



ASSESSING DEPARTMENT
Kurt Dawson, Director

From: Nancy McLaughlin
To: Ed Anzek
Date: 1/7/14
Re: File No.: 14-015
Project: Taco Bell @ M-59/Avon Industrial Review #2
Applicant: Guggenheim Real Estate Partners

The Assessing Department has no objection to the proposed Taco Bell site plan; however, the proposed water, sewer, and storm sewer on the proposed site plan and condominium plan documents must coordinate.



BUILDING DEPARTMENT
Scott Cope

From: Craig McEwen, Building Inspector/Plan Reviewer
To: Sara, Roediger, Ed Anzek, Planning Department
Date: December 2, 2014
Re: Taco Bell @ M59/Avon Industrial – Review #2
Sidwell: 15-29-276-005
City File: 14-015

The site plan review for the above reference project was based on the following drawings and information submitted:

Architectural Drawings: T1.0, A1.0, A2.0, A4.0, A4.1, A6.5 (Not resubmitted - previously reviewed)
Site Development Plans: Cover Sheet C0.0, C1.0, C2.0, C3.0, C3.1, C4.0, C5.0, C5.1, C6.0, C7.0, C8.0, C9.0, C9.1, C9.2, C9.3, C9.4, C9.5, C9.5, C9.6, C9.7, C9.8, C9.9, and AL 1 and 2,
Environmental Impact Statement (Not resubmitted - previously reviewed)

Section references are based on the Michigan Building Code 2012 unless noted otherwise.

Approval recommended based on the following conditions being met prior to issuance of a Building Permit:

1. Building Occupancy:
 - a. Provide a building occupancy analysis per Section 1004 that separately identifies the number of seated guest, the number of queuing guest (1 per 5 sf net of queuing area) and the number of staff. Parking count should be based on this analysis.
2. Building Area :
 - a. Provide an analysis of allowable Building Area and Height complying with Table 503 for proposed Use Groups and Construction type or as modified by Section 506 and 507.
3. Fire Suppression:
 - a. In the response letter dated November 20, 2014, under Building Department comment 6 it indicates that an automatic fire suppression system will not be installed. However, under the Fire Department's comment 1 which recommends an automatic sprinkler system the response infers that one will be installed. Please clarify.

If there are any questions, please call the Building Department at 248-656-4615. Office hours are 8 a.m. to 4:30 p.m. Monday through Friday.



FIRE DEPARTMENT

Sean Canto
Chief of Fire and Emergency Services

From: William Cooke, Lieutenant/Inspector
To: Planning Department
Date: December 8, 2014
Re: Taco Bell @ M59 / Avon Industrial

SITE PLAN REVIEW

FILE NO: 14-015

REVIEW NO: 2

APPROVED X

DISAPPROVED _____

The Fire Department recommends approval of the above reference site plan contingent upon the following conditions being met:

1. Fire lane sign detail on sheet C9.0 should be revised to reflect the fire prevention ordinance. Detail should read "No Stopping Standing Parking Fire Lane" rather than "No Parking Fire Lane".

If you have any questions or comments, please do not hesitate to contact the Fire Marshal's Office at (248) 656-4717.

Lt. William A. Cooke
Fire Inspector



Parks & Forestry
Michael A. Hartner, Director

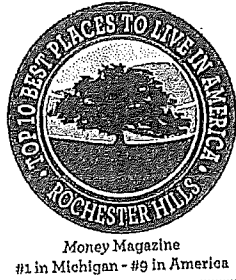
To: Sara Roediger
From: Gerald Lee
Date: December 5, 2014
Re: Taco Bell @ M-59/Avon Industrial
Review #2
File #14-015

Forestry review pertains to right-of-way tree issues only.

No additional comments at this time.

GL/cf

cc: Sandi DiSipio, Planning Assistant



Planning and Economic Development
Ed Anzek, AICP, Director

From: Sara Roediger, AICP
Date: 1/7/2015
Re: Taco Bell at M-59 & Avon Industrial (City File #14-015)
Preliminary/Final Site Plan - Planning Review #3

The applicant is proposing to construct a 2,159 sq. ft. Taco Bell drive-through restaurant on 0.63 acres on the west side of Crooks Road, north of M-59 on a proposed Unit 7 of the Starr-Batt Condominium. A composite site plan was submitted to provide the City information on how this site ties into a future development plan of the entire parcel; however this site plan review and approval is only for the proposed Taco Bell site (Unit 7). The project was reviewed for conformance with the City of Rochester Hills Zoning Ordinance. This project is scheduled for a public hearing at the upcoming January 20, 2015 Planning Commission meeting.

1. Zoning and Use (Section 138-4.300). The site is zoned B-3 Shopping Center Business District which permits drive-through restaurants as conditional land uses subject to the requirements of Section 138-4.410 and will require a Planning Commission public hearing and recommendation to City Council. The proposed plan meets ordinance requirements for drive-through facilities. Refer to the table below for the zoning and existing and future land use designations for the proposed site and surrounding parcels:

	Zoning	Existing Land Use	Future Land Use
Proposed Site	B-3 Shopping Center Business	Vacant	Regional Employment Center
North	B-3 Shopping Center Business	Vacant, then Shell gas station & car wash	Regional Employment Center
South	B-3 Shopping Center Business	Vacant	Regional Employment Center
East	B-4 Freeway Service Business & B-5 Automotive Business	Speedway gas station & Clubhouse BFD restaurant	Regional Employment Center
West	B-3 Shopping Center Business	Vacant	Regional Employment Center

2. Site Layout (Section 138-5.100-101). Refer to the table below as it relates to the area, setback, and building requirements of the B-3 district for this project.

Requirement	Proposed	Staff Comments
Min. Lot Area 5 acres	Proposed unit 7 (0.63 acres) in a 12.5 acre condominium	In compliance
Min. Lot Width 400 ft.		
Max. Height 2 stories/30 ft.	1 story/21 ft.	In compliance
Min. Front Setback (Crooks) 75 ft.	81+ ft.	In compliance
Min. Side Setback (north/south) 25 ft./25 ft.	73+ ft (north)/25+ ft. (south)	In compliance
Min. Rear Setback (west) 75 ft.	57+ ft.	Planning Commission may reduce the rear yard setback to 10 ft. upon a determination that the requested reduction will allow for better development & will be compatible with adjoining properties

- a. An off-site driveway is being proposed immediately north of the proposed site to provide access to this site and to the larger development in the future. A cross access easement has been indicated at both driveway locations to ensure access in the future as a curb cut to a public street does not otherwise exist for this proposed unit. The applicant may want to coordinate with the property owner to construct an access to connect

to Avon Industrial Drive to provide access to larger condominium development and to allow Taco Bell traffic access to the signalized intersection at Avon Industrial and Crooks, as turning left onto Crooks will prove challenging at peak times with the proposed driveway.

- b. In an effort to improve pedestrian access, a sidewalk has been provided to connect the building to the public sidewalk along Crooks Rd and a sidewalk along the proposed access road to connect into the site and the larger development in the future has been added along with a bike rack to further accommodate non-motorized travel per staff's recommendation.

3. Exterior Lighting (Section 138-10.200-204). Refer to the table below as it relates to the lighting requirements for this project.

Requirement	Proposed	Staff Comments
Shielding/Glare Lighting shall be fully shielded & directed downward at a 90° angle Fixtures shall incorporate full cutoff housings, louvers, glare shields, optics, reflectors or other measures to prevent off-site glare & minimize light pollution Only flat lenses are permitted on light fixtures; sag or protruding lenses are prohibited	6 pole mounted & 3 building mounted full cutoff fixtures with flat lenses	In compliance
Max. Intensity (measured in footcandles fc.) 10 fc. anywhere on-site, 1 fc. at ROW, & 0.5 fc. at any other property line	9 fc. anywhere on-site, 0.9 at ROW, & up to 0.5 along property lines	In compliance
Lamps Max. wattage of 250 watts per fixture LED or low pressure sodium for low traffic areas, LED, high pressure sodium or metal halide for parking lots	LED fixtures, 211 watts	In compliance
Max. Height 20 ft., 15 ft. when within 50 ft. of residential	20 ft.	In compliance

4. Dumpster Enclosure (Section 138-10.311). A dumpster enclosure is proposed in the rear yard, to be screened with a wooden gate and masonry block wall to match the building. The proposed plan meets ordinance requirements for the dumpster enclosure.

5. Parking and Loading (Section 138-11.100-308). Refer to the table below as it relates to the parking and loading requirements for this project.

Requirement	Proposed	Staff Comments
Min. # Parking Spaces Restaurant: 1 space per 2 persons permitted at max. occupancy= 37 spaces	30 spaces	The ordinance requires a min. of 37 parking spaces for this site, whereas only 30 spaces are proposed, a shortage of 7 spaces. Per Sec. 138-11.202 the Planning Commission may modify parking requirements based on evidence submitted by the applicant that another standard would be more reasonable because of the level of current or future employment or customer traffic
Min. # Stacking Spaces Restaurant Service Window: 10 spaces per window=10 spaces	10 spaces	In compliance
Min. Parking Space Dimensions 10 ft. x 18 ft. w/ 24 ft. aisle, width may be reduced to 9 ft. for employee parking	10 ft. x 18 ft. w/ 24 ft. aisle	In compliance
Min. Barrier Free Spaces 2 BF spaces 11 ft. in width w/ 5 ft. aisle for 25-50 parking spaces	2 BF spaces 11 ft. in width w/ 5ft. aisle	In compliance
Loading Space No requirement; however, sites shall be designed such that trucks & delivery vehicles may be accommodated on the site	One 10 X 40 loading zone in the rear yard	In compliance

6. Landscaping (Section 138-12.100-308). Refer to the table below as it relates to the landscape requirements for this project.

Requirement	Proposed	Staff Comments
Right of Way (Crooks: 127 ft.) 1 deciduous per 35 ft. + 1 ornamental per 60 ft. = 4 deciduous + 2 ornamental	0 trees	Trees cannot be planted due to ROW spacing requirements, therefore \$1,200 will be provided to the City's tree fund
Right of Way (New access street: 218 ft.) 1 deciduous per 35 ft. + 1 ornamental per 60 ft. = 6 deciduous + 4 ornamental	6 deciduous 4 ornamental	In compliance
Parking Lot: Interior 5% of parking lot + 1 deciduous per 150 sq. ft. landscape area = 1,100 sq. ft. + 7 deciduous	8,771 sq. ft. 7 deciduous	In compliance
Parking Lot: Perimeter 1 deciduous per 25 ft. + 1 ornamental per 35 ft.+ continuous shrub hedge = 5 deciduous + 4 ornamental + shrub hedge	0 deciduous 9 ornamental Shrub hedge consisting of 31 shrubs	Due to spacing requirements from overhead utility lines, deciduous trees have been replaced with 3 in. ornamental trees
TOTAL 22 deciduous 10 ornamental continuous hedge	TOTAL 13 deciduous 13 ornamental 31 shrubs (continuous hedge)	The overall site is deficient 9 deciduous trees, however 3 additional ornamental trees have been planted bringing the deficiency to 6 trees, therefore, \$1,200 will be provided to the City's tree fund to account for the deficiency

7. Architectural Design (Architectural Design Standards). The proposed building has been designed to meet the intent of the Architectural Design Standards. The building consists primarily of textured stucco with an aluminum slat wall and stone wall to highlight the entrances. Architectural drawings must be provided as part of future submittals.
8. Signs. (Section 138-10.302). A free standing multi-tenant sign is indicated on the plans in addition to wall signage on the building. A note has been added to the plans that states that all signs must meet Chapter 134 of the City Code of Ordinances and be approved under a separate permit issued by the Building Department.
9. Traffic Review. Please refer to the following comments provided by MDOT for the project. Any questions related to the MDOT comments can be directed to Paul Shumejko who can be reached at 248-841-2489 or shumejkop@rochesterhills.org.
- a. It appears MDOT's role in this permit is minimal, since Crooks is not our roadway. Since the curb cut has already been constructed, it would be great if it met MDOT standard; however, RCOC would probably have jurisdiction over it. Perhaps the best MDOT can do is approve the permit with access management conditions attached to it. When the adjacent gas station to the north (or other surrounding property) redevelops, we'll enforce cross access. Ideally, when the vacant parcel between the car wash and bowling alley on Avon Industrial develops, we can enforce cross access as well.
 - b. The existing curb cut for the Taco Bell is not at an ideal location since it straddles the two driveways across Crooks; however, I feel this is a short term issue. A long term solution will occur once the properties along northbound Crooks redevelop. MDOT (or RCOC) can force them to be RIRO since they have access to Starr Batt Dr.



DPS/Engineering
Allan E. Schneck, P.E., Director

From: Jason Boughton *JRB*
To: Sara Roediger, Manager of Planning
Date: December 23, 2014
Re: Taco Bell @ Crooks & M59, City File #14-015, Section #29
Site Plan Review #3

Engineering Services has reviewed the revised site plan received by the Department of Public Services on December 22, 2014 for the above referenced project. Engineering Services recommends site plan approval once the following comment is addressed:

General

1. Coordinate the proposed offsite easements for the storm sewer and sanitary sewer with the Replat No.2 of Star-Batt Condominiums. (see attached)

The applicant will need to submit a Land Improvement Permit (LIP) application with engineer's estimate, fee and construction plans to proceed with the construction plan review.

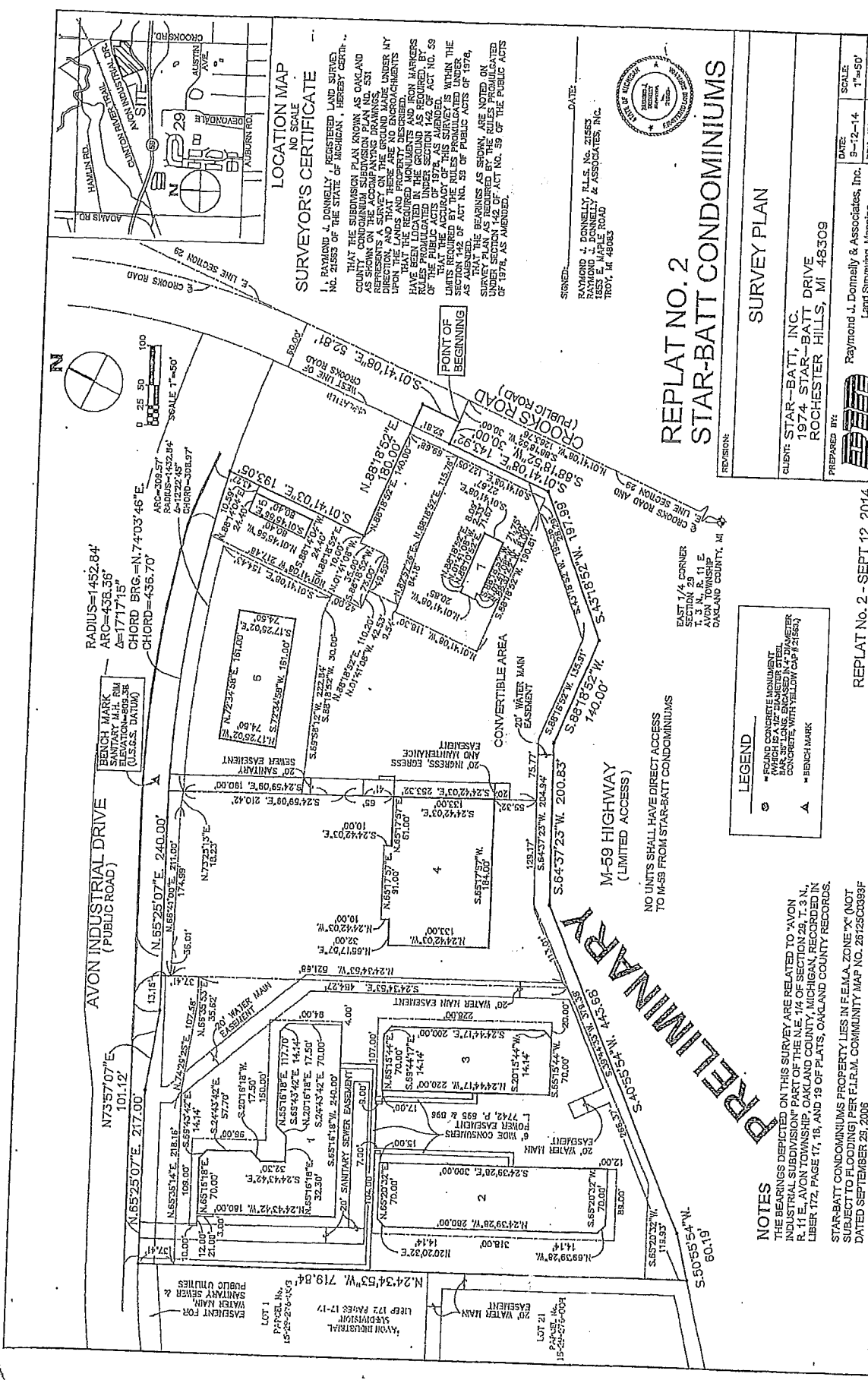
JRB/jf

Enclosure: Preliminary Replat No.2 Star-Batt Condominiums

c: Allan E. Schneck, P.E.; DPS Director
Paul Davis, P.E., Deputy Director/City Engineer; DPS
Tracey Ballint, P.E., Public Utilities Engineer; DPS
Paul Shumejko, P.E., PTOE, Transportation Engineer; DPS

Sheryl McIsaac, Office Coordinator; DPS
Sandi DiSipio; Planning & Development Dept.
File

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LOCATION MAP
NO SCALE

SURVEYOR'S CERTIFICATE

I, RAYMOND J. DONNELLY, REGISTERED LAND SURVEYOR, NO. 21553 OF THE STATE OF MICHIGAN, HEREBY CERTIFY THAT THE SUBDIVISION PLAN KNOWN AS OAKLAND COUNTY CONDOMINIUM SUBDIVISION DRAWING NO. 331 AS SHOWN ON THE ACCOMPANYING DRAWINGS, BEING A DIRECTION AND SURVEY ON THE GROUND MADE UNDER MY PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE LAWS AND REGULATIONS OF THE STATE OF MICHIGAN, AND THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN PLACED IN THE GROUND AS REQUIRED, BY THE RULES AND REGULATIONS OF THE BOARD OF LAND SURVEYORS OF THE PUBLIC ACTS OF 1978, SECTION 142 OF ACT NO. 59 AS AMENDED.

THAT THE ACCURACY OF THIS SURVEY IS WITHIN THE LIMITATION OF ACT NO. 59 OF PUBLIC ACTS OF 1978, AS AMENDED.

THE BEARINGS AS SHOWN, ARE NOTED ON UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED.

SIGNED: _____ DATE: _____

RAYMOND J. DONNELLY, R.L.S. NO. 21553
1853 E. MAPLE ROAD
ROCHESTER HILLS, MI 48063

**REPLAT NO. 2
STAR-BATT CONDOMINIUMS**

REVISIONS:

SURVEY PLAN

CLIENT: STAR-BATT, INC.
1974 STAR-BATT DRIVE
ROCHESTER HILLS, MI 48309

PREPARED BY:
SURVEYORS
Raymond J. Donnelly & Associates, Inc.
Land Surveying, Mapping
Site Development Consulting
1853 E. Maple Road - Troy, MI 48063-4307
Phone: 248.689.5555 Fax: 248.689.5777

DATE: 9-12-14
SCALE: 1"=50'
DRK. B/F: J.E.K.
CHKD. B/F: R.L.D.
SHEET OF: 2 OF 4
JOB NO.: 2014-015

LEGEND

- FINISH CONCRETE MONUMENT WHICH IS TO BE ENCASED IN 4" DIAMETER CONCRETE WITH YELLOW CAPT 21562
- ▲ BENCHMARK

NO UNITS SHALL HAVE DIRECT ACCESS TO M-59 FROM STAR-BATT CONDOMINIUMS (LIMITED ACCESS)

REPLAT No. 2 - SEPT 12, 2014
REPLAT No. 1 - DEC. 10, 1993
AS-BUILT AS OF OCT. 2, 1987

NOTES

THE BEARINGS DEPICTED ON THIS SURVEY ARE RELATED TO "AVON INDUSTRIAL SUBDIVISION" PART OF THE N.E. 1/4 OF SECTION 26, T. 3 N., R. 11 E., AVON TOWNSHIP, OAKLAND COUNTY, MICHIGAN, RECORDED IN LIBER 172, PAGE 17, 18, AND 19 OF PLATS, OAKLAND COUNTY RECORDS.

STAR-BATT CONDOMINIUMS PROPERTY LIES IN F.E.M.A. ZONE "X" (NOT SUBJECT TO FLOODING) PER F.I.R.M. COMMUNITY MAP NO. 26123C3383F DATED SEPTEMBER 23, 2006



September 22, 2014

City of Rochester Hills, Michigan
Department of Planning and Economic Development
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

Attn: Ms. Maureen Gentry
Economic Development Assistant
Telephone No.: 248-841-2575
E-Mail Address: gentry@rochesterhills.org

Re: Environmental Impact Statement
For Proposed Taco Bell, Approximately 0.6 Acres of Undeveloped Land
Located Immediately West of Crooks Road and
Approximately 300 Feet South of Avon Industrial Drive
Rochester Hills, Oakland County, Michigan 48309
PSI Project No.: 0166-601

Dear Ms. Gentry:

In accordance with the City of Rochester Hills, Michigan "Ordinance Chapter 238, Article 2, Section 138-2.204", Professional Service Industries, Inc. (PSI) has prepared this Environmental Impact Statement on the behalf of Guggenheim Retail Real Estate Partners, Inc. (Guggenheim) to comply with the above referenced ordinance (See attached).

Scope of Work

The purpose of this Environmental Impact Statement is to:

- Provide relevant information to the City Planning Commission and the City Council on the environmental impact of applications for rezoning, platting, site condominium, and site plan approval applications and other actions that will have a significant effect on the environment;
- Inject into the developer's planning process consideration of the characteristics of the land and interests of the Community at large, as well as the developer's own interests and those of potential customers;
- Facilitate participation of citizenry in the review of Community developments; and
- Provide guidelines for standards as required by Ordinance Chapter 138, Article 2, and Section 138-2.204.

The Environmental Impact Statement, as presented herein, will address the four requisite parts of the City of Rochester Hills, Michigan Commercial Development Guidelines for an Environmental Impact Statement:

- Parts I and II (Environmental Analysis Report)
- Part III (Impact Factors)
- Part IV (Summary)

PART I ANALYSIS REPORT

PAST AND PRESENT STATUS OF THE LAND

A. *What are the characteristics of the land (site), the waters, and plant and animal life that are present?*

1) *Comment on the suitability of the soils for the intended use.*

The USDA SCS text titled Soil Survey of Oakland County, Michigan, issued in March of 1982, was reviewed to determine soil characteristics in the vicinity of the site. According to the soil survey map for the area of the site, soil in the area of the site is classified as Udipsamments, Undulating (50B), and Spinks Loamy Sand with zero to six percent slopes (15B).

The Udipsamments, Undulating unit is described as moderately well drained and well drained soils that have been so altered that classification at the series level is not feasible. In some areas soil material has been excavated, and in others, soils have been covered by fill material. Included are strongly sloping to very steep soils along the outer edges. These soils are subject to erosion. Also included are some areas that are loamy or clayey or have organic material below about five feet.

The Spinks Soil Series is described as consisting of nearly level and undulating, well-drained soil that is located primarily in broad nearly level areas and on low knolls and ridges. Slopes are smooth and convex and areas are irregular in shape. Permeability is moderately rapid in the Spinks soils and the available moisture capacity is low. Runoff is listed as slow.

PSI completed a Geotechnical Investigation of the site, PSI Project No.03851762, dated July 1, 2014, (See attached). This Geotechnical Report concluded that "The site is suitable for the planned construction. However, areas of uncontrolled fill materials containing variable percentages of brick were encountered at locations of the proposed building in Borings B-2 and B-3. The fill soils are relatively shallow and may impact the long term performance of the proposed structure and in PSI's opinion, are not suitable for support of the foundation floor slabs. In addition, the uncontrolled fill may significantly reduce the pavements design life, if left in place. Therefore, undercutting is required to properly support the proposed building, pavements and structures. In addition, shallow or perched groundwater was encountered within the near-surface sand stratum at a depth of approximately 7.6 feet below ground surface at the location of Boring B-5. Groundwater or perched water was not encountered during the drilling or following completion of drilling at the remaining boring locations. It should be noted that water levels in the boreholes may require additional time to stabilize depending on the permeability of the soils. However, due to the project schedule and for safety reasons, the boreholes were backfilled at the end of the investigation day. Borings were backfilled with soil cuttings following the completion of the soil borings. In addition, it should be noted that groundwater levels at this site are subject to seasonal fluctuations or other mechanical control. Therefore, difficulty with groundwater seepage is not anticipated during shallow foundation and utility excavations at this site. Finally, following proper site preparation, as outlined in Section 5.9 of the PSI Geotechnical



Report for this location, dated July 1, 2014; the footing or grade beams supporting the proposed building and trash enclosure masonry walls can be placed on suitable native soils or properly placed and compacted engineered fill, provided they are dry and stable at the time of construction. To minimize settlement potential below the proposed building, the footings or grade beams should be designed for a maximum allowable net bearing pressure of **2,000 psf**.

- 2) *Describe the vegetation, giving specific locations of specimens of six-inch (6") diameter or greater, or areas of unusual interest on parcels of five (5) acres or more.*

The property has been graded, and all vegetation has been removed. Based on a review of historic aerial photographs and historical USGS topographic maps, the site was previously developed with a residential structure sometime prior to 1908. The site was also used for agricultural purposes from sometime prior to 1940, to sometime in the mid to late 1960s. The residential structure was demolished by the late 1960s to early 1970s. The property has been vacant, undeveloped land since that time. No specimens of six-inches in diameter or greater were noted.

- 3) *Describe the groundwater supply and proposed use.*

Shallow or perched groundwater was encountered within the near-surface sand stratum at a depth of approximately 7.6 feet below ground surface. This groundwater should not be developed for potable use. Groundwater was also encountered at the site at approximately 20 to 25 feet below the ground surface. Development of the site will not include the installation of a groundwater well for a potable water supply or irrigation. Potable water is provided to the site area by a municipal source.

- 4) *Give the location and extent of wetlands and floodplains.*

Based on a review of the Michigan Department of Environmental Quality Wetland Inventory Map, the National Wetland Inventory (NWI) wetlands identified by the U.S. Fish and Wildlife Service, and wetlands documented by the Michigan Department of Natural Resources' Michigan Resource Inventory System (MIRIS), wetlands were not identified on the site. Further, soil areas, including wetland soil types, are not located on the site.

Based on the Flood Insurance Rate Map for Oakland County, Michigan (All Jurisdictions) Map Number 26125C0393F; effective date September 29, 2006, the site is located in Zone X. Zone X is described as areas determined to be outside the 0.2 % annual chance floodplain. The site is not located within a floodplain.

- 5) *Identify watersheds and drainage patterns.*

Based on the U.S. Environmental Protection Agency (EPA) Surf Your Watershed website, the site is located within the Clinton River Watershed, Hydrological Unit Code (HUC) 04030003. The Clinton River watershed encompasses approximately 760 square miles in four counties in southeast Michigan, and includes over 1,000 miles of streams in addition to the 80-mile-long main branch. The river's headwaters are located in



Springfield and Independence townships, and ultimately flows into Lake St. Clair in Harrison Township.

The site is located within the Clinton Main subwatershed, which encompasses over 70 square miles within the central portion of Oakland County. This sub watershed includes 22 miles of the Clinton River main branch, and 38 miles of creeks and tributaries.

The main branch of the Clinton River, the nearest water body, is located approximately 1,250 feet northwest of the site.

B. Is there any historical or cultural value to the land?

Rochester Hills, Michigan (then Avon Township) was first settled in 1817, for use as agricultural land. The lands were heavily wooded, with rivers and creeks. Agricultural lands decreased in the early 1900s.

Based on a review of historic aerial photographs and historical USGS topographic maps, the site was previously developed with a residential structure sometime prior to 1908. The site was also used for agricultural purposes from some time prior to 1940, to sometime in the mid to late 1960s or early 1970's. The residential structure was demolished by the late 1960s to early 1970s. The property has been vacant, undeveloped land since that time. The USGS topographic maps indicate the surrounding area was first developed sometime prior to 1908, with buildings (likely residential structures) along Crooks Road. The area was historically used for agricultural purposes until sometime in the 1970s.

Based on the Historic Districts and Sites map published by the Rochester Hills Management Information Systems (MIS) Department, dated June 11, 2013, the site is not located within a historic district.

C. Are there any man-made structures on the parcel?

Based on a review of historic aerial photographs and historical USGS topographic maps, the site was previously developed with a residential structure sometime prior to 1908. This structure was demolished by the late 1960s to early 1970s. The property has been vacant, undeveloped land since that time.

An existing 20 foot water main easement runs through the southeast corner of the site. In addition, curbed access from Crooks Road is located on the northeast corner of the site.

D. Are there important scenic features?

Based on the Natural Features Inventory of the City of Rochester Hills, Michigan, and on data collected October 1 through December 8, 2004 by Niswander Environmental, LLC, no Natural Areas are located on the site. Further, based on the City of Rochester Hills Green Space maps produced by the MIS Department and based on the Natural Features data, dated September 18, 2013, no Green Space Properties, Conservation Easements, Subdivision Open Spaces, or City Owned Parcels are located on the site.

Based on the City of Rochester Hills Park Department, no park locations are located on the site. Based on the City of Rochester Hills Public Facilities and Points of Interest map



published by the MIS Department and revised on September 2, 2009, no public facilities or points of interest are located on the site. Based on the Historic Districts and Sites map published by the Rochester Hills Management Information Systems (MIS) Department, dated June 11, 2013, the site is not located within a historic district.

No scenic features were identified on the site.

E. What access to the property is available at this time?

Curbed access from Crooks Road is located on the northeast corner of the site. No paved driveways or parking areas are currently present.

F. What utilities are available?

Existing underground gas lines and aboveground electric lines are present along the west side of Crooks Road, adjacent to the site. An existing water main easement runs through the southeast corner of the site, and crosses beneath Crooks Road to an existing water line that runs along the east side of Crooks Road. Sanitary services are available to the site area. The existing sanitary line is located west of the site, and runs north towards a line located along Avon Industrial Drive.



PART II
THE PLAN – COMMERCIAL
(5 acres or more only)

The site parcel encompasses approximately 0.6 acre of land. The development will be less than five acres; therefore, this section of the environmental impact statement is not required.



PART III IMPACT FACTORS

A. *What are the natural and urban characteristics of the plan?*

- 1) *Total number of acres of undisturbed land.*

0 Acres: The entire 0.6 acre parcel has been graded to prepare for redevelopment.

- 2) *Number of acres of wetland or water existing.*

0 Acres.

- 3) *Number of acres of water to be added.*

0 Acres.

- 4) *Number of acres of private open space.*

0 Acres.

- 5) *Number of acres of public open space.*

0 Acres

- 6) *Extent of off-site drainage.*

The area of the proposed development is estimated at approximately at 27,4280.42 square feet. Terminal islands will be located throughout the interior parking lot, and landscaped areas around the exterior of the development, which will allow for some infiltration of stormwater. However, the majority of the development will be covered with impermeable surfaces (asphalt and concrete parking area and the building). Catch basins will be located throughout the parking lot. Stormwater drainage will be collected in these catch basins, and directed to the existing municipal system along Crooks Road.

- 7) *List of any Community facilities to be included in the plan.*

None.

- 8) *How will utilities be provided?*

Development of the site will include connection to the existing utility systems in the site area. Gas, electric, and water connections will enter the site from the east side. Sanitary services will be connected from the south side of the site, then run west to an existing line located west of the site.

B. *What is the current planning status?*

At this time, site plans have been developed for the construction of a Taco Bell Restaurant. The building will be located on the south end of the property, with associated parking



located north and east of the building. The parking area will provide 27 parking spaces and two barrier free parking spaces. The restaurant will have one service window, and a drive-thru lane will run along the west and south side of the site, and south of the building. This drive-thru lane will provide the required ten stacking spaces. Access to the site will be provided on the northeast corner of the site by Crooks Road. Ornamental trees, shade trees, and shrub screening hedges will be installed along the landscaped areas along Crooks Road, and shade trees will be planted in the terminal islands within the interior parking lot landscaped areas. (See attached Proposed Site Sketch).

C. Projected timetable for the proposed project.

Construction at the site is scheduled to commence in early April of 2015. The proposed owner estimates that building construction will be completed within 90 to 100 days. They anticipate being open for business by late July of 2015.

D. Describe or map the plan's special adaptation to geography.

The property is relatively flat, and will require no special plans to address slope. The footing or grade beams supporting the proposed building and trash enclosure masonry walls can be placed on suitable native soils or properly placed and compacted engineered fill, provided they are dry and stable at the time of construction.

E. Relation to surrounding development or areas.

Based on the City of Rochester Hills Existing Land Use prepared by McKenna Associates, dated August 4, 2010, the site and some adjoining lots are vacant, and the surrounding areas consist primarily of commercial/office, industrial, and vacant properties.

Based on the City of Rochester Hills, Michigan Zoning Districts map Published by the MIS Department on June 24, 2014, the site and adjoining lots and parcels are located in the B-3: Shopping Center Business Zoning District. The surrounding sites include various commercial zoning districts, including O-1: Office Business, REC-W, Workplace, B-5: Automotive Business, B-4: Freeway Service Business, and Industrial. Beyond these immediately surrounding areas are various additional commercial and office development, as well as various residential zoning districts.

F. Does the project have a regional impact?

Yes.

1) *Of what extent and nature?*

Based on the City of Rochester Hills, Michigan Future Land Use map, the site is located within the M-59 Regional Employment Area. Based on the City of Rochester Hills Master Land Use Plan adopted by the City of Rochester Hills Planning Commission on February 6, 2007, the goals for this area include maintaining and further developing the area, with the intent to promote new investments to the area, increase employment at existing buildings, and guide expansion into adjacent areas. Policies and regulations for this area should permit office, research and technology, and light manufacturing. Regulations should also permit support services, including fitness centers, restaurants, postal and



shipping services, and banks, but other retail uses should be prohibited. The development of this site as a restaurant meets the objectives of this area as a support service.

- G. *Describe the anticipated adverse effects during construction, and what measures will be taken to minimize the impact.*

Construction at the site will include grading the property, exposing soils and increasing the potential for soil erosion and sedimentation. The site development is less than one acre in size, and therefore, will not require permitting for stormwater management or soil erosion and sediment control. However, measures will be taken to control erosion, prevent off-site sedimentation, and protect the adjoining sites, such as the installation of silt fences during construction activities and employing dust control measures.

- H. *List any possible pollutants.*

The intended future use of the site is as a restaurant. This will include the use of hazardous substances that may be included in cleaning and maintenance products. It is not anticipated that these substances would be maintained onsite in significant quantities, and therefore do not represent an environmental concern.

The use as a restaurant will generate waste fats, oils, and grease. The site development plan includes the installation of a grease trap along the sanitary line, located west of the building, to intercept fats, oils, and grease prior to entering the main sanitary line.

- I. *What adverse or beneficial changes must inevitably result from the proposed development?*

1) *Physical*

a. *Air Quality*

None

b. *Water effects (pollution, sedimentation, absorption, flow, flooding)*

Development of the site includes the construction of impervious surfaces, including a 2,159 square foot building, with associated parking and drive areas, which have the potential to reduce infiltration, and increase storm-water runoff. Landscaped areas along Crooks Road and terminal islands within the interior parking lot will be landscaped with grass, ornamental trees and hedges, and shade trees to promote infiltration of water. Storm-water catch basins will be installed throughout the parking lot, and roof drains on the building will reduce storm-water runoff.

c. *Wildlife habitat, where applicable*

Not Applicable

d. *Vegetative cover*



Based on a review of historic aerial photographs and historical USGS topographic maps, the site was used for agricultural purposes from sometime prior to 1940, to sometime in the mid to late 1960s. The property has been vacant, undeveloped land since the late 1960s to early 1970s. Vegetation at the site consisted of grass until it was graded, and the site currently consists of bare soils.

Vegetative cover at the site will be limited to decorative landscaping located throughout the site. These areas primarily include grass, ornamental trees, shade trees, and shrub screening hedges along Crooks Road and within the terminal islands located throughout the interior parking lot.

e. *Night light*

The site and some adjoining lots are vacant, and the surrounding areas consist primarily of commercial/office, industrial, and vacant properties, with no residential development on the immediate surrounding properties. The potential impact of night lighting in this predominately commercial and industrial developed area is low. In addition, any lighting installed on the site will comply with the City of Rochester Hills Zoning Ordinance. The developer is planning on installing Low-Level LED lighting at this location. The restaurant will be open 18 hours per day, with hours of operation tentatively scheduled from 7:00 a.m. to 3:00 a.m. Eastern Time.

2) *Social*

a. *Visual*

The building is designed to be aesthetically pleasing, with landscaping that meets or exceeds local zoning requirements. Landscaping at the site will include grass, ornamental trees, shade trees, and shrub screening hedges along Crooks Road and within the terminal islands located throughout the interior parking lot.

b. *Modes of transportation (automotive, bicycle, pedestrian, public)*

Transportation to the site will primarily be automotive traffic from the surrounding area.

Sidewalks are located on the east and west sides of Crooks Road. Crosswalks are present at the intersection of Crooks Road and Avon Industrial Drive, approximately 225 feet north of the northeast corner of the site. Since the property does have sidewalk access, some foot traffic is possible.

c. *Accessibility of residents to:*



1. *Recreation*

The proposed development will not have recreational facilities.

2. *Schools, libraries*

The proposed development will not have a school or library.

3. *Shopping*

The nearest shopping center is located approximately 600 feet north of the site. The proposed development will include the construction of a restaurant, and will not have retail commodities or services.

4. *Employment*

The development of the site will result in the creation of approximately 40 new fast food industry jobs (number of employees is estimated at six to eight per shift) with wages of approximately \$8.88 to \$9.77 per hour (U.S. Department of Labor Employment Standards Administration Wage and Hour Division, Wage Determination Number 2014-0548, Revision 1, June 11, 2014 for Lapeer, Livingston, Macomb, Oakland, and St Clair Counties, Michigan).

5. *Health facilities*

The proposed development will not have health facilities.

3) *Economic*

a. *Influence on surrounding land values*

The site is identified as Unit 4 of the Oakland Condominium Plan No 531 Star-Batt Condominiums Convertible Area. This area is comprised of four total units, Units 1 through 4, and each unit is approximately one acre in size. The properties are currently classified as Business Vacant. The development of the site may provide future access to Units 2 and 3, which are currently inaccessible from the existing roadways. Access to these lots will allow for future development of the vacant parcels, which will increase the land value of the immediate surrounding properties.

b. *Growth inducement potential*

The proposed site development supports the area growth plan identified in the City of Rochester Hills Master Land Use Plan as a support service for the growing office, research and technology, and light manufacturing uses in the area.



In addition, as described above in 3) a., development of the site may provide future access to previously inaccessible lots, which can support growth of these currently vacant properties.

c. *Off-site costs of public improvements*

All development costs will be covered by the developer.

d. *Proposed tax revenues (assessed valuation)*

The developer has stated that the proposed cost to acquire the vacant land is estimated at \$370,000, and cost to build the building is estimated at \$600,000. The City of Rochester Hills, Michigan was contacted to determine the proposed tax revenues for the development as proposed, which were estimated at \$25,000 per year.

e. *Availability or provisions for utilities.*

Existing underground gas lines and aboveground electric lines are present along the west side of Crooks Road, adjacent to the site. An existing water main easement runs through the southeast corner of the site, and crosses beneath Crooks Road to an existing water line that runs along the east side of Crooks Road. Sanitary services are available to the site area. The existing sanitary line is located west of the site, and runs north towards a line located along Avon Industrial Drive.

J. *Additional factors:*

- 1) *In relation to land immediately surrounding the proposed development, what has been done to avoid disrupting existing uses and intended future uses as shown on the Master Land Use Plan?*

Based on the City of Rochester Hills, Michigan Future Land Use map, the site is located within the M-59 Regional Employment Area. Based on the City of Rochester Hills Master Land Use Plan adopted by the City of Rochester Hills Planning Commission on February 6, 2007, the goals for this area include maintaining and further developing the area, with the intent to promote new investments to the area, increase employment at existing buildings, and guide expansion into adjacent areas. Policies and regulations for this area should permit office, research and technology, and light manufacturing. Regulations should also permit support services, including fitness centers, restaurants, postal and shipping services, and banks, but other retail uses should be prohibited. The development of this site as a restaurant meets the objectives of this area as a support service.

The development of this site as a restaurant will not disrupt existing uses or intended future uses as shown on the Master Land Use Plan.

- 2) *What specific steps are planned to revitalize the disturbed or replace the removed vegetative cover?*



The site was used for agricultural purposes from sometime prior to 1940, to sometime in the mid to late 1960s. The property has been vacant, undeveloped land since the late 1960s to early 1970s. Vegetation at the site consisted of grass until it was graded, and the site currently consists of bare soils.

Replacement of the vegetative cover will be limited to landscaping at the site, which will include grass, ornamental trees, shade trees, and shrub screening hedges along Crooks Road and within the terminal islands located throughout the interior parking lot.

3) *What beautification steps are built into the development?*

The building is designed to be aesthetically pleasing, with landscaping that meets or exceeds local zoning requirements. Landscaping at the site will include grass, ornamental trees, shade trees, and shrub screening hedges along Crooks Road, within the terminal islands located throughout the interior parking lot.

4) *What alternative plans are offered?*

No alternatives are offered at this time. If the developer cannot develop the site as proposed, they will not purchase the property.



PART IV THE SUMMARY

The proposed site development supports the area growth plan identified in the City of Rochester Hills Master Land Use Plan as a support service for the growing office, research & technology, and light manufacturing uses in the area of the Regional Employment Area. The site is located adjacent to the Auburn/Adams Regional Employment Center/Smart Zone, a Level 2 gateway, and near the M-59/Crooks Interchange, a Level 1 gateway, as identified in the City of Rochester Hills Master Land Use Plan. The proposed development will incorporate landscaping elements that will convey a positive image of the City to both residents and visitors. The inclusion of decorative landscaping and ornamental trees will provide an aesthetically pleasing improvement to the existing, undeveloped and vacant lot.

The development of the site will result in the creation of approximately 40 fast food industry jobs. Development at this location will increase future growth potential for the area, as well as additional job creation.

No natural, scenic, or historic features were identified on the site. As such, no immediate or lasting effects upon the community are expected by developing the site. Further, no significant ecological impacts are expected as a result of development with the exception of the potential for increased storm water runoff due to increased impervious surfaces, which will be addressed through appropriate grading, landscaping features, and a storm water collection system.



Warranty

PSI warrants that the findings and conclusions reported herein were conducted in general accordance with good industry practice and the PSI proposal. However, these findings and conclusions contain all of the limitations inherent in these methodologies, some of which are more specifically set forth below.

The assessment has been developed to provide the Client and the City of Rochester Hills, Michigan with information regarding apparent indications of recognized environmental conditions and the proposed future use relating to the subject property. It is necessarily limited to the conditions observed and to the information available to PSI at the time of the work. The environmental impact letter and conclusions presented herein were based upon the subjective evaluation of limited data and information available to PSI at this time. They may not represent all conditions at the subject site as they reflect the information gathered from specific locations. PSI warrants that the findings and conclusions contained herein have been promulgated in accordance with generally accepted environmental investigation methodology and only for the site described in this report.

This assessment is based on the best available information at the time of issuance. There is a possibility that conditions may exist that could not be identified within the scope of the environmental impact assessment or which were not apparent at the time of the preparation of this report.

Use by Third Parties

This report was prepared pursuant to the contract PSI has with the Client. That contractual relationship included an exchange of information about the subject site that was unique and between PSI and its Client and serves as the basis upon which this report was prepared. Because of the importance of the communication between PSI and its Client, reliance or any use of this report by anyone other than the Client and the City of Rochester Hills, Michigan, for whom it was prepared, is prohibited and therefore not foreseeable to PSI.

Reliance or use by any such third party without explicit authorization in the report does not make said third party a third party beneficiary to PSI's contract with the Client and the City of Rochester Hills, Michigan. Any such unauthorized reliance on or use of this report, including any of its information or conclusions, will be at third party's risk. For the same reasons, no warranties or representations, expressed or implied in this report, are made to any such third party.



September 22, 2014

PSI appreciates the opportunity to provide quality environmental services and thanks you for choosing PSI as your consultant for this project. If you have any questions, or if we can be of additional service, please call us at (734) 453-7900.

Respectfully submitted,

PROFESSIONAL SERVICE INDUSTRIES, INC.

Nicholas Marcelletti, P.G., C.P.

Nicholas Marcelletti, P.G., C.P.
Project Scientist
Nicholas.marcelletti@psiusa.com

Joseph T. Konrad

Joseph T. Konrad
Manager, Environmental Services
Joseph.konrad@psiusa.com

Patricia St. Peter

Patricia St. Peter, LPG
Principal Consultant/Senior Geologist

P:\0166 Env\2014\0166 Projects\0166-601 Ph2 Guggenheim Retail Real Estate Partners Prop Taco Bell Crooks Rd Rochester Hills,
MI\0166-601-Environmental Impact Report\0166-601 Environmental Impact Letter Report.doc

Attachments





City of
ROCHESTER HILLS

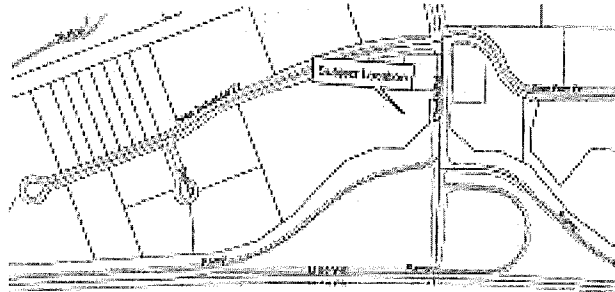
1000 Rochester Hills Drive, Rochester Hills, Michigan 48309-3033

NOTICE OF PUBLIC HEARING
ROCHESTER HILLS PLANNING COMMISSION

REQUEST: Conditional Land Use Recommendation, pursuant to the requirements of the Michigan Zoning Enabling Act (2006 PA 110, MCL 125.3103) of the State of Michigan, and pursuant to Sections 138-2.300-2.302 and 138-4.410 of Chapter 138 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to construct a drive-through at a proposed Taco Bell Restaurant on Parcel No. 15-29-276-005, zoned B-3, Shopping Center Business (City File No. 14-015).

LOCATION: West of Crooks, South of Avon Industrial

APPLICANT: Guggenheim Retail Real Estate Partners
3000 Internet Blvd., Suite 570
Frisco, TX 75034



DATE OF PUBLIC HEARING: Tuesday, January 20, 2015 at 7:00 p.m.

LOCATION OF PUBLIC HEARING: Rochester Hills Municipal Offices
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

Information concerning this request may be obtained from the Planning Department during regular business hours from 8:00 a.m. to 5:00 p.m., Monday through Friday, or by calling (248) 656-4660. Written comments concerning this request will be received by the City of Rochester Hills Planning Department, 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, prior to the public hearing or by the Planning Commission at the public hearing. This request will be forwarded to City Council after review and recommendation by the Planning Commission, and any person having an ownership interest in the property in question, or residing or owning property within three hundred (300) feet of the property in question, may be granted a public hearing by the City Council by requesting it in writing, addressed to the Clerk of the city before the decision is made.

William F. Boswell, Chairperson
Rochester Hills Planning Commission

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is invited to contact the Facilities Division (656-4658).

Publish January 5, 2015