

## NEW BUSINESS

### 2024-0439

Request for Conditional Use Recommendation - File No. PCU2024-0009 - to operate a drive-through pharmacy as an accessory use to a permitted use for a Meijer grocery store, located at 1495 N. Rochester Rd., located at the southwest corner of Rochester Rd. and Tienken Rd., Parcel 15-10-226-041, zoned NB Neighborhood Business with the FB Flex Business Overlay, Meijer Inc., c/o Paul Furtaw, Colliers Engineering & Design, Applicant

*(Staff Report dated 9/11/24, Reviewed Plans and Updated Elevations, Environmental Impact Statement, Application, Public Hearing Notice, and Public Comment received had been placed on file and by reference became a part of the record thereof.)*

*Present for the Applicant was Paul Furtaw from Colliers Engineering & Design, Matt Levitt from Meijer, and Doraid Markus, property owner.*

*Chairperson Brnabic introduced this item, invited the applicant representatives to the presenter's table, and called for the Staff Report.*

*Chris McLeod stated that before the Commission tonight is a request for site plan approval and Conditional Use Recommendation for the drive-through facility for the pharmacy portion of the Meijer grocery store. He mentioned that the site plan included some ancillary items associated with site improvements. He noted that the site is the north tenant space or end cap of the existing shopping center located at the southwest corner of Rochester Road and Tienken. He pointed out that the tenant space is staying essentially the same with a front facade upgrade, a slight bump-out of one portion of the facade and the addition of a drive-through facility. He described the adjacent properties, noting that residential sits to directly to the west, and non-residential uses to the north and east as well as the remainder of the shopping center to the south. He stressed that the main item before the Commission tonight is the proposed addition of a drive-through facility. He mentioned that the applicants are proposing to refresh the screening on the back side against the residential properties as well as increase the overall landscaping and update the facade design.*

*He explained that the site is zoned NB Neighborhood Business which permits grocery stores. The site is overlaid with the Flex Business District, which is not being utilized in this instance. He noted that the site is not being changed very much other than some upgrades. He pointed out that the site to the north encompassing Papa Joe's is controlled by Consent Judgment. He added that south of the actual shopping center is Waltonwood, zoned Special Purpose.*

*He stated that the drive-through is proposed for pharmacy purposes, and the hours of operation for the store will be seven days a week, 6:00 a.m. to 10:00 p.m. He reiterated that grocery stores are permitted in the NB district. He described the site plan, noting that it proposes a small addition to the footprint for a new facade on the eastern side of the building facing Rochester Road, and a partially new facade on the north side facing Tienken with a drive-through*

window and drive-through lane. He mentioned that Meijer is proposing that no left turns in and no left turns out will be permitted from the main driveway to Tienken, which is the driveway which leads to the front of the store. He added that the westernmost drive that comes out to Tienken will still allow for unrestricted turns. He noted that new parking lot islands will be added to that portion of the lot directly in front of Meijer to help define parking lot maneuvering, and additional landscaping will be provided within the parking lot area as well as along both frontages. He noted that some modifications are being requested to the landscaping requirements due to the location of existing overhead utilities as well as the limited green belts currently on the site. As they are not expanding the parking lot, the applicant would require a modification to the required number of parking spaces from 158 to 144. He added that in terms of overall retail usage, they are providing defined curbside pickup by the drive-through lanes, and standard parking spots in front. The pharmacy is proposed to be served by the drive-through. He mentioned that additional landscape along the Rochester Road and Tienken Road frontage, while limited in nature relative to the current Ordinance requirements, is an upgrade to what is currently along the Tienken frontage.

He noted that a pork-chop island defining the curbed area will limit the turning movements, forcing a driver to turn right out of the Meijer store and discouraging people from turning left into the store. There will be a full maneuvering lane within the parking lot along Tienken and an island that defines the actual stacking lane for the drive-through pharmacy. He pointed out that the Ordinance requires three stacking spaces and there are four shown. He pointed out the defined spaces that would be utilized for back-of-house operations, and noted that they are revising the loading dock slightly and providing a better maneuvering lane for trucks backing into their spots. A new privacy fence is proposed for the western property line and new dumpster enclosures will be provided. He described the streetscape improvements along the front of the building along with the facade changes, new metal and glass canopy and bollards along the front sidewalk. Stop signs are noted.

Mr. McLeod stressed that it is a permissible use minus the two modifications, and the applicants have met all Ordinance requirements. He reviewed the five standards that the Commission must consider relative to the Conditional Use recommendation.

Chairperson Brnabic stated that she is aware that there is a lot of community support for Hollywood Market remaining at its current location within the North Hill Shopping Center, and she can appreciate that sentiment as she has shopped there too. She stressed that the Planning Commission does not review landlord-tenant lease agreements, and does not have the authority to direct a business property owner as to which business or person that they should lease their building to. She stated that the Commission is here this evening to review the request submitted by Meijer for a pharmacy drive-through, which is a conditional use by City Ordinance along with the site plan review in regard to the small addition to the current building. The Planning Commission will make a recommendation to City Council in regard to the pharmacy drive-through, and City Council will make the final decision for approval or denial of that request. She noted that the Conditional Use requires a public hearing,

and opened the public hearing.

Joseph Honomichl, 4757 Gallagher Rd, Oakland Township, stated that he shops there regularly and is familiar with the intersection. He noted that there is already a traffic nightmare to enter Tienken from the far left of the Hollywood lot, and at rush hour it is not possible. He pointed out that it will be similar to how Starbucks on Rochester Road is in the morning. He stated that the limited visibility will make it even more dangerous, especially with semis making deliveries. He asked if the City has seen traffic counts for the pharmacies.

Joseph Panico, 1400 N. Pine, stated that he lives directly to the west of the property, and commented that he has had to file noise complaints on several occasions due to sweeping or deliveries. He stated that he is concerned with the fence currently in place, and he provided photos of the current fence to the Commissioners. He noted that he is happy to hear that there is a plan to replace the fence and questioned whether it would be adequate. He questioned whether a noise study was undertaken and stated that he is concerned with the number of new patrons that will be going to the center, leading to more noise and more disturbance. He expressed concern for safety, noting that he has had to chase people from the back corner of the property for creating a disturbance. He added that there have been issues with water runoff from the lot.

Andrew Valentine, 352 Abbey Wood, Oakland Township, stated that he lives north of this location and traffic is a nightmare, backing up every morning and afternoon and making for a dangerous intersection. He pointed out that there are five Meijer locations within 10 miles of this facility, and stated that this is taking shopping options away from the taxpayers. He mentioned that Hollywood employs many people with special needs, and questioned whether those employees will be retained. He expressed his and his homeowner's association's opposition to the plan, noting that it will make traffic dangerous and impassible as some days traffic backs up all the way from M-59 along Rochester Road and from Adams along Tienken.

Barbara Beckman, 125 Northwood, Rochester, stated that she lives directly across Rochester Road from this Hollywood store that has served the community for well over 25 years; and commented that it is a clean, well-maintained and well-stocked store. She stated that customer service is one of their prime objectives, and commented that she has never been in a Meijer store that is well-kept, clean or user-friendly. She expressed opposition, and stated that traffic is bad enough that installing a pharmacy will cause trouble. She commented that she is opposed to kicking one grocery store out that has been a superb store in favor of another Meijer.

Rebecca French, 1168 Avon Manor, stated that she is a Hollywood supporter, commenting that her mother shopped at the very first Hollywood on Campbell Road near 11 Mile. She noted that the Hollywood near her home closed in 2017 and she was devastated, and she has been shopping at this location since that store closed. She stated that many of the employees that worked at the store near her now work here and she feels bad for them. She mentioned that she lives near the Meijer on Rochester Road and will not be coming to this store if she needs to go there.

Mary Jo Dinha, 851 Dressler Lane, stated that she is 80 years old and has lived in this area all her life. She mentioned that she worked in this shopping center in the 1950s and 1960s. She expressed opposition to the drive-through pharmacy, and noted that the Oakland County Road Commission noted that on September 17, 2022, 60,000 vehicles travel that intersection daily. She commented that people will spend anywhere from 20 to 30 minutes in line and it will back up traffic onto Tienken, causing major accidents.

Andy Welch, 1076 Hemlock, Rochester, stated that he is a fourth generation owner of Hollywood Market, was born at Crittenton Hospital, and has lived his whole life in Rochester, attending Rochester High School. He explained that when they tried to renew their lease about a year-and-a-half before it was up to be proactive, Mr. Markus did not respond until right before Christmas, when they were informed by a letter from Mr. Markus' attorneys that their extension would not be entertained. He noted that they were looking for at least a 10, 15 or 20 year extension, and have paid their bills every month, and offered to bump up their lease payments. He stressed that they do not want this to happen. He stated that they are a union store, and based on seniority, all of their employees will be absorbed into other locations; and they will do their best for those who do not drive.

Tony Curtis, representing Papa Joe's, 6900 N. Rochester Road, stated that he owns the Papa Joe's shopping center to the north, and explained that the west driveway lines up with the driveway that goes behind his center. He stated that those driveways are meant for truck deliveries and not a pharmacy or drive-through window. He stressed that there will be accidents in the parking lot by bringing cars and trucks together. He commented that when he built his shopping center, he put \$1.5 million into the redevelopment of Tienken Road to make that as many lanes as possible, and he was told that he could not have any drive-throughs that were visible to either Tienken or Rochester Roads. He stated that this design is totally contrary to what he was told. He mentioned that when Rite Aid went out of business, he was informed by the City that he would not be allowed to use that drive-through any longer as the new codes require 11 cars for stacking. He questioned what would happen if they start putting prepared foods or groceries through that window.

Patricia Orlando, 5730 Becker Dr., Oakland Township, stated that Hollywood is a beloved store and is not a big box grocery store. She pointed out that there is a high school and elementary nearby and students walk back and forth across the street.

Chairperson Brnabic noted that the public hearing yielded many traffic concerns.

Mr. Furtaw responded that they can say that this use does not present itself as being more traffic than is there now, and stressed that it is not a change in use specifically as it relates to the drive-through based on historical data. He noted that some of the other stores expect up to maybe 50 cars a day, with six or seven in the peak hour, and he stressed that statistically this is not something that would warrant a study or be considered detrimental to existing traffic

conditions.

Chairperson Brnabic noted that Mr. Curtis had questions regarding the safety of the driveways and that they were meant for deliveries.

Mr. McLeod responded that there is no doubt that this is the portion of the shopping center where trucks will enter and exit, but it is not exclusive for that as any driveway is usable by anyone within the parking lot, unless it is specifically labeled or signed that it is for trucks only. He mentioned that conversely, any driveway can be utilized by truck traffic.

Chairperson Brnabic questioned Mr. Curtis' comment regarding drive-throughs and noted that Starbucks is visible from Rochester Road.

Mr. McLeod responded that the current ordinance states that it has to be either on the side or back of the building, and it is compliant. Regarding stacking spaces, the current Ordinance states that anyone utilizing the drive-through for a restaurant-type purpose is required to have 10 spots or 10 stacking spaces, which leaves banks and pharmacies to require three spaces. He pointed out that Mr. Curtis brought a concept plan to the City for the redevelopment of Rite Aid and it was for restaurant use. He recalled the conversation noting that Mr. Curtis had stated that it would be for a light restaurant use and asked if they could utilize the different provision, and Mr. Curtis was informed that Ordinance did not differentiate between a light use. He stressed that Meijer's application is for a pharmacy use, and it has been advertised as such, and that requires three spaces. He mentioned that if it is determined at a future date that it is not being utilized solely for pharmacy purposes and is causing issues, the City would have every right to re-evaluate what is going on at the drive-through.

Chairperson Brnabic questioned whether a noise abatement wall could be considered in replacing the fence.

Mr. Markus responded that the fence that is being replaced was approved by the City Planner and is approved by code. He commented that he does not believe that there is anything in the Ordinance that states that a noise abatement wall must be provided.

Kirsten Bradford, 1237 Putnam Circle, Rochester, stated that she has been shopping at Hollywood and previously Farmer Jack for 20 years. She commented that she knows the Commission has no say over what is to be done and would like to direct her comment to the landlord and to Meijer that the residents want Hollywood to stay. She stressed that their meat department is superior and does not have prepackaged meats. She pointed out the article appearing in the Oakland Press that stated that people do not want Hollywood to leave.

Chairperson Brnabic asked if the lease has been signed or is tentative.

Mr. Markus responded that he understands that there is a lot of emotion and that people have a following for Hollywood. He stated that at the same time, landlords, developers and investors must also worry about their investment. He

*explained that the center was built in the 1950s, and he commented that they take great pride in the properties that they have and have built to service the community. He stated that they gave Hollywood plenty of notice and there have been opportunities for them to move. He mentioned the grocery conversion at Rochester and Auburn, and the former Barnes and Noble store on Rochester Road. He stressed that when they acquire a center they look at upgrading it to provide a center that the city can be proud of for 25 to 50 years and they look for a partner that can give the commitment and investment into the plaza as a whole. He stated that they picked a Michigan-based company to occupy the space and do not want a 1950s plaza deteriorating. He noted that this is not a 200,000 square foot Meijer and it will focus on fresh and local, akin to what is located at 13 and Woodward. He stated that it is not personal, but progress does happen. He commented that the drive-through is limited use, and is important for this community. He stressed that someone who is handicapped or is a mom with sick kids does not want to enter the store, and will utilize the drive-through.*

*Chairperson Brnabic allowed Mr. Valentine to ask a follow-up question.*

*Mr. Valentine asked if Mr. Curtis paid \$1.5 million to upgrade the intersection, what Meijer plans to do to straighten out the mess they will create at the intersection.*

*Ms. Roediger responded that the Papa Joe's center was completed before her time at the City, and was done as a Planned Unit Development, which is an agreement negotiated between the City and the developer that requires a public benefit. She explained that the intersection was improved between the Papa Joe's center and the City Place PUD on the southeast corner. She stated that in this case, a grocery store is essentially changing owners and adding a very small amount of square footage. She commented that in terms of traffic, there may be some very minor additional traffic, and she stated that the City cannot pick favorites between different businesses.*

*Mr. Markus pointed out that they worked hand-in-hand with Planning staff to add several islands in the parking area to help circulation, and also changed ingress and egress to right-in and right-out only traffic, bettering the current situation.*

*Chairperson Brnabic noted that an email was received from J. Hutchinson expressing that they were upset to hear that Hollywood was being replaced by a Meijer, and giving examples of Hollywood's customer service. At this point, she closed the public hearing and asked for Commission comments.*

*Mr. Dettloff questioned the driveway movements, noting that the eastern driveway would only be a right-in and right-out, and the western driveway would have no restrictions. He questioned how the drive-through movements would occur.*

*Mr. McLeod noted that eastbound traffic would go directly into the drive-through, and those heading to the drive-through would most likely use the eastbound entrance for proper alignment. Those westbound on Tienken would be required to go to the western driveway and would again be properly aligned at that point.*

*Mr. Dettloff asked if there was any data regarding accidents at that driveway.*

*Mr. McLeod stated that there are statistics and no one would doubt the congestion at that intersection; however, he noted that it becomes a question of whether the proposed conditional use will make that condition worse and would draw traffic to the location or increase traffic amounts to the point where it would become unsafe. He commented that Meijer's average is 50 cars a day or six or seven per peak hour and the rest of the hours are less on a standard day. He commented that the conversation must take away discussion of the traffic generated by Meijer as a store versus Hollywood. He commented that if the drive-through was not proposed, the site plan would already be approved and would be in the Building Permit area at this point because it is a permissible use.*

*Mr. Dettloff mentioned that there is a condition added that the intensity of the drive-through will be monitored and the City would have recourse if there are issues.*

*Mr. McLeod added that this is done through Ordinance Enforcement, and if the officers note an issue, they will discuss it with ownership and provide a letter to ownership about the need for correction. He stated that they would provide an opportunity for the site to be remedied or operations changed to correct the problem. If enforcement escalates, it would ultimately be brought back before the Planning Commission and City Council.*

*Mr. Dettloff noted that there is a lot of sentiment in the room for Hollywood and he asked if there would be an opportunity for some of the employees to be retained at Meijer.*

*Mr. Levitt stated that he sees no reason why they wouldn't consider employing them if there is an interest. He pointed out that Meijer has been nominated and recognized as a great place to work for six straight years, and for eight years has been a best place to work for disability inclusion. He commented that they would welcome anyone who would like to work to apply for the future store that will be inclusive of everyone.*

*Mr. Gallina stated that anytime something new comes through the Planning Commission, it is a great opportunity to look at things within their control. He commented that with the new proposed grocery store, there are things that can happen to make improvements within the shopping plaza infrastructure. He stated that he is glad to hear that the fence will be replaced, and the new dumpster will be enclosed. He asked if there was any plan for replacing the lighting in the back.*

*Mr. Furtaw responded that there would be new building lighting and not pole-mounted lighting.*

*Mr. Gallina responded that this is something to think about especially when it backs up to residences. He noted that this is an opportunity to upgrade entry to the site with right-in and right-out movements, add parking lot islands, and make traffic flow better. He questioned what happens as the drivers in the*

*drive-through will face away from the pharmacy.*

*Mr. Levitt responded that they use a track system that will go over the car, and drivers can speak with the pharmacist technician via an intercom. A window will still allow eye contact, and a video system will be installed.*

*Mr. Gallina asked if they expect fewer pharmacy customers as this is not a full-service Meijer.*

*Mr. Levitt responded that they did. He mentioned that they have a Macomb, Lake Orion, and two other Meijer grocery stores that are at about 90,000 square feet, double the size proposed in Rochester Hills, and they see about half the typical amount of pharmacy scripts as a standard Supercenter pharmacy. He noted that they expect the number to go down as the footprint goes down, as the service area is intended to become more local.*

*Mr. Gallina reiterated that the Commission takes problems with the drive-through spilling out very seriously, and he pointed out that this is a very congested area. He commented that the City has the right to take action if it would start to block the driveway or spill onto the road.*

*Mr. Levitt responded that they would expect to have that conversation if they are stacking 10 or 12 cars back to Tienken, and something in their operation would need to change or be addressed.*

*Mr. Struzik asked when deliveries would be taken.*

*Mr. Levitt responded that they receive deliveries throughout the day, and it is not 24 hours. He commented that they know there are limitations for overnight deliveries and will abide by those. He pointed out that there are only two docks that service the store and the store operates 6:00 a.m. to 10:00 p.m. He stated that it is not a Supercenter and the expectation is one truck per day and they are scheduled in time to be on a regular cadence to avoid conflicting truck traffic maneuvering in the back alley.*

*Mr. Struzik asked when they expected the store to open if approved, noting the comment about hiring former Hollywood employees.*

*Mr. Levitt responded it would be Spring of 2026, as they will be making significant capital improvements to the store, including a facade, new roof, new HVAC equipment, and repairing cracks in the wall in back of the store. He mentioned that a very large generator in the back will be removed and replaced with a smaller more efficient quieter generator for backup power, and a new vapor mitigation system will be installed.*

*Mr. Struzik noted that he would hope that Meijer's tradition of employing people of all abilities will continue with this store. He commented that there are things he likes about the plan including the increased safety features by limiting left turns, and the increased pedestrian access and better vision within the parking lot, and the bike racks that are included. He stated that from what he has witnessed and observed, the drive-through pharmacy is a very low intensity use*



and is pretty naturally regulating. He commented that when he sees a line-up, he will often park and go in to get his prescription. He noted that this is a community with people aging in place with different levels of mobility, and having a drive-through pharmacy can be a huge thing. He added that he would not want to bring his illnesses into the store and would want to stay in his car. He stressed that this is not a normal Meijer and would be a completely different scale. He suggested that a condition be added if this moves toward recommendation for approval that the drive-through can only be used for pharmacy purposes and pharmacy products.

Ms. Denstaedt asked how the pickup area would be utilized.

Mr. Levitt responded that they have provisioned eight parking spaces for pickup, and they limit the amount of slots available for pickup that matches both staffing and the amount of cars that can be adequately serviced. He added that they communicate through an app or messaging as to when the order is ready, and he noted that most slots remain open at most stores during the day. He stated that at peak times, he would anticipate with eight spaces that they have 12 to 15 slots maximum for pickup.

Ms. Denstaedt asked if there would be a consideration based on traffic to move the pickup area. She expressed concern for the employees bringing orders out.

Mr. Levitt responded that they studied it, and noted that looking at the first spots at the south end of the island were high proximity to the main entrance of the store and will be utilized frequently. He suggested that even if tagged for pickup, people will park there anyway, removing the ability of them to be used as a pickup location. He noted that the store is designed with a dedicated space for the team to manage online orders and prepare them for delivery, and the best place is adjacent to the back room of the store. He stated locating it elsewhere would be inefficient.

Ms. Denstaedt asked if the only entry doors for the store would be in the front.

Mr. Levitt responded that was correct. He added that there is an entry door for employees only on the north side to service pickup orders, but no public entry.

Mr. Hooper commented that the overriding concern is that the Planning Commission is not in the position of picking Company A or Company B, as long as the use is the same. He commented that relative to the drive-through addition, 50 or 60 cars a day being added is a negligible change. He noted it would be similar to having a McDonald's drive-through and a Burger King wanting to use the existing building, and they would not pick between the two of those businesses. He stated he has nothing against Hollywood or Meijer, and the Planning Commission does not get involved in this type of situation. He commented that he feels for the people losing their jobs, but there is nothing that the Commission can do as this is strictly a landlord-tenant issue. He stated that the landlord owns the land now, pays taxes, and has the right to improve the facility he owns within the community. He commented that he believes that there is existing traffic and by adding a drive-through it will be a negligible change. He stated that furthermore, improvements made that will eliminate the

left turn for the easternmost driveway on Tienken will be a significant improvement. He concurred with Mr. Struzik that if he sees more than three cars in the drive-through, he will go inside or come back at a different time. He noted that the current trucks use the westernmost entrance and this will be the same for Meijer.

He mentioned that he was on the Planning Commission when Papa Joe's and City Walk was built and it was a part of the negotiated PUD to make the road improvements. He pointed out that those Commission meetings went to one or two in the morning over objections of adding Papa Joe's to the community. He stressed that Mr. McLeod covered the stacking requirements for that use and he would assume that any applicant would be able to read and understand the requirements. He pointed out that the drive-through is a tube delivery service and no groceries would come through the tube feed so it would be a non-issue. He stated that he has no problem adding language that the drive-through is limited to pharmacy use only.

Mr. Levitt responded he has no issue with that language either.

Mr. Hooper recalled that when Meijer at Rochester and Auburn added a pickup service, it came before the Planning Commission and they added stacking and drive-up.

Ms. Neubauer stated that the majority of the Commissioners shop at Hollywood and love the market and the Recycle Bank program with lettuce, meat, and milk. She added that she is thankful that Meijer hires people of different abilities. She commented that unfortunately, the Commission cannot pick friends and it is not within the Commission's scope to do that. She stated that the Commission has criteria it has to follow and Planning, Engineering, Fire, Building, Forestry and Assessing have already reviewed the plans and have given their approval. She added that there is already a condition relative to the intensity of the drive-through that it would be remanded back to the Planning Commission and Council for possible revocation if there are problems in terms of traffic, queuing, noise, hours, lighting or odor.

She stated that the Commission is familiar with the developer, and he has brought value to the City and his work is appreciated. She commented that change is hard and while the Commission loves Hollywood, they are bound by the regulations. She questioned whether it is a negligible amount of additional traffic this would contribute and no traffic study was required.

Mr. McLeod responded that the Traffic Engineering review team would determine when a traffic study is either suggested or required, and all departments have signed off and no traffic study or analysis is required. He stated that they were part of the discussion regarding the driveway turning movement restrictions and are attuned to what is being proposed.

Ms. Neubauer noted that the additional restriction put in place regarding turns is not currently in place now.

Mr. McLeod confirmed this. He commented that to the applicant's credit, as

soon as that proposal was suggested they did not object to it.

Mr. Dettloff asked if this model would be similar to their Royal Oak location.

Mr. Levitt responded that the facade would be similar to Royal Oak and Farmington Hills. He mentioned that there will be some additional offerings that Royal Oak does not have interior to the store, as it will be classified as a grocery store with expanded offerings to a market format. He explained that this will include a meat counter, bakery and pharmacy.

Mr. Struzik stated that while he has great sympathy for the customers and employees of Hollywood and it has been a great member of the community, unfortunately the Commission has to make decisions based upon certain boundaries. He commented that he thought this will be a great improvement for the property and hopes that the vision of having a healthy updated plaza will come to fruition. He moved the motion in the packet to recommend approval of the conditional use to City Council and included a condition that the Conditional Use is for pharmacy services and items only. Mr. Hooper seconded the motion.

Chairperson Brnabic stated that she understands the sentiment for Hollywood Market, and suggested that Meijer takes the suggestions mentioned relative to customer service and having checkout lanes open. She asked for a roll call vote. After the vote, she announced that the motion passed unanimously.

**A motion was made by Struzik, seconded by Hooper, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:**

**Aye** 9 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Hetrick, Struzik and Weaver

**Resolved**, in the matter of File No. PCU2024-0009 (Meijer Inc.), the Planning Commission recommends to City Council Approval of the Conditional Use to allow for a drive through facility, ancillary to a pharmacy, based on documents received by the Planning Department on August 2, 2024 with the following findings:

### **Findings**

1. The proposed use will promote the intent and purpose of the Zoning Ordinance.
2. The existing building and proposed conditional use have been designed and is proposed to be 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.
3. The proposed drive through pharmacy, ancillary to the larger retail grocery store, should provide additional services being sought within the greater Rochester Hills community.
4. The existing development and proposed use are served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.

5. The existing development and proposed use should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare as the existing tenant space is already a retail grocery store and the proposed ancillary drive through facility is for a pharmaceutical purpose which should have limited usage and traffic patterns. In addition, the associated site plan proposes additional improvements to the site for the purposes of defining maneuvering lanes and controlling traffic movements.

6. 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.

#### **Conditions**

1. City Council approval of the Conditional Use.

2. If, in the determination of City staff, the intensity of the drive-through changes or increases, in terms of traffic, queuing, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.

3. The drive-through is to be utilized for pharmacy services and items only.

#### **2024-0440**

Request for Site Plan Approval - File No. PSP2024-0026 - to renovate/modify the existing grocery store to be utilized for a Meijer grocery store with an accessory drive-through for a pharmacy, located at 1495 N. Rochester Rd., located at the southwest corner of Rochester Rd. and Tienken Rd., Parcel 15-10-226-041, zoned NB Neighborhood Business with the FB Flex Business Overlay, Meijer Inc., c/o Paul Furtaw, Colliers Engineering & Design, Applicant **(See Legislative File 2024-0439 for the discussion).**

*Mr. Struzik made the motion in the packet to approve the site plan. It was seconded by Mr. Hooper.*

*Mr. Hetrick stated that he would suggest that Meijer have a meat counter as many of the Hollywood customers would find that important.*

*Mr. Weaver questioned whether there was any way to make the signage similar to the Royal Oak store.*

*Mr. Levitt responded that the signage takes the cues from being fresh and local. He commented that the main Meijer Grocery sign is a branding hallmark. He mentioned that the red brick is actually similar to Royal Oak and it would be similar in facade with white lettering for fresh and local.*

*After calling for a voice vote on the motion, Chairperson Brnabic announced that the motion passed unanimously. She asked when this would go forward to Council.*

*Mr. McLeod responded that October 7 would be the target date for the Council Meeting for the conditional use request..*

**A motion was made by Struzik, seconded by Hooper, that this matter be Approved. The motion carried by the following vote:**

**Aye** 9 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Hetrick, Struzik and Weaver

**Resolved**, in the matter of City File No. PSP2024-0026 (Meijer Inc.), the Planning Commission approves the proposed Site Plan, based on plans received by the Planning Department on August 2, 2024, 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 from Tienken and N. Rochester Road through the existing driveways for the shopping center. Further, the main driveway along the front of the proposed Meijer will be modified to restrict turning movements both for entering and exiting traffic, thereby promoting current and future safety and convenience of vehicular traffic both within the site and on adjoining streets.
3. The parking lot has been modified to increase the number of parking lot islands and the amenities for pedestrians to help further define maneuvering lanes and increase overall maneuverability, thereby avoiding common traffic problems and promoting customer safety.
4. The proposed development and associated improvements should have a satisfactory and harmonious relationship between the development on-site, the existing development in the adjacent vicinity, and the overall development pattern along N. Rochester Road.
5. The proposed landscape improvements help bring the site closer to compliance with required right of way and parking lot landscaping.
6. The proposed development will not have an unreasonably detrimental or injurious effect upon the existing characteristics and features on the site or those of the surrounding area.
7. The parking proposed on the site plan is sufficient for the subject site given the overall size of the building and the amount of space dedicated for storage, receiving and processing.
8. The proposed modifications to the types of trees being proposed along the Tienken and N. Rochester Road frontage are appropriate given the limited clearance to the pathway and utility lines in the area.

**Conditions**

1. All comments from City departments on the reviewed site plans, this staff report, and outside agency review letters, remain applicable.
2. Provide a landscape bond in the amount of the landscape installation cost estimation shown on the site plan, plus inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.