

**Auburn Planning Commission
January 9, 2014 – Regular Meeting
MINUTES**

The Auburn Planning Commission (PC) met on Thursday, January 9, 2014 at 5:00 p.m. in the City Council Chambers at 141 North Ross Street.

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

ABSENT Sarah Brown

STAFF PRESENT Forrest Cotten, Justin Steinmann, Matt Mosley, Katie Robison, Tyler Caldwell, Amber English, Jeff Ramsey, Alison Frazier, Dan Crowdus, Eric Carson

CITIZENS COMMUNICATION

Brian Walker, 1674 Durham Court, spoke in support of the Spring Lake PDD and conditional use requests. He felt like the proposed uses were appropriate for the city.

OLD BUSINESS

CONSENT AGENDA

Tivoli Subdivision

PL-2013-01017

Mr. Cotten stated the request was for revised final plat approval for a conventional subdivision (seven lot single family residential subdivision) located along Montiano Lane and north of Tivoli Village Drive in the Development District Housing (DDH) zoning district with an overlay of the Planned Development District (PDD) designation. The applicant wished to divide three lots that had previously been platted for cluster homes and change them to seven single-family lots. Subdividing the cluster home lots and creating single-family lots reduced the density, thereby obviating the need for a PDD amendment. The lots met the requirement for a conventional subdivision of lots over 10,000 square feet requiring 70 feet at the right-of-way. Staff recommended approval.

Mr. Chansler made a motion to approve the consent agenda, including approval of the minutes from the December 12, 2013 Planning Commission regular meeting.

Mr. Yohn seconded the motion.

The motion passed with a vote of 8-0.

NEW BUSINESS

Spring Lake PDD

PL-2013-01005

Mr. Mosley stated the request was for a recommendation to City Council to apply the Planned Development District (PDD) designation to approximately 28.76 acres zoned Comprehensive Development District (CDD). The subject property was located at 2560, 2568, and 2600 East Glenn Avenue. The future land use plan designation for this parcel is a mix of Low-Density Residential, Indian Hill Focus Area and Gateway Commercial. Properties in this area should include a large mix of uses, such as in the Comprehensive Development (CDD) zone, along existing corridors with emphasis on access management, corridor overlay requirements and quality aesthetics. Properties in the study area must be assembled to allow transition to gateway commercial. The PDD overlay as proposed contemplated varied uses, including residential. All non-residential uses would be reviewed under a

**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Tivoli Subdivision, Milan Section, Redivision of Lots 10-12 (Case PL-2013-01017)

Subject: Revised final plat approval for a conventional subdivision (seven lot single family residential subdivision)

Location: Along Montiano Lane and north of Tivoli Village Drive

Applicant: LCR Tuscany, LLC

Property Zoned: Development District Housing (DDH) with an overlay of the Planned Development District (PDD) designation

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for revised final plat approval for a conventional subdivision (seven lot single family residential subdivision), marked "Received" December 18, 2013, Auburn Planning Commission Case PL-2013-01017, is **APPROVED, subject to:**

Engineering:

- Based on the proposed lot configuration, the roadway will have to be extended.

STATE OF ALABAMA
LEE COUNTY

I, Forrest E. Cotten, Director of Planning for the Auburn Planning Commission, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Auburn Planning Commission at its meeting held January 9, 2014 and as same appears of record in the Official Minutes of said Commission.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Auburn Planning Commission this the 6th day of February, 2014.



Forrest E. Cotten, AICP, Director of Planning

separate conditional use request. Staff recommended denial of the request based on lack of conformance with the land use designation set forth for the property in CompPlan 2030.

Ms. Sparrow opened the public hearing.

John Cope, 1653 Mayfair Court, spoke in support of the request. His letter is attached and made a part of these minutes.

After no further comments were received, the public hearing was closed.

Dell Spivey, the applicant, explained changes that had been made to the previous plan. The plan had been redrawn to increase commercial space to more than 40,000 square feet, one building was eliminated, and a hotel was added. The number of residential units had decreased from 309 to 271. A lakeside restaurant was also planned. He said money had been set aside to expand the lake.

Mr. Marshall asked if the internal roads would be private.

Mr. Cotten said yes.

Mr. Yohn asked about connectivity to the south or east.

Mr. Cotten said connectivity was not contemplated with this development plan.

Lee Alice Johnson, the applicant, said a connection to the Scott Land property was possible, but would be very expensive. The best connection would be made through Indian Hills.

Mr. McCord said the Commission needed to decide if this was an appropriate place for the requested uses.

Mr. Pick asked if staff felt the increase in commercial space made the project more viable.

Mr. Cotten acknowledged the revised plan showed an increase in commercial space, but the primary use remained residential. The applicant was told during the planning stages that staff would not support the development plan.

Mr. Chansler thought having residential at this location might preclude commercial development in the area.

Mr. Cotten said land use recommendations were made irrespective of economic impact.

Mr. Spivey said that retailers would benefit from having rooftops nearby.

Mr. Chansler questioned why the future land use plan designated the area as more commercially focused as opposed to mixed use.

Mr. Cotten said residential was not the use thought best for this area for quite some time.

Mr. Rice thought the proposed plan would be a good use of the property.

Mr. McCord made a motion to deny Case PL-2013-01005, Spring Lake PDD, a request for a recommendation to City Council to apply the Planned Development District (PDD) designation to approximately 28.76 acres zoned Comprehensive Development District (CDD).

Mr. Yohn seconded the motion.

A vote was taken, and the motion failed with a vote of 4-4. Commissioners Bledsoe, Marshall, Pick, and Rice voted against the motion.

Mr. Pick made a motion to approve Case PL-2013-01005, Spring Lake PDD, a request for a recommendation to City Council to apply the Planned Development District (PDD) designation to approximately 28.76 acres zoned Comprehensive Development District (CDD).

Mr. Rice seconded the motion.

A vote was taken, and the motion failed with a vote of 4-4. Commissioners Chansler, McCord, Sparrow, and Yohn voted against the motion.

Spring Lake

PL-2013-01006

Mr. Cotten recommended the Commission act on the conditional use request even though a motion for the PDD request did not pass.

Mr. Mosley stated the request was for a recommendation to City Council for conditional use approval for multiple uses including: institutional uses, specifically day care center; commercial and entertainment uses, specifically for auto accessory store, bank, barbershop/beauty shop, clothing stores, commercial or trade school, copy shop, dry cleaner, electronics repair, florist, garden supply, general merchandise store, grocery store, health and personal care store, hotel/motel/condotel, lounge, office supplies/stationary/gift store, pet/pet supply store, professional studio, restaurant, specialty food store, sporting goods/hobby/book/music store and veterinary office; road service uses, specifically bank with drive-thru and fast food restaurant; neighborhood shopping center and office use. The subject property was located at 2568 East Glenn Avenue in the Comprehensive Development District (CDD) zoning district. Staff recommended denial as the request was predicted on a master development plan that is in conflict with the land use designation in CompPlan 2030 for the parcel assemblage.

Ms. Sparrow opened the public hearing.

John Cope, 1653 Mayfair Court, spoke in support of the conditional use request. He did not see a reason to deny the requested uses.

Mr. Cotten said the majority of commercial uses sought were only conditional within a PDD. Under CDD zoning, most of those uses would be permitted.

Mr. McCord wasn't opposed to the requested commercial uses.

After no further comments were received, the public hearing was closed.

Mr. Pick made a motion to approve Case PL-2013-01006, Spring Lake, a request for a recommendation to City Council for conditional use approval for commercial and entertainment uses, specifically for auto accessory store, bank, barbershop/beauty shop, brewpub, clothing stores, commercial or trade school, copy shop, day care center, dry cleaner, electronics repair, florist, garden supply, general merchandise store, grocery store, health and personal care store, lounge, office supplies/stationary/gift store, pet/pet supply store, professional studio, restaurant, specialty food store, sporting goods/hobby/book/music store, and veterinary office, road service uses, specifically bank with drive-thru and fast food restaurant, neighborhood shopping center and office use, subject to the approval of Case PL-2013-01006.

Mr. Bledsoe seconded the motion.

A vote was taken, and the motion passed with a vote of 8-0.

**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Spring Lake PDD (Case PL-2013-01005)

Subject: Recommendation to City Council to apply the Planned Development District (PDD) designation to approximately 28.76 acres

Location: 2560, 2568, and 2600 East Glenn Avenue

Applicant: Fred & Catherine Adams and Sarah Adams

Property Zoned: Comprehensive Development District (CDD)

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for a recommendation to City Council to apply the Planned Development District (PDD) designation to approximately 29.66 acres marked "Received" December 13, 2013, Auburn Planning Commission Case PL-2013-01005 is hereby **FORWARDED TO THE CITY COUNCIL FOR ITS CONSIDERATION WITHOUT A RECOMMENDATION FROM THE COMMISSION (COMMISSION MOTIONS TO APPROVE AND DENY BOTH FAILED BY A 4-4 VOTE).**

STATE OF ALABAMA
LEE COUNTY

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Forrest E. Cotten, AICP, Director of Planning

**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Spring Lake Conditional Uses (Case PL-2013-01006)

Subject: Recommendation to City Council for conditional use approval for an *institutional* use (day care center), *commercial and entertainment* uses (auto accessory store, bank, barbershop/beauty shop, clothing stores, commercial or trade school, copy shop, dry cleaner, electronics repair, florist, garden supply, general merchandise store, grocery store, health and personal care store, hotel/motel/condotel, lounge, office supplies/stationary/gift store, pet/pet supply store, professional studio, restaurant, specialty food store, sporting goods/hobby/book/music store, and veterinary office), *road service* uses (bank with drive-thru and fast food restaurant), *neighborhood shopping center* and *office* use

Location: 2560 East Glenn Avenue and 2600 East Glenn Avenue

Applicant: Fred & Catherine Adams and Sarah Adams

Property Zoned: Comprehensive Development District (CDD)

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for a recommendation to City Council for conditional use approval for *commercial and entertainment uses* (auto accessory store, bank, barbershop/beauty shop, clothing stores, commercial or trade school, copy shop, day care center, dry cleaner, electronics repair, florist, garden supply, general merchandise store, grocery store, health and personal care store, lounge, office supplies/stationary/gift store, pet/pet supply store, professional studio, restaurant, specialty food store, sporting goods/hobby/book/music store and veterinary office), *road service uses* (bank with drive-thru and fast food restaurant, *neighborhood shopping center* and *office use*), marked "Received" August 20, 2013, Auburn Planning Commission Case PL-2013-01006, is hereby **APPROVED, PENDING APPROVAL BY THE CITY COUNCIL OF THE REZONING OF THE SUBJECT PROPERTY TO PLANNED DEVELOPMENT DISTRICT (PDD) (CASE PL-2013-01005) AND SUBJECT TO:**

Engineering:

- A traffic study will be required.
- Sidewalk will be required on East Glenn Avenue along the subject property.
- The access locations for the side driveways (off of the main entrance) should be evaluated.
- The proposed Dam will have to be designed and constructed in accordance with the City's Safe Dam guidelines found in the Public Works Design & Construction manual.
- A turnaround is needed at the proposed gate.

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Cook Rezoning

PL-2013-01016

Mr. Cotten stated the request was for a recommendation to City Council for rezoning of approximately 0.90 acres from Neighborhood Conservation (NC-9) to Redevelopment District (RDD). The subject property was located at 512 and 528 Boykin Street. The subject property is surrounded almost entirely by the NC-9 zoning designation and existing single-family residences. The one exception is the southeastern portion of the property which abuts RDD zoning and the parking lot area that serves White Street Baptist Church. While RDD zoning is in place in reasonable proximity of the subject property, it primarily exists fronting along Martin Luther King, Jr., Blvd. to the east and west of its intersection with Boykin Street (Moton Apartments, etc.). It is acknowledged that RDD does extend to the north to the border of the subject property, but this extension is comprised primarily of larger parcels occupied by institutional uses (Boykin Community Center and White Street Baptist Church). Staff recommended denial based on the rezoning's conflict with the NC land use designation for the subject property set forth in CompPlan 2030 and the inappropriate intrusion into an existing single-family neighborhood.

Royrickers Cook, the applicant, said it was his intent to provide quality housing in northwest Auburn, which he said was very much needed. He was sensitive to the NC zoning district, but said there was a demand for duplex housing in the area. He said careful attention needed to be given to the zoning inconsistencies in the area. He wanted only to enhance the neighborhood and asked the Commission to recommend approval of the rezoning request.

Mr. Cotten did not think there were zoning inconsistencies in place, but this request, if approved, would create one.

Ms. Sparrow opened the public hearing. After no comments were received, the public hearing was closed.

Mr. Chansler was not comfortable with approving the rezoning until a focus study was completed on the neighborhood.

Mr. Chansler made a motion to deny Case PL-2013-01016, Cook Rezoning, a request for a recommendation to City Council for rezoning of approximately 0.90 acres from Neighborhood Conservation (NC-9) to Redevelopment District (RDD).

Mr. McCord seconded the motion.

A vote was taken, and the passed with a vote of 6-2. Commissioners Bledsoe and Marshall voted against the motion.

Little Loblockee Creek Landing

PL-2013-01012

Mr. Caldwell stated the request was for preliminary plat approval for a conventional subdivision (13 lot subdivision) located at the northeast corner of Lee Road 86 and US Highway 280. The subject property was approximately 241 acres and was located outside of the city limits, but was within the planning jurisdiction. Staff recommended approval.

Ms. Sparrow opened the public hearing.

Debra Taylor, 3085 Lee Road 86, owned land adjacent to the subject property. She expressed concern with the proposal and how the subdivision might affect her property. She asked if the property would be annexed and if there would be covenants for the subdivision.

Mr. Cotten explained that the city did not regulate covenants nor did he think the subdivision would have any effect on Ms. Taylor's property. The property owner had not petitioned for annexation, but with its location outside of the optimal boundary, staff would likely recommend denial if annexation was requested.

**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Cook Rezoning (Case PL-2013-01016)

Subject: Recommendation to City Council for rezoning of approximately 0.90 acres to Redevelopment District (RDD)

Location: 512 and 528 Boykin Street

Applicant: Royrickers Cook

Property Zoned: Neighborhood Conservation (NC-9)

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for a recommendation to City Council for rezoning of approximately 0.90 acres to Redevelopment District (RDD), marked "Received" December 17, 2013, Auburn Planning Commission Case PL-2013-01016, is hereby **DENIED**.

STATE OF ALABAMA
LEE COUNTY

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Forrest E. Cotten, AICP, Director of Planning

Ms. Taylor asked what lot sizes were proposed and if each would have its own access.

Mr. Caldwell said the proposed lots ranged from 6.5 to 42 acres.

Mr. Cotten said each lot would have its own access.

Lisa Johnson, 10387 US Hwy 280 W, expressed concern about the homes that may be constructed on the lots.

Ms. Taylor asked if commercial uses could be built on the lots.

Mr. Cotten said the city does not have purview over land use for properties in the county.

Ledge Nettles with Baseline Surveying and Design, LLC represented the applicant. He understood the property owner was subdividing to create single family lots.

Mr. McCord asked if the County could still approve the subdivision if the City were to deny it.

Mr. Cotten thought yes, but said there was no reason to deny this subdivision.

After no further comments were received, the public hearing was closed.

Mr. Chansler made a motion to approve Case PL-2013-01012, Little Loblockee Creek Landing, a request for preliminary plat approval for a conventional subdivision (13 lot single family residential subdivision).

Mr. Rice seconded the motion.

A vote was taken, and the motion passed with a vote of 8-0.

Grace Point

PL-2013-01018

Mr. Caldwell stated the request was for a recommendation to City Council for conditional use approval for a performance residential development (multiple family development) located east of Shelton Mill Road and south of Grace Ridge Drive in the Comprehensive Development District (CDD) zoning district. A previous conditional use approval for a multiple family development on the subject property expired in December 2013. Staff recommended approval.

Ms. Sparrow opened the public hearing. After no comments were received, the public hearing was closed.

Mr. Yohn made a motion to approve Case PL-2013-01018, Grace Point, a request for a recommendation to City Council for conditional use approval for a performance residential development (multiple family development).

Mr. Marshall seconded the motion.

A vote was taken, and the motion passed with a vote of 8-0.

Initial Outfitters

PL-2013-01014

Ms. Robison stated the request was for a waiver to Corridor Overlay Bufferyard Requirements in order to remove the required 15' landscape buffer along East Glenn Avenue for property located at 3325 Skyway Drive in the Industrial (I) zoning district. Conditional use approval was granted in November 2013 for a manufacturing facility on the property. At that time, cladding and landscape waivers were also approved.

**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Little Loblockee Creek Landing (Case PL-2013-01012)
Subject: Preliminary plat approval for a conventional subdivision (13 lot subdivision)
Location: Northeast corner of Lee Road 86 and US Highway 280
Applicant: James Booth
Property Zoned: Outside of the City limits – Planning Jurisdiction

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for revised final plat approval for a conventional subdivision (seven lot single family residential subdivision), marked "Received" December 17, 2013, Auburn Planning Commission Case PL-2013-01002, is **APPROVED, subject to:**

Planning:

- Need to show the existing Lot Line.
- Lot 13 stem width along Lee Road 86 should be 60 feet. The width of the lot 13 stem is currently shown as 53.78 feet.
- Lot 13 stem should exit on existing right-of-way or Lee Road 86.
- Clarify DUE along Lot 13 stem.
- Remove Mayor's signature block.

Engineering:

- A reference to the current FIRM should be provided as well as minimum finish floor elevations.

Water Resource Management:

- Municipal water and sewer are not available to this property.

STATE OF ALABAMA
LEE COUNTY

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**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Grace Point (Case PL-2013-01018)

Subject: Recommendation to City Council for conditional use approval for a performance residential development use (multiple family development)

Location: East of Shelton Mill Road and south of Grace Ridge Drive

Applicant: Auburn First Assembly of God

Property Zoned: Comprehensive Development District (CDD)

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for a recommendation to City Council for conditional use approval for a performance residential development use (multiple family development) marked "Received" May 22, 2012, Auburn Planning Commission Case PL-2013-01018, is hereby **APPROVED, subject to:**

Planning:

- Add internal sidewalks to connect to the residential to the north
- Note the number of beds so that the parking required can be confirmed
- Show the required bufferyards
- Complete administrative subdivision
- Note dumpster and mailbox location or note if curbside collection will occur
- Screen all mechanical equipment from the Shelton Mill Road right-of-way
- Show required open space
- Include density calculation on site plan.

Engineering:

- As part of the engineering plan submittal, detention is required, sidewalk will be required along Shelton Mill Road, and a left turn lane analysis should be done.

STATE OF ALABAMA
LEE COUNTY

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GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Auburn Planning Commission this the 10th day of January, 2014.



Forrest E. Cotten, AICP, Director of Planning

The justification for the landscape waiver was due to the 90' natural gas easement that runs along the east property line. During the previous waiver analysis, an oversight of the corridor bufferyard was made. The required 15' corridor bufferyard lies entirely within the natural gas easement. The gas company was opposed to any landscaping being located within the easement. The property was considered to be located on a corridor, although the East Glenn Avenue frontage was fairly minimal. The building was also set back a considerable distance from East Glenn Avenue. Staff recommended approval.

Ms. Sparrow opened the public hearing. After no comments were received, the public hearing was closed.

Mr. Pick made a motion to approve Case PL-2013-01014, Initial Outfitters, a request for a waiver to Section 429.06(A), Corridor Overlay Bufferyard Requirements, of the *City of Auburn Zoning Ordinance*, in order to remove the required 15' landscape buffer along East Glenn Avenue.

Mr. Chansler seconded the motion.

A vote was taken, and the motion passed with a vote of 8-0.

OTHER BUSINESS

Mr. McCord made a motion to nominate Sarah Brown as Chair. Mr. Pick seconded the motion. A vote was taken, and the motion passed unanimously.

Mr. McCord made a motion to nominate Phil Chansler as Vice-Chair. Mr. Pick seconded the motion. A vote was taken, and the motion passed unanimously.

Mr. Pick made a motion to nominate Mark Yohn as Secretary. Mr. McCord seconded the motion. A vote was taken, and the motion passed unanimously.

CHAIRMAN'S COMMUNICATION

STAFF COMMUNICATION

ADJOURNMENT- With no further business, the meeting was adjourned at 6:53 p.m.

Mark Yohn, Secretary

Emily Sparrow, Chair

**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Initial Outfitters – Landscape Waiver (Case PL-2013-01014)

Subject: Waiver to Section 429.06(A), Corridor Overlay Regulations, of the *City of Auburn Zoning Ordinance* in order to remove the required 15' landscape buffer along East Glenn Avenue

Location: 3325 Skyway Drive

Applicant: New Life Properties, LLC

Property Zoned: Industrial (I)

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for a waiver to Section 429.06(A), Corridor Overlay Regulations, of the *City of Auburn Zoning Ordinance* in order to remove the required 15' landscape buffer along East Glenn Avenue marked "Received" December 17, 2013, Auburn Planning Commission Case PL-2013-01014, is hereby **APPROVED**.

STATE OF ALABAMA
LEE COUNTY

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**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Annual Meeting of the Commission to Elect New Officers

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the motion for officers for the calendar year 2014 is hereby **APPROVED as noted:**

- Sarah Brown, Chair
- Phil Chansler, Vice-Chair
- Mark Yohn, Secretary

STATE OF ALABAMA
LEE COUNTY

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Forrest E. Cotten, AICP, Director of Planning

January 7, 2014

Planning Commission,

We are glad to be back in front of Planning Commission this week with a revised plan. I write this letter so you have time to review and consider this information before the meeting and to shorten our presentation time.

In July, we set down with Planning Staff and other staff from the City of Auburn to discuss this site, our preliminary site plan and how to move the project forward. At our initial meeting, we were asked to consider an alternative residential housing type. Units over the retail or townhouses would be acceptable alternatives. While these may be good alternatives from a planning and political perspective, they are difficult alternatives from a development and financing perspective. Getting bank financing, even for projects with market demand, is a very difficult task these days. Retail is difficult, unless it is mostly owner occupied; residential over retail is only being done with investor financing and only in the largest markets; 95% of all townhomes and other low density options, including detached single family, is being financed with private equity. Thus, not much of any of these is being developed...in Auburn or anywhere else. Even if financing were not an issue, this is not what the proven demand and needs are in Auburn.

At our last meeting with staff, it was just laid on the table...this project will never be supported as long as it includes multi-family. Residential is okay, just not **Multi-Family** residential.

So, I wish to discuss why MULTI-FAMILY residential is the **HIGHEST AND BEST USE** for the back of the property.

DEMAND

Multi-Family housing plays a key role in keeping a community vibrant and attractive to **businesses** as well as to current and future residents. Multi-family fulfills a critical need by providing workforce housing for teachers, firefighters, policemen, retirees and those new to our area.*

Auburn is building a first class medical school, with future doctors who will need housing- preferably non-student rental housing. What are their alternatives? According to the City of Auburn's own market study, NONE.

IMPACT TO SCHOOLS

At a time when local government is strained to provide community services and infrastructure, apartments and multi-family housing offer a key part of the solution. Higher density development requires fewer miles of road, sidewalks, and water and sewer lines. The Urban Land Institute states that the cost of providing public facilities to single family development can be almost twice that of multifamily apartments.

Public schools generally constitute the largest expense for local government. Nowhere is that more true than in Auburn. Many discussions about apartments come back to school enrollment issues. It is important to know that the typical

resident profile of multi-family dwellers is adult individuals, adult roommates, married couples without children, some single parent households, and “empty-nesters”. Married couples with young children or who plan to have children commonly opt out of their apartment for single family detached housing.

Numerous studies are available that provide data on how different housing types and different land uses contribute to school enrollment. Too frequently, multi-family rental housing is viewed as having a dramatic impact on school enrollment. But the facts say differently. Below are the highlights from multiple reports, with a link to the full report if you would like to read further.

- According to the American Housing Survey, every unit of suburban detached single family housing adds on average 0.70 school age residents while suburban multi-family units add 0.35 school age residents per unit. *Journal of Architectural and Planning Research*
- More than half (57.6%) of households in suburban multi-family housing are made up of single, widowed or divorced individuals without children. As opposed to detached single family units, MF units have a large percentage of individuals living alone (45.3%) or with non-relatives (10.8%). *Journal of Architectural and Planning Research*
- On average, 51% of single-family owner-occupied houses include school-age children. By contrast, apartments are attractive to single people, couples without children, and empty nesters, with apartment units averaging just 31% children. The disparity is even greater when considering only new construction: 64% of new single-family houses have children vs. 29% of new apartment units with children. Wealthier apartment dwellers have even fewer children (12 children per 100 households for residents earning more than 120 percent of the area median income, AMI), while less wealthy residents earning less than 80 percent of AMI still have fewer children (37 per household) than single-family homes. *Joint Center for Housing Studies Harvard University*
- Regardless of scale, **new multi-family developments with one- and two-bedroom units almost always generate enough revenue to pay for the services used by their residents. Often, they generate surplus revenue.** *Housing the Commonwealth's School-Age Children: The Implications of Multi-Family Housing Development for Municipal and School Expenditures*
- Scale, density and location: Large, higher-density multi-family developments are less attractive to families with children than low-rise, moderately dense developments with fewer units per building. *Housing the Commonwealth's School-Age Children: The Implications of Multi-Family Housing Development for Municipal and School Expenditures*
- Composition, age and character of existing housing stock: In communities with relatively high percentages of two-, three- or four-unit homes in traditional neighborhoods, new multi-family developments seem to attract fewer families with school-age children. *Housing the Commonwealth's School-Age Children The Implications of Multi-Family Housing Development for Municipal and School Expenditures*

IMPACT ON LOCAL GOVERNMENT TAX BASE

Municipal Revenues

- Opponents often ignore how much revenue apartments bring in to the local government. In fact, apartment owners often pay more in property taxes than owners of single-family houses. That's because in most jurisdictions, apartments are treated as commercial real estate, which is taxed at higher rates than single-family houses in most states. Although there are many complications in such comparisons, one simple approach is to look at the "effective tax rate," defined as the ratio of property tax to property value. For apartments in urban areas the effective tax rate averages 48-54 basis points more than single-family houses: 1.91 percent for apartments, compared with 1.37-1.43 percent for single-family houses. *Joint Center for Housing Studies Harvard University*
- Property Taxes – While many argue renters do not have to pay property taxes. I can guarantee that, indirectly, they do. I do not know any successful business owners, whether leasing a retail box or a 2 bedroom apartment that do not figure the cost of property taxes in the expenses they recoup from the tenants. Additionally, apartments are taxed at 20% in Lee County, while most single family homes and many condos in Auburn are taxed at 10%.

If Planning Commission chooses to allow this property to remain undeveloped for the next ten years (or however long it would take to develop...Skyway has been there for 20+ years and still has undeveloped parcels), the loss of revenue to the City of Auburn is tremendous. This does not even take into account the disposable incomes of residents in Class A apartments like Spring Lake, and what they would be spending as they walk to Academy Sport and Sam's Club or for every trip to Publix, the Gap or Mellow Mushroom.

CITY OF AUBURN TAXES

SPRING LAKE AT THE ADAM'S GROVE

EXISTING PARCELS		Property Tax	Sales Tax
Adams	1.85 Acres	\$4.32	\$0.00
Adams	25.07 Acres	\$567.95	\$0.00
Adams	1.85 Acres	\$2,522.88	\$0.00
	29.66 Acres	\$3,095.15	\$0.00
TEN YEARS		\$30,951.50	\$0.00

SPRING LAKE		Estimated	(4% To Auburn)
Commercial	40,000 SF Retail	\$43,200.00	\$360,000.00
Multi-Family	20 +/- Acres	\$194,400.00	\$0.00
		\$237,600.00	\$360,000.00
TEN YEARS		\$2,376,000.00	\$3,600,000.00

CONCLUSION

While this does not address every issue, I believe it does start an honest conversation about why we should not be shying away from multi-family, particularly in this location. The city's market study and our market study show a great demand for this type of housing. Auburn needs this to continue to attract business and to support its growing retail. Our team will deliver a class A community that will be an asset to the city of Auburn. We ask for your support.

Thank you for your further consideration of this project.

Lee Alice Johnson, Dell and Teresa Spivey

*The ULI Terwilliger Center for Housing defines a workforce household as one earning between 60 and 120 percent of AMI. Many workforce households include police officers, firefighters, and workers in high-growth industries such as education, health care and professional services. Rental housing is a key form of affordable housing for many workforce families, particularly in those communities where the existing stock of for-sale properties continues to be priced well above what they can afford.

FOR ADDITIONAL INFORMATION ON THE BULLET POINTS ABOVE, THAT INFORMATION WAS SUMMARIZED FROM THE FOLLOWING REPORTS.

Journal of Architectural and Planning Research

<http://japr.homestead.com/Larco.pdf>

Joint Center for Housing Studies, Harvard University

<http://www.nmhc.org/files/ContentFiles/WhitePapersRegGuidelines/Overcoming%20Opposition.pdf>

Housing the Commonwealth's School-Age Children

<http://www.chapa.org/pdf/HousingSchoolAgeChildren.pdf>

Other Resources

<http://www.baconsrebellion.com/PDFs/2013/02/McKeeman.pdf>

<http://www.uli.org/wp-content/uploads/2012/06/JRTPaperFinal.pdf>

From: [Gmail for Porter Properties](#)
To: [Amber English](#)
Subject: Presentation from 1/9/14 meeting
Date: Wednesday, January 15, 2014 10:19:09 AM

Amber:

I promised you that I would send you the document that I presented at last week's planning commission meeting. I hope this helps with your minutes.

Here it is:

Statements for Planning Commission, 1/9/2014

I am here for several of reasons, first because I support Dr. Adams and his family in their attempt develop this property based on the current zoning regulations. I love this city and I want what is best for the city and the citizens of this fine city.

I am familiar with this family and this property. Dr. Adams and my dad worked together in the Agronomy and Soils dept. of the university. I have fished in the ponds on this property and as a kid I cut the grass on the property while the Adams were away for the summer.

Dr. Adams is a farmer, yes he has a PhD and taught agriculture at API and AU, but he is a farmer. He bought this property 50+ years ago so he could be a farmer and raise his family on a farm. He did that just like the Moore family on Moores Mill Road, the Pace Brothers out south college, another Adams family out Richland road, Dean Judd on Hwy 14 and Cecil Yarborough at 29 and society hill road. They were all farmers (even Cecil) and when the city got too close they did what was best for their family and sold their property to someone that was going to make this city a better place to live. Because these families took care of their property so long and cared for it with the sweat of their hard work we have places like Moores Mill S/D, Grove Hill, Cotswolds, Willow Creek, the Greens, and all of the development out south college. I knew all of the families and none of them worked any harder than Dr. Fred Adams. It is time to allow Dr. Adams family to move on also.

I also served 12 years on this Commission. I believe in the comp plan, I think that it gives everyone a good idea about how this city could (I said could not should) look in the future. I was involved in it in all of its

stages of development, plus the failed attempts to do something similar before Mr. Cotton came to Auburn. I think that this plan is important to the future of Auburn. It is supported by some real data and lots of good research. But I was never involved in a discussion about this plan where it was not pointed out that this plan was a plan, not law and not regulation. It could be used to change the zoning, but not replace zoning. It was to be a plan and it was to live and change with the city's changes.

My research on this request before the planning commission is that it would have been approved several months ago except for one simple statement. "**Recommended for denial, based on lack of conformance with the land use designation set forth for this property in Comp Plan 2030.**"

Let me quote from the 2030 Comp Plan. "*The Future Land Use Plan is advisory in nature and is intended to help achieve Auburn's long-range vision. The Future Land Use Plan provides parcel-level recommendations for the type, location and scale of new development for the existing city limits as well as areas the City may grow into over the next two decades. A parcel's future land use designation may be the same or may differ from what it is currently used for. If the designation is the same as its current use, then the Future Land Use Plan is advocating that no change occur. If the designation is different than the current use, the Future Land Use is advocating that change to the "new" use be permitted.*" This says that change to new use is permitted; it says nothing about limiting the use of the parcel to the new designation.

In the Plan it also asks the question; "**What is the difference between the Future Land Use Plan and Zoning?**" The plan responds: "**Zoning is a tool used to implement plans and policies. It is legal, enforceable part of City Code that is used to regulate the use of land and the type, scale, and intensity of use on the land.**" That is the definition of Zoning; it does not say why the Future Land Use Plan is different? Is it the opposite, not legal, not enforceable? Or does not commenting just cover all bets?

This parcel is currently zoned CDD, apartments are allowed. Now this

request is for a PDD and the commission has lots of leeway in dealing with this, but the staff has recommended denial based on the Future Land Use Plan and at the same time has worked with the developers to tune their plan to something that was the city could seemingly live with. Retail has been added, a hotel has been added, and other changes were made. If the staff thought that denial based on the Comp Plan was going to stand up, why did they spend all of the effort modify the plan? The city has jerked Dr. Adams and his family and the developers around long enough. It is time to vote to approve this request.

Now I was around this commission for a long time. I am not so naive to think that this is the whole story. It is really probably about apartments, taxes, schools, policies and plans. And all of these are important, but we must have an environment where developers have to have a fixed target to shoot for. Auburn has more rules and regulations than any city in this part of the country. If you can meet all of those that should be enough, but denial because of a plan that is to be advisory in nature does not make sense. That is crazy.

But you say Dr. Adam has other options. You have walked the property, you understand that he could spend \$5,000,000 and level the land he loves and fill in the lakes that his grandkids fished in. Then would some big box retailer jump at the chance to locate on a parcel too small with limited frontage that does not have interstate access? I doubt it. Or maybe the family could sell to someone to build offices, forgetting that it took almost 20 years of sales activity for the Scotts to find someone interested in building across the street.

No, they want to sell his property to some folks that love and understand Auburn. Someone who wants to build apartments, not for Students, not for section 8, but to meet a need that is unmet in our community. High end apartments for young professionals, for older successful people that don't want to cut the grass and families that are moving to town to establish new Auburn roots. Where do you want the people to live, close to campus with a bunch of 18 year olds or maybe Lakeside, those apartments are only 25 years old, they can't be too bad.

Maybe it is reasonable for the Planning Department to point out that a developer's plan does not match the Comp Plan. Is it reasonable to

recommend denial just for that reason? I doubt it. Is it reasonable for the Planning Commission and the City Council to turn down a request for this reason alone? **Absolutely Not.**

And if there is another parcel where the logical use of the property does not match the comp plan change the plan, make it living and breathing as advertised by allowing exceptions, or throw the whole thing out.

John Cope

1653 Mayfair Court, Auburn, AL, (334) 444-6896

John N. Cope, Assoc. Broker

Weichert Realtors, Porter Properties

(334) 444-6896

jcope.pp@gmail.com