

**City of Rochester Hills
Department of Planning and Development**

**STAFF REPORT TO THE PLANNING COMMISSION
September 18, 2007**

Covenant Christian Church Parking Lot Addition	
APPLICANT	Sam Moti Covenant Christian Church 900 W. Hamlin Rd. Rochester Hills, MI 48307
PARCEL NO.	15-22-351-003
ACREAGE	5 acres
LOCATION	Hamlin Road, East of Livernois
CITY FILE NO.	79-949.3
ZONING	R-3, One Family Residential
STAFF	Ed Anzek, Director of Planning and Development
REQUESTS	Revised Conditional Land Use Recommendation Buffer Modification

SUMMARY

The applicant proposes to add 17 parking spaces to the northern end of the existing L-shaped parking lot at the Covenant Christian Church. According to the applicant, the church attendees have been using the proposed site, which is currently gravel-covered, for additional parking. The parking area will be paved with asphalt, and the additional 17 spaces would provide a total of 80 parking spaces.

Specific actions requested for consideration by the Planning Commission are Revised Conditional Land Use Recommendation to City Council and approval of a Buffer Modification.

BACKGROUND INFORMATION

The Shepherd of the Hills Lutheran Church received approval for a Conditional Land Use to permit a church on the site from the (then) Avon Charter Township Board on March 26, 1980. The Planning Commission determined that the development would be compatible due to the existing topography in the area, the location of the residents on the south side of Hamlin, typical hours of church activity and with the addition of a berm and plantings along Hamlin. The location of the parking lot in front of the church (on Hamlin) was discussed, and it was determined that since the site sloped to the north, detention would be better placed in the rear of the property, and the Commission was satisfied the parking lot would be sufficiently buffered.

In keeping with past practice and policy of the Planning Department, the Planning Commission and City Council must grant any approvals for any activity that can result in an increase in intensity of a Conditional Land Use. Staff acknowledges that this increase is more of an improvement rather than an increase since the church has been using this area as a graveled parking lot.

Conditional Land Use

Section 138-1306[d] of the Zoning Ordinance details the general requirements for a Conditional Land Use, which are listed below. Please refer to Pastor Odoefer's response in his letter of September 7, 2007 as to how the project will meet the criteria.

1. *Will promote the intent and purpose of this ordinance.*
2. *Will be designed, constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.*
3. *Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.*
4. *Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
5. *Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

Buffer Requirements

The City's Landscape Architect visited the church site to review the existing buffering, and has detailed her findings in the attached memo dated September 12, 2007. The western property line requires a Type B Buffer (25-foot width, 6' high opaque screen wall, fence or berm and a sufficient IVO). The actual setback from the western property line to the parking area is 57 feet, more than double what the Type "B" buffer requires.

Ms. Dinkins suggests that with additional trees planted, the IVO would be met on the western property line, and that has been added as a condition in the Buffer Modification motion. There is an existing four-foot berm, parallel to the western property line, which runs from the south and ends at an existing garage before the proposed improved parking area begins north of the garage. The applicant has asked to be able to extend the berm to meet the fence requirement, and Ms. Dinkins agrees this would meet the intent, with the addition of some shrubbery placements on the entirety of the berm.

The plans for this paving project are limited as to detail being provided. It was Staff's suggestion that extensive drawings were not needed as no changes are proposed to the structure or general layout of the church's site. This proposal was briefly reviewed with Engineering staff. It was offered that prior to a Land Improvement Permit being issued a determination would be made as to whether or not the existing retention basin would need to be expanded. An aerial is provided that shows adequate space for increasing the retention basin in the northwest corner of the site.

As part of the technical review for this project, the plans and supplemental documentation have been reviewed by the Planning and Landscape Architectural Staff. Based on that review, Staff recommends approval of the following motions relative to City File No. 79-949.3 (Covenant Christian Church).

Conditional Land Use

MOTION by _____, seconded by _____, in the matter of City File No. 79-949.3 (Covenant Christian Church Parking Lot Addition), the Planning Commission **recommends** to City Council **approval** of the **Revised Conditional Land Use**, based on plans dated received by the Planning Department on September 11, 2007, with the following findings.

Findings:

1. The proposed gravel parking lot space is currently used for parking and paving it will improve the area.
2. The proposed parking lot addition will be accessed by using existing ingress to and egress from Hamlin Road.
3. The proposed parking spaces will be added to an existing parking lot.

4. The use is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-1337 in particular. Further, the proposed parking lot addition will improve access for the church attendees.
5. The proposed parking lot addition is designed and will be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity and the Covenant Christian Church.
6. The proposed parking lot addition is part of the larger church development, which is served adequately by essential public facilities and services.
7. The proposed parking lot addition will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
8. The proposed parking lot addition will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Buffer Modification

MOTION by _____, seconded by _____, in the matter of City File No. 79-949.3 (Covenant Christian Church), the Planning Commission **grants a Buffer Modification** to eliminate the requirement for a six-foot fence, wall or berm and allow the existing four-foot berm, plus the addition of plantings on top of the berm, to be extended along the length of the new parking area to meet one of the Type B buffer requirements for the western side of the property, based on plans dated received by the Planning Department on September 11, 2007, with the following findings and subject to the following conditions:

Findings:

1. That extension of the existing berm, supplemented by additional plantings, will be consistent with the intent of the "Type B" buffer requirement of an opaque wall, fence or berm for the subject site.
2. That the existing trees supplemented by additional trees will meet the IVO requirements along the western limit of the site.
3. That the proposed plan meets the criteria of Section 138-1218 to allow the Planning Commission to modify or waive the buffer requirements for the proposed development.

Conditions:

1. Submit a Landscape Plan and cost estimate, showing supplemental trees to meet the IVO requirements on the western boundary (no greater than 10' wide at a level of 20' above ground); extend the existing four-foot berm from the north side of the garage to the north side of the new parking area; and add shrubbery along the top of the entire berm. Plan

and bond amount to be reviewed and approved by the City's Landscape Architect, prior to Final Approval by Staff.

Attachments: *Site Plan dated received 09/11/07*

References: Letter from Pastor Burnell Odoerfer dated 09/07/07; Aerial Map; Department Planning and Development memo dated 09/12/0, Public Hearing Notice; Development Application, dated August 28, 2007.

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