



Department of Planning and Economic Development

Staff Report to the Planning Commission November 16, 2021

Biggby at Meijer

REQUEST	Conditional Use Recommendation Site Plan Approval
APPLICANT	24Ten, LLC Kyan Flynn and Deanna Richard 807 Ironstone Drive Rochester Hills, MI 48309
LOCATION	3099-3175 S. Rochester Rd., south of Auburn Rd., within the existing Meijer parking lot
FILE NO.	21-022
PARCEL NOS.	15-35-100-056
ZONING	B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay
STAFF	Kristen Kapelanski, AICP, Manager of Planning

Summary

The applicant is proposing to add a modular coffee drive-through with landscaping within an outlet within the Meijer parking lot. The applicant indicates this would provide drive-through as well as walk up services.

A drive-through is permitted as a conditional use which requires a public hearing before the Planning Commission who makes a recommendation to the City Council.

The applicant is to provide additional information relevant to the parking requirements for Meijer in order to determine compliance with the ordinance, and to provide lighting specifications, prior to the Planning Commission meeting. Please refer to the reviewed plans for staff comments with regard to overflow stacking, façade materials, and other items.



	Zoning	Existing Land Use	Future Land Use
Site	B-3 Shopping Center Business with an FB-3 Flexible Business Overlay	Vacant/Meijer parking lot	Commercial Residential Flex 3
North	B-3 Shopping Center Business w/FB-3 Flex Business Overlay	Medpost Medical Facility	Commercial Residential Flex 3
South	B-3 Shopping Center Business with an FB-3 Flexible Business Overlay	Panda Express	Commercial Residential Flex 3

East	B-3 Shopping Center Business with an FB-3 Flexible Business Overlay	Meijer Parking Lot	Commercial Residential Flex 3
West (across Rochester Rd.)	B-2 General Business w/FB-3 Flex Business Overlay	Retail Center	Commercial Residential Flex 2

Staff Recommendations

All staff have recommended approval or approval with conditions. If the Planning Commission feels that the proposed use and development will be compatible with its surroundings, below are motions for consideration.

Department	Comments & Waivers/Modifications	Recommendation
Planning	Approved with conditions	Approval
Fire	Approved with conditions	Approval
Assessing	Approved	Approval
Engineering	Comments to be handled at construction plan review	Approval
Parks & NR	No outstanding comments	Approval
Building	Comments to be handled at Building permit review	Approval

Motion to Recommend Conditional Use Approval

MOTION by _____, seconded by _____, in the matter of City File No. 21-022 (Biggby at Meijer), the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow a drive-through, based on plans dated received by the Planning Department on September 17, 2021 with the following findings.

Findings

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The site has been designed and is proposed to be 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.
3. The proposal will have a positive impact on the community by adding trees and offering employment opportunities.
4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.

5. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. 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.

Conditions

1. City Council approval of the Conditional Use.
2. If, in the determination of City staff, the intensity of the drive-through changes or increases, in terms of traffic, queuing, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.

Motion to Approve Site Plan

MOTION by _____, seconded by _____, in the matter of City File No. 21-022 (Biggby at Meijer), the Planning Commission **approves** the **Site Plan**, based on plans dated received by the Planning Department on September 17, 2021 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 Rochester Rd. and Auburn Rd., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.
3. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
4. 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 in the amount of \$23,600, plus inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.

Reference: Plans dated April 2021 received by the Planning September 17, 2021

Attachments: EIS, Response Letter, Landscape estimate, Public hearing notice
