

**Auburn Planning Commission
November 9, 2021 – Regular Meeting
MINUTES**

The Planning Commission of the City of Auburn, Alabama, met in regular session on Tuesday, November 9, 2021, at 5:00 PM in the City Council Chambers of the Public Safety Building located at 141 North Ross Street.

PRESENT Wendy Birmingham, Robyn Bridges, Phil Chansler, Mack LaZenby, Warren McCord, Bob Ritenbaugh

ABSENT Jana Jager, Marcus Marshall, Nonet Reese

STAFF PRESENT Steve Foote, Katie Robison, Logan Kipp, Jay Howell, Amber English, Alison Frazier, Dan Crowds, Kris Berry, Scott Cummings

5. **Mr. Chansler made a motion to remove from the consent agenda and to postpone until December 9, 2021 Case PL-2021-00735, Final Plat – Silos at Conway, a request for final plat approval of a conventional subdivision (75 lot single-family residential subdivision).**

Mr. Ritenbaugh seconded the motion.

A vote was taken, and the motion passed with a vote of 6-0.

CITIZENS COMMUNICATION

OLD BUSINESS

1. **Rezoning from Rural to DDH – Old Samford** **PL-2021-00634**

Mr. Howell stated the request was for rezoning of approximately 679.40 acres from Rural (R) to Development District Housing (DDH). The subject property was located south of Mrs James Road and west of the Camden West subdivision. Staff recommended denial based on the application's inconsistency with the designated future land use of the property.

Mr. Chansler asked if there were plans to widen Farmville Road.

Ms. Frazier said intersection improvements were planned for Farmville and Donahue, which could include dual left turns off of Donahue onto Farmville and some widening and additional lanes. There would be no widening from Donahue to College.

Mr. Chansler opened the public hearing. After no comments were received, the public hearing was closed.

Ms. Bridges made a motion to approve Case PL-2021-00634, Rezoning from Rural to DDH – Old Samford, a request for rezoning of approximately 679.40 acres from Rural (R) to Development District Housing (DDH).

Mr. McCord seconded the motion.

Mr. LaZenby noted the request did not align with the future land use of the property. He supported staff's recommendation.

Mr. McCord said that much thought and effort went into developing the future land use plan; however, he noted that it had not been updated as planned, and during that time rapid change had taken place in the City. He thought this project was very likable and appropriate and was worthy of consideration in spite of infrastructure issues.

Mr. Chansler was concerned about traffic depending on how fast building would occur.

Mr. Ritenbaugh was concerned about traffic. He said this would exacerbate problems without proper infrastructure in place.

Ms. Birmingham was concerned about the applications' inconsistency with the future land use plan.

A vote was taken, and the motion failed with a vote of 2-4. Commissioners Bridges and McCord voted for the motion. Commissioners Chansler, LaZenby, Ritenbaugh, and Birmingham voted against the motion.

2. Planned Development District – Old Samford

PL-2021-00635

Mr. Howell stated the request was for application of the Planned Development District (PDD) designation on approximately 885.05 acres zoned Development District Housing (DDH). The subject property was located south of Mrs James Road and west of the Camden West subdivision. Mr. Howell presented a revised master development plan that was largely consistent with staff's recommended modifications to the original plan. Staff recommended denial of the request based on the proposal's incompatibility with the property's designated future land use. Staff recommends that all staff comments be included as conditions of approval if the Planning Commission recommends approval to the City Council.

The updated master development plan would negate certain recommended staff conditions of approval, listed below. If the Commission were to recommend approval of the rezoning, staff recommended that all other staff comments be included as conditions of approval.

- Planning (listed as nos. 3, 4, 5, 10, and 11 on staff report):
 3. *Provide a connection directly between Phase 9 and the collector road south of it.*
 4. *Some form of Blueway access shall be provided where the collector road crosses Saugahatchee Creek immediately south of Phase 10.*
 5. *A road connection to Shadow Bend Lane is required and must be shown on the MDP.*
 10. *Identified open space is not sufficient for the exchange provided. At least 322.5 acres is required and neither the community amenity park nor areas in the vegetative buffers contribute to this requirement. Staff recommends recalculating this area to include internal phase open space, or seeking a different exchange such as open space improvements.*
 11. *The entirety of the Camden West and Camden South subdivisions, to include their respective open space areas, must be removed from the MDP.*

- Engineering (listed as no. 5 on staff report):
 5. *The development plan should include a connection to the City's Blueway/Greenway. The location and configuration of this connection can be discussed during the DRT process.*

Mr. Chansler opened the public hearing. After no comments were received, the public hearing was closed.

Ms. Bridges made a motion to approve Case PL-2021-00635, Planned Development District – Old Samford, a request for application of the Planned Development District (PDD) designation on approximately 885.05 acres, with staff conditions minus Planning conditions numbers 3, 4, 5, 10, and 11 and Engineering condition number 5.

Mr. McCord seconded the motion.

Mr. LaZenby thought the proposal was too much, too fast.

A vote was taken, and the motion failed with a vote of 1-5. Commissioner Bridges voted for the motion. Commissioners Chansler, LaZenby, McCord, Ritenbaugh, and Birmingham voted against the motion.

3. Preliminary Plat - Sutherland Subdivision, 2nd Redivision of Lot 2 PL-2021-00643

Mr. Kipp stated the applicant requested to postpone this item until the Commission's December 9, 2021 regular meeting.

Mr. Chansler made a motion to postpone until December 9, 2021 Case PL-2021-00643, preliminary Plat - Sutherland Subdivision, 2nd Redivision of Lot 2, a request for preliminary plat approval for a conventional subdivision (five lot single-family residential subdivision).

Mr. LaZenby seconded the motion.

A vote was taken, and the motion passed with a vote of 6-0.

CONSENT AGENDA

Mr. Chansler stated the remainder of the consent agenda included:

4. Annexation – Auburn City Board of Education – PL-2021-00723: Recommendation to City Council for annexation of approximately 128.68 acres

Mr. LaZenby made a motion to approve the consent agenda, which included the minutes from the October 11, 2021 packet meeting and the October 14, 2021 regular meeting, with staff conditions.

Ms. Bridges seconded the motion.

A vote was taken, and the motion passed with a vote of 6-0.

NEW BUSINESS

6. Rezoning from Rural to DDH – Cox/Wire

PL-2021-00630

Ms. Robison stated the request was for rezoning of approximately 49.14 acres to Development District Housing (DDH). The subject property was located at the southwest intersection of Cox Road and Wire Road in the Rural (R) zoning district. The future land use designation assigned to the subject properties was Master-Planned Mixed-Use. In conjunction with this request, the applicant requested to apply the Planned Development District (PDD) overlay to the subject property. Staff recommended approval.

Brett Basquin with Foresite Group, LLC represented the applicant. He provided additional details about the project. He noted the staff condition of approval that stated “vehicular and/or pedestrian cross-access is recommended between the residential and commercial portions of the development.” He stated that the community was planned to be gated, which would prohibit vehicular cross-access. In addition, they wished to save the stream from environmental impacts, so they proposed to connect the residential and commercial portions with a 5’ sidewalk in the right-of-way. They were looking at ways to potentially try to cross the stream with a pedestrian bridge to connect the residential and commercial portions.

Mr. Chansler opened the public hearing. After no comments were received, the public hearing was closed.

Ms. Bridges made a motion to approve Case PL-2021-00630, Rezoning from Rural to DDH – Cox/Wire, a request for rezoning of approximately 49.14 acres to Development District Housing (DDH), with staff conditions.

Mr. LaZenby seconded the motion.

A vote was taken, and the motion passed with a vote of 6-0.

7. Planned Development District – Cox/Wire

PL-2021-00631

Ms. Robison stated the request was for application of the Planned Development District (PDD) designation on approximately 49.17 acres zoned Development District Housing (DDH). The subject property was located at the southwest intersection of Cox Road and Wire Road. The proposed development was generally in line with the Future Land Use Plan. Proposed uses included duplex/quadplex-style residences (162 units) along an internal network of private streets on the southern two-thirds of the property. The residences were proposed to be a community targeted to meet the physical or social needs of older persons, in which 80% of the occupied units shall be occupied by at least one person who is age 55 or older. The Master-Planned Mixed-Use designation allows for a broad mix of uses that are contextually appropriate and specific to the surrounding area. There were very few commercial uses in the area. As residential developments were constructed, more commercial demand would be needed. The proposed commercial uses located at the intersection of Cox and Wire Roads would alleviate that need. Staff recommended approval with an additional condition to include a pedestrian pathway from Cox Road to the amenity area.

Ms. Bridges asked what it would look like to incorporate the stream into the open space to be accessible.

Ms. Robison said possibly eliminating or relocating one of the units on the south side of the stream.

Brett Basquin with Foresite Group, LLC represented the applicant. He noted the staff condition of approval that stated “locate the commercial parking so that it is screened with a building and is not visible from the intersection in which the new roundabout is being constructed.” He said that he needed flexibility with screening in order to maximize what uses could be located near the intersection. He noted the stream would be used as open space, and there would likely be walking trails incorporated. Lastly, he thought that providing 5’ sidewalks on both sides of the streets would provide the pedestrian connectivity and access to the amenity area, and a pedestrian path leading from Cox Road was not necessary.

Mr. Chansler opened the public hearing. After no comments were received, the public hearing was closed.

Mr. LaZenby made a motion to approve Case PL-2021-00631, Planned Development District – Cox/Wire, a request for application of the Planned Development District (PDD) designation on approximately 49.17 acres, with staff conditions and the additional condition for a pedestrian path leading from Cox Road to the amenity area (east to west on the subject property).

Ms. Bridges seconded the motion.

Mr. McCord did not see the feasibility of adding a pedestrian access from Cox Road. He did not see how it would increase circulation more than it would create more difficulty in the minds of residents.

Ms. Bridges agreed. She also thought that it was reasonable to remove the conditions regarding relocating the commercial parking and incorporating the stream into the open space.

Mr. McCord made a motion to amend the original motion to not require a pedestrian path from east to west on the subject property.

Ms. Bridges seconded the motion to amend.

Mr. LaZenby thought the Commission should support staff.

A vote was taken, and the motion to amend passed with a vote of 5-1. Mr. LaZenby voted against the motion.

A vote was taken on the original motion as amended, and the amended motion passed with a vote of 5-1. Ms. Bridges voted against the motion.

8. Conditional Use – Cox/Wire

PL-2021-00632

Ms. Robison stated the request was for conditional use approval for institutional uses (assisted living facility, independent living facility, nursing home, memory care facility), office, road service uses (ATM, bank with drive-thru, convenience store/small grocery, fast food restaurant, mobile vendor food court, gasoline/service station), nurseries (retail), a commercial support use (vet office/kennel with outdoor pens), and commercial and entertainment uses (banks, barbershop/beauty shop, book hobby music &

sporting goods store, brewpub, clothing store, copy shop, dry cleaners, electronic repair, florist, funeral home, garden supply, general merchandise stores, grocery store, hardware store, health & personal care store, office supplies/stationary gift stores, pet/pet supply store, precious metal purchase/sales, private club, professional studio, restaurant, specialty food store, veterinary office/kennels) for the Cox/Wire PDD. Staff recommended approval with the removal of the gasoline/service station use.

Brett Basquin with Foresite Group, LLC represented the applicant. He did not have a problem with removing the gas station use from the list of requested uses.

Mr. Chansler opened the public hearing. After no comments were received, the public hearing was closed.

Mr. LaZenby made a motion to approve Case PL-2021-00632, Conditional Use – Cox/Wire, a request for conditional use approval for performance residential development uses, institutional uses, road service uses, nursery uses, commercial support uses, and commercial and entertainment uses, with staff conditions and the condition that a gasoline/service station shall not be permitted.

Ms. Bridges seconded the motion.

Mr. McCord noted the staff comment that stated “include a connection (vehicular preferred) between the commercial/assisted living and the residential component.” He asked if vehicular access was appropriate if the stream was to be incorporated into the open space.

Mr. McCord made a motion to amend the original motion to not require a vehicular connection between the commercial/assisted living and the residential component.

Ms. Bridges seconded the motion to amend.

A vote was taken, and the motion to amend passed with a vote of 6-0.

A vote was taken on the original motion as amended, and the amended motion passed with a vote of 6-0.

9. Planned Development District Amendment – Hamilton Place

PL-2021-00716

Mr. Kipp stated the request was for an amendment to the Charter Commercial Center (Hamilton Place) PDD in order to add 4.21 acres, more or less, and allow 40,000 square feet of office use. The subject property was located at the northeast corner of Moores Mill Road and Hamilton Road in the Limited Development District (LDD) with an overlay of the Planned Development District (PDD) designation. This request was previously recommended for approval by the Planning Commission in August 2020 and was denied by City Council in November 2020. Staff recommended denial.

Brett Basquin with Foresite Group, LLC represented the applicant. He provided an overview of the project.

Mr. Chansler opened the public hearing.

Public comment was provided by the following individuals:

- Ernie Merritt, 2492 Glenn Brooke Drive, opposed the request.
- Andrew Price, 2575 Glenn Brooke Drive, opposed the request.
- Bob Greenhaw, 2486 Glenn Brooke Drive, opposed the request.
- Kevin Wells, 1115 Blackman Circle, opposed the request.
- Kristen Forthofer, 2547 Glenn Brooke Drive, opposed the request.

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

Ms. Bridges made a motion to approve Case PL-2021-00716, Planned Development District Amendment – Hamilton Place, a request for an amendment to the Charter Commercial Center (Hamilton Place) PDD in order to add 4.21 acres, more or less, and allow 40,000 square feet of office use.

Mr. LaZenby seconded the motion.

Ms. Bridges asked what density would be allowed if the property was developed as residential.

Mr. Kipp said eight units an acre were permitted, but there was likely only enough property for four lots.

Ms. Bridges asked the difference in traffic counts between office and residential uses.

Ms. Frazier said residential would generate an estimated ten trips per unit per day. Based on the proposed square footage of office space, a traffic impact study would not be required.

A vote was taken, and the motion failed with a vote of 2-4. Commissioners Bridges and McCord voted for the motion. Commissioners Chansler, LaZenby, Ritenbaugh, and Birmingham voted against the motion.

10. Conditional Use – Hamilton Place

PL-2021-00717

Mr. Kipp stated the request was for conditional use approval for a community shopping center and office use. The subject property was located at the northeast corner of Moores Mill Road and Hamilton Road in the Limited Development District (LDD) zoning district with an overlay of the Planned Development District (PDD) designation. This request was previously recommended for approval by the Planning Commission in August 2020 and was denied by City Council in November 2020. Staff recommended denial.

Mr. Chansler opened the public hearing. After no comments were received, the public hearing was closed.

Mr. LaZenby made a motion to deny Case PL-2021-00717, Conditional Use – Hamilton Place, a request for conditional use approval for a community shopping center and office use.

The motion did not receive a second.

Mr. Ritenbaugh made a motion to approve Case PL-2021-00717, Conditional Use – Hamilton Place, a request for conditional use approval for a community shopping center and office use. Condition that follows architectural rendering.

Mr. McCord seconded the motion.

A vote was taken, and the motion failed with a vote of 1-5. Commissioner Bridges voted for the motion. Commissioners Chansler, LaZenby, McCord, Ritenbaugh, and Birmingham voted against the motion.

11. Annexation – APCo West Tech Subdivision

PL-2021-00718

Ms. English stated the request was for annexation of approximately 5.78 acres. The subject property was located on the south side of Corporate Parkway, west of Riley Street and north of Lee Road 868. The petition met the criteria for annexation, and staff recommended approval.

Mr. LaZenby made a motion approve Case PL-2021-00718, Annexation – APCo West Tech Subdivision, a request for annexation of approximately 5.78 acres.

Mr. Ritenbaugh seconded the motion.

A vote was taken, and the motion passed with a vote of 6-0.

12. Rezoning from Rural to I – APCo West Tech Subdivision

PL-2021-00719

Ms. English stated the request was for rezoning of approximately 5.78 acres. The subject property was located on the south side of Corporate Parkway, west of Riley Street and north of Lee Road 868 in the Rural (R) zoning district (pending annexation). A communications tower to serve public safety would be constructed on the property. Staff recommended approval.

Mr. Chansler opened the public hearing. After no comments were received, the public hearing was closed.

Mr. Ritenbaugh made a motion to approve Case PL-2021-00719, Rezoning from Rural to I – APCo West Tech Subdivision, a request for rezoning of approximately 5.78 acres from Rural (R) to Industrial (I).

Ms. Bridges seconded the motion.

A vote was taken, and the motion passed with a vote of 6-0.

13. Preliminary Plat – Cotswolds, Phase 4

PL-2021-00736

Mr. Kipp stated the request was for preliminary plat approval of a performance residential development (123 lot single-family detached subdivision). The subject property was located at the extension of Cotswolds Way and Glasco Street in the Development District Housing (DDH) zoning district. The plat met requirements of the subdivision regulations for preliminary plat approval, and staff recommended approval.

Mr. Chansler opened the public hearing.

Public comment was provided by the following individuals:

- Justin Patton, 2516 Tetbury Court, asked the Commission to delay approving the preliminary plat until additional infrastructure was in place.

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

Ms. Bridges made a motion to approve Case PL-2021-00736, Preliminary Plat – Cotswolds, Phase 4, a request for preliminary plat approval of a performance residential development (123 lot single-family detached subdivision).

Mr. McCord seconded the motion.

Ms. Frazier gave an update on infrastructure improvements in the area.

A vote was taken, and the motion passed with a vote of 5-1. Mr. LaZenby voted against the motion.

14. Conditional Use – Embrace Church

PL-2021-00542

Mr. Howell stated the request was for conditional use approval for an institutional use (church). The subject property was located at 2142 North College Street in the Development District Housing (DDH) zoning district with an overlay of the Planned Development District (PDD) designation. The property was part of the Tuscan Village PDD, but would take no internal access to the residential streets associated with it. A conditional use request was approved in 2017 to permit the construction of a 16,250 square foot (sq ft) church. The revised application proposed to increase the initial church construction to 18,685 sq ft and permit a future addition of 11,315 sq ft. Staff recommended approval.

Mr. Chansler opened the public hearing. After no comments were received, the public hearing was closed.

Mr. LaZenby made a motion to approve Case PL-2021-00542, Conditional Use – Embrace Church, a request for conditional use approval for an institutional use (church), with staff conditions.

Ms. Bridges seconded the motion.

A vote was taken, and the motion passed with a vote of 6-0.

15. Conditional Use – Son's Ford Parking Lot

PL-2021-00738

Ms. English stated the request was for conditional use approval of a road service use (parking lot). The subject property was located at 114 East Veterans Boulevard in the Comprehensive Development District (CDD) zoning district. The property owner intended to store and display vehicles for sale as an extension of the adjacent Son's Ford automobile dealership. Staff recommended approval with the amendment to Planning condition #2 to state "The landscape treatment along Veterans Blvd shall be extended to the west property line."

Mr. Chansler opened the public hearing. After no comments were received, the public hearing was closed.

Mr. Ritenbaugh made a motion to approve Case PL-2021-00738, Conditional Use – Son’s Ford Parking Lot, a request for conditional use approval for a road service use (parking lot), with staff conditions and to amend Planning condition #2 to state “The landscape treatment along Veterans Blvd shall be extended to the west property line.”

Ms. Bridges seconded the motion.

A vote was taken, and the motion passed with a vote of 6-0.

16. Conditional Use – Nashville Wire Addition

PL-2021-00739

Ms. Robison stated the request was for conditional use approval for the expansion of an industrial use (manufacturing). The subject property was located at 1955 McMillan Street in the Industrial (I) zoning district. The applicant proposed to construct a 23,610 square foot warehouse expansion for the existing manufacturing use. The proposal appeared to be consistent with the intent of the zoning district, the general purpose, and goals of the Zoning Ordinance as well as the future land use designation of Industrial. Staff recommended approval.

Mr. Chansler opened the public hearing. After no comments were received, the public hearing was closed.

Ms. Bridges made a motion to approve Case PL-2021-00739, Conditional Use – Nashville Wire Addition, a request for conditional use approval for the expansion of an industrial use (manufacturing), with staff conditions.

Mr. LaZenby seconded the motion.

A vote was taken, and the motion passed with a vote of 6-0.

17. Appeal to Waiver Denial – Drake Landing

PL-2021-00740

Ms. Frazier stated the request was for an appeal to the denial of an Engineering Design & Construction Manual waiver request related to the requirements for standard parking dimensions, specifically backing dimensions for a 90 Degree parking configuration. The subject property was located at 425 Drake Avenue in the Corridor Redevelopment District – West (CRD-W) zoning district. The proposed development consisted of the removal of an existing church and the replacement with three townhomes and associated parking. The standard drawings and details for the City of Auburn contained in Appendix O of the Engineering Design & Construction Manual require 24’ of backing distance for ninety-degree parking. The applicant seeks relief from this dimension based on site constraints.

Mr. McCord made a motion to deny Case PL-2021-00740, Appeal to Waiver Denial – Drake Landing, a request for an appeal to the denial of an Engineering Design & Construction Manual waiver request related to the requirements for standard parking dimensions.

Mr. Ritenbaugh seconded the motion.

Mike Maher with Precision Surveying, LLC represented the applicant. He explained how the current dimensions of the lot necessitated the need for the waiver.

A vote was taken, and the motion passed with a vote of 5-1. Ms. Bridges voted against the motion.

OTHER BUSINESS

18. Approval of 2022 Planning Commission Meeting and Deadline Calendar

Mr. Chansler made a motion to approve the 2022 Planning Commission Meeting and Deadline Calendar as presented.

Mr. LaZenby seconded the motion.

A vote was taken, and the motion passed with a vote of 6-0.

CHAIRMAN'S COMMUNICATION

STAFF COMMUNICATION

ADJOURNMENT- With no further business, the meeting was adjourned at 7:42 p.m.

Mack LaZenby, Secretary

Phil Chansler, Chair