



## Legislation Details (With Text)

**File #:** 2017-0577      **Version:** 2

**Type:** Permit      **Status:** Passed

**File created:** 12/5/2017      **In control:** City Council Regular Meeting

**On agenda:**      **Final action:** 1/22/2018

**Title:** Request for Conditional Use Approval to construct a drive-through at a relocated Burger King restaurant at The Winchester District, an outlot on the property at the southwest corner of Rochester and Avon Roads, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay; Craig Singer, Rochester KM Partners, LLC, Applicant

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 012218 Agenda Summary.pdf, 2. Suppl Presentation 012218.pdf, 3. Map aerial.pdf, 4. Staff Report 121517.pdf, 5. EIS Report 092217.pdf, 6. Review comments.pdf, 7. Response Letter PEA 120617.pdf, 8. Site Plans.pdf, 9. Minutes PC 121917.pdf, 10. PHN OP.pdf, 11. Resolution (Draft).pdf

Date	Ver.	Action By	Action	Result
1/22/2018	2	City Council Regular Meeting	Adopted by Resolution	Pass
12/19/2017	1	Planning Commission	Recommended for Approval	Pass

Request for Conditional Use Approval to construct a drive-through at a relocated Burger King restaurant at The Winchester District, an outlot on the property at the southwest corner of Rochester and Avon Roads, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay; Craig Singer, Rochester KM Partners, LLC, Applicant

**Resolved,** that the Rochester Hills City Council hereby approves a Conditional Use to construct a drive-through at a relocated Burger King restaurant at The Winchester District, on an outlot on the property at the southwest corner of Rochester and Avon Roads, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15 -22-226-014, based on plans dated received by the Planning and Economic Development Department on November 20, 2017, Craig Singer, Rochester KM Partners, LLC, 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.
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 an improved drive-through restaurant.
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.