

**Aurora Planning Commission
City of Aurora Council Chambers
21420 Main Street NE
June 1, 2004**

Commissioners Present: Heidi Torian, Richard Harrison, and William Frazier, and Sean Moen
Commissioners Absent: Jason Shalin, and Robert Lebens
Staff Present: Laurie Boyce, City Recorder
Bob Southard, Public Works Assistant
Others Present: Mayor Jonathan Gibson, Fred and Teresa Netter, John Rankin, Diana Schweitzer, John Schmitz, Georgi Cam, Lee Leighton

Call to Order

Chairperson Heidi Torian called the regularly scheduled meeting of the Aurora Planning Commission to order at 7:00 p.m.

Consent Agenda

Commissioner Harrison made a motion to accept the minutes. Commissioner Moen seconded the motion. Motion Passed Unanimously.

Visitors

Ellis and Dona Schultz, Orchard View, live near the retention pond. Ellis and Dona Schultz are concerned that there will eventually be homes built on the retention pond. They bought their property, because they knew that there would be no homes built on the retention pond.

Ashley Hopkins, 20772 Filbert Street N.E. is concerned about the City building homes on the retention pond. Rankin mentioned that there are no plans to build homes on the retention pond. If there are plans in the future to build plans on the retention, the property owners will be notified. Commissioner Frazier asked John Rankin if there is anything that would prevent someone building a house on the retention pond. Rankin responded with, "There is nothing to prevent someone building a house on the retention pond."

Commissioner Harrison mentioned that according to the Aurora Municipal Code, there can only be 5 driveways on an easement. Rankin mentioned that when the Homeowners own the property, then the Homeowners own the retention pond. Rankin stated they there are sufficient barriers to build homes on the retention ponds. The Homeowner's Association would approve anyone that would use the retention ponds. The retention ponds are only designed to accommodate Orchard View Sub-Division.

Old Business

None

New Business

Rankin read section 16.50 of the Aurora Municipal Code that deals with the Limited Land Use Decision. Georgi Cam, presented a sub-division application on behalf of Carl and Joy Van Lieu. The Van Lieu sub-division is near the intersection of Liberty Street and Ottaway Road.

Concerning the proposed regional water retention, Rankin handed out a Preliminary Basin Analysis Report for the Van Lieu Sub-division. Rankin mentioned that Ed Sigurdson City Engineer will be making a decision on the regional water retention. The applicant has agreed to build a 300,000 gallon reservoir and a 10 inch water line down Liberty Street N.E. Rankin referred to the Van Lieu application page by page. Rankin reported that "E" Street will have half-street improvements, which will be 25 feet wide. Commissioner Harrison suggested having "E" street as a one-way street. Commissioner Torian asked what the size of the lots would be from lot 39 to 41. Rankin reported that the lots would be 85 feet x 90 feet.

Bob Southard, Public Works Assistant, mentioned that the back lot sewer lines would be very difficult to get to, because you couldn't get the backhoe in to dig to the appropriate depth. Commissioner Harrison suggested that there be a 30-foot easement and what ever the public works department tears up, it would be up to the Homeowner's to repair it and maintain the easement.

Rankin reported that he would like to have Georgi Cam be able to develop a Reimbursement District so that the developer gets reimbursed with future developments. Rankin read the recommendations in the staff report, which are pages 14 through 17. Please refer to section number 16.10.040 of the Aurora Municipal Code.

Lee Leighton, Westlake Consultant, addressed the Planning Commission regarding the Van Lieu Sub-division. Georgi Cam, the property owner has agreed to have "E" Street be a one-way street so that people could park on one side of the street or a two-way street with no parking. Lee Leighton would like to install street lights, because of safety reasons, and the street lights are required as per the Aurora Municipal Code. The water line will be installed all the way down Liberty Street to 2nd Street. Commissioner Harrison would like to see the sanitary easement be 20 feet. The developer can not bring the sewer line up to "E" Street, because there is no street there now. The sewer line on Ottaway Road is too shallow to accommodate the proposed sewer line for the new sub-division lots.

Commissioner Frazier asked Bob Southard about the likely hood of any problems with the sewer lines. Bob Southard mentioned that as long as the sewer lines are put in according to specifications, they should last for 20 years.

Commissioner Torian asked about the possibility of extending "A" Street. Georgi Cam responded with the fact that you wouldn't want the street to keep on going with a long row of lots that keep on going for ever. Lee Leighton reported that people would be more willing to cut through the long narrow path.

Fred and Teresa Netter mentioned that they have talked with Georgi Cam about extending the street all the way so that the Beyers property could tie into this street. George Cam stated that they created hammerheads for the fire trucks. Commissioner Harrison mentioned that they would have to work this out with the Fire Department.

Fred and Teresa Netter submitted a letter with their concerns. Rankin read the written comments that were prepared by Fred and Teresa Netter regarding the Van Lieu Sub-Division and the Umbenhower Sub-Division's storm drainage problems. Fred Netter elaborated on this letter. Fred Netter stated that the only easement that they would grant would be to the City of Aurora. The Netter's do not want ends easements to their property. Fred and Teresa Netter mentioned that there is a law on the books for farm land and residential properties. The Netter's would enforce the 50 foot set back requirement between the Netter's farm land and residential properties.

Lee Leighton mentioned that there is no proposal before the Planning Commission that relates to the setback requirements. Rankin mentioned that this would be something that needs to be worked out between the Netter's and Georgi Cam. Georgi Cam has agreed to put up the fences as they build the houses.

Commissioner Torian opened the staff report up to discussion with the Planning Commission. Rankin mentioned that the Easement will be given directly to the City of Aurora. Gerogi Cam mentioned that the City of Aurora needs to adopt an Ordinance to establish the storm water master plan. Netter's would like to have a letter of Intent from the City of Aurora. Rankin would like to see the Letter of Intent and some wording for the Ordinance to the City Council Meeting on June 15, 2004.

Commissioner Harrison made a motion to accept the corrected staff report for the Van Lieu property. Commissioner Moen seconded the motion. Motion Passed Unanimously.

Georgi Cam, presented a sub-division application on behalf of David and Patricia Umbenhower, Hazelnut Park West. Rankin mentioned that this would be the 10 lot sub-division. This would be zoned R-2 Residential, Moderate Density. Commissioner Torian asked Rankin what is a Temporary Access Easement. Rankin responded with a Temporary Access Easement is just a temporary easement until such time that both sub-divisions can be tied together. Rankin reported that there will be a two-lane gravel road to access both sub-divisions with curbs and sidewalks. Rankin suggested that the Umbenhower's would like to eliminate the Temporary Access Easement to Highway 99E.

Rankin read the recommendations that were listed on the staff report. Rankin suggested leaving the easement issue up to the approval of the Fire Chief. Commissioner Harrison suggested to leave the Temporary Access Easement alone so that this would be open clear to Highway 99E N.E. Commissioner Torian does not feel that the public easement is adequate. Rankin mentioned that the road would be 22 feet wide, with two travel lanes. Lee Leighton would like to say a few words to save some time. Lee Leighton believes that he will be able to obtain an Access Permit from ODOT to access the property from Highway 99. Commissioner Torian asked Rankin if ODOT approves the access to Highway 99E to see if the road would be wide enough for fire trucks and two way traffic. Rankin responded with "ODOT will look at the access to make sure the street would be wide enough."

Commissioner Harrison made a motion to accept the corrected staff report and the conditions of approval. Commissioner Moen seconded the motion. Motion Passed Unanimously.

Georgi Cam, presented a sub-division application on behalf of David and Patricia Umbenhower, Hazelnut Park East. This would be a 4-lot sub-division. These lots would be zoned R-2 Residential, Low Density. These lots would have a 5,000 minimum lot size requirement. Rankin's recommendation would be to approve this sub-division application. Rankin read the recommendations of the staff report. Commissioner Harrison mentioned that the Fire Chief would like to see the Temporary Access Easement. Rankin mentioned that Ed Sigurdson would have to approve the sub-basin regional ponds. Commissioner Harrison mentioned that the storm water from the streets would run into a dry well. Georgi Cam has agreed to work closely with Ed Sigurdson on working with some solutions of the sub-basin regional ponds. Lee Leighton addressed the Planning Commission with his concerns. Mr. Leighton has agreed with the limited access from Filbert Street would be ok. Leighton reported that there would be enough easements to be dedicated for sidewalks and curbs. Mr. Leighton suggested that the drainage from this development would be dumped into the public system for the storm water.

Commissioner Harrison moved to accept the corrected staff report for the ten (10) lot sub-division for the Umbenhower's. Moen seconded the motion. Motion Passed Unanimously.

Commission Action/Discussion

Commissioner Torian asked John Rankin, City Attorney/City Planner what the status was on the two gateway properties that are located in the Orchard View sub-division. Rankin mentioned that Diane Anderson made some recommendations to these two properties. Rankin mentioned that he has the authority to administratively approve these two plans. Rankin suggested that these two gateway district properties need to apply for a fence permit and be approved by Rankin.

Commissioner Torian was inquiring about the street lights near Highway 99E N.E., in the Orchard View sub-division, because she thought that the gateway properties zoning go back 200 hundred. Rankin referred to section 16.56 of the Aurora Municipal Code, because the zoning on these two properties refer only to the two properties near Highway 99E.

Adjourned

They're being no further business; Commissioner Torian adjourned the meeting at 10:07 p.m.

Attested to:

Heidi Torian - Chairperson

Laurie Boyce – City Recorder