



## Department of Planning and Economic Development

Staff Report to the Planning Commission

January 17, 2023

### Jax Car Wash – Auto Detailing Building

<b>REQUEST</b>	Conditional Use Site Plan Approval
<b>APPLICANT</b>	Leslie Accardo – PEA Group 1849 Pond Run Auburn Hills MI 48326
<b>LOCATION</b>	2728 Rochester Road, west side of Rochester Road, north of Avon Road
<b>FILE NO.</b>	JNRNB2022-0006 PCU2022-0009 PSP2022-0013 PTP2023-0002
<b>PARCEL NO.</b>	70-15-27-477-067
<b>ZONING</b>	B-5 Automotive Service Business District Flex Business Overlay District
<b>STAFF</b>	Chris McLeod, AICP, Planning Manager

### Summary

The applicant is proposing to demolish the existing Tuffy's building located towards the rear (west) of the site to construct a new 8,632 square foot building specific for automobile detailing. The proposed ancillary detailing building (ancillary to a car wash) is permitted as a conditional use which requires a public hearing before the Planning Commission who makes a recommendation to City Council.

The proposed building will be constructed of stone, masonry, glass, along with some standing metal seam material on all four (4) facades. The west elevation that faces the residential properties includes primarily masonry materials and glass. There are no proposed openings on the west side of the building which should help limit any potential noise from being projected to the west. The openings to the building are on the north and south ends.

As part of the planning process, City staff worked with the applicant to provide additional landscaping along the Rochester Road frontage to help bring the site into compliance with City specifications for right of way landscaping. The Rochester Road frontage will be enhanced with the planting of an additional nine (9) trees along with a series of shrubs/hedges along the parking and maneuvering lanes that front Rochester Road. In addition, a new pedestrian connection will also be created between the Rochester Road pathway and the main front car wash building.

As a part of the site plan application, the applicant is also seeking a tree removal permit. The site plan proposes the removal of three (3) regulated trees (Spruce Trees) to accommodate the construction of the new building. As part of the landscape plan, the applicant proposes the planting the three (3) ten (10) foot tall evergreens as replacement trees.



	Zoning	Existing Land Use	Future Land Use
Site	B-5 Automotive Service Business District with FB Flex Business Overlay District	Jax Car Wash – Tuffy Service Center	Commercial Residential Flex 3
North	B-2 General Business District with FB Flex Business Overlay District	Rochester Medical Plaza	Commercial Residential Flex 3
South	B-5 Automotive Service Business District with FB Flex Business Overlay District	Belle Tire	Commercial Residential Flex 3
East	B-3 Shopping Center Business District with FB Flex Business Overlay District	Chili’s – Hampton Village Centre	Commercial Residential Flex 3
West	R-3 One Family Residential	Single Family Residential	Residential 3

## General Requirements for Conditional Uses

Per *Section 138-2.302* of the Zoning Ordinance, there are five areas of consideration for the Planning Commission for the discretionary decision of a conditional use. Each of the criterion are listed below in italics, followed by staff comments on the proposed conditional use’s compliance with each. There are no specific requirements for car washes or similar uses within the Zoning Ordinance.

1. *Will promote the intent and purpose of (the Ordinance).* The B-2 and FB districts do support and promote this type of use as a conditional use.
2. *Will be designed, constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.* The proposed new building and associated site improvements will be constructed in a manner that is consistent with the other developments within the area.

3. *Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.* The site has been served adequately by all City services as part of the previous use of the site. Any demands placed on the public infrastructure are either already accounted for by the previous use of this property or are being accommodated for through the proposed improvements to the site as illustrated on the site plan.
4. *Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.* There will be no detrimental, hazardous or disturbing activity to the existing or future neighboring uses, persons, property or to the public welfare. The proposed detailing building is located at a distance sufficient so as to not cause any disturbances to the residential properties to the west.
5. *Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.* There should be no additional requirements at a public cost for public facilities and services that would be detrimental to the economic welfare of the community as the proposed building is similar in nature to the existing.

## **Requested Modifications**

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### **Buffer Requirement - West property line**

Based on the Zoning Ordinance, a greenbelt of eight (8) feet in width along with two and one half (2.5) deciduous trees, one and one half (1.5) ornamental trees and ten (10) shrubs per one hundred (100) linear feet of greenbelt, is required between the subject site and the abutting property to the west. The site currently has a six (6) foot tall screen wall that separates the site from the abutting residential properties to the west. The applicant is not proposing any modifications to the western portion of the site. It is noted that the proposed new building will be located almost one hundred and forty (140) feet from the western property line. In addition, between the proposed new detailing building and the western property line is the existing coin car wash that is not being modified or removed. With all of the detailing operations being contained in the proposed building, it would not appear that the lack of additional screening would cause any additional impact to the residents to the west than the current building and use configuration onsite.

### **Buffer Requirement – North property line**

Based on the Zoning Ordinance, a greenbelt of six (6) feet in width along with one and one half (1.5) deciduous trees, one (1) evergreen tree, and four (4) shrubs, per one hundred (100) linear feet is required between the subject site and the abutting property to the north. The proposed new building will be located essentially in the same location as the existing and will be approximately fifty (50) feet from the northern property line, which is the Rochester Medical Plaza building. In addition, the applicant is providing some landscaping upgrades to the landscaping scheme, particularly on the northern portion of the site and along the north portion of the proposed building. These upgrades include the installation of six (6) – eight (8) foot tall evergreens along with a series of Sumac and Spirea plantings. With all of the detailing operations being contained in the proposed building, it would not appear that the lack of additional screening would cause any additional impact to the property owners to the north than the current building and use configuration onsite.

## Staff Recommendations

At this time all City Staff have recommended approval or approval with conditions.

Department	Comments & Waivers/Modifications	Recommendation
Planning		Approval
Fire		Approval
Assessing		Approval
Engineering	Appropriate cross access easements to be provided to City Engineering Department prior to final approval	Approval
Parks & NR		Approval
Building		Approval

## Motion to Recommend Conditional Use Approval

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. PCU2021-0008 (Huntington National Bank), the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use (PCU2022-0009)** to allow a car detailing facility at 2728 S. Rochester Road, based on plans dated received by the Planning Department on December 19, 2022, with the following findings.

### *Findings*

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The building has 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 proposal will have a positive impact on the community as a whole and the surrounding area by further offering jobs and improving an existing commercial site.
4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal since the building is essentially of the same size and location of the current building onsite.
5. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare since the site and current buildings have been used for automotive uses historically.
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.
7. The applicant has demonstrated that a modification to not meet the buffer requirements along the west and north property lines is appropriate due to the location of the existing screen wall to the west, the existing site improvements that are not being modified in those locations, that the applicant has increased the landscaping along the north side of the site and that the building is largely in same location and orientation as the current building that is being replaced and will be buffered from the residents to the west by the existing building and screen wall.

## **Conditions**

1. City Council approval of the Conditional Use.
2. If, in the determination of City staff, the intensity of the detailing operation changes or increases, in terms of noise, hours, location (i.e. outside), 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.

## **Motion to Approve Site Plan**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of File No. JNRNB2022-0006 (Jax Car Wash) the Planning Commission **approves** the **Site Plan (PSP2022-0015)**, based on plans received by the Planning Department on December 19, 2022 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, with the exception of the modifications requested, 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 Rochester Rd. and does not propose any new access points, therefore promoting safety and convenience of vehicular traffic both within the site and on Rochester Road by not adding an additional access/conflict point.
3. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity since the proposed building replaces an existing building already onsite.
4. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area since the proposed building replaces an existing building already onsite and actually proposes new landscaping to bring the site further into compliance with City requirements.
5. That the modifications as requested by the applicant and identified in the motion for conditional use approval has been found acceptable based on the conditions noted previously.

### **Conditions**

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff including the submittal of appropriate cross access documents and assuring compliance with noted ADA requirements.
2. Provide a landscape bond in an amount determined acceptable by the Office of Planning based on a reasonable cost estimate being provided by the applicant, plus inspection fees, prior to the preconstruction meeting with Engineering.

## **Motion to Approve Tree Removal Permit**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of File No. JNRNB2022-0006 (Jax Car Wash) the Planning Commission **grants a Tree Removal Permit (PTP2023-0002)**, based on plans received by the Planning Department on **December 19, 2022** with the following findings and subject to the following conditions:

### **Findings**

1. The proposed removal and replacement of regulated trees is in conformance with the City's Tree Conservation Ordinance.
2. The applicant is proposing to remove three (3) regulated trees and no specimen trees, with three (3) replacement trees required, and with a total of nineteen (19), including the required twenty one (21) replacement trees proposed to be installed.

### **Conditions**

1. Tree protective fencing, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.

No payment to the City's tree fund is required.

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