

UNFINISHED BUSINESS

2023-0373

Public Hearing and Request for Conditional Use Recommendation - File No. PCU2023-0007 - to operate a car wash within the CB Community Business District for the proposed construction of a new Clean Express Car Wash located at 10 E. Auburn Rd., on the south side of Auburn Rd., east of Rochester Rd., Parcel No. 15-35-100-003, zoned CB Community Business District with an FB Flex Business Overlay, Clean Express Auto Wash, LLC, c/o Mannik & Smith Group, Inc., Applicant

(Staff Report dated 9/19/23, Mannik Smith letter dated 8/28/23, Reviewed Plans, Draft Planning Commission Minutes 8/15/23, and Public Hearing Notice had been placed on file and by reference became a part of the record hereof.)

Chairperson Brnabic introduced this item and invited the applicant forward.

Present for the applicant was Craig Van Breman, Chief Development Officer for Express Wash Concepts, and Steven Hermiller, Engineer, Mannik Smith Group Civil Engineering.

Mr. McLeod presented Staff's report, noting that this item was before last month's meeting with a good amount of discussion regarding traffic patterns and circulation on the site. He explained that the site is near the southeast corner of Auburn and Rochester Roads and is zoned Community Business. He pointed out that the site plan and tree removal permit lies within the Planning Commission's purview in terms of approval or denial, while the conditional use is a recommendation to City Council. He reviewed surrounding uses, noting that at the immediate corner is the oil change facility, the future Bank of America lies to the west, Culver's to the east, and Meijer and the shopping center lies to the south. He mentioned that the applicant is proposing to connect to the parking lot immediately to the south. He noted that last month the building was proposed at the west side of the property and the Commission expressed concerns raised regarding traffic flow and criss-crossing traffic, stacking lanes, and the cross-connection to Culver's and to Meijer. After much discussion the Commission's direction was to revise the pattern on site, and he noted that the applicants have done that, moving the building over to the east side and allowing the exiting traffic from the car wash to come straight out to the exit lane at Auburn.

He noted that the building is proposed at approximately 3,700 square feet, with 14 parking or vacuum spaces and a dedicated stacking lane that holds approximately 20 cars depending on how tightly they stack into two lanes. He pointed out that the cross traffic going east/west out of these two adjacent sites will be controlled by stop signs, so that people coming onto the site or exiting the site from the car wash will have the right of way. He mentioned that there were a couple of different comments remaining for site plan review as there had been a major change coming back before the Commission so quickly, including one raised by the Building Department regarding drainage on the east side of the property. He noted that the applicants have spoken with both the Building Department as well as Engineering regarding drainage, and he mentioned that

the site in conjunction with the Culver's site will create a swale that will come to a point at the actual property line. He noted that the drainage will go southward into a stormwater facility. He stated that the City's Engineer feels confident that the system will work and it can all be hammered out in actual engineering drawings at a future date should this be approved.

He stated that in terms of a tree removal clarification, some of the site plan pages indicated that tree removal was for four trees, which would require four replacement trees. He commented that should the Commission decide to move this forward, in the suggested motion in the Staff Report, two should be changed to four. He pointed out that the Tree Removal Permit notice was correctly listing it at four trees. He pointed out that the applicant is seeking a modification to the perimeter landscape for the number of trees planted along Auburn Road. He noted that a plan received today indicates that they are more than willing to plant trees along the west property line in the open area amongst the existing trees being preserved, providing the trees on site in lieu of providing cash for them to be planted elsewhere.

He pointed out that the actual vacuum unit was moved to the back of the site, as there had been concerns raised initially regarding screening the area up front. He reviewed the revised landscape plan.

He mentioned the Staff Report reviewed the conditional use criteria that should be considered in finding for the positive for any recommendation to City Council.

Mr. Van Bremen commented that he thought the team has done a great job working with City staff to make sure they captured everything from a Planning Commission perspective.

Dr. Bowyer asked if Engineering had any problems with flipping the building.

Mr. McLeod noted that Keith Depp was in attendance from the Engineering team if there were any specific questions. He stated that everyone felt that the change in general was positive, as it alleviated a lot of the cross traffic entering and exiting the site.

Dr. Bowyer asked if the entry pork chop would block people from being able to come into the car wash and make an immediate turn to go to Culver's.

Mr. McLeod responded that one of Planning's comments was that the island should be a little further exaggerated to help further channelize traffic. He stressed that people should not be making a left into the Culver's there, but Culver's traffic can come out and utilize it to turn right exiting the site.

Dr. Bowyer questioned whether the pork chop would be built up with a curb effect so that people cannot take that left, and not just be striping.

Mr. McLeod confirmed that this is the Planning comment that needed to be addressed.

Dr. Bowyer asked if there was any chance that the Culver's traffic would block

up the intersection, in which case how would the cars coming off of the car wash lane be prevented from hitting cars waiting to get off the site.

Mr. Van Bremen responded that the system itself is very advanced with anti-collision in the system to ensure there are no collisions within the tunnel. He added that the sites are manned 100 percent of the time while operating with kill switches, and flow should always be managed by on-site staff.

Dr. Bowyer asked why Culver's did not have its own entrance on and off of Auburn Road.

Ms. Roediger responded that from an access management standpoint, fewer curb cuts on a road improve safety and circulation. As this site is in proximity to Rochester Road, they wanted to minimize the amount of curb cuts along the area, and it was actually a condition when Culver's was approved that they would not have a curb cut onto Auburn, recognizing that this is why there is cross access to the stone shop. She noted that Culver's owner called her today and sent an email that indicated that he definitely wanted to maintain that cross access from his property.

Dr. Bowyer asked for confirmation that nobody will be able to try to make a left turn and the pork chop will stop it.

Mr. McLeod responded that legally they will only be able to make a right.

Dr. Bowyer asked if there was a connection to the oil change facility, noting that there will be grass between the end of their asphalt and the asphalt for the Pennzoil drive.

Mr. McLeod responded that there will not be a physical connection there, as right now there is no legal easement to cross or traverse the property line. He noted that if there is asphalt, they would place a temporary curb to force a physical stop at that location until such time an easement is secured for both properties and a physical connection created when appropriate.

Dr. Bowyer commented that she thought it would be good if they had no cross connection. She asked about the markings into and out of the Meijer parking lot and noted that it should be clearly marked so people will not try to come in by bypassing the kiosks.

Mr. Van Bremen responded that one of the most important positions on the site is monitoring the kiosk, and their employees are supposed to be out there 100 percent of the time. He added that by design they are going to be managing who will come in and go out of that entry point.

Mr. Weaver commented that he liked the layout much better. He asked if the building were shifted to the south a bit if that would help alleviate the potential bottlenecking from Culver's.

Mr. Van Bremen responded that it would eliminate some stacking. He pointed out that if someone does stop at the end of the tunnel, the entire tunnel will stop

and the automatic system will shut it down.

Mr. Weaver stated that he was in favor of adding trees along the west side of the property line rather than at Auburn Road. He noted that Auburn Road is very busy and he would hate to have any other visual impact while people are trying to pull in and out. He stated that he would advise not crowding the existing trees to put additional trees in. He noted that if there are potential drainage issues, the plants should be able to handle wet feet as even sprinklers will wet the area. He questioned the flow of vehicles when they finish vacuuming and asked if they could sneak into the kiosk line or would have to circle around.

Mr. Van Bremen responded that the vast majority of the customers wash first, so the most natural flow is to wash and then pull back in.

Mr. Struzik asked how many employees would be working during peak time.

Mr. Van Bremen responded it is always at least two, and during peak times of the day it would be three. He noted that sometimes on the weekend a fourth staff member is added. No employees will be hand-drying cars at the exit.

Mr. Struzik stated that he had a lot of concerns with the first plan and felt it was unworkable as to traffic flow. He commented that there was a lot going on more than just mirroring the plan and he likes this plan so much better. He stated that he likes the right-in and right-out at Auburn, and likes the denial of flow from Auburn into Culver's. He noted that he likes keeping the T-bone to nowhere on the west side of the property in the event that the oil change property is redeveloped, commenting that it could eliminate a curb cut on that site in the future. He stated that he likes the idea of planting trees on the west side of the property instead of Auburn Road, and likes that a stop sign will be at Culver's. He suggested that perhaps a sign that says "yield to car wash traffic" or "car wash traffic does not stop" so people understand that the car wash traffic gets to move first and it is not a two- or three-way stop.

Ms. Denstaedt expressed her appreciation for the applicant's due diligence in hearing what the Commission said and transforming the renderings and plans. She stated that she has a bit of concern with the Meijer side and commented that she would echo Dr. Bowyer in stated that there needs to be signage and people there to prevent cut-ins.

Ms. Neubauer expressed her thanks for their coming back so quickly with plans. She asked if they were able to get in touch with anyone from the Historical Society.

Mr. Van Bremen responded that Dennis on his team was able to contact Tiffany Dziurman.

Ms. Neubauer stated that it is her understanding that the Parks and Building denials have been resolved and only the Planning issues remain with the additional trees and drainage resolution mentioned earlier. She asked if that would resolve those two issues.

Mr. McLeod responded that in terms of Parks, that was mainly a clarification on the number of trees being removed, and that was clarified as four. The main Building component was relative to drainage, and in speaking to both Building and Engineering, they seem satisfied. He stressed that obviously this needs to be seen on a plan eventually, which they will do.

Ms. Neubauer questioned the cross slope verification.

Mr. McLeod responded that this will be a part of their future engineering reviews.

Ms. Neubauer asked if the applicants would be okay with adding the condition to extend the pork chop boulevard in the entry.

Mr. Hermiller stated that he did not see any issues with that; however, he would voice the concern that the adjacent property owner stated that he wanted the traffic.

Ms. Roediger commented that the neighboring property owner did expect to have a cross-access with this property.

Ms. Neubauer stated that she understood, but it is a safety issue.

Mr. Hermiller stated that he was fine with whatever the Commission wanted.

Ms. Neubauer noted that Planning recommended it as a safety issue, and she would agree that it needs to be extended. She asked if the lane direction orientation in the vacuum area had been addressed.

Mr. Hermiller responded that there were arrows shown on the plan and more could be added if they felt they needed better lane directional arrows.

Ms. Neubauer stated that she thought that additional arrows and signage would be something they would want. She thanked the applicant for coming back so quickly and revising the plan.

Mr. Dettloff reiterated that the job the applicant did in such a short time needs to be commended. He thanked the applicant for investing in Rochester Hills and wished them much success.

Chairperson Brnabic stated that she is assuming the Departments are fine with working on drainage issues as it is one of the biggest complaints they hear.

Mr. Hermiller stated that they did address all the issues and met with several people to discuss engineering the drainage. He noted that they did discuss how there is a symmetrical channel that they are not handling only their water, but Culver's is actually draining onto this part of the property. He stated that they are establishing infrastructure that will capture the water that Culver's is not and taking care of both sides.

Chairperson Brnabic asked if the vacuum screening element has been taken care of.

Mr. Van Bremen responded that the vacuum was moved to the rear by the dumpster and screened.

Chairperson Brnabic asked that the EIS be revised to reflect the change in the projected timetable before it goes to City Council.

Mr. Hooper stated that he agreed with all comments this evening and appreciated the applicant working with the Planning Commission and staff on flipping the building.

He moved the motion in the packet to recommend the conditional use approval to City Council. Ms. Neubauer seconded the motion.

Chairperson Brnabic noted that a public hearing was required, opened the public hearing, stated that she had no speaker cards and no one in the audience asked to speak, and closed the public hearing. She called for a roll call vote on the motion. After the vote, she announced that the motion passed unanimously.

Mr. Hooper moved the motion in the packet to approve the site plan, and added the following three condition numbers 3, 4 and 5:

3. Increase the entranceway pork chop to the south as approved by Staff, to discourage left turns from Auburn Rd. to the Culver's parking lot.

4. Additional signage to include a yield sign and directional arrows for directional onsite control as discussed and as approved by Staff.

5. Update the Environmental Impact Statement as discussed prior to City Council consideration.

The motion was seconded by Ms. Neubauer.

After a voice vote, Chairperson Brnabic announced that the motion passed unanimously.

Mr. Hooper moved the motion in the packet for the tree removal permit, noting the modification of finding number two that the applicant is proposing to remove four regulated trees and provide the four replacement trees, and plant a total of 19 trees. Ms. Neubauer seconded the motion.

After calling for a voice vote, Chairperson Brnabic announced that the motion passed unanimously.

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

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

Resolved, in the matter of City File No. PCU2023-0007 (Clean Express Carwash), the Planning Commission recommends to City Council Approval of the Conditional Use to allow a car wash facility at 10 E. Auburn, on Parcel No. 70-15-35-100-0038, based on plans received by the Planning Department on August 29, 2023, with the following findings.

Findings

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The site 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 additional car cleaning options along with additional job opportunities.
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 will 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

1. City Council approval of the Conditional Use.
2. The use shall remain consistent with the facts and information presented to the City as a part of the applicant’s application and at the public hearing.
3. If, in the determination of City staff, the intensity of the operation 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.

2023-0374

Request for Site Plan Approval - File No. PSP2022-0032 - to construct an approximately 3,677 sq. ft. car wash building with associated exterior cleaning stations for Clean Express Car Wash, located at 10 E. Auburn Rd., on the south side of Auburn Rd., east of Rochester Rd., zoned CB Community Business District with an FB Flex Business Overlay, Parcel No. 15-35-100-003, Clean Express Auto Wash, LLC, c/o Mannik & Smith Group, Inc., Applicant

See Legislative File 2023-0373 for discussion.

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

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

Resolved, in the matter of City File No. PSP2022-0032 (Clean Express Carwash), the Planning Commission approves the Site Plan, based on plans received by the Planning Department on August 29, 2023, 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 E. Auburn Road but will also provide a cross connection with the abutting sites to the west (future), east and south, thereby promoting current and future safety and convenience of vehicular traffic both within the site and on adjoining streets.
3. Off-street parking areas have been designed to avoid common traffic problems and promote customer safety.
4. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
5. 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.
6. The requested landscaping modification request, to not plant the required parking lot perimeter trees, is acceptable based on the limited area for planting and that the applicant will plant the required trees along the west property line as shown on the revised plan (to be approved by staff), and as discussed at this meeting.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff including all comments noted on the site plans and staff reports contained within the Planning Commission packets.
2. Provide a landscaping bond in the amount of \$70,700 based on the cost estimate for landscaping and irrigation (as adjusted reflecting the updated landscaping plans and cost estimates), plus inspection fees, as further adjusted as necessary by staff, prior to temporary grade certification being issued by Engineering.
3. Increase the entranceway pork chop to the south as approved by Staff, to discourage left turns from Auburn Rd. to the Culver's parking lot.
4. Additional signage must be installed, to include a yield sign and directional arrows for directional onsite control as discussed and as approved by Staff.
5. Update the Environmental Impact Statement as discussed prior to City Council consideration.

2023-0375

Request for Tree Removal Permit Approval - File No. PTP2023-0009 - to remove two (2) regulated trees and to provide two (2) replacement trees with a total of 21 trees to be provided for Clean Express Car Wash located at 10 E. Auburn Rd., on the south side of Auburn Rd., east of Rochester Rd., Parcel No. 15-35-100-003, zoned CB Community Business District with an FB Flex Business Overlay, Clean Express Auto Wash, LLC, c/o Mannik & Smith Group, Inc., Applicant

See Legislative File 2023-0373 for discussion.

A motion was made by Hooper, seconded by Neubauer, that this matter be Granted. The motion carried by the following vote:

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

Resolved, in the matter of File No. PTP2023-0009 (Clean Express Carwash) the Planning Commission grants a Tree Removal Permit, based on plans received by the Planning Department on August 29, 2023, 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 4 regulated trees, and provide 4 replacement trees, and plant an overall total of 19 trees (replacement plus required trees) onsite.

Conditions

1. Tree protective fencing, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.
2. No payment into the City's Tree Fund is proposed at this time.
3. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff including all comments noted on the site plans and staff reports contained within the Planning Commission packets, specifically the Parks and Natural Resources Department.