



# Rochester Hills

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## Master

**File Number: 2012-0324**

**File ID:** 2012-0324

**Type:** Permit

**Status:** To Council

**Version:** 2

**Reference:** 12-008

**Controlling Body:** City Council  
Regular Meeting

**File Created Date :** 08/30/2012

**File Name:** Tim Hortons Drive-through

**Final Action:**

**Title label:** Request for Conditional Land Use Approval - For a drive-through to be constructed at a proposed Tim Hortons restaurant on .5 acre located on Rochester Road, north of Avon (formerly a Dunkin' Donuts), Parcel No. 15-15-476-011, zoned B-2, General Business, Tim Hortons, Applicant

**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Agenda Summary.pdf, Map.pdf, Site Plans.pdf, Minutes PC 091812.pdf, Staff Report.pdf, Public Hearing Notice.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:
1	Planning Commission	09/18/2012	Recommended for Approval	City Council Regular Meeting			Pass
2	City Council Regular Meeting	09/24/2012					

### Text of Legislative File 2012-0324

**Title**

Request for Conditional Land Use Approval - For a drive-through to be constructed at a proposed Tim Hortons restaurant on .5 acre located on Rochester Road, north of Avon (formerly a Dunkin' Donuts), Parcel No. 15-15-476-011, zoned B-2, General Business, Tim Hortons, Applicant

**Body**

**Resolved,** that the Rochester Hills City Council hereby approves a Conditional Land Use for a drive-through at Tim Hortons, City File No. 12-008, located at 940 S. Rochester Road, north of Avon, Parcel No. 15-15-476-011, zoned B-2, General Business with FB-1 Overlay, Tim Hortons, Applicant with the following findings:

1. The proposed building 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 building 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 area, the general vicinity, adjacent uses of land, the natural environment and the capacity of public services and facilities affected by the land use.
4. The proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs and another dining option.
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.