

Planning and Zoning Commission Minutes

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

Tuesday, March 29, 2022 - 6:30 P.M.

1. CALL TO ORDER

6:30 PM

2. ROLL CALL

Chairwoman Regina Payne
Vice Chairwoman Linda Barton
Mayor Jason Lewis
Commission Member Rick Boyer
Commission Member Don McWade
Commission Member David Cox
Vacancy

All members present.
Quorum satisfied

3. APPROVAL OF MINUTES

3.1. Approval Of Minutes from Meeting Held November 2, 2021

Mayor Lewis made a motion to approve the minutes from the meeting held November 2, 2021. Motion seconded by Commissioner Boyer. Motion passed with the following members voting aye:

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

NAYES: None

4. NEW BUSINESS

4.1. Public Hearing - Margo May, Vacate Request

Commission Member Barton motioned to open the public hearing; time noted 6:32 PM. Commission Member Boyer seconded the motion. Motion passed with all members voting aye.

Director Howlett addressed the Commission regarding the vacate request for Margo May. She informed the Commission that the area of the vacate request, houses a major storm water drainage conduit. She added that substantial amounts of water are carried through this. She informed them that the plat has been maintained as originally developed. This area is also situated in the flood plain. Currently the area of the vacate request is a service road and green space. Mayor Lewis pointed out that the City's goal is to obtain all property in a flood plain rather than to transfer ownership of these properties.

Margo May addressed the Commission. She stated people are dumping stuff into her area. She gets letters repeatedly from the City and must clean this area. She believes it should be hers if she maintains it. She stated that she has never had any issues arising from the ditch.

She informs the Commission that her intention is to extend her fence and put a gate in so citizens cannot drive through and dump trash there. She added that there will be no new construction. She stated that if she is maintaining it, she should own it. Mayor Lewis stressed that as a City, he would hate to give up a service road, while he is understanding of her concerns. Margo May informed the Commission that entrance can be made to the service road from other locations instead of her property. Ms. May also stated that she will give the City gate access to work on the service road.

Commission Member McWade motioned to close the public hearing at 6:43 PM. Motion seconded by Commission Member Barton. Motion passed with all members voting aye.

Finding of Fact:

The vacate would not serve the convenience and general welfare of the public. The vacate could make an adverse impact on the neighborhood. The vacate would not affect surrounding property and property values. The vacate would not serve the neighborhood. The vacate does not protect the neighborhood interest. It does not alter the character or nature of the development of the neighborhood. The vacate would not be in basic harmony with the various elements and objectives of the Master Plan. The vacate does not fully comply with the requirements established for that request.

Director Howlett advised that the legal description of the property has not changed since the original plat. Mayor Lewis added that the service road is also there for a reason, and we should maintain flood plains as a City. Ms. May shouted out inquiring about the nuisance letters she receives for mowing as well as trash and debris being on that area. Director Howlett advised her to call her office and that she will work out the details and viable options that are suitable to both Ms. May and the City.

Mayor Lewis motioned to recommend to City Council to approve the vacate request from Margo May. Commission Member Boyer seconded the motion. The motion failed with all members voting the following:

AYES: None

NAYES: Payne, Barton, Lewis, Boyer, McWade Cox

4.II. Public Hearing - Thad Eutsler, Minor Subdivision/Lot Split Request

Chairwoman Payne motioned to open the public hearing at 6:48 PM. Motioned seconded by Commission Member Barton. Motion passed with all members voting aye.

Director Howlett addressed the Commission on the lot split request, including location and size of parcels. Director Howlett informs the Commission that the request meets City Code requirements, and no negative feedback has been received on this lot split topic.

Ralph Fronabarger, citizen within 185' of the property of topic, is present at the meeting. He is concerned with the number of houses going in and would like more information on what is happening.

Alice Eutsler is present at the meeting and the representative for said property. She informs the Commission that her father-in-law owns the land, and he is giving herself and her husband, Thad Eutsler, five acres. They will be building one single family residential structure

and a garage.

Director Howlett answered questions about obtaining address for the new residential structure. All questions answered.

Chairwoman Payne motioned to close the public hearing. Motion seconded by Mayor Lewis; time noted 6:52 PM. Motion passed with all members voting aye.

Finding of Fact:

The lot split does serve the convenience and general welfare of the public. It does not make an adverse impact on the neighborhood. The lot split does not adversely affect surrounding property and property values. The lot split could serve the neighborhood to some degree. The lot split does protect the neighborhood interest. The lot split does not alter the character or nature of the development of the neighborhood. The lot split will be in basic harmony with the various elements and objectives of the Master Plan. The lot split does comply with the requirements established for that request.

Mayor Lewis motioned to recommend to City Council to approve the minor subdivision/lot split. Motion Seconded by Commission Member Barton. Motion passed with the following votes:

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

NAYES: None

4.III. Public Hearing - Seth & Amy Seitz, Minor Subdivision/Lot Split Request

Chairwoman Payne motioned to open the public hearing at 6:54 PM. Motion seconded by Commissioner Boyer. Motion passed with all members voting aye.

Director Howlett addressed the Commission regarding the Lot Split request. Ms. Howlett explained that she has been collaborating with engineers on the survey in depth. She further added that this lot split request meets City code requirements.

Kathy Lowry of 19155 Lawrence 2227 is present at the meeting and has concerns. She wanted more information on what would be happening with the lot split. Director Howlett informed the Commission and the audience that the intent of the lot split is for the smaller portion facing the county to be residential use and the generous size parcel facing Dyer Street to be Commercial. She explained that the owner has intent to keep the flow with current use and zoning. She added that we have not received any formal plans, but the owner has expressed intention of the above-mentioned plans.

Commission Member Boyer made a motion to close the public hearing, time noted 6:58 PM. Motion seconded by Commission Member Barton. Motion passed with all members voting aye.

Finding of Fact:

The lot split does serve the convenience and general welfare of the public. The lot split does not make an adverse impact on the neighborhood. The lot split does not adversely affect surrounding property and property values. The lot split does serve the neighborhood

in some degree. The lot split does protect the neighborhood interest. The lot split would not alter the character or nature of the development of the neighborhood. The lot split would be in basic harmony with the various elements and objectives of the Master Plan. The lot split does comply with the requirements established for that request.

Commission Member Boyer motioned to recommend to City Council to approve the minor subdivision/lot split request. Chairwoman Payne seconded the motion. Motion passed with the following member votes:

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

4.IV. Public Hearing - City of Aurora, Administrative Rezone Request

Mayor Lewis motioned to open the public hearing time noted 7:01 PM. Motion seconded by Commission Member Boyer. Motion passed with all members voting aye.

Director Howlett addressed the Commission regarding the rezoning request. The Community Development Department was approached by a citizen inquiring about one of the properties in question. Director Howlett and her staff began researching this area of conversation. City staff noted the area to be zoned M-2 (General Industrial), which was not an expected zoning of this property. Director Howlett expressed concern about the City's lack of control over possible industrials coming into the area next to residential homes. She emphasized that this rezone request is best for all interests of all citizens and the City. The City is requesting the neighborhood to be zoned C-2 (General Business) which would most accurately represent the characteristics of the neighborhood. Ms. Howlett informed the Commission that this rezoning request will allow for mixed Commercial and residential use. There will be no changes to any of the properties currently.

Mayor Lewis motioned to close the public hearing at 7:04 PM. Motion seconded by Commission Member Barton. Motion passed with all members voting aye.

Finding of Fact:

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 rezone would not adversely affect surrounding property and property values. The properties under the rezoning request are suitable to the uses permitted under the proposed zoning classification. The rezoning does protect the neighborhood interest. The rezoning does not alter the character or nature of the development of the neighborhood. The rezoning will be in basic harmony with the various elements and objectives of the Master Plan.

Commission Member Boyer made a motion to recommend to City Council to approve the neighborhood rezone request made by the City. Commission Member McWade seconded the motion. Motion passed with the following member votes:

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

NAYES: None

4.V. Scheduled Monthly Meetings for Planning & Zoning Commission

Director Howlett addressed the Commission on scheduling monthly meetings. She

informed that that with the City's increasing growth and new developments, the Planning and Zoning Commission has more growing concerns to discuss and oversee. She added that most of our issues are time sensitive and we must follow state statute requirements. Furthermore, Director Howlett found previous by-laws that have been adopted by the Planning and Zoning Commission indicating they need to meet monthly, except for a few select reasons outlined in the by-laws. Director Howlett finished by stating that it is in our best interest and to give our best due diligence to follow our by-laws that have been laid out and adopted. Ms. Howlett also added that all other City meetings are held at 6:00 PM and it provide more fluency and consistency if we move all meetings to the same time.

Mayor Lewis motioned to have set monthly Planning and Zoning Meetings on the 3rd Tuesday each month at 6:00 PM. Commission Member Barton seconded the motion. Motion passed with the following member votes:

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

NAYES: None

5. PUBLIC COMMENT/DISCUSSION

None

6. ADJOURNMENT

Commission Member Barton motioned to adjourn the meeting time noted 7:22 PM. Motion seconded by Commission Member Boyer. Motion passed with all members voting aye.

Regina Payne, Chairwoman

ATTEST:

Crystal Abbott, Administrative Assistan