

# **AURORA PLANNING AND ZONING COMMISSION MINUTES**

## **REGULAR SESSION AURORA CITY HALL, COUNCIL CHAMBERS Tuesday, November 17, 2020 at 6:30 PM**

### **I. Call to order**

Chairwoman Payne called the meeting to order at 6:30 p.m. on November 17<sup>th</sup>, 2020.

### **II. Roll Call:**

Chairwoman:	Regina Payne (2022)
Vice Chairwoman:	Linda Barton (2023)
Council Member:	Don McWade (2021)
Commission Member:	Rick Boyer (2022)
Commission Member:	Eddie Breeding (2021)
Commission Member:	Tamera Abell (2022)
Commission Member:	Vacant
Commission Member:	Vacant
Secretary:	Crystal Abbott

Roll call was taken, and all members were present except Council Member McWade. Quorum satisfied.

### **III. Approval of Minutes**

#### **I. Approval of Minutes from meeting held August 18<sup>th</sup>, 2020**

Vice Chairwoman Barton moved to accept the meeting minutes from August 18<sup>th</sup>, 2020. Commission Member Abell seconded the motion. Motion passed with the following members voting aye:

AYES: Boyer, Payne, Barton, Abell, Breeding

NAYES: None

#### **IV. Old Business**

None

#### **V. New Business**

Director Howlett requested item 5.3 be moved up to position 5.1. Chairman Payne moved item 5.3 up to be discussed first under New Business.

##### **I. Final Plat Submittal, Lyla Corners**

Ryan Schweissguth attends meeting via telephone due to COVID-19 precautions. Director Howlett approaches podium to answer any questions. Ms. Howlett explains that any changes requested by the engineers have already been made and there have been no further changes made on the final plat than what was already reviewed by the Planning and Zoning Commission with the preliminary site plan. Director Howlett further adds additional street changes pertaining to storm water drainage will be addressed soon to make sure the storm water is adequate for the development on Dyer Street. The changes and improvements needed for the storm water are currently being implemented by both Ms. Howlett and City Manager Jon Holmes. Commission Member Boyer asks if everything looks good to Director Howlett. Ms. Howlett confirms that everything is conforming to City Code and meets the City's standards and expectations.

Vice Chairwoman Barton made a motion to accept the Final Plat of Lyla Corners. Commission Member Abell seconded the motion. Motion passed to accept Final Plat of Lyla Corners.

AYES: Payne, Barton, Abell, Boyer, Breeding

NAYES: None

##### **II. Public Hearing, Rezone Request, Adelina Ortega**

Commission Member Boyer motioned to open the public hearing at 6:35 pm. Motion seconded by Vice Chairwoman Barton. Motion passed with all members voting aye.

Director Howlett approached the podium to explain the request to the Commission. She explains the property is currently zoned agriculture limiting the building of a residential home currently at the location. The applicant requests to rezone to R-1 with the intent to build a single-family home. Commission Member Boyer asks for clarification of the location and Director Howlett points out it is the property north of the Jehovah's Witness Church on Carnation. Applicant, Adelina Ortega is present at the meeting. Director Howlett states the land surrounding Ms. Ortega's property is all currently zoned residential and is contiguous with the zoning request change.

Citizen Virginia Coney approaches the podium with concerns. Ms. Coney states she resides behind the lot in question for rezoning. Her main concern is the home being built having and maintaining the same property value as her home. She was told it would always stay agriculture. Commission Member Boyer explains to Citizen Coney that changes need to be made at times to conform to the needs of the citizens and the Community. Ms. Coney further expresses concerns over the possible new home not conforming to neighboring homes. Commission Member Abell replies that any new home built will conform to city rules and codes. Director Howlett readdresses the concerns. She explains the City Code sets minimum sizes of both lots of structures. Ms. Howlett says she cannot dictate the amount of value placed into a home but that it will need to conform to the current size restrictions and conform to the current International Building Code in place for the City.

Another citizen, Natalie Wren, approaches the podium to speak. Ms. Wren also lives behind the property in question. She states she has lived here 20 years and has gotten used to living behind an empty lot. Ms. Wren states she does not want property value to decrease. She wants the new home to have the same square footage as her home and similar neighboring homes. Chairwoman Payne replies to Citizen Wren that this property will not affect her neighborhood as they do not look at surrounding streets when doing appraisals, only the directly surrounding properties on her present street.

Applicant and property owner, Adelina Ortega approaches the podium to address the Commission and audience. Ms. Ortega states she wants to let the people know she will not be building a small house. Her intentions are to use the property to build a big house. She has 3 children and currently needing a bigger, improved home. She adds that the neighbors should have no worries and her home will be conforming to surrounding property and homes.

Chairwoman Payne motioned to close the Public Hearing time noted 6:43 pm. Commission Member Boyer seconded the motion. Motion passed with all members voting aye.

Finding of Fact was addressed with the Planning and Zoning Commission. 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. It would not 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 protect the neighborhood interest. It does not alter the character or nature of the development of the neighborhood. And the rezoning will be in basic harmony with the various elements and objectives of the Master Plan.

Commission Member Boyer motioned to approve and recommend to Council to allow the rezone request made by Adelina Ortega. Vice Chairwoman Barton seconded the motion. Motion passed to recommend to City Council to allow the rezone request.

AYES: Payne, Barton, Abell, Boyer, Breeding

NAYES: None

### **III. Public Hearing, Minor Subdivision/Lot Split, Fred Dale Baum Jr**

Commission Member Boyer moved to open the public hearing at 6:46 pm. Chairwoman Payne seconded the movement. Motion passed with all members voting aye.

Director Howlett approaches podium to address the Commission. Ms. Howlett informs them the applicant, Dale Baum Jr, is the son and the power of attorney over making decisions for the property owner, Fred Dale Baum, who is currently in a nursing home. She explains the reason for the request is for the lot to be split into 3 lots. Director Howlett further points out that all 3 lots will conform to City Code. The primary reason is to sell the home along with a small portion of land, while retaining ownership of the remaining property. The applicant, Dale Baum Jr, is not present at the meeting due to COVID precautions.

Commission Member Boyer inquires if this is the Baum's Beagle property. Director Howlett confirms that yes, it is. Director Howlett informs the Commission that the property in question adjoins the school property to the east and also abuts Virginia Street, which is platted but not dedicated to the City yet. Ms. Howlett says it could possibly be used in the future if needed. Cory Gray, owner of Houndawg Barber Shop, is present at the meeting and had expressed concerns prior to the meeting with the Planning and Zoning department. His concerns were related to streets being added to the neighboring area and possible flooding. These concerns were addressed and relieved. Ms. Howlett emphasizes that the only decision being made at this public hearing is to allow the property to be split. There is no further talk or request for new streets or houses currently.

Vice Chairwoman Barton voices that she sees no problem with the request.

Commission Member Boyer motioned to close the public hearing. Commission Member Abell seconded the motion, time noted 6:49 pm. Motion passed with all members voting aye.

Finding of Fact was addressed by Chairwoman Payne and completed by the Commission. The request does serve the convenience and general welfare of the public. The lot split does not make an adverse impact on the neighborhood. It also does not adversely affect surrounding property and property values. It does serve the

neighborhood in some degree and it does protect the neighborhood interest. The lot split does not alter the character or nature of the development of the neighborhood. Lastly, the lot split would be in basic harmony with the various elements and objectives of the Master Plan.

Commission Member Abell made a motion to accept and send recommendation to Council to allow the lot split for Dale Baum Jr at 845 W Prospect. Commission Member Breeding seconded the motion at 6:51 pm. Motion passed to recommend to City Council to allow lot split request.

AYES: Payne, Barton, Abell, Boyer, Breeding

NAYES: None.

**VI. Public Comment/Discussion**

*A citizen desiring to speak on an item not on the agenda may do so at this time. Each citizen is limited to three minutes and the Commission will not act or discuss items at this time. Discussion should be limited to matters of City business and public comment is not permitted in regard to personnel matters or on pending legal matters. Items introduced under "Public Comment" may become agenda items later.*

None

**VII. Adjournment**

Vice Chairwoman Barton moved to adjourn the meeting at 6:52 pm. Chairwoman Payne seconded the motion. Motion passed with all members voting aye.

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Regina Payne, Chairwoman

ATTEST:

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Crystal Abbott, Administrative Assistant