

NEW BUSINESS

2024-0003 Public Hearing and Request for Conditional Use Recommendation - File No. PCU2023-0009 - for Oakland Gospel Hall, to convert the existing residence to be used as a place of worship in the R-2 One Family Residential zoning district at 1590 Walton Blvd., located on the north side of Walton and west of Livernois, Parcel No. 15-09-378-019, Trevor Hewitt, Detroit Meeting Rooms, Inc., Applicant
(Staff report dated 1-10-24, Reviewed Plans, Development Application, Environmental Impact Statement, WRC letter dated 3/10/23, Public Comment Received and Public Hearing Notice had been placed on file and by reference became a part of the record hereof.)

Present for the applicant was Trevor Hewitt representing Detroit Meeting Rooms.

Chairperson Brnabic introduced this item and noted it is a conditional use request for Oakland Gospel Hall to convert the existing residence to be used as a place of worship. She stated that it was in the R-2 One Family Residential zoning district at 1590 Walton Boulevard, located on the north side of Walton west of Livernois.

Mr. McLeod stated that the Commission is asked to consider the conditional use request along with a site plan and tree removal permit for the conversion of an existing residence for the purposes of a place of worship. He noted that it is an existing residence that has been vacant and has fallen into somewhat disrepair. He reviewed the surrounding environment pointing out that there is a place of worship directly to the east, to the north and west are single family residences, and to the south are multiple family residences. He explained that the property is zoned R-2, is heavily wooded, and there is a large amount of pavement on the back and north sides of the building which the applicant will be utilizing as a part of their parking with a minor expansion to provide for a total of 14 parking spots. He stated that the Abiding Presence Lutheran Church is to the east, the single family residences to north and west are a part of the Lochmoor Hills Subdivision, and Huntington Park Condominiums are to the south across Walton. He noted that the site plan approval request includes some minor additions to the site. He commented that the intended occupancy stated in the application materials is 49 and with parking slated to be 14. That occupancy will have to be reduced a bit to match the parking calculations based on 14 spots and one space for every three people, or 42 persons. He noted that no outdoor services are proposed at this point.

He pointed out that the building size will technically be reduced with a small corner of the building being razed on the southwest side, and a new facade being provided. New lighting is proposed within the parking lot area which according to the photometric plan provided will not extend much past the actual parking lot itself. He stressed that based on the ordinance it is required to be zero at the property line and stops well short of that. Additional landscape is being provided, with a number of evergreen trees being supplemented on the north portion of the property. He added that the site falls off at the rear of the property

and they are providing additional trees on the backside of the slope. He noted that a gray area shown on the plans with landscaping materials around it is a stormwater facility, which is a rain garden type facility designed to collect stormwater that comes off the parking lot. Additional shrubs and pine trees are proposed along the mutual property line to the west, which is a residence.

He explained that the existing driveway comes very close to the property line and the building site farther to the east, and he noted that there is limited room to plant anything along the west property line. He noted that the east property line provides additional supplemental plantings along the entire area. Additional pedestrian amenities and compliance requirements are provided with appropriate ramping and a pedestrian connection all the way down to Walton Boulevard so the site will be fully compliant. He reviewed the internal layout, noting that the meeting space room is in the north end of the building, with administrative functions occurring toward the Walton side. The main entrance to the building is proposed to the west side of the facade, facing the parking lot driveway area. He explained that it is proposed to re-skin the existing building and stated that staff has worked with the applicant to get additional masonry on the building more in tune with what the Planning Commission is used to seeing.

He reviewed the five general criteria, noting that it meets the intent and purpose of the ordinance, would be designed, constructed, operated, and maintained to be harmonious with the area in which it sits, will be served adequately by essential public facilities, will not be detrimental, hazardous, or disturbing to the existing or future or neighboring land uses, and will not create additional requirements at public cost or public for public facilities and services. He stated that the site plan has been reviewed by all departments and everyone has signed off at this point. He reviewed design standards specific for places of worship or assembly and stated that they have met these requirements. He noted that this is a one-story ranch structure, and steeples, bell towers and other similar features are exempt from the Ordinance, and at this point none are proposed.

Chairperson Brnabic asked if there were any plans to provide two more parking spaces to meet the ordinance requirement. She questioned that while the applicant has said that they have an agreement from the Lutheran Church next door for additional parking, whether the Commission would have to agree to waive that requirement.

Mr. McLeod responded that the Commission has options: It can require meeting the zoning requirements, occupancy would have to be a condition of the Planning Commission's motion thereby limiting occupancy to 42 based on the existing parking, or a more solidified or permanent agreement beyond a verbal agreement could be required.

Mr. Hewitt stated that he could not remember why 49 was put into the plans, and noted that they currently have 39 persons, so they would be fine with 42 if needed. He commented that they realize that they are encroaching into a residential neighborhood and have worked closely with the architect and landscape people along with the City to put together a plan that would be acceptable as minimal interference with the neighborhood. He stated that they

want to fit in and hopefully will be to the point where the neighbors do not even notice.

Ms. Neubauer asked if the applicant had spoken to the neighbors and if they were receptive.

Mr. Hewitt responded that they spoke to the neighbors immediately behind and to the west prior to doing any of the site improvements or cleaning up. He stated that they were receptive and asked to be kept in the loop, so they have sent them email updates, along with mailing some information to others on the street.

Ms. Neubauer asked how they would limit who could come to the church as when she grew up church doors were always seen as being open and wanting as many as possible.

Mr. Hewitt responded that their main facility for the greater gathering is in Troy, and they have smaller gatherings on Sunday and Monday for smaller groups where the younger ones can get involved and participate. He stated that it is more of a family kind of atmosphere as opposed to a main worship area. He explained that there are seven or eight groups around that size in different parts of Metro Detroit.

Ms. Neubauer asked if they had a formal agreement with the neighbors next door or if it was merely a handshake kind of deal.

Mr. Hewitt responded that he has a gentleman working with him that has spoken with someone at the church and there is a verbal agreement that they would be more than willing to allow them to use a couple of spaces as they would not be there at the same exact time.

Ms. Neubauer asked if they would be able to go back and get something in writing and stated that it would be a condition.

Mr. Hewitt responded that they would have no problem with that.

Ms. Neubauer asked about adding extra masonry.

Mr. Hewitt responded that the existing building did have brick partway up but did not have a proper brick ledge so it was all sagging when they acquired the property and has fallen off. He noted that they were able to work out a way to get it almost to halfway without having to put a lot of extra work at the foundation line.

Mr. Dettloff stated that he thought it was a good use from the property. He noted a letter from Dr. Golden initially that raised some concerns, but the applicant had in turn responded to those concerns. He stated that getting something in writing as a general letter of understanding for the parking would be a good thing. He pointed out that the development application was dated last February and it has taken a year to work through some issues.

Mr. McLeod responded that administratively they went through three site plan reviews and responses were not the fastest going back and forth. He commented that they have been working toward this end.

Mr. Dettloff referenced to the seven or eight other facilities that they had in different communities.

Mr. Hewitt responded that the Detroit Meeting Rooms corporation has been around for a long time and the main church goes back to the 1930s and 1940s, and moved out of Detroit in the 1950s.

Mr. Dettloff stated that he thinks it will be a good use and they will be a good neighbor.

Ms. Denstaedt commented that it looks as if the driveway or parking has an outlet through the neighbor's backyard to the west and asked if that will be closed off.

Mr. Hewitt confirmed it would be.

Mr. Gallina commented that they have done a great job with this and he is glad the space is being updated and will look great.

Chairperson Brnabic stated that she wanted to verify that they are agreeing to limit the occupancy to 42 and that they will provide a written agreement for parking at the Lutheran Church for the additional parking if necessary.

Mr. Hewitt stated that they will work with them to request that in writing, and they are okay with the parking or occupancy.

Chairperson Brnabic stated that she wants to see the agreement provided before it moves to City Council. She noted that the Conditional Use recommendation requires a public hearing, and opened the public hearing.

Yvonne Peltier, 32 Shagbark Drive., asked if there was common ownership or affiliated ownership with the property to the west at 1608 Walton or the adjacent vacant lot. She expressed concern that this would be a phased contemplation where it would travel west and would not want something in her backyard or a brick wall. She stated that other than that concern it looks great.

Mr. Hewitt responded that there was no common ownership. He noted that the realtor that they worked with representing the seller they purchased the property from is also representing the owner that owns both of those properties.

Chairperson Brnabic noted that the email from Theodore Golden MD was received sharing concerns regarding parking and drainage, but another was received that Mr. Hewitt has addressed Dr. Golden's concerns and he wishes to welcome them as his new neighbors. Seeing no additional public comment, she closed the public hearing.

Mr. Hooper noted that the conditions for the conditional use approval states that

the total occupancy should not exceed 42 and stated that the agreement for Abiding Presence would be should they choose to go beyond the 42 occupancy. He moved the motion in the packet for the conditional use approval with the six pre-printed findings and four pre-printed conditions with a fifth condition added that Oakland Gospel formalize the parking agreement with the Abiding Presence Lutheran Church next door in the event that they wish to exceed the 42 persons that is limited by the conditional use approval. The motion was seconded by Ms. Neubauer.

After a roll call vote, Chairperson Brnabic announced that the motion passed unanimously.

Mr. Hooper moved the motion in the packet to approve the site plan. The motion was seconded by Ms. Neubauer.

After a voice vote, Chairperson Brnabic announced that the motion passed unanimously.

Mr. Hooper moved the motion in the packet to grant the tree removal permit. The motion was seconded by Ms. Neubauer.

After a voice vote, Chairperson Brnabic announced that the motion passed unanimously. She congratulated the applicant and noted that the conditional use recommendation would move forward to City Council.

Mr. McLeod stated that pending receipt of the parking agreement, the target date would be the February 12, 2024 Council Meeting.

A motion was made by Hooper, seconded by Neubauer, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:

Aye 7 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer and Struzik

Excused 1 - Weaver

Resolved, in the matter of City File No. PCU2023-0009 (Oakland Gospel), the Planning Commission recommends to City Council Approval of the Conditional Use to allow a place or worship on the parcel 70-15-09-378-019 (1590 Walton Blvd.), based on plans received by the Planning Department on November 29, 2023, with the following findings.

Findings

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The site has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal will have a positive impact on the community as a whole and the surrounding area by offering an additional place of worship.
4. The proposed development is served adequately by essential public facilities and

services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.

5. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.

6. The proposal 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. City Council approval of the Conditional Use.

2. That the total occupancy of the building shall not exceed 42 persons based on the total number of parking spaces being provided onsite.

3. The use shall remain consistent with the facts and information presented to the City as a part of the applicant's application and at the public hearing.

4. If, in the determination of City staff, the intensity of the operation changes or increases, in terms of traffic, queuing, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.

5. That Oakland Gospel formalize the parking agreement with Abiding Presence Lutheran Church in the event that they wish to exceed the 42 persons occupancy limited by the Conditional Use approval.

2024-0009

Request for Site Plan Approval - File No. PSP2023-0008 - for Oakland Gospel Hall, for renovations including partial demolition to the existing building and various site improvements, in the R-2 One Family Residential zoning district at 1590 Walton Blvd., located on the north side of Walton and west of Livernois, Parcel No. 15-09-378-019, Trevor Hewitt, Detroit Meeting Rooms, Inc., Applicant

A motion was made by Hooper, seconded by Neubauer, that this matter be Approved. The motion carried by the following vote:

Aye 7 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer and Struzik

Excused 1 - Weaver

Resolved, in the matter of City File No. PSP2023- 0008 (Oakland Gospel), the Planning Commission approves the Site Plan, based on plans received by the Planning Department on November 29, 2023, 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 project will be accessed from Walton Blvd., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.
3. Off-street parking areas have been designed to avoid common traffic problems and promote attendee safety.
4. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
5. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff including all comments noted on the site plans and staff reports contained within the Planning Commission packets.
2. Provide a landscaping bond in an amount deemed acceptable by City Staff, based on the cost estimate for landscaping and irrigation, plus inspection fees.

2024-0010

Request for Tree Removal Permit - File No. PTP2023-0010 - for Oakland Gospel Hall, to remove a total of six (6) regulated trees including one (1) specimen tree with four (4) replacement trees required, located at 1590 Walton Blvd., located on the north side of Walton and west of Livernois, Parcel No. 15-09-378-019, Trevor Hewitt, Detroit Meeting Rooms, Inc., Applicant

A motion was made by Hooper, seconded by Neubauer, that this matter be Granted. The motion carried by the following vote:

Aye 7 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer and Struzik

Excused 1 - Weaver

Resolved, in the matter of File No. PSP2023-0008 (Oakland Gospel) the Planning Commission grants a Tree Removal Permit (PTP2023-0010), based on plans received by the Planning Department on November 29, 2023, with the following findings and subject to the following conditions:

Findings

1. The proposed removal and replacement of regulated trees is in conformance with the City's Tree Conservation Ordinance.
2. The applicant is proposing to remove 6 regulated trees including 1 specimen tree, and provide 4 replacement trees onsite.

Conditions

1. Tree protective fencing, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.
2. There is no proposed payment into the City's Tree Fund.