



CITY COUNCIL AGENDA ITEM

Date: June 18, 2012

To: Michael Culpepper, Interim City Manager

From: Mark F. Miller, Director of Economic & Community Development
R. Brent Savidant, Planning Director

Subject: ANNOUNCEMENT OF PUBLIC HEARING – JULY 23, 2012 – ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 243) – Proposed Amendment to Article 5, Permit Financial Institution Drive-Through Uses within the Big Beaver District by Special Use Approval

Background

The Planning Department has received numerous inquiries from financial institutions requesting bank branches with drive-through facilities within the Big Beaver Zoning District.

Drive-through uses are not permitted within the Big Beaver Zoning District. There are eight (8) existing bank branches within the Big Beaver District that have functioning drive-through facilities. The drive-through facilities are considered legal non-conforming uses and can continue to operate but cannot expand.

The proposed text amendment would eliminate the non-conforming status of the existing drive-through uses. Furthermore, it would allow banks without a drive-through presence on Big Beaver Road to add a drive-through window(s). The attached report, prepared by Carlisle/Wortman Associates, Inc., summarizes this item.

The Planning Commission held a public hearing on this item at the June 12, 2012 Regular meeting, and recommended approval of the proposed text amendment.

Recommendation

City Management recommends approval of the proposed Zoning Ordinance text amendment.

City Attorney's Review as to Form and Legality

Date

Attachments:

1. Draft ZOTA 243
2. Report prepared by Carlisle/Wortman Associates, Inc.
3. Minutes from June 12, 2012 Planning Commission Regular meeting (excerpt)

CITY OF TROY

AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
CITY COUNCIL PUBLIC HEARING DRAFT

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39, Zoning Ordinance, of the Code of the City of Troy.

Section 2. Amendment

Chapter 39 of the Code of the City of Troy is amended as follows

Add Section 5.04.E.5.d to read as follows:

d. Drive-throughs. Drive-throughs are allowed in the Big Beaver District in conjunction with the principal building of a Financial Institution under a Special Use, subject to the following standards:

- i. A drive-through and associated structure cannot be a primary use or principal building.
- ii. Ingress and egress to drive-through facilities shall be part of the internal circulation of the site and integrated with the overall site design. Clear identification and delineation between the drive-through facility and the parking lot shall be provided. Drive-through facilities shall be designed in a manner which promotes pedestrian and vehicular safety.
- iii. Drive-throughs must be located behind facade opposite Big Beaver Road or detached from principal structure and shall be located in a manner that will be the least visible from a public thoroughfare.
 - (a) If detached, the point-to-point tube transport system (pneumatic tubes) must be located underground to serve the drive-through kiosk or canopy.
 - (b) Canopy design shall be compatible with the design of the principal building and incorporate similar materials and architectural elements.
- iv. Each drive-through facility shall provide stacking space meeting the following standards:
 - (a) Each stacking lane shall be one-way, and each stacking lane space shall be a minimum of ten (10) feet in width and twenty (20) feet in length.
 - (b) If proposed, an escape lane shall be a minimum of twelve (12) feet in width to allow other vehicles to pass those waiting to be served.
 - (c) Four (4) stacking spaces per drive-through lane.
 - (d) All stacking lanes must be clearly delineated through the use of striping, landscaping, curbs, or signage

- v. A drive-through aisle shall not be directly accessed from or exit onto Big Beaver Road.

Amend Table 5.04.C-1 to read as follows:

**Table 5.04.C-1
Use Groups Permitted**

Use Group (Table 5.03-1)	Site Type BB:A: Major Sites			Site Type BB:B: Medium Sites			Site Type BB:C: Minor Sites		
	Street Type BB:A: Big Beaver	Street Type BB:B: Arterials	Street Type BB:C: Collectors	Street Type BB:A: Big Beaver	Street Type BB:B: Arterials	Street Type BB:C: Collectors	Street Type BB:A: Big Beaver	Street Type BB:B: Arterials	Street Type BB:C: Collectors
1 Residential	NP	NP	NP	NP	NP	NP	NP	NP	NP
2 Residential/ Lodging	UP	UP	P	UP	UP	P	UP	UP	P
3 Office/ Institution	P	P	P	P	P	P	P	P	P
4 Auto/ Transportation	NP	NP	NP	NP	NP	NP	NP	NP	NP
5 Retail/ Entertainment/ Service*	P	P	P	P	P	P	P	P	P
6 Misc. Commercial	NP	NP	NP	NP	NP	NP	NP	NP	NP
7 Industrial	NP	NP	NP	NP	NP	NP	NP	NP	NP

P - Permitted Use Groups

UP - Permitted Use Groups in Upper Stories Only

S - Special Use Approval Groups

NP - Prohibited Use Groups

* Drive-through uses for Financial Institutions are allowed under Special Use in compliance with Section 5.04.E.5.d

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, 2012.

Janice Daniels, Mayor

Aileen Bittner, City Clerk



CARLISLE

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MEMORANDUM

TO: Brent Savidant, Planning Director
FROM: Ben Carlisle, AICP
DATE: April 19, 2012
RE: Drive-throughs on Big Beaver Road

Recently the City has either received applications or met with applicants who are interested in developing financial institutions that include a drive-through along Big Beaver Road. The Big Beaver Form-Based District, which runs from just west of Coolidge to just east of Rochester Road, does not allow drive-through uses. The only way to develop a drive-through on Big Beaver Road is through the P.U.D. process. While the P.U.D. process might be appropriate for some of the proposed developments, the P.U.D. process should not be used to circumvent specific requirements and regulations in the zoning ordinance.

In speaking to many of the applicants they note the existence of numerous existing financial institutions with drive-throughs along Big Beaver Road, and a need in the financial institution market for drive-through facilities. Based on aerial photo review and a driving survey, there are eight (8) financial institutions with drive-throughs within the Big Beaver Form-Based District. Under the previous zoning code, drive-throughs were allowed under a special use permit.

A goal of the City of Troy is to provide a fair, fast, and predictable development process. As such, we are seeking the input from the Planning Commission regarding the allowance of drive-throughs along Big Beaver Road for financial institutions. Due to more intensity (see regulations of drive-through section below) we are not proposing the consideration of restaurant drive-throughs.

Regulations of Drive-Through Uses

Drive-through uses are prohibited or regulated for various reasons: 1). A drive-through can increase pedestrian, bicycle and automobile points of conflict; 2). A drive-through can detract from streetscape character which enhances pedestrian activity in retail, multifamily, and commercial areas; 3). A drive-through is a large land consumer, requiring additional site area to accommodate the use; 4). A drive-through use supports an automobile culture and discourages healthy active transportation; and 5). Due to secondary effects of noise from idling cars, voice amplification equipment, lighting, and hours of operation, a drive-through is typically not desired adjacent to residential properties.

Drive-throughs for financial institutions are typically less intense than those for restaurant uses. Due to stacking requirements¹, drive-through restaurant uses are larger land consumers including greater

¹ Section 6.10: Restaurants with a drive-through require ten (10) stacking spaces while financial institutions only require four (4).

circulation needs and additional points of pedestrian and vehicular conflict. Furthermore, studies have shown that restaurant drive-through uses have greater secondary effects including noise from idling cars, voice amplification equipment, lighting, greater hours of operation, and more debris. Lastly, financial institutions are able to have a drive-through that is either detached or in the rear of a principal structure. Detached or rear drive-through designs can provide for better site circulation to reduce pedestrian, bicycle, and automobile conflicts, eliminate drive-through exits into a public right-of-way, and allow for better screening from the right-of-way and adjacent properties.

Big Beaver Corridor Study and Master Plan

Big Beaver Road has been studied as part of both the Big Beaver Corridor Study, adopted in 2006, and the 2008 Master Plan. The Big Beaver Corridor Study, confirmed through the 2008 Master Plan, very clearly layouts the vision and intended design of future development along this key corridor. The design intent both in the public realm in the right-of-way and the private realm through building placement standards was to provide a pedestrian friendly environment and visually appealing corridor. While the Corridor Study and the Master Plan do not expressly prohibit the use of drive-throughs, the clear design intent is that “automobile and parking are no longer #1,” by maintaining a quality streetscape and transforming the corridor into a pedestrian-friendly environment.

Design Standards

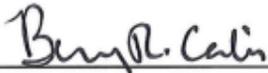
Due to the existing building form requirements in the Big Beaver Form-Based District, most importantly the requirement to place building on street, some of the aforementioned issues of drive-throughs are mitigated. However, through the adoption of drive-through specific design standards the intent of the Big Beaver Corridor Study can be met, Big Beaver Road can become a pedestrian friendly environment, and the safety of pedestrians and automobiles can be maintained. While we have not drafted detailed design standards, potential standards could include minimum lot size, orientation of drive-through, screening, limitations on curb cuts, and egress.

Issues for Planning Commission Consideration

Due to current economic conditions, the existing presence of drive-throughs for financial institution, and through the adoption of design standards that can mitigate potential issues, the allowance of drive-throughs for financial institutions might be appropriate along Big Beaver Road. As such we are seeking input from the Planning Commission. Specifically:

- Should drive-throughs for financial institutional be permitted within the Big Beaver Form-Based District?
- Should additional design standards be considered?

I look forward to addressing any comments and questions from the Planning Commission.



CARLISLE/WORTMAN ASSOC., INC.
Benjamin R. Carlisle, LEED AP, AICP

ZONING ORDINANCE TEXT AMENDMENT

7. **PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 243)** – Proposed Amendment to Article 5, Financial Institutions within the Big Beaver District by Special Use Approval

Mr. Carlisle addressed the few revisions to the proposed language since it was last reviewed and discussed by the members.

There was general discussion relating to traffic flow onto residential streets, curb cuts on Big Beaver and internal circulation of drive-throughs.

Mr. Strat stated the proposed language does not provide enough flexibility.

Mr. Carlisle replied that the proposed language permitted a use that was presently not permitted within the Big Beaver Zoning District.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2012-06-036

Moved by: Schultz
Seconded by: Edmunds

RESOLVED, That the Planning Commission hereby recommends to the City Council that Article 5 of Chapter 39 of the Code of the City of Troy which permits Financial Institutions within the Big Beaver District by Special Use Approval, be amended as printed on the proposed Zoning Ordinance Text Amendment.

Yes: Edmunds, Krent, Sanzica, Schepke, Schultz, Tagle
No: Strat
Absent: Hutson

MOTION CARRIED