



**City of Rochester Hills  
AGENDA SUMMARY  
NON-FINANCIAL ITEMS**

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**Legislative File No: 2022-0079**

**TO:** Mayor and City Council Members

**FROM:** Sara Roediger, Director of Planning and Economic Development, ext. 2573

**DATE:** February 18, 2022

**SUBJECT:** Request to consider approval of the Second Amendment to the Consent Judgment pertaining to VORH Associates, LLC and 400 North Adams, LLC vs the City of Rochester Hills, a Michigan Municipal Corporation, Case No. 96-530684-CH concerning the development and use of property located northeast of Adams and Walton Rd.

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**REQUEST:**

Approval of the proposed Second Amended Consent Judgment to the May 30, 2001 Consent Judgment pertaining to VOHR Associates, LLC and 400 North Adams, LLC vs the City of Rochester Hills, Case No. 96-530684-CH concerning the development and use of property located northeast of Adams and Walton Rd., Parcel Nos. 15-08-303-035 and 15-08-351-005 in the City of Rochester Hills, Oakland County, MI. The Second Amendment allows for a lot split and the construction of a new Starbucks on the 15-08-303-035 parcel in front of the department store currently under renovation for Von Maur, the creation of a new parcel for Von Maur, and the construction and operation of atrium style kiosks throughout the Village of Rochester Hills for various uses.

**BACKGROUND:**

**Existing Consent Judgment.** The subject parcels consist of approximately 33.231 acres and are zoned B-3 Shopping Center Business District with the FB-3 Flexible Business Overlay. The Village of Rochester Hills shopping center, an urban town center development, was developed under a consent judgment originally approved in 2000 and amended in 2001. The consent judgment further regulates dimensional standards including height and setbacks, parking, and site design standards including signs, lighting, and building design.

For additional history, in 1996 the Rochester Hills City Council rezoned the northern portion of the property from B-3 Shopping Center Business District to RCD one-family residential cluster district, and pursuant to a 2000 consent judgment the property was rezoned back to B-3 Shopping Center Business District.

**Proposed Consent Judgment Amendment.** The City has been approached by VOHR Associates, LLC, who would like to create a new parcel on the Von Maur parcel, to allow for the development of a 2,226 sq. ft. Starbucks coffee shop with a drive-through, within the existing parking lot in front of the department store. The division would result in an approximate 0.73 acre parcel for the proposed Starbucks development and a 9.12 acre parcel for the department store. Ingress and egress to the coffee shop will be from the shopping center access drive and not directly from Adams Road. The site plan provides for an extended lane of vehicle queuing to address the increased demand for stacking spaces. The amendment would allow for final site plan and conditional use approval for

the Starbucks retail store with drive-through facility as shown in the site plan, floor plan and elevations, and approve the newly created Von Maur parcel. Additionally, the amendment allows the Village of Rochester Hills to construct and operate up to 1,500 total square feet of atrium style kiosks for a variety of uses, including promotional, hospitality, display, warming stations, retail and food service purposes.

Departmental reviews were conducted with all City departments as specified in the consent judgment, and all reviews recommend approval, with some minor comments to be addressed prior to the issuance of permits.

The proposed Second Amended Consent Judgment is attached. Representatives from the property owner, City staff and the City’s attorney will be available at the meeting to discuss the proposed development and to answer any questions on the proposed amendment.

**RECOMMENDATION:**

Staff recommends that City Council approve the proposed Second Amended Consent Judgment to the May 30, 2001 Consent Judgment pertaining to VOHR Associates, LLC and 400 North Adams, LLC vs the City of Rochester Hills, Case No. 96-530684-CH, Parcel Nos. 15-08-303-035 and 15-08-351-005 in the City of Rochester Hills, Oakland County, MI, to allow for a lot split and the construction of a new Starbucks on the 15-08-303-035 parcel in front of the department store, the creation of a new parcel for Von Maur, and the construction and operation of atrium style kiosks.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		

Contract Reviewed by City Attorney     Yes     N/A