

Planning and Zoning Commission MINUTES

Aurora City Hall
City Council Chambers
2 W. Pleasant
Aurora, Missouri

Tuesday, May 18th, 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 except Tamera Abell.
Quorum Satisfied.

3. APPROVAL OF MINUTES

3.1. Approval Of Minutes From May 4, 2021

Commissioner Boyer made a motion to approve the minutes from the meeting held May 4, 2021. Motion seconded by Commission Member Breeding. Motion passed with the following members voting aye.

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

NAYES: None

4. OLD BUSINESS

None

5. NEW BUSINESS

5.1. Public Hearing, Rezone Request For Mickey Joe Ard

Commission Member Boyer motioned to open the public hearing time noted 6:31 pm. Commission Member Breeding seconded the motion. Motion passed with all members voting aye.

Director Howlett addressed the rezoning request to the Commission. She explains the property in question and points out the zoning map to the Commission. She instructs the Commission that the property is currently zoned R-2, which is two family residential and the applicant is requesting a zoning change to C-2 (General Business District). Ms. Howlett informs the Commission that the property to the west is currently zoned C-2 and therefore with a contiguous property of the same zoning that this request meets City Code and requirements. She explains that the applicant states the property has previously been used as commercial. She said the City has no historical documentation to show a zoning change being done at that location previously. She states to the

Commission that the applicant is requesting the zoning change for the purpose of running a consignment auction.

Applicant Joe Ard is present at the meeting. He states to the Commission that he bought the property in 1995 or 1996. He informs that the property was appraised as commercial and he has been paying taxes at a commercial rate. Mr. Ard states that the property was an antique car salvage previously. Following that, it was an automotive shop. Mr. Ard stated that he has received no notification of any zoning change taking place and according to Mr. Ard, it has always been used as Commercial.

Director Howlett states there is no documentation on the City's side to show more evidence on either side other than business licenses have been issued to that location previously by the City. When Mr. Ard applied for a business license this year, Director Howlett was unable to approve the business license as the current zoning is Residential, not allowing a Commercial business to be operated at that location.

Public Comment

Eugene Bronner resides at 214 E High and spoke in favor of the rezoning to C-2. He voiced no opposition. He voiced concerns over flooding but nothing relating to the proposed zoning change.

Director Howlett informs the Commission that her office received a phone call from a citizen opposing the rezone.

Mike Brandsma owns the property located at 212 E High and spoke in opposition of rezoning to C-2. He has tenants living at his property and they frequently complain of loud noises and traffic flow late at night, sometimes up until 10 pm.

Mr. Ard informs the Commission that a parking lot will be constructed and made available if the rezone is allowed. This will minimize traffic concerns on the street according to Mr. Ard.

Commission Member Breeding inquires of what Director Howlett's opinion is of the rezone. Director Howlett addresses the Commission that it is her job to outline what the City Code and State Statutes will allow and it is up to the Commission to determine the decision and outcome. Director Howlett informs the Commission that the rezone request does fall in line with City Code and Missouri State Statutes and would not be out of line with any legality.

City Manager, Jon Holmes, speaks to the Commission and informs that City Code requires that all parking lots must comply with the City Code and will not be allowed to be just gravel, but rather would need to follow Commercial parking regulations.

Chairwoman Payne motioned to close the public hearing at 6:44pm. Commissioner Boyer seconded the motion. Motion passed with all of the members voting aye.

Finding of Fact was addressed among the Commission. The following was determined: The rezoning would be in line with existing uses of property within the general area. The rezoning would 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 is not suitable at the moment 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 will not be in basic harmony with the various elements and objectives of the Master Plan.

Commission Member Mayor Lewis made a motion to recommend to council to approve the rezone. Motion seconded by Commission Member Boyer. Motion failed to recommend approval of rezoning to City Council.

AYES: Boyer, Cox

NAYES: Barton, Payne, Breeding, Lewis

6. PUBLIC COMMENT/DISCUSSION

None

7. ADJOURNMENT

Motion to adjourn made by Commission Member Boyer. Motion seconded by Vice Chairwoman Barton. Motion passed with all members voting aye, time noted 6:47 pm.

Regina Payne, Chairwoman

ATTEST:

Crystal Abbott, Administrative Assistant