

**City of Rochester Hills  
Department of Planning**

**STAFF REPORT TO THE PLANNING COMMISSION  
August 26, 2003**

<b>First Church of the Nazarene Revised Conditional Land Use</b>	
<b>APPLICANT</b>	First Church of the Nazarene 1705 Walton Blvd. Rochester Hills, MI 48309
<b>AGENT</b>	Pastor Larry Crum
<b>LOCATION</b>	1705 Walton Blvd.
<b>PARCEL NO.</b>	<b>15-16-102-002</b>
<b>FILE NO.</b>	<b>98-014</b>
<b>ZONING</b>	R-1 One Family Residential
<b>STAFF</b>	Derek L. Delacourt, Planner
<b>REQUESTS</b>	<b>Revised Conditional Land Use Recommendation</b>

**SUMMARY**

The applicant is requesting Revised Conditional Land Use for the First Church of the Nazarene located at 1705 Walton Blvd. The applicant received a recommendation for CLU approval on April 28, 1998 from the Planning Commission and CLU approval from the City Council on July 1, 1998. Also, the Planning Commission granted site plan approval for the site February 29, 2000. Minutes from those meetings and the approved site plans are included as part of this package.

The applicant has requested a demolition permit for the existing farmhouse located on the subject site. The house and outbuilding located on the site are considered potential historic districts in the City. Based on the request for demolition, the Historic District Commission requested that City Council grant review rights regarding the site to HDC to allow a study to be conducted and recommendations regarding designation provided to the City Council. The City Council denied the request. However, it was identified that the structures were included on the site plans that were reviewed in relation to the Conditional Land Use recommendation for the site.

It was determined in discussions between Staff and the City Attorney that a revised CLU approval would be required prior to issuance of the demolition permit. Also, it was determined that it is not necessary to grant revised site plan approval as part of the process. The Planning Commission may utilize the existing approved site plans to make a determination as to whether

the farmhouse and outbuilding, identified on the plans, impact the recommendation regarding CLU approval. Staff included a finding in the proposed CLU motion related to the impact of the structures.

### Conditional Land Use Approval

Sec. 138-1306. Special and conditional land uses; discretionary decisions of the City's Ordinance identify the process and review criteria for CLU approval. Identified below are the review criteria for CLU approval as listed in the Ordinance:

For decisions on special land uses referred to in subsection (a) of this section and in all other instances in this chapter where discretionary decisions must be made by a board, commission or official, including decisions on site plans, the requirements and standards as particularly set forth in this chapter concerning the matter for decision shall be followed, and such discretionary decision shall also be based upon the findings that the special land use will:

- (1) Promote the intent and purpose of this chapter.
- (2) 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) Be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainageways, 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) Not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or the public welfare.
- (5) Not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

The city council shall grant the requested approval only upon determination of compliance with the standards in this subsection. In granting the requested approval, the city council shall impose such requirements or conditions, as it deems necessary to protect the public interest of the city and the surrounding property and to achieve the objectives of this chapter.

**Specific action requested for consideration by the Planning Commission is a recommendation regarding Revised Conditional Land Use Approval.**

**THANK YOU**

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 98-014 (First Church of the Nazarene), the Planning Commission **RECOMMENDS CITY COUNCIL APPROVE THE REVISED CONDITIONAL LAND USE** for the First Church of the Nazarene located at 1705 Walton, based on site plans dated approved by the Planning Department October 5, 2000 with the following findings and conditions:

**FINDINGS**

1. The existing development does promote the intent and purpose of this chapter.
2. The subject site has been 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. The subject site is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainageways, 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. The subject site is not detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or the public welfare.
5. The subject site does not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.
6. The Principal Use and Conditional Land Use recommendation is not impacted by the existing farmhouse or outbuilding.