



Department of Planning and Economic Development

Staff Report to the Planning Commission

March 16, 2018

RH House	
REQUEST	Conditional Use Recommendation Site Plan Approval
APPLICANT	Mike Pizzola Designhaus Architecture 301 Walnut Rochester, MI 48307
LOCATION	2630 Crooks Rd., west side of Crooks, south of M-59
FILE NO.	17-050
PARCEL NO.	15-29-427-037
ZONING	REC-I Regional Employment Center - Interchange
STAFF	Kristen Kapelanski, AICP, Manager of Planning

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Summary

The applicant is proposing to redevelop the former YaYa’s Chicken restaurant on 2.19 acres on the west side of Crooks south of M-59 with a new, 4,411 s.f. restaurant with site improvements. The restaurant plans to serve alcoholic beverages, and the liquor license for the establishment will require a Conditional Use Recommendation from the Planning Commission. The former restaurant had a drive-through, which will be removed, and an outdoor seating area is being added. Hours of operation will be 8:00 a.m. to 7:00 p.m. seven days a week with two shifts. Anticipated employment is 7-10 workers per shift.

Adjacent Land Uses and Zoning

The site is surrounded by Regional Employment Center zoning and is Master Planned the same. REC-I permits the proposed restaurant use. There are businesses on all sides of the proposed site, including to the east across Crooks Rd.

General Requirements for Conditional Uses

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 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.

The applicant has provided a letter in response to how the proposed development will meet these discretionary criteria.

Site Plan Review Considerations

1. **Site Layout.** The site is in compliance with all building, area and setback requirements of the REC-I district. The existing paved areas will remain.
2. **Parking.** The proposed parking for a restaurant is one space per two persons permitted at maximum occupancy. 58 spaces are required, and 58 are proposed. Four barrier free spaces are required, and four are proposed. Employee parking spaces will be 9 x 18 feet and other spaces will be 10 x 18 ft. as required. Parking setbacks are in compliance. The existing site shares an access drive with the property to the west.
3. **Landscaping.** The plans comply with the landscaping and tree replacement requirements applicable to the site. The applicant will be required to post a landscape bond. The landscape plan will be conditioned upon the comments in Parks and Natural Resources memo.
4. **Lighting.** The proposed lighting plan is in compliance for fixtures, height and wattage. The footcandles must be reduced to below 1.0 at the south property line (currently shown at 2.0).
5. **Tree Removal.** The site is subject to the city's tree conservation ordinance, but no trees are proposed to be removed. There are ten trees on site, four of which are larger than 6" caliper, all of which will be saved.
6. **Building Design.** The proposed building appears to be generally designed in accordance with the City's Architectural Design Standards. Elevations include a stone and EIFS façade with accent metal panels. The screening for the dumpsters will be painted to match the proposed restaurant. Colored elevations are included.
7. **Other Reviews.** The plans have received recommendation of approval from the City's engineering and fire departments. The Building Department comments can be handled at the time of building permit application. Please refer to the appropriate attached reviews.

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 and consultants, which are attached for consideration. The review for this project is considered a discretionary review by the Planning Commission because of the request for conditional use approval as noted in this report. In order to recommend approval of the required conditional use, the Planning Commission shall find that the conditional use meet the standards noted above under General Requirements for Conditional Uses.

A sample motion is provided below if the Planning Commission feels that the proposed project warrants the discretionary approval recommendation of the requested conditional use and the associated requested site plan

approval.

Motion to Recommend Conditional Use Approval

MOTION by _____, seconded by _____, in the matter of City File No. 17-050 (RH House) the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** for the sales and service for consumption of alcoholic beverages on site, based on plans dated received by the Planning Department on January 31, 2018, with the following findings.

Findings

1. The proposed building and other necessary site improvements meet or exceed the standards of the zoning ordinance.
2. The proposed use will promote the intent and purpose of the zoning ordinance.
3. The proposed building 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 use.
4. The proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs and another dining option.
5. 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.
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. 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.

Motion to Approve Site Plan

MOTION by _____, seconded by _____, in the matter of City File No. 17-050 (RH House), the Planning Commission **approves** the **Site Plan**, based on plans dated received by the Planning Department on January 31, 2018, 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 proposed project will be accessed by an existing driveway, promoting safety and convenience of vehicular traffic both within the site and on adjoining streets. Walkways have been incorporated to promote safety and convenience of pedestrian traffic.
3. Off-street parking areas have been designed to avoid common traffic problems and promote safety.
4. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
5. 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. Provide a landscape bond in the amount of \$7,855.00, plus inspection fees as adjusted as necessary by staff, for landscaping and irrigation, prior to temporary grade certification being issued by Engineering.
3. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.

Reference: Plans dated received by the Planning Department January 31, 2018 coordinated by Designhaus Architecture.

Attachments: Assessing Department memo dated 12/13/17; Building Department memo dated 2/5/18; Fire Department memos dated 2/8/18 and 2/16/18; Parks and Natural Resources memo dated 2/1/18; DPS/Engineering memo dated 2/7/18; Planning Memo dated 2/15/18; EIS dated received 10/17/17; Letter from Designhaus dated 2/23/18; and Notice of Public Hearing

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