

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

**STAFF REPORT TO THE PLANNING COMMISSION  
October 17, 2006**

<b>Request for Site Plan Approval Sikh Gurdwara Temple</b>	
<b>APPLICANT</b>	Sikh Gurdwara 6780 Old Orion Ct. Rochester Hills, MI 48306
<b>AGENT</b>	Hakim Shakir
<b>LOCATION</b>	Southeast corner of Auburn and Norton Lawn
<b>PARCEL NOS.</b>	15-34-226-034
<b>FILE NO.</b>	05-015
<b>ZONING</b>	R-3 (One-Family Residential) District
<b>STAFF</b>	Derek L. Delacourt, Deputy Director
<b>REQUESTS</b>	<b>Conditional Land Use Recommendation Site Plan Approval</b>

**SUMMARY**

The applicants would like to construct a two-story, 21,544 square-foot place of worship and education center for the Sikh Community on 4.5 acres on Auburn, between Livernois and Rochester roads. The development includes a prayer portion, halls, associated parking, roads, landscaping and other site improvements. The site is zoned R-3, One Family Residential, which allows places of worship after Planning Commission recommendation and City Council approval of a Conditional Land Use. The Sikh community currently holds services on Orion Ct. in Rochester Hills and has need for a larger space.


The Environmental Impact Statement dated August 2005 states that the parcel is owned by Catherine Patterson, but it has since been purchased by Sikh Gurdwara. Also, the EIS shows that the development was to be done in phases, beginning with a 9,130 prayer building, but the total project is under consideration. The EIS will be revised accordingly.

# Sikh Gurdwara Temple

## City File No. 05-015



**Legend**

 TaxParcel

Aerial photographs as of April 2003.  
Parcel lines were obtained on 07-25-06 from Oakland County.  
Although the information provided by this map is believed to be reliable, its accuracy is not warranted in any way. The City of Rochester Hills assumes no liability for any claims arising from the use of this map.

05/01/05

1"=300'

# Sikh Gurdwara Temple

## City File No. 05-015



RGB  
 Red: Band\_1  
 Green: Band\_2  
 Blue: Band\_3



Aerial photographs as of April 2002.  
 Parcel lines were obtained on 07-03-06 from Oakland County  
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**Specific actions requested by the applicant for consideration by the Planning Commission are making a Conditional Land Use Recommendation to City Council and approving the Site Plan.**

**CONDITIONAL LAND USE**

Please refer to the enclosed McKenna Associates, Inc. letter dated September 25, 2006 for complete review comments relative to the general standards for Conditional Land Use consideration. Based on this review, the City's Planning Consultant recommends that the Planning Commission recommend approval of the Conditional Land Use.

As mentioned, places of worship are permitted in any zoning district per Section 138-1337 of the Rochester Hills Zoning Ordinance, subject to approval by the City Council following a recommendation by the Planning Commission and subject to the following conditions:

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 access Auburn Road, which has a right-of-way width of 120 feet. The applicants have agreed to construct a passing and lane along Auburn.
  
2. *Buildings 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 top of the proposed tower/dome structure on the temple will be elevated 52 feet above grade level on the rear elevation and 47 feet above grade level on the front elevation. All proposed setbacks have been adjusted accordingly to allow the increase in height. Please refer to table:

<b>Setback</b>	<b>Required by Section 138-1111</b>	<b>Required for Additional Height</b>	<b>Total Setback Required</b>	<b>Proposed</b>
Front	30 feet	+27 feet	= 57 feet	61 feet (To future ROW)
Side (east)	10 feet	+27 feet	= 37 feet	101.7 feet
Side (west)	10 feet	+27 feet	= 37 feet	249.1 feet
Rear	35 feet	+27 feet	= 62 feet	200± feet

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, places of worship are permitted in all City zoning districts. 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.*
  - The Planning Commission will need to determine whether the proposed addition's architecture and materials are compatible, harmonious, and appropriate in appearance with the character of the general vicinity and adjacent uses of land.
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 will not appear to be, after meeting any conditions of approval, detrimental, hazardous, or unreasonably disturbing to existing land uses, persons, property, or the public welfare. The Environmental Impact Statement offers that the development will "spur residential development in the region and will improve the business district in the neighborhood."
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 will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

If the Planning Commission feels that the proposed architecture and materials are compatible, harmonious, and appropriate in appearance with the existing character of the general vicinity and adjacent uses of land, **staff recommends approval of the following motion relative to City File No. 05-015 (Sikh Gurdwara Temple).**

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 05-015 (Sikh Gurdwara Temple), the Planning Commission **recommends** to City Council **Conditional Land Use Approval** of the proposed project, based on plans dated received by the Planning Department on September 5, 2006 with the following findings and subject to the following condition.

Findings:

1. Places of Worship are permitted in any zoning district; the use is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-1337 in particular.
2. The proposed Sikh Gurdwara Temple is designed and will be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing character of the general vicinity, the capacity of public services and facilities affected by the use, and the community as a whole. The maximum building height, measured from average grade is 32 feet and three inches.
3. The Temple will be accessed via Auburn Road, which has a right-of-way width of 120 feet.
4. The proposed development will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
5. The proposed building will not be located within 50 feet of any property line; the front, side and rear yard setbacks are more than equal in depth to the height of the proposed Temple.
6. The proposed Temple has been designed so as to not be detrimental, hazardous, or unreasonably disturbing to existing land uses, persons, property, or the public welfare.
7. The proposed Temple will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Condition:

1. Provide evergreen shrubs sufficient to form a hedge (understory plantings) in addition to the proposed deciduous trees along the west property line between the parking lot and Norton Lawn Road to screen headlights, as approved by the City's Landscape Architect prior to Final Approval by Staff.

2. That if in the future the City determines there is a demonstrated parking problem at the site that the applicant be responsible to provide the City, at the owners expense a mutually agreeable solution to resolve the issue.

## **SITE PLAN**

As part of the technical review for this project, all applicable City departments and consultants have reviewed the plans and supplemental documentation. Review comments are either included in this report or contained within the enclosed information.

### **Parking**

The applicant is providing parking sufficient to meet the requirements of the ordinance. They have also provided supplementary information attached to the packet that includes a "membership attendance chart." The chart indicates, by the estimations, that the parking provided is sufficient for the maximum potential utilization of the building, even though the maximum occupancy of the building is greater. Staff has included a condition to both proposed motions indicating that if, at the City's determination, there is a demonstrated parking problem at the site, that the applicant be responsible to meet with the City and provide a mutually agreeable solution, at the owner's expense, for any future parking issues.

### **Wetland Use Permit**

The Wetland and Watercourse Protection Ordinance is applicable to the subject site. There is one .2 acre wetland on the site, and since it is contiguous to the Gibson Drain, it is regulated by the DEQ and the City of Rochester Hills. However, there is no work proposed near the wetland or within the natural features setback and a Permit is not required, per ASTI's letter of January 4, 2006. The parking lot was designed outside of the floodplain area at the southern portion of the site, and Engineering Services determined that the proposed development would not require a Floodplain Use Permit.

### **Landscaping/Tree Removal**

The City's Landscape Consultant recommends approval of the landscape plan subject to two conditions, which have been included in the proposed Site Plan motion.

The City's Tree Conservation Ordinance does not regulate the site. The applicant is proposing to remove only 2-3 small trees and will not replace those because the buffering requirements requires the site to be heavily treed. The City's Landscape Architect has reviewed the Landscape Plans, including the proposed buffering, and recommends that they meet the requirements of the City's Ordinance subject to conditions.

### **Buffer Requirements**

The site is surrounded by R-3 (residential) zoning on all sides. A Type B Buffer (25' width, a 6' high opaque screen wall/fence and sufficient IVO plantings) is required along the site's east and south property lines. A concrete retaining wall with chain link safety fence is proposed for the southern property line and a vinyl fence with ornamental detail is proposed for the eastern property line. Staff has added a condition to change the chain link fence to a 6' masonry wall. Type C Buffers (10' foot width and sufficient tree planting) are required for the north and west property lines, adjacent to Auburn Road and to Norton Lawn, and the requirements for those have been met.

### **Other**

The proposed tower feature indicated on the site plans will be 52 feet in height. An additional foot of setback is required for each foot above the allowable height (35 feet), which has been exceeded.

Detention will be contained on-site and collected in the underground storage system at the northwest portion of the site.

Approximately 40% of the site will be private open space.

**The proposed project, subject to conditions, meets the City's zoning requirements for the use, including parking, interior landscape islands, setbacks, and height. Staff recommends approval of the following motion relative to City File No. 05-015 (Sikh Gurdwara Temple).**

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 05-015 (Sikh Gurdwara Temple), the Planning Commission **approves** the **Site Plan**, based on plans dated received by the Planning Department on September 5, 2006, with the following findings and subject to the following conditions.

### **Findings:**

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City ordinances, standards and requirements can be met subject to the conditions noted below.
2. The proposed development will access only Auburn Road, thereby not increasing traffic on Norton Lawn, and the applicants will improve the passing lane on Auburn.
3. If the proposed occupancy rate and number of parking spaces is demonstrated by the applicant to be sufficient, off-street parking areas are designed to avoid common traffic problems and promote safety.



4. Because of the proposed landscaping and additional setback areas, there appears to be a satisfactory and harmonious relationship with adjacent neighborhoods.
5. The proposed development should not have an unreasonably detrimental nor an injurious effect upon the natural characteristics and features of the site or those of the surrounding area.
6. The development will meet the religious, cultural and educational needs of the growing Sikh community.

Conditions:

1. Conditional Land Use approval by City Council.
2. Provide a note that all wall-mounted light fixtures shall be fully shielded and downward directed and add detail for those fixtures. Indicate on plans that all exterior lighting shall be turned off when the facility is not in use to reduce any light impact to surrounding residential districts.
3. That the applicant obtain all necessary Oakland County Drain Commission and Soil Erosion Permits prior to construction.
4. Re-label "25 ft. buffer line for wetlands" as "*Natural Features Setback*" where indicated on plans.
5. Revise chain link fence on Sheet C-06 to 6' masonry wall.
6. Show proposed fencing along eastern property line on Site Plan, Sheet C-02.
7. Show Type C Buffer required for Auburn Road on Site Plan, Sheet C-02.
8. That the applicant submit a Landscape Performance and Maintenance Guarantee in the amount of \$89,325.00 for a period of two growing seasons, to be adjusted by Staff if necessary, prior to issuance of a Land Improvement Permit.
9. Tree Protection Fencing must be installed, inspected, and approved by the City's Landscape Architect prior to issuance of the Land Improvement Permit for this development.
10. Label FDC on Site Plan, Sheet C-02, per Fire Department memo dated September 18, 2006 for approval of the Fire Department prior to Final Site Plan Approval by Staff.

11. That if in the future the City determines there is a demonstrated parking problem at the site, the applicant shall be responsible to provide the City, at the owner's expense, a mutually agreeable solution to resolve the issue.
12. That all off site drainage easements, stormwater agreements and calculations regarding the regional detention system must be reviewed and approved by Engineering Services, prior to Construction Plan Approval.
13. Remove any references of Phase 1 the Environmental Impact Statement and change building footprint of 9,130 on Landscape and Irrigation Plans.
14. That the applicant dedicates 27 feet of right-of-way on Auburn and 5 feet on Norton Lawn for proposed off-site road improvements, prior to construction plan approval.
15. Address two comments contained in Building Department memo dated September 19, 2006, prior to Final Approval by Staff.
16. That a Land Improvement Permit shall be required from the City's Engineering Services Department prior to work on the site.

## THANK YOU

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Reference: Plans dated received by the Planning Department 09/05/06 Cover Sheet [Sheet No. C-0], Proposed Plan [Drawing Nos. A-1 and A-2], Topographical Plan [Drawing C-01], Site Plan [Drawing No. C-02], Grading Plan [Drawing No. C-03], Drainage Area Plan [Drawing No. C-04], Utility Plan [Drawing No. C-05], Approach Detail [Drawing No. C-06], Lighting Plan [Drawing No. L-01], prepared by EI Engineering Services, Inc.; Landscape Planting Plan [Sheet Nos. LP-1 and LP-2], prepared by Nagy & Associates; Irrigation Plan [Sheet IR-1], prepared by John Deere Landscapes.

Attachments: Sikh Community Brochure; McKenna Associates letters (2) dated 10/04/06; Building Department memo dated 09/19/06; Fire Department memo dated 09/18/06; Planning Department memo dated 09/26/06; Public Services memo dated 06/15/06; Applied Science & Technology, Inc. letters dated 01/04/06 and 03/28/06; Parks and Forestry memo dated 06/09/06; Assessing Department memo dated 09/28/05; Oakland County Drain Commissioner letter dated 09/01/05; MDOT transmittal dated 09/08/05; Public Hearing Notice for CLU; Development Application dated received 08/26/05 and EIS dated 09/05.

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