

Chair Lambert called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on October 24, 2023, in the Council Chamber of the Troy City Hall. Chair Lambert and Vice Chair Perakis presented opening remarks relative to the role of the Planning Commission and procedure of tonight’s meeting.

1. ROLL CALL

Present:

- Toby Buechner
- Tyler Fox
- Michael W. Hutson
- David Lambert
- Lakshmi Malalahalli
- Marianna Perakis
- John J. Tagle

Absent:

- Carlton M. Faison
- Tom Krent

Also Present:

- Ben Carlisle, Carlisle Wortman & Associates
- R. Brent Savidant, Community Development Director
- Julie Quinlan Dufrane, Assistant City Attorney
- Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2023-10-059

- Moved by: Fox
- Support by: Perakis

RESOLVED, To approve the Agenda as prepared.

- Yes: All present (7)
- Absent: Faison, Krent

MOTION CARRIED

3. APPROVAL OF MINUTES – September 26, 2023

Resolution # PC-2023-10-060

- Moved by: Malalahalli
- Support by: Buechner

RESOLVED, To approve the minutes of the September 26, 2023 Regular meeting as submitted.

Yes: All present (7)
Absent: Faison, Krent

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

Daniel Bousho, 94 Hickory; addressed residential development as relates to building design and options to rent or purchase, encouraged mortgaged-based communities.

Jeff Williams, 159 Telford; addressed proposed Planned Unit Development (PUD) application located east of Livernois and north of Square Lake. He encouraged members of the Planning Commission to personally reach out to him to visit Telford Ridge subdivision and view the proposed development from the perspective of the subdivision.

Mr. Savidant addressed public notification of the above-referenced proposed PUD application. He clarified review of the application and Public Hearing is scheduled on the November 28, 2023 Planning Commission Regular meeting agenda.

CONDITIONAL REZONING AND SPECIAL USE APPROVAL

5. PUBLIC HEARING – CONDITIONAL REZONING AND SPECIAL USE APPROVAL - (CR JPLN2023-001) – Proposed Jax Kar Wash, North side of Big Beaver, East of Rochester (PIN 88-20-23-401-036), Section 23, From O (Office) to IB (Integrated Industrial and Business) District

Mr. Savidant said public notification on the proposed development was not clear that the intent of the applicant is to rezone the entire parcel to IB (Integrated Industrial & Business), including the portion zoned P (Vehicular Parking). Mr. Savidant said after discussion with the applicant, his legal representative, and the City Attorney, it is determined to postpone the item to the December 12, 2023 Regular meeting to allow proper notification. Mr. Savidant said the City Planning Consultant and the applicant would make their presentations, the Public Hearing would be opened, but there would be no deliberation on the application this evening.

Ms. Dufrane announced new public notices with the correct zoning designations and properties proposed to be rezoned would be mailed to the appropriate property owners. She noted the applicant intends not to develop on the property zoned P (Vehicular Parking) and is voluntarily offering conditions related to the property. Ms. Dufrane said public comments made this evening would be on the record and in the meeting minutes.

Mr. Carlisle reviewed the Conditional Rezoning and Special Use Approval application for the proposed Jax Kar Wash. He addressed its location, an existing pipeline that bisects the P (Vehicular Parking) area to the north, two different zoning designations and surrounding zonings. Mr. Carlisle defined the P zoning designation as a legacy zoning district with the intent to create a buffer. He addressed how the proposed rezoning relates to the Master Plan and Future Land Use designation of *The Smart Zone*.

Mr. Carlisle identified the conditions voluntarily offered by the applicant as cited in his report dated October 9, 2023. He noted the existing green space on the north side of the property that the applicant is offering to preserve is larger in size than the property zoned as Vehicular Parking. Mr. Carlisle stated if the Conditional Rezoning application is recommended for approval by the Planning Commission, a Conditional Rezoning Agreement would be drafted between the applicant and the City Attorney's office prior to consideration by the City Council.

Mr. Carlisle addressed site arrangement, access, circulation and landscaping. He asked the applicant to address (1) potential noise impact from the vacuums and car wash mechanical units, (2) consideration in removal or reducing the amount of stacking spaces, (3) the number of vacuum spaces, (4) site circulation as relates to customers entering to use the vacuums only, (5) screening of the east and west properties to meet Zoning Ordinance requirements, and (6) access from the medical office building located to the east.

Mr. Carlisle asked the Planning Commission to consider if the application meets the Rezoning Standards (Section 16.04C), Special Use Standards (Section 9.03), Site Plan Review Design Standards (Section 8.06) and the intent of the Future Land Use designation. He asked that any approval of the application be conditioned on the site plan items identified in his report dated October 9, 2023.

Discussion among Planning Commission and administration followed. Some comments related to:

- *The Smart Zone* designations within the City (one).
- Proposed use in relation to *The Smart Zone*, Master Plan and surrounding land uses.
- Proposed zoning district as relates to "spot" zoning.
- Quality of existing trees, landscaping.
- Development limitations on property to the north that is bisected by an existing pipeline.

Mr. Savidant acknowledged receipt of a formal Rezoning Protest Petition and written communication with signatures of West Oak subdivision residents, both of which address concerns with the proposed development.

Applicant Todd Gesund, Vice President, Director of Expansion of Jax Car Wash, introduced the development team present this evening.

- Jon Zimmerman, CEO, Jax Car Wash
- John Gaber, Partner, WWRP, Legal Representative
- Linden Ivezaj, P.E., Chief Operating Officer, Cunningham-Limp
- Jim Butler, Principal, PEA Group

Mr. Gesund presented a brief history of Jax Kar Wash. He addressed its excellent customer service and community involvement. Mr. Gesund said they met with surrounding neighbors to introduce the proposed development and address any concerns they might have. He said based on recent communication received by the City it is clear neighbors are not in favor of the project. Mr. Gesund addressed the application as relates to zoning, existing pipeline that bisects the Parking property, preservation of 42% of existing vegetation/landscape, distance of car wash from residential property line, and screening and view of the car wash from residential properties. He said they intend to never develop the landscaped Parking property.

Mr. Gesund also addressed the building design, site layout, traffic circulation, stacking of cars and its quiet operation. He said the hours of operation are 7 a.m. to 8 p.m. Monday through Saturday and 8 a.m. to 6 p.m. on Sunday. Mr. Gesund said the car wash is 80% membership-based, that approximately 3.8 cars are washed per month with an average of 475 cars daily. Photographs of the perspective view of the car wash from residents on Hartland were displayed.

Mr. Zimmerman presented a Jax Kar Wash noise study, citing decibel levels at certain points of operation. He said the car wash is extremely quiet because all the mechanical units and vacuum noise is contained inside the building.

Mr. Butler said appropriate screening for properties to the east and west would be added to comply with Zoning Ordinance requirements. He addressed site circulation and traffic pattern as relates to the car wash operation and use of vacuums. Mr. Butler said there is an existing cross access easement with the adjacent office building to the east and the applicant is amenable to future cross access easements if the City so desires.

Mr. Gaber guided Board members through a PowerPoint presentation to address how the application relates to the Conditional Rezoning Standards, Special Use Approval Standards, Master Plan and *The Smart Zone* Future Land Use designation. Some key points addressed by Mr. Gaber were:

- Voluntary conditions offered relating to use, site plan layout and preservation of landscaped area in perpetuity.
- IB zoning supports many of the uses described in *The Smart Zone* designation.
- Building design and building elements compatible with *The Smart Zone* designation.
- Surrounding zonings compatible with *The Smart Zone* designation.
- Intent of the rezoning request is to extend the IB zoning district.
- Car wash facility likely to service adjacent uses.
- Rezoning request has no negative impact on neighboring properties, public service or overall environment.
- Site design minimizes traffic impact.

(Ms. Dufrane exited the meeting at 8:23 p.m.; returned to the meeting at 8:26 p.m.)

There was discussion, some comments related to:

- Site circulation patterns; internal and external.
- Traffic pattern for customers who use vacuums only.
- Applicant's strategy to circumvent customers from using vacuums at no charge.
- Signage on site to direct traffic patterns for customers.
- Type of screening provided for properties located to the east and west.
- Landscape screening to the north; residents' view of car wash during winter months.
- Application in relation to the Master Plan and Future Land Use designation.
- Sound study presented by applicant.

PUBLIC HEARING OPENED

The following speakers voiced **opposition** to the proposed car wash.

- Moorthy Vivek, 1482 Hartland; addressed concerns that car wash is not a fit for *The Smart Zone* designation, negative effect on property value, privacy, light pollution, safety, noise and fumes, setting precedent of continuing IB zoning.
- Geeta Madurkar, 1494 Hartland; addressed concerns with negative impact on health and environment, property value, noise pollution, safety of school children, increased traffic.
- Bruce Knight, 1607 E. Big Beaver, Suite 210; addressed definition of *The Smart Zone* designation as relates to proposed development and compatibility with adjacent property, concerns with vehicular access to his property, traffic circulation and safety.
- Speaker did not identify himself by name or address but stated he lives behind proposed development; addressed concerns with noise, light pollution, increased traffic, difficulty in exiting subdivision and merging into ongoing traffic to make a turnaround on Big Beaver.
- Chandra Siddharthan, 1446 Hartland; addressed concerns with negative impact on quality of life and noise pollution. Mr. Siddharthan challenged applicant's sound study; shared from his phone traffic noise heard at his residence from Big Beaver traffic and street noise from a nearby Jax Kar Wash.
- Makarand Phadke, 1470 Hartland; addressed concerns for safety and security of children who play in area, noise pollution, increased traffic, circulation of traffic and compatibility with *The Smart Zone* designation.
- Venkat Aitharaju, 1410 Hartland; addressed concerns with noise, negative impact on property values, compatibility with *The Smart Zone* designation, encouraged high technology developments.
- Lokesh Jayachandran, 1530 Hartland; addressed concerns with noise pollution, exhaust fumes, lack of privacy; both he and his wife work from home.
- Nandkishor Dhilde, 1518 Hartland; addressed concerns with compatibility with *The Smart Zone* designation, increase in traffic especially during Spring season.
- Vivek Sandell, 1434 Hartland; addressed compatibility with *The Smart Zone* designation, increase in traffic, traffic circulation as relates to Big Beaver, encouraged diverse economic development like the Automation Alley designation.
- Daniel Bousho, 94 Hickory; addressed *The Smart Zone* designation in relation to proposed car wash, concerned with setting a precedent for future development.

PUBLIC HEARING CLOSED

Mr. Savidant stated the City Council has the final decision on a rezoning application. He said public comment can be heard again at the December 12, 2023 Regular Planning Commission meeting and at the City Council meeting.

Mr. Carlisle said a Public Hearing will be scheduled at the City Council meeting, noting the meeting most likely will be in the New Year.

Resolution # PC-2023-10-061

Moved by: Buechner
 Seconded by: Fox

RESOLVED, To postpone Conditional Rezoning request (CR JPLN2023-001), located on the north side of Big Beaver, east of Rochester, to the December 12, 2023 meeting.

Yes: All present (7)
 Absent: Faison, Krent

MOTION CARRIES

OTHER ITEMS

6. **PUBLIC COMMENT** – For Items on the Agenda

Vivek Sandell, 1434 Hartland; addressed administrative review process for the proposed conditional rezoning; said postponing item might be a convenient diversion on the part of the City.

Mr. Perakis said public comment this evening would be on the record and in the meeting minutes for future reference if residents are unable to attend the Planning Commission meeting in December.

Mr. Fox said the City Council gives serious consideration to the Planning Commission recommendations on proposed rezonings and encouraged residents to share their concerns with the City Council.

7. **PLANNING COMMISSION COMMENT**

There were general Planning Commission comments, some related to:

- Special Use Approval and zoning designations that permit car wash facilities.
- Consideration of City revenue is not within the purview of the Planning Commission.
- Legal implications relating to proposed development applications considered by the Planning Commission.
- Attendance at Michigan Association of Planning (MAP) conference.
- Chair Lambert and Commissioner Fox seeking Master Citizen Planner (MCP) credentials.

Mr. Savidant reported the Rezoning Request for Encore Development, East side of Todd, South of Big Beaver, from R-1C and P to Big Beaver zoning district was granted by City Council at their October 16, 2023 meeting.

8. ADJOURN

The Regular meeting of the Planning Commission adjourned at 9:01 p.m.

Respectfully submitted,



David Lambert, Chair



Kathy L. Czarnecki, Recording Secretary

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