



Department of Planning and Economic Development

Staff Report to the Planning Commission

July 12, 2019

New Outlot Building at Hampton Plaza

REQUEST	Conditional Use Recommendation Site Plan Approval
APPLICANT	Kevin Biddison Biddison Architecture + Design 320 Martin Street, Suite 10 Birmingham, MI 48009
LOCATION	Southeast Corner of Rochester and Hamlin Roads
FILE NO.	18-002
PARCEL NO.	15-26-100-007
ZONING	B-3 Shopping Center Business with an FB-3 Flexible Business Overlay
STAFF	Kristen Kapelanski, AICP, Manager of Planning

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Summary

This matter was postponed at the May 21, 2019 meeting at the request of the Planning Commission to consider relocating the drive-through to the north side of the building. There was concern about the entry into the stacking from a sharp u-turn and concern about the southern access vehicle movement. The drive-through and stacking have now been repositioned to the opposite side of the building (originally planned for the south side). The southern access from Rochester Rd. to the shopping center has been modified to prevent an immediate left turn upon entering. The request by staff for added landscaping to help buffer the residential use to the south has been withdrawn. The balance of the staff report is the same as presented previously. The applicant is proposing to construct an 8,154 s.f. retail outlot building with a drive-through for a restaurant at the Hampton Plaza shopping center at the southeast corner of Rochester and Hamlin. The site can be accessed from Rochester or Hamlin. The site is being developed using the B-3 standards. All staff have recommended approval, some with minor conditions that can be addressed prior to final submittal or prior to building or construction plan review.



General Requirements for Conditional Uses

Drive-through restaurants are a conditional use in the B-3 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 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 window is located on the 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 the adjacent residential property. Additional landscaping should be added to the landscape island adjacent to the drive-through exit to screen headlight glare towards Rochester Road.
- 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.* A type C buffer is required to the multi-family to the south. There is existing landscaping there, and it meets the intent. In addition, landscaping is being added to the parking lot islands.

Staff Recommendations

Department	Comments & Waivers/Modifications	Recommendation
Planning	Comments regarding lighting/landscaping	Approval
Engineering	Comments to be addressed at construction plan review	Approval
Fire	Minor comment	Approval
Building	Minor comments to be addressed at building plan review	Approval
Assessing	Comment addressed	Approval

Sample motions are provided below if the Planning Commission feels that the proposed project warrants the discretionary approval of the conditional use 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. 18-002 (New Outlot Building at Hampton Plaza) the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow a drive-through in the B-3 district, based on plans dated received by the Planning Department on June 21, 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

MOTION by _____, seconded by _____, in the matter of City File No. 18-002 (New Outlot Building at Hampton Plaza), the Planning Commission **approves** the **Site Plan**, based on plans dated received by the Planning Department on June 21, 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 Rochester or Hamlin Roads., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets. Paths and bike racks have been incorporated to promote safety and convenience of pedestrian traffic.
3. Off-street parking areas have been designed to avoid common traffic problems and promote customer safety
4. The parking setback in the rear and side yards are modified based upon the Planning Commission's determination that it is compatible with a comprehensive parking plan.
5. The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the vicinity.
6. 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 an amount to be determined, 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.

Reference: Plans dated received by the Planning Department June 21, 2019, prepared by Biddison Architecture

Attachments: Building Department memo dated 6/28/19; DPS/Engineering memo dated 7/3/19; Planning Department Memo dated 7/2/19; Fire Department memo dated 6/27/19

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