



## Legislation Text

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**File #:** 2021-0427, **Version:** 2

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Request for Conditional Use Approval to construct a drive-through associated with a two story 29,000 sq. ft. mixed use building with retail, office and restaurant use on approximately 2.6 acres located on the west side of Rochester Rd. and north of South Blvd., zoned B-3 Shopping Center Business District; Emily D'Agostini Kunath, Applicant

***Resolved,*** that the Rochester Hills City Council hereby approves the Conditional Use to allow for a drive-through operation, associated with a two-story 29,000 sq. ft. mixed use building with retail, office and restaurant use on approximately 2.6 acres located on the west side of Rochester Rd and north of South Blvd., Parcel No. 15-34-477-018, zoned B-3 Shopping Center Business District, subject to the following findings and conditions.:

**Findings:**

- A. The proposed use will promote the intent and purpose of the Zoning Ordinance.
- B. The building 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.
- C. The proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs.
- D. 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.
- E. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
- F. 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. 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.