

**City of Rochester Hills  
Department of Planning and Development**

**STAFF REPORT TO THE PLANNING COMMISSION  
February 5, 2008**

<b>Revised Site Plan Approval Request Taco Bell Demo and Rebuild</b>	
<b>APPLICANT</b>	WT Development Corp 10223 E. Cherry Bend Road, Suite A Traverse City, MI 49684
<b>AGENT</b>	Bill Beckett
<b>LOCATION</b>	Hampton Village Shopping Center, Rochester Rd. north of Auburn
<b>PARCEL NO.</b>	15-26-351-005
<b>ACREAGE</b>	1.32 Acres
<b>FILE NO.</b>	89-144.2
<b>ZONING</b>	B-3, Shopping Center Business
<b>STAFF</b>	Ed Anzek, Director
<b>REQUEST</b>	Revised Conditional Land Use Revised Site Plan Approval

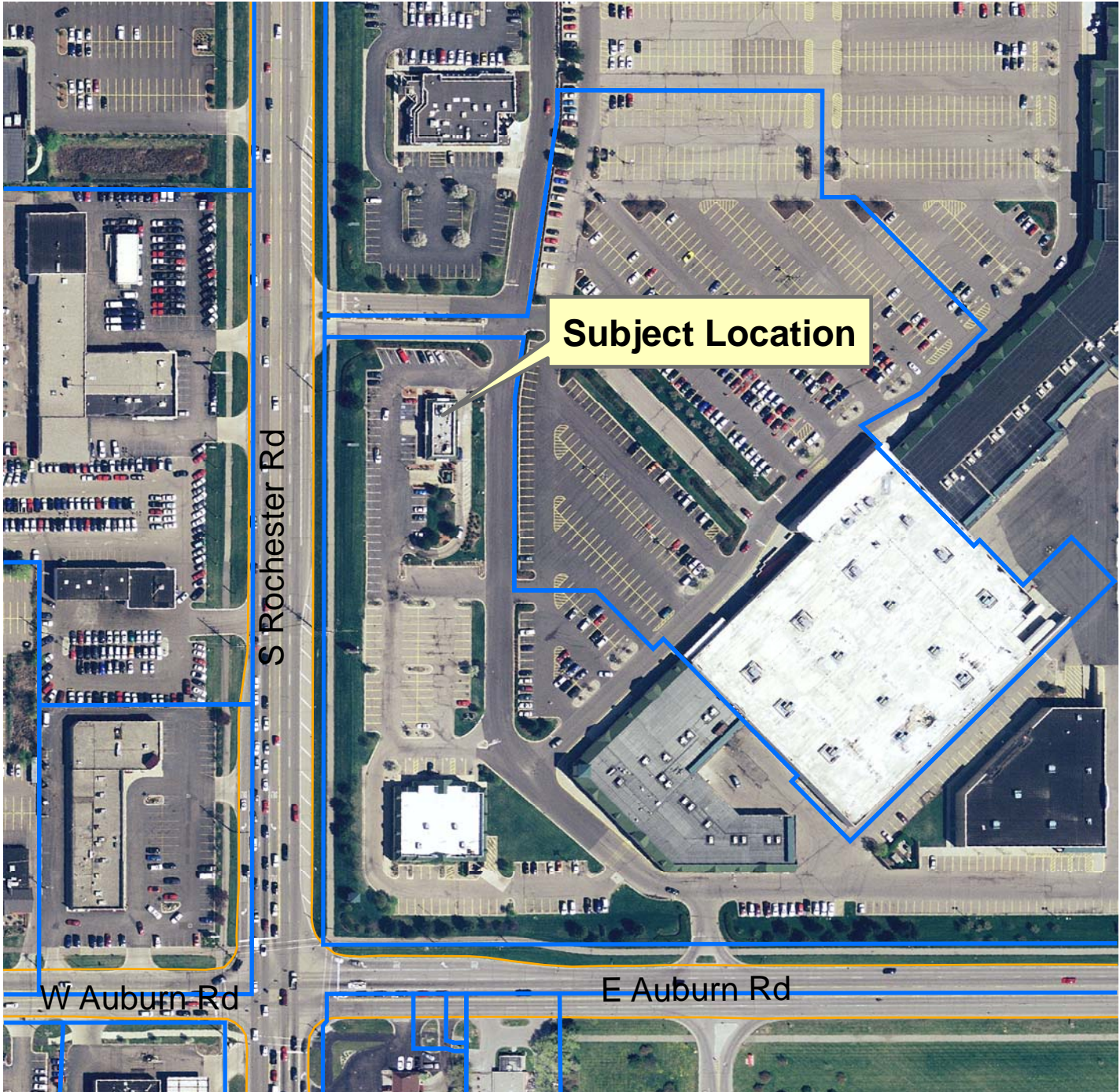
**SUMMARY**

The project involves demolishing the existing 2,744 square-foot building and constructing a new, “state of the art” 3,093 square-foot restaurant with drive-thru, along with associated paving, landscaping and parking. The original Taco Bell received Site Plan and Conditional Land Use Approval in 1989, and according to the applicants, it is the desire of the owners to “update this popular eating establishment and beautify its surroundings.”

**Specific action requested for consideration by the Planning Commission is recommendation of approval of a Revised Conditional Land Use and approval of the Revised Site Plan for a Taco Bell restaurant.**

# Proposed Taco Bell Demo and Rebuild

## City File No. 89-144.2



### Legend

-  TaxParcel
-  RoadEdge

Aerial photographs as of April 2005  
Parcel lines were obtained on 01-02-08 from Oakland County  
Although the information provided by this map is believed to  
be reliable, its accuracy is not warranted in any way. The City of  
Rochester Hills assumes no liability for any claims arising  
from the use of this map.

08-08-07

1 inch equals 185 feet

**Conditional Land Use:**

Drive-thru restaurants may be permitted in the B-3 zoning district (Shopping Center Business) per Section 138-568 (9) of the Rochester Hills Zoning Ordinance, subject to the requirements listed below and to the findings for a Conditional Land Use listed in Section 138-1306[d], with approval by City Council following a recommendation from the Planning Commission.

*(9) Restaurants or other establishments service food or beverage and having a drive-up or drive-thru service facility where patrons are served in their vehicles are subject to the following requirements:*

- a. Minimum lot area of one acre, exclusive of existing public road right-of-way, and minimum lot width of 150 feet at a required building setback line shall be provided. When the restaurant or other establishment is not on a separately owned lot, but is part of a larger development, such as but not limited to a shopping center, the area to be developed for the restaurant or other establishment shall meet these requirements.
- b. The site shall directly abut a major thoroughfare of 120 feet or greater as indicated on the city master thoroughfare plan.
- c. The location and design of driveways providing vehicular ingress to and egress from the site shall promote safety and convenience of vehicular and pedestrian traffic both within the site and on adjoining streets.
- d. On-site vehicle and pedestrian traffic circulation shall be provided in a manner that ensures safety and efficiency.
- e. Vehicle queuing spaces 18 feet long and ten feet wide for drive-up facilities shall be provided as follows:
  1. A minimum of ten spaces shall be provided for the order station and the service station queuing lane.
  2. The lane containing the queuing spaces shall be separate and distinct from other access drives and maneuvering lanes for parking spaces. The queuing space lane shall have a clear width of ten feet and shall be physically separated from access drives, maneuvering lanes and parking spaces with a landscaped area five feet wide with raised curbs on all sides.

All the above requirements have been met. The discretionary decision regarding the Conditional Land Use is subject to the following findings and will show that it promotes the intent and purpose of the Ordinance chapter; will be designed, constructed, operated, and managed so as to be compatible, harmonious and appropriate in appearance with the existing character of the general vicinity; will be served adequately by public facilities and services; will not be detrimental, hazardous or disturbing to existing uses, persons or property; and will not create

additional requirements at public cost for public facilities. If the Planning Commission agrees, the findings are listed in the enclosed motion.

#### Adjacent Zoning/Buffering

The property is surrounded by B-3 zoning. The Hampton Village Mall is to the east, restaurants are to the south and north, and there are various commercial establishments across Rochester Road to the west. The use is consistent with the Ordinance and Master Land Use Plan.

#### Landscaping/Parking

The Tree Conservation Ordinance does not apply to this development. The trees on site are subject to replacement. There are 14 existing trees, and seven are to remain and seven are to be replaced, and the applicant is providing 10 replacement credits. 58 parking spaces are being provided, including three handicap spaces, and 55 spaces are required according to the occupancy load, building area and number of employees shown on Sheet C. Three parking islands and six parking island trees are being provided. New and improved landscaping is being provided to update the existing shrubbery. There is an existing berm along Rochester Road to help shield the restaurant from traffic.

#### Engineering/Fire

The City's Engineering Staff and consultant have approved the paving and sewer and water connections. Groundwater calculations should not be further impacted because the impervious area will be nearly the same after development, and no change to the existing infrastructure is proposed. All construction must follow best practices for soil erosion control and site grading measures, and a Land Improvement Permit and all easements and outside agency and City permits are required before commencing any work on the site. The Fire Department has approved the access and circulation.

#### Architecture

The building will be constructed of brick and stone. There are colored renderings included in the packet.

#### Traffic

As noted in the Environmental Impact study, traffic will not be negatively impacted; a restaurant of nearly the same size currently exists. Traffic flow and patterns are expected to remain at the same levels.

### Lighting/Sign

The site lighting proposed should not have a different effect than the current Taco Bell restaurant. The lighting levels on Rochester Road are .6 lumens or less, and the fixtures will be rotated to project the lights into the parking lot of the restaurant.

**As part of the technical review for this project, the plans and supplemental documentation have been reviewed by all applicable City departments and consultants. Review comments are contained within the enclosed information. Staff recommends approval of the following motions relative to City File No. 89-144.2.**

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Reference: Site Plans dated received by the Planning and Development Department on January 16, 2008: Cover Sheet, Sheet C; Survey Sheets, Sheet CO.1 and CO.2; Tree Survey, Sheet CO.3; Demolition Plan, Sheet C1; Site Plan, Sheet C2; Site Details, Sheet C2.1 and C2.2; Grading Plan, Sheet C3; Soil Erosion Control Plan, Sheet C4; Utility Plan, Sheet C5; Landscape Plan, Sheet L1; Landscape Details, Sheet L1.1; Irrigation Plan, Sheet L2 and Illumination Plan, Sheet I1, prepared by LandTech Professional Surveying & Engineering; Equipment and Seating Plan, Sheet A2.0; Exterior Elevation, Sheet A4.0 and Exterior Elevation, Sheet A4.1, prepared by the DK Design Group.

Attachments: Assessing Department memo dated 06/18/2007; Planning and Development memo dated 01/24/2008; Parks and Forestry memo dated 09/14/2007; Building Department memo dated 01/22/2008; Letter from DK Design Group, dated 10/08/07; Fire Department memo dated 01/23/2008; HRC Letter dated 09/18/2007; Oakland County Drain Commissioner letter dated 07/26/2007; Oakland County Health Division letter dated 07/26/07; Environmental Impact Statement dated 08/28/2007; Development Application received 08/30/2007.

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 89-144.2 (Taco Bell), the Planning Commission **recommends** to City Council **approval** of the **Conditional Land Use**, based on plans and information dated received by the Planning Department on January 16, 2008, with the following findings.

### Findings:

1. The new building is replacing an existing building/business, which received Conditional Land Use Approval from City Council on October 25, 1989.

2. The use is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-568(9) in particular.
3. The proposed development has been designed to be compatible, harmonious, and appropriate with the existing character of the general vicinity and adjacent uses of land.
4. 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.
5. The development should be not detrimental, hazardous, or unreasonably disturbing to existing land uses, persons, property, or the public welfare.
6. The development does not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

### **Revised Site Plan**

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 89-144.2 (Taco Bell), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on January 16, 2008 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. The location and design of driveways providing vehicular ingress to and egress from the site will promote safety and convenience of both vehicular and pedestrian traffic both within the site, and on adjoining streets.
3. Automobile parking areas have been designed to avoid common traffic problems and promote safety.
4. There will be a satisfactory and harmonious relationship between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
5. The proposed development does not have an unreasonably detrimental, nor an injurious effect upon the natural characteristics and features of the parcel being developed and the larger area of which the parcel is a part.
6. The development will have improved landscaping and an updated exterior building elevation.

Conditions:

1. City Council approval of the Revised Conditional Land Use.
2. Address comments in Building Department memo of January 22, 2008, prior to issuance of a Building Permit.
3. All landscaping is to be warranted for a period of two (2) years from final acceptance by the City of Rochester Hills Landscape Architect.
4. Provide a performance guarantee in the amount of \$35,515.00, as adjusted if necessary by the City's Landscape Architect, to ensure the proper installation of replacement trees, island trees and shrubs, and other landscaping. Such guarantee to be provided by the applicant prior to issuance of a Land Improvement Permit.
5. Tree Protection Fencing must be installed, inspected, and approved by the City's Landscape Architect prior to issuance of the Land Improvement Permit for this development.
6. Revise cost estimates on Landscape Plans per Ms. Dinkins' (City's Landscape Architect) memo of January 24, 2008, prior to Final Approval by Staff.
7. Soil Erosion Permit must be obtained from Oakland County Drain Commissioner prior to issuance of a Land Improvement Permit.
8. Add a note to the Site Plan, prior to Final Approval by Staff, that all signage must be approved by the Building Department.
9. The applicant shall receive a Land Improvement Permit from the City's Engineering Services Department prior to any construction.