WILL BE EXTENDED TO THE PROPOSED 6 LOTS BY THE RESPECTIVE PROVIDERS.



PREPARED BY MIKE STALZER, PE

