



Rochester Hills Agenda Report

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File Number: 2006-0717

File Number: 2006-0717	File Type: Project	Status: To Council
Version: 2	Reference: 05-015	Controlling Body: City Council Regular Meeting
Requester: Planning/Development	Cost:	Introduced: 09/26/2006
File Name: Sikh Gurdwara Temple		Final Action:

Title: Request for Approval - Conditional Land Use Request - City File No. 05-015 - Sikh Gurdwara Temple, a proposed 21,544 square foot place of worship and education center on 4.5 acres, located at the southeast corner of Auburn and Norton Lawn, zoned R-3, One Family Residential, Parcel No. 15-34-226-034, Sikh Gurdwara, applicant

Notes: Sikh Gurdwara
Attn: Raghbir Sandhu
6780 Old Orion Ct.
Rochester Hills, MI 48306
(586) 575-6499

Engineering Services, Inc.
Hakim Shakir, P.E. and
Fadi Khalil
32300 Schoolcraft Road, Suite D-1
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734-525-7330
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Code Sections:	Agenda Date:
Indexes: Conditional Land Use	Agenda Number:
Sponsors:	Enactment Date:
Attachments: Agenda Summary.pdf, Map aerial.pdf, Staff Report.pdf, Back Up PC.pdf, Site Plans.pdf, Site Plan Motion.pdf	Enactment Number:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/17/2006	Recommended for Approval	City Council Regular Meeting			Pass
<p>Notes: <i>(Reference: Staff Report prepared by Derek Delacourt, dated October 17, 2006 had been placed on file and by reference became part of the record thereof.)</i></p>							

Present for the applicant were Raghbir Sandhu, Sikh Gurdwara, 363 Cross

Creek Blvd., Rochester Hills, MI 48306; Hakim Shakir, P.E. and Fadi Khalil, Engineering Services, Inc., 32300 Schoolcraft Road, Suite D-1, Livonia, MI 48150.

Mr. Delacourt advised that the subject site was zoned R-3, Single Family Residential, and that places of worship were permitted with Conditional Land Use Approval in residential zoning districts. He stated that the applicant was proposing a 21,544 square-foot building, with associated parking, landscaping, retention, and off-site road improvements deemed necessary by the City's Engineering Services Department. The Site Plan had been through reviews by all applicable departments, and conformed to all technical requirements of the Zoning Ordinance, including parking, lighting, and landscaping. The applicants were not requiring any Buffer Modifications, and a Wetland Use Permit and Natural Features Setback Modification were not required. He further advised that the Tree Conservation Ordinance was not applicable because the property was platted prior to the inception of the Ordinance. The applicants were requesting a recommendation to City Council for a Conditional Land Use and Site Plan Approval.

Mr. Sandhu addressed the Commission and gave some background information. He stated that they had been in an existing temple on Orion Road since 1992. The current building was about 5,000 square feet. They had a very strong relationship with their neighbors, and in the last 14 years had not had one complaint from the City or any law enforcement agencies. The current building was too small for their community, since they had grown in the last 20 years, and the parking only allowed 50 cars. They planned a new building, keeping in mind future needs for 10-15 years down the road. They proposed 101 parking spaces, including five handicap spaces. They planned the site for up to 300 people, and that attendance would only occur once or twice a year. A normal gathering was 125 people on Sunday, when traffic was minimal. They attended from 9:00 a.m. to 2:00 p.m. on Sunday and he explained that people would come and go. He noted that the property was about 4.5 acres and the first floor and basement would be 9,000 square feet each, and the mezzanine would be 3,000 square feet. They started the Site Plan about a year ago and it had been thoroughly reviewed by all respective departments through three reviews. They were very excited about the new location for their temple, and they had a very strong and respected community in the City. He requested that the Commission approve the "special land use" and temple.

Chairperson Boswell clarified that the primary time of worship would be between 9:00 a.m. and 2:00 p.m. on Sundays. He asked what kind of activities would take place during the week.

Mr. Sandhu responded that they would have one small service on Friday evening from 7:00 p.m. to 8:30 p.m. maximum. On Saturday, they would have a one-hour class for the children and other than that, the building would be closed. In the future, they would probably add one more activity for the

kids, so they could be there two hours. Chairperson Boswell asked if the building would be used for ceremonies such as weddings.

Mr. Sandhu said they would only have wedding ceremonies, but not reception gatherings or parties. In their custom, they did not use the worship building for dancing or parties. The wedding ceremonies would only last an hour-and-a-half.

Chairperson Boswell opened the Public Hearing at 7:46 p.m.

Annette English, 3060 Norton Lawn, Rochester Hills, MI 48307 Ms. English stated that her main concern was that there was an Albanian Catholic Church to the west, and on Sundays the traffic was very congested. If the proposed temple's hours were from 9-2 on Sunday, she felt it would create an even greater problem with traffic. There were no stoplights, and they had to wait sometimes quite a long time, and had to depend on the generosity of the people coming out of church, to get in and out of their subdivision. She acknowledged that the City helped with the parking problems by putting up "No Parking Signs" on some of the streets, but they still had people asking if they could park there, and if they could move cars if the police came. Also, a few years ago, storm sewers were put in, which currently did an adequate job, but she was concerned about the run-off from the new development. She hoped that the plan made allowances for that.

Kyle Haswell, 3106 Hickory Lawn, Rochester Hills, MI 47307 Ms. Haswell advised that she had turned in a letter to the Commission, and she summarized some of her concerns, including traffic, that the Oakland County Sheriffs directed traffic for the church and mosque up the road, that there would be three churches within one-half mile or so of each other that would not generate any property taxes, and she was concerned that the residents would be burdened. She was concerned about light pollution, although she had found out that the lighting would be fairly muted. She noted that there was a large deer herd that ran through the property. She was concerned about long-range plans for the property to the east of the subject property, which had two houses on it, and which was closer to her property. She also noted that she and her husband worked at the Beaumont Medical Building, near the present temple, and that there had never been complaints or problems; but she reminded that it was much smaller than the one planned. She welcomed the applicants to the neighborhood.

Debra Alexander, 306 Shadywood Rd., Rochester Hills, MI 48307. Ms. Alexander said it was exactly 12 years ago when she was before the Commission talking about similar concerns about another development. She was concerned about the extreme amount of traffic already brought on by the St. Paul's Albanian church. A few Sundays ago it was almost impossible to get out of their neighborhood, and they were using the subject property as a parking lot. She was concerned about the design of the facility and whether it was harmonious with the neighborhood. She was concerned about the

trees and that an excess number would be cut down. She bought her house because she enjoyed the woods in the backyard. The drainage was a concern. She concluded that cut-thru traffic, experienced when St. Paul's went up, brought a horrific number of cars going through the neighborhood.

Chairperson Boswell closed the Public Hearing at 7:55 p.m.

Chairperson Boswell asked Mr. Delacourt to address the traffic problem, and asked if there were any road improvements proposed.

Mr. Delacourt stated that the City had been working with St. Paul's, and he was unsure whether off-site road improvements should have been made, but the church was currently working with the City to add parking on site. A parking and traffic study was done for the proposed development, and off-site improvements were being required. There would not be enough traffic generated to require a left-hand turn lane, but the applicant was putting in a passing lane that should help. Regarding drainage, he advised that every site in the City was required to retain and release water at an agricultural rate. The applicant proposed an underground storage and detention system. The City's Engineers did a thorough review of the plan to determine that there would be no negative impact regarding runoff. He encouraged anyone to call the City Engineer for further information.

Mr. Delacourt referred to lighting, and said that the City had lighting standards, and light could not be projected at more than one foot candle at four-and-a-half feet of height across a residential lot line. The applicant had met or exceeded that. In addition, all lighting had to be shielded and directed downward so light would not project directly across a site. The Planning Commission had discretionary abilities to look at on-site lighting, but the development would be relatively lowly lit, especially compared with other commercial sites.

Regarding long range plans for the site to the east, Mr. Delacourt advised that the City had a Master Plan for that area, and he was not sure what was planned, although he believed it was residential. He advised that if anyone wanted to give input regarding the Auburn corridor, they could forward it to the Planning Department.

Mr. Schroeder reminded that someone brought up the trees, and Mr. Delacourt said that for this site, any regular trees six-inches or greater that would be removed would be replaced on site. He reiterated that the Ordinance did not apply to this site, but advised that the applicant would replace almost all of the regulated trees being removed.

Chairperson Boswell said that the architecture was mentioned, and he assured that it would be discussed. Cut-thru traffic was mentioned, which he believed referred to Norton Lawn or Hickory Lawn. Mr. Delacourt advised that an earlier plan showed a direct access to Norton Lawn, and usually two

accesses were encouraged to disburse traffic. However, because Norton Lawn had a problem with cut-thru traffic, the Engineers decided that all traffic would access the site from Auburn.

Chairperson Boswell mentioned lack of tax revenue, and he agreed there could be, but he asserted that there were trade-offs. He suggested that if they wanted a complete community, it would include places of worship.

Mr. Sandhu responded that there were no other temples in the area, and he thought a nice building such as the one proposed would add value to a City. They were doing everything to make it a beautiful site, and he believed that new members would come to the City and buy homes, shop, pay taxes and support the community.

Ms. Brnabic noted the applicants stated that their membership was approximately 150 families. She asked what constituted the average size of a family. Mr. Sandhu said it would be three to four members. Ms. Brnabic asked if the current membership number would be approximately 600 members, noting 150 families at 4 people each. Mr. Sandhu said that "membership" meant one membership per household. Not every person in a family was a member. Ms. Brnabic thought it might be assumed that most members of a household would normally show up for a service. Mr. Sandhu said they did not all show up; on average, 30-40% of members came, which was 100-125 people for a normal weekend service. They also did not stay from 9-2 p.m. Once a year they expected 60-70% to gather, but 100% of the members did not come all the time. Ms. Brnabic referred to the Membership Attendance Chart they had submitted for the packet, which stated that on Sunday the average number of members was 200. She asked if that was 50-60%, and if that meant there could potentially be more at any given time, or if the projections were higher.

Mr. Sandhu explained that they showed something above and beyond what was normal to have a buffer zone. They did not want to have a congested situation or a parking problem. The actual numbers were much lower than the projections. Ms. Brnabic asked about potential growth for the next five or ten years. Mr. Sandhu said they anticipated another 100 families maximum in ten to fifteen years. The current temple had only 50 parking spaces, and they had never parked a car off-site in the last ten years. They put in a lot of effort to make sure that they considered the expansion for the next ten to fifteen years. In five years they would not want to discover the building was too small. They were spending millions of dollars, and they were being very conservative about the numbers. They felt they considered every aspect regarding future expansion.

Ms. Brnabic asked how many phases they planned and how much time between each. Mr. Delacourt clarified that there had been a reference to Phase One on a previous plan, but there would only be one phase. Ms. Brnabic asked if the applicants planned to use the building for a banquet hall.

Mr. Sandhu stated that they would not because it was not part of their practice. The basement would be used for offices and school activities, and he assured that they were not building the site with a banquet hall in mind at all.

Ms. Brnabic said she shared the same concern as the residents regarding the traffic issue, and although she acknowledged the numbers were fairly low, she had been concerned with potential growth. She mentioned there would be another place of worship within a half a mile of two others, and she was somewhat concerned about the location. The traffic directly affected the residents who lived along there, and Auburn was also traveled by other people in the community. She presumed that St. Paul's did not originally anticipate the growth or traffic problems they were having. She stressed that she did not object to having the applicants' temple in the community, she was just concerned about adding a third place of worship in such close proximity with the current traffic problems. She stated that it was good to know the building would not be used as a banquet facility, noting that she had talked with the Building Department about an 1,100 number permitted occupancy rate. Mr. Sandhu advised that the IAGD Mosque worshipped on Friday evenings. He reiterated that they would only use the first floor for worship and that the basement would be for offices, kids' activities and the "common kitchen." He indicated that it was a very simple environment, and two activities would not happen at once on each floor.

Mr. Yukon asked the applicant to elaborate on the architecture and materials proposed. Mr. Sandhu replied that the buildings were traditionally 99% white, with brick or stucco. They had not decided the material, but they knew it would be white. The domes were part of their tradition and identity. Mr. Yukon referred to a condition in the Staff Report that said if there was a demonstrated problem with parking, that there would be a mutually agreeable solution at the owner's expense. He asked if there had been any discussion about what that solution would be.

Mr. Delacourt advised that there had not, and he said the condition came about due to problems associated with other sites in the past. Staff was making sure that if there were an issue, the applicant would be aware it would have to be dealt with. Staff did not anticipate a problem with the site, as had happened with others; but they wanted a note on the Plans, and with the approval, that a solution would be found and costs associated would be borne by the applicant. Mr. Yukon asked if there were any plans to widen Auburn Road. Mr. Schroeder emphasized that there were not, advising that the State controlled it, and that there was a lack of interest from all communities, including Rochester Hills, to widen and improve it.

Mr. Hooper asked the applicants if they would object to a condition requiring the building material to be brick. Mr. Sandhu said they would agree to that. Mr. Hooper referred to the condition that asked for a masonry brick wall in lieu of a chain link fence, and he asked if the applicants were agreeable to

that condition, which they confirmed. He asked at how many special events the temple would have peak attendance during a year. Mr. Sandhu informed that once or twice a year they would have a maximum of 300 people attending.

Mr. Hooper thanked the applicants for choosing Rochester Hills to invest in the community.

Mr. Reece referred to a comment that there had been a huge event at St. Paul's church a few weeks ago, and he advised that the President of Albania had been in town. He continued that the numbers appeared to be relatively limited in regards to traffic use, but he wondered if there was discussion about trying to help alleviate congestion on Auburn by putting in a left-hand turn lane.

Mr. Delacourt said that Staff discussed it early on, and it was decided that the passing lane would do just as much to alleviate traffic concerns. There would not be enough traffic generated by the site to need a left-hand turn lane as an improvement. Mr. Reece clarified that Staff did not feel it was a necessary improvement. Mr. Delacourt said that at one point the City Engineer asked for a left-hand turn lane or that a study be done to demonstrate that it would not be necessary. The applicant provided the additional information, and the City Engineer was satisfied.

Mr. Reece asked the applicant to explain the services on Sunday, indicating that it appeared people would come and go during the hours of worship. He asked if there was not a traditional set time for worship. Mr. Sandhu said that the first service started at 9:00 a.m., and some family members came and sung hymns until 11:00 a.m. During that time, some members came to "present" and would leave around 11:00 a.m., after taking breakfast from the common kitchen. After that, people could still come, but the final prayers were done between 12:30 and 12:45 p.m. Following that there was a one-hour common kitchen, and people would leave between 1:30 and 3:00 p.m.

Mr. Reece referred to the elevations, noting that the Commissioners had only received a black and white copy. He conveyed that the Commission had to be respectful of the applicant's traditions and customs, but that they also had to be respectful of the people who lived in the adjacent areas. He asked if the entire four facades of the building would be brick, which Mr. Sandhu confirmed. He asked if there would be a gold band to break up the mezzanine level from the first floor, and what the material would be. Mr. Sandhu replied that it would be another-color brick or cement or plaster. Mr. Reece said he would like to avoid an E.F.I.S. system because of the susceptibility of poor installation and poor weather in Michigan's climate. Mr. Sandhu agreed they would not want to come across those issues or high maintenance costs. Mr. Reece indicated that stone material would be acceptable. He alluded to the color of the windows, and asked if they would

be a rose color. Mr. Sandhu stressed that they would not be.

Mr. Reece asked that more detailed information be provided relative to the elevations, which called out the building materials. Mr. Delacourt referred to the reductions, and said that the information did not come out very clear, but the building was proposed to be brick with an E.F.I.S. banding, except for the architectural elements on the domes. The colors were not called out. The banding would be changed to a stone material, but they did have to determine the colors for the brick and stone. Mr. Reece wanted to make sure of the material and colors for the windows and arches, since it looked as if pink was proposed. Mr. Sandhu assured that it would not be pink, and that it would be a painted stone, probably white. Mr. Reece asked if the domes would be pre-finished metal structures. Mr. Sandhu advised that they would be either that or painted fiberglass, and that it would not be reflective. Mr. Reece asked if gold was a traditional color, and Mr. Sandhu agreed that in India it was, although it was usually real gold.

Ms. Hardenburg asked if they currently owned the temple on Orion Road, and Mr. Sandhu related that they did. Ms. Hardenburg asked what they would do with it. Mr. Sandhu said they had a couple of plans, including using it for a senior center, childcare center or some other community support activity.

Mr. Schroeder asked how the mezzanine would be used. Mr. Sandhu advised that it would be used for formal conferences for guests, such as high priests. The basement offices would be for the people who supported the day-to-day activities - the services, the kitchen or the children's activities. Mr. Schroeder clarified that there would not be speakers or lighting in the domes. He said he read in the packet that police services were not paid, but heard that they were contracted for traffic. Mr. Delacourt explained that the condition referred to a potential solution in the future. It was not a normal operation, but had been used by others. Mr. Schroeder said he would be concerned if the City had minimum coverage on the weekend and if there was a problem created, he felt the responsible group should pay for it. He welcomed the applicants, and said he was glad about the diversity in the community.

Mr. Dettloff brought up that the applicants referenced two peak times for special events, and he asked when those would be. Mr. Sandhu said one would be in the middle of April, for the New Year, and in November they celebrated the Prophet's birthday, both of which would be the same each year. Mr. Dettloff assumed they would keep the membership informed of situations to avoid so as to not pose traffic or parking issues for the neighbors. Mr. Sandhu said that they did that all the time with the current site for those particular days. They used volunteers outside to park cars and to guide traffic, and he assured that practice would continue. Mr. Dettloff wished the applicants good luck.

Ms. Hardenburg mentioned that they referred to a common kitchen used to eat together, and she asked if the food was brought in or prepared on site. Mr. Sandhu said the common kitchen was a practice introduced by Gurus, and the idea behind it was to share food with the needy. There was no restriction and anyone could come, whether they were of the same religion or not. They sat on the floor, and everyone was treated as special, and the food was prepared there. He noted that there was a proposed kitchen for the basement.

MOTION by Schroeder, seconded by Dettloff, 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 seven (7) findings and subject to the following two (2) conditions.

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.*

Conditions:

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.*

Aye: Boswell, Brnabic, Dettloff, Hardenburg, Hooper, Reece, Schroeder and Yukon

Absent: Kaltsounis

Text of Legislative File 2006-0717

..Title

Request for Approval - Conditional Land Use Request - City File No. 05-015 - Sikh Gurdwara Temple, a proposed 21,544 square foot place of worship and education center on 4.5 acres, located at the southeast corner of Auburn and Norton Lawn, zoned R-3, One Family Residential, Parcel No. 15-34-226-034, Sikh Gurdwara, applicant

..Body

Resolved, that the Rochester Hills City Council hereby approves the Conditional Land Use for Sikh Gurdwara Temple, City File No. 05-015 , a proposed 21, 544 square foot place of worship on 4.5 acres, located at the southeast corner of Auburn and Norton Lawn, zoned R-3, One Family Residential, Parcel No. 15-34-226-034, 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. 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, the applicant shall be responsible to provide the City, at the owners expense, a mutually agreeable solution to resolve the issue.