



## PLANNING COMMISSION AGENDA

A public hearing will be held by the Planning Commission of the City of Dothan, Alabama, on **Wednesday, March 16, 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, March 14 2016 at 3:30 p.m., in **Meeting Room C, 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 February 17, 2016 Meeting Minutes***

### **Old Business**

***None***

### **New Business**

3. **RZ-16-0045:** Request recommendation for Rezoning of 2.07 acres, 2500 Block Westgate Parkway, Parcel ID #38-09-02-03-1-007-020, from R-4 to B-3, Riley Andrews, Executor of L. F. Andrews Estate.
4. **RZ-16-0048:** Request recommendation for Rezoning of .408 acres, 103 Sixth Ave., Parcel ID: 38-10-04-19-1-002-016.000, from L-I District to B-2 District, Sara F. Wright.
5. **S-16-0071:** Request approval of a Preliminary Plat for Hidden Lake East Subdivision, Phase II, located at 1 Cotton Ridge Ln., R-3 District (Residential Single-Family, High Density), CWS, LLC represented by Northstar Engineering Services
6. **DPMA-16-0072:** Request approval of a Development Plan for a new 14,340 square foot group care facility, 831 John D Odom Rd., A-C District, The Haven Inc., represented by Northstar Engineering Services.
7. **DPMA-16-0073:** Request approval of a Development Plan for a 3,020 square foot gas station/convenience store located at Brannon Stand Rd. and Flowers Chapel Rd., B-3 District, Home Oil Company represented by Northstar Engineering Services.

8. **DPMA-16-0075:** Request approval of a Development Plan for a new 3,750 square foot fellowship hall, Greater Dothan Ministries, 2041 Mimosa Dr., R-1 District, Greater Dothan Baptist Ministries represented by Northstar Engineering Services.
9. ***Consent Items: Minor Development Plans & Subdivision Plats***
10. ***Discussion: Zoning Ordinance Text Amendments***
11. ***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  
FEBRUARY 17, 2016  
DOTHAN, ALABAMA**

The Dothan Planning Commission met in a Regular Meeting on Wednesday, February 17, 2016 at 9:00 a.m. in the City Commission Chambers, Dothan, Alabama.

**Members Present:**

Chairman George "Chuck" Harris  
Vice Chairman Jerry Coleman  
Gayla White  
Jim Freeland  
Mickey Davis  
Ron Tindall  
David Cornelius  
Mike Palmer, Supernumerary

**Members Absent:**

David Brewer  
Debora Pettway

Others present were: Todd L. McDonald, AICP, Planning Director; Frank Breaux, AICP, Senior Planner; Bart Barefoot, Engineering Services Manager; Craig Scurlock, Building Official; Members of the Media, and Janice Palmer, 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. For the record, all meetings are recorded.

**1. Approval of Agenda**

*Mr. Coleman made a motion to approve the agenda as presented. Mr. Tindall seconded and the motion passed unanimously.*

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

*Ms. White made a motion to approve the January 20, 2016 Meeting Minutes. Mr. Freeland seconded and the motion to approve the January Meeting Minutes passed unanimously.*

**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).** Mr. Breaux spoke regarding the rezoning of approximately 80 acres owned by The Haven, from A-C to R-1 (Residential Single -Family Low Density) and O-I (Office and Institutional). It is actually two separate parcels and is surrounded by single family residences. The southernmost 6.36 acre portion of the property is proposed to be rezoned to O-I, and the majority and remainder is to be zoned R-1. The property was annexed into the City in 1975 as part of a legislative act. It has been in our holding zone, which is A-C for newly annexed properties, and has never been requested to be rezoned. The Haven is a legally existing nonconforming use, so in order to protect that use going forward, it is necessary for the property to be rezoned for the requested O-I designation. The remainder of the property could today be subdivided by right to R-1 standards under the A-C designation, the only exception being that the minimum lot size would be 15,000 sf as opposed to 12,000 sf. There are some significant grade changes and wetlands that impact the property, so they will have to work with various agencies to get their approval. This A-C zoning is not an appropriate designation for land located within this urbanized area. Chairman Harris asked who is representing this case, and Mr. Lee Brown, with Northstar Engineering, and Mr. Chapman, with CWS, Inc. responded at the podium. Chairman Harris mentioned a dump site on a portion of this property. He stated that there would need to be additional work with borings, etc. should the project be approved. They agreed. ***Chairman Harris called for a motion regarding RZ-15-0728. Mr. Coleman recommended that case RZ-16-0009, request for rezoning of 831 John D. Odom Rd. from A-C to O-I & R-1, be approved and referred to the Dothan City Commission for their approval. Ms. White seconded and the motion passed unanimously.***
  
4. **S-16-0007: Request approval of a Preliminary Plat for Brookwood Subdivision located at 831 John D. Odom Rd., A-C District (Residential Single-Family, Very Low Density), CWS, Inc. represented by Northstar Engineering Services.** Mr. Breaux stated that the Brookwood Subdivision is the R-1 District portion of what was just discussed (Case RZ-16-0009). This is a 74 lot, single family subdivision within the R-1 portion, and there will be one commercial lot, which will be the Office/Institution portion on the south side of the property for The Haven. The single family residential uses are allowed within the A-C District, the only difference being the minimum lot size of 15,000 sf as opposed to 12,000 sf. There are wetlands throughout the property and substantial grade changes which will need to be addressed. There will also be a secondary emergency access which will be provided through The Haven's property. All the lots meet minimum dimensional requirements for the proposed R-1 zoning, and we are recommending approval of the Preliminary Plat of Brookwood Subdivision with the conditions noted in the staff report. Mr. Barefoot responded to Mr. Davis's question about the dump site cleanup as the property is developed. Areas where homes will be built will be noted on the plat. When construction starts on those lots and if any material is found, there will be notes that state that these materials will need to be removed and density tests will be required. Chairman

Harris asked who is here concerning this case, and Mr. Lee Brown, Northstar Engineering, and Mr. Charles Chapman, CWS, Inc. responded. Chairman Harris asked if there were any problems with the items in the staff report, and Mr. Brown commented that he had spoken with the engineering staff regarding item #9: This subdivision will require 5' sidewalks as per code requirements. He believes that based on the density, they would not be required, but the developer wants to do a 4' sidewalk on one side everywhere except the three short cul-de-sac areas, which only affects a few lots. Mr. Breaux stated he believes the Subdivision Regulations Table states that densities between 2.5 and 4 dwelling units per acre would require sidewalks with a minimum of 5' on one side. Mr. Brown responded that they are under 2 – 2.5 dwelling units per acre. Mr. Brown pointed out the sidewalk areas proposed by the developer on the aerial map shown. Mr. Tindall asked about sidewalks at the lower cul-de-sac, and said the residents and their children should be able to walk within the subdivision off the street to get from one neighbor to another. Chairman Harris asked who was present in the audience concerning this matter. Mrs. Kelly Shepherd, a homeowner in Westbrook Subdivision, came forward and asked about the new subdivision and how it will affect her property value. Chairman Harris responded that the proposed lots are larger than the lots within her subdivision, and there is no interconnection between the two subdivisions. Mr. Tindall asked who would be owning and maintaining the wetlands area of the subdivision. Mr. Brown responded that the homeowners association would be responsible for all the common areas. Mr. McDonald said to Chairman Harris that he disagrees with the characterization of the sidewalks. The regulations state: "Sidewalks shall be provided in residential subdivisions according to the chart below and/or as otherwise required by the Planning Commission. Where zoning exists, sidewalks shall be provided according to those designations." He continued that zoning exists here, and 5' sidewalks shall be provided on one side of the street. This is the literal reading of the regulations. Mr. Brown responded that he did not understand the chart which gives sidewalk requirements for different unit densities. Mr. McDonald stated that when the chart was adopted the commission was exercising their ETJ control in areas outside the city, where zoning did not exist. Chairman Harris asked if everyone was now clear that sidewalks are required, 5' one side of the street. Everyone agreed. Mr. McDonald continued by explaining that, typically, you have an ADA compliant ramp with downsloping access where the sidewalk dead ends into the cul-de-sac. **Chairman Harris called for a motion regarding S-16-0007, Brookwood Subdivision, with the comments from the city departments and staff recommendations of four items (as noted below). Ms. White made the motion to approve case S-16-0007 to include the staff recommendations and city department recommendations. Mr. Palmer seconded and the motion passed unanimously.**

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.
  
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.** Mr. Breaux stated this is a retail request on Westgate Parkway, across from Autumn Crest Subdivision. The owners requested a rezoning recently to B-3, which was approved. They also subdivided the parcel out in anticipation of this development. There were a number of items discussed in the review of the proposed development, namely the driveway location and also issues with buffers. The Broadway Group has given staff an easement document for the required Type II Buffer on both the north and east side of the site, because they abut residential zoning. A 25 ft. required buffer is required, but they failed to identify this on the south side of the property. They are requesting on the south side that the buffer be reduced from 25 ft. to 20 ft., which is allowable in the zoning ordinance, with the Planning Commission consent. In lieu of the 25 ft., they would be required to provide an 8 ft. privacy fence as well as an increase of 20% of the plant material on that affected side. If the commission feels this is appropriate, then this would be an automatic condition. He also noted that there was a deficiency of one parking space, but he has been told the building is not quite 9,100 sf, as was represented on the site plans. Therefore, they will most likely be able to provide the required number, 1 space per 200 sf of gross floor area, per the zoning. Chairman Harris asked who was present to represent this case, and Mr. Curtis Parcus and Melissa Ballard, The Broadway Group, came to the podium to ask for approval of the site development plans for the Westgate Parkway development. Chairman Harris asked if they had seen all the staff recommendations and if there were any problems with their comments. Mr. Parcus said most all of the issues had been addressed and worked out with engineering. Chairman Harris stated that with respect to the 20 ft. setback buffer on the south side of the property (the rear of the property), the commission would require a wooden fence plus additional plantings of 20% landscaping. Mr. Parcus agreed to this requirement. Chairman Harris also noted that there is no parapet wall to hide the mechanical equipment on the roof of the building. Mr. Parcus said that they can make a modification to comply with this recommendation. Additionally, Chairman Harris said split-face block wainscoting would be preferred, or shrub plantings along both sides of the building, to hide a plain, metal building in this predominant residential setting. Mr. Breaux commented that split-face block wainscoting would be the only option, because there is a sidewalk between the parking lot and the building. The Broadway Group representatives agreed to make this modification to the existing plans. Mr. Breaux summarized by stating the south side of the retail development is adjacent to the church property, and there will be a fence, 20 ft. buffer area, and an additional 20% trees and shrubs, per the schedule in the zoning ordinance. Chairman Harris asked if anyone else present had an interest in this case, and Pastor Doug McCormick of Crossroads Baptist Church spoke. He said the church's main concern is the proximity of the church's property line to this retail development. He stated the 8 ft. fence barrier is needed due to the church school and excess pedestrian traffic. He wanted to make sure the landscaping will be done professionally to make this development

look attractive, since it is next to a church and residential area. Pastor McCormick also wanted to reiterate that in a previous meeting he had mentioned that there should be no retail sales of alcohol within 600 feet of a church, which he has been assured by the developer these sales would not be pursued. Mr. Breaux summarized Mr. Tindall's question about the revised landscaping by stating that once the revised plans addressing not only landscaping, but also engineering, etc. issues, have been submitted, all the agencies will review these revised plans to make sure all staff recommended changes/modifications have been made before proceeding to the next development phase. ***Chairman Harris called for a motion regarding DPMA-16-0016, with 7 items of staff recommendations, with #6 being a wood fence and the additional plantings, and #7 being the parapet wall and split-face block wainscoting along the north and south sides of the building. Mr. Freeland made the motion to approve case DPMA-16-0016 with the now 7 noted items as described by Chairman Harris. Mr. Tindall seconded and the motion passed unanimously.***

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;
  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;
  6. A five foot buffer reduction is approved along the south property line per the provisions of Sec 114-242(b)(2) of the zoning regulations; and,
  7. Split-face block Wainscoting, matching the front façade, shall be provided along the full length of the north and south sides of the building, and a parapet wall shall be required around all elevations to screen roof mounted equipment.
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.** Mr. Breaux stated the old Howell School property had been rezoned some months ago in anticipation of the redevelopment that would be taking place for senior housing as well as a community center. At the time, these two subject lots were excluded from that rezoning request, and are located on the southeast corner of College Street and East Burdeshaw Street across from the old Howell School. These two lots are intended to be apartments for senior citizens. This is an area of town where there are incompatible land uses and incompatible zoning. Properties are zoned light industrial in a mix of single family residences, which is not appropriate. Under the same logic as used before with the old Howell School property, we are recommending that these two lots be rezoned to B-1 to allow this project to move forward and to clean up the inconsistent zoning that currently exists in this portion of the city. Mr. Breaux confirmed to Chairman

Harris that this request has been initiated by the City. No other public came forward concerning this case. ***Chairman Harris called for a motion regarding RZ-16-0017. Mr. Coleman recommended that case RZ-16-0017, request for rezoning of 2 lots located at 410/426 E. Burdeshaw St. from L-I District to B-1 be approved and referred to the Dothan City Commission for their approval. Mr. Freeland seconded and the motion passed unanimously.***

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

Mr. Breaux reported that Cook's Pest Control development plans have been approved in-house for a 10,000 sf office facility on Napier Field Rd.

**8. Discussion**

Chairman Harris commented that this is the second month of operating with a new schedule of receiving and reviewing the Planning Commission meeting documents in advance of the pre-meeting and regular meeting. The extra time between the PC deadline and regular meeting gives staff more time to solve any problems/concerns and work with the developers regarding their requests.

**Continuation of O-3 District discussion regarding properties on Kent Drive.**

Mr. McDonald reviewed his findings of the O-3 District regarding a previous issue from the January 20, 2016 meeting. The O-3 district was originally adopted in December 2008, and at that time the only uses permitted were offices, business, or professional. In 2010, when the ordinance was expanded, the personal care services category was inserted as a permitted use. This was certainly not the planning commission's original intent when they created this District. As far as 700 Kent Drive is concerned, that property is zoned B-3. It was rezoned O-3 to B-3 for the purpose of Denney Vision building an office there. Denney Vision never submitted plans to build at this location, but the zoning remains B-3. Unless this property is rezoned by the City through the legislative process, the zoning remains B-3. The commission meeting minutes for this property did state that if the development plans presented were not implemented, (the Planning Commission has not approved any development plans to date) there were some parameters in a letter submitted by Mr. Baxley, District 6 Commissioner at the time, that stated it would be rezoned back to O-3. As mentioned, there is not a reverter clause for rezoning, so this would have to go back through the City's rezoning process. If the Planning Commission would like for staff to send a letter to Denney Vision and ask them what their plans are for the property, this can be done. Should Denney Vision reply that they have no plans or they will sell the property, then the City would be at liberty to initiate a rezoning on that property back to O-3. As far as 701 Kent Drive (property on the corner adjacent to Mr. McCrory) where there is a nail salon proposed, that use is currently permitted, even though no development plan has been submitted. The development plan, because it is located in the O-3 District, will require a masonry wall be constructed between the properties. The landscaping, parking, and storm water drainage will need to meet commercial guidelines, as well as access to the property. There was language in a previous Planning Commission approval (2009),

stipulating access would be from the frontage road and not Kent Drive. Until we have a development plan for this property (701 Kent Dr.), and because it is adjacent to two residential properties, it will come back to the Planning Commission for approval. The decision point for the Planning Commission is to direct staff to initiate a text change to remove the personal care services provisional use from the zoning ordinance. Chairman Harris agreed this personal care services language needs to be removed from the zoning ordinance, and a letter to Denney Vision should be initiated asking them their plans for development of this property, since a stipulation was put on the rezoning of the property by the City Commission at the time of approval. ***Chairman Harris called for a motion regarding this zoning ordinance text amendment. Mr. Coleman made a motion for staff to proceed with a text amendment to remove Personal Care Services use from the O-3 District zoning ordinance. Ms. White seconded and the motion passed unanimously.***

9. **Adjourn.**

***Mr. Tindall made a motion to adjourn. Ms. White seconded and the meeting was adjourned at 9:47 a.m.***

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George C. "Chuck" Harris Chairman

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Kim Vann, Secretary



**PLANNING COMMISSION  
STAFF REPORT – March 16, 2016 MEETING  
CASE NUMBER: RZ-16-0045  
Case Manager: Frank G. Breaux, AICP**

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**Summary of Information:**

Property Location:	East side of Westgate Parkway between Maplecliff Drive & Denton Road
Requested Action:	Rezoning from R-4 to B-3
Applicant:	Riley Andrews
Property Owner:	Estate of L. F. Andrews

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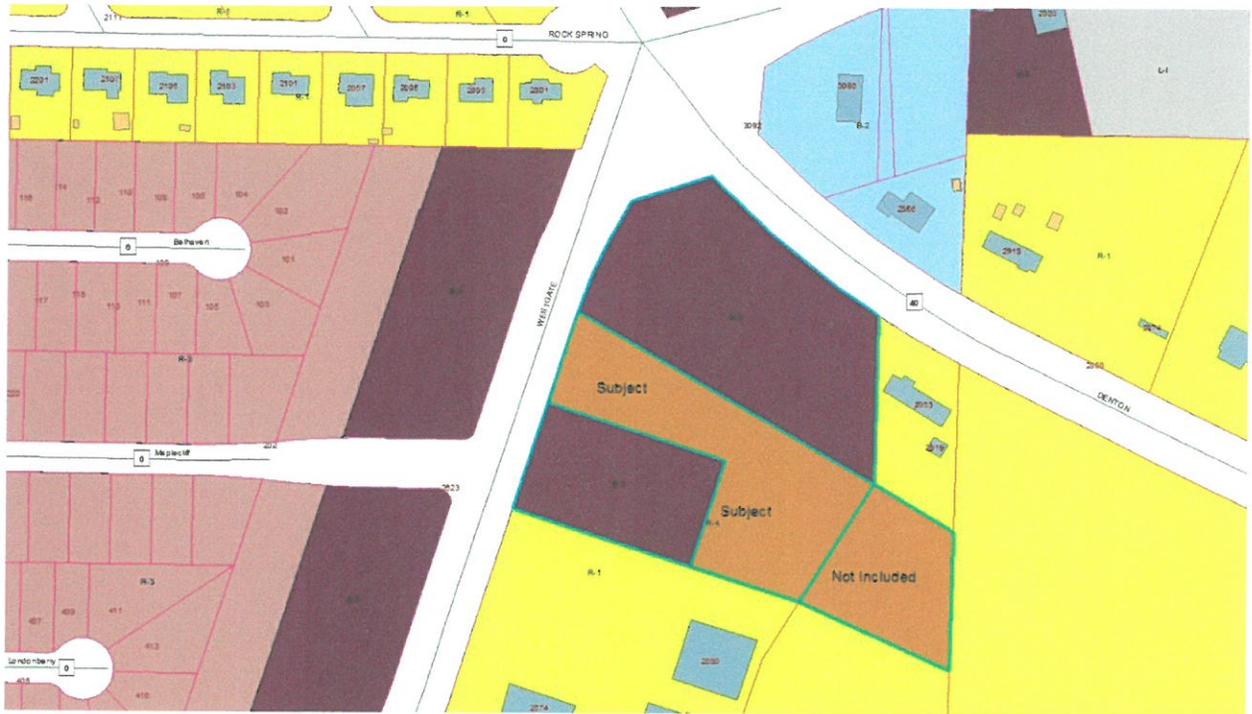
**Zoning/Land Use:**

EXISTING LAND USE - SUBJECT	VACANT
EXISTING LAND USE - NORTH	VACANT
EXISTING LAND USE - SOUTH	VACANT (DOLLAR GENERAL PROPOSED)
EXISTING LAND USE - EAST	VACANT
EXISTING LAND USE - WEST	VACANT
ZONING DISTRICT - SUBJECT	R-4 (HIGH DENSITY ATTACHED MULTI-FAMILY)
ZONING DISTRICT - NORTH	B-3 (LOCAL SHOPPING)
ZONING DISTRICT - SOUTH	R-1 (LOW DENSITH SINGLE-FAMILY) & B-3
ZONING DISTRICT - EAST	R-4
ZONING DISTRICT - WEST	B-3
PROPOSED ZONING - SUBJECT	B-3 (LOCAL SHOPPING)

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**ARTICLE VII. - CLASSIFICATION AND ESTABLISHMENT OF USES**

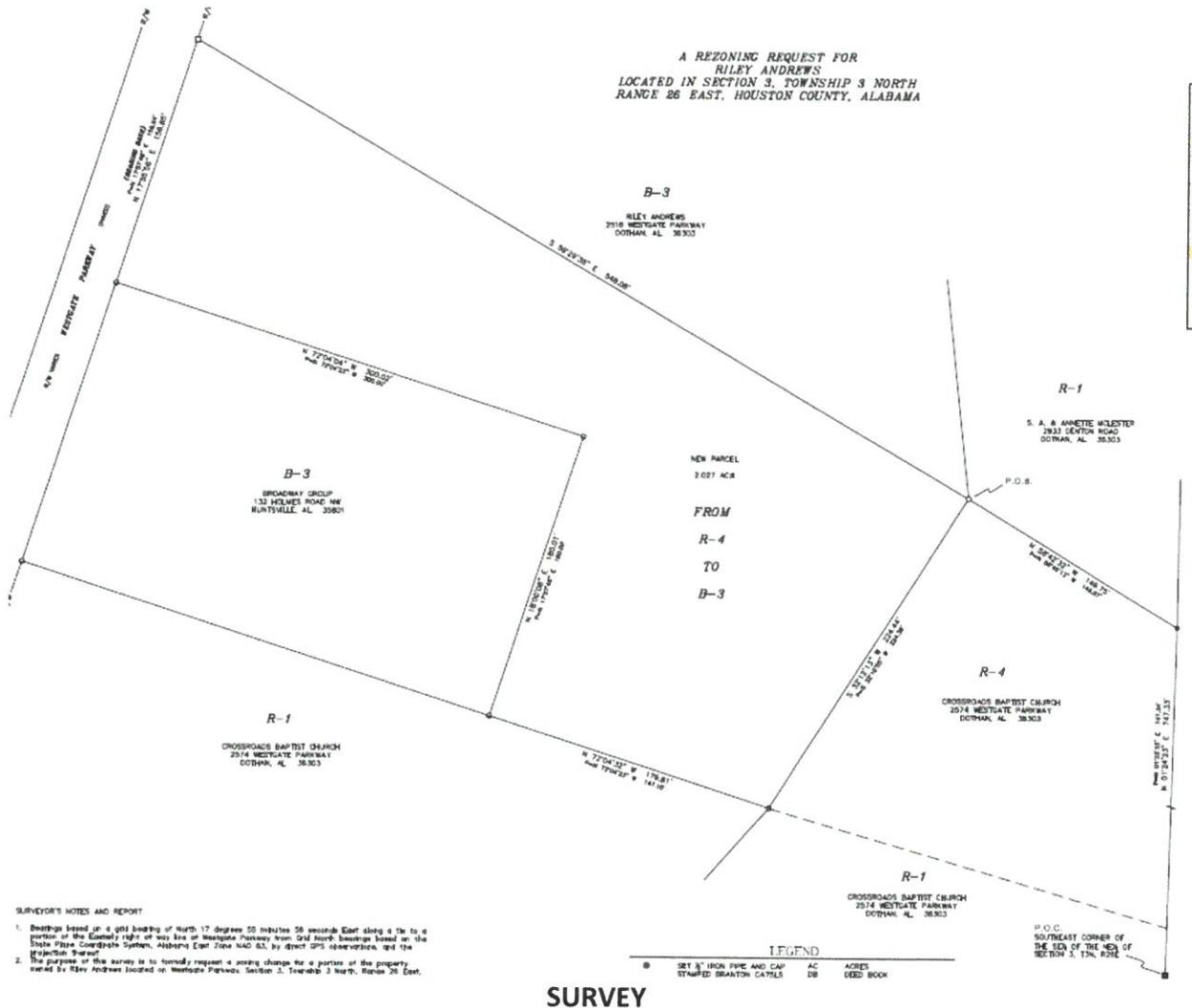
*B-3, Local shopping.* The B-3 district is intended to serve as a transitional district between commercial districts and residential districts. It is designed for local retail and personal services of limited size and service that provide for the regular needs and convenience of those residing in the adjacent residential neighborhoods. These are generally small in area and contain businesses that deal in "convenience goods" such as groceries, prescription drugs, and household supplies, and the furnishing of personal services. It is intended that local shopping uses be developed as a unit with adequate off-street parking for customers and employees and with appropriate landscaping and screening and are therefore subject to the development plan regulations. Development or redevelopment of these areas is subject to all regulations as established in article V, development plans.



VICINITY



AERIAL



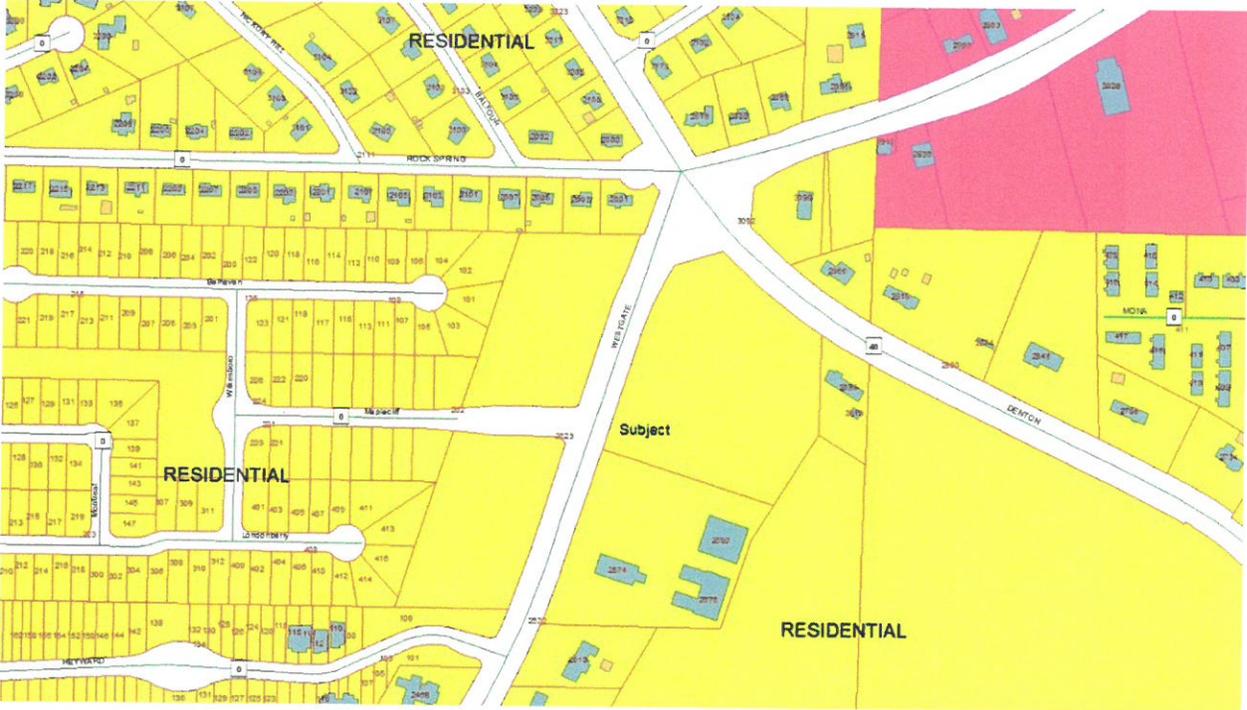
**General Discussion:** The subject property is 2.027 acres in size and wraps around a recently created B-3 parcel that is proposed to be developed as a Dollar General Store. The acreage is part of a larger parcel that has split zoning (R-4 & B-3). The referenced Dollar General parcel was also recently split from the parent parcel and a site plan has been approved for its construction by the Planning Commission.

**Findings of Fact:**

- The proposed lot is contiguous to B-3 zoned property to the west and there is existing B-3 zoned property to the north at the corner of Denton Road and Westgate Parkway.
- The property is surrounded by vacant land with the exception of Crossroads Baptist Church to the south.
- The property is located across the street from a single-family subdivision (Autumn Crest) which is itself bordered by B-3 zoned property along Westgate Parkway.

**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. These uses are generally small in area and contain businesses that deal in "convenience goods" such as groceries, prescription drugs, and household supplies, and the furnishing of personal services. When properly designed, landscaped and buffered, such uses should have minimal impact on surrounding residential uses.

**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 designed to accommodate uses that directly contribute to the convenience of residences its immediate vicinity, it is considered to be consistent with the Future Land Use Plan.



**Impact on the Environment:** The property is flat with no discernable features that would be problematic if rezoned as proposed.

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

**Staff Recommendation:**

Staff finds that the request is reasonable given the property's location and our determination that B-3 zoning is consistent with the Future Land Use Plan and is compatible with current land use patterns in the general vicinity. Staff therefore recommends that Case No. RZ-16-0045, a request to rezone 2.027 acres located on the east side of Westgate Parkway from R-4 to B-3, having been duly considered in a public hearing held on March 16, 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 – March 16, 2016 MEETING**  
**CASE NUMBER: RZ-16-0048**  
**Case Manager: Frank G. Breaux, AICP**

**Summary of Information:**

Property Location:	103 Sixth Avenue
Requested Action:	Rezoning from L-I to B-2
Applicant:	Now Faith Ministry
Property Owner:	Sarah Wright

**Zoning/Land Use:**

EXISTING LAND USE - SUBJECT	INSTITUTIONAL/RELIGIOUS
EXISTING LAND USE - NORTH	COMMERCIAL/GENERAL
EXISTING LAND USE - SOUTH	COMMERCIAL/GENERAL
EXISTING LAND USE - EAST	VACANT
EXISTING LAND USE - WEST	COMMERCIAL & RESIDENTIAL
ZONING DISTRICT - SUBJECT	L-I (LIGHT INDUSTRIAL)
ZONING DISTRICT - NORTH	B-2 (HIGHWAY COMMERCIAL)
ZONING DISTRICT - SOUTH	L-I
ZONING DISTRICT - EAST	B-2
ZONING DISTRICT - WEST	L-I & R-4 (HIGH DENSITY SINGLE-FAMILY ATTACHED)
PROPOSED ZONING - SUBJECT	B-2

**ARTICLE VII. - CLASSIFICATION AND ESTABLISHMENT OF USES**

**B-2, Highway commercial.** The B-2 district is intended for major retail and service activities removed from the CBD, with major thoroughfare access and with adequate open space and parking. Landscaping and aesthetic considerations are important to this area with regional significance. The district is intended to serve residents, non-residents and transient traffic using major thoroughfares that run through and around the city. Development or redevelopment of these areas 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.

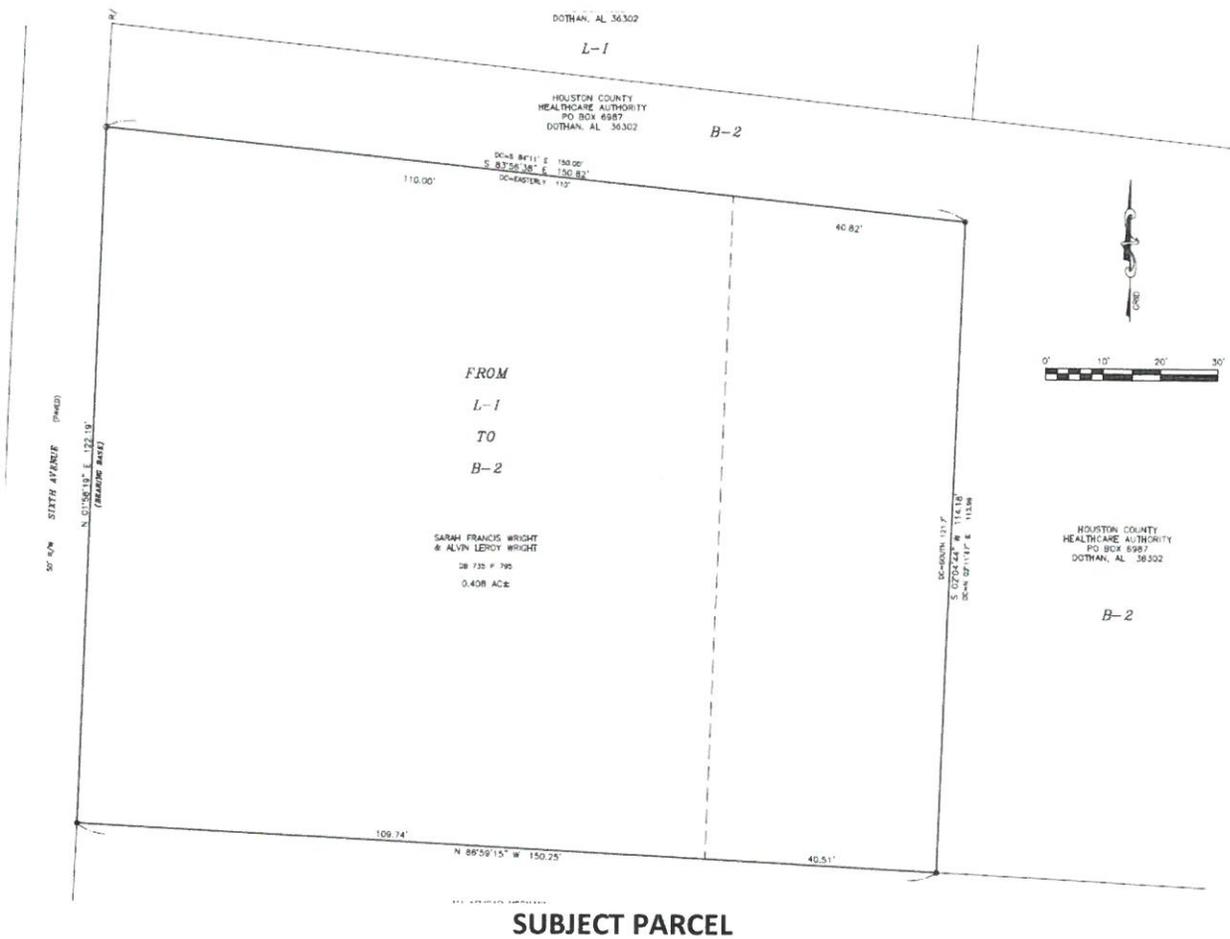
**L-I, Light industry.** The L-I district is designed to provide a location for industries that do not, by their nature, create any public nuisance. It is intended to preserve land for industry in a location beneficial to industries. Single-family residential uses are prohibited. Due to the traffic generated and other potentially objectionable influences created by the nature of the L-I district, special buffer and/or setback considerations may be required. The environmentally protective nature of this district is designed to limit uses to those that produce a minimum of gaseous emissions, noise and objectionable external effects. Development or redevelopment of these areas 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 applicant owns a .408 acre parcel on the east side of Sixth Avenue at its intersection with Hamilton Street. The property is zoned L-1 and is the site of Now Faith Ministry. The proposal is to rezone the parcel from L-1 to B-2.

**Findings of Fact:**

- A religious institution is **not** an allowable use within the L-1 Zoning District and is therefore a legal nonconformity.
- A religious institution is a permitted **“by right”** use within the B-2 Zoning District.
- The applicant seeks to protect the future use of the property and is therefore seeking a rezoning to bring the use into compliance.
- The property is located within a transitional area with a mix of commercial, industrial and residential uses.

**Land Use Impact on Vicinity:** The church is an existing use and there is no negative impact on surrounding properties.

**Land Use Compatibility/Land Use Plan:** The Future Land Use Map identifies the subject parcel as suitable for Commercial use and the request is therefore consistent with the Future Land Use Plan.

**Impact on the Environment:** The property is typical of others in the vicinity and there are no anticipated environmental impacts.

**Impact on Public Services and Facilities:** The property is currently in use as a church and rezoning the property as proposed will have no additional impact on public facilities or services.

**Staff Recommendation:**

Staff finds that the request is reasonable given the property's location and the applicant's desire to cure its nonconforming status. Staff further finds that the requested B-2 zoning classification is consistent with the Future Land Use Map and Plan. Staff therefore recommends that Case No. RZ-16-0048, a request to rezone .408 acres located at 103 Sixth Avenue from L-1 to B-2, having been duly considered in a public hearing held on March 16, 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 – March 16, 2016 MEETING  
CASE NUMBER: S-16-0071  
Case Manager: Frank G. Breaux, AICP**

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**Summary of Information:**

Project Name:	Hidden Lake East Subdivision, Phase II
Property Location:	Cotton Ridge Lane
Requested Action:	Preliminary Plat Approval
Applicant/Owner:	CWS, LLC

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**Zoning/Land Use:**

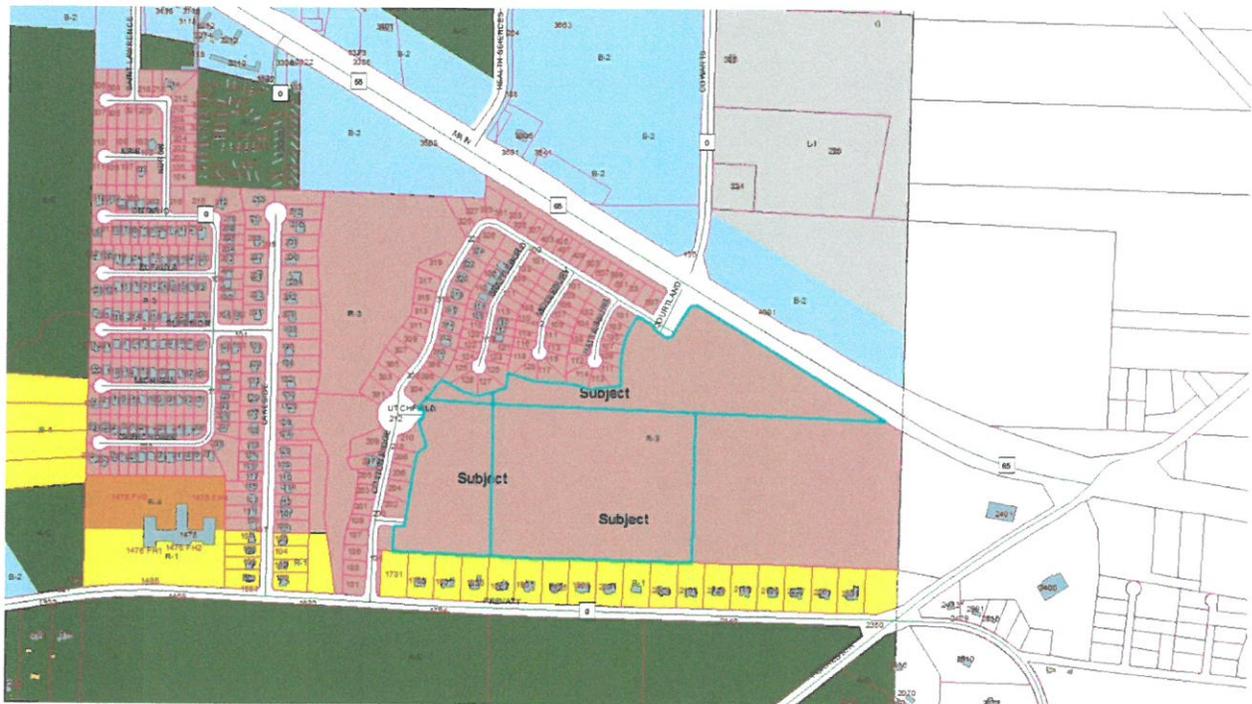
EXISTING LAND USE - SUBJECT	VACANT
EXISTING LAND USE - NORTH	SINGLE-FAMILY RESIDENTIAL & VACANT
EXISTING LAND USE - SOUTH	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - EAST	VACANT
EXISTING LAND USE - WEST	SINGLE-FAMILY RESIDENTIAL
ZONING DISTRICT - SUBJECT	R-3 (HIGH DENSITY SINGLE-FAMILY RESIDENTIAL)
ZONING DISTRICT - NORTH	R-3 & B-2
ZONING DISTRICT - SOUTH	R-1 (LOW DENSITY SINGLE-FAMILY)
ZONING DISTRICT - EAST	R-3
FUTURE LAND USE MAP	LOW DENSITY SINGLE-FAMILY RESIDENTIAL

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**General Discussion:** The applicants owns all of the undeveloped property located to the east of Hidden Lake East Subdivision up to the corporate limits line. The proposal is to subdivide 43.3 acres of the land into a 96 lot, single-family subdivision that would be connected to Cotton Ridge Lane at three points. The layout would also complete a loop connecting the easternmost portion of the property to East Main Street. The remainder of the property to the east will be developed in a future phase.

**Findings of Fact:**

- The Planning Commission approved a Preliminary Plat for the entirety of the property in 2008 but that approval has since lapsed.
- The proposed lots are larger and the overall density is lower than originally approved in 2008.
- The subdivision streets are proposed to be stubbed out to the remainder of the property at three points.
- All streets are proposed to be dedicated to the public.



VICINITY



AERIAL

**Land Use Impact on Vicinity:** The existing conditions within the vicinity of the subject property are typically low to medium density single-family residential uses.

**Land Use Compatibility/Land Use Plan:**

The Future Land Use Map identifies the subject parcel as suitable for single-family residential uses and the development is consistent with the Future Land Use Plan.

**Impact on the Environment:**

The property is relatively flat and heavily wooded and there do not to be any apparent features of the land that would prevent the development as proposed.

**Impact on Travel:**

Driveways for Lot 1 Block C and Lot 48 Block B shall be located as far east as possible to provide space away from the roundabout. This shall be noted on the final plat.

**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. Fire hydrants shall be located per the fire code as required by the fire marshal.
3. Provide a copy of the ADEM NPDES permit for this project. 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. An inspection log will be required to be submitted to the City of Dothan. Siltation control measures shall be inspected as required by permit. 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.

4. 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.
5. Show and label the existing easements adjacent to this development. Provide the deed book and page number for all existing easements.
6. The title block shall state "A Preliminary Plat for Hidden Lake East Subdivision First Addition".
7. This subdivision will require 5' sidewalk as per code requirements.
8. 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.
9. 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.
10. The plat needs to show a preliminary storm system layout for this development.
11. Storm drain pipes shall not be located under road except at street crossings.
12. Sanitary Sewer flow calculations shall be submitted to Engineering Services before the subdivision will be approved.
13. A ten (10) foot U&D easement on the front of each lot shall be shown and labeled.
14. 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.
15. All storm drainage structures, pipe, and easements associated with them should be shown on the plat.
16. There are several roads mislabeled on the plat. Please contact Wayne Mckinnon to address all future road names.
17. Several locations appear to not have a radius for the centerline of the roadway.
18. Barricades will be required at the beginning of road stubs or temporary cul-de-sac turn arounds will be required.
19. Design for any storm drainage issues between multiple lots, underdrain will be required in areas of concern.
20. Provide an overall master plan to ensure all lots and blocks are correctly labeled.
21. Show the approximate boundary of the subdivision on the vicinity map.

22. A two year maintenance warranty and bond is required for this development.

**Utilities:**

1. There are existing water mains stubbed out on the proposed roadways that can be continued as shown on the preliminary plat.
2. An additional fire hydrant should be placed at the property line between lots #9 and #10 on Block C.

**Fire Marshall:**

1. Minimum Cul-de-sac diameter is 96 feet.
2. Gate must be provided with a Knox Gate Switch or Knox Pad Lock.
3. Provide fire hydrants per fire code requirements.

**Staff Recommendation:** Staff recommends that the Preliminary Plat of Hidden Lake East Subdivision, Phase II, as depicted on the plat map dated “received on February 12, 2016”, after due consideration by the Planning Commission following a public hearing held on March 16, 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-16-0071.





**Planning Commission**  
**Meeting Date – March 16, 2016**  
**CASE NUMBER: DP-16-0072**  
**Case Manager: Frank G. Breaux, AICP**

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**Summary of Information:**

Project Name:	New Residences for The Haven
Property Location:	831 John D. Odom Road
Requested Action:	Development Plan Approval
Applicant/Owner:	The Haven, Inc.

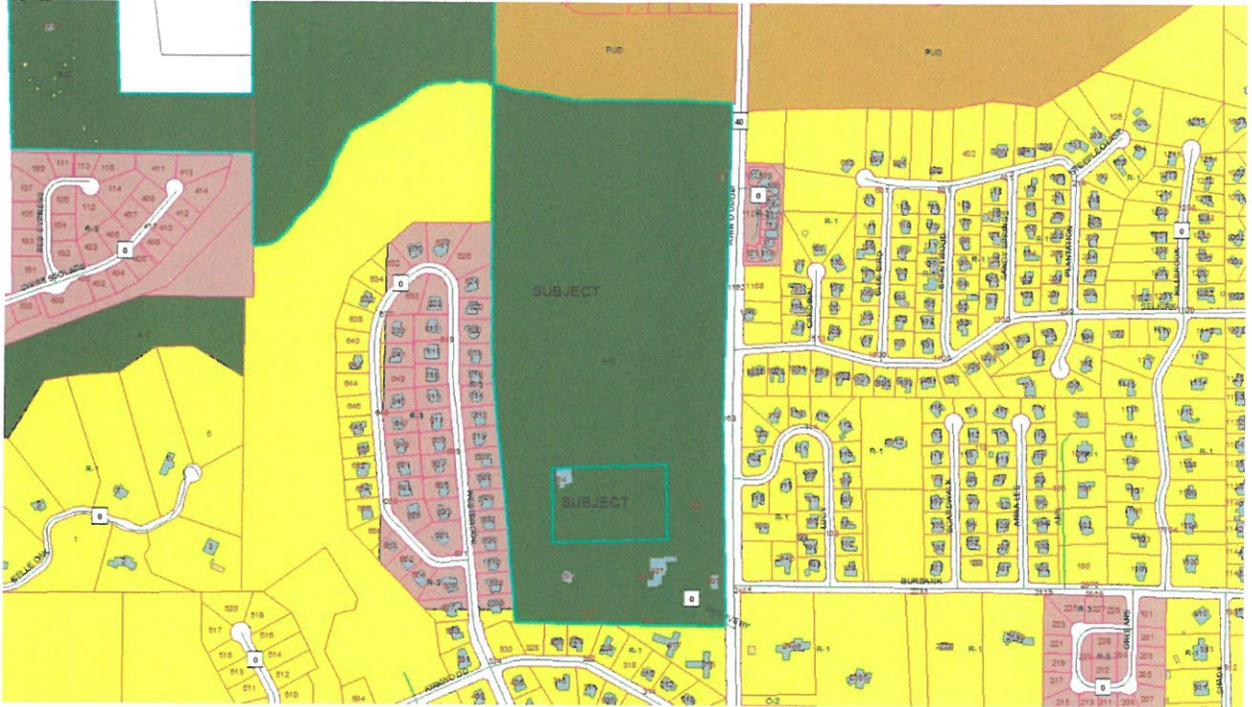
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**Zoning/Land Use:**

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)
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

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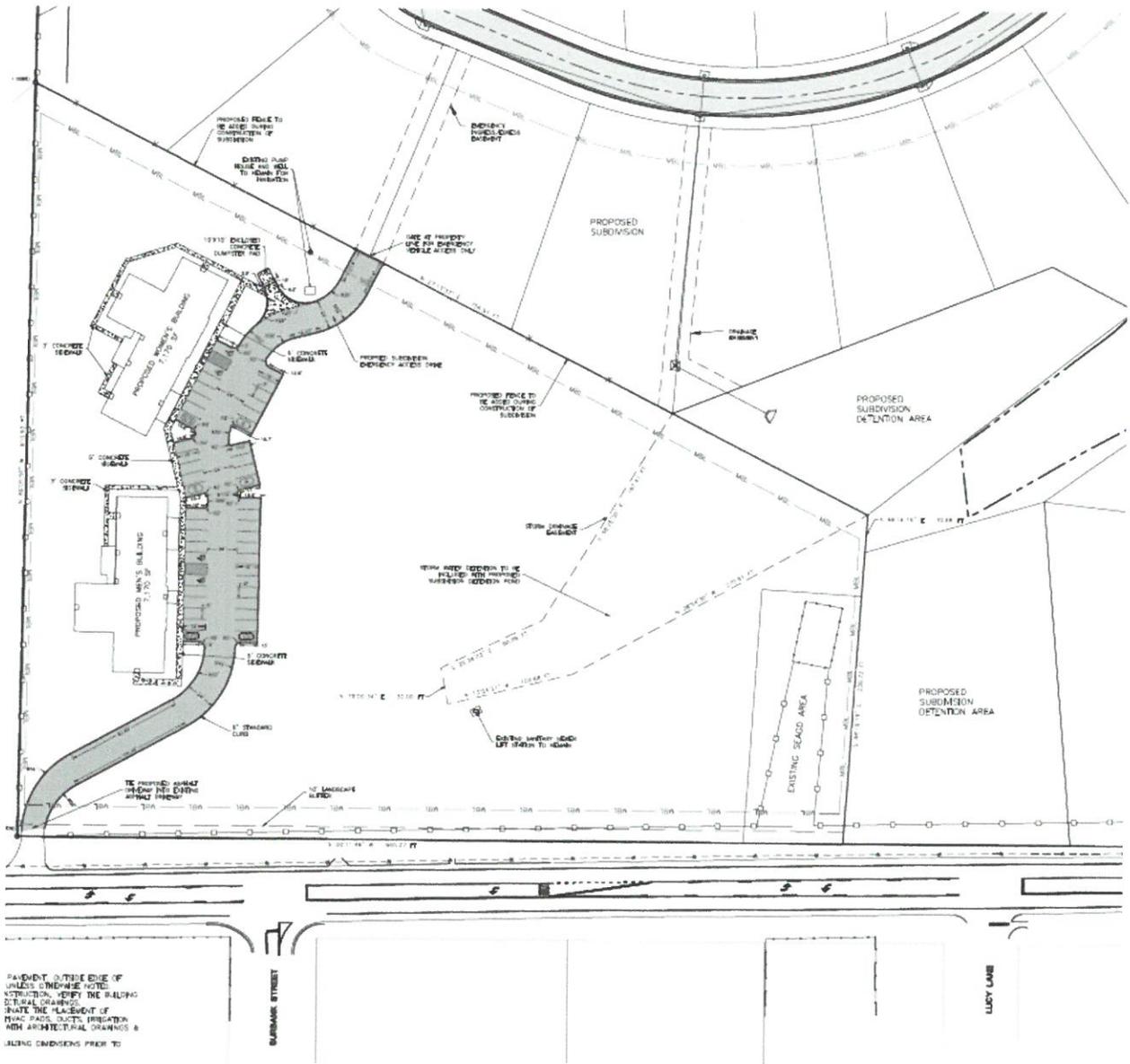
**General Discussion:** The applicants owns 79.93 acres of property on the west side of John D. Odom Road adjacent to the Westbrook Subdivision. The majority of the property is undeveloped with the southernmost portion being the site of The Haven, a substance abuse treatment facility which has operated in its current location for decades. There is a pending application (still requiring City Commission approval) to rezone the property into two separate districts. The southernmost 6.42 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 approved by the Planning Commission 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. This development plan application is for the proposed O-I commercial lot for The Haven and proposes additional residences for the treatment facility. There are two residential buildings being proposed, each being 7,170 square feet in size. All existing buildings on the site will be demolished upon completion of construction of the new residences.



**VICINITY MAP**



**AERIAL VIEW**



**SITE PLAN**

**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 residences are anticipated.

**Land Use Compatibility/Land Use Plan:** The Future Land Use Map identifies the subject parcel as suitable for single-family residential uses. The Haven is a residential treatment facility and the use is considered to be consistent with the Future Land Use Plan.

**Impact on the Environment:**

The property is relatively flat on the portion of the site that the proposed development will take place and there do not to be any environmental constraints. A number of protected trees within the construction area will be removed.

**Landscaping & Buffering:**

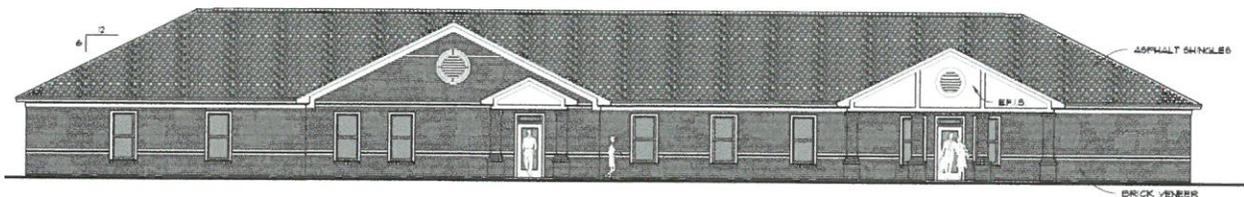
The landscaping plan meets all requirements of the zoning regulations with the exception of shrub sizes not being identified as required by Sec 114-238(B)(4)(d). A Type II buffer is being provided as required per Sec 114-242(2) along the west and south sides of the site and natural vegetation will remain around the proposed stormwater detention pond.

**Parking:**

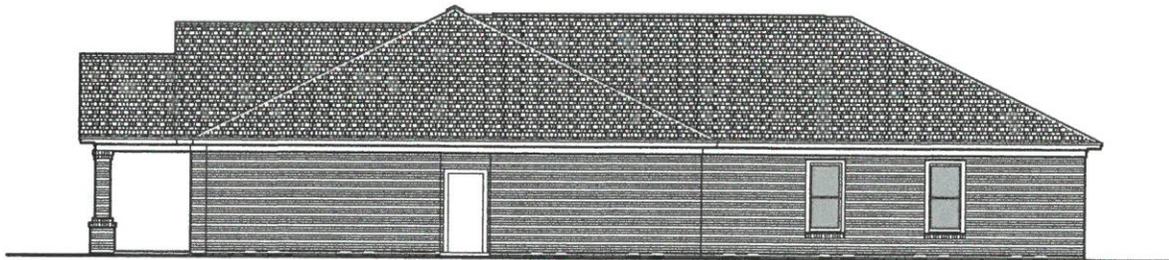
Required parking for group care use is 1 space per 4 beds plus 1 space per employee. The plan states that there are 32 spaces required but provides no breakdown or the method of calculation. There are 46 parking spaces proposed for the site. Parking calculations must be provided on the plan showing compliance with the required standard.

**Building Description:**

The buildings are both single story structures with asphalt roofs featuring brick veneer walls with faux stucco accents over the main entrances.



**NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**WEST ELEVATION**  
SCALE: 1/8" = 1'-0"

**Impact on Travel:** A two-way left turn lane already exists on John D. Odom Road; thus a northbound left turn lane is unneeded. A southbound right turn lane is also not required for this site. Due to the existing driveway having a width of approximately 18', it shall be widened to 24'. The driveway's north radius shall also be increased to a minimum of 25'. These improvements will allow motorists to exit from John D. Odom Road to The Haven's property without slowing down excessively.

Also noted was an existing overhead sign "The Haven" being supported by two brick columns at the driveway's entrance. This structure is on City right-of-way and must be relocated onto private property.



The Haven's Driveway Looking Southbound on John D. Odom Road

**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-, and 25- 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. If and when the existing lift stations is upgraded or relocated, we will require the first three downhill manholes to be coated with Spectrashield or approved equal.
3. We will require as-built drawings for all 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 average daily and peak 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 factor was derived.
5. 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.
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. If more than one acre of land is disturbed we will require a copy of the ADEM NPDES general permit along with copies of all inspection reports during construction.
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 per the NPDES permit. 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. There is a possibility of existing landfill debris at this location, which may require significant material excavation and removal. Are there any soil borings being done on this site to determine the areas where landfill debris exists? If so, provide a map of landfill limits. If not, this may be required during construction to determine areas where there may be density and compaction issues.

**Utilities:**

1. There is an existing 14" water main located on the development side of John D Odom Road that can serve the development.
2. The development plans show a 6" metered water main that will serve the development fire and domestic services and tie into the proposed future subdivision to become part of the subdivision loop line.
3. The proposed configuration is unacceptable for Dothan Utilities.
4. Dothan Utilities does not meter fire lines or subdivision feed lines.
5. The proposed unmetered water main for the development and future subdivision can be installed as shown but must be relocated to the front (North) of the proposed buildings and entrance drive.
6. The water main shall be installed eight-(8) feet off the proposed entrance drive and parking area and follow the curvature of the drive to the subdivision property.
7. The water main shall not be installed under pavement or concrete.
8. The size of the water main shall be determined according to the fire flow analysis required for the subdivision development.
9. The water main section on the proposed development plans, will be a City owned water main and must be installed within right of way or easements as shown on the plans and final plat.
10. Each of the proposed housing buildings will require a separate tap and water meter (with RPZ backflow device) off the proposed subdivision loop line.
11. The water meter size for the proposed housing buildings will be determined by the water load data sheet provided with the construction plans.
12. The proposed fire hydrant and any required fire sprinkler lines will require separate taps off the proposed subdivision loop line. All fire hydrant lines are required to be ductile iron and all fire sprinkler lines will require a double check detector backflow device.
13. The development will require a private development agreement between the owner and the City of Dothan.

**Fire Marshall:**

- 1) Sprinkler system required.
- 2) Fire hydrant required with 100 feet of the FDC. FDC to be located on the front of the building.
- 3) Knox Box required.

**Staff Recommendation:**

Staff recommends that Case No. DP-16-0072, request for development plan approval, as shown on the plan stamped "Received February 15, 2016, be approved, as authorized by Article V of the Zoning Ordinance, subject to the following conditions:

1. Parking calculations must be provided on the plan showing compliance with the required standard;
2. Rezoning approval by the City Commission of the property to O-I as proposed;
3. The concrete columns and sign must be removed from the public right-of-way;
4. 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;
5. Resubmit the development plan incorporating all design changes;
6. All future correspondence or building permit plan submittal must make reference to Case DP-16-0072 and,
7. 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

Meeting Date – March 16, 2016

CASE NUMBER: DP-16-0073

Case Manager: Frank G. Breaux, AICP

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**Summary of Information:**

Project Name:	Hobo Pantry No. 31
Property Address:	NE Corner of Brannon Stand & Flowers Chapel Roads
Requested Action:	Development Plan Approval
Applicant:	Tim Shirley
Property Owner:	Home Oil Company

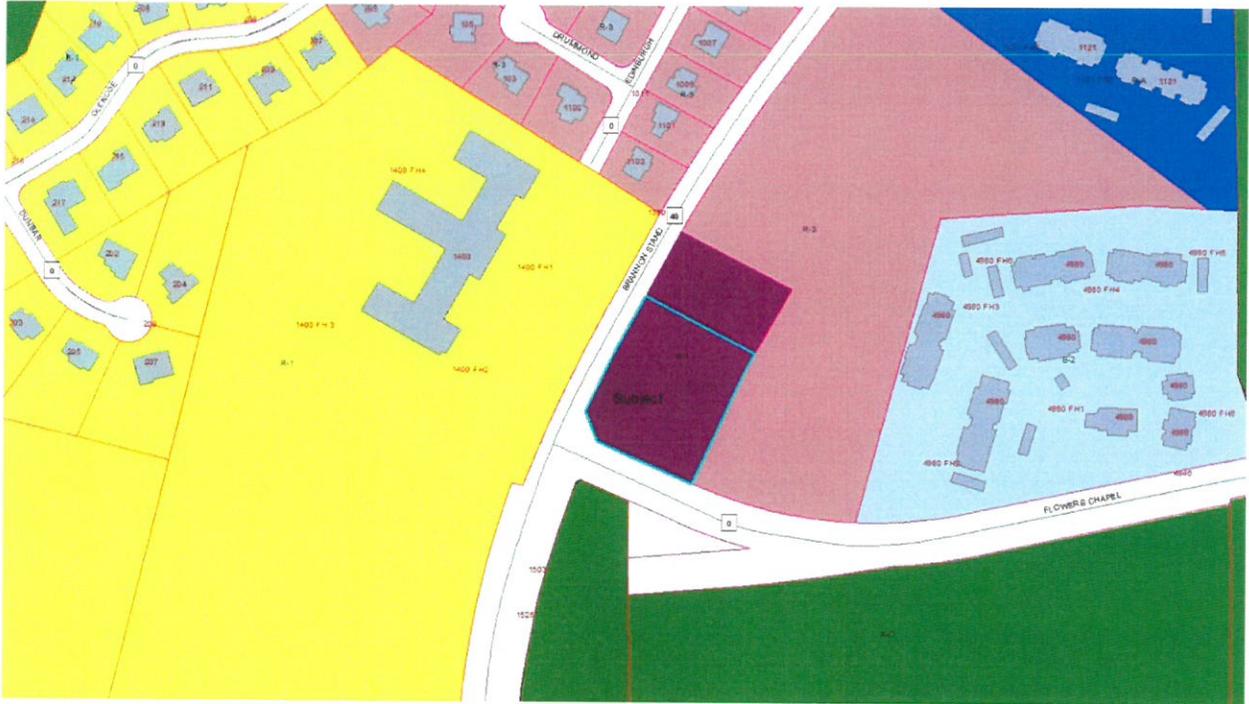
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**Zoning/Land Use:**

ACREAGE OF SITE	2.30
EXISTING LAND USE - SUBJECT	VACANT
EXISTING LAND USE - NORTH	VACANT
EXISTING LAND USE - SOUTH	VACANT
EXISTING LAND USE - EAST	SINGLE-FAMILY RES - (UNDER CONSTRUCTION)
EXISTING LAND USE - WEST	INSTITUTIONAL - SCHOOL
ZONING DISTRICT - SUBJECT	B-3 (LOCAL SHOPPING)
ZONING DISTRICT - NORTH	B-3
ZONING DISTRICT - SOUTH	A-C (AGRICULTURAL CONSERVATION)
ZONING DISTRICT - EAST	R-3 (HIGH DENSITY SINGLE-FAMILY RESIDENTIAL)
ZONING DISTRICT - WEST	R-1 (LOW DENSITY SINGLE-FAMILY RESIDENTIAL)
FUTURE LAND USE MAP - SUBJECT	COMMERCIAL
FUTURE LAND USE MAP - NORTH	COMMERCIAL
FUTURE LAND USE MAP - SOUTH	COMMERCIAL
FUTURE LAND USE MAP - EAST	COMMERCIAL
FUTURE LAND USE MAP - WEST	RESIDENTIAL SINGLE-FAMILY

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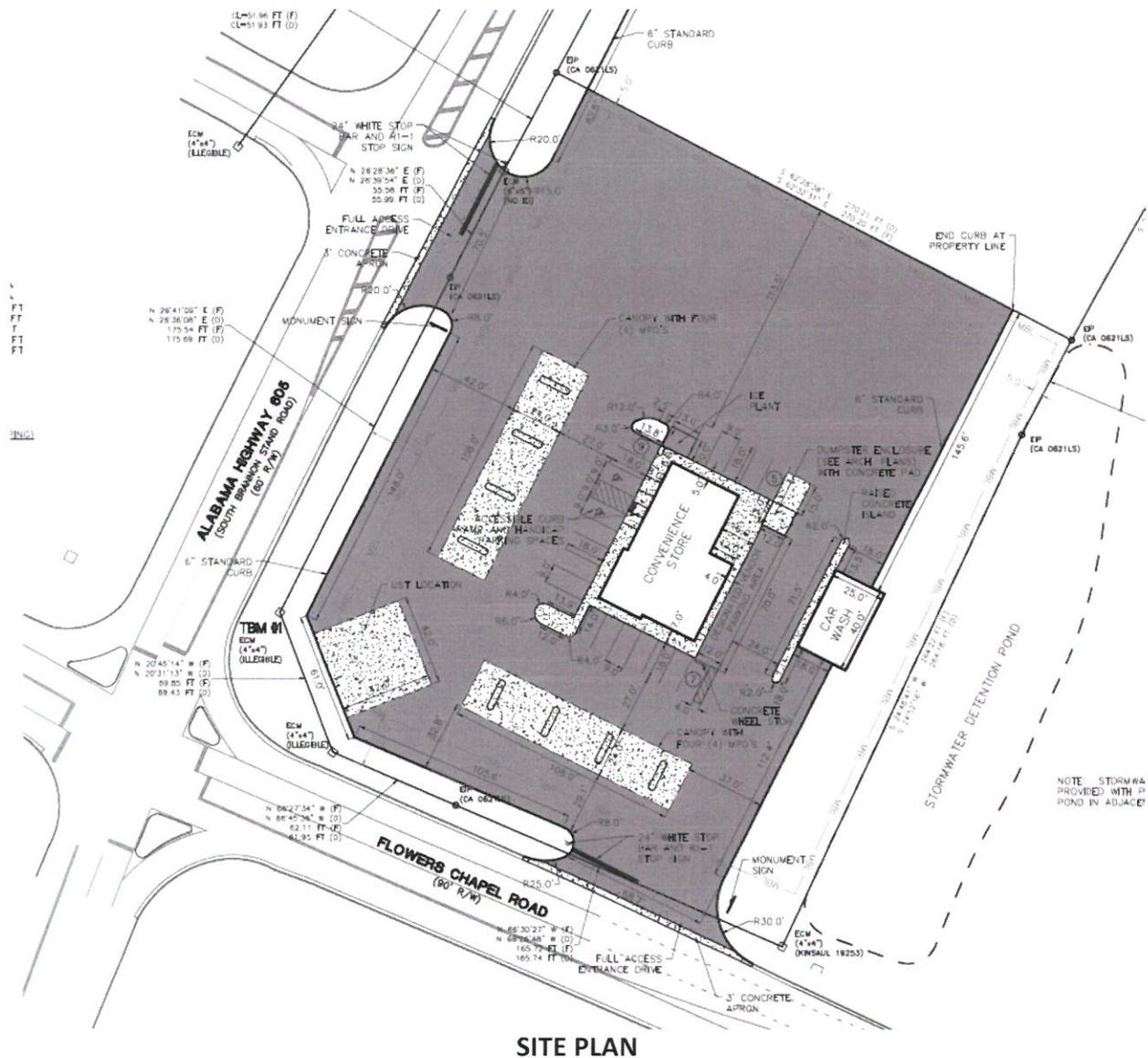
**General Discussion:** The applicant proposes to construct a 3,020 square foot convenience store on 2.30 acres of property located at the northeast corner of Brannon Stand Road and Flowers Chapel Road. Convenience Store uses are permitted only by Special Exception within the B-3 district, thus requiring review and approval by the Board of Zoning Adjustment. The proposed store will have a total of 16 fueling positions under two separate canopies and an automatic carwash will be located on the east side of the site.



VICINITY MAP



AERIAL VIEW



**SITE PLAN**

**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 convenience 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 commercial 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, the use is consistent with the Future Land Use Plan.

**Impact on the Environment:**

Portions of this property are located within a Special Flood Hazard Area (SFHA) and all requirements of the Flood Ordinance must be met.

**Landscaping & Buffering:**

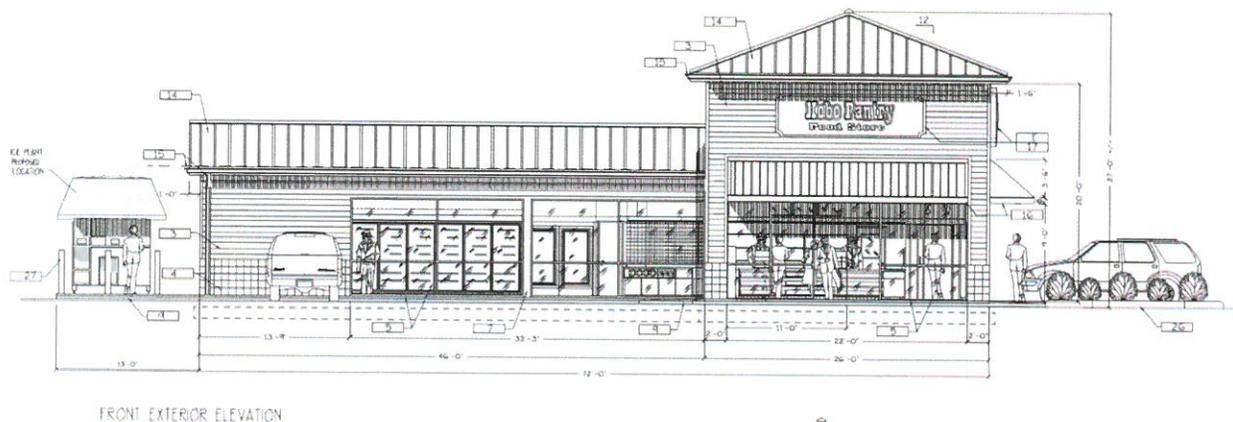
The landscaping plan meets all requirements of the zoning regulations with the exception of the required shrub sizes not being identified (Sec 114-238(B)(4)(d)). A Type II buffer has been identified along the east side of the site as required separation between the convenience store and the single-family subdivision approved for the site.

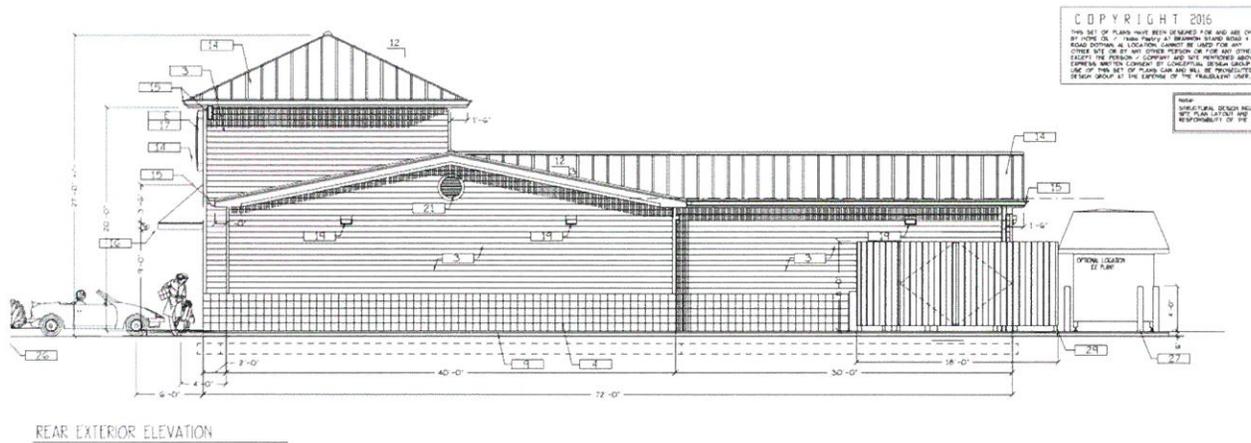
**Parking:**

Required parking for a convenience store is 1 space per 150 square feet of gross floor area, thus this site requires 20 spaces (21 proposed). Two (2) queueing spaces are also required for the carwash and should be noted on the plan. Otherwise, the parking arrangement and internal driveway design is satisfactory.

**Building Description:**

The building is a single story structure with an exterior featuring a combination of vinyl siding, split face block wainscoting and standing seam metal roofing around all four sides. Elevations of the freestanding carwash were not provided.

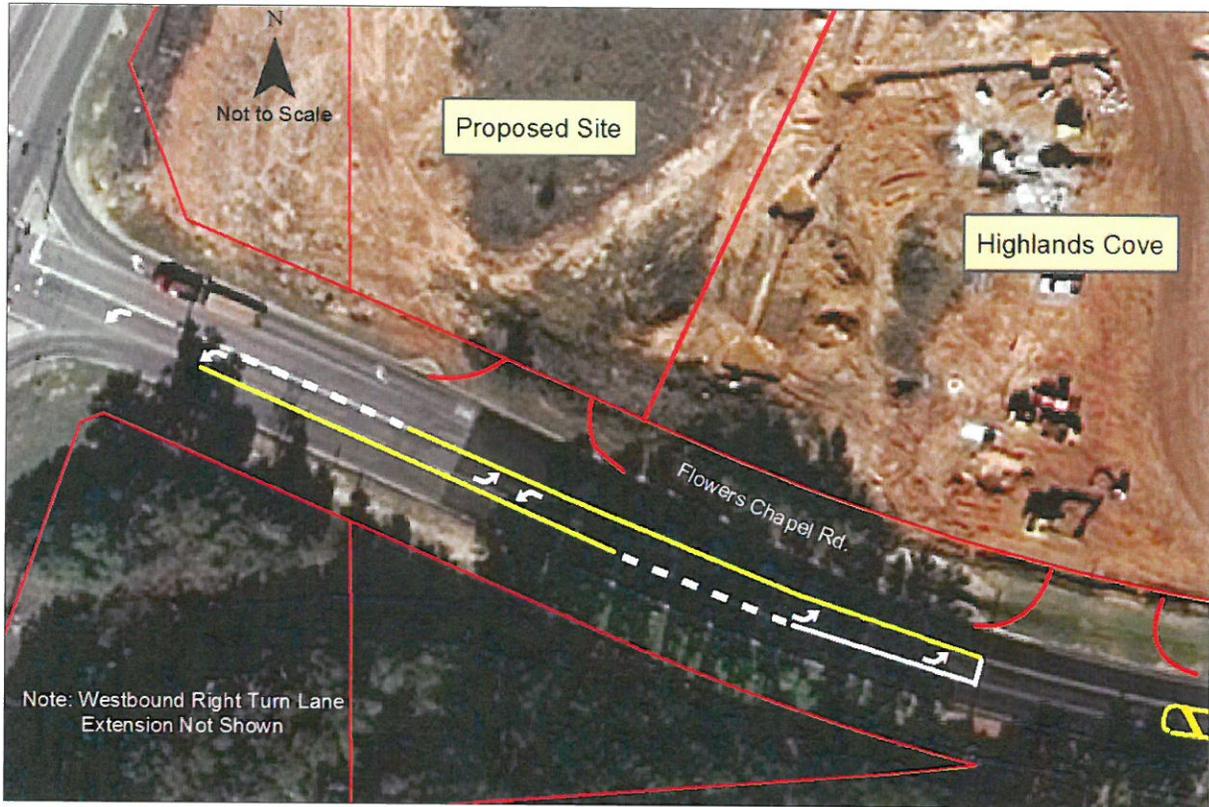




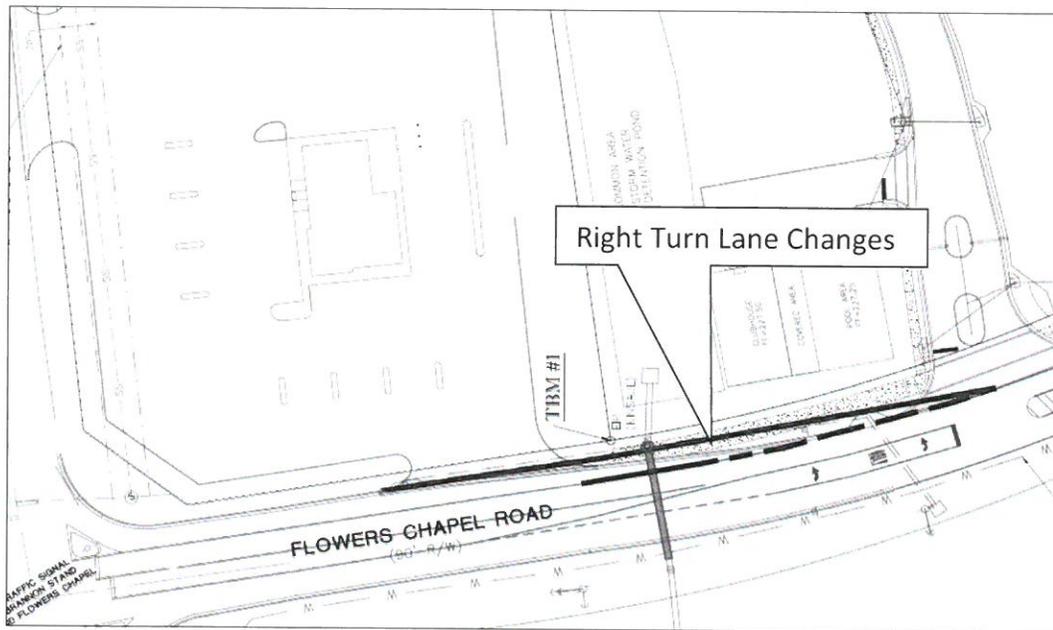
## ELEVATIONS

### Impact on Travel:

1. ALDOT has informed us that a full access driveway onto S. Brannon Stand Road (AL 605) will not be permitted due to its proximity to a signalized intersection. Instead a right-in/right-out will be allowed. Only one driveway will be allowed to serve both the north lot and Hobo Pantry along S. Brannon Stand Road.
2. To minimize motorist confusion while ingressing/egressing this development from Flowers Chapel Road, the driveway width shall be reduced from 68.7' to 40'. An AutoTURN analysis for this driveway shall be completed to ensure an 18 wheeler tanker truck will not damage any curbs on right-of-way.
3. So that a left turn lane is provided for eastbound motorists on Flowers Chapel Road, the Hobo Pantry developer shall coordinate with Highlands Cove's developer so that the roadway is restriped as follows:



4. Due to the proposed driveway on Flowers Chapel Road being constructed in an existing westbound right turn lane taper, the City will require the developer to extend the full width right turn lane and taper the turn lane as shown below:



5. All landscaping and signage placed along both S. Brannon Stand Road and Flowers Chapel Road must meet the sight distance triangle requirements as noted in Sec. 98-10 of the City Ordinance.
6. A copy of ALDOT's permit application must be submitted to the City of Dothan before a building permit is issued.

### **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.
3. The utility plan does not show the carwash tied to the sanitary sewer. The carwash must be tied to the sanitary sewer and contain a sandtrap or combination oil/grit separator. We will require all inlets connected to the sandtrap or combination oil/grit separator to be covered and the site graded so that no stormwater can enter the sanitary sewer system.
4. We will require as-built drawings for all utilities 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.
5. We will require documentation providing the average daily and peak 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 factor was derived.
6. Brannon Stand Road is a state-maintained highway which requires a permit for any work performed within its' right-of-way.
7. 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.
8. 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. If more than one acre of land is disturbed we will require a copy of the ADEM NPDES general permit along with copies of all inspection reports.
  9. 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. Siltation control measures shall be inspected as required by permit. 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.
  10. This property has a Special Flood Hazard Area (SFHA) located on it. All requirements of the Flood Ordinance must be met.

**Utilities:**

1. The development will require a separate water meter for the proposed gas station with car wash and the proposed landscape irrigation.
2. The meter for the car wash will require an above ground RPZ backflow device.
3. The construction plans shall include a water load data sheet for each proposed water service and meter.
4. The water services off S. Brannon Stand Road will require an ALDOT Highway Utility permit.
5. There is an existing 12" water main on the development side of Brannon Stand Road and a 10" water main on the opposite side of Flowers Chapel Road.
6. The developer will be required to obtain an elevation shot on the top of the existing 12" water main off S. Brannon Stand Road at each proposed entrance drive location to the development.
7. The developer will be required to identify all potential conflicts with the existing water mains to include any proposed utilities, storm, entrance drives or elevation changes and to bear all cost in their resolution.
8. The development may require fire hydrants and fire lines by the Fire Marshall.

**Fire Marshall:**

1. One fire hydrant required within 250 feet of the building.

**Staff Recommendation:**

Staff recommends that Case No. DP-16-0073, request for development plan approval, as shown on the plan stamped "Received February 12, 2016, be approved, as authorized by Article V of the Zoning Ordinance, subject to the following conditions:

1. Approval of a Special Exception by the Board of Zoning Adjustment;
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-16-0073 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

Meeting Date – March 16, 2016

CASE NUMBER: DP-16-0075

Case Manager: Frank G. Breaux, AICP

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Project Name:	Fellowship Hall - Greater Dothan Ministries
Property Address:	2041 Mimosa Drive
Requested Action:	Development Plan Approval
Applicant:	Billy Snell
Property Owner:	Greater Dothan Baptist Church

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### Zoning/Land Use:

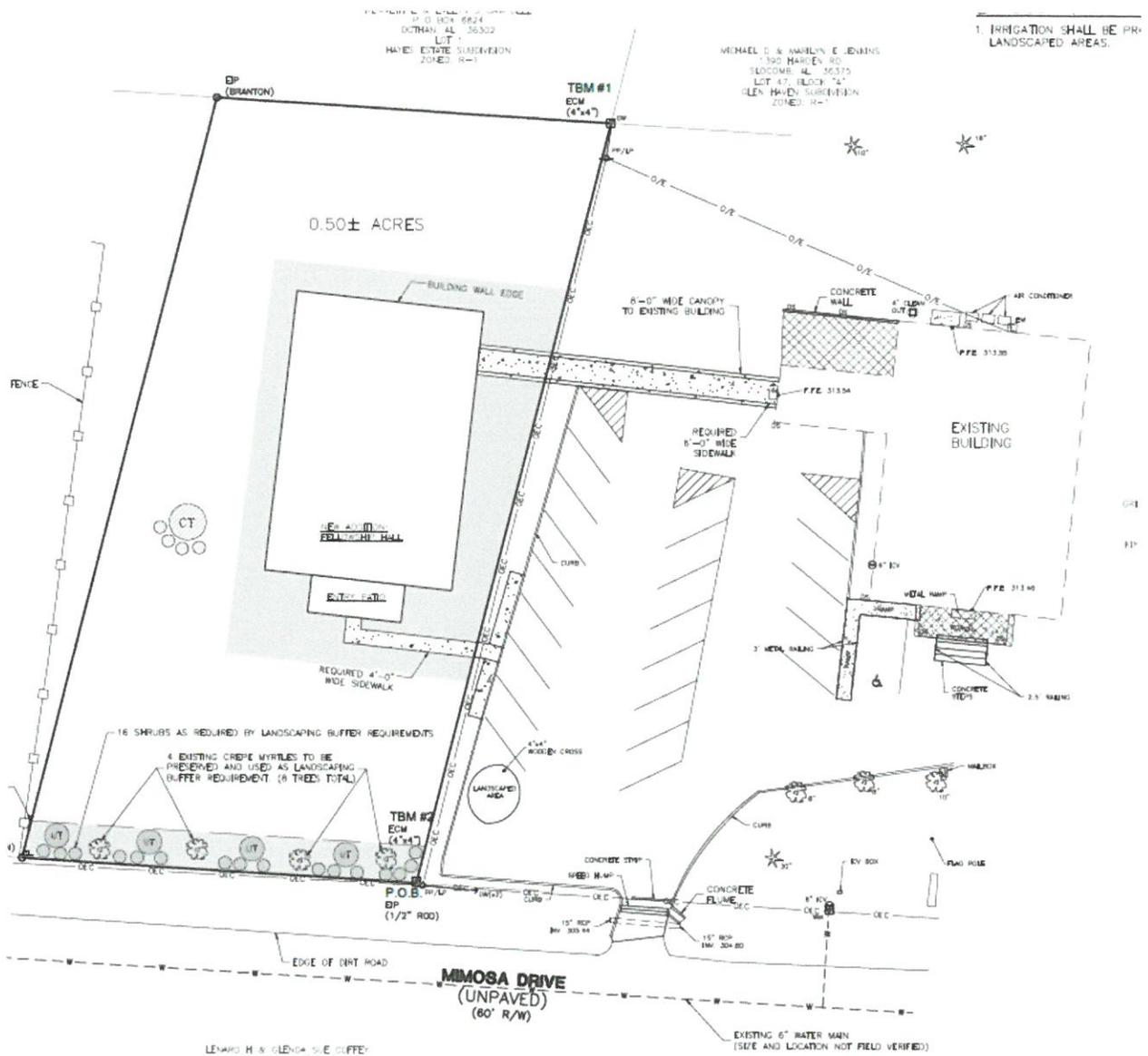
ACREAGE OF SITE	.50
EXISTING LAND USE - SUBJECT	VACANT
EXISTING LAND USE - NORTH	SINGLE-FAMILY
EXISTING LAND USE - SOUTH	AGRICULTURAL
EXISTING LAND USE - EAST	INSTITUTIONAL/RELIGIOUS
EXISTING LAND USE - WEST	SINGLE-FAMILY
ZONING DISTRICT - SUBJECT	R-1 (LOW DENSITY SINGLE-FAMILY RESIDENTIAL)
ZONING DISTRICT - NORTH	R-1 (LOW DENSITY SINGLE-FAMILY RESIDENTIAL)
ZONING DISTRICT - SOUTH	A-C (AGRICULTURAL CONSERVATION)
ZONING DISTRICT - EAST	R-1 (LOW DENSITY SINGLE-FAMILY RESIDENTIAL)
ZONING DISTRICT - WEST	R-1 (LOW DENSITY SINGLE-FAMILY RESIDENTIAL)
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

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**General Discussion:** The applicant proposes to construct a 3,750 square foot fellowship hall building on .50 acres of property located west of and adjacent to the Greater Dothan Ministries located at 2041 Mimosa Drive. Religious institutional uses are allowed only by Special Exception within the R-1 District and the applicant (at the date of this writing) is scheduled to appear before the Board of Zoning Adjustment (Case SE-16-0080) on March 2<sup>nd</sup>. It is anticipated that the application will be approved.

The future use of the existing church building has not been identified. If the future use (i.e. school or daycare) of the existing facility will increase required parking or generate additional vehicular trips, an amended plan may need to be submitted for approval by both the Planning Commission and the Board of Zoning Adjustment.





### SITE PLAN

**Land Use Impact on Vicinity:** The existing church has coexisted with surrounding development for many years. When properly landscaped and buffered, the addition to the site should have no negative impact on the nearby residential properties.

**Land Use Compatibility/Land Use Plan:** The Future Land Use Map identifies the subject parcel as suitable for single-family residential uses. Religious institutional uses are allowed within single-family residential zoning districts thus the request is 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:

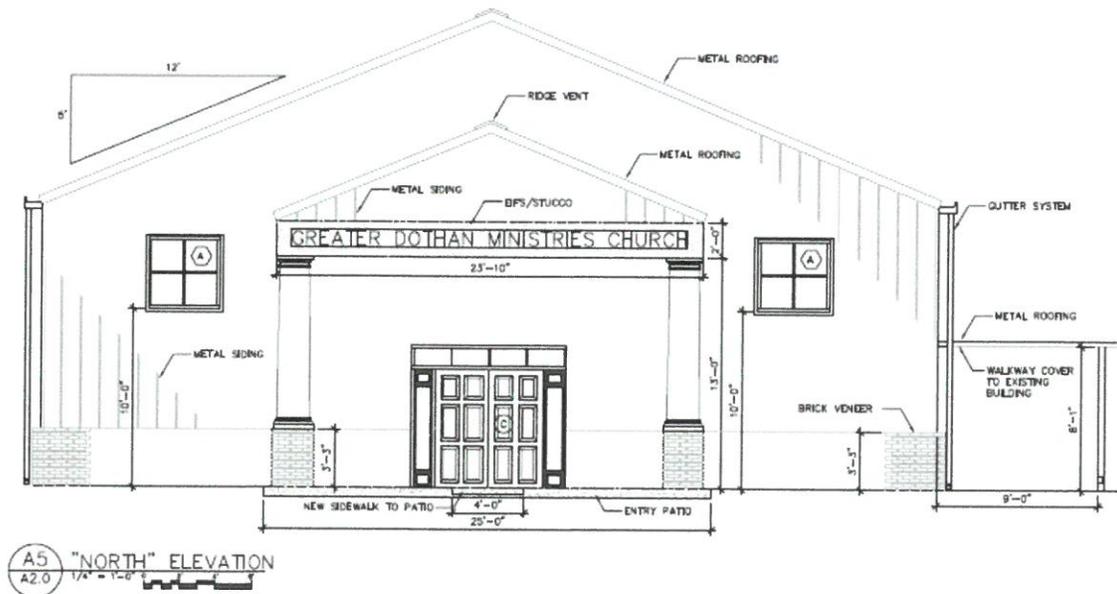
The landscaping plan meets all requirements of the zoning regulations with the exception of shrub sizes not being identified as required by Sec 114-238(B)(4)(d). A Type II buffer is also required per Sec 114-242(2) along all four sides of the site but the plan fails to provide for any buffering.

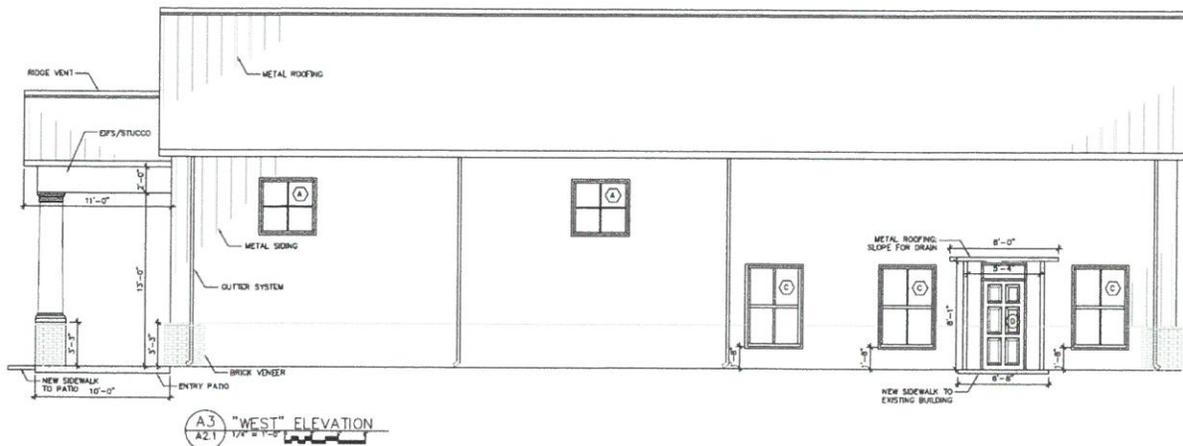
### Parking:

Required parking for a religious use is 1 space per 4 fixed seats at maximum capacity or per 40 square feet of gross floor area accommodating moveable seats. The plan states that there is maximum capacity of 60 persons, thus this site requires 30 spaces. There are currently 53 parking spaces on site.

### Building Description:

The building is a single story structure with an exterior consisting of metal siding with brick veneer wainscoting and faux stucco accents. This is not consistent with the appearance of the existing building on the site which is brick veneer on all elevations.





**Impact on Travel:** No comments.

**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-, and 25 - year storm events unless site conditions dictate differently.
2. There is no sanitary sewer located in front of this lot. The owner should contact the Houston County Health Department to apply for a septic tank permit. Show the existing septic tanks location. Will it be used for this addition?
3. We will require as-built drawings for all 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. 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.
5. 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. If more than one acre of land is disturbed we will require a copy of the ADEM NPDES general permit along with copies of all inspection reports during construction.
6. 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. Siltation control measures shall be inspected per the NPDES permit. 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. An energy dissipater of some type is required at the discharge of the detention pond.

**Utilities:**

1. The development can be served from an existing 8" water main in Mimosa Drive.
2. The development will require a 1" domestic meter.
3. The billing does not reflect an irrigation meter for the church property. A separate meter is required for irrigation for landscaping.

**Fire Marshall:**

1. One fire hydrant required within 250 feet of the building.
2. If occupancy load is greater than 99 people, a sprinkler system will be required and a fire hydrant will be required within 100 feet of the FDC, which is to be located on the front of the building.
3. Knox box required.

**Staff Recommendation:**

Staff recommends that Case No. DP-16-0075, request for development plan approval, as shown on the plan stamped "Received February 15, 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 all property lines per Sec 114-242(2);
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-16-0075 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.



# CITY OF DOTHAN

## Department of Planning and Development

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Todd L. McDonald, AICP, Director

### MEMORANDUM

**To:** Planning Commission

**From:** Frank G. Breaux, AICP

**Date:** March 7, 2016

**Re:** Discussion Items – Zoning Text Changes

Since the latest round of text amendments last year (and as somewhat expected), we have identified a number of “house cleaning” items that were either missed, overlooked or mistakenly modified within the text of the zoning regulations. The following is a list of the items identified to date:

1. Sec. 114-116. **Establishment of Zoning Districts.** Remove A-C from the Residential District table. A-C was previously considered to be a residential district but was removed from the Table and placed within a standalone Agricultural category.

Residential Districts	Districts
Residential Single-Family, Very Low Density	A-C
Residential Single-Family, Low Density	R-1
Residential Single-Family, Medium Density	R-2
Residential Single-Family, High Density	R-3
Residential, Attached, High Density (2-7 units)	R-4
Residential, Multi-family, High Density (8+ units)	R-A
Manufactured Home Community ark	MH-1
Mobile Home Subdivision	MH-2

2. Reestablish **Custom Assembly** as a use within the Table of Permitted Uses. It was errantly omitted and its definition still appears in the zoning regulations.
3. Remove **Personal Care Services** from the Table of Permitted Uses in the O-3 District as previously discussed at the last two meetings (Kent Drive discussion).
4. Reestablish **Single-Family Dwelling** as a permitted use within the B-1 District. It was errantly omitted and its elimination has created countless nonconformities within the downtown area.

In addition to these “house cleaning” revisions, the following issues have since presented themselves and it is recommended that they are also acted upon concurrently.

1. **Architectural Requirements for commercial buildings.** The Planning Commission has continually expressed its desire to have architectural embellishments made to metal buildings in order to make them more compatible with surrounding developments and to protect the streetscapes along major corridors. This despite the lack of any specific language within the text of the zoning regulations other than the following as taken from Sec. 114-76(B)(5):

*Neighborhood compatibility requirements. Development plans should be designed to assure that the overall function of the proposed project is compatible and harmonious with other properties in the immediate area. Designers should pay particular attention to adjacent land uses, building location, height and dimension, relationship of parking areas to the building, pedestrian facilities, hours of operation, noise levels (outdoor speakers, dumpster service, etc.), outdoor lighting, impact on views, buffer treatment and integration of open space. It is the objective of this guideline to encourage design treatments that reflect consideration of and between adjoining developments and preclude any significant adverse impacts. It is not the purpose of this provision to preclude development based upon normal change or inconvenience which might ordinarily be expected to result from the land development process.*

Specific language should be inserted into the regulations so that there is no confusion as to the requirements and to also prevent the Planning Commission from placing itself in a position of appearing arbitrary and capricious or of overstepping its authority. An example may read something similar to the following:

*All metal buildings constructed along major arterial, minor arterial and collector streets are required to have a facade which may be composed of stucco, brick, scored concrete, split-face concrete block, wood or a combination of these or similar materials. Specifically:*

- A) This standard applies to all commercial and office districts.*
- B) Exposed metal siding shall not exceed 25% of any facade.*
- C) This standard shall not generally apply to the rear building facade except in the case of a double front lot or unless otherwise required the Planning Commission.*
- D) All roof mounted equipment shall be screened from view.*

2. **Temporary and Directional Signs.** As previously briefed last year, the Supreme Court decided in *Reed v. Town of Gilbert, Ariz.*, that a town ordinance that places different limits on political, ideological and directional signs violates the First Amendment. Accordingly, the City has struggled, as have most other jurisdictions, in finding ways to implement its regulations. While some regulation changes have already been made, the Department is still unable to effectively and completely address this issue without guidance from the Planning Commission given these new limitations.