

**PLANNED UNIT DEVELOPMENT &
PLANNING APPROVAL STAFF REPORT****Date: January 3, 2012****NAME**

Dauphin Way United Methodist Church

LOCATION1507 Dauphin Street
(South side of Dauphin Street extending from Catherine
Street to Lee Street)**CITY COUNCIL
DISTRICT**

District 2

PRESENT ZONING

R-1, Single-Family Residential District

AREA OF PROPERTY

2 Lots / 5.7 ± Acres

CONTEMPLATED USEPlanning Approval to amend a previously approved
Planning Approval to allow a columbarium at an existing
church in an R-1, Single-Family Residential District, and
Planned Unit Development Approval to amend a
previously approved Planned Unit Development to allow
multiple buildings on a single building site.**TIME SCHEDULE
FOR DEVELOPMENT**

Immediately

**ENGINEERING
COMMENTS**

No Comments

**TRAFFIC ENGINEERING
COMMENTS**Driveway number, size, location, and design to be
approved by Traffic Engineering and ALDOT and conform to AASHTO standards.**URBAN FORESTRY
COMMENTS**Property to be developed in compliance with state and local
laws that pertain to tree preservation and protection on both city and private properties (State Act
61-929 and City Code Chapters 57 and 64).**FIRE DEPARTMENT
COMMENTS**All projects within the City of Mobile Fire Jurisdiction
must comply with the requirements of the 2009 International Fire Code, as adopted by the City
of Mobile.

REMARKS

The applicant is requesting Planning Approval to amend a previously approved Planning Approval to remove a previous condition of approval, and Planned Unit Development Approval to amend a previously approved Planned Unit Development to remove a previous condition of approval.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD. PUD approval is site plan specific, thus if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities.

It is very important to note that the Planning Approval and PUD review are site plan specific; therefore *any* future changes to the overall site plan must be submitted for PUD and PA review. Additionally, if the scope of operations for the church or the site plan are changed from what is approved by the Planning Commission, a new application for Planning Approval will be required.

The applicant, Dauphin Way United Methodist Church, received Planning Approval and Planned Unit Development approvals at the Planning Commission's July 5, 2012 meeting to allow the church to add a columbarium to their site. Two of the conditions of approval at that time were:

- 1) revision of the site plan to illustrate full compliance with parking requirements; and
- 2) revision of the site plan to illustrate a residential buffer to the South of the site as per Section 64-4.D.1. of the Zoning Ordinance.

After the meeting, it was determined that the site did not have the required amount of parking on site, and that the adjacent property owners were opposed to having the required residential buffers put in place. As such, the applicant is requesting that these conditions of approval be removed.

It was previously determined that the proposed expansion of the facilities through the addition of a 1,000± square foot columbarium, which would contain approximately 638 canisters, would not increase the number of required parking for the site. Upon further review of the site, it appears to have had a non-conforming shortage of parking for a considerable amount of time; therefore it may be appropriate to allow them to continue with the current amount of parking provided. However, it should be noted that if the church were to make any changes in the future that would affect the number of required parking spaces, that they would need to come into compliance at that time.

In regards to the provision of the residential buffer, the applicant has submitted letters from the adjacent property owners at 51 South Catherine Street stating that they are satisfied with the current absence of said buffer, and they wish for it to remain as it is, with no buffer. The other residential property, 28 Lee Street, is owned by the church itself, and a letter has been submitted stating that in the event the church sells the property, that a compliant residential buffer will be erected at that time. With this in mind, it may be appropriate to waive this requirement, provided that a note is provided on the site plan stating that a compliant residential buffer will be put in place at such a time that the church sells the property.

RECOMMENDATION

Planned Unit Development: Based upon the preceding, the application is recommended for Approval, subject to the following conditions:

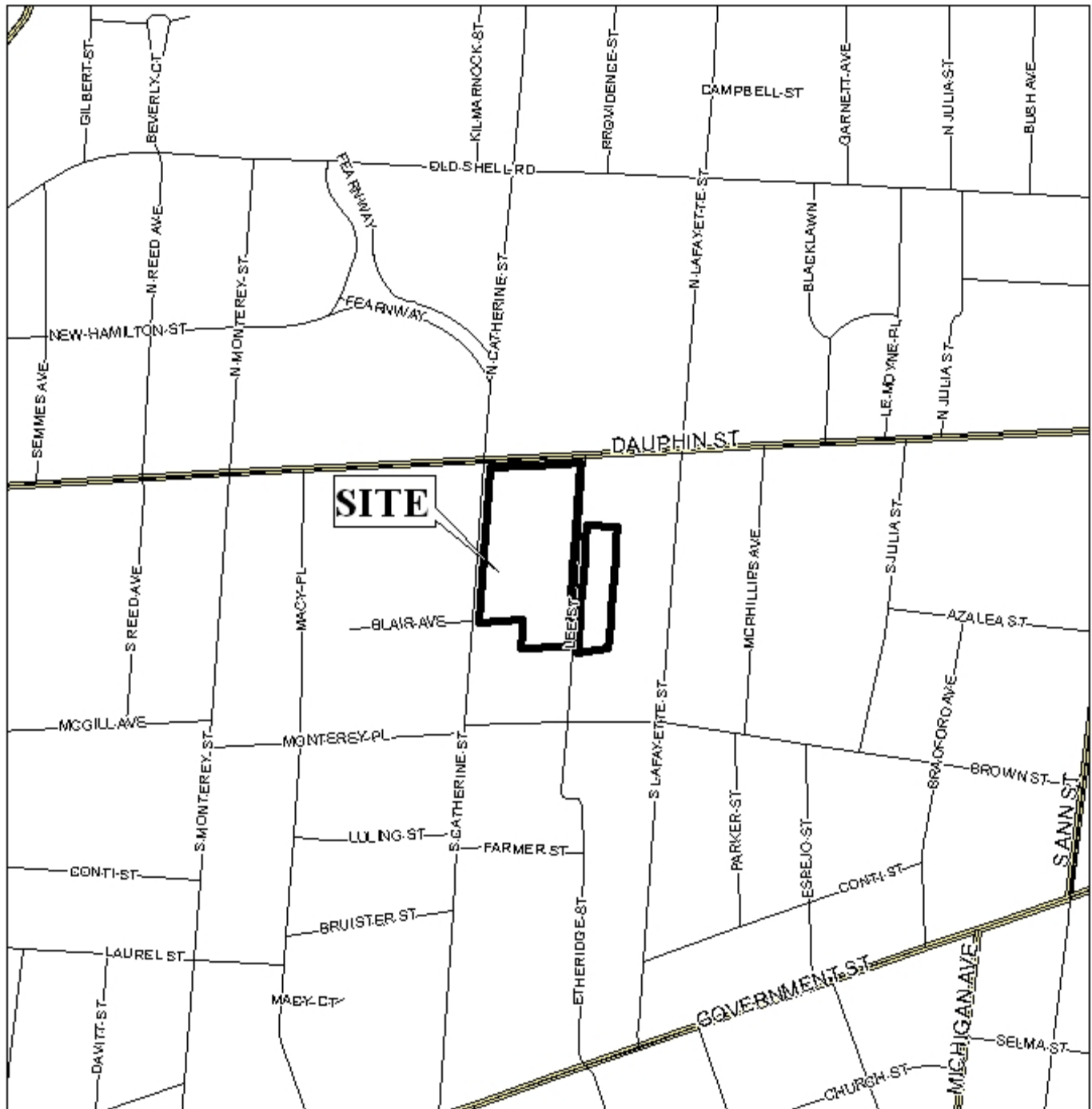
- 1) compliance with Engineering comments (*Any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. A complete set of construction plans for the site work (including drainage, utilities, grading, stormwater systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work.*);
- 2) compliance with Fire Department comments (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.*);
- 3) revision of the site plan to illustrate full compliance with landscaping requirements;
- 4) placement of a note on the site plan stating that should the church sell the property at 28 Lee Street, a residential buffer compliant with Section 64-4.D.1. of the Zoning Ordinance will be erected;
- 5) placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development approval prior to the issuance of any permits;
- 6) placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;
- 7) submission of two (2) copies of the revised PUD site plan to the Planning Section of Urban Development prior to the issuance of permits; and
- 8) full compliance with all municipal codes and ordinances.

Planning Approval: Based upon the preceding, the application is recommended for Approval, subject to the following conditions:

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- Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work.);*
- 2) compliance with Fire Department comments (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
 - 3) placement of a note on the site plan stating that changes to the scope of operations for Dauphin Way United Methodist Church will require a new application for Planning Approval;
 - 4) revision of the site plan to illustrate full compliance with landscaping revision requirements;
 - 5) placement of a note on the site plan stating that should the church sell the property at 28 Lee Street, a residential buffer compliant with Section 64-4.D.1. of the Zoning Ordinance will be erected;
 - 6) placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development approval prior to the issuance of any permits;
 - 7) placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;
 - 8) submission of two (2) copies of the revised Planning Approval site plan to the Planning Section of Urban Development prior to the issuance of any permits; and
 - 9) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 38 & 39 DATE July 5, 2012
 APPLICANT Dauphinway United Methodist Church
 REQUEST Planned Unit Development, Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential land use.

APPLICATION NUMBER 38 & 39 DATE July 5, 2012

APPLICANT Dauphinway United Methodist Church

REQUEST Planned Unit Development, Planning Approval

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



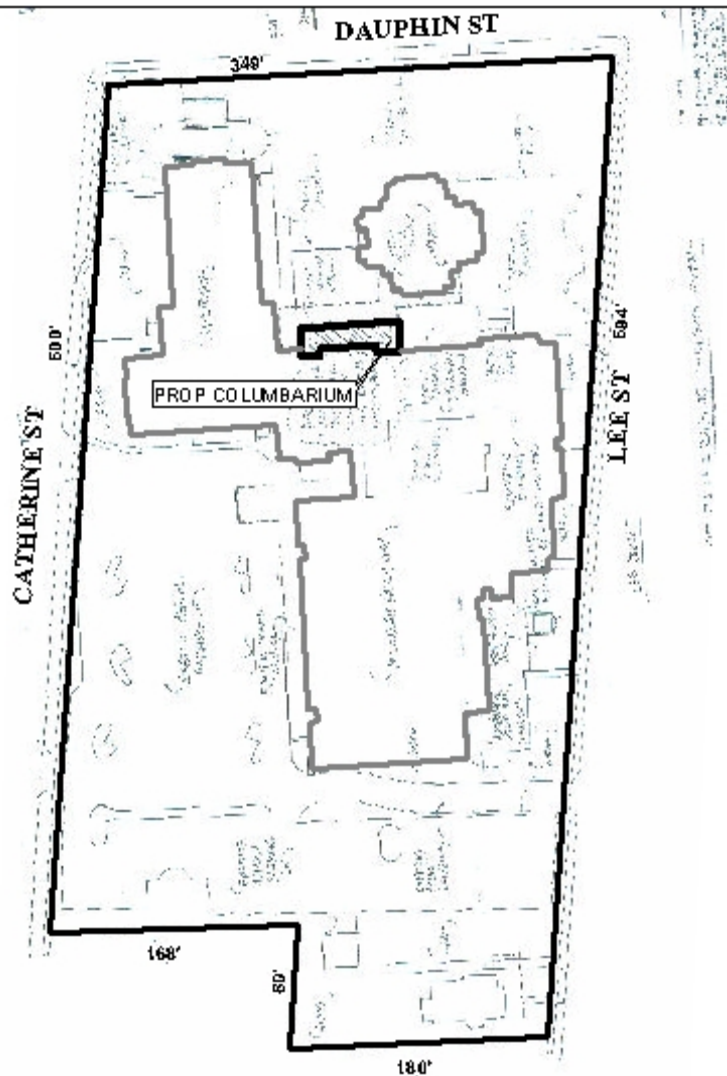
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NTS

SITE PLAN

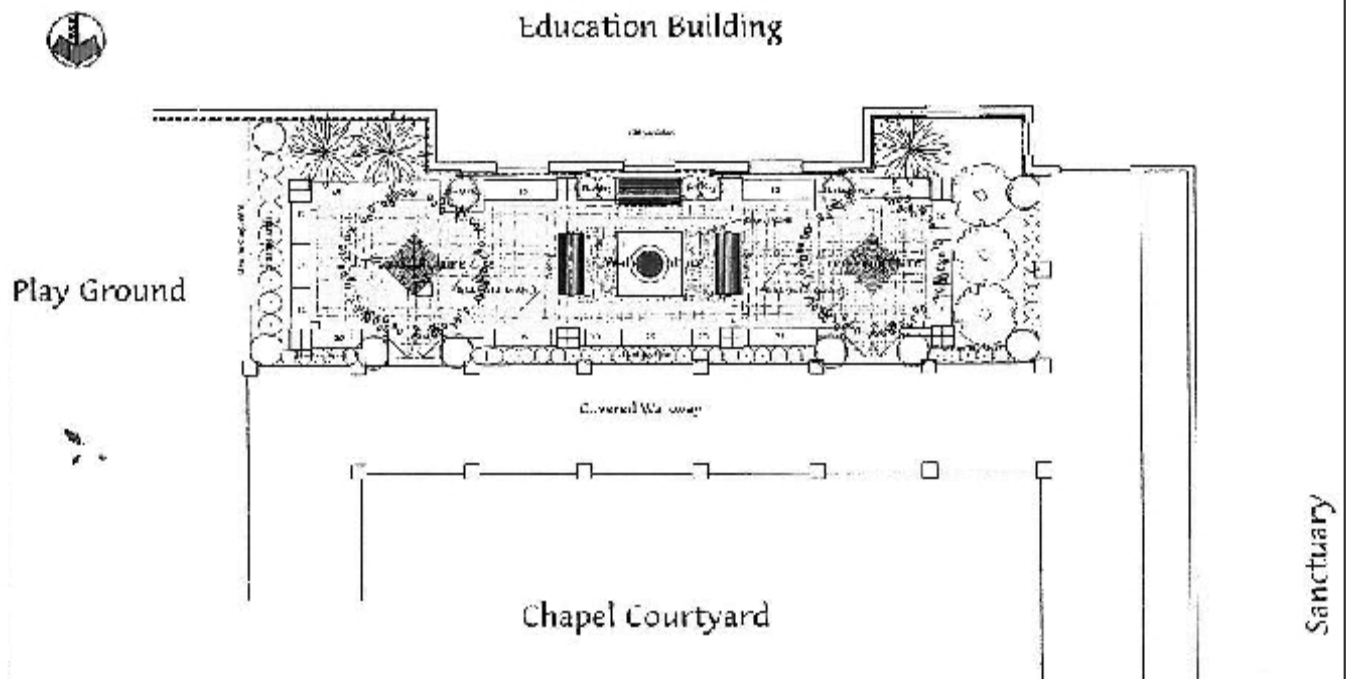


The site plan illustrates the proposed columbarium location.

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N
 NTS

DETAIL SITE PLAN



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N
NTS