

A HERITAGE OF GOOD LIVING

City of Lathrup Village  
27400 Southfield Road  
Lathrup Village, MI 48076  
Phone: (248) 557-2600  
[www.lathrupvillage.org](http://www.lathrupvillage.org)

### Office Use Only

Date Submitted: \_\_\_\_\_

Administrative Review Date: \_\_\_\_\_

Site Plan Review Date: \_\_\_\_\_

1

## Application for Planned Unit Development

The applicant understands that if the submitted materials for planned unit development (PUD) consideration is deemed to be incomplete or if additional information for special/regulated land use has not been submitted, the site plan may be returned by the City for revisions without being forwarded to the Planning Commission for consideration, until such time as the requirements have been adequately met. By signing this application, the applicant hereby grants full authority to the City of Lathrup Village, its agents, employees, representatives, and/or appointees to enter upon the undersigned lands/parcel(s) for the purposes of inspection and examination incidental hereto.

### Property Details

Name of Proposed Development: **Panera Bread - Lathrup, MI**

Site Area (Acres): **0.91**

### Application Details

Name: **Dan Cook (Panera Bread)**

Address: **3630 Geyer Rd., St. Louis** State: **MO** Zip Code: **63127**

Phone Number: **314-984-2606** Cell: **314-229-1606**

Email Address: **dan.cook@panerabread.com**

Interest in Property: **Tenant / Lessee**

\*If the applicant is a corporate or a partnership, please attach certificate from the state in which it is organized.

### Architect

Name: **The Lawrence Group - Todd S Bundren**

Address: **319 N 4th St., St. Louis** State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: **314-231-5700** Cell: **NA**

Email Address: **todd.bundren@thelawrencegroup.com**

Engineer				
Name:	Civil & Environmental Consultants, Inc. - Patrick Bennett			
Address:	3000 Little Hills Expressway, Suite 102, St. Charles	State:	MO	Zip Code: 63301
Phone Number:	314.656.4566	Cell:	314.435.7413	
Email Address:	pbennett@cecinc.com			
Required Submittal Information				
Request for Conceptual PUD Review. An applicant may apply to the Community Development Department for final review and recommendation by the Planning Commission with the submission of the following materials:				
<input checked="" type="checkbox"/>	A boundary survey of the exact acreage being requested done by a registered land surveyor or civil engineer (scale not smaller than one-inch equals one hundred (100) feet).			
<input type="checkbox"/>	A topographic map of the entire area at a contour interval of not more than two (2) feet. This map shall indicate all major stands of trees, bodies of water, wetlands and unbuildable areas (scale: not smaller than one-inch equals one hundred (100) feet).			
<input checked="" type="checkbox"/>	Electronic copy (flashdrive) +1 hard copy, signed & sealed of the preliminary site plan indicating the following at a scale no smaller than one-inch equals one hundred (100) feet (1" = 100'):			
<input checked="" type="checkbox"/>	Land use areas represented by the zoning districts enumerated in Section 3.1.1 through Section 3.1.9 of the Lathrup Village Zoning Ordinance			
<input checked="" type="checkbox"/>	Vehicular circulation including major drives and location of vehicular access. Preliminary proposals as to cross sections and as to public or private streets shall be made.			
<input checked="" type="checkbox"/>	Transition treatment, including minimum building setbacks to land adjoining the PUD and between different land use areas within the PUD. See attached - Exhibit A			
<input checked="" type="checkbox"/>	The general location of nonresidential buildings and parking areas, estimated floor areas, building coverage and number of stories or height.			
NA	<input type="checkbox"/>	The general location of residential unit types and densities and lot sizes by area.		
NA	<input type="checkbox"/>	The location of all wetlands, water and watercourses and proposed water detention areas.		
NA	<input type="checkbox"/>	The boundaries of open space areas that are to be preserved and reserved and an indication of the proposed ownership thereof.		
<input checked="" type="checkbox"/>	A schematic landscape treatment plan for open space areas, streets and border/transition areas to adjoining properties.			
<input checked="" type="checkbox"/>	A preliminary grading plan, indicating the extent of grading and delineating any areas which are not to be graded or disturbed.			
<input checked="" type="checkbox"/>	An indication of the contemplated water distribution, storm and sanitary sewer plan.			
<input checked="" type="checkbox"/>	A written statement explaining in detail the full intent of the applicant, indicating the type of dwelling units or uses contemplated and resultant population, if any, floor area, parking and supporting documentation, including the intended schedule of development. See attached - Exhibit A			
<input checked="" type="checkbox"/>	Review Fee: Fees for review of PUD plans shall be established by resolution of the council.			

## Intent of PUD Regulations

Section 3.12 of the Lathrup Village Zoning Ordinance provides the process and criteria for PUDs: The Planned Unit Development (PUD) option is intended to permit, with city approval, private or public development which is substantially in accord with the goals and objectives of the Master Plan for Land Use. The development permitted shall be considered as an optional means of development only upon terms agreeable to the city. The provision of this option imposes no obligation of the city to encourage or foster its use. The decision to approve its use shall be at the sole discretion of the city. Utilization of the PUD option will permit flexibility in the regulation of land development by encouraging innovation through an overall development plan to provide variety in design and layout; to achieve economy and efficiency in the use of land, natural resources, energy and in the provision of public services and utilities; to encourage the creation of useful open spaces particularly suited to the needs of the parcel in question; to preserve the city's historic resources; and to provide appropriate housing, employment, service and shopping opportunities suited to the needs of the residents of the city. It is further intended that the Planned Unit Development may be used to permit densities or lot sizes which are different from the applicable district and to permit the mixing of land uses that would otherwise not be permitted; provided that the goals of the Master Plan are met and the resulting development is consistent with the Master Plan and would promote the public health, safety and welfare. It is further intended that the development will be laid out so that the various land uses and building bulk will relate to each other and to adjoining existing and planned uses in such a way that they will be compatible, with no material adverse impact of one use on another.

## Criteria for Qualifications

Submit the following for the qualification review:

In order for a zoning lot to qualify for the PUD option, it must be demonstrated that all of the following criteria will be met as to the zoning lot:

**Location.** The PUD option may be effectuated in the MX or VC districts only.

**Purpose.** How does the proposed project achieve a higher quality of development than would otherwise be achieved under conventional standards? Do the proposed activities or buildings or uses which are not normally permitted result in an improvement to the public health, safety and welfare in the area affected? What recognizable and substantial benefit(s) does the project offer the community, and to the ultimate users of the developed site?

The New Panera at Lathrup Village will provide a high quality development for the community. Upon a thorough review of all applicable Lathrup Village ordinances and consultation with all parties involved, Panera Bread was able to accomplish the following community benefits and improvements to the Design and Site Plan:

1. Site is suitable for Panera's newest design, the Ballwin, MO. prototype. Only one has been constructed in the US so far.
2. Brick surface has been doubled as compared to the new prototype, including brick on all four sides.
3. Brick surfaces have been enhanced with alternating vertical and horizontal soldiers, adding interest and texture.
4. Patio situated to allow visibility and continuity with new pedestrian amenity area at NE corner of the site.
5. Patio enhanced with string lights and alternate ground coloration and scoring pattern for a patio look that references surrounding residential community.
6. Addition of a pedestrian amenity area in the NE corner of the site where the principal sidewalks of Southfield Road and Sunset Boulevard intersect with the traffic light – supported crosswalk.
7. Inclusion with the pedestrian amenity area of bike rack, benches, reserved landscape zone, and installation point for public art or contextual plaque to maximize community benefits.
8. Enhanced safety and access from pedestrian amenity area to restaurant door and patio via high-visibility crosswalk.
9. Addition of pedestrian level lighting along entire length of site sidewalk on Southfield Road.
10. Additional pedestrian crosswalk directly from front of property, on par with crosswalk from pedestrian amenity area
11. Expanded landscaping areas:
  - a. West and north of patio
  - b. North-to-south along Southfield Road
  - c. North-to-south on building front (east elevation)
  - d. North-to-south at west edge of the property to enhance existing berm's visual shielding of drive through from residences.
12. Enhanced pedestrian safety (walk in and walk from parking) by pushing vehicular ingress/egress to the corners of the site and clearing driver visibility to pedestrian cross points.
13. Best-in-class dining room with exposed wood bar height gathering table and abundant seating to encourage use of the dining room as a community "third place"
14. Maximized parking to the extent possible on a tight site to encourage dine-in while simultaneously welcoming long visits, chance encounters, and group interaction.
15. Inviting pedestrian and vehicular entries are coupled with a welcoming interior to attract guests into the restaurant. Attention is literally focused on the inside of the restaurant using a new mirror display over the bakery items visible through out the café.

**Consistency with the zoning ordinance.** How does the proposed development align with the purpose of the zoning ordinance and the intent of these PUD regulations (see above)? What problems or constraints are presented by applicable zoning provisions?

The new Panera Bread development will align in many ways with the intent of the PUD regulations and the spirit of the adopted ordinances. The development will improve the infrastructure through new lighting, sidewalks, and improvements to the property's landscaping. The building itself is made of high quality, aesthetically pleasing materials that reflect the most current Panera prototype beyond what is required in the ordinances. In addition, this development will bring a desirable change to the site which is currently not being utilized, resulting in a place that will be beneficial to the entire community. The need for a drive through option for residents; although secondary to the dining room as the main customer touch point, is necessary for Panera's strategic success, and has been a well-received amenity for communities around the country. The Panera team, in consultation with affected parties, explored multiple options that aligned with the applicable zoning provisions and found that some would unfortunately not work with the site requirements that are necessary for a safe and successful café. The following items were investigated and unfortunately found to be un-workable from a public safety perspective and to not align with Panera's operations model which is necessary for them to be successful and therefore able to provide a positive experience / amenity to the community:

1. Pulling restaurant toward Southfield Road (zero lot line). Reasons:
  - a. compromised traffic circulation for both parking and a natural drive thru / Rapid Pickup experience
  - b. Pedestrian safety causing guests to cross the drive thru lanes on each visit.
  - c. Reduced parking count
  - d. constructability
2. Relocation of east parking to west side of lot behind drive through (using green space) and moving building partially to the east. Reasons:
  - a. forestation of entrance way removes buffer for protection vehicles.

**Availability and capacity of public services.** Can the proposed type and density be served by the existing public services, facilities, and utilities? What is the impact of the project on other users of these services, facilities and utilities? If the proposed land use does add to service and facility loads beyond those contemplated in the Future Land Use Plan, how will such added loads be accommodated or mitigated?

This project can be served by the existing public services, facilities, and utilities. There is no impact on other users anticipated.

<p><b>Public improvement.</b> Does the proposed development provide a public improvement which could not otherwise be required that would further the public health, safety, or welfare, protect existing or future uses from the impact of a proposed use, or alleviate an existing or potential problem relating to public facilities? Does the proposed project meet one of the following objectives?</p>	<p>The New Panera Bread at Lathrup Village development will provide a public improvement and further the public health, safety and welfare of the community. The new development will bring commerce to a currently underutilized property as well as the amenity of a modern Panera Café that will act as a space for the community to come together. The added landscaping, site amenities, aesthetically pleasing building design using durable construction materials, and safe site design for both vehicular and pedestrian traffic will be a positive addition to the community. The development complies with the spirit of the PUD process and that of the master plan for the community by providing a smart development which adds to the fabric of the village, and provides economic improvements. Specific to the items listed below the following two items are achieved:</p> <p>1.To foster the aesthetic appearance of the city through quality building design and site development, the provision of trees and landscaping beyond minimum requirements; the preservation of unique and/or historic sites or structures; and the provision of open space or other desirable features of a site beyond minimum requirements.</p> <p>2.To bring about redevelopment of sites where an orderly change of use is determined to be desirable.</p> <p>3.To provide alternative uses for parcels which can provide transition buffers to residential areas</p> <p>In consultation with the city and affected parties Panera has investigated multiple options for this site and has determined that the plan being presented is the most efficient from an operations, life safety, and community improvement perspective. Panera Bread hopes that the leadership of Lathrup Village will accept this development offer so that they can continue to be a part of this community and deliver an even higher level of service to their customers and the residents of Lathrup Village.</p>
<input type="checkbox"/>     <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>	<p>To permanently preserve open space or natural features because of their exceptional characteristics or because they can provide a permanent transition or buffer between land uses.</p> <p>To preserve historic structures that add to the character of the city.</p> <p>To permanently establish land use patterns which are compatible, or which will protect existing or planned uses.</p> <p>To accept dedication or set aside open space areas in perpetuity.</p> <p>To provide alternative uses for parcels which can provide transition buffers to residential areas.</p> <p>To provide active open spaces, such as parks, plazas, and market or festival spaces for public use.</p> <p>To promote the goals and objectives of the Master Plan.</p> <p>To provide infrastructure, such as streets, sidewalks, lighting and the like, consistent with the Master Plan.</p> <p>To foster the aesthetic appearance of the city through quality building design and site development, the provision of trees and landscaping beyond minimum requirements; the preservation of unique and/or historic sites or structures; and the provision of open space or other desirable features of a site beyond minimum requirements.</p> <p>To bring about redevelopment of sites where an orderly change of use is determined to be desirable.</p>
<p><b>Density.</b> The PUD shall not be allowed solely as a means of increasing density or as a substitute for a variance request; such objectives should be pursued through the normal zoning process by requesting a zoning change or variance.</p>	

**Austin**

Barton Oaks Plaza Four  
901 MoPac Expy South  
Suite 180  
Austin, TX 78746

**New York**

275 West 39<sup>th</sup> Street  
9<sup>th</sup> Floor  
New York, NY 10018

**St. Louis**

319 N. 4<sup>th</sup> Street  
Suite 1000  
St. Louis, MO 63102

## EXHIBIT – A

**Topic:** City of Lathrup Village – Application for Planned Unit Development  
Supplemental information.

**Project:** Panera Bread – Lathrup Village, MI

**Date:** 2022-04-27

The following are responses to items listed on the PUD application checklist  
(Required Submittal Information):

**Item:** *Transition treatment, including minimum building setbacks to land  
adjoining the PUD and between different land use areas within the PUD.*

**Response:**

North and East abuts street. West abuts existing berm, to be landscaped with  
screening plantings. South abuts commercial property, parking lot connection to  
be added. Setbacks of the proposed building is 72'-0" feet from property  
line. Adjacent building to the South is 27'-6" feet from property line

**Item:** *A written statement explaining in detail the full intent of the applicant,  
indicating the type of dwelling units or uses contemplated and resultant  
population, if any, floor area, parking and supporting documentation, including  
the intended schedule of development.*

**Response:** For "full intent of applicant," just one sentence such as, "The  
introduction of the newest design of bakery café restaurant from Panera Bread,  
offering a full menu and providing a compelling dining room and gathering place  
for the people of Lathrup Village, surrounding communities and their  
guests." For "schedule of development" just say "Starting 2022 and scheduled to  
open Spring 2023"

End of Exhibit

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Architecture

Interior Design

Master Planning

Landscape Architecture

Furniture Procurement

Graphic Design

# MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES

## BUREAU OF COMMERCIAL SERVICES

Date Received:

OCT 28 2002

(FOR BUREAU USE ONLY)

This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

**FILED**

DEC 11 2002

Name

517-663-2525 Ref # 26798  
 Attn: Cheryl J. Bixby  
 MICHIGAN RUNNER SERVICE  
 P.O. Box 266  
 Eaton Rapids, MI 48827

Administrator  
 BUREAU OF COMMERCIAL SERVICES

EFFECTIVE DATE:

Document will be returned to the name and address you enter above.  
 If left blank document will be mailed to the registered office.

B94-96D

### APPLICATION FOR CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN MICHIGAN

For use by Foreign Limited Liability Companies  
 (Please read information and instructions on last page)

Pursuant to the provisions of Act 23, Public Acts of 1993, the undersigned limited liability company executes the following Application:

1. The name of the limited liability company is:

Panera, LLC

2. (Complete this item only if the limited liability company name in item 1 is not available for use in Michigan.)  
 The assumed name of the limited liability company to be used in all its dealings with the Bureau and in the transaction of its business in Michigan is:

3. It is organized under the laws of Delaware

The date of its organization is 12-31-01

The duration of the limited liability company if other than perpetual is \_\_\_\_\_

4. The address of the office required to be maintained in the state of organization or, if not so required, the principal office of the limited liability company is:

6710 Clayton Rd. Richmond Heights mo 63117  
 (Street Address) (City) (State) (ZIP Code)

62.50 136220 CLKW

5. a. The address of its registered office in Michigan is:

c/o The Corporation Company, 30600 Telegraph Road, Bingham Farms, Michigan 48025  
(Street Address) (City) (ZIP Code)

b. The mailing address of the registered office if different than above:

\_\_\_\_\_, Michigan \_\_\_\_\_  
(Street Address or P.O. Box) (City) (ZIP Code)

c. The name of the resident agent at the registered office is:

The Corporation Company

6. The Department is appointed the agent of the foreign limited liability company for service of process if no agent has been appointed, or if appointed, the agent's authority has been revoked, the agent has resigned, or the agent cannot be found or served through the exercise of reasonable diligence.

The name and address of a member or manager or other person to whom the administrator is to send copies of any process served on the administrator is: (Must be different than agent shown in Item 5c)

Ronald M. Shaich  
(Name)

6710 Clayton Rd. Richmond Heights, MO 63117  
(Street Address) (City) (State) (ZIP Code)

7. The specific business which the limited liability company is to transact in Michigan is as follows:

Operation of commissaries and fresh dough facilities including the production of fresh dough, tuna fish salad, cream cheese and other lawful activities allowed under the Michigan Limited Liability Company Act in connection with the foregoing.

The limited liability company is authorized to transact such business in the jurisdiction of its organization.

Signed this 25th day of JANUARY, 2002

By X R M  
(Signature)

Ronald M. Shaich Manager  
(Type or Print Name) (Type or Print Title)

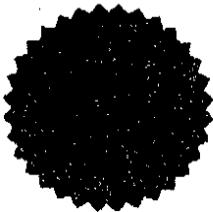
# Delaware

PAGE 1

## *The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "PANERA, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE THIRTIETH DAY OF OCTOBER, A.D. 2002.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

2358973 8300

AUTHENTICATION: 2063782

020671763

DATE: 10-30-02

TOTAL P.02

IF  
12-9-02