

6. Incorporating the letter of agreement dated April 28, 1998 between Singh Development Co. and Home Depot.
7. A masonry screen wall shall be installed in lieu of a wood fence as the eastern wall along the western drive.
8. Three (3) oak trees shall be installed in lieu of the locusts and white ash along the northern portion of the site.
9. The water main be relocated and shown on the site plan as relocated:
10. If and as approved by City staff, a gate will be installed adjacent to the northwest corner of the building across the westerly access drive to restrict trucks from entering that area during the restricted hours. In lieu of such approval an alternative, such as a truck height restrictor, shall be considered at the discretion of staff. If anything more extravagant is proposed, it shall be brought back to the Planning Commission for approval.

Roll call vote:

Ayes: Corneliussen, Kaiser, Krupa, Nowicki, Ramanauskas, Rosen, Ruggiero
Nays: None
Absent: Boswell, Gaber

MOTION CARRIED.

(Reference: Site Plans dated received 4/15/98 by the City of Rochester Hills Planning Department prepared by McNamee, Porter, and Seely, Inc.; Architectural Plans dated received March 23, 1998 prepared by CASCO; letters dated April 28, 1998 and April 23, 1998 from Singh Development; Staff Memo dated April 21, 1998; Staff Report dated December 2, 1997; letter from Linda C. Lemke & Associates dated April 15, 1998; Requested Amendments to Site Plan faxed January 27, 1998; Lighting Specifications from Cooper Lighting; Tree Inventory prepared by Dawda, Mann, Mulcahy & Saddler, P.C.; Minutes from January 8, 1998 Meeting prepared by Singh Development; Planning Commission Meeting Minutes of December 9, 1997 and February 4, 1997; City Council Meeting Minutes of April 23, 1997.)

[Recess 8:40 p.m. - 8:46 p.m.]

IV. NEW BUSINESS:

A. Special Land Use Approval - File No. 98-014 (Public Hearing)

Project: Rochester First Church of the Nazarene
A 22,986 square foot church
Request: Special Land Use Approval
Location: South side of Walton Boulevard east of Wimpole
Parcel: 15-16-102-002, zoned R-1, One Family Residential
Applicant: Pastor Larry Crum
Rochester First Church of the Nazarene
1520 Walton Boulevard
Rochester Hills, Michigan 48309

(Reference: Staff Report prepared by Paul Rizzardi dated April 21, 1998 has been placed on file and by reference becomes part of the record hereof.)

Present were Pastor Larry Crum and Pam McDonough, church board member.

Mr. Rizzardi pointed out that the subject request is only a special land use request, not a site plan approval. Therefore, the same level of detail is not contained on the submitted concept plan. But it does contain enough information for the commission to determine whether or not the requested use would be appropriate for the subject site.

The Chair explained that the Planning Commission will only review the subject request and make a recommendation to City Council which will make the ultimate approval or denial. While the applicant has prepared a concept plan, City Council can require the applicant to build the site exactly as conceived.

Pastor Crum had nothing to add.

The Chair **opened the public hearing.**

Robert Peters, owns the property at 177 Nesbit right behind the subject property, **resides at 882 Cobblestone**, concerned that he will have a lakefront property because of the water drainage.

Carlene and Anthony Nehra, 1911 Chalmers Dr. W., wanted assurance that only a church can go on the site.

Gay Wittenstrom, 141 Nesbit, backs up to the subject property, had a problem with the size of the proposed church.

Martha Peters, 822 Cobblestone, clarified with Ms. McDonough that the old farm house on the subject site will be occupied and will require extensive renovations.

Dave Levering of the Grosse Pines Homeowners Association and involved in much discussions regarding the Mocerri rezoning request for the same site, would appreciate tabling the subject request. The homeowners know something eventually will be built on the subject site, and a church would probably be the best from a traffic management standpoint.

The Chair explained the format of the Master Land Use Plan workshops scheduled for Friday, May 1, 1998 and Saturday, May 2, 1998. Topics for discussion include policies, philosophies, uses of certain sites but not specific requests such as the subject one.

Letter received from **Dola Vaught, 2556 New England Dr., 248-375-9459**, and **Gary Vaught, 26 Wimpole**, expressing support for the special land use request.

Letter received from **Bob and Jill Hoffman, 884 Ten Point Drive**, urging a favorable vote for the church.

The Chair **closed the public hearing.**

The Chair clarified for the record Section 21.07 of Zoning Ordinance 200 that "*[Special] uses require special consideration since they service an area larger than the city, contain unusual features, or require sizeable land areas, creating problems of control with reference to abutting use districts.*" The Chair asked Mr. Rizzardi to identify the requirements that fit the subject site. Mr. Rizzardi responded that the requirements don't have to fit the site; the requirements define the use.

Ms. McDonough added that the larger area than Rochester Hills which the subject use would serve is the congregation of the church which draws from neighboring communities. The only reason for requiring a sizeable land area is that their present facility has no room for expansion and they need additional parking. There are no unusual features to the site.

Member Rosen noted on the concept plan that a 22,986 square foot building is proposed, roughly ten times the size of an average house. The concept plan demonstrates that the applicant has at least thought about how to handle storm water. It appeared that the parking lots would be used as detention basins from which water would eventually flow to Walton Boulevard; there would be very little runoff toward the back of the site near residential properties. Ms. McDonough added there is a natural amphitheater that sits back of one of the buildings. One of their main concerns is to prevent flooding in the amphitheater because they want to preserve it. The estimated height of the proposed building is approximately 30 to 32 feet not including the steeple. Mr. Rizzardi stated in the R-1, One

Family Residential zoning district structures are limited to 25 feet in height measured to half way between the bottom of the roof to the top of the ridge; typically houses could go up to the top of the ridge, over 30 feet in height. For both residential and church uses that height can be exceeded by providing additional setbacks -- residences are limited to 35 feet, but there is no maximum height for churches. Member Rosen stated the submitted plan indicates that it is possible to build a church on the subject site, not that a church would be built exactly as illustrated on the concept plan.

Mr. Rizzardi stated the applicant will be required to install a Type B buffer which is a 25 foot wide greenbelt without any parking in it, a 6 foot high opaque screen either a wall or a berm or a combination, and shade trees along the property lines. If there are existing trees on the site, those trees can be used to meet the buffer requirements. Buffer requirements are usually considered during the site plan approval stage.

Ms. McDonough stated, for information, if a new church can be constructed on the subject site, the existing church site on Walton Boulevard would be used for an expansion by the adjacent Meadowbrook Nursing Home.

The Chair reviewed the recommended condition for approval of the conditional land use request in the staff report dated April 21, 1998 -- that the site plan shall be consistent with the concept plan and concept architectural drawing dated received by the Planning Department on April 17, 1998.

Ms. McDonough explained that lighting is proposed in the parking lot areas, and is anticipated to be restricted to times of activity. The Chair stated that site lighting could be a safety issue and pointed out if the subject site is not lit during off hours, it could become a gathering place for undesirables. That could be made a condition if it is the desire of the Planning Commission. He would like some input from the neighbors regarding the lighting of the site.

Ms. McDonough added another safety factor is the existing house on the site which will probably be occupied by an assistant pastor after renovation. Someone will be on the site at all times.

Member Corneliussen recalled that the subject site has been considered a residual parcel as part of the Master Land Use Plan Update. In light of the Master Land Use Plan study sessions scheduled for May 1 and 2, 1998, having some additional input from surrounding areas might make a decision on the subject request more meaningful. Member Corneliussen favored tabling the special land use request until after the study sessions to possibly get more public input. He encouraged the church personnel to participate in those discussions.

Mr. Rizzardi compared the subject site to the Latter Day Saints church on Brewster Road, which is a larger site at 5 acres, seating capacity and square footage are very similar. Since the Latter Day Saints church is somewhat taller, the setbacks are greater. The proposed structure would be about half the size of St. Marys of the Hills and the Islamic Mosque, the latter being on a very narrow site.

Member Rosen did not see much to gain by delaying simply to get more input, and two letters have been received in support of the project. The applicant realistically would still be a good year away from construction. The overall traffic will not be impacted that much since the present structure is already on Walton Boulevard. The north/south orientation of the proposed building bothered him somewhat.

The Chair added that nothing done tonight is binding since the Planning Commission will only make a recommendation, and the workshops will occur Friday and Saturday. One option would be a resolution that any discussion concerning the subject residual site be forwarded to City Council and be included for their consideration when they discuss this agenda item.

The Chair discussed with Mr. Rizzardi the adequacy of the parking. Mr. Rizzardi explained that the parking requirement is based on the seating capacity of the sanctuary. There is not much overlap of that with classroom uses. This should provide adequate parking. In fact, staff asked the Latter Day Saints Church to remove some parking spaces because they thought it was too much. The Chair added that churches are notorious for having parking problems. Mr. Rizzardi added that originally

they had a different parking layout and staff asked them to redesign it to provide a better traffic flow.

Pastor Crum explained that the purpose of the canopy is for a drop-off area as well as aesthetics. The Chair suggested removing the canopy to provide for more buffer from Walton, even though it would be an inconvenience for pedestrians. There was something about the layout that bothered the Chair. The proposed building is pushed pretty close to Walton and pretty far back on the site. It may meet ordinance requirements, but conditions can be imposed if they are needed for the proposed layout to fit on this site.

Member Ramanauskas echoed comments made regarding the layout of the building. The parking does not have a good flow; it is too segmented. A question to be asked is whether the adjacent neighbors would prefer to see parking spots or a building. He suggested the building centered as much as possible on the site, or somehow consolidate all the parking. He sees too much asphalt on the site and the building too close to the residential area.

Ms. McDonough responded they did try that but the Fire Department insisted on a non-deadend road. Parking had to be put on both sides of the building in order to take advantage of the natural amphitheater. Mr. Rizzardi added it would actually require more asphalt to put the parking on one side in order to meet the Fire Department requirements. The Chair questioned why the Fire Department would require the submitted layout when all they need is a lane circling the building. Despite more asphalt, the Chair responded that more could be done with the landscaping, and more landscaped islands could be added.

The commissioners reviewed and analyzed an earlier submitted drawing showing a different building orientation and parking lot layout dated received by the City of Rochester Hills Planning Department on March 12, 1998.

The Chair pointed out that there could be approval of a special land use with no particular site plan, or based on the submitted concept plan dated April 17, 1998.

The Chair noted that no comments have been made stating there should not be a church on the subject site.

Ms. McDonough said they are willing to change what the church will look like, the proposed size is the largest it would be, they have already submitted several plans for city review in an attempt to meet the ordinance requirements.

Member Rosen stated the configuration and orientation of the building do not appear to fit the site -- it's too long north/south and too short east/west. He was not totally unhappy with the concept plan but thought it could be improved. The size of the building was not a problem. He recommended the applicant talk to the adjacent neighbors.

Mr. Rizzardi asked for direction on how the applicant should proceed -- if the building is brought closer to Walton Boulevard, parking could be located behind it. He would not want to require the applicant to spend a lot of time on a site plan only to have it rejected.

Dave Levering of the Grosse Pines Homeowners Association, He thought it would be useful to get a better understanding of what the predictable issues are, such as the scale of building. There are economical PC-based 3-D programs that could do a lot of the traditional architectural work.

Pastor Crum stated he has not formally contacted the adjacent neighbors; he did not know that it was necessary or allowed.

Suggestions for improving the site layout and building orientation included consolidating the parking lot to screen it better from the neighbors and provide better control, eliminate the canopy and accompanying island if possible, move the five parking spaces near the existing barn. Mr. Rizzardi added that consolidating the parking would probably move the parking closer to the area to

the south. The submitted plan does take advantage of the natural features of the site; other alternatives already considered would not accomplish that. Moving the building around, or adding another row of parking spaces still is consistent with the submitted plan. Mr. Rizzardi saw the major concerns as the size and general location of the building, and the proposed landscaped areas as the big conceptual elements of the plan which will move forward to site plan approval.

Member Nowicki studied the floor plan and suggested rearranging it somehow to make it more square -- perhaps reconfiguring the classrooms -- it might be possible to put the building in a different position on the site.

Member Krupa confirmed with the applicant that the garage and barn will stay. Ms. McDonough added since the barn is in the portion of the site at a lower elevation, removing it would provide no benefit.

Member Krupa suggested reexamining the size of the gymnasium and the number of classrooms. Mr. Rizzardi added these are typical elements of church buildings and would have little impact on the number of required parking spaces.

Mr. Rizzardi stated the size of the gymnasium, even though it appears too big, does not generate the required number of parking spaces; that is determined by the size of the sanctuary. Member Ramanauskas suggested considering moving some of the classrooms upstairs.

Helen Kohn, 123 Nesbit, suggested commissioners visit the site because she did not believe the site is ~~*not~~ deep enough for the size of the proposed building. She does not object to a church being built on the site.

Mr. Rizzardi put the size of the proposed building in perspective -- it is about the size of the St. Marys addition which was approved a couple years ago. He suggested looking at it in terms of the Huntington Park development to the east. The proposed building will be somewhat smaller.

It appeared to Member Ruggiero that the Planning Commission is asking the applicant to do what they have already done by having submitted several concept plans to the city that have already been reviewed and accepted or rejected.

Additional suggestions made by commissioners include reviewing the dumpster location to determine if it is adequately screened and buffered and could it be moved closer to the building; or consider a small compactor; move the handicap parking spaces closer to the entry or provide more spaces near the south entrance; encourage communication with the neighbors.

MOTION by Ruggiero, seconded by Nowicki, in the matter of File No. 98-014 (Rochester First Church of the Nazarene), that the Planning Commission **recommend approval** of the request for a Special Land Use for a 22,986 square foot church located on the south side of Walton Boulevard east of Wimpole, Parcel No. 15-16-102-002, zoned R-1, One Family Residential, to be consistent with but not exactly to the site plan dated received by the City of Rochester Hills Planning Department on April 17, 1998.

FINDINGS:

1. The proposed church seems to promote the purpose and intent of the zoning ordinance based on the submitted concept plan. The concept plan indicates that the church site can be designed in a manner to meet the spirit and intent of the Master Plan, zoning ordinance, and City Engineering standards.
2. The church has been designed to complement the adjacent residential neighborhoods. Its hours of operation are not expected to conflict with the residential activities of the immediate neighborhoods. Thus, it seems the church can be operated and maintained so as to be compatible and harmonious with the adjacent subdivisions.
3. Sufficient capacities of public facilities currently exist to service the proposed church.

Additional public facilities at public cost will not be necessary.

4. It is not believed that the proposed church will negatively impact the surrounding properties. The use and enjoyment of neighboring homes will not be diminished due to the proposed landscaping and buffering, building design, and deep setbacks of the church.

CONDITION:

1. The site plan shall be consistent with the concept plan and concept architectural drawing dated received by the Planning Department on April 17, 1998.

Roll call vote:

Ayes: Corneliussen, Kaiser, Krupa, Nowicki, Rosen, Ruggiero
Nays: Ramanauskas
Absent: Boswell, Gaber

MOTION CARRIED.

The Chair strongly encouraged the applicants to participate in the Master Land Use Plan discussions regarding the subject site.

(Ref: Staff Report prepared by Paul Rizzardi dated April 21, 1998; Site Concept Plan prepared by KSA Architects and Planners dated received by the City of Rochester Hills Planning Department on April 17, 1998; letter from Senior Pastor, Reverend Larry Crum dated February 23, 1998; Environmental Impact Statement; letter from Dola Vaught dated April 28, 1998; letter from Bob and Jill Hoffman dated April 28, 1998.)

B. Conditional Land Use Approval - File No. 98-006

Project: Discount Tire
A 7,700 square foot automotive tire retail facility
Request: Conditional Land Use Approval
Location: East side of Rochester Road between Eastlawn and Michelson
Parcel: 15-35-352-066, zoned B-5, Automotive Service Business and R-4, One Family Residential
Applicant: Dan Wainwright
Discount Tire Company
14631 North Scottsdale Road
Scottsdale, Arizona 85254

(Reference: Staff Report prepared by Paul Rizzardi dated April 21, 1998 has been placed on file and by reference becomes part of the record hereof.)

Mr. Rizzardi stated that the conditional land use request is covered by Section 23.17 of the ordinance and the B-5, Automotive Service Business zoning requirements; the portion of the property zoned R-4, One Family Residential is being used for landscaping. There is a split zoning line; the rear 63 feet are zoned R-4, One Family Residential and the remainder of the site is zoned B-5, Automotive Service Business. The proposed development is within the B-5 portion of the site and is consistent with a conditional land use in that zoning district.

Present were Dave Parker, architect; Mike Dyer, engineer; Dick Weger of Discount Tire.

Mr. Rizzardi added that the landscape plan has been modified since the applicant met with the neighbors, and the site will require a buffer modification at the time of site plan approval; building elevations have been submitted indicating a red brick and white color scheme. Mr. Rizzardi deleted the first two recommendations in the staff report and modify Condition No. 4 with "the site plans and elevations shall be consistent with the concept plans and concept architectural drawings received April 15, 1998 and color renderings submitted by the applicant received April 24, 1998."