



EXHIBIT A

ISSUE STATEMENT:	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 SOUTH MAIN STREET INTO THE EXISTING PINES PLANNED UNIT DEVELOPMENT RESIDENTIAL (PUD-R) ZONING DISTRICT
DATE:	FEBRUARY 3, 2026
SUBMITTED BY:	400 S MAIN LLC
PRESENTED BY:	PLANNING AND DEVELOPMENT DEPARTMENT

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.

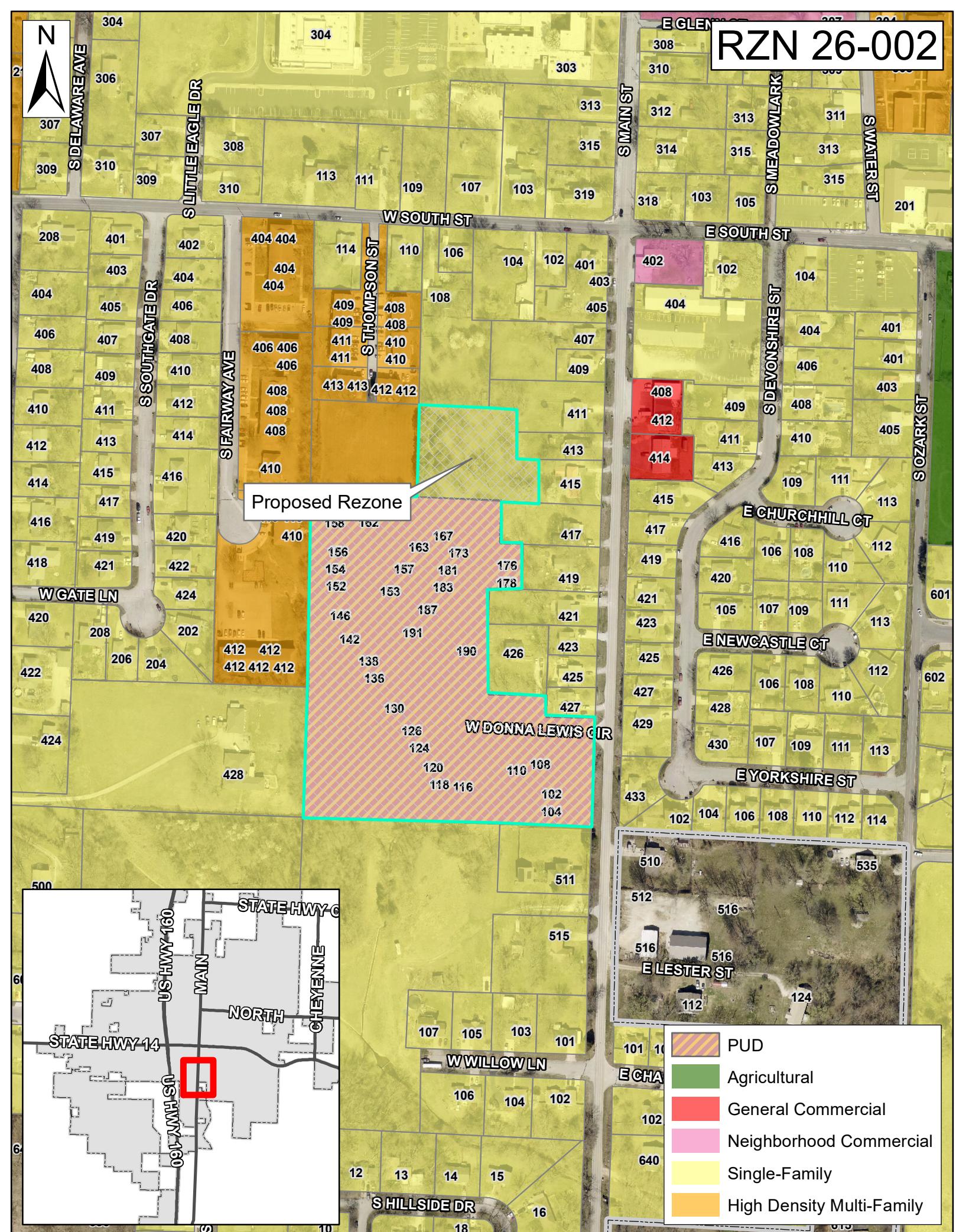
The PUD-R is not requesting any new changes from currently adopted development standards.

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.

Recommendation

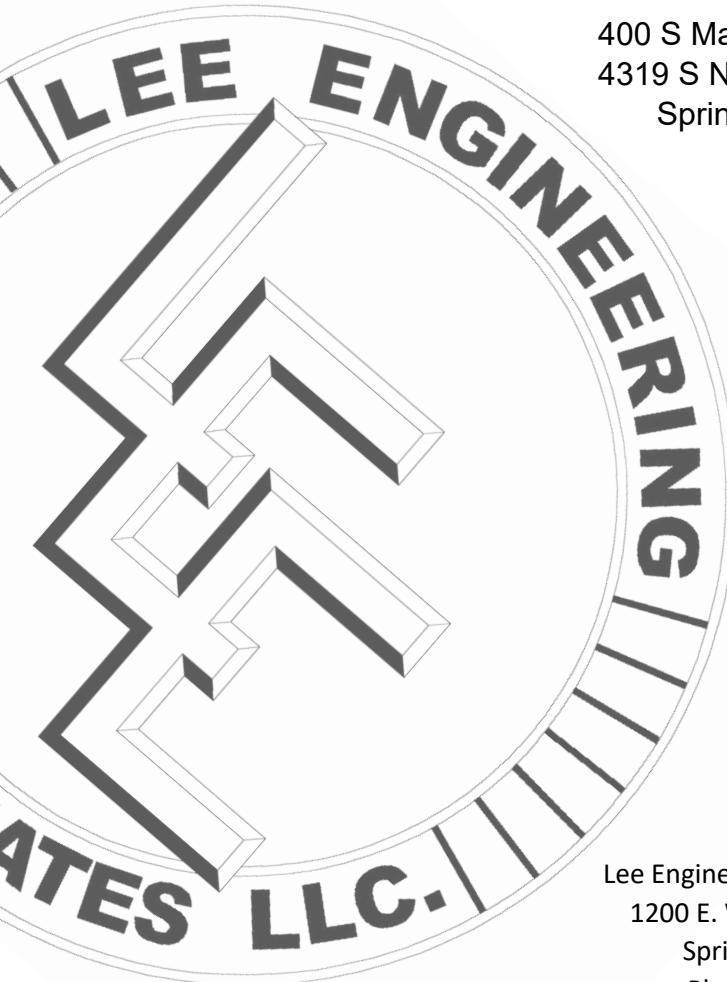
The proposed zoning change is consistent with the pattern of development in the vicinity and conforms to the future land use map found in Nixa 2045, which calls for mixed residential on this property. Staff have reviewed this PUD-R and find it to be in substantial conformance with Sec. 117-215-Review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



Amended PUD Zoning Report for
The Pines
A Proposed Planned Unit Development in Nixa, Missouri
Submitted to:
City of Nixa

1/8/2026

Owner:
400 S Main, LLC & Ace 2, LLC
4319 S National Ave., Box 126
Springfield, MO 65810



Engineer:
Lee Engineering and Associates, LLC
1200 E. Woodhurst, Suite D200
Springfield MO, 65804
Phone: 417-886-9100
Fax: 417-886-9336
Missouri State Certificate of Authority
Engineering #2005015504

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Appendix

Attachment A – PUD Exhibit Approved 2023

Attachment B – Amended PUD Exhibit

Site Conditions and Development Impact

On January 23, 2023, the Council of the City of Nixa approved the rezoning of The Pines from high density multi-family (R-3) to a Planned Unit Development (Council Bill No. 2023-03 Ordinance No. 2294). The PUD Exhibit that was approved is shown in Attachment A. This report requests the rezoning of the north 1.2 acres of The Pines Phase II, Lot 2, shown as the hatched area of the Amended PUD Exhibit in Attachment B.

1.01 Legal Description

All of Lot One of the Re-plat of Lot One of The Pines Development in the City of Nixa, Christian County, Missouri, as recorded in Plat Book "I" Page 198 in the Office of the Recorder of Deeds for Christian County, Missouri.

ALONG AND WITH

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

Containing, in total, 9.25 acres, more or less and being subject to easements, restrictions or rights-of-way, if any.

1.02 Total Acreage

The acreage of the existing Pines PUD is 8.08 acres (352,106 square feet). The acreage of the additional area is 1.17 acres (50,956 square feet), making to total acreage of The Pines Phase II Lot 2 development 9.25 acres (403,062 square feet).

1.03 Shape and Topography

Everything except the north 1.2 acres of the site is an existing development. The road on the site, Donna Lewis Circle, connects to South Main Street on the east side of the property as shown in Attachment B. The site has an existing detention basin in the southwest corner. There is a three foot wide flat bottom ditch on the southeast portion of the property, a 220 foot long, 6 foot wide flat bottom ditch that runs through the middle of the site, and 12 inch deep swales between the houses. All of these features can be seen on the previous PUD exhibit, shown in Attachment A. The north 1.2 acres are relatively flat with some gradual slopes.

1.04 Description of Surrounding Area

The surrounding area is residential housing to the east, apartments and an empty lot to the north, apartments and a ministry building to the west, and residential housing to the south. The surrounding zoning is all single family residential (R-1) and high density multi-family (R-3).

1.05 Current Zoning

The north 1.2 acres of the property is zoned (R-1) and the rest is zoned PUD.

1.06 Existing Utilities and Utility Easements

There are existing utilities along with several utility and drainage easements on the site which can be seen on the PUD Exhibit for The Pines, approved in 2023, shown in Attachment A.

1.07 Existing Structures

There are 27 existing dwellings on the site. These can be seen in Attachment B. The undeveloped north 1.2 acres of the site has a small shed in the middle of the property that will remain.

1.08 Existing Vegetation

The areas around the dwelling units and road have grass and some trees. The trees that were part of the landscape requirements from the previous PUD approved in 2023 are located in the common area as shown in both Attachment A and Attachment B. The north portion of the property that is undeveloped is mostly covered in trees. A very large old growth tree is located in the center of the property adjacent to the shed. This tree will remain and an island is designed to allow the tree to stay.

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 exhibit.

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, as permitted by section 117-94, Accessory uses.
- b) Home occupation uses as permitted by Section 117-95, Home Occupations.
- c) Approved uses not requiring permits by Section 117-96, Approved uses not requiring permits.
- d) All uses permitted in an R-3 zone found in Section 117-99.
- 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 R-3 zoning.

Front yard setback:

- a. 12' along east property line.

Side yard:

- a. 8' side yard along West, North and South property lines.

Spacing between buildings:

- a. Minimum Spacing will be in accordance with the International Residential Code. 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 bufferyards unless modified in accordance with Chapter 105, Article II – Landscaping and Open Space Requirements. 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 of Nixa stormwater and flood control requirements.

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 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 Code of Ordinances 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 of Nixa's stormwater 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 City of Nixa regulations.

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, 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.

Attachment A – PUD Exhibit Approved 2023

PUD EXHIBIT

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

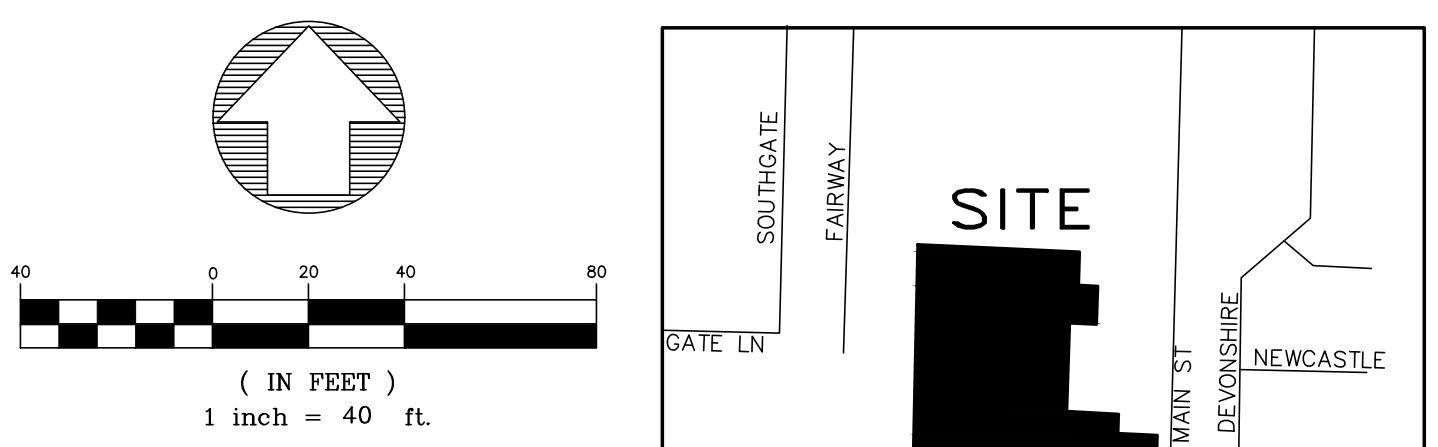
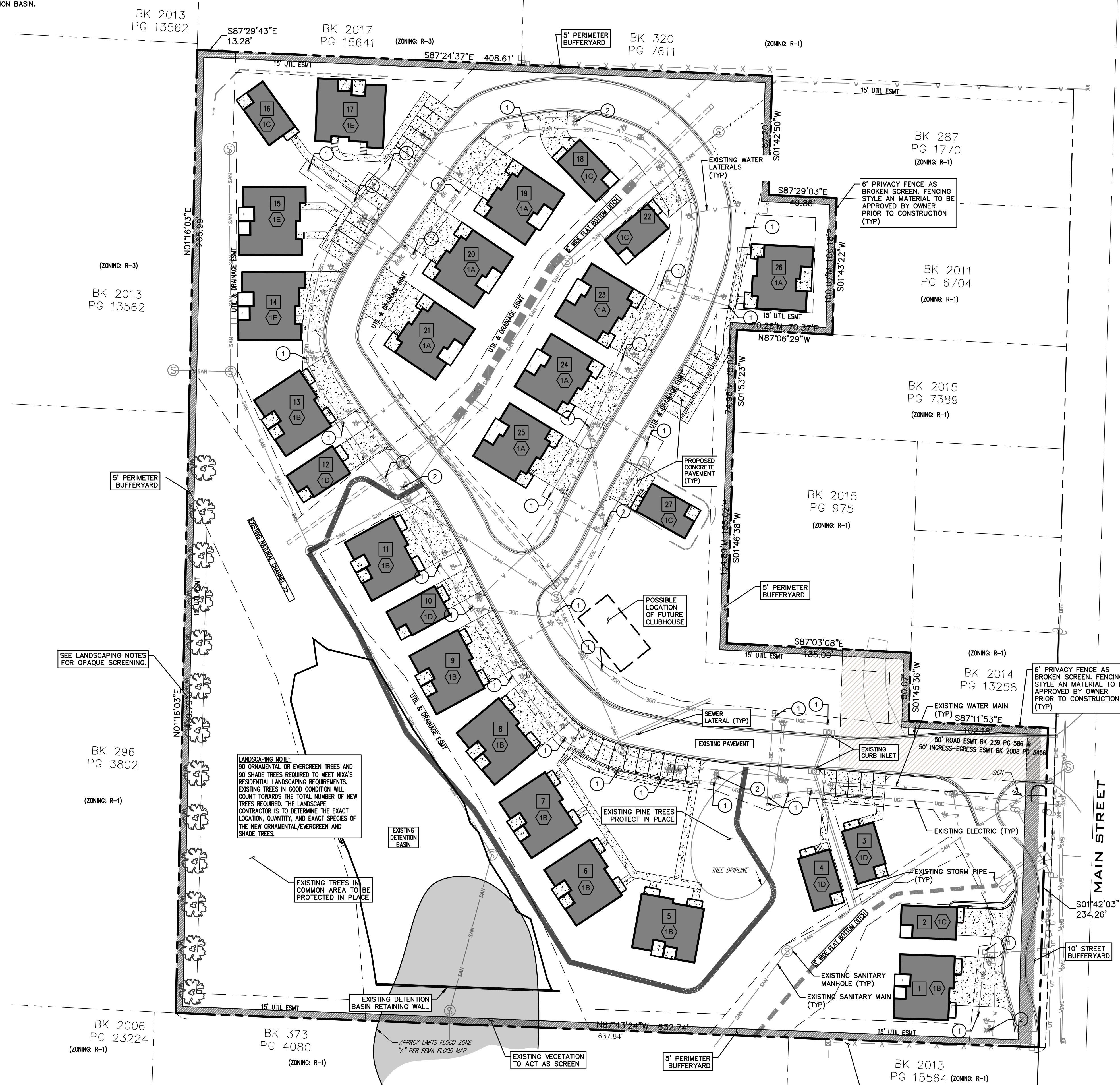
PROPOSED OPEN SPACE: ~50%

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

SOUTHGATE
MAIN ST
DEVONSHIRE
NEWCASTLE
YORKSHIRE
WILLOW LN
WILLOW LN

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
FIBER OPTIC LINE

WATER VALVE
WATER METER
WATER LINE
FIRE HYDRANT
GAS VALVE
GAS METER
GAS LINE

— FENCE LINE (AS NOTED)
ROAD SIGN (STOP, SPEED LIMIT, ETC)

ABBREVIATIONS:

① PULL BOX/TRANSFORMER
② FIRE HYDRANT

EXISTING UTILITY NOTES:

① TYPE "A" TWO-STORY, ABOVE GRADE, DUPLEX UNIT. SEE ARCHITECTURAL PLANS FOR DETAILS.

⑫ TYPE "B" TWO-STORY, WALKOUT, DUPLEX UNIT. SEE ARCHITECTURAL PLANS FOR DETAILS.

⑬ TYPE "C" TWO-STORY, ABOVE GRADE, SINGLE FAMILY UNIT. SEE ARCHITECTURAL PLANS FOR DETAILS.

⑭ TYPE "D" TWO-STORY, WALKOUT, SINGLE FAMILY UNIT. SEE ARCHITECTURAL PLANS FOR DETAILS.

⑮ TYPE "E" ONE-STORY, ABOVE GRADE, SINGLE FAMILY UNIT. SEE ARCHITECTURAL PLANS FOR DETAILS.

⑯ RESERVED

⑰ 6' PRIVACY FENCE

DWELLING UNIT NOTES FOR POSSIBLE UNIT MIX:

① TYPE "A" TWO-STORY, ABOVE GRADE, DUPLEX UNIT. SEE ARCHITECTURAL PLANS FOR DETAILS.

⑫ TYPE "B" TWO-STORY, WALKOUT, DUPLEX UNIT. SEE ARCHITECTURAL PLANS FOR DETAILS.

⑬ TYPE "C" TWO-STORY, ABOVE GRADE, SINGLE FAMILY UNIT. SEE ARCHITECTURAL PLANS FOR DETAILS.

⑭ TYPE "D" TWO-STORY, WALKOUT, SINGLE FAMILY UNIT. SEE ARCHITECTURAL PLANS FOR DETAILS.

⑮ TYPE "E" ONE-STORY, ABOVE GRADE, SINGLE FAMILY UNIT. SEE ARCHITECTURAL PLANS FOR DETAILS.

⑯ RESERVED

⑰ 6' PRIVACY FENCE

PUD EXHIBIT

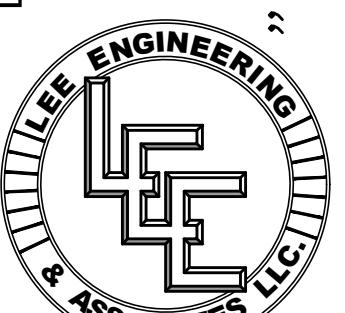
THE PINES

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

Attachment B – Amended PUD Exhibit

