

City Council Agenda Summary Sheet (Non Purchases)

Agenda No: 2004-0503, Abiding Presence Lutheran Church Revised Conditional Land Use.
Date: July 12, 2004
Prepared By: Derek L. Delacourt
City File No: 87-829.2

Meeting Date: July 21, 2004

PURPOSE:

Request for Conditional Land Use Approval for a building addition to the existing Abiding Presence Lutheran Church. The Planning Commission reviewed and approved the proposed site plans and buffer modification for the addition, and recommended approval of the Revised Conditional Land Use at its June 15, 2004 meeting.

DISCUSSION:

Churches are permitted in any zoning district per Section 138-1337 of the Rochester Hills Zoning Ordinance, subject to the following conditions (as paraphrased):

1. *The site is so located as to provide ingress to and egress from the site directly onto a major or secondary thoroughfare having an existing or planned right-of-way at least 86 feet in width. The proposed project will currently and will continue to access Walton Blvd., which has a right-of-way width of 120 feet.*
2. *Building of greater than the maximum height allowed may be permitted, provided the front, side, and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed. The maximum building height in the R-2 zoning district is 35 feet. The height of the proposed church addition is 16' 6". Therefore, this standard is not applicable.*

Section 138-1306[d] of the Zoning Ordinance details the general requirements for a conditional land use, which are as follows:

1. *Will promote the intent and purpose of this ordinance. As previously mentioned, churches are permitted in any zoning district. Therefore, the use is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-1337 in particular.*
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. Although the development has been operated, maintained, and managed so as to be compatible and harmonious, the Planning Commission will need to determine whether the proposed addition's architecture and materials are compatible, harmonious, and*

appropriate in appearance with the existing structure, character of the general vicinity and adjacent uses of land. Staff recommends that the addition to the existing church will not negatively impact the above stated criteria and the improvements being made, including additional landscaping and storm water improvements, will enhance the situation.

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.* The development is adequately served by essential public facilities and services.
4. *Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.* The development should be not detrimental, hazardous, or unreasonably disturbing to existing 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.* The development does not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

FISCAL INFORMATION:

None

RECOMMENDATION:

Staff and the City's Planning Commission recommend Revised Conditional Land Use for the proposed addition.

ATTACHMENTS:

Department Authorization: Ed Anzek, Director of Planning and Development

Reviewed by:

Fiscal: *Jean Farris*

Clerks: *Susan Koliba-Galeczka*

Approved by: *Pat Somerville*

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA