



Planning and Economic Development  
Ed Anzek, AICP, Director

From: Sara Roediger, AICP  
 Date: 8/2/2016  
 Re: **Culvers (City File #16-015)**  
**Preliminary/Final Site Plan - Planning Review #2**

The applicant is proposing to construct a 4,062 sq. ft. drive-through restaurant on 1.08 acres on the south side of Auburn Rd., just east of Rochester Rd. as an outlot on the existing Meijer property. The project was reviewed for conformance with the City of Rochester Hills Zoning Ordinance. The comments below and in other review letters are minor in nature and can be incorporated into a final site plan submittal for review by staff after review by the Planning Commission.

1. **Zoning and Use** (*Section 138-8.200*). The site is zoned B-3 Shopping Center Business District with FB-3 Flex Business Overlay. The applicant has opted to develop this site under the FB-3 zoning regulations, which permits drive-through restaurants as conditional uses and requires a Planning Commission public hearing and recommendation to City Council. In addition, drive-through facilities need to be developed in accordance with the requirements of *Section 138-4.410* as follows:
  - a. *Drive-through uses must be built as an integral architectural element of the primary structure and use. Building materials shall be the same as those used in the primary structure. Drive-through facilities and structures separate from the primary structure are prohibited.* In compliance, the drive through is designed as part of the principal building on the site.
  - b. *Drive-through uses must be located to the rear or side of the primary structure, and set back a minimum of ten feet from the front building wall of the primary structure.* In compliance, the drive-through window is setback over 30 ft. from the front of the building.
  - c. *Drive-through uses shall be configured such that glare from headlights is obstructed from shining into a public right-of-way or neighboring residential use.* In compliance, additional shrubs were provided to better screen the drive thru, particularly where the headlights face Auburn Rd.
  - d. *Unless a more intense buffer is required by Section 138-12.300, a type B landscape buffer shall be provided along rear and side lot lines of a drive-through use located adjacent to a residentially zoned or used property.* Not applicable, the property does not abut any residentially zoned or used properties.

Refer to the table below for the zoning and existing and future land use designations for the proposed site and surrounding parcels.

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
<b>Proposed Site</b>	<b>B-3 Shopping Center Business w/FB-3 Flex Business Overlay</b>	<b>Vacant/Meijer parking lot</b>	<b>Business/Flexible Use 3</b>
North	B-3 Shopping Center Business w/FB-3 Flex Business Overlay	Hampton Village Centre	Business/Flexible Use 3
South	B-3 Shopping Center Business w/FB-3 Flex Business Overlay	Meijer	Business/Flexible Use 3
East	B-3 Shopping Center Business w/FB-3 Flex Business Overlay	Meijer	Business/Flexible Use 3
West	B-2 General Business w/FB-3 Flex Business Overlay	The Stone Shop	Business/Flexible Use 3

2. **Site Design and Layout** (Section 138-8.400-402 and 138-8.500-502). Refer to the table below as it relates to the area, setback, and building requirements of this project in the FB-3 district.

Requirement	Proposed	Staff Comments
<b>Front Yard Arterial Setback</b> (Auburn) 15 ft. min./25 ft. max.	<b>75.7 ft.</b>	<b>As proposed, the PC would need to modify these setback requirements as described in b. &amp; C. below</b>
<b>Front Yard Minor Setback</b> (Meijer Access Dr) 5 ft. min./20 ft. max.	<b>32.4+ ft.</b>	
<b>Side Yard Interior Setback</b> (west) none	84.7 ft.	In compliance
<b>Min. Bldg. Frontage Build-To Area</b> (Auburn)dsg 40%	<b>31.5%</b>	<b>As proposed, the PC would need to modify these setback requirements as described in c. below</b>
<b>Min. Bldg. Frontage Build-To Area</b> (Meijer Access Dr) 70%	<b>39%</b>	
<b>Max. Height</b> 3 stories/ 45 ft.	1 story/23 ft.	In compliance
<b>Min. Facade Transparency</b> Ground floor, non-residential use: 70%	<b>Front: 12%, Rear: 3%</b> <b>Left Side: 9%, Right Side: 8%</b>	<b>As proposed, the PC would need to modify this requirement as described in c. below</b>
<b>Building Materials</b> Primary Materials: 60% min. Accent Materials: 40% max.	Front: 64%/36%, Rear: 76%/34% Left Side: 67%/33%, Right Side: 63%/37%	In compliance

- a. In FB-3 districts, the proposed building is being designed in accordance with the Lawn Frontage building standards identified in Section 138-8.500 as follows:
- 1) *The building shall be set back a minimum of 15 feet from the front lot line. Unenclosed front porches shall be set back a minimum of 5 feet from the front lot line.* In compliance, the proposed building is over 75 ft. from the front lot line.
  - 2) *The principal entrance to the building shall be located at ground level and shall face a street. Secondary entrances facing the side or rear of the building are permitted.* In compliance, a front door has been added to the front elevation.
  - 3) *The maximum floor plate for a lawn frontage building along a minor street is 20,000 sq. ft. There is no maximum floor plate for a building of this type along an arterial street.* In compliance, the proposed building is 4, 062 sq. ft.
  - 4) *Parking may be located between the building and the street when a building of this type is used solely for retail purposes along an arterial street, and when the building is set back more than 70.* Not applicable.
  - 5) *Garages shall be set back a minimum of 10 feet behind the primary street facing façade of the building.* Not applicable.
- b. The front yard setback along arterial roads is permitted between 15 ft. to 25 ft. however a minimum setback of 70 ft. is an optional setback that can be approved if it is consistent with the following criteria:
- 1) *The requested option is consistent with the intent of the form-based district as established in Section 138-8.100.* In compliance, the proposed project will provide activity in an existing underused parking lot and is designed to be accommodating to pedestrian and bike travel.
  - 2) *The requested option is consistent with existing or planned development on adjacent or nearby parcels.* In compliance, the building is located similarly to other outlot development in the City and is setback from the road to accommodate fire access around the building, with outdoor seating in front.
  - 3) *The requested option will not negatively impact the potential of adjacent parcels to develop in accordance with the standards of this Article 8.* In compliance, the site is internally accessed from the Meijer parking lot and provides a cross access to the site to west to facilitate additional connectivity with future redevelopment of that site.
  - 4) *The requested option will, in the opinion of the reviewing authority, result in a superior site design or layout than would a permitted improvement or layout.* In compliance, the site is designed with an outdoor patio and amenity space in front of the building along with the fire access lane.

- c. The Planning Commission has the ability to modify regulations on the FB-3 district upon a determination that the requested modifications:
- 1) Meet the intent of the FB district.
  - 2) That evidence has been submitted demonstrating that compliance with the standard makes development impractical.
  - 3) Will not make future adjacent development impractical.
  - 4) Is the smallest modification necessary.
  - 5) Will permit innovative design.
3. **Exterior Lighting** (Section 138-10.200-204). A photometric plan showing the location and intensity of exterior lighting has been provided. Refer to the table below as it relates to the lighting requirements for this project.

Requirement	Proposed	Staff Comments
<b>Shielding/Glare</b> 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	8 pole mounted & 21 wall mounted fixtures	In compliance
<b>Max. Intensity</b> (measured in footcandles fc.) 10 fc. anywhere on-site, 1 fc. at ROW, & 0.5 fc. at any other property line	4.1 on-site, 0.0 along ROW, 0.4 along other property lines	In compliance
<b>Lamps</b> 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	105 watt, LED fixtures	In compliance
<b>Max. Height</b> 20 ft.	18 ft.	In compliance

4. **Parking, Loading and Access** (Section 138-8.600 and 138-11.100-308). Refer to the table below as it relates to the parking and loading requirements of this project.

Requirement	Proposed	Staff Comments
<b>Min. # Parking Spaces</b> Nonresidential: 1 space per 400 sq. ft. = 11 spaces	46 spaces	Parking standards may be modified by the PC if the applicant provides evidence that additional parking is required based on demand on a typical day, the applicant has provided Culver's site criteria which requires 1 space per every 2 seats (typically 50 spaces)
<b>Max. # Parking Spaces</b> 125% of Min. = 14 spaces		
<b>Min. # Stacking Spaces</b> Restaurant Service Window: 10 spaces per window=10 spaces	15 spaces	In compliance
<b>Min. Barrier Free Spaces</b> 2 BF spaces 11 ft. in width w/ 5 ft. aisle for 26-50 parking spaces	2 spaces	In compliance
<b>Min. Parking Space Dimensions</b> 9 ft. x 18 ft. (employee spaces) 10 ft. x 18 ft. (customer spaces) 24 ft. aisle	9+ ft. x 18 ft., 24+ ft. aisles	In compliance
<b>Min. Parking Front Setback</b> (Auburn) 15 ft.	55+ ft.	In compliance
<b>Min. Parking Side Setback</b> (east/west) 10 ft./10 ft.	11.1 ft./10 ft.	In compliance
<b>Loading Space</b> No requirement; however, sites shall be designed such that trucks & delivery vehicles may be accommodated on the site	Loading can take place in the 2 areas south of the building near the dumpsters & employee parking	In compliance

- a. The plan relocates the existing Meijer access drive and removes existing parking spaces. The existing Meijer site has 1,000 spaces, while only 918 are required per ordinance. As part of this development, 62 spaces will be removed, resulting in 938 parking spaces for Meijer, which continues to meet ordinance requirements.
  - b. A sidewalk connection to the pathway on Auburn Rd. is proposed. In an effort to improve pedestrian access to existing parking lot, a sidewalk is proposed to connect to the relocated Meijer access drive, and bike racks are provided on-site to encourage non-motorized access to the site. **The cross walk depicted on the relocated Meijer's Access Drive shall also be shown on the paving plan.**
  - c. Signed and recorded cross access easements must be provided with both the Meijer property and the property to west before a land improvement permit (LIP) will be issued.
5. **Outdoor Amenity Space** (Section 138-8.601). All developments in the FB districts shall provide outdoor amenity spaces with a minimum area of 2% of the gross land area of the development, or roughly 915 sq. ft. for this project. A 1,311 sq. ft. outdoor amenity space is indicated on the plans near Auburn Rd. that includes two benches.
  6. **Natural Features.** In addition to the comments below, refer to the review letters from the Engineering and Forestry Departments that may pertain to natural features protection.
    - a. **Environmental Impact Statement (EIS)** (Section 138-2.204.G). An EIS meeting ordinance requirements has been submitted.
    - b. **Tree Removal** (Section 126 Natural Resources, Article III Tree Conservation). The site is subject to the city's tree conservation ordinance, and so any healthy tree greater than 6" in caliper that will be removed must be replaced with one tree credit, this includes trees removed on the Meijer property. Trees that are dead or in poor condition need not be replaced. The plans indicate that all trees will be removed, which based on the tree survey, results in the removal of 17 regulated trees, requiring the approval of a tree removal permit and the 17 tree replacement credits, in the form of additional plantings as regulated in the Tree Conservation Ordinance or a payment of \$205.50 into the City's tree fund. **The landscape plan indicates 3 extra replacement trees over the required landscape below, resulting in a remaining 14 tree credits. This can be accommodated through \$2,877 being placed into the tree fund or the addition of 14 tree credits. Staff recommends additional trees to meet this requirement be planted along the west property line.** In addition, the 6 existing trees being removed on the Meijer property are being replaced with 6 proposed Linden trees.
    - c. **Natural Features Setback** (Section 138-9 Chapter 1). The site does not contain any required natural features setbacks.
    - d. **Steep Slopes** (Section 138-9 Chapter 2). The site does not contain any regulated steep slopes.
    - e. **Wetlands** (Section 126 Natural Resources, Article IV Wetland and Watercourse Protection). The site does not contain any regulated wetlands.
  7. **Dumpster Enclosure** (Section 138-10.311). Two dumpster enclosures, consisting of materials to match the building are proposed in the rear yard in accordance with ordinance requirements.
  8. **Landscaping** (Section 138-8.602 and 138-12.100-308). A landscape plan, signed and sealed by a registered landscape architect, has been provided. The requirements below are in addition to any replacement trees required above. Refer to the table below as it relates to the landscape requirements for this project.

Requirement	Proposed	Staff Comments
<b>Right of Way</b> (Auburn: 159 ft.) 1 deciduous per 35 ft. + 1 ornamental per 60 ft. = 5 deciduous + 3 ornamental	5 deciduous 3 ornamental	In compliance
<b>Parking Lot: Interior</b> 5% of parking lot + 1 deciduous per 150 sq. ft. landscape area = 1,382 sq. ft. + 10 deciduous	1,382 sq. ft. 10 deciduous	In compliance
<b>Front Yard in FB District Arterial 70+ft</b> (Auburn: 159 ft.) 15 ft. width + 3 deciduous + 4 ornamental + 15 shrubs per 100 ft. = 5 deciduous + 6 ornamental + 24 shrubs	5 deciduous 2 ornamental 72 shrubs	The site is short by 5 ornamental trees, however over by 47 shrubs, meeting the intent of the regulations
<b>Front Yard in FB District Minor</b> (Meijer Access: aprox. 350 ft.) 5 ft. width + 3 ornamental + 8 shrubs per 100 ft. = 11 ornamental + 28 shrubs	10 ornamental 27 shrubs	
<b>TOTAL</b>  20 deciduous 20 ornamental 52 shrubs	20 deciduous 15 ornamental 99 shrubs	

- a. All landscape areas must be irrigated. This should be noted on the landscape plan, and an irrigation plan must be submitted prior to staff approval of the final site plan. A note specifying that watering will only occur between the hours of 12am and 5am should be included on the plans.
  - b. A note stating "Prior to the release of the performance bond, the City of Rochester Hills must inspect all landscape plantings." should be included on the plans.
9. **Architectural Design** (*Architectural Design Standards*). Detailed elevations have been provided that depict a high quality building of primarily of stone with fiber cement siding or EIFS accents and generally meets the intent of the City's Architectural Design Standards. Staff recommends having building material and color samples available for the Planning Commission meeting.
10. **Signs**. (*Section 138-10.302*). Wall signage is indicated on the plans. 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.



From: Nancy McLaughlin  
To: Ed Anzek  
Date: 06/23/16  
Re: File No.: 16-015 Escrow #287.245  
Project: Culver's of RH Review #1  
Parcel No: 70-15-35-100-053  
Applicant: Andrew Zielke/Just Burgers & Fries

The legal description provided describes a 1.08 acre parcel.

The project parcel no. 70-15-35-100-053 is a 28.83 acre parcel.

It is not possible for the Assessing Dept to determine if the legal description provided is correct.



BUILDING DEPARTMENT  
Scott Cope

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From: Craig McEwen, Building Inspector/Plan Reviewer *CPM*  
To: Sara Roediger, Planning Department  
Date: July 20, 2016  
Re: Culver's of Rochester Hills  
Sidwell: 15-35-100-053  
City File: 16-015

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

Sheets: Topographic/Tree Survey, A-2, A-3, A-3A, LP-1, C1.0, C2.0, C2.1, C3.0, C4.0, C5.0, C5.1 CP-43 and CP-45.  
Supplement Information: Code Data submitted 6/24/16 from Ark-Tec L.L.C.

Approval recommended.

To facilitate stroller and bicycles on the walks leading to the Meijer's parking lot, it is recommended that accessible ramps be added to these walks.

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.



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

From: Jason Boughton, AC, Engineering Utilities Coordinator  
To: Sara Roediger, Manager of Planning  
Date: July 27, 2016  
Re: Culver's, City File #16-015, Section 35  
Site Plan Review #2

Engineering Services has reviewed the site plan received by the Department of Public Services on July 20, 2016, for the above referenced project. Engineering Services does recommend site plan approval with the following comments:

Water Main

1. Show a shutoff valve 5 feet outside of the building for the 2 inch fire suppression.

Storm Sewer

1. Revise the storm sewer outlet to have an outlet controlling structure with a multiple restrictor weir wall within the structure. The top of the weir wall elevation should be 25 year volume flowing into a 12-inch minimum proposed storm sewer.

Traffic/Pathway

1. A permit from the Michigan Department of Transportation (MDOT) will be required and MDOT's review comments should be addressed with changes shown on each city site or construction plan submittal.
2. A temporary grading easement is required from the property to the west (sidwell # 15-35-100-003) currently, "The Stone Shop". It is understood "The Stone Shop" is for sale and the grading easement would not be obtained until a new property owner is established. Regardless, the temporary grading easement must be secured prior to LIP issuance.
3. A cross access agreement to both properties (sidwell #15-35-100-053, currently Meijer's, and 15-35-100-003, currently The Stone Shop) must be submitted and approved prior to LIP issuance. It is understood the cross access agreement with Meijer's will be obtained once the property sale is complete and cross access agreement with the property to the west (sidwell #15-35-100-003) will be obtained once a new property owner is established.
4. On Sheet C3.0, the note "Existing ramp must be A.D.A. compliant - replace if necessary" should also point to the ramps within the splitter island.
5. On sheet LP-1, ensure that the RAG and SPM plantings are 3 feet off the pathway edge.

The applicant needs to submit a Land Improvement Permit (LIP) application with engineer's estimate, fee and construction plans to get the construction plan review process started.

JB/KD/bd

c: Allan E. Schneck, P.E., Director; DPS  
Tracey Balint, P.E., Public Utilities Engineer; DPS  
Paul Shumejko, P.E., PTOE, Transportation Engineer; DPS  
Keith Depp, Staff Engineer; DPS  
Tom Pozolo, Development Engineer, MDOT Oakland TSC, PozoloT@michigan.gov  
Stacey Gough, Permit & Drainage Engineer, MDOT Oakland TSC, GoughS@michigan.gov  
File

Paul Davis, P.E. City Engineer/Deputy Director; DPS  
Sheryl McIsaac, Office Coordinator; DPS  
Russ George, Engineering Aide; DPS





FIRE DEPARTMENT

Sean Canto

Chief of Fire and Emergency Services

From: James L. Bradford, Lieutenant/Inspector  
To: Planning Department  
Date: July 27, 2016  
Re: Culver's of Rochester Hills

SITE PLAN REVIEW

FILE NO: 16-015

REVIEW NO: 2

APPROVED     X    

DISAPPROVED                     

The Rochester Hills Fire Department recommends approval of the above referenced site plan contingent upon the following condition being met.

1. Provide documentation that the minimum fire flow requirement of 1750 gallons per minute can be obtained.
  - Fire flow data can be obtained by contacting the Rochester Hills Engineering Department at (248) 656-4640.
2. Relocate proposed fire hydrant as discussed via phone on July 27, 2016,
  - This location is on the west side of the parking lot on the island near the future cross drive connection.

If you have any questions, please feel free to contact me at 248.841.2708.

Lt. James L. Bradford  
Fire Inspector



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

From: Michael Taunt, Survey Technician  
To: Sara Roediger, Manager of Planning  
Date: July 14, 2016  
Re: Culver's, City File #16-015, Section #35  
Legal Review #1

I have reviewed the site plan received by the Department of Public Services on June 22, 2016, for the above referenced project. I do not recommend site plan approval due to the following comments:

The plans presented contain two legal descriptions, Site Plan Sheet C1.0 & the topographic survey by Thomas M. Smith P.S., which are substantially different. Please resolve.

**RE Site Plan Sheet C1.0**

- The bearing for the fourth course in the boundary description does not match the drawing (S 00° 12'24" E vs. S 02° 12'24" E).
- The legal description closes using dimensions on the plan. The areas, both net and gross are confirmed. Please clarify whether the 60' ROW is deed, easement or proposed.

**RE Topographic Survey Sheet 1 of 1**

- The description closes mathematically and the area is confirmed.

**RE: BM elevations**

- Please specify datum used for elevations. N.B. "USGS" is not a datum.
- Please specify source elevations, e.g. "Elevations derived from GPS observations" or "Level loop from RR spike @ BM provided by City Engineering Division." or "matched as built elevations on adjacent site infrastructure".

**RE: Easements**

In due course, provide easements & agreements along with exhibits, in recordable form for the following:

- Cross access agreements w/ adjacent parcels.
- Temporary construction easement with adjacent parcels.
- Storm system maintenance.

**General**

The topographic survey contains the following note:

"this survey will not show all easements of record until an updated title policy has been furnished to the surveyor by the owner."

The applicant proceeds at his own risk, with the understanding that approval by the city does not constitute approval by or coordination with entities that may have interests not shown.

Mike Taunt  
Survey Technician

MT/bd

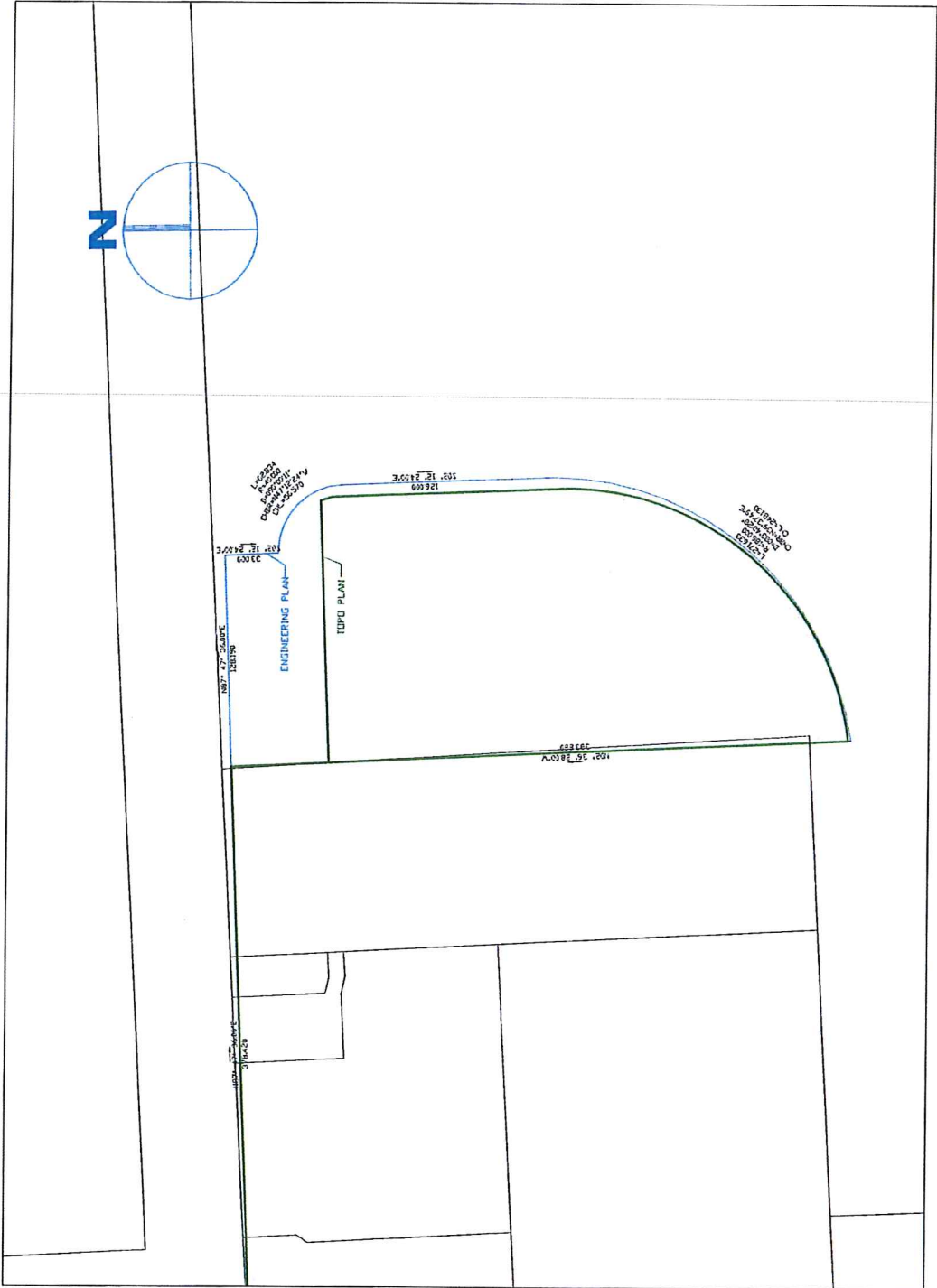
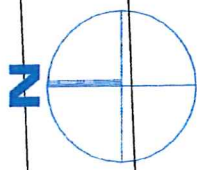
Attachments: 16-015\_CULVERS\_DWG\_07-13-2016.pdf

c: Allan E. Schneck, P.E., Director; DPS  
Tracey Balint, P.E., Public Utilities Engineer; DPS  
File

Paul Davis, P.E. City Engineer/Deputy Director; DPS  
Sheryl McIsaac, Office Coordinator; DPS

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General Notes												
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To: Sara Roediger  
From: Gerald Lee  
Date: July 1, 2016  
Re: Culver's of Rochester Hills  
Review #1  
File No. 16-015

Forestry review pertains to public right-of-way (r/w) tree issues only.

Landscape Planting Plan, Sheet LP-1

The trees on the Auburn Rd. right-of-way (r/w) need to be planted at least 15' back of curb. The ginkgo needs to be planted at least 5' from the pathway. The crabapples need to be planted at least 10' from the pathway.

The 15' sight distance triangle needs to be shown at the driveway to the west of the Culver site and the pathway, west of the grass paver emergency access. The western ginkgo will need to be deleted. The east ginkgo could be relocated to the south so it is out of the sight distance triangle and at least 5' from the pathway.

All five (5) crabapples need to be deleted. There isn't enough space on the r/w between back of curb and the pathway.

The three ginkgo west of the relocated Meijer access drive need to be relocated to the south so they are at least 5' from the driveway and 15' back of curb.

Most of the Magic Carpet spirea, west of the grass paver emergency access, are less than 5' from the pathway and need to be deleted.

The following three comments need to be included on the plan:

***Prior approval is required to plant any tree or shrub on the public right-of-way. All trees and shrubs must be planted at least 10' from the edge of the public road. (Trees must be planted at least 15' away from curb or road edge where the speed limit is more than 35 mph.) Shade trees and shrubs must be planted at least 5' from the edge of the public walkway. Evergreen and ornamental trees must be planted at least 10' from the edge of the public walkway. No trees or shrubs may be planted within the triangular area formed at the intersection of any street right-of-way lines at a distance along each line of 25' from their point of intersection. No trees or shrubs may be planted in the triangular area formed at the intersection of any driveway with a public walkway at a distance along each line of 15' from their point of intersection. All trees and shrubs must be planted at least 10' from any fire hydrant. Shade and evergreen trees must be at least 15' away from the nearest overhead wire. Trees must be planted a minimum of 5' from an underground utility, unless the city's Landscape Architect requires a greater distance.***



Sara Roediger <roedigers@rochesterhills.org>

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## Review of Site Plan for Culvers of Rochester Hills File 16-015

1 message

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**Hartman, James (MDOT)** <HartmanJ1@michigan.gov>

Fri, Jul 8, 2016 at 9:31 AM

To: "roedigers@rochesterhills.org" <roedigers@rochesterhills.org>

Sara, I have reviewed plans for the new Culvers on Auburn Road, Sidwell 15-35-100-053 and have no major comments from a traffic and safety perspective. At the cross connection to the Stone Shop in the interim, and until it's use changes, I suggest they block and sign that access point so drivers do not attempt to enter or exit there. I appreciate you and your staff as well as the developer accommodating our access management concepts from our meeting on May 12, 2016. Have a great day. Jim

Jim Hartman, PE

Traffic & Safety Engineer

MDOT Oakland TSC

800 Vanguard Drive

Pontiac, MI 48341

Direct (248) 451-2426

Cell (517) 648-5039



CITY OF ROCHESTER HILLS  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

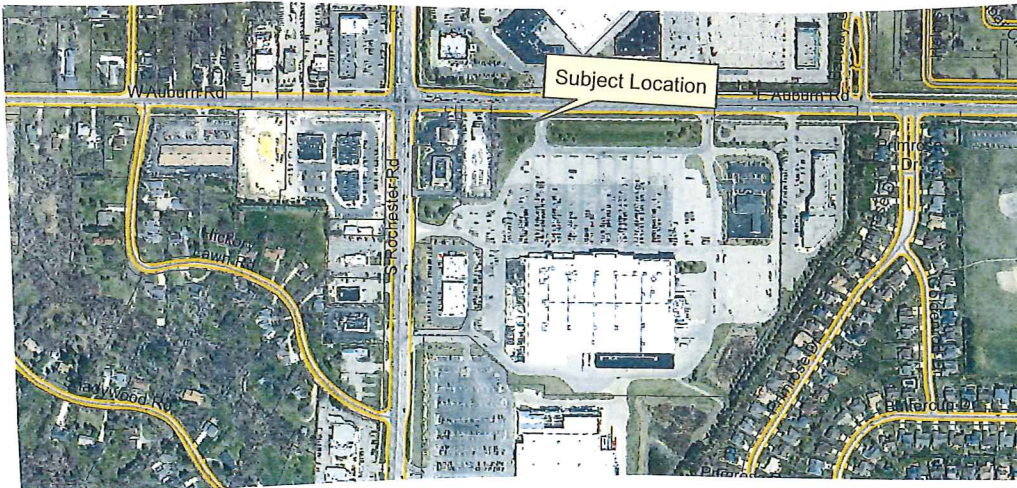
PUBLIC NOTICE

ROCHESTER HILLS PLANNING COMMISSION

**REQUEST:** Pursuant to the Tree Conservation Ordinance, Chapter 126, Article III, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, a minimum of seven days' notice is hereby given to all adjacent property owners regarding the request for a Tree Removal Permit for the removal and replacement of as many as seventeen regulated trees associated with the proposed construction of a 4,062 square-foot Culver's restaurant. The property is identified on Parcel No 15-35-100-053 (City File No. 16-015).

**LOCATION:** Meijer outlot at the SE corner of Rochester and Auburn

**APPLICANT:** Andrew Zielke  
Just Burgers & Fries  
4564 Oakhurst Ridge Rd.  
Clarkston, MI 48348



**DATE OF MEETING:** Tuesday, August 16, 2016 at 7:00 p.m.

**LOCATION OF MEETING:** City of Rochester Hills Municipal Offices  
1000 Rochester Hills Drive  
Rochester Hills, Michigan 48309

The application and plans related to the Tree Removal Permit are available for public inspection at the City Planning Department during regular business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday or by calling (248) 656-4660.

Deborah Brnabic, 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 (656-4673) 48 hours prior to the meeting. Our staff will be pleased to make the necessary arrangements.  
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# City of ROCHESTER HILLS

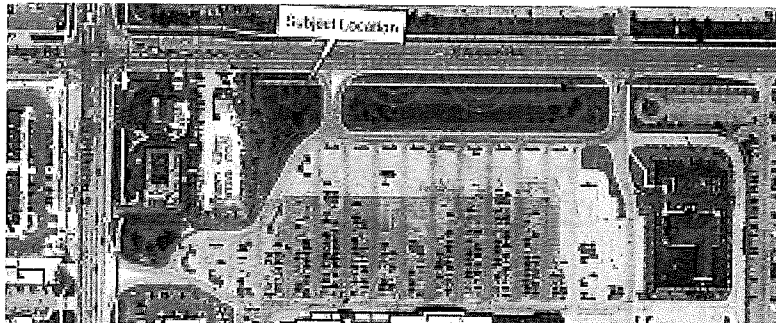
1000 Rochester Hills Drive, Rochester Hills, Michigan 48309-3033

## **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 138-1.203 and 138-2.300-2.302 and 138-4.300 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 Culver's Restaurant outlot on Meijer property on part of Parcel No. 15-35-100-053, zoned B-3, Shopping Center Business with an FB-3 Flexible Business Overlay (City File No. 16-015).

**LOCATION:** South side of Auburn, east of Rochester Rd.

**APPLICANT:** Andrew Zielke  
Just Burgers & Fries  
4564 Oakhurst Ridge Rd.  
Clarkston, MI 48348



**DATE OF PUBLIC HEARING:** Tuesday, August 16, 2016 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.

Deborah Brnabic, 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 (656-2560).

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