



Issue: **AN ORDINANCE OF THE NIXA CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 0.91 ACRES LOCATED ALONG THE 900 BLOCK OF EAST MOUNT VERNON STREET FROM R-1 TO GENERAL COMMERCIAL (GC)**

Date: May 9, 2022

Submitted By: Planning and Development Department

Background

Yuriy and Marina Podolskiy are the owners of approximately 0.91 acres of land located at the NW corner of the intersection of E Mt Vernon St and S Shangri La Ct more particularly described as Lot 4 of the WAA CAA subdivision. As the owner of the real property, the Podolskiy's have applied to rezone this lot from the R-1 single-family residential zoning district into the General Commercial (GC) zoning district.

Analysis

Land Use

The property subject to the application is presently vacant and contains no buildings or structures. The subject property is bounded by Mount Vernon Street to the south; Shangri La Ct to the east, and single-family residences to the north and west. The general character of surrounding land uses is predominantly single-family residential and commercial zoning that fronts Mt Vernon. Commercial land uses become more prevalent along Mt Vernon St (also State Route 14) west of the subject property.

The proposed land use change is consistent with the pattern of development in the vicinity and is typical of development patterns along arterial thoroughfares such as Mt Vernon St.

Transportation

The subject property is directly served Mt Vernon (primary arterial) and Shangri La Ct (local). Traffic to/from the subject property will likely come from/to Mt Vernon St (primary arterial). There is no existing pedestrian or multi-modal facility serving the site.

The impact of traffic generated from potential residential development of the subject property according to the allowable land uses in the GC district is not sizeable relative to the capacity of infrastructure serving the site. Mt Vernon St is of sufficient capacity to serve general commercial land uses at this location.

Public Utilities (Water, Wastewater, Electric)



Municipal water, sanitary sewer, and electric utilities are available to the site and are all sufficient in capacity to serve general commercial land uses. The site is served by the Northeast Regional Lift Station that has sufficient capacity to serve general commercial land uses at this site. The water service closest to the site is not sufficient to provide adequate fire suppression to development at this location. An extension of public infrastructure would be necessary prior to development of the site.

Stormwater Management

The subject property is not served by regional detention facilities and does not appear to be affected by flood hazard area or karst topography. Development of the site must conform to the City's regulations concerning stormwater management.

Other Public Services

The proposed zoning arrangement will add traffic 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 residents 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

Staff recommends the approval of this application.

1 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA REZONING THE REAL**
2 **PROPERTY GENERALLY LOCATED ALONG THE 900 BLOCK OF EAST MOUNT**
3 **VERNON STREET FROM THE R-1 RESIDENTIAL DISTRICT TO THE GENERAL**
4 **COMMERCIAL DISTRICT.**

5 _____
6
7 **WHEREAS** an application has been filed for a zoning change of the property
8 generally located along the 900 Block of East Mount Vernon Street and which is more
9 specifically described on “Council Bill Exhibit A” (“Application”); and

10
11 **WHEREAS** the Application requests that the City Council rezone said property
12 from the R-1 Residential District to the General Commercial District; and

13
14 **WHEREAS** the Planning and Zoning Commission held a public hearing on the
15 Application at the Commission’s May 2, 2022 meeting; and

16
17 **WHEREAS** the Commission, after considering the Application, staff’s
18 recommendation regarding the Application, and after holding a public hearing on the
19 Application, failed to make a recommendation of approval as the motion for approval
20 failed for lack of a second; and

21
22 **WHEREAS** the City Council, now having considered the Application, staff’s
23 recommendation regarding the Application, and after providing an opportunity for public
24 comment on the Application, now desires to rezone the subject property and amend the
25 City’s official zoning map to reflect City Council’s action.

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

29
30 **SECTION 1:** The real property described on “Council Bill Exhibit A,” which is
31 attached hereto and incorporated herein by this reference, is hereby rezoned from a R-1
32 Residential district, or such other zoning district that may apply to said real property, to a
33 General Commercial District and the regulations applicable to said district, as established
34 in the Nixa City Code, shall hereafter apply to said real property.

35
36 **SECTION 2:** The Director of Planning and Development, pursuant to section 117-
37 57 of the Nixa City Code, shall amend the City’s official zoning map, said map being
38 established pursuant to section 117-56 of the Nixa City Code, to reflect the zoning action
39 contemplated by this Ordinance.

40
41 **SECTION 3:** This Ordinance shall be in full force and effect from and after its final
42 passage by the City Council and after its approval by the Mayor, subject to the provisions
43 of section 3.11(g) of the City Charter.

COUNCIL BILL NO. 2022-054

ORDINANCE NO. _____

47 **ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____ 2022.**
48

49 **ATTEST:**

50
51 _____
52 CITY CLERK

PRESIDING OFFICER

53
54
55 **APPROVED BY THE MAYOR.**

56 **ATTEST:**

57
58
59 _____
60 CITY CLERK

MAYOR

61
62 **APPROVED AS TO FORM:**

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64 _____
65 CITY ATTORNEY

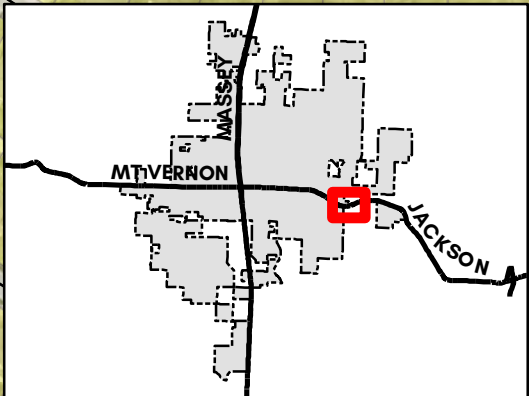
DATE OF APPROVAL

COUNCIL BILL EXHIBIT A

Legal Description

ALL OF LOT FOUR (4), FINAL PLAT OF WAA CAA SUBDIVISION, A SUBDIVISION IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEROF.

RZN 22-002



Proposed General Commercial Zoning

Legend

CLASS

- FREEWAY
- EXPRESSWAY
- PRIMARY ARTERIAL
- SECONDARY ARTERIAL
- COLLECTOR
- RURAL COLLECTOR
- BOULEVARD
- LOCAL
- RAILROAD
- RAMP
- PRIVATE
- Agricultural
- Single-Family
- Two-Family
- Multi-Family
- City Center
- Transitional Office
- Neighborhood Commercial
- General Commercial
- Highway Commercial
- Light Industrial

