

## **AN ORDINANCE OF THE NIXA CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 5.63-ACRES OF PROPERTY LOCATED WITHIN THE OAKHURST SUBDIVISION FROM R-3 (HIGH DENSITY MULTIFAMILY) AND R-1 (SINGLE FAMILY) ZONING TO R-4 (TWO FAMILY RESIDENTIAL) ZONING**

### **Background:**

The preliminary plat for Oakhurst subdivision was approved in June of 2023 and was to be developed in five phases. Currently phases 1-3 are zoned R-1 for 155 single family residences, phase 4 is zoned R-3 for high density multi-family, and phase 5 is zoned for Neighborhood Commercial uses. The developer has proposed a rezone and preliminary plat composed of land from the R-1 & R-3 zonings totaling 5.63 acres to be rezoned to R-4 for duplexes.

### **Analysis:**

#### **Surrounding Land Use**

The immediate North, South, and East of the subject property are zoned R-1. To the North are existing single-family homes in the Forest Park subdivision and a senior housing quadplex development. East and South are currently being developed for single family homes as prior phases of the Oakhurst subdivision. To the West is a future phase of the Oakhurst development which is zoned R-3 for an apartment complex with Gregg Road and a single-family neighborhood beyond that.

#### **Density**

The maximum density in R-4 zoning is 5.45 dwelling units per acre. With 5.63 acres the proposed 20 dwellings units is under the 30.68 maximum allowable by Nixa City Code ( $5.63 \times 5.45 = 30.68$ ).

### **Planning and Zoning Commission:**

A public hearing for this item was held January 6, 2026 in front of the Planning and Zoning Commission. A nearby resident approached the Commission with concerns about stormwater, wildlife, and child safety. With all things considered, the PZ Commission voted 7-0 to recommend approval to City Council.

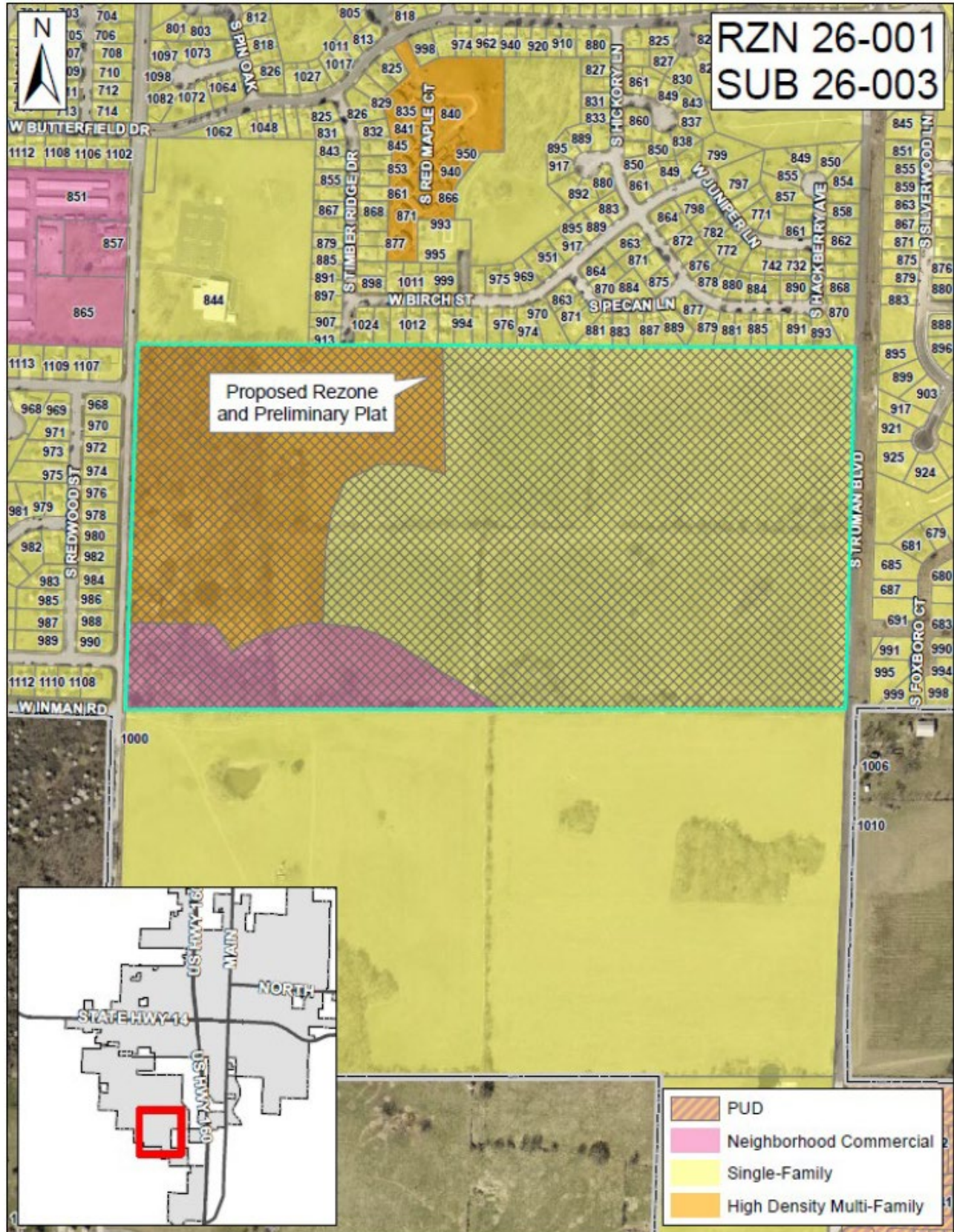
## **Recommendation:**

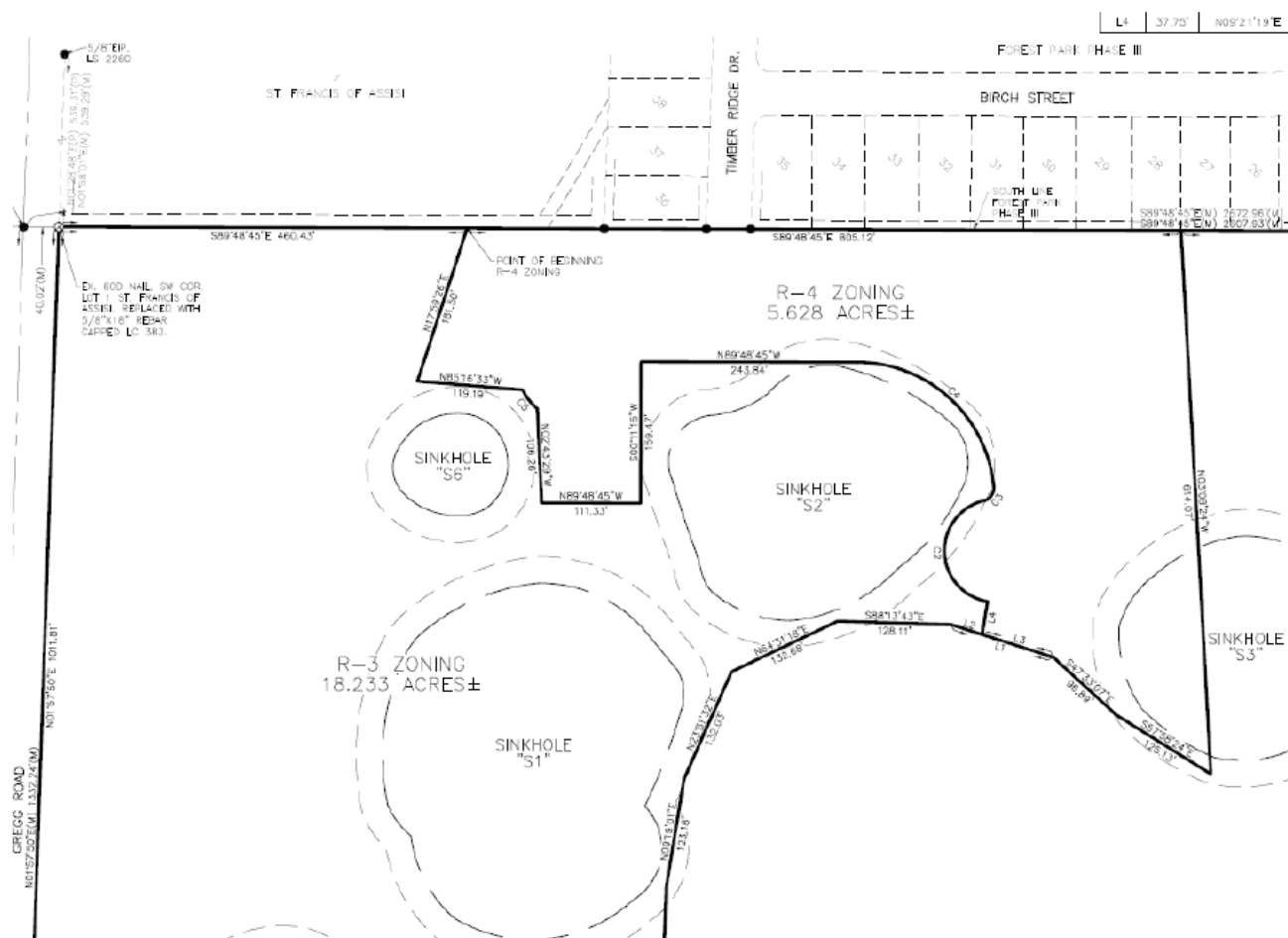
This proposed rezone would provide a transitional buffer between single and multi-family zoning districts. The proposal is consistent with section 117-277 regarding dimensional standards and density. Staff recommends the approval of this rezone.

## **MEMO SUBMITTED BY:**

**Brendan Justin** | Planner II

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1 AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA AMENDING THE  
2 OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF  
3 APPROXIMATELY 5.63 ACRES OF REAL PROPERTY LOCATED WITHIN THE  
4 OAKHURST SUBDIVISION FROM THE R-1 (SINGLE-FAMILY RESIDENTIAL)  
5 DISTRICT AND R-3 (HIGH DENSITY MULTI-FAMILY RESIDENTIAL) DISTRICT TO  
6 THE R-4 (TWO-FAMILY RESIDENTIAL) DISTRICT.  
7

8 **WHEREAS** an application has been submitted to the City to rezone approximately  
9 5.63 acres of real property generally located within the Oakhurst Subdivision from the R-  
10 1 (Single-Family Residential) District and R-3 (High Density Multi-Family Residential)  
11 District to the R-4 (Two-Family Residential) District ("Application"); and  
12

13 **WHEREAS** the Planning and Zoning Commission held a public hearing on the  
14 Application at the Commission's January 6, 2026, meeting; and  
15

16 **WHEREAS** the Commission, after considering the Application, staff's  
17 recommendation, and after holding a public hearing, voted 7-0 to issue a recommendation  
18 of approval to the City Council; and  
19

20 **WHEREAS** the City Council, now having considered the Application, staff's  
21 recommendation, and after providing an opportunity for public comment, now desires to  
22 rezone the subject property and amend the City's official zoning map.  
23

24 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**  
25 **NIXA, AS FOLLOWS, THAT:**  
26

27 **SECTION 1:** The property described as follows:  
28

29 THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE  
30 SOUTH ONE HALF (S1/2) OF THE SOUTHWEST QUARTER (SW1/4) IN  
31 SECTION 23, TOWNSHIP 27 NORTH, RANGE 22 WEST, IN CHRISTIAN  
32 COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS  
33 FOLLOWS:  
34

35 COMMENCING AT AN EXISTING BRASS MONUMENT AT THE  
36 SOUTHEAST CORNER OF SAID S1/2 OF THE SW1/4; THENCE  
37 N89°46'24"W, ALONG THE SOUTH LINE OF SAID S1/2 OF THE SW1/4,  
38 A DISTANCE OF 25.01 FEET; THENCE CONTINUING N89°46'24"W,  
39 ALONG SAID SOUTH LINE, A DISTANCE OF 2616.33 FEET TO AN IRON  
40 PIN SET; THENCE N01°57'50"E, A DISTANCE OF 1332.24 FEET TO AN  
41 EXISTING IRON PIN AT THE SOUTHWEST CORNER OF LOT 1 IN ST.  
42 FRANCIS OF ASSISSI, A SUBDIVISION IN THE CITY OF NIXA,  
43 CHRISTIAN COUNTY, MISSOURI, SAID POINT BEING ON THE NORTH  
44 LINE OF SAID S1/2 OF THE SW1/4; THENCE S89°48'45"E, ALONG SAID  
45 NORTH LINE, A DISTANCE OF 460.43 FEET FOR A POINT OF  
46 BEGINNING; THENCE CONTINUING S89°48'45"E, ALONG SAID NORTH



LINE, A DISTANCE OF 805.12 FEET; THENCE S03°08'24"E, A DISTANCE OF 614.07 FEET, THENCE N57°58'24"W, A DISTANCE OF 125.13 FEET; THENCE N47°33'07"W, A DISTANCE OF 96.89 FEET; THENCE N72°18'06"W, A DISTANCE OF 84.32 FEET; THENCE N09°21'19"E, A DISTANCE OF 37.75 FEET; THENCE NORTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 58.00 FEET, A CENTRAL ANGLE OF 156°41'02", A CHORD BEARING OF N02°18'10"W, AN ARC LENGTH OF 158.61 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 81°31'00", A CHORD BEARING OF N35°16'51"E, AN ARC LENGTH OF 21.34 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 84°20'06", A CHORD BEARING OF N47°38'42"W, AN ARC LENGTH OF 228.15 FEET; THENCE N89°48'45"W, A DISTANCE OF 243.84 FEET; THENCE S00°11'15"W, A DISTANCE OF 159.47 FEET; THENCE N89°48'45"W, A DISTANCE OF 111.33 FEET; THENCE N02°43'29"W, A DISTANCE OF 106.26 FEET; THENCE NORTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 58.00 FEET, A CENTRAL ANGLE OF 26°43'45", A CHORD BEARING OF N37°52'55"W, AN ARC LENGTH OF 27.06 FEET; THENCE N85°16'33"W, A DISTANCE OF 119.19 FEET; THENCE N17°59'26"E, A DISTANCE OF 181.50 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 5.628 ACRES (MORE OR LESS).

is hereby zoned to the R-4 (Two-Family Residential) 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 2:** 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 3:** 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 4:** 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 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 \_\_\_\_\_ 2026.**

ATTEST:

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

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

**APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2026.**

ATTEST:

\_\_\_\_\_  
MAYOR

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

APPROVED AS TO FORM:

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