

AN ORDINANCE OF THE NIXA CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF 1101 NORTH KENNETH STREET FROM M-1 (LIGHT MANUFACTURING) ZONING TO HC (HIGHWAY COMMERCIAL) ZONING

Background:

The property subject to the rezoning request is an unplatted lot located at the NW corner of the intersection of North Kenneth Street and West Kathryn Street. North Kenneth Street is an outer road adjacent to Highway 160. A vehicle maintenance facility was constructed in 1974, and the property has been used for bus storage, parking, and maintenance since that time. The property was voluntarily annexed in August of 1985. While not part of the Nixa Industrial Park, it was designated with M-1 (Light Manufacturing) zoning at the time of that development.

Analysis:

Surrounding Land Use

The lots to the North and West are zoned M-1. To the East is Kenneth Street, Highway 160, and on the east side of highway 160 is a Highway Commercial (HC) zoned lot. To the South is HC zoned property. Three of the four corners of a major intersection are zoned HC.

Transportation

The subject property is directly served by West Kathryn Street which is categorized as a Collector. The property is also accessible from North Kenneth Street and North Gerald Drive, which are both local roads.

Public Utilities (Water, Wastewater, Electric)

The subject property is currently served by municipal water and wastewater, electric is supplied by another provider. If redevelopment were to occur, Nixa electric is readily available in the immediate area should they prefer to use it over the current provider.

Other Public Services

The change in zoning was requested due to the property owner fielding calls with commercial interest in the property for uses not allowable in an M-1 zoning district. To

staff's knowledge there is no current plan for a change in use. Any future redevelopment of the property will require compliance with current development regulations.

Planning and Zoning Commission:

A public hearing for this item was held November 6th in front of the Planning and Zoning Commission. A representative for the property owner approached the Commission to provide some background for the rezone request. With all things considered, the PZ Commission voted 6-0 to recommend approval to City Council.

Recommendation:

This proposed rezone is consistent with zoning patterns in the vicinity, the other 3 corners of the intersection are zoned HC. According to section 117-99 the prior use of the property is allowable in HC zoning. Staff recommends the approval of this rezone.

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 REZONING THE REAL
2 PROPERTY GENERALLY LOCATED AT 1101 NORTH KENNETH STREET FROM A
3 LIGHT MANUFACTURING (M-1) DISTRICT TO A HIGHWAY COMMERCIAL (HC)
4 DISTRICT.

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6 WHEREAS an application has been filed for a zoning change of the property
7 generally located at 1101 North Kenneth Street (“Application”); and

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9 WHEREAS the Application requests that the City Council rezone said property
10 from a Light Manufacturing (M-1) District to a Highway Commercial (HC) District; and

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12 WHEREAS the Planning and Zoning Commission held a public hearing on the
13 Application at the Commission’s November 6, 2024, meeting; and

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15 WHEREAS the Commission, after considering the Application, staff’s
16 recommendation, and after holding a public hearing, issued a recommendation of
17 approval; and

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

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

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27 SECTION 1: The real property generally located at 1101 North Kenneh Street and
28 being more specifically described on “Council Bill Exhibit A,” which is attached hereto and
29 incorporated herein by this referenced, is hereby rezoned from a Light Manufacturing (M-
30 1) District, or such other zoning district that may apply to said real property, to a Highway
31 Commercial (HC) District, and the regulations applicable to said district, as established in
32 the Nixa City Code, shall hereafter apply to said real property.

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

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

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43 [Remainder of Page intentionally left blank. Signature Page follows]

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47 **ADOPTED BY THE COUNCIL THIS 26th DAY OF NOVEMBER 2024.**

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ATTEST:

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PRESIDING OFFICER

CITY CLERK

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55 **APPROVED BY THE MAYOR THIS _____ DAY OF NOVEMBER 2024.**

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ATTEST:

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MAYOR

CITY CLERK

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63 APPROVED AS TO FORM:

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CITY ATTORNEY

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Tract 1:

COMMENCING AT AN IRON PIN LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF KENNETH AND KATHRYN STREETS IN NORTHVIEW INDUSTRIAL PARK SUBDIVISION, ACCORDING TO THE PLAT THEREOF BEING RECORDED IN PLAT BOOK D, AT PAGE 39 IN THE OFFICE OF THE RECORDER OF DEEDS FOR CHRISTIAN COUNTY, MISSOURI, THENCE NORTH 255 FEET AND WEST 30 FEET TO NEW POINT OF BEGINNING; THENCE WEST 225 FEET, THENCE NORTH 200 FEET, THENCE EAST 225 FEET, THENCE SOUTH 200 FEET TO THE NEW POINT OF BEGINNING, ALL BEING IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 27, RANGE 22, IN CHRISTIAN COUNTY, MISSOURI.

EXCEPT:

BEGINNING AT AN IRON PIN LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF KENNETH AND KATHRYN STREETS IN NORTHVIEW INDUSTRIAL PARK SUBDIVISION, ACCORDING TO THE PLAT THEREOF BEING RECORDED IN PLAT BOOK D AT PAGE 39 IN THE OFFICE OF THE RECORDER OF DEEDS FOR CHRISTIAN COUNTY, MISSOURI, THENCE NORTH 355 FEET AND WEST 30 FEET TO A NEW POINT OF BEGINNING: THENCE WEST 225 FEET, THENCE NORTH 100 FEET, THENCE EAST 225 FEET, THENCE SOUTH 100 FEET TO THE NEW POINT OF BEGINNING, ALL BEING IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 27, RANGE 22, IN CHRISTIAN COUNTY, MISSOURI.

Tract 2:

COMMENCING AT AN IRON PIN LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF KENNETH AND KATHRYN STREETS IN NORTHVIEW INDUSTRIAL PARK SUBDIVISION ACCORDING TO THE PLAT THEREOF BEING RECORDED IN PLAT BOOK D, AT PAGE 39 IN THE OFFICE OF THE RECORDER OF DEEDS FOR CHRISTIAN COUNTY, MISSOURI, THENCE NORTH 30 FEET AND WEST 30 FEET TO A NEW POINT OF BEGINNING, SAID NEW POINT OF BEGINNING BEING THE NORTHWEST CORNER OF THE INTERSECTION OF SAID KENNETH AND KATHRYN STREET, THENCE WEST 225 FEET, THENCE NORTH 225 FEET, THENCE EAST 225 FEET, THENCE SOUTH 225 FEET TO THE NEW POINT OF BEGINNING, ALL BEING IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 27, RANGE 22 IN CHRISTIAN COUNTY, MISSOURI.