



**City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS**

**1000 Rochester Hills Dr.
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Legislative File No: 2012-0060 V3

TO: Mayor and City Council Members

FROM: Ed Anzek, Director of Planning and Economic Development, ext. 2572

DATE: April 27, 2012

SUBJECT: Request for approval of a conditional land use permit to construct a drive-through at the proposed Taco Bell located at the Campus Corners shopping center, south of Walton, east of Livernois

REQUEST:

Approval of a conditional land use permit to construct a drive-through at the proposed 2,640 square-foot Taco Bell, which will be located south of Walton, east of Livernois in the Campus Corners shopping center.

BACKGROUND:

This proposal is for a new Taco Bell restaurant and associated site improvements including a drive through facility with a stacking and bypass lane, among other standard and customary site improvements.

Drive-through facilities in a B-3 district require a conditional land use permit. The standards and/or requirements for Council's consideration regarding a restaurant with a drive-through are listed in Section 138-4.410 of the Zoning Ordinance and the findings listed in the enclosed Resolution. The issuance of the CLU is a discretionary decision by the City Council and based on 5 general criteria contained in Sec. 138-2.302 of the Zoning Ordinance. They are:

- 1) *Will promote the intent and purpose of this chapter.*
- 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.*

The Planning Commission held a public hearing at its March 6, 2012 meeting to review the requests for a conditional land use recommendation and site plan approval. After discussion, the matter was postponed so the applicant could address concerns the Planning Commission had regarding pedestrian and vehicle circulation within and adjacent to the site, and the location of the dumpster.

The applicant thoughtfully revised the plans to address the Planning Commission’s concerns. Revisions included the addition of a sidewalk and crosswalk to facilitate better and safer circulation through the shopping center parking lot, reorientation of the dumpster and incorporation of additional screening, and implementing one-way circulation within the bounds of the Taco Bell site itself. It is also notable that Taco Bell has cross-parking rights with the rest of the center, and that the combined Taco Bell and shopping center site have ample parking over and above minimum requirements.

The Planning Commission was satisfied that the applicant addressed all the previous comments and on April 17, 2012 recommended approval of a conditional land use and approved the site plan with a six-two vote (one absence) with conditions as listed in the attached minutes (please refer to minutes from both Planning Commission meetings for further details).

RECOMMENDATION:

Staff and the Planning Commission recommend that City Council approve the conditional land use for a new Taco Bell with a drive-through at Campus Corners shopping center.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		