



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2024-0160 V2

TO: Mayor and City Council Members

FROM: Chris McLeod, Planning Manager, ext. 2572

DATE: March 21, 2024

SUBJECT: Request for conditional use approval for MI Premiere Dance Co. (Candace Durham) to allow for a health, recreation and physical education facility of approximately 2,000 square feet at 1866 Star Batt, located on the north side of Star Batt Dr., east of Crooks Road.

REQUEST:

Approval of a conditional use to allow for a health, recreation and physical education facility of approximately 2,000 square feet at 1866 Star Batt Dr., zoned EC Employment Center.

BACKGROUND:

The applicant has filed for a Conditional Use Permit to operate a dance studio within the EC Employment Center Zoning District. A dance studio is regulated under the City's recently adopted zoning amendments as a health, recreation and physical education facility as a conditional use with review criteria focusing on ensuring safe and adequate circulation and parking for the users, along with regulations pertinent to outdoor activities.

The applicant, Candace Durham, with MI Premiere Dance Co. has actually operated in the City for slightly over three (3) years in the current location, however, they do not have a Certificate of Occupancy. Therefore, conditional use approval is required in order for the Planning Department and ultimately the Building Department to officially approve their occupancy.

The dance studio occupies a tenant space of approximately 2,000 square feet within a multi-tenant industrial building. The floor plan appears to show the main instruction space at the rear of the tenant space, what appears to be a reception space at the front of the building, restrooms and a small space in the middle of the tenant space that appears to be the noted preschool dance room. The multi-tenant building is one building of a total of four (4) on the site. The uses throughout the four (4) buildings range from other recreational types of uses, a child care, contractor spaces, and auto repair, amongst others. The building in which MI Premiere Dance Co. is located has approximately seventeen (17) parking spaces along the front of the building. There are additional spaces adjacent to the abutting building which could also be utilized if necessary.

Based on the letter and application materials provided by the applicant, class sizes range from 1-3 students for private lessons and up to 8 students for group lessons. The total student body is approximately 30 students at this time. Generally speaking, classes are intended to be longer and smaller to provide a more personal dance training. It is also noted that as an ancillary service, students can also learn modeling. The facility typically has 2 employees. The applicant noted that they host dance recitals at another location. Additionally, per the applicant they occasionally host children's parties, with no more than 13 guests. She noted these are only during the weekend and they have only hosted two parties since they opened in 2020.

The current hours of operation include Mondays 5:30 p.m. to 9:45 p.m., Tuesdays 7:00 p.m. to 8:45 p.m., Wednesdays 5:30 p.m. to 9:15 p.m. and Thursdays 5:15 p.m. to 9:00 p.m. The stated hours of operation do not appear to conflict greatly with the uses that are currently located in the building. The predominant uses within the complex include contractor and small industrial type users, and such users likely include lower

employee totals and most operations likely occur offsite, therefore not conflicting with the use of the subject tenant space as a recreational type use.

The issuance of the conditional use permit is a discretionary decision by the City Council based on five general criteria contained in Sec. 138-2.302 of the Zoning Ordinance as follows, which are included in the resolution:

- 1) *Will promote the intent and purpose of this chapter.*
- 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.*
- 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.*
- 4) *Will not be detrimental, hazardous, or disturbing to existing or future neighboring 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 Planning Commission recommended by an 8-0 (1 absent) vote to recommend approval of the conditional use with several findings and conditions as reflected in the attached resolution, at its March 19, 2024 meeting. Please refer to the attached Planning Commission minutes for further details. At the meeting there was no public present to speak on the request and the Planning Department did not receive any public comment prior to the meeting.

RECOMMENDATION:

Finding that the proposed request to allow a dance studio (a health, recreation, and physical education facility) meets the criteria of the Zoning Ordinance, the Planning Commission recommends that City Council approves the conditional use for MI Premiere Dance Co., to allow a dance studio, located at 1866 Star Batt Dr. File No. PCU2023-0012, subject to the findings and conditions noted in the attached resolution.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
Deputy City Clerk		

Contract Reviewed by City Attorney Yes N/A