



PLANNING COMMISSION AGENDA

A public hearing will be held by the Planning Commission of the City of Dothan, Alabama, on **Wednesday, February 17, 2016 at 9:00 a.m.**, in the City Commission Chambers, 126 North St. Andrews Street, Room 203, of the Roy L. Driggers Municipal Building (Civic Center).

The Planning Commission will have a preliminary meeting to review the agenda with the Planning Staff on Monday, February 15, 2016 at 3:30 p.m., in **Meeting Room B, first floor of the Civic Center**. This meeting is also open to the public.

The following items will be reviewed at both meetings:

1. ***Approval of Agenda***
2. ***Approval of January 20, 2016 Meeting Minutes***

Old Business

None

New Business

3. **RZ-16-0009:** Request recommendation for Rezoning of 831 John D. Odom Rd from A-C to O-I & R-1, The Haven, Inc. represented by Northstar Engineering Services. Refer to case: S-16-0007 (Brookwood Subdivision).
4. **S-16-0007:** Request approval of a Preliminary Plat for Brookwood Subdivision located at 831 John D. Odom Rd., AC District (Residential Single-Family, Very Low Density), CWS, Inc. represented by Northstar Engineering Services.
5. **DPMA 16-0016:** Request for approval of Development Plans for a New Retail Development on Westgate Parkway (Parcel ID No. 0902031007020000), B-3 District, The Broadway Group represented by Northstar Engineering Services.
6. **RZ-16-0017:** Request recommendation for Rezoning of 2 lots located at 410/426 E. Burdeshaw St. (09-06-24-1-003-004-000/09-06-24-1-003-005-000), from L-I District to B-1 District, City of Dothan.
7. ***Consent Items: Minor Development Plans & Subdivision Plats***
8. ***Discussion***
Continuation of O-3 District discussion regarding properties on Kent Dr.
9. ***Adjourn.***

Anyone interested in any item listed on this agenda is encouraged to contact the Planning and Development Office at 615-4410 for further information.

**PLANNING COMMISSION REGULAR MEETING MINUTES
JANUARY 20, 2016
DOTHAN, ALABAMA**

The Dothan Planning Commission met in a Regular Meeting on Wednesday, January 20, 2016 at 9:00 a.m. in the City Commission Chambers, Dothan, Alabama.

Members Present:

Chairman George "Chuck" Harris
Vice Chairman Jerry Coleman
David Brewer
Debora Pettway
David Cornelius
Gayla White
Jim Freeland
Mickey Davis
Ron Tindall

Members Absent: None

Others present were: Todd L. McDonald, AICP, Planning Director; Frank Breaux, AICP, Senior Planner; Robert Cox, P.E., Traffic Engineer; Members of the Media, and Kim Vann, Secretary, and Janice Palmer, PT Secretary, who recorded the minutes.

Chairman Harris explained that the Planning Commission does not rezone properties but rather recommends rezoning to the City Commission for approval. He suggested any group present designate a spokesperson to address any questions or concerns.

1. Election of Officers

Ms. White made a motion to nominate and elect Mr. George "Chuck" Harris as Chairman. Mr. Tindall seconded. There being no other nominations, the motion passed unanimously. Mr. Freeland made a motion to nominate and elect Mr. Jerry Coleman as Vice Chairman and Kim Vann as Secretary. Mr. Davis seconded. There being no other nominations, the motion passed unanimously.

2. Approval of Agenda

Ms. Pettway made a motion to approve the agenda as presented. Vice Chairman Jerry Coleman seconded and the motion passed unanimously.

3. Approval of December 18, 2015 Meeting Minutes.

Ms. Pettway made a motion to approve the December 18, 2015 Meeting Minutes. Mr. Brewer seconded and the motion to approve the December Meeting Minutes passed unanimously.

Old Business

None.

New Business

4. **RZ-15-0728: Request for recommendation of a Rezoning for 6 lots located at 2669 Hartford Hwy. and 2653 Hartford Hwy., Chickasaw Heights (Parcel ID 38-09-08-27-3-000-009.000, 38-09-08-27-3-000-018.000, 38-09-08-27-3-000-017.000, 38-09-08-27-3-000-010.000, 38-09-08-27-3-000-016.000), from A-C District (Agricultural-Conservation) to a B-2 District (Highway Commercial), Billy Max & Peggy F. Cheshire and Earl F. & Marilyn D. Enfinger.** Mr. Breaux stated that this is a joint application of the lot owners and discussed the location. Mr. Breaux stated that the surrounding properties are primarily commercial and zoned B-2. Chairman Harris asked if anyone was present regarding this request and the applicants identified themselves. There were no further questions. ***Chairman Harris called for a motion regarding RZ-15-0728. Mr. Coleman recommended that case RZ-15-0728, request for rezoning of Lots 1, 2, 3, 9, 10, and 11 of Lot B, Chickasaw Heights, be approved and referred to the Dothan City Commission for their approval. Ms. White seconded and the motion passed unanimously.***

5. **RZ-15-0739: Request for recommendation of a Rezoning for 411 Montana St. from R-4 (Residential, Attached, High Density (2-7 units) District to a B-2 (Highway Commercial) District, Sam Moore.** Mr. Breaux stated that the property is located at the corner of Powell and Montana and is the site of an old dry cleaning business. Mr. Breaux stated it has been abandoned for a number of years ago and is located in an R-4 District, which means it is a non-conforming use that cannot be reestablished. Mr. Breaux stated the owner is requesting to rezone to B-2 to re-establish a commercial property at this location. Otherwise, the property is useless unless it is rezoned. Chairman Harris asked who was present concerning this item. Mr. Sam Moore, the applicant and owner of the property was present. Mr. Moore asked a question regarding item #6: "The existing building and site improvements are nonconforming and any future use of the site for a more intensive use than that of a dry cleaners will require the approval of the Planning Commission (if rezoned as proposed)". Mr. Moore asked if the "intensive use of a dry cleaners" language can be deleted and just have the wording read "commercial building". Mr. Breaux said this language is included due to some non-conformities with the physical aspects of the site (parking, etc.). He further explained that if a use that requires more parking is located on the site, it still has to meet the requirements of the zoning. Mr. Breaux stated that as long as the use continues with a similar use it is protected but if the use changed to a restaurant, etc., where the parking demands are greater, it would have to comply or the site modified. Mr. Moore understood this explanation and agreed to leave the language as-is. Chairman Harris asked if there was anyone in the audience wishing to speak and there were none. ***Chairman Harris called for a motion regarding RZ-15-0739. Mr. Coleman recommended that case RZ-15-0739 request for rezoning property located at 411 Montana St. from R-4 to B-2 be approved and referred to the Dothan City Commission for their approval. Mr. Davis seconded and the motion passed unanimously.***

6. **RZ-15-0749: Request for recommendation of a Rezoning for Lots 1-10, Block "B" and Lots 1-5, Block "C", Sullivan Heights Subdivision, from L-I District (Light Industrial) to R-1 District (Residential Single-Family, Low Density), initiated by The City of Dothan.** Mr. Breaux discussed the location of the residential homes currently zoned L-I in Sullivan Heights. Mr. Breaux stated that during the construction of Ross Clark Circle, some of the lots disappeared that were originally platted. Mr. Breaux discussed current issues with some lots being non-conforming because single-family uses are not allowed in a light industrial zoning district. Mr. Breaux stated the owners of these homes are in a situation where they cannot expand due to the non-conforming use and that if the homes are not lived in for more than 6 months, they cannot be re-established as single family residences. Mr. Breaux stated the City has taken the initiative to identify the problem lots and initiate the rezoning so that the individual owners do not have that cost. If the property owners want to opt out of this rezoning, they can, but the City is doing this rezoning to clean up the zoning map and as a courtesy to those property owners. Chairman Harris asked who was in attendance concerning this case. Mr. Vince Edge spoke as a representative of Mr. Frank Sullivan, and his sister, Sarah Wiggins, and trustees of his brother's estate, who own several pieces of property affected by this application. Mr. Edge discussed the location of his clients lots as the first 4 lots from the NW going down Sullivan Dr., that are subject to the application and clarified that they own a portion Lot 2, and Lots 3, 4, and 5 (of Block B). Mr. Edge stated these are vacant lots which have never been improved with homes, and the owners wish to "opt out" of this application so that those lots remain light industrial (L-I). They also either individually, or in combination, own the former China Star (Montgomery Hwy. corner), and a number of the parcels that front Montgomery Hwy. heading in a SE direction, and they have some concern about the rezoning of those lots to residential since they share a back lot line with them. Mr. Edge stated that the owners are concerned that this will impose additional development/redevelopment requirements in the form of a larger setback line or enhanced buffering requirements which do not currently exist. Chairman Harris asked if any residential property owners were in attendance. Mr. Gary Bennett of 1931 Sullivan Dr. was present and stated he is in favor of the rezoning. Mr. Bennett asked what prompted the City taking action to rezone at this time. Mr. Breaux restated that the City identified these problematic properties and initiated amending the city zoning map to make sure that there is consistency between the land use, the future land use plan and the existing improvements. Mr. Breaux stated that otherwise, each individual property owner would need to request a rezoning at their own expense. Mr. Bennett asked a question regarding the increase or decrease in property value between the two zoning districts. Mr. Breaux stated that R-1 protects the single family homeowner today with any improvements. Mr. Breaux discussed examples such as if the owner moves and disconnects the utilities for more than six months, and then returns to live in the house, under current zoning, the homeowner cannot re-establish the single family use because it is in a district that does not allow that use. Chairman Harris reconfirmed with Mr. Edge that he represents a portion of Lot 2, and all of lots 3, 4, and 5. Mr. Coleman asked for clarification about the differences between Block B and Block C. Mr. Breaux discussed the locations of Blocks B and C. Mr. Breaux continued that the

motion needs to specify that Lots 2-5, Block B be excluded. Mr. Tindall reaffirmed that Mr. Edge had mentioned the vacant lots along Montgomery Hwy. which will abut a new residential zone, and that the development of those vacant parcels could incur buffering requirements. Mr. Brewer asked the staff if a verbal request to "opt out" is sufficient, or whether Mr. Edge, as representative of the property owners, needs to make a written request to document ownership of the lots. Mr. Breaux prefers a written request from the property owners before the request goes to the City Commission. Mr. Edge agreed and will deliver the written request to Mr. Breaux. ***Chairman Harris called for a motion regarding case RZ-15-0749 Rezoning of Lots 1-10, Block "B" and Lots 1-5, Block "C", from L-I District (Light Industrial) to R-1 District (Residential Single-Family, Low Density), excluding Lot 2 (partial lot), and Lots 3, 4, and 5 of Block B. (Lot 1 was previously taken by the highway expansion). Mr. Coleman recommended that case RZ-15-0749 Rezoning of Lots 2 -10, Block "B" and Lots 1- 5, Block "C", Sullivan Heights Subdivision from L-I District (Light Industrial) to R-1 District (Residential Single-Family, Low Density), be recommended to the City Commission for their approval, with an amendment to Lot 2 (partial lot), and Lots 3, 4, and 5 of Block B to opt-out of this rezoning request upon receipt of a written request to staff. Mr. Freeland seconded the motion and the motion passed by a vote of 8 in favor and one opposed (Pettway).***

7. **Consent Items: Minor Development Plans & Subdivision Plats**

Mr. Breaux reported the following:

Brannon Park Subdivision re-plat which is the site of the new kidney dialysis clinic. Higgins Electric plat approval to create three commercial lots. A two-lot subdivision on Murphy Mill Rd. next to Deer Valley, and a minor development plan for a new office for a professional engineer on Grove Park Lane.

8. **Other Business:**

Mr. Jim McCrory came to the podium, and stated he lives at 607 Kent Drive (inside the west edge of Ross Clark Circle). His concern is twofold: 609 Kent Dr., the residential building immediately next door. The buildings are separated by 10 ft. from the property line. The second is a now vacant lot across the street from his property at 700 Kent Dr. He handed out paperwork to the Board.

The first concern: An O-3 District was established previously, providing an office friendly transition zone next to a residential district. The O-3 District was to have only office operations with a masonry wall of 6 ft. in height between the residential and O-3 District, access road to the business, and no free standing signs on the property. He did not object to the rezoning to the O-3 District under these restrictions. Later, the format of the zoning document changed, and this brings us to today. 609 Kent Dr. house was sold 12/23/2015. He learned the new owners are to open a nail salon. After researching online, he was unpleasantly surprised to find that personal service businesses are now allowed in an O-3 District (including fitness centers, spas, tanning salons, nail salons, beauty care, dry cleaning and laundry facilities). He distributed a third handout showing the original O-3 District text. He realizes it may be impossible to do anything about 609 Kent Dr., but he

hopes the Planning Commission would insist on enforcing the minimum requirements for a 6 ft. masonry wall – based on the slope of the land that could be 8 feet, and also enforce the access and sign restrictions.

He then addressed the second concern, 700 Kent Drive (across the street from his property). Several years ago there was a proposal that Denny Vision was interested in developing the property as a vision center. He was in favor of this development. He did express concern to this Planning Commission and District 6 Commissioner, that if the Denny's plan did not come to fruition and property was later sold, what the effect on the zoning would be. During the City Commission meeting at that time, the Mayor and Mr. Baxley, the District 6 Commissioner, stated prior to the vote that if the property was not used for the proposed vision center, the property would revert to an R-1 District. The property was subsequently rezoned to B-3, and he had no objection to that. However, the 2015-11-1 District Map on the City website shows the property rezoned as O-3, not B-3. Regardless of whether it is zoned B-3 or O-3, he is concerned that a new owner could establish other types of B-3 activities or O-3 personal service activities, directly across Kent Drive from his home.

Mr. McCrory is requesting four items from the Planning Commission:

1. Amend the planning document to delete personal services as a permitted activity in an O-3 zone and a return to the original uses permitted in a B-3 zone.
2. If the inclusion of personal services in the O-3 District was in error, he would like to determine if anything can be done about it.
3. Determine if the property at 700 Kent Dr. is O-3, as the online map indicates, or B-3, as he remembers the Planning Commission and City Commission passing. He would like the map on the website to indicate the correct zoning.
4. If the property at 700 Kent Dr. was indeed zoned B-3, the Planning office and this Planning Commission research it and document the statement of the Mayor and the District 6 Commissioner at the time that "if the property is not developed in accordance with the Denney Vision plans for a vision center, then it will revert back to R-1 Zoning".

Chairman Harris said he had been made aware of these issues a few days ago, and the requirements of parking, walls, entrances, etc. are in place. The personal services are permitted at this time with an O-3 zoning. Mr. McDonald said that as far as the addition of the personal services to O-3, it was changed by the Zoning Ordinance Rewrite Committee. Originally, the O-3 zone did not include personal services. He believes the ordinance text should be updated and changed, accordingly. As far as the zoning map is concerned, it is put on the City website as a courtesy and is updated periodically. We will check our GIS maps and make sure we have identified that as a map error, and make sure it is changed. Regarding No. 4 above, we have not seen this Denny development plan at the Planning Commission to date. If the Denny development plan (700 Kent Dr.) does not come to fruition, we cannot automatically move to rezone the property back to O-3. There is a legal process for doing this, and we would have to initiate that process with a public hearing, etc. The property was O-3 and rezoned to B-3, with the understanding that it would revert back to O-3, if the property was not developed

according to the plans as alluded to. Mr. McDonald had a copy of the City Commission minutes stating this, which can be referred to. When 701 Kent Dr. was rezoned, a number of the requests Mr. McCrory spoke about are a part of the ordinance and will happen anyway. We have talked about several cases today where a change in the use of a property means it must comply with the ordinance, like drainage and parking. If the owner chooses to move forward, they will have to comply. Mr. McDonald said the development review process will determine access to the property as that issue is not part of the zoning process. Lighting, trash bins, and stormwater issues will be a function of the engineering services staff. Limiting the height of the structure to 1.5 stories is basically its existing structure.

Mr. McDonald summarized by agreeing that the City website map is probably wrong, and he will check that right away to correct the zoning. Mr. McDonald said that if Mr. McCrory wants to initiate a rezoning request or text change to the ordinance, this is not a problem, but we would need direction from the Planning Commission.

Chairman Harris will work with Mr. McDonald and Mr. Breaux to initiate a change to correct the map and allowed uses in the O-3 zoning, because he believes it is a text error currently. Staff will review this and give a report at the next meeting. Mr. McCrory is welcome to come to the next meeting and a workshop.

9. **Adjourn.**

Mr. Tindall made a motion to adjourn. Mr. Coleman seconded and the meeting was adjourned at 9:48 a.m.

George C. "Chuck" Harris Chairman

Kim Vann, Secretary



PLANNING COMMISSION
STAFF REPORT – February 17, 2016, MEETING
CASE NUMBER: RZ-16-0009
Case Manager: Frank G. Breaux, AICP

Summary of Information:

Property Location:	831 John D. Odom Road
Requested Action:	Rezoning from A-C to R-1 & O-I
Applicant/Owner:	The Haven, Inc.

Zoning/Land Use:

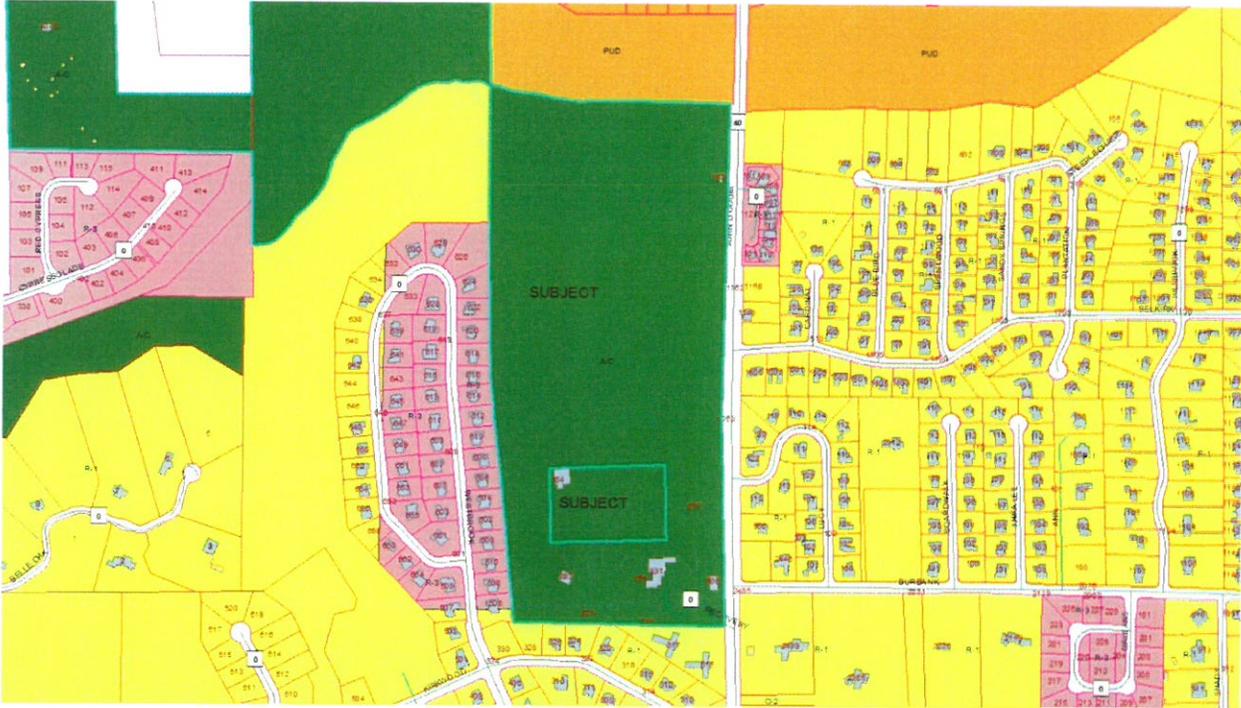
EXISTING LAND USE - SUBJECT	MEDICAL – VACANT
EXISTING LAND USE - NORTH	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - SOUTH	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - EAST	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - WEST	SINGLE-FAMILY RESIDENTIAL
ZONING DISTRICT - SUBJECT	A-C (AGRICULTURAL CONSERVATION)
ZONING DISTRICT - NORTH	PUD (PLANNED UNIT DEVELOPMENT)
ZONING DISTRICT - SOUTH	R-1 (LOW DENSITY SINGLE-FAMILY)
ZONING DISTRICT - EAST	R-1 & R-3 (HIGH DENSITY SINGLE-FAMILY)

ARTICLE VII. - CLASSIFICATION AND ESTABLISHMENT OF USES

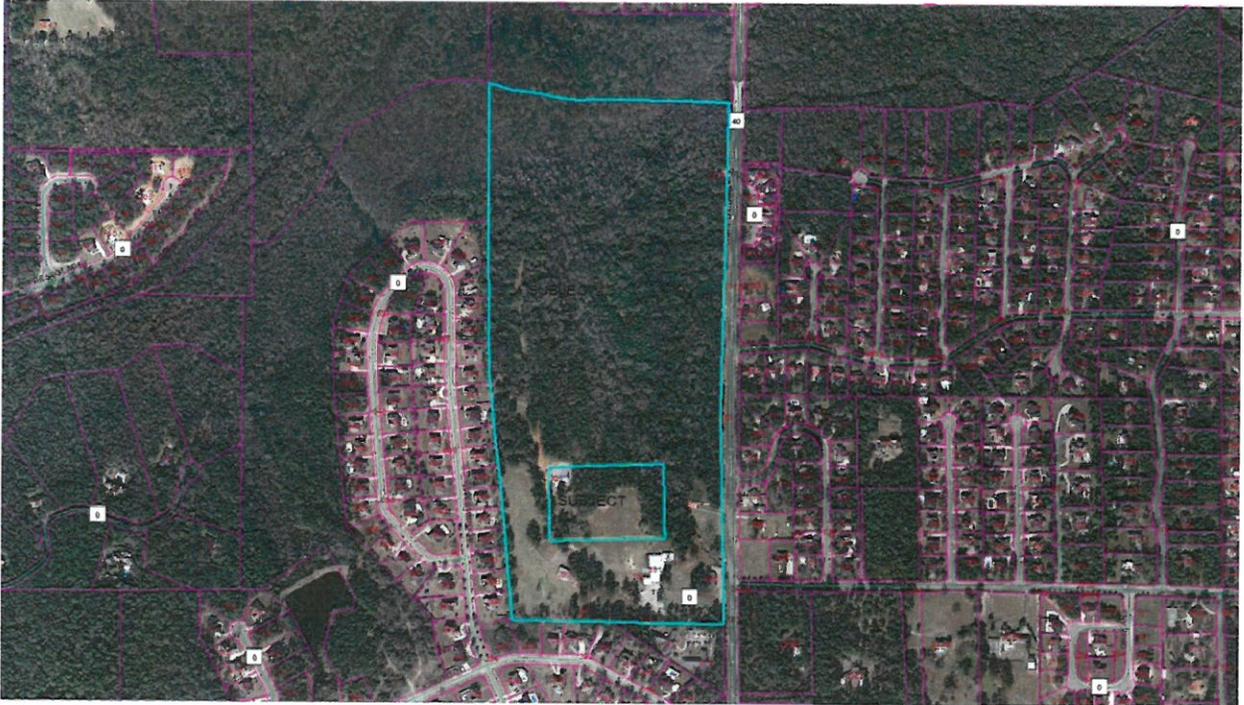
R-1, Residential single-family, low density. This district is intended to provide for low density urban residential development, which is designed to provide quiet, low density areas for single-family living with related recreational facilities protected from intrusion of non-residential activity. Lot sizes in R-1 districts are twelve-thousand (12,000) square feet or greater.

O & I, Office/institutional. This district is intended to provide areas for business and professional offices as well as more intensive office uses such as public buildings, banks, pharmacies (when adjunct to medical facilities), and television and radio station offices (without towers or aerials). It is further intended to provide appropriate land use regulations for major public and private nonprofit institutions serving the public, such as universities, colleges, public schools, hospitals, parks, fairgrounds, and large state, federal and municipal facilities. Since these institutions operate in the public interest and are generally inoffensive in character, this chapter places principal reliance upon the voluntary cooperation of institutional authorities with municipal officials rather than upon detailed land use regulations. It is intended that the conversion of excess institutional land to non-institutional purposes should be preceded by cooperative planning between the planning

and development department and the planning commission and should take place under appropriate controls to ensure that the future use of the excess land conforms to the long range development plan. Development and/or redevelopment of these areas are subject to the development plan regulations and review by the planning commission.



VICINITY



AERIAL

General Discussion: The applicants owns 79.93 acres of property on the west side of John D. Odom Road adjacent to the Westbrook Subdivision. The majority of the property is undeveloped with the southernmost portion being the site of The Haven, a substance abuse treatment facility which has operated in its current location for decades. The proposal is to rezone the property into two separate districts. The southernmost 6.36 acre portion of the property is proposed to be rezoned to O-I (Office & Institutional) and the remainder is proposed to be zoned R-1. A subdivision plat has been filed for review with the City that would create 74 single-family lots within the R-1 portion of the property and one commercial lot within the O-I portion for The Haven facility.

Findings of Fact:

- The property was annexed by legislative Act 900 in October 1975.
- The Haven existed at the time of the annexation and is therefore a legally existing nonconforming use.
- Single-Family Residential uses are allowed within the A-C District and a subdivision could today be platted with minimum lot sizes of 15,000 square feet without rezoning.
- Single-Family lots within an approved subdivision in the A-C District would follow R-1 area and dimensional requirements except for minimum lot size (12,000 sq. ft. in R-1).
- The property has significant wetlands.
- The current A-C zoning is not an appropriate designation for land located within this urbanized area of the City.

Land Use Impact on Vicinity: The existing conditions within the vicinity of the subject property are typically low density single-family residential uses and there are also nearby offices to the south along Whatley Drive. The Haven has successfully coexisted with surrounding developments for decades and no negative impacts from the proposed rezonings are anticipated.

Land Use Compatibility/Land Use Plan: The Future Land Use Map identifies the subject parcel as suitable for single-family residential uses. While the requested O-I zoning may be somewhat inconsistent with the map, The Haven itself is a residential treatment facility.

Impact on the Environment: The property contains substantial wetland areas and any future development of the property will require approvals from both the Alabama Department of Environmental Management and the U.S. Army Corps of Engineers.

Impact on Public Services and Facilities: The property is located within the urbanized area and existing infrastructure may need to be upgraded. The Utilities Department has offered no comments at this time and the Fire Department has indicated that any new development may require additional fire protection.

Staff Recommendation:

Staff finds that the requested rezoning is reasonable given the property's location, the existing nonconforming use and the fact that the current A-C zoning designation is inappropriate for the area. Staff therefore recommends that Case No. RZ-16-0009, a request to rezone property located at 831 John D. Odom Road from A-C to R-1 and O-I, having been duly considered in a public hearing held on February 27, 2016, following advertised legal notice, **be referred to the Dothan City Commission for approval** with an affirmative recommendation from the Planning Commission subject to the provisions of the City of Dothan Zoning Ordinance.



PLANNING COMMISSION
STAFF REPORT – February 17, 2016 MEETING
CASE NUMBER: S-16-0007
Case Manager: Frank G. Breaux, AICP

Summary of Information:

Project Name:	Brookwood Subdivision
Property Location:	831 John D. Odom Road
Requested Action:	Preliminary Plat Approval
Applicant/Owner:	CWS, Inc.

Zoning/Land Use:

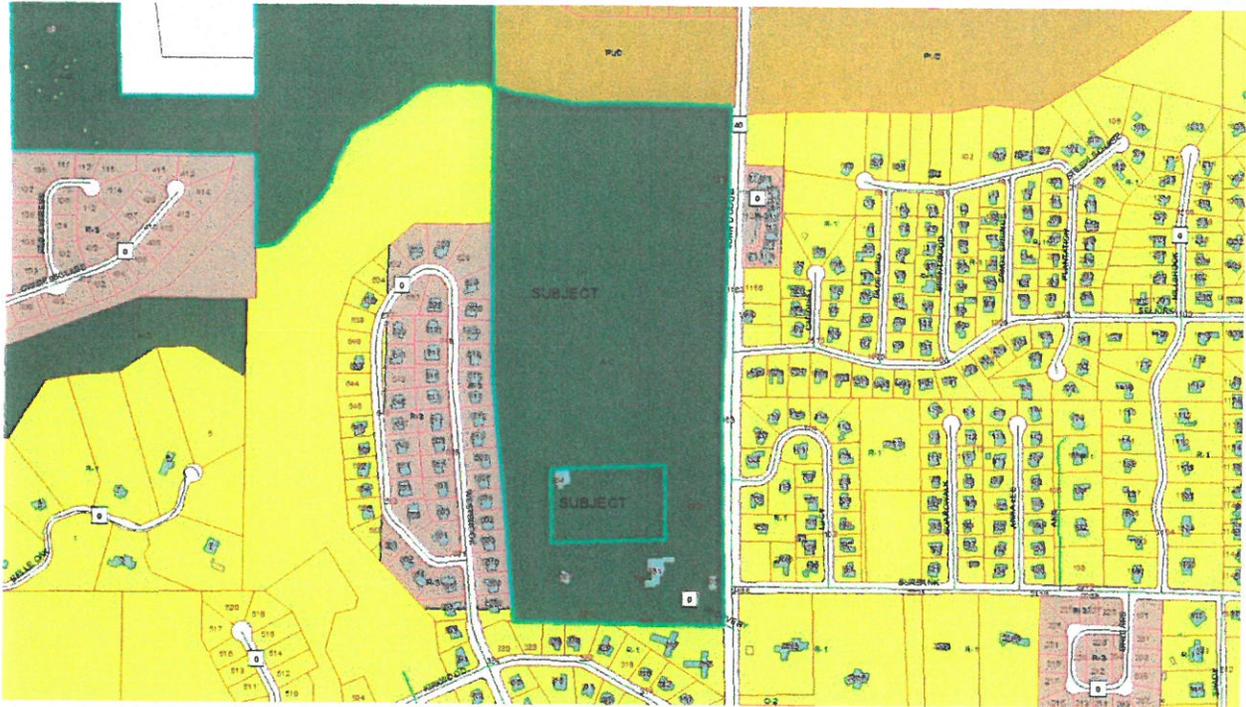
EXISTING LAND USE - SUBJECT	MEDICAL – VACANT
EXISTING LAND USE - NORTH	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - SOUTH	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - EAST	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - WEST	SINGLE-FAMILY RESIDENTIAL
ZONING DISTRICT - SUBJECT	A-C (AGRICULTURAL CONSERVATION) PROPOSED TO BE REZONED TO R-1 & O-I (RE: CASE RZ-16-0009)
ZONING DISTRICT - NORTH	PUD (PLANNED UNIT DEVELOPMENT)
ZONING DISTRICT - SOUTH	R-1 (LOW DENSITY SINGLE-FAMILY)
ZONING DISTRICT - EAST	R-1 & R-3 (HIGH DENSITY SINGLE-FAMILY)
FUTURE LAND USE MAP	LOW DENSITY SINGLE-FAMILY RESIDENTIAL

General Discussion: The applicants owns 79.93 acres of property on the west side of John D. Odom Road adjacent to the Westbrook Subdivision. The majority of the property is undeveloped with the southernmost portion being the site of The Haven, a substance abuse treatment facility which has operated in its current location for decades.

The proposal is to rezone the property into two separate districts. The southernmost 6.36 acre portion of the property is proposed to be rezoned to O-I (Office & Institutional) and the remainder is proposed to be zoned R-1. The proposed subdivision would create 74 single-family lots within the R-1 portion of the property and one (1) commercial lot within the O-I portion.

Findings of Fact:

- Single-Family Residential uses are allowed within the A-C District and a subdivision could today be platted with minimum lot sizes of 15,000 square feet.
- Single-Family lots within an approved subdivision in the A-C District would follow R-1 area and dimensional requirements except for minimum lot size (12,000 sq. ft. in R-1).
- The property has significant wetlands.



VICINITY



AERIAL

Land Use Impact on Vicinity: The existing conditions within the vicinity of the subject property are typically low density single-family residential uses and there are also nearby offices to the south along Whatley Drive. The following shows the dimensional requirements of the proposed zoning districts.

R-1 District:	O-I District:
Minimum Lot Size – 12,000 square feet	N/A
Front Yard Setback – 30 feet	25 feet
Rear Yard Setback – 35 feet	20 feet
Side Yard Setback – 10 feet	5 feet
Street Side Yard Setback – 30 feet	25 feet
Maximum Building Coverage – 25%	50%

Land Use Compatibility/Land Use Plan:

The Future Land Use Map identifies the subject parcel as suitable for single-family residential uses and The Haven is a residential treatment facility.

Impact on the Environment:

The property contains substantial wetland areas and development of the property will require approvals from both the Alabama Department of Environmental Management and the U.S. Army Corps of Engineers.

Impact on Travel:

Lots 1 and 74 shall only have access to Road C. At the intersection of Road A and John D. Odom Road, eastbound left and right turn lanes shall be provided to facilitate traffic flow. Comments for turn lanes required on John D. Odom to access this site will be addressed when the Brookwood Subdivision development plans are reviewed.

Impact on Public Services and Facilities:

Engineering:

A review of the preliminary plat of the above referenced subdivision has been made for conformance with the City of Dothan Subdivision Regulations. Requirements are as follows and should be added to the construction plans and/or the final plat:

1. We will require storm drainage calculations as submitted to support a storm drainage plan for review and approval for this subdivision. The post-development peak discharge rate shall be limited to the pre-development peak discharge rate for the 2-, 10-, and 25-year storm events unless site conditions dictate differently.
2. The designs for all utilities are to be submitted in the complete set of construction plans, including electric, gas, cable TV, and telephone. Locations of junction boxes and conduits

should be shown. A pre-design meeting shall be set up by the developer or design engineer with all applicable utility representatives and the City of Dothan. The owner/developer is responsible for relocating any utility facilities (water services, fire hydrants, street lights, utility poles, telephone boxes, etc.) that may interfere or require relocating due to this development.

3. Fire hydrants shall be located per the fire code as required by the fire marshal.
4. Provide a note on the construction plans stating that all erosion control measures shall be in place as required by the engineer, plans, and City of Dothan representative. Silt fencing shall be measured and dated on each run. An inspection log will be required to be submitted to the City of Dothan. Siltation control measures shall be inspected after each rain event and at a minimum once a month. Any deficiencies shall be corrected immediately and no further work will proceed until said deficiencies are corrected to the City of Dothan or engineer's approval. The designer or contractor must submit a site plan depicting the placement and scheduling of erosion and/or sedimentation control prior to the commencement of work on this project.
5. Provide a note stating that it is the developer's/ contractor's responsibility to restrict access to the site during construction.
6. Provide a ROW radius on entrance drive. Also provide a note stating there shall be no driveway access to the entrance drive of Road "A" from front two lots on either side of the entrance.
7. Show and label the existing easements adjacent to this development. Provide the deed book and page number for all existing easements.
8. The Minimum Finish Floor (MFF) for each lot shall be a minimum of one foot above the upstream SS manhole and shall be labeled on the final plat for each lot it applies to. A note shall also be provided stating that a backflow preventer may be installed on each lot in lieu of the MFF requirement.
9. This subdivision will require 5' sidewalks as per code requirements.
10. Lot numbers shall be continuous around loop and shall be labeled as Block "A" and the lots inside the loop shall be Block "B".
11. All sanitary sewer laterals shall be designed to be located 10 feet on the downstream side of sewer flow from the water meter which shall be designed to be at the center of the lot. The sanitary sewer laterals shall be a minimum of 60 inches below finished grade if existing elevations allow. Any laterals less than 48 inches below finished grade shall be ductile iron.
12. Any sanitary sewer mains that are running parallel and are under or near the curb line shall be moved closer to the center of the road. Provide eight (8) to ten (10) feet between the sanitary sewer line and the water line at all locations where they are parallel each other. Sanitary sewer shall be moved to at least 10 feet away from storm inlets and storm drain where possible.
13. Storm drain pipes shall not be located under road except at street crossings.
14. Sanitary Sewer flow calculations and lift station analysis shall be submitted to Engineering Services before subdivision will be approved.
15. A ten (10) foot U&D easement on the front of each lot should be shown and labeled.
16. The detention ponds shall be shown as a drainage easement and common area.
17. The wetlands area shall be labeled as Common Area/Private Drainage Easement.

18. Concrete monuments are required at all bearing changes along the boundary of this development unless an existing iron pin or other marker is present. Concrete monuments will be required where the road ROW connects with the boundary. Monuments are also required at all curvature points and bearing changes along the road ROW. A minimum 20 foot ROW radius is required on both sides of the entrance drive.
19. This property lies within two different FEMA maps, both shall be listed in the special flood hazard area (SFHA) note. The base flood elevations are also required to be shown and labeled within the SFHA.
20. Label the bearing and distance for sanitary sewer easement line in lot 50 on final plat.
21. A two year maintenance warranty and bond is required for this development.
22. Turn lanes may be required as per the Traffic Engineer.
23. The existing ditch through this property shall also be within a private drainage easement.
24. The culvert or bridge crossing Road "A" shall be designed for the 1% annual chance flood event.
25. There are several areas where inlets are offset across the road from each other. Is there any particular reason?
26. A utility easement is required for the sanitary sewer lift station.
27. Provide the ground elevation at the NE corner of Lot 53 where it is adjacent to the SFHA on the final plat.
28. Provide a 20' utility easement for the sanitary sewer main across the wetlands area.
29. The sanitary sewer main (force main) shall be as close to the center of the utility easement as possible.

Utilities:

The subdivision water layout will require extensive review and correspondence with the design engineers. Initial comments are as follows:

1. The proposed development is comprised of a lower section of lots near John D Odom Road and an upper section of lots in the rear of the development with a wetlands area between the two sections.
2. The main tap for the subdivision development will be from an existing 14" water main located on the development side of John D Odom Road.
3. The upper section water main shall be looped within an easement to tie to the existing 14" water main on John D Odom Road.
4. The water main size for the subdivision development shall allow for 1500 GPM flow for each fire hydrant independently as verified by a submitted fire flow hydraulic analysis.
5. Install a fire hydrant assembly at the intersection of Road A and Road C.
6. The proposed water main on Road A will require 200 feet of ductile iron pipe centered across the wetland area.
7. Install (3)-three inline gate valves at the intersection of Road A and Road B.
8. Road C is comprised of a short side with cul-de-sac and a long side with cul-de-sac.
9. The short side shall have a 3" water main installed on Road C and extended around the cul-de-sac with a 2" automatic flush assembly installed at the property line between lots #2 and #3.

10. The long side shall have a minimum size of 6" water main installed on Road C on the opposite side of the proposed storm to the property line of lots #70 and #71. Install a main size x 3" reducer and a 3" gate valve at the property line and install 3" water main on Road C and extend around the cul-de-sac with a 2" automatic flush assembly installed on lot #66 at the proposed sewer easement.
11. Install a main size by 6" tee with gate valve at the intersection of Road C and Road D. Install 6" ductile iron pipe across the intersection and install a fire hydrant assembly at the intersection on lot #64. Install a 6" x 3" reducer with 3" gate valve after the fire hydrant tee and install a 3" water main on Road D extended around the cul-de-sac with a 2" automatic flush assembly installed at the property lines of lots #58 and #59.
12. Road B consist of a side looped back to itself and a side with a cul-de-sac.
13. Road B shall have a minimum size of 6" water main installed on the opposite side of the proposed storm.
14. Install a fire hydrant assembly at the intersection of Road A and Road B at the property line of lots #44 and #45.
15. On the looped side, install a fire hydrant assembly at the property line of lots #40 and #41.
16. Install a fire hydrant at the property line of lots #35 and #36.
17. Install a fire hydrant at the property line of lots #17 and #18.
18. On the cul-de-sac side, install a minimum size of 6" water main on the opposite side of the proposed storm.
19. Install a fire hydrant at the property line of lots #49 and #50.
20. Install a 6" x 3" reducer with 3" gate valve after the fire hydrant tee and install a 3" water main on Road D extended around the cul-de-sac with a 2" automatic flush assembly installed at the far property line of lot #53.

Fire Marshall:

1. Minimum required road width is 26 feet.
2. Minimum cul-de-sac diameter is 96 feet.
3. Secondary remote fire apparatus access road required and must be designed to accommodate equipment weighing 75,000 pounds.

Staff Recommendation: Staff recommends that the Preliminary Plat of Brookwood Subdivision, as depicted on the plat map dated "received on January 9, 2016", after due consideration by the Planning Commission following a public hearing held on February 17, 2016, be approved with the following conditions:

1. Preliminary Plat approval is valid for 12 months from the date of approval and construction plans must be submitted within 12 months unless a one-time extension has been granted by the Planning Commission;
2. The comments of all city departments are satisfied and/or incorporated into the Construction Plans and Final Plat; and,
3. All future correspondence and submittals shall reference Case S-16-0007.
4. The property is rezoned by the City Commission.



Planning Commission

Meeting Date –February 17, 2016

CASE NUMBER: DP-16-0016

Case Manager: Frank G. Breaux, AICP

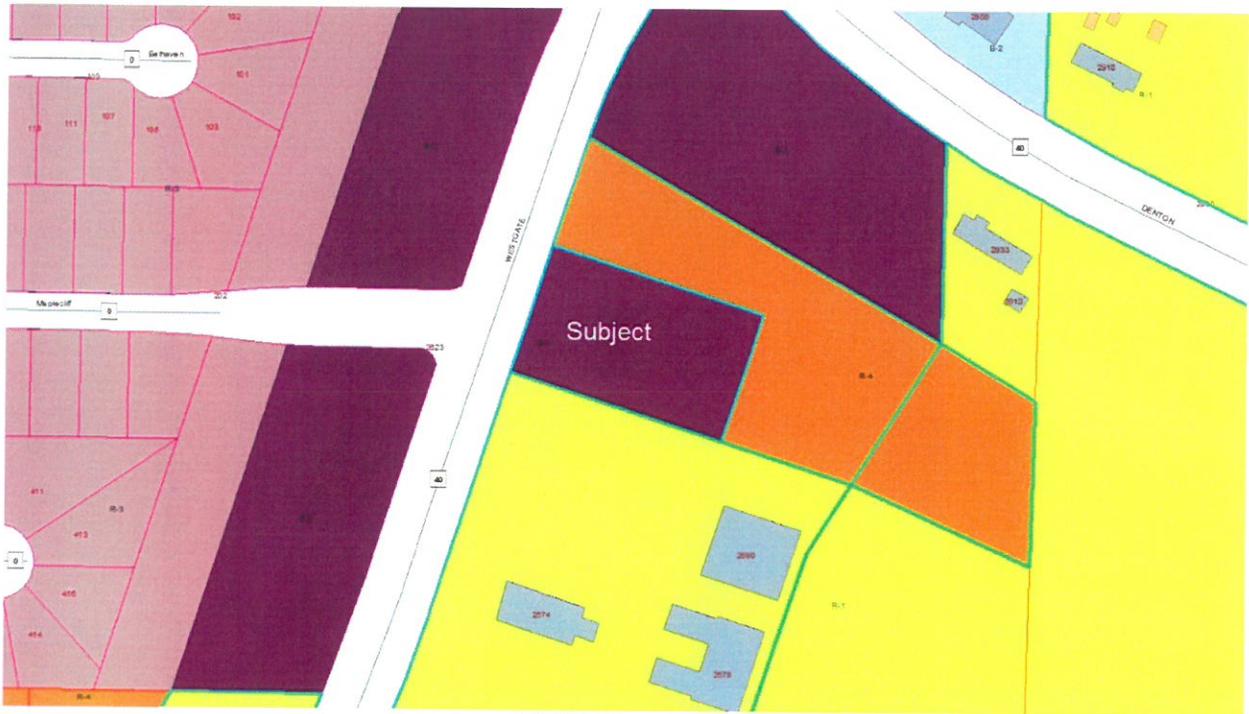
Summary of Information:

Project Name:	A Retail Development
Property Address:	Westgate Parkway Across From Autumn Crest Sub.
Requested Action:	Development Plan Approval
Applicant:	The Broadway Group
Property Owner:	The Broadway Group

Zoning/Land Use:

ACREAGE OF SITE	1.24
EXISTING LAND USE - SUBJECT	VACANT
EXISTING LAND USE - NORTH	VACANT
EXISTING LAND USE - SOUTH	INSTITUTIONAL/CHURCH
EXISTING LAND USE - EAST	VACANT
EXISTING LAND USE - WEST	VACANT
ZONING DISTRICT - SUBJECT	B-3 (LOCAL SHOPPING)
ZONING DISTRICT - NORTH	R-4 (HIGH DENSITY ATTACHED RESIDENTIAL)
ZONING DISTRICT - SOUTH	R-1 (LOW DENSITY SINGLE-FAMILY RESIDENTIAL)
ZONING DISTRICT - EAST	R-4
ZONING DISTRICT - WEST	B-3
FUTURE LAND USE MAP - SUBJECT	RESIDENTIAL SINGLE-FAMILY
FUTURE LAND USE MAP - NORTH	RESIDENTIAL SINGLE-FAMILY
FUTURE LAND USE MAP - SOUTH	RESIDENTIAL SINGLE-FAMILY
FUTURE LAND USE MAP - EAST	RESIDENTIAL SINGLE-FAMILY
FUTURE LAND USE MAP - WEST	RESIDENTIAL SINGLE-FAMILY

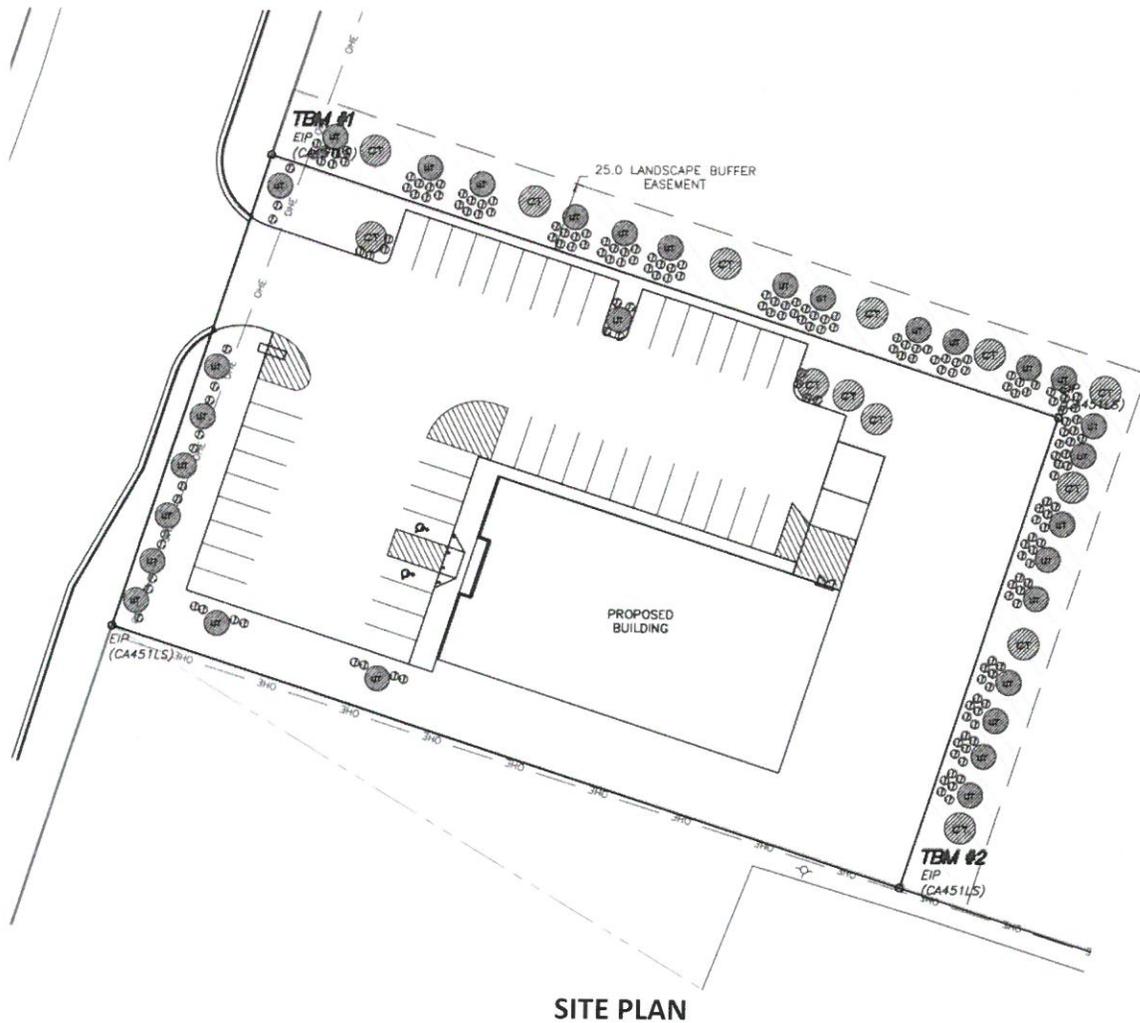
General Discussion: The applicant proposes to construct a 9,100 square foot retail building on 1.24 acres of property located across from the Autumn Crest Subdivision on the east side of Westgate Parkway adjacent to Crossroads Baptist Church. Indoor Retail Sales is a use category permitted by right within the B-3 district. The property on which the development is to occur was recently rezoned from R-4 to B-3 in anticipation of the subject retail development.



VICINITY MAP



AERIAL VIEW



Land Use Impact on Vicinity: The uses allowed within the B-3 District are transitional by design and are intended to serve and compliment residential properties within its general vicinity. A general retail store in this location, when properly landscaped and buffered, should prove to be beneficial by providing for the regular needs and conveniences of those residing within the nearby residential neighborhoods.

Land Use Compatibility/Land Use Plan: The Future Land Use Map identifies the subject parcel as suitable for single-family residential uses. Because the B-3 District is designed as a transitional zone between residential and commercial uses and because it is intended to accommodate uses that directly contribute to the convenience of residences in its immediate vicinity, it is considered to be consistent with the Future Land Use Plan.

Impact on the Environment:

There are no apparent environmental constraints that would affect the proposed development and the property is not located within any special flood hazard area.

Landscaping & Buffering:

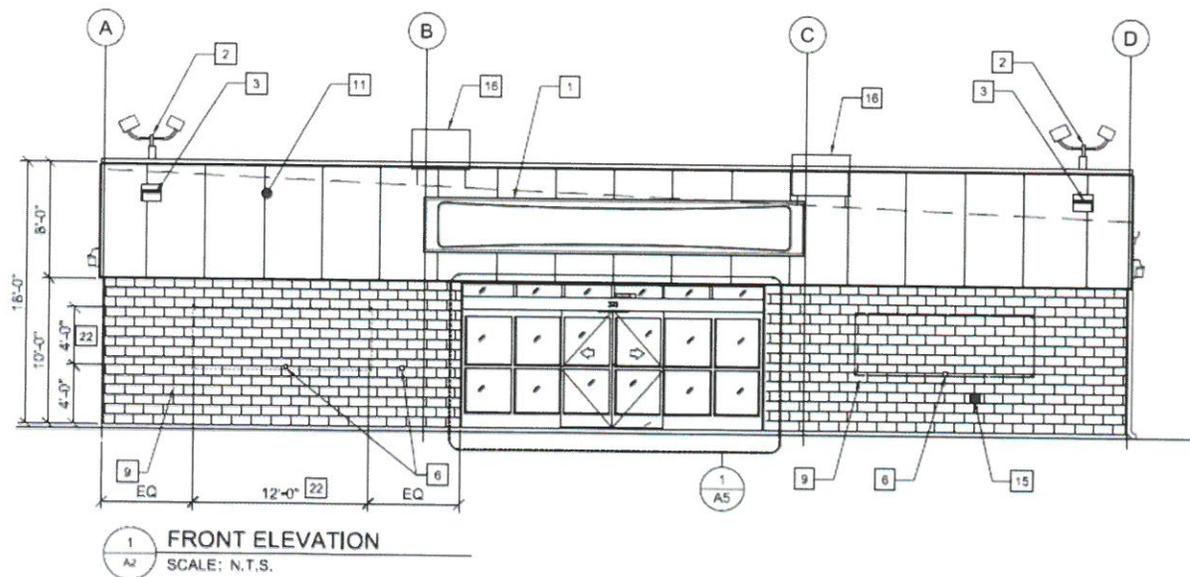
The landscaping plan meets all requirements of the zoning regulations with the exception of required plantings not being provided within two of the terminal islands in the parking lot (114-238.H.1). A Type II buffer has been identified along the north and east sides of the site (within an easement obtained from the adjacent land owner) but the plan fails to provide for a similar buffer on the south property line. A buffer reduction of 5 feet is being requested along the south side between the church property and the subject site. Per Section 114-242(B)(2), a Type 2 buffer may be reduced five (5) feet with the addition of an eight (8) ft. wood privacy fence plus a twenty percent (20%) increase in plant material. In no event shall the buffer be less than twenty (20) ft. in width.

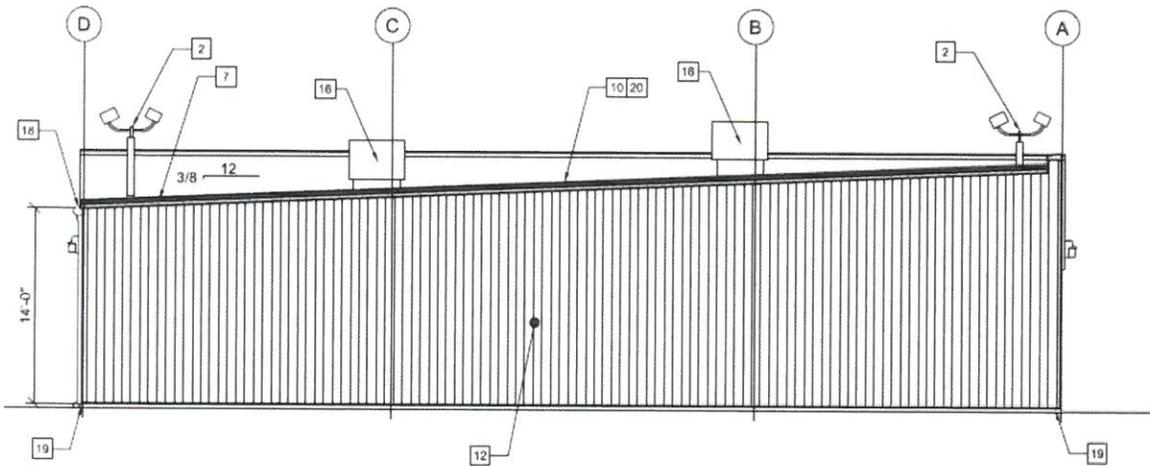
Parking:

Required parking for a general retail use is 1 space per 200 square feet of gross floor area, thus this site requires 46 spaces. The plan, however, provides only 45 spaces. Otherwise, the parking arrangement and internal driveway design is satisfactory.

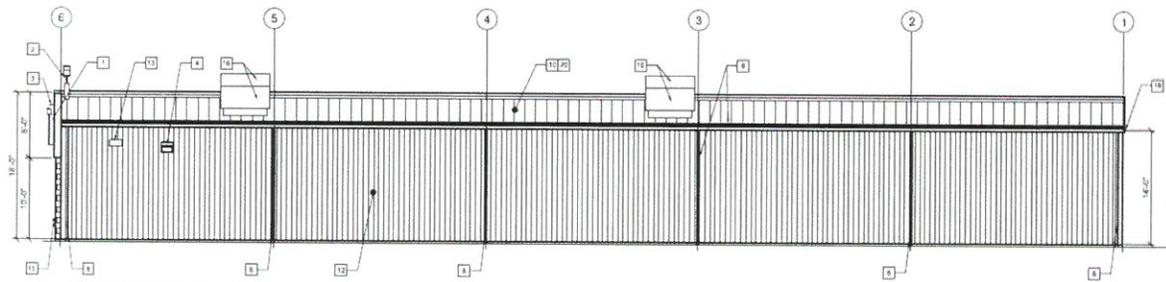
Building Description:

The building is a single story sloped roofed structure with an exterior featuring a combination of split face block (front elevation only) and pre-finished metal wall panels. There will be a parapet wall across the front elevation only, leaving an open view of the roof and roof mounted equipment on all the other sides.

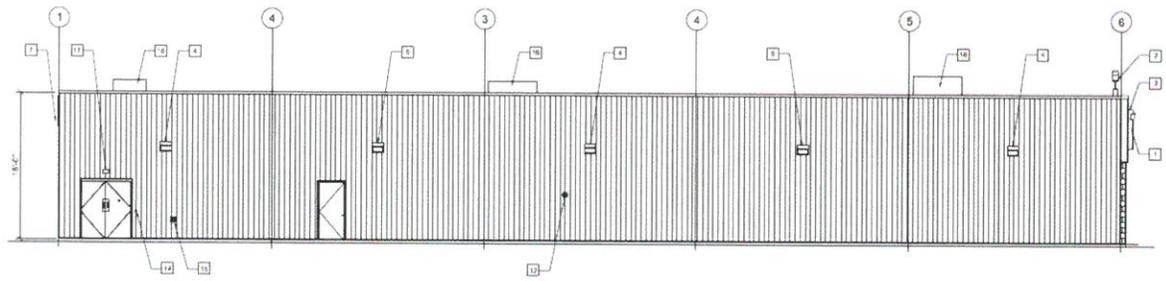




2 REAR ELEVATION
SCALE: N.T.S.



4 RIGHT ELEVATION
SCALE: N.T.S.



3 LEFT ELEVATION
SCALE: N.T.S.

ELEVATIONS

Impact on Travel:

1. The overall site design shall be “flipped” so that driveway aligns opposite of Maplecliff Drive which leads into Autumn Crest subdivision. This should minimize motorists’ confusion when vehicles simultaneously egress onto Westgate Parkway from both developments.

2. The eastbound right turn lane along Westgate Parkway shall be 12' wide, 165' long full width pavement, with a 315' taper. These dimensions not only match the westbound right turn lane requirements for Autumn Crest, but are also less costly to implement than a 295' full width, 138' taper right turn lane which can be required.
3. A left turn lane is not required on Westgate Parkway due to an existing two-way left turn lane.

Impact on Public Services and Facilities:

Engineering:

1. We will require storm drainage calculations as submittals to support a storm drainage plan for review and approval when applying for a building permit. The post-development peak discharge rate shall be limited to the pre-development peak discharge rate for the 2-, 10-, 25 and 50 year storm events unless site conditions dictate differently.
2. Sanitary sewer is located as shown. It is the owner's responsibility to verify elevation for tie-in. We will require a plan and profile on the sanitary sewer extension for review and approval when applying for a building permit. The sanitary sewer main shall be extended North beyond driveway for adjacent lot. We will also require minimum eight (8) inch sanitary sewer main along the ROW of Westgate Parkway and a maximum of 400LF between manholes.
3. We will require as-built drawings for all sanitary sewer and detention pond work. Detention pond shall include a topographic map, volume calculations, and as-built on outlet structure before Certificate of Occupancy (CO) is issued.
4. We will require documentation providing the sanitary sewer average daily, peak and peak hourly sanitary sewer flows for this development. The documentation must be signed and sealed by a professional engineer registered in the State of Alabama and state how the flow data and peak factors were derived.
5. We will require the developer to provide a 2 year maintenance bond for 25 % of the cost of all sanitary sewer work on the ROW before CO is issued.
6. An Erosion Control Plan and Best Management Practices Plan in accordance with the Stormwater Ordinance will be required for review and approval when applying for a building permit.
7. Provide a note on the construction plans stating that all erosion control measures shall be in place as required by the engineer, plans, and City of Dothan representative. Silt fencing shall be measured and dated on each run. An inspection log will be required to be submitted to the City of Dothan. Siltation control measures shall be inspected after each rain event and at a minimum once a month. Any deficiencies shall be corrected

immediately and no further work will proceed until said deficiencies are corrected to the City of Dothan or engineer's approval.

8. The following notes shall be added to the plan sets:
 - a) The addressing display shall adhere to the City of Dothan address display requirements as described in the City's Code of Ordinance Section 114-185 and the City of Dothan's E-911 Addressing Standards and Guidelines.
 - b) Address numbers/characters must be three (3) inches in height, proportional in width, and contrasting color to the background attached.
 - c) One set of address numbers/characters, either on the structure or mailbox/sign/marker, must be retro reflective (must reflect light back to the source at night). Retroreflective numbers/characters must be displayed on the same side of the structure facing the addressed roadway or on both sides of a mailbox or sign/marker.
 - d) Business structures must have the address numbers/characters properly displayed before occupancy and/or use. When the building is substantially complete, the address is to be permanently displayed on the structure. The address MUST be permanently displayed before the Certificate of Occupancy or Business License is issued.

Utilities:

1. There is an existing 12" water main on the development side of Westgate Parkway that runs across the frontage of the development property.
2. The development plans show a proposed entrance drive across the existing 12" water main. The developer shall obtain an elevation shot on the top of the existing water main on each side of the proposed drive and at the point of any proposed utility crossing and show the elevations on an elevation profile.
3. The 12" water main can be used to serve the required domestic and irrigation water service as shown on the development plans.
4. The development tenant shall pay the required tap fees and establish an account when water service is required.

Fire Marshall:

1. Two fire hydrants required. One within 225 feet of the building with second spaced 450 feet from the first.
2. Knox box required.

Staff Recommendation:

Staff recommends that Case No. DP-16-0016, request for development plan approval, as shown on the plan stamped "Received January 8, 2016, be approved, as authorized by Article V of the Zoning Ordinance, subject to the following conditions:

1. A Type II Buffer shall be provided along the south property line adjacent to the Church property;
2. The comments of all city departments are incorporated into the final construction plans before a building permit is issued by the Building Official's Office;
3. Resubmit the development plan incorporating all design changes;
4. All future correspondence or building permit plan submittal must make reference to Case DP-16-0016 and,
5. The Development Plan approval will lapse and re-approval by the Planning Commission will be necessary if a building permit is not obtained within one year of the approval date.



PLANNING COMMISSION
STAFF REPORT – February 17, 2016, MEETING
CASE NUMBER: RZ-16-0017
Case Manager: Frank G. Breaux, AICP

Summary of Information:

Property Location:	410 & 426 East Burdeshaw Street
Requested Action:	Rezoning from L-I to B-1
Applicant:	City of Dothan
Property Owner:	DDRA

Zoning/Land Use:

EXISTING LAND USE - SUBJECT	VACANT
EXISTING LAND USE - NORTH	ABANDONED BUILDING (HOWELL SCHOOL)
EXISTING LAND USE - SOUTH	SINGLE-FAMILY RESIDENCE/MUNICIPAL BUILDING
EXISTING LAND USE - EAST	VACANT
EXISTING LAND USE - WEST	SINGLE-FAMILY RESIDENTIAL
ZONING DISTRICT - SUBJECT	L-I (LIGHT INDUSTRIAL)
ZONING DISTRICT - NORTH	B-1 (CENTRAL BUSINESS DISTRICT)
ZONING DISTRICT - SOUTH	L-I
ZONING DISTRICT - EAST	L-I
ZONING DISTRICT - WEST	B-1
PROPOSED ZONING - SUBJECT	B-1 (CENTRAL BUSINESS DISTRICT)

ARTICLE VII. - CLASSIFICATION AND ESTABLISHMENT OF USES

B-1, Central business district (CBD). The CBD is intended for personal and business services and general retail trade of the core business center of the community. It is designed to accommodate a wide variety of commercial uses in the traditional downtown business area and related areas of mixed commercial enterprises. It is designed to maintain, support and facilitate compatible redevelopment of existing and new uses with the core area. Residential uses may be appropriate above the ground floor of commercial or other uses within the CBD district. Development or redevelopment of the CBD is subject to all regulations as established in article V, development plans, and is also subject to regulations and design guidelines as established for the downtown overlay district.



VICINITY



AERIAL

General Discussion: The two subject lots are located at the southeast corner of College Street and East Burdeshaw Street across from the old Howell School. The rezoning request stems from the desire of the DDRA to redevelop the old Howell School property into housing for senior citizens as well as a community center. These two lots are included in that development proposal but were overlooked at the time that the old Howell School property was rezoned in 2015. It is the intent that these two lots will be developed as apartments for senior citizens.

Land Use Impact on Vicinity: The redevelopment of the property will have an immediate and positive impact on the surrounding area as it represents an example of reinvestment into an otherwise blighted area of downtown Dothan. The rezoning will also eliminate the existing incompatibility of having industrial zoning situated adjacent to residential uses.

Land Use Compatibility/Land Use Plan: A senior living facility and community center will complement many of the surrounding uses and act to strengthen the existing neighborhoods in the general vicinity. The Future Land Use Map identifies the subject lot as suitable for public use. The DDRA will maintain a controlling interest in the property thus the use is consistent with the FLUM.

Impact on the Environment: There are no foreseeable or apparent impacts to the environment.

Impact on Public Services and Facilities: The property is located within the urban core and existing infrastructure is in place to serve the anticipated uses.

Staff Recommendation:

Staff recommends that Case No. RZ-16-0017, a request to rezone 410 and 426 East Burdeshaw Street from L-1 to B-1, having been duly considered in a public hearing held on February 17, 2016, following advertised legal notice, **be referred to the Dothan City Commission for approval** with an affirmative recommendation from the Planning Commission subject to the provisions of the *City of Dothan Zoning Ordinance*.