



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

**1000 Rochester Hills Dr.
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Legislative File No: 2016-0300 V2

TO: Mayor and City Council Members

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

DATE: August 19, 2016

SUBJECT: Request for approval of a Conditional Use Permit to construct a drive-through facility at a proposed Culver's restaurant on Auburn on a Meijer outlot at the southeast corner of Rochester and Auburn Roads

REQUEST:

Approval of a conditional use to construct a 4,062 sq. ft. Culver's drive-through restaurant located on Auburn on a Meijer outlot near the southeast corner of Rochester and Auburn Roads, just west of The Stone Shop. The site is being developed using the FB-3 Flex Business Overlay district.

BACKGROUND:

This proposal is for an accessory drive-through at a proposed Culver's restaurant. The site will be accessed from the Meijer drive and there will be no new curb cut onto Auburn Rd. Restaurants with drive-through facilities in the FB-3, Flex Business Overlay district require a conditional use approval from City Council. The standards and/or requirements for Council's consideration regarding restaurants with a drive-throughs are listed in *Section 138-4.410* of the Zoning Ordinance and the findings listed in the enclosed resolution. The issuance of the conditional use is a discretionary decision by the City Council and based on 5 general criteria contained in *Sec. 138-2.302* of the Zoning Ordinance as follows:

- 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 August 16, 2016 meeting to review the requests for a conditional use recommendation, tree removal permit and site plan approval. The requests were unanimously passed with findings for the conditional use in the attached resolution.

RECOMMENDATION:

Staff and the Planning Commission recommend that City Council approves the conditional use to construct a drive-through at a proposed Culver's restaurant on Auburn on a Meijer outlot at the southeast corner of Rochester and Auburn Rds., based on plans dated received by the Planning and Economic Development Department on July 19, 2016.

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

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