

Marshall's Auto Repair, LLC	
<b>REQUEST</b>	Conditional Use Recommendation
<b>APPLICANT</b>	Brian Marshall Marshall's Auto Repair, LLC 1848 Star Batt Dr. Rochester Hills, MI 48309
<b>LOCATION</b>	East of Crooks, North of M-59
<b>FILE NO.</b>	21-009
<b>PARCEL NO.</b>	15-28-177-022
<b>ZONING</b>	REC-W, Regional Employment Center - Workplace
<b>STAFF</b>	Kristen Kapelanski, AICP, Manager of Planning

## Summary

The applicant has filed for a Conditional Use Permit to support his current operation at 1848 Star Batt Dr. Automotive repair facilities require a Conditional Use in the REC-W district, but the applicant moved in prior to obtaining approval.

The applicant's provided letter gives some background information, spells out the operation and details how they are operating. In summary for the operation:



- Has 3 full time employees (the owner is included).
- They operate Mon-Fri from 8:00 am until 6:00 pm and Sat. 8:00 am to 2:00 pm
- If cars are left outside overnight, they will not be disassembled and will be parked in the rear.
- There is adequate parking for the 4-5 cars to be picked up or worked on.
- All repairs are done inside the building.

A letter from the landlord is also provided supporting the use at their location.

Automotive service centers are permitted in the REC-W district as conditional uses after Planning Commission recommendation and City Council approval. The existing multi-tenant building is surrounded by REC zoning and industrial uses with a cancer center to a portion of the south.

## General Requirements for Conditional Uses

Per *Section 138-2.302* of the Zoning Ordinance, there are five areas of consideration for the Planning Commission to regard in 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.

1. *Will promote the intent and purpose of (the Ordinance).* The REC-W does support and promote this type of use. It is suggested that the need for it being a Conditional Use would be outside storage, hours of operation and noise.
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 physical appearance of the building will remain the same, and no structural changes will be made to the outside of the building.
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 space has been served adequately by all City services as it is not a new facility. Any demands placed on the public infrastructure are already accounted for by previous use of this facility.
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. Work is done indoors and other industrial activities are the closest uses.
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 will be no additional requirements at a public cost for public facilities and services that would be detrimental to the economic welfare of the community.

The conditional use was noticed for a public hearing, and staff has not received any comments or concerns. There are customer reviews and ratings included.

### **Summary**

As part of the review for this project, the plans and supplemental documentation have been reviewed by staff. If the Planning Commission agrees that the use of an existing automotive service center will be harmonious and compatible with the surroundings, below is a motion for consideration:

### **Motion to Recommend Approval of a Conditional Use**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 21-009 (Marshall's Auto Repair, LLC), the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** for its ongoing auto repair facility at 1848 Star Batt Dr., based on documents dated received by the Planning Department on March 24, 2021 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 is having a positive impact on the community as a whole and the surrounding area by offering auto repair services to new and recurring customers.
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.
5. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
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 (suggested)*

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1. All work on vehicles will be conducted inside the structure.
2. Site will be kept in a generally clean and neat condition.
3. Cars left overnight will be assembled and parked in the rear of the building.
4. All work will be conducted between the hours of 8:00 am and 6:00 pm Monday through Friday and 8:00 am and 2:00 pm on Saturdays.

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Attachments: Conditional use request documentation and Notice of Public Hearing

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