



Planning and Economic Development
Ed Anzek, Director

From: Ed Anzek, AICP, Director
To: City Council, Mayor Barnett
Date: September 9, 2011
Re: Tim Horton's Site Plan

This memo is being submitted to advise the City Council that the site plan for the proposed Tim Horton's restaurant on Adams Rd. have been determined to be in substantial technical compliance. The site is near the Marketplace Circle, and is one of the properties included in the 2005 consent judgment with Grand Sakwa.

In accordance with the directions as set by the amended consent judgment, this memo is to be considered as the Technical Review Committee's written recommendation in regards to the Tim Horton's site plan.

The plans have gone through two complete submittals for review. The Technical Committee consisted of representatives from the Building, Engineering, Fire, Planning and Economic Development, Parks and Forestry and Assessing Departments, and in the first submittal, the plans were forwarded to outside agencies such as the Road Commission for Oakland County, the Water Resources Commissioner, DTE, and the Oakland County Health Department.

Each member of the Technical Review Committee evaluated the plans against the provisions of the Consent Judgment, along with applicable codes and ordinances if they were not specifically accounted for in the Consent Judgment. The Consent Judgment also called for an expedited review that required the City to complete all reviews within 21 days upon receipt.

The proposed stand-alone Tim Horton's contains 1,953 square feet, and 36 parking spaces including two handicap spaces. All setback, loading areas and trash enclosures meet or exceed the requirements of the Consent Judgment or the City's Zoning Ordinance standards. The site lighting fixtures are 20 feet in height and the lighting plans show zero footcandles at the property lines. However, in a few areas the photometric plans show a 24 footcandle level. The City's Zoning Ordinance provides a 10 footcandle maximum and a condition of approval requires the 10 footcandle maximum. Elevations consist of a combination of stone and lap-siding. The general color scheme consists of tan and brown earth tones.

The plans that were reviewed also showed a potential development immediately east. It appears that this future development may be of a similar use and size. However, at this time the site plan approval request does not include this future potential development.

The plans dated received July 26, 2011 are attached as part of this report. The plans as submitted are found to be in compliance with all applicable ordinances and provisions of the Consent Judgment and a recommendation to approve is in order as contained within the Amended Consent Judgment, Section 9, Approvals/Additional Requirements: 4.3.; subject to the following acknowledgment and conditions:

- 1) That a Landscape and Island Tree Performance Bond in the amount of \$24,080.00 be submitted, prior to issuance of a Land Improvement Permit
- 2) Add an ADA pathway ramp crossing to cross Adams Road along the east leg at Forester Blvd., as well as pedestrian push-buttons and countdown signals, prior to Construction Plan Approval

MEMO

Tim Horton's Site Plan

September 9, 2011

Page 2

- 3) Construct the proposed Adams pathway 10' back of street curb to maintain an adequate safety green belt, prior to Construction Plan Approval
- 4) Add two additional canopy trees on the east side of the site along the south side of the access drive connecting to the site to the east, prior to Final Approval by Staff
- 5) Loop water main stub to Adams Road with a revision to the water main easement recorded in L.40361 P.162-165, prior to Construction Plan Approval
- 6) Revise lighting plan to comply with Zoning Ordinance requirements for maximum light intensity within the site (10 footcandles), per Section 5.F of the Consent Judgment, prior to Final Approval by Staff.

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