

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA APPROVING THE PRELIMINARY PLAT FOR COBBLE CREEK 4TH ADDITION LOCATED IMMEDIATELY SOUTH OF COBBLE CREEK 2ND AND 3RD ADDITIONS ALONG SOUTH OZARK ROAD

Background:

The subject property which is approximately 21.45 acres was annexed into the City of Nixa in May of 1994 and zoned for single family residential use at that time. A preliminary plat for the entire Cobble Creek development was approved in February of 2000 and has been developed in phases since that time. The most recent phase, Cobble Creek 3rd addition, was completed in 2017. While there are no significant changes to the proposed preliminary plat for Cobble Creek 4th addition, the approval from 2000 has expired for phase 4.

Analysis:

Surrounding Land Use

The subject property for this application is presently vacant and bound by developed R-1 single-family residences to the North. To the South is a single-family home on acreage outside the city limit. To the East and West is undeveloped land outside the city limit. The approval of the preliminary plat for Cobble Creek 4th addition would create 75 buildable single-family residential lots. The preliminary plat indicates a single non-buildable lot (222) which is intended for storm water detention as well as the site of an existing lift station. This lot is to be dedicated to the existing homeowner's association for maintenance.

Municipal Utilities (Water, Wastewater, Electric)

All new lots are planned to be served by public streets, municipal water, municipal sanitary sewer, and municipal electric services. All municipal utilities are readily available in the immediate area. Water and Sewer mains were stubbed out from previous phases to serve phase 4, and the layout is conveniently unchanged. There is a 10-foot utility easement along all front yards, and a 15-foot utility easement from the rear property line of lots along the perimeter of the development.

Stormwater

Stormwater detention was provided as required by the Stormwater Management Plan. There are two facilities, one in the southwest portion of the development was incorporated with the existing lake. The other will be located in the southeast corner of the property on lot 222, both detention basins will be owned and maintained by the existing homeowner's association for Cobble Creek.



Transportation

Proposed public streets will be constructed to serve all lots in the development. Street construction will conform to standards prescribed in the Nixa technical Specifications manual. A 50' right-of-way shall be provided for all local streets. Street width will be 30' from back of curb to back of curb. 4' wide sidewalks will be provided along one side of the streets. No formal traffic impact study was performed for the initial phases of the Cobble Creek development due to the road classifications at that time. Ozark Road has since been classified as a Secondary Arterial roadway which would require a traffic impact study for the new 3rd access point. The proposed new access meet minimum separation standards and would be constructed to design standards.

Other Public Services

The proposed preliminary plat 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 the preliminary plat is within the current service areas for the Nixa Fire Protection District, Nixa Police Department, and Nixa Public Schools.

Planning and Zoning Commission:

A public hearing was held at the September 2nd meeting of the Planning and Zoning Commission. No community members approached the Commission. A representative of the applicant approached the commission to make himself available for questions from the commission. The commission had no questions for staff or the applicant and proceeded to vote 5-0 (one absent) to recommend approval to City Council.

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 sections 115 and 117 regarding the major subdivision approval process, density, and dimensional standards within an R-1 zoning district. Staff recommends approval.

MEMO SUBMITTED BY:

Brendan Justin | Planner I bjustin@nixa.com | 417-725-5850



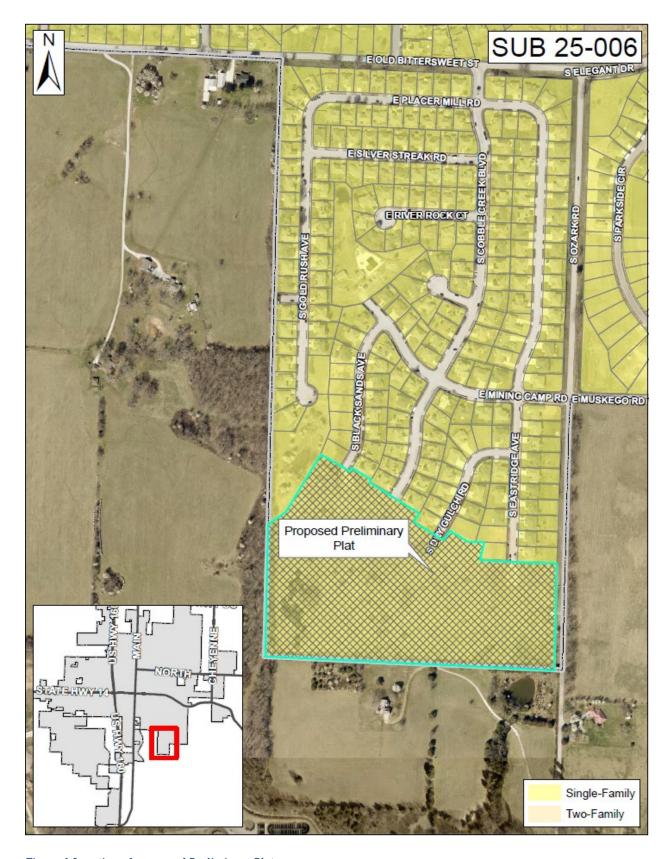


Figure 1 Location of proposed Preliminary Plat



Figure 2 Utility map

PRELIMINARY PLAT FOR OBBLE CREEK 4TH ADDITION PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 27 NORTH, RANGE 22 WEST CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI. PRELIMINARY PLAT GRAPHIC SCALE LEGISIO OF SYMBOLS AND ASSESSMENATIONS COBBLE CREEK 2ND ADDITO PLATEDOK N, PAGE 332 100 AMED ATENNAMOS & THE SATTATE SHER LINE ORDHAN SATTICE LOT 236 100 ZZZ 100 ZZZ 100 ZZZ

Figure 3 Proposed Preliminary Plat

N87°48'38'W 1289'03' N S89°29'05'W 1289'40' D

POB.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA APPROVING THE PRELIMINARY PLAT OF THE SUBDIVISION KNOWN AS COBBLE CREEK 4th ADDITION WHICH IS GENERALLY LOCATED AT THE SOUTH OF THE COBBLE CREEK 2nd AND 3rd ADDITIONS ALONG SOUTH OZARK ROAD AND AUTHORIZING CERTAIN CITY OFFICIALS TO TAKE CERTAIN ACTIONS UPON THE FILING OF A FINAL PLAT.

WHEREAS an original Preliminary Plat of the Cobble Creek 4th Addition Subdivision dated April 29, 2025, is on file with the City's Department of Planning and Development ("Preliminary Plat"); and

WHEREAS the Department of Planning and Development has issued a staff report finding the Preliminary Plat to be in substantial compliance with the requirements of the Nixa City Code; and

WHEREAS the Planning and Zoning Commission considered the Preliminary Plat at their meeting on September 2, 2025; and

WHEREAS the Commission, after considering the Preliminary Plat, staff's recommendation regarding the Preliminary Plat, and after holding a public hearing on the Application, issued a recommendation of approval of the Preliminary Plat; and

WHEREAS the City Council, now having considered the Preliminary Plat, staff's recommendation regarding the Preliminary Plat, and after providing an opportunity for public comment on the Preliminary Plat, now desires to approve the Preliminary Plat; and

WHEREAS the City Council desires to authorize the Director of Planning and Development, the Director of Public Works, and the City Clerk to take certain actions consistent with this Ordinance.

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

SECTION 1: City Council hereby approves the Preliminary Plat of the Cobble Creek 4th Addition Subdivision which is generally located south of the Cobble Creek 2nd and 3rd Additions along South Ozark Road. The original preliminary plat is on file in the Department of Planning and Development, a reduced version of which is attached hereto for general reference as "Council Bill Exhibit A." All "Council Bill Exhibit A," including any referenced attachments, is hereby incorporated herein by this reference.

SECTION 2: The Director of Planning and Development, on behalf of the City, is hereby authorized to accept the land, easements, and improvements dedicated to the City, as shown on the Preliminary Plat upon: (1) the applicant filing and recording a final plat which is in substantial accordance with this Ordinance, including any conditions attached to and described in "Council Bill Exhibit A," the Subdivision Regulations of the City, any applicable provisions of the Nixa City Code, and said final plat shall substantially

ORDINANCE NO.

conform to the Preliminary Plat; and (2) upon the Director of Public Works certifying to the Director of Planning and Development that any public improvements connected with this Subdivision have been made in accordance with adopted City standards and specifications. Said public improvements shall not be accepted until the occurrence of the above written conditions.

SECTION 3: The final plat shall not be recorded until: (1) the public improvements relating to the Subdivision have been constructed according to the specifications of the City, and are approved by the Director of Public Works, and all engineering fees, permit fees, licenses, and other fees occasioned by or in connection with the construction of said improvements have been paid to the City; or (2) in lieu of construction of the improvements, that the Developer has filed with the Planning and Development Director, according to the terms of the Subdivision Regulations of the City, the prescribed financial assurances in a form acceptable to the City to ensure the construction of the improvements and the payment to the City of all engineering fees, permit fees, licenses, and other fees occasioned by, or which will be occasioned by, the construction of the improvements.

SECTION 4: Upon compliance with all the requirement of this Ordinance, including any conditions described in "Council Exhibit A", the City Clerk is hereby authorized to endorse the City's approval upon the final plat pursuant to Section 445.030 RSMo., and such endorsement shall constitute the acceptance of the Public Improvements contained therein.

CITY ATTORNEY

SECTION 5: 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.

ADOPTED BY THE COUNCIL THIS _____ DAY OF _____ 2025. ATTEST: PRESIDING OFFICER CITY CLERK APPROVED BY THE MAYOR THIS _____ DAY OF _____ 2025. ATTEST: CITY CLERK MAYOR APPROVED AS TO FORM:



SEC. 24, T27N, R22W NOT TO SCALE

COBBLE CREEK 4TH ADDITION

PRELIMINARY PLAT FOR

BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER
OF SECTION 24, TOWNSHIP 27 NORTH, RANGE 22 WEST
CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI.
PRELIMINARY PLAT

DEED DESCRIPTION

A TRACT OF LAND SITUATED WITHIN A PORTION OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP TWENTY-SEVEN (27) NORTH, RANGE TWENTY-TWO (22) WEST, CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING FROM THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION TWENTY-FOUR (24); THENCE N 00°56'58" W, A DISTANCE OF 1333.69 FEET; THENCE S 89°29'05" W, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING S 89°29'05" W, A DISTANCE OF 1289.40 FEET; THENCE NORTH 01°08'35" WEST, A DISTANCE OF 598.73 FEET; THENCE NORTH 51°31'18" EAST, A DISTANCE OF 99.43 FEET; THENCE N 28°15'17" E, A DISTANCE OF 300.00 FEET; THENCE S 61°44'43" EAST, A DISTANCE OF 150.00 FEET; THENCE N 28°15'17" EAST, A DISTANCE OF 18.74 FEET, THENCE S 61°44'43" EAST, A DISTANCE OF 100.00 FEET; THENCE NORTH 28°15'17" WEST, A DISTANCE OF 9.85 FEET; THENCE SOUTH 61°44'43" EAST, A DISTANCE OF 100.00 FEET; THENCE SOUTH 53°51'45" EAST, A DISTANCE OF 60.57 FEET; THENCE SOUTH 61°44'43" EAST, A DISTANCE OF 100.00 FEET; THENCE SOUTH 28°15'17" WEST, A DISTANCE OF 43.88 FEET; THENCE SOUTH 61°44'43" EAST,A DISTANCE OF 150.00 FEET; THENCE NORTH 28°15'17" EAST, A DISTANCE OF 49.51 FEET; THENCE SOUTH 61°44'43" EAST, A DISTANCE OF 100.00 FEET; THENCE NORTH 89°51'52" EAST, A DISTANCE OF 74.80 FEET; THENCE S 12°48'31" WEST, A DISTANCE OF 78.67 FEET; THENCE SOUTH 81°59'25" EAST, A DISTANCE OF 118.46 FEET; THENCE SOUTH 84°17'19" EAST, A DISTANCE OF 50.33 FEET; THENCE NORTH 89°10'44" EAST, A DISTANCE OF 175.22 FEET; THENCE SOUTH 00°56'59" EAST, A DISTANCE OF 479.83 FEET TO THE POINT OF BEGINNING, EXCEPT ANY PART DEEDED, TAKEN OR USED FOR ROAD PURPOSES.

PERIMETER DESCRIPTION

A TRACT AS DESCRIBED IN THE CHRISTIAN COUNTY RECORDER'S IN BOOK 2023 AT PAGE 1512 AND LYING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 27 NORTH, RANGE 22 WEST IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 27 NORTH, RANGE 22 WEST; THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, NORTH 01°45'00" EAST, 1333.69 FEET; THENCE LEAVING SAID EAST LINE, NORTH 87°48'38" WEST, 40.00 FEET TO A POINT LYING ON THE WEST RIGHT-OF-WAY OF OZARK ROAD SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE LEAVING SAID WEST RIGHT-OF-WAY, NORTH 87°48'38" WEST, 1289.03 FEET; THENCE NORTH 01°32'26" EAST, 598.73 FEET TO A POINT LYING ON THE EASTERLY LINE OF LOT 101 OF THE FINAL PLAT OF COBBLE CREEK 2ND ADDITION, AS DESCRIBED IN PLAT BOOK H AT PAGE 332; THENCE ALONG THE EASTERLY LINE OF SAID LOT 101 THE FOLLOWING COURSES, NORTH 54°13'35" EAST, 99.43 FEET; THENCE NORTH 30°58'10" EAST. 299.46 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF THE SAID COBBLE CREEK 2ND ADDITION: THENCE LEAVING SAID EASTERLY LINE AND ALONG THE SOUTHERLY LINE OF SAID COBBLE CREEK 2ND ADDITION THE FOLLOWING COURSES. SOUTH 59°07'00" EAST, 150.00 FEET; THENCE NORTH 30°53'00" EAST, 18.74 FEET; THENCE SOUTH 59°07'00" EAST, 100.00 FEET; THENCE SOUTH 30°53'00" WEST, 9.85 FEET; THENCE SOUTH 59°07'00" EAST, 100.00 FEET; THENCE SOUTH 30°53'00" WEST, 8.31 FEET: THENCE SOUTH 59°07'00" EAST. 160.00 FEET TO A POINT LYING ON THE WESTERLY LINE OF LOT 149 OF THE FINAL PLAT OF COBBLE CREEK 3RD ADDITION, AS DESCRIBED IN PLAT BOOK H AT PAGE 604; THENCE ALONG SAID WESTERLY LINE, SOUTH 31°13'25" WEST, 44.18 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF SAID COBBLE CREEK 3RD ADDITION; THENCE LEAVING SAID WESTERLY LINE AND ALONG THE SOUTHERLY LINE OF SAID COBBLE CREEK 3RD ADDITION, SOUTH 59°02'44" EAST, 150.00 FEET; THENCE NORTH 30°57'16" EAST, 49.51 FEET; THENCE SOUTH 59°02'44" EAST, 100.00 FEET; THENCE SOUTH 87°09'21" EAST, 34.12 FEET; THENCE SOUTH 87°40'15" EAST, 40.68 FEET; THENCE SOUTH 15°30'30" WEST, 78.67 FEET; THENCE SOUTH 87°17'26" EAST, 118.46 FEET; THENCE SOUTH 81°35'20" EAST, 50.33 FEET; THENCE SOUTH 88°07'17" EAST, 175.22 FEET TO A POINT LYING ON THE AFOREMENTIONED WEST RIGHT-OF-WAY OF OZARK ROAD; THENCE LEAVING SAID SOUTHERLY LINE AND ALONG SAID WEST RIGHT-OF-WAY SOUTH 01°45'00" WEST, 479.83 FEET TO THE POINT OF BEGINNING. CONTAINING 851,849 SQUARE FEET OR 19.55 ACRES, MORE OR LESS. ALL LYING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 27 NORTH, RANGE 22 WEST IN CHRISTIAN COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

UTILITY NOTE:

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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 WARRANTY 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 NUMBERS 243522846, 2435522847 AND 243522848.

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

FLOOD NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 29043C0068D, WHICH BEARS AN EFFECTIVE DATE OF NOVEMBER 02, 2023 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

OWNER AND DEVELOPER
E.N. VESTMENTS TRUST, LLC
2920 E. STANFORD ST.
SPRINGFIELD, MO., 65804

PREPARED BY

SAM DEPRIEST, PLS

OWN, INC.

8455 COLLEGE BOULEVARD

OVERLAND, KS. 66210

SURVEYOR'S CERTIFICATE KNOWN ALL MEN BY THESE PRESENTS:

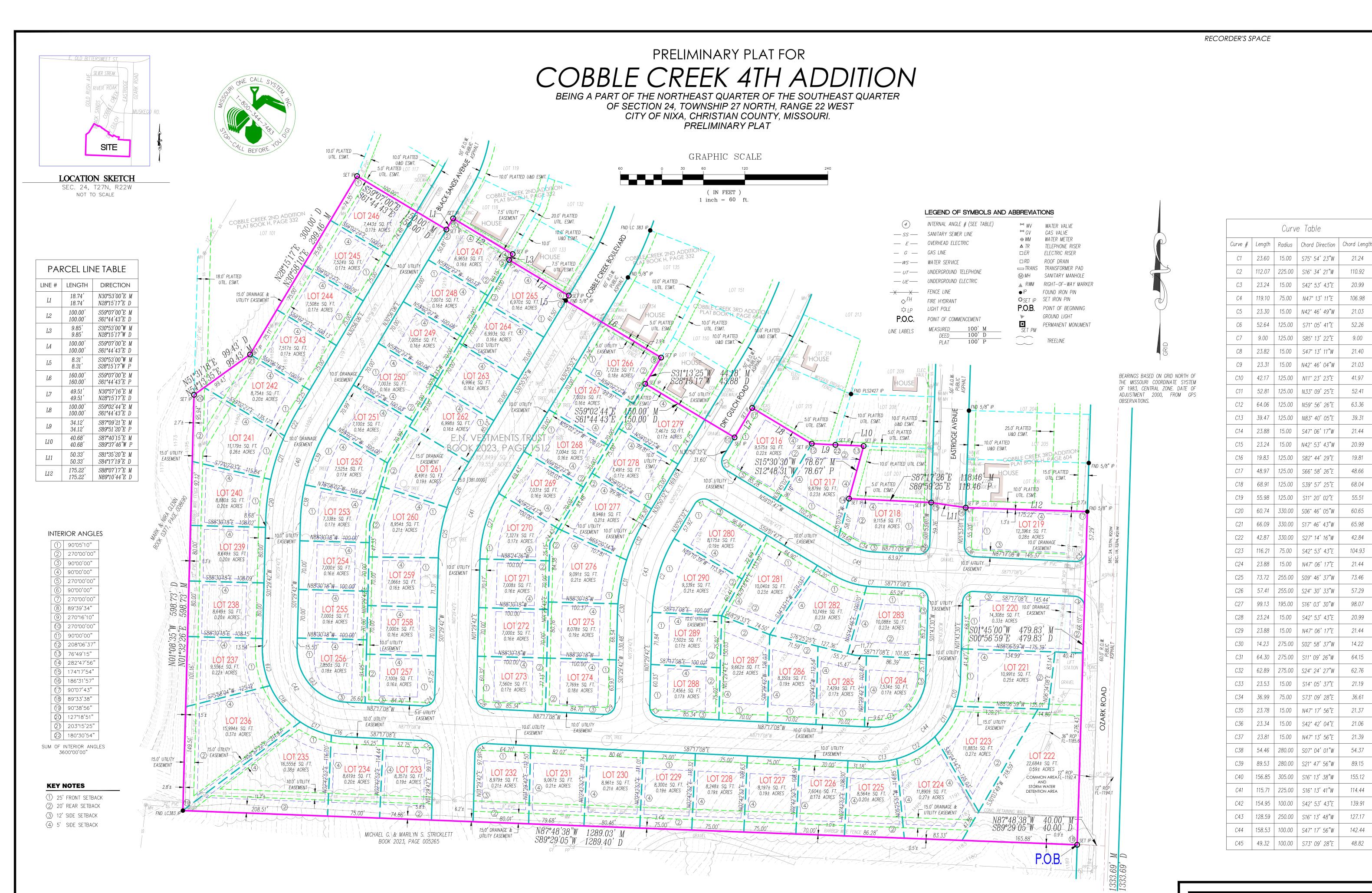
THAT I, SAMUEL J, DEPRIEST, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, PREPARED BY OWN, INC. DATED AUGUST 2024 AND SIGNED BY SAMUEL J, DEPRIEST, PLS NO. 2013000041 AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS WERE A ACTO OR WILL BE PLACED WITHIN 12 MONTHS AFTER RECORDING PLAT UNDER THE SUPERVISION OF SAMUEL J, DEPRIEST, PLS NO. 2013000041 IN ACCORDANCE WITH THE MISSOUN STANDARDS FOR PROPERTY BOUNDARY SURVEYS. DRAWING LAST REVISED ON A JGUST 27-2025.

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SAMUEL J. DEPRIEST, PLS NO. 2013000041

DATE PREPARED

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