

AGENDA
AURORA PLANNING AND ZONING COMMISSION

REGULAR SESSION MINUTES
AURORA CITY HALL, COUNCIL CHAMBERS
Tuesday, March 18, 2014 at 7:00 PM

I. Call to Order:

Chairperson Payne called the meeting to order. Time noted was approximately 7:00 p.m.

II. Roll Call:

Commission Member:	Heidi Ryan
Mayor:	Linda Barton
Vice Chairperson:	Rita Engeldinger
Commission Member:	Eddie Breeding
Chairperson:	Regina Payne

Others in Attendance: City Manager Mike Randall, Building Inspector Trent White, Deputy City Clerk Donna Elery, Richard Fulp, Sheri Fulp, Shawn Briggs and Terry Briggs

III. Approval of Minutes

A. Approval of minutes from meeting held on February 18, 2014 at 7:00 p.m. Commissioner Breeding made a motion to approve the minutes as submitted. Vice Chairperson Engeldinger seconded the motion. Chairperson Payne, Vice Chairperson Engeldinger, Mayor Barton and Commissioner Breeding voted in favor of the motion. Commissioner Ryan abstained from voting since she was not present at the meeting.

IV. New Business

A. Public Hearing – Request from Richard & Sheri Fulp and Briggs and Fulp, LLC to annex their property located at:

Tract 1:

Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-Six (26) Range Twenty-Five (25), in Lawrence County, Missouri, described as: Commencing at the Southwest corner of the said Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said section Nineteen (19), and running thence East to the East right-of-way line of Missouri State Highway 39 for a point of beginning, thence East

178.2 feet, thence North 170 feet, thence West 178.8 feet, thence South 170 feet to the point of beginning, except any part taken or used for road or highway purposes.

Tract 2:

Part of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 19, Township 26, Range 25, in Lawrence County, Missouri described as follows: Beginning 702 feet West of the Southeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said section running thence North 170 feet, thence West 216 feet, thence South 170 feet, thence East 216 feet to the place beginning, except any part taken or used for road or highway purposes. Subject to easements, restrictions, reservations and covenants of record, if any.

Chairperson Payne opened the public hearing. Time noted was approximately 7:01 p.m.

Sheri Fulp addressed the Commission concerning the possible annexation of their property south of the current City limits on Missouri Highway 39. The property was currently being developed with 2 new businesses, a dry-cleaning business and a liquor store that would also specialize in gourmet meats and seafood, and the Sears store, currently located on S. Elliott would be relocating to their new facility. They were comparing the cost to put in a private septic vs. the cost of connecting to the City sewer system. While the private septic would be less expensive for them, they were considering annexing into the City, if the City would consider reimbursing them for the approximate cost of \$16,000 to connect to the sewer. Terry Briggs noted that the liquor store alone would bring in an estimated \$750,000 in revenue and the City tax generated from that revenue would offset the cost of the sewer connection in one year alone. Shawn Briggs explained that Sears had over 2 million in sales that the City would be losing that sales tax revenue if the property was not annexed into the City. He estimated that the facility would be finished in approximately 6-8 weeks and Sears would be moving at that time.

City Manager Mike Randall stated that there was no disputing the logic in annexing the commercial property into the City limits. It was common practice for cities to offer incentives for businesses to come into the City limits, but cautioned that this item would need careful consideration as it would set a precedent for future development. He advised that this would be something that the City Council would need to negotiate. Commissioner Breeding felt the City should do all it could to encourage growth and development. Shawn Briggs noted that they have plans to build a second building adjacent to the one currently under construction. Commission Ryan thought this would be a sound investment for the City and each new property requesting annexation would need to be considered on a case-by-case basis. Vice Chairperson Engeldinger expressed concerns about the City losing all the

tax revenue in one year and suggested that it could possibly be spread out over two years so the City would see at least 1% of the tax revenue. Mr. Briggs was agreeable to negotiating the percentage and time frame. City Manager Randall requested a copy of their lease agreement with Sears for the City to review and Mr. Briggs agreed to provide a copy.

Commissioner Ryan made a motion to close the public hearing. Mayor Barton seconded the motion. All Commissioners present were in favor of the motion. Time noted was approximately 7:26 p.m.

Commissioner Ryan made a motion to table the request for annexation. Chairperson Payne seconded the motion. Commissioner Breeding, Vice Chairperson Engeldinger, Commissioner Ryan, Mayor Barton and Chairperson Payne voted in favor of the motion.

Chairperson Payne made a motion to make a recommendation to City Council to negotiate the terms of a possible agreement with the Fulps and Briggs to provide reimbursement of the cost to install City sewer to their property on Missouri Highway 39 if they agreed to annexation into the City. Commissioner Ryan seconded the motion. Chairperson Payne, Vice Chairperson Engeldinger, Mayor Barton, Commissioner Breeding and Commissioner Ryan voted in favor of the motion.

B. Discussion on changing the percent of floor area of the primary structure that is useable for home occupations (Chapter 9, Special Regulations, Section 901 Home Occupations) requested by Councilman Ramirez

City Manager Randall explained that the current International Building Code adopted by the City allowed for 15% of the floor space to be used for home occupations. The more recent 2012 International Building Code made no change. It was the City's recommendation to leave the Code as is. The Commission briefly discussed the definition of "home occupation" and who was required to get a business license.

Chairperson Payne made a motion to leave the percent of floor area for home occupations, as identified by the International Building Code, as is. Commissioner Ryan seconded the motion. Chairperson Payne, Vice Chairperson Engeldinger, Mayor Barton, Commissioner Breeding and Commissioner Ryan voted in favor of the motion.

C. Review Section 250.160 (Parking and Storing of Motor Vehicles which are not in operating condition) and make a recommendation to City Council.

City Manger Mike Randall explained that the junk cars back in 1998 and 1999 were more prevalent than today and an ordinance was passed to allow one unlicensed vehicle if it were covered with an opaque covering. Mayor Barton

felt that this ordinance was being abused by some. Some tarps are tattered while others were using tarps to cover trash and debris. Commissioner Ryan felt that the City should consider requiring a permit for unlicensed vehicles which provided a time frame in which they should either make reasonable progress on repairs or remove the vehicle. Manager Randall questioned the enforcement of a permit and noted that City Staff were not qualified to measure reasonable progress. Mayor Barton suggested that the City might want to consider an impound lot.

Chairperson Payne made a motion to have City Staff work on an unlicensed car permit proposal which includes authority to tow the vehicle if it is not repaired or removed. Commissioner Ryan seconded the motion. Commissioner Breeding, Vice Chairperson Engeldinger, Commissioner Ryan, Mayor Barton and Chairperson Payne voted in favor of the motion

D. Review Re-plat of Leitle's Minor Subdivision and make recommendation to City Council.

Chairperson Payne noted that this was a reasonable request since the existing lot line ran through a building and it should be relocated.

Commissioner Ryan made a motion to make a recommendation to City Council to approve the Re-plat of Leitle's Subdivision. Mayor Barton seconded the motion. Commissioner Breeding, Vice Chairperson Engeldinger, Commissioner Ryan, Mayor Barton and Chairperson Payne voted in favor of the motion.

E. 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 was unable to attend the meeting. No discussion was held on this item.

V. Public Comment/Discussion

Commissioner Ryan addressed her concerns about recent construction of a structure on N. Elliott St. and questioned the Building Official if a permit had been obtained. Building Official White was not sure that the structure qualified as a structure and he would speak with the property owner. Additionally she expressed concerns over the use of leaded glass.

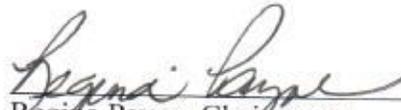
VI. Department Report

None

VII. Adjournment

Chairperson Payne made a motion to adjourn. Mayor Barton seconded the motion. All Commissioners present voted in favor of the motion. Time noted was approximately 8:16 p.m.

Approved:


Regina Payne, Chairperson

Attest:



Kathie Needham, City Clerk, MMC/MPCC