

# Planning and Zoning Commission Agenda

Aurora City Hall  
City Council Chambers  
2 W. Pleasant

Aurora, Missouri

Tuesday, May 4, 2021 - 6:30 P.M.

## 1. CALL TO ORDER

6:00 PM

## 2. ROLL CALL

Chairwoman Regina Payne  
Vice Chairwoman Linda Barton  
Mayor Jason Lewis  
Commission Member Rick Boyer  
Commission Member Eddie Breeding  
Commission Member Tamera Abell  
Commission Member David Cox

All members present. Quorum satisfied.

## 3. APPROVAL OF MINUTES

Approval of Minutes from March 2, 2021

Commissioner Boyer made a motion to approve the minutes from the meeting held March 2, 2021. Motion seconded by Vice Chairman Barton. Motion passed with all the following members voting aye.

AYES: Payne, Barton, Lewis, Boyer, Breeding, Abell, Cox

NAYES: None

## 4. OLD BUSINESS

None

## 5. NEW BUSINESS

### 5.1 Public Hearing for Riddle Properties Inc, Rezone Request

City Manager, Jon Holmes, address the Commission regarding the meeting topic. Manager Holmes advised the Commission to focus on the request at hand, which is the rezoning request, going from R-1 to R-2. He further adds that this is not the venue for questions relating to flooding, forests, traffic, etc. He cautions that those concerns will be addressed in the future when the development progresses. Manager Holmes informs the Commission that the developer can start development immediately without the public hearing for rezoning. This meeting is held for rezoning only, which would allow for two-family residential dwelling. Mr. Holmes states that the City cannot deny which has went through the proper channels and met all our requirements including approval from our City engineers. All storm water and flooding issues will be addressed and approved by Carrie Howlett, Community Development Director, and the City engineers before being sent to the next stage of development. Mr. Holmes reiterates to focus on the rezone request.

Commission Member Boyer motioned to open the public hearing time noted 6:42 pm. Vice Chairman Barton seconded the motion. Motion passed with all members voting aye.

Director Howlett addressed the rezoning request to the Commission. She clarified the property of discussion. Ms. Howlett informs the Commission that the property is currently zoned single family residential and therefore only single-family dwellings can be developed at that location. She explains that the developer is requesting a rezoning to R-2 Classification which is two-family residential. She further adds that most of the intended structure will be single family homes but that the developer has intentions of putting in some duplexes at the southern end of the tract. Director Howlett points out that the property is contiguous with zoning of R-2 and therefore does follow City Code for a rezone request.

Ms. Howlett presented a slide show of examples of homes that the developer constructs. She informs the Commission the quality of homes and size of homes is fluent to the neighborhood.

Mr. James Riddle of Riddle Properties Inc. is present at the meeting as the applicant for the rezoning request. Mr. Riddle explains to the Commission that as a developer, he needs to know to proceed and how he proceeds will be based on the zoning allowance granted. He expresses his intentions to place a road down the middle of the acreage and connect from Hadley Street to Price Street. He explains this road will serve as a barrier between properties on the east and west of the empty tract. Mr. Riddle informs the Commission that the goal of his company is to provide single family dwellings on the northern area and approximately 6 duplexes on the southern area of the acreage. Mr. Riddle states that the single-family homes will primarily be constructed to be 1200-1600 square foot dwellings that will cater to first time home buyers and retirees. He adds that most homes will be 2-3 bedrooms with 2 bathrooms, as well as 2 car garages. He informs the Commission that they are in the preliminary stages of development, but he is ready to answer any questions. Mr. Riddle reassures that everything from here out will depend on what the engineers approve and that all flood plain issues will be addressed. He relates to the Commission that if R-2 zoning is not approved, then he will know to proceed with single family homes only. He states the meeting tonight will dictate the next planning stage for Riddle Properties Inc.

Mr. Riddle instructs the Commission that all properties will have larger lots and the goal of the development is to provide 15-20 single family homes and 6 duplexes, 3 on each side of the dividing street that will be placed through the middle of the property.

Director Howlett explains that if the property is rezoned to R-2, then anything below R-2 will still be encompassed and allowed.

Commissioner Mayor Lewis inquired if the homes would be subsidized, income based, or government assisted in any way. Mr. Riddle replied that no, the homes would not be government homes but rather just regular homes. City Manager Holmes inquired about the approximate value of the homes that are intended to be constructed. Mr. Riddle informed the room that the home values would range from \$168,000-\$209,000 and would be of adequate size to suffice City Code on the duplexes as well.

Open to public comment.

Sonjia Leonardos resides at 1603 Mary Lane and spoke in opposition of rezoning to R-2.

Audrey Anderson of 1601 Mary Lane spoke in opposition of rezoning to R-2.

Kevin Hartwigsen of 1604 Mary Lane spoke in opposition of rezoning to R-2.

Rose Mechowski of 1301 Mary Lane spoke in opposition of rezoning to R-2.

Pat Woods of 1503 Mary Lane spoke in opposition of rezoning to R-2.

Ray Phillips of 845 Daniels Street spoke in opposition of rezoning to R-2.

Doug Smith of 1701 Mary Lane spoke in opposition of duplexes.

David Clair of 1605 Mary Lane spoke in opposition of rezoning to R-2.

John Canedy of 1504 Tyler Avenue spoke in opposition of rezoning to R-2.

Regina Payne of 1303 Mary Lane spoke in opposition of rezoning to R-2.

M. Michele Mowris of 1407 and 1501 Mary Lane spoke in opposition of the rezone.

Mark and Kim Buehler of 1211 Sherri Jane Lane spoke in opposition of the rezone.

James Atcher of 1302 Mary Lane spoke in opposition of rezoning to R-2.

Don McWade of 1004 S Hudson spoke in favor of the rezoning and encouraged the audience to give Mr. Riddle a chance to present his plat.

Commission Member Boyer motioned to close the public hearing at 7:17pm. Commissioner Abell seconded the motion. Motion passed with all the members voting aye.

Finding of Fact was addressed among the Commission. The following was determined. The rezoning would not be in line with existing uses of property within the general area. The rezoning would not be in line with the zoning classification of property within the general area. The rezoning would adversely affect surrounding property and property values. The property in question is suitable to the uses permitted under the proposed zoning classification. The rezoning does not protect the neighborhood interest. The rezoning would alter the character or nature of the development of the neighborhood. The rezoning would be in basic harmony with the various elements and objectives of the Master Plan.

Commission Member Boyer made a motion to recommend to council to deny the request to rezone the property in question to R-2. Votes were taken individually by all members of the Commission. The following votes were recorded. Chairman Payne was recused from voting based on her locality and involvement as an interested party. Vice Chairman Barton voted aye. Commission Member Mayor Lewis voted nay. Commission Member Boyer voted aye. Commission Member Breeding voted aye. Commission Member Abell voted nay. Commission Member Cox voted aye. Motion passed to recommend to council to deny the rezone request by Riddle Properties Inc.

AYES: Barton, Boyer, Breeding, Cox

NAYES: Lewis, Abell

ABSTAIN: Payne

5.II Public Hearing, David L Marks, Rezone Request

Commission Member Boyer motioned to open the public hearing time noted 7:27 pm. Motion seconded by Vice Chairman Barton. Motion passed with all members voting aye.

Director Howlett speaks to the Commission regarding the rezone request. She explains current zoning is C-1 and the request to be rezoned to C-2. Director Howlett explains that no contiguous properties to the one in question is currently zoned C-2. She explains that the City's concern would be spot zoning. All contiguous properties are C-1 and R-1. Ms. Howlett further dictates to the commission what uses would be permitted under the zoning change of C-2, showing the Commission the possibilities of companies that could be allowed at this location if a zoning change were allowed. No representation is present at the meeting for the property in question.

Open to public comment.

Betty Bartlesmeyer of 1501 S Park is present at the meeting. Ms. Bartlesmeyer's property is currently zoned R-1 and she spoke in opposition of the rezoning to C-2. She spoke to the Commission stating that the rezone request would allow heavy businesses to come to the area and those business may have major effect for her property.

Commission Member Mayor Lewis inquires if there are plans for a rezoning of the area in the future. Director Howlett informs the Commission that at this time the applicant has not indicated any specific future plans for the property.

Commission Member Boyer motioned to close the public hearing time noted 7:34 pm. Motion seconded by Commission Member Abell. Motion passed with all members voting aye.

Finding of Fact was addressed, and the following information was determined by the Commission:

The rezoning would not be in line with the existing uses of property within the general area. The rezoning would not be in line with the zoning classification of property within the general area. The rezoning does adversely affect surrounding property and property values. The property in question is not suitable to the uses permitted under the proposed zoning classification. The rezoning does not protect the neighborhood interest. The rezoning does alter the character or nature of the development of the neighborhood. The rezoning would not be in basic harmony with the various elements and objectives of the Master Plan.

Motion made by Commission Member Boyer to recommend to City Council to deny the request to rezone. Vice Chairman Barton seconded the motion. Motion passed to recommend to Council to deny the rezone request.

AYES: Payne, Barton, Lewis, Boyer, Breeding, Abell, Cox

NAYS: None

5.III Public Hearing, Stanley Small, Special Request for Accessory Building >900 Sq Ft

Chairman Payne motioned to open the public hearing at 7:36 pm. Commission Member Boyer seconded the motion. Motion passed with all members voting aye.

Director Howlett provided the Commission with the City Code on Accessory Buildings.

She explains to the Commission that the applicant, Stanley Small, intends to construct an accessory building 1200 sq ft and therefore the matter must come before the Commission.

Applicant, Stanley Small is present at the meeting. Mr. Small explains that he owns the entire block of all 3 lots. He is wanting the shed to be placed on the northern most lot being 1601 S Jefferson Avenue. Commission Member Boyer inquired why the applicant needing a building larger than allowed by City Code. Mr. Small explains that he wants a building large enough to keep a camper in for storage and getting other belongings out of the weather and elements. Chairman Payne inquired of the height of the proposed building. Mr. Small addressed the Commission stating the building will be 12' tall and will be 30' X 40'. He further explains that currently there are no houses behind his property as he is backed up to a wooded area.

Director Howlett informs the Commission that no opposition has been received by her office regarding the special request. She further adds that this specific request will not affect other requests or properties and is unique and individual just for this applicant and property.

Motion made by Commission Member Boyer to close the public hearing time noted 7:44 pm. Motion seconded by Vice Chairman Barton. Motion passed with all members voting aye.

Commission Member Mayor Lewis made a motion to recommend to council to allow the request for accessory building > 900 sq ft. Commission Member Boyer seconded the motion. Motion passed to recommend to council to approve the special request for the accessory building of 1200 sq ft.

AYES: Payne, Barton, Lewis, Boyer, Breeding, Abell, Cox

NAYES: None

#### 6. PUBLIC COMMENT/DISCUSSION

None

#### 7. ADJOURNMENT

Motion to adjourn made by Commission Member Boyer. Motion seconded by Commission Member Breeding. Motion passed with all members voting aye time noted 7:47 pm.

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Regina Payne, Chairman

ATTEST:

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Crystal Abbott, Administrative Assistant