



## Department of Planning and Economic Development

Staff Report to the Planning Commission      December 12, 2014

### Walton Shoppes Drive-Through

<b>REQUEST</b>	Conditional Use Recommendation Site Plan Approval
<b>APPLICANT</b>	Tower Construction 3883 Telegraph Rd., Suite 200 Bloomfield Twp., MI 48302
<b>LOCATION</b>	1200 Walton Blvd., North of Walton, East of Livernois
<b>FILE NO.</b>	12-006.3
<b>PARCEL NO.</b>	15-10-351-081
<b>ZONING</b>	B-2 General Business with FB-3 Flexible Business Overlay
<b>STAFF</b>	Sara Roediger, AICP, Manager of Planning

#### *In this Report:*

Summary.....	1
General Requirements for Conditional Uses.....	1
Site Plan Review Considerations.....	2
Conditional Use Motion.....	3
Site Plan Approval Motion.....	3

#### **Summary**

The applicant proposes to construct two outdoor seating areas and an accessory drive-through on the west side of the existing building in a development called the Walton Shoppes, located on the northeast corner of Livernois and Walton Blvd. The development, comprising of a Walgreen’s, a 41,000 square-foot multi-retail tenant building and an 84,500 square-foot furniture store received Site Plan Approval from the Planning Commission in July 2004. Subsequently, the site plan was amended to include the Boulevard Shoppes, a multi-tenant retail and medical offices facility, in place of the furniture store. The initial site plan did not include a drive-through at the retail building, but the owner now has a potential new tenant that is requesting one. Although the exact use is not stated on the plans, any drive-up or drive-through use requires conditional use and site plan approvals.

#### *Adjacent Land Uses and Zoning*

The subject parcel is zoned B-2 General Business with an FB-3 Overlay, both of which permit drive-throughs as conditional uses after Planning Commission recommendation and City Council approval. The site is surrounded by a combination of B-2, B-3 and FB-3 zoning to the south and east containing various retail establishments. He north and west are zoned for One Family and Multiple Family residential respectively, with single family homes located across Livernois and Fairwood Villas Condominiums north of the site.

## General Requirements for Conditional Uses

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Per Section 138-2.302 of the Zoning Ordinance, there are five areas of consideration for the Planning Commission to regard in the discretionary decision of a Conditional Use. The Planning Commission shall find that the conditional land use will:

1. Will promote the intent and purpose of (the Ordinance).
2. Will be designed, constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.
3. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.
4. Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
5. Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

## Site Plan Review Considerations

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1. **Site Layout.** The drive-through window must be shifted at least six feet to the north to comply with the drive-through window setback from the front building wall, which is 10 feet. The plan proposes a four-foot setback.
2. **Lighting.** If any exterior lighting was to be altered, a photometric plan would be required to ensure compliance with ordinance regulations; however the plans do not indicate new or additional lighting.
3. **Parking.** The proposed drive-through would not reduce parking at the shopping center, and existing parking spaces are not being changed and are in compliance with the exception of the shifted barrier-free spaces as a result of the outdoor seating areas, which must be modified to meet current spacing requirements.
4. **Landscaping.** Existing landscaping is not proposed to be changed; however, there are a number of dying or diseased trees that must be replaced. Staff recommends that additional evergreen trees be planted along the northern property line in the area of the proposed drive-through to fill in the gaps along the northern property line to create a continuous landscape wall.

### *Site Plan Summary*

As part of the technical review for this project, the plans and supplemental documentation have been reviewed by all applicable city departments. The drive-through is proposed for an area already used for a driveway. If the Planning Commission finds that the drive-through would be harmonious and compatible in appearance with the existing development, staff recommends approval of the following motions relative to City File No. 12-006.3 (Walton Shoppes Drive-Through).

## Conditional Use Motion

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 12-006.3 (Walton Shoppes Drive-Through) the Planning Commission **Recommends** to City Council **Approval** of the **Conditional Use**, based on plans dated received by the Planning and Economic Development Department on November 14, 2014, with the following findings.

### *Findings*

1. The proposed drive-through meets the standards of the Zoning Ordinance.
2. The new drive-through will promote the intent and purpose of the Zoning Ordinance for the FB-3 district.
3. With the addition of additional landscaping along the northern property line, 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 land use.
4. The proposal should have a positive impact on the community as a whole and the surrounding area by expanding the options for dining services.
5. The proposed drive-through should generate no net impact on 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. With the addition of additional landscaping along the northern property line, 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.

## Site Plan Approval Motion

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of 12-006.3 (Walton Shoppes Drive-Through), the Planning Commission **Approves** the **Site Plan**, based on plans dated received by the Planning and Economic Development Department on November 14, 2014, 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. Circulation and off-street parking areas have been designed to avoid common traffic problems and promote safety.
3. With the addition of additional landscaping along the northern property line, the proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
4. 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. City Council approval of the Conditional Use.
2. Shift the drive-through window at least six feet to the north to comply with the drive-through window setback from the front building wall.
3. Submittal of a photometric plan if exterior lighting is to be altered, prior to final approval by staff.
4. Adjust barrier free parking spaces and aisles to meet ordinance requirements.
5. Provide a cost estimate for landscape bond for proposed landscaping, prior to final approval by staff.
6. Provide an irrigation plan and cost estimate, prior to final approval by staff. The plans should note that watering will only occur between the hours of 12:00 a.m. and 5:00 a.m.
7. Add evergreen trees along the northern property line to create a continuous landscape wall prior to final approval by staff.
8. Addressing all applicable comments from City departments and outside agency review letters, prior to final approval by staff

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Attachments: *Site Plans, dated received November 14, 2014: Title Sheet, Sheet T-1; Site Location Plan, Sheet C-1.0; Site Zoning Plan, Sheet C-1.1; Site Parking Plan, Sheet C-1.2; Site Plan, Sheet C-2; Enlarged Site Plan, Sheet C-3; Landscape Plan, Sheet L-1; Floor Plan, Sheet A-1; Bollard Plan, Sheet A-2; Sections, Sheet A-3; Electrical Site Plan, Sheet E-1; Electrical Plan, Sheet E-2; ATM Power Diagram, Sketch E-3, prepared by Denk Associates, Inc.; Building/Canopy Documents, Sheets 1-8; prepared by Couvrette Building Systems, Lighting Detail, prepared by Ruud Lighting; Structural, Sheet S-1; and Elevations, prepared by Gerald G. Weber Architecture.*

Planning Dept. memo dated 12/2/14; Fire Department memo dated 12/2/14; Public Services Department memo dated 11/26/14; Building Dept. memo dated 11/25/14; Letter from G. Weber, dated 04/25/13; and PHN

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