

**Aurora Planning Commission
City of Aurora Council Chambers
21420 Main Street NE
August 3, 2004**

Commissioners Present: Heidi Torian, Richard Harrison, Jason Sahlin, Robert Lebens
Commissioners Absent: Sean Meon and William Fraizer
Staff Present: Laurie Boyce, City Recorder
Others Present: Mayor Jonathan Gibson, Fred and Teresa Netter, John Rankin, Nick Kaiser, and Mike Ausec

Call to Order

Chairperson Heidi Torian called the regularly scheduled meeting of the Aurora Planning Commission to order at 7:10 p.m.

Consent Agenda

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

Commissioner Harrison made a motion to accept the consent agenda with the opportunity to talk about the Historic Review Board's minutes and the Traffic Safety Commission minutes. Commissioner Sahlin seconded the motion. Motion Passed Unanimously.

Correspondence

Commissioner Torian requested from Laurie Boyce to get copies of all the planning documents that she received from Robert Lebens from the Land Use Planning Class that he attended three months ago. The Planning Commission will receive copies of these documents in their packets for the September meeting.

Commissioner Torian gave copies of the memos to Fred and Teresa Netter regarding the Storm Drainage Issue for the Van Lieu Subdivision, Hazelnut Park East, and Hazelnut Park West. Rankin is to draft a cover letter for Fred and Teresa Netter for their records.

Visitors

No one spoke.

Old Business

None

New Business

Commissioner Harrison recommended that the Traffic Safety Commission should follow the Transportation Plan. It was suggested that the Planning Commission and the Traffic Safety Commission have a joint workshop. Commissioner Harrison made a motion to have Laurie contact the Traffic Safety Commission to have them follow the Transportation Plan for Liberty Street. If the

Traffic Safety Commission does not want to follow the Transportation Plan, then they should change the Transportation Plan. Commissioner Lebens amended the motion as follows: stated that he read that the City Engineer had some concerns with some of the intersection, and have a workshop with the Traffic Safety Commission, John Rankin, Ed Sigurdson, and the Planning Commission. Commissioner Sahlin seconded the motion. Motion Passed Unanimously. Commissioner Sahlin suggested having Laurie send out emails to the people to see what dates would work for a work shop.

Commissioner Harrison stated that he has concerns with the roofing material and siding material that was approved by the Historic Review Board, but the building plans have not been approved by Marion County Building Inspection yet. Commissioner Harrison believes that these are issues that the Marion County Building Inspector should be decided on. Rankin stated that Rodger Eddy stated that he is going to build the reconstruction of the building, exactly the same. Commissioner Harrison asked Rankin about Rodger Eddy's building plans. Rankin stated that Rodger Eddy needs to have more dimensions on the building plans, and the building plans are not stamped by an artiste. Mike Ausec stated that Rodger Eddy did submit concept plans of what Mr. Eddy is going to build.

Rankin stated that the Planning Commission will have a pretty full meeting next month. The Planning Commission will hear the Leathers Oil application for a change of use (Site Development Review), and you will hear the application for the subdivision for Stanley and Dawn Anderson. Commissioner Torian suggested having a joint workshop with the Historic Review Board regarding Leathers Oil Company.

Legislative Public Hearing

Commissioner Torian called the Legislative Public Hearing to order at 7:21 p.m. The Planning Commission will discuss the Staff Report, take any public testimony, and make necessary recommendations to the City Council. Rankin stated for the record that this is a Legislative Public Hearing so make sure that the general public need to make any comments at this time. If the general public does not make any comments at this time, the general public can not take there comments to LUBA. Rankin mentioned that it is now or never to speak up on any thing that the general public does not agree with.

Rankin stated the purpose of the amendment to the Aurora Municipal Code 16.68 is to bring the City Code into agreement with the State Code, and to recognize these lots as legal lots of record. Rankin stated that the lot is a legal lot of record, than the property owner could do a property line adjustment. But if the lot is not a legal lot of record, then the property owner can not do a property line adjustment. Rankin stated that the property owner has the right to divide the lots, and to adjust property lines under the current state law. Rankin stated that the property owner can divide the lots if the property line adjustment does not adversely affecting the neighbor's property line. Rankin stated that the City is establishing two legal lots of record that would be 5,000 square foot lots each. Commissioner Lebens stated that if the property owner has two legal lots of record, then these properties would be grandfathered in.

Fred Netter stated that the City needs to look at the "Buildable Inventory" for the City, because some of the land that is listed on the buildable land inventory is not buildable. Netter stated that this land should not be listed on the "Buildable Land Inventory".

Commissioner Torian closed the Legislative Public Hearing at 8:45 p.m.

Commission Discussion on Amending the Aurora Municipal Code 16.68

Commissioner Torian announced that this part of the meeting is open for the discussion on the Aurora Municipal Code (AMC) 16.68. Commissioner Torian asked John Rankin how the Buildable Land Inventory was created. Commissioner Harrison stated that the City went around and did a physical Buildable Land Inventory List. Rankin stated that the Planning Commission will be receiving a copy of the Buildable Land Inventory at the next planning commission meeting.

Rankin stated that the Planning Commission will not allow the property line adjustment unless the property owner meets all the applicable criteria. Rankin stated that any time that there is a property line adjustment; the property owner will have to come to the planning commission to get a variance for a non-conformance use.

Commissioner Lebens made a motion to allow the legal lots of record to be recognized, but the planning commission is not allowing the property line adjustment except by obtaining a variance with the planning commission. Commissioner Torian calls for a second, for a lack of a second the motion dies.

Commission Sahlin made a motion to accept the amendment, but if the non-conforming use increases, then they must go to the planning commission to get a variance. Commissioner Harrison seconded the motion. Motion Carries, three to one. The amendments to the Aurora Municipal Code (AMC) 16.68 to be refer to the City Council.

Commission Action/Discussion

They're being no further business; Commissioner Harrison made a motion to adjourn the meeting at 10:05 p.m. Commissioner Lebens seconded the motion. Motion Passed Unanimously.

Attested to:
