



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2021-0472 V2

TO: Mayor and City Council Members

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

DATE: January 28, 2022

SUBJECT: Request for conditional use approval for Biggby to add a modular coffee drive-through with landscaping within an outlot in the Meijer parking lot, 3099-3175 S. Rochester Rd., south of Auburn Rd.

REQUEST:

Approval of a conditional use to add a modular coffee drive-through with landscaping within an outlot in the Meijer parking lot, 3099-3175 S. Rochester Rd., zoned B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay.

BACKGROUND:

The applicant has filed for a Conditional Use Permit to allow for a modular coffee drive through within an outlot in the Meijer parking lot. Drive through operations require a Conditional Use permit in the B-3 zoning district. The proposal would also allow for walk up services.

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 denial of the conditional use in a 6-3 vote with several findings and conditions as reflected in the attached resolution, at its January 18, 2022 meeting. Please refer to the attached Planning Commission minutes for further details.

RECOMMENDATION:

Finding that the proposed request to add a modular coffee drive through does not meet the criteria of the Zoning ordinance, the Planning Commission recommends that City Council denies the conditional use for Biggby to add a modular coffee drive through, 3099-3175 S. Rochester Rd., City File No. 21-022, subject to the findings and conditions noted in the attached resolution. If City Council should decide to not follow the Planning Commission recommendation and to approve the conditional use, an alternate resolution is also provided.

APPROVALS:	SIGNATURE	DATE
Department Review		1/28/22
Department Director		1/28/22
Mayor		
Deputy City Clerk		

Contract Reviewed by City Attorney Yes N/A