



AN ORDINANCE OF THE NIXA CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 1.2-ACRES OF SINGLE-FAMILY (R-1) ZONED PROPERTY LOCATED IN THE 400 BLOCK OF SOUTH MAIN STREET INTO THE EXISTING PINES PLANNED UNIT DEVELOPMENT RESIDENTIAL (PUD-R) ZONING DISTRICT

Background:

400 S Main LLC owns approximately 9.25 acres of land in the 400 block of South Main Street. Approximately 8.08 acres of that land was rezoned in January of 2023 as The Pines Planned Unit Development – Residential (PUD-R). The additional 1.2 acres was originally part of 415 South Main Street. The 1.2 acres was split from 415 South Main Street and added to The Pines property via a Minor Subdivision that was approved by the Planning and Zoning Commission in January of 2026.

The property owner is requesting to expand the current Pines PUD-R to include the new 1.2 acres into the existing PUD-R. In addition to the property, the PUD-R will be updated to include a new site plan and legal description. Section 117-214(1)c states that all uses in the R-1 (single-family), R-4 (two-family), and R-3 (high-density multi-family) zone districts shall be allowed within a Planned Unit Development-Residential district.

Analysis:

Land Use

The property that is to be added to the existing PUD-R currently has a shed on the property that will be removed prior to future development. The property is bounded by the Pines PUD-R to the south, single-family structures to the east, an apartment complex to the West, and single-family zoned property and R-3 zoned property to the North.

Transportation

The subject property will have access to Donna Lewis Circle which leads to South Main Street. The transportation facilities serving the subject property for collection and arterial purposes have sufficient capacity to support residential traffic likely to be generated from the proposed addition to the PUD-R. The additional units added by the expansion would not exceed the maximum density from the previous traffic impact study calculations. Therefore, no new traffic impact study is required.

Public Utilities (Water, Wastewater, Electric)

The subject property has immediate access to municipal water, wastewater facilities, and electric service. These facilities have adequate capacity to serve the proposed residential development.

Density

The original PUD-R set the maximum density at 7.1 dwelling units per acre. The original site plan showed 45 dwelling units. The new site plan adds an additional 13 dwelling units to the project for a total of 58 dwelling units. The maximum number of dwelling units allowed for the 9.25 acres is 65 dwelling units.

Modifications from Current City Code

The existing Pines PUD-R was approved to have decreased setbacks when compared to normal zoning setbacks. The building setbacks are listed as front yard setback of 12 feet which will extend from South Main Street.

The PUD-R is not requesting any new changes from currently adopted development standards.

Other Public Services

The proposed zoning change and development will add traffic, commercial activity, and population to the City's jurisdiction, which will impact a variety of public services in proportion to those increases. Ideally, the impact of these additional businesses and 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.

Planning and Zoning Commission:

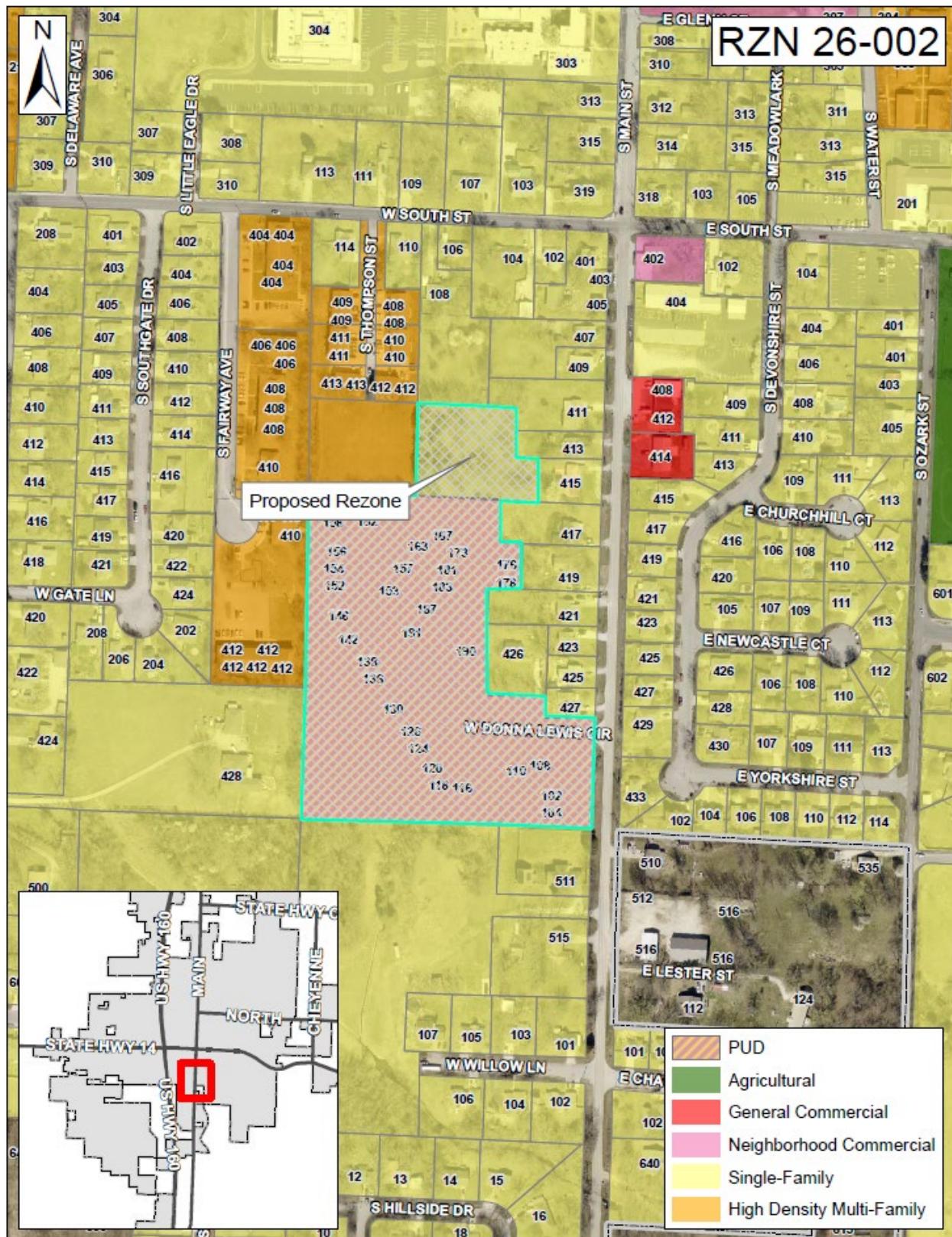
A public hearing for this item was held February 3rd in front of the Planning and Zoning Commission. The engineer representing the applicant approached the Commission to provide some background for the rezone request. With all things considered, the PZ Commission voted 5-0 to recommend approval to City Council.

Recommendation:

The proposed zoning change is consistent with the pattern of development in the vicinity and conforms to the future land use map found in Nixa 2045, which calls for mixed residential on this property. Staff have reviewed this PUD-R and find it to be in substantial conformance with Sec. 117-215-Review criteria for PUDs. Staff recommends the approval of this application.

MEMO SUBMITTED BY:

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



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 1.2 ACRES OF REAL PROPERTY LOCATED IN THE 400 BLOCK**
4 **OF SOUTH MAIN STREET FROM THE R-1 (SINGLE-FAMILY RESIDENTIAL)**
5 **DISTRICT TO BE ADDED TO THE PINES PLANNED UNIT DEVELOPMENT**
6 **RESIDENTIAL (PUD-R) DISTRICT.**

7
8 **WHEREAS** an application has been submitted to the City to rezone approximately
9 1.2 acres of real property generally located in the 400 block of South Main Street from the
10 R-1 (Single-Family Residential) District to be added to The Pines Planned Unit
11 Development Residential (PUD-R) District ("Application"); and

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13 **WHEREAS** the Planning and Zoning Commission held a public hearing on the
14 Application at the Commission's February 3, 2026, meeting; and

15
16 **WHEREAS** the Application substantially conforms to Section 117-215 and staff
17 recommends approval of this Application; and

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19 **WHEREAS** the Commission, after considering the Application, staff's
20 recommendation, and after holding a public hearing, voted 5-0 to issue a recommendation
21 of approval to the City Council; and

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

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

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30 **SECTION 1:** The property described as follows:

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32 All that part of the East Half (E 1/2) of the Southwest Quarter (SW 1/4) of the
33 Southwest Quarter (SW 1/4) of Section 13, Township 27, Range 22, being more
34 particularly described as follows: Commencing at an existing iron pin at the
35 Northwest corner of Lot One of the Re-plat of Lot One of The Pines Development;
36 thence, South 87°29'43" East, along and with the North line of said Lot 1, 13.28
37 feet to an existing iron pin; thence, South 87°23'23" East, continuing along and
38 with said North line, 223.99 feet to an existing iron pin and the POINT OF
39 BEGINNING; thence, North 01°43'22" East, leaving said North line, 210.13 feet to
40 an existing iron pin; thence, South 87°26'03" East, 205.00 feet; thence, South
41 01°22'59" West, 106.02 feet to an existing iron pin; thence, South 87°27'07" East,
42 74.36 feet; thence, South 01°19'56" West, 104.22 feet; thence North 87°24'40"
43 West, 96.08 feet to an existing iron pin at the Northeast corner of the
44 aforementioned Lot 1; thence, North 87°26'07" West, along and with the North line
45 of said Lot 1, a distance of 184.62 feet to the POINT OF BEGINNING

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48 is hereby zoned to and added to The Pines Planned Unit Development Residential (PUD-
49 R) District, and the regulations applicable to said district, as established in the Nixa City
50 Code, and the provisions of this Ordinance shall hereafter apply to said real property.

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52 **SECTION 2:** The PUD-R District established by the adoption of this Ordinance
53 shall be subject to the additional provisions provided in "Council Bill Exhibit A," which is
54 attached hereto and incorporated herein by this reference as though fully set forth herein.

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56 **SECTION 3:** 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
58 established pursuant to section 117-56 of the Nixa City Code, to reflect the zoning action
59 contemplated by this Ordinance.

60
61 **SECTION 4:** Savings Clause. Nothing in this Ordinance shall be construed to
62 affect any suit or proceeding now pending in any court or any rights acquired, or liability
63 incurred nor any cause or causes of action occurred or existing, under any act or
64 ordinance repealed hereby.

65
66 **SECTION 5:** Severability Clause. If any section, subsection, sentence, clause, or
67 phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect
68 the validity of the remaining portions of this Ordinance. The Council hereby declares that
69 it would have adopted the Ordinance and each section, subsection, sentence, clause, or
70 phrase thereof, irrespective of the fact that any one or more sections, subsections,
71 sentences, clauses, or phrases be declared invalid.

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73 **SECTION 6:** This Ordinance shall be in full force and effect from and after its final
74 passage by the City Council and after its approval by the Mayor, subject to the provisions
75 of section 3.11(g) of the City Charter.

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

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93 **ADOPTED BY THE COUNCIL THIS _____ DAY OF _____ 2026.**

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98 ATTEST:

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100 **PRESIDING OFFICER** _____
101 CITY CLERK

102 **APPROVED BY THE MAYOR THIS _____ DAY OF _____ 2026.**

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105
106 **MAYOR** _____
107 CITY CLERK

108 **APPROVED AS TO FORM:**

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111
112 **ASST. CITY ATTORNEY** _____

**Requirements and Standards Applicable to
The Pines Planned Unit Development – Residential District**

2.01 Application

Building or other permits may not be issued for development permitted by this planned development, nor can any changes be made to this property until the final development plan has been approved in the manner described at the end of this document.

All requirements of the *Nixa Zoning Ordinance* shall apply unless modified by the requirements and standards that follow.

2.02 Intent

The intent of this new Planned Development for the north 1.2 acres of The Pines Phase II, Lot 2 is to allow single family and duplex residences in an R-3 regulated multi-family development.

This ordinance will encourage development that does not significantly detract from the natural beauty of the area, provides a reasonable buffer from residential districts, manages traffic impacts, and manages the stormwater impact.

2.03 Definitions

The definitions contained in the Nixa, Missouri Code of Ordinances shall apply to this ordinance.

2.04 Uses Permitted

- a) Accessory uses, residential accessory uses as permitted by section 117-94, Accessory uses (as might be amended in future).
- b) Home occupation uses as permitted by Section 117-95, Home Occupations (as might be amended in future).
- c) Approved uses not requiring permits by Section 117-96, Approved uses not requiring permits (as might be amended in future).
- d) All uses permitted in an R-3 zone found in Sections 117-23 and 117-99 (as might be amended in future).
- e) Single family detached residences, multiple dwelling units per lot.
- f) Family duplex residences.
- g) A clubhouse and/or other common recreation facilities.

2.05 Use Limitations

- a) All use limitations required by the zoning ordinance for R-3 zoned property, except for those limitations associated with single- and two-family residences.

2.06 Intensity of Development

Development shall adhere to the following standards.

1. Maximum Residential. The maximum residential use shall be limited to 57 dwelling units or 7.1 units per acre.

2.07 Bulk, Area, and Height Requirements

Maximum structure height:

- a. The maximum structure height will be based on the structure height allowed in R3 zoning.

Front yard setback:

- a. 12' from Main Street and from the streets in the PUD.

Side yard:

- a. 8' side yard.

Spacing between buildings:

- a. Minimum Spacing will be in accordance with the City's adopted building codes as of the date of construction.. Minimum spacing shown between buildings is 10' without approved fire walls.
- b. Duplex lots shall have fire walls separating dwelling units as required by the International Residential Code.

2.08 Open Space, Landscaping & Screening

- a. Minimum open space: Not less than 30 percent of the total lot area shall be devoted to open space including required yards and buffer yards unless modified in accordance with Chapter 105, Article II – Landscaping and Open Space Requirements of the Nixa City Code. Open space shall not include areas covered by buildings, structures, parking, loading, and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.

- b. Maximum impervious surface: The combined area occupied by all main and accessory buildings or structures, parking, loading, and other paved areas, both existing and proposed, and any other surfaces which reduce and prevent absorption of stormwater shall not exceed 70 percent of the total area unless

modified in accordance with the City's adopted stormwater management regulations.

c. Landscaping and screening shall be in accordance with the attached PUD exhibit. The existing streets for the south portion of the site were constructed under approved buildings permits in the past. Some of those streets extend into buffer areas and are considered to be grandfathered or approved in their current location. The existing perimeter will receive a fence as shown on the plan. The previous PUD required ninety ornamental or evergreen trees and ninety shade trees which were planted in the common area to be enjoyed by the entire development. Our intent is to plant an additional twenty-six ornamental or evergreen trees (two per additional dwelling unit) and twenty-six shade trees (two per additional dwelling unit) in the existing common area where they can be enjoyed by the entire development.

2.09 Access to Public Thoroughfares

Access to South Main Street is shown in Attachment A, the original Pines PUD plan, by West Donna Lewis Circle, which has already been constructed.

2.10 Off-Street Parking

Chapter 111, Article V. – Off-Street Parking and Loading of the Nixa City Code in effect at the time of development shall apply except as modified below.

2.11 Required Improvements

1. Improvements to serve most of this development as shown in Attachment A have been constructed and are in place. Private drive and utility improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the north portion of the property.
2. No public improvements are required to serve the new buildings on the north side of the site. The following improvements have been or will be made to the property:
 - a. Sanitary sewer facilities.
Public sanitary sewer is currently extended onto this property to serve this project. Private sewers are currently extended from the public main to serve the buildings. Sanitary sewer laterals will be installed to serve the proposed buildings on the north 1.2 acres of the property.
 - b. Stormwater management facilities.

- (1) Private and public inlets and piping are currently installed on this property to serve this project.
- (2) A detention basin is currently constructed to meet detention requirements. All stormwater infrastructure must meet the City's adopted stormwater management regulations.

3. Improvement Standards. Improvements shall conform to the following standards.

a. All utility services lines and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems, and wires, unless utility easements providing for overhead service exist or are obtained in the future.

2.12 Maintenance of Common Areas and Facilities

The property currently has two owners, but the process of transitioning to sole ownership is in progress. All facilities shall be maintained by the owner in accordance with the Nixa City Code.

2.13 Phasing

This is the second phase of The Pines Development. Most of the infrastructure is already completed. The additional proposed dwelling units will be constructed by individual permits at the discretion of the developer.

2.14 Final Development Plan

A final development plan for The Pines Phase II showing conformance with the requirements of the PUD Exhibit in Attachment B, the amended Pines PUD plan, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit. The final development plan may be submitted in the form of a preliminary plat, provided the plat is prepared in accordance with the requirements, standards, and intent of this Exhibit. Development of this District shall be in accordance with the approved final development plan.

1. The intent of Attachment B is to show in sufficient detail how the subject property is going to develop, so that approval of the Final Development Plan may be given by the Planning and Development Department without returning to Planning and Zoning Commission or City Council for review. A final development plan shall only be approved if it is in substantial conformance with Attachment B as defined Chapter 117, Article VI – Planned Unit Development (PUD).

2. The final development plan for The Pines Phase II shall be submitted to the Planning and Development Department for review. The Planning and Development Department is hereby authorized, at its discretion, to approve minor adjustments and modifications. Such authority shall not, however, be construed to permit:

- a. Any uses within the District other than those specifically prescribed by the ordinance.
- b. Any increase in the intensity of use permitted within the District.

PUD EXHIBIT

ATTACHMENT A

OWNER/DEVELOPER:
SAY U CAN DEVELOPMENT, LLC
4319 S NATIONAL BOX 126
SPRINGFIELD MO 65810

DESCRIPTION:
All of Lot 1 of The Pines, a subdivision in the
City of Nixa, Christian County, Missouri, according
to the recorded plat thereof.

FIRE APPARATUS ACCESS:
ALL DRIVE LANES WITHIN THE COMPLEX ARE CONSIDERED FIRE LANES.

DETENTION NOTE:
DETENTION IS PROVIDED IN THE EXISTING DETENTION BASIN.

ZONING NOTES:
EXISTING ZONING: R-3
PROPOSED ZONING: PUD

PROPOSED SITE AREA: 8.08 AC (352,114 SF)

PROPOSED # OF BUILDINGS=27

MAXIMUM # OF BUILDINGS=33

PROPOSED DWELLING UNITS: 45

MAXIMUM DWELLING UNITS: 57

PROPOSED DENSITY: 5.6 DWELLING UNITS/AC

MAX DENSITY: 7.1 DWELLING UNITS/AC

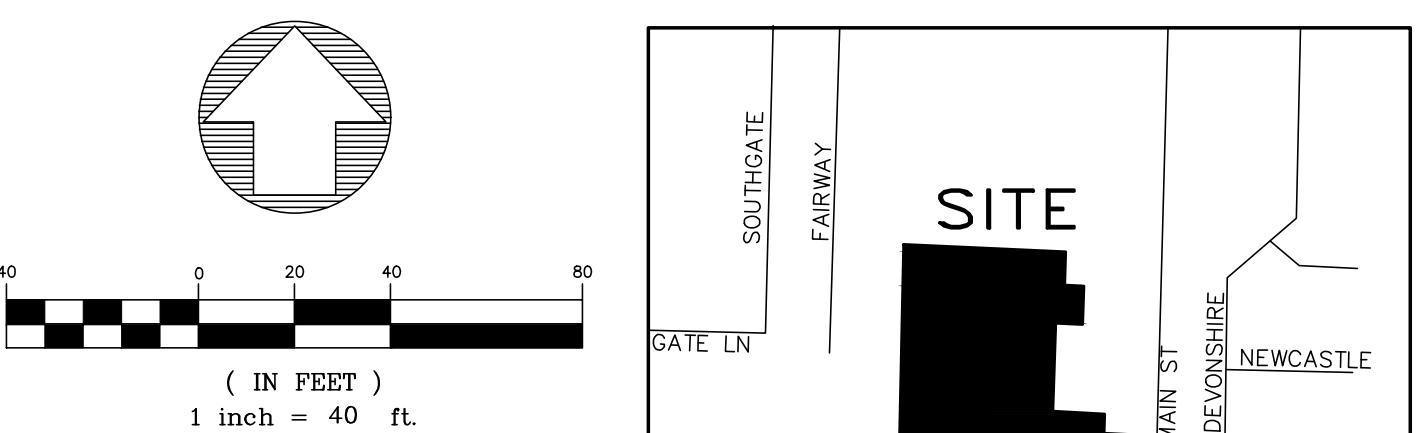
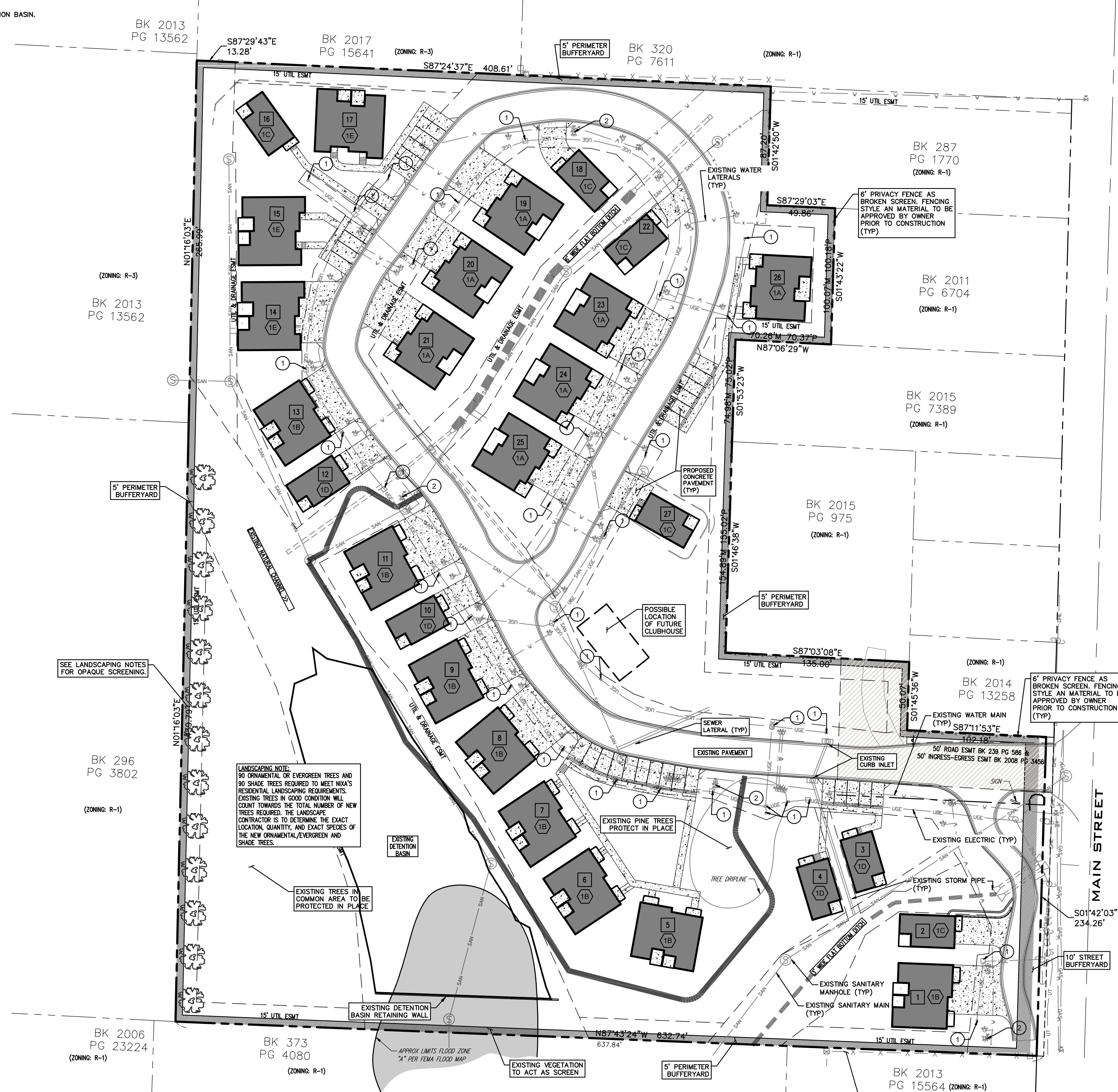
PROPOSED OPEN SPACE: ~50%

MINIMUM OPEN SPACE: 70%

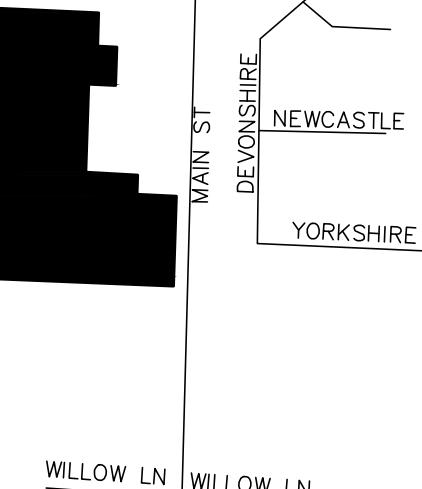
BUILDING SETBACKS:
12' FRONT YARD (EAST PROPERTY LINE)
8' SIDE YARD (WEST, NORTH & SOUTH PROPERTY LINE)

BUFFERYARDS AND SCREENING:
10' WIDE STREET BUFFER
5' WIDE PERIMETER BUFFER
BROKEN SCREEN REQUIRED BETWEEN R-3 AND R-1

IRC & FIRE CODE REQUIREMENTS:
DIVIDING WALLS BETWEEN THE UNITS WILL BE CONSTRUCTED IN ACCORDANCE
WITH THE REQUIREMENTS OF THE IRC AND FIRE CODE. MINIMUM FIRE
SEPARATION DISTANCE BETWEEN BUILDINGS SHALL BE 10' PER SECTION R302
OF THE IRC.



SITE



VICINITY MAP NOT TO SCALE

LEGEND
● FOUND IRON PIN
○ SET IRON PIN OR MARKER AS NOTED
△ R/W MARKER

— BOUNDARY LINE
— R/W LINE
- - - EASEMENT LINE
- - - SETBACK LINE

◎ MEASURED
PLAT
DEED
RECORD

★ LIGHT POLE
SANITARY SEWER MANHOLE
SANITARY SEWER CLEANOUT
SANITARY SEWER LINE

□ UTILITY POLE
ELECTRIC METER
OVERHEAD ELECTRIC
UNDERGROUND ELECTRIC
GUY WIRE

□ PHONE/COMMUNICATION MANHOLE
PHONE PEDESTAL
CABLE TV RISER
CABLE TV LINE
UNDERGROUND PHONE
OVERHEAD PHONE

□ CATV
UT
DT
F/O

WV WATER VALVE
WATER METER
WATER LINE
FIRE HYDRANT

GV GAS VALVE
GAS METER
GAS LINE

— X FENCE LINE (AS NOTED)

— ROAD SIGN (STOP, SPEED LIMIT, ETC)

— ABBREVIATIONS:

① EXISTING UTILITY NOTES:
② PULL BOX/TRANSFORMER
③ FIRE HYDRANT

DWELLING UNIT NOTES FOR POSSIBLE UNIT MIX:

④ TYPE "A" TWO-STORY, ABOVE GRADE, DUPLEX UNIT. SEE
ARCHITECTURAL PLANS FOR DETAILS.

⑤ TYPE "B" TWO-STORY, WALKOUT, DUPLEX UNIT. SEE
ARCHITECTURAL PLANS FOR DETAILS.

⑥ TYPE "C" TWO-STORY, ABOVE GRADE, SINGLE FAMILY UNIT.
SEE ARCHITECTURAL PLANS FOR DETAILS.

⑦ TYPE "D" TWO-STORY, WALKOUT, SINGLE FAMILY UNIT. SEE
ARCHITECTURAL PLANS FOR DETAILS.

⑧ TYPE "E" ONE-STORY, ABOVE GRADE, SINGLE FAMILY UNIT. SEE
ARCHITECTURAL PLANS FOR DETAILS.

⑨ RESERVED

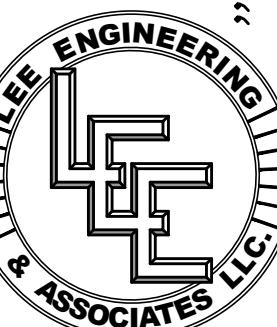
⑩ 6' PRIVACY FENCE

PUD EXHIBIT THE PINES

NIXA, CHRISTIAN COUNTY, MISSOURI

Missouri State Certificate of Authority
Engineering #20501504
Land Surveying #2009028050

LEE Engineering & Associates, L.L.C.
1200 E. Woodfield Dr., Suite D200
Springfield, Missouri 65807
417-886-9100 (phone)
417-886-9336 (fax)
dlee@engineeringbiz.com



DATE: 2022-11-30

SHEET: PUD

PROJECT: 1900

FILE: 1900 - The Pines - PUD.dwg

