

**PLANNING COMMISSION
REGULAR MEETING MINUTES
AUGUST 17, 2016
DOTHAN, ALABAMA**

The Dothan Planning Commission met in a Regular Meeting on **Wednesday, August 17, 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
Mickey Davis
Ron Tindall
Jim Freeland
John Taylor, Supernumerary

Members Absent:

Debora Pettway
David Brewer

Others Present: Todd L. McDonald, AICP, Planning Director; Frank Breaux, AICP, Senior Planner; Jonathan Lucas, Engineering Services; Craig Scurlock, Building Inspector; Mike Palmer, Supernumerary; Robert Cox, Traffic Engineer; 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 affirmed there were no changes. ***Mr. Coleman made a motion to approve the agenda, Mr. Freeland seconded, and the motion passed unanimously.***

2. Approval of June 15, 2016 Meeting Minutes

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

3. Disclosure of ex parte contact

No disclosures were made.

Old Business

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 Realty Co., LLC represented by Praestare Engineering. Mr. Breaux directed everyone to the PowerPoint presentation of the property and pointed out the proposed new building, the bridge, and the additional parking. He said that the 120,000 sq. ft. building would be 5 levels, with the first level dedicated to parking. There would be a Type 5 buffer adjacent to the residential property to the east and a turn lane would also need to be extended on Fortner Street. He explained that site lacked 250 of the required 1,100 parking spaces and that the Board of Adjustment would need to grant a variance.

Mr. Robert Cox with Traffic Engineering then addressed the turn lane issue. He explained that the Traffic Engineering group assesses the requirements for left and right turn lanes. He explained that the Trip Generation Manual identifies building uses and gives a number of trips generated during the peak hour. He said that he specifically looked at the morning peak hour when patients and medical staff were coming in. The calculations showed that a right-turn lane would be required and that about 13% of cars going to this facility in the morning were going to use that right-turn lane. Chairman Harris questioned the number of people that would turn into that entrance versus the west entrance that turns into the front of the building. Ms. White sought more clarification since she also used the entrance closest to the traffic signal. Mr. Cox explained that the driveway in question was an exit only and that the existing signage wasn't adequate. He proposed gated "Do Not Enter" signs that would be high enough to see over vehicles that were queued at the traffic signal. Mr. Cornelius asked if there would be another entrance on Ross Clark Circle. Mr. Cox responded that yes, it would be a left in and right out. Mr. Cornelius wanted to know what number the 13% applied to. Mr. Cox explained the Trip Generation Manual and how he got to 13%. He also explained that 70 trips are the threshold according to City ordinance. His calculations showed 92 trips during peak hour making a right turn based on the volume of the street and speed limit. Mr. Cox also mentioned how the driveway and the taper needed to be extended so the cars aren't slowing in the westbound through lane.

Mr. Tindall asked if there was a way to anticipate the number of eastbound cars entering the main driveway in the morning peak and the afternoon peak. He also asked about the existing striping in the turn lanes. Mr. Cox explained that the driveway would not be moving and that the existing turn lane would simply be extended further to the east. He pointed out that during peak time in the morning, most traffic is going into town and a small portion is going out of town, with a heavy eastbound movement and higher movement going towards the signal. Because of that, there would be more gaps in the westbound traffic flow and thus it would be easier for someone going eastbound and making a left turn into the development.

Mr. McDonald asked the commission to keep in mind that across the street behind Bojangle's, there were several development sites that weren't development yet. Ms. White asked if the requirement would be the same if there were two different developments involved on the same property that was not related. Mr. Cox responded that if additional traffic warranted improvements, the City would require whomever to make those improvements. Chairman Harris asked about the need for additional right-of-way on Fortner Street in the future. Mr. Cox said that at some point if the volume is sufficient, that may be considered. Chairman Harris stated that this would be a big improvement, not only for the developer but also for the City. Ms. White asked about the building to the east and whether or not the turn lane extension would affect their site. Mr. Cox said that there were very few trips generated from the small site and that any impacts would be minimal.

Mr. Tindall asked Mr. Breaux about the construction of the bridge and about who had jurisdiction over permitting. Mr. Breaux replied that there may be a multi-jurisdictional oversight by the State and Federal Governments and referred any questions about the structure itself to the engineer of record for the project. Mr. Tindall asked whether the City maintained the creek from the standpoint of flow, debris and brush removal, etc. Mr. Jonathan Lucas of the Engineering Department responded that if it's a public ditch, the city does and if it's private, the City does not. Chairman Harris asked if there were any more questions to the staff. No response.

Chairman Harris asked that the developer comes forward. Mr. Alan Parker with Praestare Engineering took the podium and stated that Sharon Sullivan with Eye Center

South was also present for the owner of the building. Chairman Harris asked if he had heard all of the discussion and he responded, yes. Mr. Parker stated that it was obvious the two main issues were the parking requirements and the turn lane. He said that they would seek a variance to the number of required parking spaces from the BZA and asked that the turn lane requirement is removed. He stated that the existing situation at the intersection would be improved with the turn lane extension but pointed out that both his client and the City, in general, would benefit from the improvement. For that reason, he asked that the City consider sharing the cost of the turn lane extension. He requested that he be allowed to work with the City to come up with an agreeable solution. Chairman Harris felt that it was a very reasonable request. Vice Chairman Coleman asked if Praestare had calculated the cost for this project. Mr. Parker responded that he did not have hard data on just the turn lane, but the total development for the project was an estimated \$50,000,000.00. Mr. Parker added that their company was aware of the FEMA and State requirements regarding the bridge's expansion and the flood plain. He assured the commission that the bridge would meet all of the requirements and blend with the architectural features of the building. Mr. McDonald asked Mr. Parker if his traffic consultant, Darryl Skipper, had studied the warrants on the turn lane. Mr. Parker responded that they were still looking into that and would have more information at the BZA meeting. They wanted to continue a dialogue with Traffic Engineering on this issue as well. **Chairman Harris asked for a motion on DPMA-16-0251 Health Center Tower, 2800 Ross Clark Circle. Ms. White made a motion to approve DPMA-16-0251 with the addition of item #6 that the developer work with Traffic Engineering on the turn lane, 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. 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.
6. Developer to work with Engineering & Public Works Departments relative to the right hand turn lane requirement.

New Business

4. **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.** Mr. Breaux directed everyone to the PowerPoint presentation and explained that the property was a legally existing nonconforming commercial use in a residential district and that it had operated as a commercial nursery business for years. He pointed out that the property is located in a transitional area of commercial and residential uses. He also pointed out that the Future Land Use Map identifies this property as suitable for commercial uses. He said that the requested rezoning was consistent with the Future Land Use Plan and recommended approval. Mr. Scotty Rumley, the owner, addressed the commission. Chairman Harris asked if anyone had any questions regarding this application. No response. **Chairman Harris asked for a motion on RZ-16-0287 Rezoning of 223 E. Cottonwood Rd, from an R-4 District to a B-2 District. Mr. Freeland made a motion that case #RZ-16-0287 be referred to the Dothan City Commission for approval, Vice Chairman Coleman seconded and the motion passed unanimously.**
5. **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.** Mr. Breaux directed everyone to the

PowerPoint presentation, pointing out the subject property next to Zaxby's on Montgomery Highway. He stated that this was a unified building site and that the retention pond for both building pads was already constructed. He gave an overview of the project and said that the site required a Type 2 buffer on the south side adjacent to the adjoining residences. He recommended that the Type 2 buffer mirror that of the buffer behind Zaxby's due to this being a unified site, and pointed out that the Zaxby's buffer included a privacy fence. He addressed parking and vehicle queuing at the drive through, noting that some modification may be required. He also stated that some site signage would need to be modified to address changes to vehicular circulation. Mr. Arthur Hooks of Ingenium Enterprise, a representative for the owner, stepped to the podium, and Chairman Harris asked if he had any questions regarding the staff recommendations. Mr. Hooks responded that he was in agreement with the staff recommendations and that his company would work with the city to resolve any issues that may come up during development. Chairman Harris asked if anyone on the commission had any questions and there was no response. He then asked the audience if anyone had any questions. Mr. Ken Jinx, the owner of the property located behind the proposed development, addressed the commission. He wanted to know how many feet from the property line the Type 2 buffer and the fence would be placed. Mr. Breaux responded that the buffer would be 25 ft. wide and the fence would be offset because of some of the trees located there. Mr. Jinx expressed his concern with the location of the fence and the fact that the trees overhung his property line. Mr. Breaux stated that Mr. Jinx could discuss any tree issues with the developer but pointed out that the City discourages the removal of healthy trees in a required buffer. Chairman Harris stated that they were going to keep the fence line the same as Zaxby's and have it continue down the property line. He indicated that the developer would be happy to meet with Mr. Jinx regarding any issues and Mr. Jinx said that would be fine. Mr. Hooks responded that he would be happy to work with him on this. Chairman Harris asked if anyone else wished to address the commission. Ms. June Williams, 2804 Evans Drive, expressed her appreciation for the buffer behind Zaxby's but expressed concern for an issue she had during the construction of Zaxby's, namely construction crews working late into the night. Chairman Harris said since the site had already been cleared and the pond constructed, there shouldn't be much need for heavy equipment. Mr. Cook responded that his understanding was that there was a limitation on the times that work could be performed and that they would abide by any City requirement. Chairman Harris asked if anyone else had any questions. No response. **Chairman Harris asked for a motion on case #DP-16-0294 for the development of Panda Express, 3801 Montgomery Highway. Mr. Freeland made a motion to approve case #DP-16-0294 with the 7 staff recommendations, Ms. White seconded, and it 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. 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.

6. Consent Items: Minor Development Plans & Subdivision Plats

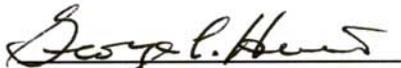
7. Discussion: Architectural Requirements

Mr. Breaux gave an overview of the draft requirements and after some discussion, the commission agreed to proceed with formal action at its October meeting.

8. Adjourn.

Vice President Coleman made a motion to adjourn, Mr. Freeland seconded, and it passed unanimously. The meeting adjourned at 10:10 a.m.

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


George C. "Chuck" Harris Chairman


Kim Vann, Secretary