



Department of Planning and Economic Development

Staff Report to the Planning Commission

May 17, 2013

Rochester/Auburn Retail Redevelopment

REQUEST	Conditional Land Use Recommendation Site Plan Approval
APPLICANT	Rochester Auburn Associates, LLC 6750 Oakhills Dr. Bloomfield Hills, MI 48301
AGENT	Doraid Markus
LOCATION	3010 and 3050 S. Rochester Rd. (SW Corner of Rochester/Auburn)
FILE NO.	12-010
PARCEL NO.	15-34-227-031 and -037
ZONING	Current: B-5, Automotive Business and B-3, Shopping Center Business Proposed: B-3, Shopping Center Business
STAFF	Jim Breuckman, AICP, Manager of Planning

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Please note that staff is not recommending that the Planning Commission take action on the site plan until we have received MDOT’s latest round of comments on the site design (see the review considerations section at the top of page 3). However, the site plan has been revised to the point where it is an acceptable design that meets the intent of the B-3 district. For that reason we are proceeding with the public hearing for the rezoning of the gas station parcel and the public hearing for the conditional land use permit required for the two drive-through uses. We will bring this item back before Planning Commission for consideration for site plan approval when MDOT has given the plan a clean review. In the meantime, this will be a good opportunity for you to provide your comments to the applicant on the revised site plan.

Summary

The two-parcel site holds a gas station and a former automobile dealership that the applicant proposes to demolish and develop with a new retail center on approximately 5 acres. The gas station parcel will require rezoning from B-5 to B-3 in order to combine the parcels for one B-3 development. That request is before the Planning Commission as the first order of this business. The retail center is comprised of four buildings, including a 4,600 square-foot, stand alone McDonald's on Auburn Road, two proposed retail buildings on Rochester Road totaling 18,759 square feet including a drive through window on the southernmost building, and a future use building on Auburn totaling 8,832 square feet. There are also site improvements, such as additional landscaping and pathways to facilitate pedestrian movement to and through the site. The site layout has been improved by moving the McDonald's building to the west edge of the site.

The site is zoned B-3 (dealership portion) and B-5 (gas station portion). The site is surrounded by B-2, General Business to the north, south and west; R-3, One Family Residential also to the south; and B-5, B-2 and B-3 zoning to the west across Rochester Rd. Adjacent uses are commercial, including an oil change business on the northeast corner of Rochester Rd. to the east.

Retail and restaurant uses are permitted by right in the B-3 district, while the two drive-through uses require conditional land use approval by City Council following a recommendation by Planning Commission.

General Requirements for Conditional Land Uses (Section 138-2.302)

There are five areas of consideration for the Planning Commission to regard in the discretionary decision of a conditional land use. They are:

1. Will promote the intent and purpose of (the Ordinance).
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.

Site Plan Review Considerations

1. **Traffic and Access.** The paramount concern at this site and with the proposed development is traffic and access. The applicant has been working with the City and MDOT to mitigate the potential traffic impacts, and the site plan includes many improvements on and adjacent to the site to overcome these concerns. Included in this process have been continual revisions and updates to the Synchro traffic model to account for the proposed design and improvements.

MDOT offered their latest round of comments on a prior version of the plan, with their comments dated April 8, 2013. The plans submitted to you at this time are the most recent ones that were revised to address MDOT's comments. MDOT has the plans but has not yet reviewed them. As such, we recommend that no action be taken on the plans until MDOT has issued their review of the plans and the updated Synchro model.

2. **Rezoning.** The corner gas station parcel must be rezoned from B-5 to B-3. The rezoning process will run parallel to the site plan/conditional use process.
3. **Cross Access.** The plans show the location of cross access connections to the commercial properties to the west and south. Cross access easements must also be provided for city review and approval prior to final approval of the plans, and must be filed with the County register of deeds prior to a land improvement permit being issued.
4. **Setbacks.** The setback table should be revised to reflect B-3 district standards. The site will have one front yard, a side street yard (with a setback requirement equivalent to a front yard), a rear yard opposite the front yard, and a side yard opposite the side street yard. The site does comply with the B-3 setbacks under the following scenario:

Yard	Setback Required	Setback Provided
Front (Auburn)	75 feet	76.11 feet
Side Street (Rochester)	75 feet	78.54 feet
Side (west)	25 feet	83.41 feet
Rear (south)	100 (50) feet*	58.93 feet

** Section 138-5.101.H allows the Planning Commission to reduce the rear setback from 100 to 50 feet when there will be no significant negative impacts. It appears that the existing building is set back about 55 feet from the south property line, so the new development will not be closer to the R-3 district than the existing condition.*

5. **Lighting.** The photometric plan complies with ordinance standards for illumination levels, and appears to comply with standards for fixture mounting height. The applicant has also submitted cut sheets for the proposed fixtures, which are compliant with ordinance requirements. In the interest of clarity, we ask that the following items be added to the lighting plan:
 - a. A typical detail of the proposed poles, along with a note that the maximum mounting height for pole-mounted fixtures is 20 feet.
 - b. A note stating that all exterior light fixtures will be fully shielded and downward directed with flat lenses.
6. **Site Layout.** Staff has previously raised concerns about the large curb radii within the site, which support higher vehicle speeds than is otherwise desirable. Typically curb radii should not be greater than 12.5 feet unless necessary to accommodate emergency vehicle circulation through the site. The applicant has provided an autoturn sheet showing the circulation path for a tractor-

trailer delivery truck through the site and why the larger radii are necessary. It is unfortunate that once again the site design is being dictated by a need to accommodate the largest potential vehicle that will access a site driving anywhere on the site.

7. **Landscaping.**

- a. Cost estimates for each plant material and a total cost estimate must be provided. This will serve as the basis for the landscape bond.
- b. We continue to recommend that trees be added to the two landscape islands which do not have proposed trees. The islands do contain fire hydrants and are located over water mains, but those conditions exist on many other sites within the City where trees have been planted over water mains in close proximity to fire hydrants. We reiterate that we do not enforce the separation requirement for landscaping from a fire hydrant in our Zoning Ordinance, and that provision will be removed in our next Zoning Ordinance amendment.
- c. All landscape areas must be irrigated, and an irrigation plan must be submitted with the final site plans.
- d. The site is compliant with landscape requirements provided that the applicant provides a payment to the City's tree fund in lieu of the 49 parking lot perimeter and street trees that cannot be provided due to utilities. The cost is \$200 per tree. The 2-3 trees that are to be added to the landscape areas noted in item 7.b above may be counted towards the parking lot perimeter or street tree requirements, so there will be a net deficit of 46-47 trees.

8. **Buildings.** Proposed material colors should be noted on the plans, and colored renderings are recommended for Planning Commission review.

The site complies with all other ordinance requirements.

Summary

As part of the technical review for this project, the plans and supplemental documentation have been reviewed by all applicable city departments. We cannot recommend action on the site plan until review comments from MDOT, the agency with jurisdiction over both Rochester and Auburn Roads, provides review comments.

The Planning Commission may recommend approval of the conditional land use to City Council, or may wait until review comments are received from MDOT to act on the conditional use motion and the site plan at a future meeting. We have included conditional land use motions for your consideration if you are inclined to make a recommendation to City Council at the May 20 meeting.

Conditional Land Use Motions

MOTION by _____, seconded by _____, in the matter of City File No. 12-010 (Rochester Retail) the Planning Commission **recommends** to City Council **approval/denial** of the **conditional land use** to permit two drive-through facilities based on plans dated received by the Planning Department on May 3, 2013, with the following findings.

Findings for Approval

1. The proposed building and other necessary site improvements meet or exceed the standards of the Zoning Ordinance.
2. The expanded use will promote the intent and purpose of the Zoning Ordinance.
3. The proposed development has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the neighboring development and the planned character of the area and the capacity of public services and facilities affected by the land use.
4. The proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs, shopping alternatives and other dining options.
5. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
6. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare and should mitigate potential traffic impacts by eliminating curb cuts and improving adjacent roadways.
7. 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. Planning Commission approval of the site plan.

Add any other applicable conditions.

Findings for Denial

1. The proposed development will not be compatible with the existing and planned character of the area or the capacity of public services and facilities affected by the land use. The applicant has not demonstrated that the impacts of the increased traffic generated by the proposed development will be sufficiently mitigated.
2. The applicant has not sufficiently demonstrated that the proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare due to increased traffic impacts by the nature of the proposed drive-through uses.

Attachments: *Site Plans, dated received May 3, 2013: Cover Sheet, Sheet P-1; Topographic Survey, Sheet P-2; Preliminary Site Plan, Sheet P-3; Preliminary Grading Plan, Sheet P-4; Preliminary Utility Plan, Sheet P-5; Preliminary Detail Sheet, Sheet P-6; MDOT Ramp Details, Sheet P-7; Truck Access Plan, Sheet P-8; Fire Truck Access Plan, Sheet P-9; Tree Preservation Plan, Drawing TREE-1; Preliminary Landscape Plan, Sheet L-1; Photometric Plan, prepared by Professional Engineering Associates; McDonald's Seating Plan, Sheet R1.3; McDonald's Elevations, Sheet A2.0 and A2.1, prepared by McDonald's USA, LLC; Conceptual Building Elevations, Sheet A-1 and A-1.1; Floor Plan Building B, Sheet A-2; and Floor Plans Buildings C & D, Sheet A-3, prepared by Rogvo Architects.*

Assessing Department memo dated 04/04/13; Building Department memo dated 05/08/13; Fire Department memo dated 05/13/13; Parks & Forestry memo dated 04/05/13; Letter from OCWRC, dated 04/02/13; Letter from MDOT, dated 04/08/13; Planning Commission Minutes (2) dated 08/21/12 and 10/23/12 and PHN