



January 10, 2022

Dear City of Rochester Hills Planning Commission Members  
Chair Ms. Deborah Brnabic  
Vice Chair Mr. Greg Hooper  
City Council Representative Ms. Susan Bowyer, Ph.D.  
Mr. Gerard Dettloff  
Mr. John Gaber  
Mr. Nicholas O. Kaltsounis  
Ms. Marvie Neubauer  
Mr. Scott Struzik  
Mr. Ben Weaver

We, Kyan Flynn and Deanna Richard, are proposing a Biggby Coffee within the Meijer parking lot, providing drive-through as well as walk up services, at the intersection of Rochester & Auburn roads.

Deanna moved back home to Michigan from Pennsylvania and specifically to the Rochester Hills area to reunite with the community where she has enjoyed so much success. As an alum to Oakland University, she is one of 10 All-American basketball players in addition to being named Conference Player of the Year. Kyan has also moved home to Michigan and to Rochester Hills where she began her successful career in for-profit leadership. Together, with our backgrounds of leading teams and exceeding goals, we have envisioned bringing a Michigan based company in Biggby Coffee to a community that helped build our foundations as leaders and contributors.

The Biggby Coffee brand appeals to us because they exist to love people! Through Biggby Coffee we can connect and engage with our community. We want the Planning Commission to know more about Biggby. Please watch this [video](#) about the Biggby Coffee Brand Manifesto.

### [Biggby in Community](#)

We are community members who aspire to better ourselves and our community through utilizing our leadership foundations and natural desire to succeed, to fulfill a consumer demand. We know that Rochester Hills has high standards for us to meet. We have invested a significant amount of money, time, and sleepless nights into our plans for this Biggby Coffee location in Rochester Hills. We have made this investment based on the information we've gained since December 2020 – your zoning ordinances, conversations with staff as well as our partnership with Meijer on S. Rochester Rd. We've also employed various professional services to ensure our project meets the standards set for zoning ordinances.

We were humbled by the opinions expressed from the planning commission during the November public hearing, and we used the feedback as an opportunity to better our site plan for

the good of the community. It was at the December meeting, however, in which we became discouraged upon hearing completely new objections. We graciously addressed each of the concerns expressed from November, with the knowledge it would significantly increase our construction costs. We even commissioned a rendering to exemplify how the development will enhance the Meijer parking lot with added landscaping amid existing trees, more curbing for better traffic flow, and an inviting patio for people to enjoy their beverages. As the discussion led to new items of concern one of the commissioners expressed our feelings most accurately, stating, 'you are attempting to change the rules in the middle of the game'.

We can appreciate that our small, drive-through and walk-up only coffee shop is not for everyone's taste, but for others it's exactly what they prefer; and isn't that the benefit to having variety and options in a community? Since the introduction of drive-ins and walk-up windows in the 1920's, society has continued its transition to fast, convenient, and immediate services, especially for products like coffee. Companies like GrubHub and DoorDash are not only utilizing the ease of drive-throughs and carry out, but it facilitates their business models. In a world that is constantly changing and adapting, as we can see clearer than ever in recent years, we are hoping Rochester Hills stays true to its website slogan of "Innovative by nature" and signs in the community affirming we are Progressive.

It is our position that our proposal is harmonious and compatible, especially, within the general vicinity. We believe the members of this community agree. They have told us they can't wait for us to open and are excited for a Biggby Coffee to come to Rochester Hills so they can support a women's owned Michigan based company. They like the convenience of the drive-through and they think our building is refreshing and modernized.

We've outlined our position in the following pages.

We look forward to supporting our community with this coffee store that fulfills a growing demand from the Rochester Hills residents. We humbly request your support.

Thank you.

Sincerely,

Kyan Flynn & Deanna Richard  
BIGGBY COFFEE - Store 732

## PROPOSAL

Biggby Coffee with landscaping within an out lot in the Meijer parking lot providing drive-through as well as walk up services.

- A drive-through is permitted as a conditional use

First considered by the Planning Commission on November 16, 2021. The commission expressed concerns about the traffic flow and indicated a negative impression of the modular construction type.

Recommendations:

- Stone or brick façade
- Foundation concealment
- Address traffic flow

The recommendations of the commission were addressed in a revised proposal considered by the commission on December 21, 2021.

The commission expressed new concerns about the size of the building and the drive-through only use. It was expressed that the commission would not like to set a precedent for this type of business. The commission questioned whether the proposed Biggby Coffee building meets the harmonious and compatible Standards for Conditional Use Approval.

The staff report File No. 21-022 dated December 21, 2021, clearly states that all the professional staff employed by the city have recommended approval or approval with conditions as a use **compatible** with its surroundings.

## STANDARDS

The staff report File No. 21-022 dated December 21, 2021, clearly states that all the professional staff employed by the city have recommended approval or approval with conditions as a use **compatible** with its surroundings.

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. Each of the criterion are listed below in italics, followed by staff comments on the proposed conditional use's compliance with each.

1. *Will promote the intent and purpose of (the Ordinance).* **The B-3 and FB-3 districts do support and promote uses including a coffee shop** with a drive-through, although not specifically a modular structure placed within an existing parking lot.
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.* At the November 16, 2021, Planning Commission meeting the commissioners expressed concerns that the proposed modular structure was not harmonious in appearance with the surrounding buildings. **The applicant has submitted revised plans showing the structure to have full brick facades and skirting to cover the**

**open space between grade and the bottom of the structure. Landscaping as shown on the plans will help the structure to fit into the setting.**

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. **The modular structure will utilize a holding tank for sanitary waste and a grinder pump before connecting to the sewer.** The grinder pump which would be privately owned and maintained.*
4. *Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare. **There will be no detrimental, hazardous or disturbing activity to the existing or future neighboring uses, persons, property or to the public welfare.** The Planning Commissioners previously expressed concerns with regard to traffic flow for the proposed coffee drive-through and whether it may affect traffic to neighboring uses at Culver's and Meijer. The applicant submitted revised plans which show one entrance and exit to the southeast of the structure to address these concerns.*
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. **There will be no additional requirements at a public cost for public facilities and services that would be detrimental to the economic welfare of the community.** As previously mentioned, the grinder pump for sanitary waste would be privately owned and maintained.*

The proposal demonstrates the nondiscretionary standards for the B-3 Shopping Center Business District will be met. **Per definition, the building is a structure having a roof supported by walls for enclosure of persons. Per definition the drive-in establishment is developed so that its principal service character is dependent on providing a driveway approach to serve patrons while in their motor vehicles, rather than within a building or structure, so that consumption within motor vehicles may be facilitated.**

**APPEARANCE**

The proposed BCubed for Biggby Coffee is compatible and harmonious with other businesses in the general vicinity. It features a brick finish, a neutral (grey) color and attractive landscaping. The Fullerton Finish Systems exterior finish is the same product used by many national brands. A gallery of complete projects is available on the Fullerton [website](#).

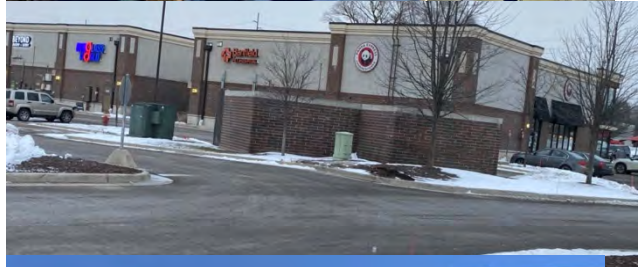
See following example photos for reference.











## PRECEDENT

The precedent has been set. The drive-through convenience business model is more popular and more in demand today than ever before. There are existing businesses in Rochester Hills and within the general vicinity that are small and do not have indoor seating. There are almost too many examples to share.

- ATM/Video Teller
- Carry-out pizza
- Ice Cream

See following example photos for reference.



Figure 1: Dairy Treat located at 1380 W Auburn Rd. Approximately 1.5 miles from proposed Biggby Coffee.



Figure 2. Dairy Treat





Figure 3: Brain Freeze located at 15336 E Auburn Rd. One mile from proposed Biggy Coffee.



Figure 4: Dairy Queen located at 743 N Main St. Approximately 5.5 miles from proposed Biggy Coffee. While this location is in the city of Rochester, not Rochester Hills the proximity speaks to the compatibility with the general vicinity and community.



Figure 5 Green Lantern Pizza, Walton Blvd. NO dine-in

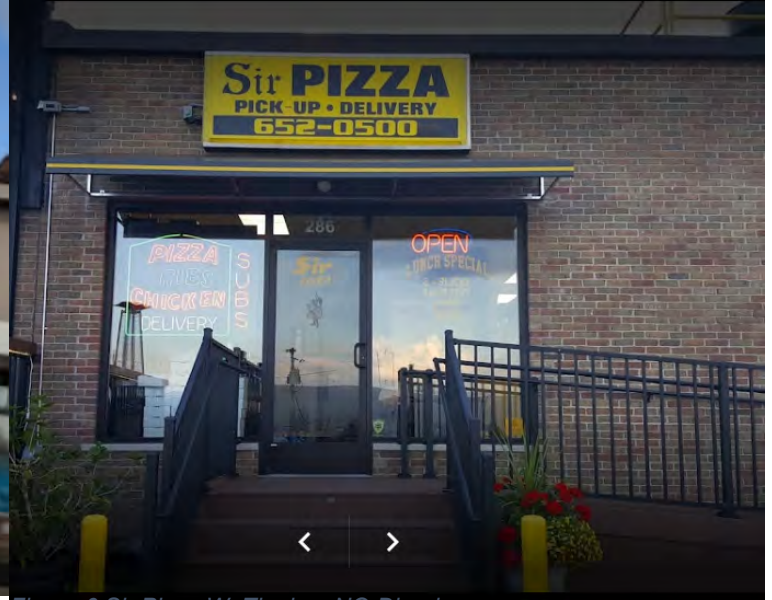


Figure 6 Sir Pizza W. Tienken NO Dine-in

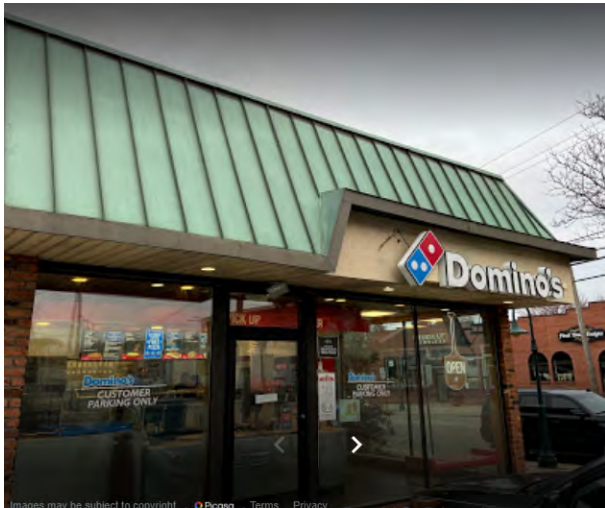


Figure 7 Domino's E University Dr. NO Dine-in



Figure 8 Little Caesars Walton Blvd. NO Dine-in

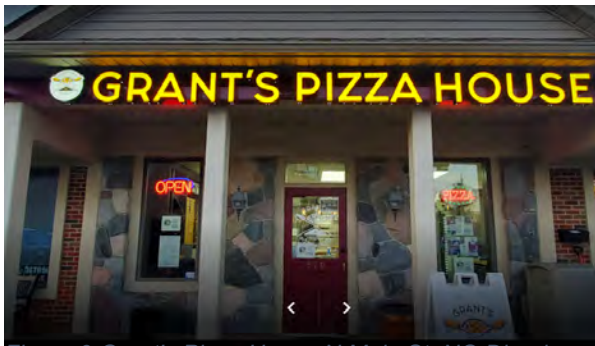


Figure 9 Grant's Pizza House N Main St. NO Dine-in