Review Date: January 24, 2018

Applicant: City of Auburn
Planning Department
171 North Ross Street, Suite 100
Auburn, AL 36830

Case Staff: Forrest E. Cotten, AICP, Planning Director

Request: Recommendation to amend Article V-Detailed Use Regulations, (Section 508.02-College Edge Overlay District (CEOD) Development and Design Standards, Table 5-4) of the *City of Auburn Zoning Ordinance.*

Purpose: The purpose of this text amendment is to increase the height limit in the College Edge Overlay District (CEOD) from 65 feet to 75 feet.

Recommendation: Approval

<u>History</u>

The City of Auburn has undertaken three major planning and zoning regulatory review efforts focused on its downtown/urban core area (and its environs) over the course of the past twelve years.

In 2006, Mayor Bill Ham appointed former Mayor Jan Dempsey to lead the Urban Core Task Force (UCTF). The UCTF was formed to review the current zoning regulations for the downtown area and to make recommendations for change that would result in enhanced development standards and results for the subject area. Committee meetings and public input forums were largely held during the summer and fall months of 2006. A report was generated and it served as the basis for zoning ordinance amendments (map and text) that were ultimately adopted by the City Council in March 2007.

Prior to adoption of the aforementioned amendments (which included the creation of the CEOD), the maximum building height allowed downtown was 60 feet. The subject of building height was vetted extensively by the UCTF and one of its key findings was that a building height of 60 feet was not sufficient to accommodate a five-story mixed use building. The reason being was that non-residential uses require greater floor to ceiling height than residential uses which typically require 12 feet per floor. For example, a typical floor for an office use is 14 feet, while a typical floor for a commercial/retail use is 16 feet. As a result, the allowable building height in the Urban Core (UC) and CEOD was increased to 66 feet based an underlying premise that a typical five-story mixed-use building constructed downtown might anticipate a commercial ground floor (16 feet), with an office level above it (14 feet), followed by three levels of residential use (12 feet X 3). This is how the 66 foot height limit was decided upon.

In 2009, in partial response to a then somewhat stagnant economy, the Auburn Chamber of Commerce filed a report with Mayor Ham that expressed concerns with challenges and obstacles associated with being able to conduct development activity downtown. Some of the 2007 zoning regulations that were put in place as the result of UCTF were cited as the cause for some of the challenges being experienced. A number of issues were identified including, but not limited to, the building "step back," **building height**, and restriction on the types of uses that could be established at each floor level (special use provisions).

Mayor Ham appointed a new committee, the Downtown Study Committee (DSC), to review the Chamber report and recommend appropriate adjustments be made that might assist in stimulating activity downtown to ensure its continued vitality. The DSC met largely during the latter part of 2009 and into the early months of 2010. The DSC's recommendations culminated in zoning ordinance text amendments that were adopted by the City Council in May 2010. Among a number of changes, the building "step back" requirement was eliminated, the special use provisions were amended to allow other uses than just residential at floors three through five, and **the allowable building height in the UC and CEOD was increased from 66 feet to 75 feet.**

The reason for the height increase was clear. It was necessary if the City wanted to be able to potentially accommodate non-residential uses at floors three through five (see last paragraph on page one).

In 2013, the City undertook its most comprehensive planning effort to date when it contracted with the Atlanta-based planning firm Urban Collage to team up with for the creation of the Auburn Downtown Master Plan (DMP). From inception to final plan adoption was a nearly three-year effort with extensive public participation throughout the planning process. While a number of significant changes resulted including, most notably, the elimination of the University Service (US) district and the creation of three new Urban Neighborhood districts (east, west, and south) and a significant southern expansion of the UC, the recommended building height for the UC and CEOD did not change. It remained 75 feet. The DMP was adopted in September 2015.

During the March 2016 adoption hearing for the zoning regulations that were designed to realize the DMP's vision over time, two changes were made to what had been proposed by the Planning Commission and Planning Department staff:

1) The UN-S District was expanded to include some properties that had been proposed to be zoned UN-E.
2) The allowable building height in the CEOD was reduced from 75 feet to 65 feet.

On November 21, 2017 during a joint meeting with the City Council and Planning Commission, the issue of reconsidering the building height in the CEOD was raised by an attending councilmember. The issue was subsequently discussed by the Planning Commission at its December 11, 2017 packet meeting.

It is recommended that the allowable building height in the CEOD be increased to 75 feet.

The proposal is shown in strikeout/underline format below and is as advertised:

A NOTICE TO CONSIDER AN AMENDMENT TO: ARTICLE V, TABLE 5-4 DEVELOPMENT AND DESIGN STANDARD REQUIREMENTS WITHIN THE COLLEGE EDGE OVERLAY DISTRICT (CEOD), BUILDING HEIGHT, OF THE CITY OF AUBURN ZONING ORDINANCE. TEXT PROPOSED FOR REMOVAL IS SHOWN AS STRIKE-OUTS AND NEW TEXT IN BOLDED UNDERLINE. ALL OTHER TEXT REMAINS THE SAME.

ARTICLE V. TABLE 5-4

Height	Building height shall not exceed ~~65~~ **75** feet measured from grade to the top of the roof structure. For lots where the grade slopes, height shall be measured from the highest point on grade.