



PLANNING COMMISSION AGENDA

A public hearing will be held by the Planning Commission of the City of Dothan, Alabama, on **Wednesday, August 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, August 15, 2016 at 3:30 p.m., in **Board Room, second 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 July 20, 2016 Meeting Minutes***
3. ***Disclosure of ex parte contact***

Old Business

4. **DPMA-16-0251:** Request approval of a Development Plan for a new 120,000 square foot medical facility at 2800 Ross Clark Cir., B-2 District, Hillen Reality Co., LLC represented by Praestare Engineering.

New Business

5. **RZ-16-0287:** Request recommendation for Rezoning of a lot located at 223 E. Cottonwood Rd., from an R-4 District to a B-2 District, Richard Scott Rumley.
6. **DP-16-0294:** Request approval of a Development Plan for a new 2,600 square foot restaurant located directly east of and adjacent to 3801 Montgomery Hwy. (380902044005014.000/380902044005013.00), B-2 District, Panda Restaurant Group, Inc. represented by Ingenium Enterprises.
7. ***Consent Items: Minor Development Plans & Subdivision Plats***
8. ***Discussion: Architectural Requirements***
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
JULY 20, 2016
DOTHAN, ALABAMA**

The Dothan Planning Commission met in a Regular Meeting on **Wednesday, July 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 Cornelius
Gayla White
Debora Pettway
Ron Tindall
David Brewer
Jim Freeland
John Taylor, Supernumerary

Members Absent:

Mickey Davis
Mike Palmer, Supernumerary

Others present were: Todd L. McDonald, AICP, Planning Director; Frank Breaux, AICP, Senior Planner; Craig Scurlock, Building Inspector; Bart Barefoot, Engineering Services; Jonathan Lucas, Engineering Services; Tyler Reeder, Engineering Services; and Theresa Eddy, Secretary.

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 and state their name and address when addressing the Board. For the record, all meetings are recorded, and all cellular devices should be turned off or silenced.

1. Approval of Agenda

Chairman Harris asked Mr. Breaux if there were any changes to the agenda. Mr. Breaux responded that he had a request to continue item #5 to the August meeting.

Ms. Pettway made a motion to approve the agenda, including the continuance of item #5 until August, Mr. Tindall seconded, and the motion passed unanimously.

2. Approval of June 15, 2016 Meeting Minutes

Chairman Harris stated that there was a correction that needed to be made to the June 15, 2016 meeting minutes. Mr. Breaux responded that the last sentence in item #6 was corrected. Secretary Eddy responded that the corrected minutes were submitted for signature. ***Ms. White made a motion to approve the corrected June 15, 2016 Meeting Minutes. Mr. Tindall seconded, and the motion passed unanimously.***

3. Disclosure of ex parte contact

Chairman Harris explained this is an item on the agenda for the purposes of disclosing to the public any board member's prior contact with the applicants or adjacent property owners, regarding general questions about the application process and items of concern or interest. ***No disclosures were made.***

Old Business

4. *None*

New Business

5. *S-16-0248: Request approval of a preliminary plat for Madison Corners Subdivision located at the southwest corner of Madison Ave. and Carroll St., R-4 District, B.C.*

Dillard represented by Michael Jernigan. Mr. Breaux directed everyone's attention to the PowerPoint presentation and explained that the subject property has three existing lots and that the request is to re-subdivide it to add an additional lot. He said that it was in a transitional area that consists of heavy commercial and mixed residential uses to the East and to the South. It is zoned R-4 and is appropriate for single-family, attached or detached. All of the lots meet the dimensional requirements. There will be construction plans submitted for utility installation and staff is recommending approval. Chairman Harris asked who was there concerning this item. Mr. Brock Matthews with Benchmark Land Services addressed the board and stated that he prepared the layout. He explained that there would be a single water main tap to minimize damage to the roadway and that the construction plans would reflect that design. He explained that the drainage and topography of the site are adequate to build these houses with minimal cut and disturbance to the land and that some trees would be preserved. He said that they could comply with all of the requirements in the staff report. Chairman Harris asked if anyone had any questions. Mr. Cornelius asked Mr. Matthews what he meant by one tap. Mr. Matthews responded that they propose to come off of Carroll Street with a 2" main service line and then extend that line to the end of the property to a flush hydrant, and each lot will tap into the new service main. Mr. Cornelius asked if there would be four separate meters and Mr. Mathews said that there would.

Chairman Harris asked the audience if anyone wanted to address the board concerning this item. Ms. Eloise Stivey of 205 E. Carroll Street stated that she was told that this was supposed to be apartment housing and that's why she and others were there.

Chairman Harris stated that they are subdividing the property into four lots which could be attached townhomes or single detached homes. Mr. Tyree of 408 Madison Avenue addressed the board with his concern about the size of houses going on to the lots, and that it seemed that the property didn't appear to be big enough to support four individual residences of any size at all. He asked how big the houses would be.

Chairman Harris stated that the minimum house size was 750 square feet in the R-4 district. Mr. Jernigan, representing Mr. B.C. Dillard, addressed the issue by stating that they were putting 1600-1700 square foot, single-family homes on the property. Mr. Tindall asked if they were planning to be two story homes. Mr. Jernigan responded, no. Ms. Sue Anne Chalker of 401 Madison Street, who lives directly across from the large lot, addressed the board. She stated her concerns about maintaining property values and stated that she and her neighbors believed that the neighborhood was experiencing a comeback. She stated her desire that this property remain as three lots and not be replatted to four. Chairman Harris stated that the applicant has asked that the property be replatted into four lots and at this time he asked for a motion. ***Vice Chairman Coleman made a motion that Case S-16-0248 be approved as presented, including in the proposal the 3 comments made by staff, Mr. Freeman seconded. The motion carried on an 8 to 1 vote, and Ms. Pettway opposed. Chairman Harris stated that the motion is approved subject to three 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-16-0248.
6. ***DPMA-16-0258: Request approval of a Development Plan for a commercial daycare facility located at 900 Irwin St., R-4 District, Ursula Eutsey represented by Northstar Engineering Services.*** Mr. Breaux directed everyone's attention to the PowerPoint presentation and stated that the property was an old residence. He said that it had been used for daycare, assistant living, etc. in the past, but that it was not grandfathered because it had been idle for a number of years. He pointed out that there were nonconformities associated with the site that would need to be addressed. He explained the transitional character of the area, pointing the mix or duplex, single family, commercial and church properties in the immediate vicinity. He explained the requirement for vehicle queueing, for picking and dropping off children, and the need to

have this occur on private property and not in the street. He pointed out that the parking and maneuvering areas would be located on the lot to the west of the house and that there would also be ADA compliant parking. He stated that the commercial daycare anticipated up to 60 children with 6 employees and that the Board of Zoning Adjustment had granted a special exception, with the condition that the site meet all requirements of zoning and approval from the Planning Commission. He pointed out that commercial daycare uses were no longer allowed within residential districts because of the issues inherent in converting single-family residences into commercial properties. Mr. Breaux stated that a Type 2 buffer was required along the south side of the property, but there was no way to get the full twenty-five feet because of the location of the house. He asked that the Planning Commission allow staff to work with the applicant in achieving compliance to the extent possible. He pointed out that required parking and vehicle queueing areas were adequately designed and recommended approval. Mr. Lee Brown from Northstar Engineering addressed the board along with Ms. Ursula Eutsey. Chairman Harris asked if Mr. Brown had seen the six items that staff recommended and if he had any problems with them. Mr. Brown replied he had seen them and that they could comply. Chairman Harris asked if anyone else was there concerning this item. Ms. Pettway asked about the location of the storm-water pond and Mr. Brown referred everyone to the plans. He stated that the pond would be fenced. Vice Chairman Coleman asked Mr. Breaux if another condition was required regarding the buffer and Mr. Breaux responded that the Type 2 buffer was already listed in item #2. Chairman Harris asked if anyone else had any questions. No response. ***Chairman Harris asked for a motion on case number DPMA-16-0258. Ms. White motioned to approve DPMA-16-0258 with the 6 listed staff recommendations. Ms. Pettway seconded and the motion passed unanimously.***

1. 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;
2. A Type 2 buffer shall be provided along the south property line per the requirements of Sec 114-242(A)(2);
3. The storm water ponds must be properly fenced if located in the outdoor play area;
4. Resubmit the development plan incorporating all design changes;
5. All future correspondence or building permit plan submittal must make reference to Case DP-16-0258; and,
6. 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.

7. ***DPMA-16-0257: Request approval of a Development Plan for a Commercial Daycare Center at 930 E Burdeshaw St., R-4 District, Zann Stewart represented by Northstar***

Engineering Services. Mr. Breaux directed everyone's attention to the PowerPoint presentation and pointed out the site near the Dothan Lodge. He pointed out the large parking facility for the Dothan Lodge located directly to the west of the site and said that the applicant was pursuing the legal right to use it for required parking and vehicle queueing. He said that the plan provided for the required parking, ADA compliance and queueing, and that the Board of Adjustment approved a special exception for the use on December 2, 2015. He said that a Type 2 buffer was required but that the full twenty-five foot width was not possible due to the location of the house. He stated that there would, however, be plantings provided within the buffer that met the requirements of the Type 2 buffer. He again stated that the City was still awaiting legal documents for the use of the parking lot. Chairman Harris asked who was there concerning this issue. Mr. Brown of Northstar Engineering and Ms. Zann Stewart addressed the commission. Chairman Harris asked if they had issues with the 6 items listed by staff. Mr. Brown responded, no. Chairman Harris asked if anyone else was here regarding this issue and if anyone had any questions for Mr. Brown. Mr. Tindall asked if there was a detention area required. Mr. Brown said that he would submit pre and post storm-water runoff calculations to the Engineering Department to show the increase but that the only additional paving was one small driveway that was less than 400 square feet. Mr. Tindall then asked about the driveway locations and the location of the vehicle queueing area. He stated that he was concerned with vehicles entering driveways in the wrong direction. Mr. Brown responded that "Do Not Enter" signage for that driveway would be provided. Mr. Tindall expressed further concern about drivers being confused about where to enter and exit the site. Mr. Brown said that drivers entering the site could see where vehicles were queued and that there might be a slight learning curve in the beginning. Chairman Harris asked if anyone else had any questions. Ms. Pettway asked whether or not the signage would be permanent and Mr. Brown said that it would. She also asked about the condition for the resubmittal of the plans and Mr. Brown responded that he had already submitted the landscaping plan for the Type 2 buffer. He stated that recording a lease for the required parking was the only outstanding item yet to be completed. Chairman Harris asked if there were any further questions. No response. **Chairman Harris asked for a motion concerning Case #DPMA-16-0257. Ms. Pettway, referencing Case #DPMA-16-0257, moved for approval subject to the 6 conditions in the staff report. Vice Chairman Coleman seconded, and the motion passed unanimously.**

1. 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;
2. A Type 2 buffer shall be provided along the east property line per the requirements of Sec 114-242(A) (2);
3. A valid lease or perpetual parking easement shall be provided, and the agreement shall be executed and recorded in the county recording office and shall be binding

- on subsequent purchasers, inheritors or assigns, and a copy provided to the planning and development department per Sec 114-182(H)(6).
4. Resubmit the development plan incorporating all design changes;
 5. All future correspondence or building permit plan submittal must make reference to Case DP-16-0257 and,
 6. 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.
8. ***S-16-0269: Request approval of a Preliminary Plat for the Highlands Cove Subdivision located on Flowers Chapel Road (Parcel ID 38-09-04-19-0-000-011.001), near the intersection of Brannon Stand Road, R-3 District, Hugh Wheelless represented by Northstar Engineering Services.*** Mr. Breaux stated that the board had seen this before and that the developer presently has a valid approval for a preliminary plat. He directed everyone to the PowerPoint presentation and pointed out the property in question. He pointed out the changes to the plan including the clubhouse relocation, emergency access and the new roadway configuration. Mr. Breaux stated that he felt that this was a much better layout. He said that the roads were to remain private and that the applicant was asking for approval of a design that was non-standard with regard to the pavement width, right-of-way width, and a reduced width of the sidewalks. He said that they were proposing sidewalks on both sides of the street that would be 42 inches in width and a 24 ft. roadway. He said that 24 foot wide streets were currently being discussed by the subdivision rewrite committee as a way to slow down traffic on local streets. He stated that staff had no objection to the request and that the Planning Commission could approve the design with the approval of the Public Works Director. Chairman Harris said that he saw that the Fire Marshall had approved the minimum cul-de-sac diameter. Chairman Harris asked who was present concerning this issue. Mr. Hugh Wheelless stepped to the podium. Chairman Harris asked if they had read staff recommendations and if he had any problem with them. Mr. Wheelless responded that he would like to get the road in front of the Clubhouse reduced down to 20 feet and that it only affected the 6 lots backing up to Brannon Stand Road. He said doing so would calm traffic and create more green space. He said he wanted the 42-inch sidewalks on both sides of streets to enhance lifestyle and to create more green space. Chairman Harris expressed his concern regarding service vehicles and reducing the width of the road from 24 to 20 feet. He asked if fire trucks, garbage trucks, and city service trucks could adequately maneuver. Mr. Breaux answered that the Fire Department had reviewed the plans and they were comfortable that they could maneuver through the 20 ft. wide looped road. Mr. Barefoot of Engineering Services stated that he had spoken with Mr. Metzger in Traffic Engineering and that they didn't like anything less than 24 ft. He said that they could re-

review if necessary. Mr. Tindall stated he understood that all of the roads were going to be 24 feet wide except for that section behind the Clubhouse, and asked if the turning radii were adequate for trucks with trailers. Chairman Harris pointed out to Mr. Tindall the section of the 20 foot wide road on the map. Vice Chairman Coleman asked Mr. Breaux what the minimum house size was in R-3 zoning. Mr. Breaux responded that it was 1000 square feet. Chairman Harris asked if there was anyone else present concerning this item. Mr. Brewer asked whether or not the storm-water pond was to be shared with the commercial development on the corner and Mr. Wheelless said yes. Ms. Pettway asked for clarification regarding sidewalks on both sides of the street. Mr. Wheelless responded, yes, but that he was requesting 42 inch sidewalks. Mr. Tindall asked Mr. Wheelless to explain the request to reduce the sidewalk width. Mr. Wheelless stated that there would be more green space and that it would improve the aesthetics of the project. Mr. Tindall stated that he did not agree with that logic and asked staff for clarification on the requirements of the subdivision regulations. Mr. Breaux responded that a 5 foot wide sidewalk was required on both sides of the street. Chairman Harris asked if anyone else had any questions. No response. **Chairman Harris asked for a motion concerning Case #S-16-0269 Highlands Cove residential subdivision. Ms. Pettway moved for approval referencing Case #S-16-0269, Ms. White seconded.** Mr. Breaux asked for clarification on the roadway width issue. **Ms. White clarified that staff be directed to work with the applicant relative to the 20 foot width of the street.** Mr. Breaux asked Ms. Pettway to amend her motion. **Ms. Pettway amended her motion to include item #5 to allow the Engineering Department to work with the applicant on reducing the size of the street to 20 feet as shown on the plan. Vice Chairman Coleman seconded.** After additional discussion concerning sidewalk width **Ms. White made a motion to add condition #6 to allow for 42" sidewalks on both sides of the street. Vice Chairman Coleman seconded the motion. Chairman Harris stated that this is a vote on the amendment of adding item #5 to the staff recommendations. Chairman Harris asked for approval with a show of hands and the amendment to add item #5 passed unanimously. Chairman Harris then called for approval on the main motion with items number 5 and 6 added to the staff recommendations by a show of hands 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 Public Works Director approves all deviations from the customary technical standards for roads, rights-of-way, and sidewalks;
3. The comments of all city departments are satisfied and/or incorporated into the Construction Plans and Final Plat; 4. All future correspondence and submittals shall reference Case S-16-0269.

5. The Planning Commission approved the construction of a 20-foot wide pavement segment located on the loop road with the authorization of the Public Works Director, and;
6. The Planning Commission approved the use of 42 inch wide sidewalks to be constructed on both sides of the streets.

9. Zoning Ordinance Text Amendments:

Mr. Breaux explained that these were the Text Amendments that staff had been working with the Planning Commission on for several months.

a. Sec. 114-116 Establishment of Zoning Districts. Remove A-C from the Residential District table.

b. Reestablish Custom Assembly as a use within the Table of Permitted Uses.

c. Remove Personal Care Services from the O-3 District.

d. Reestablish Single-Family Dwelling as a permitted use within the B-1 District.

e. Allow Group Homes meeting the definition of the Fair Housing Act as permitted use in A-C, R-1, R-2, R-3 and R-4 Districts.

Mr. Brewer moved to recommend amending the Zoning Ordinance with these five items and adding two-Family dwelling as a permitted use in the B-1 District to item #d. Vice Chairman Coleman seconded. The motion passed unanimously.

10. Consent Items: Minor Development Plans & Subdivision Plats

Mr. Tindall wanted to know the status of the subdivision regulations rewrite. Mr. Breaux gave an overview of the progress that the committee had made and informed the commission that staff would be making a presentation to them in the near future.

11. Adjourn.

Mr. Freeland made a motion to adjourn, Ms. Pettway seconded and passed unanimously. The meeting adjourned at 9:56 a.m.

George C. "Chuck" Harris Chairman

Kim Vann, Secretary



Planning Commission

Meeting Date – August 17, 2016

CASE NUMBER: DP-16-0251

Case Manager: Frank G. Breaux, AICP

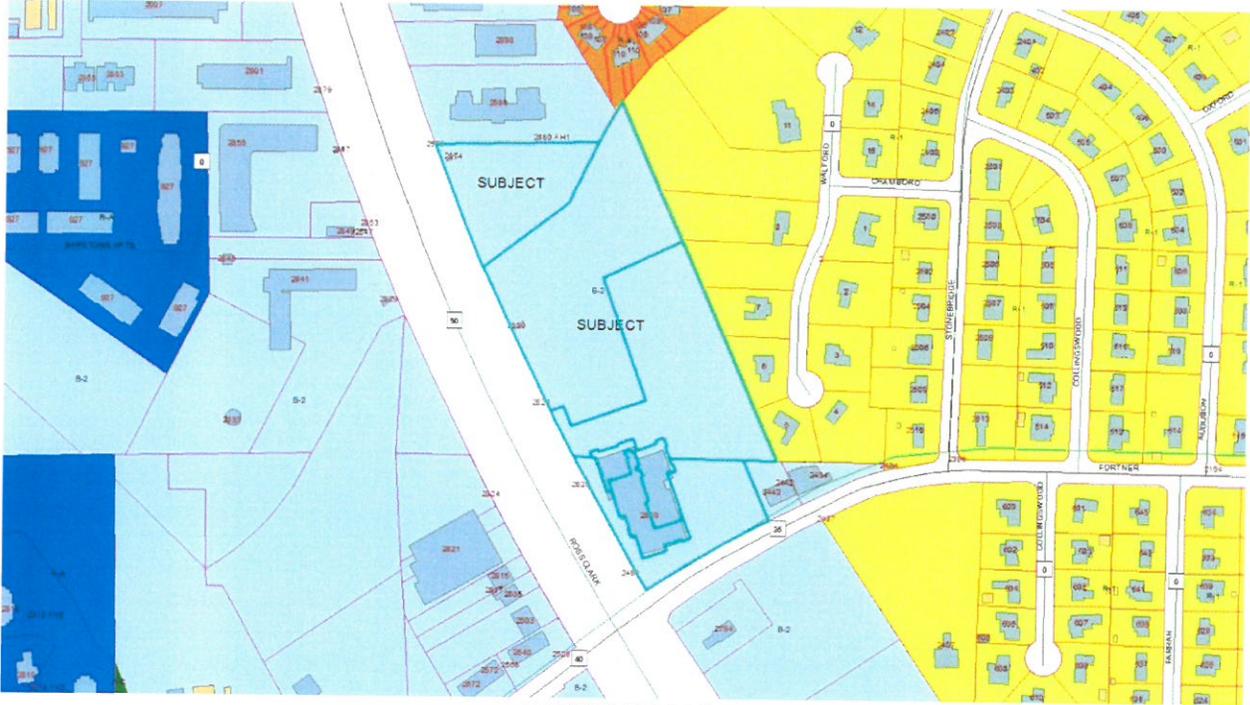
Summary of Information:

Project Name:	Health Center South Tower
Property Location:	2800 Ross Clark Circle
Requested Action:	Development Plan Approval
Applicant/Owner:	Hillen Realty Co., LLC

Zoning/Land Use:

EXISTING LAND USE - SUBJECT	MEDICAL – VACANT
EXISTING LAND USE - NORTH	COMMERCIAL/SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - SOUTH	COMMERCIAL
EXISTING LAND USE - EAST	SINGLE-FAMILY RESIDENTIAL/COMMERCIAL
EXISTING LAND USE - WEST	COMMERCIAL
ZONING DISTRICT - SUBJECT	B-2 (HIGHWAY COMMERCIAL)
ZONING DISTRICT - NORTH	B-2 & R-4 (HIGH DENSITY ATTACHED RESIDENTIAL)
ZONING DISTRICT - SOUTH	R-1 (LOW DENSITY SINGLE-FAMILY)
ZONING DISTRICT - EAST	R-1 (LOW DENSITY SINGLE FAMILY RESIDENTIAL) & B-2
ZONING DISTRICT - WEST	B-2
FUTURE LAND USE MAP - SUBJECT	COMMERCIAL
FUTURE LAND USE MAP - NORTH	COMMERCIAL
FUTURE LAND USE MAP - SOUTH	COMMERCIAL
FUTURE LAND USE MAP - EAST	RESIDENTIAL SINGLE-FAMILY
FUTURE LAND USE MAP - WEST	COMMERCIAL

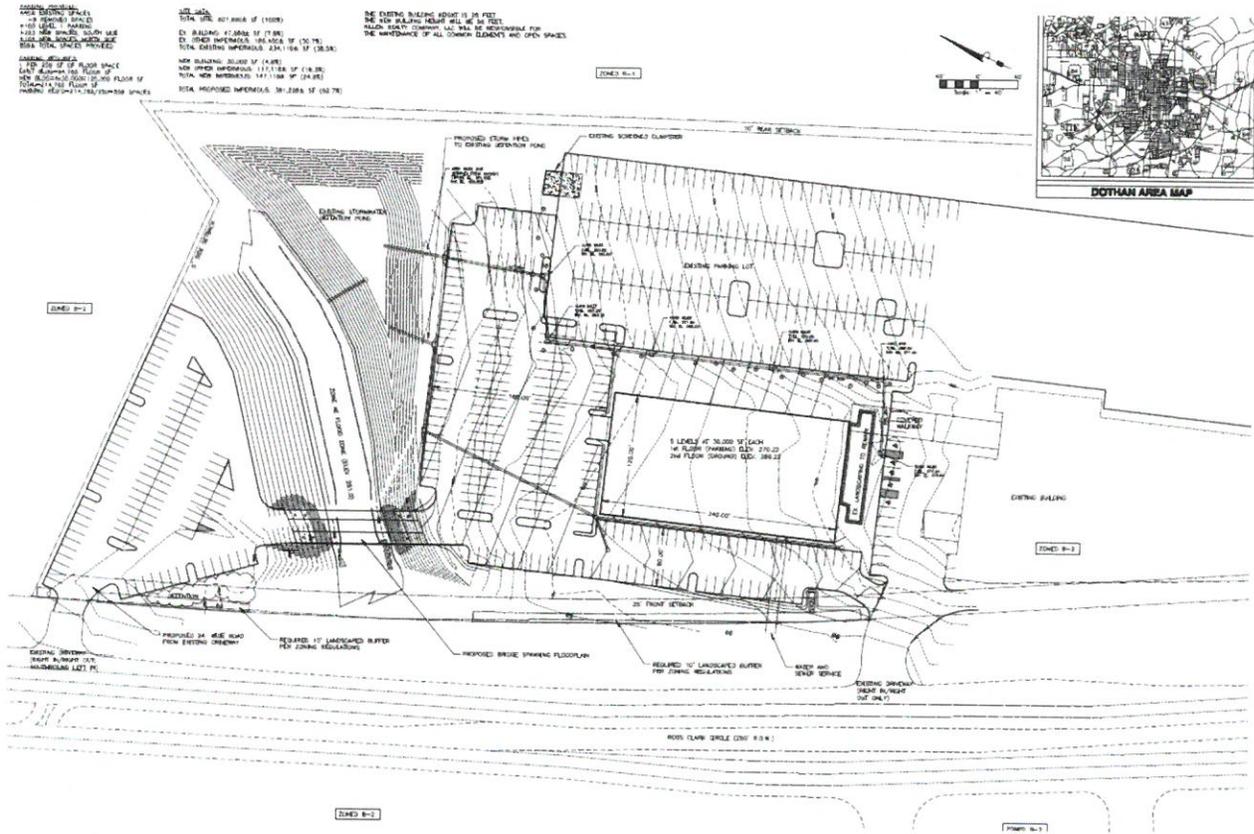
General Discussion: The applicant owns a 13.96 acre site located at the northeast corner of Ross Clark Circle and Fortner Street which is the current location of Eye Center South. The applicant proposes to construct a 5 level, mixed use building to the north of the existing building. The proposed building has 120,000 square feet of habitable space and a 30,000 square foot first level parking deck. Additional required parking will be provided adjacent to the new building as well as on a parcel located across Beaver Creek. The parking lot on the other side of the creek will be connected to the main site via a bridge.



VICINITY MAP



AERIAL VIEW



SITE PLAN

Land Use Impact on Vicinity: The existing conditions within the vicinity of the subject property are typical of other commercial developments located along Ross Clark Circle. The property does adjoin six single-family lots along its east side, four of which are already adjacent to existing improvements on the subject property.

Land Use Compatibility/Land Use Plan: The Future Land Use Map identifies the subject parcel as suitable for commercial uses. The plan is therefore consistent with the Future Land Use Plan.

Impact on the Environment:

The property is relatively flat on the portions of the site where the proposed development will take place but as previously mentioned, Beaver Creek bisects the site. Erosion control measure with therefore be necessary to minimize impacts to the creek during the course of construction. A number of protected trees within the construction area on the north side of the creek are proposed to 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 5 buffer is being provided as required per Sec 114-242(2) along the east side of the site.

Parking:

Required parking for the new building is 480 spaces based upon its classification as mixed use. The existing building, however, is entirely dedicated to medical offices and thus requires 631 spaces for a total of 1,111 required parking spaces. This is not consistent with the calculations provided on the plan which states that there are only 859 required parking spaces. The resulting deficit is 252 spaces which must either be provided on site or varied by the Board of Zoning Adjustment. In addition, Sec 114-238.H.2. states that no more than fifteen (15) parking spaces shall be permitted in a continuous row, excluding spaces fronting buildings, without being interrupted by an interior planting area. The plans must be modified to correct this deficiency.

Building Description:

The proposed building will match the architectural style of the existing building.



ELEVATION

Impact on Travel: Since this expansion will increase traffic accessing the development from Fortner Street, the westbound right turn lane shall be extended 100 ft. full width with additional 100 ft. taper. This will not only remove the east driveway from being in the existing right turn

lane taper, but also help reduce eastbound traffic congestion at the signalized intersection of Ross Clark Circle and Fortner Street. See diagram below.



For the west driveway along Fortner Street, gated “Do Not Enter” signs shall be posted high enough so eastbound motorists can see the signs above westbound passenger vehicles queuing for the traffic signal. This is to minimize the possibility of eastbound motorists blocking traffic on Fortner Street then entering the exit only driveway.

A copy of ALDOT’s permit application, for any work on Ross Clark Circle’s right-of-way, must be submitted to the City of Dothan before a building permit is issued.

Impact on Public Services and Facilities:

Engineering:

1. There is an existing detention pond and a proposed detention pond at this location. We will require storm drainage calculations showing the proposed stormwater will not exceed the existing stormwater design for the 2-year, 10-year, and 25-year event. Additionally, we will require documentation showing what the 100- year storm event elevation will be in the existing detention pond due to the additional flow. Also provide storm water calculations for the proposed detention pond for the 2, 10, 25, and 50 year events. Additional stormwater detention for the proposed addition may be required.

2. Ross Clark Circle is a state maintained highway which requires a permit for any work performed within its rights-of-way. Any stormwater discharge onto ALDOT right-of-way will require approval before permit is granted.
3. It is the owner's responsibility to verify the location and elevation for sanitary sewer tie-in. If the tie-in is made on ALDOT right-of-way a state permit will be required.
4. We will require as-built drawings for all sanitary sewer and detention pond work (if required). 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 addition. All 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. The private bridge being constructed in this development must be designed and signed and sealed by a professional engineer registered in the State of Alabama.
7. This property has a special flood hazard area (SFHA) located on it. The SFHA as shown is incorrect. All requirements of the Flood Ordinance must be met. If the bridge does not span the entire width of the SFHA a Conditional Letter Of Map Revision (CLOMR) may be required to be completed and approved by FEMA before the permit is approved. Additionally, the SFHA must be correctly shown on the plans and if a CLOMAR is required a Letter Of Map Revision (LOMR) will be required at the end of the project construction.
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 during construction. The permit (if required) and BMP shall be provided before approval for construction will be given.
9. Please add a note on the construction plans to say "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." This may be combined with or modified into the other erosion control notes.

Utilities:

1. There is an existing 10" water main within the right of way of Ross Clark Circle that can provide the domestic, fire and irrigation requirements for the development.
2. An ALDOT permit will be required for utility work within the State right of way.

Fire Marshall:

1. Two fire hydrants required. One within 100 feet of the FDC. Second within 250 feet of the first.
2. Building must be sprinkled.
3. Standpipes required.
4. Knox box required.

Staff Recommendation:

Staff recommends that Case No. DP-16-0251, request for development plan approval, as shown on the plan stamped "Received June 10, 2016, be approved, as authorized by Article V of the Zoning Ordinance, subject to the following conditions:

1. 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;
2. All comments relative to parking deficiencies must be satisfactorily addressed;
3. Resubmit the development plan incorporating all design changes;
4. All future correspondence or building permit plan submittal must make reference to Case DP-16-0251 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 – August 17, 2016 MEETING
CASE NUMBER: RZ-16-0287
Case Manager: Frank G. Breaux, AICP

Summary of Information:

Property Location:	223 East Cottonwood Road
Requested Action:	Rezoning from R-4 to B-2
Applicant/Owner:	Richard Scott Rumley

Zoning/Land Use:

EXISTING LAND USE - SUBJECT	COMMERCIAL/RETAIL NURSERY
EXISTING LAND USE - NORTH	COMMERCIAL/IDLE
EXISTING LAND USE - SOUTH	COMMERCIAL/AUTOMOTIVE
EXISTING LAND USE - EAST	COMMERCIAL/IDLE
EXISTING LAND USE - WEST	COMMERCIAL/AUTOMOTIVE
ZONING DISTRICT - SUBJECT	R-4 (RESIDENTIAL ATTACHED HIGH-DENSITY)
ZONING DISTRICT - NORTH	R-4
ZONING DISTRICT - SOUTH	L-1 (LIGHT INDUSTRIAL)
ZONING DISTRICT - EAST	R-4
ZONING DISTRICT - WEST	L-1
PROPOSED ZONING - SUBJECT	B-2 (HIGHWAY COMMERCIAL)

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.

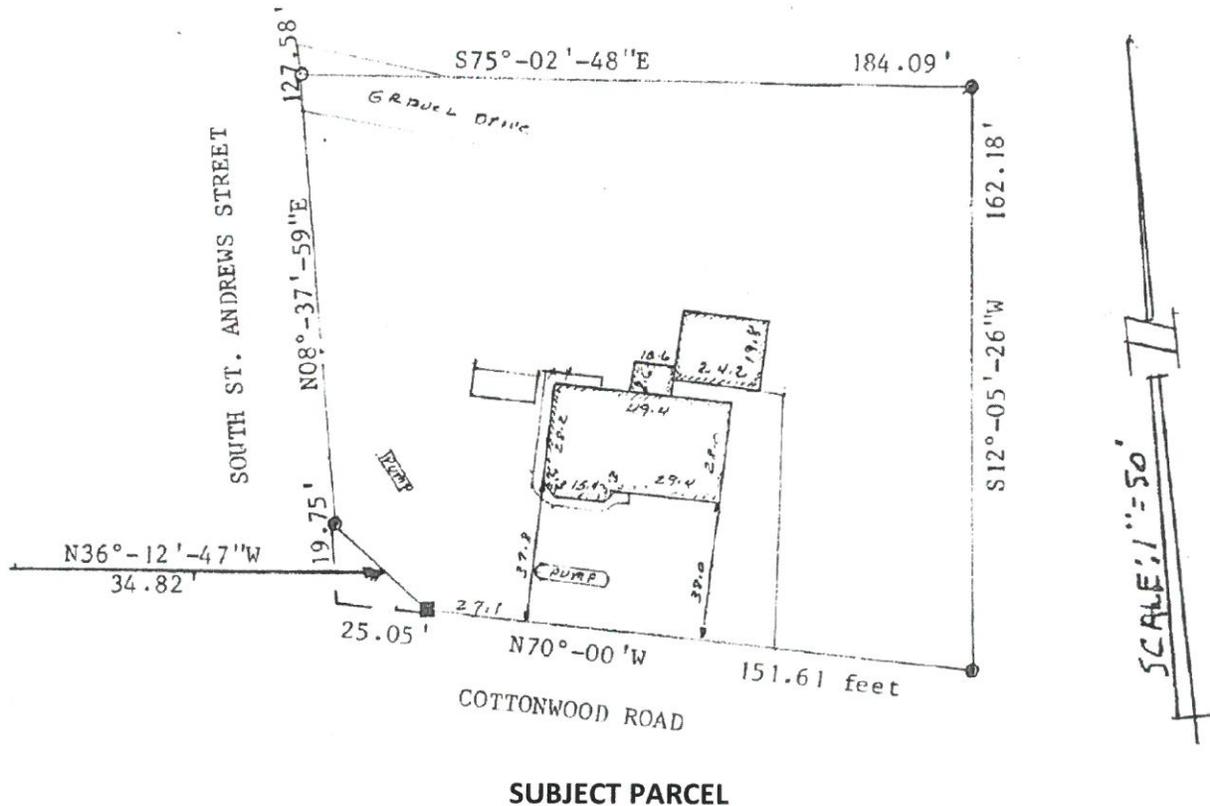
General Discussion: The subject property is approximately .63 acres in size and is located at the northeast corner of South Saint Andrews Street and East Cottonwood Road. The property is the site of the Scotty's Nursery and Landscaping, a **legally existing nonconforming use** within the R-4 District. The applicant seeks to rezone the property to the B-2 designation in order to cure the nonconformity.



VICINITY



AERIAL



Findings of Fact:

- A commercial nursery is **not** an allowable use within the R-4 Zoning District.
- A commercial nursery is a permitted **“by right”** use within the B-2 Zoning District.
- The property is adjacent to commercial properties and occupies an otherwise commercial corner.
- The immediate vicinity constitutes a transition between light industrial and residentially zoned areas near the fringe of the Selma Street/South Oates Street commercial node.
- The nursery has operated at this location since 2001.

Land Use Impact on Vicinity: The land uses allowed within the B-2 District are similar to those of existing uses at this commercial corner.

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 located within the urbanized area and existing infrastructure may need to be upgraded depending upon the future use of the property. The Utilities Department has offered no comments at this time and the Fire Department has indicated that additional fire protection may be required with any future change of use.

Staff Recommendation:

Staff finds that the request is reasonable given the property's location and the applicant's desire to cure its nonconforming status. The request is consistent with the Future Land Use Map and the existing use is compatible with current land use patterns in the general vicinity. Staff therefore recommends that Case No. RZ-16-0287, a request to rezone .63 acres located at 223 East Cottonwood Road from R-4 to B-2, having been duly considered in a public hearing held on August 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.



Planning Commission
Meeting Date – August 17, 2016
CASE NUMBER: DP-16-0294
Case Manager: Frank G. Breaux, AICP

Summary of Information:

Project Name:	Panda Express
Property Location:	East of 3801 Montgomery Highway
Requested Action:	Development Plan Approval
Applicant/Owner:	Panda Restaurant Group, Inc.

Zoning/Land Use:

EXISTING LAND USE - SUBJECT	COMMERCIAL/VACANT
EXISTING LAND USE - NORTH	COMMERCIAL
EXISTING LAND USE - SOUTH	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - EAST	COMMERCIAL
EXISTING LAND USE - WEST	COMMERCIAL
ZONING DISTRICT - SUBJECT	B-2 (HIGHWAY COMMERCIAL)
ZONING DISTRICT - NORTH	B-2
ZONING DISTRICT - SOUTH	R-1 (LOW DENSITY SINGLE-FAMILY)
ZONING DISTRICT - EAST	B-3 (LOCAL SHOPPING)
ZONING DISTRICT - WEST	B-2
FUTURE LAND USE MAP - SUBJECT	COMMERCIAL
FUTURE LAND USE MAP - NORTH	COMMERCIAL
FUTURE LAND USE MAP - SOUTH	RESIDENTIAL SINGLE-FAMILY LOW DENSITY
FUTURE LAND USE MAP - EAST	COMMERCIAL
FUTURE LAND USE MAP - WEST	COMMERCIAL

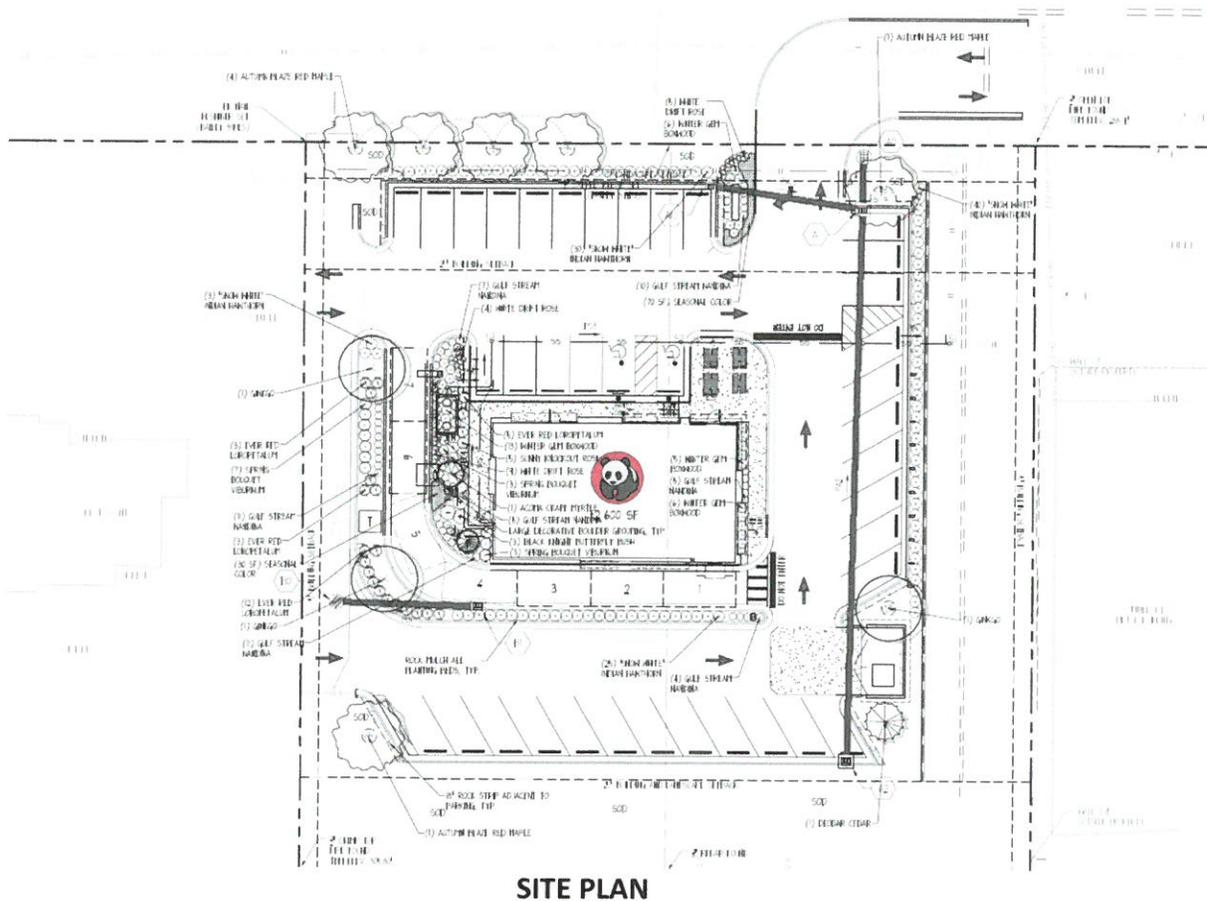
General Discussion: The property is located on the south side of Montgomery Highway at its intersection with Redmond Road directly adjacent to Zaxby's restaurant. The request is for a new 2,600 square foot Panda Express fast food restaurant.



VICINITY MAP



AERIAL VIEW



Land Use Impact on Vicinity: The proposed restaurant use is compatible with surrounding commercial uses in the area. A Type 2 landscape buffer will be required along the south property line along the abutting residentially zoned property.

Land Use Compatibility/Land Use Plan: The Future Land Use Map indicates that this site is suitable for Commercial land uses. The proposed restaurant use is therefore consistent with the Future land Use Plan.

Impact on the Environment: The site was cleared during the construction of the Zaxby's restaurant and there are no anticipated environmental impacts associated with the restaurant use.

Landscaping & Buffering:

The landscaping plan meets all requirements of the zoning regulations. A Type 2 buffer is required, per Sec 114-242(A)(2), along the south side of the site adjacent to the neighboring single-family residences. The plan, however, does not reflect the required buffer. It is highly recommended that the Planning Commission require the installation of a six (6) foot tall wooden

privacy fence along the south side of the site that is consistent with the fence installed at the Zaxby's site since both are part of a unified development plan.

Parking:

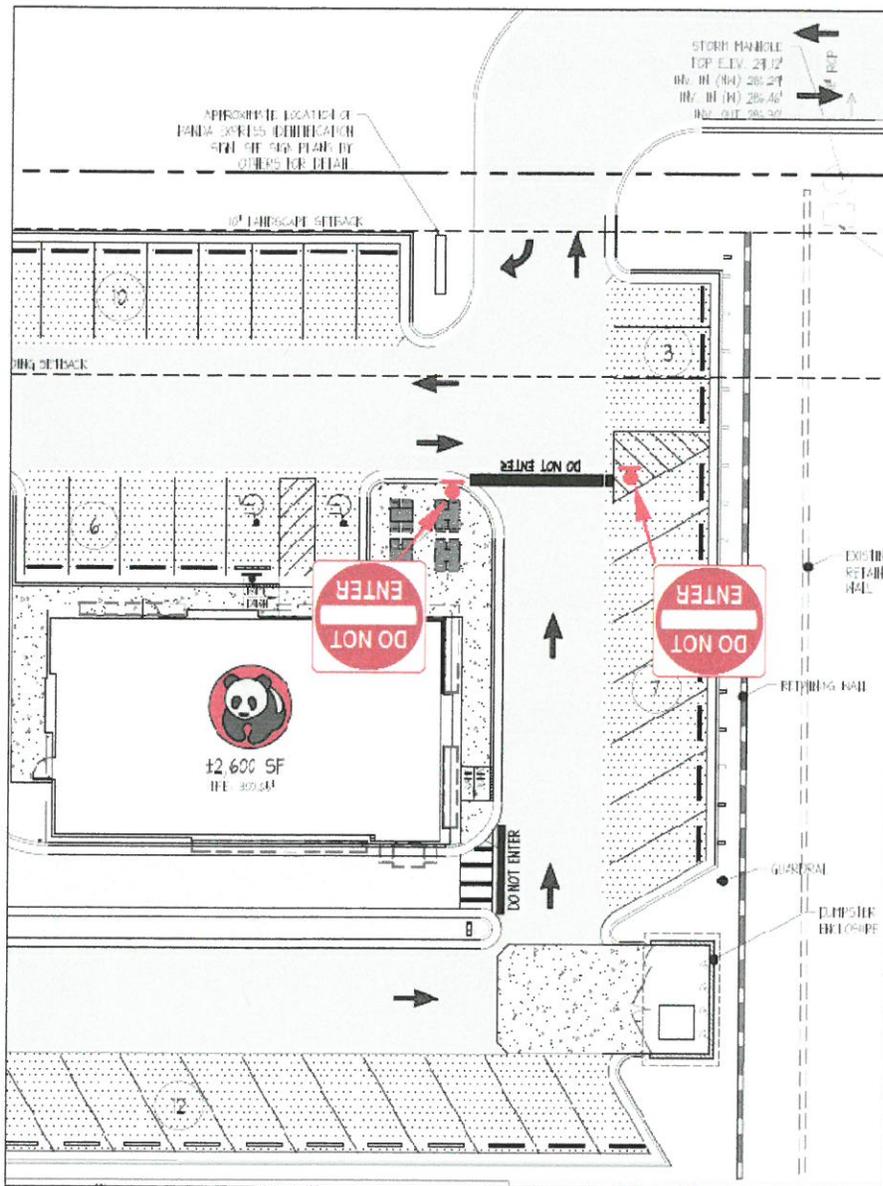
The site plan states that 62 parking spaces are required which is not correct. Parking for fast food restaurants is 1 space per 40 square feet of public area plus one space per employee on the greatest shift. An accurate calculation must be shown on the plan indicating compliance with this standard. Queueing for three (3) vehicles is also required from the menu board order station. The plan reflects a queue of two (2) and must be corrected. Otherwise, the parking and circulation plan is satisfactory.

Impact on Travel:

The developer will need to work with Zaxby's management to remove a painted left turn arrow and relocate a "Wrong Way" sign towards the back of Zaxby's property. Both are located near the shared driveway entrance and shown in the picture below:



To minimize the possibility of a motorist of traveling the wrong direction along the south side of Panda Express, gated “Do Not Enter” signs shall be installed to supplement the parking lot striping. This is shown in the following diagram:



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. If the stormwater runoff is greater than what was originally designed for the entire site additional detention may be required.

2. The sanitary sewer at this location is private and is currently a 4 inch line. This line is inadequate and will require upgrading. It is the owner's responsibility to verify the elevation for tie-in.
3. We will require documentation providing the average daily and peak sanitary sewer flows for this development. All 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 were derived.
4. The gravity grease interceptor for this development shall meet the City of Dothan standards. The gravity grease interceptor must be purchased from a City of Dothan approved GGI manufacturer and installed to the city's installation specifications. Contact the FOG program coordinator at 334-615-4458 for approved manufacturers, installation specifications, and any additional questions regarding gravity grease interceptors.
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. The permit (if required) and BMP shall be provided before approval for construction will be given.
6. 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.
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. 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." This may be combined with or modified into the other erosion control notes.

Utilities:

1. There is a 24" water main located in the paving of the access road that the development will connect to and extend from on the Touch of Wood property side and a 6" water main located back of curb in the grass area above it.
2. There is an existing 2" water service on the development property.
3. The developer shall maintain the integrity and serviceability and the required cover over the existing water mains during construction.

Fire Marshall:

1. Building must be sprinkled if occupancy load is greater than 99 persons.
2. FDC must be located on the front of the building.
3. Fire hydrant required within 100 feet of the FDC.
4. If building is not sprinkled, a fire hydrant is required within 250 feet of the building.

Staff Recommendation:

Staff recommends that Case No. DP-16-0294, request for development plan approval, as shown on the plan stamped "Received July 8, 2016, be approved, as authorized by Article V of the Zoning Ordinance, subject to the following conditions:

1. 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;
2. A Type 2 buffer shall be provided along the south property line per the requirements of Sec 114-242(A)(2);
3. A six (6) foot tall wooden privacy fence is installed consistent with the Zaxby's site;
4. A photometric plan must be submitted showing a luminance of not more than .4 foot candles extending 50 feet into the residentially zoned properties to the south;
5. Resubmit the development plan incorporating all design changes;
6. All future correspondence or building permit plan submittal must make reference to Case DP-16-0294 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.



PANDA
EXPRESS



TEA
BAR

Sec. 114-76(C) – Architectural requirements.

1. **Purpose.** The purpose of this section is to establish minimum standards for exterior architecture of commercial, office, institutional, religious, industrial and warehouse buildings. These standards are intended to ensure a high quality of development, redevelopment and compatibility with evolving architectural or planning themes that contribute to a community image of quality, visual aesthetics, permanence and stability, which are in the best interest of the citizens of the city. These standards are intended to prevent use of building materials that are unsightly and contribute to depreciation of area property values or cause urban blight. These standards are further intended to enhance the appearance of building exteriors, additions and accessory structures in order to prevent visual disharmony, to minimize adverse impacts on adjacent properties from buildings which are or may become unsightly, and to discourage buildings that detract from the character and appearance of the area. It is not the intent of this section to unduly restrict design freedom when reviewing and approving project architecture in relationship to the proposed land use or site characteristics.
2. **Scope of regulations.** The provisions of this section are applicable to all properties within the City of Dothan with the exception of those located within the MH-1, MH-2 and H-I Districts; Further, this section applies to all nonresidential uses within A-C, R-1, R-2, R-3, R-4 and R-A zones that require special exception approval by the board of zoning adjustment.
 - a) The provisions of this section are applicable only to new development, and redevelopment of existing structures that will alter the existing facade area by fifty (50) percent or greater for the above referenced zones.
 - b) All proposed development or redevelopment within the Downtown Overlay District (DOD) shall conform to the historic character of downtown Dothan and the provisions of Article X of these regulations shall apply.
 - c) Developments located within any overlay district or a planned unit development shall be subject to specific site plan controls and all aspects of the proposed construction including architecture, signage, buffering, ingress/egress, and other considerations that merit inclusion in the approval process.
 - d) The provisions of this section shall not be varied.
3. **Architectural design standards.**
 - a) In O&I, O-2, O-3, B-1, B-2 and B-3 zones, rib-faced, lap seam, pre-finished metal wall panels, with or without exposed fasteners, are not permitted as exterior wall finish materials on front building facades. Further, the entire structure shall be required to meet the exterior wall finish requirements where the site abuts an R-1, R-2, R-3 or R-4 zone.
 - b) On proposed nonresidential structures within A-C, R-1, R-2, R-3, R-4 and R-A zones that require special exception approval by the board of zoning adjustment, rib-faced, lap seam, pre-finished metal wall panels, with or without exposed fasteners, are not permitted as exterior wall finish materials.

4. Exterior wall finish requirements.

- a) Unless otherwise required by this section, all new structures and buildings, and all existing structures and buildings proposed to have facade area changes of fifty (50) percent or greater, and located within an A-C, R-1, R-2, R-3, R-4, R-A, O&I, O-2, O-3, B-1, B-2 and B-3 zoning district shall be erected and constructed so that one hundred (100) percent of the front facade and fifty (50) percent of side walls shall be constructed with any combination of the following approved materials: brick; exterior insulated finish system; stucco; glass; fiber cement board; wood (painted or stained); decorative masonry products (split faced, textured, glazed); stone (natural, synthetic); aluminum or vinyl lap siding; ornamental metal; or any other comparable or superior materials as approved by the planning commission.
- b) Unless otherwise required by this section, all new structures and buildings, and all existing structures and buildings proposed to have facade area changes of fifty (50) percent or greater, and located within a L-I zoning district on any portion of US Highway 84, US Highway 231 or US Highway 431, shall be erected and constructed so that one hundred (100) percent of the front facade and fifty (50) percent of side walls shall be constructed with any combination of the following approved materials: brick; exterior insulated finish system; stucco; glass; fiber cement board; wood (painted or stained); decorative masonry products (split faced, textured, glazed); stone (natural, synthetic); aluminum or vinyl lap siding; ornamental metal; or any other comparable or superior materials as approved by the planning commission. Otherwise, all structures and buildings erected and constructed within the L-I district shall be erected and constructed so that forty (40) percent of the area of exterior walls of structures facing streets or thoroughfares shall consist of any combination of the aforementioned approved materials.

5. Building design and orientation.

- a) Mechanical units shall be ground mounted when feasible. Roof mounted units shall be screened from view from public property.
- b) Building orientation shall be such that loading and service and loading areas do not face the street, except in the case of double frontage lots, where such areas may be located in a rear or side yard which faces the street. All loading and service areas shall be screened from view from off the premises.
- c) Outdoor storage areas, trash receptacles, utility equipment, mechanical units and similar appurtenances shall be located so as to minimize visibility from off the premises and shall be visually screened from view from public property. Trash receptacles shall be located within a four sided structure which completely conceals the trash receptacle. The color and architecture of the structure shall be compatible with that of the building which it serves.