

The City Council of the City of Auburn, Alabama, met in regular session on Tuesday, February 16, 2021, at 7:00 PM by means of the Zoom video conferencing web application.

1. **CALL TO ORDER.** Mayor Anders.

Mayor Anders called the meeting to order.

2. **ROLL CALL.**

The following Councilpersons were present: Tommy Dawson, Steven Dixon, Kelley Griswold, Jay Hovey, Bob Parsons, Brett Smith, Connie Taylor, Beth Witten, and Mayor Ron Anders, Jr. Absent: None. Also present was City Manager Crouch.

3. **PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE.**

Mayor Anders invited all present to stand and join the Council in reciting the Pledge of Allegiance to the U.S. Flag and in observing a moment of silence after the Pledge.

4. **MAYOR AND COUNCIL COMMUNICATIONS.** Mayor Anders.

- a. Committee of the Whole.

Mayor Anders stated that at the Committee of the Whole meeting previously held the Council approved the minutes from the February 2 Committee of the Whole meeting and nominated individuals to the Metropolitan Planning Organization Citizens Advisory Committee.

- b. Announcements.

Mayor Anders stated the following:

Thanked everyone involved with the COVID-19 vaccination clinic.

He signed a proclamation for Arbor Day this week and the city was named a Tree City USA city.

The AHS girls and boys basketball teams are in the Sweet 16 Tournament.

The Severe Weather Preparedness Tax Holiday is next weekend.

Councilperson Dixon explained that he would recuse himself from the discussion and vote on short term rentals because he operates a short-term rental from his home.

Councilperson Witten said she represented Mayor Anders at a local law enforcement panel discussion.

5. **AUBURN UNIVERSITY COMMUNICATIONS.**

AU SGA Director of City Relations Abby Ronson updated the Council about events at Auburn University.

6. **CITIZENS' COMMUNICATIONS ON AGENDA ITEMS.**

None.

7. **CITY MANAGER'S COMMUNICATIONS.** City Manager Crouch.

- a. Board announcements.

- (1) East Alabama Mental Health Board. One (1) vacancy. Term begins April 1, 2021 and ends March 31, 2027. Appointment March 16, 2021.

- (2) Library Board. One (1) vacancy. Term begins April 15, 2021 and ends April 14, 2025. Appointment March 16, 2021.

- (3) West Pace Village Improvements District Board of Directors. One (1) vacancy. Unexpired term begins immediately and ends September 9, 2024. Appointment March 16, 2021.

7. **CITY MANAGER'S COMMUNICATIONS (cont).**

- (4) Board of Education. One (1) vacancy. Term begins June 1, 2021 and ends May 31, 2026. Appointment April 20, 2021.

City Manager Crouch announced vacancies on the East Alabama Mental Health Board, Library Board, West Pace Village Improvements District Board of Directors and the Board of Education and said the appointments would be made at the March 16 and April 20 City Council meetings.

8. **CONSIDERATION OF CONSENT AGENDA.**

City Manager Crouch asked if any items should be removed from the consent agenda for discussion.

No items were removed from the consent agenda besides item 8c(2) which was removed at the request of the applicant.

Councilperson Smith moved that the items on the consent agenda be adopted.

Councilperson Witten seconded the motion, and all members voted aye.

Mayor Anders declared the consent agenda items adopted.

- a. Minutes. February 2, 2021. **Approved**
- b. Contracts.
 - (1) Temple, Inc. One year of Applied information traffic control software. \$30,750. **Resolution No. 21-034**
 - (2) Stacy Norman Architects, LLC. Design services for the City of Auburn Public Safety Training Center Project. \$54,550. **Resolution No. 21-035**
 - (3) CSL Services, Inc. Northside basin 90-day temporary sewer flow monitoring study. \$73,330. **Resolution No. 21-036**
- c. Easements.
 - (1) Profundity Investments, LLC. Accept various drainage and utility easements and rights-of-way. Profundity Subdivision. Property located at 1048 Zellars Avenue. **Resolution No. 21-037**
 - (2) P and T Properties, LLC. Accept various rights-of-way and drainage and utility easements. Yarbrough Farms – Oakmont, Phase 1. Property located west of Andrews Avenue and east of Northpointe subdivision.

This item was removed at the request of the applicant.

- (3) Dilworth Development, Inc. Accept various drainage and utility easements and rights-of-way. Farmville Lakes, Phase 5B. Property located at the termini of Thornberry Drive and Harvest Drive. **Resolution No. 21-038**
- (4) Tiger Crossing General Partnership. Accept various drainage and utility easements, rights-of-way and greenway easements. Longleaf Crossing, Phase Five B. Property located at the southern terminus of Downs Way. **Resolution No. 21-039**
- d. Board appointments. Metropolitan Planning Organization Citizens Advisory Committee. Five (5) positions. Terms begin March 9, 2021 and end March 8, 2025. **Resolution No. 21-040**

9. **ORDINANCES.**

- a. Traffic control signs and devices. Establish two (2) stop signs in Mimms Trail Subdivision 9th Addition Phase B. Unanimous consent necessary.

City Manager Crouch said this ordinance establishes stop signs in Mimms Trail Subdivision 9th Addition Phase B.

Councilperson Witten moved that unanimous consent be granted to consider the ordinance on its first reading.

Councilperson Dixon seconded the motion.

Upon roll call vote, the following Council members voted to approve unanimous consent: Dawson, Dixon, Griswold, Hovey, Parsons, Smith, Taylor, Witten and Mayor Anders. Voting nay: None.

Mayor Anders declared unanimous consent granted and the ordinance ready for adoption.

Councilperson Smith moved that the ordinance be adopted.

Councilperson Witten seconded the motion.

Upon roll call vote, the following Council members voted to adopt the ordinance: Dawson, Dixon, Griswold, Hovey, Parsons, Smith, Taylor, Witten and Mayor Anders. Voting nay: None.

Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3274

- b. Zoning. Unanimous consent. Planning Commission recommendations. Public hearings required.
 - (1) Auburn Industrial Development Board. Rezone approximately 5.61 acres from Comprehensive Development District (CDD) to Industrial (I). Apollo Rezoning. Property located at 1571 West Samford Avenue.

City Manager Crouch said this ordinance rezones approximately 5.61 acres from Comprehensive Development District to Industrial. She added that a public hearing was required.

Councilperson Dawson moved that unanimous consent be granted to consider the ordinance on its first reading.

Councilperson Smith seconded the motion.

Upon roll call vote, the following Council members voted to approve unanimous consent: Dixon, Griswold, Hovey, Parsons, Smith, Taylor, Witten, Dawson and Mayor Anders. Voting nay: None.

Mayor Anders declared unanimous consent granted and the ordinance ready for adoption.

Mayor Anders opened the public hearing.

There being no comments from the audience, Mayor Anders closed the public hearing.

Councilperson Smith moved that the ordinance be adopted.

Councilperson Dawson seconded the motion.

Upon roll call vote, the following Council members voted to adopt the ordinance: Dixon, Griswold, Hovey, Parsons, Smith, Taylor, Witten, Dawson and Mayor Anders. Voting nay: None.

Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3275

- (2) Brett Basquin on behalf of PSM Holdings, LLC and TD Development. Amend ordinance Number 2569 in order to add 4.21 acres and to allow 33,000 square feet of office use. Hamilton Place PDD Amendment. Property located at the northeast corner of Moores Mill Road and Hamilton Road.

9. **ORDINANCES (cont).**

City Manager Crouch said this ordinance amends the Hamilton Place PDD Amendment to add 4.21 acres and to allow 33,000 square feet of office use. She added that a public hearing was required.

Councilperson Witten moved that unanimous consent be granted to consider the ordinance on its first reading.

Councilperson Dixon seconded the motion.

Upon roll call vote, the following Council members voted to approve unanimous consent: Griswold, Hovey, Parsons, Smith, Taylor, Witten, Dawson, Dixon and Mayor Anders. Voting nay: None.

Mayor Anders declared unanimous consent granted and the ordinance ready for adoption.

Mayor Anders opened the public hearing.

The following individuals spoke in opposition to the Hamilton Place PDD Amendment:

- Andrew Price (2575 Glenn Brooke Drive)
- Ernie Merritt (2492 Glenn Brooke Drive)
- Julie Moncrief (1122 Blackmon Circle)
- Julie Melton (2512 Glenn Brooke Drive)
- Kevin Wells (1115 Blackmon Circle)
- Mark Massey (2480 Glenn Brooke Drive)

The following individuals spoke about and in favor of the project on behalf of the applicants:

- Brett Basquin (2128 Moores Mill Road)
- Mark Hodge (425 W. Capital Avenue, Suite 3400, Little Rock, AK)

There being no further comments from the audience, Mayor Anders closed the public hearing.

The Council asked questions about the project.

Interim Planning Director Katie Robison and City Engineer Alison Frazier answered the questions.

Councilperson Witten moved that the ordinance be adopted.

Councilperson Dixon seconded the motion.

Upon roll call vote, the following Council members voted to adopt the ordinance: Smith. Voting nay: Griswold, Hovey, Parsons, Taylor, Witten, Dawson, Dixon and Mayor Anders. Mayor Anders declared the ordinance denied.

(3) Short term rental regulations.

Councilperson Dixon left the meeting at 8:01 p.m.

City Manager Crouch said this ordinance adopts regulations for short term rentals.

Councilperson Parsons moved that unanimous consent be granted to consider the ordinance on its first reading.

Councilperson Smith seconded the motion.

Upon roll call vote, the following Council members voted to approve unanimous consent: Hovey, Parsons, Smith, Taylor, Witten, Dawson, Griswold and Mayor Anders. Voting nay: None.

Mayor Anders declared unanimous consent granted and the ordinance ready for adoption.

9. **ORDINANCES (cont).**

Mayor Anders opened the public hearing.

The following individuals spoke in favor of short-term rentals as regulated by the ordinance as presented:

- Virginia Jones (757 Sherwood Drive) supported the proposed ordinance, especially in the NC Zone, because of concerns related to parking and noise, and citing community support.
- Larry Gerber (550 S. Gay Street) supported the proposed ordinance, especially among homes that aren't owner-occupied. Also noted concerns related to how often a homestay owner is required to reside in the home during the year.
- Martha Thomas (226 Marion Circle) supported the proposed ordinance, noting the prevalence of short-term rentals in her neighborhood, also supported the proposed ordinance as fair and protective of the NC zone.
- Bill Caskey (address not given) supported the proposed ordinance and noted the hard work of the short-term rental task force. Also noted the ordinance protects the integrity of NC zones and other family-oriented zones. Also opposed grandfathering of nonconforming rentals.
- Conner Bailey (323 Brookside Drive) supported the proposed ordinance and stated a number of people also support additional regulations on short-term rentals. Also noted that allowing short-term rentals in the NC zone would undermine the family-oriented nature of the zone.
- Chip Townsend (516 S. Gay Street) supported the proposed ordinance without modifications. Also noted that short-term rentals are currently more permissively regulated than long-term rentals or multi-owner homes.
- Rene McEldowney (405 Kimberly Drive) supported the proposed ordinance without amendment as fair and balanced. Also noted that it leaves room for zones in which short-term rentals can operate and that everyone in the city has to compromise.
- Lan Lipscomb (551 Heard Avenue) supported the proposed ordinance, stating that short-term rentals have brought people who don't respect the neighborhood to the area, including discarded trash, fireworks, noise and inappropriate behavior.
- Bruno Ulrich (1518 Stuart Circle) opposed the idea that property rights trumps the rights of others in the neighborhood, including rights to peace and quiet in a neighborhood.
- William Neely (415 Hare Avenue) supported the proposed ordinance, noting that homeowners already agree to certain rules when they buy a home because of existing zoning regulations. Also stated a short-term rental on his street that was so disruptive that it caused a neighbor with young children to move away.
- Carolyn Carr (342 Payne Street) supported the proposed ordinance, stating that short-term rentals in her area have created noise and parking problems and brought erratic behavior from renters into the neighborhood. Also stated Hare Avenue has lost homeowners because of short-term rentals on the street.
- Margaret Wright (address not given) supported the proposed ordinance, stating that as an elder resident she shouldn't be responsible for enforcing issues with short-term rentals and that the proposed ordinance would move that responsibility back to the City.

The following individuals spoke in favor of a more permissive ordinance:

- William Lowry (224 W. Chewacla Drive) opposed additional restrictions on short-term rentals because he and his wife bought a home in poor condition and renovated it as a primary residence with the intention of engaging in short-term rental.
- Joshua Poole (334 Hickory Woods Drive) supported short-term rentals being allowed throughout the city on the grounds that short-term rentals and related income often improve the quality of a home and improve their neighborhoods.
- Kimberly Shackelford (2200 W 2nd Street, Gulf Shores, AL) opposed additional restrictions on short-term rentals on the grounds that they are convenient and more cost-effective for local workers who live elsewhere than other types of temporary lodging.
- Trip Skipper (210 Virginia Avenue) opposed new regulations and referenced his experience renovating a dilapidated home on Virginia Avenue into a full-time residence

9. **ORDINANCES (cont).**

that is rented fewer than 20 times each year, and also stated that the revenue from that rental has helped fund a new business in downtown Auburn.

- Mark Meagher (Albany, GA) opposed new regulations on the grounds that gameday renting allows his family to maintain a home in Auburn, where they have family ties. Also noted parking issues during football weekends aren't unique to short-term rentals.
- Amanda McCoury (1048 Cornstalk Lane) opposed new regulations as a homeowner who uses short-term rental to help pay her mortgage, and stated that all guests are vetted before they're allowed to rent.
- John Braswell (2250 Arlington Court) opposed the proposed ordinance on grounds of property rights and fairness, stating that he hasn't rented the home he owns in Auburn and doesn't intend to do so.
- Linda Ruth (320 Payne Street) supported allowing owner-occupied homestays at primary residences in NC zone with the stipulation that the homeowner stay in the home while it is being rented, also noted that short-term rentals are used by homeowners for reasons other than pure profit, including by young and older homeowners to pay help pay mortgages.
- Carolyn Smith (420 Hare Avenue) opposed the proposed ordinance on the grounds that offering it as a short-term rental for about 30 days each year allows her to maintain the residence in Auburn. Also noted the quality of the home and that the renters are most often families who are respectful of the home and neighbors.
- Susan Bolt (1188 E. University Drive) supported allowing short-term rentals throughout the city, noting that changing trends in family composition, business and renting allow short-term rentals to be a market solution created by individuals. Also noted that short-term rentals shouldn't be regulated more heavily than long-term rentals.

There being no further comments from the audience, Mayor Anders closed the public hearing.

Councilperson Parsons moved that the ordinance be adopted.
Councilperson Griswold seconded the motion.

The Council discussed and asked questions about the ordinance.

City Manager Crouch and Interim Planning Director Katie Robison answered the questions.

Councilperson Witten proposed to amend the ordinance.
Councilperson Taylor seconded the motion.

Councilperson Witten's amendments are as follows:

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND ORDINANCE NUMBER 1883 OF THE CITY OF AUBURN, DATED DECEMBER 21, 1999, THE OFFICIAL ZONING ORDINANCE, AS AMENDED BY SUBSEQUENT AMENDMENTS, BY INCORPORATING THE FOLLOWING CHANGES:

Section 1. That Ordinance No. 1883 of the City of Auburn, Alabama dated December 21, 1999, as amended by subsequent amendments is further amended to read as follows:

Section 203. Definitions.

Family: Two (2) or more persons residing in a single dwelling unit where all members are related by blood, marriage, adoption, or guardianship up to the second degree of consanguinity, plus one unrelated person in the Limited Development District, Neighborhood Conservation District, Development District Housing, Large Lot Residential District, Neighborhood Redevelopment District (west of North Donahue Drive), or the Corridor Redevelopment District – West (west of North Donahue Drive). For the purpose of this definition "consanguinity" means husbands and wives, brothers and sisters, parents and children, grandparents and grandchildren, uncles and aunts, nephews and nieces, and first cousins. In all other zoning districts where residential units

9. **ORDINANCES (cont).**

are permitted the term “family” may include up to five (5) unrelated persons occupying a single dwelling unit.

Homestay: A home occupation in which an individual who owns a dwelling and uses it as his or her permanent residence hires out such dwelling, or any portion thereof, as lodging.

Occupancy, Residential: For purposes of this zoning ordinance, this term refers to the number of persons who may reside together within one (1) dwelling unit, as a single housekeeping unit. See “family.”

~~Occupancy, Transient: The use of any building or structure, or portion thereof, as overnight accommodations for any individual(s) for any period(s) of thirty (30) or fewer consecutive days, in return for a fee or charge. No transient occupancy shall be deemed or constructed as being a residential use of any dwelling, or portion thereof.~~

Residence, Permanent: Residential occupancy of a dwelling unit by the same individual(s) for a period of more than 180 consecutive days and the usual place of return for housing as documented by motor vehicle registration, driver’s license, voter registration, or other such evidence.

Short Term Non-Primary Rental: A dwelling unit that is not a permanent residence and that is leased in its entirety to one party for periods of less than 30 consecutive days. The term party as used in this definition shall mean one or more persons who as a single group rent a short term non-primary rental pursuant to a single reservation and payment.

Table 4-1. Table of Permitted Uses. – See Exhibit A.

Section 408.02. Special Development Standards.

D. Institutional, Indoor Recreation & Special Residential Uses.

6. Short Term Non-Primary Rental

- a) A short term non-primary rental shall be limited in operation to 240 days each calendar year.
- b) Each zoning certificate for a short term non-primary rental will be valid from January 1 (or such other date during a calendar on which such certificate is issued) through December 31 of the calendar year in which the certificate is issued.

c) A zoning certificate for a short term non-primary rental may be revoked by the Planning Director (i) in the event that ~~three (3)~~two (2) or more substantiated complaints are received by the city within a calendar year, or (ii) for failure to maintain compliance with any of the regulations set forth within this section. A property owner whose zoning certificate for a rental has been revoked pursuant to this paragraph shall not be eligible to receive any new zoning certificate for a rental, for the remaining portion of the calendar year in which the certificate is revoked, and for the entire succeeding year.

e)d) Short Term Non-Primary Rentals may only be used for lodging (eating and sleeping); private and/or commercial events and activities are prohibited. Only the registered/contracted Short Term Non-Primary Rental guests may utilize the Short Term Non-Primary Rental.

Article V, DETAILED USE REGULATIONS.

Section 511.04(B). Detailed Use Regulations: Home Occupations. General Regulations.

- 10. Off-street parking shall be provided on the premises, as required by Section 513.

9. **ORDINANCES (cont).**

In addition to the provisions (1-13) above, the following regulations shall apply only to homestays:

- a) Homestays may only be established as a home occupation business in the following zoning districts: Limited Development District (LDD), Neighborhood Conservation District (NC), Development District Housing (DDH), Large Lot Residential District (LLRD), Comprehensive Development District (CDD), Corridor Redevelopment District-Urban, Suburban, East and West (CRD-U, CRD-S, CRD-E, CRD-W*) Medium Density Residential District (MDRD), Neighborhood Redevelopment District (NRD*), Redevelopment District (RDD), Rural District (R), Urban Core (UC), and Urban Neighborhoods-West, East, and South (UN-W, UN-E, UN-S). *East of North Donahue Drive
- ~~b) No more than six (6) overnight guests are allowed per day.~~
- ~~e)b) The homestay may operate no more than ~~one hundred twenty (120)~~ ninety (90) days per licensing year when the ~~residence is not owner occupied in the CDD, CRD-U, CRD-S, CRD-E, CRD-W*, MDRD, NRD*, RDD, R, UC, UN-W, UN-E, and UN-S zoning districts.~~ *East of North Donahue Drive owner is not present.~~
- ~~d)c) No food shall be prepared for or served to guests of the homestay by the owner or the owner's agent(s) or contractor(s).~~
- ~~e)d) Each ~~zoning certificate~~ home occupation for a homestay will be valid from January 1 (or such other date during a calendar on which such ~~certificate~~ home occupation for a homestay is issued) through December 31 of the calendar year in which the ~~certificate~~ home occupation for a homestay is issued. During this period of validity, the owner of the homestay must occupy the dwelling as his or her residence for more than 180 days.~~
- e) A zoning certificate for a homestay may be revoked by the Planning Director (i) in the event that ~~three (3)~~ two (2) or more substantiated complaints are received by the city within a calendar year, or (ii) for failure to maintain compliance with any of the regulations set forth within this section. A property owner whose ~~zoning certificate~~ home occupation for a homestay has been revoked pursuant to this paragraph shall not be eligible to receive any new ~~zoning certificate~~ home occupation for a homestay, for the remaining portion of the calendar year in which the ~~certificate~~ home occupation for a homestay is revoked, and for the entire succeeding year.
- f) Homestays may only be used for lodging (eating and sleeping); private and/or commercial events and activities are prohibited. Only the registered/contracted Homestay guests may utilize the Homestay.

Section 2. If any section or provision of this ordinance be declared invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section or provision of this ordinance.

Section 3. This ordinance shall take effect upon its approval by the City Council or upon its otherwise becoming law, but shall be published as required by law and codified as part of the Code of Auburn, Alabama.

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 16th day of February, 2021.

Mayor

ATTEST:

City Manager

9. **ORDINANCES (cont).**

The Council discussed the amendment and asked questions about it.

Councilperson Parsons moved to amend the amendment.
Councilperson Griswold seconded the motion.

Councilperson Parson's amendment removed the Neighborhood Conservation District as follows:

Article V, DETAILED USE REGULATIONS.

Section 511.04(B). Detailed Use Regulations: Home Occupations. General Regulations.

10. *Off-street parking shall be provided on the premises, as required by Section 513.*

In addition to the provisions (1-13) above, the following regulations shall apply only to homestays:

- g) Homestays may only be established as a home occupation business in the following zoning districts: Limited Development District (LDD), ~~Neighborhood Conservation District (NC)~~, Development District Housing (DDH), Large Lot Residential District (LLRD), Comprehensive Development District (CDD), Corridor Redevelopment District-Urban, Suburban, East and West (CRD-U, CRD-S, CRD-E, CRD-W) Medium Density Residential District (MDRD), Neighborhood Redevelopment District (NRD), Redevelopment District (RDD), Rural District (R), Urban Core (UC), and Urban Neighborhoods-West, East, and South (UN-W, UN-E, UN-S).*

Upon the vote for Councilperson Parson's amendment the following Council members voted aye: Griswold, Parsons and Taylor. Voting nay: Dawson, Hovey, Smith, Witten and Mayor Anders. Mayor Anders declared the amendment failed.

Upon the vote for Councilperson Witten's amendment the following Council members voted aye: Hovey, Smith, Taylor, Witten and Mayor Anders. Voting nay: Dawson, Griswold and Parsons. Mayor Anders declared the amendment passed.

City Manager Crouch said the ordinance should be published for public notice and will be postponed until the March 16 City Council meeting.

City Attorney Rick Davidson confirmed that the changes to the ordinance should be published for the public to have proper notice of the changes to the ordinance.

Upon the vote to postpone the ordinance until March 16, the following Council members voted aye: Dawson, Hovey, Smith, Taylor, Witten and Mayor Anders. Voting nay: Griswold and Parsons. Mayor Anders declared the ordinance postponed until March 16.

Councilperson Dixon returned to the meeting at 10:47 p.m.

- c. Commercial development agreement. MULTI AUBAL GS, LLC. Gay Street Development – Downtown Publix. Unanimous consent necessary. Public hearing required.

City Manager Crouch said this ordinance approves a commercial development agreement with MULTI AUBAL GS, LLC for the Downtown Publix. She added that a public hearing was required.

Councilperson Dawson moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Witten seconded the motion.

Upon roll call vote, the following Council members voted to approve unanimous consent: Parsons, Smith, Taylor, Witten, Dawson, Dixon, Griswold, Hovey and Mayor Anders. Voting nay: None.

9. **ORDINANCES (cont).**

Mayor Anders declared unanimous consent granted and the ordinance ready for adoption.

Mayor Anders opened the public hearing.

There being no comments from the audience, Mayor Anders closed the public hearing.

Councilperson Dawson moved that the ordinance be adopted.
Councilperson Dixon seconded the motion.

Upon roll call vote, the following Council members voted to adopt the ordinance: Parsons, Smith, Taylor, Witten, Dawson, Dixon, Griswold, Hovey and Mayor Anders. Voting nay: None.
Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3276

10. **RESOLUTIONS.**

- a. Conditional use approval. Planning Commission recommendations. Public hearings required.

- (1) Auburn Industrial Development Board. Industrial use (data center) in the Industrial zoning district. Apollo Conditional Use. Property located at 1571 West Samford Avenue.

City Manager Crouch said this resolution authorizes conditional use approval for an industrial use (data center). She added that a public hearing was required.

Councilperson Smith moved that the resolution be adopted.
Councilperson Dixon seconded the motion.

Mayor Anders opened the public hearing.

There being no comments from the audience, Mayor Anders closed the public hearing.

Mayor Anders called for a vote and all members voted aye.
Mayor Anders declared the resolution adopted.

Resolution No. 21-041

- (2) Brett Basquin on behalf of PSM Holdings, LLC and TD Development. Community shopping center and 33,000 square feet of office space located in the Limited Development District (LDD) zoning district with an overlay of the Planned Development District (PDD) designation. Hamilton Place – Office and Community Shopping Center. Property located at 2449 Moores Mill Road.

City Manager Crouch said this resolution was removed from the agenda because item 9b(2) was not approved.

- (3) Mike Swope on behalf of Robert Fucci. Performance residential development (academic detached dwelling units) in the Medium Density Residential District (MDRD) zoning district. Summerville ADDU Conditional Use. Property located on Harper Avenue between North Debardeleben Street and North Ryan Street.

City Manager Crouch said this resolution authorizes conditional use approval for a performance residential development (academic detached dwelling units). She added that a public hearing was required.

Councilperson Smith moved that the resolution be adopted.
Councilperson Dixon seconded the motion.

10. **RESOLUTIONS (cont).**

Mayor Anders opened the public hearing.

There being no comments from the audience, Mayor Anders closed the public hearing.

Mayor Anders called for a vote and the following members voted aye: Dawson, Dixon, Hovey, Parsons, Smith, Taylor, Witten and Mayor Anders. Voting nay: Griswold.

Mayor Anders declared the resolution adopted.

Resolution No. 21-042

- (4) Terry Doyle on behalf of SiO2 Medical Products, Inc. Expansion of a commercial support use (warehouse/distribution center) in the Industrial (I) zoning district. SiO2 Distribution Center – Expansion. Property located at 2270 Riley Street.

City Manager Crouch said this resolution authorizes conditional use approval the expansion of a commercial support use (warehouse/distribution center). She added that a public hearing was required.

Councilperson Dawson moved that the resolution be adopted.

Councilperson Dixon seconded the motion.

Mayor Anders opened the public hearing.

There being no comments from the audience, Mayor Anders closed the public hearing.

Mayor Anders called for a vote and all members voted aye.

Mayor Anders declared the resolution adopted.

Resolution No. 21-043

- (5) Donald Allen on behalf of E.L. Spencer, Jr. Industrial use (building materials manufacturing expansion) located in the Industrial (I) zoning district. Builders First Source Expansion Conditional Use. Property located at 380 Industry Drive.

City Manager Crouch said this resolution authorizes conditional use approval for an industrial use (building materials manufacturing expansion). She added that a public hearing was required.

Councilperson Witten moved that the resolution be adopted.

Councilperson Dawson seconded the motion.

Mayor Anders opened the public hearing.

There being no comments from the audience, Mayor Anders closed the public hearing.

Mayor Anders called for a vote and all members voted aye.

Mayor Anders declared the resolution adopted.

Resolution No. 21-044

- b. Authorize Outdoor Café Permit. David Esposito on behalf of Auburn Draft House. Property located at 161 East Magnolia Avenue. Public hearing required.

City Manager Crouch said this resolution authorizes an outdoor café permit for Auburn Draft House. She added that a public hearing was required.

Councilperson Smith moved that the resolution be adopted.

Councilperson Dixon seconded the motion.

Mayor Anders opened the public hearing.

10. **RESOLUTIONS (cont).**

There being no comments from the audience, Mayor Anders closed the public hearing.

Mayor Anders called for a vote and all members voted aye.
Mayor Anders declared the resolution adopted.

Resolution No. 21-045

11. **OTHER BUSINESS.**

None.

12. **CITIZENS' OPEN FORUM.**

None.

13. **ADJOURNMENT.**

Councilperson Dixon moved that the meeting be adjourned.
Councilperson Smith seconded the motion, and all members voted aye.
The meeting was adjourned at 10:58 PM.

Mayor

ATTEST:

City Manager