

AGENDA
AURORA PLANNING AND ZONING COMMISSION

REGULAR SESSION
AURORA CITY HALL, COUNCIL CHAMBERS
Tuesday, April 29, 2014 at 7:00 PM

I. Call to order

II. Roll Call:	Commission Member:	Vacant (2014)
	Commission Member:	Heidi Ryan (2017)
	Mayor:	Linda Barton
	Commission Member:	Vacant (2017)-
	Vice Chairperson:	Rita Engeldinger (2017)
	Commission Member:	Eddie Breeding (2014)-
	Chairperson:	Regina Payne (2015)-
	Secretary:	Kathie Needham-

III. Approval of Minutes

- A. Approval of minutes from meeting held on April 1, 2014 at 7:00 p.m.

IV. New Business

- A. Consider board appointment for Leslie Horner and make recommendation to city council. Board term would expire in May 2017 to allow for staggering of board terms.
- B. Consider Eddie Breeding's board reappointment and make recommendation to city council. New term would expire in May 2018.
- C. Consider draft ordinance for vehicles that are not in operating condition and make recommendation to city council.
- D. Consider draft ordinance for group homes and make recommendation to city council.

V. Public Comment/Discussion

VI. Department Report

VII. Adjournment

**AURORA PLANNING AND ZONING COMMISSION
COMMUNICATION**

DATE: April 29, 2014

PRESENTED BY: Chairman Payne

SUBJECT: Approval of Minutes from April 1, 2014

AGENDA NO. III

AGENDA DESCRIPTION

Approval of Minutes from meeting held on April 1, 2014

Notes:

MINUTES
AURORA PLANNING AND ZONING COMMISSION

REGULAR SESSION
AURORA CITY HALL, COUNCIL CHAMBERS
Tuesday, April 1, 2014 at 7:00 PM

I. Call to order

Chairman Payne called the meeting to order at 7:00 p.m.

II. Roll Call:

Commissioner:	Vacant (2014)
Commissioner:	Heidi Ryan (2017)
Mayor:	Linda Barton
Commissioner:	Vacant (2017)-
Vice Chairperson:	Rita Engeldinger (2017)
Commissioner:	Eddie Breeding (2014)-
Chairperson:	Regina Payne (2015)-
Secretary:	Kathie Needham-

All commissioners were noted present.

III. Approval of Minutes

A. Approval of minutes from meeting held on March 18, 2014 at 7:00 p.m.
Commissioner Ryan moved to approve the minutes from the March 18, 2014 meeting. Vice Chairman Engeldinger seconded the motion. Motion passed with the following commissioners voting aye on the motion:
AYES: Payne, Engeldinger, Barton, Breeding, Ryan
NAYES: 0

IV. New Business

A. Approve annexation request from Richard & Sheri Fulp and Briggs and Fulp, LLC (City Council approved sewer line extension to property on 3-24-14)

This item was tabled at the last meeting in order for city council to negotiate a contract with Briggs/Fulp for a sewer connection in return for annexing their property into the city limits.

Chairman Payne moved to take the item off the table for further consideration. Commissioner Breeding seconded the motion. Motion passed with the following commissioners voting aye on the motion:

AYES: Breeding, Payne, Engeldinger, Barton, Ryan
NAYES: 0

City Council in their meeting on March 24th agreed to put the sewer line connection to the property line after reviewing sales tax revenue that would be lost if the Sears store moved out of the city limits.

Commissioner Breeding moved to approve the Briggs/Fulp annexation and to refer it back to city council for approval. Vice Chairman Engeldinger seconded the motion.

Motion passed with the following commissioners voting aye on the motion:

AYES: Engeldinger, Ryan, Barton, Breeding, Payne

NAYES: 0

B. Diane May, Southwest Local Government Advisory Council will be here with her students to discuss the Comprehensive Plan and Future Land Use Map

Diane May met with the Planning and Zoning Commission to explain the project that her students are doing for the city. Diane's class worked on the 2002 Comprehensive Plan. In 2009 the city hired a planning student from MSU to update the plan. In order for Diane's class to pick up the project, because of lost computer programs, the students used the GIS mapping system from the County Assessor's Office to recreate existing zoning maps and future land use maps. Time restraints will prevent the students from doing a full Comprehensive Plan Update this semester so they will just provide an update to the present plan. Before the end of the semester the class will come and do a joint presentation for Planning and Zoning and City Council. In conjunction with Diane's class, another professor from Missouri State University who teaches a geo tourism class will be reviewing tourism possibilities within the city and providing recommendations on tourism.

The class will provide recommendations for different types of zoning in areas that might not originally be zoned that way. Students are encouraged to think outside the box about possibilities that might bring more revenue into the city such as building lofts in downtown areas, etc. They will review mixed zoning in areas that might encourage different life styles to want to relocate to the area instead of just having all single family homes in a specific area. In some instances zoning may need to be updated to give the kind of protection that the city would want to safeguard the community. The class will evaluate where present growth is and help to predict where future growth will be. They will give recommendations for census, demographics, utilities and transportation needs.

Spot zoning in commercial areas will be reviewed and recommendations will be made on how the city should proceed with future zoning in those areas. The maps they will provide to the city will be used as a tool for making future planning decisions.

C. Consider a request from Paul Ward to construct a 1200 sq. ft. garage (30'x40') at 2 East Plumb Street

Paul Ward addressed the commission and requested to build an accessory building over 900 sq. ft. because he owned three cars and wanted to be able to put them in a garage. Building Inspector White stated his setbacks were within regulation.

Mayor Barton made the motion to accept the request and recommend to council for approval. Vice Chairman Engeldinger seconded the motion. Motion passed with the following commissioners voting aye on the motion:

AYES: Payne, Engeldinger, Breeding, Ryan, Barton

NAYES: 0

V. Public Comment/Discussion

No public discussion.

VI. Department Report

No department report.

VII. Adjournment

Commissioner Breeding made the motion to adjourn the meeting at approximately 8:30 p.m. Commissioner Ryan seconded the motion. All members voted in favor.

APPROVED:

Regina Payne, Chairman

ATTEST:

Kathie Needham, City Clerk, MMC/MPCC

**AURORA PLANNING AND ZONING COMMISSION
COMMUNICATION**

DATE: April 29, 2014

PRESENTED BY: Chairman Payne

SUBJECT: Consider board appointment for Leslie Horner

AGENDA NO. IV (A)

AGENDA DESCRIPTION

Consider board appointment for Leslie Horner and make recommendation to city council. Board term would expire in May 2017 to allow for staggering of board terms.

Notes:



City of Aurora
Board and Commission Appointment
Application Form

Name <u>Leslie L. Horner</u>	Date: <u>4-8-14</u>
Home Address: <u>406 E Crescent AURORA MO 65605</u>	
E-Mail Address: <u>LHORNER@SOUTHWESTREALTORS.NET</u>	
Home Telephone: <u>417-840-1248</u>	Work Telephone: <u>417-732-2195</u>
Occupation: <u>Real Estate Broker</u>	Best Time to Call: <u>9-10 am/pm</u>
Do you own commercial property and/or operate a business in Aurora? <u>yes</u>	
Work/Business Name: <u>Better Homes & Gardens RE Southwest Group</u>	
Work/Business Address: <u>1411 S Elliott AURORA</u>	
Length of Residency in Aurora: <u>25 YEARS</u>	
Are you now, or have you ever served on a board, commission or committee for the City of Aurora or any other community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, please give name of board, commission and/or committee and dates served: _____	
Have you ever resigned from a committee, if so what committee: _____	
Have you ever been convicted of a felony or misdemeanor? If so for what <u>NO</u>	

(Application continued on back page)

BOARD OR COMMISSION PREFERENCE(S): Refer to last page for list of Boards, Commissions and Committees (Please list no more than three boards, commissions or committees in order of preference)

1	Planning/Zoning	2	Economic development	3	
---	-----------------	---	----------------------	---	--

Applicants for all city boards and commissions **cannot** be in arrears for any city taxes? Are you current on your city taxes? Yes No

Narrative Statement. Please provide a brief statement indicating the basis for your desire to be appointed to this board or commission including the strengths you feel you could bring to the position for which you are applying. Information may include education, professional experience and community activities pertinent to the position for which you are applying. *I think P+Z needs members with knowledge in Real Estate + development, with over 25 years in R.E. + doing business in several towns. I have seen + understand the plus + minus of developing + making decisions on P+Z*

I understand that my attendance at all regularly scheduled meetings is critical even if I am an alternate member and that the City Council may appoint a replacement for members who are chronically absent from regular meetings. I also understand that this application is considered a public record and that my application may be subject to a background check.

Applicant's Signature:

Leslie J. Hanner

All applications are kept on file for one year. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. It is suggested that you regularly attend the Board or Commission meetings in which you are interested in applying for. The Board or Commission will have to interview each interested candidate before making their recommendation to the City Council.

- Mail or deliver your completed application to: City of Aurora, Attn: City Clerk, P.O. Box 30, Aurora, MO 65605

* Application must be completely filled out in order to be considered *

THANK YOU FOR YOUR INTEREST IN THE CITY OF AURORA

**AURORA PLANNING AND ZONING COMMISSION
COMMUNICATION**

DATE: April 29, 2014

PRESENTED BY: Chairman Payne

SUBJECT: Consider board re-appointment for Eddie Breeding

AGENDA NO. IV (B)

AGENDA DESCRIPTION

Consider Eddie Breeding's board reappointment and make recommendation to city council. New term would expire in May 2018.

Notes:

**AURORA PLANNING AND ZONING COMMISSION
COMMUNICATION**

DATE: April 29, 2014

PRESENTED BY: Chairman Payne

SUBJECT: Consider draft ordinance for non-operating vehicles

AGENDA NO. IV (C)

AGENDA DESCRIPTION

Consider draft ordinance for vehicles that are not in operating condition and make recommendation to city council.

Notes:

Memo

To: Planning & Zoning
From: Mike Randall
Date: 4-24-2014
Re: Storing vehicles that are not in operating condition

Attached is a revised draft ordinance concerning vehicles that are not in operating condition. The changes include elements suggested by Planning & Zoning. Among these elements is the provision limiting the keeping of an unlicensed vehicle to a maximum six-month period with a permit. The staff is not recommending the \$100 fee for the permit, however. Also, language was added to restrict the number of allowed unlicensed vehicles to one.

While reviewing the current ordinance, it was discovered that language already exists for vehicles that are "for sale" (Section 250.160 D3). This section is shown in the color fuchsia on the draft. Eddie Breeding mentioned this issue at the last P & Z meeting.

Another recommended change involves the consolidation of certain sections contained in the current ordinance. In the current ordinance, certain language is repeated in separate paragraphs for each of the major zoning classifications. On the draft document, these are consolidated into a single paragraph.

SECTION 250.160: PARKING AND STORING OF MOTOR VEHICLES WHICH ARE NOT IN OPERATING CONDITION

A. Findings.

1. The parking or storing of motor vehicles which are not in an operating condition on driveways, tracts and lots within the City creates potential safety hazards and may limit access to emergency vehicles.

2. The storing or parking of motor vehicles which are not in an operating condition on driveways, tracts or lots in districts zoned for residential use damages the residential character of those districts and may adversely affect the property values of adjacent residences.

B. Definitions. For the purposes of this Section, the following terms, phrases, words and their derivation shall have the meanings given in this Section.

MOTOR VEHICLE: Every vehicle which is self-propelled.

MOTOR VEHICLE WHICH IS NOT IN AN OPERATING CONDITION OR NON-OPERATING CONDITION VEHICLE:

1. Any vehicle missing any part vital to its operation, such as its engine, transmission, tires, wheels and required safety equipment;

2. Any vehicle missing any substantial portion of its exterior body parts including, but not limited to, its hood, trunk, and front and side body work;

3. Any van, truck or trailer box either connected or disconnected from the chassis and which is not connected to an engine; or

4. Any vehicle not displaying a currently effective license or registered number plate or plates, including any registration decal required by the laws of Missouri and/or the County and/or the City and issued to the owner of any such vehicle to be displayed on the vehicle registered.

OWNER OR PERSON IN POSSESSION: Any individual, partnership, joint venture, corporation or other business or legal entity that owns or is in temporary possession of a motor vehicle.

C. Applicability--Severability Clause.

1. Nothing in this Chapter shall be construed to abrogate or impair the powers of the courts or any department of the City to enforce any provisions of its ordinances or regulations; nor to prevent or punish violations thereof; and the powers conferred in this Chapter shall be in addition and supplemental to the powers conferred by any other ordinance.

2. In the event that any part or portion of this Section is declared invalid, the remainder of its provisions shall not be affected, but such remaining provisions shall continue in full force and effect.

D. Parking And Storing Of Vehicles Which Are Not In An Operating Condition (In Districts "R-1", "R-2", "R-3", "MHP" and "PRD") **Subject to the exception of auto sales lots and repair garages lawfully operating in any district zoned "C-1", "C-2", "C-3 and Subject to the exception of a licensed van, truck or trailer box connected to a chassis and auto sales lots and repair garages lawfully operating in any district zoned "M-1", "M-2".**

1. It is unlawful for the owner or person in possession of any motor vehicle to park or place said vehicle upon a driveway, lot, plot, tract or City right-of way (within any district zoned "R-1", "R-2", "R-3", "MHP" or "PRD") (except in an enclosed



Combined

structure or a weather-resistant fabric) while said vehicle is not in an operating condition. The provisions of this Section shall not apply to owners who have temporarily (not exceeding forty-eight (48) hours) placed their motor vehicles in a non-operating condition while working on said vehicles on their premises. In no event (except those listed in Subsection (D)(3)) shall an owner or person in possession maintain a motor vehicle on his/her premises in a non-operating condition for a period in excess of forty-eight (48) hours unless such vehicle is placed in an enclosed structure or within a weather-resistant fabric. Weather-resistant fabric may only be used for one vehicle in lieu of an enclosed structure when the vehicle is located to the side or the back of the house and only for a maximum period of six months with a permit issued by the City of Aurora. The weather-resistant fabric must be opaque and cover the entire vehicle.



Changes

2. The Code Official or designee for the City shall serve notification, in accordance with the currently adopted International Property Maintenance Code, if he finds a violation of this Section.

3. When an inoperable vehicle that is for sale has been parked upon a parcel within the City limits, the vehicle must have a for sale sign placed on the front windshield stating the date it was placed on the parcel for sale. That vehicle cannot sit on the parcel in excess of thirty (30) days at which time the vehicle must be removed from the parcel and cannot again be replaced on this parcel in an inoperable condition for any purpose.



For Sale

(E. Parking And Storing Of Vehicles Which Are Not In An Operating Condition In Districts Zoned "C-1", "C-2", "C-3".

1. Subject to the exception of auto sales lots and repair garages lawfully operating in any district zoned "C-1", "C-2", "C-3", it is unlawful for the owner or person in possession of any motor vehicle to park or place said vehicle upon a driveway, lot, plot, tract or City right-of-way within any district zoned "C-1", "C-2", "C-3" (except in an enclosed structure or weather-resistant fabric) while said vehicle is not in an operating condition. The provisions of this Section shall not apply to owners who have temporarily (not exceeding forty-eight (48) hours) placed their motor vehicles in a non-operating condition while working on said vehicles on their premises. In no event (except those listed in Subsection (E)(3)) shall an owner or person in possession maintain a motor vehicle on his premises in a non-operating condition for a period in excess of forty-eight (48) hours unless such vehicle is placed in an enclosed structure or within a weather-resistant fabric. Weather-resistant fabric may only be used in lieu of an enclosed structure when the vehicle is located to the side or the back of the house or business location. The weather-resistant fabric must be opaque and cover the entire vehicle.



Delete

2. The Code Official or designee for the City shall serve notification, in accordance with the currently adopted International Property Maintenance Code, if he finds a violation of this Section.

3. When an inoperable vehicle that is for sale has been parked upon a parcel within the City limits, the vehicle must have a for sale sign placed on the front windshield stating the date it was placed on the parcel for sale. That vehicle cannot sit on the parcel in excess of thirty (30) days at which time the vehicle must be removed from the parcel and cannot again be replaced on this parcel in an inoperable condition for any purpose.

F. Parking And Storing Of Vehicles Which Are Not In An Operating Condition In Districts Zoned "M-1", "M-2".

1. Subject to the exception of a licensed van, truck or trailer box connected to a chassis and auto sales lots and repair garages lawfully operating in any district zoned "M-1", "M-2", it is unlawful for the owner or person in possession of any motor vehicle to park or place said vehicle upon a driveway, lot, plot, tract or City right-of-way within any district zoned "M-1", "M-2" (except in an enclosed structure or weather-resistant fabric) while said vehicle is not in an operating condition. The provisions of this Section shall not apply to owners who have temporarily (not exceeding forty-eight (48) hours) placed their motor vehicles in a non-operating condition while working on said vehicles on their premises. In no event (except those listed in Subsection (F)(3)) shall an owner or person in possession maintain a motor vehicle on his premises in a non-operating condition for a period in excess of forty-eight (48) hours unless such vehicle is placed in an enclosed structure or within a weather-resistant fabric. Weather-resistant fabric may only be used in lieu of an enclosed structure when the vehicle is located to the side or the back of the house or business location. The weather-resistant fabric must be opaque and cover the entire vehicle.

2. The Code Official or designee for the City shall serve notification, in accordance with the currently adopted International Property Maintenance Code, if he finds a violation of this Section.

3. When an inoperable vehicle that is for sale has been parked upon a parcel within the City limits, the vehicle must have a for sale sign placed on the front windshield stating the date it was placed on the parcel for sale. That vehicle cannot sit on the parcel in excess of thirty (30) days at which time the vehicle must be removed from the parcel and cannot again be replaced on this parcel in an inoperable condition for any purpose.)

G. Penalties. Penalties for violation of this Section shall be in accordance with the BOCA Property Maintenance Code Section 106.4. (Ord. No. 98-2363 §1, 12-10-98; Ord. No. 2009-2833 §1, 7-14-09)

**AURORA PLANNING AND ZONING COMMISSION
COMMUNICATION**

DATE: April 29, 2014

PRESENTED BY: Chairman Payne

SUBJECT: Consider draft ordinance for group homes

AGENDA NO. IV (D)

AGENDA DESCRIPTION

Consider draft ordinance for group homes and make recommendation to city council.

Notes:

**AURORA PLANNING AND ZONING COMMISSION
COMMUNICATION**

DATE: April 29, 2014

PRESENTED BY: Chairman Payne

SUBJECT: Public Comment/Discussion

AGENDA NO. V

AGENDA DESCRIPTION

Department Report

Notes:

**AURORA PLANNING AND ZONING COMMISSION
COMMUNICATION**

DATE: April 29, 2014

PRESENTED BY: Chairman Payne

SUBJECT: Department Report

AGENDA NO. VI

AGENDA DESCRIPTION

Department Report

Notes:

**AURORA PLANNING AND ZONING COMMISSION
COMMUNICATION**

DATE: April 29, 2014

PRESENTED BY: Chairman Payne

SUBJECT: Adjournment

AGENDA NO. VII

AGENDA DESCRIPTION

Adjournment

Notes: