

# Planning and Zoning Commission Minutes

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

Tuesday, July 19, 2022 - 6 P.M.

## 1. CALL TO ORDER

6:01 PM

## 2. ROLL CALL

Chairwoman Regina Payne  
Vice Chairwoman Linda Barton  
Mayor Jason Lewis  
Commission Member Justin Cox  
Commission Member David Cox  
Commission Member Dennis Baker  
Vacancy

All Members Present. Quorum Satisfied.

## 3. APPROVAL OF MINUTES

Approval Of Minutes from Meeting Held May 3, 2022

Commission Member Barton made a motion to approve the minutes from the meeting held on May 3, 2022. Mayor Lewis seconded the motion. Motion passed with all members voting aye.

## 4. NEW BUSINESS

### 4.1 Appointment of Chairman to Planning and Zoning Commission

Mayor Lewis made a motion to nominate Dennis Baker for Chairman. Motion seconded by Commission Member J. Cox. Motion passed with all members voting the following:

AYE: Payne, Barton, Lewis, J. Cox, D. Cox

NAY: None

ABSTAIN: Baker

### 4.2 Appointment of Vice Chairman to Planning and Zoning Commission

Vice Chairman Barton made a motion to Nominate Regina Payne for Vice Chairwoman. Motion Seconded by Commission Member J. Cox. Motion passed with all members voting the following:

AYE: Barton, Lewis, J. Cox, D. Cox, Baker

NAY: None

ABSTAIN: Payne

Dennis Baker has laryngitis. Regina Payne presides over meeting as required.

#### 4.3 Public Hearing - Tina Starks Rezone Request

Director Howlett addresses the Commission. She explains that the request involves 1890 S Carnation and is currently zoned A-1 Agriculture. Property owner requests zoning change to C-0 Commercial Non-Retail. Ms. Howlett states that the property owner's intention on the rezone is based on future development being plausible. Director Howlett confirms that there is contiguous property to the property in question currently zoned C-0. She further adds that the request does meet City Code and State Statutes. Property owner Tina Starks is present at the meeting.

Commission Member Barton motioned to open the public hearing; time noted 6:06 pm. Motion seconded by Vice Chairwoman Payne.

Bill Michel, a neighboring citizen owning land to the west of 1890 S Carnation approaches the podium to speak. Mr. Michel voices concerns over what the land will become and what business will be put in place at the location. Mr. Michel would like more details.

Director Howlett advised that whatever was requested to be placed in the location would have to be an approved use for that zoning code. For anything other than residential and non-retail, the request would have to be presented to the Planning and Zoning Commission and would result in neighbors being notified again.

Sergio Reyes is present at the meeting and voices concern over what the property will become.

Tina Starks, applicant, speaks to the Commission and audience. Ms. Starks advises that she is obtaining the zoning change to enhance her chance of finding a developer and contractor for the property.

Rick Guzman of 1813 Tyler Street is present and voices concern of the request being sought before having a plan of what to do with the property. He is concerned with his property butting up to her property line and a possible development causing increased traffic flow in his neighborhood.

Commission Member Barton motioned to close the public hearing at 6:14 pm. Mayor Lewis seconded the motion. Motion passed with all members voting aye.

Mayor Lewis voiced that it is our intent as the City to continue to have development and growth. We, as the City, would not be looking to retain dead end streets to prevent traffic flow but rather promote growth in areas that follow the City code for growth to occur.

Director Howlett adds that when subdivisions are platted, future developers need to know street flow can occur between subdivisions. Mayor Lewis follows up adding that we, as the City, have no right to stop anyone from doing something if they have met all the requirements of the City Code. If a request does meet all City codes, we must comply with the request.

Chairman Baker inquires of the reason for the request for C-0 zoning as opposed to Residential. Director Howlett advises that the petitioner's original thought was for residential, but that C-0 would expand the possibilities of future developments, while staying in line with the City Code and state statutes for zoning laws. She confirms that based on City Code and state statutes that this request is acceptable.

Finding of Fact was addressed with the Commission. The rezoning would be in line with the 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 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 would not alter the character or nature of the development of the neighborhood. The rezoning request would be in basic harmony with the various elements and objectives of the Master Plan.

Mayor Lewis made a motion to approve the rezoning request. Commission Member Barton seconded the motion. Motion passed to recommend rezoning request to Council. All members voted the following:

AYES: Payne, Barton, Lewis, J. Cox, Baker

NAY: D. Cox

#### 4.4 Public Hearing - City of Aurora, Administrative Rezone Request

Director Howlett addressed the Commission regarding the rezoning request involving 501 W Tyndall. Ms. Howlett explains that this is an administrative request from the City of Aurora and from City Council. Ms. Howlett informs the Commission that our office received a phone call from an appraiser when the said property was listed for sale. Current property couldn't be residential as it was determined to be zoned M-2, Manufacturing, General Industrial District. Director Howlett explains that under the current zoning of M-2, no residential use would be allowed; however, there is currently a residential structure in place and in use on the property. After consulting the City Attorney, Director Howlett determined that if a natural disaster were to occur, the current property owners could not rebuild their home on said property. Director Howlett stresses that residential use should continue in the area. The rezoning request is in line with City Code and state statutes and the rezoning would protect the neighborhood and citizens.

Mayor Lewis motioned to open the public hearing; time noted 6:26 pm. Vice Chairwoman Payne seconded the motion. Motion passed with all members voting aye.

John Bordeau is the current property owner of 501 W Tyndall and is present with his wife. He speaks to the Commission and explains that they just bought the property and were petrified to discover the current zoning. He adds that him and his wife love the neighborhood and they plan on spending the rest of their lives at this property in Aurora. He is in support of the rezoning.

No opposing party present.

Commission Member Barton motioned to close to the public hearing. Commission Member J. Cox seconded the motion at time noted 6:28 pm. Motion passed with all members voting aye.

Finding of fact was addressed with the Commission. The rezoning would be in line with the existing uses of property within the general area. The rezoning would be in line with the zoning classification of property within the general area. Rezoning would not adversely affect surrounding property and property values. The property would be 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 would be in basic harmony with the

various elements and objectives of the Master Plan.

Commission Member Barton motioned to recommend to Council to approve the rezoning request. Motion seconded by Mayor Lewis. Motion passed with the members voting the following:

AYE: Payne, Barton, Lewis, J. Cox, D. Cox, Baker

NAY: None

#### 4.5 Discussion - Comprehensive Plan Update


Director Howlett informs the Commission that a draft version of the Comprehensive Plan has been made available to them this evening. She stressed for the Commission to study and review the Plan. The final draft version will be at our next meeting in August.

#### 5. PUBLIC COMMENT/DISCUSSION

None

#### 6. ADJOURNMENT

Motion to adjourn made by Mayor Lewis at 6:31 pm. Motion seconded by Commission Member J. Cox. Motion passed with all members voting aye.

  
\_\_\_\_\_  
Dennis Baker, Chairman

ATTEST:

  
\_\_\_\_\_  
Crystal Abbott, Administrative Assistant