City of Auburn
Home of Auburn University

August 2021
Meeting Schedule

August	**17**	**Library Board,** 10 a.m., Library Conference Room, 749 East Thach Avenue
		Committee of the Whole, 6:55 p.m., Council Chamber, 141 North Ross Street
		City Council, 7 p.m., Council Chamber, 141 North Ross Street
	19	**Water Works Board,** 4 p.m., Water Board Conference Room, 1501 West Samford Avenue

Meeting times and places are subject to change.

For more information, including a map of City meeting locations,
please visit www.auburnalabama.org/boards.

COMMITTEE OF THE WHOLE

AGENDA

August 17, 2021

6:55 PM

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

2. **MINUTES**. August 3, 2021.

3. **QUESTIONS ON THE AGENDA**. City Manager Crouch.

4. **ADJOURNMENT**.

CITY OF AUBURN

COMMITTEE OF THE WHOLE

August 3, 2021

MINUTES

The City Council of the City of Auburn met in the Council Chamber of the Auburn Public Safety Building at 141 North Ross Street as a Committee of the Whole on August 3, 2021 at 6:55 PM.

1. **CALL TO ORDER**. Mayor Anders called the meeting to order.

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.

2. **MINUTES**. July 20, 2021.

Councilperson Smith moved that the minutes be approved.
Councilperson Dixon seconded the motion, and all members voted aye.
Mayor Anders declared the minutes approved.

3. **QUESTIONS ON THE AGENDA**. City Manager Crouch.

None.

4. **ADJOURNMENT**.

There being no further business, the meeting was adjourned at 6:56 PM.

_____
Mayor

ATTEST:

_____
City Manager

Auburn City Council
August 17, 2021
7:00 PM
AGENDA

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

2. **ROLL CALL.**

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

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

    a. Committee of the Whole.

    b. Announcements.

5. **AUBURN UNIVERSITY COMMUNICATIONS.**

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

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

8. **CONSIDERATION OF CONSENT AGENDA.**

    a. Minutes. August 3, 2021.

    b. Commendation. 2021 – 2022 Alabama Teacher of the Year. Kimberly Christian Johnson.

    c. Tax abatements. AUBix, LLC. 1571 West Samford Avenue. Auburn Industrial Park.

    d. Declare city holiday. Juneteenth.

    e. Contracts and agreements.

        (1) Foresite Group, LLC. Add Service No. 1 for additional services. Martin Luther King Drive Streetscape Project. $37,700.

        (2) Otto Environmental Systems (AZ), LLC. Purchase 560 ninety-five gallon roll-out carts. $35,894.60.

f. Easements and rights-of-way.

(1) Dilworth Development. Accept various easements and rights-of-way. Yarbrough Farms, Oakmont, Phase 1. Property located at the eastern terminus of Andrews Avenue.

(2) Brett Basquin on behalf of Clayton Properties Group, Inc. and Deborah and John Mitchell. Accept right-of-way. Mitchell/Clayton Lands. Property located at the eastern terminus of Mimms Trail.

9. **ORDINANCES.**

a. Amend City Code. Adopt 2021 Editions of International Building Code and International Fire Code. Unanimous consent necessary. Public hearing required.

b. Traffic control signs and devices. Establish one (1) stop sign in Bridle Creek Estates. Unanimous consent necessary.

c. Zoning. Brett Basquin on behalf of David Speake. Rezone approximately 3.56 acres from Neighborhood Conservation (NC-12) to Corridor Redevelopment District – East (CRD-E). Property located at 1027 East Glenn Avenue. Unanimous consent necessary. Public hearing required.

d. Amend budget ordinance. Mid-biennium budget.

10. **RESOLUTIONS.**

a. Adopt the U.S Highway 280 Focus Area Study (Plan), including plan text amendments and Future Land Use Plan map amendments. Planning Commission recommendation. Public hearing required.

b. Conditional use approvals. Planning Commission recommendations. Public hearings required.

(1) Jerome Anderson. Performance residential development (multiple-unit development). Property located at 403 Opelika Road.

(2) GB License, LLC. Commercial support use (warehouse). Property located at 2230 Pumphrey Avenue.

(3) Parker Lewis on behalf of Etherial Jackson. Performance residential development (multiple-unit development). Property located at 814 North College Street.

(4) Brett Basquin on behalf of RPM Land Development, LLC. Extend conditional use approval for a performance residential development (multiple family development). Property located at 1397 North Dean Road. ArchCo North Dean Road – Extension of conditional use approval.

(5) Brett Basquin on behalf of David Speake. Performance residential development (multiple-unit development). Property located at 1027 East Glenn Avenue.

11. **OTHER BUSINESS.**

12**. CITIZENS' OPEN FORUM.**

13. **ADJOURNMENT.**

The City Council of the City of Auburn, Alabama, met in regular session on Tuesday, August 3, 2021, at 7:00 PM in the Council Chamber of the Auburn Public Safety Building at 141 North Ross Street.

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. Employee of the Month and Service Awards.
Video presentation.

A video was shown to recognize the employee service awards for August 2021.

Employee of the Month		
Derek May	Water Resource Management	
Service Awards		
Justin Arwood	Water Resource Management	5 years
Shantrie Collins	Library	5 years
Dustin Murphy	Water Resource Management	5 years
Andrew White	Public Safety – Fire Division	5 years
Brett Wiersma	Judicial	5 years
Brian Bissonnette	Environmental Services	10 years
Thomas Causland	Public Safety – Police Division	10 years
Josh Mixon	Public Safety – Police Division	10 year
Anthony Cain	Public Safety – Fire Division	15 years
Erika Sprouse	Finance	15 years
Andrew Adams	Library	20 years
Heidi Lowery	Finance	20 years
Retirees		
Joe Lovvorn	Public Safety – Fire Division	20 years
Brenda McManus	Judicial	16 years
James Vickers	Public Safety – Police Division	17 years

b. Committee of the Whole.

Mayor Anders stated that at the Committee of the Whole meeting previously held the Council approved the minutes from the July 20 Committee of the Whole meeting.

c. Announcements.

Mayor Anders stated the following:

- Announced several upcoming events
- Announced a new data center opening in Auburn

4. **MAYOR AND COUNCIL COMMUNICATIONS (cont).**

- Thanked the Public Safety Department for how it recently handled an event in a neighborhood
- He said school starts back August 10 and encouraged all to plan well for the first few weeks of school
- He addressed members of the audience who were in attendance to protest the Auburn City School Board's mask mandate and reminded them that the City Council has no authority over the school board and its only role is to appoint members

Councilperson Griswold thanked Auburn University Facilitates and Landscaping for the improvements to the university-owned properties along North College Street which have enhanced one of the city's major gateways.

5. **AUBURN UNIVERSITY COMMUNICATIONS.**

AU SGA Director of City Relations Anna Coker 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 announcement. Lee County Youth Development Center. One (1) vacancy. Appointment September 7, 2021.

City Manager Crouch announced one vacancy on the Lee County Youth Development Center Board of Directors and said the appointment would be made at the September 7, 2021 City Council meeting.

8. **CONSIDERATION OF CONSENT AGENDA.**

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

There were no items removed from the consent agenda.

Councilperson Dixon moved that the items on the consent agenda be adopted.
Councilperson Smith seconded the motion, and all members voted aye.
Mayor Anders declared the consent agenda items adopted.

a. Minutes. July 20, 2021. **APPROVED**

b. Alcohol beverage licenses.

(1) Bowden Group, LLC d/b/a Auburn Candle Company. 040 – Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) alcohol beverage licenses. Property located at 147 North College Street. **APPROVED**

(2) HK 51, LLC d/b/a The Goal Post. 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only) alcohol beverage licenses. Property located at 190 North Donahue Drive. **APPROVED**

(3) HK 51, LLC d/b/a The Goal Post. Transfer a 011 – Lounge Retail Liquor – Class II (Package) alcohol beverage license. Property located at 190 North Donahue Drive, Suite B. **APPROVED**

8. **CONSIDERATION OF CONSENT AGENDA (cont).**

c. Concurrences. Industrial Development Board.

(1) Industrial Development Board. Secure financing for improvements to board-owned facility. 2175 Pumphrey Avenue. Auburn Industrial Park. **RESOLUTION No. 21-150**

(2) WPM Holdings, LLC (Wheel Pros Manufacturing). Provide package of incentives for expansion. 979 West Veterans Boulevard. Auburn Technology Park North. **RESOLUTION No. 21-151**

d. Rebuild Alabama Act. Adopt transportation plan. **APPROVED**

e. Contracts and agreements.

(1) Dell Marketing LP C/O Dell USA LP. Extend support on two Dell Data Protection 4400 appliances. $27,010.76. **RESOLUTION No. 21-152**

(2) Hudmon Construction Co., Inc. Farmville Road Culvert Replacement Project additional expenditures. $44,768.28. **RESOLUTION No. 21-153**

(3) Hudmon Construction Co., Inc. Ogletree Road Culvert Replacement Project additional expenditures. $140,793.02. **RESOLUTION No. 21-154**

(4) J.A. Lett Construction Company, Inc. Emergency repair to the City Meeting Room. $42,437. **RESOLUTION No. 21-155**

(5) Machen McChesney. Annual independent audit. $87,300. **RESOLUTION No. 21-156**

(6) Northeast Alabama Law Enforcement Academy. Basic law enforcement training. Five (5) police officers. $16,000. **RESOLUTION No. 21-157**

(7) Tallapoosa River Electric Cooperative. Installation of primary underground power. Fire Station 6 Project. $26,617.51. **RESOLUTION No. 21-158**

f. Easements and rights-of-way.

(1) Glenn Property Revocable Trust. Accept various sanitary sewer easements. Property located at 105 Prather's Lake Drive. **RESOLUTION No. 21-159**

(2) Bridgewater at Cary Creek, LLC. Accept various drainage and utility easements and rights-of-way. Property located south of Cary Creek Parkway and the terminus of Turing Lane. **RESOLUTION No. 21-160**

9. **ORDINANCES.**

a. General Obligation Warrants. Authorize the issuance of the City's General Obligation Warrants, Series 2021-A ($17,915,000), and Taxable General Obligation Warrants, Series 2021-B ($26,825,000), to finance the construction of public school improvements and the call of certain outstanding obligations of the City for redemption. Unanimous consent necessary.

City Manager Crouch said this ordinance authorizes the issuance of the City's General Obligation Warrants.

Frazer Lanier Company representative John Mazyck said the bond agencies were very complimentary of Auburn and its staff. He added that the city received AA+ ratings, which is the second to highest rating awarded.

9. **ORDINANCES (cont).**

Councilperson Hovey 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: 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 Witten moved that the ordinance be adopted.
Councilperson Smith 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. 3321

10. **RESOLUTIONS.**

None.

11. **OTHER BUSINESS.**

None.

12**.** **CITIZENS' OPEN FORUM.**

The following individuals spoke in opposition to the Auburn City School Board's mask mandate:

- Veselin Ruychev (662 Anders Court)
- Brian Mitchell (1130 Fieldcrest Lane)
- Stephanie Felintin (935 Falconer Drive)
- Jonathan Parish (102 Carolina Court)
- Angela Perry (1060 Northpointe Circle)
- Misty Rains (1431 Mosswood Place)
- Steffani Bryant (1703 Post Oak Court)
- Joel Bryant (1065 Annalue Drive)
- Melisa Montgomery (633 West Lane)
- Ann Spencer (918 Falconer Drive)
- Brenden Bryant (1703 Post Oak Court)
- Andrea Tobin (1123 Northwood Drive)
- Jorge Ponce (1645 Crescent Boulevard)
- Rebecca Walker Jones (Opelika, AL - address not given)
- Leann Pinkard (6685 County Road 53, Notasulga, AL)
- Emily Elliott (1473 Annalue Drive)
- Tracy Richard (1690 Covington Ridge)
- Ana Muldoon (2042 Mohican Drive)
- Samuel Stockman (1308 Hampton Drive)
- Stephen Smith (807 Socopatoy Court)

Herbert Walter Denmark, Jr. (412 Opelika Road, Apt. 111) spoke about communications from his Auburn 2040 committee assignment.

Michael Halperin (913 Seay Circle) spoke in favor of vaccines.

13. **ADJOURNMENT.**

Councilperson Dixon moved that the meeting be adjourned.
Councilperson Witten seconded the motion, and all members voted aye.
The meeting was adjourned at 8:34 PM.

_____
Mayor

ATTEST:

_____
City Manager

Agenda Item Summary

Item No. 8b

Council Meeting Date	August 17, 2021
Department	Office of the City Manager
Submitted By	Megan McGowen Crouch
Agenda Section	Consent Agenda

Name and address of person(s) or business(es) this item affects:

Auburn City Schools
Auburn Junior High School

Description of item under consideration

Recognition honoring Kimberly Christian Johnson, a teacher at Auburn Junior High School. Mrs. Johnson has been named the 2021-2022 Alabama Teacher of the Year and will go on to serve as Alabama's official ambassador for public education and the teaching profession.

Why is Council action needed?

Council action is needed to approve the resolution recognizing Kimberly Christian Johnson.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

RESOLUTION NO. _____

WHEREAS, Kimberly Christian Johnson serves the community by investing in Auburn's youth as a teacher at Auburn Junior High School; and

WHEREAS, Mrs. Johnson taught English Language Arts for 18 years and now teaches eighth and ninth grade Study Skills classes, helping students set goals and build good work and school habits; and

WHEREAS, she also serves as Auburn Junior High School's Response to Intervention Coordinator; and

WHEREAS, Mrs. Johnson has been an educator since 1998, using a student-centered teaching approach by understanding how important consistent support is to students' academic and emotional growth; and

WHEREAS, she has earned an education specialist degree, is a successfully published author, and is a National Board Certified Teacher; and

WHEREAS, she has been a vital part of the Auburn City School System's District Strategic Planning Team, a U.S. Space Academy Counselor, a presenter at the National Council of English Teachers Convention, and a member of the International Honorary Organization for Women Educators; and

WHEREAS, Mrs. Johnson was named the 2020-2021 Teacher of the Year at Auburn Junior High School before being named the Secondary Teacher of the Year for Auburn City Schools; and

WHEREAS, she went on to become the Secondary Teacher of the Year for District Two before making it to the Final Four in the Alabama State Department of Education (ALSDE) Teacher of the Year Competition, rising to the top of more than 150 applicants considered for the honor; and

WHEREAS, she was named the 2021-2022 Alabama Teacher of the Year on Aug. 11 and will go on to serve as Alabama's official ambassador for public education and the teaching profession; and

WHEREAS, Mrs. Johnson is a marvelous representation of the excellence within Auburn City Schools and the City of Auburn.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Auburn, Alabama that the Council hereby recognizes Kimberly Johnson for being named the Alabama Teacher of the Year.

ADOPTED AND APPROVED by the City of Auburn, Alabama this the 17th day of August 2021.

_____
Mayor

ATTEST:

_____
City Manager

Agenda Item Summary

Item No. 8c

Council Meeting Date	August 17, 2021
Department	Economic Development
Submitted By	T. Phillip Dunlap
Agenda Section	Consent Agenda

Name and address of person(s) or business(es) this item affects:

AUBix, LLC
Auburn Industrial Park
1571 West Samford Ave.
Auburn, AL 36832

Description of item under consideration

Resolution will provide abatements for non-educational ad valorem taxes and sales and use taxes. Education, hospital, and children's home ad valorem and sales and use taxes are NOT abated (including the Special 5-Mill Tax Fund dedicated to Auburn City Schools). This abatement is for new equipment and a building being constructed by AUBix, LLC at its future location at 1571 West Samford Avenue in the Auburn Industrial Park. The project will result in an overall capital investment of approximately $127,175,000 and the creation of twenty (20) new jobs over the next two years.

Why is Council action needed?

Council action is required to approve the tax abatement pursuant to the provisions of Chapter 9B of Title 40 of the Code of Alabama.

Are there deadlines involved with this item?

Yes

Please explain

The abatement needs to be filed to allow the company to move ahead with the project on schedule.

Is this a budgeted item?

N/A

RESOLUTION NO. _____

BE IT RESOLVED by the Mayor and City Council (herein together referred to as the "Council") of the City of Auburn (herein referred to as the "City"), a municipal corporation under the laws of Alabama, as follows:

Section 1. The Council does hereby find, declare and ascertain as follows: that AUBix, LLC, an Alabama limited liability company (herein referred to as the "Company"), proposes to locate a multi-tenant data processing center at 1571 West Samford Avenue in the City (herein referred to as the "Project Site") by developing and constructing a facility and related improvements upon the Project Site (herein referred to as the "Data Center") and installing therein certain equipment supporting computing, networking and data storage, fixtures, furniture, power infrastructure, computer hardware and peripherals, software, programs, systems and other real and personal property for the operation of a data processing center (the foregoing development, construction, installation and related activities, collectively, herein referred to as the "Project"); that in connection with the Project, the Company will lease space in the Data Center and provide certain IT support services to other companies (herein referred to as "Data Center Tenants") that will install and operate at the Data Center servers and other computer hardware and peripherals, software, systems and programs for data entry and data processing applications (herein collectively referred to as "Tenant Equipment"); that the Project is expected to result in the creation of approximately twenty (20) new full-time jobs at the Data Center consisting of new employees hired by the Company and new employees hired by the Data Center Tenants with an average annual total compensation, including benefits, of such new jobs to be not less than $40,000; that the Project will generally promote trade and commerce in the City and in the State of Alabama; that the Company has submitted to the City a completed Alabama Department of Revenue Form CO: CAA, Application to Granting Authority for Abatement of Taxes (herein referred to as the "Abatement Application"), applying for an abatement

of ad valorem taxes and sales and use taxes with respect to the estimated total capital investment by the Company in the Project and the estimated total capital investment by the Data Center Tenants in Tenant Equipment, a copy of which Abatement Application was presented to the meeting at which this resolution is adopted (and which application is made a part of this resolution as fully and completely as if set forth herein); and that in order to induce the Company to proceed with the Project, it is desirable and appropriate for the Council to grant the said tax abatements.

Section 2. Pursuant to the provisions of Act No. 92-599 enacted during the 1992 Regular Session of the Legislature of Alabama and now codified as Chapter 9B of Title 40 of the Code of Alabama (1975), as amended (herein called the "Tax Abatement Act"), the Council hereby grants to the Company and each Data Center Tenant an abatement of Noneducational Ad Valorem Taxes and Construction Related Transaction Taxes with respect to the Company's capital investment in the Project and the Data Center Tenant's capital investment in Tenant Equipment. Each Data Center Tenant shall be required to (a) submit to the City a completed Alabama Department of Revenue Form CO: CAA, Application to Granting Authority for Abatement of Taxes, setting forth the Data Center Tenant's estimated capital investment in Tenant Equipment and (b) become a party to the tax abatement agreement entered into between the City and the Company as a condition to receiving and claiming the abatements of Noneducational Ad Valorem Taxes and Construction Related Taxes granted by this resolution to the Data Center Tenant. The terms "Noneducational Ad Valorem Taxes" and "Construction Related Transaction Taxes" shall have the same meaning herein as in the Tax Abatement Act. The abatements granted by this resolution shall not include the portion of any ad valorem taxes or sales and use taxes that are assessed, imposed or specially designated for the benefit of the East Alabama Medical Center, children's homes operated by Lee County, Alabama, or the Auburn City Public Schools.

Section 3. In order further to induce the Company to proceed with the Project, the Mayor is hereby authorized to execute and deliver, for and in the name of the City, a "Tax Abatement Agreement", to provide for the abatements granted in Section 2 above, between the City and the Company, and joined in by Data Center Tenants upon their execution of a lease for space at the Data Center, in substantially the form presented to the meeting at which this resolution is adopted (which form is made a part of this resolution as fully and completely as if set forth herein) with such changes, not inconsistent with the provisions hereof, as the Mayor shall determine to be necessary or desirable in order to effect the tax abatements granted to the Company and the Data Center Tenants by this resolution. The City Manager is hereby authorized to affix the seal of the City to said Tax Abatement Agreement and to attest the same. For purposes of the tax abatements granted by this resolution, the Tax Abatement Agreement, and the Project generally, the Council acknowledges, agrees and confirms that the data processing center constituting the Project is a "Data Processing Center" within the meaning of Section 3(a)(4) of the Tax Abatement Act.

Section 4. General Authorization. The Mayor and City Manager are hereby further authorized and directed to execute, deliver, seal and attest such other ancillary documents and certificates as may be necessary to effect the tax abatements granted to the Company and the Data Center Tenants by this resolution. Any joinder agreement or similar instrument signed by a Data Center Tenant for purposes of becoming a party to the Tax Abatement Agreement shall be valid and effective upon delivery to the City without any additional approval, acceptance or consent by the Council.

Section 5. Severability Provisions. The various provisions of this resolution are hereby declared to be severable. In the event any provision hereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect any other portion of this resolution.

ADOPTED AND APPROVED by the City Council of the City of Auburn, Alabama, this the 17th day of August, 2021.

CITY OF AUBURN

By _____

Its Mayor

ATTEST:

By _____

Its City Manager

EXECUTIVE SUMMARY
ESTIMATED ECONOMIC IMPACT OF
AUBix, LLC

Total Capital Investment:	**$**	**127,175,000**
Number of New Jobs:		**20**
Estimated Annual Payroll:	**$**	**1,300,000**

Estimated Annual Occupational License Fee From Wages Above:			$ 13,000.00
Estimated Ad Valorem (Property) Tax for City:			406,960.00
	TOTAL DIRECT ANNUAL TAX IMPACT FOR THE CITY:		$ 419,960.00
Estimated Annual Payroll:	$ 1,300,000.00		
	x 30.21% ^		
Estimated Spending in Auburn:	$ 392,730.00		
Local Sales Tax Rate:	x 4%		
	TOTAL INDIRECT SALES TAX IMPACT:		$ 15,709.20
	TOTAL ANNUAL TAX IMPACT (DIRECT AND INDIRECT):		$ 435,669.20
	Over Ten Years:		x 10
	ESTIMATED TEN YEAR DIRECT AND INDIRECT TAX IMPACT:		**$ 4,356,692.00**

Estimated Sales Tax Not Abated from Capital Investment (collected at the County level):		
Sales Tax on Building Materials	$ 115,875.00	
Sales Tax on Equipment		
Sales Tax on Non-Manufacturing Equipment	$ 1,040,000.00	
TOTAL TRANSACTION TAX IMPACT:	$ 1,155,875.00	*
AUBURN'S SHARE FOR SCHOOLS (1/3)	$ 385,291.67	
COMBINED TOTAL ESTIMATED TEN YEAR TAX IMPACT:	**$ 4,741,983.67**	

^ It is estimated that 30.21% percent of every initial $1 of gross payrolls are spent in Auburn on taxable goods. This percentage is based on a conservative calculation involving six rounds of spending for every one dollar. In Round 1, the dollar is discounted by 30% to account for payroll taxes and benefits; it is then further discounted by 60% for outside leakage. Each subsequent round is also discounted by 60% for leakage. After the initial $1.00 of gross payroll turns over six times in the local economy, the City of Auburn will have received a direct impact of $0.465. This number is further discounted to account for the amount spent on taxable goods as opposed to services. An estimate of 65% for taxable goods has been applied, producing the overall $0.3021 (30.21%) rate.

* Represents the County portion, which is designated for schools; Auburn gets a pro-rata share of this collected tax, based on enrollment. Assumed to be 1/3 for a simple analysis, assuming equal share for all three systems within the county.

TAX ABATEMENT ESTIMATE
AUBix, LLC

Estimated Amounts of Taxes to be Abated:

I. Non-Educational Ad Valorem Taxes :

1.) New Building to be constructed in Auburn (includes land and sitework):

Value: $ 23,000,000 **x** 20% Assessment
18 mils Abated (non-educational taxes*) = $ 82,800 annually

2.) Manufacturing equipment to be purchased for use in Auburn:

Value: $ - **x** 20% Assessment
18 mils Abated (non-educational taxes*) = $ - annually

3.) Non-manufacturing equipment (Personal Property) to be purchased/used in Auburn:

Value: $ 104,000,000 **x** 20% Assessment
18 mils Abated (non-educational taxes*) = $ 374,400 annually

Estimated Total Ad Valorem Taxes Abated = $ 457,200 annually
x10 years

Ten Year Total = $ 4,572,000

(*36 Mils are not abated which included: 4.0 Mils for Hospital and Children's Home)

II. Non-Educational Sales and Use Taxes:

Abatement for Sales Taxes = 8.00% (1.0% County-wide Schools not abated)
Abatement for Machinery in Mfg. = 3.00% (0.25% County-wide Schools not abated)

1.) Sales taxes for building materials used in Construction:
Building Value: $ 23,000,000 **x** 50%
$ 11,500,000 **x** 8.0%= $ 920,000

2) Manufacturing Equipment purchased for use in Auburn:
Equipment Value:
$ - **x** 3.0% = $ -

3.) Non-Manufacturing equipment (Personal Property) to be purchased and used in Auburn:
Personal Property Value:
$ 104,000,000 **x** 8.0% = $ 8,320,000

Estimated Total Sales and Use Tax Abatement: (****One Time Only**) $ 9,240,000 **

Estimated Total Value of Abatements= **$ 13,812,000** ***

III. Estimated Value of Abatements by Beneficiary:

State of Alabama
General Sales Tax = 4% (all abated) $ 4,620,000.00
Manufacturing Sales Tax = 1.5% (all abated) -
Property Tax = 6.5 mills (3.5 abated) for 10 years 889,000.00
$ 5,509,000

Lee County
General Sales Tax = 1% (none abated) $ -
Manufacturing Sales Tax = 0.25% (none abated) -
Property Tax = 21.5 mills (9.5 abated) for 10 years 2,413,000.00
$ 2,413,000

City of Auburn
General Sales Tax = 4% (all abated) $ 4,620,000.00
Manufacturing Sales Tax = 1.5% (all abated) -
Property Tax = 26 mills (5 abated) for 10 years 1,270,000.00
$ 5,890,000

Estimated Total Value of Abatements= **$ 13,812,000** ***

*****NOTE: THESE ARE NEW TAXES BEING ABATED;**
THEY WOULD NOT EXIST WITHOUT THE PROJECT***

TAX GENERATION ESTIMATE
AUBix, LLC

Estimated Amounts of Taxes NOT to be Abated:

I. Ad Valorem Taxes :

1.) New Building to be constructed in Auburn (includes land and sitework):

Value: $ 23,000,000 **x** 20% Assessment
36 mills NOT Abated (educational taxes*) = $ 165,600 annually

2.) Manufacturing equipment to be purchased for use in Auburn:

Value: $ - **x** 20% Assessment
36 mills NOT Abated (educational taxes*) = $ - annually

3.) Non-manufacturing equipment (Personal Property) to be purchased/used in Auburn:

Value: $ 104,000,000 **x** 20% Assessment
36 mills NOT Abated (educational taxes*) = $ 748,800 annually

Estimated Total Ad Valorem Taxes NOT Abated = $ 914,400 annually
x10 years

Ten Year Total = $ 9,144,000

(*36 Mils are not abated which included: 4.0 Mils for Hospital and Children's Home)

II. Non-Educational Sales and Use Taxes:

Abatement for Sales Taxes = 8.00% (1.0% County-wide Schools not abated)
Abatement for Machinery in Mfg. = 3.00% (0.25% County-wide Schools not abated)

1.) Sales taxes for building materials used in Construction:
Building Value: $ 23,000,000 **x** 50%
$ 11,500,000 **x** 1.0%= $ 115,000

2) Manufacturing Equipment purchased for use in Auburn:
Equipment Value:
$ - **x** 0.25% = $ -

3.) Non-Manufacturing equipment (Personal Property) to be purchased and used in Auburn:
Personal Property Value:
$ 104,000,000 **x** 1.0% = $ 1,040,000

Estimated Total Sales and Use Tax Abatement: (****One Time Only**) $ 1,155,000 **

Estimated Total Value of New Taxes (NOT Abated) = **$ 10,299,000** ***

III. Estimated Value of Taxes by Beneficiary:

State of Alabama
General Sales Tax = 4% (all abated) $ -
Manufacturing Sales Tax = 1.5% (all abated) -
Property Tax = 6.5 mills (3.5 abated) for 10 years 762,000.00
$ 762,000

Lee County
General Sales Tax = 1% (none abated) $ 1,155,000.00
Manufacturing Sales Tax = 0.25% (none abated) -
Property Tax = 21.5 mills (9.5 abated) for 10 years 3,048,000.00
$ 4,203,000

City of Auburn
General Sales Tax = 4% (all abated) $ -
Manufacturing Sales Tax = 1.5% (all abated) -
Property Tax = 26 mills (5 abated) for 10 years 5,334,000.00
$ 5,334,000

Estimated Total Value of New Taxes (NOT Abated) = **$ 10,299,000** ***

*****NOTE: THESE ARE NEW TAXES, NOT CURRENTLY GENERATED ELSEWHERE*****

Form CO: CAA
6/15

ALABAMA DEPARTMENT OF REVENUE
Application to Granting Authority for Abatement of Taxes

Under Chapter 9B, Title 40, *Code of Alabama 1975*

Noneducational Sales and Use Taxes, Noneducational Property Taxes, and/or Mortgage and Recording Taxes

This form is to be submitted to the granting authority for consideration in granting an abatement of all state and local noneducational property taxes, all construction related transaction (sales and use) taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or mortgage and recording fees, in accordance with the provisions of Section 40-9B-1 et seq., *Code of Alabama 1975*.

1a. TYPE OF ABATEMENT APPLYING FOR:
☒ Sales & Use Taxes ☒ Property Taxes ☐ Mortgage & Recording Taxes

2. PROJECT NAICS CODE: 5 1 8 2 1 0

1b. IS APPLICANT REQUESTING PROPERTY TAX ABATEMENT FOR A PERIOD LONGER THAN 10 YEARS?
☐ Yes ☒ No

3. TYPE OF PROJECT:
☒ New Project ☐ Major Addition To An Existing Facility

4. DOES MAJOR ADDITION EQUAL THE LESSER OF: (CHECK APPLICABLE BOX)
☒ $2,000,000 – *OR* – ☐ 30% of original cost of existing property, original cost $_____

5. PROJECT APPLICANT: AUBix, LLC

DBA:

6. ADDRESS OF APPLICANT: 2353 Bent Creek Road, Suite 100

CITY: Auburn

STATE: AL

ZIP CODE: 36830

7. NAME OF CONTACT PERSON: Andrew Albrecht

EMAIL ADDRESS: andrew@a2advisors.com

TELEPHONE NUMBER: (404) 840-4102

8. DATE COMPANY ORGANIZED: 05/20/2020

9. PHYSICAL LOCATION OF PROJECT: 1571 West Samford Avenue

CITY *(IF OUTSIDE CITY LIMITS, PLEASE INDICATE)*: Auburn

COUNTY: Lee

ZIP CODE: 36832

10. BRIEF DESCRIPTION OF PROJECT ***(ATTACH A COMPLETE AND DETAILED LISTING OF PROJECT PROPERTY COSTS TO ENABLE A COST/BENEFIT ANALYSIS BY GRANTING AUTHORITY)***: Multi-tenant data center and Internet exchange

11. ESTIMATED DATE CONSTRUCTION WILL BEGIN: 08/17/2021

12. ESTIMATED DATE CONSTRUCTION WILL BE COMPLETED: 08/17/2031

13. ESTIMATED DATE PROPERTY WILL BE PLACED IN SERVICE: 08/17/2031

14. HAVE BONDS BEEN ISSUED FOR PROJECT:
☒ No ☐ Yes If yes, date bonds issued:

15. WILL BONDS BE ISSUED FOR PROJECT
☒ No ☐ Yes If yes, projected date of issue:

16. ESTIMATED NUMBER OF NEW EMPLOYEES	17. ESTIMATED ANNUAL PAYROLL OF NEW EMPLOYEES	Estimated Investment for Project	18. COST OR VALUE FOR PROPERTY TAX	19. COST SUBJECT TO SALES TAX
INITIALLY 5	INITIALLY $ 325,000	a. Land (if donated, show market value)	18a $ 175,000	XXXXXXXXXX
YEAR 1 5	YEAR 1 $ 325,000	b. Existing Building(s) (if any)	18b	XXXXXXXXXX
YEAR 2 10	YEAR 2 $ 650,000	c. Existing Personal Property (if any)	18c	XXXXXXXXXX
YEAR 3	YEAR 3	d. New Building(s) and/or New Additions to Existing Building(s) (19d = building materials *only*)	18d $ 23,000,000	19d $ 11,500,000
This form may be used as the application to the granting authority required by Section 40-9B-6(a), *Code of Alabama 1975*. The information requested here is required by Section 40-9B-6 and Section 40-2-11(7), *Code of Alabama 1975*.		e. New Manufacturing Machinery	18e	19e
		f. Other New Personal Property (non-mfg machinery, office equipment, computers, etc.)	18f $ 104,000,000	19f $ 104,000,000
		g. **TOTALS** (PROPERTY TAX TOTAL MUST EQUAL TOTAL PROJECT INVESTMENT. SALES TAX TOTAL WILL BE LESS.)	18g $ 127,175,000	19g $ 115,500,000

The abatement of noneducational property taxes is based on the market value of specific assets; therefore, the actual amount of taxes abated is determined each year as the property is assessed and valued. An abatement of noneducational sales and use taxes shall apply only to tangible personal property and taxable services incorporated into private use industrial property, the cost of which may be added to capital account with respect to the property, determined without regard to any rule which permits expenditures properly chargeable to capital account to be treated as current expenses. No abatement of sales and use taxes shall extend beyond the date private use industrial property is placed in service. A verification inspection of qualifying property will be conducted by the Alabama Department of Revenue to insure compliance with Section 40-9B-1 et seq., *Code of Alabama 1975*, as amended.

I hereby affirm that, to the best of my knowledge and belief, the information in this application and any accompanying statement, schedules, and other information is true, correct and complete.

Andrew Albrecht
NAME (PRINT)

SIGNATURE

CEO
TITLE

08/05/21
DATE

TAX ABATEMENT AGREEMENT

This Tax Abatement Agreement (this "Agreement"), effective as of the 17th day of August, 2021, is entered into by and between the City of Auburn, Alabama, a municipal corporation under the laws of the State of Alabama (the "City"), and AUBix, LLC, a limited liability company organized under the laws of the State of Alabama (the "Company"). Each Data Center Tenant (as hereinafter defined) shall join in this Agreement by executing the joinder attached hereto as Exhibit A (the "Joinder") and delivering the Joinder to the City. Upon the City's receipt of an executed Joinder from a Data Center Tenant, the Data Center Tenant shall become a party to this Agreement and shall receive the tax abatements granted by the City for the Project (as hereinafter defined) with respect to the Data Center Tenant's capital investment in Tenant Equipment (as hereinafter defined).

R E C I T A L S:

In order to promote local industrial and commercial development, the Company is developing, constructing, equipping, managing and operating a multi-tenant data processing center at 1571 West Samford Avenue in the City (the "Data Center"). The Company will lease space in the Data Center and provide certain IT support services to other companies (collectively, the "Data Center Tenants") that will install and operate servers and other computer hardware and peripherals, software, systems and programs for data entry and data processing applications (collectively, "Tenant Equipment"). The development, construction, equipping, management and operation of the Data Center by the Company, together with the leasing of space in the Data Center to Data Center Tenants and their installation and operation of Tenant Equipment, is referred to herein as the "Project".

The Project is expected to result in the creation of approximately twenty (20) new full-time jobs at the Data Center consisting of new employees hired by the Company and new employees hired by the Data Center Tenants with an average annual total compensation, including benefits, of such new jobs to be not less than $40,000. The multi-tenant data processing center constituting the Project is a "Data Processing Center" within the meaning of Section 3(a)(4) of the Tax Abatement Act (as hereinafter defined).

The Company requested that the City grant certain tax abatements with respect to the Company's capital investment in the Project and each Data Center Tenant's capital investment in Tenant Equipment pursuant to the provisions of Act No. 92-599 enacted at the 1992 Regular Session of the Legislature of Alabama, now codified as Chapter 9B of Title 40 of the Code of Alabama (1975), as amended (the "Tax Abatement Act"). At a regular meeting of the City Council held on August 17, 2021, the City Council granted the tax abatements requested by the Company in connection with the Project. This Agreement is entered into between the City and the Company, and joined in by the Data Center Tenants, pursuant to Section 6(b) of the Tax Abatement Act.

NOW, THEREFORE, in consideration of the respective agreements on the part of the City and the Company herein contained, the City and the Company do hereby agree as follows:

Section 1. To the fullest extent permitted by the Tax Abatement Act, the City grants to the Company and to each Data Center Tenant an abatement of Noneducational Ad Valorem Taxes and Construction Related Transaction Taxes with respect to their respective capital investment in the Project; provided, however, that any such Taxes imposed, assessed or specially designated for the benefit of the East Alabama Medical Center, children's homes operated by Lee County, Alabama, or the Auburn City Public Schools shall not be abated. The terms "Noneducational Ad Valorem Taxes" and "Construction Related Transaction Taxes" shall have the same meanings herein as in the Tax Abatement Act. As a basis for the abatements granted by the City, the City hereby finds and declares (in reliance, in part, upon certain information supplied by the Company) as follows:

(a) The estimated amounts of the taxes abated pursuant to this Agreement with respect to the total estimated capital investment in the Project by the Company and the Data Center Tenants are as follows:

(i) Noneducational Ad Valorem Taxes: $457,830.00 per year (annual average over ten-year period); and

(ii) Construction-Related Transaction Taxes: $9,247,000.00.

(b) The abatement of Noneducational Ad Valorem Taxes granted to the Company and the Data Center Tenants shall have a Maximum Exemption Period (as defined in the Tax Abatement Act) of ten (10) years for the real and personal property comprising the Data Center and Tenant Equipment. The abatement shall commence, with respect to the real property comprising the Data Center, on the October 1st following the date on which such real property becomes owned by the Company for federal income tax purposes. The abatement shall commence, with respect to any personal property comprising the Data Center, on the October 1st following the date on which such personal property, on an item-by-item basis, becomes owned by the Company for federal income tax purposes. The abatement shall commence, with respect to Tenant Equipment, on the October 1st following the date on which Tenant Equipment, on an item-by-item basis, becomes owned by each Data Center Tenant for federal income tax purposes. The abatement of Noneducational Ad Valorem Taxes granted by the City to the Company and the Data Center Tenants shall apply to their respective capital investment in any real and personal property made a part of the Project at any time during the ten (10) year period beginning on the date that the Company commences the acquisition, construction, and equipping of the Data Center (the "Project Commencement Date").

(c) The Maximum Exemption Period provided in paragraph 1(b) above shall be extended to twenty (20) years if the aggregate capital investment in the Project by the Company and the Data Center Tenants exceeds $200,000,000.00 but is not greater than $400,000,000.00 within ten (10) years from the Project Commencement Date.

(d) The Maximum Exemption Period provided in paragraphs 1(b) and 1(c) above shall be extended to thirty (30) years if the aggregate capital investment in the Project by the Company and the Data Center Tenants exceeds $200,000,000.00 within ten (10) years from the Project Commencement Date and exceeds $400,000,000.00 within twenty (20) years from the Project Commencement Date.

(e) If the aggregate capital investment in the Project by the Company and the Data Center Tenants is less than $200,000,000.00 within ten (10) years from the Project Commencement Date, the abatement of Construction-Related Transaction Taxes granted by the City to the Company and the Data Center Tenants shall apply to their respective capital investment in any personal property made a part of the Project at any time during such ten (10) year period. If the aggregate capital investment in the Project by the Company and the Data Center Tenants exceeds $200,000,000.00 but is not greater than $400,000,000.00 within ten (10) years from the Project Commencement Date, the abatement of Construction-Related Transaction Taxes granted by the City to the Company and the Data Center Tenants shall apply to their respective capital investment in any real and personal property made a part of the Project at any time within twenty (20) years from the Project Commencement Date. If the aggregate capital investment in the Project by the Company and the Data Center Tenants exceeds $200,000,000.00 within ten (10) years from the Project Commencement Date and exceeds $400,000,000.00 within twenty (20) years from the Project Commencement Date, the abatement of Construction-Related Transaction Taxes granted by the City to the Company and the Data Center Tenants shall apply to their respective capital investment in any real and personal property made a part of the Project at any time within thirty (30) years from the Project Commencement Date.

Section 2. The Company hereby represents as follows with respect to the Project, all as more fully described in the Alabama Department of Revenue Form CO: CAA, Application to Granting Authority for Abatement of Taxes, heretofore submitted to the City:

(a) The total amount to be invested by the Company and the Data Center Tenants in the Project is anticipated to be approximately $127,175,000.00;

(b) No part of the Data Center or Tenant Equipment has been placed in service in Alabama by the Company of the Data Center Tenants prior to the execution and delivery of this Agreement;

(c) The business of the Company conducted at the Data Center constitutes a "Data Processing Center" within the meaning of Section 3(a)(4) of the Tax Abatement Act and an "Industrial or Research Enterprise" within the meaning of Section 3(a)(10) of the Tax Abatement Act and as described in Code 518210 of the 2017 North American Industry Classification System, promulgated by the Executive Office of the President of the United States, Office of Management and Budget; and

(d) The Company anticipates that initially five (5) new employees will be located at the Data Center with an approximate annual payroll of $325,000; that during the first year following commencement of the Project an additional five (5) new employees will be located at the Data Center with an approximate annual payroll of $325,000; that during the second year following commencement of the Project an additional ten (10) new employees will be located at the Data Center with an approximate annual payroll of $650,000; and that no additional new employees will be located at the Data Center during the third year following commencement of the Project.

Section 3. The Company and each Data Center Tenant releases the City from, and will indemnify and hold the City, its Council members, officers, employees and agents harmless against,

any and all claims and liabilities of any character or nature whatsoever asserted by or on behalf of any person, firm, corporation or governmental authority arising out of, resulting from, or in any way connected with the Project, including, without limiting the generality of the foregoing,

(a) obligations for the payment of any costs associated with the Project which the Company fails or refuses to pay, and

(b) any destruction of or damage to property or any injury to or death of any person or persons caused by or related to the Project.

The Company will also pay or reimburse all legal or other expenses reasonably incurred by the City, its Council members, officers, agents and employees in connection with the investigation or defense of any action or proceeding, whether or not resulting in liability, with respect to any claim, liability or loss in respect of which indemnity may be sought against the Company under the provisions of this Section 3.

Section 4. The Company represents to the City as follows:

(a) that the granting of the tax abatements described herein is an important consideration in the Company's decision whether to proceed with the Project;

(b) that the Company is being induced, in part, to arrange for and proceed with the Project in reliance on the undertakings of the City herein contained;

(c) that the Company is a limited liability company organized under the laws of the State of Alabama and has the power to enter into, and to perform and observe the agreements and covenants on its part contained in, this Agreement; and

(d) the execution and delivery of this Agreement on its part have been duly authorized by all necessary action.

Section 5. The City represents to the Company (a) that it has corporate power under the constitution and laws of the State of Alabama (including particularly the provisions of the Tax Abatement Act) to carry out the provisions of this Agreement, and (b) that the execution of this Agreement on its behalf has been duly authorized by resolution adopted by its City Council.

Section 6. This Agreement shall be effective as of the 17th day of August, 2021, the date on which the City adopted Resolution No. 21 -_____ approving the tax abatements described herein, upon its execution in full by the City and the Company and shall be binding upon and shall inure to the benefit of, the City and the Company and their respective successors and assigns.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in their respective names by their respective authorized representatives, the City has caused its seal to be hereunto affixed and has caused this Agreement to be attested, in six (6) counterparts, each of which shall be deemed an original, and the parties hereto agree that this Agreement shall be dated and effective as of the 17th day of August, 2021.

CITY OF AUBURN, ALABAMA

By: _____

Its: Mayor

ATTEST:

By: _____

Its: City Manager

AUBIX, LLC

By: _____
Name: _____
Its: _____

EXHIBIT A

Form of Joinder Agreement for Data Center Tenants

Reference is hereby made to the Tax Abatement Agreement dated August 17, 2021, as the same may be amended from time to time (the "Tax Abatement Agreement"), between the City of Auburn, a municipal corporation under the laws of the State of Alabama (the "City"), and ***[insert name of Data Center Tenant, entity type, and state of organization]*** (the "Data Center Tenant"). Pursuant to the first paragraph on page 1 of the Tax Abatement Agreement, the undersigned hereby acknowledges that it has received and reviewed a complete copy of the Tax Abatement Agreement and agrees that upon execution of this Joinder, the undersigned shall become a party to the Tax Abatement Agreement and shall be fully bound by, and subject to, all of the representations, covenants, terms, and conditions of the Tax Abatement Agreement as though an original party thereto and shall be deemed, and is hereby admitted, as a Data Center Tenant for all purposes thereof and entitled to all rights incidental thereto.

Capitalized terms used herein without definition shall have the meanings ascribed thereto in the Tax Abatement Agreement.

IN WITNESS WHEREOF, the User has executed this Agreement as of _____ ____, 202__.

[Insert Name of Data Center Tenant]

By: _____
Name: _____
Its: _____

Agenda Item Summary

Item No. 8d

Council Meeting Date	August 17, 2021
Department	Office of the City Manager
Submitted By	Megan McGowen Crouch
Agenda Section	Consent Agenda

Name and address of person(s) or business(es) this item affects:

City of Auburn

Description of item under consideration

Resolution establishing June 19, known as Juneteenth, as a municipal holiday in the City of Auburn following its declaration as a federal and state holiday.

Why is Council action needed?

Council action is requested for the establishment of Juneteenth as a City holiday.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn
Home of Auburn University

MEMORANDUM

TO: Mayor and Council

FROM: Megan McGowen Crouch, City Manager

DATE: August 12, 2021

Subject: Juneteenth Holiday

On June 17, 2021, Congress declared Juneteenth a federal holiday, and Governor Ivey subsequently declared Juneteenth as a state holiday. As we've discussed since then, I've planned to make a proposal to do the same for the City of Auburn alongside the Mid-Biennium budget process.

The attached resolution will establish that holiday for the City of Auburn. As with all holidays, if Juneteenth (June 19th) falls on a Saturday, we will observe it on Friday, and Juneteenth on Sunday will translate to a city holiday on Monday.

Juneteenth joins the following list of city holidays:

- New Year's Day
- Martin Luther King Jr. Day
- Memorial Day
- July 4
- Labor Day
- Veterans' Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Christmas Day

RESOLUTION NO. _____

WHEREAS, on June 17, 2021 Juneteenth was declared a federal and state of Alabama holiday; and

WHEREAS, the City Council of the City of Auburn desires to designate Juneteenth as a City holiday; and

WHEREAS, the following holidays are already designated as holidays for all city employees:

- New Year's Day
- Martin Luther King Jr. Day
- Memorial Day
- July 4
- Labor Day
- Veterans' Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Christmas Day

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Auburn, Alabama, that Juneteenth (June 19) be added as a holiday for all city employees.

ADOPTED AND APPROVED by the City of Auburn, Alabama, this the 17th day of August 2021.

_____
Mayor

ATTEST:

_____
City Manager

Agenda Item Summary

Item No. 8e(1)

Council Meeting Date	August 17, 2021
Department	Engineering Services
Submitted By	Alison Frazier
Agenda Section	Consent Agenda

Name and address of person(s) or business(es) this item affects:

Foresite Group, LLC
2128 Moores Mill Road, Suite C
Auburn, AL 36830

Description of item under consideration

Resolution authorizing the City Manager to execute Add Service No. 1 in the amount of $37,700 for additional services needed under the professional services agreement entered into with Foresite Group, LLC on November 19, 2019 to provide design services for the Martin Luther King Drive Streetscape Project. The additional services include a culvert extension being needed to accommodate the sidewalk, the inclusion of a right turn lane on Martin Luther King Drive at North Donahue Drive, and a storm drainage system design. The original professional services agreement, in the amount of $126,600, was for schematic design, design development, construction documents and permitting, bidding and construction administration assistance. The total cost of the agreement plus Add Service No. 1 is $164,300.

Why is Council action needed?

City Council action is needed to authorize the City Manager to execute Add Service No. 1 with Foresite Group, LLC for additional services in the amount of $37,700 for the Martin Luther King Drive Streetscape Project.

Are there deadlines involved with this item?

No

Is this a budgeted item?

Yes

RESOLUTION NO. _____

WHEREAS, the City Council of the City of Auburn recognizes that it is in the best interest of the City of Auburn to construct the Martin Luther King Drive Streetscape Project; and

WHEREAS, Foresite Group, LLC was selected as the company best able to meet the project programming, design, and construction requirements; and

WHEREAS, on November 19, 2019, City Council approved a professional services agreement with Foresite Group, LLC in the amount of $126,600; and

WHEREAS, additional design services are needed by Foresite Group, LLC in the amount of $37,700.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn, Alabama does hereby authorize the City Manager to execute Add Service No. 1 with Foresite Group, LLC for additional design services for the Martin Luther King Drive Streetscape Project in the amount of $37,700.

ADOPTED AND APPROVED by the City Council of the City of Auburn, Alabama, this the 17th day of August 2021.

_____
Mayor

ATTEST:

_____
City Manager

FORESITE group

2128 Moores Mill Road, Suite C
Auburn, Alabama 36830
o | 334.887.6064
f | 334.887.6024
w | www.fg-inc.net

July 2, 2021

VIA EMAIL
Alison Frazier, P.E., CFM
City of Auburn – City Engineer
171 North Ross Street
Auburn, AL 36830
afrazier@auburnalabama.org

Re: Project Agreement for Professional Engineering Services
Martin Luther King Drive Streetscape Design
Add Service #1: CORPS Exhibit, Add Alternate, Additional Design, Grading & Drainage
Auburn, AL 36830

Dear Ms. Frazier:

Foresite Group, LLC ("Foresite Group") is pleased to submit this Proposal for Additional Services to the City of Auburn ("Client") for providing the services set forth herein for the above-referenced project. Our Project Understanding is detailed below, and the following Proposal details the Scope of Services, Additional Services, Fees, Items Provided by Client, and Current Hourly Rate Schedule.

Project Understanding

Foresite Group has been requested to provide an add service proposal for incorporating additional design into construction documents for the Martin Luther King (MLK) Drive Streetscape project. The additional services include designing a culvert extension for a CORPS exhibit, Add Alternate design for a decel lane and ADA ramp, additional driveway at Mathan Holt property, layout of a new water line and grading/drainage design.

Based on our understanding of this project, Foresite Group has made the following assumptions regarding the Scope of Services:

1. All topographic and utility survey necessary to complete the additional design will be provided by the City.
2. Culvert extension is located between Jordan Street and Byrd Street.
3. Add Alternate design will include a decel lane and ADA ramp at the SW corner of Martin Luther King Drive and N Donahue Drive.
4. Proposed water line will connect from Richland Road to N Donahue Drive and be located under the proposed sidewalk.
5. No additional Client or stakeholder meetings are included in this scope.
6. Sidewalk closure or rerouting plans are not included in this scope.

7. Water line proposed by Foresite Group is conceptual in nature. City will design water main and send CAD files of location to be reflected on Foresite's final design plans.
8. Design for (1) additional driveway at Mathan Holt property are included in this scope.
9. Site distance analysis for the decel lane add alternate is included in this scope.
10. Signal modifications for the existing traffic and pedestrian signal at N Donahue and MLK Drive intersection is not included in this scope. Modifications to be provided by City
11. Additional retaining wall design for the decel lane alternate is included in this scope.
12. Drainage design for proposed inlets along the north side of MLK Drive is included in this scope based upon the spread issues created by adding curb and gutter to the road section.
13. All required grading and drainage easement exhibits are not included and are the responsibility of the City.

SECTION 1
Scope of Services

Task 1 – CORPS Exhibit (*Completed)*

Foresite Group will provide the following services:

1. Coordinate with City for additional survey needed.
2. Provide design for culvert extension.
3. Provide CORPS Exhibit to Client for review.
4. Incorporate Client comments into final exhibit and issue to CORPS.

Deliverables:

- PDF of CORPS Exhibit

Task 2 – Add Alternate and Additional Design

Foresite Group will provide the following services:

1. Update and revise the following Design Development plans to incorporate the Add Alternate decel lane design, proposed water line and additional driveway *(Completed):*
    a. Demolition Plans
    b. Staking Plans
    c. Grading and Drainage Plans
    d. Erosion Control Plans and Details
    e. Construction Details/Sections
    f. Tree Protection and Landscape Plans
2. Review Design Development revisions with Client. (*Completed*)
3. Conduct site distance analysis.
4. Incorporate Client comments into Construction Document plans and specs.
5. Update opinion of probable cost.

Deliverables:

- PDF of design development plans *(Completed)*
- PDF of construction document plans
- PDF of opinion of probable cost

Task 3 –Storm Drainage Inlet and Pipe Design

Foresite Group will provide the following services:

1. Delineate overall drainage basins and drainage paths through adjacent properties. Prepare Drainage Basin Maps and calculations for the pre/post condition for the new storm piping routes.
2. Provide exhibit of proposed storm inlet locations and pipe routing locations prior to Construction Document completion.
3. Upon approval of storm drainage routing plan, prepare 95% level Construction Documents and specifications to the City for final review. The plans will include the following drawings*:*
    a. Demolition Plans incorporation
    b. Grading and Drainage Plans incorporation
    c. Storm Drainage Profiles
    d. Erosion Control Plans and Details incorporation
    e. Construction Details/Sections Incorporation
4. Incorporate opinion of probable cost from Design Development submittal.
5. Submit plans to City for review.
6. Revised plans in response to the City comments.
7. Provide storm pipe profiles.
8. Update opinion of probable cost.

Deliverables:

- PDF of Pre and Post Drainage Basin Map
- PDF of Storm Drainage Routing Plan
- PDF of Construction Document plans
- PDF of opinion of probable cost

SECTION 2
Additional Services

Below is a list of Additional Services that are not included in the Scope of Services as noted in Section 1 of this Letter Agreement. Foresite Group can provide these Additional Services if authorized by the Client on a separate letter agreement.

1. Additional design approaches after review and approval by the Client.
2. Any survey-related items.
3. Easement exhibits and/or legal descriptions.
4. Traffic Study
5. Traffic Control Plan beyond lane closure detail.
6. Site Signage plan and/or sign permitting.
7. Meetings outside scope of services
8. Any special interest studies requested by Client outside scope of services.
9. Changes to Construction Drawings outside the scope of services.
10. Irrigation Plan
11. Road cross sections and profiles
12. Design of improvements on private property
13. Phasing Plan

14. Sidewalk Closure Plan
15. Signal Timing Plans
16. Signal plans beyond relocation of existing pedestrian signal pole
17. Right-of-Way Plans

SECTION 3
Fees

Task	Task Fee
Task 1 – CORPS Exhibit *(Completed)*	$3,200.00
Task 2 – Add Alternate and Additional Design	$19,500.00
Task 3 – Storm Drainage Inlet and Pipe Design	$15,000.00
Total	**$37,700.00**

All permitting, application, and similar project fees will be paid directly by the Client.

Fees and expenses will be invoiced monthly based, as applicable, upon the percentage of services completed or actual services performed, and expenses incurred as of the billing period. Payment will be due within 28 calendar days of the date of the invoice. Payments shall be made electronically or sent to Foresite Group, LLC, Attn: Accounts Receivable, 3740 Davinci Court, Suite 100, Peachtree Corners GA 30092.

SECTION 4
Items Provided by Client

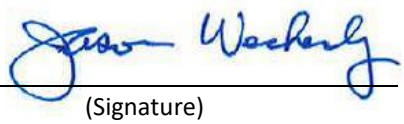
1. Topographic and utility survey
2. Application, Inspection, and Permit Fees
3. Geotechnical Report with pavement section recommendations
4. Easement exhibits and obtain easements from private landowners, if needed

SECTION 5
Current Hourly Rate Schedule

Principal	$ 225-285/hour
Practice Leader	$ 195-225/hour
Director of Engineering	$ 195-205/hour
Division Director	$ 150-205/hour
Senior Project Manager	$ 150-195/hour
Senior Project Engineer	$ 150-185/hour
Senior Landscape Architect	$ 150-180/hour
Project Landscape Architect	$ 120-160/hour
Project Manager	$ 130-150/hour
Project Engineer	$ 125-150/hour
Project Analyst	$ 100-125/hour
Senior Designer	$ 115-125/hour
Designer	$ 95-105/hour
CAD Drafter	$ 80-90/hour
Administrative Assistant	$ 65/hour
Expert Witness	$ 295/hour

If you agree to the terms of this Letter Agreement, please have an authorized representative sign in the space below. We appreciate the opportunity to provide these services to you. Please do not hesitate to contact us if you have any questions or comments.

Sincerely,
FORESITE GROUP, LLC

By:	 (Signature)	 (Signature)
Name:	Jason Weckerly, RLA	Brett C. Basquin
Title:	Greenspace + Land Design Division Dir.	Vice-President
Date:	July 2, 2021	July 2, 2021

Client:
CITY OF AUBURN

By: _____
(Signature)

Name: Alison Frazier
(Printed Name)

Title: _____

Date: _____

ALL INVOICES SHALL BE SENT TO THE FOLLOWING ADDRESS:
City of Auburn Development Services
171 North Ross St
Auburn, AL 36830
Attn: Alison Frazier

ALL PAYMENTS SHALL BE SENT VIA EFT OR TO THE FOLLOWING ADDRESS:
Foresite Group, LLC
Attn: Accounts Receivable
3740 Davinci Ct, Suite 100
Peachtree Corners, GA 30092

Agenda Item Summary

Item No. 8e(2)

Council Meeting Date	August 17, 2021
Department	Environmental Services
Submitted By	Catrina W. Cook
Agenda Section	Consent Agenda

Name and address of person(s) or business(es) this item affects:

Otto Environmental Systems (AZ), LLC
12700 General Drive
Charlotte, NC 28273

Description of item under consideration

Resolution authorizing the City Manager to execute a contract with Otto Environmental Systems (AZ), LLC to purchase 560 ninety-five gallon roll-out carts at a cost of $35,894.60. The price and vendor are established per Houston-Galveston Area Council Buy Contract Number RC01-21. The carts will be used for household garbage collection by the Solid Waste Division.

Why is Council action needed?

City Council is needed to authorize the City Manager to execute a contract with Otto Environmental Systems (AZ), LLC to purchase 560 ninety five gallon roll-out carts.

Are there deadlines involved with this item?

No

Is this a budgeted item?

Yes

City of Auburn
Home of Auburn University

MEMORANDUM

To: Megan McGowen Crouch
City Manager

From: Catrina W. Cook
Environmental Services Director

Date: August 6, 2021

Subject: Ninety-Five Gallon Roll-Out Garbage Carts

I am recommending the purchase of 560 ninety-five gallon roll-out garbage carts. The vendor and price are established under Houston-Galveston Area Council Buy Contract Number RC01-18 as follows:

VENDOR	**CONTRACT PRICE**
Otto Environmental Systems (AZ), LLC 12500 General Drive Charlotte, NC 28273	$35,894.60

The garbage carts will be used as replacements for those that are damaged beyond repair and new residences. The carts will be used for household garbage collection by the Solid Waste Division.

RESOLUTION NO._____

WHEREAS, the City Council of the City of Auburn, Alabama, recognizes that it is in the best interest of the City of Auburn to purchase 560 ninety-five gallon roll-out carts to be used by the Solid Waste Division of the Environmental Services Department; and

WHEREAS, Houston-Galveston Area Council Buy contract number RC01-21 establishes the price of the roll-out carts at $35,894.60 through Otto Environmental Systems (AZ), LLC.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn, Alabama, does hereby authorize the City Manager to execute a contract with Otto Environmental Systems (AZ), LLC to purchase 560 ninety-five gallon roll-out carts at the total price of $35,894.60.

ADOPTED AND APPROVED by the City Council of the City of Auburn, Alabama, this the 17th day of August 2021.

_____
Mayor

ATTEST:

_____
City Manager

Otto Environmental Systems North America, Inc.
12700 General Drive, Charlotte, NC 28273

Quote: 14617

Amy Gilbert
Order Contact
CITY OF AUBURN
ACCOUNTS PAYABLE
144 Tichenor Ave Ste 7
Auburn AL 36830-4785

Dear Amy,

Thank you for allowing Otto Environmental Systems North America, Inc. the opportunity to present this quotation to CITY OF AUBURN. Please let me know if you have any questions, and thank you for your interest.

Proposal Valid: July 23, 2021 - August 22, 2021

Line	Product	Description	Quantity	Net Price	Net Value
10	9786565-FR0OR000H0-AUBURNAL0T01	95 Mil Trash AUBURNAL (SK) **RFID**c	560 Each	61.00 USD / 1 Each	34,160.00 USD
	List Price		61.00	USD / 1 Each	34,160.00 USD
	Freight		1,734.60	USD	1,734.60 USD
	Cart Style: 95 Gal Mil 10-Stack/Metal Bar/Bib/One Handle Cart Base Color: 65 - Forest Green Lid Color: 65 - Forest Green Wheel: WHLIM10-R - 10" WHEEL INJ SNAP ON W/ RUB RFID: RFID				

Total Item Net Value	34,160.00 USD
Freight	1,734.60 USD
Total	**35,894.60 USD**

Payment Terms: 10 days 1% cash discount, 30 days net

All Credit Card transactions are subject to a 2.5% processing fee.

Orders containing premium colors may or may not include extended lead times.

Sincerely,

John Van Ness

John.VanNess@otto-usa.com

HGACBuy	CONTRACT PRICING WORKSHEET For Standard Equipment Purchases	Contract No.:	RC01-21	Date Prepared:	

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be sent to Veronica Johnson, Veronica.Johnson@h-gac.com 713-993-2446

Buying Agency:	City of Auburn, AL	Contractor:	Otto Environmental Systems North America, Inc.
Contact Person:	LaKen Reese	Prepared By:	John Van Ness
Phone:	334-501-7237	Phone:	704-467-4186
Fax:		Fax:	704-588-5250
Email:	lreese@auburnalabama.org	Email:	Sandra.Abdow@otto-usa.com

Product Code:	RC21E29	Description:	95 Gallon Millenium Residential Roll Cart

A. Product Item Base Unit Price Per Contractor's H-GAC Contract:	42.97

B. Published Options - Itemize below - Attach additional sheet if necessary - Include Option Code in description if applicable
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
		Subtotal From Additional Sheet(s):	
		Subtotal B:	0

C. Unpublished Options - Itemize below - Attach additional sheet if necessary
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
RFID	2		
Resin Surcharge	16.03		
		Subtotal From Additional Sheet(s):	
		Subtotal C:	18.03

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).	For this transaction the percentage is:	42%

D. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B+C)

Quantity Ordered:	560	X Subtotal of A + B + C:	61	=	Subtotal D:	34160

E. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
Freight	1734.6		
		Subtotal E:	1734.6

Delivery Date:		F. Total Purchase Price (D+E):	35894.6

HGACBuy THE SMART PURCHASING SOLUTION

Agenda Item Summary

Item No. 8f(1)

Council Meeting Date	August 17, 2021
Department	Planning
Submitted By	Steve Foote
Agenda Section	Consent Agenda

Name and address of person(s) or business(es) this item affects:

Dilworth Development
2124 Moores Mill Road, Suite 130A
Auburn, AL 36830

Mike Maher, Precision Surveying
2124 Moores Mill Road, Suite 110
Auburn, AL 36830

Description of item under consideration

Resolution accepting various easements and rights-of-way, as shown on the plat, Yarbrough Farms, Oakmont, Phase 1 (Case PL-2021-00466), located at the eastern terminus of Andrews Avenue.

Why is Council action needed?

City Council action is necessary for acceptance of all easements and rights-of-way per Article III, Section G, of the City of Auburn Subdivision Regulations, which requires that acceptance of dedicated lands by the City Council must occur prior to recording the final plat.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

RESOLUTION NO. _____

WHEREAS the Auburn Planning Commission has determined that it is in the best interest of the City to accept the various rights-of-way and easements, as shown on the plat, Yarbrough Farms, Oakmont, Phase 1 (Case PL-2021-00466), located west of Andrews Avenue and east of the Northpointe subdivision; and

WHEREAS, the owner of said property, namely Dilworth Development, Inc., desires to dedicate the same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, Alabama, as follows:

That the City of Auburn does hereby accept the rights-of-way and easements, as shown on the plat, Yarbrough Farms, Oakmont, Phase 1 (Case PL-2021-00466), located west of Andrews Avenue and east of the Northpointe subdivision

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 17th day of August, 2021.

_____
Mayor

ATTEST:

_____
City Manager

Revised Final Plat
PL-2021-00466
Received 8/5/2021

STATE OF ALABAMA
LEE COUNTY

I, Michael T. Maher, a Professional Licensed Land Surveyor of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of practice for surveying in the State of Alabama to the best of my knowledge, information, and belief.

In witness whereof, I have hereunto set my hand and seal on this the ____ day of _____, 2021.

_____
Michael T. Maher, Alabama License No. 29993
Not a certified survey unless signed and stamped with my seal.

STATE OF ALABAMA
LEE COUNTY

Dilworth Development Inc., owner of the real property shown on this plat, hereby joins in the statement of Michael T. Maher, and certifies that it was and is its purpose to subdivide the lands so platted as shown,

In witness whereof, I, Michael Dilworth, as president of said corporation, have hereunto

set my hand on this the _____ day of _____, 2021.

_____
Michael Dilworth, President of Dilworth Development, Inc.

STATE OF ALABAMA
LEE COUNTY

I, _____, a Notary Public, in and for said County in said State, hereby certify that Michael Dilworth, whose name as President OF Dilworth Development Inc is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

In witness whereof, I have hereunto set my hand and seal on this

the _____ day of _____, 2021.

Notary Public: _____ My commission expires: _____

State of Alabama
Lee County

I, P and T Properties, L.L.C., owner of the real property shown on this plat, hereby join in the statement of Michael T. Maher, and certify that it was and is ITS purpose to subdivide the lands so platted as shown,

In witness whereof, I, Michael Thompson as managing member of said LLC have hereunto set my

hand on this the _____ day of _____, 2021.

_____
Michael Thompson as managing member of P and T Properties, L.L.C.

STATE OF ALABAMA
LEE COUNTY

I, _____, a Notary Public, in and for said County in said State, hereby certify that Michael Thompson, whose name as Manager of P and T Properties, L.L.C. is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

In witness whereof, I have hereunto set my hand and seal on this

the _____ day of _____, 2021.

Notary Public: _____ My commission expires: _____

Approved by the Auburn City Planning Commission, Auburn, Alabama:

Planning Director: _____ Date: _____

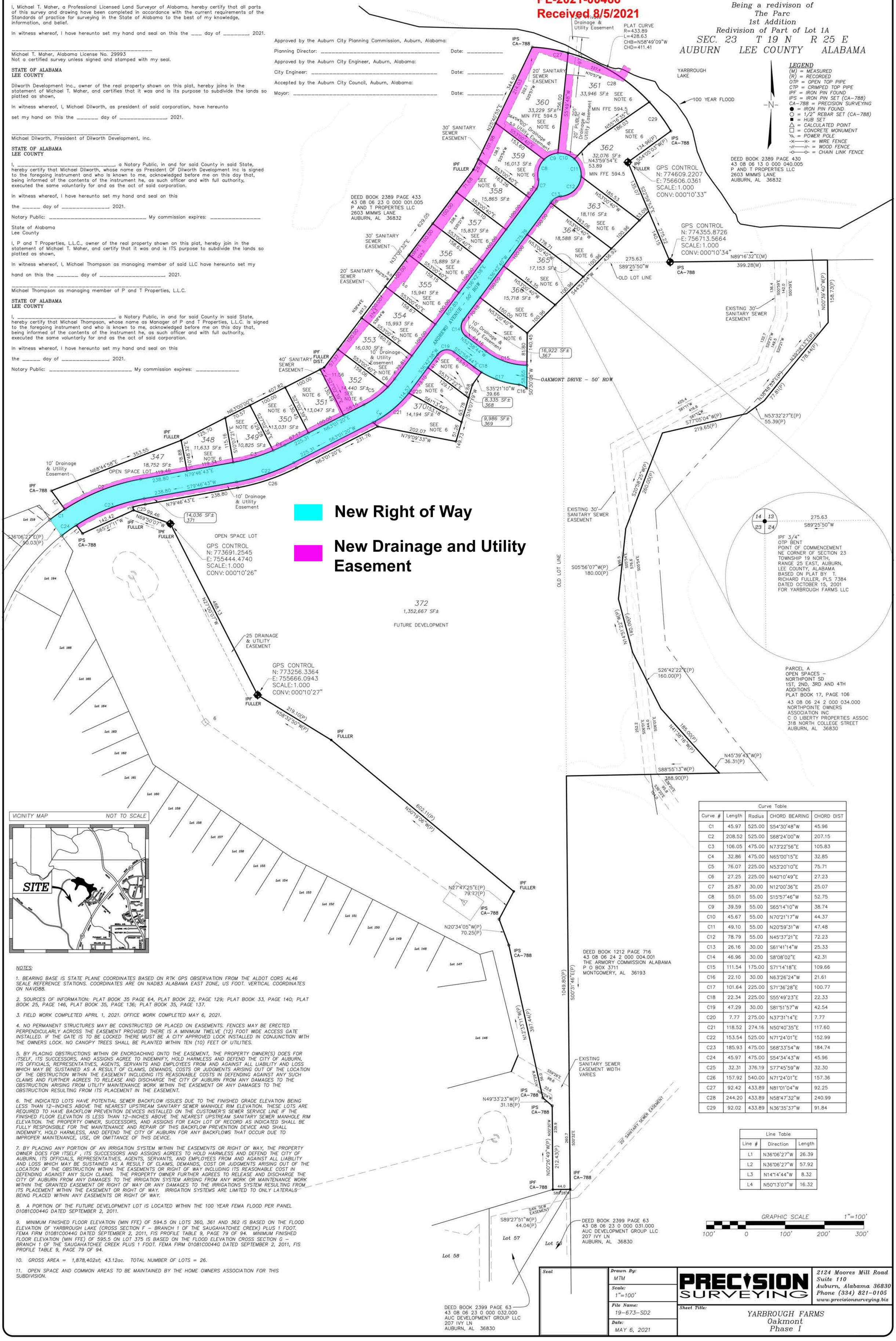
Approved by the Auburn City Engineer, Auburn, Alabama:

City Engineer: _____ Date: _____

Accepted by the Auburn City Council, Auburn, Alabama:

Mayor: _____ Date: _____

YARBROUGH FARMS
Oakmont Phase I
Being a redivison of
The Parc
1st Addition
Redivision of Part of Lot 1A
SEC. 23 T 19 N R 25 E
AUBURN LEE COUNTY ALABAMA



Curve Table				
Curve #	Length	Radius	CHORD BEARING	CHORD DIST
C1	45.97	525.00	S54°30'48"W	45.96
C2	208.52	525.00	S68°24'00"W	207.15
C3	106.05	475.00	N73°22'56"E	105.83
C4	32.86	475.00	N65°00'15"E	32.85
C5	76.07	225.00	N53°20'10"E	75.71
C6	27.25	225.00	N40°10'49"E	27.23
C7	25.87	30.00	N12°00'36"E	25.07
C8	55.01	55.00	S15°57'46"W	52.75
C9	39.59	55.00	S65°14'10"W	38.74
C10	45.67	55.00	N70°21'17"W	44.37
C11	49.10	55.00	N20°59'31"W	47.48
C12	78.79	55.00	N45°37'21"E	72.23
C13	26.16	30.00	S61°41'14"W	25.33
C14	46.96	30.00	S8°08'02"E	42.31
C15	111.54	175.00	S71°14'18"E	109.66
C16	22.10	30.00	N63°26'24"W	21.61
C17	101.64	225.00	S71°36'28"E	100.77
C18	22.34	225.00	S55°49'23"E	22.33
C19	47.29	30.00	S81°51'57"W	42.54
C20	7.77	275.00	N37°31'14"E	7.77
C21	118.52	274.16	N50°40'35"E	117.60
C22	153.54	525.00	N71°24'01"E	152.99
C23	185.93	475.00	S68°33'54"W	184.74
C24	45.97	475.00	S54°34'43"W	45.96
C25	32.31	376.19	S77°45'59"W	32.30
C26	157.92	540.00	N71°24'01"E	157.36
C27	92.42	433.89	N81°01'04"W	92.25
C28	244.20	433.89	N58°47'32"W	240.99
C29	92.02	433.89	N36°35'37"W	91.84

Line Table		
Line #	Direction	Length
L1	N36°06'27"W	26.39
L2	N36°06'27"W	57.92
L3	N14°14'44"W	8.32
L4	N50°13'07"W	16.32

VICINITY MAP NOT TO SCALE

NOTES:

1. BEARING BASE IS STATE PLANE COORDINATES BASED ON RTK GPS OBSERVATION FROM THE ALDOT CORS AL46 SEALE REFERENCE STATIONS. COORDINATES ARE ON NAD83 ALABAMA EAST ZONE, US FOOT. VERTICAL COORDINATES ON NAVD88.

2. SOURCES OF INFORMATION: PLAT BOOK 35 PAGE 64, PLAT BOOK 22, PAGE 129; PLAT BOOK 33, PAGE 140; PLAT BOOK 25, PAGE 146, PLAT BOOK 35, PAGE 136; PLAT BOOK 35, PAGE 137.

3. FIELD WORK COMPLETED APRIL 1, 2021. OFFICE WORK COMPLETED MAY 6, 2021.

4. NO PERMANENT STRUCTURES MAY BE CONSTRUCTED OR PLACED ON EASEMENTS. FENCES MAY BE ERECTED PERPENDICULARLY ACROSS THE EASEMENT PROVIDED THERE IS A MINIMUM TWELVE (12) FOOT WIDE ACCESS GATE INSTALLED. IF THE GATE IS TO BE LOCKED THERE MUST BE A CITY APPROVED LOCK INSTALLED IN CONJUNCTION WITH THE OWNERS LOCK. NO CANOPY TREES SHALL BE PLANTED WITHIN TEN (10) FEET OF UTILITIES.

5. BY PLACING OBSTRUCTIONS WITHIN OR ENCROACHING ONTO THE EASEMENT, THE PROPERTY OWNER(S) DOES FOR ITSELF, ITS SUCCESSORS, AND ASSIGNS AGREE TO INDEMNIFY, HOLD HARMLESS AND DEFEND THE CITY OF AUBURN, ITS OFFICIALS, REPRESENTATIVES, AGENTS, SERVANTS AND EMPLOYEES FROM AND AGAINST ALL LIABILITY AND LOSS WHICH MAY BE SUSTAINED AS A RESULT OF CLAIMS, DEMANDS, COSTS OR JUDGMENTS ARISING OUT OF THE LOCATION OF THE OBSTRUCTION WITHIN THE EASEMENT INCLUDING ITS REASONABLE COSTS IN DEFENDING AGAINST ANY SUCH CLAIMS AND FURTHER AGREES TO RELEASE AND DISCHARGE THE CITY OF AUBURN FROM ANY DAMAGES TO THE OBSTRUCTION ARISING FROM UTILITY MAINTENANCE WORK WITHIN THE EASEMENT OR ANY DAMAGES TO THE OBSTRUCTION RESULTING FROM ITS PLACEMENT IN THE EASEMENT.

6. THE INDICATED LOTS HAVE POTENTIAL SEWER BACKFLOW ISSUES DUE TO THE FINISHED GRADE ELEVATION BEING LESS THAN 12-INCHES ABOVE THE NEAREST UPSTREAM SANITARY SEWER MANHOLE RIM ELEVATION. THESE LOTS ARE REQUIRED TO HAVE BACKFLOW PREVENTION DEVICES INSTALLED ON THE CUSTOMER'S SEWER SERVICE LINE IF THE FINISHED FLOOR ELEVATION IS LESS THAN 12-INCHES ABOVE THE NEAREST UPSTREAM SANITARY SEWER MANHOLE RIM ELEVATION. THE PROPERTY OWNER, SUCCESSORS, AND ASSIGNS FOR EACH LOT OF RECORD AS INDICATED SHALL BE FULLY RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF THIS BACKFLOW PREVENTION DEVICE AND SHALL INDEMNIFY, HOLD HARMLESS, AND DEFEND THE CITY OF AUBURN FOR ANY BACKFLOWS THAT OCCUR DUE TO IMPROPER MAINTENANCE, USE, OR OMITTANCE OF THIS DEVICE.

7. BY PLACING ANY PORTION OF AN IRRIGATION SYSTEM WITHIN THE EASEMENTS OR RIGHT OF WAY, THE PROPERTY OWNER DOES FOR ITSELF , ITS SUCCESSORS AND ASSIGNS AGREES TO HOLD HARMLESS AND DEFEND THE CITY OF AUBURN, ITS OFFICIALS, REPRESENTATIVES, AGENTS, SERVANTS, AND EMPLOYEES FROM AND AGAINST ALL LIABILITY AND LOSS WHICH MAY BE SUSTAINED AS A RESULT OF CLAIMS, DEMANDS, COST OR JUDGMENTS ARISING OUT OF THE LOCATION OF THE OBSTRUCTION WITHIN THE EASEMENTS OR RIGHT OF WAY INCLUDING ITS REASONABLE COST IN DEFENDING AGAINST ANY SUCH CLAIMS. THE PROPERTY OWNER FURTHER AGREES TO RELEASE AND DISCHARGE THE CITY OF AUBURN FROM ANY DAMAGES TO THE IRRIGATION SYSTEM ARISING FROM ANY WORK OR MAINTENANCE WORK WITHIN THE GRANTED EASEMENT OR RIGHT OF WAY OR ANY DAMAGES TO THE IRRIGATIONS SYSTEM RESULTING FROM ITS PLACEMENT WITHIN THE EASEMENT OR RIGHT OF WAY. IRRIGATION SYSTEMS ARE LIMITED TO ONLY LATERALS BEING PLACED WITHIN ANY EASEMENTS OR RIGHT OF WAY.

8. A PORTION OF THE FUTURE DEVELOPMENT LOT IS LOCATED WITHIN THE 100 YEAR FEMA FLOOD PER PANEL 01081C0044G DATED SEPTEMBER 2, 2011.

9. MINIMUM FINISHED FLOOR ELEVATION (MIN FFE) OF 594.5 ON LOTS 360, 361 AND 362 IS BASED ON THE FLOOD ELEVATION OF YARBROUGH LAKE (CROSS SECTION F - BRANCH 1 OF THE SAUGAHATCHEE CREEK) PLUS 1 FOOT. FEMA FIRM 01081C0044G DATED SEPTEMBER 2, 2011, FIS PROFILE TABLE 9, PAGE 79 OF 94. MINIMUM FINISHED FLOOR ELEVATION (MIN FFE) OF 595.5 ON LOT 375 IS BASED ON THE FLOOD ELEVATION CROSS SECTION G - BRANCH 1 OF THE SAUGAHATCHEE CREEK PLUS 1 FOOT. FEMA FIRM 01081C0044G DATED SEPTEMBER 2, 2011, FIS PROFILE TABLE 9, PAGE 79 OF 94.

10. GROSS AREA = 1,878,402sf; 43.12ac. TOTAL NUMBER OF LOTS = 26.

11. OPEN SPACE AND COMMON AREAS TO BE MAINTAINED BY THE HOME OWNERS ASSOCIATION FOR THIS SUBDIVISION.

Seal

Drawn By: MTM
Scale: 1"=100'
File Name: 19-673-SD2
Date: MAY 6, 2021

PRECISION SURVEYING
2124 Moores Mill Road
Suite 110
Auburn, Alabama 36830
Phone (334) 821-0105
www.precisionsurveying.biz

Sheet Title: YARBROUGH FARMS Oakmont Phase I

P:\Jobs\2019\19-673\19-673-sd2_1_26865_b2c8e740.sv$.dwg, 8/5/2021 11:22:07 AM, 1:100

Agenda Item Summary

Item No. 8f(2)

Council Meeting Date	August 17, 2021
Department	Planning
Submitted By	Steve Foote
Agenda Section	Consent Agenda

Name and address of person(s) or business(es) this item affects:

Clayton Properties Group, Inc.
3112 Blue Lake Drive, Suite 100
Birmingham, AL 35243

Brett Basquin
Foresite Group, Inc.
Authorized Representative

Deborah and John Mitchell
2700 Mimms Trail
Auburn, AL 36832

Description of item under consideration

Resolution accepting right-of-way, as shown on the plat, Mitchell/Clayton Lands (Case PL-2021-00478), located at the eastern terminus of Mimms Trail.

Why is Council action needed?

City Council action is necessary for acceptance of all easements and rights-of-way per Article III, Section G, of the City of Auburn Subdivision Regulations, which requires that acceptance of dedicated lands by the City Council must occur prior to recording the final plat.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

RESOLUTION NO. _____

WHEREAS the Auburn Planning Commission has determined that it is in the best interest of the City to accept the right-of-way, as shown on the plat, Mitchell/Clayton Lands (Case PL-2021-00478), located at the terminus of Mimms Trail; and

WHEREAS, the owner of said property, namely Clayton Properties Group, Inc. and Deborah and John Mitchell desire to dedicate the same; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, Alabama, as follows:

That the City of Auburn does hereby accept the right-of-way, as shown on the plat, Mitchell/Clayton Lands (Case PL-2021-00478), located at the terminus of Mimms Trail.

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 17th day of August, 2021.

_____
Mayor

ATTEST:

_____
City Manager

MITCHELL/ CLAYTON LAND
REDIVISION OF LOT 368, MIMM'S TRAIL SUBDIVISION, 9TH ADDITION, PHASE A AND LOT 2, MIMM'S LAND - FOUNTAIN VIEW

PL-2021-00477
PL-2021-00478
Received 8/2/21

ROW

STATE OF ALABAMA
LEE COUNTY

I, ARTHUR R. NETTLES, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE 2ND DAY OF AUGUST, 2021.

ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
NOT A CERTIFIED SURVEY UNLESS SIGNED AND STAMPED WITH MY SEAL

STATE OF ALABAMA
LEE COUNTY

I, JOHN MITCHELL, AND DEBORAH MITCHELL, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ___ DAY OF AUGUST, 2021.

DEBORAH MITCHELL
OWNER

JOHN MITCHELL,
OWNER

STATE OF ALABAMA
LEE COUNTY

I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT JOHN MITCHELL, AND DEBORAH MITCHELL, WHOSE NAMES ARE SIGNED TO THE FOREGOING INSTRUMENT AND WHOSE NAME ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE THAT, BEING INFORMED ON THE CONTENTS OF THE INSTRUMENT, HAVE EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE _____ DAY OF AUGUST, 2021.

NOTARY PUBLIC:
MY COMMISSION EXPIRES:

STATE OF ALABAMA
LEE COUNTY

I, BROOKS HARRIS, AS VICE PRESIDENT OF CLAYTON PROPERTIES GROUP, INC., AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ___ DAY OF AUGUST, 2021.

BROOKS HARRIS, VICE PRESIDENT
CLAYTON PROPERTIES GROUP, INC.

STATE OF ALABAMA
LEE COUNTY

I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT BROOKS HARRIS, AS VICE PRESIDENT OF CLAYTON PROPERTIES GROUP, INC. WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT AND WHOSE NAME IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE THAT, BEING INFORMED ON THE CONTENTS OF THE INSTRUMENT, HAS EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE _____ DAY OF AUGUST, 2021.

NOTARY PUBLIC:
MY COMMISSION EXPIRES:

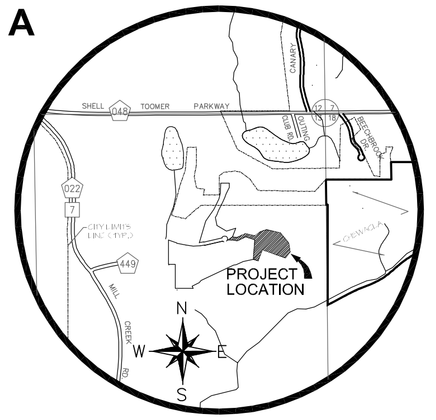
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W E
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SCALE: 1"= 100'

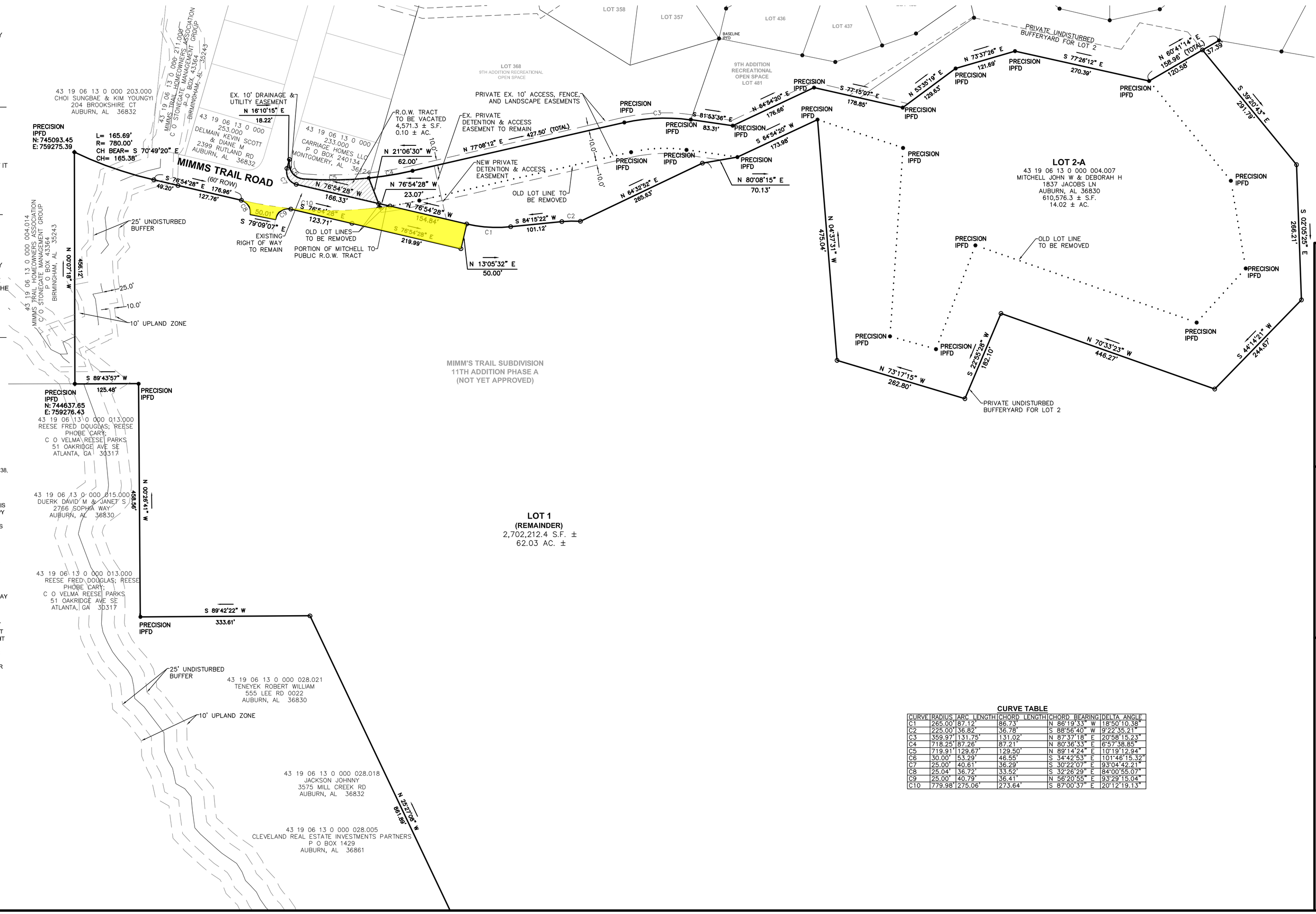
100 50 0 100 200
SCALE IN FEET

LEGEND

CT	CRIMPED TOP
OT	OPEN TOP
IPFD●	IRON PIN FOUND
IPS○	IRON PIN SET
△	CALCULATED POINT
■	CONCRETE MONUMENT FOUND
⊠	SPIKE NAIL SET
R.O.W.	RIGHT-OF-WAY
(F)	FIELD MEASUREMENT
(P)	PLAT DIMENSION
BASELINE	PLASTIC CAP ON THE TOP OF 5/8" REBAR BEARING BASELINE SURVEYING & DESIGN, LLC'S ALABAMA LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER CA-922
PRECISION	PLASTIC CAP ON THE TOP OF 1/2" REBAR BEARING PRECISION SURVEYING, LLC'S ALABAMA LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER CA-0788



VICINITY MAP
NOT TO SCALE



LOT 1
(REMAINDER)
2,702,212.4 S.F. ±
62.03 AC. ±

NOTES:

1. THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
2. BEARINGS BASED ON GPS RTK OBSERVATION USING AUBURN CORS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE STATE PLANE COORDINATE SYSTEM. VERTICAL DATUM IS NAVD 88.
3. NORTH IS BASED ON GRID NORTH.
4. OFFICEWORK COMPLETED AUGUST 2, 2021.
5. SOURCES OF INFORMATION USED: DEED BOOK 2271, PAGE 730; PLAT BOOK 24, PAGE 83; PLAT BOOK 33, PAGE 22; PLAT BOOK 38, PAGE 4; PLAT BOOK 39, PAGE 116; PLAT BOOK 40, PAGE 135; AND PLAT BOOK 42, PAGE 92.
6. ACCORDING TO FEMA FIRM MAP NO. 01081C0192G AND 01081C0211, FOR THE CITY OF AUBURN AND LEE COUNTY, ALABAMA, EFFECTIVE DATE NOVEMBER 2, 2011, THIS PROPERTY LIES IN ZONE X, AND AREA OF MINIMAL FLOODING.
7. NO PERMAMENT STRUCTURES MAY BE CONSTRUCTED OR PLACED ON EASEMENTS. FENCES MAY BE ERECTED PERPENDICULARY ACROSS THE EASEMENT PROVIDED THERE IS A MINIMUM 12' WIDE ACCESS GATE INSTALLED. IF THE GATE IS TO BE LOCKED, THERE MUST BE A CITY APPROVED LOCK INSTALLED IN CONJUNCTION WITH THE THE OWNER'S LOCK. NO CANOPY TREES SHALL BE PLANTED WITHIN TEN (10) FEET OF UTILITIES.
8. BY PLACING OBSTRUCTIONS WITHIN OR ENCROACHING ONTO THE EASEMENT, THE PROPERTY OWNER DOES FOR ITSELF, ITS SUCCESSORS AND ASSIGNS AGREE TO HOLD HARMLESS AND DEFEND THE CITY OF AUBURN, ITS OFFICIALS REPRESENTATIVES, AGENTS, SERVANTS, AND EMPLOYEES FROM AND AGAINST ALL LIABILITY AND LOSS WHICH MAY BE SUSTAINED AS A RESULT OF CLAIMS, DEMANDS, COSTS OR JUDGEMENTS ARISING OUT OF THE LOCATION OF THE OBSTRUCTION WITHIN THE EASEMENT INCLUDING ITS REASONABLE COSTS IN DEFENDING AGAINST ANY SUCH CLAIMS AND FURTHER AGREES TO RELEASE AND DISCHARGE THE CITY OF AUBURN FROM ANY DAMAGES TO THE OBSTRUCTION ARISING FROM UTILITY MAINTENANCE WORK WITHIN THE EASEMENT OR ANY DAMAGES TO THE OBSTRUCTION RESULTING FROM ITS PLACEMENT IN THE EASEMENT.
9. BY PLACING ANY PORTION OF AN IRRIGATION SYSTEM WITHIN THE EASEMENTS OR RIGHT OF WAY, THE PROPERTY OWNER DOES FOR ITSELF , ITS SUCCESSORS AND ASSIGNS AGREES TO HOLD HARMLESS AND DEFEND THE CITY OF AUBURN, ITS OFFICIALS, REPRESENTATIVES, AGENTS, SERVANTS, AND EMPLOYEES FROM AND AGAINST ALL LIABILITY AND LOSS WHICH MAY BE SUSTAINED AS A RESULT OF CLAIMS, DEMANDS, COST OR JUDGMENTS ARISING OUT OF THE LOCATION OF THE OBSTRUCTION WITHIN THE EASEMENTS OR RIGHT OF WAY INCLUDING ITS REASONABLE COST IN DEFENDING AGAINST ANY SUCH CLAIMS.~ THE PROPERTY OWNER FURTHER AGREES TO RELEASE AND DISCHARGE THE CITY OF AUBURN FROM ANY DAMAGES TO THE IRRIGATION SYSTEM ARISING FROM ANY WORK OR MAINTENANCE WORK WITHIN THE GRANTED EASEMENT OR RIGHT OF WAY OR ANY DAMAGES TO THE IRRIGATIONS SYSTEM RESULTING FROM ITS PLACEMENT WITHIN THE EASEMENT OR RIGHT OF WAY.~ IRRIGATION SYSTEMS ARE LIMITED TO ONLY LATERALS BEING PLACED WITHIN ANY EASEMENTS OR RIGHT OF WAY.
10. THE GROSS AREA OF 11TH ADDITION, PHASE A IS 879981.7 S.F. ±, OR 20.20 AC. ±, WHICH INCLUDES NEW RIGHT-OF-WAYS FOR ROADWAYS. SEE OVERALL BOUNDARY AND AREA MAP FOR FURTHER DETAILS.
11. THE REMAINING PROPERTY REMNANTS, LOT 1, CONTAINS 61.07 AC. ±. SEE OVERALL BOUNDARY AND AREA MAP FOR FURTHER AREA DETAILS.
12. MIMM'S TRAIL HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE OF ALL OPEN SPACE.
13. THIS DEVELOPMENT IS SERVED BY LOACHAPOKA WATER AUTHORITY FOR WATER SERVICES.
14. SANITARY SEWER SERVICE FOR THIS DEVELOPMENT IS PROVIDED BY THE CITY OF AUBURN.

CITY OF AUBURN, ALABAMA

APPROVED BY THE AUBURN CITY COUNCIL, AUBURN, ALABAMA:

MAYOR:_____ DATE:_____

APPROVED BY THE AUBURN CITY PLANNING DEPARTMENT, AUBURN, ALABAMA:

PLANNING DIRECTOR:_____ DATE:_____

APPROVED BY THE AUBURN CITY ENGINEER:

CITY ENGINEER: _____ DATE:_____

LOACHAPOKA WATER AUTHORITY

APPROVED BY THE LOACHAPOKA WATER AUTHORITY

AUTHORIZED REPRESENTATIVE:_____ DATE:_____

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	265.00'	87.12'	86.73'	N 86°19'33" W	18°50'10.38"
C2	225.00'	36.82'	36.78'	S 88°56'40" W	9°22'35.21"
C3	359.97'	131.75'	131.02'	N 87°37'18" E	20°58'15.23"
C4	718.25'	87.26'	87.21'	N 80°36'33" E	6°57'38.85"
C5	719.91'	129.67'	129.50'	N 89°14'24" E	10°19'12.94"
C6	30.00'	53.29'	46.55'	S 34°42'53" E	101°46'15.32"
C7	25.00'	40.61'	36.29'	S 30°22'07" E	93°04'42.21"
C8	25.04'	36.72'	33.52'	S 32°26'29" E	84°00'55.07"
C9	25.00'	40.79'	36.41'	N 56°20'55" E	93°29'15.04"
C10	779.98'	275.06'	273.64'	S 87°00'37" E	20°12'19.13"

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JOB NO.	B54520.07
DRAWN	CMS
CREW CHIEF	BGC

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Opelika, Alabama 36801
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Web:www.baselinellc.com
BASELINE
SURVEYING & DESIGN, LLC

MITCHELL/ CLAYTON LAND
REDIVISION OF LOT 368, MIMM'S TRAIL SUBDIVISION, 9TH ADDITION, PHASE A AND LOT 2, MIMM'S LAND - FOUNTAIN VIEW
SEC. 13 T 18 N Rg 25 E
AUBURN LEE COUNTY ALABAMA
SCALE: 1"=100' AUGUST 2, 2021
ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922

Agenda Item Summary

Item No. 9a

Council Meeting Date	August 17, 2021
Department	Inspection Services
Submitted By	John Hoar
Agenda Section	Ordinances

Public Hearing Required

Name and address of person(s) or business(es) this item affects:

City of Auburn

Contractors, Developers, Businesses and Homeowners

Description of item under consideration

This ordinance with amendments will establish the International Building Codes, Building, Residential, Fire, Plumbing, Mechanical, Fuel Gas, Existing Building and Electrical as the model building codes for new construction, additions, alterations and life safety in the City of Auburn.

Why is Council action needed?

City Council action is needed to pass an ordinance. Section 2-4 of the City Code and Section 11-43A-24 of the Code of Alabama require unanimous consent of the City Council to pass an ordinance at the same meeting at which it is introduced.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn
Home of Auburn University

MEMORANDUM

To: Megan McGowen Crouch – Assistant City Manager

Through: Scott Cummings, PE – Executive Director of Development Services

From: John R. Hoar - Inspection Services Director / Building Official

Subject: Adoptions and amendments of 2021 Building Codes

Date: August 6, 2021

The City of Auburn (City) Inspection Services Department routinely researches and evaluates changes in codes that protect the health, safety and welfare of our residents. After evaluating and researching the updated model codes the Inspection Services Department proposes the City adopt the 2021 International Building Codes and the 2020 National Electrical Code along with the proposed amendments. Adopting the most recent codes help continue to strive to support the standard of quality in building construction and protect the health, safety and welfare of Auburn residents by:

- Responding to new findings from building science research, field experience, or changes in community expectations.
- Responding to building performance assessments following catastrophic events and increase resilience in new structures
- Introducing new and innovative technologies and construction methods.
- Aligning with other current accepted codes and standards
- Maintaining the City's high standing with our International Organization for Standards (ISO) Building Code Effectiveness Grading Schedule (BCEGS) classification

In February 2016, the City of Auburn adopted the 2015 version of these International Building Codes with several local amendments. The model codes have been updated twice since initial adoption in 2016—once in 2018 and then again in 2021. Since 2003, the City of Auburn (City) adopted and has since applied the International Building, Residential, Plumbing, Mechanical, Fuel Gas, Fire, Property Maintenance, Existing Building, Accessibility and National Electrical Codes as the model code associated with building construction. Prior to 2003, the City utilized as its model code the Southern Building Code Congress International, which was later absorbed into the International Codes. These model codes provide guidelines and minimum standards as a benchmark for local municipal governments to permit construction in their respective jurisdictions and provide some uniformity between communities with respect to established codes of building construction. Local jurisdictions adopt and amend these building codes periodically to adapt to advancements in technologies, procedures, and public health and safety, as well as address environmental concerns.

In an effort to engage building construction stakeholders in our community, Inspection Services has met with both internal and external stakeholders to provide information and gather feedback regarding the proposed code changes. The internal stakeholders included City staff from Water Resource Management, Planning, Engineering Services, Economic Development and the Fire Division. The external stakeholders included general contractors, home builders, electrical contractors, mechanical contractors, fuel gas contractors, plumbing contractors, architects, civil engineers, and utility providers. These meetings were beneficial to initiate the process of educating all stakeholders on the proposed changes while also allowing Inspection Services to field questions and address concerns that exist surrounding the proposed code changes.

Inspection Services proposes to that the City Council adopt code and amendments which would become effective on January 1, 2022. Following adoption staff plans to engage stakeholders further to promote additional education and outreach concerning these proposed changes prior to the implementation thereof. It is our desire to be able to contribute to the progress the City has experienced through the years and provide for the longevity, flexibility and enjoyment of the use of all structures built in the City. These recommendations support the strategy established with our zoning regulations and elevate the quality even further for new construction in Auburn.

A summary of the proposed changes can be found in Exhibit A.

Exhibit A

International Building Code (IBC)

1. Mass Timber construction (Type IV) has been expanded. Numerous changes to address the design, construction size, height and fire protection of these types of structures.
2. Updates to door opening forces and egress requirements from equipment (electrical and refrigeration machinery) rooms.
3. Provides options to meet accessibility requirements depending on if the structure is existing or new construction.
4. Circular turning space for certain areas is increasing from 60-inch to 67-inch in new construction to provide greater access for people using mobility devices.
5. Expands the options for T-Shaped Turning spaces in order to allow for greater flexibility in the design of a building in new construction.
6. The size of the clear floor space needed at doors, sinks, counters and other aspects is increasing from 30-inch x 48-inch to 30-inch x 52-inch in new construction.
7. Accessible parking and passenger loading zone spaces requirements are standardized to match those of the Public Right-of-Way Accessibility Guidelines (PROWAG). PROWAG is currently recognized by the City of Auburn for work that is done in the Right-of-Way (ROW).
8. Clarification of pedestrian routes that transition from sidewalks in the ROW to enter a structure.
9. Power operated doors required for assembly occupancies dependent on occupancy load
10. Added requirements for "Enhanced Classroom Acoustics" to classrooms in Group E occupancies with a volume of 20,000 cubic feet or less (most standard classrooms.) This accessibility aspect of improving the acoustics in classrooms by controlling the reverberation time and background noise within the classroom.
11. Updates to vapor retarder use to provide more options in the construction of unvented attics.
12. Change to structural rain load calculation requirements for roof drain requirements. Updates to plumbing fixture calculations to address the use of all-gender restrooms and restrooms with private water closets and lavatory facilities shared by all.
13. Provides more specific requirements for fire protection and/or fire watch during construction drywall installation and fire sprinkler activation.

International Residential Code (IRC)

1. Provisions for construction with both new and retired intermodal shipping containers are added to promote reuse of these containers.
2. Story heights for wood construction is adjusted up to 13 feet prescriptively.
3. Townhouse fire walls have more alternatives for their terminations at the front and rear walls of the structure.
4. Two family dwelling units must have a minimum of a 1-hour fire wall separating them.
5. Requirements for ceiling heights are expanded for specifics rooms or where beams are located.

6. Clarification of when windows need tempered glass when near tubs, showers or other wet surfaces.
7. Smoke alarm placement guidelines for areas of a structure that may have varying ceiling heights.
8. Change from 6 mil to 10 mil vapor barriers under slabs. The greater thickness offers increased resistance to moisture transmission and provides increased durability during and after installation. The updated minimum vapor retarder requirements now meet Ameri- can Concrete Institute (ACI) recommendations as well.
9. Garage doors must be labeled with the wind rating they are designed for.
10. Added requirements for when vinyl siding is placed of foam type exterior sheathing.
11. Cooking appliances installed in a residential structure are to be designed and listed for domestic use.
12. Requirements added for the support of expansion tanks on water heaters.
13. An emergency service disconnect is required in a readily accessible outdoor location on the electrical service.
14. A surge-protective device (SPD) is now required at the service panel.
15. Note new provision prohibits receptacle outlets within 3 feet horizontally from bathtub or shower stall threshold.
16. The number of receptacle outlets required for peninsular and island countertops in kitchens is determined by the area of the countertop surface. One for the first 9 sq. ft or fraction thereof, One for every additional 18 sq. ft or fraction thereof.
17. Ground Fault Circuit Interrupter (GFCI) protection is required for up to 250-volt receptacles, dryers and stove/ovens in the identified areas.
18. The requirement for GFCI protection in unfinished basement areas has been expanded to include all basement areas. This change corresponds with those found in the 2020 National Electrical Code

International Fire Code (IFC)

1. Revisions/clarifications to two-way emergency responder communication system installations. This change allows for more flexibility of when it needs to be installed and clarify how it is to be installed. Previous versions were vague in the installation of the system which resulted in differing interpretations.
2. Group R-1(Hotels) and R-2 (Apartments)occupancy fire alarm and smoke detection systems must have 520 Hz low-frequency audible notifications.
3. New fire sprinkler system requirements for occupancies used for the manufacture of distilled spirits, regardless of the size of that fire area.
4. New fire sprinkler system requirements for the bulk storage of distilled spirits or wine, regardless of the size of that fire area.
5. Fire sprinkler system required for open parking decks.

International Plumbing Code (IPC)

1. The termination point of concealed condensate piping must now be marked to indicate whether it is “primary” or “secondary” piping.

2. Mop sinks, utility sinks, and laundry sinks are specifically recognized as acceptable indirect waste receptors for condensate disposal.
3. Updates to fixture calculations so they are consistent with the IBC
4. Bathtubs are no longer required to have overflow requirements.
5. In a non-dwelling unit, multiple tenant buildings, a main water shutoff valve is required to be provided for each tenant.
6. Regarding backflow preventers that have relief ports (note that not all backflow preventer designs have relief ports), the verbiage for accommodating such indoor drainage has been bolstered with the addition of: The indirect waste receptor and drainage piping shall be sized to drain the maximum discharge flow rate from the relief port as published by the backflow preventer manufacturer. Note that discharge to the outdoors is still allowed and is normally the recommended design approach.
7. Under "Health Care Plumbing" tracer wire is now required to be installed adjacent to underground non-metallic piping serving as a water service for a hospital.
8. A new section has been added to address "in-place" waste pipe restoration. Note that this technology has been available for some time. Often it consists of an epoxy-based agent that is applied in one of several methods to the interior of the piping to be restored.
9. There is an additional roof drain sizing requirement that must be met: The intended flow rate that a roof drain will "see" must be checked against the manufacturer's published flow rate for the specific roof drain model and size to verify that it will handle the anticipated flow. This will be an additional consideration during design when sizing and specifying roof drains. This may also need to be checked again during the submittal review process.

International Mechanical Code (IMC)

1. Manicure and pedicure stations not provided with factory-installed exhaust inlets shall be provided with exhaust inlets located not more than 12 inches (305 mm) horizontally and vertically from the point of chemical application. These shall have continuous operation during business hours.
2. Clarification of the manner in which clothes dryer ducts are installed and terminated.
3. Clarification of where mechanical vents can terminate in relation to air intakes, windows, doors other openings and property lines.
4. Expansion of types of material or fittings that can be used in the installation of Mechanical systems.

International Fuel Gas Code (IFGC)

1. Gas-fired dryers can be installed in bathrooms 100 square feet or greater.
2. Bonding of gas line requirements is expanded and clarified for different types of gas piping.
3. Types of piping materials and fitting specifications are expanded to provide clarification and address newer systems.
4. Clarification of where mechanical vents can terminate in relation to air intakes, windows, doors other openings and property lines.

ORDINANCE NO._____

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF AUBURN TO ADOPT THE INTERNATIONAL BUILDING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, ~~2015~~ 2021 EDITIONS, NATIONAL ELECTRICAL CODE 2020 EDITION AND TO AMEND AND REPEAL CERTAIN SECTIONS THEREIN.

BE IT ORDAINED by the City Council of the City of Auburn, Alabama, as follows:

Section 1. Section 5-3 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-3**. Licenses and bonds for contractors.**

(a) Required bonds shall comply with Section 12-18 of the Code of the City of Auburn and Code of Alabama 1975 Sections 11-40-36.~~Every person, firm, or corporation engaged as a general contractor, subcontractor, or trades contractor in the business of construction in the city shall apply for and shall be issued a license upon the applicant's paying the license fee, in addition all general contractors, plumbing or gas fitting contractors, and electrical contractors must furnish a bond in the sum of five thousand dollars ($5,000.00).~~ The bond required by this section shall be that of a surety company authorized to do business in the city and shall be approved by the city attorney. It shall be made payable to the city and shall be conditioned that the contractor shall indemnify and save harmless the city, its officers and members, of and from all accidents and damages caused by any negligence on the part of the contractor or by unfaithful, imperfect or inadequate work done by him and also to indemnify the city for the failure of the contractor to replace and restore the streets, sidewalks and pavements over any opening the contractor may have made for any work to an equivalent state and condition as the same was before such opening was made.

(b) All persons, firms, or corporations required to hold a state license for any construction, plumbing, and mechanical work permitted within the City of Auburn, must show proof of an active license required for such work prior to obtaining a city license or work permit. Electrical contractors not holding a license with the State of Alabama Electrical Contractors Board must renew their City of Auburn Electrical Competency Card each year. All electrical work requiring a permit must be supervised by a master or journeyman electrician. The fee for the renewal of the city electrical certification shall be one hundred dollars ($100.00) effective March 30, 2004 and shall be two hundred dollars ($200.00) effective March 30, 2005. The certificate shall be valid for a term of one year. If this deadline for renewal is not met then the card shall expire and a certificate shall be obtained from the State of Alabama Electrical Contractors

Board before a business license will be issued by the City of Auburn. All monies received hereunder shall be paid into the city treasury and deposited into the general fund.

Section 2. Section 5-4 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-4**. Certificate of occupancy.**
The Building Official shall issue a certificate of occupancy at the completion of the work for which a building or structure permit has been issued if, after inspection, it is found that such work complies with the provisions of this chapter or other laws that are enforced by the department or the City of Auburn. A certificate may be withheld pending completion of related areas of work ~~(plumbing, mechanical, electrical, gas)~~ at the same location. A conditional certificate of occupancy may be issued when non-life or health threatening items need to be completed and such portion or portions shall be occupied safely. This conditional certificate of occupancy will state items to be completed, time given to complete such items, and penalties for failure to meet all conditions.

Section 3. Section 5-7 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-7. Schedule of Permit and Reinspection Fees.

The following permit fees shall be charged:

Commercial Building Permit Fees:

Total Valuation	**Fee Schedule**
Less than $100.00	No fee unless inspection required, in which case a $7.00 fee for each inspection shall be charged.
$100.00 up to and including $50,000.00	$7.00 per thousand or fraction thereof.
Over $50,000.00 up to and including $100,000.00	$350.00 for the first $50,000 plus $5.00 for each thousand or fraction thereof.
Over $100,000.00 up to and including $1,000,000.00	$600.00 for the first $100,000.00 plus $4.00 for each additional thousand or fraction thereof.
Over $1,000,000.00	$4,200.00 for the first $1,000,000.00 plus $3.00 for each additional thousand or fraction thereof.

Residential Building Permit Fees:

Total Valuation	**Fee Schedule**
Less than $100.00	No fee unless inspection required, in which case $7.00 fee for each inspection shall be charged.
$100.00 up to and including $50,000.00	$7.00 per thousand and fraction thereof.
Over $50,000 up to and including $100,000.00	$350.00 for the first $50,000.00 plus $5.00 for each additional thousand or fraction thereof.
Over $100,000.00 up to and including $1,000,000.00	$600.00 for the first $100,000.00 plus $4.00 for each additional thousand or fraction thereof.
Over $1,000,000.00	$4,200.00 for the first $1,000,000.00 plus $3.00 for each additional thousand or fraction thereof.

Electrical Permit Fees:

Permit Issuance Fee	$ 10.00
In addition to Permit Issuance Fee:	
1 to 9 outlets	$ 5.00
10 to 14 outlets	$ 8.00
15 to 24 outlets	$ 11.00
25 to 49 outlets	$ 14.00
50 to 74 outlets	$ 17.00
75 to 100 outlets	$ 20.00
Over 100 outlets, per outlet	$ .25
Services	$ 10.00
Ranges	$ 4.00
Water Heaters	$ 4.00
Dryers	$ 4.00
Other major appliances	$ 4.00
Motors not part of heating and air conditioning:	
Up to 1 horsepower	$ 4.00
1 horsepower to 2 horsepower	$ 5.00
2 horsepower to 4 horsepower	$ 6.00
4 horsepower to 10 horsepower	$ 8.00
10 horsepower and over	$ 10.00

Inspection fees for repairing wiring or rewiring existing buildings and for replacing wiring destroyed by fire or other disaster shall be the same as for new work.

Mechanical Permit Fees:

Permit Issuance Fee	$ 10.00
In addition to Permit Issuance Fee:	
One ton and up to 5 tons or fraction thereof, per ton	$ 4.00
Over five tons and up to 10 tons or fraction thereof, per ton	$ 3.00
Over 10 tons, per ton	$ 2.00
Fee for systems with heat only:	
Electric Systems, per kw	$ 1.00
Gas Systems, per 10,000 BTU	$ 2.00

Plumbing Permit Fees:

Permit Issuance Fee	$ 10.00
In addition to Permit Issuance Fee:	
Each plumbing fixture, drain or trap, including water & drainage piping	$ 2.50
For each house sewer	$ 5.00
For each house sewer having to be replaced or repaired	$ 5.00
For each cesspool	$ 5.00
For each septic tank and seepage pit or drain field	$ 10.00
For each water heater and/or vent	$ 2.50

Fuel Gas Permit Fees:

Permit Issuance Fee	$ 10.00
For each gas piping system, per outlet	$ 4.00

Moving of building or structures: For the moving of any building or structure, the fee shall be One Hundred Fifty Dollars ($150.00).

Demolition of building or structures: For the demolition of any building or structure, the fee shall be One Hundred Dollars ($100.00).

Failure to obtain permit: Where work for which a permit is required by this code is started or proceeded with prior to obtaining said permit, the fees herein shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

Re-inspection fees: A contractor will be allowed one inspection and one (1) re-inspection of the same phase of work under the permit issued. The third (3rd) inspection shall be Thirty-Five Dollars ($35.00). All additional inspections shall be One Hundred Dollars ($120.00). If an inspection is requested and the building is locked then a re-inspection fee will be charged for the trip.

Section 3. Section 5-42 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-42. Adoption of the International Building Code.

The International Building Code, ~~2015~~ 2021 Edition, recommended by the International Code Council, but deleting Section 103, Section 104.10.1 Section 113, Section 116, Section 1612, ~~Section 3401.6~~, and Section 403.2 of the International Existing Building Code as referenced, and those portions which are deleted, modified or amended in this article, is hereby adopted and enacted as part of the law of the City and the same shall be known as the International Building Code of the City and may be cited as such.

Section 4. Section 5-43 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-43**. Amendments.**

The International Building Code adopted in this article is amended and changed in the following respects:

Any reference within this code using the term "International Energy Efficiency Code" is replaced with "applicable sections of the Alabama Commercial or Residential Energy Code".

Any reference within this code using the term "NFPA 70" is replaced with "the currently adopted edition of NFPA 70".

Section 109.2, Schedule of Permit Fees, is amended to include the following fee schedule: ~~The following permit fees shall be charged:~~

~~Permit Fees:~~

~~Total Valuation~~	~~Schedule~~
~~Less than $100.00~~	~~No fee unless inspection required, in which case a $7.00 fee for each inspection shall be charged.~~
~~$100.00 up to and including $50,000.00~~	~~$7.00 per thousand or fraction thereof.~~
~~Over $50,000.00 up to and including $100,000.00~~	~~$350.00 for the first $50,000 plus $5.00 for each thousand or fraction thereof.~~
~~Over $100,000.00 up to and including $1,000,000.00~~	~~$600.00 for the first $100,000.00 plus $4.00 for each additional thousand or fraction thereof.~~
~~Over $1,000,000.00~~	~~$4,200.00 for the first $1,000,000.00 plus $3.00 for each additional thousand or fraction thereof.~~

~~Moving of building or structures: For the moving of any building or structure, the fee shall be One Hundred Fifty Dollars ($150.00).~~

~~Demolition of building or structures: For the demolition of any building or structure, the fee shall be One Hundred Dollars ($100.00).~~

~~Failure to obtain permit: Where work for which a permit is required by this code is started or proceeded with prior to obtaining said permit, the fees herein shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.~~

~~Re-inspection fees: A contractor will be allowed one inspection and one (1) re-inspection of the same phase of work under the permit issued. The third (3rd) inspection shall be Twenty Five Dollars ($25). All additional inspections shall be One Hundred Dollars ($100). If an inspection is requested and the building is locked then a re-inspection fee will be charged for the trip.~~

Section 903.3.1.2 NFPA 13R sprinkler systems is hereby to be amended:

Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or fewer above grade plane.
2. The floor level of the highest story is 30 feet (9144 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is 30 feet (9144 mm) or less below the lowest level of fire department vehicle access.
4. <u>All attic spaces must be sprinkled.</u>

The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 shall be measured from grade plane.

Exception: Any University recognized primary structures containing dwelling or sleeping units for any Auburn University officially recognized fraternity and/or sorority organizations, must meet Section 903.3.1.1 NFPA 13 Sprinkler System requirements.

Table 1004.5 Maximum floor area allowances per occupant is hereby to be amended:

Table 1004.~~1.2~~ <u>5</u> Maximum floor area allowances per occupant.

Table section-Assembly without fixed seats.

Concentrated (chairs only-not fixed)	7 net
Standing space	7 net
Unconcentrated (tables and chairs)	15 net

Section 1015.2 Where required is hereby to be amended:

Guards shall be located along open-sided walking surfaces, including mezzanines, ~~industrial~~ equipment platforms, aisles, stair~~ways~~, ramps and landings that are located more than 30 inches measured vertically to the floor or grade below at any point within 36 inches horizontally to the edge of the open side. Guards shall also be located on retaining walls over 6 feet in height. Guards shall be adequate in strength and attachment in accordance with section 1607.9 ~~7.8~~.

Exceptions: Guards are not required for the following locations:

1. On the loading side of loading docks or piers.
2. On the audience side of stages and raised platforms including stairs leading to the stage and raised platforms.
3. On raised stage and platform floor areas, such as runways, ramps, and side stages used for entertainment or presentations.
4. At vertical openings in the performance area of stages and platforms.
5. At elevated walking surfaces appurtenant to stages and platforms for access to and utilization of special lighting or equipment.
6. Along vehicle service pits not accessible to the public.
7. In assembly seating where guards in accordance with Section 1029.16.2 are permitted and provided.
8. On the loading side of station platforms on fixed guideway transit or passenger rail system.

Section 1028.3 Exit discharge components. Exit discharge components shall be sufficiently open to the exterior so as to minimize the accumulation of smoke and toxic gases. Constructed exterior walkways shall meet a maximum 2% cross-slope.

Section 1104.1 Site arrival points to be amended:

~~Accessible routes within the site shall be provided from public transportation stops; accessible parking; accessible passenger loading zones; and public streets or sidewalks to the accessible building entrance served.~~
~~Exception: An accessible route shall not be required between site arrival points and the building or facility entrance if the site meets the impractical site criteria of the applicable ADA or Fair Housing Act Accessibility guidelines.~~

Section 1104.2 Within a site to be amended:

~~At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements and accessible spaces that are on the same site.~~
~~Exception: An accessible route is not required between accessible buildings, accessible facilities, accessible elements and accessible spaces if the site meets the impractical site criteria of the applicable ADA or Fair Housing Act Accessibility guidelines.~~

Section 1110.4.13 Swimming pools, wading pools, cold baths, hot tubs and spas to be amended:

Swimming pools, wading pools, cold baths, hot tubs and spas shall be accessible and be on an accessible route(s).
Exceptions:

1. Catch pools or a designated section of a pool used as a terminus for a water slide flume shall not be required to provide an accessible means of entry, provided that a portion of the catch pool edge is on an accessible route.
2. Where spas or hot tubs are provided in a cluster, at least 5 percent, but not less than one spa or hot tub in each cluster shall be accessible and be on an accessible route.
3. Swimming pools, wading pools, spas, cold baths and hot tubs that are required to be accessible by Sections 1111.2.2 and 1111.2.3 are not required to provide accessible means of entry into the water.
4. ~~Private club locations which are not defined as a Public Accommodation by The Americans with Disabilities Act are not required to provide accessible entry into the water for Swimming pools, wading pools, hot tubs and spas.~~

Section 2902.6 Small occupancies shall be amended to read: Drinking fountains shall not be required for an occupant load of 50 or less.

Section 5. Section 5-46 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-46. Adoption of the International Residential Code with the Alabama Residential Building and Energy Code amendments.

(a) Adoption. The International Residential Code ~~2015~~ 2021 Edition with the Alabama Residential Building and Energy Code amendments, but deleting Sections R103, 105.3.1.1, R112, R301.2.4, R322, ~~and Chapters 34,35,36,37,38,39,40,41,42,43,~~ and those portions which are deleted, modified or amended in this article, is hereby adopted and enacted as part of the law of the city and the same shall be known as the International Residential Code of the City and may be cited as such.

(b) Amendments. The International Residential Code with Alabama Residential Building and Energy Code amendments adopted in this article are amended and changed in the following respects:

Section 108.2, Schedule of permit fees, is amended to include the following fee schedule:

~~The following permit fees shall be charged:~~

~~Permit fees~~

~~Total Valuation~~ ~~Schedule~~

~~Less than $100.00~~	~~No fee unless inspection required, in which case $7.00 fee for each inspection shall be charged.~~
~~$100.00 up to and including $50,000.00~~	~~$7.00 per thousand and fraction thereof.~~
~~Over $50,000 up to and including $100,000.00~~	~~$350.00 for the first $50,000.00 plus $5.00 for each additional thousand or fraction thereof.~~
~~Over $100,000.00 up to and including $1,000,000.00~~	~~$600.00 for the first $100,000.00 plus $4.00 for each additional thousand or fraction thereof.~~
~~Over $1,000,000.00~~	~~$4,200.00 for the first $1,000,000.00 plus $3.00 for each additional thousand or fraction thereof.~~

~~Moving of building or structures: For the moving of any building or structure, the fee shall be One Hundred Fifty Dollars ($150.00).~~

~~Demolition of building or structures: For the demolition of any building or structure, the fee shall be One Hundred Dollars ($100.00).~~

~~Failure to obtain permit: Where work for which a permit is required by this code is started or proceeded with prior to obtaining said permit, the fees herein shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.~~

~~Re-inspection fees: A contractor will be allowed one (1) inspection and one (1) re-inspection of the same phase of work under the permit issued. The third (3rd) inspection shall be Twenty-Five Dollars ($25.00). All additional inspections shall be One Hundred Dollars ($100.00). If an inspection is requested and the building is locked then a re-inspection fee will be charged for the trip.~~

Section 305.1 Minimum Height to be amended:

~~Habitable space, hallways and portions of basements containing these spaces shall have a ceiling height of not less than 7 feet. Bathrooms, toilet rooms and laundry rooms shall have a ceiling height of not less than 6 feet 8 inches.~~

~~Exceptions:~~

1. ~~For rooms with sloped ceilings, the required floor area of the room shall have a ceiling height of not less than 5 feet and not less than 50 percent of the required floor area shall have a ceiling height of not less than 7 feet.~~

~~2. The ceiling height above bathroom and toilet room fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a ceiling height of not less than 6 feet 8 inches above an area not less than 30 inches by 30 inches at the showerhead.~~

~~3. Beams girders, ducts or other obstructions shall be permitted to project within 6 feet 8 inches of the finished floor.~~

Section 310.1 Emergency escape and rescue opening required is hereby amended to read as follows:

Basements, habitable attics and every sleeping room shall have not less than one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, an emergency escape and rescue opening shall be required in each sleeping room. Emergency escape and rescue openings shall open directly into ~~a public way, or to~~ a yard or court ~~having a minimum width of 36 inches (914 mm) that opens to a public way.~~

Exceptions:

1. Storm shelters and basements used only to house mechanical equipment not exceeding a total floor area of 200 square feet (18.58 m2).
2. Where the dwelling unit or townhouse unit is equipped with an automatic sprinkler system installed in accordance with Section P2904, sleeping rooms in basements shall not be required to have emergency escape and rescue openings provided that the basement has one of the following:
    a. One means of egress complying with Section R311 and one emergency escape and rescue opening.
    b. Two means of egress complying with Section R311.
    ~~c. A yard shall not be required to open directly into a public way where the yard opens to an unobstructed path from the yard to the public way. Such path shall have a width of not less than 36 inches (914 mm).~~

Section 312.1.1 Where Required is hereby amended to read as follows:

Guards shall be located along open-sided walking surfaces, including stairs, ramps and landings, that are located more than 30 inches measured vertically to the floor or grade below at any point within 36 inches horizontally to the edge of the open side. All retaining walls over 6 feet in height shall also require a guard. Insect screening shall not be considered as a guard <u>unless is tested and approved by authority having jurisdiction</u>.

Section R315.2.2 Alterations, repairs and additions.

Where alterations, repairs or additions requiring a permit occur, the individual dwelling unit shall be equipped with carbon monoxide alarms located as required for new dwellings.

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck.
2. Installation, alteration or repairs of plumbing or mechanical systems.
3. Installation, alteration or repairs of mechanical systems that are not fuel fired.
4. Changeout or repair of an existing fuel fired mechanical system not associated with other aspects of an alteration or addition

Section R326.1 is hereby amended to read as follows:

~~Section R326.1 General. Swimming Pools shall be enclosed and protected per IBC section 3109.~~

Section R403.1.1.1 Reinforcement is hereby amended to read as follows:

Two continuous No. 4 bars shall be required in all exterior wall perimeter concrete footings including ~~and~~ turn downs and thickenings for monolithic slabs.

Section R403.1.6.2 Anchorage of Columns:

Porch roof columns shall be anchored to provide uplift capacity equivalent to a ½ inch anchor bolt every 10 linear feet of roof line.

Section R807.1 Attic access is hereby amended to read as follows:

Buildings with combustible ceiling or roof construction shall have an attic access opening to attic areas that exceed 30 square feet (2.8 m2) and have a vertical height of 30 inches (762 mm) or greater. The vertical height shall be measured from the top of the ceiling framing members to the underside of the roof framing members.

The rough-framed opening shall not be less than 22 inches by 30 inches (559 mm by 762 mm) and shall be located in a hallway or other ~~readily accessible~~ location with ready access. ~~When~~ Where located in a wall, the opening shall not be less than ~~a minimum of~~ 22 inches wide by 30 inches high (559 mm wide by 762 mm high). ~~When~~ Where the access is located in a ceiling, minimum unobstructed headroom in the attic space shall be 30 inches (762 mm) at some point above the access measured vertically from the bottom of ceiling framing members. See Section M1305.1.3 for access requirements where mechanical equipment is located in attics. Mechanical equipment and water heaters within attics shall not require a portable ladder to access them.

Section P3008.1 Sewage backflow is hereby amended to read as follows:

Backwater valves shall be installed as required by the City of Auburn Water Resource Design Manual. This will include private sewer systems.

Section E3902.3 Outdoor Outlets is hereby amended to read as follows:

125-volt through 250-volt receptacles installed outdoors and supplied by single-phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel. This requirement shall become effective January 1, 2023, for heating/ventilating/air-conditioning (HVAC) equipment.

Exception: The outlet requirements of section E3901.12 is required January 1, 2022.

Section 6. Section 5-65 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-65. National Electrical Code—Adopted.

The National Electrical Code, 20~~14~~20 Edition, recommended by the National Fire Protection Association is hereby adopted and enacted as part of the law of the city and the same shall be known as the Electrical Code of the city and may be cited as such.

Section 7 Section 5-82 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-82. Permit and inspection fees.

(a) Before any permit is issued for the wiring of any building for electric lights, heat or power, or any electrical installation; or for the alteration in the wiring of any building for that purpose, the following fees shall be paid to the city by the person making the application for the permit:

~~For issuing each permit ..... $10.00~~

~~In Addition~~
~~For general inspection of:~~
~~Remodeling and changes ..... $10.00~~
~~1 to 9 outlets ..... 5.00~~
~~10 to 14 outlets ..... 8.00~~
~~15 to 24 outlets ..... 11.00~~
~~25 to 49 outlets ..... 14.00~~
~~50 to 74 outlets ..... 17.00~~
~~75 to 100 outlets ..... 20.00~~
~~Over 100 outlets, per outlet ..... 0.25~~
~~Services ..... 10.00~~
~~Ranges ..... 4.00~~
~~Water Heaters ..... 4.00~~
~~Dryers ..... 4.00~~
~~Other major appliances ..... 4.00~~
~~Motors not part of heating and air conditioning:~~

~~Up to 1 horsepower ..... 4.00~~
~~1 horsepower to 2 horsepower ..... 5.00~~
~~2 horsepower to 4 horsepower ..... 6.00~~
~~4 horsepower to 10 horsepower ..... 8.00~~
~~10 horsepower and over ..... 10.00~~

~~(b) Inspection fees for repairing wiring or rewiring existing buildings and for replacing wiring destroyed by fire or other disaster shall be the same as for new work.~~

~~(c) Re-inspection fees: A contractor will be allowed one (1) inspection and one (1) re-inspection of the same phase of work under the permit issued. The third (3rd) inspection shall be twenty-five dollars ($25.00). All additional inspections shall be one hundred dollars ($100.00). If an inspection is requested and the building is locked then a re-inspection fee will be charged for the trip.~~

~~(d) If any person commences any work before obtaining the necessary permit from the Building Official, the permit fee shall be doubled.~~

Sec. 5-138. Standard for tank vehicles for flammable and combustible liquids.

There is hereby adopted by reference the 2000 Edition of NFPA 385 Standard for Tank Vehicles for Flammable and Combustible Liquids.

Section 8. Section 5-150 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-150. Adoption of the International Fire Code.

The International Fire Code, ~~2015~~ 2021 Edition, Including Appendix B, Appendix C, and Appendix D, recommended by the International Code Council, Inc., but deleting Sections 103, ~~104.8,~~ 108, 503.4.1, D104, D106, D107, and Chapter 11, and those portions which are deleted, modified or amended in this article, is hereby adopted and enacted as part of the law of the city and the same shall be known as the International Fire Code of the city and may be cited as such.

Section 9 Section 5-150.5 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-150.5. Amendments.

The International Fire Code adopted in this article is amended and changed in the following respects:

Any reference within this code using the term "NFPA 70" is replaced with "the currently adopted edition of NFPA 70."

Any reference within this code using the term "International Existing Building Code" shall be replaced with "Chapter 4 of the International Existing Building Code."

Section ~~105.4.1~~ 106.1 is hereby amended:

Construction documents and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the fire code official. The construction documents and plans shall be prepared by and shall bear the seal of a professional engineer licensed in the State of Alabama.

Exception: The fire code official is authorized to waive the submission of construction documents and supporting data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

Section 307.2.2 is hereby added:

Each residential burn permit shall be issued for a period of time not to exceed 60 days.

Section 307.2.3 is hereby added:

Burn permits issued to contractors shall be issued for a period of time not to exceed 30 days and shall be site specific.

Section 307.2.4 is hereby added:

Under no circumstances shall heavy oils, asphaltic materials, items containing natural of synthetic rubber, plastics or refuse be burned.

Section 307.4 Location, is amended to read as follows:

The location for all burning shall meet the minimum requirements as specified by The Alabama Department of Environmental Management.

Section 506.1.1, Locks, is hereby amended:

All occupancies within the City of Auburn, having an automatic fire alarm system or fire sprinkler system, shall be equipped with an Underwriters Laboratory (U.L) type of key lock box. The key lock box shall be compatible with the master key assigned to the Fire Division.

The master key is assigned only to the Auburn Fire Division.

The key lock box shall be located at or near the recognized main entrance. The key lock box location shall be approved by the ~~Codes Division~~ Inspection Services Department

prior to installation. The lock box shall be located at a height of not less than six (6) feet and not more than ~~eight (8~~7) feet above final grade.

The building owner/manager will install the lock box in the location(s) specified by the ~~Codes Division~~ Inspection Services Department, and notify the division when it's completed.

No steps, displays, signs or other fixtures, or structure protrusions shall be located under the box which would allow intruders to access the box without assistance.

The box shall be connected to the N.F.P.A. 72A Fire Alarm Control Panel, when provided.

Wiring shall be supervised as required in NFPA 72A. Tampering or opening of the box shall produce a Supervisory Signal on Supervisory Zone 1. The signal will then be transmitted through the NFPA 71 panel as a supervisory signal.

Exception: If an NFPA 71 panel only is used, wiring shall be supervised as required in NFPA 71. Tampering or opening of the box shall produce a supervisory signal.

The box shall contain the keys for the following. The keys shall be labeled so as to be easily identified in the field:

1. The main entrance door; mixed occupancies and strip shopping center keys shall be provided only for occupancies where system control valves or fire alarm system and or panel exists. Keys to locked points of egress, whether on the interior or exterior of such buildings.
2. Alarm room (if one exists).
3. Mechanical rooms
4. Sprinkler control /fire pump rooms.
5. Fire alarm control panel.
6. Electrical rooms.
7. Special keys to reset pull-stations or other fire protection devices.
8. Elevator keys including elevator room~~, if required~~.
9. All other rooms as specified during the plans review process.

~~The Codes Division~~ Inspection Services Department shall be responsible for the administration of this standard and shall indicate specific requirements for new structures.

For existing structures, ~~the Codes Division~~ Inspection Services Department shall be responsible for administration of this standard and notify the owner or operator by proper notice for compliance.

Exception: Any building or site that has twenty-four-hour, seven day a week guard service shall not need to provide a key lock box.

Section 510, Emergency Responder Communication Coverage, is hereby amended:

510.1 Emergency responder radio coverage in new buildings.
~~Approved in-building, two-way emergency responder communication coverage for emergency responders shall be provided in all new buildings. In-building two-way emergency responder communication~~ New buildings shall have approved radio coverage within the building shall be based coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Emergency responder radio coverage system in new buildings. An emergency responder radio coverage system shall be provided throughout buildings when any of the following apply:

1. New buildings constructed with an area more than 50,000 square feet,
2. New buildings that are more than four (4) stories in height that do not contain a basement or extend one or more levels below grade,
3. Building has a basement or levels/floors below grade,
4. Demonstrates a lack of proper ERRC coverage and the issue has been designated a distinct hazard by the building and fire code official.

Exceptions:

1. Where approved by the Building Official and Fire Chief a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved radio coverage system.
2. Where it is determined by the Building and Fire Chief that the radio coverage system is not needed.
3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.
4. New buildings that can demonstrate minimum radio coverage signal strength levels of the City of Auburn emergency responder radio system throughout the interior of the building.
5. One and two-family dwellings and townhouses that are built to the International Residential Code (IRC).

Table 1004~~.1.2~~ .5 is amended as follows:

Maximum floor area allowances per occupant, Table Section1004.5 Assembly without fixed seats

Concentrated (chairs only—not fixed)	7 net
Standing space	7 net
Unconcentrated (tables and chairs)	15 net

Section C103.2. Average spacing. The average spacing between fire hydrants shall not exceed that listed in Table C102.1 and the maximum travel distance between a hydrant and fire department connections for building sprinkler systems and standpipes shall not exceed 125 feet.

Exception: The fire chief is authorized to accept existing fire hydrant spacing where they provide all or a portion of the required fire hydrant service.

Section 10. Section 5-151 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-151. Enforcement.

The International Fire Code adopted in this chapter shall be enforced by the Building Official~~, and the fire code official as referenced in the International Fire Code~~. This section does not diminish in any way the authority of the Fire Chief or the Fire Department official in charge of an incident, to enforce this Code.

Section 10. Section 5-153 of the Code of the City of Auburn is hereby be deleted:

Sec. 5-153. Modifications.

~~The Building Official or the Fire Code Official of the City shall have the power to modify any of the provisions of the International Fire Code adopted by reference in this chapter upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of such code, provided that the spirit of such code shall be observed, public safety secured, and substantial justice done. The particulars of such modifications when granted or allowed and the decision of the Building Official or the Fire Code Official shall be entered upon the records and a signed copy shall be furnished to the applicant.~~

Section 10. Section 5-173 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-173. Adoption of the International Property Maintenance Code.

The International Property Maintenance Code, ~~2015~~ 2021 Edition, recommended by the International Code Council, but deleting Section 103 and Section 111 and those portions which are modified or amended in this article, is hereby adopted and enacted as part of the law of the City and the same shall be known as the International Property Maintenance Code of the City and may be cited as such.

Section 11. Section 5-174 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-174. Amendments.

The International Property Maintenance Code adopted in this article is amended and changed in the following respects:

All references to the International Existing Building Code are deleted.

Any reference within this code using the term "NFPA 70" is replaced with "currently adopted edition of NFPA 70."

Section ~~110~~ 113 Demolition is amended as follows:

Demolitions shall be accomplished using the procedures in Section 15-45 of the Code of the City of Auburn and Code of Alabama 1975 Sections 11-40-30 through 11-40-36 and section 15-45 of this code.

Section 302.4 Weeds is amended as follows:

Premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

~~Upon failure of the owner or agent having charge of the property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.~~

Weeds shall be abated using the procedures outlined in Section 15-16 of the Code of the City of Auburn and Code of Alabama 1975 sections 11-67-90 through 11-67-95.

Section 304.14 Insect Screens is amended as follows:

During the period from January 1st to December 31st , every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellant fans, are employed.

Section 307.1 General is amended as follows:

Every exterior and interior flight of stairs having four or more risers and equipped with handrails shall maintain the handrails or replace with handrails which are compliant with the currently adopted applicable edition of the International Building Code or International Residential Code.

Every portion of a stair, landing, balcony, porch, deck, ramp, or other walking surface which is more than 30 inches above the floor or grade below and any retaining wall which is more than 6 feet above the grade below which are equipped with guards shall maintain the guards or replace with guards which are compliant with the currently adopted applicable edition of the International Building Code or International Residential Code.

Section 602.3 Heat Supply is amended as follows:

Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1st to May 1st to maintain a temperature of not less than 68 Degrees F (20 Degrees C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30 Degrees F (-1 Degree C) a minimum temperature of 65 Degrees F (18 Degree C) shall be maintained.

Section 604.2 Service is amended as follows:

The size and usage of appliances and equipment shall serve as a basis for the determining the need for additional facilities in accordance with the currently adopted edition of NFPA 70. Dwelling units shall be served by a three-wire, 120/240-volt, single phase electrical service having a rating of not less than 100 amps.

Section 12. Section 5-193 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-193. Adoption of the International Mechanical Code.

The International Mechanical Code, ~~2015~~ 2021 Edition, recommended by the International Code Council, Inc., but deleting Section 103 and Section 109 for those portions which are deleted, modified, or amended in this article, is hereby adopted and enacted as part of the law of the City and shall be known as the International Mechanical Code of the City and may be cited as such.

Section 13. Section 5-194 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-194. Amendments.

The International Mechanical Code adopted in this article is amended and changed in the following respects:

Any reference within this code using the term "NFPA 70" is replaced with "currently adopted edition of NFPA 70".

Any reference within this code using the term "International Energy Efficiency Code" is replaced with "applicable sections of the Alabama Commercial or Residential Energy Code".

~~Section 106.5.2. Fee Schedule, is amended to read as follows:~~

~~The following permit fees shall be charged:~~

~~Permit Fees~~
~~For issuing each permit ..... $10.00~~

~~In addition:~~
~~Fee for systems with both heat and air conditioning:~~
~~One ton and up to 5 tons or fraction thereof, per ton ..... $4.00~~
~~Over five tons and up to 10 tons or fraction thereof, per ton ..... $3.00~~
~~Over 10 tons, per ton ..... $2.00~~
~~Fee for systems with heat only:~~
~~Electric Systems, per kw ..... $1.00~~
~~Gas Systems, per 10,000 BTU ..... $2.00~~

~~A contractor will be allowed one (1) inspection and one (1) re-inspection of the same phase of work under the permit issued. The third (3rd) inspection shall be Twenty Five Dollars ($25.00). All additional inspections shall be One Hundred Dollars ($100.00). If an inspection is requested and the building is locked then a re-inspection fee will be charged for the trip.~~

Section 403.3.2.1 Add the following:

Exception: Mechanical Ventilation is not required in units where natural infiltration will provide the required air changes per hour.

Section 14. Section 5-226 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-226. Adoption of the International Plumbing Code.

The International Plumbing Code, ~~2015~~ 2021 Edition, recommended by The International Code Council Inc., but deleting Sections 103, 109, 1003.3.1, 1003.3.2, 1003.3.3, 1003.3.4, 1003.3.4.1, table 1003.3.4.1, 1003.3.4.2, 1003.3.5, 1003.4.1, 1003.4.2, 1003.4.2.1, 1003.4.2.2, and those portions which are delete modified, repealed or amended in this article, is hereby adopted and enacted as part of the law of the City and the same shall be known as the International Plumbing Code of the City and may be cited as such.

Section 15. Section 5-229 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-229. Amendments.

The International Plumbing Code adopted in this article is amended and changed in the following respects:

Any reference within this code using the term the term the term "NFPA 70" is replaced with "currently adopted edition of NFPA 70".

The following sections Of the International Plumbing Code adopted in this article are amended to read as follows:

~~Section 106.6.2 Fee Schedule,~~

~~Permit fees:~~
~~For issuing each permit ..... $10.00~~
~~Plus the following when provided:~~
~~For each plumbing fixture, drain or trap, including water and drainage piping ..... $2.50~~
~~For each house sewer. ..... $5.00~~
~~For each house sewer having to be replaced or repaired ..... $5.00~~
~~For each cesspool ..... $5.00~~
~~For each septic tank and seepage pit or drain field ..... $10.00~~
~~For each water heater and/or vent ..... $2.50~~

~~A contractor will be allowed one (1) inspection and one (1) re inspection of the same phase of work under the permit issued. The Third (3rd) inspection shall be Twenty Five Dollars ($25). All additional inspections shall be One Hundred Dollars ($100). If an~~

~~inspection is requested and the building is locked then a re-inspection fee will be charged for the trip.~~

Section 410.2 Small occupancies. Drinking fountains shall not be required for an occupant load of 50 or less.

Section 715.5 Sewage Backflow, Backwater valves shall be installed as required by the City of Auburn Water Resource Management Design and Construction Manual.

Section 1003.3 Grease interceptors. Grease interceptors and grease removal devices shall meet the requirements of the Water Resource Management Design and Construction Manual and the City of Auburn Standard Details.

Section 1003.4 Oil Separators Required. Oil separators shall comply with the Water Resource Management Design and Construction Manual and the City of Auburn Standard Details.
Section 1003.5 Sand Interceptors. Sand Interceptors shall comply with the Water Resource Management Design and Construction Manual and the City of Auburn Standard Details.

Section 16. Section 5-244 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-244. Adoption of the International Fuel Gas Code.
The International Fuel Gas Code, ~~2015~~ 2021 Edition, recommended by the International Code Council, Inc., but deleting Section 103, 109 and those portions which are deleted, modified, or amended in this article, is hereby adopted and enacted as part of the law of the city and the same shall be known as the International Fuel Gas Code of the city and may be cited as such.

Sec. 5-245. Reserved.

Sec. 5-246. Amendments.
The International Fuel Gas Code adopted in this article is amended and changed in the following respects:
Any reference within this code using the term the term "NFPA 70" is hereby replaced with "currently adopted edition of NFPA 70".

Any reference within this code using the term "International Energy Efficiency Code" is replaced with "applicable sections of the Alabama Commercial or Residential Energy Code".

~~Section 106.6.2, Fee Schedule, is amended to include the following fee schedule:~~

~~The fees which shall be charged for gas permits shall be as follows:~~

~~For issuing each permit ..... $10.00~~
~~For each gas piping system, per outlet ..... $4.00~~

~~Re-inspection fees: A contractor will be allowed one (1) inspection and one (1) re-inspection of the same phase of work under the permit issued. The third (3rd) inspection shall be Twenty-Five Dollars ($25.00). All additional inspections shall be One Hundred Dollars ($100.00). If an inspection is requested and the building is locked then a re-inspection fee will be charged for the trip.~~

ADOPTED AND APPROVED by the Council of the City of Auburn, Alabama, on this ____ day of _____, 2020.

_____

MAYOR

ATTEST:

_____

CITY MANAGER

ORDINANCE NO._____

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF AUBURN TO ADOPT THE INTERNATIONAL BUILDING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITIONS, NATIONAL ELECTRICAL CODE 2020 EDITION AND TO AMEND AND REPEAL CERTAIN SECTIONS THEREIN.

BE IT ORDAINED by the City Council of the City of Auburn, Alabama, as follows:

Section 1. Section 5-3 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-3**. Licenses and bonds for contractors.**

(a) Required bonds shall comply with Section 12-18 of the Code of the City of Auburn and Code of Alabama 1975 Sections 11-40-36. The bond required by this section shall be that of a surety company authorized to do business in the city and shall be approved by the city attorney. It shall be made payable to the city and shall be conditioned that the contractor shall indemnify and save harmless the city, its officers and members, of and from all accidents and damages caused by any negligence on the part of the contractor or by unfaithful, imperfect or inadequate work done by him and also to indemnify the city for the failure of the contractor to replace and restore the streets, sidewalks and pavements over any opening the contractor may have made for any work to an equivalent state and condition as the same was before such opening was made.

(b) All persons, firms, or corporations required to hold a state license for any construction, plumbing, and mechanical work permitted within the City of Auburn, must show proof of an active license required for such work prior to obtaining a city license or work permit. Electrical contractors not holding a license with the State of Alabama Electrical Contractors Board must renew their City of Auburn Electrical Competency Card each year. All electrical work requiring a permit must be supervised by a master or journeyman electrician. The fee for the renewal of the city electrical certification shall be one hundred dollars ($100.00) effective March 30, 2004 and shall be two hundred dollars ($200.00) effective March 30, 2005. The certificate shall be valid for a term of one year. If this deadline for renewal is not met then the card shall expire and a certificate shall be obtained from the State of Alabama Electrical Contractors Board before a business license will be issued by the City of Auburn. All monies received hereunder shall be paid into the city treasury and deposited into the general fund.

Section 2. Section 5-4 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-4**. Certificate of occupancy.**
The Building Official shall issue a certificate of occupancy at the completion of the work for which a building or structure permit has been issued if, after inspection, it is found that such work complies with the provisions of this chapter or other laws that are enforced by the department or the City of Auburn. A certificate may be withheld pending completion of related areas of work at the same location. A conditional certificate of occupancy may be issued when non-life or health threatening items need to be completed and such portion or portions shall be occupied safely. This conditional certificate of occupancy will state items to be completed, time given to complete such items, and penalties for failure to meet all conditions.

Section 3. Section 5-7 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-7. Schedule of Permit and Reinspection Fees.

The following permit fees shall be charged:

Commercial Building Permit Fees:

Total Valuation	**Fee Schedule**
Less than $100.00	No fee unless inspection required, in which case a $7.00 fee for each inspection shall be charged.
$100.00 up to and including $50,000.00	$7.00 per thousand or fraction thereof.
Over $50,000.00 up to and including $100,000.00	$350.00 for the first $50,000 plus $5.00 for each thousand or fraction thereof.
Over $100,000.00 up to and including $1,000,000.00	$600.00 for the first $100,000.00 plus $4.00 for each additional thousand or fraction thereof.
Over $1,000,000.00	$4,200.00 for the first $1,000,000.00 plus $3.00 for each additional thousand or fraction thereof.

Residential Building Permit Fees:

Total Valuation	**Fee Schedule**

Less than $100.00	No fee unless inspection required, in which case $7.00 fee for each inspection shall be charged.
$100.00 up to and including $50,000.00	$7.00 per thousand and fraction thereof.
Over $50,000 up to and including $100,000.00	$350.00 for the first $50,000.00 plus $5.00 for each additional thousand or fraction thereof.
Over $100,000.00 up to and including $1,000,000.00	$600.00 for the first $100,000.00 plus $4.00 for each additional thousand or fraction thereof.
Over $1,000,000.00	$4,200.00 for the first $1,000,000.00 plus $3.00 for each additional thousand or fraction thereof.

Electrical Permit Fees:

Permit Issuance Fee	$ 10.00
In addition to Permit Issuance Fee:	
1 to 9 outlets	$ 5.00
10 to 14 outlets	$ 8.00
15 to 24 outlets	$ 11.00
25 to 49 outlets	$ 14.00
50 to 74 outlets	$ 17.00
75 to 100 outlets	$ 20.00
Over 100 outlets, per outlet	$ .25
Services	$ 10.00
Ranges	$ 4.00
Water Heaters	$ 4.00
Dryers	$ 4.00
Other major appliances	$ 4.00
Motors not part of heating and air conditioning:	
Up to 1 horsepower	$ 4.00
1 horsepower to 2 horsepower	$ 5.00
2 horsepower to 4 horsepower	$ 6.00
4 horsepower to 10 horsepower	$ 8.00
10 horsepower and over	$ 10.00

Inspection fees for repairing wiring or rewiring existing buildings and for replacing wiring destroyed by fire or other disaster shall be the same as for new work.

Mechanical Permit Fees:

Permit Issuance Fee	$ 10.00

In addition to Permit Issuance Fee:	
One ton and up to 5 tons or fraction thereof, per ton	$ 4.00
Over five tons and up to 10 tons or fraction thereof, per ton	$ 3.00
Over 10 tons, per ton	$ 2.00
Fee for systems with heat only:	
Electric Systems, per kw	$ 1.00
Gas Systems, per 10,000 BTU	$ 2.00

Plumbing Permit Fees:

Permit Issuance Fee	$ 10.00
In addition to Permit Issuance Fee:	
Each plumbing fixture, drain or trap, including water & drainage piping	$ 2.50
For each house sewer	$ 5.00
For each house sewer having to be replaced or repaired	$ 5.00
For each cesspool	$ 5.00
For each septic tank and seepage pit or drain field	$ 10.00
For each water heater and/or vent	$ 2.50

Fuel Gas Permit Fees:

Permit Issuance Fee	$ 10.00
For each gas piping system, per outlet	$ 4.00

Moving of building or structures: For the moving of any building or structure, the fee shall be One Hundred Fifty Dollars ($150.00).

Demolition of building or structures: For the demolition of any building or structure, the fee shall be One Hundred Dollars ($100.00).

Failure to obtain permit: Where work for which a permit is required by this code is started or proceeded with prior to obtaining said permit, the fees herein shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

Re-inspection fees: A contractor will be allowed one inspection and one (1) re-inspection of the same phase of work under the permit issued. The third (3rd) inspection shall be Thirty-Five Dollars ($35.00). All additional inspections shall be One Hundred Twenty Dollars ($120.00). If an inspection is requested and the building is locked then a re-inspection fee will be charged for the trip.

Section 3. Section 5-42 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-42. Adoption of the International Building Code.

The International Building Code, 2021 Edition, recommended by the International Code Council, but deleting Section 103, Section 104.10.1 Section 113, Section 116, Section 1612, , and Section 403.2 of the International Existing Building Code as referenced, and those portions which are deleted, modified or amended in this article, is hereby adopted and enacted as part of the law of the City and the same shall be known as the International Building Code of the City and may be cited as such.

Section 4. Section 5-43 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-43**. Amendments.**

The International Building Code adopted in this article is amended and changed in the following respects:

Any reference within this code using the term "International Energy Efficiency Code" is replaced with "applicable sections of the Alabama Commercial or Residential Energy Code".

Any reference within this code using the term "NFPA 70" is replaced with "the currently adopted edition of NFPA 70".

Section 109.2, Schedule of Permit Fees, is amended to include the following fee schedule:

Section 903.3.1.2 NFPA 13R sprinkler systems is hereby to be amended:

Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or fewer above grade plane.
2. The floor level of the highest story is 30 feet (9144 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is 30 feet (9144 mm) or less below the lowest level of fire department vehicle access.
4. All attic spaces must be sprinkled.

The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 shall be measured from grade plane.

Exception: Any University recognized primary structures containing dwelling or sleeping units for any Auburn University officially recognized fraternity and/or sorority organizations, must meet Section 903.3.1.1 NFPA 13 Sprinkler System requirements.

Table 1004.5 Maximum floor area allowances per occupant is hereby to be amended:

Table 1004. 5 Maximum floor area allowances per occupant.

Table section-Assembly without fixed seats.

Concentrated (chairs only-not fixed)	7 net
Standing space	7 net
Unconcentrated (tables and chairs)	15 net

Section 1015.2 Where required is hereby to be amended:

Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stair, ramps and landings that are located more than 30 inches measured vertically to the floor or grade below at any point within 36 inches horizontally to the edge of the open side. Guards shall also be located on retaining walls over 6 feet in height. Guards shall be adequate in strength and attachment in accordance with section 1607.9 .

Exceptions: Guards are not required for the following locations:

1. On the loading side of loading docks or piers.
2. On the audience side of stages and raised platforms including stairs leading to the stage and raised platforms.
3. On raised stage and platform floor areas, such as runways, ramps, and side stages used for entertainment or presentations.
4. At vertical openings in the performance area of stages and platforms.
5. At elevated walking surfaces appurtenant to stages and platforms for access to and utilization of special lighting or equipment.
6. Along vehicle service pits not accessible to the public.
7. In assembly seating where guards in accordance with Section 1029.16.2 are permitted and provided.
8. On the loading side of station platforms on fixed guideway transit or passenger rail system.

Section 1028.3 Exit discharge components. Exit discharge components shall be sufficiently open to the exterior so as to minimize the accumulation of smoke and toxic gases. Constructed exterior walkways shall meet a maximum 2% cross-slope.

Section 1104.1 Site arrival points to be amended:

Section 1104.2 Within a site to be amended:

Section 1110.4.13 Swimming pools, wading pools, cold baths, hot tubs and spas to be amended:

Swimming pools, wading pools, cold baths, hot tubs and spas shall be accessible and be on an accessible route(s).
Exceptions:

1. Catch pools or a designated section of a pool used as a terminus for a water slide flume shall not be required to provide an accessible means of entry, provided that a portion of the catch pool edge is on an accessible route.
2. Where spas or hot tubs are provided in a cluster, at least 5 percent, but not less than one spa or hot tub in each cluster shall be accessible and be on an accessible route.
3. Swimming pools, wading pools, spas, cold baths and hot tubs that are required to be accessible by Sections 1111.2.2 and 1111.2.3 are not required to provide accessible means of entry into the water.
4.

Section 2902.6 Small occupancies shall be amended to read: Drinking fountains shall not be required for an occupant load of 50 or less.

Section 5. Section 5-46 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-46. Adoption of the International Residential Code with the Alabama Residential Building and Energy Code amendments.

(a) Adoption. The International Residential Code 2021 Edition with the Alabama Residential Building and Energy Code amendments, but deleting Sections R103, 105.3.1.1, R112, R301.2.4, R322, and those portions which are deleted, modified or amended in this article, is hereby adopted and enacted as part of the law of the city and the same shall be known as the International Residential Code of the City and may be cited as such.

(b) Amendments. The International Residential Code with Alabama Residential Building and Energy Code amendments adopted in this article are amended and changed in the following respects:

Section 108.2, Schedule of permit fees, is amended to include the following fee schedule:

Section 305.1 Minimum Height to be amended:

Section 310.1 Emergency escape and rescue opening required is hereby amended to read as follows:

1. Basements, habitable attics and every sleeping room shall have not less than one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, an emergency escape and rescue opening shall be required in each sleeping room. Emergency escape and rescue openings shall open directly into a yard or court Exceptions:Storm shelters and basements used only to house mechanical equipment not exceeding a total floor area of 200 square feet (18.58 m2).
2. Where the dwelling unit or townhouse unit is equipped with an automatic sprinkler system installed in accordance with Section P2904, sleeping rooms in basements shall not be required to have emergency escape and rescue openings provided that the basement has one of the following:
    a. One means of egress complying with Section R311 and one emergency escape and rescue opening.
    b. Two means of egress complying with Section R311.

Section 312.1.1 Where Required is hereby amended to read as follows:

Guards shall be located along open-sided walking surfaces, including stairs, ramps and landings, that are located more than 30 inches measured vertically to the floor or grade below at any point within 36 inches horizontally to the edge of the open side. All retaining walls over 6 feet in height shall also require a guard. Insect screening shall not be considered as a guard unless is tested and approved by authority having jurisdiction.

Section R315.2.2 Alterations, repairs and additions.

Where alterations, repairs or additions requiring a permit occur, the individual dwelling unit shall be equipped with carbon monoxide alarms located as required for new dwellings.

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck.
2. Installation, alteration or repairs of plumbing or mechanical systems.
3. Installation, alteration or repairs of mechanical systems that are not fuel fired.
4. Changeout or repair of an existing fuel fired mechanical system not associated with other aspects of an alteration or addition

Section R326.1 is hereby amended to read as follows:

Section R403.1.1.1 Reinforcement is hereby amended to read as follows:

Two continuous No. 4 bars shall be required in all exterior wall perimeter concrete footings including turn downs and thickenings for monolithic slabs.

Section R403.1.6.2 Anchorage of Columns:

Porch roof columns shall be anchored to provide uplift capacity equivalent to a ½ inch anchor bolt every 10 linear feet of roof line.

Section R807.1 Attic access is hereby amended to read as follows:

Buildings with combustible ceiling or roof construction shall have an attic access opening to attic areas that exceed 30 square feet (2.8 m2) and have a vertical height of 30 inches (762 mm) or greater. The vertical height shall be measured from the top of the ceiling framing members to the underside of the roof framing members.

The rough-framed opening shall not be less than 22 inches by 30 inches (559 mm by 762 mm) and shall be located in a hallway or other location with ready access. Where located in a wall, the opening shall not be less than 22 inches wide by 30 inches high (559 mm wide by 762 mm high). Where the access is located in a ceiling, minimum unobstructed headroom in the attic space shall be 30 inches (762 mm) at some point above the access measured vertically from the bottom of ceiling framing members. See Section M1305.1.3 for access requirements where mechanical equipment is located in attics. Mechanical equipment and water heaters within attics shall not require a portable ladder to access them.

Section P3008.1 Sewage backflow is hereby amended to read as follows:

Backwater valves shall be installed as required by the City of Auburn Water Resource Design Manual. This will include private sewer systems.
Section E3902.3 Outdoor Outlets is hereby amended to read as follows:

125-volt through 250-volt receptacles installed outdoors and supplied by single-phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel. This requirement shall become effective January 1, 2023, for heating/ventilating/air-conditioning (HVAC) equipment.

Exception: The outlet requirements of section E3901.12 is required January 1, 2022.

Section 6. Section 5-65 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-65. National Electrical Code—Adopted.

The National Electrical Code, 2020 Edition, recommended by the National Fire Protection Association is hereby adopted and enacted as part of the law of the city and the same shall be known as the Electrical Code of the city and may be cited as such.

Section 7 Section 5-82 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-82. Permit and inspection fees.

(a) Before any permit is issued for the wiring of any building for electric lights, heat or power, or any electrical installation; or for the alteration in the wiring of any building for that purpose, the following fees shall be paid to the city by the person making the application for the permit:

Sec. 5-138. Standard for tank vehicles for flammable and combustible liquids.

There is hereby adopted by reference the 2000 Edition of NFPA 385 Standard for Tank Vehicles for Flammable and Combustible Liquids.

Section 8. Section 5-150 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-150. Adoption of the International Fire Code.

The International Fire Code, 2021 Edition, Including Appendix B, Appendix C, and Appendix D, recommended by the International Code Council, Inc., but deleting Sections 103, 108, 503.4.1, D104, D106, D107, and Chapter 11, and those portions which are deleted, modified or amended in this article, is hereby adopted and enacted as part of the law of the city and the same shall be known as the International Fire Code of the city and may be cited as such.

Section 9 Section 5-150.5 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-150.5. Amendments.

The International Fire Code adopted in this article is amended and changed in the following respects:

Any reference within this code using the term "NFPA 70" is replaced with "the currently adopted edition of NFPA 70."

Any reference within this code using the term "International Existing Building Code" shall be replaced with "Chapter 4 of the International Existing Building Code."

Section 106.1 is hereby amended:

Construction documents and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the fire code official. The construction documents and plans shall be prepared by and shall bear the seal of a professional engineer licensed in the State of Alabama.

Exception: The fire code official is authorized to waive the submission of construction documents and supporting data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

Section 307.2.2 is hereby added:

Each residential burn permit shall be issued for a period of time not to exceed 60 days.

Section 307.2.3 is hereby added:

Burn permits issued to contractors shall be issued for a period of time not to exceed 30 days and shall be site specific.

Section 307.2.4 is hereby added:

Under no circumstances shall heavy oils, asphaltic materials, items containing natural of synthetic rubber, plastics or refuse be burned.

Section 307.4 Location, is amended to read as follows:

The location for all burning shall meet the minimum requirements as specified by The Alabama Department of Environmental Management.

Section 506.1.1, Locks, is hereby amended:

All occupancies within the City of Auburn, having an automatic fire alarm system or fire sprinkler system, shall be equipped with an Underwriters Laboratory (U.L) type of key lock box. The key lock box shall be compatible with the master key assigned to the Fire Division.

The master key is assigned only to the Auburn Fire Division.

The key lock box shall be located at or near the recognized main entrance. The key lock box location shall be approved by the Inspection Services Department prior to installation. The lock box shall be located at a height of not less than six (6) feet and not more than 7) feet above final grade.

The building owner/manager will install the lock box in the location(s) specified by the Inspection Services Department, and notify the division when it's completed.

No steps, displays, signs or other fixtures, or structure protrusions shall be located under the box which would allow intruders to access the box without assistance.

The box shall be connected to the N.F.P.A. 72A Fire Alarm Control Panel, when provided.

Wiring shall be supervised as required in NFPA 72A. Tampering or opening of the box shall produce a Supervisory Signal on Supervisory Zone 1. The signal will then be transmitted through the NFPA 71 panel as a supervisory signal.

Exception: If an NFPA 71 panel only is used, wiring shall be supervised as required in NFPA 71. Tampering or opening of the box shall produce a supervisory signal.

The box shall contain the keys for the following. The keys shall be labeled so as to be easily identified in the field:

1. The main entrance door; mixed occupancies and strip shopping center keys shall be provided only for occupancies where system control valves or fire alarm system and or panel exists. Keys to locked points of egress, whether on the interior or exterior of such buildings.
2. Alarm room (if one exists).
3. Mechanical rooms
4. Sprinkler control /fire pump rooms.
5. Fire alarm control panel.
6. Electrical rooms.
7. Special keys to reset pull-stations or other fire protection devices.
8. Elevator keys including elevator room.
9. All other rooms as specified during the plans review process.

Inspection Services Department shall be responsible for the administration of this standard and shall indicate specific requirements for new structures.

For existing structures, Inspection Services Department shall be responsible for administration of this standard and notify the owner or operator by proper notice for compliance.

Exception: Any building or site that has twenty-four-hour, seven day a week guard service shall not need to provide a key lock box.

Section 510, Emergency Responder Communication Coverage, is hereby amended:

510.1 Emergency responder radio coverage in new buildings.
New buildings shall have approved radio coverage within the building shall be based coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured

at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Emergency responder radio coverage system in new buildings. An emergency responder radio coverage system shall be provided throughout buildings when any of the following apply:

1. New buildings constructed with an area more than 50,000 square feet,
2. New buildings that are more than four (4) stories in height that do not contain a basement or extend one or more levels below grade,
3. Building has a basement or levels/floors below grade,
4. Demonstrates a lack of proper ERRC coverage and the issue has been designated a distinct hazard by the building and fire code official.

Exceptions:

1. Where approved by the Building Official and Fire Chief a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved radio coverage system.
2. Where it is determined by the Building and Fire Chief that the radio coverage system is not needed.
3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.
4. New buildings that can demonstrate minimum radio coverage signal strength levels of the City of Auburn emergency responder radio system throughout the interior of the building.
5. One and two-family dwellings and townhouses that are built to the International Residential Code (IRC).

Table 1004 .5 is amended as follows:

Maximum floor area allowances per occupant, Table Section1004.5 Assembly without fixed seats

Concentrated (chairs only—not fixed)	7 net
Standing space	7 net
Unconcentrated (tables and chairs)	15 net

Section C103.2. Average spacing. The average spacing between fire hydrants shall not exceed that listed in Table C102.1 and the maximum travel distance between a hydrant

and fire department connections for building sprinkler systems and standpipes shall not exceed 125 feet.

Exception: The fire chief is authorized to accept existing fire hydrant spacing where they provide all or a portion of the required fire hydrant service.

Section 10. Section 5-151 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-151. Enforcement.

The International Fire Code adopted in this chapter shall be enforced by the Building Official. This section does not diminish in any way the authority of the Fire Chief or the Fire Department official in charge of an incident, to enforce this Code.

Section 10. Section 5-153 of the Code of the City of Auburn is hereby be deleted:

Sec. 5-153. Modifications.

Section 10. Section 5-173 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-173. Adoption of the International Property Maintenance Code.

The International Property Maintenance Code, 2021 Edition, recommended by the International Code Council, but deleting Section 103 and Section 111 and those portions which are modified or amended in this article, is hereby adopted and enacted as part of the law of the City and the same shall be known as the International Property Maintenance Code of the City and may be cited as such.

Section 11. Section 5-174 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-174. Amendments.

The International Property Maintenance Code adopted in this article is amended and changed in the following respects:

All references to the International Existing Building Code are deleted.

Any reference within this code using the term "NFPA 70" is replaced with "currently adopted edition of NFPA 70."

Section 113 Demolition is amended as follows:

Demolitions shall be accomplished using the procedures in Section 15-45 of the

Code of the City of Auburn and Code of Alabama 1975 Sections 11-40-30 through 11-40-36 and section 15-45 of this code.

Section 302.4 Weeds is amended as follows:

Premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Weeds shall be abated using the procedures outlined in Section 15-16 of the Code of the City of Auburn and Code of Alabama 1975 sections 11-67-90 through 11-67-95.

Section 304.14 Insect Screens is amended as follows:

During the period from January 1st to December 31st , every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellant fans, are employed.

Section 307.1 General is amended as follows:

Every exterior and interior flight of stairs having four or more risers and equipped with handrails shall maintain the handrails or replace with handrails which are compliant with the currently adopted applicable edition of the International Building Code or International Residential Code.

Every portion of a stair, landing, balcony, porch, deck, ramp, or other walking surface which is more than 30 inches above the floor or grade below and any retaining wall which is more than 6 feet above the grade below which are equipped with guards shall maintain the guards or replace with guards which are compliant with the currently adopted applicable edition of the International Building Code or International Residential Code.

Section 602.3 Heat Supply is amended as follows:

Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1st to May 1st to maintain a temperature of not less than 68 Degrees F (20 Degrees C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30 Degrees F (-1 Degree C) a minimum temperature of 65 Degrees F (18 Degree C) shall be maintained.

Section 604.2 Service is amended as follows:

The size and usage of appliances and equipment shall serve as a basis for the determining the need for additional facilities in accordance with the currently adopted edition of NFPA 70. Dwelling units shall be served by a three-wire, 120/240-volt, single phase electrical service having a rating of not less than 100 amps.

Section 12. Section 5-193 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-193. Adoption of the International Mechanical Code.

The International Mechanical Code, 2021 Edition, recommended by the International Code Council, Inc., but deleting Section 103 and Section 109 for those portions which are deleted, modified, or amended in this article, is hereby adopted and enacted as part of the law of the City and shall be known as the International Mechanical Code of the City and may be cited as such.

Section 13. Section 5-194 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-194. Amendments.

The International Mechanical Code adopted in this article is amended and changed in the following respects:

Any reference within this code using the term "NFPA 70" is replaced with "currently adopted edition of NFPA 70."

Any reference within this code using the term "International Energy Efficiency Code" is replaced with "applicable sections of the Alabama Commercial or Residential Energy Code".

Section 403.3.2.1 Add the following:

Exception: Mechanical Ventilation is not required in units where natural infiltration will provide the required air changes per hour.

Section 14. Section 5-226 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-226. Adoption of the International Plumbing Code.

The International Plumbing Code, 2021 Edition, recommended by The International Code Council Inc., but deleting Sections 103, 109, 1003.3.1, 1003.3.2, 1003.3.3, 1003.3.4, 1003.3.4.1, table 1003.3.4.1, 1003.3.4.2, 1003.3.5, 1003.4.1, 1003.4.2, 1003.4.2.1, 1003.4.2.2, and those portions which are delete modified, repealed or amended in this article, is hereby adopted and enacted as part of the law of the City and the same shall be known as the International Plumbing Code of the City and may be cited as such.

Section 15. Section 5-229 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-229. Amendments.

The International Plumbing Code adopted in this article is amended and changed in the following respects:

Any reference within this code using the term the term the term "NFPA 70" is replaced with "currently adopted edition of NFPA 70."

The following sections Of the International Plumbing Code adopted in this article are amended to read as follows:

Section 410.2 Small occupancies. Drinking fountains shall not be required for an occupant load of 50 or less.

Section 715.5 Sewage Backflow, Backwater valves shall be installed as required by the City of Auburn Water Resource Management Design and Construction Manual.

Section 1003.3 Grease interceptors. Grease interceptors and grease removal devices shall meet the requirements of the Water Resource Management Design and Construction Manual and the City of Auburn Standard Details.

Section 1003.4 Oil Separators Required. Oil separators shall comply with the Water Resource Management Design and Construction Manual and the City of Auburn Standard Details.

Section 1003.5 Sand Interceptors. Sand Interceptors shall comply with the Water Resource Management Design and Construction Manual and the City of Auburn Standard Details.

Section 16. Section 5-244 of the Code of the City of Auburn is hereby amended to read as follows:

Sec. 5-244. Adoption of the International Fuel Gas Code.
The International Fuel Gas Code, 2021 Edition, recommended by the International Code Council, Inc., but deleting Section 103, 109 and those portions which are deleted, modified, or amended in this article, is hereby adopted and enacted as part of the law of the city and the same shall be known as the International Fuel Gas Code of the city and may be cited as such.

Sec. 5-245. Reserved.

Sec. 5-246. Amendments.
The International Fuel Gas Code adopted in this article is amended and changed in the following respects:

Any reference within this code using the term the term "NFPA 70" is hereby replaced with "currently adopted edition of NFPA 70."

Any reference within this code using the term "International Energy Efficiency Code" is replaced with "applicable sections of the Alabama Commercial or Residential Energy Code."

ADOPTED AND APPROVED by the Council of the City of Auburn, Alabama, on this 17th day of August, 2020.

_____

MAYOR

ATTEST:

_____

CITY MANAGER

Agenda Item Summary

Item No. 9b

Council Meeting Date	August 17, 2021
Department	Engineering Services
Submitted By	Alison Frazier
Agenda Section	Ordinances

Name and address of person(s) or business(es) this item affects:

Citizens of Auburn

Description of item under consideration

Ordinance establishing one (1) stop sign in Bridle Creek Estates (See Exhibit A).

Why is Council action needed?

City Council must approve the installation of traffic control signs by Ordinance per Chapter 22 of the City Code. Section 2-4 of the City Code and Section 11-43A-24 of the Code of Alabama requires unanimous consent of the City Council to pass an ordinance at the same meeting at which it is introduced.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE #1499 TO RATIFY, CONFIRM, AND ESTABLISH TRAFFIC CONTROL SIGNS AND DEVICES WITHIN THE CITY OF AUBURN.

BE IT ORDAINED by the City Council of the City of Auburn, Alabama, as follows:

Section 1. That the following traffic control devices and signs are hereby ratified, confirmed and established within the City of Auburn at locations as designated on that certain map or plat identified and attached hereto and made a part of reference:

a. To establish and set one (1) "Stop" sign in Bridle Creek Estates. This will enable the City to install:

   One (1) stop sign on Bridle Creek Circle at Sandhill Road (Lee Road 10).

Section 2. Should any section, provision, or part of this Ordinance be declared to be unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other section, provision or part thereof.

Section 3. All ordinances or parts of ordinances in all sections of the Code of the City of Auburn in conflict herewith, are to the extent of such conflict, hereby repealed.

Section 4. This Ordinance shall be effective upon its passage but shall nevertheless be published as required by law.

ADOPTED AND APPROVED by the City Council of the City of Auburn, Alabama, this the 17th day of August 2021.

_____
Mayor

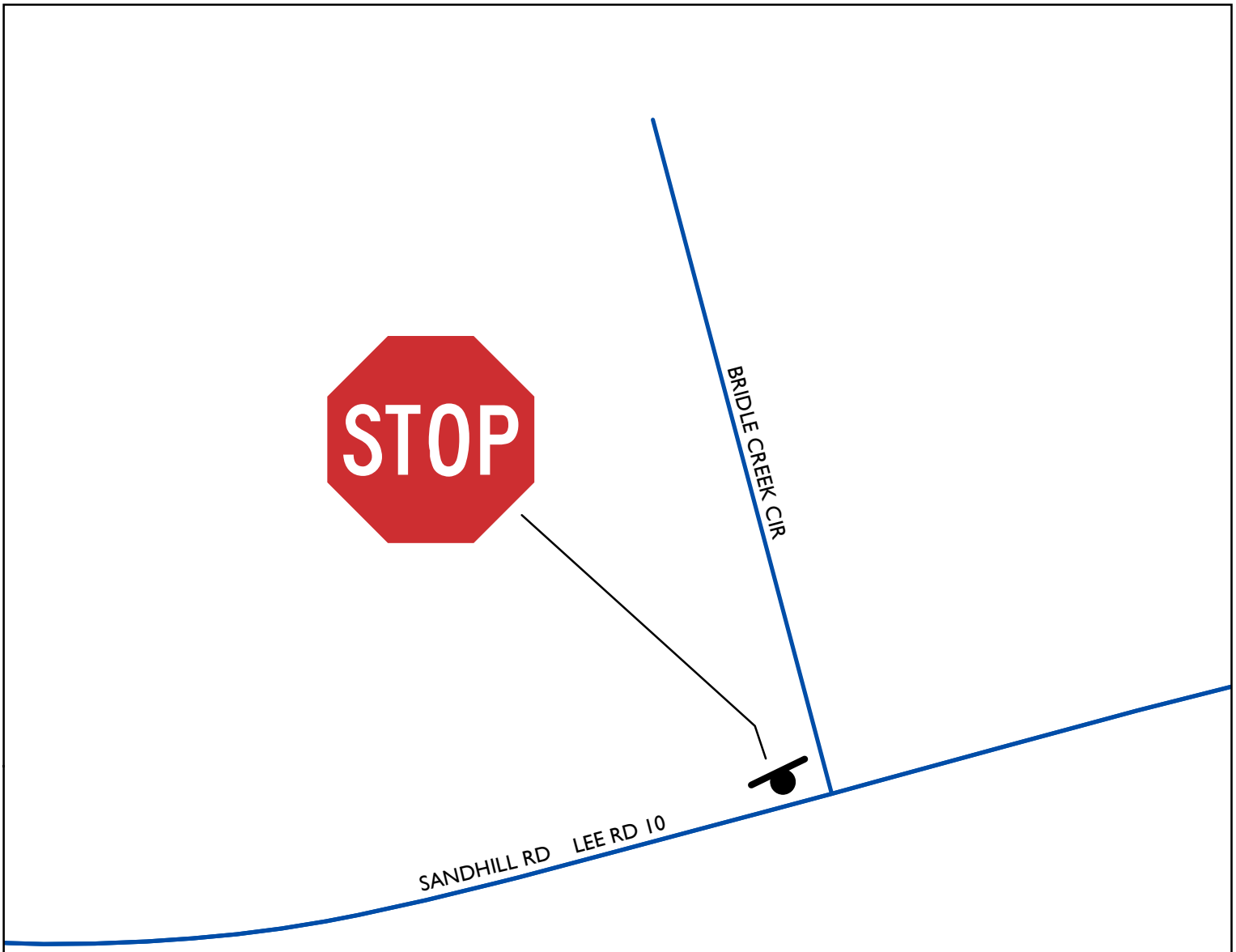
ATTEST:

_____
City Manager

Bridle Creek Estates

Exhibit A

City of Auburn



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Engineering Services - Traffic Engineering
07/30/2021

The City of Auburn, Alabama does not guarantee or warrant the accuracy of this map or any information contained herein. Information may contain errors and should be verified by an appropriately qualified, licensed and independent professional.

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Feet

Agenda Item Summary

Item No. 9c

Council Meeting Date	August 17, 2021
Department	Planning
Submitted By	Steve Foote
Agenda Section	Ordinances

Public Hearing Required

Name and address of person(s) or business(es) this item affects:

David Speake
1556 Chadwick Way
Tallahassee, FL 32312

Brett Basquin
Foresite Group, Inc.
Authorized Representative

Description of item under consideration

Brett Basquin, on behalf of David Speake, is requesting to rezone approximately 3.56 acres from Neighborhood Conservation (NC-12) to Corridor Redevelopment District - East (CRD-E) (Case PL-2021-00362). The subject property is located at 1027 East Glenn Avenue. The Planning Commission unanimously recommended approval of this request at its July 8, 2021 meeting. The attached Planning Commission staff report provides a detailed analysis of the rezoning request. The recommended approval is shown on the attached Planning Commission resolution.

Why is Council action needed?

Section 906 of the City of Auburn Zoning Ordinance provides that City Council shall approve rezoning requests by a majority vote. Section 2-4 of the City Code and Section 11-43A-24 of the Code of Alabama require unanimous consent of the City Council to pass an ordinance at the same meeting at which it is introduced.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn Planning Commission
PC Case # PL-2020-00362 '1027 East Glenn Avenue Rezoning – Neighborhood Conservation (NC-12) to Corridor Redevelopment District – East (CRD-E)'

Review Date: June 21, 2021

Property Owner(s): David Speake

Request: The applicant is requesting to rezone approximately 3.56 acres from Neighborhood Conservation (NC-12) to Corridor Redevelopment District – East (CRD-E).

Zoning Ordinance requires: Upon application, the Planning Commission shall, after giving 15 days' notice, conduct a public hearing on the proposed amendment. The Planning Commission shall consider and make recommendations on all proposed amendments, taking into account: (1) the testimony at the hearing; (2) a site inspection of the property in question; (3) the recommendations from interested official bodies; and (4) the standards for map amendments.

Location: 1027 East Glenn Avenue

Reviewed by: Jay Howell, Planner

Recommendation: **Approval**

Current Zoning: Neighborhood Conservation (NC-12)

Surrounding Zoning:
North: Development District Housing (DDH) – *Jonathan & Jessica Colley (single-family residential); Dimaculangan Rodolfo & Dimaculangan (single-family residential); Brandon & Latoya Thomas (single-family residential); Beatrice & Uriel Mendoza Jimenez (single-family residential);*
South: DDH – *Daniel & Marjean Blessing (single-family residential); David & Jessica Kohn (duplex); James & Deborah Moore (single-family residential); Bond Merrill Dean Trust (duplex);*
East: NC-12 – *Richard Speake (single-family residential)*
West: NC-6 – *Jujo, LLC (duplex); Barfield Doris Wright Folmar (duplex); Stacy Jordan (duplex); Jenry Folmar III (duplex); Clyde Prather (duplex).*

Site Visit: June 21, 2021

Property Description: The subject property is comprised of approximately 3.56 acres originally part of the Country Estates subdivision. It is currently used as a single-family residential lot with an unused City alley at the rear of the property.

Previous Action Related to this Site:

Date	Action
1945	Subject property was originally subdivided as Lots 41, 42, and 43 of the Country Estates subdivision.
Unknown	Subject properties are consolidated.

Greenway/Greenspace Impact: According to the Greenway and Greenspace Master Plan, there are no proposed greenways adjacent to the subject property.

Bike Plan Facilities: The Greenway and Greenspace Master Plan shows a proposed bike lane along East Glenn Avenue.

Land Use Plan Designation: The future land use plan designation for this property is Mixed-Use Office/Residential. This designation allows office and residential uses as horizontal or vertical mixed-uses. Live-work units are encouraged. The average residential density is eight (8) dwelling units per acre, with an average breakdown of uses at 75% office/25% residential.

Analysis: The applicant's request to rezone is due to a desire to redevelop the existing single-family home into a mixed-use development of offices and multi-family development, PL-2021-00375. The nature of this development aligns with the future land use designation of Mixed-Use Office/Residential, which extends down both sides of East Glenn Avenue. Along the north side of the road, this includes from the duplex lots on the western side of Cherry Street to the north, to the single-family residential units on the east side of Dogwood Drive. Along the south of East Glenn Avenue, this includes all properties from the eastern side of Short Street to the western edge of the Prather's Lake subdivision. The requested zoning district, CRD-E, provides regulations that permit redevelopment of a more urban or mixed-use character while protecting the economic viability of the corridor. Surrounding uses, particularly to the west of the subject property, have a high proportion of legal nonconformities (duplexes in the NC district) which indicate that utilization of the land at a level of greater intensity in keeping with the Corridor Redevelopment District is appropriate.

Staff Comments:

Engineering Services:

- There are no engineering concerns with this rezoning request.

Water Resource Management:

- This property is located in the Moore's Mill watershed.

Ability to provide services:

Is the area served by the Water Works Board of the City of Auburn (AWWB)?
Yes

Is the area served by municipal sewer?
Yes

RESOLUTION
OF THE
AUBURN PLANNING COMMISSION

Case:	1027 East Glenn Avenue Rezoning (Case PL-2021-00362)
Subject:	Recommendation to City Council for rezoning of approximately 3.56 acres to Corridor Redevelopment District – East (CRD-E)
Location:	1027 East Glenn Avenue
Applicant:	David Speake
Property Zoned:	Neighborhood Conservation (NC-12)

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 3.56 acres to Corridor Redevelopment District – East (CRD-E), marked "Received" June 11, 2021, Auburn Planning Commission Case PL-2021-00362, is hereby **APPROVED.**

STATE OF ALABAMA
LEE COUNTY

I, Steve Foote, 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 July 8, 2021 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 29th day of July, 2021.

Steve Foote, AICP, Director of Planning

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND ORDINANCE NO. 1883 OF THE CITY OF AUBURN, DATED DECEMBER 21, 1999, AS AMENDED, TO REZONE APPROXIMATELY 3.56 ACRES, MORE OR LESS, LOCATED AT 1027 EAST GLENN AVENUE FROM NEIGHBORHOOD CONSERVATION (NC-12) TO CORRIDOR REDEVELOPMENT DISTRICT – EAST (CRD-E).

BE IT ORDAINED by the City Council of the City of Auburn, Alabama, as follows:

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

The zoning map of the City of Auburn, Alabama, which is made an exhibit to and is a part of said Ordinance No. 1883, is amended to rezone approximately 3.56 acres, more or less, located at 1027 East Glenn Avenue, from Neighborhood Conservation (NC-12) to Corridor Redevelopment District (CRD-E). The following describes the real property:

Legal Description: Lots Number 41, 42 and 43 of Country Estates, Prather's Subdivision, as shown by map or plat of said subdivision recorded in Town Plat Book 3, at Page 41, in the records of the Office of the Judge of Probate of Lee County, Alabama.

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 17th day of August, 2021.

_____
Mayor

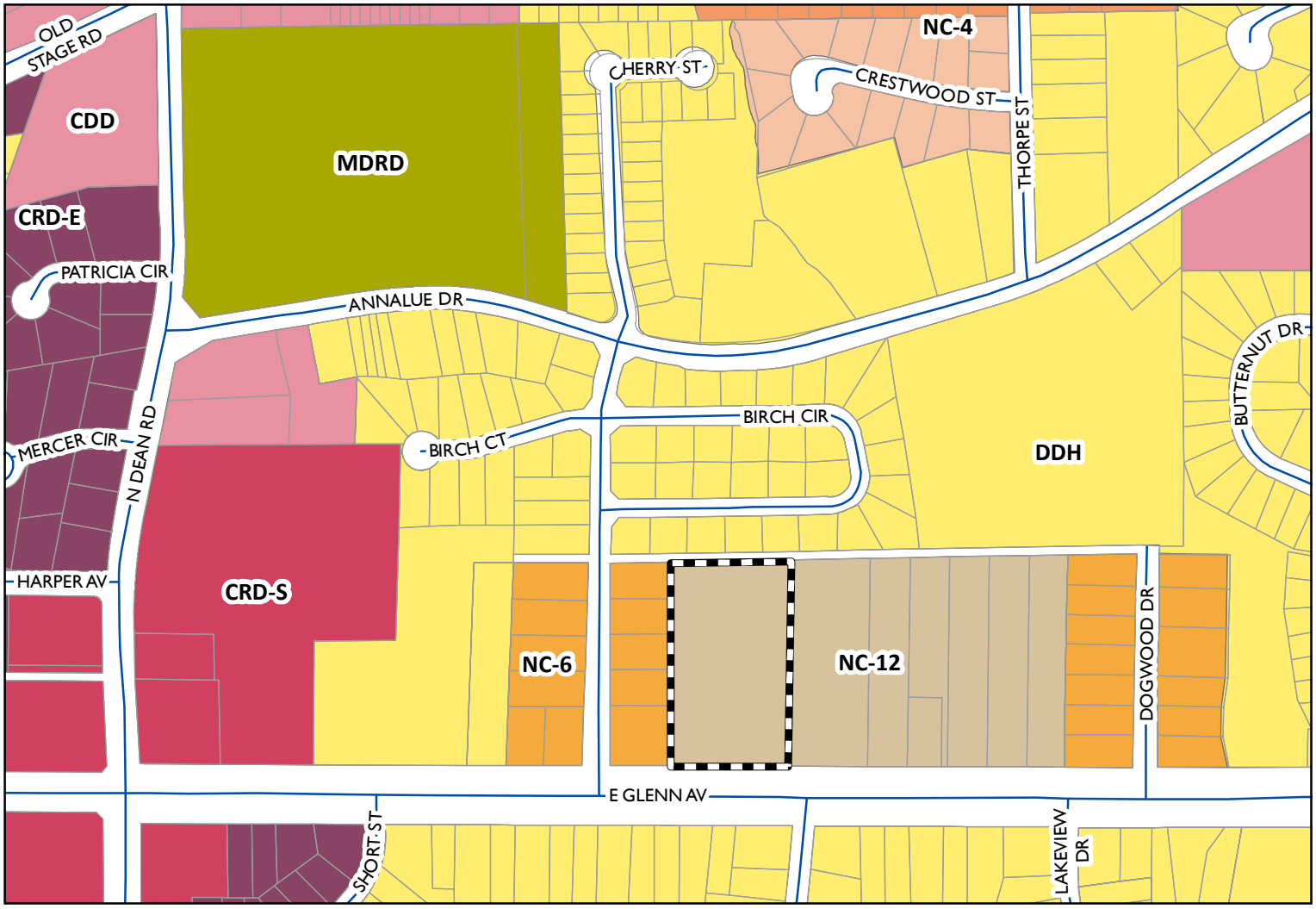
ATTEST:

_____
City Manager

1027 E. Glenn

Rezoning (NC-12 to CRD-E)
PC Case #PL-2021-00362

City of Auburn



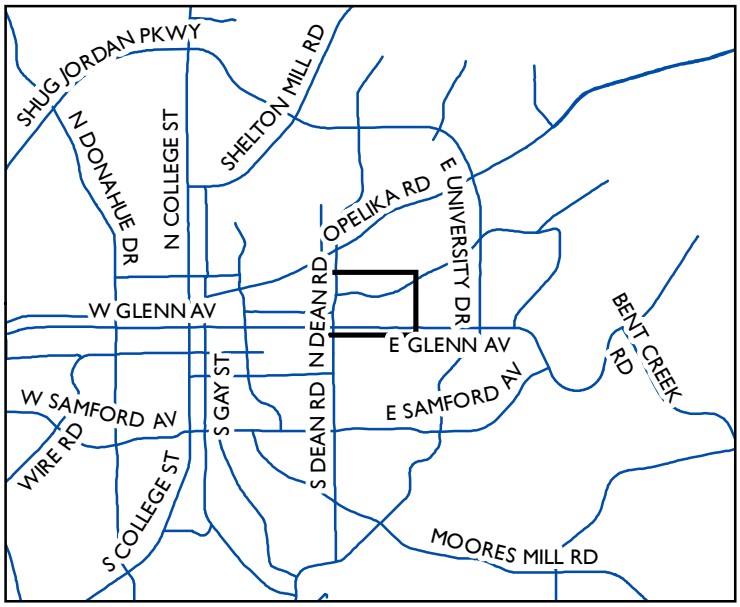
Subject Property

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Planning Dept.
07/29/2021

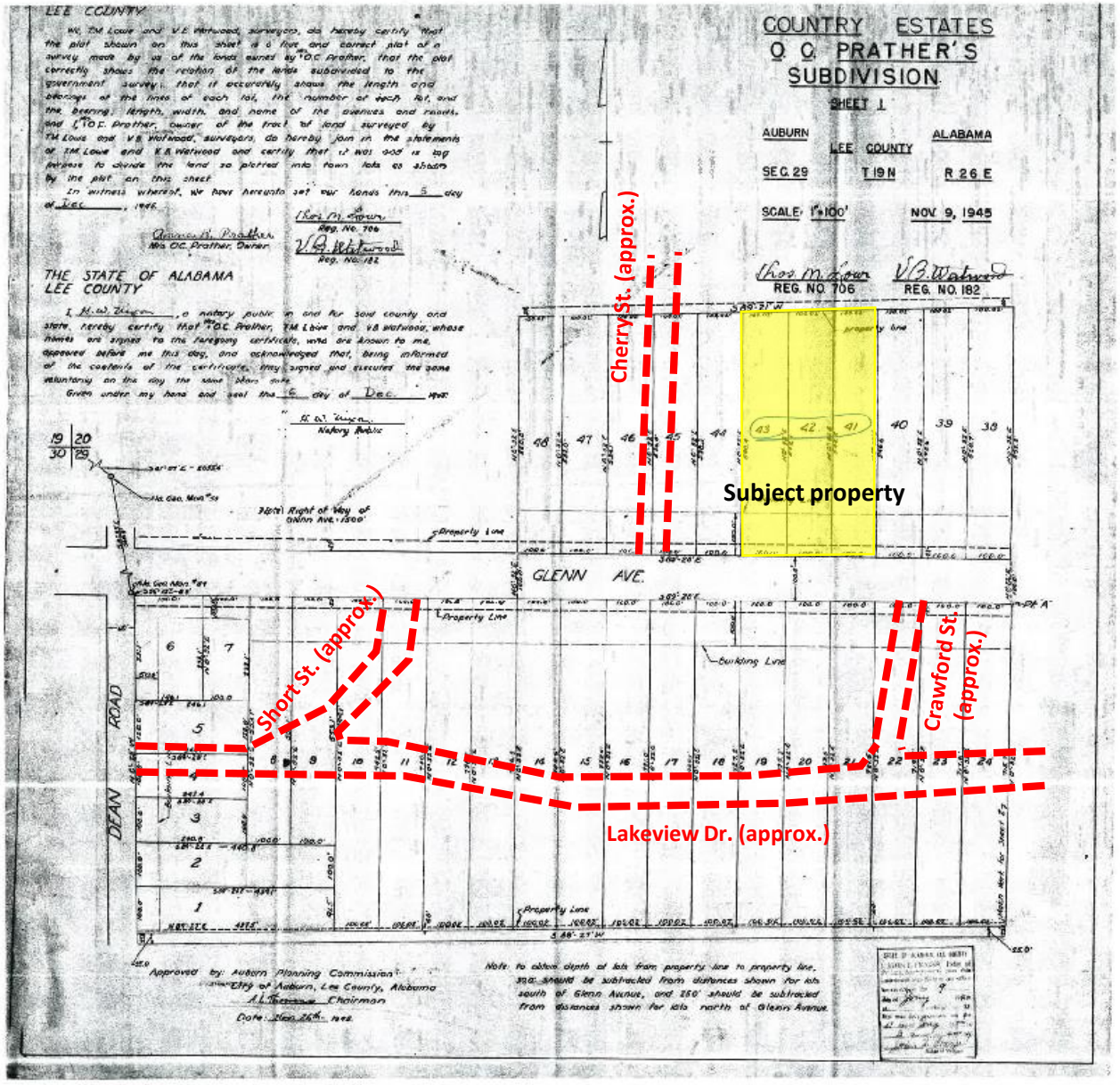
Vicinity Map



The Planning Commission will consider a request from Foresite Group, LLC on behalf of David Speake, for a rezoning of approximately 3.56 acres, more or less, located at 1027 East Glenn Avenue. This is a request to rezone the subject property from Neighborhood Conservation (NC-12) to Corridor Redevelopment District - East (CRD-E).

The City of Auburn, Alabama does not guarantee or warrant the accuracy of this map or any information contained herein. Information may contain errors and should be verified by an appropriately qualified, licensed and independent professional.

PL-2021-00362
Received 6/11/2021



Agenda Item Summary

Item No. 9d

Council Meeting Date	August 17, 2021
Department	Office of the City Manager
Submitted By	Megan McGowen Crouch
Agenda Section	Ordinances

Name and address of person(s) or business(es) this item affects:

City of Auburn

Description of item under consideration

Amend Ordinance 3248 that adopts the biennial budget for the City of Auburn for the fiscal year beginning October 1, 2020 and ending September 30, 2021, and fiscal year beginning October 1, 2021 and ending September 30, 2022.

Amending the budget at mid-biennium provides the opportunity to account for events or changes that have occurred since the adoption of the fiscal year 2021 and 2022 biennial budget.

Why is Council action needed?

In accordance with Section 11-43A-29 of the Code of Alabama 1975, any changes in the budget during the course of the budget year, shall be done by ordinance. Section 2-4 of the City Code and Section 11-43A-24 of the Code of Alabama require unanimous consent of the City Council to pass an ordinance at the same meeting at which it is introduced.

Are there deadlines involved with this item?

Yes

Please explain

State Code requires the City Council to adopt the official budget prior to the end of the fiscal year.

Is this a budgeted item?

N/A

ORDINANCE NO. ___

AMEND ORDINANCE 3248, THE OFFICIAL BUDGET FOR THE CITY OF AUBURN, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 AND THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022.

BE IT ORDAINED by the City Council of the City of Auburn, Alabama as follows:

1. That, for the purposes of financing the conduct of the affairs of the City of Auburn, Alabama, during the fiscal year beginning October 1, 2020 and ending September 30, 2021 (herein referred to as Fiscal Year 2021 or FY2021,) and for fiscal year beginning October 1, 2021 and ending September 30, 2022 (herein referred to as Fiscal Year 2022 or FY2022,) the Budget of the City's revenues and expenditures or expenses for such period prepared and submitted by the City Manager to the City Council, and made a part of this Ordinance, be and the same hereby is adopted as the official Budget of the City of Auburn.
2. That the revenue and resources set forth in the General Fund are projected as follows:

Budgeted Revenues	**FY2021**	**FY2022**
Sales and use tax	$ 45,600,000	$ 45,801,567
Other locally levied taxes	3,814,939	4,446,533
Total locally levied taxes	49,414,939	50,248,100
Property taxes and governmental service fees	7,323,500	7,516,205
States shared taxes	4,390,103	3,936,200
Total taxes	61,128,542	61,700,505
Business license fees	12,982,000	12,881,694
Occupation license fees	13,330,000	13,493,000
Other licenses and permits	1,961,037	1,961,037
Total licenses and permits	28,273,037	28,335,731
Fines and court fees	1,231,000	1,318,000
Public safety charges	6,029,348	6,309,408
Other charges for service	1,671,728	2,086,211
Investment income	415,845	403,556
Other miscellaneous revenue	722,000	647,471
Total budgeted revenues	**99,471,500**	**100,800,882**
Other financing sources		
Transfers in from other funds	639,250	722,250
Total budgeted other finances sources	**639,250**	**722,250**
Total available resources	**$ 100,110,750**	**$ 101,523,132**

3. a. That the expenditures set forth in the General Fund for each activity be as follows:

	FY2021	FY2022
Administrative Services		
City Council	$ 250,541	$ 274,821
Office of the City Manager	1,399,480	1,449,314
Human Resources	1,591,018	1,691,465
Information Technology	2,858,387	2,616,868
Finance	1,735,577	1,862,416
Economic Development	1,183,600	1,224,168
Development Services		
Administration	324,438	370,748
Planning Services	824,981	857,922
Inspection Services	1,539,848	1,537,932
Community Services	647,640	582,289
Engineering Services	3,335,805	3,411,962
Public Services		
Public Works	4,720,191	4,749,357
Environmental Services	1,916,783	2,003,998
Library	2,598,602	2,565,231
Parks and Recreation	6,725,053	7,327,908
Public Safety Services		
Judicial	901,681	917,224
Public Safety	30,537,520	31,725,307
Total - Departmental	63,091,145	65,168,930
General Operations	6,953,738	4,639,620
Project Operations	16,988,498	13,264,845
PR Project Operations	1,557,206	-
PW Project Operations	538,000	415,000
Outside Agencies	1,252,724	1,486,057
Debt Service	7,095,621	7,605,631
Total - Non-departmental	34,385,787	27,411,153
Total - Expenditures	97,476,932	92,580,083
Transfers to other funds	1,000,274	1,500,000
Transfers to component units	15,553,500	15,655,990
Total - Transfers and Other Uses	16,553,774	17,155,990
Total - Expenditures & Other Uses	**$ 114,030,706**	**$ 109,736,073**

b. That of the total budgeted ending fund balances of the General Fund of $50,661,521 in fiscal year 2021 and $42,448,581 in fiscal year 2022, $4,196,880 and $4,217,864, respectively, shall be designated as the Permanent Reserve Fund, which shall be maintained for the purpose of providing financial resources to be budgeted by the City Council for use only in times of natural disaster or significant economic downturn. The Permanent Reserve Fund shall be invested in such investments as allowed under the provisions of the Code of Alabama and the City's Investment Policy. Investment earnings on the Permanent Reserve Fund shall be added to the Permanent Reserve Fund so long as the balance in the Permanent Reserve Fund is less than fifteen percent (15%) of the General Fund's budgeted expenditures and other financing uses. At such time as the balance of the Permanent Reserve Fund exceeds fifteen percent (15%) of the General Fund's budgeted expenditures and other financing uses, investment earnings on the Permanent Reserve Fund shall be available to finance the budgeted expenditures and other financing uses of the General Fund.

c. That the budgeted ending fund balances of the General Fund as set forth above in Section 3.b., excluding the permanent reserve, are pledged to fund the

satisfaction of any actuarial liabilities arising from the City's risk retention for worker's compensation and general liability claims.

d. The City shall appropriate from the primary General Fund (fund number 100) for payment to the City of Auburn Board of Education an amount equal to 1.25 pennies of Sales and Use tax revenues. For Fiscal Year 2021 and Fiscal Year 2022, these payments are projected to be $14,250,000 and $14,312,990, respectively.

   i. Payment of the appropriations and supplemental appropriations to the City of Auburn Board of Education specified herein shall be made in twelve substantially equal monthly installments.

   ii. Upon completion of the audit fieldwork, an analysis of the actual Sales and Use Taxes collected amount will be completed. Analysis and subsequent payment or adjustments (as appropriate) will be issued upon approval by the City Manager.

   iii. The appropriation to the City of Auburn Board of Education authorized herein must be used exclusively for educational purposes and no other; educational purposes shall include without limitation, school operation and maintenance, capital outlay for educational purposes and retirement of debt incurred for educational purposes.

e. That of the expenditures authorized in Section 3.a. above, the projected revenue received from the court costs ordered by the Municipal Court and accounted for as Corrections Collections, which is projected to be $150,000 in Fiscal Year 2021 and $170,000 in Fiscal Year 2022, shall be expended for the City of Auburn's costs to house City prisoners in the Lee County jail, including the City's share of debt service on Lee County's debt issued to construct and expand the Lee County jail, and for the costs to maintain the City building which houses the Municipal Court's chambers and administrative offices.

f. That of the expenditures authorized in Section 3.a. above, the projected revenue from the Alabama Trust Fund, which revenue is projected to be $543,839 in Fiscal Year 2021 and $450,000 in Fiscal Year 2022, is budgeted to assist the financing of capital improvement projects such as improving government buildings, streets, roads, bridges and utilities in accordance with Title 11, Chapter 66 of the Code of Alabama 1975.

4. That the revenues and resources set forth in the Sewer Fund are projected as follows:

	FY2021	**FY2022**
Sewer service fees	$ 10,550,000	$ 10,650,000
Other charges to customers	1,301,500	1,301,500
Investment interest	75,000	75,000
Other revenues	2,125	2,125
Reimbursements	71,250	71,250
Total - Operating Revenues	11,999,875	12,099,875
Sale of surplus assets	5,000	5,000
Lines contributed by developers	800,000	800,000
Total - Non Operating Revenues	805,000	805,000
Total Revenues	12,804,875	12,904,875
Beginning Net Position	62,677,994	57,899,334
Total available resources	**$75,482,869**	**$ 70,804,209**

5. That the expenses set forth in the Sewer Fund be as follows:

	FY2021	FY2022
Sewer Administration Division	$ 626,134	$ 694,666
Sewer Maintenance Division	1,941,558	1,642,179
Sewer Line Locating	79,507	36,572
Watershed Management Division	346,610	326,386
Sewer Pumping and Treatment	2,776,479	2,745,467
General Operations	3,311,261	3,311,261
Project Operations	4,127,000	1,825,000
Debt Service	4,298,736	4,189,376
Total - Expenses	**17,507,284**	**14,770,906**
Operating Transfers	76,250	76,250
Total Sewer Fund Expenses and Transfers	**$17,583,534**	**$ 14,847,156**

6. That the revenues and resources set forth in the Solid Waste Management Fund are projected as follows:

	FY2021	FY2022
Fees for services	$ 5,071,500	$ 5,121,500
Recycling revenues	10,000	10,000
Other revenues	7,300	7,300
Total - Operating Revenues	5,088,800	5,138,800
Sale of surplus assets	5,000	5,000
Total - Non - Operating Revenues	5,000	5,000
Total - Revenues	5,093,800	5,143,800
Beginning Net Position	2,658,984	1,617,539
Total available resources	**$ 7,752,784**	**$ 6,761,339**

7. That the expenses set forth in the Solid Waste Management Fund be as follows:

	FY2021	FY2022
Administration	$ 612,947	$ 655,989
Recycling	2,590,905	2,621,226
Solid Waste	2,815,169	3,080,991
General Operations	61,225	53,725
Total - Expenses	6,080,246	6,411,931
Operating Transfers	55,000	55,000
Total SWMF Expenses and Transfers	**$ 6,135,246**	**$ 6,466,931**

8. That for certain other budgeted funds of the City, revenue projections and expenditures or other financing uses be as follows:

	FY2021	FY2022
Seven Cent Gas Tax Fund		
Revenues	$ 150,100	$ 153,100
Beginning fund balance	50,556	50,656
Total available resources	200,656	203,756
Expenditures & other financing uses	(150,000)	(153,000)
Nine Cent Gas Tax Fund		
Revenues	118,100	123,100
Beginning fund balance	40,566	40,666
Total available resources	158,666	163,766
Expenditures & other financing uses	(118,000)	(123,000)
Ten Cent Gas Tax Fund		
Revenues	325,100	406,350
Beginning fund balance	519	25,619
Total available resources	325,619	431,969
Expenditures & other financing uses	(300,000)	(375,000)

Special School Tax Fund		
Revenues and other financing sources	51,940,352	22,479,535
Beginning fund balance	39,095,691	44,673,978
Total available resources	91,036,043	67,153,513
Expenditures & other financing uses	(46,362,065)	(32,180,528)
Municipal Court Judicial Administration Fund		
Revenues and other financing sources	104,000	137,000
Beginning fund balance	375,706	467,306
Total available resources	479,706	604,306
Expenditures & other financing uses	(12,400)	-
Public Safety Substance Abuse Fund		
Revenues and other financing sources	33,350	33,350
Beginning fund balance	165,814	151,629
Total available resources	199,164	184,979
Expenditures & other financing uses	(47,535)	(39,200)
Special Five Mill Tax Fund		
Revenues and other financing sources	6,410,000	6,542,595
Beginning fund balance	9,348,584	9,315,403
Total available resources	15,758,584	15,857,998
Expenditures & other financing uses	(6,443,181)	(6,190,631)
Liability Risk Retention Fund		
Revenues and other financing sources	62,500	562,500
Beginning fund balance	769,034	155,534
Total available resources	831,534	718,034
Expenditures & other financing uses	(676,000)	(561,000)
Employee Benefit Self-Insurance Fund		
Revenues and other financing sources	7,513,396	7,016,346
Beginning fund balance	524,924	1,141,020
Total available resources	8,038,320	8,157,366
Expenditures & other financing uses	(6,897,300)	(7,046,900)
Assessment Project Fund		
Revenues and other financing sources	283,988	398,732
Beginning fund balance	(274)	-
Total available resources	283,714	398,732
Expenditures & other financing uses	(283,714)	(398,732)

9. That the total expenditure and expense amounts listed above be and hereby are appropriated to such uses, and authority is hereby granted to the City Manager to approve the expenditure of the amounts shown for the purposes indicated. The City Manager shall have the authority to approve loans between City funds and from City funds to the Water Works Board of the City of Auburn, the Industrial Development Board of the City of Auburn, the Commercial Development Authority of the City of Auburn, the Auburn City Board of Education, the Auburn Downtown Redevelopment Authority, and the Public Park and Recreation Board of the City of Auburn.
10. That the Finance Director/Treasurer be and hereby is authorized and directed by the City Manager to make the appropriate disbursements.
11. That payment of the amounts appropriated to other agencies, under Outside Agencies Funding expenditures of the General Fund, shall be contingent upon receipt of revenues sufficient for such payments.

12. That the City Manager be and hereby is authorized to make adjustments of appropriated amounts between and among the various accounts of the General Fund, Sewer Fund and Solid Waste Management Fund and other funds as listed in Section 8 of this Ordinance, as necessitated by changing requirements, provided that the City Council shall be informed of any such adjustments made.
13. That transfers from the State gas tax funds into the General Fund will be limited to the amount of available revenues; and the General Fund expenditures thereof shall be limited to the same purposes for which the State gas tax revenues may be expended in accordance with the provisions as specified in the Code of Alabama 1975, Sections 40-17-359, 40-17-363, and 40-17-370.
14. In accordance with Section 12-14-30 of the Code of Alabama 1975, James D. McLaughlin is hereby reappointed to the office of full-time municipal judge effective January 1, 2021.
15. If any section, subsection or provision of this Ordinance shall be declared to be invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section, subsection or provision of this Ordinance.

ADOPTED AND APPROVED by the City Council of the City of Auburn, Alabama this the 17th day of August, 2021.

_____
Mayor

ATTEST:

_____
City Manager

Agenda Item Summary

Item No. 10a

Council Meeting Date	August 17, 2021
Department	Planning
Submitted By	Steve Foote
Agenda Section	Resolutions

Public Hearing Required

Name and address of person(s) or business(es) this item affects:

City of Auburn
Planning Department
171 North Ross Street
Suite 100
Auburn, AL 36830

Description of item under consideration

This request is for adoption of the U.S. Highway 280 Focus Area Study (Plan), including plan text amendments (Case PL-2021-00340) and Future Land Use Plan map amendments (Case PL-2021-00341). As part of the implementation phase of the U.S. Highway 280 Corridor Focus Area Study, amendments to the CompPlan 2030 text are necessary for the incorporation of the Plan into CompPlan 2030. The purpose of the map amendments is to incorporate the recommended Future Land Use classification changes from the Plan into CompPlan 2030. The Planning Commission unanimously recommended adoption of the plan text amendments and recommended adoption of the plan map amendments by a vote of 8-1 at its July 8, 2021 meeting. The attached Planning Commission staff reports provide a detailed summary of the plan amendments. The recommended approvals are shown on the attached Planning Commission resolutions.

Why is Council action needed?

City Council action is requested for amendments to master plans per § 11-52-10 of the Code of Alabama.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn Planning Commission
PL-2021-00340 'U.S. Highway 280 Corridor Focus Area Study - CompPlan 2030 Text Amendments'

Review Date:	June 2, 2021
Applicant:	City of Auburn Planning Department 171 North Ross Street, Suite 100 Auburn, AL 36830
Case Staff:	Logan Kipp, AICP, Principal Planner Stephanie Canady, Planner Jay Howell, Planner
Request:	Adopt text amendments to CompPlan 2030, the comprehensive plan for the City of Auburn in Chapter Three: Land Use.
Purpose:	CompPlan 2030 is intended to meet state requirements for comprehensive planning per § 11-52-9 of Alabama Code, and to provide a framework for future decision-making and a guide for the future growth and development of the City of Auburn. As part of the implementation phase of the U.S. Highway 280 Corridor Focus Area Study (Plan), amendments to the CompPlan 2030 text are necessary for the incorporation of the Plan into CompPlan 2030.
Date of Public Hearing Notice:	June 17, 2021
Recommendation:	**Approval**

Summary: CompPlan 2030 was recommended for adoption by the Planning Commission on September 8, 2011, and subsequently adopted by the City Council on October 4, 2011. The Code of Alabama § 11-52-10 requires a public hearing for any amendments to CompPlan 2030. Since CompPlan 2030's adoption, it has been amended nine (9) times. The first series of amendments were to make corrections (November 2011) to the Plan; the second and third amendments incorporated changes to both the text and Future Land Use Map as a result of the Renew Opelika Road Plan and Exit 50 Zoning Study (October 2014) and the adoption of the Downtown Master Plan (March 2016). In January 2018, the fourth amendment was completed with a comprehensive five-year update approved by the Planning Commission and adopted by the City Council on February 20, 2018. In March 2018, there were amendments to both the text and Future Land Use Map as part of the adoption of the Northwest Auburn Neighborhood Plan. Two subsequent amendments in 2019 updated the text, and then Future Land Use Map, for first the Harper Avenue, and then the Glenn/Dean Focus Area Studies. The most recent amendment included text and Future Land Use Map updates from the Cox and Wire Road Corridor Focus Area Study, adopted in March 2020.

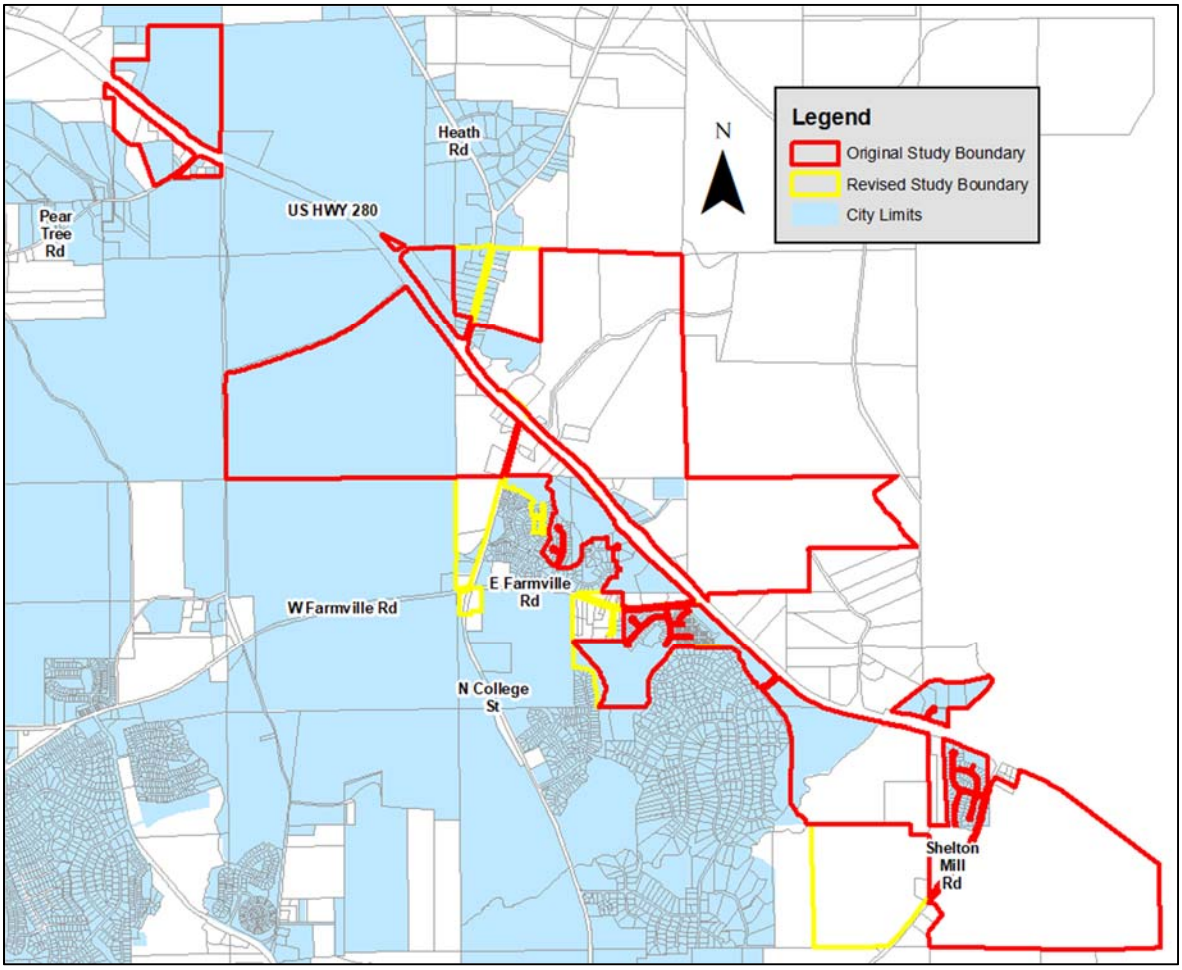
Background and Analysis: The United States Highway (US) 280 Corridor Focus area was created as part of the February 2018 five-year update to CompPlan 2030. This area has had increased development interest since 2011 as a result of the City of Auburn's population growth. The City is one of the faster growing communities in the United States with an estimated population increase of 23% between 2010 and the 2018. This percentage increase is the 12th highest east of the Mississippi River and 52nd nationally.

As the desirability of living in Auburn increases, development pressure will also increase and it will be important to continue to refine future land use classifications of the Optimal Growth Boundary. Much of the land inside the study was given the designation of "280 Corridor Reserve" at the time of CompPlan 2030's adoption in 2011. This placeholder designation was intended to ensure that any development would be adequately setback from the corridor to preserve the corridor for potential non-residential uses. The five-year CompPlan 2030 update in 2018 identified this area specifically to address the broad nature of this designation, and to consider its possible retirement as growth spreads to the north.

The area staff chose to study extended beyond what was proposed in the CompPlan 2030 update (expansion shown outlined in yellow on Figure 1). This was done to include all areas with the Future Land Use designation of 280 Corridor Reserve, large parcels under single ownership, and to include parcels with a Future Land Use out of sync with the current use of the property.

As with prior study areas, staff collected data pertaining to population, area of current development, ownership records, occupancy rates, demographics, current and future land use and zoning. Staff met with key internal stakeholders including Engineering, Water Resource Management, Parks & Recreation, and Public Safety as well as Auburn University, the City of Opelika Planning Department, and Lee County Highway Department.

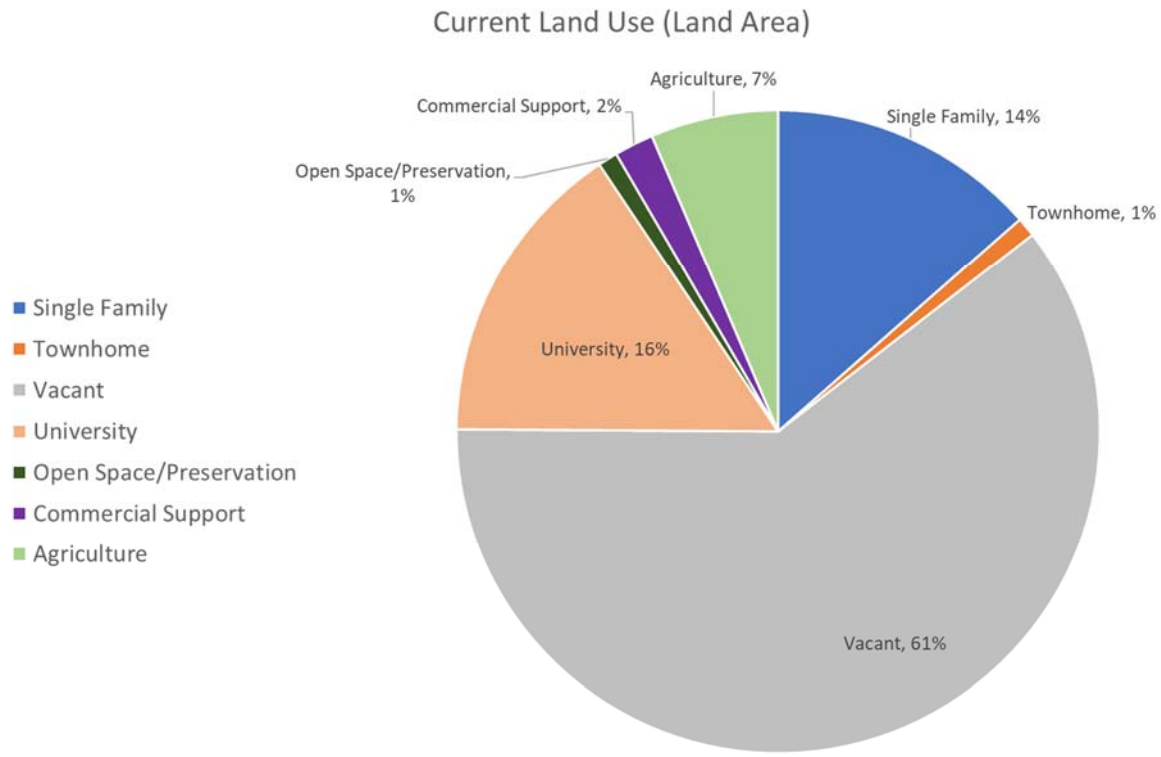
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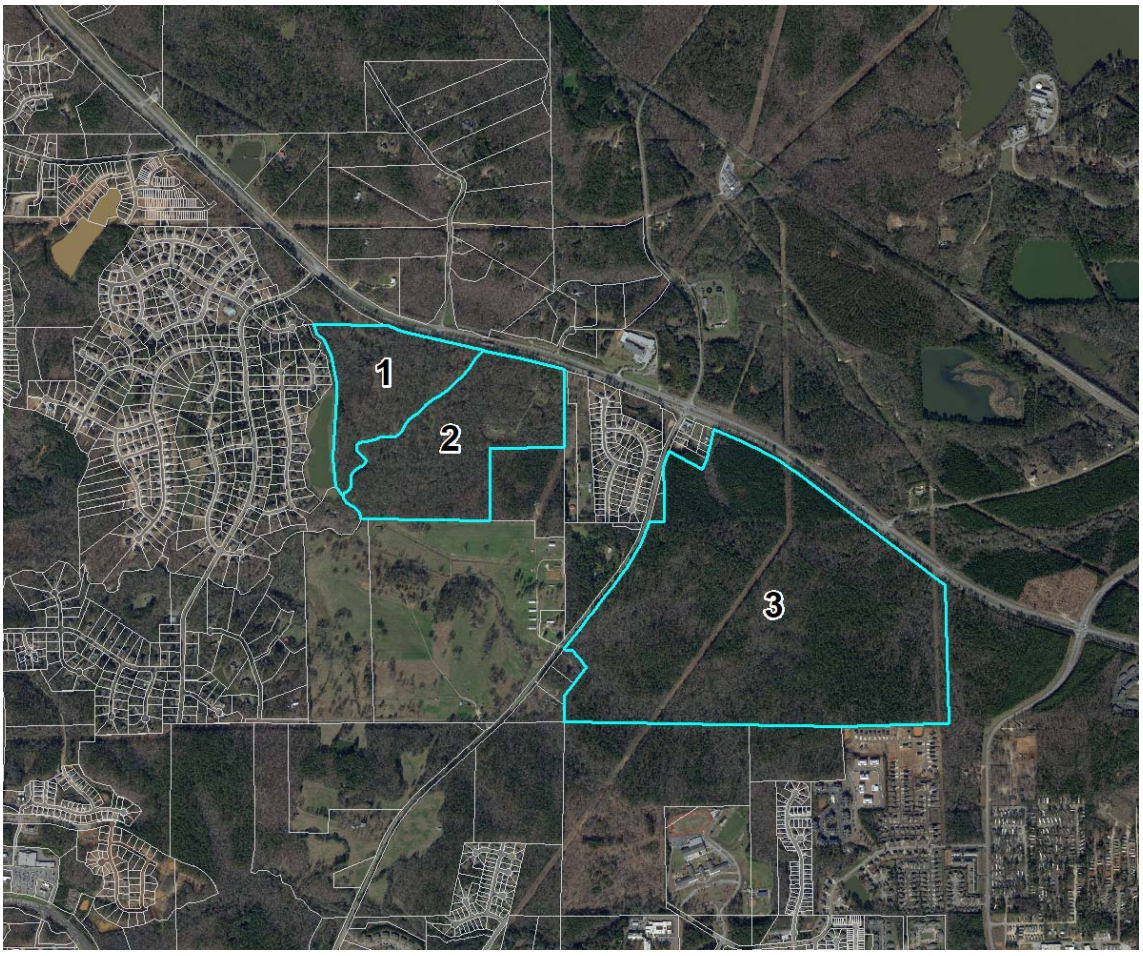
The study area included a total of 450 parcels and 2,472 acres. 299 parcels (936.4 acres) are within the City of Auburn and 87 parcels (1537.3 acres) are in unincorporated Lee County. The boundary of the study area was expanded slightly to allow staff to adjust some inconsistencies between the current use and the future land use plan (i.e. existing cemetery and church on North College Street shown as Rural, existing APCO power distribution shown as Rural, etc.).

The majority of land area is currently undeveloped (1,517 acres) with the university owning a sizeable amount (389 acres or 16%). The majority of developable land is outside of the city limits (1,262 acres), highlighting the need to have a plan in place as infrastructure becomes available.

Figure 2.



There are several notable properties that may become ready for development/redevelopment in the near future which include:



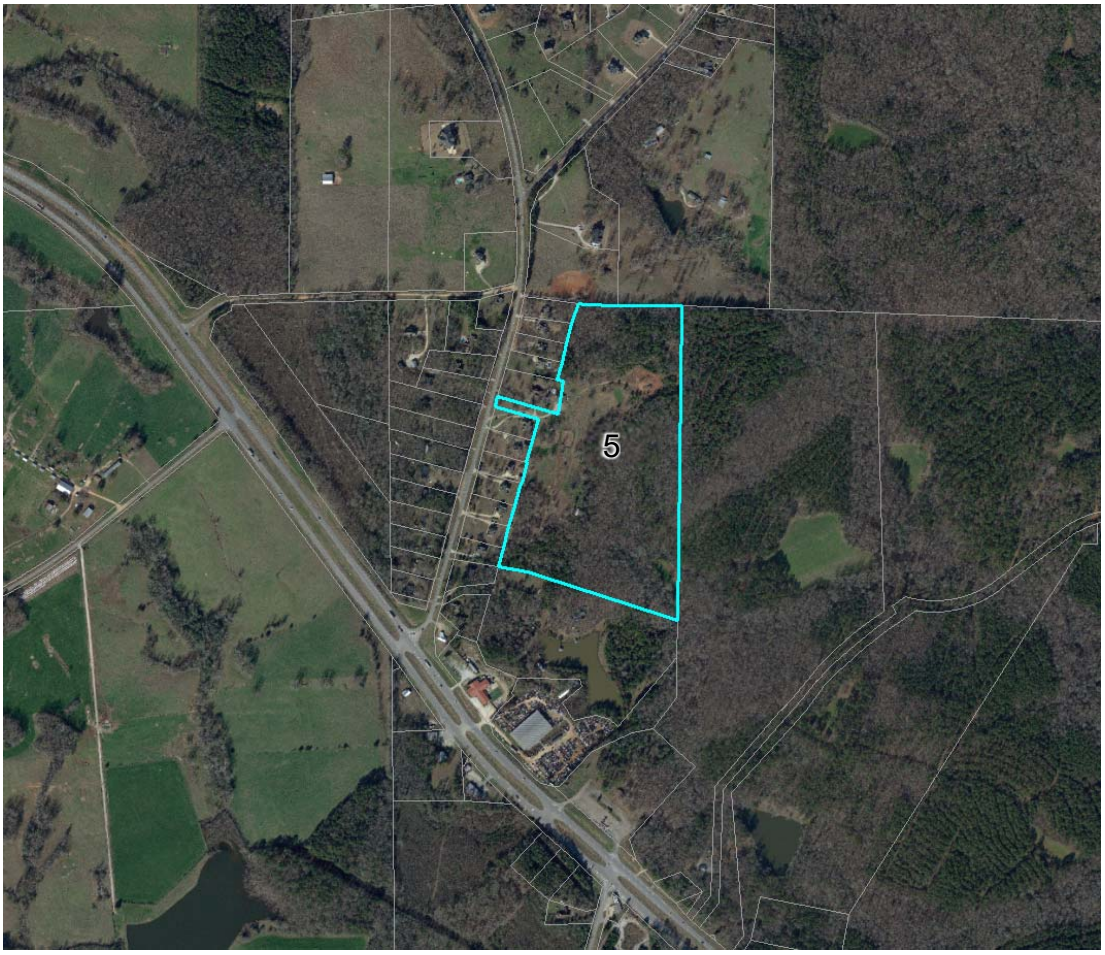
1. Asheton Glenn LLC
   56.66 ac
   Zoning: CDD
   Utilities available or nearby
   Recommended FLU: Master-Planned Mixed Use

2. Michael & Deborah Williams
   93.91 ac
   Zoning: Outside of city limits
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3. Perryman Hill LLC
   339.43 ac
   Zoning: Outside of city limits
   Recommended FLU: Master-Planned Mixed Use
   Utilities available or nearby



4. Multiple owners, North College Street & U.S. Highway 280 Intersection (a.k.a. "The Bottle")
   +/- 66 Ac
   Zoning: Outside of city limits
   Utilities available or nearby
   Recommended FLU: Gateway Commercial & Gateway Corridor Commercial



5. Keel Property
   +/- 42 ac
   Zoning: Outside of city limits
   Water only
   Recommended FLU: Limited Residential

Public Participation:

As staff began preparing data for the study area analysis, the COVID-19 pandemic and related directives to reduce public gatherings and require social distancing affected standard procedures for collecting public input. Staff developed a web-based survey to distribute via postcard to all property owners within the study area. After removing duplicate owner information, **310 postcards were mailed** using the Lee County Tax Assessor parcel data for ownership. Respondents were able to drop a pin on specific property and express their desire for long range development interests in the area (Single-Family, Commercial, Recreation, among others). Additionally, a virtual open house was hosted on August 20, 2020 using Zoom which allowed interested residents to view a pre-recorded presentation of the proposal and speak with a planner about their specific property and concerns. The website and survey **received 348 "hits**" with **30 responses entered**. The open house was **attended by 30 residents** and staff met with individual property owners in the area throughout the study period. Banners were posted for the duration of the study period at the intersections of Heath Road & U.S. 280, North College Street & U.S. 280, and at Watercrest Drive & U.S. 280 as well as advertisements placed in the Auburn Villager and on the city's

website. Based on feedback from residents some adjustments were made and the proposal was generally supported on the following themes:

- Designate an area for a potential park and kayak put-in near Saugahatchee Creek in conjunction with the Blueway/Greenway Plan. There were multiple comments expressing the desire for more recreation opportunities in this area.
- Encourage new commercial and mixed-use development at the intersection of North College Street and U.S. Highway 280 (a.k.a. The Bottle)
- A desire to see improved landscaping/beautification along U.S. Highway 280.
- Maintain Shelton Cove area as low-density single-family development
- Maintain Auburn University lands as agricultural in character

In addition, staff is recommending the following adjustments:

- Designating large undeveloped lands under common ownership as "Mixed-Use Master Planned Development"
- Updating the FLU of property owned by the university to "University"
- Updating the FLU of existing churches and cemeteries in the area to "Institutional"
- Updating existing single-family lots less than 3 acres from Rural to "Limited Residential"
- Review the possibility of creating a "Corridor Protection Zone" along university owned lands to protect the corridor should the university sell the land to private ownership.
- Work with Alabama Department of Transportation to review access management and limiting the number of curb cuts on to U.S. 280.

Strength, Weaknesses, Opportunities, Threats (SWOT):

Upon review of available data, known and upcoming developments in the area, planned capital improvements, and resident input, the following SWOT analysis provided direction for staff recommendations (Figure 3). The greatest asset of the area is U.S. 280 itself, which provides connections to Auburn and Opelika locally and to Birmingham, Atlanta, and Montgomery (via U.S. 85) regionally. This presents a number of opportunities for commercial, road service, and commercial support uses to develop along the corridor as well as supporting residential within the interior of the study area. Given that the majority of the developable lands are outside of the city limits and have no zoning, the largest threat to the area is the development of these lands without a plan in place and of uses which may erode the corridor's commercial development capacity. Property owned by Auburn University provides another challenge to planning due to the uncertainty of land decisions and an absence of zoning controls.

Figure 3



Below are the recommendations for text changes to Chapter Three: Land Use in CompPlan 2030. The Future Land Use Map updates will be addressed in the staff report for PL-2021-00341.

New text is underlined and omitted text has a strike-through.

3.2.5 Future Focus Area Studies *(all other text in this section shall remain as is)*

280 Corridor Focus Area

~~U.S. Highway 280 serves as a guiding boundary for the City of Auburn to its northern and eastern extents, including its shared borders with the City of Opelika. With the exception of the Heath Road Corridor, Auburn generally exists south of the highway, while Opelika exists to the north. As the highway approaches the Veterans Parkway from the west, however, this divide disappears as Opelika then occupies both sides of the highway as it continues eastward to its intersection with Interstate 85. The area identified as part of the recommended focus study includes approximately 2,400 acres or nearly four square miles. Most of the area is designated "280 Corridor Reserve" in the original comprehensive plan as an intended "placeholder" in recognition that this area was, geographically, not envisioned to be ripe for development within the time horizon of the Plan. However, as the City continues to grow mostly to the north and northwest at a considerable pace, there may be merit in examining the future potential of this corridor sooner rather than later, particularly the portion that is III-20 in closest proximity to current development and associated infrastructure; specifically, the segment of Highway 280 located roughly between Shelton Mill Road and Veterans Parkway. This area includes a logical extension of the existing Dean Road to the north which would provide another needed connection for city residents to reach the highway and destination points north and south. A second area of the corridor worth particular study is the intersection of Highway 147 and Highway 280, better known as "The Bottle." The Bottle is an untidy intersection due to the "jog" taken by 147 once it meets its intersection with 280. The intersection is often described as "troublesome" for travelers as speeds are high and visibility is not optimal due to the topography of the surrounding area. In addition, most of the property in the immediate vicinity of this "gateway" into Auburn is located in unincorporated Lee County where no~~

~~zoning regulations are in place. Land uses in the immediate vicinity can be described as less than desirable and are highlighted by a pole barn used for rodeos and more recently, the establishment of a recycling/salvage yard.~~

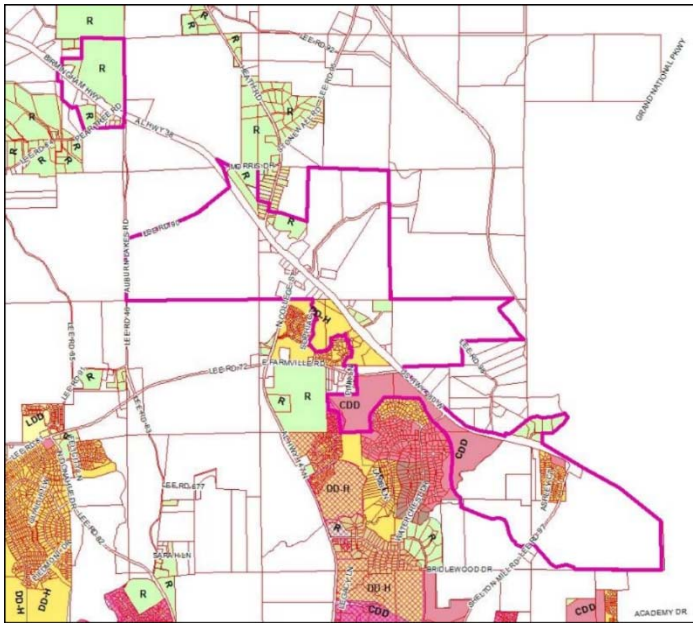
~~Recommendation~~
~~Analyze and evaluate current future land use designations along the corridor, but with particular emphasis on the specific locations described above: 147 intersection area and the segment between Shelton Mill Road and Veterans Parkway. Examine opportunities for enabling legislation that would provide Auburn the opportunity to forcibly annex lands that are both strategic to the City's interest, but are also of considerable aesthetic importance.~~

3.2.4 Focus Areas
Completed Focus Area Studies *(all other text shall remain as is)*
U.S. Highway 280 Focus Area Study: Result – The U.S. Highway 280 Focus Area Study was completed in Spring of 2021 after delays caused by the COVID-19 pandemic and focusing staff resources toward Short-Term Rental regulations and revisions to the Downtown Design Standards. This study focused on reviewing development potential for the area in accordance with existing and proposed infrastructure as the majority of the property in the study area is undeveloped and outside of the city limits. Staff identified several clusters of property along the southern portion of U.S. 280 in the Shelton Mill Road area and a potential commercial node at the U.S. 280 & North College Street intersection that may be ripe for development/redevelopment. Other recommended changes focus on cleaning up inconsistencies with the Future Land Use plan and existing uses such as university property that has been newly acquired, institutional uses like churches and cemeteries, and applying the Limited Residential designation on existing single-family lots that are non-conforming to the Rural designation.

The following section will be moved to Appendix K.

"280 Corridor Focus Area
U.S. Highway 280 serves as a guiding boundary for the City of Auburn to its northern and eastern extents, including its shared borders with the City of Opelika. With the exception of the Heath Road Corridor, Auburn generally exists south of the highway, while Opelika exists to the north. As the highway approaches the Veterans Parkway from the west, however, this divide disappears as Opelika then occupies both sides of the highway as it continues eastward to its intersection with Interstate 85. The area identified as part of the recommended focus study includes approximately 2,400 acres or nearly four square miles. Most of the area is designated "280 Corridor Reserve" in the original comprehensive plan as an intended "placeholder" in recognition that this area was, geographically, not envisioned to be ripe for development within the time horizon of the Plan. However, as the City continues to grow mostly to the north and northwest at a considerable pace, there may be merit in examining the future potential of this corridor sooner rather than later, particularly the portion that is III-20 in closest proximity to current development and associated infrastructure; specifically, the segment of Highway 280 located roughly between Shelton Mill Road and Veterans Parkway. This area includes a logical extension of the existing Dean Road to the north which would provide another needed connection for city residents to reach the highway and destination points north and south. A second area of the corridor worth particular study is

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Recommendation

Analyze and evaluate current future land use designations along the corridor, but with particular emphasis on the specific locations described above: 147 intersection area and the segment between Shelton Mill Road and Veterans Parkway. Examine opportunities for enabling legislation that would provide Auburn the opportunity to forcibly annex lands that are both strategic to the City's interest, but are also of considerable aesthetic importance."

RESOLUTION
OF THE
AUBURN PLANNING COMMISSION

Case: U.S. Highway 280 Focus Area Study Zoning CompPlan Text Amendments (PL-2021-00340)

Subject: Adoption of amendments to CompPlan 2030, the Comprehensive Plan for the City of Auburn, specifically amendments to the Future Land Use Plan text in Chapter Three: Land Use in order to incorporate the U.S. Highway 280 Focus Area Study into *CompPlan 2030*

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for adoption of amendments to CompPlan 2030, the Comprehensive Plan for the City of Auburn, specifically amendments to the Future Land Use Plan text in Chapter Three: Land Use in order to incorporate the U.S. Highway 280 Focus Area Study into *CompPlan 2030*, Auburn Planning Commission Case PL-2021-00340, is hereby **APPROVED.**

STATE OF ALABAMA
LEE COUNTY

I, Steve Foote, 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 July 8, 2021 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 29th day of July, 2021.

Steve Foote, AICP, Director of Planning

City of Auburn Planning Commission
PL-2021-00341 'U.S. Highway 280 Corridor Focus Area Study - CompPlan 2030 Map Amendments'

Review Date:	June 2, 2021
Applicant:	City of Auburn Planning Department 171 North Ross Street, Suite 100 Auburn, AL 36830
Case Staff:	Logan Kipp, AICP, Principal Planner Stephanie Canady, Planner Jay Howell, Planner
Request:	Adopt map amendments to CompPlan 2030, the Future Land Use Plan for the City of Auburn in Chapter Three: Land Use.
Purpose:	CompPlan 2030 is intended to meet state requirements for comprehensive planning per § 11-52-9 of Alabama Code, and to provide a framework for future decision-making and a guide for the future growth and development of the City of Auburn. As part of the implementation phase of the U.S. Highway 280 Corridor Focus Area Study (Plan), amendments to the CompPlan 2030 Future Land Use Plan are necessary for the incorporation of the Plan into CompPlan 2030.
Date of Public Hearing Notice:	July 8, 2021
Recommendation:	**Approval**

Summary: CompPlan 2030 was recommended for adoption by the Planning Commission on September 8, 2011, and subsequently adopted by the City Council on October 4, 2011. The Code of Alabama § 11-52-10 requires a public hearing for any amendments to CompPlan 2030. Since CompPlan 2030's adoption, it has been amended nine (9) times. The first series of amendments were to make corrections (November 2011) to the Plan; the second and third amendments incorporated changes to both the text and Future Land Use Map as a result of the Renew Opelika Road Plan and Exit 50 Zoning Study (October 2014) and the adoption of the Downtown Master Plan (March 2016). In January 2018, the fourth amendment was completed with a comprehensive five-year update approved by the Planning Commission and adopted by the City Council on February 20, 2018. In March 2018, there were amendments to both the text and Future Land Use Map as part of the adoption of the Northwest Auburn Neighborhood Plan. Two subsequent amendments in 2019 updated the text, and then Future Land Use Map, for first the Harper Avenue, and then the Glenn/Dean Focus Area Studies. The most recent amendment included text and Future Land Use Map updates from the Cox and Wire Road Corridor Focus Area Study, adopted in March 2020.

Background and Analysis:

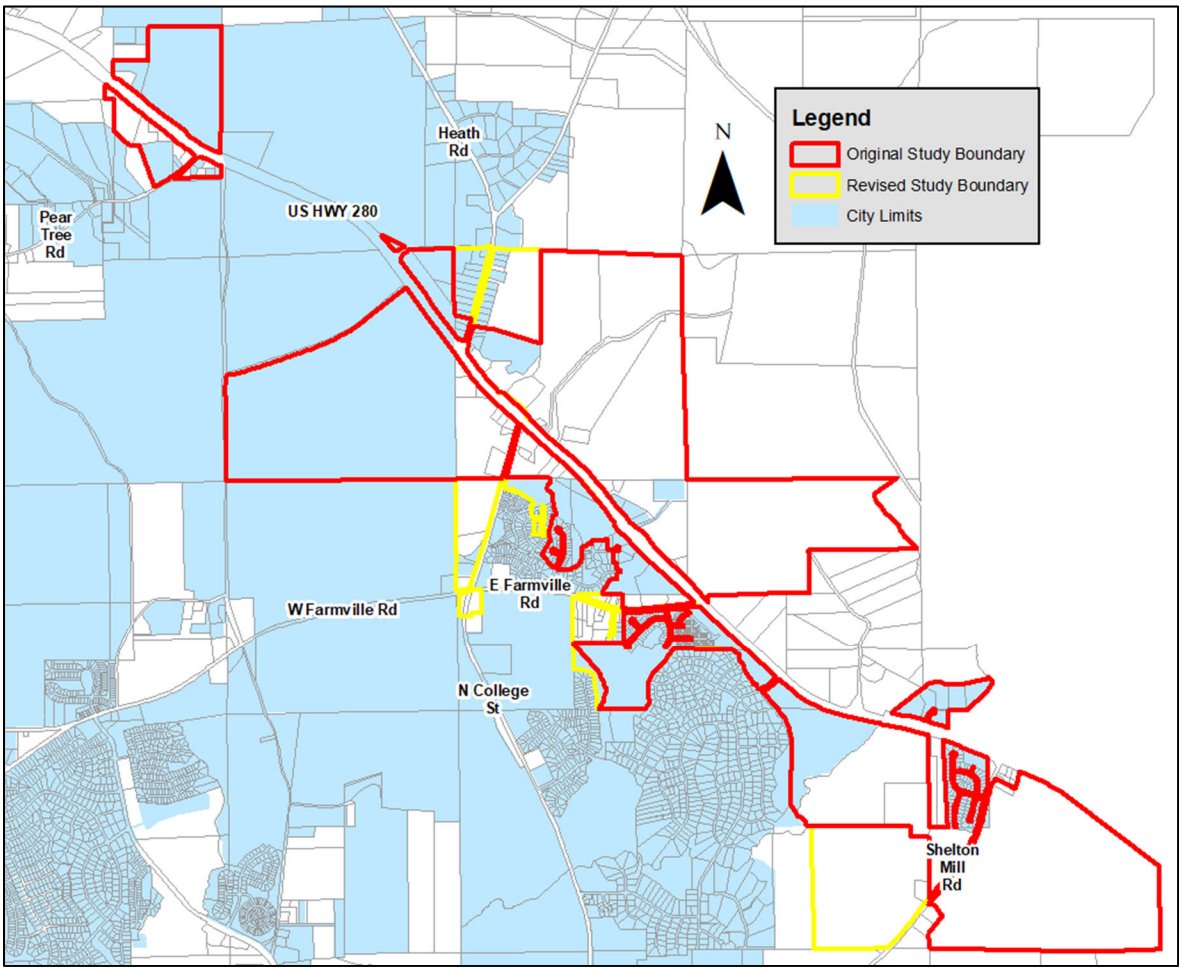
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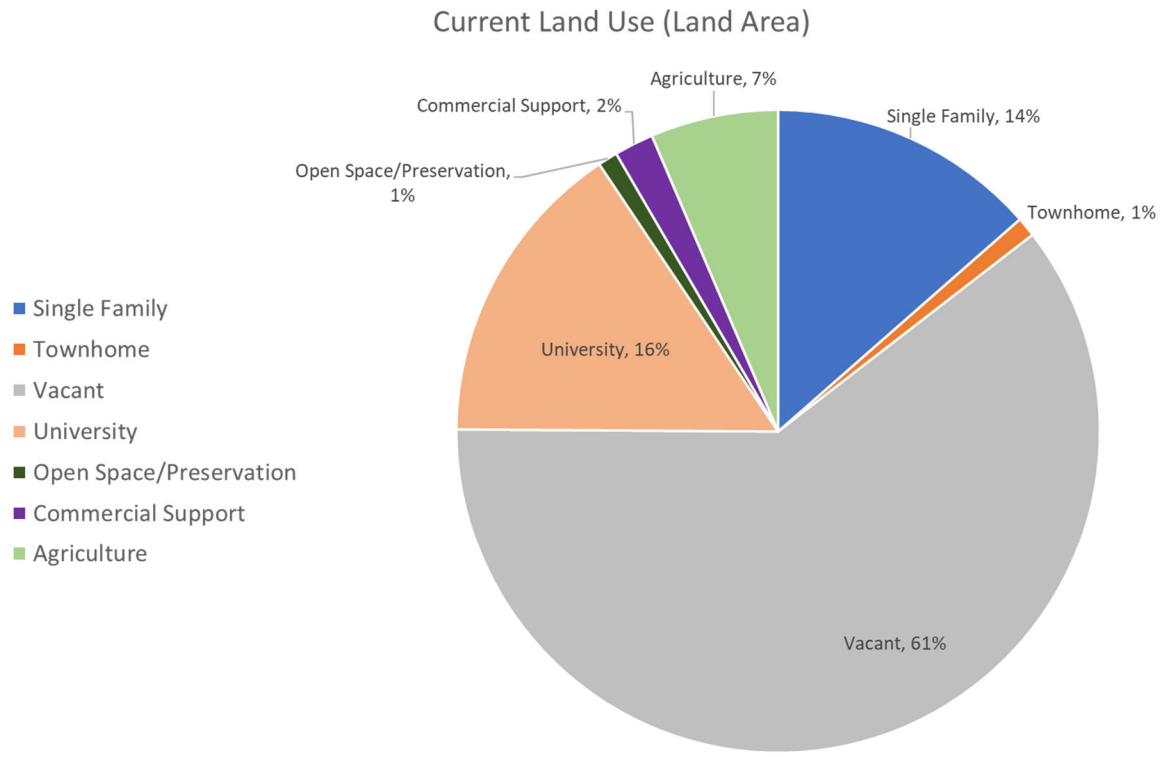
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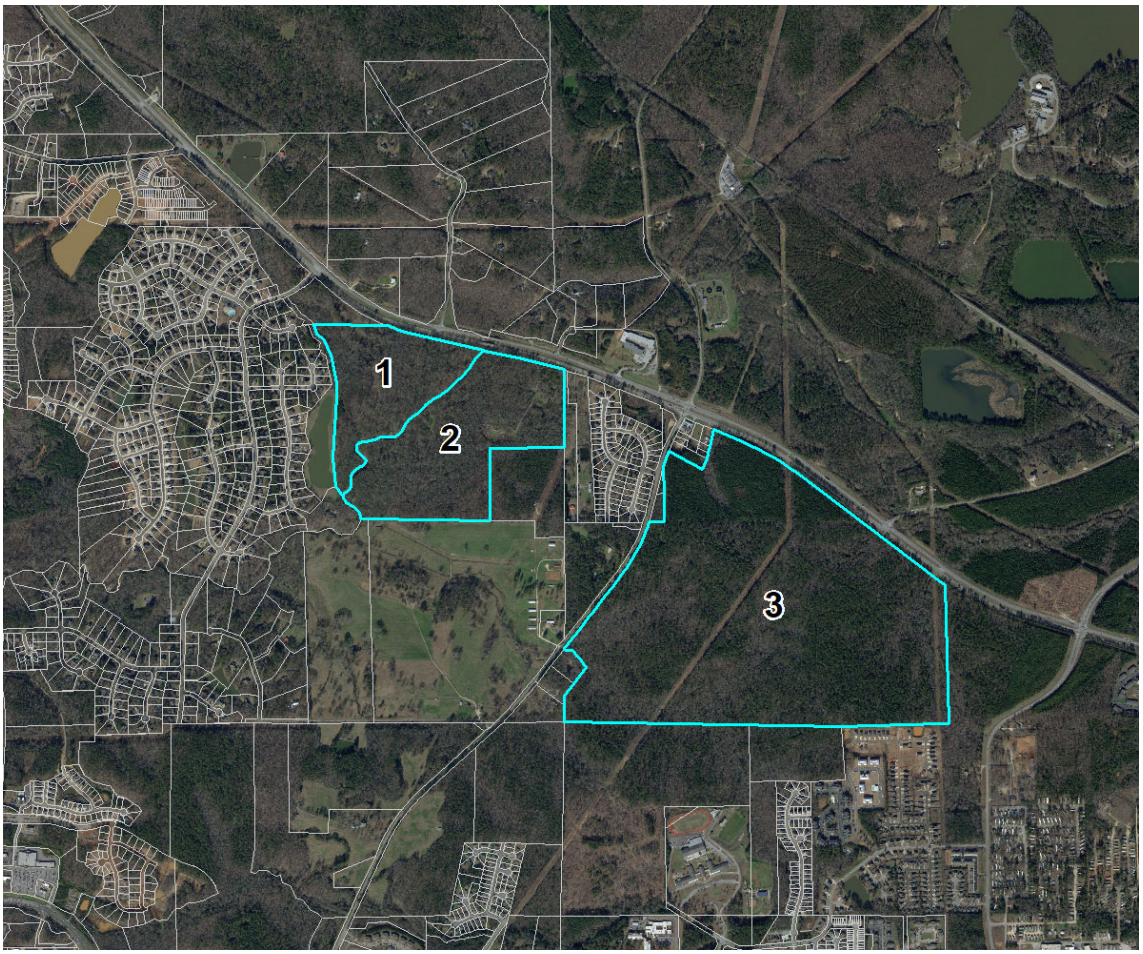
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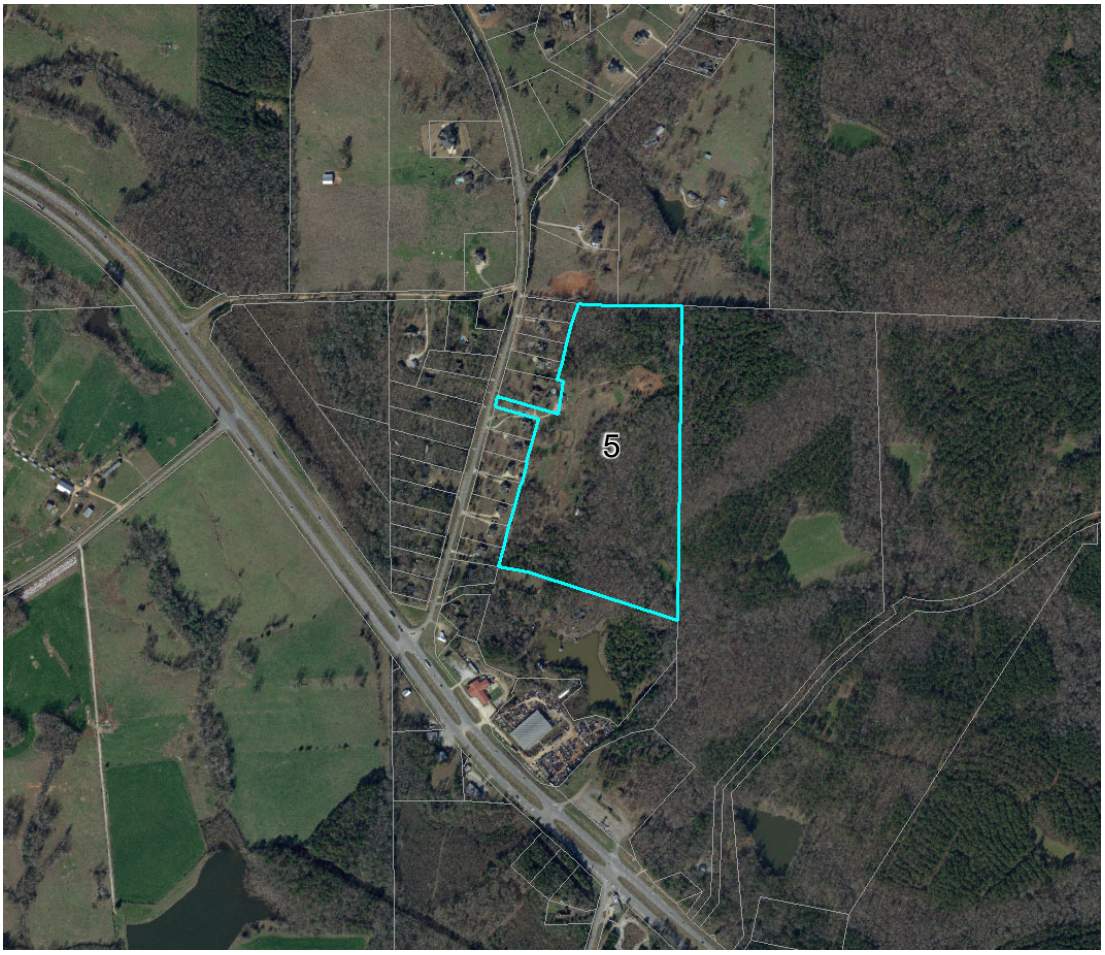
1. Asheton Glenn LLC
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   Recommended FLU: Master-Planned Mixed Use

2. Michael & Deborah Williams
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   Zoning: Outside of city limits
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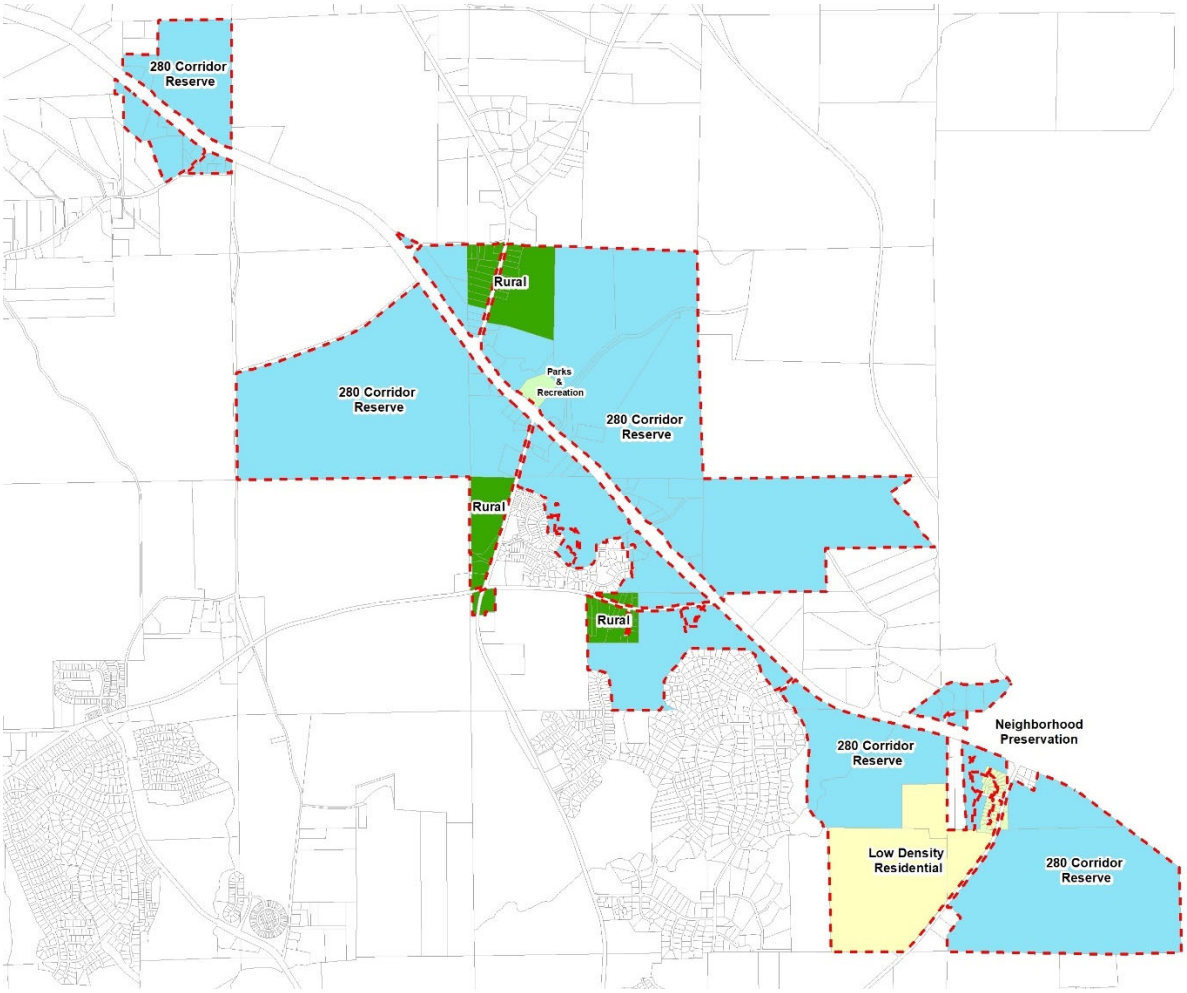
Strength, Weaknesses, Opportunities, Threats (SWOT):

Upon review of available data, known and upcoming developments in the area, planned capital improvements, and resident input, the following SWOT analysis provided direction for staff recommendations (Figure 3). The greatest asset of the area is U.S. 280 itself, which provides connections to Auburn and Opelika locally and to Birmingham, Atlanta, and Montgomery (via U.S. 85) regionally. This presents a number of opportunities for commercial, road service, and commercial support uses to develop along the corridor as well as supporting residential within the interior of the study area. Given that the majority of the developable lands are outside of the city limits and have no zoning, the largest threat to the area is the development of these lands without a plan in place and of uses which may erode the corridor's commercial development capacity. Property owned by Auburn University provides another challenge to planning due to the uncertainty of land decisions and an absence of zoning controls.

Figure 3



Below are the recommendations for map changes to Future Land Use Plan. The Chapter Three: Land Use in CompPlan 2030 Text updates will be addressed in the staff report for PL-2021-00340.



Current Future Land Use Plan

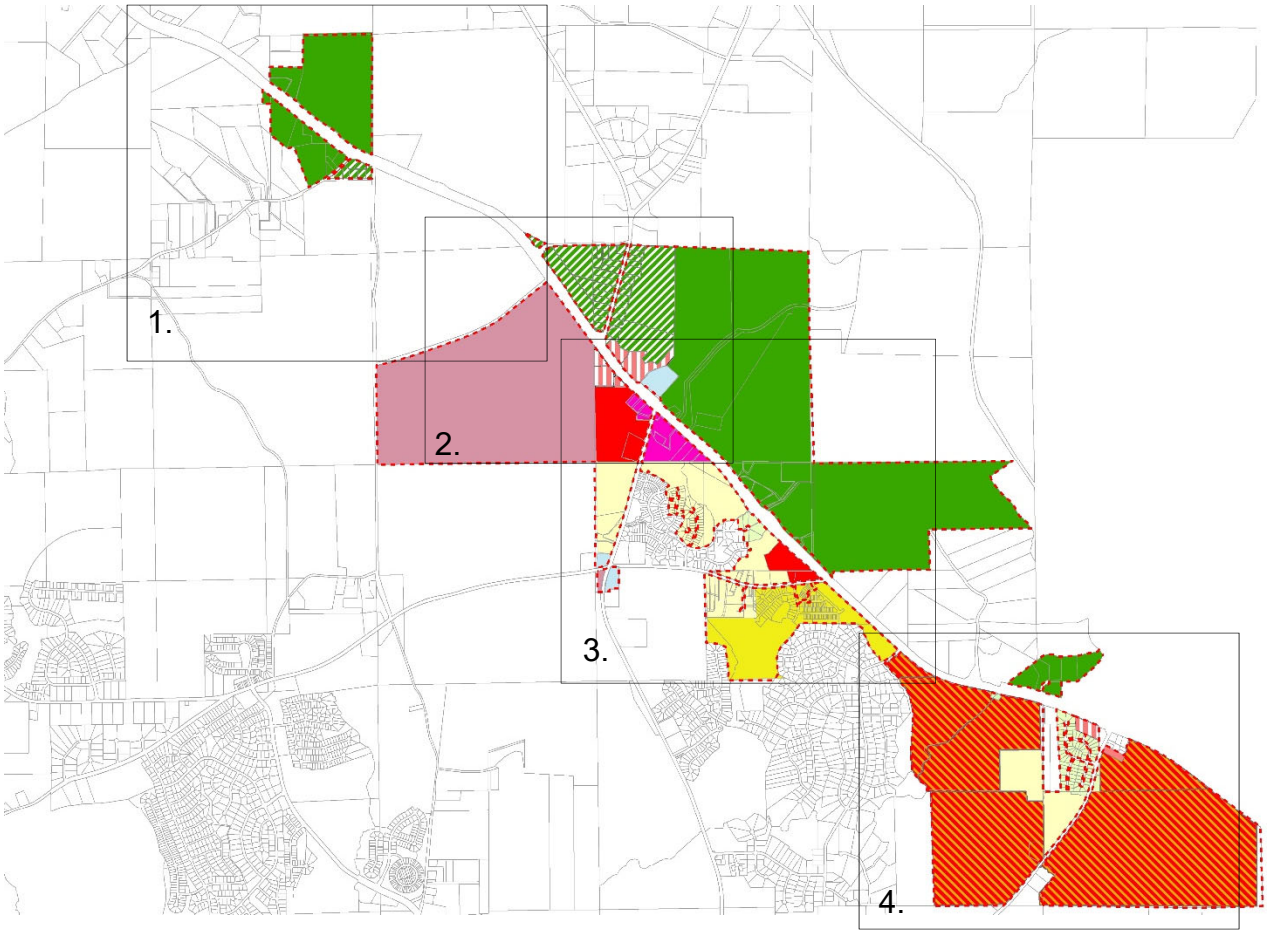
Future Land Use Categories

- **280 Corridor Reserve**
  - The intent of this classification is to maintain the long-term development potential of the corridor while directing development towards infill areas for the time horizon of the CompPlan. Most uses are conditional and significant setbacks for residential uses are recommended to preserve the corridor's long term development potential.

- **Rural**
  - Allows single-family detached residential at a density of one (1) dwelling unit per three (3) acres, as well as agricultural and other uses as permitted in the Rural zoning district.

- **Low-Density Residential**
  - Average density of four (4) dwelling units per acre. Permitted uses include single-family detached and duplex.

- **Parks, Recreation and Cemeteries**
  - Existing parks & recreation facilities and cemeteries.

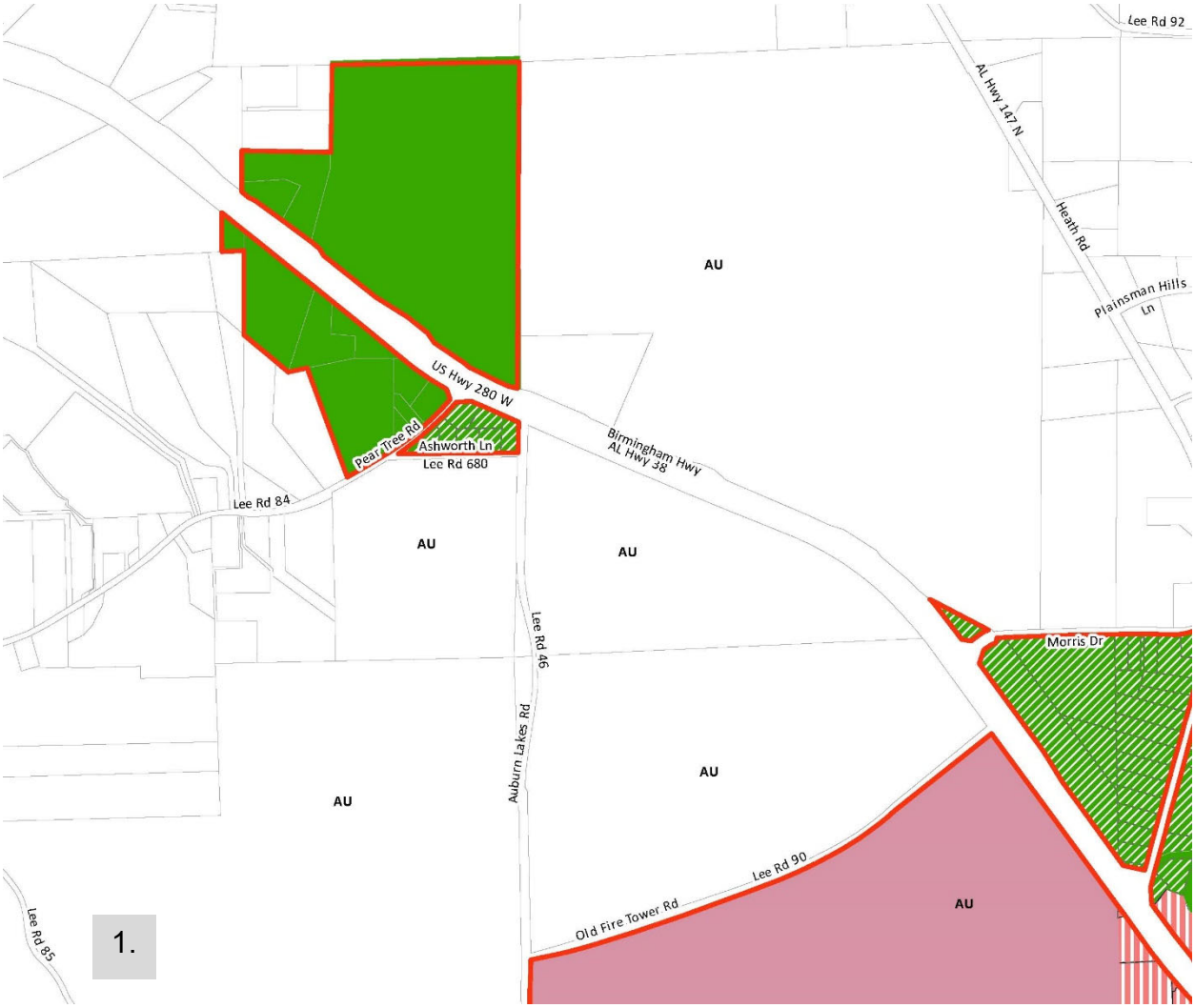


Proposed Future Land Use Plan

Legend

Future Land Use Category

- Low/Medium-Intensity Mixed-Use
- Limited Residential
- 280 Corridor Reserve
- Gateway Corridor Commercial
- Gateway Commercial
- Institutional
- Interstate Commercial
- Low-Density Residential
- Master-Planned Mixed-Use
- Neighborhood Preservation
- Parks, Recreation & Cemeteries; Natural Area - Protected
- Planned Development District
- Rural
- University



Legend

Future Land Use Category

- Low/Medium-Intensity Mixed-Use
- Limited Residential
- 280 Corridor Reserve
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- Planned Development District
- Rural
- University

Low/Medium-Intensity Mixed-Use
Provides a transition between rural/low-density areas and developed areas on the city's periphery by introducing limited commercial uses in a mixed-use setting. Permitted uses would include low and medium density residential, office, and neighborhood commercial uses. Indoor and most commercial recreational, agricultural support, and limited road service uses are also permitted. Average residential density is six (6) dwelling units per acre. Prohibited uses include: conventional subdivisions, farm product processing, auto dealerships, flea markets, race tracks, stadiums, and building material sales.

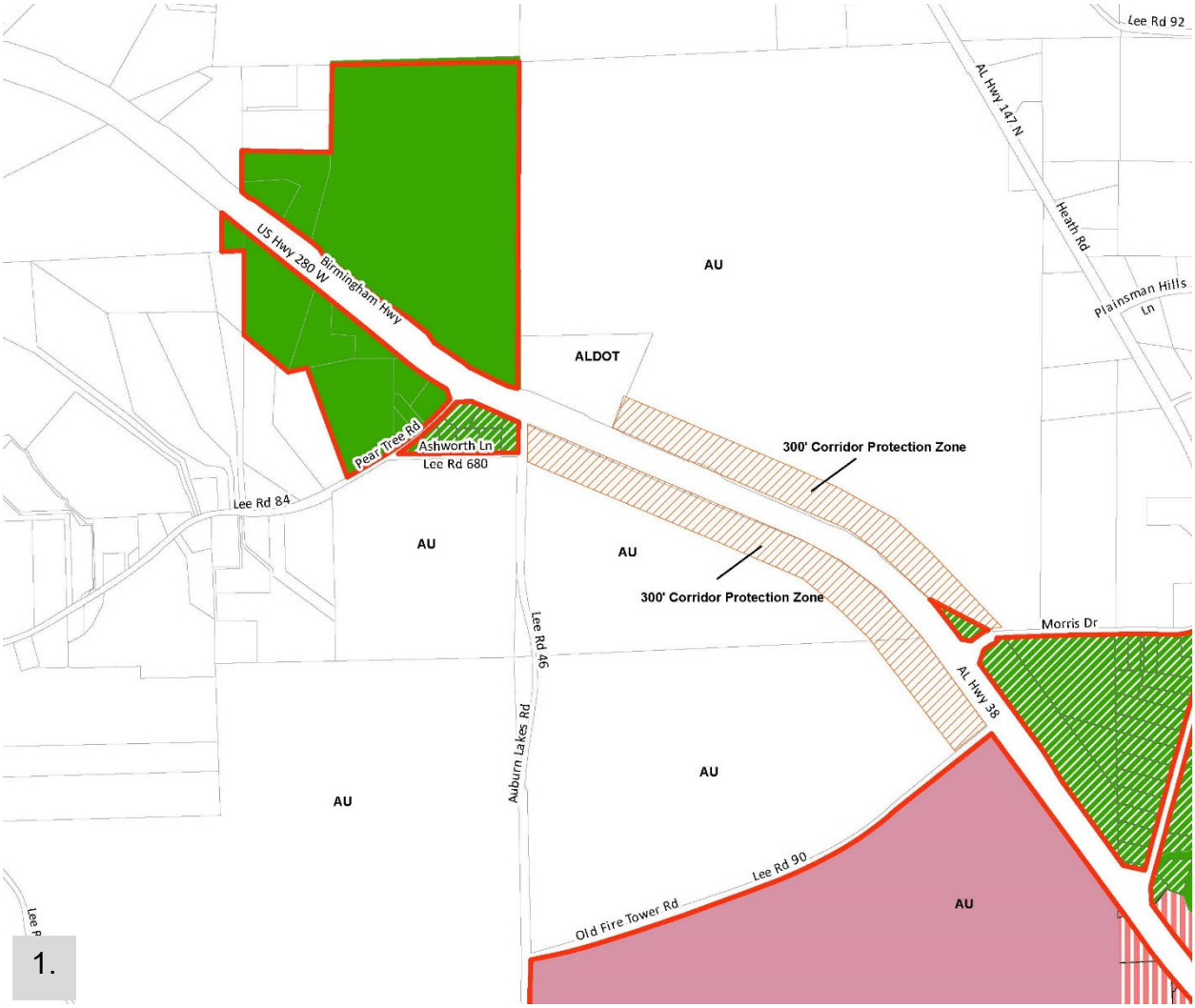
Rural
Allows single-family detached residential at a density of one (1) dwelling unit per three (3) acres, as well as agricultural and other uses as permitted in the Rural zoning district.

Limited Residential
A density of no more than one (1) dwelling unit per acre. Permitted uses include single-family detached houses and limited, special residential uses (accessory dwelling units and B & Bs), institutional uses (schools, churches, cemetery, and day care homes) and public service uses (communications tower and public utility station or facility). Intended for areas in the rural periphery that are transitioning to a sub-urban residential character.

University
Property owned by Auburn University

1.

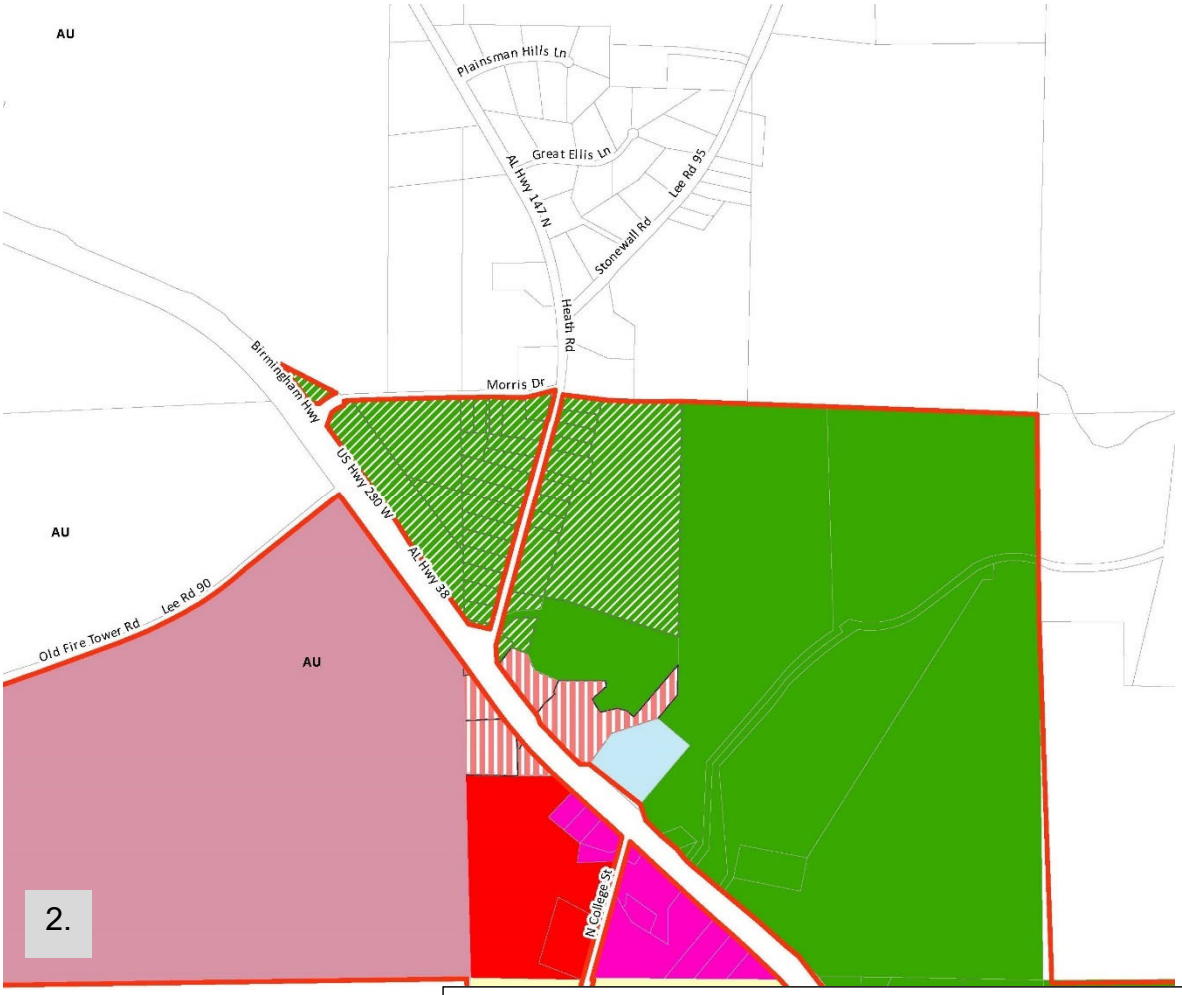
Starting at the northwest corner of the study boundary, the majority of the properties consist of either large lot single-family detached homes or single-family detached homes on lots less than 3 acres. For this reason, staff is recommending “Rural” for those properties that meet the 3-acre minimum lot size and “Limited Residential” for the properties that are currently less than 1 acre. Auburn University (symbolized as AU) creates a large gap in the study area from panels 1 to 2. The future land use of these properties is “University”. One parcel in the study area was previously designated as 280 Corridor so staff is recommending it be designated as “University” as well.



At the April Planning Commission work session, commissioner McCord requested planning staff to look into a method to preserve lands that abut U.S. 280 and are owned by Auburn University or the state. After further discussion with a university representative, the university discourages the practice of applying any type of future land use designation on property under their ownership. Property owned by the state is exempt from local zoning regulations and by placing any type of designation on the property may affect the ability of the university to buy and sell land unencumbered. If university land is sold to a private owner, the land would revert back to a Rural zoning, but only at such time as the title of the property is transferred. Permitted uses in the Rural zoning district include single-family detached, veterinary office/kennel, offices, churches, and agricultural uses. All other uses for the property are either conditional or would require a rezoning to be heard, whereby staff and the commission shall provide a recommendation based on applicable laws, practices, and adjacent uses/zoning. With this being the case, staff does not support placing any specific future land use designation on university owned property (aside from "University"). However, if the Planning Commission desires to pursue corridor protection, the appropriate method may be to create a 300' deep "Corridor Protection Zone" as an overlay.

Corridor Protection Zone:

"Most uses are conditional and significant setbacks for residential uses are recommended to preserve the corridor's long-term development potential."



Legend

Future Land Use Category

- Low/Medium-Intensity Mixed-Use
- Limited Residential
- 280 Corridor Reserve
- Gateway Corridor Commercial
- Gateway Commercial
- Institutional
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Allows single-family detached residential at a density of one (1) dwelling unit per three (3) acres, as well as agricultural and other uses as permitted in the Rural zoning district.

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University
Property owned by Auburn University

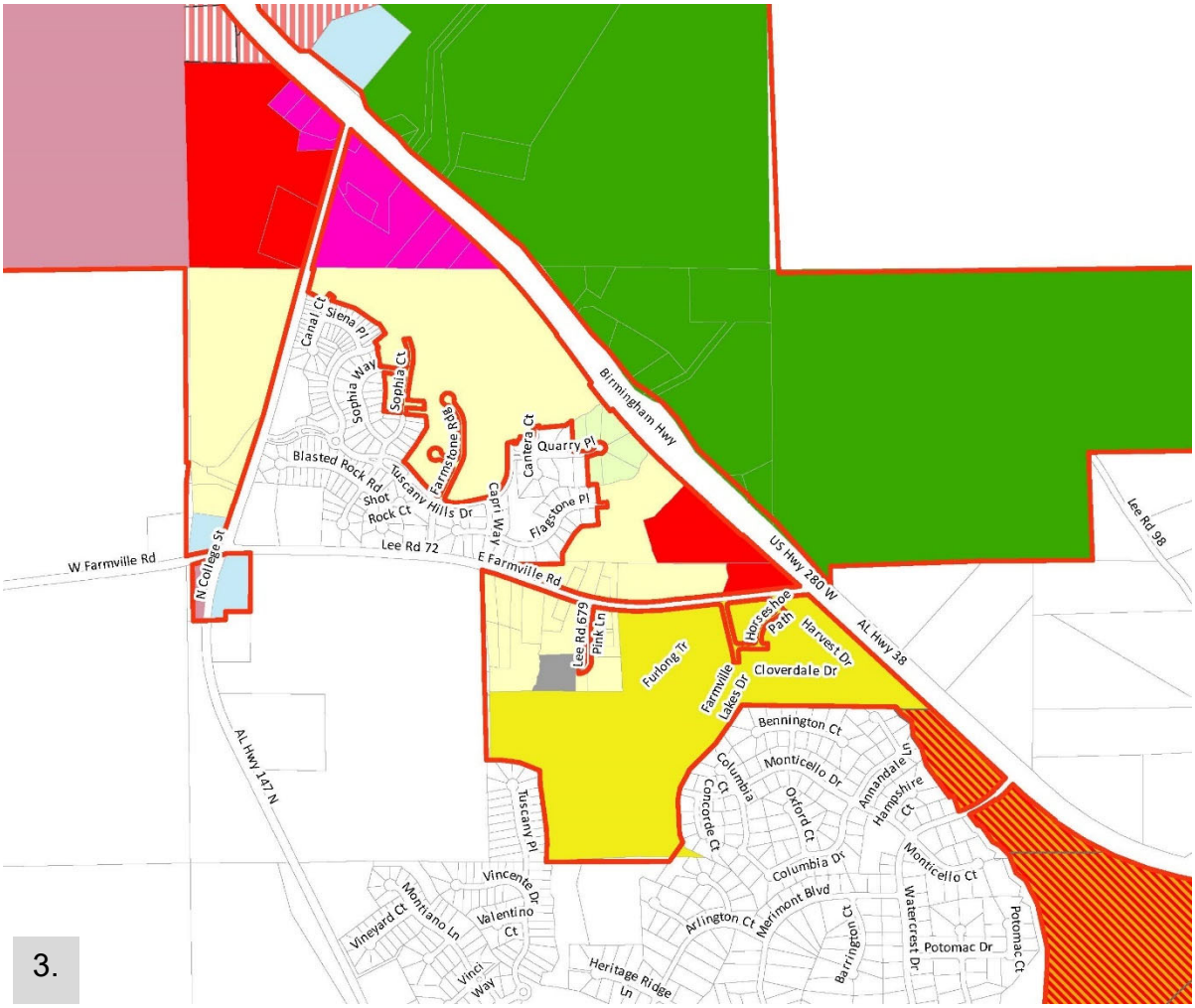
Gateway Commercial
Broad mix of uses (see CDD zone) along existing corridors with emphasis on access management, corridor overlay requirements and quality aesthetics. Multi-family uses are conditional.

Gateway Corridor Commercial
Broad mix of uses (see SCCD zone) along existing corridors with emphasis on access management, corridor overlay requirements and quality aesthetics. The primary land use focus is on commercial uses geared toward local, regional, and interstate markets. Residential, outdoor recreational and most institutional uses are not permitted.

Institutional
Institutional uses include schools, churches, and government buildings

2.

Moving southeast towards the "jogged" intersection of North College Street and Heath Road, staff recommends commercial and mixed-use development at the intersection creating a potential commercial node of redevelopment activity at this location known locally as "The Bottle". "Gateway Commercial" (red) encourages predominately commercial development but allows some residential uses while "Gateway Corridor Commercial" (pink) recommends commercial uses only. Possible uses upon rezoning may include gasoline/service stations, large format retail stores, grocery stores, and other suburban format commercial developments. The old rest area has been proposed to be used for a park but is now being programmed as a fire training facility for the Auburn Fire Division, so it's designation is being adjusted to "Institutional" (light blue). Several commercial support uses (auto junk/salvage yard, storage, billboard, building supply storage) in Lee County are being recommended as Low/Medium Intensity Mixed-Use (white/salmon) which would encourage either commercial or residential redevelopment of these uses. Moving north along Heath Road/ AL HWY 147, access to sanitary sewer becomes less accessible so limited development is expected. Staff recommends adjusting the future land use from "Rural" to "Limited Residential" (white/green) for those lots that are less than 3 acres and currently developed. The "Limited Residential" future land use designation, along with the Large Lot Residential District zoning district were created as part of the Cox/Wire Road FA Study for situations on the periphery of the city limits where the rural/suburban transect is beginning to shift as the city grows. The Keel property identified in the study is recommended to be adjusted from "Rural" to "Limited Residential" to permit development at a similar density and lot size as surrounding development. Other undeveloped properties in the area are much larger and staff believes these properties may not be ripe for development at this time.



3.

Legend

Future Land Use Category

- Low/Medium-Intensity Mixed-Use
- Limited Residential
- 280 Corridor Reserve
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Continued on next page



Low-Density Residential
Average density of four (4) dwelling units per acre. Permitted uses include single-family detached and duplex

Master-Planned Mixed-Use
This use category provides for a collaboration of developer, municipality and public when larger tracts of land are proposed for development. Master-planned mixed use developments can include a broad mix of uses which are contextually appropriate and specific to its surrounding area. Development must provide an internal network of streets and incentives are offered for implementing nodal principles.

Neighborhood Preservation
Designation for stable existing neighborhoods. Existing density and housing types should be retained.

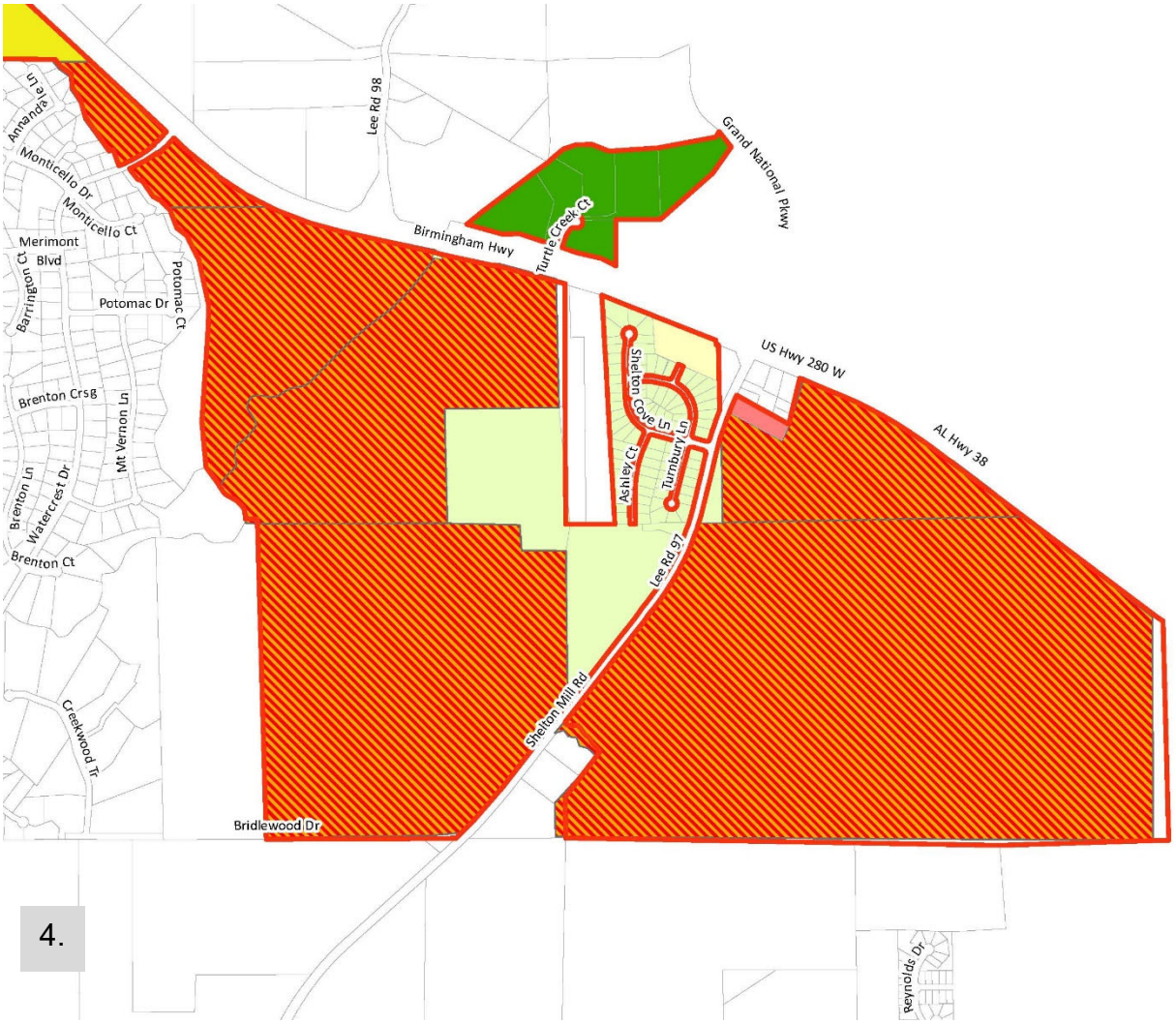
Parks, Recreation & Cemeteries, Natural Areas
Existing parks & recreation facilities and cemeteries

Planned Development District
Existing areas zoned PDD, Planned Development District. For more information on the uses permitted in a specific PDD, please contact the Planning Department.

Utilities
Utilities include water, sewer, power, and telecommunications providers.

3.

Moving into panel 3 or the center of the study area, the majority of the lands have been accounted for as low-density residential with the extension of consistent development of Tuscany Hills, Low-Density Residential (light yellow), and the recently approved residential development Farmville Lakes (dark yellow) nearing full build out. With no major transportation network in place, staff is recommending the large undeveloped tracts of land on the north side of U.S. 280 to be Rural (green). At the intersection of Farmville and North College Street, staff recommends adjusting some future land uses to match what the properties are currently being used for (church, cemetery, university, etc.) as well as expanding some low-density residential to the northwest. At the intersection of U.S. 280 and West Farmville Road, staff sees an opportunity to allow commercial development as "Gateway Commercial" across the street from Farmville Lakes which could provide needed neighborhood services as the area continues to build out.



Legend

Future Land Use Category

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Neighborhood Preservation
Designation for stable existing neighborhoods. Existing density and housing types should be retained.

Low-Density Residential
Average density of four (4) dwelling units per acre. Permitted uses include single-family detached and duplex

Interstate Commercial
Uses to serve the traveling public, such as hospitality uses, restaurants, and gas stations.

4.

Continuing southwest towards Opelika, staff are vigilant of several very large (100+ ac) undeveloped parcels under common ownership that are outside of the city limits but may request development rights. Staff strongly believes that a future land use designation of "Master-Planned Mixed-Use" (orange and red stripe) is urgently needed in this area to stipulate that any new development be approved only in conjunction with a Master Development Plan as part of a Planned Development District whereby city staff, the planning commission, the public, and any developer can meet collectively at the table to negotiate street networks, timing, infrastructure and appropriate uses and densities. Other property owners in this area with large land holdings specifically requested that their property remain undevelopable and as such staff has designated these large properties as Neighborhood Preservation "light green"). A small parcel remains undeveloped at the end of Turnbury Lane in Shelton Cove. Staff recommends this be designated as "Low-Density Residential" (light yellow). Finally, there is a small cluster of lots on the north side of U.S. 280. Staff recommends these be designated as Rural (green).

RESOLUTION
OF THE
AUBURN PLANNING COMMISSION

Case: U.S. Highway 280 Focus Area Study Zoning CompPlan Map Amendments (PL-2021-00341)

Subject: Adoption of amendments to CompPlan 2030, the Comprehensive Plan for the City of Auburn, specifically amendments to the Future Land Use Plan map in Chapter Three: Land Use

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for adoption of amendments to CompPlan 2030, the Comprehensive Plan for the City of Auburn, specifically amendments to the Future Land Use Plan map in Chapter Three: Land Use, Auburn Planning Commission Case PL-2021-00341, is hereby **APPROVED.**

STATE OF ALABAMA
LEE COUNTY

I, Steve Foote, 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 July 8, 2021 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 29th day of July, 2021.

Steve Foote, AICP, Director of Planning

RESOLUTION NO. _____

WHEREAS, the City Council of the City of Auburn recognizes the importance of planning for the future growth and development of the City of Auburn; and,

WHEREAS, the City of Auburn solicited input from the public, and from that input developed a vision for the future of the U.S. 280 Corridor of Auburn; and,

WHEREAS, the City of Auburn, working in concert with property and business owners and other stakeholders, developed the U.S. Highway 280 Corridor Focus Area Study as a guide for development along the U.S. Highway 280 corridor based on examining existing and future conditions, the best examples of planning practice from around the United States, and input from stakeholders; and,

WHEREAS, the U.S. Highway 280 Corridor Focus Area Study will be practically applied by utilizing the Future Land Use Plan to guide growth and redevelopment decisions; and,

WHEREAS, Planning staff have recommended adoption of the U.S. Highway 280 Focus Area Study to City Council; and,

WHEREAS, on July 8, 2021 after a public hearing, the Planning Commission of the City of Auburn recommended adoption of the proposed amendments to City Council; and,

WHEREAS, the amendments will be incorporated as a component of CompPlan 2030, the Comprehensive Plan for the City of Auburn.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, Alabama that the request for adoption of the U.S. 280 Focus Area Study, including text amendments and amendments to the Future Land Use Plan map, is hereby **APPROVED.**

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 17th day of August, 2021.

_____
Mayor

ATTEST:

_____
City Manager

Agenda Item Summary

Item No. 10b(1)

Council Meeting Date	August 17, 2021
Department	Planning
Submitted By	Steve Foote
Agenda Section	Resolutions

Public Hearing Required

Name and address of person(s) or business(es) this item affects:

Jerome Anderson, Precision Cuts, LLC
403 Opelika Road
Auburn, AL 36830

Rod Fluker, Architect
426 Marietta Street NW, Suite #302
Atlanta, GA 30313

Description of item under consideration

Jerome Anderson is requesting conditional use approval for a performance residential development (multiple-unit development) for property located at 403 Opelika Road in the Corridor Redevelopment District - Urban (CRD-U) zoning district (Case PL-2021-00432).

The Planning Commission unanimously recommended approval of this conditional use request at its August 12, 2021 meeting. The attached Planning Commission staff report provides a detailed analysis of the conditional use request. The recommended approval is shown on the attached Planning Commission resolution.

Why is Council action needed?

Section 803 of the Zoning Ordinance provides that City Council shall either approve or disapprove the conditional use application and shall establish the specific conditions under which the application is approved.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn Planning Commission
PC Case # PL-2021-00432 '403 Opelika Road – Conditional Use'

Meeting Date: August 12, 2021

Property Owner(s): Jerome Anderson, Precision Cuts, LLC

Authorized Representative: Rod Fluker

Request: Recommendation to City Council for conditional use approval of a performance residential use (multiple-unit development)

The Auburn Zoning Ordinance (Section 803.02.B) requires that:

> A public hearing shall be held by the Planning Commission after adjoining property owners have been notified of the public hearing by certified mail and signs announcing the public hearing have been erected on the property in question.

Adjoining property owners have been mailed notices regarding the public hearing and signs posted as required.

The Zoning Ordinance (Section 803.02.E) states further:

> Following a public hearing, the City Council shall either approve, or disapprove, the application and shall establish the specific conditions under which the application is approved.

Location: 403 Opelika Road

Reviewed by: Logan Kipp, Principal Planner

Current Zoning: Corridor Redevelopment District – Urban (CRD-U)

Surrounding Zoning:

Direction	Zoning District(s)	Owner(s)	Use(s)
North	CRD-U	Ralph & Carol Womer	multiple-unit development
South	CRD-U	William Cannon City of Auburn	commercial support public
East	CRD-U	Northpointe Auburn, LLC	multiple-unit development
West	CRD-U	Hayley Investments LLC Carol Davis Frank & Margaret Ragland	multiple-unit development single-family detached single-family detached

Recommendation: **Approval, with staff conditions**

Staff Conditions: **Planning:**

- Required parking standards shall be met and provided on-site. Staff will work with the applicant through the DRT process to ensure parking minimums are met once the parking lot configuration is finalized.
- Surface parking lots shall be screened using wrought iron fence with clad columns
- A landscape plan shall be required as part of DRT plan review

Engineering:

- An Engineering Certificate is needed
- Upon submission of engineering plans, site plan shall meet all design standards and requirements of the Engineering Design and Construction Manual.

Water Resource Management:

- Grease trap and oil and grit separator shall be required and reviewed as part of DRT process

Site Visit: August 6, 2021

Property Description: The subject property is an existing lot of record (lot 1, Womer Subdivision) containing approximately .62 acres and is currently used as a barbershop, restaurant, and car wash. The applicant is proposing to demolish the existing structure (+/-3,700 SF) on the site which was formerly a veterinary office. The applicant is proposing to construct a 3 story mixed-use development consisting of a 1,700 SF barbershop and a 1,300-2,050 SF restaurant at the ground story and a 10 unit residential component on the second and third levels.

Previous Action/Tenants Related to this Site:

Date	Action
July 1979	Subject property recorded in Womer plat
June 17, 2014	Subject property rezoned from RDD to CRD-U as part of the Renew Opelika Road focus area study and plan
June 9, 2016	The Planning Commission recommended denial of a conditional use request for a road service use (car wash) at 403 Opelika Road.
June 21, 2016	The City Council did not act on the request for conditional use approval of a road service use (car wash) and it was therefore denied.
January 1, 2017	The Board of Zoning Adjustment approved an appeal of the Planning Director's use interpretation. The Board found that a "mobile car wash" linked to a home occupation at a residential address may operate at a business location (403 Opelika Road) even if a conditional use request for the same use was previously denied. The following conditions were stipulated: • The mobile car wash shall not remain in one place for more than 24 consecutive hours while performing its operation of washing motorized vehicles. • Operation of the mobile car wash shall be limited to daylight hours.

	• Only one vehicle may be washed at any one time.
January 12, 2017	The Planning Commission approved a request for a rehearing of the conditional use request for a car wash.
February 9, 2017	The Planning Commission recommended denial of a conditional use request for a road service use (car wash) at 403 Opelika Road.
February 21, 2017	The City Council approved a conditional use request for a road service use (car wash) at 403 Opelika Road.

Greenway/Greenspace Impact: The property is not impacted by a greenway.

Land Use Plan Designation: The Future Land Use Map in Comprehensive Plan 2030 designates the property as Mixed-Use 2. This category is intended to provide a more urban character to areas near the Urban Core, particularly along major transportation corridors such as Bragg Avenue, Opelika Road and East Glenn Avenue between downtown and Dean Road. The Mixed Use 2 category provides a transition from the downtown to more suburban character areas. Uses are focused on retail and adaptive reuse of existing structures, where possible. Residential uses are permitted in integration with retail uses, albeit at a lower intensity than in the Neighborhood Centers. Mixed uses are permitted both horizontally and vertically, with vertical mixtures to be more appropriate closer to downtown.

Analysis:

Conditional Use Purpose and Standards

Section 803.04 of the Auburn Zoning Code regarding General Use Standards for Conditional Uses requires that:

A. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.

Staff Comment

The commercial component of the development is permitted by right in the CRD-U zoning district. The residential component of the proposed development requires a conditional use approval. The proposed development is in line with the comprehensive land use plan Mixed Use 2 designation. The Renew Opelika Road plan encourages the redevelopment of property along Opelika Road to accommodate a mixture of uses, walkabaility, and infill development of older commercial properties. Staff will work with the applicant to ensure parking, landscaping, bufferyards, screening, and aesthetics requirements are met.

B. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.

Staff Comment

The impacts to the site will not produce undue burdens or adverse effects on adjacent properties beyond the reasonable use of the property and zoning law. The existing restaurant and barbershop will be of similar size in the new location and the proposed residential use consists of 18 bedrooms

(1 studio, 3 one bedroom, 5 two bedroom, and 1 four bedroom). The adjacent properties to the east and north are currently used as multiple-unit developments. The impacts to traffic beyond existing conditions will result from the addition of the residential component, as the commercial component is remaining of similar size.

C. The proposed use will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness, and bind commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with this Ordinance, and other plans, programs, maps, and ordinances adopted by the City to guide its growth and development. The approval of the conditional use permit shall be conditioned upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

Staff Comment

This development is served by the Water Works Board of the City of Auburn. The City of Auburn provides sanitary sewer service. The development will be required to meet all current City of Auburn regulations regarding fire protection. The proposed uses should not place undue burden on existing infrastructure.

- AWWB provides water service to this area.
- COA provides sanitary sewer service to this area.
- This property is located in the Town Creek watershed

D. The Planning Commission may attach recommendations for conditional use approval, additional criteria dealing with buffer yards, parking, lighting, building materials, or any other aspect of site plan approval necessary to mitigate the impact of the proposed conditional use on the surrounding property.

Staff Comment

A formal site plan review will be conducted upon submission of a complete site plan as part of the city's administrative development review process (DRT). The following items have been identified as needing to be addressed upon submittal to DRT:

Planning:

- *Corridor overlay regulations shall apply to the site. This requires structures to be clad in appropriate materials and to screen parking, utilities, mechanical units, and dumpsters.*
- *Bufferyard waivers are being requested for the portions of the parking which encroach into the bufferyards (+/- 570 SF). The applicant proposes to offset the encroachment with additional landscaped areas (bufferyard averaging). 429.06(A) Bufferyard Requirements. Bufferyards in the CRD zoning districts may apply for an administrative waiver to portions of the side and rear buffer areas, in terms of square footage and planting materials, to be relocated to other areas on the development site. The applicant shall submit a request along with a landscape plan showing how the proposed buffer areas will be relocated.*
- *The parking lot and site circulation are still under design and are subject to substantial changes. Planning and Engineering staff will work with the applicant to ensure required parking standards, fire and garbage truck manueaverability, and traffic controls are met.*
- *Additional sidewalk easement may be required along Opelika Road*
- *Additional utility easement may be required along North Ross Street for pedestrian lighting*

Engineering:

- *An Engineering Certificate is needed*
- *Upon submission of engineering plans, site plan shall meet all design standards and requirements of the Engineering Design and Construction Manual.*

Bufferyards

Property Line	Required	Provided
North	5'	2-5'
South	5'	5'
East	5'	2-5'
West	5'	2-5'

Plantings:

Total Tree Inches	32.5"
Canopy Inches	19.5"
Understory Inches	13.0"
Total Shrubs	52
Street Canopy	14.4"
Street Understory	14.4"
Street Shrubs	36"

.

Parking
Multiple-unit development – 18 bedrooms
Required: 1 per bedroom plus one visitor parking space per ten bedrooms within the project.
20 parking spaces required

Barbershop/beauty shop – 1,700 SF
Required: two (2) spaces per chair or one (1) space per 150 square feet of gross floor area, whichever is larger.
12 parking spaces required

Restaurant – 1,300 SF seating area
Required: one (1) space per four (4) patron seats or one (1) space per 150 square feet of gross floor area, whichever is greater.
9 parking spaces required

Total parking required: 41 spaces
Total parking provided: 40 spaces
A parking waiver has been requested

Lighting
Standard lighting regulations will address any impacts to neighboring properties.

Special Development Standards

- *A variety of prominent architectural features, such as door and window openings, porches, rooflines, should be used.*
- *Bicycle parking is required in accordance with Section 514 of this ordinance.*
- *Orientation requirements - A minimum of 50 percent of the buildings shall have a front entrance facing a public or private street. All buildings with a street façade shall have one (1) functioning entry on the street façade, and for buildings that do not have a street façade, the primary entrance should have a sidewalk connection to the nearest street.*
- *Dumpster placement shall be screened from public view, public rights-of-way and from abutting properties by materials of the same architectural style, color and materials as the principal structure and the opening provided with a gate (which must remain closed when the dumpster is not in use) of durable wood or comparable material. All screening shall be a minimum of six (6) feet high. Dumpster screening enclosures shall be maintained in good repair. All dumpsters must be placed on a hard surface, of adequate size to accommodate the dumpster and garbage trucks. Such area shall be so located as to be easily accessible for residents and trash pickup. A minimum of one-half (1/2) cubic yard of dumpster capacity must be provided for any apartment unit, townhouse or condominium unit pursuant to City Code Section 1209.01. Curb service is provided only by written permission of the Environmental Services Department and must be submitted with the site plan of the development. All mechanical equipment (roof or ground) shall be screened with landscaping or brick if visible from a public street.*
- *The following shall be located or screened so as not to be visible from any public street: air conditioning compressors, window and wall air conditioners, electrical and other utility meters, irrigation and pool pumps, permanent barbeques, satellite antennae, utilitappurtenances, mechanical rooftop equipment or ventilation apparatus. Accessory structures, mail boxes, recreation buildings, swimming pools and any other amenities must be approved by staff and a separate zoning certificate issued.*

RESOLUTION
OF THE
AUBURN PLANNING COMMISSION

Case:	403 Opelika Road Mixed-Use (Case PL-2021-00432)
Subject:	Recommendation to City Council for conditional use approval for a performance residential development (multiple-unit development)
Location:	403 Opelika Road
Applicant:	Jerome Anderson, Precision Cuts, LLC
Property Zoned:	Corridor Redevelopment District – Urban (CRD-U)

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 (multiple-unit development), marked "Received" July 9, 2021, Auburn Planning Commission Case PL-2021-00432, is hereby **APPROVED, subject to:**

Planning:

- Required parking standards shall be met and provided on-site. Staff will work with the applicant through the DRT process to ensure parking minimums are met once the parking lot configuration is finalized.
- Surface parking lots shall be screened using wrought iron fence with clad columns
- A landscape plan shall be required as part of DRT plan review

Engineering:

- An Engineering Certificate is needed (**no longer applicable, as document was received on August 12, 2021, prior to the meeting)**
- Upon submission of engineering plans, site plan shall meet all design standards and requirements of the Engineering Design and Construction Manual.

Water Resource Management:

- Grease trap and oil and grit separator shall be required and reviewed as part of DRT process

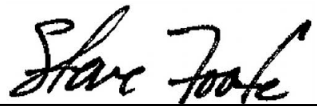
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STATE OF ALABAMA
LEE COUNTY

I, Steve Foote, 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 August 12, 2021 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 13th day of August, 2021.

403 Opelika Road
PL-2021-00432



Steve Foote, AICP, Director of Planning

RESOLUTION NO. _____

CONDITIONAL USE APPROVAL

WHEREAS the Auburn Planning Commission has held a public hearing, before which the adjoining property owners were notified by certified mail and signs announcing the public hearing were erected on the property in question, in accordance with the regulations given in Article VIII, "Conditional Uses," of the Zoning Ordinance; and

WHEREAS the Auburn Planning Commission recommends this conditional use request because it is in compliance with all City ordinances and regulations and will have no adverse impacts on the community; and

WHEREAS the City Council of the City of Auburn has also held a public hearing and found that the request is consistent with the standards set forth for conditional uses in Article VIII of the Zoning Ordinance and that the request will have no adverse impact on the general health, safety, and welfare of the community.

NOW THEREFORE be it resolved by the City Council of the City of Auburn that the request for conditional use approval for a performance residential development (multiple-unit development) to be located at 403 Opelika Road (403 Opelika Road) is approved, as shown in Planning Commission Resolution PL-2021-00432, dated August 13, 2021.

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 17th day of August, 2021.

_____
Mayor

ATTEST:

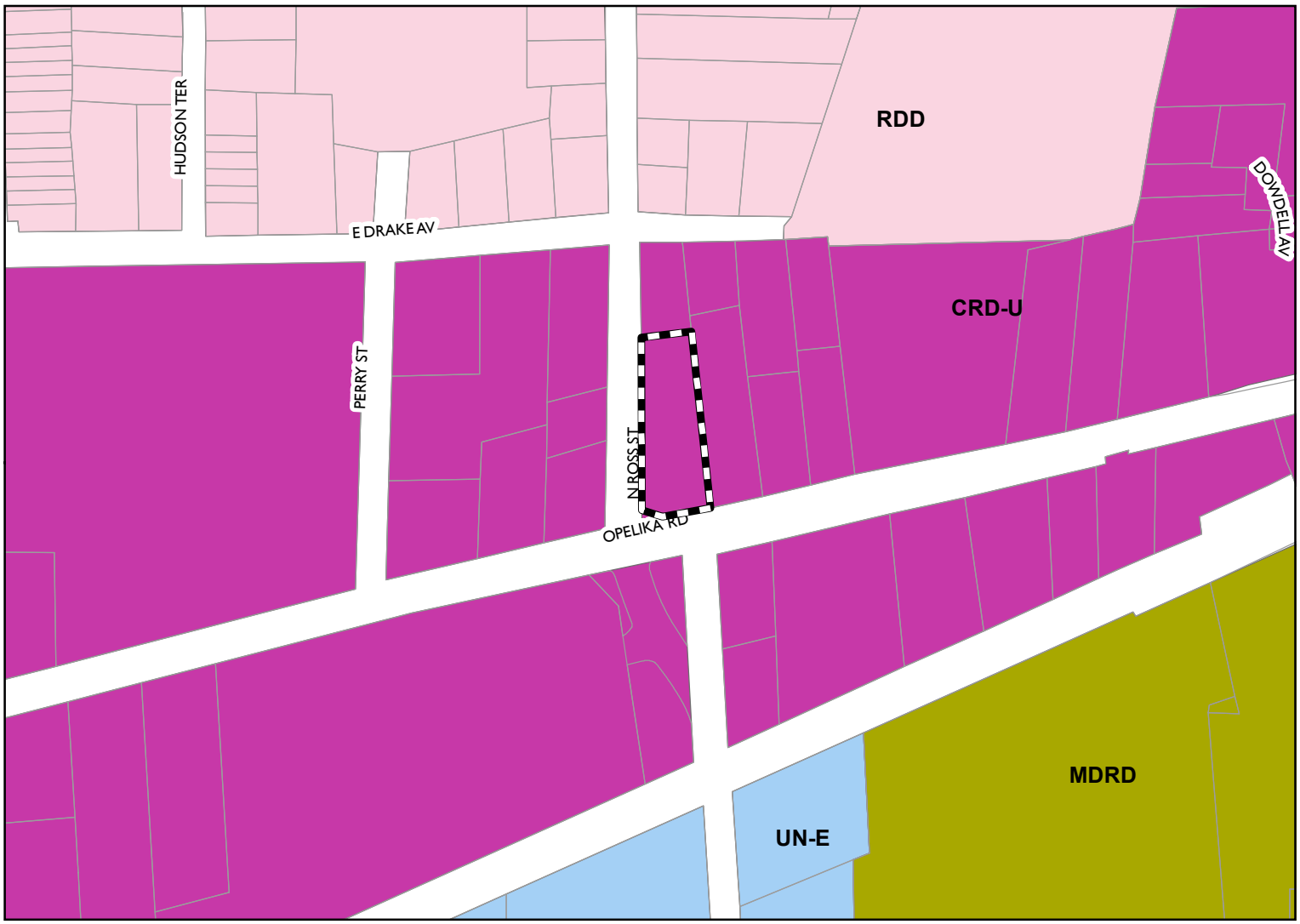
_____
City Manager

403 Opelika Road

Conditional Use

PL-2021-00432

City of Auburn



Subject Property

0 85 170 340

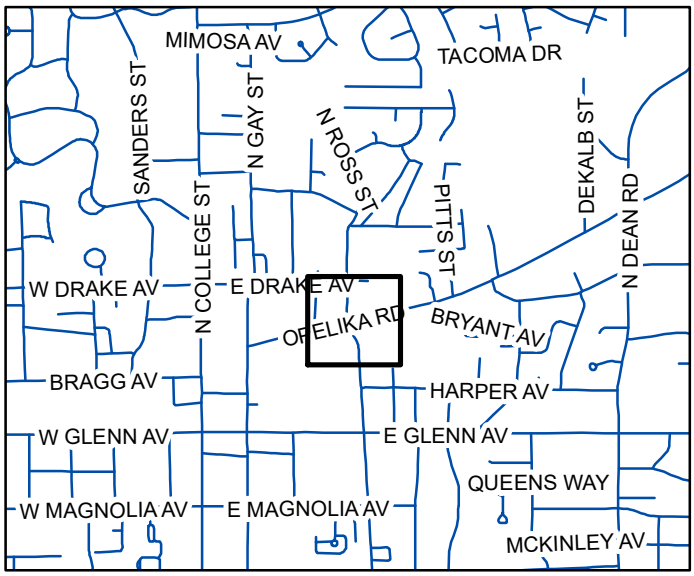
Feet

Planning

07/27/2021

The Planning Commission will consider a request from Jerome Anderson on behalf of Precision Cuts, LLC. The purpose of this public hearing is for a recommendation to City Council for conditional use approval of a performance residential development (multiple unit development) to be located at 403 Opelika Road in the Corridor Redevelopment District – Urban (CRD-U).

Vicinity Map



The City of Auburn, Alabama does not guarantee or warrant the accuracy of this map or any information contained herein. Information may contain errors and should be verified by an appropriately qualified, licensed and independent professional.

Project Data

PROPERTY ZONING : CRD–U
LOT AREA: 0.58 ACRES/ 25,264sf
BUILDING AREA: 12,990sf
FLOOR AREA RATIO: 0.51

PERVIOUS SURFACE: 5,115sf

IMPERVIOUS SURFACE: 20,145sf
ISR: .80

BUILDING HEIGHT: ≤ 30'

BUFFERYARD: 5' Min.
PARKING ENCROACHMENT WITHIN BUFFER: 570sf At Parking

LANDSCAPED AREA OUTSIDE OF BUFFER: 1,700sf Min. At Parking

NEW BUILDING AREA 1: 3,530 SF PER FLOOR

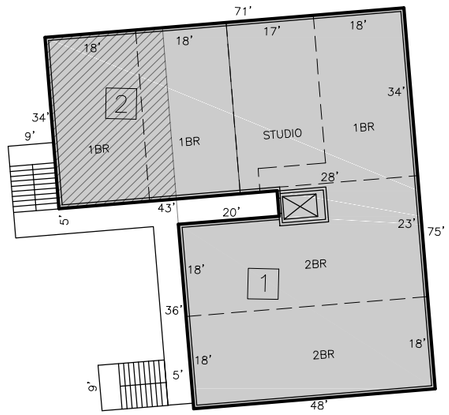
NEW BUILDING AREA 2: 800 SF PER FLOOR

4,330 SF ON FLOORS 2&3 = 8,660 SF
4,330 SF ON FLOOR 1 = 4,330 SF

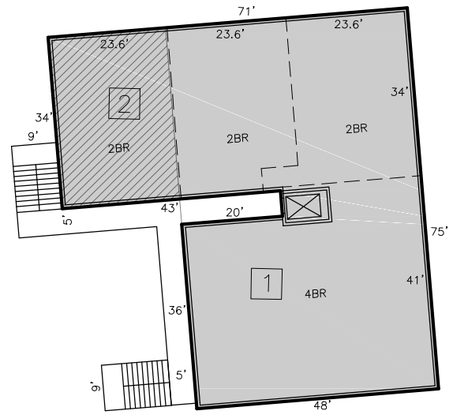
BUILDING GROSS AREA: 12,990 SF

PARKING SPACES: 40 TOTAL SHOWN
10 RESIDENTIAL UNITS: 20 SPACES MIN. for 18 BEDS
COMMERCIAL: 20 SPACES AVAILABLE

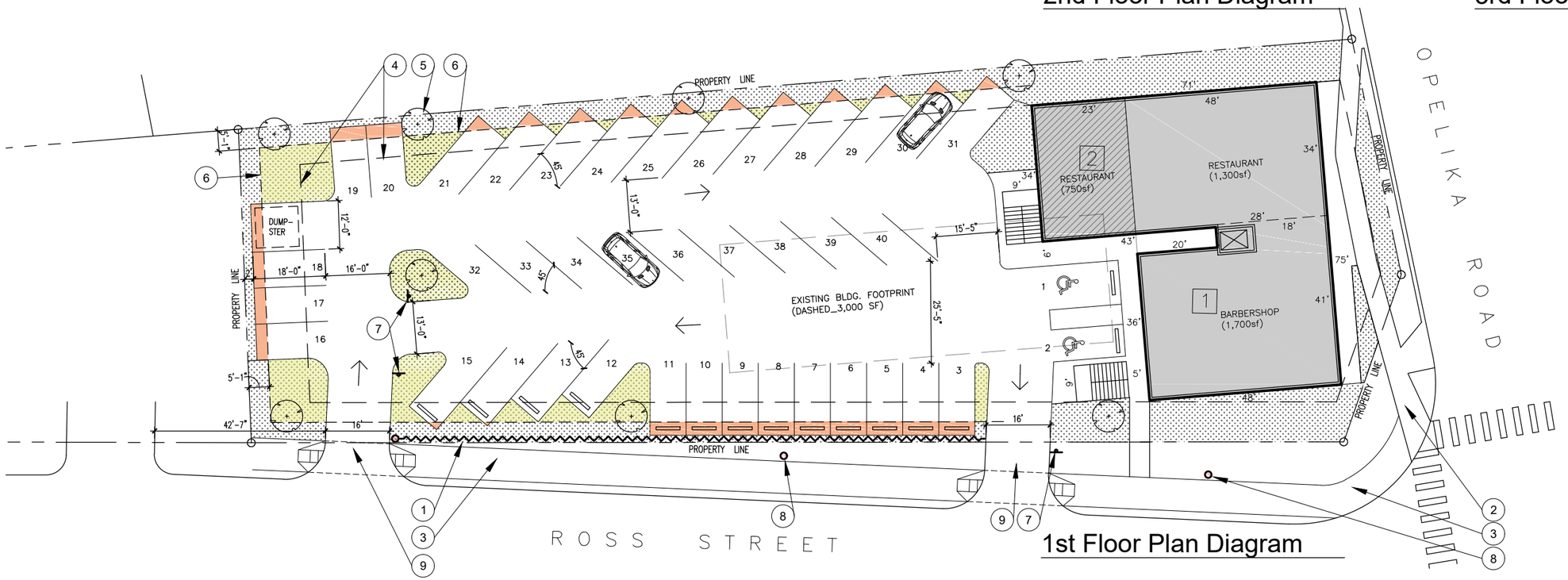
UNIT MIX OPTION : 10 UNITS/ 18 BEDS
(1) STUDIO 480sf
(3) 1 BEDROOM 550sf ea.
(5) 2 BEDROOM 730–800sf ea.
(1) 4 BEDROOM 1,700sf



2nd Floor Plan Diagram



3rd Floor Plan Diagram



1st Floor Plan Diagram

Plan Key Notes

1. Area of Parking Screening within landscape strip
2. Existing sidewalk
3. New 8' sidewalk at R.O.W., to meet ADA curb requirements at drive crossing
4. Property yard setbacks
5. New trees, per off–street parking landscape requirements
6. 5' Parking Buffer on three sides
7. 'Do Not Enter' parking sign
8. New pedestrian light fixtures
9. New One–Way Access Drive

Proposed Site Plan

Scale: 1"=30' (11x17 sheet)

NORTH

FEET 0 7.5 15 30 60

PL-2021-00432
Received 7/27/2021

403 Opelika Road Development
Auburn, Alabama 36830

Mixed Use Building Design _ for Mr.Jerome Anderson _ 21 July 2021

Roderick D. Fluker | Architect
426 Marietta Street NW #302
Atlanta, GA 30313
(p) 404 394 3138
(e) rod.fluker@gmail.com
(w) www.rodfluker.com

Agenda Item Summary

Item No. 10b(2)

Council Meeting Date	August 17, 2021
Department	Planning
Submitted By	Steve Foote
Agenda Section	Resolutions

Public Hearing Required

Name and address of person(s) or business(es) this item affects:

GB License, LLC
251 Little Falls Drive
Wilmington, DE 19808

Description of item under consideration

GB License, LLC is requesting conditional use approval for a commercial support use (warehouse) for property located at 2230 Pumphrey Avenue in the Industrial (I) zoning district (Case PL-2021-00474). The Planning Commission unanimously recommended approval of this conditional use request at its August 12, 2021 meeting. The attached Planning Commission staff report provides a detailed analysis of the conditional use request. The recommended approval is shown on the attached Planning Commission resolution.

Why is Council action needed?

Section 803 of the Zoning Ordinance provides that City Council shall either approve or disapprove the conditional use application and shall establish the specific conditions under which the application is approved.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn Planning Commission
PC Case # PL-2021-00474 'Warehouse Distribution Conditional Use'

Meeting Date: August 12, 2021

Property Owner(s): Hopo Realty Investments LLC

Authorized Representative: Andrew Raquet, GB License, LLC

Request: Recommendation to City Council for conditional use approval of a commercial support use (warehouse).

The Auburn Zoning Ordinance (Section 803.02.B) requires that:

> A public hearing shall be held by the Planning Commission after adjoining property owners have been notified of the public hearing by certified mail and signs announcing the public hearing have been erected on the property in question.

Adjoining property owners have been mailed notices regarding the public hearing, and required sign has been properly placed on the property.

The Zoning Ordinance (Section 803.02.E) states further:

> Following a public hearing, the City Council shall either approve, or disapprove, the application and shall establish the specific conditions under which the application is approved.

Location: 2230 Pumphrey Avenue

Reviewed by: Stephanie Canady, Planner

Recommendation: **Approval**

Current Zoning: Industrial (I)

Surrounding Zoning:

North:	**Development District Housing (DDH) –** *Thad Webster (single-family residential, undeveloped)*
South:	**Industrial (I) –** *Auburn Industrial Development Board (industrial); Waltraud Hodges (industrial use)*
East:	**Industrial (I) –** *Rexnord Industries (industrial use)*
West:	**Industrial (I) –** *Hopo Realty Investments LLC (industrial uses)*

Site Visit: August 2, 2021

Property Description: The subject property is Lot 5-DA-1 of Auburn Industrial Park subdivision and is comprised of 4.62 acres, more or less. The lot has 2 existing structures, the larger of the two is an existing warehouse use. This conditional use request is for the smaller, 6,600 square foot, building.

Previous Action Related to this Site:

Date	Action
February 1998	Subject property was annexed into the City of Auburn in ACT 98-102 (Ord. 98102).
November 1999	Subject property was subdivided as Lot 5 of the Auburn Industrial Park, First Addition subdivision.
December 1999	Subject properties zoned Industrial as part of the establishment of the Zoning Ordinance of Auburn, Alabama (Ord. 3883)
April 2000	Subject property was subdivided as Lot 5-D of the Auburn Industrial Park, First Addition, Redivision of Lot 5 subdivision.
September 2001	Planning Commission approved conditional use for warehouse use on the subject property (Z-41-01).
September 2001	City Council approved conditional use of warehouse use (Resolution 01-113).
December 2001	Subject property was subdivided as Lots 5-D1, 5-D2, 5-D3, and 5-D4 of the Auburn Industrial Park, First Addition, Redivision of Lot 5-D subdivision.
June 2006	Planning Commission approved conditional use for a manufacturing use (PL-2006-00211).
October 2007	Subject property was consolidated into Lot 5-DA of the Auburn Industrial Park, First Addition, Revision of Lots 5-D1, 5-D2, 5-D3, and 5-D4 subdivision.
November 2007	City staff conducted an administrative site plan review for a manufacturing use (PL-2007-00844).
January 2014	Subject property was consolidated into Lot 5-DA-1 of the Auburn Industrial Park, First Addition, Revision of Lot 5-DA subdivision.
December 2019	Planning Commission approved conditional use for a commercial support use (PL-2019-00584).
December 2019	City Council approved conditional use of a commercial support use (Resolution 19-346).
June 2021	Commercial Support conditional use approval (2019) expired due to inactivity.

Greenway/Greenspace Impact: According to the Greenway and Greenspace Master Plan, there is a proposed greenway across Alabama Highway 14 W in the vicinity of the subject property.

Bike Plan Facilities: There is an existing bike path along Pumphrey Avenue according to the Greenway and Greenspace Master Plan.

Land Use Plan Designation: The future land use plan designation for this property is Industrial.

Analysis:
Conditional Use Purpose and Standards: Section 803.04 of the Auburn Zoning Code regarding General Use Standards for Conditional Uses requires that:

A. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.

Staff Comment

The proposed conditional use request appears to be consistent with the intent of the zoning district, the general purpose, and goals of the Zoning Ordinance. The use will align with existing uses on the site as well as neighboring uses and the Industrial (I) zoning district.

B. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.

Staff Comment

The proposed use is similar to the current and surrounding uses and should not result in a substantial adverse effect on the traffic conditions or other matters affecting the public health, safety, and general welfare.

C. The proposed use will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness, and bind commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with this Ordinance, and other plans, programs, maps, and ordinances adopted by the City to guide its growth and development. The approval of the conditional use permit shall be conditioned upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

Staff Comment

The proposed use will be located in an existing structure. There are no proposed exterior changes to the existing building or infrastructure, therefore it will not be subject to the development review process.

D. The Planning Commission may attach recommendations for conditional use approval, additional criteria dealing with buffer yards, parking, lighting, building materials, or any other aspect of site plan approval necessary to mitigate the impact of the proposed conditional use on the surrounding property.

Development Standards:

The Impervious Surface Ratio (ISR), Floor Area Ratio (FAR), and building height, are the main determinants of land use intensity and are found in Table 4-3 of the zoning code.

Lot Area: 4.71 acres

Allowable ISR: .90

Existing ISR: .65

Allowable FAR: .40
Existing FAR: .35

Structure height (at eave): Not provided
Maximum permitted structure height: 75'

Land Use Intensity Class Maximum: VIII

The table below identifies all the property boundaries where the zoning code requires buffering.

Location (adjacent to proposed facility)	**Buffer requirement**	**Compliance**
North (AL Highway 14)	10'	Existing
South (Pumphrey Avenue)	10'	Existing
East (industrial use)	NR	Compliant
West (industrial use)	NR	Compliant

Plantings

No additional landscaping needed for this site.

Parking

No additional parking needed for this site.

Lighting

Standard lighting regulations should adequately address any impacts to neighboring properties.

Site plan approval (Section 802). If the conditional use is approved, a site plan for the development that meets all conditions, zoning regulations and submission requirements will subsequently be reviewed administratively by staff through the Development Review Team (DRT). The following staff comments must be addressed by DRT:

Planning:

- *Show existing bufferyards on site plan.*
- *Warehouse is a commercial support use rather than industrial. Update parking requirement in site data table to "one (1) space per 750 square feet of gross floor area".*

Engineering:

- *There are no engineering concerns for this conditional use request.*

Water Resource Management:

- *AWWB and COA provides water and sanitary sewer service to this area.*
- *This property is located in Unnamed Trib. 1, a subshed of the Saugahatchee creek watershed.*

RESOLUTION
OF THE
AUBURN PLANNING COMMISSION

Case: Warehouse Distribution (Case PL-2021-00474)

Subject: Recommendation to City Council for conditional use approval of a commercial support use (warehouse)

Location: 2230 Pumphrey Avenue

Applicant: Andrew Raquet, GB License, LLC

Property Zoned: Industrial (I)

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 use approval of a commercial support use (warehouse), marked "Received" July 20, 2021, Auburn Planning Commission Case PL-2021-00474, is hereby **APPROVED.**

STATE OF ALABAMA
LEE COUNTY

I, Steve Foote, 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 August 12, 2021 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 13th day of August, 2021.

Steve Foote, AICP, Director of Planning

RESOLUTION NO. _____

CONDITIONAL USE APPROVAL

WHEREAS the Auburn Planning Commission has held a public hearing, before which the adjoining property owners were notified by certified mail and signs announcing the public hearing were erected on the property in question, in accordance with the regulations given in Article VIII, "Conditional Uses," of the Zoning Ordinance; and

WHEREAS the Auburn Planning Commission recommends this conditional use request because it is in compliance with all City ordinances and regulations and will have no adverse impacts on the community; and

WHEREAS the City Council of the City of Auburn has also held a public hearing and found that the request is consistent with the standards set forth for conditional uses in Article VIII of the Zoning Ordinance and that the request will have no adverse impact on the general health, safety, and welfare of the community.

NOW THEREFORE be it resolved by the City Council of the City of Auburn that the request for conditional use approval for a commercial support use (warehouse) to be located at 2230 Pumphrey Avenue (Warehouse Distribution) is approved, as shown in Planning Commission Resolution PL-2021-00474, dated August 13, 2021.

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 17th day of August, 2021.

_____
Mayor

ATTEST:

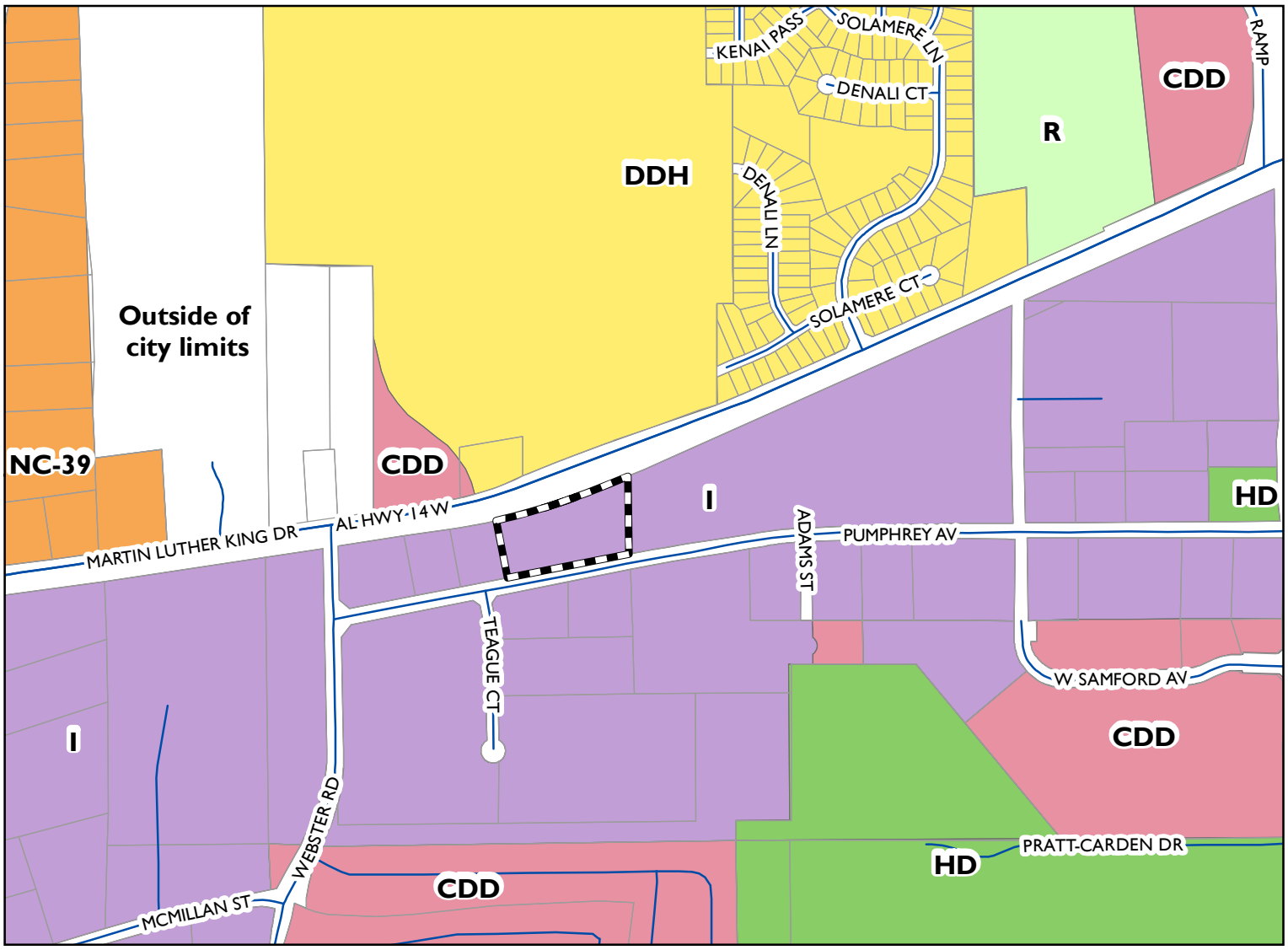
_____
City Manager

Warehouse Distribution

Conditional Use

PC Case #PL-2021-00474

City of Auburn



Subject Property

N

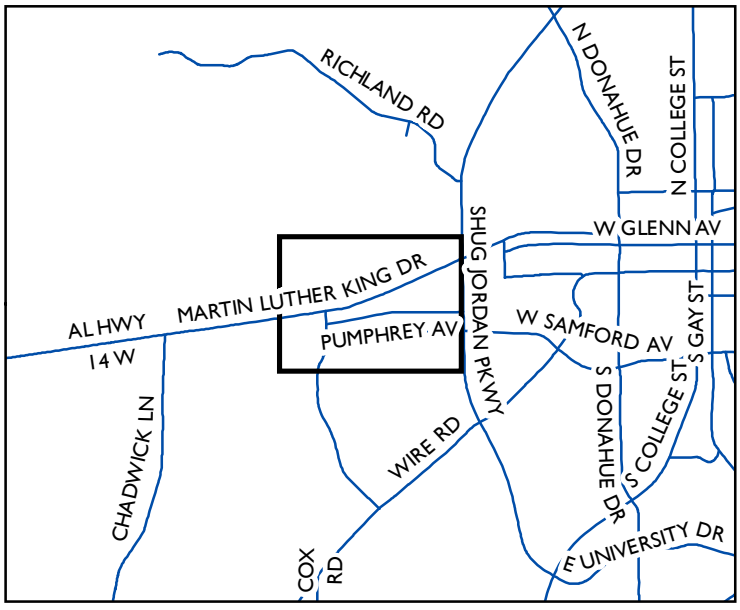
0 185 370 740

Feet

Planning Dept.
07/27/2021

The applicant is requesting conditional use approval for a commercial support use (warehouse) in the Industrial (I) district.

Vicinity Map



The City of Auburn, Alabama does not guarantee or warrant the accuracy of this map or any information contained herein. Information may contain errors and should be verified by an appropriately qualified, licensed and independent professional.

Received 7/20/2021

PL-2021-00474

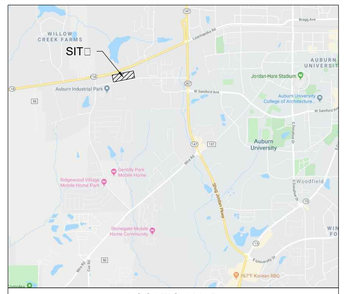
L□G□ND

PROP□RTY LIN□

PARKING COUNT

SIT□ DATA

PROJ□CT:		□ AR□HOUS□ DISTRIBUTION
□ONING:		INDUSTRIAL
ADJAC□NT □ONING:		INDUSTRIAL
CURR□NT LAND US□:		□ AR□HOUS□ DISTRIBUTION
LAND US□ INT□NSITY:		VIII
PARC□L ID□NTIFICATION NUMB□R:		0807260000040000
TOTAL SIT□ AR□A:		□□4.71 AC.
IMP□RVIOUS SURFAC□ RATIO ALLO□ □D:		0.90
IMP□RVIOUS SURFAC□ RATIO PROVID□D:		3.09 AC.= 0.65
LANDSCAP□ BUFF□R □	FRONT:	□XISTING
	SID□:	□XISTING
	R□AR:	□XISTING
BUILDING S□TBACK □	FRONT:	10 FT
	SID□:	15 FT
	R□AR:	25 FT
FLOOR AR□A RATIO (FAR) ALLO□□D		0.40
FLOOR AR□A RATION (FAR) PROVID□D:		0.35
FLOOR AR□A:		72,600 SF □XISTING (6,600 SF FOR US□)
BUILDING MAT□RIALS		□XISTING
OV□RALL BUILDING □AV□ H□IGHT:		□XISTING
PARKING RATIO R□□UIR□D □		1 SPAC□ P□R □MPLOY□□ ON LARG□ST SHIFT □ 1 SPAC□ P□R COMPANY V□HICL□ STOR□D ON□STI□
PARKING R□□UIR□D:		5 SPAC□S
PARKING PROVID□D:		9 SPAC□S
MINIMUM PARKING STALL:		9'X18'
PROPOS□D PARKING STALL:		9'X18'



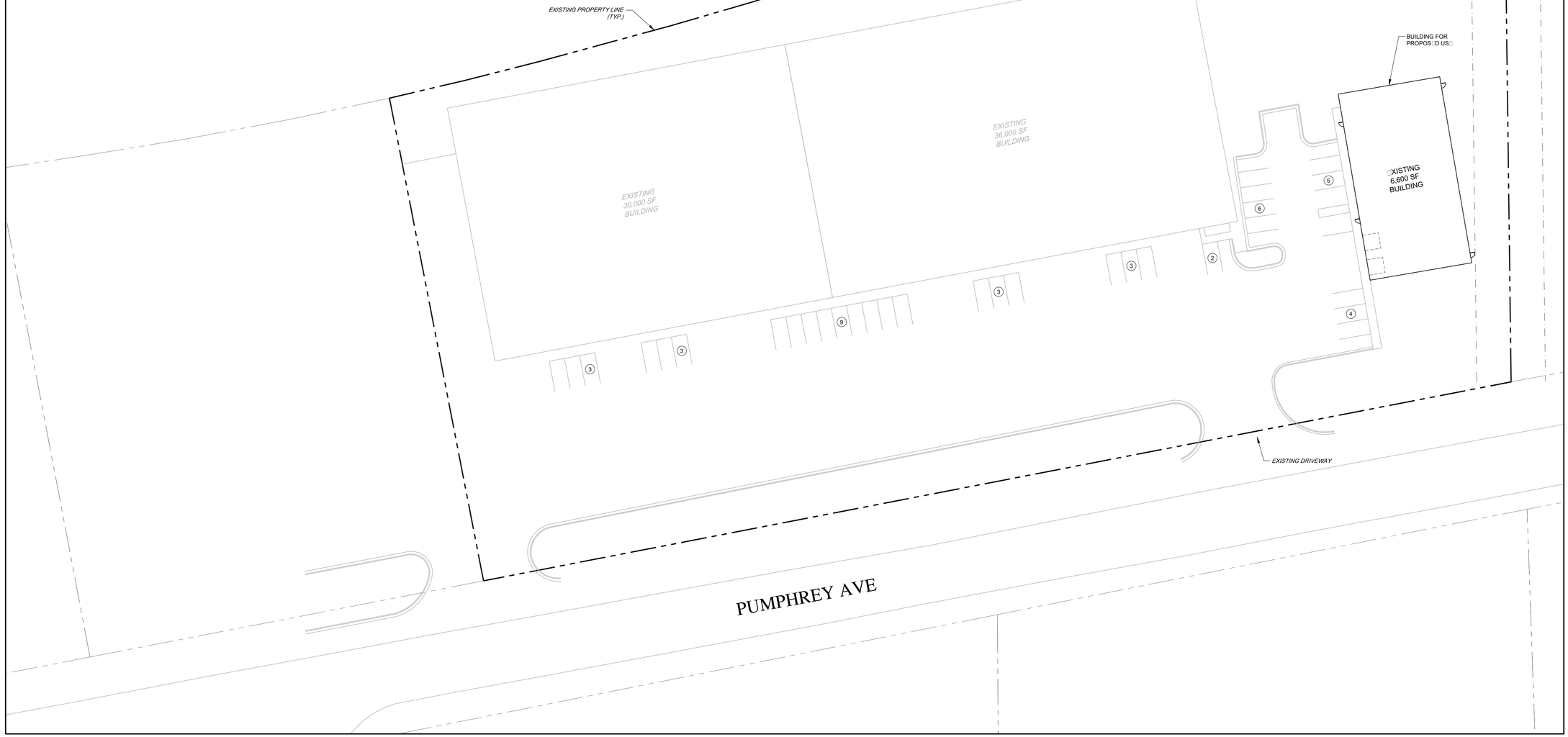
LOCATION MAP
N.T.S.

N

1" = 30'

30 15 0 30 60

SCAL□ IN F□□T



ENGINEER:

FORESITE group

Foresite Group, Inc.
2128 Moores Mill Rd.
Suite C
Auburn, AL 36830

o | 334.887.6064
f | 334.887.6024
w | www.fg-inc.net

DEVELOPER:

CONTACT:

PROJECT:

WAREHOUSE DISTRIBUTION

2230 PUMPHREY AVE BUILDING E
AUBURN, AL 36832

SEAL:

REVISIONS	DATE

PROJECT MANAGER:	BCB
DRAWING BY:	ZLR
JURISDICTION:	AUBURN, AL
DATE:	10/17/2019
SCALE:	1" = 30'
TITLE:	

CONDITIONAL USE PLAN

SHEET NUMBER:

1 OF 1

COMMENTS:

NOT RELEASED FOR CONSTRUCTION

JOB/FILE NUMBER: 1392.001

Agenda Item Summary

Item No. 10b(3)

Council Meeting Date	August 17, 2021
Department	Planning
Submitted By	Steve Foote
Agenda Section	Resolutions

Public Hearing Required

Name and address of person(s) or business(es) this item affects:

Etherial Jackson
136 Arrowhead Drive
Montgomery, AL 36117

Parker Lewis
Hydro-Engineering Solutions, LLC
Authorized Representative
2124 Moores Mill Road
Auburn, AL 36830

Description of item under consideration

Parker Lewis, on behalf of Etherial Jackson, is requesting conditional use approval for a performance residential development (multiple-unit development) for property located at 814 North College Street in the Redevelopment District (RDD) zoning district (Case PL-2021-00467).

The Planning Commission unanimously recommended approval of this conditional use request at its August 12, 2021 meeting. The attached Planning Commission staff report provides a detailed analysis of the conditional use request. The recommended approval is shown on the attached Planning Commission resolution.

Why is Council action needed?

Section 803 of the Zoning Ordinance provides that City Council shall either approve or disapprove the conditional use application and shall establish the specific conditions under which the application is approved.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn Planning Commission
PC Case # PL-2021-00467 '814 North College Street Conditional Use'

Meeting Date: August 12, 2021

Property Owner(s): Etherial Jackson

Authorized Representative: Parker Lewis, Hydro Engineering Solutions LLC

Request: Recommendation to City Council for conditional use approval for a performance residential use (multiple-unit development)

The Auburn Zoning Ordinance (Section 803.02.B) requires that:

> A public hearing shall be held by the Planning Commission after adjoining property owners have been notified of the public hearing by certified mail and signs announcing the public hearing have been erected on the property in question.

Adjoining property owners have been mailed notices regarding the public hearing.

The Zoning Ordinance (Section 803.02.E) states further:

> Following a public hearing, the City Council shall either approve, or disapprove, the application and shall establish the specific conditions under which the application is approved.

Location: 814 North College Street

Reviewed by: Stephanie Canady, Planner

Current Zoning: Redevelopment District (RDD)

Surrounding Zoning:
North: Redevelopment District (RDD) – *Da Purnt Afta LLC (cottages)*
South: Redevelopment District (RDD) – *James B & Leesa Lee (single-family residential)*
East: Redevelopment District (RDD) – *Da Purnt Afta LLC (duplex); Scott & Christine Johnston (duplex)*
West: Development District Housing (DDH) – *Lewis A Pick (vacant)*

Recommendation: **Approval**

Site Visit: August 3, 2021

Property Description: The subject property is comprised of approximately .97 acres, more or less, with a single-family residence and multiple accessory structures.

Previous Action/Tenants Related to this Site:

Date	Action
February 1960	Subject property was annexed into the City of Auburn (Ord. 227)
1976	Single-family residence and accessory structure constructed on subject property
July 1991	Second accessory structure constructed on subject property

Greenway/Greenspace Impact: According to the Greenway and Greenspace Master Plan, there are no proposed greenways adjacent to the subject property.

Bike Plan Facilities: There is a proposed bike path along North College Street according to the Greenway and Greenspace Master Plan.

Land Use Plan Designation: The future land use plan designation for this property is Medium-Density Residential. This designation has an average density of eight (8) dwelling units per acre. Permitted uses/development types include single-family detached, zero lot line, townhouse, duplex, and traditional neighborhood development.

Analysis:
Conditional Use Purpose and Standards
Section 803.04 of the Auburn Zoning Code regarding General Use Standards for Conditional Uses requires that:

A. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.

Staff Comment

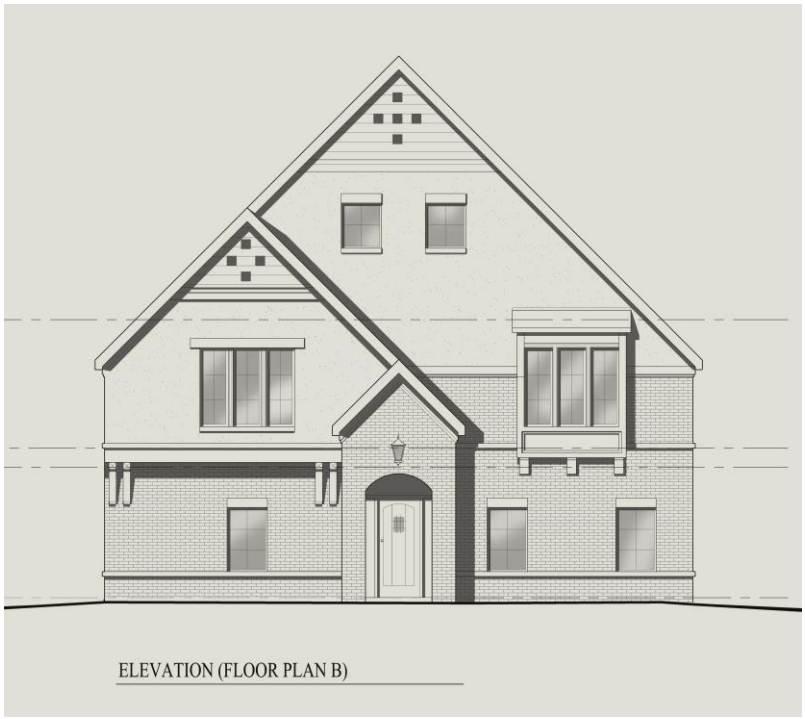
The applicant is proposing to construct a performance residential development (multiple-unit development) comprised of three (3) buildings and containing 12 units. Each unit contains two (2) bedrooms and is not considered a private dormitory. Two buildings are situated along the front of the property. A drive separates these two buildings and leads to the third building. The proposed density is 12.37 units per acre, greater than the eight (8) units per acre density recommended by the medium-density residential future land use. While being over the recommended density of the future land use, the proposed development is under the allowable 16 units per acre density of RDD. The open space requirement in RDD is 20%. This results in a requirement of 0.19 acres and the applicant is proposing approximately .22 of an acre.

The neighborhood along North College Street is predominantly residential with a variety of densities, housing types, ages and conditions. The adjoining property to the south is single-family. The adjoining properties to the east and north are duplexes and cottages, respectively. The property to the west is undeveloped. Single-family is the dominant land use to the south; while, more variety in density and residential use types exist to the north and east.

The future land use for the area is a mixture of medium and low residential densities. However, there are several multi-family developments in this neighborhood that function well in a neighborhood context, blending a mixture of residential development types and densities. The applicant has continuously met with staff and has been cooperative with staff recommendations. The two buildings fronting North College Street have been designed with a single exterior door. Each

unit will have internal access from a vestibule. This concept (Figure 1) was designed to mimic and regard the existing single-family residences along North College Street. It is due to the unique characteristics of the surrounding area and this accommodating architectural design that staff is recommending approval despite the technical inconsistency with the future land use plan.

Figure 1. *North College Street proposed front elevation (Bess Architecture LLC, 2021)*



B. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.

Staff Comment

The proposed development is more intense than the adjoining properties to the east and north but not out of character for several multi-family properties in the vicinity. The proposed 12 units, and resulting 24 bedrooms, are an increase to the existing residential developments in the neighborhood. The increase in traffic due to the development does not warrant the need for a traffic impact study, however.

C. The proposed use will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness, and bind commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with this Ordinance, and other plans, programs, maps, and ordinances adopted by the

City to guide its growth and development. The approval of the conditional use permit shall be conditioned upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

Staff Comment

This development is served by the Water Works Board of the City of Auburn. The City of Auburn provides sanitary sewer service. The development will be required to meet all current City of Auburn regulations regarding fire protection. The proposed uses should not place undue burden on existing infrastructure.

D. The Planning Commission may attach recommendations for conditional use approval, additional criteria dealing with buffer yards, parking, lighting, building materials, or any other aspect of site plan approval necessary to mitigate the impact of the proposed conditional use on the surrounding property.

Staff Comment

A formal site plan review will be conducted upon submission of a complete site plan as part of the city's administrative development review process (DRT). The following items have been identified as needing to be addressed upon submittal to DRT:

Bufferyards

The Impervious Surface Ratio (ISR), Floor Area Ratio (FAR), and building height, are the main determinants of land use intensity and are found in Table 4-4 of the zoning code.

Allowable ISR: *48%*
Proposed ISR: *Not provided*

Allowable FAR: *85%*
Proposed FAR: *Not provided*

Land Use Intensity Class: VII

Bufferyards:

North (cottages)	Not required	5' provided	Compliant
South (single-family)	15' required	15' provided	Compliant
East (duplexes)	Not required	5' provided	Compliant
West (N College St)	15' required	15' provided	Compliant

Plantings:

Total Tree Inches	55
Canopy Inches	33 (17 trees – 2" caliper)
Understory Inches	22 (22 trees – 1" caliper)
Total Shrubs	87
Street Canopy	6 (3 trees – 2" caliper)
Street Understory	6 (6 trees – 1" caliper)
Street Shrubs	15
Additional plantings along southern residential boundary	
Additional Tree Inches	15

Canopy Inches	9 (5 trees – 2" caliper)
Understory Inches	6 (6 trees – 1" caliper)
Shrubs	9

Parking
Multi-unit development: One (1) space per bedroom plus one visitor parking space per ten bedrooms within the project.

Required parking: 27 spaces
Provided parking: 27 spaces

Lighting
Standard lighting regulations will address any impacts to neighboring properties.

Site plan approval (Section 802). The current site plan is already a result of staff recommended revisions. If the conditional use is approved, a site plan for the development that meets all conditions, zoning regulations and submission requirements will subsequently be reviewed administratively by staff through the Development Review Team (DRT). The following staff comments must be addressed by DRT:

Planning:
- *This development shall be subject to the Corridor Overlay Area Regulations outlined in Section 429 of the Zoning Ordinance.*
- *Provide site data in table with the following information:*
  - *Zoning*
  - *Floor Area & Floor Area Ratio*
  - *Impervious Surface Area and Impervious Surface Ratio*
  - *Cladding Material*
  - *Building Height*
  - *Land Use Intensity (VII)*

Engineering:
- *An engineering certification has been submitted.*
- *Upon submission of a development plan, the site must comply with the requirements in the Engineering Design and Construction Manual.*

Water Resource Management:
- *AWWB and COA provide water and sanitary sewer service to this area.*
- *This property is located in Unnamed Trib. 3, a subshed of the Saugahtachee Creek watershed.*
- *Upon plan submittal, site must comply with WRM Design and Construction manual requirements.*

RESOLUTION
OF THE
AUBURN PLANNING COMMISSION

Case:	814 North College Street (Case PL-2021-00467)
Subject:	Recommendation to City Council for conditional use approval for a performance residential development (multiple-unit development)
Location:	814 North College Street
Applicant:	Parker Lewis, Hydro Engineering Solutions, LLC, on behalf of Etherial Jackson
Property Zoned:	Redevelopment District (RDD)

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 (multiple-unit development), marked "Received" July 20, 2021, Auburn Planning Commission Case PL-2021-00467, is hereby **APPROVED.**

STATE OF ALABAMA
LEE COUNTY

I, Steve Foote, 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 August 12, 2021 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 13th day of August, 2021.

Steve Foote, AICP, Director of Planning

RESOLUTION NO. _____

CONDITIONAL USE APPROVAL

WHEREAS the Auburn Planning Commission has held a public hearing, before which the adjoining property owners were notified by certified mail and signs announcing the public hearing were erected on the property in question, in accordance with the regulations given in Article VIII, "Conditional Uses," of the Zoning Ordinance; and

WHEREAS the Auburn Planning Commission recommends this conditional use request because it is in compliance with all City ordinances and regulations and will have no adverse impacts on the community; and

WHEREAS the City Council of the City of Auburn has also held a public hearing and found that the request is consistent with the standards set forth for conditional uses in Article VIII of the Zoning Ordinance and that the request will have no adverse impact on the general health, safety, and welfare of the community.

NOW THEREFORE be it resolved by the City Council of the City of Auburn that the request for conditional use approval for a performance residential development (multiple-unit development) to be located at 814 North College Street (814 North College Street) is approved, as shown in Planning Commission Resolution PL-2021-00467, dated August 13, 2021.

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 17th day of August, 2021.

_____
Mayor

ATTEST:

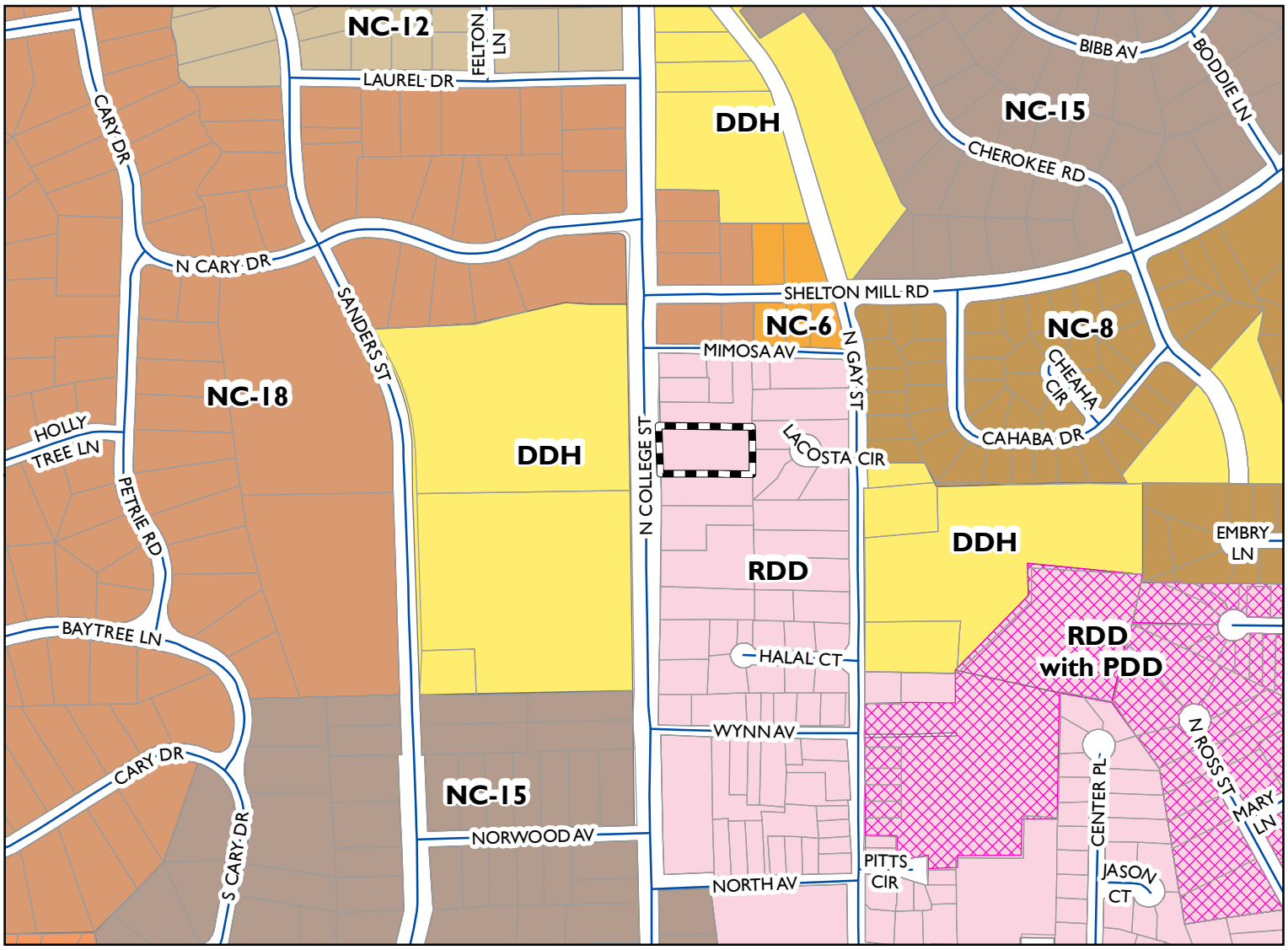
_____
City Manager

814 North College Street

Conditional Use

PC Case #PL-2021-00467

City of Auburn



Subject Property

N

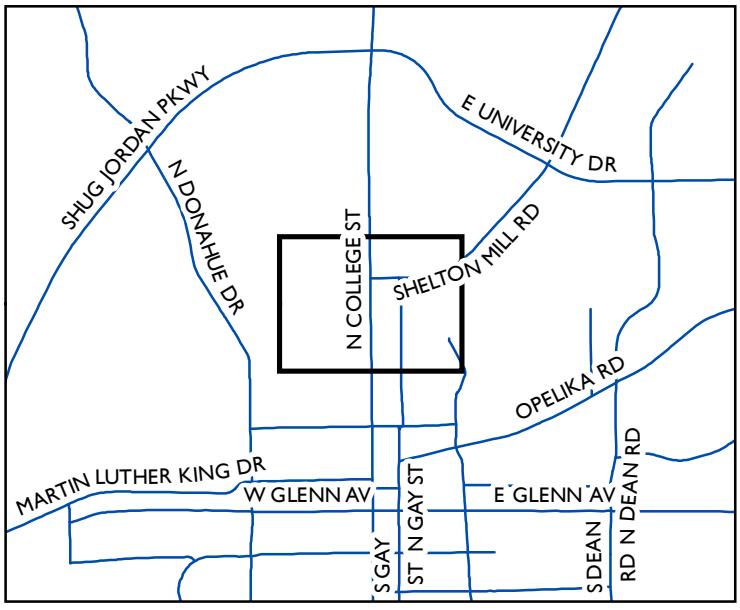
0 115 230 460

Feet

Planning Dept.
07/27/2021

The applicant is requesting conditional use approval for a performance residential use (multiple unit development) in the Redevelopment district (RDD).

Vicinity Map



The City of Auburn, Alabama does not guarantee or warrant the accuracy of this map or any information contained herein. Information may contain errors and should be verified by an appropriately qualified, licensed and independent professional.

Revised Site Plan
Received 8/9/21

VICINITY MAP



SITE DATA INFORMATION TABLE

EXISTING ZONING	RDD
PROPOSED USE	MULTI-FAMILY DEVELOPMENT
LOT SIZE	0.97 ACRES ± (42,338 ± S.F.)
NUMBER OF UNITS NUMBER OF BEDS:	12 24
TOTAL PARKING REQUIRED TOTAL PARKING PROVIDED TYPICAL STANDARD PARKING SPACE DIMENSIONS:	27 27 9' WIDE X 18' LONG
OPEN SPACE (REQUIRED) OPEN SPACE (PROVIDED)	8,468 S.F. (20%) 9,247 S.F. (21.8%)
FLOOR AREA RATIO (ALLOWED) FLOOR AREA RATIO (PROVIDED) FLOOR AREA (PROVIDED)	0.85 0.33 13,950 S.F.
ISR (ALLOWED) ISR (PROVIDED) IMPERVIOUS SURFACE AREA	0.48 0.47 20,062 S.F.
BUILDING EAVE HEIGHT BUILDING CLADDING MATERIAL LAND USE INTENSITY	18 FEET BRICK, HARDI SIDING, STONE CLASS VII

N
W E
S
0 20' 40' 80'

80.00'

NORTH COLLEGE STREET
(80' ROW)

5' BUFFERYARD

15' BUFFERYARD

18' BUILDING SETBACK LINE

OPEN SPACE

OPEN SPACE

DUMPSTER PAD WITH SCREEN FENCING

18' BUILDING SETBACK LINE

15' BUFFERYARD

5' BUFFERYARD

R25.0'
R35.0'
R15.0'
R15.0'
R15.0'
R50.0'
R39.0'
R50.0'
9.0'
18.0'
24.0'
18.0'
20.0'
9.0'
18.0'
24.0'
18.0'
53.5'
28.6'
50.0'
5
7
7
8

HYDRO ENGINEERING SOLUTIONS
A DIVISION OF HYDRO, LLC
P.O. BOX 2889
2244 ACADEMY MILL ROAD
AUBURN, ALABAMA 36830
PHONE: (334)-466-0894
FAX: (334)-466-0989

REVISIONS

NO.	DESCRIPTION	DATE

PRELIMINARY
NOT FOR CONSTRUCTION

814 NORTH COLLEGE STREET
CONCEPTUAL SITE PLAN

JACKSON FAMILY

DATE:
07/20/21

SCALE:
1"=20'

SHEET 1

Agenda Item Summary

Item No. 10b(4)

Council Meeting Date	August 17, 2021
Department	Planning
Submitted By	Steve Foote
Agenda Section	Resolutions

Public Hearing Required

Name and address of person(s) or business(es) this item affects:

RPM Land Development, LLC
P.O. Box 28
Auburn, AL 36831

Brett Basquin
Foresite Group, LLC
Authorized Representative

Description of item under consideration

Brett Basquin, on behalf of RPM Land Development, LLC, is requesting a six (6) month extension to the conditional use approval for a performance residential development (multiple family development) located in the Comprehensive Development District (CDD) zoning district with an overlay of the Planned Development District (PDD) designation (Case PL-2020-00262). The subject property is located at 1397 North Dean Road. The Planning Commission unanimously recommended approval of this use on June 11, 2020, and the City Council approved the use on June 16, 2020. The Planning Commission unanimously recommended approval of a 6-month extension of the conditional use at its August 12, 2021 meeting.

Why is Council action needed?

Section 803.05 of the Zoning Ordinance provides that City Council, upon recommendation by the Planning Commission, may make an extension of conditional use permit approval for a single period of up to six (6) months from the date when a conditional use permit would otherwise expire. An extension may be granted only if the City Council concludes that the applicant or developer has proceeded with due diligence and in good faith, and that conditions have not changed substantially so as to warrant a new application.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn
Home of Auburn University

MEMORANDUM

To: Auburn Planning Commission Members

From: Jay Howell, Planner

Subject: Conditional Use Approval Extension Request- ArchCo North Dean Road

Date: August 3, 2021

Please find attached a letter (Exhibit #1) from Brett Basquin, Foresite Group, Inc., representing RPM Land Development, LLC, requesting a six-month extension of the aforementioned conditional use approval for a performance residential use (multiple family development), to be located at 1397 North Dean Road in the Comprehensive Development District (CDD) with a Planned Development District (PDD) designation.

On June 11, 2020 the Planning Commission recommended that the City Council approve a conditional use application for a multiple family development consisting of 250 units with 374 beds on approximately 27.4 acres. The City Council subsequently approved the application at their June 16, 2020 regular meeting. For the Commission's information, the Planning Commission Resolution (Exhibit #2), the City Council Resolution (Exhibit #3), and the approved site plan for development of the subject property (Exhibit #4) are attached. Minor changes to the site plan may occur as a result of the change in design firm, but general structure locations, unit quantity, and road access will remain the same. All conditions of the original approval remain applicable should the request be approved. The project will be further reviewed for specific site adherence during the subsequent Development Review Team process.

The conditional use approval is set to expire on December 16, 2021. *However, according to Section 803.05 of the City of Auburn Zoning Ordinance, there is an opportunity for a single six (6) month extension to be granted by the City Council, upon recommendation by the Planning Commission.*

"An extension may be granted only if the City Council concludes that the applicant or developer has proceeded with due diligence and in good faith, and that conditions have not changed substantially so as to warrant a new application. All such requests for extensions must be submitted in writing not less than 30 days before the expiration of the conditional use permit stating the reason for the time extension request."

The applicant states that the reason for requesting a six-month extension is due to the project's recent transfer from one engineering firm to another. The new firm is pro-actively seeking the extension since this transfer has prolonged the project's design phase, delaying construction to February or March of 2022. Granting this request would provide a new expiration date of June 16, 2022.

FORESITE group

2128 Moores Mill Road, Suite C
Auburn, Alabama 36830
o | 334.887.6064
f | 334.887.6024
w | www.fg-inc.net

PL-2020-00262 Extension Request
Received 7/8/2021
Exhibit #1

July 8, 2021

VIA EMAIL
Katherine Robison
City of Auburn Planning Director
171 North Ross Street
Auburn, Alabama 36830
krobison@auburnalabama.org

Re: Conditional Use Extension Request (Case PL-2020-00262)
North Dean Road, Auburn, AL

Mrs. Robison:

It is requested that a 6-month extension be granted to the Conditional Use request for multi-family housing per Case PL-2020-00262. The project was approved by City Council on June 16, 2020. Conditional Use requests expire 18-months after approval if Construction has not started. The project is in the design phase and is expected to started construction in late February or early March of 2022 which is beyond the expiration date of the approval. We are proactively requested the 6-month extension be placed on the August 12, 2021 Planning Commission agenda for approval.

Sincerely,

Brett C Basquin

Brett C. Basquin, P.E.

PL-2020-00262 Extension Request Exhibit #2

RESOLUTION
OF THE
AUBURN PLANNING COMMISSION

Case:	ArchCo North Dean Road (Case PL-2020-00262)
Subject:	Recommendation to City Council for conditional use approval for a performance residential development (multiple family development)
Location:	1397 North Dean Road
Applicant:	RPM Land Management, LLC
Property Zoned:	Comprehensive Development District (CDD) 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 a recommendation to City Council for conditional use approval for a performance residential development (multiple family development), marked "Received" May 19, 2020, Auburn Planning Commission Case PL-2020-00262, is hereby **APPROVED, subject to:**

Planning:
- Subdivision of the property is required.
- Total parking provided listed in site data should be corrected to 413.

Engineering:
- There are no engineering concerns with the proposed conditional use request. Upon submission of a development plan, the site must comply with the requirements in the Engineering Design and Construction Manual.

Water Resource Management:
- WRM has no issues with this conditional use request.
- Water and sanitary sewer service is available from the Water Works Board of the City of Auburn and the City of Auburn respectively. Any off-site easements that may be required will be determined during the DRT process and acquisition of such is the responsibility of the developer.
- This site is in the Saugahatchee Creek watershed.

STATE OF ALABAMA
LEE COUNTY

I, Forrest 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 June 11, 2020 and as same appears of record in the Official Minutes of said Commission.

PL-2020-00262 Extension Request
Exhibit #2

ArchCo North Dean Road
PL-2020-00262

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Auburn Planning Commission this the 12th day of June, 2020.

Forrest E. Cotten, AICP, Director of Planning

PL-2020-00262 Extension Request
Exhibit #3

RESOLUTION NO. 20-128

CONDITIONAL USE APPROVAL

WHEREAS the Auburn Planning Commission has held a public hearing, before which the adjoining property owners were notified by certified mail and signs announcing the public hearing were erected on the property in question, in accordance with the regulations given in Article VIII, "Conditional Uses," of the Zoning Ordinance; and

WHEREAS the Auburn Planning Commission recommends this conditional use request because it is in compliance with all City ordinances and regulations and will have no adverse impacts on the community; and

WHEREAS the City Council of the City of Auburn has also held a public hearing and found that the request is consistent with the standards set forth for conditional uses in Article VIII of the Zoning Ordinance and that the request will have no adverse impact on the general health, safety, and welfare of the community.

NOW THEREFORE be it resolved by the City Council of the City of Auburn that the request for conditional use approval for a performance residential development (multiple family development) to be located at 1397 North Dean Road (ArchCo North Dean Road) is approved, as shown in Planning Commission Resolution PL-2020-00262, dated June 12, 2020.

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 16th day of June, 2020.

Mayor

ATTEST:

City Manager

PL-2020-00262 Extension Request
Exhibit #3

RESOLUTION
OF THE
AUBURN PLANNING COMMISSION

Case:	ArchCo North Dean Road (Case PL-2020-00262)
Subject:	Recommendation to City Council for conditional use approval for a performance residential development (multiple family development)
Location:	1397 North Dean Road
Applicant:	RPM Land Management, LLC
Property Zoned:	Comprehensive Development District (CDD) 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 a recommendation to City Council for conditional use approval for a performance residential development (multiple family development), marked "Received" May 19, 2020, Auburn Planning Commission Case PL-2020-00262, is hereby **APPROVED, subject to:**

Planning:
- Subdivision of the property is required.
- Total parking provided listed in site data should be corrected to 413.

Engineering:
- There are no engineering concerns with the proposed conditional use request. Upon submission of a development plan, the site must comply with the requirements in the Engineering Design and Construction Manual.

Water Resource Management:
- WRM has no issues with this conditional use request.
- Water and sanitary sewer service is available from the Water Works Board of the City of Auburn and the City of Auburn respectively. Any off-site easements that may be required will be determined during the DRT process and acquisition of such is the responsibility of the developer.
- This site is in the Saugahatchee Creek watershed.

STATE OF ALABAMA
LEE COUNTY

I, Forrest 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 June 11, 2020 and as same appears of record in the Official Minutes of said Commission.

PL-2020-00262 Extension Request Exhibit #3

ArchCo North Dean Road
PL-2020-00262

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Auburn Planning Commission this the 12th day of June, 2020.

Forrest E. Cotten

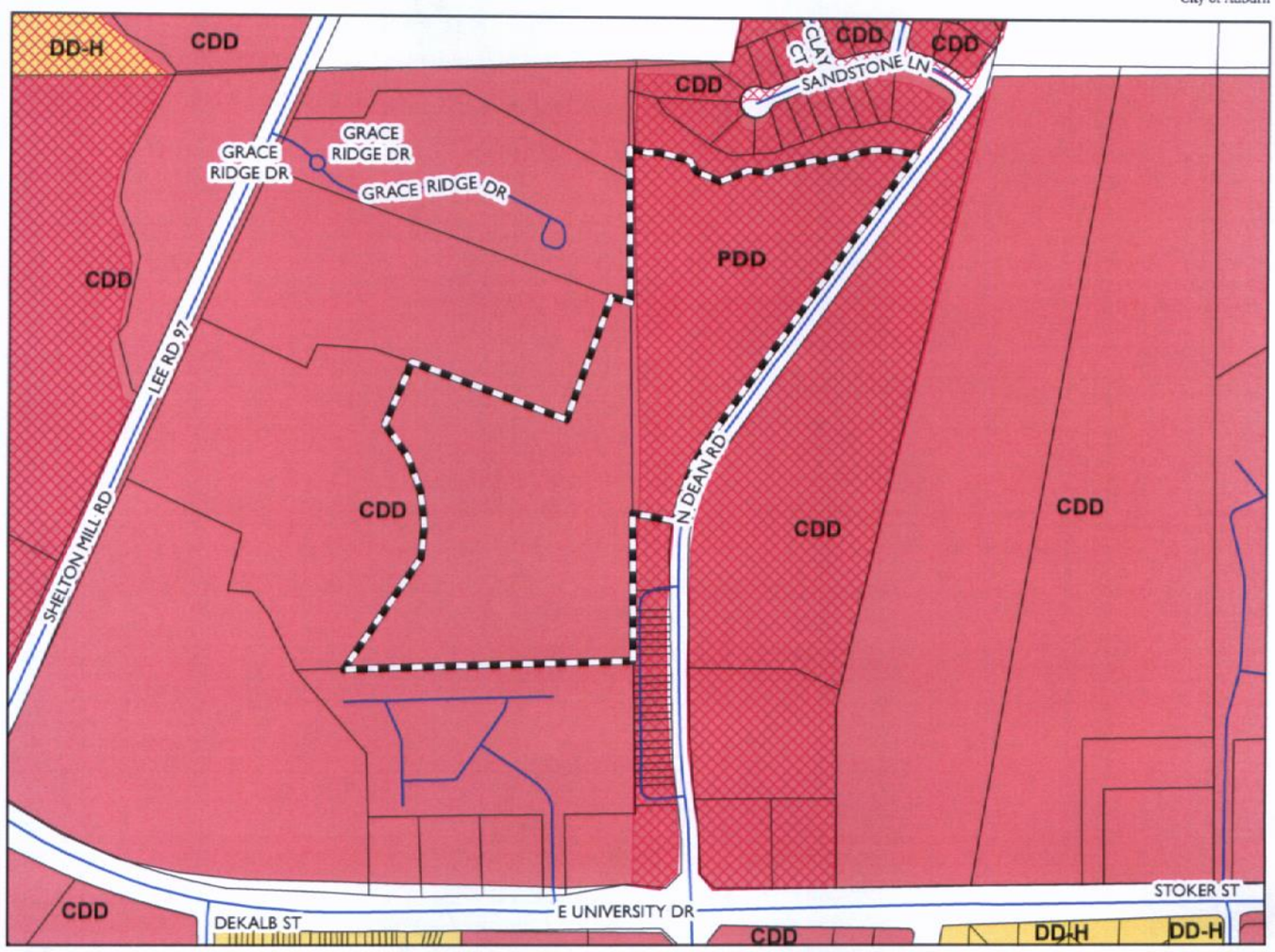
Forrest E. Cotten, AICP, Director of Planning

PL-2020-00262 Extension Request
Exhibit #3

ArchCo North Dean Road

Conditional Use
PL-2020-00262

City of Auburn



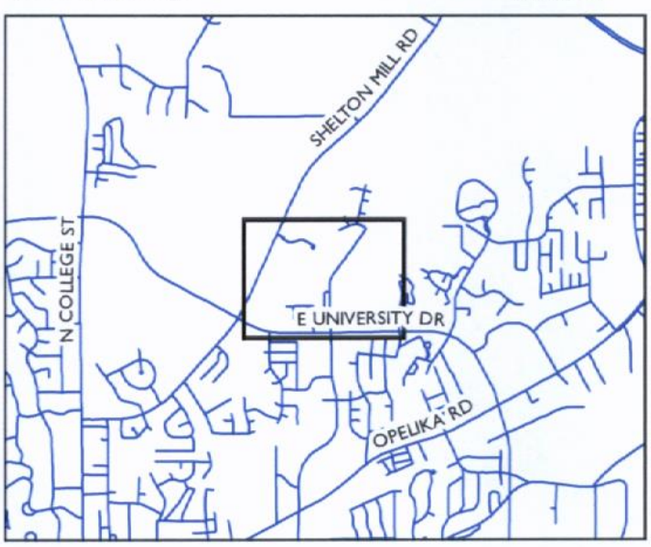
Subject Property

N

0 115 230 460
Feet
Planning Department
06/08/2020

The applicant is seeking conditional use approval for a performance residential use (multiple family development) to be located at 1397 North Dean Road in the Comprehensive Development District (CDD) zoning district with a Planned Development District (PDD) overlay.

Vicinity Map



The entire Planning Commission packet can be found at www.auburnalabama.org no less than five (5) days prior to the public meeting date. There is a direct link at http://www.auburnalabama.org/pc/

The City of Auburn, Alabama does not guarantee or warrant the accuracy of this map or any information contained herein. Information may contain errors and should be verified by an appropriately qualified, licensed and independent professional.

PL-2020-00262
Received 5/19/2020



SITE DATA INFORMATION TABLE

EXISTING ZONING	CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) PDD (PLANNED DEVELOPMENT DISTRICT
PROPOSED USE	RESIDENTIAL APARTMENTS
LOT SIZE	27.36 ACRES ± (1,193,108 ± S.F.)
NUMBER OF UNITS 1 BEDROOM UNITS 2 BEDROOM UNITS NUMBER OF BEDROOMS:	190 192 374
TOTAL PARKING REQUIRED TOTAL PARKING PROVIDED ACCESSIBLE PARKING REQUIRED ACCESSIBLE PARKING PROVIDED	412 415 9 SPACES 10 SPACES
TYPICAL STANDARD PARKING SPACE DIMENSION:	9' WIDE X 18' LONG

TOTAL DUMPSTER PADS	1 TRASH COMPACTOR UNIT
DUMPSTER SCREENING	TRASH COMPACTOR IS ENCLOSED BY A BRICK WALL
BUILDING MATERIALS	BRICK, STUCCO, CEMENTITIOUS LAP SIDING, AND ASPHALT ROOFING SHINGLES
NUMBER OF TOTAL BUILDINGS	10 (INCLUDES CLUBHOUSE, AND, MAIL KIOSK).
REQUIRED BUILDING SETBACK (ANGLE OF LIGHT)	1:1 SETBACK RATIO (45° ANGLE)
IMPERVIOUS SURFACE AREA IMPERVIOUS SURFACE RATIO MAXIMUM ALLOWABLE ISR	330,166 S.F. 0.27 0.48
OPEN SPACE REQUIRED (25%) OPEN SPACE PROVIDED (63%)	298,277 S.F. 753,388 S.F.
GROSS FLOOR AREA FLOOR AREA RATIO (FAR) MAXIMUM ALLOWABLE FAR	253,954 SF 0.21 0.85

HYDRO ENGINEERING SOLUTIONS
A DIVISION OF HYDRO, LLC
PO BOX 2899
2124 MOORE'S MILL ROAD
AUBURN, ALABAMA 36830
PHONE (334) 466-2894
FAX (334) 466-2899

REVISIONS
NO. | DESCRIPTION | DATE

PRELIMINARY
NOT FOR CONSTRUCTION

ARCHCO NORTH DEAN ROAD
SITE PLAN

ARCHCO
RESIDENTIAL, LLC

DATE: 05/19/2020
SCALE: 1" = 100'
SHEET 1

PL-2020-00262 Extension Request Exhibit #3



1 **Perspective Render**
Scale: N. T. S.

Perspective

PL-2020-00262
Received 5/19/2020

2PA

May 18, 2020
2044.00

© 2020 Poole & Poole Architecture, LLC - 3736 Winterfield Road, Suite 102 - Midlothian, Virginia 23113 - Phone 804.225.0215 - Internet www.2pa.net

PL-2020-00262 Extension
Request
Exhibit #3

PL-2020-00262 Extension
Exhibit #4
Approved by City Council
6/16/2020



SITE DATA INFORMATION TABLE

EXISTING ZONING	CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) PDD (PLANNED DEVELOPMENT DISTRICT
PROPOSED USE	RESIDENTIAL APARTMENTS
LOT SIZE	27.39 ACRES ± (1,193,108 ± S.F.)
NUMBER OF UNITS 1 BEDROOM UNITS: 2 BEDROOM UNITS: NUMBER OF BEDROOMS:	250 126 124 374
TOTAL PARKING REQUIRED TOTAL PARKING PROVIDED ACCESSIBLE PARKING REQUIRED ACCESSIBLE PARKING PROVIDED	412 415 9 SPACES 10 SPACES
TYPICAL STANDARD PARKING SPACE DIMENSIONS:	9' WIDE X 18' LONG

TOTAL DUMPSTER PADS	1 TRASH COMPACTOR UNIT
DUMPSTER SCREENING	TRASH COMPACTOR IS ENCLOSED BY A BRICK WALL
BUILDING MATERIALS	BRICK, STUCCO, CEMENTITIOUS LAP SIDING, AND ASPHALT ROOFING SHINGLES.
NUMBER OF TOTAL BUILDINGS	10 (INCLUDES CLUBHOUSE, AND, MAIL KIOSK).
REQUIRED BUILDING SETBACK (ANGLE OF LIGHT)	1:1 SETBACK RATIO (45° ANGLE)
IMPERVIOUS SURFACE AREA IMPERVIOUS SURFACE RATIO MAXIMUM ALLOWABLE ISR	320,166 S.F. 0.27 0.48
OPEN SPACE REQUIRED (25%) OPEN SPACE PROVIDED (63%)	298,277 S.F. 753,588 S.F.
GROSS FLOOR AREA FLOOR AREA RATIO (FAR) MAXIMUM ALLOWABLE FAR	253,954 SF 0.21 0.85

HYDRO ENGINEERING SOLUTIONS
A DIVISION OF HYDRO, LLC
PO BOX 2889
2124 MOORE'S MILL ROAD
AUBURN, ALABAMA 36830
PHONE: (334)-466-0894
FAX: (334)-466-0989

REVISIONS

NO.	DESCRIPTION	DATE

PRELIMINARY
NOT FOR CONSTRUCTION

ARCHCO NORTH DEAN ROAD
SITE PLAN

ARCHCO RESIDENTIAL, LLC

DATE: 05/19/2020
SCALE: 1" = 100'
SHEET 1

RESOLUTION
OF THE
AUBURN PLANNING COMMISSION

Case:	ArchCo North Dean Road (Case PL-2020-00262)
Subject:	Recommendation to City Council for a six-month extension of the conditional use approval for a performance residential development (multiple family development)
Location:	1397 North Dean Road
Applicant:	Brett Basquin, Foresite Group, LLC, on behalf of RPM Land Development, LLC
Property Zoned:	Comprehensive Development District (CDD) 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 a recommendation to City Council for an extension of the conditional use approval for a commercial and entertainment use (hotel), marked "Received" July 8, 2021, Auburn Planning Commission Case PL-2020-00262, is hereby **APPROVED, subject to:**

- **The extension shall be granted for six (6) months.**

STATE OF ALABAMA
LEE COUNTY

I, Steve Foote, 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 August 12, 2021 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 13th day of August, 2021.

Steve Foote, AICP, Director of Planning

RESOLUTION NO. _____

CONDITIONAL USE APPROVAL

WHEREAS the Auburn Planning Commission has considered a request to extend the approval of a conditional use application for a six (6) month period, in accordance with the regulations given in Article VIII, "Conditional Uses," of the Zoning Ordinance; and

WHEREAS the Auburn Planning Commission recommends this conditional use approval extension because it is in compliance with all City ordinances and regulations and will have no adverse impacts on the community; and

WHEREAS the City Council of the City of Auburn has also considered a request to extend the approval of a conditional use application for a six (6) month period consistent with the standards set forth for conditional uses in Article VIII of the Zoning Ordinance and that the request will have no adverse impact on the general health, safety, and welfare of the community.

NOW THEREFORE be it resolved by the City Council of the City of Auburn that the request for a six (6) month extension to the conditional use approval granted on June 16, 2020 for a performance residential development (multiple family development) located at 1397 North Dean Road in the Comprehensive Development District (CDD) zoning district with an overlay of the Planned Development District (PDD) designation (ArchCo North Dean) is approved, as shown in Planning Commission Resolution PL-2020-00262, dated August 13, 2021.

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 17th day of August, 2021.

_____
Mayor

ATTEST:

_____
City Manager

Agenda Item Summary

Item No. 10b(5)

Council Meeting Date	August 17, 2021
Department	Planning
Submitted By	Steve Foote
Agenda Section	Resolutions

Public Hearing Required

Name and address of person(s) or business(es) this item affects:

David Speake
1556 Chadwick Way
Tallahassee, FL 32312

Brett Basquin
Foresite Group, LLC
Authorized Representative

Description of item under consideration

Brett Basquin, on behalf of David Speake, is requesting conditional use approval for a performance residential development (multiple-unit development) for property located at 1027 East Glenn Avenue in the Corridor Redevelopment District - East (CRD-E) zoning district (pending rezoning, Case PL-2021-00362) (Case PL-2021-00375). The Planning Commission unanimously recommended approval of this conditional use request at its July 8, 2021 meeting. The attached Planning Commission staff report provides a detailed analysis of the conditional use request. The recommended approval is shown on the attached Planning Commission resolution.

Why is Council action needed?

Section 803 of the Zoning Ordinance provides that City Council shall either approve or disapprove the conditional use application and shall establish the specific conditions under which the application is approved.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn Planning Commission
PC Case # PL-2021-00375 '1027 E. Glenn Mixed Use'

Review Date: June 25, 2021

Property Owner(s): David Speake

Authorized Representative: Brett Basquin, Foresite Group, Inc.

Request: Recommendation to City Council for conditional use approval for a performance residential use (multiple-unit development)

The Auburn Zoning Ordinance (Section 803.02.B) requires that:

> A public hearing shall be held by the Planning Commission after adjoining property owners have been notified of the public hearing by certified mail and signs announcing the public hearing have been erected on the property in question.

Adjoining property owners have been mailed notices regarding the public hearing.

The Zoning Ordinance (Section 803.02.E) states further:

> Following a public hearing, the City Council shall either approve, or disapprove, the application and shall establish the specific conditions under which the application is approved.

Location: 1027 East Glenn Avenue

Reviewed by: Jay Howell, Planner

Current Zoning: Neighborhood Conservation (NC-12), pending rezoning to Corridor Redevelopment District – East (CRD-E) (pending PL-2021-00362)

Surrounding Zoning:
North: Development District Housing (DDH) – *Jonathan & Jessica Colley (single-family residential); Dimaculangan Rodolfo & Dimaculangan (single-family residential); Brandon & Latoya Thomas (single-family residential); Beatrice & Uriel Mendoza Jimenez (single-family residential);*
South: DDH – *Daniel & Marjean Blessing (single-family residential); David & Jessica Kohn (duplex); James & Deborah Moore (single-family residential); Bond Merrill Dean Trust (duplex);*
East: NC-12 – *Richard Speake (single-family residential)*
West: NC-6 – *Jujo, LLC (duplex); Barfield Doris Wright Folmar (duplex); Stacy Jordan (duplex); Jenry Folmar III (duplex); Clyde Prather (duplex).*

Recommendation: **Approval**

Site Visit: June 25, 2021

Property Description: The subject property is comprised of approximately 3.56 acres originally part of the Country Estates subdivision. It is currently used as a single-family residential lot with an unused City alley at the rear of the property.

Previous Action/Tenants Related to this Site:

Date	Action
1945	Subject property was originally subdivided as Lots 41, 42, and 43 of the Country Estates subdivision.
Unknown	Subject properties are consolidated.

Greenway/Greenspace Impact: According to the Greenway and Greenspace Master Plan, there are no proposed greenways adjacent to the subject property.

Land Use Plan Designation: The future land use plan designation for this property is Mixed-Use Office/Residential. This designation allows office and residential uses as horizontal or vertical mixed-uses. Live-work units are encouraged. The average residential density is eight (8) dwelling units per acre, with an average breakdown of uses at 75% office/25% residential.

Analysis:

Conditional Use Purpose and Standards

Section 803.04 of the Auburn Zoning Code regarding General Use Standards for Conditional Uses requires that:

A. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.

Staff Comment

The applicant is proposing to construct a mixed-use development which would include office and residential uses. The proposal includes 29 residential units – 27 designed in "townhome syle" divided between four structures, and two (2) units above ground floor offices fronting East Glenn Avenue. Two structures would front East Glenn Avenue; the first with 2,500 square feet (sq ft) of ground floor office space below the two (2) residential units previously mentioned, and the second a two-story building containing 16,000 sq ft of office space. The proposed density of the development is approximately 8.15 dwelling units per acre (du/ac), less than the 10 du/ac allowed in the proposed CRD-E zoning district (pending rezoning request PL-2021-00362). The proposed uses are consistent with the Future Land Use designation of Mixed-Use Office/Residential, though more heavily weighted toward residential than office with a proposed breakdown of 36% office/64% residential. Multi-Unit Residential uses require conditional use approval in the proposed CRD-E zoning district.

The open space requirement for the proposed CRD-E is 15%. Open space is a requirement for developments containing residential uses mixed-use lots must apply this requirement to its entirety. This results in a requirement of 0.53 acres and the applicant is proposing approximately 1 acre.

B. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare;

either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.

Staff Comment

The proposed uses support the nearby uses situated on the East Glenn Avenue corridor, which the development will take all access from. These include the Glenn/Dean commercial area to the west. Immediately surrounding the subject property is a mix of residential uses that include nonconforming duplexes in the NC-6 zoning district beside large single-family lots in the NC-12 zoning district. This area has been identified as appropriate for greater utilization and encouraged with its mixed-use future land use that extends along both sides of East Glenn Avenue.

C. The proposed use will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness, and bind commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with this Ordinance, and other plans, programs, maps, and ordinances adopted by the City to guide its growth and development. The approval of the conditional use permit shall be conditioned upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

Staff Comment

This development is served by the Water Works Board of the City of Auburn. The City of Auburn provides sanitary sewer service. The development will be required to meet all current City of Auburn regulations regarding fire protection. The proposed uses should not place undue burden on existing infrastructure.

D. The Planning Commission may attach recommendations for conditional use approval, additional criteria dealing with buffer yards, parking, lighting, building materials, or any other aspect of site plan approval necessary to mitigate the impact of the proposed conditional use on the surrounding property.

Staff Comment

A formal site plan review will be conducted upon submission of a complete site plan as part of the city's administrative development review process (DRT). The following items have been identified as needing to be addressed upon submittal to DRT:

Bufferyards

The Impervious Surface Ratio (ISR), Floor Area Ratio (FAR), and building height, are the main determinants of land use intensity and are found in Table 4-4 of the zoning code. The following calculations are based on pending rezoning to CRD-E.

Allowable ISR:	*80%*
Proposed ISR:	*71%*
Allowable FAR:	*70%*
Proposed FAR:	*53%*

Land Use Intensity Class: VII

Bufferyards:

North (alley)	15' required	15' provided	Compliant
South (arterial)	15' required	15' provided	Compliant
East (single-family)	15' required	15' provided	Compliant
West (duplexes)	5' required	5' provided	Compliant

Plantings:

Total Tree Inches	168
Canopy Inches	100 (50 trees – 2" caliper)
Understory Inches	68 (68 trees – 1" caliper)
Total Shrubs	257
Street Canopy	12 (6 trees – 2" caliper)
Street Understory	12 (12 trees – 1" caliper)
Street Shrubs	30
Additional plantings along eastern residential boundary	
Additional Tree Inches	104
Canopy Inches	62 (31 trees – 2" caliper)
Understory Inches	42 (42 trees – 1" caliper)
Shrubs	182

Parking
Professional Offices: One (1) space per 300 sq ft gross floor area x 18,500 sq ft.
Residences: One and one-tenth (1.1) space per bedroom x 87 bedrooms.

Required parking: 158 spaces
Provided parking: 158 spaces

Lighting
Standard lighting regulations will address any impacts to neighboring properties.

Site plan approval (Section 802). If the conditional use is approved, a site plan for the development that meets all conditions, zoning regulations and submission requirements will subsequently be reviewed administratively by staff through the Development Review Team (DRT). The following staff comments must be addressed by DRT:

Planning:

- *Provide site data in table with the following information:*
  - *Zoning*
  - *Floor Area & Floor Area Ratio*
  - *Impervious Surface Area and Impervious Surface Ratio*
  - *Cladding Material*
  - *Building Height (residential units and offices)*
  - *Land Use Intensity (VII)*

Engineering:

- *An engineering certification has been submitted.*
- *We recommend a driveway stub-out to the east for future connectivity.*
- *Upon submission of a development plan, the site must comply with the requirements in the Engineering Design and Construction Manual.*

Water Resource Management:

- *AWWB and COA provide water and sanitary sewer service to this area.*
- *This property is located in the Moore's Mill watershed.*

RESOLUTION
OF THE
AUBURN PLANNING COMMISSION

Case:	1027 East Glenn Avenue Mixed Use (Case PL-2021-00375)
Subject:	Recommendation to City Council for conditional use approval for a performance residential development (multiple-unit development)
Location:	1027 East Glenn Avenue
Applicant:	David Speake
Property Zoned:	Corridor Redevelopment District – East (CRD-E) (pending rezoning, Case PL-2021-00362)

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 (multiple-unit development), marked "Received" June 15, 2021, Auburn Planning Commission Case PL-2021-00375, is hereby **APPROVED, subject to:**

- The dumpster should be moved to be located immediately to the south of Building 6.

Planning:
- Provide site data in table with the following information:
  - Zoning
  - Floor Area & Floor Area Ratio
  - Impervious Surface Area and Impervious Surface Ratio
  - Cladding Material
  - Building Height (residential units and offices)
  - Land Use Intensity (VII)

Engineering:
- An engineering certification has been submitted.
- We recommend a driveway stub-out to the east for future connectivity.
- Upon submission of a development plan, the site must comply with the requirements in the Engineering Design and Construction Manual.

Water Resource Management:
- AWWB and COA provide water and sanitary sewer service to this area.
- This property is located in the Moore's Mill watershed.

1027 East Glenn Avenue Mixed Use
PL-2021-00375

STATE OF ALABAMA
LEE COUNTY

I, Steve Foote, 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 July 8, 2021 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 29th day of July, 2021.

Steve Foote, AICP, Director of Planning

RESOLUTION NO. _____

CONDITIONAL USE APPROVAL

WHEREAS the Auburn Planning Commission has held a public hearing, before which the adjoining property owners were notified by certified mail and signs announcing the public hearing were erected on the property in question, in accordance with the regulations given in Article VIII, "Conditional Uses," of the Zoning Ordinance; and

WHEREAS the Auburn Planning Commission recommends this conditional use request because it is in compliance with all City ordinances and regulations and will have no adverse impacts on the community; and

WHEREAS the City Council of the City of Auburn has also held a public hearing and found that the request is consistent with the standards set forth for conditional uses in Article VIII of the Zoning Ordinance and that the request will have no adverse impact on the general health, safety, and welfare of the community.

NOW THEREFORE be it resolved by the City Council of the City of Auburn that the request for conditional use approval for a performance residential development (multiple-unit development) to be located at 1027 East Glenn Avenue (1027 East Glenn Avenue Mixed Use) is approved, as shown in Planning Commission Resolution PL-2021-00375, dated July 29, 2021.

ADOPTED and approved by the City Council of the City of Auburn, Alabama, this the 17th day of August, 2021.

_____
Mayor

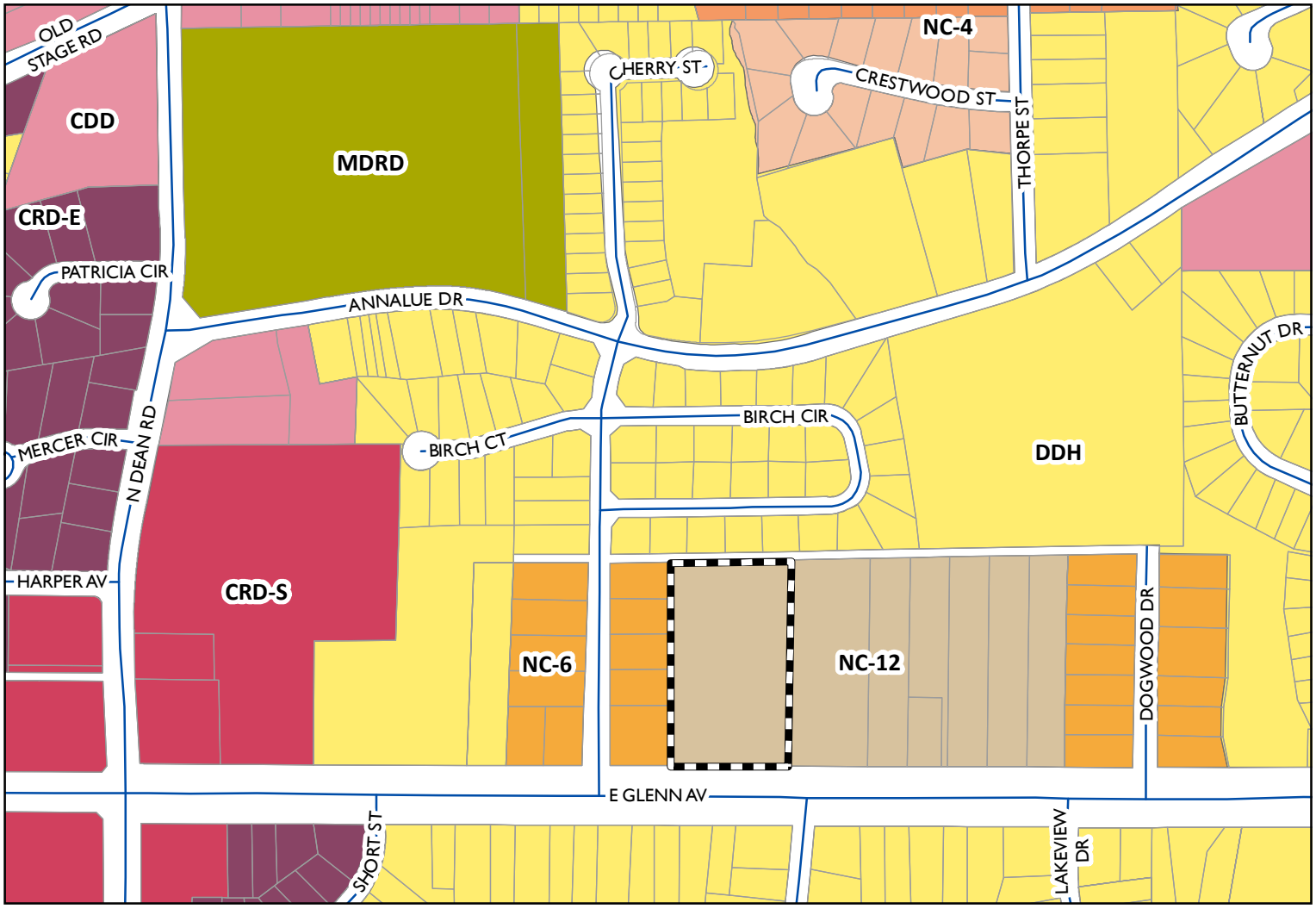
ATTEST:

_____
City Manager

1027 E. Glenn

Conditional Use PC Case #PL-2021-00375

City of Auburn



Subject Property

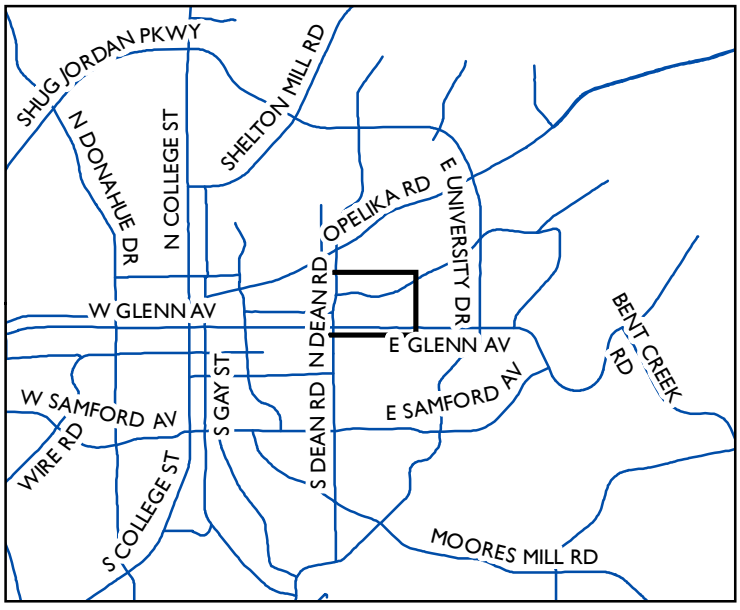
N

0 95 190 380

Feet

Planning Dept.
07/29/2021

Vicinity Map



The Planning Commission will consider a request from Foresite Group, LLC on behalf of David Speake, for a recommendation to City Council for conditional use approval for a performance residential development (multiple unit development) at 1027 East Glenn Avenue.

The City of Auburn, Alabama does not guarantee or warrant the accuracy of this map or any information contained herein. Information may contain errors and should be verified by an appropriately qualified, licensed and independent professional.

PROJ□CT INFORMATION

TOTAL SIT□ AR□A:	3.56 AC.
BUILDING AR□A:	76,350 S.F. (18,500 SF OFFIC□□;57,850 SF R□SID□NTIAL)
TOTAL UNITS PROVID□D: TOTAL B□DS PROVID□D:	29 UNITS 87 B□DS
PARKING R□□UIR□D:	158 SPAC□S
TOTAL PARKING PROVID□D (ON SIT□):	158 SPAC□S (3 ACC□SSIBL□ SPAC□S BAS□D UPON 62 COMM□RCIAL PARKING SPAC□S)

PROJ□CT INFORMATION

1). THIS PROJ□CT IS A MIX□D US□ D□V□LOPM□NT □ ITH ASSOCIAT□D INFRASTRUCTUR□. THIS PROJ□CT IS SUBJ□CT TO TH□ CORRIDOR R□D□V□LOPM□NT R□GULATIONS.

2.) LOCAT□D IN SECTION 29, TOWNSHIP 19 N, RANGE 26 E.

3.) SIT□ AR□A: 3.56 AC. (155181.00 ±SF)

4.) CURR□NT □ONING: □ONING: □XISTING NC□12 AND PROPOS□D CRD□□

5.) ADJAC□NT □ONING: □ONING: NC□12 (N□IGHBORHOOD CONS□RVATION DISTRICT), NC□6 (N□IGHBORHOOD CONS□RVATION DISTRICT), DDH (D□V□LOPM□NT DISTRICT HOUSING)

6.) CURR□NT LAND US□: VACANT

7.) LAND US□ INT□NSITY CLASSIFICATION: VII

8.) BUFF□R YARD R□□UIR□M□NTS: 10' FRONT, 10' AND 15' SID□S, AND 15' R□AR

9.) OV□RALL BUILDING H□IGHT: □□□30'

10.) NUMB□R OF FLOORS: 2 STORI□S ABOV□ GROUND

11.) S□TBACK: 5' FRONT, 10' SID□, AND 15' R□AR

12.) TOTAL IMP□RVIOUS SURFAC□ AR□A: 2.40 AC.

13.) TOTAL P□RVIOUS SURFAC□ AR□A: 1.16 AC.

14.) MAXIMUM IMP□RVIOUS SURFAC□ RATIO ALLO□ □D: 0.80 (0.75 FOR CLASS VIII)

15.) IMP□RVIOUS SURFAC□ RATIO PROVID□D: 2.40 AC =0.67

16.) TH□ IMP□RVIOUS SURFAC□ AR□A INCLUD□S TH□ FOLLO□ ING: BUILDING FOOTPRINT (GROSS SF), DRIV□□ AYS, SID□□ ALK, PARKING LOT.

17.) MINIMUM OP□N SPAC□ R□□UIR□D: 15□ = 0.53 AC

18.) OP□N SPAC□ PROVID□D: 1.0 AC = 28□

19.) R□□UIR□D PARKING= 1.1 PARKING SPAC□ P□R B□DROOM FOR R□SID□NTIAL□1,300 SF FOR PROF□SSIONAL OFFIC□.

20.) PARKING SPAC□S PROVID□D: 158 SPAC□S (INCLUD□S 3 ACC□SSIBL□ SPAC□S)

21.) MAXIMUM FLOOR AR□A RATIO (FAR): 0.70

22.) PROPOS□D FLOOR AR□A: 76,350 S.F.= 1.75 AC = 0.49

23.) D□NSITY ALLO□ □D: 10 UNITS/ACR□ FOR R□SID□NTIAL P□R CRD□□ □ONING

24.) D□NSITY PROVID□D = 8.15 UNITS/ACR□

25.) MINIMUM PARKING STALL= 9'X18'

26.) PROVID□D PARKING STALL= 9'X18'

L□G□ND

- CONCR□T□ SID□□ ALK PAVING
- OP□N SPAC□
- PROP□RTY LIN□
- (□□) PARKING COUNT

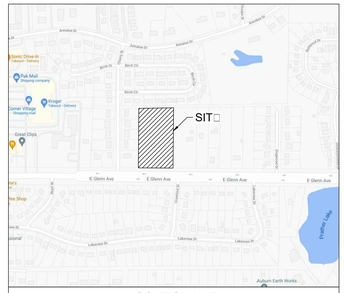
N

1" = 20'

20 10 0 20 40

SCAL□ IN F□□T

PL-2021-00375
Received 7/2/2021



LOCATION MAP
N.T.S.

CHERRY ST

CRAWFORD STREET

EAST GLENN AVE.

20' ALLEY

152.25'
91.52'
5' LANDSCAP□ BUFF□R
10' BUILDING S□TBACK
88.80'
87.88'
92.92'
BUILDING 2
(2 STORY)
2,500 SF OFFIC□
2,500 SF R□SID□NTIAL
(2 UNITS) 2ND FLOOR
MAIL KIOSK
BUILDING 6
9,225 SF
(9 UNITS)
225'
41'
50'
27'
10.5'
18'
24'
25.5'
5' BUILDING S□TBACK
300.35'
15' LANDSCAP□ STRIP
15' BUILDING S□TBACK
BUILDING 1
(2 STORY)
16,000 SF
160'
BUILDING 3
6,150 SF
(6 UNITS)
BUILDING 4
6,150 SF
(6 UNITS)
BUILDING 5
6,150 SF
(6 UNITS)
150'
25'
50'
9.5'
6'
15' LANDSCAP□ BUFF□R
10' BUILDING S□TBACK
519.85'

ENGINEER:

FORESITE group

Foresite Group, Inc.
2128 Moores Mill Rd.
Suite C
Auburn, AL 36830
o | 334.887.6064
f | 334.887.6024
w | www.fg-inc.net

DEVELOPER:

CONTACT:

PROJECT:

1027 EAST GLENN MIXED-USE

1027 EAST GLENN AVE.
AUBURN, AL 36830
SECTION 29, TOWNSHIP 19 N, RANGE 26 E

SEAL:

REVISIONS	DATE
DENSITY REVISION	06/17/2021
CITY COMMENTS	07/02/2021

PROJECT MANAGER:	BCB
DRAWING BY:	JMR
JURISDICTION:	AUBURN, AL
DATE:	06/11/2021
SCALE:	1" = 20'
TITLE:	

PRELIMINARY SITE PLAN

SHEET NUMBER:

1 OF 1

COMMENTS:
NOT RELEASED FOR CONSTRUCTION

JOB/FILE NUMBER:
1757.001