



Rochester Hills

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Master

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Reference: 18-002

Controlling Body: Planning
Commission

File Created Date : 05/03/2019

File Name: Conditional Use for drive-through at retail/restaurant
outlot building at Hampton Plaza

Final Action:

Title label: Request for Conditional Use Approval to add a drive-through to a new 8,154 square foot retail/restaurant outlot building at Hampton Plaza, located at the southeast corner of Rochester Rd. and Hamlin Rd., zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Kevin Biddison, Biddison Architecture + Design, Applicant

Notes:

Sponsors:

Enactment Date:

Attachments: 081219 Agenda Summary.pdf, Staff Report
7-16-19.pdf, Review Comments PC.pdf, EIS.pdf, Site
Plans.pdf, Minutes PC 7-16-19.pdf, Minutes PC
5-21-19.pdf

Enactment Number:

Contact: PLA 656-4660

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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1	Planning Commission	05/21/2019	Postponed				Pass
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Notes: (Reference: Staff Report prepared by Kristen Kapelanski, dated May 17, 2019 and site plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Kevin Biddison, Biddison Architecture + Design, 320 Martin St., Ste. 10, Birmingham, MI 48009 and Stuart Frankel, Stuart Frankel Development Company, 1334 Maplelawn, Troy, MI.

Ms. Kapelanski summarized the request for a new outlot at the existing Hampton Plaza at the southeast corner of Hamlin and Rochester Rd. She advised that the property was zoned B-3 with an FB-3 Overlay, and the applicant had elected to develop under the B-3 provisions, under which

drive-throughs were a conditional use. She stated that the plan was generally in compliance with ordinance requirements, but there were some minor modifications being requested. A waiver would be needed for the rear and side yard parking setbacks, which could be granted by the Planning Commission when a comprehensive parking plan existed for retail centers. Staff had recommended that the applicant should approach the adjacent multiple-family property management to inquire about potentially placing some additional plantings on their property to better screen the drive-through. There was no space on the applicant's property to do that. Staff had also recommended that some consideration be given to creating more color variation or some other means to break up the building façade.

Mr. Biddison stated that they were proposing an 8,000 s.f. facility with a drive-through on the south side. They had provided a u-shaped drive to keep the ten-car stacking for the drive-through cars out of the existing drives of the center. Regarding adding more plantings, he noted that Mr. Frankel's adjacent neighbor was a part owner of the center, so if it became necessary to have a conversation about plant materials, he was sure the two of them could come to an agreement. They would be happy to discuss it further with staff. In terms of the building materials, there would be metal panels, glass, darker brick and burnished block on the backside. Most of the storefront would be glass. Signage would take place above the glass on the panels. They felt that there was a difference in materials, but they could continue that conversation with staff. He said that he would be happy to answer any questions.

Chairperson Brnabic opened the Public Hearing at 9:38. Seeing no one come forward, she closed the Public Hearing.

Mr. Hooper mentioned staff's recommendation about screening on the south, and he asked if that was something the applicants would consider. It would be left open-ended, and the number of evergreen trees to be added would be determined by staff. Mr. Frankel stated that it was agreeable to them. Mr. Hooper said that he did not have an issue. It appeared to be identical to the one Mr. Frankel did at Campus Corners, and he did not have a problem with it.

Mr. Kaltsounis had observed that the drive-through for the outlot on Livernois was a decent distance from any of the neighbors. The subject drive-through was different, and someone would have to make a u-turn to get into the driveway. He preferred the one on Livernois, because he had not seen an issue with stacking into the street. He wondered what would happen if someone could not make the u-turn. He was curious about the parking spots in the drive-through that were obscured by the wing of the new island to the

north. There was also a fire hydrant at the end. He suggested putting the driveway on the other end of the building, or taking out the new island. Then there would not be a sharp turn for people to get to the parking spots. With the drive-through on the other side, the residents would not hear the speaker boxes.

Mr. Biddison responded that the stacking space was what they were dealing with relative to the two-way drive behind. They were trying to get the stacking space out of the main drive areas of the shopping center. They had looked at doing more of a direct left turn into the u-shaped area as opposed to doing a larger u-turn in order to get the additional stacking that was required. They were one or two cars short, and there had been comments early on from Planning that it might stop traffic, so it might be better to get the traffic farther up before they made a turn.

Mr. Kaltsounis felt that it would still work if the drive-through was put on the other side, and instead of having a u, there could be a half moon. They could get plenty of stacking. He did not think his truck would be able to make the turn as proposed.

Mr. Gaber asked if there was any issues with transparency on the facades. Ms. Kapelanski explained that the standard applied to Campus Corners because it was developing under the FB standards. Hampton Plaza was using the B-3 standards, which had no standards for façade transparency. Mr. Gaber felt that Mr. Kaltsounis had raised some valid points. Mr. Gaber pointed out that Mr. Biddison's drawings showed a stub island separating the inbound versus the outbound, but the Nowak and Fraus drawings showed more pavement marking that went further back. He asked if that was all it was - pavement marking that went back from the little island of separation or if it was part of an island, too, that would not allow people to turn into the site and immediately go left into the parking in front of the building. He stated the drawings were different. Mr. Biddison said that it was that way currently, and for the development, they would take it back to allow the turn.

Mr. Schultz said that in looking at the Campus Corners iteration, he felt that the straight shot into the drive-through functioned better. He asked how much leeway the Planning Commission had to give the applicant a break on the stacking to be able to accommodate more of a straight shot instead of having the u-turn.

Ms. Roediger cautioned that the stacking for the Pot Belly at Campus Corners worked as it existed, but if it were a Starbucks or something else, she did not expect that it would work. There was concern about having stacking going into the right-of-way on Rochester, and the Planning Commission had some

flexibility, but she thought they should consider what could potentially go there. Mr. Schultz said that there was a tropical smoothie in his building, which did not have the volume that Starbucks did at all. Starbucks generally ran a two queue line, and they did not traditionally put the drive-through at the back of the building. He said that he was not that upset about the u-turn to get in, but he agreed that a straight shot might be a little better, or even to flip the drive-through, as Mr. Kaltsounis had suggested. They would have people going across the face of the building, however, come into the development and make a hard left anyway.

Mr. Biddison said that there would be traffic flow through an existing parking lot one way or the other. They thought it would protect the rest of the parking lot from the stacking space. There was a 24-foot drive between the drive lane and the other spaces. He acknowledged that the u-turn would be a tight turn, but the hard left turn was discouraged by staff early on because of possible backup onto Rochester Rd. Mr. Schultz knew that there was a second entrance to the development, so people might recognize that they needed to go to the northern entrance. Mr. Biddison agreed that people who used it frequently would learn that would be the better route to take.

Ms. Morita asked Mr. Frankel if he knew what business would use the drive-through, but he did not presently. Ms. Morita said that she had concerns about the stacking. If there was a Taco Bell or Starbucks, ten spaces would not be enough. People would get stacked on the south drive to make a crazy u-turn to get into the stacking. She said that she would like to see a plan with the drive-through flipped and put on the north side. Mr. Biddison said that they could look at that. He claimed that it would create a different condition in front of the building and for other places. He thought that a lot of people would be coming from the north or taking the northern drive to the shopping center. Ms. Morita said that if someone was smart, they would use the southern entrance coming from the north. If there was a Starbucks, there would be a lot of people turning left in the morning. Mr. Frankel commented that it was the going home side, not the coming in to work side.

Mr. Kaltsounis said that currently, there was a little median between the driveway to prevent a left turn. That would be taken away. The current left turn was literally one car off of Rochester Rd., which did not make sense to him. He felt that it was there for a purpose so the traffic could be pushed out. If they took it away, someone would stop and wait for someone to be able to go left, and they would get hit. He felt that it had to be looked at. They could not allow one car off of Rochester Rd. He knew that drive-throughs could generate a lot of energy, turns, stops and people driving through. The driveway in the center, with the traffic on Rochester Rd., was always blocked. He visited that development a lot and he used the northern driveway. He strongly felt that

they needed to clean up the plans so they knew what they had. The curb was there for a reason, and he thought that it needed to be there. If they could entertain switching the building and the drive-through, it would do two things. It would get the cars away from the neighbors and it would take all the energy of making a turn and take it into the middle of the development where there would be less chance of an accident. He thought that change was all that was needed to move ahead.

Ms. Roediger said that if the applicant agreed to maintain the raised separation at the entrance and to flip the drive-through, staff could make sure revised plans were submitted prior to proceeding to Council. Mr. Frankel said that they were agreeable to that.

Mr. Gaber felt that Mr. Kaltsounis' point about the entry and the barrier to prevent immediate left turns was very valid. The point Mr. Hooper made about the landscaping was also good. Mr. Gaber asked where they were at in terms of moving the project forward.

Mr. Frankel asked if the extra landscaping would still be necessary if they flipped the drive-through. Mr. Gaber asked if flipping the building would change staff's request. Ms. Kapelanski agreed that more screening would not be needed if the building was flipped.

Ms. Morita stated that she would like the matter to come back to the Planning Commission. She felt that there were too many variables and changes. She would not feel comfortable agreeing to something in theory and having it go to City Council directly without Planning Commission's input first.

Mr. Schroeder asked if there would be any considerations about the back door and trash removal. Mr. Biddison said that there was a little bit of a buffer between the back wall and the double drive, although it was not a green buffer. He asked if it would be possible for them to do a quick layout of the development and get it to staff to see if it was something that made sense. He did not know if they could have the engineering done in two weeks. Mr. Frankel considered that the whole site would have to be re-engineered. Mr. Biddison said that if the layout worked and staff was happy, they could perhaps present it in two weeks.

Mr. Kaltsounis moved the following:

MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 18-002 (New Outlot Building at Hampton Plaza), the Planning Commission **postpones** the requests for **Conditional Use Recommendation and Site Plan**, based on plans dated received by the Planning Department on March

13, 2019 until such time as the applicant is ready to resubmit.

2	Planning Commission	07/16/2019	Recommended for Approval	City Council Regular Meeting	Pass
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Notes: (Reference: Staff Report prepared by Kristen Kapelanski, dated July 12, 2019 and site plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Kevin Biddison, Biddison Architecture + Design, 320 Martin St., Suite 10, Birmingham, MI 48009 and Stuart Frankel, Hampton Plaza, 1334 Maplelawn, Troy, MI 48084.

Ms. Roediger outlined that the request for a new outlot building at Hampton Plaza had been tabled at the May meeting. There had been concerns about the access to the drive-through and stacking spaces. The Planning Commission asked the applicants to consider flipping the building to allow the stacking to occur on the north side, thereby alleviating concerns that it could extend out onto Rochester Rd. The applicant had revised the plans per the request; other than that, the site plan was essentially the same as previously presented. The island at the southern driveway had been extended so there could not be direct left turns into the site from the southern entrance. She noted that there was another drive to the north of the proposed building. As a conditional use, she advised that it was a request for a recommendation to City Council, and that the site plan was also under review. She said that she would be happy to answer any questions.

Mr. Biddison indicated that they had heard the comments from the last meeting, and he believed that they had come up with a solution that answered the concerns about the drive and circulation for stacking. He agreed that the building was otherwise the same. He thought that how the traffic could flow around the building was fairly self-explanatory, and he felt that it would be a cleaner and safer entry from Rochester Rd.

Mr. Kaltsounis thanked the applicants for hearing the Commissioners. He commented that they had a good and a bad day at the last meeting. He felt that the changes recommended and accepted would definitely make the corner of the property much safer, and he commented that every time he drove by, he would make sure it was. Hearing no further discussion, he moved the following:

MOTION by Kaltsounis, seconded by Hooper, 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 seven (7) 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.*
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Text of Legislative File 2019-0214

Title

Request for Conditional Use Approval to add a drive-through to a new 8,154 square foot retail/restaurant outlot building at Hampton Plaza, located at the southeast corner of Rochester Rd. and Hamlin Rd., zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Kevin Biddison, Biddison Architecture + Design, Applicant

Body

Resolved, that the Rochester Hills City Council hereby approves a Conditional Use to add a drive-through to a new 8,154 square foot retail/restaurant outlot building at Hampton Plaza, located at the southeast corner of Rochester Rd. and Hamlin Rd., zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-26-100-007, based on plans dated received by the Planning and Economic Development Department on June 21, 2019, Kevin Biddison, Biddison Architecture + Design, Applicant 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.