

**Clean Express Car Wash – Conditional Use and Site Plan Amendment**

<b>REQUEST</b>	Conditional Use Recommendation (Amendment) Site Plan Approval (Amendment)
<b>APPLICANT</b>	Clean Express Auto Wash, LLC c/o Mannik & Smith Group, LLC 13375 National Road, Suite D Etna OH, 43068
<b>LOCATION</b>	South side of Auburn Road, east of Rochester Road, 10. E. Auburn Road
<b>PROJECT NO.</b>	JNRNB2022-0013 (PCU2023-0007 and PSP2022-0032)
<b>PARCEL NO.</b>	70-15-35-100-003
<b>ZONING</b>	CB Community Business District with the FB Flex Business Overlay
<b>STAFF</b>	Chris McLeod, AICP, Planning Manager

**Summary**

The City previously approved the Site Plan, Conditional Use and Tree Removal Permit for the construction of a Clean Express Car Wash on this property (see attached minutes). The applicant is now proposing site access revisions as discussed further in detail below and therefore, requires new site plan and conditional use approval (the previous Tree Removal Permit that was granted still applies).



The 0.88 acre site is located on the south side of Auburn Road, east of Rochester Road. Car washes are a conditional use in the CB Community Business District. The applicant did not utilize the FB Flex Business Overlay District for this particular proposal. The proposed building is still proposed to be 3,677 square ft with a turn restricted driveway onto Auburn Road, a dedicated area for stacking and vehicle vacuums.

The building will be serviced by a total of approximately 14 parking spaces that will also serve as spaces for vacuuming and provides a total of approximately 20 stacking spaces for the car wash lane. The site was ultimately approved by City Council as a part of their conditional use review with no physical cross access connections to the west or to the east (however the legal cross access easements were required to be provided for future connection when appropriate). There was a two-way cross connection shown on the plans to the Meijer parking area to the south for both entry to and exit from the Clean Express site.

As noted, the final site configuration on the previously approved plans relative to traffic and access to and from the site included a directional driveway onto Auburn Road. The driveway to Auburn would not allow left hand turns onto the site from westbound Auburn Road. The driveway would also prohibit left hand turning movements from the site onto Auburn Road.

In addition, the site previously had a two-way cross connection to the Meijer parking lot to the south. This allowed patrons to enter the car wash site from the Meijer parking lot, or conversely to leave the car wash site through the Meijer parking lot to ultimately gain access to Auburn or Rochester Road. Finally, the approved site plan provided cross access easements to the oil change facility (to the west) and Culvers (to the east) but no physical connection was to be made at the time. The physical connections at these locations, particularly to Culvers, was the subject of much debate at the Planning Commission and ultimately City Council. In the end, the physical connection to Culver's was removed to reduce potential confusion and traffic conflicts between Culver's and Clean Express and the traffic entering and exiting the Clean Express site. The junction of the entry/exit drive to the site from Auburn Rd., the entrance to the stacking lane, the entrance/exit to the vacuum area and the exit of cars having completed the car wash all converged in a relatively small area, leading to the traffic congestion/confusion debate. For the record, Culvers ultimately opposed the connection (after initially endorsing it) to its site as well, citing potential conflicts with their drive through lane.

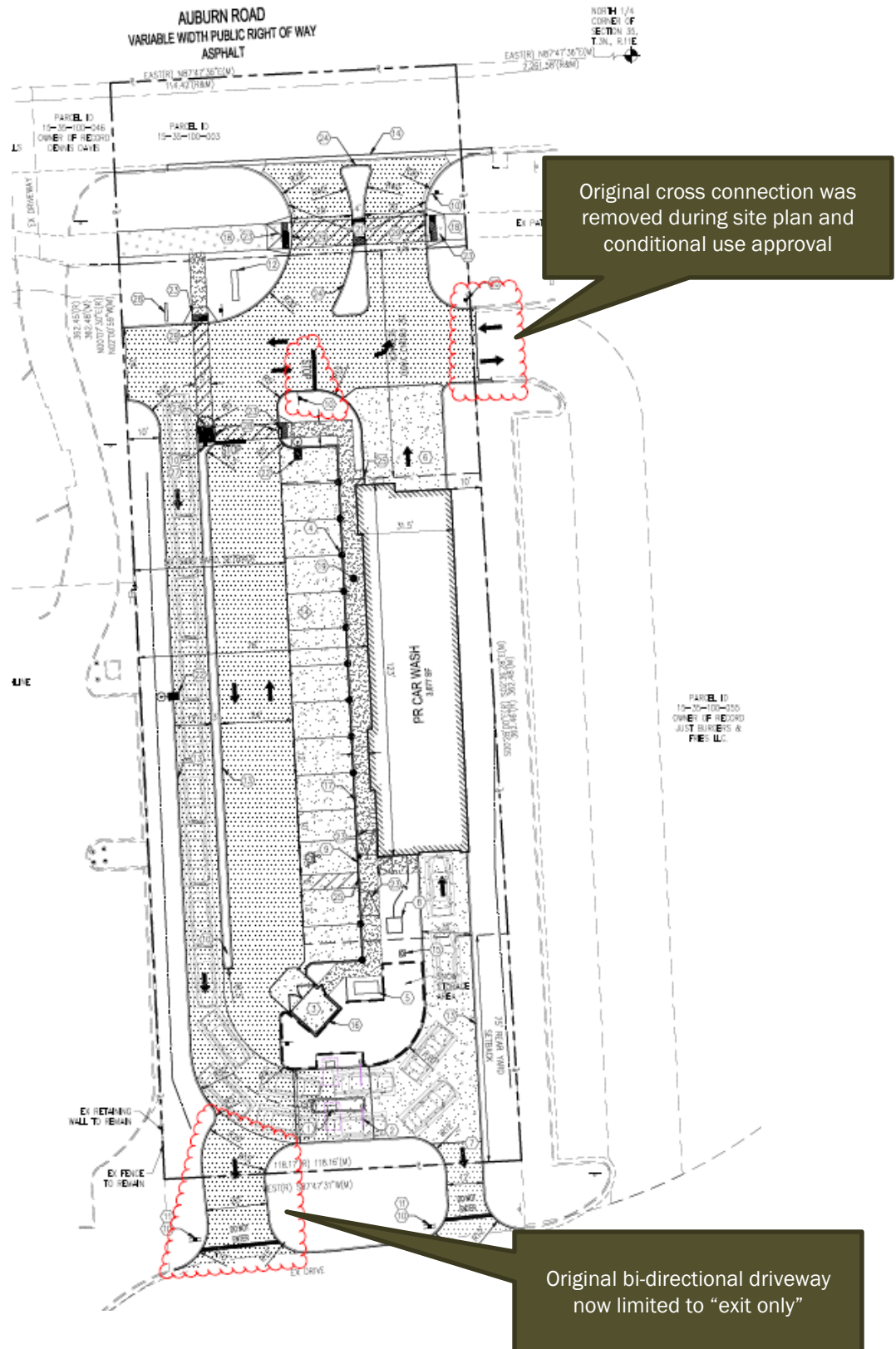
As the site progressed through the City's engineering review process (after the Planning Commission and City Council approvals), Meijer corporate informed Clean Express that it no longer would allow a full, two-way connection to the Clean Express site. The driveways from Clean Express to Meijer could remain but could only function as a one direction drive, for those exiting the car wash site and the driveways would have to be signed as such. The westernmost drive would also serve as emergency access to and from the Clean Express site as well as required by the City. This revision would leave the Clean Express site with a sole means of direct access, the restricted driveway from Auburn.

City staff had a number of conversations with the applicant in terms of potential revisions to the site plan to gain additional access to the site and how traffic patterns would be potentially impacted by such revisions. The reopening of the Culvers cross connection was discussed as a potential and ultimately the plans were revised to show the physical connection to Culvers that was originally removed as a part of the original approvals. It was explained that since the traffic patterns had changed and the cross connection that was originally removed as a part of the approval was being proposed to be reinstated, full conditional use and site plan approval would be necessary.

As part of the review process and coming back before the Planning Commission and City Council, staff recommended that the applicant reach out to Culvers for a letter of support for the proposed cross connection. It was explained to City staff that it was the intention of Clean Express to create the connection, regardless of Culvers stance, since an easement was already in place. City staff then reached out to Culvers directly and have received 2 email correspondences (from 2 separate Culver representatives) regarding the concern that Culvers has with the cross connection (these are included as part of public comment). It is noted that a legal easement is in place to provide a cross connection from the Culvers site, as that easement was secured when the Culvers site was originally developed. However, it should be noted that the easement is an item that is separate from the City's conditional use provisions that require a determination as to whether the proposed use, with the changes to the access as presented, is now appropriate for this location. The Planning Commission and ultimately City Council will need to review the traffic patterns onsite and how those patterns function with or without a physical cross connection to the Culvers site and a singular access point from Auburn Road to gain access to the site. The plan on the following page shows the revised access locations.

It should be noted that the City's traffic review approved the current plans with note that it is highly discouraged to operate with only one driveway entrance as internal traffic at the cross access has been an issue with the Culvers site. The review notes that the previous plan with another entrance

point from Meijer's parking lot is preferred, and that another entrance point should be pursued to ease congestion to Auburn Road and/or internal traffic between Culvers and Clean Express.



## Surrounding Properties

Surrounding properties and zoning designations remain the same as during the previous review:

	Zoning	Existing Land Use	Future Land Use
Site	CB Community Business District with FB Flex Business Overlay	Vacant Stone Shop	Commercial Residential Flex-3
North	CB Community Business District with FB Flex Business Overlay	Hampton Village Center	Commercial Residential Flex-3
South	CB Community Business District with FB Flex Business Overlay	Meijer, Panda Express, Eyeglass World, etc.	Commercial Residential Flex-3
East	CB Community Business District with FB Flex Business Overlay	Culvers	Commercial Residential Flex-3
West	NB Neighborhood Business District with FB Flex Business Overlay and CB Community Business Overlay District with Flex Business Overlay District	Pioneer Quick Lube and Bank of America (future)	Commercial Residential Flex-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.

1. *Will promote the intent and purpose of (the Ordinance).* The proposed amendments do not appear to impact the original determination criteria.
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 amendments do not appear to impact the original determination criteria.
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 proposed amendments do not appear to impact the original determination criteria, with the exception that there is concern that with one entrance to the site on Auburn Rd., there could be queuing backups onto Auburn Rd. whereas with the previously approved plans, there could have also been queuing backup into the Meijer drive which as an internal drive has less potential for traffic conflicts with lower speeds etc.
4. *Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.* The revisions to the access points to and from the site are impactful. The elimination of the full access drive to the Meijer parking lot eliminates a potential secondary access point to the site which could reduce the number of people utilizing the main entrance drive from Auburn Road. The sole use of the Auburn Road driveway will increase the traffic flow through the main intersection created by the exit of the car wash, the maneuvering lane

providing access to the stacking lane and vacuum lanes and those entering and exiting the site, making this intersection more congested with traffic. The reintroduction of the cross connection to the Culvers site would technically allow those wanting to enter the site from the Meijer parking lot to enter the Clean Express site through the Culvers site, through their maneuvering lane that also serves as their drive through lane. Prior iterations of the Clean Express site that showed both a full connection from Meijer to the Clean Express site and the cross connection to Culvers likely did not create such pressure on the Culver site to provide a secondary means of access to the Clean Express site as the current configuration.

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.* The proposed amendments do not appear to impact the original determination criteria.

## Staff Recommendations

Department	Comments & Waivers/Modifications	Recommendation
Planning	Conditioned on mutual agreement with Culver site and/or Planning Commission/City Council acceptance	Conditional Approval
Fire		Approval
Building		Approval
Assessing		Approval
Engineering		Approval
Engineering (Traffic)	With note that it is highly discouraged to operate with only one driveway entrance as internal traffic at the cross access has been an issue with the Culvers site. The previous plan with another entrance point from Meijer's parking lot is preferred. Another entrance point should be pursued to ease congestion to Auburn Road and/or internal traffic between Culvers and Clean Express.	Conditional Approval
Engineering (Legal)		Approval
Parks & NR		Conditional Approval

The conditional use has been re-advertised and the required development sign has remained in place along Auburn Road. The Planning Department has not received any public comments relative to the proposed application with the exception of the correspondence from the representatives from Culvers relative to the cross-access drive.

## Review Process

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The Conditional Use process requires review and recommendation by the Planning Commission and review and approval by City Council. The site plan review requires Planning Commission action only. If the proposed amendments to the Site Plan and Conditional Use approval are granted, revised engineering submittals will be required. The originally approved Tree Removal Permit remains unchanged with the site plan modifications requested.

## Motion to Recommend Denial of a Conditional Use

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of File No. PCU2023-0007 (Clean Express Carwash), the Planning Commission **recommends** to City Council **Denial** of the **amended Conditional Use** for a car wash facility at 10 E. Auburn, on Parcel No. 70-15-35-100-003 based on plans received by the Planning Department on February 7, 2024, with the following findings:

### Findings

1. The traffic patterns created by the proposed revised site access and cross connections will not allow the use to be operated, maintained, and managed to be compatible or harmonious 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.
2. The proposed car wash facility, with the traffic patterns created by the proposed revised site access and cross connections, will be detrimental to the surrounding area by providing additional confusion, traffic congestion and the likelihood of a traffic incident by creating too many potential conflicting traffic movements, relying primarily on a singular restricted driveway for access, and encouraging the potential for traffic incidents on an abutting site, Culvers, by encouraging cut through traffic within an existing maneuvering/stacking lane for a drive through.
3. The proposed use will be detrimental, hazardous, or disturbing to the existing and future neighboring land uses, persons, property, or the public welfare by creating unsafe conditions by means of excessive car traffic, the potential for vehicle stacking onto Auburn Road and into an abutting site, and increasing the potential for incidents onsite due to excessive turning movements.

## Motion to Recommend Conditional Use Approval

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. PCU2023-0007 (Clean Express Carwash), the Planning Commission **recommends** to City Council **Approval** of the **amended Conditional Use** for a car wash facility at 10 E. Auburn, on Parcel No. 70-15-35-100-003, based on plans received by the Planning Department on February 7, 2024, 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, with the revised driveway and cross connection configurations, 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 (as may be amended by this motion).
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.

### **Motion to Deny Site Plan**

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. PSP2022-0032 (Clean Express Carwash), the Planning Commission **denies** the **amended Site Plan**, based on plans received by the Planning Department on February 7, 2024, with the following findings and subject to the following conditions.

### **Findings**

1. The proposed project will be accessed from E. Auburn Road and will also provide a cross connection with the abutting sites to the west (future), east and south (egress only), and creates an excessive number of potential traffic conflict points onsite, particularly at the entrance to the site, near Auburn Road and thereby does not promote current and future safety and convenience of vehicular traffic both within the site and on adjoining streets.
2. Off-street parking areas, the revised driveway and cross connection configurations have been designed in a manner that will create confusion and will likely create traffic problems and therefore does not promote customer safety.
3. The proposed improvements of the amended site plan will not have a harmonious relationship with the overall layout and development on-site as well as existing development in the adjacent vicinity, in particular to the east. The removal of the entrance from the Meijer drive to the south will lead to additional traffic entering from Auburn Rd. which may cause backups onto the main road and from Culvers to the east, which may further interfere with that business' current drive through operations.

### **Motion to Approve Site Plan**

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. PSP2022-0032 (Clean Express Carwash), the Planning Commission **approves** the **amended Site Plan**, based on plans received by the Planning Department on February 7, 2024, 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 (egress only), thereby promoting current and future safety and convenience of vehicular traffic both within the site and on adjoining streets.
3. Off-street parking areas and revised driveway and cross connection configurations 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 required shrub/hedge plantings have been provided.

### **Conditions**

1. All original comments from other City departments and outside agency review letters, remain applicable.

## **Motion to Postpone**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of File No. PSP2022-0032 and PCU2023-0007 (Clean Express Carwash) the Planning Commission postpones action on the proposed site plan and conditional use, to allow the applicant ample time to address (insert concern(s) to be addressed), resubmit the appropriate plans and allow sufficient time for City review.

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