

## **AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA APPROVING THE VOLUNTARY ANNEXATION OF APPROXIMATELY 96 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY CC AND NORTH CHEYENNE ROAD AND ZONING THE PROPERTY TO MULTIPLE ZONING DISTRICTS**

### **Background:**

The fee owners of 3 parcels of real property, totaling approximately 96 acres, generally located at the southwest corner of the intersection of State Highway CC and North Cheyenne Road, have submitted a voluntary petition for annexation to the City of Nixa and have requested approximately 93.2-acres to be zoned Single-Family (R-1) and approximately 2.7-acres to be zoned General Commercial (GC). In addition, the potential property owner has applied for a preliminary plat on the same property.

On the 96 acres, there are 2 houses and numerous accessory structures. Some of the accessory structures date back to the 1940's and 1950's. The two homes are relatively newer, being built in 1987 and 1991. The potential developer of this site will be keeping the house that sits on the 73-acre parcel of this annexation. The house is currently served by Ozark Electric Co-Op, and the developer has elected to keep their current service provider. If approved, the property will be added to Council District 1.

### **Analysis:**

#### **Surrounding Land Use**

To the east of the subject property is North Cheyenne Road and then on the east side of the road are single family residences that sit on acreage or are within a neighborhood environment, along with some undeveloped acreage, all of which is currently located in unincorporated Christian County. To the south are single family homes located inside the City of Nixa in the Estates of Enniskerry at Wicklow Subdivision. Also to the south are single-family residences located in unincorporated Christian County. To the west are elements of the Wicklow subdivisions which include their common area/pools, as well as a senior living facility, all located inside city limits.

#### **Comprehensive Plan**

The subject properties fall within tier one of the 3-tier planning map. Tier one is where the city is either currently providing or intends to provide urban level services in the near future.

The subject property does not fall within the priority annexation areas identified in Nixa 2045 and therefore does not have a future land use designation.

### **Transportation**

The subject property is served by East State Highway CC and North Cheyenne Road. Both Highway CC and Cheyenne Road are Primary Arterial roads and require 110' of right of way. The additional right of way needed to conform with the street classification is shown on the annexation plat and will be dedicated.

A traffic impact study has been performed by Traffic Engineering Consultants, Inc, dated November 2024. The study was based off the proposed development of the property which includes 250 single family lots (actual proposed number is 234) and approximately 2 acres of commercial development. The study concluded based on the results that no traffic control or geometric roadway improvements are necessary for traffic to continue operating at acceptable levels-of-service.

### **Municipal Utilities (Water, Wastewater, Electric)**

An existing 12" sanitary sewer main is located to the west of the subject property. The size of the main is sufficient to serve the proposed development. The wastewater will flow into the Northeast Regional Lift Station. Capacity into the lift station will have to be purchased by the developer prior extending the sewer main.

The developer has chosen to keep the current electric provider for the site for future development.

The subject property has access to municipal water service within reasonable distance to be extended to the site. The developer's engineer is proposing to construct an offsite 12" water main along Cheyenne Road from High Pointe Elementary to this site. The main will then extend through the subject property and connect to an 8" watermain located near Castlewood Senior Living. Staff has concerns about water pressure in this area of Nixa. A hydraulic analysis was performed by Olsson Engineering (Moore Estates Development Technical Memorandum, dated March 19<sup>th</sup>, 2025).

Nixa Utilities and Public Works staff are recommending denial of the application as it related to the annexation, as it is proposed. Staff has serious concerns about the City's ability to provide an adequate level of water service to the properties proposed to be annexed and about the negative effect on the city's ability to adequately provide water to existing properties in northeast Nixa. Besides the risk of deteriorating service to our existing customers, and low confidence in the desired service level for this development, lessening the minimum recommendations threatens our good standing with both the Nixa Fire Protection District and the Missouri DNR as a top water service provider in the state.

Upon receipt of the application for Moore Estates, staff identified concerns that the proposed development would have a negative effect on water volumes and pressures in northeast Nixa. These concerns are centered around real-world observations and operational conditions that our water operators have experienced over the past several years. In 2023 the city contracted with Olsson & Associates to develop a Hydrologic Water Model for the city. This model serves as a tool that can be utilized to run scenarios to determine what impact improvements to the system could possibly have on the overall water system. With concerns that the proposed development would have a negative effect, Olsson was asked to run the model with the proposed improvements to develop a recommendation on what improvements were necessary to accommodate Moore Estates. The model that was produced for the city in March of this year identified the need for a 16" water line along Cheyenne Rd. from High Point Elementary to the development, with an additional 12" line connecting Bluebird Hills to Moore Estates providing a looped system to maintain water volume and pressure in northeast Nixa. After that study the developer reached out to our consulting engineer at Olsson and asked that they make changes to the parameters of the model, thereby reducing the recommended improvements by eliminating the 12" loop north to Bluebird Hills but retaining the need for a 16" line connecting Moore Estates to the existing infrastructure at High Point Elementary. Staff has strong concerns about this reduction in the recommended improvements to only require the 16" line without providing a looping system to the Bluebird Hills subdivision.

A hydraulic model can be an effective starting point in identifying system improvements; however, the model is just a tool that utilizes hypothetical scenarios to provide a point of reference for the system. The model does not provide a guarantee on how improvements will affect the system. To restate our comments above, as system operators, city staff's concerns are centered around the real-world observations and operational conditions that we have experienced over the past few years. Therefore, we do not support the annexation as proposed without the installation of the 16" line along Cheyenne and a 12" loop to Bluebird Hills which is critical to maintain adequate volume and pressures for service and fire protection as well as the proper circulation to assure a high water-quality standard is attained.

### **Stormwater Management**

Any future development of the site will be required to conform to the City's adopted stormwater management regulations. A sinkhole evaluation was performed by PPI, Inc, dated September 17, 2024. The study found nine sinkholes on the property. The presence of sinkholes require conformance to the city's regulations concerning development near karst topography. These regulations address both flooding and storm water quality concerns. The presence of FEMA Floodplain in the southeast portion of this property will require development to conform with applicable city regulations concerning development in and around FEMA Floodplain.

## **Other Public Services**

The proposed land use may add traffic and patronage to the City's jurisdiction, which will impact on a variety of public services in proportion to these increases. Ideally, the impact of these additional 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. The land subject to annexation is within the current service areas for the Nixa Fire Protection District, Nixa Public Schools, and is adjacent to current patrol routes for the Nixa Police Departments.

## **Planning and Zoning Commission:**

A public hearing was held at the August 5<sup>th</sup> meeting of the Planning and Zoning Commission. The Commission voted to table this agenda item until the September 2<sup>nd</sup> P&Z meeting, because new information was provided by the applicant during the meeting. At both P&Z meetings, the Commission heard from the developer and the concerns from the citizens. The Commission voted 3-2 to recommend approval to City Council. The yes votes centered around being pro development and as a way to get new connections and infrastructure in place that could possibly help existing water customers in the area until the City can implement future CIP's in this part of Nixa.

## **Recommendation:**

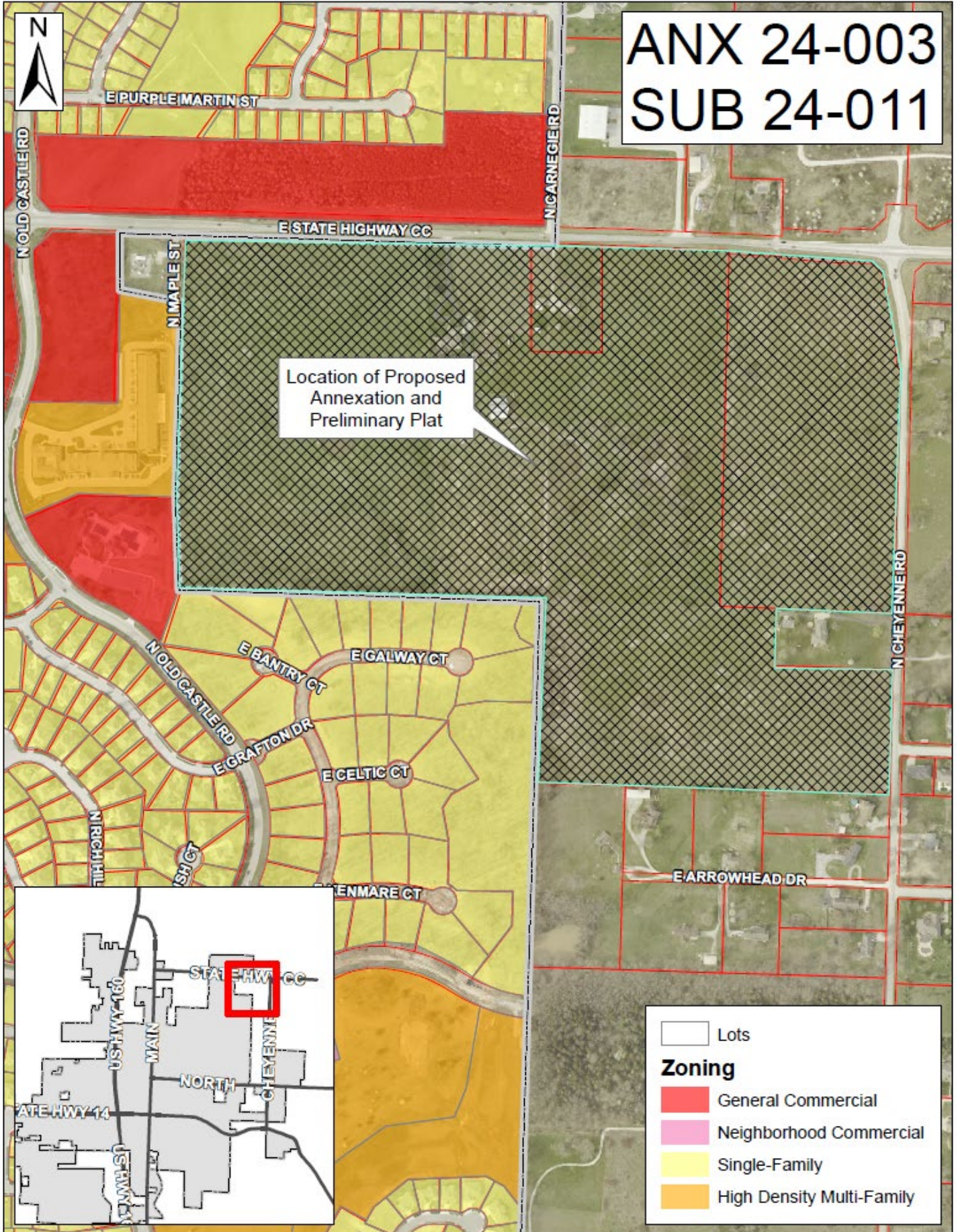
The subject property is compact and contiguous with the current city limit. While the annexation request conforms with application requirements found in Section 101-152 of Nixa city code (meaning that the form of the application submitted by the applicant contained all required information and documents required by Section 101-152) if the water infrastructure is installed as proposed by the developer, and not to the recommendations in the March 19, 2025 memo from Olsson, staff has concerns that the City would not be able to provide normal levels of water service to the properties to be annexed and would have a negative effect on the city's ability to adequately provide water in northeast Nixa. It is on this basis that staff recommends denial of this annexation request and zoning request.

## **MEMO SUBMITTED BY:**

**Scott Godbey** | Director of Planning and Development  
sgodbey@nixa.com | 417-725-5850

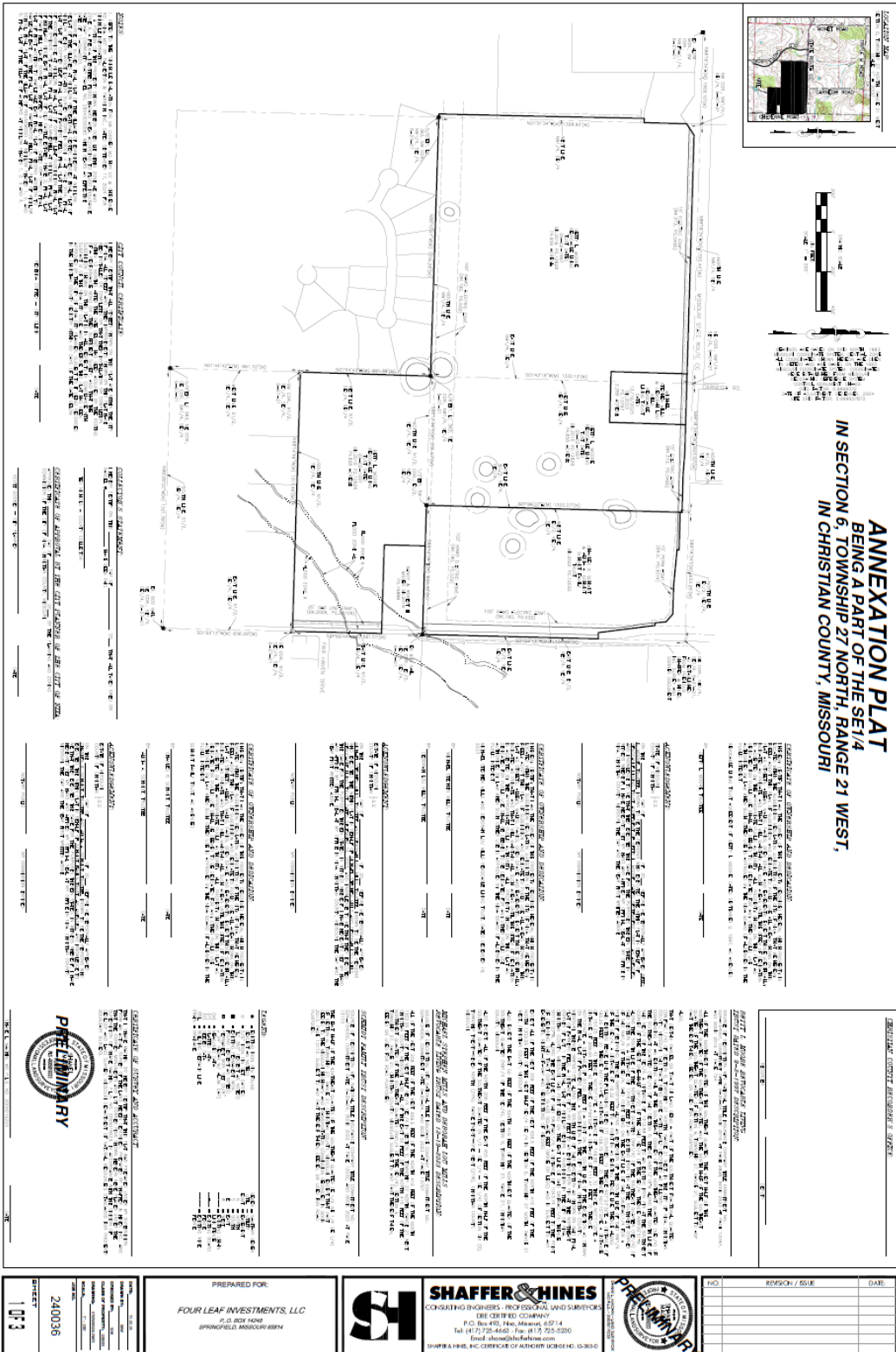


# ANX 24-003 SUB 24-011









1 AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA ANNEXING  
2 APPROXIMATELY 96 ACRES OF REAL PROPERTY GENERALLY LOCATED AT  
3 THE SOUTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY CC AND  
4 NORTH CHEYENNE ROAD; ZONING PORTIONS OF SAID PROPERTY TO THE  
5 SINGLE FAMILY RESIDENTIAL (R-1) ZONING DISTRICT AND THE GENERAL  
6 COMMERCIAL (GC) ZONING DISTRICT; AND AMENDING CHAPTER 2, ARTICLE II,  
7 DIVISION 1, SECTION 2-26 OF THE NIXA CITY CODE.  
8

9 **WHEREAS** an Annexation Petition ("Petition") requesting annexation into the City  
10 of Nixa has been submitted by the owners of all fee interests of record of the real property  
11 generally located at the southwest corner of State Highway CC and North Cheyenne  
12 Road; and  
13

14 **WHEREAS** the Petition was received by the Director of Planning and  
15 Development; and  
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17 **WHEREAS** the Petition was presented to the City Council at its September 23,  
18 2025, regular meeting; and  
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20 **WHEREAS** notice of a public hearing on the Petition. occurring on August 14,  
21 2025, regular meeting of the City Council, has been provided by the Director of Planning  
22 and Development at least seven days prior to the public hearing; and  
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24 **WHEREAS** said public hearing was held not less than fourteen nor more than sixty  
25 days after the Petition was presented to the City Council; and  
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27 **WHEREAS** City Council finds and determines that the annexation requested by  
28 the Petition is reasonable and necessary to the proper development of the City, the City  
29 is able to furnish normal municipal services to the area annexed herein within a  
30 reasonable time after annexation, and the area annexed herein is contiguous and  
31 compact to the existing boundaries of the City; and  
32

33 **WHEREAS** additionally, an application has been filed for a zoning change of the  
34 real property to be annexed said property ("Application"); and  
35

36 **WHEREAS** the Application requests that the City Council rezone different portions  
37 of the property to the Single Family Residential (R-1) Zoning District and the General  
38 Commercial (GC) Zoning District; and  
39

40 **WHEREAS** the Planning and Zoning Commission held a public hearing on the  
41 Application at the Commission's August 5, 2025, meeting and then again at the  
42 Commission's September 2, 2025, meeting; and  
43

44 **WHEREAS** the Commission, after considering the Application, staff's  
45 recommendation, and after holding a public hearing, issued a recommendation of  
46 approval; and



47  
48       **WHEREAS** the City Council, now having considered the Application, staff's  
49 recommendation, and after providing an opportunity for public comment, now desires to  
50 annex and rezone the subject property and amend the City's official zoning map; and  
51

52       **WHEREAS** the City Council also desires to amend Chapter 2, Article II, Division  
53 1, Section 2-26 of the Nixa City Code, to assign said property to the appropriate City  
54 Council District.  
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56       **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**  
57 **NIXA, AS FOLLOWS, THAT:**  
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59       **SECTION 1:** City Council, after holding a public hearing on the matter, hereby  
60 determines that the annexation of the property described as follows:  
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62       Tract 1 (Mills Trust Tract):  
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64       ALL OF THE WEST 208 FEET OF THE WEST 656.6 FEET OF THE  
65 NORTH 416 FEET OF THE NORTH 1302.09 FEET OF THE WEST HALF  
66 NE1/4 SE1/4 IN SECTION 6, TOWNSHIP 27 NORTH, RANGE 21 WEST,  
67 CHRISTIAN COUNTY, MISSOURI.  
68

69       ALSO, ALL OF THE EAST 50 FEET OF THE NORTH 416 FEET OF THE  
70 NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4 OF  
71 THE SE1/4), SECTION 6, TOWNSHIP 27, RANGE 21, CHRISTIAN  
72 COUNTY, MISSOURI. SUBJECT TO ANY PART THEREOF TAKEN,  
73 DEEDED OR USED FOR ROAD PURPOSES.  
74

75       Tract 2 (Moore Trust Tract):  
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77       ALL OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER,  
78 THE WEST HALF OF THE NORTHEAST QUARTER OF THE  
79 SOUTHEAST QUARTER, AND THE NORTH HALF OF THE SOUTHEAST  
80 QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6,  
81 TOWNSHIP 27, RANGE 21, SUBJECT TO ANY PART THEREOF TAKEN,  
82 DEEDED, OR USED FOR ROAD PURPOSES.  
83

84       ALSO, THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART  
85 OF THE SOUTHWEST FRACTIONAL QUARTER (SW.FRAC.1/4) OF  
86 SECTION 6, TOWNSHIP 27 NORTH, RANGE 21 WEST, IN THE CITY OF  
87 NIXA, CHRISTIAN COUNTY, MISSOURI. SAID TRACT BEING MORE  
88 PARTICULARLY DESCRIBED AS FOLLOWS:  
89

90       COMMENCING AT AN EXISTING NAIL AT THE SOUTHEAST CORNER  
91 OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST  
92 QUARTER (SE1/4) OF SAID SECTION 6; THENCE N88°12'18"W ALONG

THE SOUTH LINE OF SAID NE1/4 OF THE SE1/4, A DISTANCE OF 1312.98 FEET TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF THE WEST ONE-HALF (W1/2) OF THE SAID NE1/4 OF THE SE1/4; THENCE N88°09'51"W, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION 6, A DISTANCE OF 1316.40 FEET TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID NW1/4 OF THE SE1/4, SAID POINT BEING ON THE EAST LINE OF SAID SW.FRAC.1/4 FOR A POINT OF BEGINNING; THENCE N88°09'51"W ALONG AN EXTENSION OF THE SOUTH LINE OF SAID NW1/4 OF THE SE1/4, A DISTANCE OF 16.32 FEET TO A POINT IN AN EXISTING FENCE LINE; THENCE ALONG SAID EXISTING FENCE LINE THE FOLLOWING SEVEN (7) COURSES: 1) THENCE N01°23'32"E, A DISTANCE OF 160.20 FEET; 2) THENCE N01°16'44"E, A DISTANCE OF 158.75 FEET; 3) THENCE N01°15'30"E, A DISTANCE OF 167.25 FEET; 4) THENCE N01°07'19"E, A DISTANCE OF 149.86 FEET; 5) THENCE N01°11'25"E, A DISTANCE OF 209.00 FEET; 6) THENCE N01°09'02"E, A DISTANCE OF 111.41 FEET; 7) THENCE N01°12'49"E, A DISTANCE OF 87.02 FEET TO A POINT ON THE SOUTH LINE OF THE EXCEPTION AS SHOWN ON THE FINAL PLAT OF FARMERS FIELD, A SUBDIVISION IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI; THENCE S88°55'13"E, ALONG THE SOUTH LINE OF SAID EXCEPTION AS SHOWN ON SAID FINAL PLAT OF FARMERS FIELD, A DISTANCE OF 21.60 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF LOT 1 IN THE FINAL PLAT OF WICKLOW SENIOR, A SUBDIVISION IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI, SAID POINT BEING ON THE EAST LINE OF SAID SW.FRAC.1/4; THENCE S01°31'23"W, ALONG THE EAST LINE OF SAID SW.FRAC.1/4, A DISTANCE OF 1043.74 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 19,426 SQUARE FEET (MORE OR LESS) AND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.

EXCEPT ALL OF THE WEST 208 FEET OF THE WEST 656.6 FEET OF THE NORTH 416 FEET OF THE NORTH 1302.09 FEET OF THE WEST HALF NE1/4 SE1/4 IN SECTION 6, TOWNSHIP 27 NORTH, RANGE 21 WEST, CHRISTIAN COUNTY, MISSOURI.

ALSO, EXCEPT, THE EAST 50 FEET OF THE NORTH 416 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4 OF THE SE1/4), SECTION 6, TOWNSHIP 27, RANGE 21, CHRISTIAN COUNTY, MISSOURI.

ALSO, EXCEPT, ALL OF THE NORTH 208 FEET OF THE EAST 450 FEET OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (N 1/2 - SE 1/4 - SE 1/4) OF SECTION SIX (6),

TOWNSHIP TWENTY-SEVEN NORTH (27N), RANGE TWENTY-ONE WEST (21W), CHRISTIAN COUNTY, MISSOURI.

Tract 3 (Schmidt Trust Tract):

THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (E 1/2 NE 1/4 SE 1/4) OF SECTION 6, TOWNSHIP 27, RANGE 21, CHRISTIAN COUNTY, MISSOURI, EXCEPT THAT PART DEEDED TO THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION RECORDED IN BOOK 2013, PAGE 13173. SUBJECT TO ANY PART THEREOF TAKEN, DEEDED, OR USED FOR ROAD PURPOSES.

is reasonable and necessary to the proper development of the City, that the City is able to furnish normal municipal services to the area to be annexed within a reasonable time after annexation, and that the area is contiguous and compact to the existing boundaries of the City.

**SECTION 2:** Pursuant to the provisions of Section 71.012 RSMo., the property or properties described in Section 1 hereof is hereby annexed into the City of Nixa, Missouri. The boundaries of the City of Nixa are hereby altered to encompass the property or properties described in Section 1.

**SECTION 3:** The City Clerk, or designee, is hereby directed to provide certified copies of this Ordinance to the Clerk of Christian County, the Assessor of Christian County, and the Missouri Director of Revenue. The City Clerk, or designee, is further authorized to perform any other administrative acts or provide any other documentation to any other entity or party, provided such actions are consistent with the intent of this Ordinance.

**SECTION 4:** The property described as follows:

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE SOUTHWEST FRACTIONAL QUARTER (SW.FRAC.1/4) AND A PART OF THE SOUTHEAST QUARTER (SE1/4) IN SECTION 6, TOWNSHIP 27 NORTH, RANGE 21 WEST, IN CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING 60D NAIL AT THE SOUTHEAST CORNER OF SAID SE1/4; THENCE N01°22'13"E, ALONG THE EAST LINE OF SAID SE1/4, A DISTANCE OF 656.29 FEET TO AN IRON PIN SET AT THE SOUTHEAST CORNER OF THE NORTH ONE-HALF (N1/2) OF THE SE1/4 OF THE SAID SE1/4 FOR A POINT OF BEGINNING; THENCE N88°14'46"W, ALONG THE SOUTH LINE OF SAID N1/2 OF THE SE1/4 OF THE SE1/4, A DISTANCE OF 1317.48 FEET TO AN IRON PIN SET AT THE SOUTHWEST CORNER OF SAID N1/2 OF THE SE1/4 OF THE SE1/4, SAID LINE ALSO BEING THE EAST LINE OF LOT 42 IN THE

VILLAGE OF ENNISKERRY AT WICKLOW, A SUBDIVISION IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI; THENCE N01°44'42"E, ALONG THE WEST LINE OF SAID N1/2 OF THE SE1/4 OF THE SE1/4, A DISTANCE OF 661.38 FEET TO AN EXISTING IRON PIN A THE SOUTHEAST CORNER OF NORTHWEST QUARTER (NW1/4) OF SAID SE1/4; THENCE N88°10'07"W, ALONG THE SOUTH LINE OF SAID NW1/4 OF THE SE1/4, A DISTANCE OF 1316.28 FEET TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID NW1/4 OF THE SE1/4, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2016 AT PAGE 724 IN THE CHRISTIAN COUNTY RECORDER'S OFFICE; THENCE N87°36'13"W, ALONG THE SOUTH LINE OF SAID TRACT OF LAND, A DISTANCE OF 16.24 FEET TO AN EXISTING 60D NAIL AT THE SOUTHEAST CORNER OF SAID TRACT OF LAND; THENCE ALONG THE WEST LINE OF SAID TRACT OF LAND THE FOLLOWING SEVEN (7) COURSES: 1) THENCE N01°22'59"E, A DISTANCE OF 160.15 FEET TO AN EXISTING IRON PIN; 2) THENCE N01°16'56"E, A DISTANCE OF 158.81 FEET TO AN EXISTING IRON PIN; 3) THENCE N01°15'29"E, A DISTANCE OF 167.24 FEET TO AN IRON PIN SET; 4) THENCE N01°05'21"E, A DISTANCE OF 149.79 FEET TO AN EXISTING IRON PIN; 5) THENCE N01°11'05"E, A DISTANCE OF 209.02 FEET TO AN EXISTING IRON PIN; 6) THENCE N01°08'16"E, A DISTANCE OF 111.40 FEET TO AN EXISTING IRON PIN; 7) THENCE N01°11'41"E, A DISTANCE OF 86.97 FEET TO AN EXISTING IRON PIN AT THE NORTHWEST CORNER OF SAID TRACT OF LAND; THENCE S89°01'12"E, A DISTANCE OF 21.74 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF SAID TRACT OF LAND, SAID POINT BEING ON THE WEST LINE OF SAID NW1/4 OF THE SE1/4; THENCE N01°31'34"E, ALONG THE WEST LINE OF SAID NW1/4 OF THE SE1/4, A DISTANCE OF 215.10 FEET TO AN IRON PIN SET ON THE SOUTH RIGHT-OF-WAY LINE OF MISSOURI STATE ROUTE "CC" AS IT NOW EXISTS; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID MISSOURI STATE ROUTE "CC" THE FOLLOWING FOURTEEN (14) COURSES: 1) THENCE N56°40'55"E, A DISTANCE OF 68.89 FEET TO AN IRON PIN SET; 2) THENCE S88°19'36"E, A DISTANCE OF 1617.03 FEET TO AN IRON PIN SET; 3) THENCE S85°29'25"E, A DISTANCE OF 100.12 FEET TO AN EXISTING RIGHT-OF-WAY MARKER; 4) THENCE S88°19'36"E, A DISTANCE OF 200.47 FEET TO AN EXISTING IRON PIN; 5) THENCE S01°40'24"W, A DISTANCE OF 9.46 FEET TO AN EXISTING ALUMINUM RIGHT-OF-WAY MONUMENT; 6) THENCE S88°17'02"E, A DISTANCE OF 191.24 FEET TO AN EXISTING ALUMINUM RIGHT-OF-WAY MONUMENT; 7) THENCE S02°43'58"W, A DISTANCE OF 9.97 FEET TO AN EXISTING ALUMINUM RIGHT-OF-WAY MONUMENT; 8) THENCE S84°27'23"E, A DISTANCE OF 180.36 FEET TO AN EXISTING ALUMINUM RIGHT-OF-WAY MONUMENT; 9) THENCE S88°16'15"E, A DISTANCE OF 147.42 FEET TO AN EXISTING ALUMINUM RIGHT-OF-WAY MONUMENT; 10)



THENCE S48°45'45"E, A DISTANCE OF 51.93 FEET TO AN EXISTING ALUMINUM RIGHT-OF-WAY MONUMENT; 11) THENCE S05°39'08"E, A DISTANCE OF 56.09 FEET TO AN EXISTING ALUMINUM RIGHT-OF-WAY MONUMENT; 12) THENCE N87°03'20"E, A DISTANCE OF 13.05 FEET TO AN EXISTING ALUMINUM RIGHT-OF-WAY MONUMENT; 13) THENCE S07°13'18"E, A DISTANCE OF 291.10 FEET TO AN EXISTING ALUMINUM RIGHT-OF-WAY MONUMENT; 14) THENCE S89°29'36"E, A DISTANCE OF 31.33 FEET TO AN IRON PIN SET ON THE EAST LINE OF THE EAST ONE-HALF (E1/2) OF THE NE1/4 OF THE SE1/4; THENCE S01°25'52"W, ALONG SAID EAST LINE, A DISTANCE OF 893.33 FEET TO AN EXISTING 60D NAIL AT THE SOUTHEAST CORNER OF SAID E1/2 OF THE NE1/4 OF THE SE1/4, SAID POINT ALSO BEING THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2019 AT PAGE 16888 IN SAID CHRISTIAN COUNTY RECORDER'S OFFICE; THENCE N88°12'18"W, ALONG THE SOUTH LINE OF SAID E1/2 OF THE NE1/4 OF THE SE1/4, A DISTANCE OF 450.09 FEET TO AN EXISTING IRON PIN AT THE NORTHWEST CORNER OF SAID TRACT DESCRIBED IN BOOK 2019 AT PAGE 16888; THENCE S01°22'13"W, ALONG THE WEST LINE OF SAID TRACT OF LAND, A DISTANCE OF 208.00 FEET TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID TRACT OF LAND; THENCE S88°12'18"E, ALONG THE SOUTH LINE OF SAID TRACT OF LAND, A DISTANCE OF 450.09 FEET TO AN IRON PIN SET AT THE SOUTHEAST CORNER OF SAID TRACT OF LAND, SAID POINT BEING ON THE EAST LINE OF SAID N1/2 OF THE SE1/4 OF THE SE1/4; THENCE S01°22'13"W, ALONG THE EAST LINE OF SAID N1/2 OF THE SE1/4 OF THE SE1/4, A DISTANCE OF 452.51 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 95.768 ACRES (MORE OR LESS).

EXCEPT, THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE SOUTHEAST QUARTER (SE1/4) IN SECTION 6, TOWNSHIP 27 NORTH, RANGE 21 WEST, IN CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING 60D NAIL AT THE SOUTHEAST CORNER OF SAID SE1/4; THENCE N01°22'13"E, ALONG THE EAST LINE OF SAID SE1/4, A DISTANCE OF 656.29 FEET TO AN IRON PIN SET AT THE SOUTHEAST CORNER OF THE NORTH ONE-HALF (N1/2) OF THE SE1/4 OF THE SAID SE1/4 FOR A POINT OF BEGINNING; THENCE N01°22'13"E, ALONG THE EAST LINE OF SAID N1/2 OF THE SE1/4 OF THE SW1/4, A DISTANCE OF 660.51 FEET TO AN EXISTING 60D NAIL AT THE SOUTHEAST CORNER OF THE EAST ONE-HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF SAID SE1/4; THENCE N01°25'52"E, ALONG THE EAST LINE OF SAID E1/2 OF THE NE1/4 OF THE SE1/4, A DISTANCE OF 893.33 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MISSOURI STATE ROUTE CC;

THENCE N89°29'36"W, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A  
DISTANCE OF 31.33 FEET TO AN EXISTING IRON PIN; THENCE  
N07°13'18"W, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE  
OF 55.46 FEET FOR A POINT OF BEGINNING; THENCE N88°34'08"W, A  
DISTANCE OF 127.95 FEET; THENCE NORTHWESTERLY ALONG A  
CURVE TO THE RIGHT HAVING A RADIUS OF 350.00 FEET, A  
CENTRAL ANGLE OF 89°09'03", A CHORD BEARING OF N43°59'37"W,  
A CHORD LENGTH OF 491.29 FEET, AN ARC LENGTH OF 544.59 FEET  
TO A POINT ON THE SOUTH RIGHT-OF-WAY OF SAID MISSOURI  
STATE ROUTE CC; THENCE ALONG SAID SOUTH RIGHT-OF-WAY  
LINE THE FOLLOWING EIGHT (8) COURSES: 1) THENCE S88°17'02"E,  
A DISTANCE OF 55.56 FEET TO A EXISTING IRON PIN; 2) THENCE  
S02°43'58"W, A DISTANCE OF 9.97 FEET; 3) THENCE S84°27'23"E, A  
DISTANCE OF 180.36 FEET TO AN EXISTING IRON PIN; 4) THENCE  
S88°16'15"E, A DISTANCE OF 147.42 FEET TO AN EXISTING IRON PIN;  
5) THENCE S48°45'45"E, A DISTANCE OF 51.93 FEET TO AN EXISTING  
IRON PIN; 6) THENCE S05°39'08"E, A DISTANCE OF 56.09 FEET TO AN  
EXISTING IRON PIN; 7) THENCE N87°03'20"E, A DISTANCE OF 13.05  
FEET TO AN EXISTING IRON PIN; 8) THENCE S07°13'18"E, A  
DISTANCE OF 235.64 FEET TO THE POINT OF BEGINNING. SAID  
TRACT CONTAINS 2.761 ACRES (MORE OR LESS)

SAID TRACT ALL CONTAINING 93.007 ACRES (MORE OR LESS)

is hereby zoned to the Single Family Residential (R-1) zoning district, and the regulations  
of said district, as established in the Nixa City Code, and as may be amended from time  
to time, shall hereafter apply to said real property.

**SECTION 5:** The property described as follows:

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE  
SOUTHEAST QUARTER (SE1/4) IN SECTION 6, TOWNSHIP 27 NORTH,  
RANGE 21 WEST, IN CHRISTIAN COUNTY, MISSOURI, BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING 60D NAIL AT THE SOUTHEAST  
CORNER OF SAID SE1/4; THENCE N01°22'13"E, ALONG THE EAST  
LINE OF SAID SE1/4, A DISTANCE OF 656.29 FEET TO AN IRON PIN  
SET AT THE SOUTHEAST CORNER OF THE NORTH ONE-HALF (N1/2)  
OF THE SE1/4 OF THE SAID SE1/4 FOR A POINT OF BEGINNING;  
THENCE N01°22'13"E, ALONG THE EAST LINE OF SAID N1/2 OF THE  
SE1/4 OF THE SW1/4, A DISTANCE OF 660.51 FEET TO AN EXISTING  
60D NAIL AT THE SOUTHEAST CORNER OF THE EAST ONE-HALF  
(E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF SAID SE1/4;  
THENCE N01°25'52"E, ALONG THE EAST LINE OF SAID E1/2 OF THE  
NE1/4 OF THE SE1/4, A DISTANCE OF 893.33 FEET TO A POINT ON

THE SOUTH RIGHT-OF-WAY LINE OF MISSOURI STATE ROUTE CC; THENCE N89°29'36"W, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 31.33 FEET TO AN EXISTING IRON PIN; THENCE N07°13'18"W, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 55.46 FEET FOR A POINT OF BEGINNING; THENCE N88°34'08"W, A DISTANCE OF 127.95 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 350.00 FEET, A CENTRAL ANGLE OF 89°09'03", A CHORD BEARING OF N43°59'37"W, A CHORD LENGTH OF 491.29 FEET, AN ARC LENGTH OF 544.59 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF SAID MISSOURI STATE ROUTE CC; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING EIGHT (8) COURSES: 1) THENCE S88°17'02"E, A DISTANCE OF 55.56 FEET TO A EXISTING IRON PIN; 2) THENCE S02°43'58"W, A DISTANCE OF 9.97 FEET; 3) THENCE S84°27'23"E, A DISTANCE OF 180.36 FEET TO AN EXISTING IRON PIN; 4) THENCE S88°16'15"E, A DISTANCE OF 147.42 FEET TO AN EXISTING IRON PIN; 5) THENCE S48°45'45"E, A DISTANCE OF 51.93 FEET TO AN EXISTING IRON PIN; 6) THENCE S05°39'08"E, A DISTANCE OF 56.09 FEET TO AN EXISTING IRON PIN; 7) THENCE N87°03'20"E, A DISTANCE OF 13.05 FEET TO AN EXISTING IRON PIN; 8) THENCE S07°13'18"E, A DISTANCE OF 235.64 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 2.761 ACRES (MORE OR LESS)

is hereby zoned to the General Commercial (GC) zoning district, and the regulations of said district, as established in the Nixa City Code, and as may be amended from time to time, shall hereafter apply to said real property

**SECTION 6:** The Director of Planning and Development, pursuant to section 117-57 of the Nixa City Code, shall amend the City's official zoning map, said map being established pursuant to section 117-56 of the Nixa City Code, to reflect the zoning action contemplated by this Ordinance.

**SECTION 7:** Chapter 2, Article II, Division 1, Section 2-26 of the Nixa City Code is hereby amended by repealing said Section in its entirety and adopting in lieu thereof a new Section 2-26, which said Section shall read as follows (Explanation: Language in bold-face type (e.g., **thus**) is language to be added. Language in bold-faced brackets (e.g., **[thus]**) is not enacted and is intended to be omitted or deleted.):

Sec. 2-26. – City council district 1.

Nixa city council district 1 contains all that land within the corporate limits of the City of Nixa, on the effective date of Ordinance No. 2230 (November 12, 2021), located north of Northview Road and North Street.

In addition to the foregoing area, city council district 1 shall include the following:

The area annexed by Ordinance No. 2382.

**The area annexed by Ordinance No. [ \_\_\_\_\_ ].**

**SECTION 8:** The City Attorney when codifying the code changes made by Section 7, and once this Ordinance is in full force and effect, is authorized to provide the Ordinance number assigned to this Ordinance in the blank space provided in Section 7, at or around Line 372.

**SECTION 9:** The City Attorney, when codifying the provisions of this Ordinance, is authorized to provide for different section numbers, subsection numbers, and different internal citation references than those provided herein when such section numbers, subsection numbers, or internal citation references are in error or are contrary to the intent of this Ordinance.

**SECTION 10:** Savings Clause. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights acquired, or liability incurred nor any cause or causes of action occurred or existing, under any act or ordinance repealed hereby.

**SECTION 11:** Severability Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 12:** This Ordinance shall be in full force and effect from and after its final passage by the City Council and after its approval by the Mayor, subject to the provisions of section 3.11(g) of the City Charter.

**[Remainder of page intentionally left blank. Signatures follow on next page.]**



ADOPTED BY THE COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2025.

ATTEST:

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
CITY CLERK

APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2025.

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY