

P & Z Meeting Minutes

February 6, 2026, 6:00 P.M.

Members present: Brian Popejoy, Ruth Ann Maynard, Nicholas Gerdes, Loren Winter, Ethan Ives

Members absent: Robert Wilson, Matt Lander

The minutes from January 6, 2026, were approved with a first by Nicholas Gerdes and a second by Ruth Ann Maynard. All voted aye.

Visitors

None

New Business

Exhibit A

Public Hearing and recommendation to the City Council concerning an application to rezone approximately 1.2 acres of single family residential property located in the 400 Block of S Main Street into the existing Pines Planned Unit Development Residential (PUD-R) Zoning District.

Scott Godbey presented the staff report for the request. Mr. Godbey stated that 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.

Staff recommends approval

Public Hearing

Loren Winter opened the public hearing.

Derek Lee, Lee Engineering was present to answer any questions. No one else was present.

Discussion

With no further discussion, Brian Popejoy made a motion to approve with a second by Ethan Ives. All voted aye.

Exhibit B

Public Hearing and possible vote concerning the proposed amendments to section 16-225 of the Nixa City Code relating to heavy equipment hours and noise regulations.

Brendan Justin presented the staff report for the request. Mr. Justin stated that the City has experienced an increase in complaints regarding excessive noise from construction projects near established residential areas, particularly early in the morning. Staff have also received increased requests for permits to begin construction work earlier than the time allowed by code. Staff reviewed the existing code language and determined it to be vague. Staff believes this amendment would provide greater clarity and create reasonable avenues for exceptions.

Public Hearing

No one was present

Discussion

With no further discussion, Nicholas Gerdes made a motion to approve with a second by Brian Popejoy. All voted aye.

Exhibit C

Public Hearing and possible vote concerning the proposed 5-year Capital Improvement Projects.

Scott Godbey presented the staff report for the request. Mr. Godbey stated that The State of Missouri's Zoning Enabling Act (RSMo. Chapter 89) provides for a long-term City Plan for the physical elements of a municipality. This City Plan, also sometimes referred to as a "comprehensive plan", delineates the planned future location and character of various public improvements such as streets, parks, utilities, and other public facilities. The City Plan becomes the legal basis for a variety of regulatory and other policy actions. City's that operate according to the authority provided for in the RSMo. Chapter 89 are required to submit plans for public improvements to the Planning and Zoning Commission for review prior to construction as a measure of accountability to the City Plan. In this way, the statutes provide for a degree of transparency, due process, and deliberate decision-making that is the hallmark of our American style of governance.

Section 8.4 of the Nixa City Charter requires the City Administrator to annually submit a 5-year Capital Program to the City Council for review and approval. The intent of the program is to provide a near-term view of imminent capital investments that will be seen in the current and future years' annual budgets. This capital program includes investments in the physical infrastructure of the City of Nixa and its municipal government such as buildings, roads, utility mains, etc.

Because this 5-year program includes physical infrastructure improvements, it is subject to the requirements of RSMo. Chapter 89 and must be presented to the Planning and

Zoning Commission for review and recommendation prior to adoption by the City Council.

The City Administrator, with the assistance of the various city departments, has prepared a 5-year capital program for the years 2026-2030. Of that program, the elements involving physical infrastructure improvements referred to in RSMo. Chapter 89 have been compiled into a list with descriptions of the project.

Public Hearing

Loren Winter opened the public hearing for the request. No One was present.

Discussion

With no further discussion, Nicholas Gerdes made a motion to approve the request with a second by Ruth Ann Maynard. All voted aye.

Other Business

Brendan Justin gave an update on current development.

With no further discussion Nicholas Gerdes made a motion to adjourn the meeting with a second by Ruth Ann Maynard. All voted aye.

Planning & Zoning Secretary