



City of Rochester Hills  
AGENDA SUMMARY  
NON-FINANCIAL ITEMS

1000 Rochester Hills Dr.  
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Legislative File No: 2013-0145 V2

**TO:** Mayor and City Council Members

**FROM:** Ed Anzek, Director of Planning and Economic Development, ext. 2572

**DATE:** May 10, 2013

**SUBJECT:** Request for conditional land use permit approval for a stand-alone drive-thru ATM at the Rochester Hills Plaza on Walton, west of Livernois.

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**REQUEST:**

Approval of a conditional land use permit to construct a drive-thru ATM for Fifth Third Bank at the Rochester Hills Plaza on Walton, west of Livernois, zoned B-3, Shopping Center Business. An ATM may be permitted as an accessory use to the principal shopping center use. As an accessory structure, the ATM drive-thru use requires Conditional Land Use Approval from City Council.

**BACKGROUND:**

The proposed location of the ATM is shown on the attached site plan dated May 7, 2013 on the west side of the center in the row of parking adjacent to Walton. The proposed ATM and stacking lane would replace 13 existing parking spaces; however, the shopping center currently has excess parking of 188 spaces over the minimum parking requirement, so the site will still far exceed the minimum parking requirement if the ATM is constructed.

There will be a drive-thru lane with three stacking spaces, a small, seven-foot canopy with signage and lighting within the requirements of the Zoning Ordinance. The applicant proposes to plant shrubs along the edge of the impacted area to supplement the existing site landscaping. The shrubs will be planted approximately 28 inches on center, which will provide a continuous hedge to buffer the ATM area from the street.

The standards and/or requirements for Council's consideration regarding any drive-through facility are listed in Section 138-4.410 of the Zoning Ordinance and the findings listed in the enclosed Resolution. The issuance of the CLU is a discretionary decision by the City Council and based on 5 general criteria contained in Sec. 138-2.302 of the Zoning Ordinance. They are:

- 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 held a Public Hearing at its April 30, 2013 meeting to review the requests for a conditional land use recommendation and site plan approval. After discussion, the Planning Commission recommended approval of a conditional land use and approved the site plan with conditions as listed in the attached minutes. The applicant has submitted revised plans which address the fourth condition of site plan approval, and which comply with all applicable zoning requirements.

**RECOMMENDATION:**

Staff and the Planning Commission recommend that City Council approve the conditional land use for City File No. 13-002 for a new ATM with drive-thru at the Rochester Hills Plaza on Walton, west of Livernois.

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