



EXHIBIT B

ISSUE STATEMENT: PUBLIC HEARING AND POSSIBLE VOTE CONCERNING THE PROPOSED LOT CONSOLIDATION OF LOTS 34, 35, & 36 OF SHADY ACRES PUD LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 160 AND SUNRISE DR

DATE: February 5th, 2024

SUBMITTED BY: HARRY D LEAS TRUST & BERNADINE M LEAS TRUST

PRESENTED BY: PLANNING AND DEVELOPMENT DEPARTMENT

Background

The undeveloped subdivision, Briarglen Estates, located in Christian County, was annexed into the City of Nixa in June of 1989. Briarglen Estates was replatted as Shady Acres PUD in June of 1994. The property was platted as a Planned Unit Development (PUD) at the time as it proposed multiple zoning districts on a single plat: (R-1) Single Family Residential, (O) Office, and (GC) General Commercial. There are four non-residential lots along the north side of Sunrise Drive adjacent to HWY 160. Lots 35 and 36 are zoned GC. Lots 33 and 34 are zoned O.

Analysis

The applicant is requesting to consolidate Lots 34, 35, & 36 for the creation of a single 2.57 acre lot zoned as General Commercial (GC). There will be a 10' utility easement along the South and West boundaries as well as a 20' drainage and utility easement along the North boundary. There are no proposed changes to lot 33.

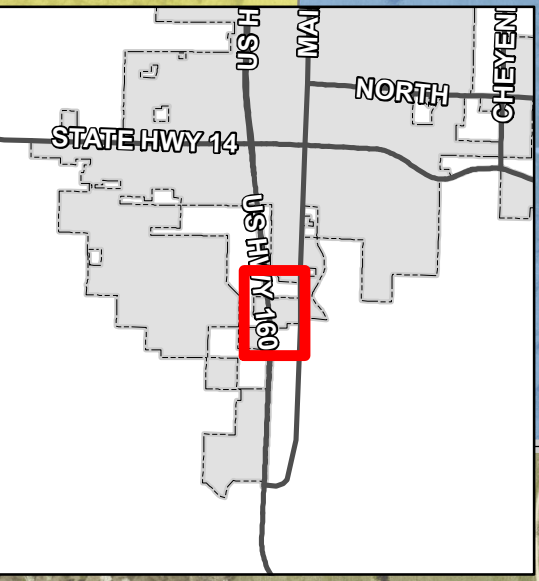
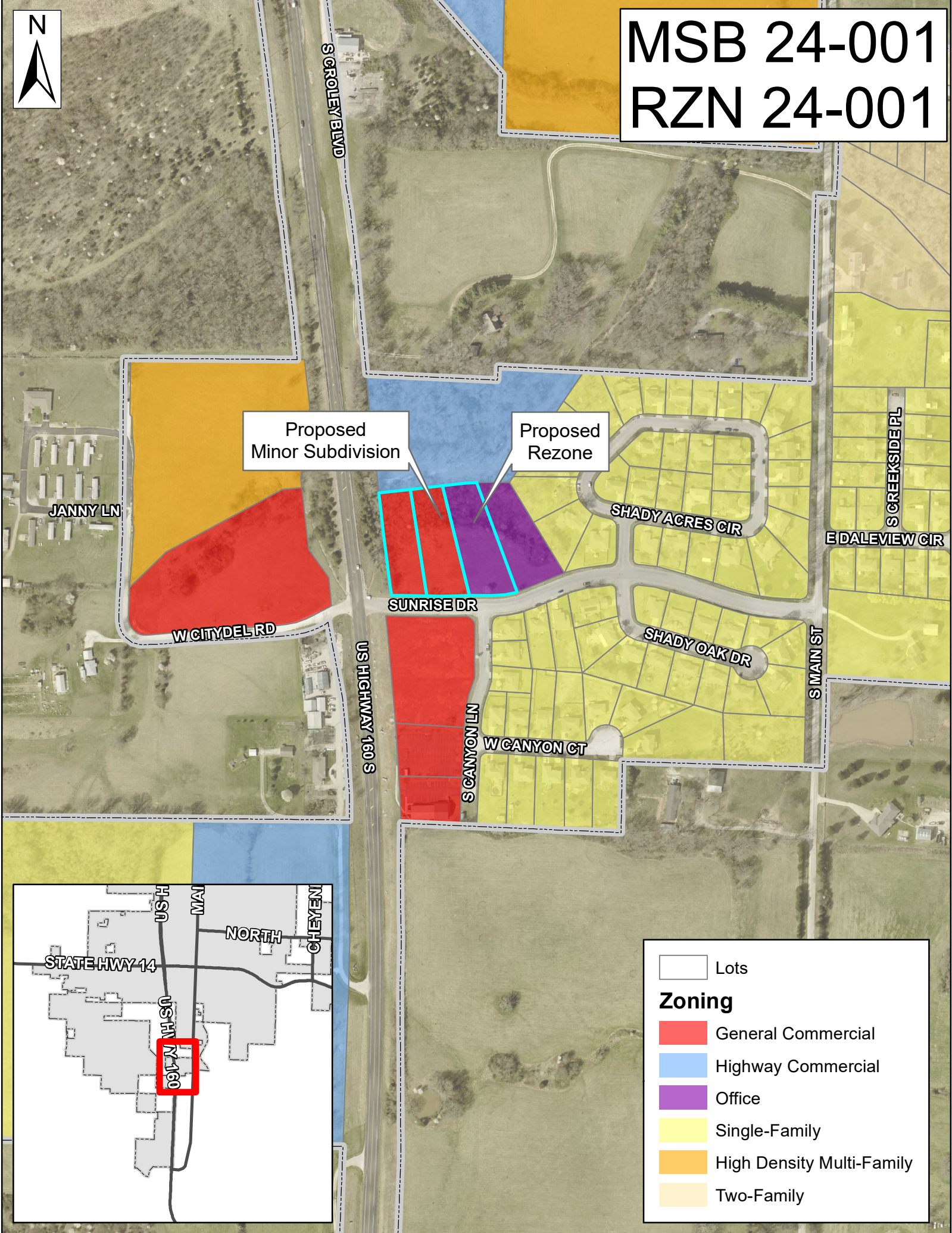
Recommendation

This proposed lot consolidation conforms with Nixa City Code Section 115-Minor Subdivision Approval and Section 117 – Minimum Dimensional Standards. In combination with the proposed rezone of lot 34, the intention is to create a single General Commercial zoned district ready for development, while preserving an Office zoned district to act as a buffer between R-1 zoning and the subject property. Staff recommends the approval of this rezone.



MSB 24-001

RZN 24-001



Lots

Zoning

- General Commercial
- Highway Commercial
- Office
- Single-Family
- High Density Multi-Family
- Two-Family

**MINOR SUBDIVISION
REPLAT OF LOTS 34, 35 AND 36
OF SHADY ACRES P.U.D.**
in the SW1/4 of the SW1/4
Of Section 24, T27N, R22W of the 5th P.M.,
In the City of Nixa, Christian County, Missouri

Planning & Zoning Commission

I, Scott Godbey, Department Development Director of the Board of Planning & Zoning, City of Nixa, Christian County, Missouri do hereby certify the **Replat of Lots 34, 35 and 36 of Shady Acres P.U.D.** was presented to, accepted and approved by the Board of Planning & Zoning of said City of Nixa on the _____ day of _____, 20____.

Certificate of Ownership and Dedication

I hereby certify that I am the owner of the property described herein, 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.

Leas Legacy Lands LLC

By: _____ Date: _____

Name: _____

Title: _____

Acknowledgement

State of Missouri
County of Christian

On the _____ day of _____, 20____, before me personally appeared _____ Known to be the person who executed the within plat in behalf of Leas Legacy Lands LLC, a Missouri Limited Liability Company, and acknowledged to me that he/she executed the same for the purposes therein stated. In witness whereof, I have set my hand and affixed my official seal at my office in _____, Christian County, Missouri, the day and the year first written above.

Notary Public _____ My Commission Expires _____

Collector's Statement

I hereby certify on this _____ day of _____, 20____, that all taxes owed on Parcel # _____ have been paid.

Ted Nichols - Christian County Collector

Certificate of Survey

I, Ray L. Riggs, 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 located or placed under my personal supervision, in accordance with the Missouri Standards for Property Boundaries Surveys.

DRAFT

Ray L. Riggs
Missouri PLS No. 2003000966

Riggs Brothers Surveying, LLC
MO Certificate of Authority #2022002091

Survey References

- SR1. Plat of "Briarglen Estates" by John M. Schmacht, PLS2172, filed March 10, 1988 in Christian County Plat Book G (Slide Cab. G) at Page 166
- SR2. Plat of "Shady Acres P.U.D." by Mark E. Gunter, PLS2427, filed August 15, 1995 in Christian County Plat Book G (Slide Cab. G) at Page 518.
- SR3. MODoT route plans for U.S. Route 160

DR1. Warranty Deed (Missouri Form for Corporations), recorded 1/28/1994 in Christian County Deed Book 296 at Page 3120. Grantee: Harry D. Leas, Trustee

Surveyor's Notes

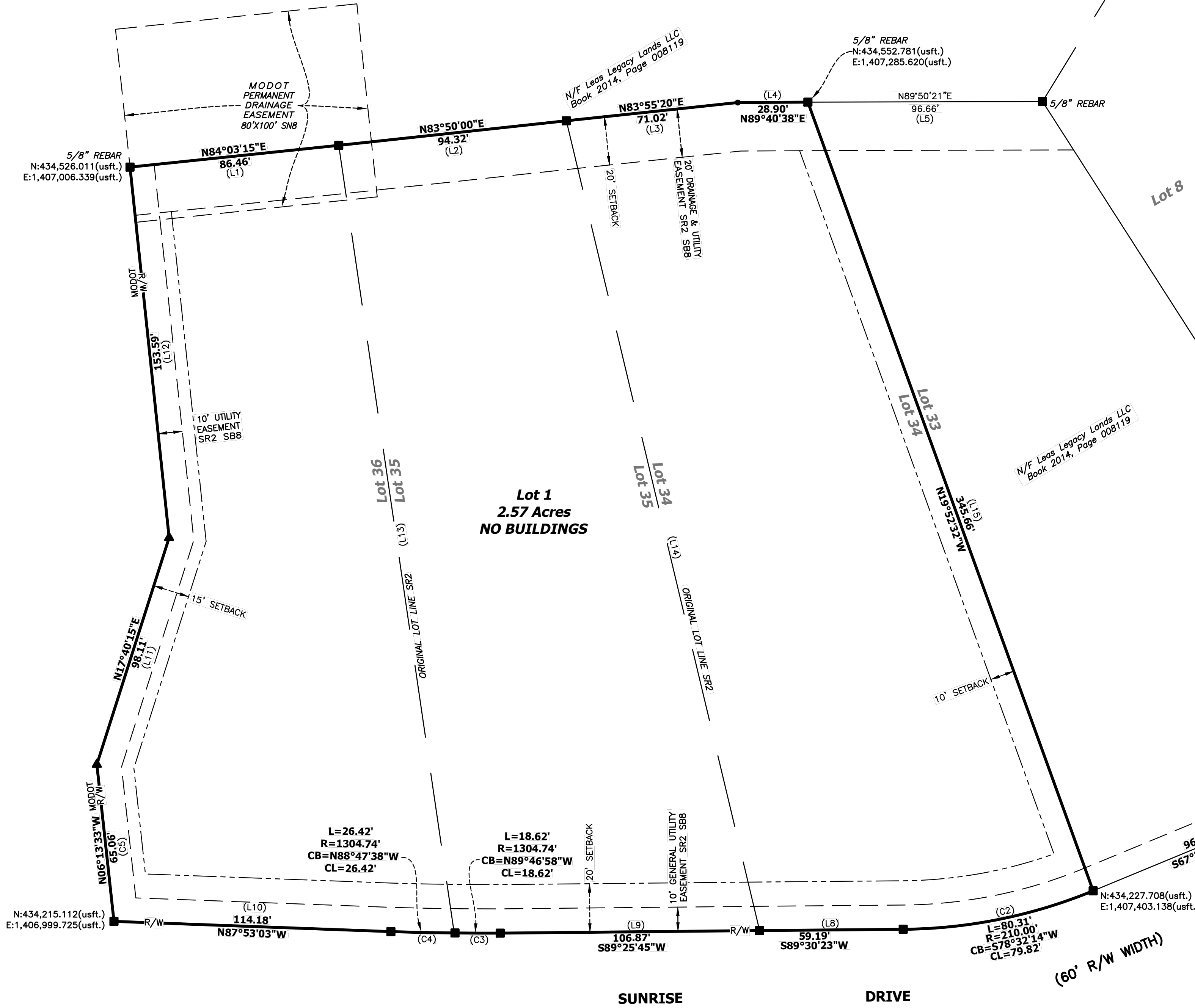
- SN1. Per FEMA FIRMS 29043C0070C, effective date: 12/17/2010, Lot 1 lies in "Zone X" - "Areas determined to be outside the 0.2% annual chance floodplain."
- SN2. Survey is valid only if print has original seal and signature of surveyor present on it or exhibits a digital signature.
- SN3. Lot 1 lies in the "GC General Commercial District" which is defined in the the "Code of the City of Nixa, Missouri". The setbacks for this district are graphically shown on subject plat.
- SN4. A "Permanent Drainage Easement" shown on the route plans referenced in SR3, is delineated at the northwest corner of Lot 1, as shown.

State Plane Coordinates

Bearings are based on Grid North, 1983 Missouri Coordinate System, Central Zone. All Coordinates listed above are given in U.S. Feet, converted from meters using the following formulae: 1 meter = 3.280833333 feet. Coordinates were established from a MODoT VRS observation on an on-site control point. This observation was confirmed by a NGS OPUS solution made on the same control point.

GRID NORTH
MISSOURI CENTRAL ZONE
FROM GPS OBSERVATION
NAD83-2011 (EPOCH 2010.0000)
DISTANCES - GROUND
ACCURACY STANDARD - URBAN

ROUTE 160 (R/W WIDTH VARIES)
U.S.
BOULEVARD
MASSEY



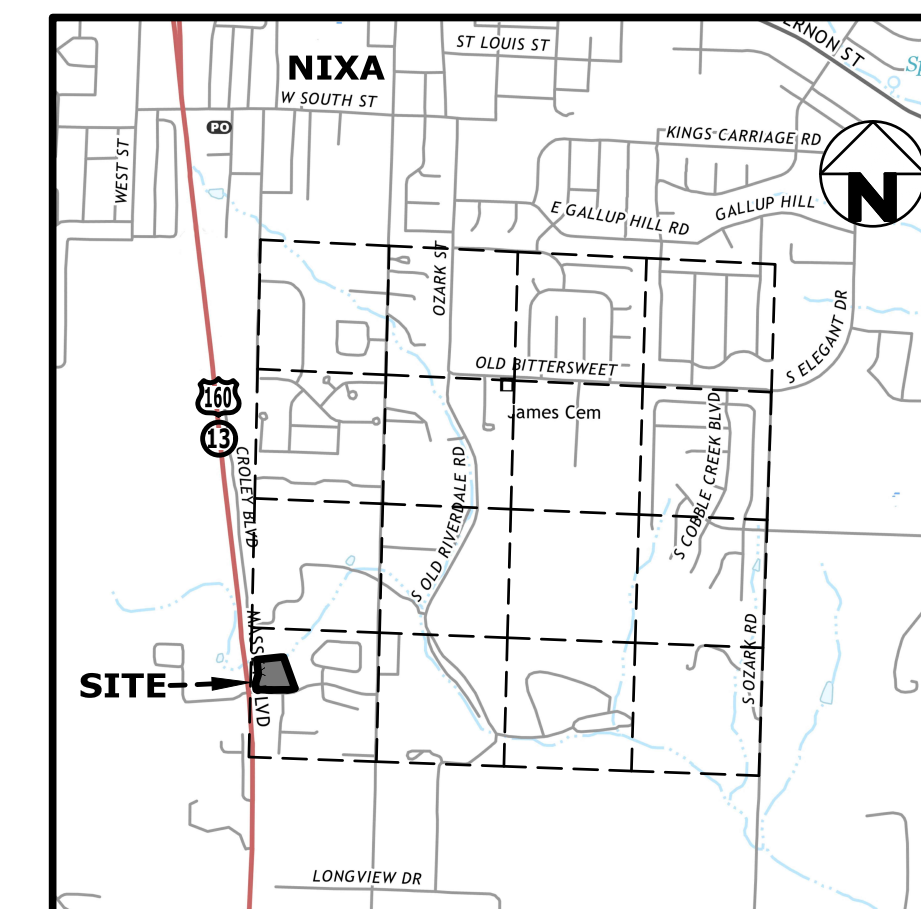
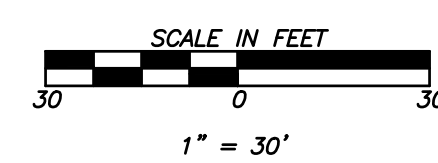
- LEGEND**
- FOUND MARKER (1/2" REBAR WITH PLASTIC CAP FROM SR2 UNLESS NOTED)
 - ▲ FOUND RIGHT-OF-WAY MARKER
 - SET 1/2" x 1/8" REBAR WITH PLASTIC I.D. CAP
 - CALCULATED CORNER POSITION
 - SURVEYED BOUNDARY
 - - - EASEMENT LINE
 - - - SETBACK LINE
 - () RECORD INFORMATION FROM SR2 (UNLESS NOTED)
 - N/F NOW OR FORMERLY
 - R/W CITY OF NIXA STREET RIGHT-OF-WAY
 - MODoT R/W MODoT LIMITED-ACCESS RIGHT-OF-WAY
 - Lot XX LOT NUMBERS FROM SR2

RECORD LINE DATA FROM SR2

LINE #	BEARING	DISTANCE
(L1)	N83°27'08"E	(86.48)
(L2)	N83°27'08"E	(94.41)
(L3)	N83°27'08"E	(71.10)
(L4)	N89°12'26"E	(28.93)
(L5)	N89°12'26"E	(96.55)
(L6)	N33°07'26"W	(317.61)
(L7)	S87°03'20"W	(95.97)
(L8)	S89°00'19"W	(59.06)
(L9)	S89°00'19"W	(106.95)
(L10)	N88°26'03"W	(114.22)
(L11)	N17°27'28"E	(97.40)
(L12)	N06°43'52"W	(153.50)
(L13)	N08°53'02"W	(328.13)
(L14)	N13°54'14"W	(343.00)
(L15)	N20°21'15"W	(345.42)

RECORD CURVE DATA FROM SR2

CURVE #	LENGTH	RADIUS	CHORD	BEARING	DELTA
(C1)	(65.36)	(640.00')	(65.32')	(N70°31'23"E)	(06°56'06")
(C2)	(80.45)	(210.00')	(79.96')	(N78°01'50"E)	(21°58'59")
(C3)	(18.61)	(1008.83')	(18.61')	(N89°32'02"E)	(01°03'25")
(C4)	(26.47)	(1008.83')	(26.47')	(N89°11'10"W)	(01°30'13")
(C5)	(65.87)	(11459.20')	(65.87')	(N06°14'59"W)	(00°19'46")

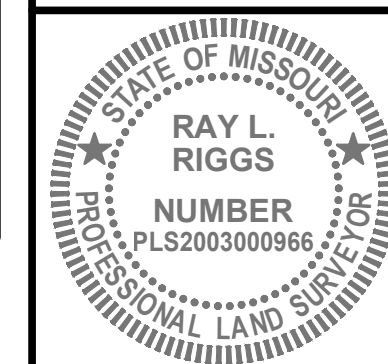


LOCATION MAP
Sec. 24, T27N, R22W, 5th P.M.
City of Nixa, Christian County, Missouri

Riggs Brothers Surveying, LLC

www.riggs-surveying.com
Land Surveyor Corp. 2022002091

1598 Imperial Ctr Ste 2007 (417) 293-0711
West Plains, Missouri 65775 ray@riggs-surveying.com



**MINOR SUBDIVISION
REPLAT OF LOTS 34, 35 AND 36
OF SHADY ACRES P.U.D.**
SW1/4 SW1/4 Sec. 24, T27N, R22W 5th P.M.,
City of Nixa, Christian County, Missouri

Drawn by: MCW
Checked by: RAR
Field Book: D/C
Job No: R23051

Date: 10-26-23



MINOR SUBDIVISION APPLICATION

715 W Mt. Vernon
PO Box 395
715 W Mt. Vernon
Nixa, MO 65714
417-725-5850
planning@nixa.com

Application Date: _____

File#: _____

APPLICANT INFORMATION

Name: _____ Phone #: _____

Mailing Address: _____
Street address City State Zip

Email : _____ Contact Person for Project: _____

Contact Phone: _____ Contact Email: _____

PROPERTY INFORMATION

General Location of Property _____

General size of property: _____(acres) Current Zoning of Property: _____

Desired action:

Remove Lot Line _____ Add Lot Line: _____ Total Number of Lots: _____

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.

Applicant Signature: _____ Date: _____

REQUIRED DOCUMENTS TO BE SUBMITTED WITH APPLICATION (all digital submittals sent to planning@nixa.com)

- Ownership report (certified by a title company) Identifying owner(s) of all fee interests of record.
- Legal description(s) for all areas to be rezoned (Microsoft Word Format)
- Payment of Application fee in the amount of \$150
- Plat for the Minor Subdivision

TYPICAL PROCESS AND TIMELINE

Preparation 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 days prior to hearing date.	
	Provide notice of hearing to all owners of real estate within 185 feet of subject property	
	Posting of notice of public hearing sign on the subject property.	
Hearing Phase	Public hearing before Planning & Zoning Commission	-20 Days
	Planning & Zoning Commission votes to approve or deny request.	

For questions regarding this application or the process described above, please contact the City of Nixa Planning and Development Department at 417-725-5850

NIXA.COM