



## Department of Planning and Economic Development

Staff Report to the Planning Commission

May 17, 2019

### Campus Corners Outlot Retail

<b>REQUEST</b>	Conditional Use Recommendation Site Plan Approval
<b>APPLICANT</b>	Kevin Biddison Biddison Architecture + Design 320 Martin Street, Suite 10 Birmingham, MI 48009
<b>LOCATION</b>	East side of Livernois, south of Walton Blvd. (Campus Corners Plaza)
<b>FILE NO.</b>	18-001
<b>PARCEL NO.</b>	15-15-101-014
<b>ZONING</b>	B-3 Shopping Center Business with an FB-3 Flexible Business Overlay
<b>STAFF</b>	Kristen Kapelanski, AICP, Manager of Planning

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### Summary

The applicant has demolished an outlot bank on the Campus Corners shopping center site and is proposing to construct an 8,154 s.f. retail outlot building with a drive-through for a restaurant in its place. The center is located at the southeast corner of Walton Blvd. and Livernois. The site is being designed using the FB-3 standards, and several modifications are being requested, including for the minimum parking setback, façade transparency, building materials and for parking to be located between the building and the street when the building is set back less than 70 feet (63 feet). The site is not subject to the City’s Tree Conservation Ordinance. An outdoor amenity space of 1,331 s.f. is required, and the applicant has proposed 1,464 s.f., including an art plaza, landscaping and a bike rack. Lighting and landscaping are in compliance.

### General Requirements for Conditional Uses

Drive-through restaurants are a conditional use in the FB-3 Overlay District. Per *Section 138-4.410* of the zoning ordinance, there are four areas of consideration for the Planning Commission to regard in the



discretionary decision of a conditional use for a drive-through restaurant. The Planning Commission shall find that the conditional land use will:

- A. *Drive-through uses must be built as an integral architectural element of the primary structure and use. Building materials shall be the same as those used in the primary structure. Drive-through facilities and structures to separate the primary structure are prohibited.* The drive-through is designed as part of the principal building on the site.
- B. *Drive-through uses must be located to the rear or side of the primary structure and set back a minimum of 10 feet from the front building wall of the primary structure.* The drive-through is located on the east (rear) side of the building and set back sufficiently.
- C. *Drive-through uses shall be configured such that glare from headlights is obstructed from shining into a public right-of-way or neighboring residential use.* The cars in the drive-through will not face directly onto Livernois Rd. and the site does not abut residential zoning.
- D. *Unless a more intense buffer is required by Section 138-12.300, a type B landscape buffer shall be provided along rear and side lot lines of a drive-through use located adjacent to a residentially zoned or used property.* The parcel does not abut residential zoning or use.

## Staff Recommendations

Department	Comments & Waivers/Modifications	Recommendation
Planning	Several waivers being requested for FB	Approval
Engineering	Comments to be addressed at construction plan review	Approval
Fire	Approved with informational comments	Approval
Building	Minor comments to be addressed at building plan review	Approval
Assessing	No comment	Approval

Sample motions are provided below if the Planning Commission feels that the proposed project warrants the discretionary approval of the conditional use with modifications and is a harmonious and pleasing addition to the area.

## Motion to Recommend Conditional Use Approval

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 18-001 (Campus Corners Outlot) the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow a drive-through in the FB-3 district, based on plans dated received by the Planning Department on April 23, 2019, with the following findings.

### Findings

1. The proposed drive-through 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 and Master Plan.
3. The proposed drive-through 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 existing and

planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.

4. The proposal should have a positive impact on the community as a whole and the surrounding area by offering other dining experiences as well as supplying jobs.
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.
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.

## **Motion to Approve Site Plan**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 18-001 (Campus Corners Outlot), the Planning Commission **approves** the **Site Plan**, based on plans dated received by the Planning Department on April 23, 2019, 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 Livernois or Walton Blvd., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets. Sidewalks and a bike rack have been incorporated to promote safety and convenience of pedestrian traffic.
3. The Planning Commission has determined that parking may be located between the building and the street with a building setback of 63 feet as a modification of the FB district intent.
4. The Planning Commission has waived the minimum façade transparency, finding that the modification meets the intent of the FB district.
5. The Planning Commission has waived the requirement for primary and accent building materials, finding that the modification meets the intent of the FB district.
6. The Planning Commission has waived the minimum parking setback, finding that it will not impede future development.
7. Off-street parking areas have been designed to avoid common traffic problems and promote customer safety.
8. The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the vicinity.
9. 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.
2. Provide a landscape bond for landscaping and irrigation in the amount of \$21,220.00, plus inspection fees, as adjusted as necessary by staff, prior to temporary grade certification being issued by Engineering.
3. Payment into the City's Tree Fund for any trees that are not replaced onsite in the amount of \$216.75 per tree.

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Reference: Plans dated received by the Planning Department March 13 and April 23, 2019, prepared by Biddison Architecture

Attachments: Assessing Department memo dated 4/24/18; Building Department memo dated 12/26/18; DPS/Engineering memo dated 1/4/19; Planning Department Memo dated 4/30/19; Fire Department memo dated 4/30/19; EIS dated received 4/26/19; Public Hearing Notice.

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