

**Auburn Planning Commission
January 7, 2013 – Packet Meeting
MINUTES**

The Auburn Planning Commission (PC) met on Monday, January 7, 2013 at 12:00 p.m. in the Development Services Building at 171 North Ross Street.

PRESENT Wayne Bledsoe, Sarah Brown, Phil Chansler, Marcus Marshall, Charles Pick, Matt Rice, Emily Sparrow, Mark Yohn

ABSENT Warren McCord

STAFF PRESENT Forrest Cotten, Justin Steinmann, Cathy Cooper, Matt Mosley, Jeff Ramsey, Alison Frazier, Dan Crowdus, Eric Carson

Mr. Cotten read the following statement for the record:

“The main business of the Packet Meeting is for the Commission to have an opportunity to ask preliminary questions of staff about the applications that have been scheduled for the subsequent regular meeting. No action is taken at the Packet Meeting. Therefore, it is expected that the primary content of the Packet Meeting will consist of questions being asked by the Commission and answers being provided by city staff.”

OLD BUSINESS

CONSENT AGENDA

East Lake Subdivision, Phase 3

PL-2012-01083

Mr. Cotten summarized the request for final plat approval for a conventional subdivision (68 lot single family residential subdivision with two conservation easements/wooded buffer area lot, one which includes the subdivision amenity for the development) located east of East Lake Subdivision, Phase 1 and south of Moores Mill Road in the Limited Development District (LDD) zoning district with an overlay of the Conservation Overlay District (COD) designation.

NEW BUSINESS

Subdivision Regulations Amendment

MS-2012-00070

Mr. Cotten summarized the request for an amendment to Article III, Application Procedures, of the *City of Auburn Subdivision Regulations*, in order to modify subdivision bonding requirements. In December 2012, the Public Works Design and Construction Manual was updated to modify the bonding requirement from 110% of outstanding improvements to 125%. This change was made to help reduce the forfeiting of bonds by developers. The change also makes the City's bonding requirement consistent with that in the City of Opelika. In February 2011, the City Council amended the City's Financial Policies statement to include a policy defining the criteria by which banks and bank letters of credit will be evaluated prior to the City's accepting a letter of credit issued by a specific bank as security for a debt owed to the City. The amendment was necessitated due to the economic climate in an effort to minimize risk to the City and protect the City's and the public interest.

Mr. Chansler asked how often developers forfeited on bonds.

Mr. Ramsey said there had been approximately 15-20 defaulted bonds in the last few years, which was approximately 25 percent of the bonds held by the City.

Cary Creek Rezoning

PL-2012-01081

Mr. Cotten summarized the request for a recommendation to City Council for rezoning from Neighborhood Conservation (NC-8) to Development District Housing (DDH) of approximately 4.14 acres located north of East University Drive, east of North College Street, and west of Shelton Mill Road. The property was intended for inclusion into the Cary Creek PDD. The property, once known as Magnolia Ridge, was proposed to have 13 lots on 4.14 acres. The property was recently purchased by Cary Creek Parkway, LLC, for inclusion in the overall Cary Creek development. To be included in the overall development, the property should be included in the Master Development Plan and PDD. The Neighborhood Conservation zoning classification is not allowed as a base zone for PDDs. As most of the underlying zoning in the PDD is already DD-H, it was determined that this would be the most palatable zoning to be considered for inclusion into the PDD. The inclusion of this property in the overall PDD would provide greater clarity for what will be developed and also remove a less than desirable external road access to North College Street. Staff recommended approval.

Cary Creek PDD Amendment

PL-2012-01082

Mr. Cotten summarized the request for a recommendation to City Council to amend Ordinance 2853 that amended the Planned Development District (PDD) designation on approximately 326.16 acres in order to add 4.14 acres and modify the uses in the western portion from commercial, office and multiple family development to active adult housing (multiple family development). The property was located north of East University Drive, east of North College Street, and west of Shelton Mill Road. The amendment would add 4.14 acres and modify the uses in the western portion from commercial, office and multiple family development to active adult housing (multiple family development). The amenity area would also move from along the main tributary to closer to the Shoppes at Cary Creek. Further, the plan no longer showed a connection from the single family area back to the commercial and office area at the corner of East University Drive and North College Street, which would reduce the overall connectivity of the project and increase traffic on Cary Creek Parkway.

Mr. Rice asked if there were any height restrictions.

Mr. Cotten said they would be based primarily on angle of light.

Mr. Chansler asked how construction of the proposed bike paths would be handled.

Mr. Ramsey said the City would work with the developer to determine the location of the paths. It was possible for the City to bear some of the construction costs.

Mr. Chansler asked how the phases of development were determined.

Mr. Cotten explained how phasing of the project would work and how open space requirements were reviewed.

The Dakota

PL-2012-01084

Mr. Cotten summarized the request for preliminary plat approval for a conventional subdivision (16 residential lots and one unbuildable lot) located north of Richland Road and the Lundy Chase development in the Comprehensive Development District (CDD) zoning district. City Council granted conditional use approval for a performance residential development (multiple family development) on the subject property in October 2012. Due to marketing issues, the developer decided to change the one lot, condominium project into a fee-simple conventional subdivision with public streets.

Havana Dreamin'

PL-2012-01070

Mr. Cotten summarized the request for a recommendation to City Council for conditional use approval for a commercial and entertainment use (cigar shop) located at 2328 South College Street, Suite 12, in the

Comprehensive Development District (CDD) zoning district. Chapter 10, Article III of the Auburn City Code prohibits the smoking of tobacco products in retail areas, but specifically excludes tobacco specialty retail shops from the regulation. Staff understood the applicant intended to allow smoking in the establishment should the use be approved. Additionally, an outside deck attached to this suite could also be used for smoking. Staff recommended approval.

Dollar General

PL-2012-01086

Mr. Cotten summarized the request for multiple landscape waivers for property located at 1106 Opelika Road in the Commercial Conservation (CC) zoning district, specifically (*with staff recommendations*):

- To reduce the width of the required street frontage bufferyard from 15 feet to 6.55 feet (*denial*).
- To be allowed to plant three of the required canopy trees in the right-of-way (*approval to work with the City Arborist about placement of the three trees in the right-of-way*).
- To be allowed to plant two understory trees where eight are required (*denial*).
- To calculate the requirements based on the disturbed area (1.88 acres) instead of the entire acreage (3.20 acres) (*denial*).

Stonehaven at The Preserve

PL-2012-01077

Mr. Cotten stated the request was for a waiver to the Subdivision Regulations regarding the time a development must be complete. The applicant is requesting to be allowed to extend the bonding period twelve months. Staff recommended approval of a one year extension was acceptable, primarily due to prevailing economic conditions. If approved, the applicant agreed to complete the subdivision before the expiration date of the bond in December 2013. The wearing surface was the only remaining item to be completed.

OTHER BUSINESS

CHAIRMAN'S COMMUNICATION

STAFF COMMUNICATION

ADJOURNMENT- With no further business, the meeting was adjourned at 12:39 p.m.

Mark Yohn, Secretary

Emily Sparrow, Chair