



## Department of Planning and Economic Development

Staff Report to the Planning Commission

April 13, 2012

### Taco Bell at Campus Corners

<b>REQUEST</b>	Conditional Land Use Recommendation Site Plan Approval REVIEW #2
<b>APPLICANT</b>	WT Development Corp. for Taco Bell of America, LLC 10223 E. Cherry Bend Rd., Suite A Traverse City, MI 49684
<b>AGENT</b>	Bill Beckett
<b>LOCATION</b>	Walton Blvd., east of Livernois
<b>FILE NO.</b>	12-002
<b>PARCEL NO.</b>	15-15-101-026
<b>ZONING</b>	B-3, Shopping Center Business
<b>STAFF</b>	Jim Breuckman, AICP, Manager of Planning

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#### Revisions and Major Issues

Following is a summary of major issues identified by the Planning Commission at the March 6 meeting and plan revisions that have been made to address those issues:

1. **Dumpster Location.** The applicant has reoriented the dumpsters to allow truck access for loading and unloading. The location of the dumpster enclosure is proximate to the dumpsters on the adjacent gas station site. Further, the in-line shopping center directly to the east has dumpsters located in a more visible location along the east-west circulation lane within the site, so locating the dumpsters in their proposed location is not unprecedented. The alternate location would be highly visible from Walton and would place the dumpsters between the building and the street, which is not a desirable site layout.
2. **Interior Site Circulation.** Site circulation has been revised and is now one-way around the building with angled parking. This has resulted in the loss of 3 parking spaces, but should ease access through the site.

3. **Sidewalks and Exterior Site Circulation.** The applicant is proposing to add a sidewalk along the south side of the existing east-west circulation lane in the parking lot. This sidewalk will serve multiple purposes:
  - The first purpose is to provide a safe walking route through the parking lot to provide connections between overflow parking areas and the Taco Bell and Panera Bread sites, as well as a connection to the Kroger store and other stores to the south.
  - The second purpose is to provide traffic calming along the east-west circulation lane. As it exists today, the circulation lane is 30 feet wide. By way of comparison, travel lanes on M-59 are 12.5 feet wide, and so having 15 foot wide lanes in a parking lot circulation aisle is unnecessary and can encourage excessive speeds. Adding the sidewalk reduces the width of the circulation aisle to 25 feet, which is consistent with travel lanes on major arterial roadways.

Fixing problematic “street” design elements is a more desirable solution to the potential issue of excessive vehicle speeds near the Taco Bell site than constructing speed bumps or installing signs which treat only the symptoms and not the cause of the problem.

## Summary

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Taco Bell is proposing to construct a new 2,640 square-foot drive-thru restaurant with associated site improvements on a one-acre site located at the northwest corner of the Campus Corners Shopping Plaza at Walton and Livernois. The site is currently vacant and used for parking for the center, and the parking lot sits about nine feet below street elevation. The site will be accessed from an existing driveway to Walton or from the interior of the shopping plaza. The proposed drive-thru will not face the Walton Blvd. right-of-way, thereby eliminating glare from headlights into the road.

It should be noted that the site is a ground lease from the shopping center, so no new parcel will be created. The ground lease area has been designed to meet the one-acre minimum site area requirement for drive-through restaurants in Section 138-4.438, which is slated to be eliminated pending approval by Council.

## Adjacent Land Uses and Zoning

Drive-thru restaurants are permitted in the B-3 district as Conditional Land Uses (CLU) after Planning Commission recommendation and City Council approval of the CLU, per Section 138-4.300 of the Zoning Ordinance. The site is surrounded by commercial zoning and is Master Planned for commercial and flexible business. There is a gas station immediately to the west; a restaurant to the east; the Campus Corners Shopping Plaza to the south; and a bank and other commercial stores to the north across Walton.

## General Requirements for Conditional Land Uses (Section 138-2.302)

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There are five areas of consideration for the Planning Commission to regard in the discretionary decision of a conditional land use. They are:

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.

In response to these areas, the applicant has provided answers in the Environmental Impact Statement dated February 6, 2012, which is included.

## Site Plan Review Considerations

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1. **Parking.** A restaurant requires one space for every two persons at maximum occupancy. According to the plans, maximum occupancy per the building code will be 79 persons, requiring 40 spaces. Note that this is the building code's calculation for occupancy, which we understand from discussions with the applicant is higher than the anticipated actual maximum occupancy of the building. In fact, 49 seats are proposed in the restaurant, which would equate to 25 parking spaces being required for customers.

The plans now propose 21 spaces with one handicap-accessible space. Three parking spaces were lost in the shift to angled parking and one-way circulation around the building, which occurred at the Planning Commission's request.

The applicant's ground lease with the shopping center landlord grants Taco Bell the right to use parking areas, along with all other common areas within the shopping center. This means that Taco Bell has the right to use parking spaces that are adjacent to the site. When considered in conjunction, the overall shopping center and Taco Bell uses contain ample parking to meet the combined minimum parking requirement.

2. **Landscaping/Tree Removal.** The plans comply with the landscaping and tree replacement requirements applicable to the site, conditioned upon the posting of a landscape bond, submittal of an irrigation plan (including irrigation of the Walton Road right-of-way area adjacent to the applicant's site) and the minor comments in Parks and Forestry's review.
3. **Wetlands and Natural Features.** This proposal does not impact a wetland or natural feature setback.
4. **Lighting.** The lighting plan has been revised and complies with Ordinance standards.
5. **Stormwater Management.** Redevelopment of the site will result in less stormwater runoff due to a reduction in impervious area. Engineering has approved the plans subject to conditions in their memo to Staff. Those conditions will not impact the site layout.
6. **Building Design.** The proposed building is a custom adaptation of Taco Bell's standard design that has been configured to fit this site. The finished floor elevation of the building is about 9 feet below street level, so the building includes raised towers and parapet walls that function to increase visibility for the building and to screen rooftop equipment. The building materials include brick and limestone, and cornice details provide a cap for facades that help provide a finished feel. The proposed colors for the building are in keeping with Taco Bell guidelines, consistent with those used on the Rochester Road Taco Bell.
7. **Fire Department Comments.** The fire department has approved the Plans.

### **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. Based on the review comments included in this report or contained within the enclosed information staff recommends approval of the following motions relative to City File No. 12-002 (Taco Bell at Campus Corners Shopping Center).

## **Conditional Land Use Motion**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 12-002 (Taco Bell at Campus Corners) the Planning Commission **recommends** to City Council **Approval** of the **Conditional Land Use**, based on plans dated received by the Planning Department on March 22, 2012, 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 expanded 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 hospital, the general vicinity, adjacent uses of land, the natural environment, and the capacity of public services and facilities affected by the land 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.

## **Site Plan Approval Motion**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 12-002 (Taco Bell at Campus Corners), the Planning Commission **approves** the **Site Plan**, based on plans dated received by the Planning Department on March 22, 2012, 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 addition will be accessed by existing driveways, thereby 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 Land Use.
2. Provide a landscape bond for replacement trees in the amount of \$38,821.50, prior to issuance of a Land Improvement Permit for this development.
3. Appropriate approvals from the Oakland County Water Resources Commissioner must be obtained prior to issuance of a Land Improvement Permit for this project.
4. Address comments Parks and Forestry memo dated February 22, 2012 prior to final site plan approval by Staff.
5. Address comments from Building Department memo dated February 22, 2012 and DPS/Engineering memo dated February 23, 2012 prior to construction plan approval.

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Reference:	Plans dated received by the Planning Department March 22, 2012 ( <i>Cover Sheet C, Alta/ACSM Land Title Survey (Sheet C0.1) and ALTA/ACSM Land Title Survey (Sheet C0.2), Site Plan (Sheet C3.0), Site Details (Sheet C3.1), Site Details (Sheet C3.2), Grading Plan (Sheet C4.0), Grading Details (Sheet C4.1), Utility Plan (Sheet C6.0), Utility Details (Sheet C6.1), Planting Plan (Sheet L1.0), Irrigation Plan (Sheet L2.0), Illumination Plan (Sheet I1.0), Prelim. Floor/Equipment/Seating Plan &amp; Elevations (Sheet A0.1) and Illumination Plan (Sheet I1.0) and Lighting Details prepared by LandTech.</i>
Attachments:	Assessing Department memo dated 02/14/12; Building Department memo dated 02/22/12; Fire Department memo dated 3/29/12; Parks and Forestry memo dated 02/22/12; DPS/Engineering memo dated 02/23/12; Letter from Water Resources Commissioner dated 02/16/12; Minutes dated 03/06/12; and EIS dated 02/06/12;

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