



**CITY OF NOVI CITY COUNCIL
OCTOBER 14, 2024**

SUBJECT: Consideration of tentative approval of the request by Jax Kar Wash, to rezone property at the southeast corner of Twelve Mile Road and Cabaret Drive to General Business with a Planned Rezoning Overlay.

SUBMITTING DEPARTMENT: Community Development Department – Planning

KEY HIGHLIGHTS:

- Rezoning 1.8 acres in Fountain Walk to allow a car wash development
- Activating a long-vacant parcel in a core commercial district
- Public benefit offered is design and construction of two pedestrian seating areas and two decorative walls
- Planning Commission recommended approval of the PRO Plan on August 28, 2024.

BACKGROUND INFORMATION:

The petitioner is requesting a Zoning Map Amendment for approximately 1.8 acres of property on the south side of Twelve Mile Road, to the east of Cabaret Drive. The applicant is proposing to rezone the property from Regional Center (RC) to General Business (B-3) using the City's Planned Rezoning Overlay (PRO) option.

The Formal PRO plan proposes a one-story 6,200 square foot building to develop a tunnel car wash, with outdoor vacuum stations that are typically associated with this type of car wash. Access to the site would be from the existing driveway off Cabaret Drive, so no new curb cuts are proposed for either public road frontage.

In their proposal the applicant describes some of the reasons this site has remained vacant in the 20+ years since Fountain Walk was developed; including, being limited by lease agreements to not allow a use that would compete with existing tenants of the center. The RC district also requires 100-foot building setbacks, which limits the developable area for a corner site. There are also 55-foot and 60-foot-wide gas line easements that run north-south along both sides of the property.

Staff and consultants have identified some issues with the proposed rezoning and PRO Plan. One of the questions with the proposal is whether this would be considered "spot zoning" since no like or similar B-3 uses are in proximity. However, since the PRO

Agreement restricts the development of the property to the use and design shown in the PRO Plan, the City Council should consider the compatibility of this particular project within the context of its surroundings rather than the B-3 District as a whole. A car wash is a commercial use typically permitted in a fairly intensive commercial district that serves a local market. The Regional Center district is an intense commercial district that serves a broader reach of customers. The Fountain Walk development in particular has commercial tenants in large footprint spaces, with some smaller tenant spaces mixed in. While Jax Kar Wash is unlikely to draw in customers from a greater distance, those coming to Fountain Walk for another purpose may find it convenient to get a car wash while they are there.

The detriments to rezoning to B-3 in order to permit a car wash in this location may include foregoing the development of a use that would be a better complement to the existing retail center on a prominent corner and one that creates more jobs. There is also the risk of market over-saturation as there are several existing and proposed car washes in Novi.

The applicant has amended their initial proposed public benefit and now offers to construct two covered seating areas along 12 Mile Road. The plan shows a concrete pedestrian node with benches and a metal pergola along the sidewalk fronting on 12 Mile Road, with the other stated location further to the east near Donelson Drive.

Additionally, the applicant offers to provide two decorative curved walls on the property: one at the corner of 12 Mile Road and Cabaret Drive, and the other at the corner of Cabaret Drive and the entrance of Fountain Walk. The walls could include signage identifying the center. No signage for Jax Kar Wash or other businesses would be placed on the walls. The stone would match the existing wall located at the West Oaks and Donelson Drive entrance.

See the proposed motion for a complete list of deviations requested and suggested conditions to be included in the PRO Agreement.

PRO ORDINANCE

The PRO option creates a "floating district" with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed and the applicant enters into a PRO agreement with the City, whereby the City and the applicant agree to a conceptual plan for development of the site. Following final approval of the PRO concept plan, conditions for the development, and a PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires, and the agreement becomes void.

The Planned Rezoning Overlay ordinance outlines the requirements to be eligible to utilize the option. Section 7.13.2.B.ii states:

In order to be eligible for the proposal and review of a rezoning with PRO, an applicant must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, propose clearly identified site-specific conditions relating to the proposed improvements that,

- 1) are in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district, including such regulations or conditions as set forth in Subsection C below; and*
- 2) constitute an overall benefit to the public that outweighs any material detriments or that could not otherwise be accomplished without the proposed rezoning.*

[\(See Full text, including Subsection C\)](#)

After the initial round of comments by the public bodies, the applicant submitted their formalized PRO Plan, which was reviewed by City staff and consultants. The project was then considered at a 2nd public hearing by the Planning Commission.

PLANNING COMMISSION

The Planning Commission held a Public Hearing on the formal PRO Plan on August 28, 2024, and recommended approval to the City Council. Comments made at that time are reflected in meeting minutes included in this packet.

CITY COUNCIL ACTION

If the City Council is inclined to approve the rezoning request with PRO at this time, the City Council's motion would be to direct the City Attorney to prepare a PRO Agreement to be brought back before the City Council for approval with specified PRO Conditions.

RECOMMENDED ACTION: Tentative indication that Council may approve the request of Jax Kar Wash, JZ24-02 with Zoning Map Amendment 18.744, to rezone from RC to B-3, subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan, and direction to the City Attorney to prepare the PRO Agreement including:

- A.** All deviations from the ordinance requirements shall be identified and included in PRO Agreement, including:
 1. Overhead Door (Sec. 3.10.1.A): In the B-3 District, no overhead door or other type of service bay door is permitted to face a major thoroughfare. A deviation would be required for the car wash tunnel door facing Twelve Mile Road. *The corner lot location makes it necessary for an overhead door to face one of the frontages, and the existing easements limit options for building orientation.*

2. Dumpster (Sec. 4.19.2.F): The location of the dumpster within 10 feet of the building would require a deviation. *This deviation is supported since there are no office or living spaces adjacent inside the main building, only the car wash tunnel.*
3. Loading-Unloading Zone (Sec. 5.4.2): Deviation would be required for the lack of a loading zone. *The applicant states the car wash use does not have a specific need for a loading/unloading area as there are no large deliveries to the site.*
4. Parking Lot Landscaping (Section 5.5.3.C): Deviation would be required for not providing the required number of accessway perimeter trees. *The applicant has provided the easement for the existing utility easement which does not permit the planting of landscaping in the easement area.*
5. Section 9 Waiver (Section 5.15): Proposed elevations of the building have an overage of Horizontal lap siding (8-10% proposed, 0% minimum required) and an overage of Asphalt Shingles (31-36% proposed, 25% maximum allowed). *In this case the deviations are not detrimental to the overall design of the building, and the design consistent with the intent and purpose of the Ordinance.*

B. The following conditions shall be requirements of the PRO Agreement:

1. The use shall be limited to a car wash. No other uses permitted in the B-3 District would be allowed on this site.
2. The building height will be 24.5 feet, which is more limiting than the 30 feet allowed in the B-3 District.
3. The building setbacks will exceed the B-3 requirements on all sides. Front and exterior side yards are 68-88 ft (30 ft required) and interior side yards are 54- to 138-feet (15 ft required).
4. The façade ordinance requires a minimum of 30% brick on all elevations. The proposed building exceeds this requirement with 49.6 to 59.9%.
5. A shared parking agreement with the Fountain Walk retail center will be required for employee parking spaces on the adjacent parcel.

C. This motion is made because the proposed General Business (B-3) zoning district is a reasonable alternative to the RC District and fulfills the intent of the Master Plan for Land Use, and because:

1. The applicant offers to construct two covered seating areas along 12 Mile Road. The plan shows a concrete pedestrian node with benches and a metal pergola along the sidewalk fronting on 12 Mile Road, with the other stated location further to the east near Donelson Drive.
2. The applicant offers to provide two decorative curved walls on the property: one at the corner of 12 Mile Road and Cabaret Drive, and the other at the

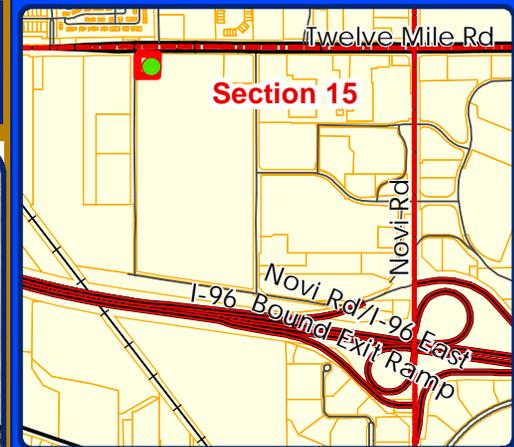
corner of Cabaret Drive and the entrance of Fountain Walk. The walls could include signage identifying the center. No signage for Jax Kar Wash or other businesses would be placed on the walls. The stone would match the existing wall located at the West Oaks and Donelson Drive entrance.

3. Public utilities are available to connect to, and adequate service capacity is available for the car wash demand proposed.
4. The car wash use is not expected to generate more traffic demand than other uses that could be built under the existing RC zoning.
5. The project does not impact existing woodland or wetland areas since the area was prepared for development when the Fountain Walk center was originally developed.
6. The proposed Jax Kar Wash would support the Master Plan goal of attracting new businesses to the City and may provide a customer draw that would support the growth of other businesses within Fountain Walk.
7. The detriments to the City from a car wash development as proposed are not substantial overall, so while the benefits to the public of this proposed use resulting from the conditions above are somewhat speculative, they do tend to outweigh the detriments.

MAPS
Location
Zoning
Future Land Use
Natural Features

JAX KAR WASH

LOCATION



LEGEND

 Subject Property



City of Novi
Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Lindsay Bell
Date: 3/18/24
Project: JAX KAR WASH
Version #: 1

0 35 70 140 210 Feet
1 inch = 167 feet

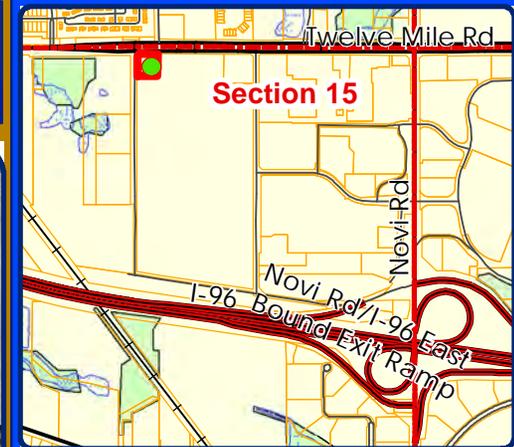
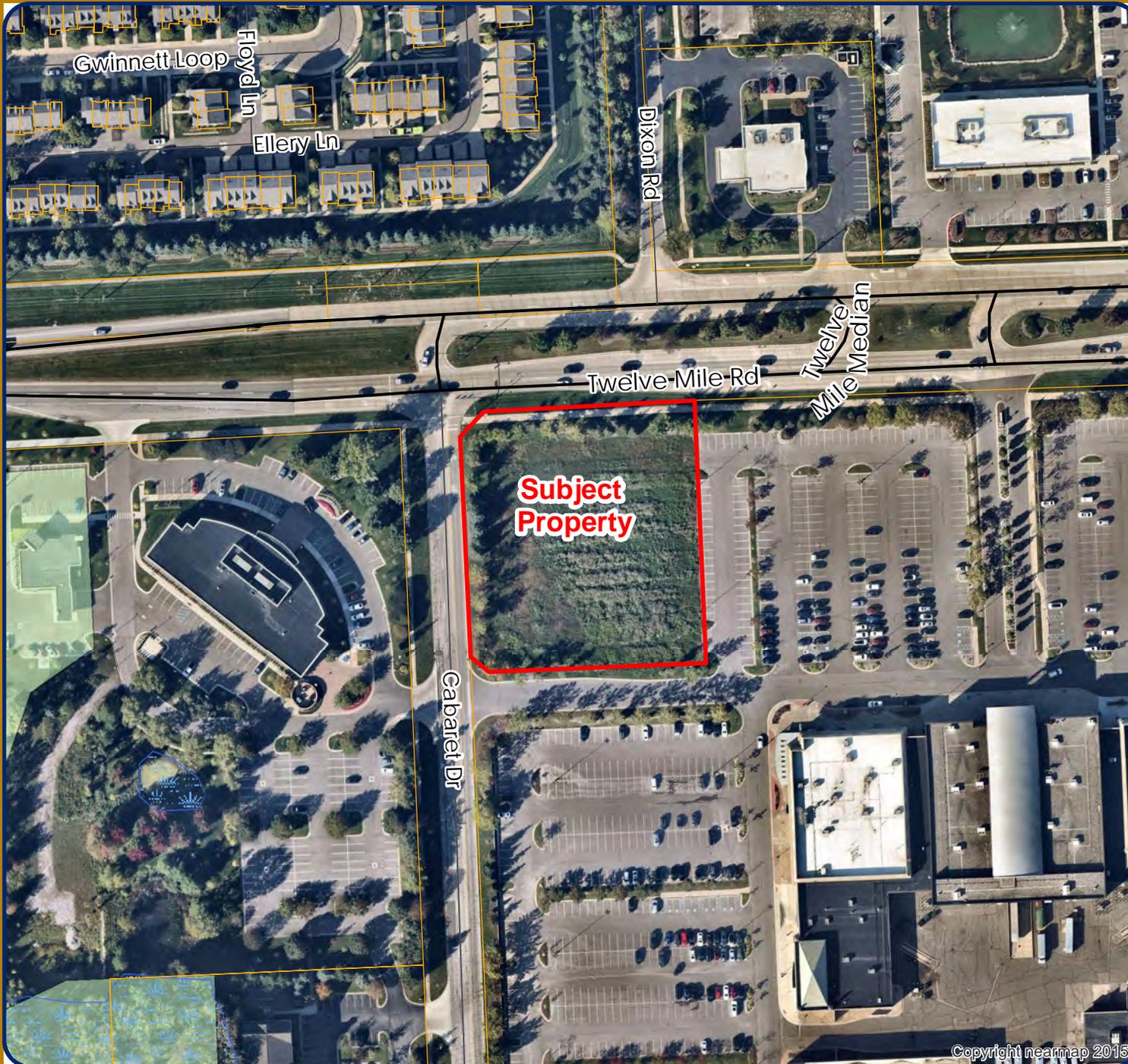
MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

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JAX KAR WASH

NATURAL FEATURES



LEGEND

-  WETLANDS
-  WOODLANDS
-  Subject Property



City of Novi
 Dept. of Community Development
 City Hall / Civic Center
 45175 W Ten Mile Rd
 Novi, MI 48375
cityofnovi.org

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JAX KAR WASH ZONING



LEGEND

- R-A: Residential Acreage
- R-4: One-Family Residential District
- B-3: General Business District
- C: Conference District
- I-1: Light Industrial District
- I-2: General Industrial District
- OS-1: Office Service District
- OST: Office Service Technology
- RC: Regional Center District
- TC: Town Center District
- Subject Property



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 cityofnovi.org

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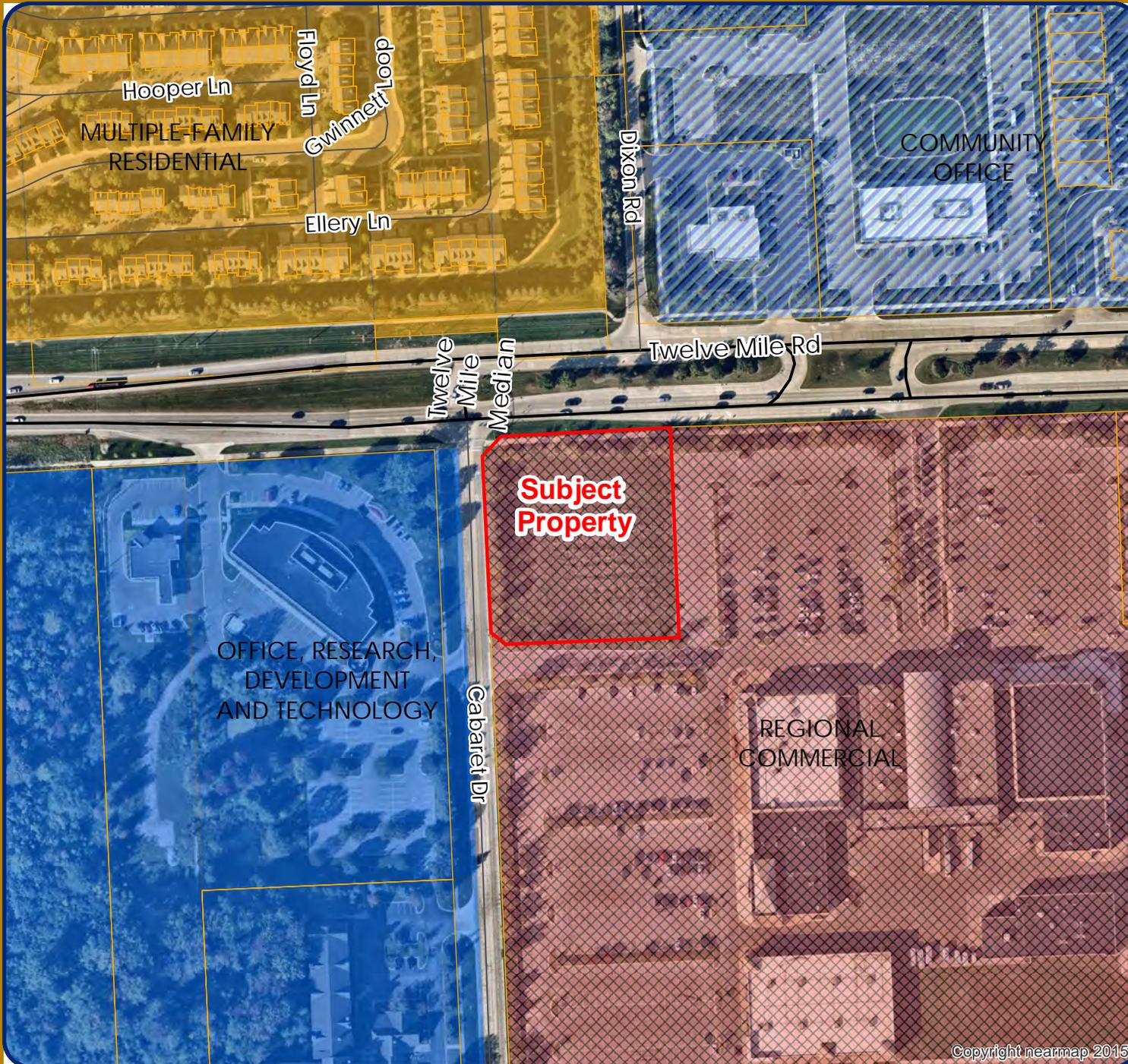


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JAX KAR WASH

FUTURE LAND USE



LEGEND

- Single Family
- Multiple-Family Residential
- Community Office
- Office, Research, Development and Technology
- Industrial, Research, Development and Technology
- Regional Commercial
- Town Center Commercial
- Town Center Gateway
- Public
- Cemetery
- Subject Property



City of Novi

Dept. of Community Development
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FORMAL PRO PLAN

PRELIMINARY SITE PLANS

JAX KAR WASH

44175 WEST 12 MILE ROAD
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN



PERMIT / APPROVAL SUMMARY		
DATE SUBMITTED	DATE APPROVED	PERMIT / APPROVAL
2/9/2024		SITE PLAN APPROVAL



INDEX OF DRAWINGS	
NUMBER	TITLE
	COVER SHEET
C-1.0	TOPOGRAPHIC SURVEY
C-3.0	PRELIMINARY SITE PLAN
C-4.0	PRELIMINARY GRADING PLAN
C-5.0	EROSION CONTROL PLAN
C-6.0	PRELIMINARY UTILITY PLAN
C-9.0	NOTES AND DETAILS
C-9.1	ADS DETAILS
C-9.2	ADS DETAILS
C-9.3	RAMP DETAILS
L-1.0	PRELIMINARY LANDSCAPE PLAN
L-1.1	LANDSCAPE CALCULATIONS
L-2.0	LANDSCAPE DETAILS
T-1.0	TREE PRESERVATION PLAN
PPF-1	OVERALL FLOOR PLAN
PE-1A	BUILDING ELEVATIONS
PE-1B	EXP AND VACUUM ELEVATIONS
1 OF 1	PHOTOMETRIC PLAN

LEGAL DESCRIPTION:
PART OF 50-22-15-200-112
TIN, RBE, SEC 15 PART OF N 1/2 OF SEC. BEG AT PT DIST S 88-35-38 W 1690.26 FT & S 01-53-38 E 380 FT FROM NE SEC COR; TH S 01-53-38 E 2162.77 FT, TH N 83-29-50 W 997.39 FT, TH N 81-25-51 W 236.34 FT, TH N 01-52-22 W 2258.06 FT, TH N 42-38-24 E 38.25 FT, TH N 87-32-34 E 202.19 FT, TH N 88-35-38 E 692.10 FT, TH S 01-24-22 E 309 FT, TH N 88-35-38 E 309.80 FT TO BEG 64.46 A 8-5-15 FR -110

DESIGN TEAM

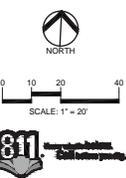
APPLICANT:	CIVIL ENGINEER	CONTRACTOR
JAX KAR WASH 26777 CENTRAL PARK BOULEVARD SUITE 190 SOUTHFIELD, MICHIGAN 48034 CONTACT: TODD GESUND EMAIL: TODD@JAXKARWASH.NET	PEA GROUP 1549 POND RUN AUBURN HILLS, MI 48326 CONTACT: JAMES P. BUTLER, PE PHONE: 844.813.2949 EMAIL: JBUTLER@PEAGROUP.COM	CUNNINGHAM LMP COMPANY 26720 CABOT DRIVE, SUITE 100 CONTACT: MS. ALYSSA COOK COOKA@CLC.BUILD
ARCHITECT	LANDSCAPE ARCHITECT	
F.A. STUDIO 26281 EVERGREEN ROAD, SUITE 123 SOUTHFIELD, MI 48078 CONTACT: DAVID S. BRINKMEIER, AIA PHONE: 248.619.2354 EMAIL: DBRINKMEIER@FA.STUDIO	PEA GROUP 7627 NEMCO WAY, STE. 115 BRIGHTON, MI 48116 CONTACT: LYNN WHIPPLE, PLA PHONE: 844.813.2949 EMAIL: LWHIPPLE@PEAGROUP.COM	



REVISIONS	
DESCRIPTION	DATE
ORIGINAL ISSUE DATE	2/9/2024



NOT FOR CONSTRUCTION



CAUTION!
 This drawing is prepared for the use of the client and is not to be used for any other purpose without the written consent of the engineer. The client is responsible for the accuracy of the information provided to the engineer and for the results of the work performed.



CLIENT
CUNNINGHAM LIMP COMPANY
 2618 CABOT DRIVE, SUITE 100
 30314 MI

PROJECT TITLE
JAX KAR WASH
 4475 WEST 12 MILE ROAD
 30314 MI

REVISIONS

NO.	DATE	DESCRIPTION

ORIGINAL ISSUE DATE:
 FEBRUARY 9, 2024

DRAWING TITLE
TOPOGRAPHIC SURVEY

PEA JOB NO. 2023-1246
 P.M. JPB
 D.N. KML
 D.E. JPB
 DRAWING NUMBER:

C-1.0

LEGEND:

- ELEC—W—○— EX. OK, ELEC. POLE & GUY WIRE
- CATV—○— EX. U.S. CABLE TV & FIBER OPT.
- COM—○— EX. U.S. COMMUNICATIONS WIRE, FEDERAL & MANHOLE
- ELEC—○—○— EX. U.S. ELEC. MANHOLE, METER & HANDHOLE
- EX. GAS LINE
- EX. GAS VALVE & GAS LINE MANHOLE
- EX. TRANSFORMER & REGULATION VALVE
- EX. WATER MAIN
- EX. HYDRANT, GATE VALVE & POST INDICATOR VALVE
- EX. WATER VALVE BOX & SHUTOFF
- EX. SANITARY SEWER
- EX. SANITARY CLEANOUT & MANHOLE
- EX. COMBINED SEWER MANHOLE
- EX. CLEANOUT & MANHOLE
- EX. SQUARE, ROUND & BEEHIVE CATCH BASIN
- EX. YARD DRAIN, U.S. ROOF DRAIN & DOWNSPOUT
- EX. UNIDENTIFIED STRUCTURE
- EX. IMBUBOX, SIGN, LIGHTPOLE & GUARD POST
- EX. FENCE
- EX. GUARD RAIL
- EX. O.B.C. TREE, CONIFEROUS TREE & SHRUB
- EX. TREE TAG & TREE LINE
- EX. SPOT ELEVATION
- EX. CONTOUR
- EX. WETLAND

● IRON FOUND / SET
 ● NAIL FOUND / NAIL & CAP SET
 ● BRASS PLUG SET
 ● MONUMENT FOUND / SET
 ● SECTION CORNER FOUND
 ● P M C RECORDED / MEASURED / CALCULATED

REFERENCE DRAWINGS:
 1. ALTAMORA LAND TITLE SURVEY "FOUNTAIN WALK" OFFICERS WEEBSTER JOB NO. 14746.10, DATED 08-07-15

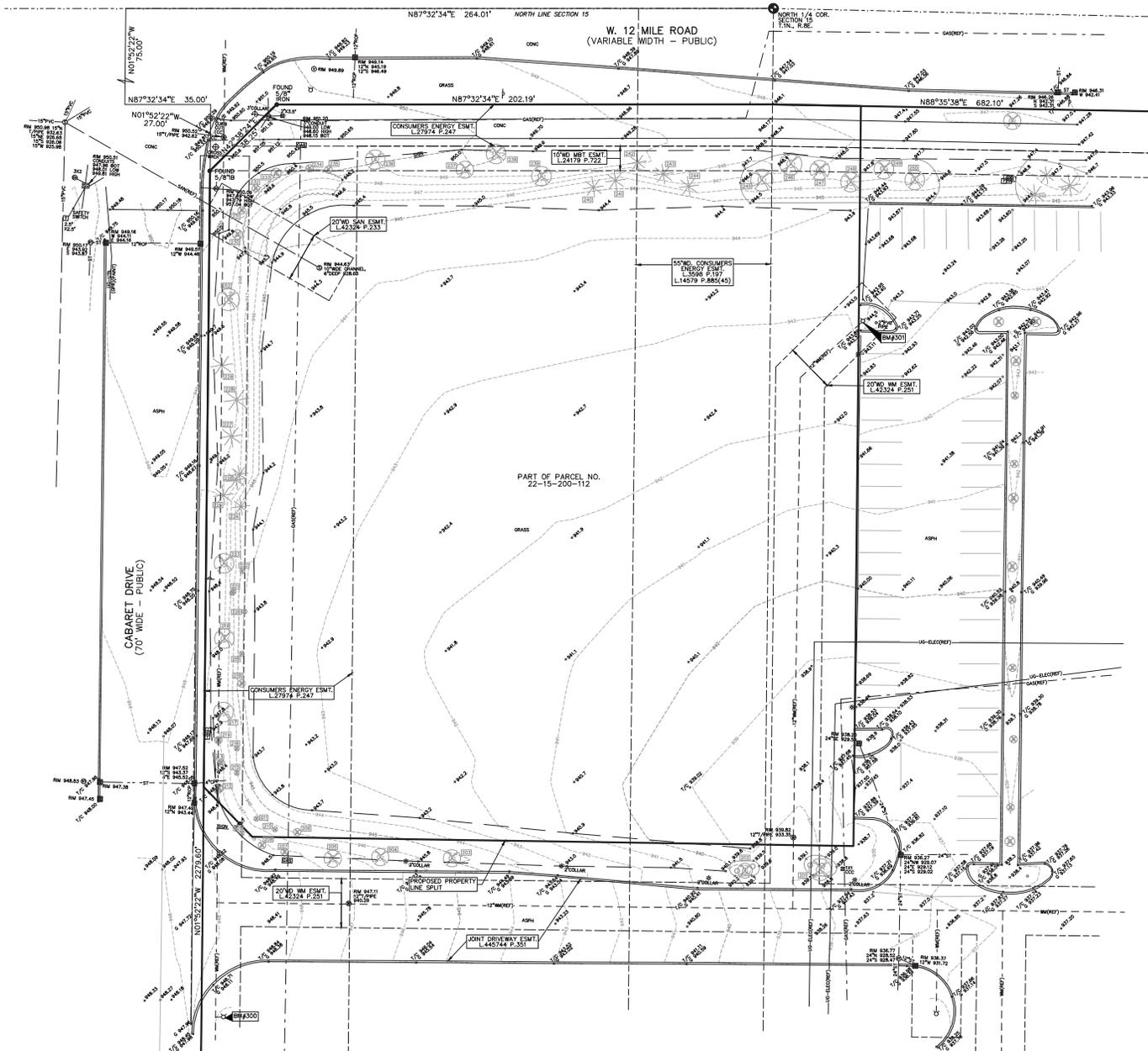
BENCHMARKS
 (GPS DERIVED - NAVD88)

BM#300
 DUMPLE ON ARROW ON SOUTH SIDE OF HYDRANT, EAST SIDE OF CABARET DR., APPROX. 400' SOUTH OF 12 MILE ROAD.
 ELEV. - 946.71

BM#301
 DUMPLE ON ARROW ON WEST SIDE OF HYDRANT IN PARKING LOT ISLAND, APPROX. 100' SOUTH OF 12 MILE ROAD AND APPROX 270° EAST OF CABARET DR.
 ELEV. - 950.06

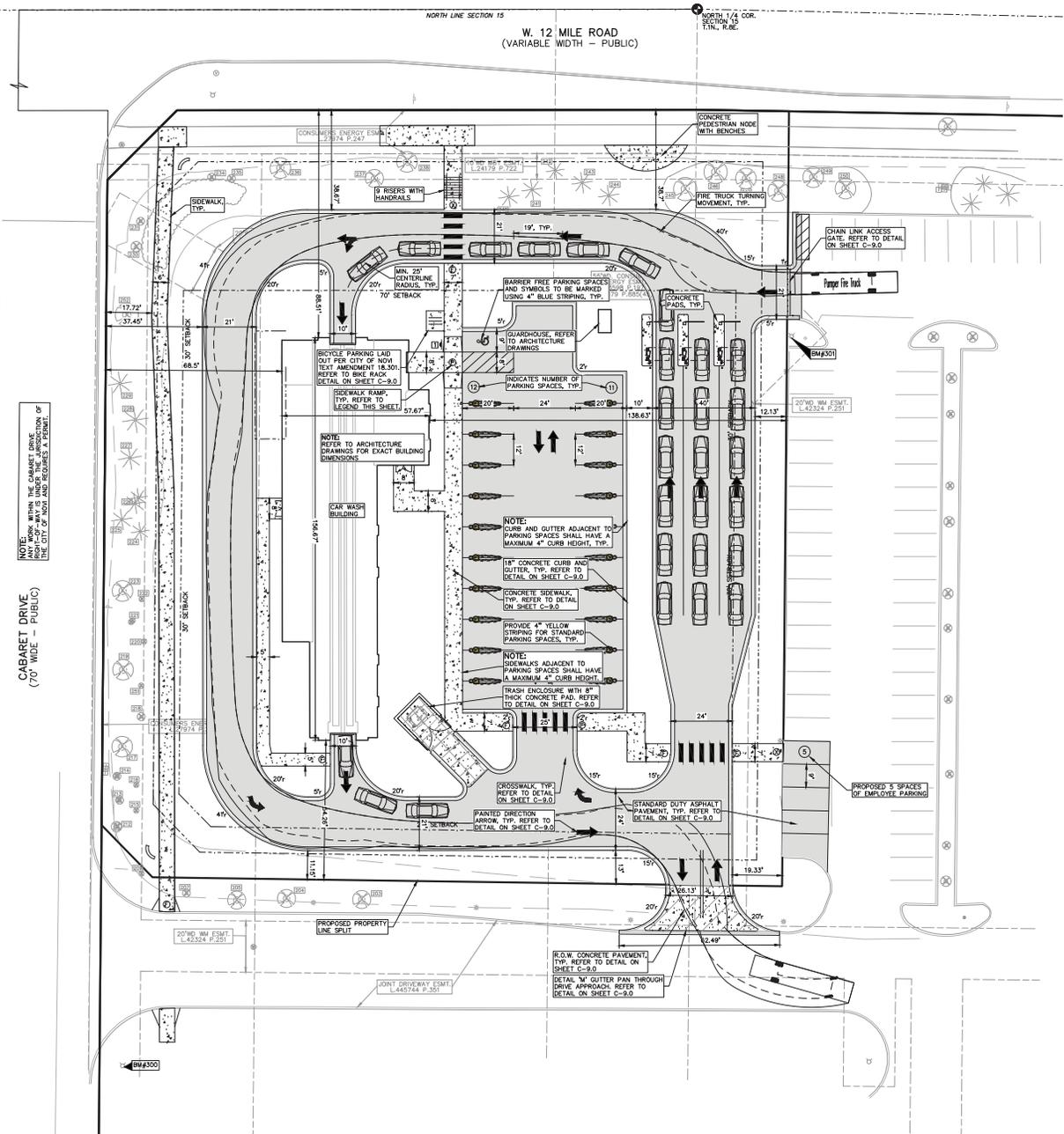
FLOODPLAIN:
 BY GRAPHIC PLOTTING, THE SUBJECT PARCEL IS IN (ZONE X) "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" PER FEMA FLOOD INSURANCE RATE MAP PANEL NUMBER 26125C0626F, EFFECTIVE SEPTEMBER 29, 2006

LEGAL DESCRIPTION:
 PART OF 50-22-15-200-112
 T1N, R8E, SEC 15 PART OF N 1/2 OF SEC 15 AT PT DIST S 88-35-38 W 1690.26 FT & S 01-53-38 E 380 FT FROM NE SEC COR., TH S 01-53-38 E 2162.77 FT, TH N 85-29-50 W 997.39 FT, TH N 81-29-51 W 236.24 FT, TH N 01-52-22 W 2206.06 FT, TH N 42-38-24 E 38.25 FT, TH N 87-32-34 E 202.19 FT, TH N 88-35-38 E 682.10 FT, TH S 01-24-22 E 306 FT, TH N 88-35-38 E 309.80 FT TO BEG 64.46 A 8-5-15 FR -110

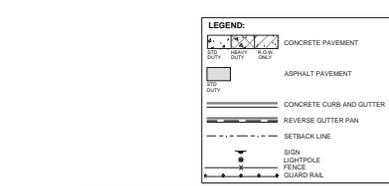
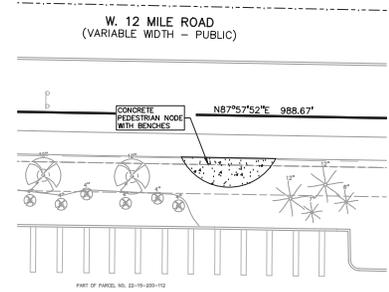


NOT FOR CONSTRUCTION

\\\w\pea\2023\1246\1246-01-01\1246-01-01-01.dwg (1246-01-01-01.dwg) 12/15/2023 10:00:00 AM



NOTES:
 ANY WORK WITHIN THE CABARET DRIVE
 SHALL BE THE RESPONSIBILITY OF THE
 CITY OF NOVI AND REQUIRES A PERMIT.



GENERAL NOTES:
 THESE NOTES APPLY TO ALL CONSTRUCTION ACTIVITIES ON THIS PROJECT.

- ALL DIMENSIONS SHOWN ARE TO BACK OF CURB, FACE OF SIDEWALK, OUTSIDE FACE OF BUILDING, PROPERTY LINE, CENTER OF MANHOLE/CATCH BASIN OR CENTERLINE OF PIPE UNLESS OTHERWISE NOTED.
- REFER TO NOTES & DETAILS SHEET FOR ON-SITE PAVING DETAILS.
- NO SITE MONUMENT SIGN PROPOSED.

SITE DATA TABLE:

TOTAL SITE AREA: 1.81 ACRES
 EXISTING ZONING: R-C (REGIONAL CENTER DISTRICT)
 PROPOSED ZONING: B-3 (BOTH RHD)
 PROPOSED USE: CAR WASH
 BUILDING GROSS FLOOR AREA: 6,212 SF
 HOURS OF OPERATION: MONDAY - FRIDAY: 7AM TO 6PM; SAT/SUN: 8AM TO 6PM
 TOTAL EMPLOYEES: 3

PARKING CALCULATIONS:
 REQUIRED PARKING = 2 + 1 PER EMPLOYEE + 1 PER VACUUM STATION
 = 2 + 3 EMPLOYEES + 20 = 25 SPACES
 PROPOSED PARKING SPACES = 28 SPACES INC. X 1 HC SPACES

OFF-STREET PARKING IN SIDE AND REAR YARDS:
 AREA OF RESIDENTIAL USE SETBACK AT 10' = 8.64 AC (50% = 0.22 AC)
 AREA THAT BOTH PARKING LOTS OCCUPY OF THE SETBACK = 0.46
 PERCENTAGE OCCUPIED BY PARKING LOTS = 0%

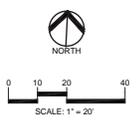
SITE SOILS INFORMATION:
 ACCORDING TO THE USGS NATURAL RESOURCES CONSERVATION SERVICE
 WEB SOIL SURVEY FOR OAKLAND COUNTY, THE SITE CONSISTS OF THE
 FOLLOWING SOIL TYPES:
 15B - OHIO-TENNESSEE LOAMY SANDS, 0 TO 8 PERCENT SLOPES
 59 - URBAN LAND
 60B - URBAN LAND-MARLETTE COMPLEX, 0 TO 8 PERCENT SLOPES
 BUILDING LOT COVERAGE (PROPOSED): 7.88%
 OPINION OF PROBABLE COST: TBD

SIGN LEGEND:
 VAM ACCESSIBLE BARRIER FREE PARKING SIGN
 REFER TO DETAIL SHEET FOR SIGN DETAILS

SIDEWALK RAMP LEGEND:
 SIDEWALK RAMP TYPE F
 SIDEWALK RAMP TYPE P
 CURB DROP ONLY
 REFER TO LATEST ADOPT R-20
 STANDARD RAMP AND DETECTABLE
 WARNING DETAILS AND SHEET C-0.3

SIGNING NOTES:

- SIGNS 12"x18" OR SMALLER IN SIZE SHALL BE MOUNTED ON A GALVANIZED 3 LB. U-CHELLE POST.
- SIGNS GREATER THAN 12"x18" SHALL BE MOUNTED ON A GALVANIZED 3 LB. OR GREATER U-CHELLE POST.
- SIGN BOTTOM HEIGHT OF 7' FROM FINAL GRADE.
- SIGNING SHALL BE PLACED 2' FROM THE FACE OF THE CURB OR EDGE OF THE NEAREST SIDEWALK TO THE NEAR SIDE OF THE SIGN.
- FINN STANDARD ALPHABET SERIES USED FOR ALL SIGN LANGUAGE.
- HIGH INTENSITY PRISMATIC (HIP) SHEETING TO MEET FINN RETRO-REFLECTIVITY.



CLIENT:
CUNNINGHAM LIMP COMPANY
 20700 CABOT DRIVE, SUITE 100
 NOVI, MI 48240

PROJECT TITLE:
JAX KAR WASH
 4475 WEST 12 MILE ROAD
 NOVI, MICHIGAN

REVISIONS

NO.	DATE	DESCRIPTION

ORIGINAL ISSUE DATE:
 FEBRUARY 9, 2024

DRAWING TITLE
PRELIMINARY SITE PLAN

PEA JOB NO. 2023-1246
 P.M. JPB
 D.N. KML
 D.E. JPB

DRAWING NUMBER:
C-3.0

NOT FOR CONSTRUCTION

GENERAL NOTES:

- 1. ALL CONSTRUCTION, WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH CURRENT OSHA, MDOT AND MUNICIPALITY STANDARDS AND REGULATIONS.
2. THE CONTRACTOR SHALL NOTIFY THE CITY ENGINEER AND/OR THE AUTHORITY HAVING JURISDICTION 3 BUSINESS DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION.
3. THE CONTRACTOR SHALL CONTACT THE ENGINEER SHOULD ANY DESIGN ISSUES OR DISCREPANCIES ARISE. IF THE CONTRACTOR MAKES DESIGN MODIFICATIONS WITHOUT THE WRITTEN CONSENT OF THE DESIGN ENGINEER, THE CONTRACTOR DOES SO AT HIS OWN RISK.
4. ALL NECESSARY PERMITS, TESTING, BONDS AND INSURANCES ETC., SHALL BE PAID FOR BY THE CONTRACTOR. THE OWNER SHALL PAY FOR ALL CITY INSPECTION FEES.
5. THE CONTRACTOR SHALL NOTIFY THE APPROPRIATE AGENCY/CALL UTILITY LOCATING CENTER, THE CITY ENGINEER AND/OR THE AUTHORITY HAVING JURISDICTION 3 BUSINESS DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION. IF NO NOTIFICATION IS GIVEN AND DAMAGE RESULTS, SUCH DAMAGE WILL BE REPAIRED AT THE EXPENSE OF THE CONTRACTOR. IF ANY UTILITY LINES ARE ENCOUNTERED THAT DO NOT MATCH THE INFORMATION PROVIDED BY THE CONTRACTOR, THE CONTRACTOR SHALL STOP WORK IMMEDIATELY AND NOTIFY THE CITY ENGINEER AND/OR THE AUTHORITY HAVING JURISDICTION.
6. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES AND RECORD THEM IN THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR ANY EXISTING UTILITIES TO BE MOVED OR DELETED.
7. ANY WORK WITHIN THE STREET OR HIGHWAY RIGHTS-OF-WAY SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE AGENCIES HAVING JURISDICTION AND SHALL NOT BEGIN UNTIL ALL NECESSARY PERMITS HAVE BEEN ISSUED FOR THE WORK.
8. ALL PROPERTIES OR FACILITIES IN THE SUBSURROUNDING AREAS, PUBLIC OR PRIVATE, DESTROYED OR OTHERWISE DISTURBED DUE TO CONSTRUCTION, SHALL BE REPLACED AND/OR RESTORED TO THE ORIGINAL CONDITION BY THE CONTRACTOR.
9. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY BARRIERS, SIGNALS, LIGHTS AND TRAFFIC CONTROL DEVICES TO PROTECT THE WORK AND SAFELY MAINTAIN TRAFFIC IN ACCORDANCE WITH LOCAL REGULATIONS AND THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION). THE DESIGN ENGINEER, OWNER, CITY, AND STATE SHALL NOT BE HELD LIABLE FOR ANY CONSEQUENCES FROM ACCIDENTS OR DAMAGES CAUSED BY THE CONTRACTOR'S FAILURE TO COMPLY WITH TRAFFIC AND PUBLIC SAFETY REGULATIONS DURING THE CONSTRUCTION PERIOD.
10. THE USE OF CURBED CONCRETE IS PROHIBITED ON THE PROJECT WITHIN 100 FEET OF ANY WATER COURSE (STREAM, RIVER, COUNTY DRAIN, ETC.) AND LAKE, RESERVOIR OF THE APPLICATION OR LOCATION OF THE WATER COURSE OR LAKE RELATIVE TO THE PROJECT LIMITS.
11. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO ADJUST THE TOP OF ALL EXISTING AND PROPOSED STRUCTURES (MANHOLES, CATCH BASINS, INLETS, ETC.) TO MATCH THE FINISH GRADE AND/OR PAVED AREAS TO FINAL GRADE SHOWN ON THE PLANS. ALL SUCH ADJUSTMENTS SHALL BE INCIDENTAL TO THE JOB AND WILL NOT BE PAID FOR SEPARATELY.

PAVING NOTES:

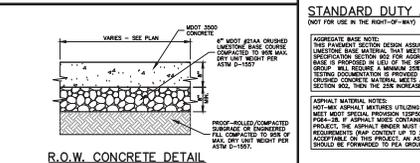
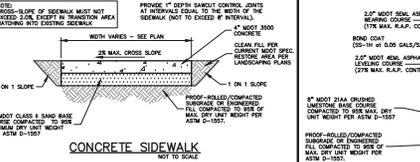
- 1. IN AREAS WHERE NEW PAVEMENTS ARE BEING CONSTRUCTED, THE TOPSOIL AND SOIL CONTAINING ORGANIC MATTER SHALL BE REMOVED PRIOR TO PAVEMENT CONSTRUCTION.
2. REFER TO ARCHITECTURAL PLANS FOR DETAILS OF FROST SLAB AT EXTERIOR BUILDING DOORS.
3. CONSTRUCTION TRAFFIC SHOULD BE MINIMIZED ON THE NEW PAVEMENT. IF CONSTRUCTION TRAFFIC IS ANTICIPATED ON THE PAVEMENT STRUCTURE, THE INITIAL LIFT THICKNESS SHOULD BE INCREASED AS APPLICABLE TO THE PLANS FOR REVIEW BY THE ENGINEER. AREAS APPROVED IN ADVANCE AND IN WRITING BY THE ENGINEER. ANY MATERIAL SUBMITTALS PROVIDED TO THE ENGINEER FOR REVIEW IN ADDITION TO THE LIST SHALL BE RETURNED TO THE CONTRACTOR TO BE REVIEWED PERFORMED.
4. ALL EXPANSION JOINTS AND CONCRETE JOINTS SHALL BE SEALED.
5. CONCRETE JOINTS SHALL BE SEALED UNLESS SHOWN OTHERWISE IN THE PLANS OR REQUIRED BY THE AUTHORITY HAVING JURISDICTION.
6. WHERE PROPOSED CONCRETE ADJUTS EXISTING CONCRETE OR IN BETWEEN PORTS OF PROPOSED CONSTRUCTION JOINTS, PROVIDE 1/8" CONCRETE EVERY 3" CENTER TO CENTER MATCH WITH EXISTING CONCRETE OR PROVIDE AN ALTERNATE CONCRETE JOINT AS APPROVED BY THE ENGINEER.
7. CONTROL JOINTS SHALL BE PLACED TO PROVIDE SQUARE JOINTS IN SQUARE JOINTS.
8. CONTROL JOINTS SHALL BE PLACED TO PROVIDE SQUARE JOINTS IN SQUARE JOINTS.
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GENERAL GRADING AND EARTHWORK NOTES:

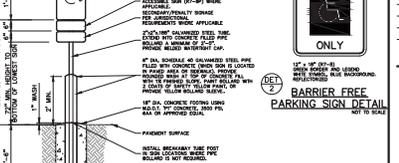
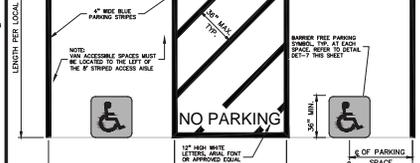
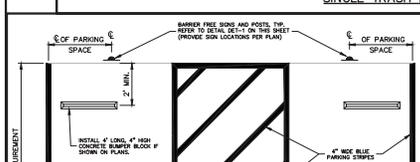
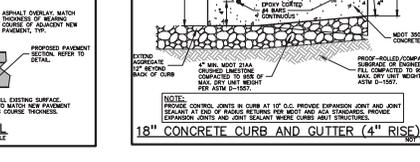
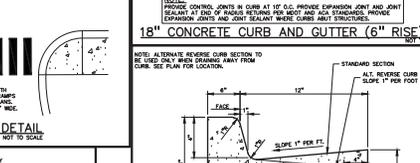
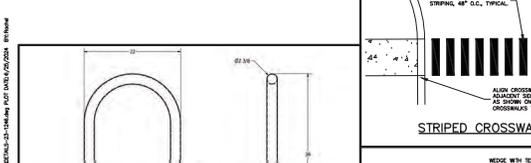
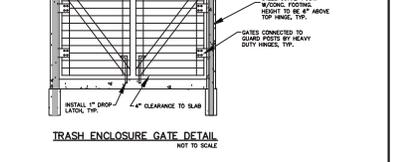
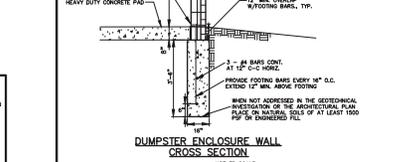
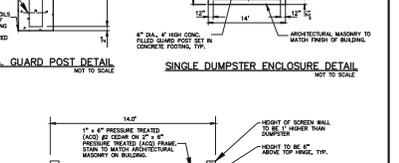
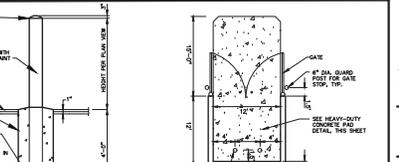
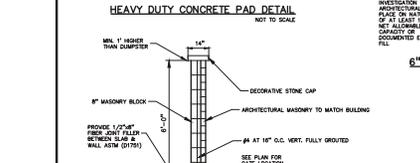
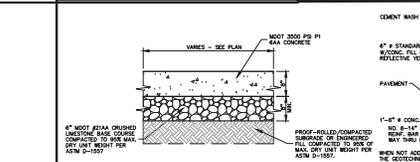
- 1. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING TREES AND BRUSH AND REMOVE ALL THAT ARE NECESSARY TO GRADE SITE.
2. ALL GRADES ARE TO TOP OF PAVEMENT UNLESS OTHERWISE NOTED.
3. THE EXISTING OF CONSTRUCTION ACTIVITIES SHALL OCCUR ONLY WITHIN THE SITE BOUNDARIES. ANY CONSTRUCTION ACTIVITIES OUTSIDE OF THE SITE BOUNDARIES SHALL BE AT THE SOLE RESPONSIBILITY AND RISK OF THE CONTRACTOR.
4. ALL SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL MEET THE REQUIREMENTS OF THE AUTHORIZED PUBLIC AGENCY OF JURISDICTION. AN EROSION CONTROL PERMIT MUST BE SECURED FROM THE CITY PRIOR TO CONSTRUCTION.
5. ALL EARTHWORK AND GRADING OPERATIONS SHALL BE PERFORMED IN ACCORDANCE WITH THE SOILS INVESTIGATION AND REPORT.
6. REFER TO SOIL EROSION CONTROL PLAN FOR ADDITIONAL SOIL EROSION AND SEDIMENTATION CONTROL MEASURES AND NOTES.
7. THE DETENTION BASIN SIDE SLOPES AND ALL SLOPE EXCEEDING 1:6 MUST BE STABILIZED BY SEEDING OR BY PLACING A MULCH BLANKET PEGGED IN PLACE OVER SEED.
8. ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED OR SODDED IN ACCORDANCE WITH THE LANDSCAPE PLANS. PROVIDE A MINIMUM OF 3" OF TOPSOIL IN THESE AREAS UNLESS OTHERWISE NOTED.
9. THE CONTRACTOR SHALL NOTE CONTIGUOUS UNDERLAYS WITHIN AND ADJACENT TO THE SITE BOUNDARIES FOR EXISTING UTILITY TRENCHES SHALL BE EXAMINED ORIGINALLY. ANY TRENCHES FOUND TO HAVE SOFT, UNSTABLE OR UNSUITABLE BACKFILL MATERIAL IN THE ZONE OF THE THIRD PARTY TERTIARY STRUCTURE, THAT ARE TO BE WITHIN THE ZONE OF INFLUENCE OF PROPOSED BUILDINGS OR PAVEMENT SHALL BE COMPLETELY EXCAVATED AND BACKFILLED WITH STABLE MATERIAL.
10. ON-SITE FILL TO BE USED IF THE SPECIFIED COMPARISON REQUIREMENTS CAN BE ACHIEVED. IF ON-SITE SOIL IS USED, IT SHOULD BE CLEAN AND FREE OF FROZEN SOIL, ORGANICS, OR OTHER DEleterious MATERIALS.
11. THE FINAL SURFACE EXISTING AGGREGATE BASE SHOULD BE THOROUGHLY PROFILESSED USING A FULLY LOADED TANDDEM AXLE TRUCK OR FRONT END LOADERS UNDER THE OBSERVATION OF A GEOTECHNICAL/PAVEMENT ENGINEER. LOGS OR YIELDING AREAS THAT CANNOT BE MECHANICALLY STABILIZED SHOULD BE REINFORCED USING GEOTEXTILES OR REMOVED AND REPLACED WITH ENGINEERED FILL AS DIRECTED BY FIELD CONDITIONS.
12. SURFACE UNDERCUTTING INCLUDING BACKFILLING SHALL BE PERFORMED TO REPLACE MATERIALS SUSCEPTIBLE TO FROST HEAVING AND UNSTABLE SOIL CONDITIONS. ANY EXCAVATIONS THAT MAY BE REQUIRED BELOW THE TOPSOIL IN FILL AREAS OR BELOW SURFACE IN CUT AREAS SHALL BE SURFACE UNDERCUTTING.
13. SURFACE UNDERCUTTING SHALL BE PERFORMED WHERE NECESSARY AND THE EXCAVATED MATERIAL SHALL BECOME THE PROPERTY OF THE CONTRACTOR. ANY SURFACE UNDERCUTTING SHALL BE BACKFILLED AS RECOMMENDED IN THE GEOTECHNICAL ENGINEERS REPORT FOR THE PROJECT.
14. ANY SAIL-GRADE WATERING REQUIRED TO ACHIEVE REQUIRED DENSITY SHALL BE CONSIDERED INCIDENTAL TO THE JOB.

GENERAL UTILITY NOTES:

- 1. ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE CITY OF WASH DC.
2. ALL TRENCHES UNDER OR WITHIN THREE (3) FEET OR THE FORTY-FIVE (45) DEGREE ZONE OF INFLUENCE LINE OF EXISTING AND PROPOSED PAVEMENT, BUILDING PAD OR DRIVE APPROACH SHALL BE BACKFILLED WITH SAND COMPACTED TO AT LEAST NINETY-FIVE (95) PERCENT OF MAXIMUM UNIT WEIGHT (ASTM D-1557). ALL OTHER TRENCHES TO BE COMPACTED TO 90% OR BETTER.
3. WHERE EXISTING MANHOLES OR OTHER PIPE ARE TO BE TAPPED, HOLE HOLES 4" CENTER TO CENTER, AROUND PERIPHERY OF OPENING TO CREATE A PLANE OF WEARNESS JOINT BEFORE BREAKING SECTION OUT.
4. THE LOCATION AND DIMENSIONS SHOWN ON THE PLANS FOR EXISTING UTILITIES ARE IN ACCORDANCE WITH AVAILABLE INFORMATION WITHOUT INCLUDING AN INVESTIGATION. THE DESIGN ENGINEER DOES NOT GUARANTEE THE ACCURACY OF THIS INFORMATION.
5. THE CONTRACTOR SHALL COORDINATE TO INCLUDE ALL REQUIRED PIPES, CONDUITS, CABLES AND SLEEVES AND PROPERLY PLACE FOR THE INSTALLATION OF GAS, ELECTRIC, PHONE, CABLE, IRRIGATION, ETC. IN SUCH A MANNER THAT WILL FACILITATE THEIR PROPER INSTALLATION PER THE PLACEMENT OF THE PROPOSED PAVEMENT AND LANDSCAPING.
6. PIPE LINES INDICATED ARE FROM CENTER OF STRUCTURE AND END OF FLARED END SECTION UNLESS NOTED OTHERWISE.
7. CONTRACTOR SHALL INSPECT ALL EXISTING PUBLIC STORM SEWER, SANITARY SEWER AND WATER MAIN STRUCTURES WITHIN THE LIMITS OF CONSTRUCTION AND WITH THE GOVERNING AGENCY INSPECTOR PRIOR TO ESTABLISHING FINAL GRADE. NOTIFY THE ENGINEER, OWNER/DEVELOPER, AND GOVERNING AGENCY IF STRUCTURE IS DEEMED TO BE STRUCTURALLY UNSOUND AND/OR IN NEED OF REPAIR.
8. STORM SEWER NOTES:
1. ALL STORM SEWER 12" DIAMETER OR LARGER SHALL BE REINFORCED CONCRETE PIPE (RCP) (D-18) CLASS IV WITH WOODED TRENCH AND GROOVE JOINT WITH RUBBER GASKETS UNLESS SPECIFIED OTHERWISE (ASTM C-443).
2. ALL STORM SEWER LEADS SHALL BE CONSTRUCTED AT 1:00 MINIMUM SLOPE.
3. ALL STORM SEWER 10" OR LESS AND/OR LEADS SHALL BE 30% 30.
4. JOINTS FOR 12" RCP SHALL BE ELASTOMERIC (RUBBER GASKETS) AS SPECIFIED IN A.S.T.M. DESIGNATION D-3022.
9. CONSTRUCTION MATERIAL SUBMITTALS:
UNLESS OTHERWISE SPECIFIED IN THE PROJECT SPECIFICATIONS, THE CONTRACTOR SHALL ONLY SUBMIT THE FOLLOWING CONSTRUCTION MATERIAL SUBMITTALS AS APPLICABLE TO THE PLANS FOR REVIEW BY THE ENGINEER. AREAS APPROVED IN ADVANCE AND IN WRITING BY THE ENGINEER. ANY MATERIAL SUBMITTALS PROVIDED TO THE ENGINEER FOR REVIEW IN ADDITION TO THE LIST SHALL BE RETURNED TO THE CONTRACTOR TO BE REVIEWED PERFORMED.
1. SOIL EROSION AND SEDIMENTATION CONTROL MEASURES
2. UTILITY TRENCH BACKFILL MATERIAL WITH ALL MATERIAL DATA INCLUDED IN THE SUBMITTAL BEING DATED WITHIN 60 DAYS OF THE SUBMITTAL UNLESS APPROVED OTHERWISE BY THE ENGINEER.
3. RIP RAP MATERIAL WITH ALL MATERIAL DATA INCLUDED IN THE SUBMITTAL BEING DATED WITHIN 60 DAYS OF THE SUBMITTAL UNLESS APPROVED OTHERWISE BY THE ENGINEER.
4. STORM AND SANITARY SEWER PIPING INCLUDING JOINTS
5. STORM AND SANITARY SEWER STRUCTURES
6. STORM AND SANITARY SEWER STRUCTURE FRAME AND COVERS INCLUDING CLEAN OUTS
7. STORM WATER MANAGEMENT OUTLET CONTROL STRUCTURES INCLUDING COVERS OR GRATINGS
8. STORM WATER MANAGEMENT OUTLET SEDIMENTATION BASIN RISERS INCLUDING GRATINGS
9. STORM WATER MANAGEMENT MECHANICAL PRE-TREATMENT UNITS INCLUDING GRATINGS
10. STORM WATER MANAGEMENT OIL/GRASE SEPARATORS
11. STORM WATER MANAGEMENT UNDER DETENTION SYSTEM MATERIAL AND SHOP DRAWINGS DEPENDING THE LAYOUT OF THE SYSTEM
12. PAVEMENT UNDERDRAIN MATERIAL AND BACKFILL WITH ALL MATERIAL DATA INCLUDED IN THE SUBMITTAL BEING DATED WITHIN 60 DAYS OF THE SUBMITTAL UNLESS APPROVED OTHERWISE BY THE ENGINEER.
13. PAVEMENT UNDERDRAIN MATERIAL AND BACKFILL WITH ALL MATERIAL DATA INCLUDED IN THE SUBMITTAL BEING DATED WITHIN 60 DAYS OF THE SUBMITTAL UNLESS APPROVED OTHERWISE BY THE ENGINEER.
14. PAVEMENT MATERIAL SUBMITTALS FOR REVIEW BY THE ENGINEER MUST FOLLOW THE CURRENT MOST RECENT CHECKLISTS AS SHOWN ON THE PLANS. ALL MATERIAL DATA INCLUDED IN THE SUBMITTAL BEING DATED WITHIN 60 DAYS OF THE SUBMITTAL UNLESS APPROVED OTHERWISE BY THE ENGINEER.
15. ALL CONCRETE MIX DESIGN CHECKLIST (FORM 2000)
16. SUPERPAVE MIX DESIGN CHECKLIST (FORM 1802)
17. MATERIAL MIX DESIGN CHECKLIST (FORM 1849)
18. SITE FININGS AND GATES INCLUDING FOOTINGS
19. SITE FININGS INCLUDING FOOTING OR EMBLEMENTS
20. ANY ITEM SHOWN IN THE PLANS OR DETAIL SHEETS THAT SPECIFICALLY STATE FOR THE CONTRACTOR TO SUBMIT A SHOP DRAWING TO THE ENGINEER FOR REVIEW SHALL BE SPECIFICALLY SO NOT STATE FOR THE CONTRACTOR. ANY SPECIALLY ITEM SHOWN IN THE PLANS OR DETAIL SHEETS SHALL BE SPECIFICALLY SO NOT STATE FOR THE CONTRACTOR. SHALL SUBMIT A SHOP DRAWING TO THE ENGINEER FOR REVIEW BUT THE CONTRACTOR REQUESTS TO BE REVIEWED. THE CONTRACTOR REQUEST FOR REVIEW MUST BE IN WRITING AND APPROVED BY THE ENGINEER PRIOR TO SUBMITTING THE INFORMATION.



ASPHALT MIX DESIGN CHART table with columns for Commercial, Heavy Duty, and Application Rate.



PEA GROUP logo and contact information: 1.844.813.2949, www.peagroup.com

811 logo and text: CALL 811 BEFORE YOU DIG

CAUTION! logo and text: Excavation work is being performed in the area shown on this plan.

CUNNINGHAM LIMP COMPANY logo and address: 2014 CROFT DRIVE, SUITE 100, WASHINGTON, DC 20004

JAX KAR WASH logo and address: 14475 WEST 12 MILE ROAD, WDC 20004

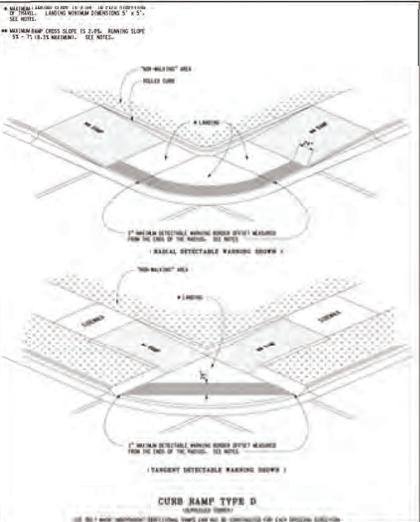
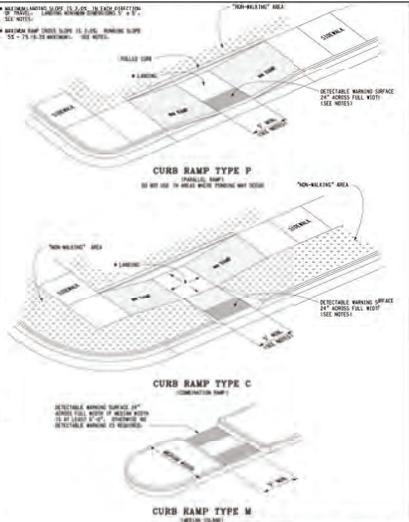
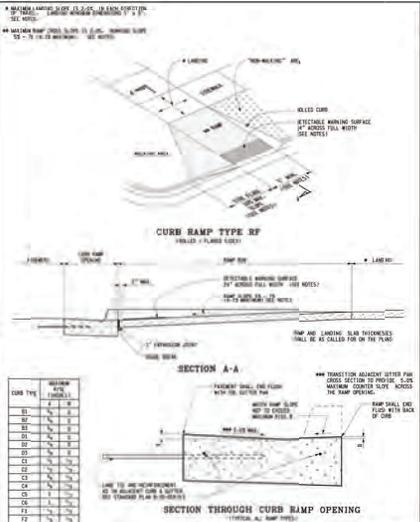
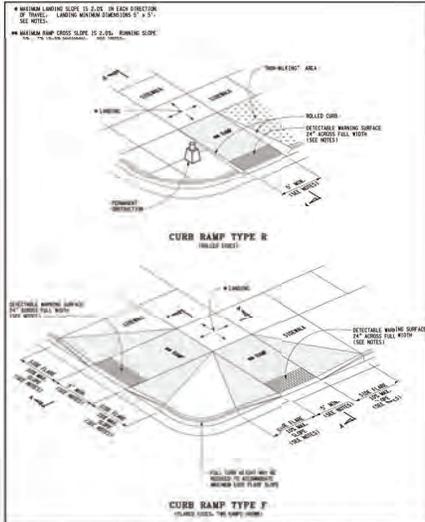
RESERVED PARKING ONLY sign graphic

RESERVED PARKING ONLY sign graphic

NOTES AND DETAILS section with drawing title and revision table.

PEA JOB NO. 2023-1246, P.M. 246, D.N. KML, D.E.S. JPE, DRAWING NUMBER: C-9.0

NOT FOR CONSTRUCTION

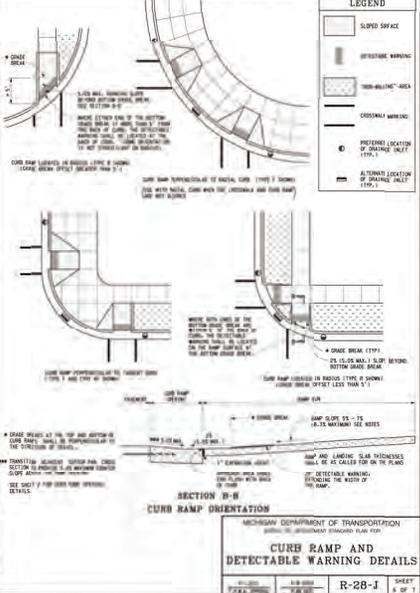
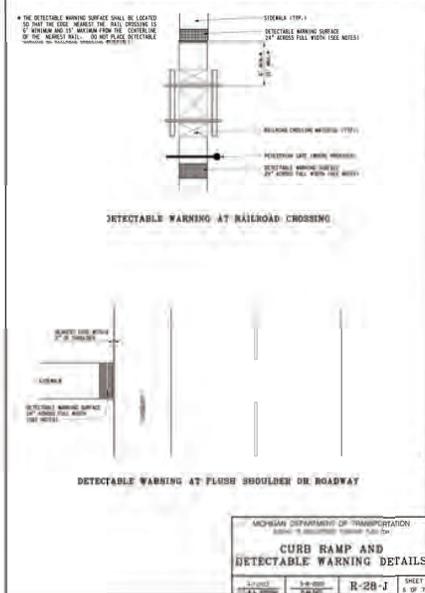


MICHIGAN DEPARTMENT OF TRANSPORTATION BUREAU OF TRANSPORTATION PLANNING		MICHIGAN DEPARTMENT OF TRANSPORTATION BUREAU OF TRANSPORTATION PLANNING	
CURB RAMP AND DETECTABLE WARNING DETAILS		CURB RAMP AND DETECTABLE WARNING DETAILS	
6-5-2022 J.A.K. BRONKHORST	6-8-2020 J.A.K. BRONKHORST	R-28-J	SHEET 1 OF 1

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6-5-2022 J.A.K. BRONKHORST	6-8-2020 J.A.K. BRONKHORST	R-28-J	SHEET 2 OF 1

MICHIGAN DEPARTMENT OF TRANSPORTATION BUREAU OF TRANSPORTATION PLANNING		MICHIGAN DEPARTMENT OF TRANSPORTATION BUREAU OF TRANSPORTATION PLANNING	
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6-5-2022 J.A.K. BRONKHORST	6-8-2020 J.A.K. BRONKHORST	R-28-J	SHEET 3 OF 1

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CLIENT
CUNNINGHAM LIMP COMPANY
25700 CABOT DRIVE, SUITE 100
ROYAL OAK, MI 48067

PROJECT TITLE
JAX KAR WASH
4475 WEST 12 MILE ROAD
ROYAL OAK, MI 48067

REVISIONS	

ORIGINAL ISSUE DATE:
FEBRUARY 9, 2024
DRAWING TITLE
RAMP DETAILS

PEA JOB NO.	2023-1246
P.M.	JPB
C.N.	KMI
DES.	JPB
DRAWING NUMBER:	

NOT FOR CONSTRUCTION **C-9.3**

CODE COMPLIANCE

APPLICABLE CODE REQUIREMENTS:

THIS BUILDING HAS BEEN DESIGNED IN ACCORDANCE WITH THE FOLLOWING:
 - 2015 MICHIGAN BUILDING CODE (MBC)
 - 2018 MICHIGAN PLUMBING CODE (MPC)
 - 2015 MICHIGAN MECHANICAL CODE (MNC)
 - 2017 NATIONAL ELECTRIC CODE WITH PART 8 AMENDMENTS (NEC)
 - PART 10 TO MICHIGAN UNIFORM ENERGY CODE PART 10A RULES (ANSI/ASHRAE 90.1-CODE 2015)
 - MICHIGAN BARRIER FREE DESIGN LAW (PA 1 OF 1966 AS AMENDED)
 - INCORPORATING THE 2012 MICHIGAN BUILDING CODE WITH ICC/ANSI A-117.1, 2009
 - NFPA 13-2013 FIRE SPRINKLER SYSTEM
 - NFPA 72-2013 FIRE ALARM SYSTEM

OCCUPANCY CLASSIFICATION:

- USE GROUP 'B' (BUSINESS) - CAR WASH MBC 304.1
 - USE GROUP 'S-1' (STORAGE) NON SEPARATED MIXED USES - MOST RESTRICTIVE 'S-1' USE SHALL BE APPLIED TO ENTIRE BUILDING (MBC 508.3.1)

CONSTRUCTION CLASSIFICATION:

- TYPE VB (MBC 602.5)

FIRE SUPPRESSION REQUIREMENTS:

- BUILDING IS NOT PROTECTED BY A FIRE SUPPRESSION AUTOMATIC FIRE SPRINKLER SYSTEM (MBC 903.2)
 - PROPOSED BUILDING DOES NOT HAVE ANY HIGH PILE STORAGE
 - PROPOSED BUILDING DOES NOT HAVE ANY REQUIREMENTS FOR STANDPIPES
 - PROPOSED BUILDING WILL NOT HAVE A GENERATOR

BUILDING AREA:

- TOTAL BUILDING AREA= 6,308 S.F. (GROSS)

ALLOWABLE AREA:

- TYPE VB, MBC 508.2
 - PROPOSED BUILDING IS 6,308 S.F. ≤ 9,000 S.F. - ACCEPTABLE

ALLOWABLE BUILDING HEIGHT:

- PER 'B', TYPE VB, 40 FEET, 3 STORIES (MBC TABLE 504.3, 504.4)
 - PROPOSED BUILDING 21'-10", ONE STORY - ACCEPTABLE

BUILDING OCCUPANCY:

- PER MBC TABLE 1004.1.2

TOTAL BUILDING AREA 6,308 S.F. MINUS 599 S.F. PERIMETER WALL THICKNESS = 5,709 S.F.

B' USE BUSINESS	756 S.F. / 100 S.F. PER OCC.	=	8 OCCUPANTS
STORAGE/MECH SPACE	4,850 S.F. / 300 S.F. PER OCC.	=	17 OCCUPANTS
TOTAL BUILDING OCCUPANTS			= 25 OCCUPANTS

MINIMUM NUMBER OF EXITS:

- MBC TABLE 1006.3.1
 25 OCCUPANTS = 2 EXITS REQUIRED | 5 EXITS PROVIDED

EXIT WIDTH REQUIREMENTS:

- DOORS (MBC 1005.3.2)
 25 OCCUPANTS X 0.2' PER OCCUPANT = 5.0' TOTAL DOOR WIDTH REQUIRED
 AT 33" CLEAR WIDTH PROVIDED PER 36" DOOR, A MINIMUM OF 2 EXIT DOORS ARE REQUIRED
 5 EXIT DOORS ARE PROVIDED

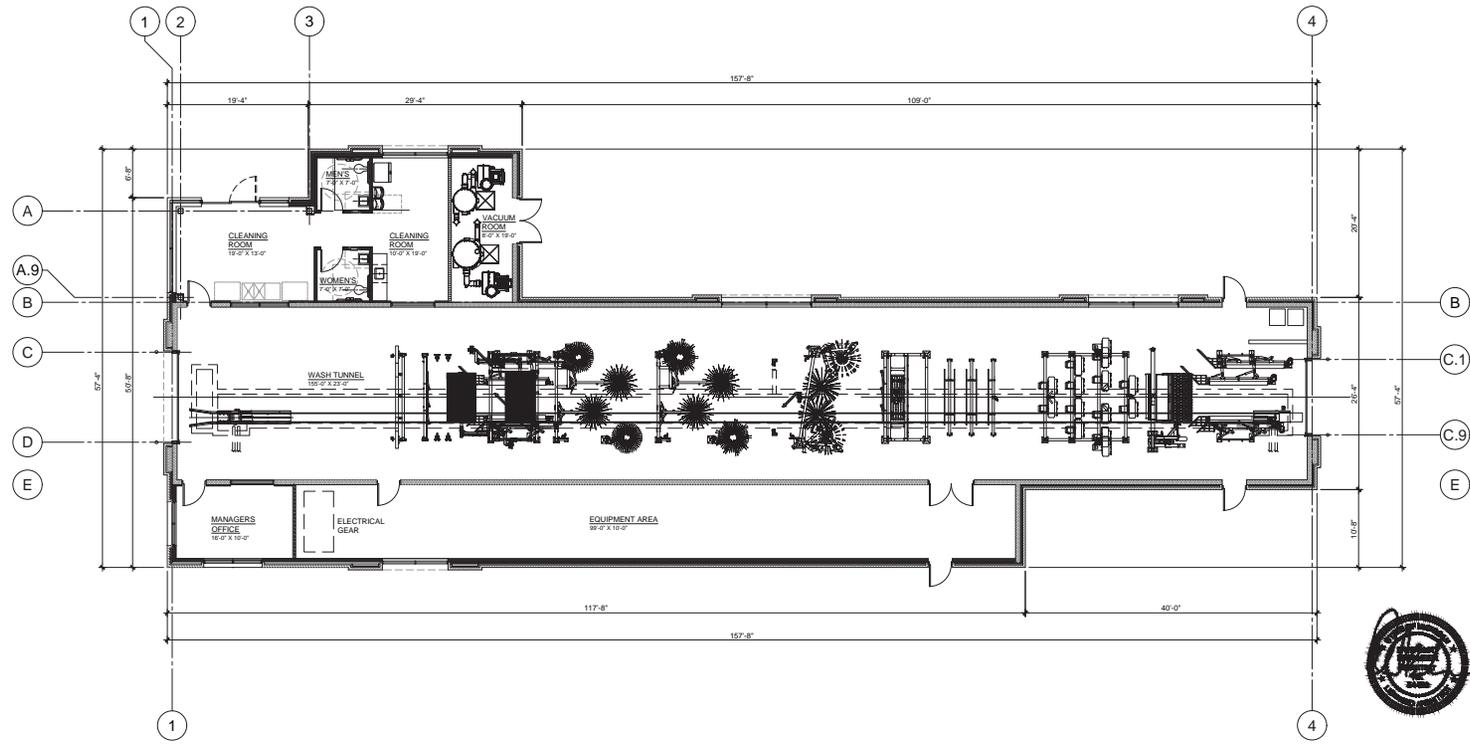
EXIT DISTANCE LIMITATIONS:

- 200' MAX ALLOWED (MBC TABLE 1017.2)
 - ALL OCCUPANTS ARE WITHIN 200 FEET OF AN EXIT
 - REQUIRED EXIT DOOR SEPARATION IS GREATER THAN 1/2 OF THE LENGTH OF MAXIMUM OVERALL DIAGONAL DIMENSION OF THE AREAS SERVED (MBC 1007.1.1 EXCEPTION 2)

FIRE RESISTANCE RATINGS OF BUILDING ELEMENTS:

- TYPE 'VB' CONSTRUCTION

STRUCTURAL FRAME	0 HR. (MBC TABLE 601)
BEARING WALLS - EXTERIOR	0 HR. (MBC TABLE 601)
BEARING WALLS - INTERIOR	0 HR. (MBC TABLE 601)
NON-BEARING WALLS - EXTERIOR	0 HR. (MBC TABLE 601)
NON-BEARING WALLS - INTERIOR	0 HR. (MBC TABLE 601)
FLOOR CONSTRUCTION	0 HR. (MBC TABLE 601)
ROOF CONSTRUCTION	0 HR. (MBC TABLE 601)
SHAFTS	N/A
STAIR WELL	N/A
FIRE WALL	N/A



PRELIMINARY OVERALL FLOOR PLAN
 SCALE: 1/8" = 1'-0"



PROJECT NAME:
JAX CAR WASH
 NOVI, MI

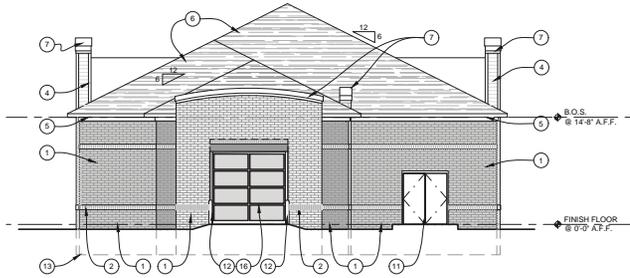
DATE:	ISSUED FOR:
DRAWING DATE:	1-17-24
PROJECT NUMBER:	22109
SHEET NUMBER:	PPF-1

SOUTH BUILDING FACADE MATERIAL BREAKDOWN
 TOTAL MATERIAL SQUARE FOOTAGE: 1246.5 S.F.
 (EXCLUDES GLASS AND VISION OPENINGS)

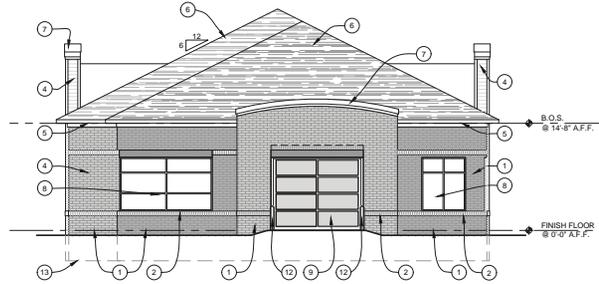
ROOF AREA:	391.7 S.F.	= 31.4%
FULL DIMENSIONAL BRICK VENEER:	746.1 S.F.	= 59.9%
PAINTED CEMENT BOARD SIDING:	108.7 S.F.	= 8.7%

NORTH BUILDING FACADE MATERIAL BREAKDOWN
 TOTAL MATERIAL SQUARE FOOTAGE: 1145.5 S.F.
 (EXCLUDES GLASS AND VISION OPENINGS)

ROOF AREA:	407.5 S.F.	= 35.6%
FULL DIMENSIONAL BRICK VENEER:	640.4 S.F.	= 55.9%
PAINTED CEMENT BOARD SIDING:	97.6 S.F.	= 8.5%



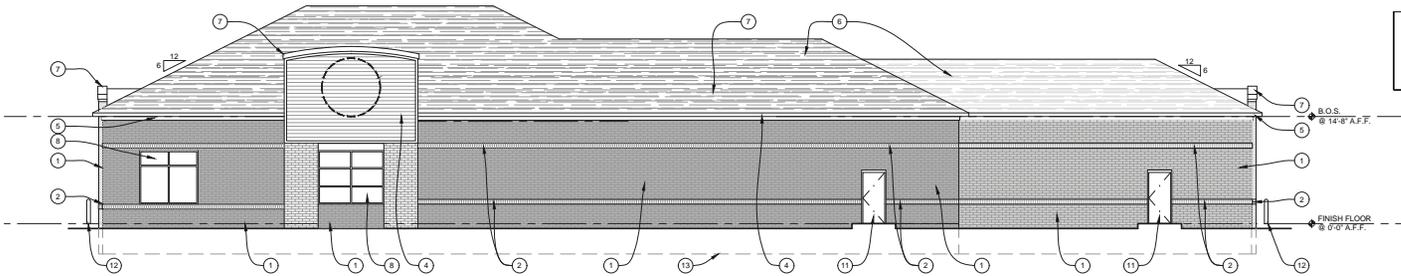
SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"
4



NORTH ELEVATION
 SCALE: 1/8" = 1'-0"
3

EXTERIOR MATERIAL SCHEDULE

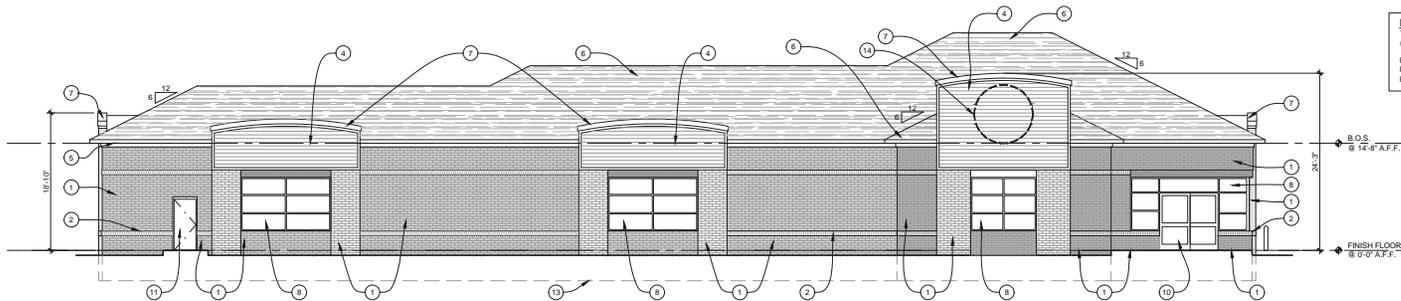
1	FULL DIMENSIONAL BRICK VENEER (FIELD COLOR)
2	RECESSED BRICK SOLDIER COURSE (ACCENT COLOR)
3	FULL DIMENSIONAL VENEER (ACCENT COLOR)
4	HORIZONTAL LAP SIDING W/ TRIM
5	1X6 FASCIA BOARD OVER 1X TRIM BOARD
6	ASPHALT SHINGLES
7	PRE-FINISHED METAL COPING
8	1" TINTED LOW 'E' INSUL. GLAZING IN CLEAR ANOD. ALUM. THERMAL BREAK FRAMES
9	12W x 10H GLASS SECTIONAL INSULATED OVERHEAD GRADE DOOR w/ MOTOR OPERATED OPENER & INSULATED
10	CLEAR ANOD. ALUM. ENTRY DOOR W/ TEMPERED GLASS
11	HOLLOW METAL DOOR & FRAME
12	6" DIA. CONC. FILLED STEEL GUARD POSTS
13	CONCRETE TRENCH FOOTING BELOW
14	DASHED LINE DENOTES PROPOSED SIGNAGE LOCATION
15	1" TINTED INSUL. SPANDREL IN CLEAR ANOD. ALUM. THERMAL BREAK FRAMES
16	10W x 10H GLASS SECTIONAL INSULATED OVERHEAD GRADE DOOR w/ MOTOR OPERATED OPENER & INSULATED
17	PRE-FINISHED ARCHITECTURAL METAL ROOFING. COLOR: SURREY BEIGE OR EQUAL (NEUTRAL COLOR)
18	TYP. VACUUM STATIONS TO BE PAINTED A NEUTRAL COLOR (HOSE / VACUUM ARM / VERTICAL POST)



WEST ELEVATION
 SCALE: 1/8" = 1'-0"
2

WEST BUILDING FACADE MATERIAL BREAKDOWN
 TOTAL MATERIAL SQUARE FOOTAGE: 3803.9 S.F.
 (EXCLUDES GLASS AND VISION OPENINGS)

ROOF AREA:	1303.8 S.F.	= 34.3%
FULL DIMENSIONAL BRICK VENEER:	2116.9 S.F.	= 55.6%
PAINTED CEMENT BOARD SIDING:	383.2 S.F.	= 10.1%



EAST ELEVATION
 SCALE: 1/8" = 1'-0"
1

EAST BUILDING FACADE MATERIAL BREAKDOWN
 TOTAL MATERIAL SQUARE FOOTAGE: 3508.6 S.F.
 (EXCLUDES GLASS AND VISION OPENINGS)

ROOF AREA:	1162.8 S.F.	= 33.1%
FULL DIMENSIONAL BRICK VENEER:	1739.3 S.F.	= 49.6%
PAINTED CEMENT BOARD SIDING:	606.5 S.F.	= 17.3%



DATE:	ISSUED FOR:
DRAWING DATE:	1-17-24
PROJECT NUMBER:	22109
SHEET NUMBER:	PE-1A



Specifications

Model No.	DSX1
Length	14.25"
Width	1.25"
Height (H)	1.25"
Height (M)	1.25"
Weight	3.5 lbs

Introduction
The modern styling of the D-Series features a highly refined aesthetic that blends seamlessly with its environment. The D-Series offers the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. D-Series outstanding photometry aids in reducing the number of poles required in area lighting applications with typical energy savings of 60% and expected service life of over 100,000 hours.

Ordering Information: EXAMPLE: DSX1 LED P7 40K 70CR T3M MVOLT SPA NLTAR2 PRHN D0XXD

Code	Option	Description	Code	Option	Description
DSX1	LED	LED Luminaire	70	70	70V Voltage
P7	P7	70W Power	T3M	T3M	3000K Color Temp
40K	40K	4000K Color	MVOLT	MVOLT	Medium Voltage
SPA	SPA	Standard Pole	NLTAR2	NLTAR2	Non-Reflective Lens
PRHN	PRHN	Prismatic Reflector	D0XXD	D0XXD	Default Options

Code	Option	Description	Code	Option	Description
0000	0000	Standard Pole	0000	0000	Standard Pole
0001	0001	Standard Pole	0001	0001	Standard Pole
0002	0002	Standard Pole	0002	0002	Standard Pole
0003	0003	Standard Pole	0003	0003	Standard Pole
0004	0004	Standard Pole	0004	0004	Standard Pole
0005	0005	Standard Pole	0005	0005	Standard Pole
0006	0006	Standard Pole	0006	0006	Standard Pole
0007	0007	Standard Pole	0007	0007	Standard Pole
0008	0008	Standard Pole	0008	0008	Standard Pole
0009	0009	Standard Pole	0009	0009	Standard Pole
0010	0010	Standard Pole	0010	0010	Standard Pole

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Specifications

Depth (D1)	1"
Depth (D2)	1.3"
Height	2"
Width	11.5"
Weight	15.5 lbs

Introduction
The WDGE2 LED family is designed to meet specific every wall-mounted lighting need in a widely accepted design that blends with any architecture. This clean, rectangular design comes in four sizes with luminaire package ratings from 1200 to 25,000 lumens, providing a true site-wide solution. Embedded with Light-LED luminaire controls, the WDGE2 family provides additional energy savings and code compliance.

WDGE2 with industry leading precision refractive optics provides great uniformity, distribution and control. When combined with multiple integrated emergency battery backup options, including a 100% cold temperature option, the WDGE2 becomes the ideal wall-mounted lighting solution for pedestrian walk applications in any environment.

WDGE2 LED Family Overview

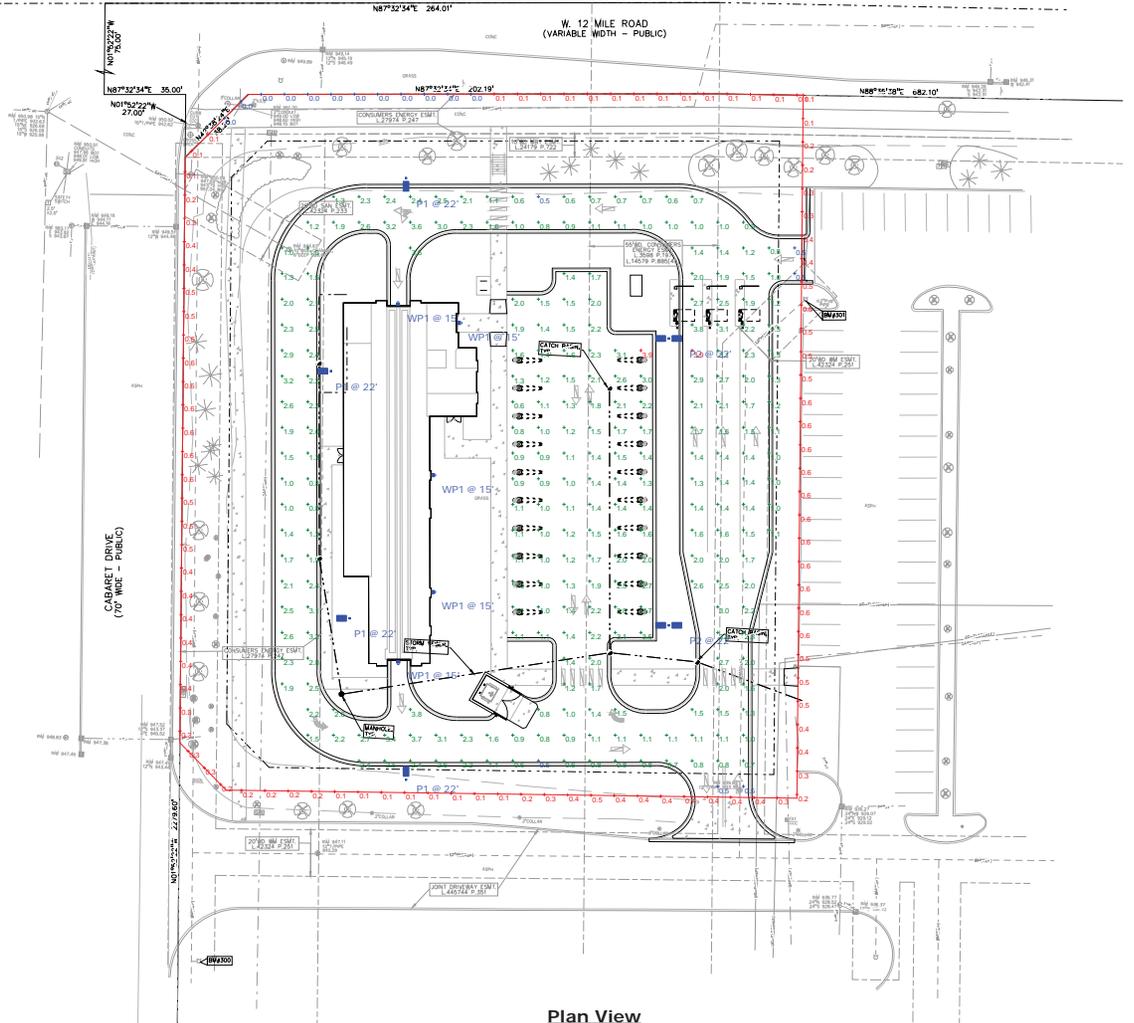
Code	Power	Color	Temp	Beam	Height	Width	Depth	Weight
WDGE2-1200	1200	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs
WDGE2-1500	1500	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs
WDGE2-2000	2000	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs
WDGE2-2500	2500	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs
WDGE2-3000	3000	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs
WDGE2-4000	4000	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs
WDGE2-5000	5000	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs
WDGE2-10000	10000	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs
WDGE2-15000	15000	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs
WDGE2-20000	20000	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs
WDGE2-25000	25000	4000K	3000K	30°	12"	11.5"	1"	15.5 lbs

Ordering Information: EXAMPLE: WDGE2 LED P3 40K 80CR VF MVOLT 5M D0XXD

Code	Option	Description	Code	Option	Description
WDGE2	LED	LED Luminaire	P3	P3	3000K Color Temp
40K	40K	4000K Color	80CR	80CR	80° Beam Angle
VF	VF	Variable Field	MVOLT	MVOLT	Medium Voltage
5M	5M	5' Mounting Height	D0XXD	D0XXD	Default Options

Code	Option	Description	Code	Option	Description
0000	0000	Standard Pole	0000	0000	Standard Pole
0001	0001	Standard Pole	0001	0001	Standard Pole
0002	0002	Standard Pole	0002	0002	Standard Pole
0003	0003	Standard Pole	0003	0003	Standard Pole
0004	0004	Standard Pole	0004	0004	Standard Pole
0005	0005	Standard Pole	0005	0005	Standard Pole
0006	0006	Standard Pole	0006	0006	Standard Pole
0007	0007	Standard Pole	0007	0007	Standard Pole
0008	0008	Standard Pole	0008	0008	Standard Pole
0009	0009	Standard Pole	0009	0009	Standard Pole
0010	0010	Standard Pole	0010	0010	Standard Pole

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Plan View
Scale - 1" = 25'

General Note

- SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.
- SEE LUMINAIRE SCHEDULE FOR LIGHT LOSS FACTOR.
- CALCULATIONS ARE SHOWN IN FOOTCANDLES AT 0'-0" OR 4'-0".
- HOURS OF OPERATION: TO BE DETERMINED BY OWNER.
- ELECTRICAL SERVICE TO LIGHT FIXTURES SHALL BE PLACED UNDERGROUND.
- FLASHING LIGHT SHALL NOT BE PERMITTED.
- ONLY NECESSARY LIGHTING FOR SECURITY PURPOSES & LIMITED OPERATIONS SHALL BE PERMITTED AFTER A SITE'S HOURS OF OPERATION.
- ALL FIXTURES SHALL BE LOCATED, SHIELDED AND AIMED AT THE AREAS TO BE SECURED.
- FIXTURES MOUNTED ON THE BUILDING AND DESIGNED TO ILLUMINATE THE FACADES ARE PREFERRED.
- LIGHTING FOR SECURITY PURPOSES SHALL BE DIRECTED ONLY ONTO THE AREAS TO BE SECURED.

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING SYSTEM COMPLIANCE.

UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROL REQUIREMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT ASG@GASSERBUSH.COM OR 734-266-6705.

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
PARKING & DRIVE LANES	1	7.7	10.5	7.8	3.7	1.0	0.74
PROPERTY LINE	+	0.3	0.4	0.0	N/A	N/A	0.5:1

SubSchedule

Symbol	Label	QTY	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Lumens per Lamp	LFC	wattage	Mounting Height
P1	4	Lithonia Lighting	DSX1 LED P4 40K 80CR	DSX1 LED P4 40K 80CR	DSX1 LED P4 40K 80CR 4' Performance Package 4000K 80° Beam Angle 4' Adjustable Prismatic Reflector	LED	4	11000	0.7	133.94	10'-0"
P2	2	Lithonia Lighting	DSX1 LED P4 40K 80CR	DSX1 LED P4 40K 80CR	DSX1 LED P4 40K 80CR 4' Performance Package 4000K 80° Beam Angle 4' Adjustable Prismatic Reflector	LED	2	14100	0.5	241.88	10'-0"
WP1	5	Lithonia Lighting	WDGE2 LED P4 40K	WDGE2 LED P4 40K 80CR 10' H	WDGE2 LED WITH 10' H PRECISION REFRACTIVE OPTIC, 4000K, 80CR, TYPE FORWARD RECYCLE MEDIUM OPTIC	LED	1	4202	0.5	88.0581	10'-0"

Ordering Note
FOR INQUIRED CONTACT GASSER BUSH AT
OUT@GASSERBUSH.COM OR 734-266-6705.

Drawing Note
THIS DRAWING WAS GENERATED FROM AN ELECTRONIC IMAGE FOR
ESTIMATION PURPOSE ONLY. LAYOUT TO BE VERIFIED IN FIELD BY
OTHERS.



JAY CAR WASH - NOVI
PHOTOMETRIC SITE PLAN
GASSE BUSH CONTROLS
PREPARED FOR: EPD
WWW.GASSERBUSH.COM

Designer
TJK/B
Date
02/14/2024
Scale
Not to Scale
Drawing No.
#24-25804-V1
1 of 1

RENDERINGS AND FAÇADE MATERIALS



Proposed Exterior Renderings for:



Cunningham-Limp
Building Better Communities

F.A.studio
design to inspire



Proposed Exterior Renderings for:



Cunningham-Limp
Building Better Communities

F.A.studio
design to inspire



Proposed Exterior Renderings for:



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design to inspire



Proposed Exterior Renderings for:



Cunningham-Limp
Building Better Communities

F.A.studio
design to inspire

PROJECT NARRATIVE

LAW OFFICES
LANDRY, MAZZEO, DEMBINSKI & STEVENS, P.C.

37000 GRAND RIVER AVENUE, SUITE 200
FARMINGTON HILLS, MICHIGAN 48335

www.lmdlaw.com

D. B. LANDRY
dlandry@lmdlaw.com

Office: (248) 476-6900

Direct: (248) 919-3783

Fax: (248) 476-6564

June 25, 2024

VIA HAND DELIVERY AND EMAIL: LBell@cityofnovi.org

Attn: Ms. Lindsay Bell
City of Novi
Planning Department
45175 West 10 Mile Road
Novi, MI 48375-3042

RE: Jax Kar Wash Novi.
JZ 24-02
Application for rezoning with PRO (second step) and approval of Preliminary Site Plan.

Dear Ms. Bell:

Please accept this as a narrative accompanying this application for rezoning with PRO (second step) and also application for approval of Preliminary Site Plan as allowed under zoning ordinance section 7-13.C.i.a.(1).f and section 7-13.E

I have attached hereto as Exhibit A, a PRO checklist. Most of this information was previously included in our initial PRO application.

I have attached as Exhibit B a Site Plan Revision form. There are no changes to the façade of the building. I have also attached a response letter from PEA Group.

I am enclosing a flash drive containing the Revised Preliminary Site Plan. I am enclosing with this letter 4 paper copies in 24" X 36" format. You and I spoke recently and you indicated that it would only be necessary to submit 4 copies. I am also e-mailing to you a copy of this letter and attachments A and B so that along with the enclosed flash drive you have an electronic copy of this entire submission.

The following is a description of the revised Public Benefit aspect of this PRO Application.

REVISED PUBLIC BENEFIT

At the City Council meeting of June 3, 2024 the City Council commented on the initial PRO application. The comments from Council were generally negative regarding our original

proposal of a monetary donation to the Novi Public Library for the remodeling of the Teen Center. Council members indicated their preference for a public benefit tied directly to this property and to Fountain Walk. As we all discussed, this is a challenging piece of property, which is why we are applying for the PRO. The owner of Fountain Walk spoke in person to the Planning Commission and provided a letter to the City Council (as he was out of town on that date) describing the difficulty Fountain Walk has had attempting to develop this parcel. On top of that we all discussed the unique situation of this parcel with its small size, the set back requirements of the RC zoning district and the existing public utility easements which combine to limit the buildable portion of this property as described in the administration's review of our application and as shown below in the diagram showing the set backs and the easements.



The applicant has heard the comments of City Council and accordingly the proposed Public Benefit has changed. It is no longer an monetary donation to the Novi Library. The City Council

expressed a preference for some improvement along 12 Mile Road that would benefit not only this property but also Fountain Walk generally. Accordingly, the Applicant is proposing four separate constructions. The Applicant is proposing to construct two covered seating areas along 12 Mile Road. One on the property and one further east along 12 Mile Road near Donaldson Drive. These would include concrete pads with benches and a covering. There was a comment by a resident inquiring as to whether one of these areas could be a bus stop. The Applicant has no objection to that, however, as you know that would require approval of Oakland County.

The applicant is also proposing two curved brick walls: One at the corner of 12 Mille Road and Cabaret Drive and one on the corner of Cabaret Drive and the entrance to Fountain Walk. Both of these would be on the parcel in question. The Applicant is prepared to include signage on these two walls, in the manner of "Fountain Walk" or "Novi Fountain Walk" or any other general welcoming signage. The applicant is not proposing to include any advertising signage on these walls regarding Jax Kar Wash.

Thus, after listening to the comments of City Council the applicant is proposing three structures on this property itself and one additional structure to the east as part of Fountain Walk near Donaldson Drive. Revised Preliminary Site Plan Landscape sheet L-2.0 includes further explanation and renderings of these structures.

As we discussed with both City Council and the Planning Commission, the "public benefit" provision of the PRO ordinance does not define "public benefit" in specific terms which can be uniformly applied,. Public Benefit is described in relative terms specifically because the Public Benefit required differs with each specific parcel of property. The Public Benefit required may be more or less depending on the particular parcel. The PRO ordinance simply calls for a Public Benefit "that outweighs any material detriments or that could not be otherwise be accomplished without the proposed rezoning". Given the unique aspect of this parcel, with its limited development area under the current zoning, we are proposing a Public Benefit as follows:

- The proposed use would be limited to only one B-3 use, auto wash and if an Auto Wash should ever cease to operate on the property the zoning would revert back to RC.
- the building height is more strict than the 30 feet allowed in a B-3 District.
- The building setbacks exceed the B-3 requirements on all sides.
- While the façade ordinance requires 30% brick on all sides the applicant is proposing 49.6 – 59.9% brick.
- The applicant is proposing two covered seating areas: one on the applicants parcel and one further to the east near Donaldson Drive on Fountain Walk Property.
- The applicant is proposing two curved brick walls with landscaping; one on the south east corner of 12 Mile Rd and Cabaret Drive and one on the northeast corner

of Cabaret Drive and the entrance to Fountain Walk. These decorative walls could, if the City prefers, include welcoming signage to Novi Fountain Walk.

We submit that this Public Benefit satisfies the PRO ordinance as it provides aspects of the proposed development that are more strict than the proposed zoning classification of B-3 and constitutes an overall Public Benefit tied to this parcel and the Fountain Walk development which this parcel is part of.

We would request to be placed on the Planning Commission agenda for August 15 for the second step of PRO Rezoning approval process and simultaneously for Preliminary Site Plan approval.

Below is a Dropbox link with digital copies of this letter and all attachments.

Please contact me if you need anything further.

Thank you for your consideration.

Very truly yours,

LANDRY, MAZZEO, DEMBINSKI & STEVENS, P.C.

/s/ David B. Landry
David B. Landry

DBL

Cc: Barbara McBeth via e-mail
Todd Gesund via e-mail

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

Planning Review

July 17, 2024

JZ24-02 JAX KAR WASH

Zoning Map Amendment No. 18.744

PETITIONER

Jax Kar Wash

REVIEW TYPE

Formal PRO Plan

Rezoning Request from RC Regional Center to B-3 General Business with a Planned Rezoning Overlay

PROPERTY CHARACTERISTICS

Section	15	
Site Location	South of Twelve Mile Road, East of Cabaret Drive;	
Site School District	Novi Community School District	
Current Site Zoning	RC Regional Center	
Proposed Site Zoning	B-3 General Business	
Adjoining Zoning	North	RA Residential Acreage (with Consent Judgment), OS-1 Office Service
	East	RC Regional Center
	West	OST Office Service Technology
	South	RC Regional Center
Current Site Use	Vacant	
Adjoining Uses	North	Townhome development, Bank
	East	Parking lot for Fountain Walk
	West	Credit Union Headquarters
	South	Fountain Walk
Site Size	1.8 acres proposed for rezoning, to be split from larger 64-acre parcel	
Parcel ID's	50-22-15-200-112 (portion)	
Plan Date	February 9, 2024	

PROJECT SUMMARY

The subject property is located on the south side of Twelve Mile Road, west of Novi Road in Section 15 of the City of Novi. The property to be rezoned totals about 1.8 acres, and is part of the larger 64.3-acre Fountain Walk at Twelve Mile Crossing development. The parcel is proposed to be split and rezoned to B-3, General Business, in order to develop a car wash. The enclosed car wash tunnel building would be 6,212 square feet, with 23 exterior vacuum spaces. Site access would be from the existing Fountain Walk access road, so no new curb cuts on Cabaret Drive or Twelve Mile Road are proposed. The applicant is requesting to rezone with a Planned Rezoning Overlay.

PRO OPTION

The PRO option creates a "floating district" with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed (in this case from RC

to B-3), and the applicant submits a detailed conceptual plan for development of the site, along with site-specific conditions relating to the proposed improvements. After Staff and consultant review, the proposed request goes through initial review by the Planning Commission and City Council to review and comment on whether the project meets the requirements of eligibility for a PRO. The applicant can then make any changes to the Concept Plan based on the feedback received, and resubmit for formal review. The Planning Commission holds a public hearing and makes a recommendation to City Council. The City Council reviews the Concept Plan, and if the plan receives tentative approval, it directs the preparation of an agreement between the City and the applicant, which also requires City Council approval. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. If development is not commenced within two years from the effective date of the PRO Agreement it will expire, unless otherwise agreed to by the parties.

RECOMMENDATION

Staff recommends conditional approval if the benefits to the public are determined by the Planning Commission and City Council to be sufficient to offset any negative impacts. Based on the information provided in the submittal, the proposed rezoning to B-3 could be determined to meet the standards of the PRO Ordinance, as the overall benefits to the public would outweigh the detriments. **Staff recommends that the applicant consider further enhancement of the benefits offered to the public as a result of the rezoning. Further discussion is provided on page 10.**

The applicant is requesting approval of the Preliminary Site Plan concurrently with the PRO Plan. Staff does not object if the City Council agrees to allow this, as the plan is in general conformity with the requirements of the Zoning Ordinance and sufficient detail has been provided for a Preliminary Site Plan, with the exception of the proper justification for the landscaping waiver, and the noise impact statement to show compliance with Section 5.14.10. If the applicant provides these items with their response letter and they provide sufficient justification, approval of the Preliminary Site Plan would be supported.

REVIEW CONCERNS

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3 (Zoning Districts), Article 4 (Use Standards), Article 5 (Site Standards), Section 7.13 (Amendments to Ordinance) and any other applicable provisions of the Zoning Ordinance. **Please see the attached chart for additional information pertaining to ordinance requirements.** Items in **bold** below must be addressed and incorporated as part of the next submittal:

1. **Supporting Documentation:** The applicant has provided the following as part of their application packet:
 - a. **Narrative:** The statement provided states Rezoning allows for development of a use that complements other uses in Fountain Walk while not competing with any restaurant or retail tenants. The parcel has been vacant for 22 years, and development of the property is a benefit to the public. The applicant is now proposing to provide two covered seating areas along 12 Mile Road, and two decorative walls.
 - b. The statement includes conditions to limit the permitted use of the parcel to an auto wash, limit building height, exceed setbacks, and exceed the façade ordinance standards for brick material.
 - c. **Rezoning Traffic Impact Study:** AECOM's review noted at the time of Pre-application submittal that the proposed project did not meet the threshold to require a RTIS.
 - d. **Sign Location Plan:** A rezoning sign location plan and sign detail was previously provided and approved. The rezoning signs were posted before the first public hearing.

2. **Eligibility for PRO (Section 7.13.2):** *"In order to be eligible for the proposal and review of a rezoning with PRO, an applicant must propose a rezoning of property to a new zoning district*

classification, and must, as part of such proposal, propose clearly-identified site-specific conditions relating to the proposed improvements that (1) are in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district, including such regulations or conditions as set forth in Subsection C [of the Ordinance]; and (2) constitute an overall benefit to the public that outweighs any material detriments or that could not otherwise be accomplished without the proposed rezoning.” **The applicant provided a request to rezone to B-3, along with a PRO Plan. The conditions proposed the permitted use of the parcel to an auto wash, limit building height, exceed setbacks, and exceed the façade ordinance standards for brick material. The applicant requests 6 deviations from ordinance standards, which are supported or conditionally supported by staff. The applicant has proposed construction of 4 elements as a benefit to the public, which are discussed on page 10.**

3. **Land Division**: The applicant proposes to rezone a portion of a larger parcel, and would need approval of a lot split by the Assessing Department. The new lot lines proposed will result in new parking and building setback issues for the Fountain Walk parcel. **The owner of Fountain Walk would need to request those variances from the ZBA in order to get the lot split approved.**
4. **Exterior lighting (Section 5.7)**: **A deviation appears to be required for exceeding the allowable Color Corrected Temperature (CCT) of 3000 Kelvin (4000K proposed). See additional lighting comments in the Plan Review chart.**
5. **Dumpster Enclosure (Section 4.19.2.F.)**: The previous PRO Plan showed the dumpster location within the front yard setback. The dumpster location has been moved so that it is no longer in the front yard, however it is closer than the minimum required 10 feet from the building (about 6 feet proposed). **This will require a deviation, however it is supported by staff since there are no office or living spaces adjacent, only the car wash tunnel.**
6. **Minor Revisions and Details**: Please be aware there was no revision date on the plans, the bike parking layout is not on sheet 9.0, and neither the Guard House nor the EXP structures appear on the architectural sheets. The 4000K lights on the Photometric sheet have also not been updated. The response letter indicated these items had been addressed. **If approved by Council, these items should be addressed in the site plan that gets included in the PRO Agreement.**
7. **Plan Review Chart**: **The attached chart provides additional comments on many of the Ordinance review standards. Please refer to it in detail.**
8. **Other Reviews**:
 - a. **Engineering**: Engineering recommends approval of the PRO Concept Plan, with additional comments to be addressed in the Site Plan process. Negative impacts to public utilities are not expected with the requested change to residential and commercial use.
 - b. **Landscape**: Landscape review notes concerns with insufficient accessway perimeter plantings. **Landscape does not recommend approval at this time.**
 - c. **Traffic**: Traffic review notes that the applicant would need a deviation for lack of a loading zone. **Approval is recommended, with comments to be addressed in future submittals.**
 - d. **Woodlands**: There are no regulated woodland trees on the site.
 - e. **Wetlands**: There are no wetland areas on the site.
 - f. **Façade**: Façade notes that the elevations provided are not compliant with ordinance standards as the percentages of Horizontal Lap Siding and Asphalt Shingles exceed the permitted maximums. The relatively small deviations are not detrimental to the overall design, and are consistent with the intent of the Ordinance. **A Section 9 waiver is recommended for approval as a deviation in the PRO Agreement.**

- g. Fire: Fire recommends conditional approval, if comments provided are addressed in subsequent submittals.

LAND USE AND ZONING: FOR SUBJECT PROPERTY AND ADJACENT PROPERTIES

The following table summarizes the zoning and land use status for the subject property and surrounding properties.

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Property	RC Regional Center	Vacant	Regional Center
Northern Parcels	RA Residential Acreage OS-1 Office Service	Residential neighborhood Bank	Multiple Family Residential Community office
Eastern Parcels	RC Regional Center	Vacant	Regional Center
Western Parcels	OST Office Service Technology	Vibe CU headquarters	Office Industrial Research Devel and Technology
Southern Parcels	RC Regional Center	Retail Center	Regional Center

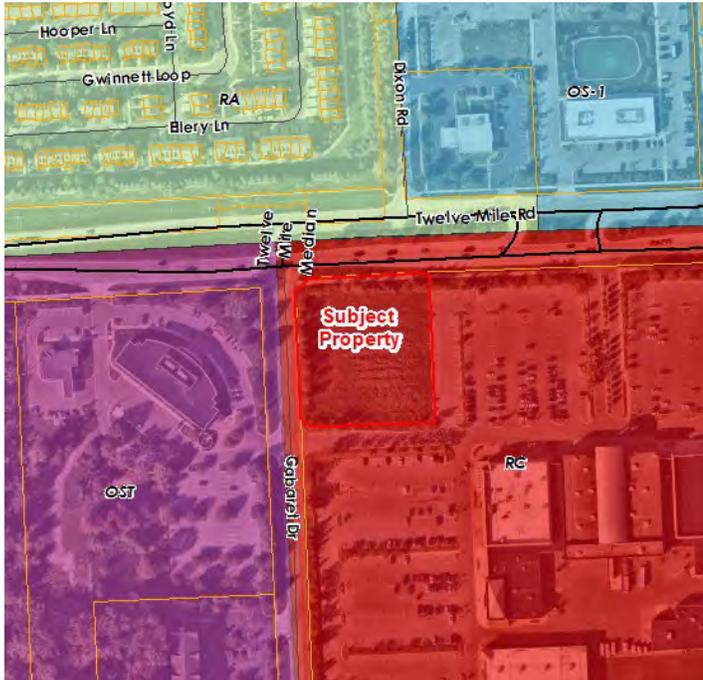


Figure 1: Current Zoning



Figure 2: Future Land Use

Comparison of Zoning Districts

The following tables provide comparisons of the current and proposed zoning classifications. The proposed B-3 district is compared to RC. Both districts allow a range of commercial uses, but Regional Center developments generally have significant intensity and scale. The requirements for buffering, parking setbacks and lot coverage are similar for the RC and B-3 districts, however the building setbacks required for RC are much greater than for the B-3 district, and greater building height is allowed in RC as well.

The intent of the current zoning district, RC is “intended to permit major planned commercial centers that will, by virtue of their size, serve not only the local community, but the surrounding

market as well.” The Fountain Walk development is a retail, restaurant and entertainment center that draws its customer base from the wider region. However, the Regional Center district does not permit car washes. In fact, the only zoning district that permits auto washes is the B-3 General Business District. As stated in Section 3.1.12, the B-3 district “is designed to provide sites for more diversified business types which would be incompatible with the pedestrian movement in the Local Business district or the Community Business district.”



Figure 3: Names of surrounding developments and businesses

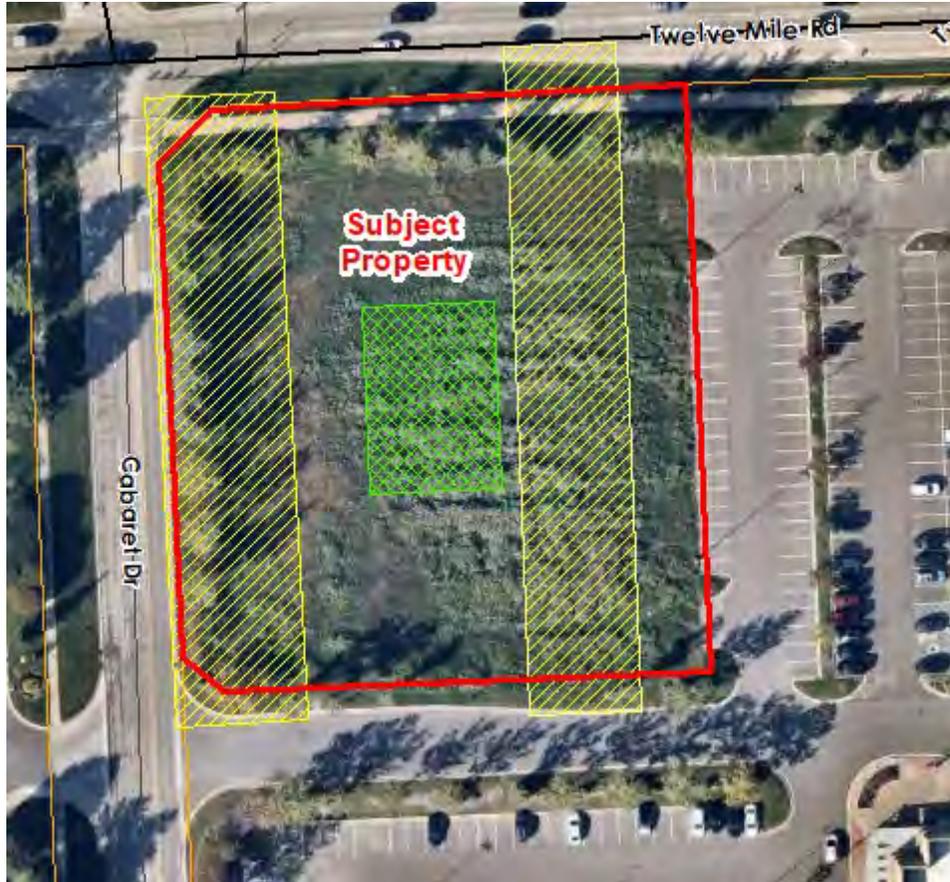
	RC (EXISTING)	B-3 (PROPOSED)
Intent	This land use is designated for higher intensity commercial uses that serve not only the comparison-shopping needs of the entire community, but cater to a regional market as well.	The B-3, General Business district is designed to provide sites for more diversified business types which would often be incompatible with pedestrian movement in the Local Business or the Community Business district.
Principal Permitted Uses	Regional shopping centers Community shopping Professional office buildings Medical office, including laboratories and clinics Facilities for human care	Retail business and business service uses; Dry cleaning; Business establishments performing services on premises, professional services;

	RC (EXISTING)	B-3 (PROPOSED)
	Financial institution uses with drive-in facilities as an accessory use only Personal service establishments Off-street parking lots Places of worship Publicly owned and operated parks, parkways, and outdoor rec facilities Professional office buildings, offices and office sales and service Transient residential uses Public or private health and fitness facilities and clubs Public utility offices and telephone exchange buildings The inpatient bed facility portion of general hospitals Bus and other transit passenger stations	Professional and medical offices; Fueling stations; Auto wash; Bus station; New & used car salesroom/showroom; Tattoo parlors; Public & private health and fitness; Microbrews and brewpubs; Day care and adult day care centers;
Special Land Uses	Open air business uses Sale of produce and seasonal plant materials outdoors Microbreweries Brewpubs Retail businesses use Retail business service uses Retail business or service establishments Restaurants	Outdoor space for sale of new & used vehicles; Motel; Veterinary hospitals or clinics; Plant material nursery; Public or private indoor/private outdoor recreation; Mini-lube or oil change establishment; Sale of produce and seasonal plant materials outdoors; Fast food carryout, drive-in, drive-through or sit down; **See attached copy of Section 3.1.12.C for complete list
Lot Size	Except where otherwise provided in this Ordinance, the minimum lot area and width, and the maximum percent of lot coverage shall be determined on the basis of off-street parking, loading, greenbelt screening, yard setback or usable open space requirements as set forth in this Ordinance. (Section 3.6.2.D)	
Lot Coverage		
Building Height	45 feet or 3 stories	30 feet
Building Setbacks	Front: 100 feet Rear: 100 feet Side: 100 feet	Front: 30 feet Rear: 20 feet Side: 15 feet Exterior side yard setbacks same as front yard
Parking Setbacks See 3.6.2. for additional conditions	Front: 20 feet Rear: 10 feet Side: 10 feet Exterior side yard setbacks same as front	Front: 20 feet Rear: 10 feet Side: 10 feet Exterior side yard setbacks same as front

DEVELOPMENT POTENTIAL

The land is currently vacant, but was cleared/graded when the rest of Fountain Walk was developed in the early 2000s. Development under the current RC zoning could result in a retail, restaurant, office, or other permitted use being constructed. However, the RC district requires building setbacks of 100 feet from all property lines, which restricts the developable area of this

corner site. Additionally, the site is impacted by two wide (55' and 60') Consumers Energy gas line easements running north and south along the eastern and western areas of the site. These factors constrain the developable area of the site considerably. In the image below, the Consumers easements are shown in yellow, and the green hatch area represents the approximate building area with 100-foot setbacks as required in the RC District.



2016 MASTER PLAN FOR LAND USE: GOALS AND OBJECTIVES

The proposed use is currently not recommended by the 2016 Master Plan for Land Use. The following objectives as listed in the Master Plan are applicable for the proposed development. However, at this time the plan follows only a few. **The applicant should consider revisions to the plan to comply with as many goals as possible. Please refer to staff comments in bold and revisions recommended in bold and underline.**

1. General Goal: Community Identity
 - a. Maintain quality architecture and design throughout the City. **The current proposed elevations require Section 9 waivers, which are supported in this case as they are consistent with the intent of the Ordinance. Please refer to the façade review letter detailed comments.**

2. General Goal: Environmental Stewardship
 - a. Protect and maintain the City's woodlands, wetlands, water features, and open space. The concept plan proposes additional removal of regulated woodlands. **This parcel was cleared in the early 2000's when the rest of Fountain Walk was developed.**
 - b. Increase recreational opportunities in the City.

- c. Encourage energy-efficient and environmentally sustainable development through raising awareness and standards that support best practices. **The applicant should consider sustainable, energy-efficient and best-practice design for site elements and building materials, such as LEED recommended strategies.**
3. General Goal: Infrastructure
 - a. Provide and maintain adequate water and sewer service for the City's needs. **Please refer to the Engineering memo.**
 - b. Provide and maintain adequate transportation facilities for the City's needs. Address vehicular and non-motorized transportation facilities.
 4. General Goal: Economic Development
 - a. Retain and support the growth of existing businesses and attract new businesses to the City of Novi. **The proposed Jax Kar Wash would be a new business in the City, and may provide a customer draw to other businesses within Fountain Walk.**

MAJOR CONDITIONS OF PLANNED REZONING OVERLAY AGREEMENT

The Planned Rezoning Overlay process involves a PRO concept plan and specific PRO conditions in conjunction with a rezoning request. The submittal requirements and the process are codified under the PRO ordinance (Section 7.13.2). Within the process, which is initiated by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval which must be reflected in the Concept Plan and or the PRO agreement.

The PRO conditions must be in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district. *Development and use of the property shall be subject to the more restrictive requirements shown or specified on the PRO Plan, and/or in the PRO Conditions imposed, and/or in other conditions and provisions set forth in the PRO Agreement.*

The applicant has listed the following benefits/conditions for development (**Staff comments are in bold**):

1. The use shall be limited to a car wash. No other uses permitted in the B-3 District would be allowed on this site.
2. The building height will be 24.5 feet, which is more limiting than the 30 feet allowed in the B-3 District.
3. The building setbacks will exceed the B-3 requirements on all sides. Front and exterior side yards are 68-88 ft (30 ft required) and interior side yards are 54-138. 6 feet (15 ft required).
4. The façade ordinance requires a minimum of 30% brick on all elevations. The proposed building exceeds this requirement with 49.6 to 59.9%.
5. The Planning Commission grants Preliminary Site Plan and Stormwater Management Plan approval, provided the City council approves the Planned Rezoning Overlay as requested.

Additional conditions to be included in the PRO Agreement, if it should be approved, will likely be added during the review process.

ORDINANCE DEVIATIONS

Section 7.13.2.D.i.c(2) permits deviations from the strict interpretation of the Zoning Ordinance within a PRO agreement. These deviations must be accompanied by a finding by City Council that ***"each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas."*** Such deviations must be considered by City Council, who will make a finding

of whether to include those deviations in a proposed PRO agreement. A PRO agreement would be considered by City Council only after tentative approval of the proposed concept plan and rezoning.

Staff has reviewed the applicant's Concept Plan in as much detail as possible to determine what deviations from the Zoning Ordinance are currently shown. The applicant may choose to revise the concept plan to better comply with the standards of the Zoning Ordinance, or may proceed with the plan as submitted with the understanding that those deviations would have to be approved by City Council in a proposed PRO agreement.

The following Ordinance deviations appear to be required based on the site plan. **Staff comments are in bold.**

1. Overhead Door (Sec. 3.10.1.A): In the B-3 District, no overhead door or other type of service bay door is permitted to face a major thoroughfare. A deviation would be required for the car wash tunnel door facing Twelve Mile Road. **No justification has been provided.**
2. Dumpster (Sec. 4.19.2.F): The current location of the dumpster would require a deviation for being 6 feet from the building rather than the required 10 feet. **This deviation is supported by staff because the dumpster was moved to meet the required setback, which caused it to be closer to the building. There are no living or office spaces in proximity, only the car wash tunnel portion of the building.**
3. Loading-Unloading Zone (Sec. 5.4.2): Deviation would be required for the lack of a loading zone. **The applicant states the nature of the car wash business does not require large deliveries that would require a loading zone. This deviation is supported by staff.**
4. Parking Lot Landscaping (Section 5.5.3.C): Deviation would be required for not providing the required number of accessway perimeter trees. **The deviation would be supported by staff, if the applicant can provide sufficient justification for the deficiency, such as a letter stating that landscaping is not permitted within the easement.**
5. Correlated Color Temperature (Section 5.7.3.F): Deviation may be required for exceeding 3000K Correlated Color Temperature (4000K proposed) for permanent lighting installations. **No justification has been provided.**
6. Section 9 Waiver (Section 5.15): Proposed elevations of the building have an overage of Horizontal lap siding (8-10% proposed, 0% minimum required) and an overage of Asphalt Shingles (31-36% proposed, 25% maximum allowed). **In this case the deviations are not detrimental to the overall design of the building, and consistent with the intent and purpose of the Ordinance. The waiver is recommended for approval.**

APPLICANT'S BURDEN UNDER PRO ORDINANCE

The Planned Rezoning Overlay ordinance (PRO) requires the applicant to demonstrate that certain requirements and standards are met. The applicant should be prepared to discuss these items, especially in number 1 below, where the ordinance suggests that the enhancement under the PRO request would be unlikely to be achieved or would not be assured without utilizing the Planned Rezoning Overlay. Section 7.13.2.D.ii states the following:

1. *(Sec. 7.13.2.D.ii.a) The PRO accomplishes the integration of the proposed land development project with the characteristics of the project area in such a manner that results in an enhancement of the project area as compared to the existing zoning that would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*

2. *(Sec. 7.13.2.D.ii.b) Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement such that the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site specific land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Planned Rezoning Overlay. In determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.*

IDENTIFYING BENEFITS TO PUBLIC RESULTING FROM THE REZONING

Section 7.13.2.D.ii states that the City Council must determine that the proposed PRO rezoning would be in the public interest and that the benefits to the public of the proposed PRO rezoning would clearly outweigh the detriments. The following benefits are suggested by the applicant (as listed in their narrative or shown on the PRO plan):

- The applicant makes the case that developing a vacant parcel is the benefit of this proposal. The parcel has remained undeveloped since Fountain Walk was developed 22 years ago. They state the continued success of Fountain Walk is a public benefit to the city. **These stated benefits are incidental to any development proposed, not unique to this PRO request, and would not qualify as a “public benefit” that would outweigh the detriments.**
- The applicant offers to construct two covered seating areas along 12 Mile Road. The plan shows a concrete pedestrian node along the sidewalk fronting on 12 Mile Road, with the other stated location further to the east near Donelson Drive. The paved nodes would include concrete pads, benches and a metal pergola covering.
- The applicant offers two decorative curved walls on the property: One at the corner of 12 Mile Road and Cabaret Drive, and the other at the corner of Cabaret Drive and the entrance of Fountain Walk. The walls could include signage identifying the center. No signage for Jax Kar Wash would be on these walls. The stone on the walls would match the existing wall located at the West Oaks and Donelson Drive entrance. The wall details show the wall to be approximately 30 inches high, and about 10 feet in length. **Any proposed signage would need to meet ordinance standards.**

This is a PRO in which the applicant seeks both a rezoning and a list of ordinance deviations. In Staff’s opinion the proposed benefits to the City could be enhanced further.

NEXT STEP: PLANNING COMMISSION PUBLIC HEARING

With all reviewers recommending approval or conditional approval, Planning Commission will hold a public hearing on the rezoning request from RC (Regional Center) to B-3 (General Business) with a Planned Rezoning Overlay. Following the public hearing, they will make a recommendation to City Council whether to approve or deny the request, or may postpone making a recommendation if they determine additional information or changes are needed. **The next available agenda would be August 28th. Please let me know no later than July 30th if you would like to be placed on this agenda.**

CITY COUNCIL CONSIDERATION

After the Planning Commission makes its recommendation, the PRO Concept Plan will be scheduled for consideration by the City Council. If the City Council grants tentative approval at that time, they will direct the City Attorney to draft a PRO Agreement describing the terms of the

rezoning approval. Once the PRO Agreement has been drafted and approved by the applicant's attorney, it will return City Council for final approval.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0484 or lbell@cityofnovi.org.

A handwritten signature in black ink that reads "Lindsay Bell". The signature is written in a cursive, flowing style.

Lindsay Bell, AICP, Senior Planner



PLANNING REVIEW CHART: B-3 General Business District with PRO

Review Date: July 17, 2024
Review Type: Formal PRO Plan
Project Name: JZ24-02 JAX KAR WASH (44475 Twelve Mile)
Plan Date: February 9, 2024 (received 6/25/24)
Prepared by: Lindsay Bell, Senior Planner
Contact: E-mail: lbell@cityofnovi.org; Phone: (248) 347-0484

Items in **Bold** need to be addressed prior to the approval of the Preliminary Site Plan.

Item	Required Code	Proposed	Meets Code	Comments
Zoning and Use Requirements				
Master Plan	Regional Commercial	General Commercial	No	
Zoning (Effective Jan. 8, 2015)	RC: Regional Center District	B-3: General Business District	No	Rezoning to B-3 requested using PRO
Uses Permitted (Sec 3.1.11.B & C)	Sec 3.1.12.B Principal Uses Permitted.	Auto Wash	Yes	Permitted Use in B-3 District
Auto wash (Sec 4.32)	Permitted use in B-3 when completely enclosed in a building	Wash completely enclosed in a building. There are accessory vacuum stations outside the building.	Yes	
Planned Rezoning Overlay Document Requirements (Section 7.13.2 & Site Plan & Development Manual)				
Written Statement (Section 7.13.2) The statement should include the following:	Statement of eligibility for PRO Approval: Describe the rezoning requested including uses proposed, justification for why it makes sense	Attorney letter states use limited to Auto Wash		See Planning Review for discussion
	How does the project constitute an overall benefit to the public that outweighs any detriments or could not otherwise be accomplished without the rezoning?	Proposal to construct two decorative entry walls + two covered seating areas along the south side of 12 Mile between Cabaret and Donelson Dr	Yes	See Planning Review for discussion
	Deviations and Conditions proposed for inclusion in the PRO Agreement (i.e., ZO deviations, limitation on total units, height, uses, etc)	Use to be restricted to Auto Wash only; height and setbacks more limiting, exceeding brick requirement	Yes	See Planning Review for discussion

Rezoning Traffic Impact Study Site Plan & Development Manual	Required regardless of site size, with requirements in SDM	Not required as does not meet conditions	NA	
Community Impact Statement (Sec. 2.2)	Required according to site plan manual (SDM link: Site Plan & Development Manual)	Not required	NA	
Rezoning Signs (Site Plan Development Manual)	Sign location plan Mock-up of sign details	Provided and approved Signage was posted	Yes	
B-3 Business District Required Conditions (Sec. 3.10)				
Overhead Door (Sec. 3.10.1.A)	No truck well, loading dock, overhead door or other type of service bay door shall face a major thoroughfare, nor an abutting residential district	Car Wash tunnel door will face Twelve Mile Road	No	<u>This will require a variance</u>
Height, bulk, density, and area limitations (Sec 3.1.12)				
Frontage on a Public Street. (Sec. 5.12)	Frontage on a Public Street is required	Frontage on Cabaret and Twelve Mile	Yes	
Access to Major Thoroughfare (Sec. 5.13)	Direct access to Major Thoroughfare is required unless noted in Section 5.13	Access to Twelve Mile via Fountain Walk Road and Cabaret Dr	Yes	
Building Height (Sec. 3.1.12.D)	30 ft	Plan indicates height of 24' 3"		
Building Setbacks (Sec 3.1.12.D)				
Front (Twelve Mile)	30 ft.	88.51 ft.	Yes	
Exterior Side (Cabaret)	30 ft.	68.5 ft.	Yes	
Side (east)	15 ft.	138.6 ft	Yes	
Side (south)	15 ft.	54.26 ft	Yes	
Parking Setback (Sec 3.1.12.D)				
Front (Twelve Mile)	20 ft.	Not proposed		<u>-Proposed lot line will be adjacent to existing parking spaces on east side, which will require a parking setback deviation.</u>
Exterior Side (Cabaret)	20 ft.	Not proposed		
Side (east)	10 ft.	Exceeds -off-site spaces will be 0' from proposed lot line	Yes No	

Side (south)	10 ft.	Exceeds	Yes?	
Note To District Standards (Sec 3.6.2)				
Exterior Side Yard Abutting a Street (Sec 3.6.2.C)	All exterior side yards abutting a street shall be provided with a setback equal to the front yard setback requirement of the district in which located.	Cabaret Dr frontage is exterior side yard	Yes	
Minimum Lot Area (Sec. 3.6.2.D)	The minimum lot area and width, and the maximum percent of lot coverage shall be determined on the basis of off-street parking, loading, greenbelt screening, yard setback or usable open space requirements	-	TBD	
Off-Street Parking in Front Yard (Sec 3.6.2.E)	Off-street parking shall be permitted in the front yard, except that said parking shall observe the minimum off-street parking setback requirements in Sec. 3.1 and 5.5.3	Not proposed	NA	
Wetland/ Watercourse Setback (Sec 3.6.2.M)	Refer to Sec 3.6.2 for more details.	No wetlands	NA	
Parking setback screening (Sec 3.6.2.P)	Required parking setback area shall be landscaped per sec 5.5.3.	Landscaping provided		See landscape letter for detailed comments
Modification of parking setback requirements (Sec 3.6.2.Q)	Refer to Sec 3.6.2 for more details	None proposed	NA	
Parking, Loading, and Dumpster Requirements				
Auto-wash (automatic) (5.2.12.C.)	Two + 1 for each employee + 1 for each vacuum station or similar area	1 per vacuum stall - Required: 23 - Provided: 23 2 + 1 per employee - Required: 6 - Provided: 6 Total: - 28 required - 22 provided	Yes	Applicant states that 5 parking spaces will be provided off-site. Legal document to share parking will be required

<p>Parking Space Dimensions and Maneuvering Lanes <i>(Sec. 5.3.2)</i></p>	<ul style="list-style-type: none"> - 90° Parking: 9 ft. x 19 ft. - 24 ft. two-way drives - 9 ft. x 17 ft. parking spaces allowed along 7 ft. wide interior sidewalks as long as detail indicates a 4" curb at these locations and along landscaping 	<p>24' drive aisle 21' one-way drives Vacuum stalls 12' x 20'</p>	<p>Yes</p>	
<p>Posted Fire Lanes <i>(D.C.S Sec. 158-99(a))</i></p>	<p>The minimum width of a posted fire lane is 20 feet. The minimum height of a posted fire lane is 14 feet.</p>	<p>Fire lanes are 21 ft. Canopy located over the point of sale must meet the minimum height</p>	<p>Yes</p>	<p>Confirm the height of the structures at POS – not found on drawings</p>
<p>Parking stall located adjacent to a parking lot entrance <i>(public or private)</i> <i>(Sec. 5.3.13)</i></p>	<p>Shall not be located closer than twenty-five (25) feet from the street right-of-way (ROW) line, street easement or sidewalk, whichever is closer</p>	<p>Complies</p>	<p>Yes</p>	
<p>End Islands <i>(Sec. 5.3.12)</i></p>	<ul style="list-style-type: none"> - End Islands with landscaping and raised curbs are required at the end of all parking bays that abut traffic circulation aisles. - The end islands shall generally be at least 8 feet wide, have an outside radius of 15 feet, and be constructed 3' shorter than the adjacent parking stall as illustrated in the Zoning Ordinance 	<p>Not proposed</p>	<p>NA</p>	
<p>Barrier Free Spaces <i>Barrier Free Code</i> <i>(2012 Michigan Building Code)</i></p>	<ul style="list-style-type: none"> - 22 parking spaces: 1 van Accessible Space required - Every 6 or fraction of six accessible parking spaces, at least one shall be van-accessible 	<p>Proposed</p>	<p>Yes</p>	
<p>Barrier Free Space Dimensions <i>Barrier Free Code</i> <i>(2012 Michigan Building Code)</i></p>	<ul style="list-style-type: none"> - 8' wide with an 8' wide access aisle for van accessible spaces - 8' wide with a 5' wide access aisle for regular accessible spaces 	<p>Proposed</p>	<p>Yes</p>	
<p>Barrier Free Signs <i>Barrier Free Code</i></p>	<p>One sign for each accessible parking space.</p>	<p>Indicated</p>	<p>Yes</p>	

Minimum number of Bicycle Parking (Sec. 5.16.1)	Minimum 2 spaces	Shown	Yes	
Bicycle Parking General requirements (Sec. 5.16)	<ul style="list-style-type: none"> - No farther than 120 ft. from the entrance being served - When 4 or more spaces are required for a building with multiple entrances, the spaces shall be provided in multiple locations - Spaces to be paved and the bike rack shall be inverted "U" design - Shall be accessible via 6 ft. paved sidewalk 	Indicated	Yes	Layout will be reviewed at time of site plan submittal
Bicycle Parking Lot layout (Sec 5.16.6)	Parking space width: 7 ft. One tier width: 11 ft. Two tier width: 18 ft. Maneuvering lane width: 4 ft. Parking space depth: 32 in.	Bike parking layout not found on sheet C9.0 as indicated	TBD	Provide revised plans that include the layout, or Layout will be reviewed at time of site plan submittal
Loading Spaces (Sec. 5.4.2)	<ul style="list-style-type: none"> - Loading, unloading space shall be provided in the rear yard at a ratio of 10 sq. ft. for each front foot of building - Except in the case of a double frontage lot, loading-unloading, as well as trash receptacles may be located in an interior side yard beyond the minimum side yard setback requirement of the district; location subject to approval by the City. 	Not proposed	No	<u>Deviation requested for absence of loading zone</u>
Dumpster (Sec 4.19.2.F)	<ul style="list-style-type: none"> - Located in rear yard or interior side yard in case of double frontage - Attached to the building OR - No closer than 10 ft. from building if not attached - Not located in parking setback - If no setback, then it cannot be any closer 	Dumpster relocated to side yard – but is less than 10 feet from building	No	<u>Deviation required for dumpster enclosure 6 ft. from building (10 ft. required)</u>

	<p>than 10 ft, from property line.</p> <ul style="list-style-type: none"> - Away from Barrier free Spaces 			
<p>Dumpster Enclosure (Sec. 21-145. (c))</p>	<ul style="list-style-type: none"> - Screened from public view - A wall or fence 1 ft. higher than height of refuse bin - And no less than 5 ft. on three sides - Posts or bumpers to protect the screening - Hard surface pad. - Screening Materials: Masonry, wood or evergreen shrubbery 	<p>Dumpster enclosure elevation shown – note indicates 1 foot taller than dumpster, screening enclosure to match masonry of building</p>	Yes	
<p>Outdoor Vacuums</p>	<p>Provide specifications for the vacuums (dimensions, color scheme, decibel level, etc.)</p>	<p>Vacuums outside the building, but mechanical equipment inside the building to reduce noise</p>	No	<p><u>Include a noise statement to show impact on adjacent uses and compliance with Sec. 5.14.10 – this could be a condition in the PRO Agreement.</u></p>
<p>Vacuum Enclosure (Sec 4.19.2.F)</p>	<p>Accessory Structure - Must meet the same placement as Dumpster and be screened</p>	<p>Not shown</p>	No	<p>- If proposed show on plans and screen</p>
<p>Flagpoles (Sec 4.19.2.B)</p>	<p>May be located in front or exterior side yard, no closer to ROW than ½ the distance between the ROW and Principal building</p>	<p>Not proposed</p>	NA	
<p>Drive-through Lanes (Sec. 5.3.11)</p>				
<p>Drive-through Lanes Separation (Sec. 5.3.11.A,C)</p>	<p>Drive-through lanes shall be separate from the circulation routes & lanes necessary for ingress to & egress from the property</p>	<p>Separate circulation routes are provided</p>	Yes	
<p>Drive-through setbacks (Sec. 5.3.11.A,B)</p>	<p>Drive through shall follow parking setback requirements and applicable parking lot landscaping requirements</p>	<p>Appears to meet 10-ft side yard setback; 12.13 ft</p>	Yes	

Bypass Lane for Drive-through (Sec. 5.3.11.D)	Drive-through facilities shall provide 1 bypass lane, min. of 18 ft. in width, unless otherwise determined by the Fire Marshal	Bypass lane provided; 21-ft wide	Yes	
Width & Centerline Radius of Drive-through Lanes (Sec. 5.3.11.E,F,H)	Drive-through lanes shall have a minimum 9 ft. width, centerline radius of 25 ft. and a minimum length of 19 ft. per car	Appears to comply	Yes	
Drive-through Lane Delineated (Sec. 5.3.11.G)	Drive-through lanes shall be striped, marked, or otherwise delineated	Appears to be proposed	Yes	
Drive-Thru Stacking Spaces (Sec. 5.3.11.I)	Twenty-five (25) vehicles prior to the tunnel (may be in multiple lanes), three (3) vehicles beyond the tunnel for drying areas.	25 spaces before the tunnel shown Vacuum area beyond tunnel can serve as drying area	Yes	

Lighting and Other Equipment Requirements

Exterior lighting (Sec. 5.7)	Photometric plan and exterior lighting details needed at time of Final Site Plan submittal	Photometric plan is provided	Yes	
Roof top equipment and wall mounted utility equipment (Sec. 4.19.2.E.ii)	- All roof top equipment must be screened, and all wall mounted utility equipment must be enclosed and integrated into the design and color of the building	Not proposed	NA	If proposed, Please indicate on the next submittal and provide dimensions of any equipment and screening
Roof top appurtenances screening	Roof top appurtenances shall be screened in accordance with applicable facade regulations, and shall not be visible from any street, road, or adjacent property	Not proposed	NA	
Noise Specifications (Sec. 5.14.10.A)	Site proposals must comply with the standards of the noise ordinance.	Specifications not provided.	No	Please indicate noise specifications for the car wash tunnel and vacuums on the next submittal (refer to section 5.14.10.A of the Ordinance)

Sidewalk Requirements

Sidewalks (Sec. 7.4.2 of the Engineering Design Manual)	- 8-foot sidewalk required along 12 Mile and 6-foot sidewalk along Cabaret Dr	Existing sidewalks present on 12 Mile. New 6' sidewalk on Cabaret Dr indicated	Yes	
Pedestrian Connectivity	Whether the traffic circulation features within the site and location of automobile parking areas are designed to assure safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets	7-foot sidewalk connection to 12 Mile Road sidewalk. Also to employee parking area	Yes	
Building Code and Other Design Standard Requirements				
Design and Construction Standards Manual	Land description, Sidwell number (metes and bounds for acreage parcel, lot number(s), Liber, and page for subdivisions).	Provided	Yes	<i>The new parcel number shall be listed on the Final Stamping Set if this project receives PRO Approval.</i>
General layout and dimension of proposed physical improvements	Location of all existing and proposed buildings, proposed building heights, building layouts, (floor area in sq. ft.), location of proposed parking and parking layout, streets, and drives, and indicate sq. ft. of pavement area (indicate public or private).	Generally provided	Yes	See this and other reviews for information to be provided in future submittals
Economic Impact	- Total cost of the proposed building & site improvements - Number of anticipated jobs created (during construction & after building is occupied)		No	Include in the response letter for the next submittal.
Other Permits and Approvals				
Development/ Business Sign	Signage if proposed requires a permit.	Not indicated at this time	NA	If any signage deviations are anticipated, include with the PRO submittal

Development and Street Names	Development and street names must be approved by the Street Naming Committee before Preliminary Site Plan approval	Project name does not require approval.	NA	
Property Split	The proposed property split must be submitted to the Assessing Department for approval prior to Final Stamping Set approval.	A split appears to be proposed.	TBD	If proposed, include proposed parcel boundaries and setbacks to existing parking/buildings. The new parcel number shall be listed on the Final Stamping Set.
Other Legal Requirements				
Existing Easements	Show all easements on a site survey	Provided on Topo	Yes	
Lighting and Photometric Plan (Sec. 5.7)				
Intent (Sec. 5.7.1)	Establish appropriate minimum levels, prevent unnecessary glare, reduce spillover onto adjacent properties & reduce unnecessary transmission of light into the night sky	Provided	Yes	
Lighting Plan (Sec. 5.7.A.1)	Site plan showing location of all existing & proposed buildings, landscaping, streets, drives, parking areas & exterior lighting fixtures	Provided for subject site	Yes	Update the photometric sheet with the latest site layout
Building Lighting (Sec. 5.7.2.A.iii)	Relevant building elevation drawings showing all fixtures, the portions of the walls to be illuminated, illuminance levels of walls and the aiming points of any remote fixtures.	Not provided		Provide with Final Site Plan submittal – need building photometrics on the elevations
Lighting Plan (Sec.5.7.2.A.ii)	Specifications for all proposed & existing lighting fixtures	Provided	Yes	
	Photometric data	Provided	Yes	

	Fixture height	Provided	Yes	
	Mounting & design	Provided	Yes	
	Glare control devices	Provided	Yes	
	Type & color rendition of lamps			
	Hours of operation			
Maximum height when abutting residential districts (Sec. 5.7.3.A)	Height not to exceed maximum height of zoning district (or 25 ft. where adjacent to residential districts or uses)	22 feet proposed		
Standard Notes (Sec. 5.7.3.B)	<ul style="list-style-type: none"> - Electrical service to light fixtures shall be placed underground - Flashing light shall not be permitted - Only necessary lighting for security purposes & limited operations shall be permitted after a site's hours of operation 	Notes provided	Yes	
Average light levels (Sec. 5.7.3.E)	Average light level of the surface being lit to the lowest light of the surface being lit; not exceed 4:1	3.4:1	Yes	
Color Spectrum Management (Sec. 5.7.3.F)	For all permanent lighting installations - minimum Color Rendering Index of 70 and Correlated Color Temperature of no greater than 3000 Kelvin	80 CRI 4000K	Yes No	<u>Max 3000K – or seek deviation</u>
Indoor Lighting (Sec. 5.7.3.H)	Indoor lighting shall not be the source of exterior glare or spillover	Not shown		Shall comply
Security Lighting (Sec. 5.7.3.I) Lighting for security purposes shall be directed only onto the area to be secured.	<ul style="list-style-type: none"> - All fixtures shall be located, shielded, and aimed to not cast light toward adjacent properties or streets, or into the night sky. - Fixtures mounted on the building and designed to illuminate the facade are preferred 		TBD	Show photometric of after-hours security lighting
Parking Lot Lighting	- Provide the minimum illumination necessary	Appears to comply	Yes	

(Sec. 5.7.3.J)	to ensure adequate vision and comfort. - Full cut-off fixtures shall be used to prevent glare and spillover.			
Min. Illumination (Sec. 5.7.3.L)	Parking areas: 0.2 min	0.5 fc	Yes	
	Loading & unloading areas: 0.4 min		NA	
	Walkways: 0.2 min	Not shown	TBD	Provide photometrics of sidewalk areas
	Building entrances, frequent use: 1.0 min	Not shown	TBD	Provide photometrics of building entry areas
	Building entrances, infrequent use: 0.2 min		NA	
Max. Illumination adjacent to Non-Residential (Sec. 5.7.3.K)	When site abuts a non-residential district, maximum illumination at the property line shall not exceed 1 foot candle	0.6 fc	Yes	
Max. Illumination adjacent to Residential (Sec. 5.7.3.L)	When adjacent to residential districts: - All cut off angles of fixtures must be 90° - maximum illumination at the property line shall not exceed 0.5-foot candle - No direct light source shall be visible at the property line that is adjacent to res. at ground level		NA	

NOTES:

1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.
2. The section of the applicable ordinance or standard is indicated in parenthesis. Please refer to those sections in Article 3, 4, and 5 of the zoning ordinance for further details
3. Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Department with future submittals.

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

7/15/2024

Engineering Review

Jax Kar Wash PRO

JSP24-0002

APPLICANT

Jax Kar Wash

REVIEW TYPE

Formal PRO and Preliminary Site Plan

PROPERTY CHARACTERISTICS

- Site Location: Northwest corner of Twelve Mile Crossing at Fountain Walk, south side of Twelve Mile Road and east of Cabaret Drive
- Site Size: 1.9 acres
- Plan Date: 2-9-2024 – revision date on plans needs to be updated
- Design Engineer: PEA Group

PROJECT SUMMARY

- Construction of an approximately 6,157 square-foot car wash building and associated parking. Site access would be provided via the interior Fountain Walk roadway.
- Water service would be provided by an extension from the existing 8-inch water main along the east side of the property.
- Sanitary sewer service would be provided by an extension from the existing 8-inch sanitary sewer along the west side of the property. A lead would be provided to serve the building, along with a monitoring manhole.
- Storm water would be collected by a single storm sewer collection system, treated on-site and discharged to an off-site regional detention basin.

RECOMMENDATION

Approval of the Formal PRO plan and Preliminary Site plan is recommended with items addressed at Final Site Plan submittal.

Comments:

The Formal PRO Plan and Preliminary Site Plan meets the general requirements of the design and construction standards as set forth in [Chapter 11 of the City of Novi Code of](#)

[Ordinances](#), the Storm Water Management Ordinance and the [Engineering Design Manual](#) with the following items to be addressed at the time of Final Site Plan submittal:

General

1. Provide at least two reference benchmarks at intervals no greater than 1,200 feet. At least one referenced benchmark must be a City-established benchmark, refer to [City of Novi Survey Benchmarks Arch Map](#). City Bench Mark 1031 is located across 12 Mile, bench mark 1512 is located south of the site on east side of Cabaret Drive.
2. Provide a note on the plans that all work shall conform to the current City of Novi standards and specifications.
3. **Only at the time of the printed Stamping Set submittal**, provide the City's standard detail sheets for water main (5 sheets), sanitary sewer (3 sheets), storm sewer (2 sheets), and paving (2 sheets). The most updated details can be found on the City's website under [Engineering Standards and Construction Details](#).
4. Indicate if the existing agreement between fountain walk properties includes access from private drive to Jax Kar Wash site.
5. We recommend removing the proposed stairs and providing a pathway so that the bike rack is more accessible.
6. The existing sidewalk on 12 Mile Road and the proposed sidewalk on the east side of Cabarte Drive are outside of the right-of-way. These sidewalks should either be in dedicated right-of-way or in a sidewalk easement. Applicant can either dedicate the ROW on both roads or provide 2 sidewalk easements.
7. Provide a traffic control sign table listing the quantities of each **permanent** sign type proposed for the development. Provide a note along with the table stating all traffic signage will comply with the current MMUTCD standards.
8. Provide a note that compacted sand backfill (MDOT sand Class II) shall be provided for all utilities within the influence of paved areas; illustrate and label on the profiles.
9. Provide a construction materials table on the utility plan listing the quantity and material type for each utility (water, sanitary and storm) being proposed.
10. Provide a utility crossing table indicating that at least 18-inch vertical clearance will be provided, or that additional bedding measures will be utilized at points of conflict where adequate clearance cannot be maintained.
11. Provide a note stating if dewatering is anticipated or encountered during construction, then a dewatering plan must be submitted to the Engineering Division for review.
12. Generally, all proposed trees shall remain outside utility easements. Where proposed trees are required within a utility easement, the trees shall maintain a minimum 5-foot horizontal separation distance from any existing or proposed utility. All utilities shall be shown on the landscape plan, or other appropriate sheet, to confirm the separation distance.

13. Show the locations of all light poles on the utility plan and indicate the typical foundation depth for the pole to verify that no conflicts with utilities will occur. Light poles in a utility easement will require a License Agreement.

Water Main

14. All water main easements shall be 20-feet wide. Show all proposed water main on plans.
15. A tapping sleeve, valve and well is required at the connection to the existing water main.
16. Use two 45-degree bends in lieu of any 90-degree water main bends.
17. Provide water main modeling calculations demonstrating that the required water supply of 4,000 GPM will be available.
18. Provide additional valves to limit pipe runs to a maximum of 800 feet between valves.
19. Per current EGLE requirement, provide a profile for all proposed water main 8-inch and larger.
20. 6-inch hydrant leads are allowed for leads less than or equal to 25 feet in length. 8-inch leads are required for leads greater than 25 feet in length.
21. All gate valves 6" or larger shall be placed in a well with the exception of a hydrant shut off valve. A valve shall be placed in a box for water main smaller than 6".
22. Valves shall be arranged so that no single line failure will require more than eight hundred (800) feet of main to be out of service.
23. Provide a separate domestic lead and, if required by the Fire Marshal, a minimum 6-inch fire lead for each building with a unique shut-off valve for each.
24. In the general notes and on the profile, add the following note: "Per the Ten States Standards Article 8.8.3, one full 20-foot pipe length of water main shall be used whenever storm sewer or sanitary sewer is crossed, and the pipe shall be centered on the crossing, in order to ensure 10-foot separation between water main and sewers." Additionally, show the 20-foot pipe lengths on the profile.
25. A sealed set of utility plans along with the [Michigan Department of Environment, Great Lakes & Energy \(EGLE\) permit application](#) for water main construction, the [Streamlined Water Main Permit Checklist](#), [Contaminated Site Evaluation Checklist](#), and an electronic version of the utility plan should be submitted to the Engineering Division for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets, and the standard detail sheets.

Irrigation Comments

26. Irrigation Plans are not approved, see attached review letter dated 7/17/2024.

Sanitary Sewer

27. Provide a sanitary sewer monitoring manhole, unique to this site, within a dedicated access monitoring manhole easement or proposed sanitary sewer easement.

28. Section 11-164 (g)-4 states the maximum length of a sanitary sewer lead shall not exceed 100-feet unless otherwise approved. Extend Sanitary Sewer so that leads are not more than 100-feet long **or** provide clean-outs every 100-feet.
29. Note on the construction materials table that 6-inch sanitary leads shall be a minimum SDR 23.5, and mains shall be SDR 26.
30. Provide a note on the Utility Plan and sanitary profile stating the sanitary leads will be buried at least 5 feet deep where under the influence of pavement.
31. *For 8-inch and larger extensions* - Provide a testing bulkhead immediately upstream of the sanitary connection point. *(If more than one run of 8-inch proposed)* Additionally, provide a temporary 1-foot-deep sump in the first sanitary structure proposed upstream of the connection point, and provide a secondary watertight bulkhead in the downstream side of this structure.
32. Illustrate all pipes intersecting with manholes on the sanitary profiles.
33. Relocate the sanitary sewer to go around the cul-de-sac outside the paved road. Extend the sanitary sewer so no leads cross under the cul-de-sac.
34. Three (3) sealed sets of revised utility plans along with the [Michigan Department of Environment, Great Lakes & Energy \(EGLE\) permit application](#), electronic utility plan for sanitary sewer construction, and the Streamlined Sanitary Sewer Permit Certification Checklist should be submitted to the Engineering Division for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets, and the standard detail sheets. It should be indicated with the application if an expedited EGLE review is requested. EGLE will charge a fee that can be paid directly to the State.

Storm Sewer

35. A minimum cover depth of 3 feet shall be maintained over all proposed storm sewer. Currently, a few pipe sections do not meet this standard. Grades shall be elevated, and minimum pipe slopes shall be used to maximize the cover depth. In situations where the minimum cover cannot be achieved, Class V pipe must be used with an absolute minimum cover depth of 2 feet. An explanation shall be provided where the cover depth cannot be provided.
36. No catch basins are proposed on the eastern drive or the drive by passing the car wash. Indicate how stormwater will drain, draining should not go off-site unless it has been treated prior to discharge into off-site storm sewer.
37. Provide a 0.1-foot drop in the downstream invert of all storm structures where a change in direction of 30 degrees or greater occurs.
38. Match the 0.80 diameter depth above invert for pipe size increases.
39. Storm manholes with differences in invert elevations exceeding two feet shall contain a 2-foot-deep plunge pool.
40. Provide a four-foot-deep sump and an oil/gas separator in the last storm structure prior to discharge off- site/to the storm water basin.

41. The minimum pipe size for storm sewers receiving surface runoff shall be 12-inch diameter. Provide profiles for all storm sewer 12-inch and larger. All storm pipes accepting surface drainage shall be 12-inch or larger.
42. Label all inlet storm structures on the profiles. Inlets are only permitted in paved areas and when followed by a catch basin within 50-feet.
43. Label the 10-year HGL on the storm sewer profiles and ensure the HGL remains at least 1-foot below the rim of each structure.
44. Illustrate all pipes intersecting storm structures on the storm profiles.
45. An easement is required over the storm sewer accepting and conveying off-site drainage. This is only needed if existing Fountain Walk properties do not have an existing agreement for the storm drainage across property lines. If there is an existing agreement provide a copy with the final site plan.
46. Provide a schedule listing the casting type, rim elevation, diameter, and invert sizes/elevations for each proposed, adjusted, or modified storm structure on the utility plan. Round castings shall be provided on all catch basins except curb inlet structures. Provide storm sewer design table.

Storm Water Management Plan

47. The Storm Water Management Plan (SWMP) for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the [Engineering Design Manual](#) (updated Jan 31, 2024)
48. Indicate that stormwater will be treated on-site prior to discharging into existing storm sewer system and ultimately being detained in regional detention basin. Applicant will need to pay storm water detention fees in order to detain in a regional detention basin.
49. As part of the Storm Drainage Facility Maintenance Easement Agreement, provide an access easement for maintenance over the storm water detention system and the pretreatment structure.
50. Provide manufacturer's details and sizing calculations for the pretreatment structure(s) on the plans. Provide drainage area and runoff coefficient calculations specific to the area tributary to each treatment structure. The treated flow rate should be based on the 1-year storm event intensity (~1.6 In/Hr). Higher flows shall be bypassed.
51. Provide calculations for V_{CP-R} , Extended detention, and 100-year storage volume.
52. Provide supporting calculations for the runoff coefficient determination. New storm standards C value is determined by soil type.

Paving & Grading

53. Provide a construction materials table on the Paving Plan listing the quantity and material type for each pavement cross-section being proposed.
54. Provide a minimum of 6 spot elevations where the pathway crosses each driveway (one at each corner and two in the center of the driveway on each side of the pathway). Spot elevations shall be provided to demonstrate a level landing adjacent to each side of the pathway crossing.

55. Provide spot elevations at the intersection of the proposed pathway with the existing pathway.
56. Provide an emergency access gate at both ends of the proposed emergency access drive. The City's break-away gate detail (Figure VIII-K) can be found in Section 11-194 of the Code of Ordinances.
57. Provide a note on the plan stating that the emergency access gate is to be installed and closed prior to the issuance of the first building permit in the subdivision.
58. Detectable warning plates are required at all barrier free ramps, hazardous vehicular crossings and other areas where the sidewalk is flush with the adjacent drive or parking pavement. The barrier-free ramps shall comply with current MDOT specifications for ADA Sidewalk Ramps. Provide the latest version of the MDOT standard detail for detectable surfaces.
59. Label specific ramp locations on the plans where the detectable warning surface is to be installed.
60. Specify the product proposed and provide a detail for the detectable warning surface for barrier free ramps. The product shall be the concrete-embedded detectable warning plates, or equal, and shall be approved by the Engineering Division. Stamped concrete will not be acceptable.
61. Verify the slopes along the ingress/egress routing to the building from the barrier-free stalls. All barrier-free stalls shall comply with Michigan Barrier-Free regulations.
62. Provide existing and proposed contours on the Grading Plan at the time of the Final Site Plan submittal.
63. Provide a note on the Grading Plan stating that the proposed pathway within the road right-of-way shall match existing grades at both ends.
64. Provide at least 3-foot of buffer distance between the sidewalk and any fixed objects, including hydrants and irrigation backflow devices. Include a note on the plan where the 3-foot separation cannot be provided.
65. **Show proposed grades for all adjusted sanitary, water, and storm structures.**
66. Site grading shall be limited to 1V:4H (25-percent), excluding landscaping berms. Numerous areas appear to exceed this standard.
67. The sidewalk in the right-of-way must have a 21 AA aggregate base instead of MDOT class II sand.
68. Revise the on-site road cross-section to 1.5 inches of MDOT 5E1 on 2.5 inches of MDOT 3C on 8 inches of 21AA [limestone only if within 100 feet of a watercourse] aggregate base.
69. Provide additional spot grades as necessary to demonstrate that a minimum 5-percent slope away from the building is provided for a minimum distance of ten feet around the perimeter of the building.
70. The City standard straight-faced curb (MDOT F-4 curb detail) shall be provided. Remove detail and attach City standard paving details.

71. Provide top of curb/walk and pavement/gutter grades to indicate height of curb adjacent to parking stalls or drive areas.
72. Dimensions of parking stalls abutting a curb or sidewalk are to the face of curb or walk. All other dimensions are to back of curb unless otherwise indicated.

Soil Erosion and Sediment Control

73. A SESC permit is required. A full review has not been completed at this time. A review will be done when a completed packet is submitted to Sarah Marchioni at Community Development.

Off-Site Easements

74. Any off-site utility easements anticipated must be executed **prior to Stamping Set Approval**. If you have not already done so, drafts of the easements and a recent title search shall be submitted to the Community Development Department as soon as possible for review and shall be approved by the Engineering Division and the City Attorney prior to executing the easements.
75. The following easements **may be required**, indicate if there is already an agreement between all property owners for the parking lot access and utilities. A storm drainage agreement, off-site access agreement, and off-site temporary construction easement.

The following must be submitted with the Final Site Plan:

76. A letter from either the applicant or the applicant's engineer must be submitted with the Stamping Set highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved. **Additionally, a statement must be provided stating that all changes to the plan have been discussed in the applicant's response letter.**
77. An itemized construction cost estimate must be submitted to the Community Development Department for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with construction of the building or any demolition work. **The estimate must be itemized** for each utility (water, sanitary, storm sewer), on-site paving (square yardage, should include number do detectable warning plates), right-of-way paving (including proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pre-treatment structure and restoration).

The following must be submitted with the Stamping Set:

List of required legal documents will be finalized depending on the existing access easements for the property. Final list of easements will be provided with final site plan review letter.

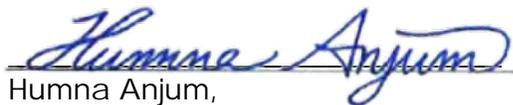
78. A draft copy of the [Storm Drainage Facility Maintenance Easement Agreement \(SDFMEA\)](#), as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department. Once the agreement is approved by the City's Legal Counsel, this agreement will then be sent to City

Council for approval/acceptance. The SDFMEA will then be recorded at the office of the Oakland County Register of Deeds. This document is available on our website.

79. A draft copy of the [Ingress/Egress Easement](#) for shared use of the drive entry on south side of the property must be submitted to the Community Development Department. This document is available on our website. ***may not be required if there is an existing access easement.**
80. A draft copy of the [Emergency Access Easement](#) for the Emergency Access Drive proposed must be submitted to the Community Development Department.
81. A draft copy of the 20-foot-wide [Watermain System Easement](#) onsite must be submitted to the Community Development Department.
82. A draft copy of the 20-foot-wide [Sanitary Sewer Easement](#) onsite must be submitted to the Community Development Department.
83. A draft copy of the warranty deed for the additional right-of-way along 12 Mile Road and Cabaret Drive must be submitted for review and acceptance by the City. Or a sidewalk easement for both the Cabaret Drive and 12 Mile Sidewalk must be submitted.
84. A draft copy of the warranty deed for the street(s) to be dedicated as public must be submitted.
85. Executed copies of approved off-site utility easements must be submitted.

To the extent this review letter addresses items and requirements that require the approval of or a permit from an agency or entity other than the City, this review shall not be considered an indication or statement that such approvals or permits will be issued.

Please contact Humna Anjum at (248)735-5632 or email at hanjum@cityofnovi.org with any questions.



Humna Anjum,
Project Engineer

cc: Lindsay Bell, Community Development
Ben Nelson, Engineering
Ben Croy, City Engineer

LANDSCAPE REVIEW



PLAN REVIEW CENTER REPORT

July 10, 2024

Jax Kar Wash

Formal PRO Concept Plan - Landscaping

Review Type

Formal PRO Concept Plan Landscape Review

Job

JZ24-0002

Property Characteristics

- Site Location: Southeast corner of Twelve Mile Road and Cabaret Drive
- Site Acreage: 1.81 ac.
- Site Zoning: Current: R-C, Proposed: B-3 with PRO
- Adjacent Zoning: North: Twelve Mile Rad/R-A, South, East: R-C, West: OST
- Plan Date: ~~February 9, 2024~~ Rec'd 6/25/2024

Ordinance Considerations

This project was reviewed for conformance with Chapter 37: Woodland Protection, Zoning Article 5.5 Landscape Standards, the Landscape Design Manual and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed and incorporated as part of the Preliminary Site Plan submittal. Underlined items must be addressed on the Final Site Plans. Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review and the accompanying Landscape Chart are summaries and are not intended to substitute for any Ordinance.

RECOMMENDATION:

This project is **recommended for approval if the applicant provides satisfactory proof that plantings along the west side of the west accessway are not allowed within the easement.** A significant deviation is required by the proposed layout and landscaping that is not supported by staff without that proof.

LANDSCAPE DEVIATIONS THAT ARE REQUIRED FOR THE PROPOSED LAYOUT:

- Deficiency in accessway perimeter plantings – *not supported by staff unless the utility easement does not allow plantings along the west edge of the west bypass lane.*

Please add revision dates to the plans.

Ordinance Considerations

Existing Trees (Sec 37 Woodland Protection, Preliminary Site Plan checklist #17 and LDM 2.3 (2))

1. Tree survey is provided.
2. There are no wetlands or regulated woodlands or trees on the site.
3. Nine trees will be removed and replaced with on-site plantings.
4. Please see the landscape chart for comments regarding preferred replacements.

Adjacent to Residential - Buffer (Zoning Sec. 5.5.3.B.ii and iii)

The site is not adjacent to residential property.

Adjacent to Public Rights-of-Way – Berm/Wall, Buffer and Street Trees (Zoning Sec. 5.5.3.B.ii, iii)

1. The required greenbelt widths are provided for both roads.

2. The required greenbelt plantings are provided for both roads.
3. No berms exist or are proposed along either road. As the site is below both roads, and no parking abuts either roads, berms are not required.
4. There is either not room within the right-of-way or sight vision concerns, so no street trees are required along either road.

Parking Lot Landscaping (Zoning Sec. 5.5.3.C.)

1. The required parking lot interior area and trees are provided.
2. Only 8 of the 10 required parking lot perimeter trees are provided but comments on the landscape chart offer suggestions on how already proposed trees may be used to fully meet the requirement.
3. The required number of accessway perimeter trees is not proposed. An existing DTE easement may make it impossible to provide 7 of the required trees but that information needs to be provided to show that that is the case. **As it is, the deficiency would require a landscape deviation that would not be supported by staff. See the discussion of the issue on the Landscape Chart.**

Building Foundation Landscaping (Zoning Sec 5.5.3.D)

1. Calculations provided and shaded areas indicate that the required foundation plantings will be provided.
2. Please provide detailed foundation planting plans on the Final Site Plans.

Plant List (LDM 4, 10)

1. Provided for all plantings except the Foundation plantings
2. 7 of 11 species proposed (64%) of the proposed trees are native to Michigan.
3. All species but the Tupelos meet the requirements of LDM 4. Please use 6 or less tupelos on the site.

Planting Notations and Details (LDM 10)

Provided

Storm Basin Landscape (Zoning Sec 5.5.3.E.iv and LDM 3)

Only a pre-treatment structure is required as the site is serviced by the development's common basin.

Irrigation (LDM 10)

1. An irrigation system will be used
2. A plan for it must be provided with Final Site Plans.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5621 or rmeader@cityofnovi.org.



Rick Meader – Landscape Architect

LANDSCAPE REVIEW SUMMARY CHART – Formal PRO Concept Plan

Review Date: July 10, 2024
Project Name: JAX Kar Wash
Project Location: SE Corner of Twelve Mile Road and Cabaret Drive
Plan Date: February 9, 2024 Rec'd 6/25/2024
Prepared by: Rick Meader, Landscape Architect E-mail: rmeader@cityofnovi.org;
 Phone: (248) 735-5621

Items in **Bold** need to be addressed by the applicant before approval of the Preliminary Site Plan.
Underlined items need to be addressed for Final Site Plan.

LANDSCAPE DEVIATION REQUIRED BY PLAN:

- Deficiency in accessway perimeter landscaping – *not supported by staff unless the existing utility easement does not allow plantings along the side of the west bypass lane*

Please add revision dates to the plans' cover sheet and title blocks.

Item	Required	Proposed	Meets Code	Comments
Landscape Plan Requirements (LDM (2))				
Landscape Plan (Zoning Sec 5.5.2, LDM 2.e.)	<ul style="list-style-type: none"> • New commercial or residential developments • Addition to existing building greater than 25% increase in overall footage or 400 SF whichever is less. • 1"=20' minimum with proper North. Variations from this scale can be approved by LA • Consistent with plans throughout set 	Landscape Plan: 1" = 20'	Yes	<u>A smaller scale may need to be used for the detailed foundation plantings.</u>
Project Information (LDM 2.d.)	Name and Address	Yes	Yes	
Owner/Developer Contact Information (LDM 2.a.)	Name, address and telephone number of the owner and developer or association	Yes	Yes	
Landscape Architect contact information (LDM 2.b.)	Name, Address and telephone number of RLA/PLA/LLA who created the plan	Janet Evans – PEA	Yes	
Sealed by LA. (LDM 2.g.)	Requires original signature	Copy of seal and signature	Yes	<u>Signature required on final stamping sets</u>
Miss Dig Note (800) 482-7171 (LDM.3.a.(8))	Show on all plan sheets	On title block	Yes	
Zoning (LDM 2.f.)	Include all adjacent zoning	Site: R-C Proposed: B-3 with	Yes	

Item	Required	Proposed	Meets Code	Comments
		PRO East, South: R-C North: 12 Mile Road/R-A West: Cabaret/OST		
Survey information (LDM 2.c.)	<ul style="list-style-type: none"> • Legal description or boundary line survey • Existing topography 	Sheet C-1.0	Yes	
Existing plant material Existing woodlands or wetlands (LDM 2.e.(2))	<ul style="list-style-type: none"> • Show location type and size. Label to be saved or removed. • Plan shall state if none exists. 	<ul style="list-style-type: none"> • Sheet T-1.0 • No regulated woodlands or trees exist on the site • No wetland exists on the site 	Yes	<ol style="list-style-type: none"> 1. As no regulated trees are being removed, no woodland replacements are required 2. Although no regulated trees are being impacted, there are many (approximately 14) existing trees which appear to be impacted to varying degrees by the proposed sidewalk and grading. 3. Please change or lighten up the hatch of the easements and clearly show all of the trees to remain on L-1.0.
Soil types (LDM.2.r.)	<ul style="list-style-type: none"> • As determined by Soils survey of Oakland county • Show types, boundaries 	<ul style="list-style-type: none"> • Soil types are listed on Sheet C-3.0 • No soils boundaries are shown 	<ul style="list-style-type: none"> • Yes • No 	Please show the soils' boundaries with the appropriate labels. The soils information can be shown on an inset.
Existing and proposed improvements (LDM 2.e.(4))	Existing and proposed buildings, easements, parking spaces, vehicular use areas, and R.O.W	Included on landscape plan	Yes	
Existing and proposed utilities (LDM 2.e.(4))	<ul style="list-style-type: none"> • Overhead and underground utilities, including hydrants • Proposed light posts 	<ul style="list-style-type: none"> • Existing and proposed utility lines and structures are shown on the landscape plan • No light posts are shown. 	<ul style="list-style-type: none"> • Yes • No 	<ol style="list-style-type: none"> 1. Please state the restrictions of the easements regarding plantings within the easement(s) on Sheet L-1.0 (required spacing, plant type limitations, etc.) – the easement language will determine the required spacing from the gas line.

Item	Required	Proposed	Meets Code	Comments
				<p>REPEATED COMMENT (At least attach the restrictive language of the easements with the response letter).</p> <p>2. Please show all proposed lighting fixtures on the landscape plan and resolve planting/post conflicts.</p>
Proposed grading. 2' contour minimum (LDM 2.e.(1))	Provide proposed contours at 2' interval	Sheet C-4.0	Yes	
Snow deposit (LDM.2.q.)	Show snow deposit areas on plan	A long snow deposit area is shown along the bypass lane.	Yes	
LANDSCAPING REQUIREMENTS				
Berms, Walls and ROW Planting Requirements				
Berms				
<ul style="list-style-type: none"> • All berms shall have a maximum slope of 33%. Gradual slopes are encouraged. Show 1ft. contours • Berm should be located on lot line except in conflict with utilities. • Berms should be constructed of loam with 6" top layer of topsoil. 				
Residential Adjacent to Non-residential (Sec 5.5.3.A) & (LDM 1.a)				
Berm requirements (Zoning Sec 5.5.A)	The site is not adjacent to residential property so this screening is not required.	No berm is proposed.	Yes	
Walls (LDM 2.k & Zoning Sec 5.5.3.vi)				
Material, height and type of construction footing	Freestanding walls should have brick or stone exterior with masonry or concrete interior	No new walls are proposed.	NA	
Walls greater than 3 ½ ft. should be designed and sealed by an Engineer		None		
ROW Landscape Screening Requirements (Sec 5.5.3.B. ii) and (LDM 1.b)				
Greenbelt width (2)(3) (5)	<ul style="list-style-type: none"> • Adjacent to pkg: 20 feet • Not adjacent to pkg: 25 feet 	<ul style="list-style-type: none"> • 12 Mile Rd: 45 ft • Cabaret Dr: 37 ft 	<ul style="list-style-type: none"> • Yes • Yes 	
Berm requirements (Zoning Sec 5.5.3.A.(5))				
Min. berm crest width	<ul style="list-style-type: none"> • Adjacent to pkg: 2 ft • Not adj to pkg: 0 ft 	<ul style="list-style-type: none"> • 12 Mile Rd: 0 ft • Cabaret Dr: 0 ft 	<ul style="list-style-type: none"> • Yes • Yes 	As the site is below both roads, berms are not feasible

Item	Required	Proposed	Meets Code	Comments
Minimum berm height (9)	<ul style="list-style-type: none"> • Adjacent to pkg: 3 ft • Not adj to pkg: 0 feet 	<ul style="list-style-type: none"> • 12 Mile Rd: 0 ft • Cabaret Dr: 0 ft 	<ul style="list-style-type: none"> • Yes • Yes 	See above
3' wall	(4)(7)	None		
Canopy deciduous or large evergreen trees Notes (1) (10)	<ul style="list-style-type: none"> • Adj to pkg: 1 tree/35 ft • Not adj to pkg: 1 tree/60 feet 12 Mile Road: 240/60 = 4 trees Cabaret Dr.: 250/60 = 4 trees	<ul style="list-style-type: none"> • 12 Mile Rd: 18 trees (12 existing + 6 new trees) • Cabaret Dr: 8 trees (all existing) 	<ul style="list-style-type: none"> • Yes • Yes 	
Sub-canopy deciduous trees Notes (2)(10)	<ul style="list-style-type: none"> • Adj to pkg: 1 tree/20 lf • Not adj to pkg: 1 tree/40 lf 12 Mile Road: 240/40 = 6 trees Cabaret Dr.: 250/40 = 6 trees	<ul style="list-style-type: none"> • 12 Mile Rd: 6 trees (2 existing + 4 new trees) • Cabaret Dr: 9 trees (all existing) 	<ul style="list-style-type: none"> • Yes • Yes 	See above
Canopy deciduous trees in area between sidewalk and curb (Novi Street Tree List)	<ul style="list-style-type: none"> • Adj to pkg: 1 tree/35 lf • Not adj to pkg: 1 tree per 35 lf 12 Mile Road: 240/35 = 7 trees Cabaret Dr.: 250/35 = 7 trees	<ul style="list-style-type: none"> • 12 Mile Rd: 0 trees • Cabaret Dr: 0 trees 	<ul style="list-style-type: none"> • No • No 	1. 12 Mile Road: Sight visibility concerns make street trees undesirable 2. Cabaret Drive: There is no room in the right-of-way for street trees. 3. Due to the above factors, no street trees are required for this project.
Cross-Section of Berms (LDM 2.j)				
Slope, height and width	<ul style="list-style-type: none"> • Label contour lines • Maximum 33% • Constructed of loam • 6" top layer of topsoil 	No berms are proposed	NA	
Type of Ground Cover		NA		
Setbacks from Utilities	Overhead utility lines and 15 ft. setback from edge of utility or 20 ft. setback from closest pole	No utilities or trees are shown on plan	NA	
Parking Area Landscape Requirements LDM 1.c. & Calculations (LDM 2.o.)				
General requirements (LDM 1.c)	<ul style="list-style-type: none"> • Clear sight distance within parking islands • No evergreen trees 	No landscaping is proposed	Yes	
Name, type and number of ground cover (LDM 1.c.(5))	As proposed on planting islands	Seed is indicated with hatching	Yes	

Item	Required	Proposed	Meets Code	Comments
General (Zoning Sec 5.5.3.C.iii)				
Parking lot Islands (a, b. i)	<ul style="list-style-type: none"> A minimum of 200 SF to qualify Minimum 200 SF per tree planted in island 6" curbs Islands minimum width 10' BOC to BOC 	<ul style="list-style-type: none"> Islands' areas in SF are shown. All islands are large enough. 	Yes	
Curbs and Parking stall reduction (c)	Parking stall can be reduced to 17' and the curb to 4" adjacent to a sidewalk of minimum 7 ft.	Vacuum spaces are 20 feet long	No	Spaces could be shortened to 17 ft if spaces have 2 ft of overhang available, or at least 19 feet.
Contiguous space limit (i)	<ul style="list-style-type: none"> Maximum of 15 contiguous spaced All endcap islands should also be at least 200sf with 1 tree planted in it. 	No bay is longer than 12 spaces	Yes	
Plantings around Fire Hydrant (d)	<ul style="list-style-type: none"> No plantings with matured height greater than 12' within 10 ft. of fire hydrants of utility structures (manholes, catch basins). Trees also need to have at least 5 feet between the trunk and underground utility lines. 	<ul style="list-style-type: none"> One existing hydrant is shown just east of the property, near the emergency access entry. No landscaping blocks it. 	Yes	
Clear Zones (LDM 2.3.(5))	The Road Commission for Oakland County (RCOC) clear vision zone is required for Twelve Mile Road as it is their jurisdiction.	No existing or proposed plantings block the Cabaret/Twelve Mile Road intersection visibility	Yes	
Category 1: For OS-1, OS-2, OSC, OST, B-1, B-2, B-3, C, NCC, EXPO, FS, TC, TC-1, RC, Special Land Use or non-residential use in any R district (Zoning Sec 5.5.3.C.iii)				
A = Total square footage of vehicular use area up to 50,000 sf x 7.5%	$A = x \text{ SF} \times 7.5\% = A \text{ sf}$ Vacuum area: $9094\text{sf} \times 7.5\% = 682\text{sf}$	Calculation is provided	Yes	
B = Total square footage of additional paved vehicular use areas over 50,000 SF) x 1 %	$B = x \text{ SF} \times 1\% = B \text{ sf}$	NA		
Category 2: For: I-1 and I-2 (Zoning Sec 5.5.3.C.iii)				
A = Total square footage of vehicular	$A = x \text{ SF} \times 6\% = A \text{ sf}$	NA		

Item	Required	Proposed	Meets Code	Comments
use area up to 50,000 sf x 5%				
B = Total square footage of additional paved vehicular use areas over 50,000 SF x 0.5 %	$B = (x \text{ SF} - 50000) \times 0.5\%$	NA		
All Categories				
C = A+B Total square footage of landscaped islands required	<ul style="list-style-type: none"> • C = A + B • C = 682 sf + 0 = 682sf 	908 sf	Yes	
D = D/200 Number of canopy trees required	<ul style="list-style-type: none"> • D = C/200 = xx Trees • D = 682/200 = 3 trees 	3 trees	Yes	
Parking Lot Perimeter Trees (Sec 5.5.3.C.iv)	1 Canopy tree per 35 lf 357 lf/35 = 10 trees	<ul style="list-style-type: none"> • 8 trees – 2 trees on west side of the vacuum lot and 6 shared parking lot perimeter and accessway perimeter trees on the east side of the lot. • The double-counted trees southwest of the vacuum lot are not close enough to count as parking lot perimeter trees. 	No	<u>Two of the accessway perimeter trees at the north end of the vacuum lot within 15 feet of the vacuum lot could be labeled as shared trees and thus meet the perimeter requirement.</u>
Accessway perimeter trees (Sec 5.5.3.C.iv.j)	1 tree per 35 lf 1333lf/35 = 38 trees Greenbelt and parking lot perimeter trees within 15 feet of the accessway may also be used to count toward the required accessway perimeter trees.	29 trees: 15 New A trees 8 New A/T trees 6 Preserved trees 7 trees would be required along the west side of the west drive, based on the length of that section.	No	1. Unless the utility easement along the west side of the site does not allow it, the entire perimeter should be counted toward the total. 2. Please add the wording of the easement regarding plantings to the landscape plans or include it with the response letter. 3. A landscape deviation would be required for the lack of 7 trees along the west side of the west

Item	Required	Proposed	Meets Code	Comments
				<p>drive. <i>It would be supported if proof of the easement's restrictions is provided, but not until then.</i></p> <p>4. A landscape deviation would still be required for the shortage of 2 trees provided. <i>It would not be supported by staff. Please provide two more accessway perimeter trees. <u>The three right-of-way serviceberries could be moved northward in the greenbelt to provide room for a tree there, and another could be added north of the handicap parking space.</u></i></p> <p>5. Some of the A trees crowded along the north half of the site should be moved to the south edge of the southern accessway, where the replacement NS trees are.</p>
Other Landscaping				
Other Screening				
Screening of outdoor storage, loading/unloading <i>(Zoning Sec. 3.14, 3.15, 4.55, 4.56, 5.5)</i>		No loading zone is indicated – a zoning variance is requested to not provide one	TBD	
Transformers/Utility boxes <i>(LDM 1.e from 1 through 5)</i>	<ul style="list-style-type: none"> • A minimum of 2ft. separation between box and the plants • Ground cover below 4" is allowed up to pad. • No plant materials within 8 ft. from the doors 	No utility boxes are shown	TBD	<ol style="list-style-type: none"> 1. <u>Provide proper screening for any transformer on the plan.</u> 2. <u>Add the required screening plantings to the Final Site Plan.</u>
Building Foundation Landscape Requirements (Sec 5.5.3.D)				

Item	Required	Proposed	Meets Code	Comments
Interior site landscaping SF	<ul style="list-style-type: none"> • Equal to entire perimeter of the building (less paved access areas) x 8 with a minimum width of 4 ft. • A minimum of 75% of the building should have foundation landscaping. • 390 lf x 8ft = 3120 SF 	3290 sf (hatched areas indicating areas to be landscaped)	Yes	<u>Please provide detailed landscaping plans on the Final Site Plans.</u>
Zoning Sec 5.5.3.D.ii. All items from (b) to (e)	If visible from public street a minimum of 60% of the exterior building perimeter should be covered in green space	82% of the Twelve Mile Road building face and 97% of the Cabaret Drive building face are landscaped	Yes	
Detention/Retention Basin Requirements (Sec. 5.5.3.E.iv)				
Planting requirements (Sec. 5.5.3.E.iv)	<ul style="list-style-type: none"> • Clusters of large native shrubs shall cover 70-75% of the basin rim area located at 10 feet above the permanent water level or pond bottom if it's a dry pond. • Canopy trees at 1/35lf of the east, south and west sides of the pond, located at about 10 feet away from the permanent water level • 10" to 14" tall grass along sides of basin • Refer to wetland for basin mix 	No new above-ground detention is required by engineering and no detention basin landscaping is proposed	Yes	
Phragmites Control (Sec 5.5.6.C)	<ul style="list-style-type: none"> • Any and all populations of Phragmites australis and/or Japanese knotweed on the site shall be included on tree survey. • Treat populations per MDEQ guidelines and requirements to eradicate the weed from the site. 	A note indicates that neither Phragmites nor Japanese Knotweed is on the site.	Yes	
LANDSCAPING NOTES, DETAILS AND GENERAL REQUIREMENTS				
Landscape Notes – Utilize City of Novi Standard Notes				
Installation date	• Provide intended	Between Mar 15	Yes	

Item	Required	Proposed	Meets Code	Comments
(LDM 2.i. & Zoning Sec 5.5.5.B)	<p>dates</p> <ul style="list-style-type: none"> Should be between March 15 and November 15. 	and Nov 15		
Maintenance & Statement of intent (LDM 2.m & Zoning Sec 5.5.6)	<ul style="list-style-type: none"> Include statement of intent to install and guarantee all materials for 2 years. Include a minimum one cultivation in June, July and August for the 2-year warranty period. 	Both notes are included	Yes	
Plant source (LDM 2.n & LDM 3.a.(2))	Shall be northern nursery grown, No.1 grade.	Yes	Yes	
Irrigation plan (LDM 2.s.)	A method for providing the water required for plant establishment and long-term survival must be provided.	A note indicates that an irrigation system will be provided.	TBD	<ol style="list-style-type: none"> <u>Need for final site plan</u> <u>Please provide either an irrigation system plan or information regarding the alternative method that will be used to water the plants</u> <u>If an irrigation system will be used, it should meet the requirements listed at the end of the chart.</u>
Establishment period (Zoning Sec 5.5.6.B)	2 yr. Guarantee	Yes	Yes	
Approval of substitutions. (Zoning Sec 5.5.5.E)	City must approve any substitutions <u>in writing</u> prior to installation.	Yes	Yes	
Plant List (LDM 4, 11)) – Include all cost estimates				
Quantities and sizes	<ul style="list-style-type: none"> A minimum of 50% of species used on the site, not including any woodland replacements, must be native to Michigan. The Tree Diversity standards of the Landscape Design Manual Section 4 must be met for all non-woodland replacement trees used. No Prohibited Species listed on Table 	A plant list for all but foundation plantings is included	Yes	<u>Please add the foundation plantings to the plant list on the Final Site Plans at the latest.</u>
Root type		Yes	Yes	
Botanical and common names		<ul style="list-style-type: none"> 7 of 11 species (64%) are native to Michigan The tree diversity requirement is met for all but the Tupelo 	<ul style="list-style-type: none"> Yes No 	<u>Please reduce the number of Nyssa sylvatica to no more than 6 trees (15% of total number of trees) by using an additional species or more of an underused species.</u>
Type and amount of lawn		Seed is indicated	Yes	

Item	Required	Proposed	Meets Code	Comments
	11.b.(2)b may be used.			
Cost estimate (LDM 2.t)	For all new plantings, mulch and sod as listed on the plan	No	No	1. <u>Please add on Final Site Plans.</u> 2. <u>Include the foundation plantings in the plant list and cost estimate.</u>
Planting Details/Info (LDM 2.i) – Utilize City of Novi Standard Details				
Canopy Deciduous Tree	Refer to LDM for detail drawings	Yes	Yes	
Evergreen Tree		Yes	Yes	
Multi-stem Tree		No	TBD	<u>Please add the detail if multi-stem trees will be used.</u>
Shrub		Yes	Yes	
Perennial/ Ground Cover		Yes	Yes	
Tree stakes and guys. (Wood stakes, fabric guys)		No	No	<u>Please add the detail. The city standard detail is available upon request.</u>
Tree protection fencing		Located at Critical Root Zone (1' outside of dripline)	Yes	Yes
Other Plant Material Requirements (LDM 3)				
General Conditions (LDM 3.a)	Plant materials shall not be planted within 4 ft. of property line	Yes	Yes	
Plant Materials & Existing Plant Material (LDM 3.b)	Clearly show trees to be removed and trees to be saved.	<p><u>9 trees are being removed</u> 2 sycamores 1 oak 6 crabapples</p> <p>9 replacements are proposed</p>	Yes	<p>1. An extra replacement for the larger tree is not required.</p> <p>2. <u>Please add two sycamores along the southern entry drive at 1/35lf to replace the two that are being removed.</u></p> <p>3. <u>Please consider using crabapples and an oak to replace those removed in the same areas as the removed trees to maintain a similar appearance for the greenbelt.</u></p>
Landscape tree credit (LDM3.b.(d))	• Substitutions to landscape standards for preserved canopy	None taken		

Item	Required	Proposed	Meets Code	Comments
	trees outside woodlands/ wetlands should be approved by LA. • Refer to Landscape tree Credit Chart in LDM			
Plant Sizes for ROW, Woodland replacement and others (LDM 3.c)	Refer to Landscape Design Manual for requirements	Yes		
Plant size credit (LDM3.c.(2))	NA	No		
Prohibited Plants (LDM 3.d)	No plants on City Invasive Species List	No prohibited plants are proposed	Yes	
Recommended trees for planting under overhead utilities (LDM 3.e)	Label the distance from the overhead utilities	No overhead lines existing on the site	NA	
Collected or Transplanted trees (LDM 3.f)		No		
Nonliving Durable Material: Mulch (LDM 4)	• Trees shall be mulched to 3" depth and shrubs, groundcovers to 2" depth • Specify natural color, finely shredded hardwood bark mulch. Include in cost estimate.	Indicated in notes and details	Yes	
NOTES: 1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards. 2. The section of the applicable ordinance or standard is indicated in parenthesis. For the landscape requirements, please see the Zoning Ordinance landscape section 5.5 and the Landscape Design Manual for the appropriate items under the applicable zoning classification.				

Irrigation System Requirements

- Any booster pump installed to connect the project’s irrigation system to an existing irrigation system must be downstream of the RPZ.
- The RPZ must be installed in accordance with the 2015 Michigan Plumbing Code.
- The RPZ must be installed in accordance with the manufacture installation instructions for winterization that includes drain ports and blowout ports.
- The RPZ must be installed a minimum of 12-inches above FINISHED grade.
- Attached is a handout that addresses winterization installation requirements to assist with this.
- A plumbing permit is required.
- The assembly must be tested after installation with results recorded on the City of Novi test report form.

TRAFFIC REVIEW



AECOM
 39575 Lewis Dr, Ste. 400
 Novi
 MI, 48377
 USA
 aecom.com

Project name:
 JZ24-02 – Jax Kar Wash Initial PRO Traffic Review

From:
 AECOM

Date:
 March 13, 2024

To:
 Barbara McBeth, AICP
 City of Novi
 45175 10 Mile Road
 Novi, Michigan 48375

CC:
 Lindsay Bell, James Hill, Ian Hogg, Heather Zeigler,
 Humna Anjum, Diana Shanahan, Adam Yako

Memo

Subject: JZ24-02 – Jax Kar Wash Initial PRO Traffic Review

The initial PRO site plan was reviewed to the level of detail provided and AECOM recommends **approval** for the applicant to move forward until the comments below are addressed to the satisfaction of the City.

GENERAL COMMENTS

1. The applicant, Jax Kar Wash, is proposing a 6,212 SF Jax Kar Wash.
2. The development is located at the northwest corner of the Fountain Walk Center, south of Twelve Mile Road and east of Cabaret Drive. Cabaret Drive is under the jurisdiction of the City of Novi.
3. The site is zoned RC (Regional Center). The applicant is requesting to rezone to B-3 with a PRO.
4. There following traffic related deviations may be required if changes are not made to the plans:
 - a. Lack of loading zone.

TRAFFIC IMPACTS

1. AECOM performed an initial trip generation based on the ITE Trip Generation Manual, 11th Edition, as follows.

ITE Code: 948 – Automated Car Wash
 Development-specific Quantity: 1 Tunnel
 Zoning Change: RC to B-3 with PRO

Trip Generation Summary	Estimated Trips	Estimated Peak-Direction Trips	City of Novi Threshold	Above Threshold?
AM Peak-Hour Trips	-	-	100	No
PM Peak-Hour Trips	78	39	100	No
Daily (One-Directional) Trips	-	N/A	750	No

2. The City of Novi generally requires a traffic impact study/statement if the number of trips generated by the proposed development exceeds the City's threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour, or if the project meets other specified criteria.

Trip Impact Study Recommendation	
Type of Study:	Justification
None	N/A

TRAFFIC REVIEW

The following table identifies the aspects of the plan that were reviewed. Items marked O are listed in the City’s Code of Ordinances. Items marked with ZO are listed in the City’s Zoning Ordinance. Items marked with ADA are listed in the Americans with Disabilities Act. Items marked with MMUTCD are listed in the Michigan Manual on Uniform Traffic Control Devices.

The values in the ‘Compliance’ column read as ‘met’ for plan provision meeting the standard it refers to, ‘not met’ stands for provision not meeting the standard and ‘inconclusive’ indicates applicant to provide data or information for review and ‘NA’ stands for not applicable for subject Project. The ‘remarks’ column covers any comments reviewer has and/or ‘requested/required variance’ and ‘potential variance’. A potential variance indicates a variance that will be required if modifications are not made or further information provided to show compliance with the standards and ordinances. The applicant should put effort into complying with the standards; the variances should be the last resort after all avenues for complying have been exhausted. Indication of a potential variance does not imply support unless explicitly stated.

EXTERNAL SITE ACCESS AND OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
1	Driveway Radii O Figure IX.3	20'	Met	
2	Driveway Width O Figure IX.3	24'	Met	
3	Driveway Taper O Figure IX.11	-	N/A	
3a	Taper length	-	N/A	
3b	Tangent	-	N/A	
4	Emergency Access O 11-194.a.19	2 access points	Met	
5	Driveway sight distance O Figure VIII-E	-	N/A	
6	Driveway spacing			
6a	Same-side O 11.216.d.1.d	-	N/A	
6b	Opposite side O 11.216.d.1.e	-	N/A	
7	External coordination (Road agency)	-	N/A	
8	External Sidewalk Master Plan & EDM	-	N/A	
9	Sidewalk Ramps EDM 7.4 & R-28-J	-	N/A	
10	Any Other Comments:			

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
11	Loading zone ZO 5.4	Not indicated	Inconclusive	Provide in future submittal. A deviation will be required if not provided.
12	Trash receptacle ZO 5.4.4	Indicated	Met	
13	Emergency Vehicle Access	Provided	Met	

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
14	Maneuvering Lane ZO 5.3.2	21' and 24'	Met	
15	End islands ZO 5.3.12			
15a	Adjacent to a travel way	Dimensioned	Met	
15b	Internal to parking bays	-	N/A	
16	Parking spaces ZO 5.2.12			See Planning review letter.
17	Adjacent parking spaces ZO 5.5.3.C.ii.i	Proposed parking along existing bay of parking	Met	Refer to City approval for lack of internal island for more than 15 spaces, as it is grandfathered in.
18	Parking space length ZO 5.3.2	20' and matching existing at employee spaces	Met	
19	Parking space width ZO 5.3.2	12' at vacuum stations and 9'	Met	
20	Parking space front curb height ZO 5.3.2	4" indicated	Not Met	6" is the standard curb height in front of parking spaces that are greater than 17' in length.
21	Accessible parking – number ADA	1 proposed, 1 required	Met	
22	Accessible parking – size ADA	Dimensioned	Met	
23	Number of Van-accessible space ADA	1 proposed, 1 required	Met	
24	Bicycle parking			
24a	Requirement ZO 5.16.1	2 required, 4 proposed	Met	
24b	Location ZO 5.16.1	Indicated	Met	
24c	Clear path from Street ZO 5.16.1	7'	Met	
24d	Height of rack ZO 5.16.5.B	3'	Met	
24e	Other (Covered / Layout) ZO 5.16.1	Not indicated	Inconclusive	Provide layout and dimensions in future submittal.
25	Sidewalk – min 5' wide Master Plan	7'	Met	
26	Sidewalk ramps EDM 7.4 & R-28-K	Indicated	Met	Update detail R-28 to the latest version "K" in future submittal.
27	Sidewalk – distance back of curb EDM 7.4	-	N/A	Not required along parking.
28	Cul-De-Sac O Figure VIII-F	-	N/A	
29	EyeBrow O Figure VIII-G	-	N/A	
30	Drive-Through ZO 5.3	Bypass lane proposed, 25 stacking spaces prior to tunnel and 3 spaces beyond tunnel	Met	Dimension width of stacking space between the concrete pads.
31	Any Other Comments:			

SIGNING AND STRIPING				
No.	Item	Proposed	Compliance	Remarks
32	Signing: Sizes MMUTCD	Indicated	Met	
33	Signing table: quantities and sizes	Indicated	Met	
34	Signs 12" x 18" or smaller in size shall be mounted on a galvanized 2 lb. U-channel post MMUTCD	Indicated	Met	
35	Signs greater than 12" x 18" shall be mounted on a galvanized 3 lb. or greater U-channel post MMUTCD	Indicated	Met	
36	Sign bottom height of 7' from final grade MMUTCD	Indicated	Met	
37	Signing shall be placed 2' from the face of the curb or edge of the nearest sidewalk to the near edge of the sign MMUTCD	Indicated	Met	
38	FHWA Standard Alphabet series used for all sign language MMUTCD	Indicated	Met	
39	High-Intensity Prismatic (HIP) sheeting to meet FHWA retro-reflectivity MMUTCD	Indicated	Met	
40	Parking space striping notes	Partially Indicated	Partially Met	Label striping to delineate stacking spaces in future submittal.
41	The international symbol for accessibility pavement markings ADA	Indicated	Met	
42	Crosswalk pavement marking detail	Indicated	Met	
43	Any Other Comments:	Could add a "Do Not Enter" sign at tunnel exit.		

Note: Hyperlinks to the standards and Ordinances are for reference purposes only, the applicant and City of Novi to ensure referring to the latest standards and Ordinances in its entirety.

Should the City or applicant have questions regarding this review, they should contact AECOM for further clarification.

Sincerely,

AECOM



Paula K. Johnson, PE
Senior Transportation Engineer



Saumil Shah, PMP
Project Manager

FAÇADE REVIEW



March 5, 2024

Façade Review Status:
Approved, Section 9 Waiver Recommended

City of Novi Planning Department
 45175 W. 10 Mile Rd.
 Novi, MI 48375-3024

Attn: Ms. Barb McBeth – Director of Community Development

Re: **FACADE ORDINANCE – Initial PRO Plan**
Jax Car Wash, JZ24-02
 Façade Region: 1, Zoning District: RC

Dear Ms. McBeth:

The following Façade Review is based on the drawings prepared by F.A.Studio, dated 1/17/24. The percentages of materials for each façade are shown in the table below. The maximum and minimum percentages required by the Façade Ordinance are shown in the right-hand column. The Sample Board required by Section 5.15.4.D of the Ordinance was provided and indicates carefully coordinated earth-toned colors.

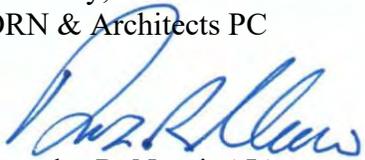
	North (Front)	West (2nd Front)	East	South	Ordinance Maximum (Minimum)
Brick	56%	56%	60%	60%	100% (30%)
Horizontal Lap Siding (Fiber Cement), Painted	8%	10%	9%	9%	0%
Asphalt Shingles	36%	34%	31%	31%	25%

As shown above the percentage of Horizontal Lap Siding and Asphalt Shingles exceed the maximum amounts allowed by the Façade Ordinance on all facades. In this case the relatively small deviations are not detrimental to the overall design of the building and are consistent with the intent and purpose of the Ordinance. A Section 9 Waiver is therefore recommended for the overage of Horizontal Lap Siding and Asphalt Shingles.

Notes to the Applicant:

1. Dumpster Enclosure - Three sides of the dumpster enclosure should be constructed of brick matching the brick used on the primary building.
2. All roof top equipment must be concealed from view from all vantage points both on-site and off-site using extended parapets or roof screens constructed of materials in compliance with the Façade Chart and harmonious with other façade materials.
3. Inspections – The Ordinance requires Façade Inspection(s) for all projects. It is the applicant’s responsibility to request the inspection at the appropriate time (before installation). Inspections may be requested using the Novi Building Department’s Online Inspection Portal with the following link. Please click on “Click here to Request an Inspection” under “Contractors”, then click “Façade”.
<http://www.cityofnovi.org/Services/CommDev/OnlineInspectionPortal.asp>.

Sincerely,
DRN & Architects PC

A handwritten signature in blue ink, appearing to read "Douglas R. Necci".

Douglas R. Necci, AIA

FIRE REVIEW



March 1, 2024

TO: Barbara McBeth - City Planner
Lindsay Bell - Plan Review Center
James Hill – Plan Review Center
Heather Zeigler – Plan Review Center
Diana Shanahan – Planning Assistant

CITY COUNCIL

Mayor
Justin Fischer

Mayor Pro Tem
Laura Marie Casey

Dave Staudt

Brian Smith

Ericka Thomas

Matt Heintz

Priya Gurumurthy

City Manager
Victor Cardenas

Director of Public Safety
Chief of Police
Erick W. Zinser

Fire Chief
John B. Martin

Assistant Chief of Police
Scott R. Baetens

Assistant Fire Chief
Todd Seog

Novi Public Safety Administration
45125 Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org

RE: Jax Kar Wash

PRZ24-0001

Project Description:

Build a car wash off Cabaret Dr. and Twelve Mile

Comments:

- **All** fire hydrants **MUST** be installed and operational prior to any combustible material is brought on site. **IFC 2015 3312.1**
- For new buildings and existing buildings, you **MUST** comply with the International Fire Code Section 510 for Emergency Radio Coverage. This shall be completed by the time the final inspection of the fire alarm and fire suppression permits.
- Fire apparatus access drives to and from buildings through parking lots shall have a minimum fifty (50) feet outside turning radius and designed to support a minimum of thirty-five (35) tons. **(D.C.S. Sec 11-239(b)(5))**
- Fire hydrant spacing shall be measured as “hose laying distance” from fire apparatus. Hose laying distance is the distance the fire apparatus travels along improved access routes between hydrants or from a hydrant to a structure.
- Hydrants shall be spaced approximately three hundred (300) feet apart online in commercial, industrial, and multiple-residential areas. In cases where the buildings within developments are fully fire suppressed, hydrants shall be no more than five hundred (500) feet apart. The spacing of hydrants around commercial and/or industrial developments shall be considered as individual cases where special circumstances exist upon consultation with the fire chief. **(D.C.S. Sec. 11-68 (f)(1)c)**
- Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the code official. **(International Fire Code 912.2.1)**
- The minimum width of a posted fire lane is 20 feet. The minimum height of a posted fire lane is 14 feet. **(D.C.S Sec. 158-99(a).)**

- Proximity to hydrant: In any building or structure required to be equipped with a fire department connection, the connection shall be located within one hundred (100) feet of a fire hydrant. (**Fire Prevention Ord. Sec. 15-17 912.2.3**)
- A hazardous chemical survey is required to be submitted to the Planning & Community Development Department for distribution to the Fire Department at the time any Preliminary Site Plan is submitted for review and approval. Definitions of chemical types can be obtained from the Fire Department at (248) 735-5674.

Recommendation:

Approved with Condition

Sincerely,

A handwritten signature in black ink, appearing to read 'KSP', with a long horizontal flourish extending to the right.

Kevin S. Pierce-Fire Marshal
City of Novi – Fire Dept.

cc: file

APPLICANT RESPONSE LETTERS

LAW OFFICES
LANDRY, MAZZEO, DEMBINSKI & STEVENS, P.C.

37000 GRAND RIVER AVENUE, SUITE 200
FARMINGTON HILLS, MICHIGAN 48335

www.lmdlaw.com

D. B. LANDRY
dlandry@lmdlaw.com

Office: (248) 476-6900

Direct: (248) 919-3783

Fax: (248) 476-6564

August 13, 2024

VIA EMAIL: LBell@cityofnovi.org

Attn: Ms. Lindsay Bell
City of Novi
Planning Department
45175 West 10 Mile Road
Novi, MI 48375-3042

RE: Jax Kar Wash Novi.
JZ 24-02
Application for rezoning with PRO(second step) and Approval of Preliminary Site
Plan
Follow-up Response Letter

Dear Ms. Bell:

Please accept this as a follow-up response letter to the ALLreviews and the letter we received from the City on July 19, 2024.

I have enclosed herein as Exhibit 1 a copy of a noise impact statement which was requested by the City.

Attached hereto as Exhibit 2 is a narrative responding to the ALLreview letter of the City. This letter provides justification for the deviation requested for the overhead door, as well as the dumpster location and the lack of loading/unloading zone. With the respect to the deviation requested for the correlated color temperature the applicant agrees to satisfy this City requirement at the final site plan stage. The applicant is also requesting a Section 9 waiver for the minor overages on horizontal lap siding and asphalt shingles.

With respect to the landscaping deviation sought for the lack of accessway perimeter trees the attached response narrative of the PEA Group, quotes from the Consumers Energy who specially provides "shrubs under 7' at maturity can normally be allowed if they are at least 5' away from the pipe line". As stated in the attached response narrative there is only 7 feet between the center line of the gas main and the east edge of the proposed side walk, and thus, there is not sufficient room to allow for the installation of such landscaping in this area. Accordingly, we are requesting a deviation with respect to this accessway perimeter trees.

I have also attached hereto as Exhibit 3, color renderings of the overall development as well as the two proposed pedestrian nodes which include two covered seating areas along 12 Mile Road. These paved nodes would include concrete pads, benches, and a metal pergola covering. In addition, two decorative curved walls are proposed to be constructed, one at the corner of 12 Mile Road and Cabaret Drive and the other at the corner of Cabaret and the entrance to Fountain Walk. These walls could include signage identifying the center if such signage would be allowable under the City of Novi sign ordinance. No signage for Jax Kar Wash would be included on these walls. The stone walls would match the existing wall located at the West Oaks and Donelson Drive entrance. These walls would be approximately 30 inches high and approximately 10 feet in length. Renderings are attached hereto.

We look forward to appearing before the City of Novi planning commission on August 28, 2024 as we seek a recommendation of approval for the PRO from the planning commission and also approval of the preliminary site plan.

If there is anything further requested by the City, please feel free to contact me at any time.

Very truly yours,

LANDRY, MAZZEO, DEMBINSKI & STEVENS, P.C.

/s/ David B. Landry
David B. Landry

DBL/sh
Cc: Ms. Barbara McBeth (via Email)
Mr. Todd Gesund (via Email)

EXHIBIT 1

EXHIBIT 1

EXHIBIT 1



2024-021
July 26, 2024

Mr. Todd Gesund
Vice-President
Jax Kar Wash
26777 Central Park Blvd., Suite 180
Southfield, MI 48076

Subject: Car Wash Community Noise Impact Statement
re: Jax Kar Wash – Novi, MI

Dear Mr. Gesund:

At your request and authorization, K & S Engineers, LLC (K&SE) has conducted a reviewed for the proposed Jax Kar Wash to be located on the southeast corner of 12 Mile Road and Cabaret Drive, in Novi, MI. For this review, we have utilized the measurements and modeling that we have conducted previously for Jax Kar Wash. The most prominent sources of noise from the proposed Jax Kar Wash are expected to include the drive-thru car wash and the vacuum stations. We used this information to estimate the likely sound levels at the adjacent properties and compare this to the City of Novi Ordinance noise standards.

Proposed Site

The location of the proposed Jax Kar Wash is on the southeast corner of 12 Mile Road and Cabaret Drive. Properties to the northeast, east, south, and west of the proposed car wash are zoned commercial. Properties to the northwest are zoned residential. **Exhibit 1** provides an aerial view of the proposed car wash site with the adjacent properties.

Our review was based on the location of property lines, and our previous experience with sound level measurements of other Jax Kar Wash facilities and equipment. Information for the proposed Jax Kar Wash site was provided in the site plan prepared by PEA Group dated Feb. 9, 2024.

City of Novi Noise Code

The City of Novi Code, Zoning Ordinance, Section 5.14 Performance Standards, Subsection 10 Noise, restricts property line noise levels to 75dB(A) daytime and a 70dB(A) nighttime for business and commercial zones. Furthermore, it restricts property line noise levels to 60dB(A) daytime and 55dB(A) nighttime for residential zones. Daytime is defined as 7AM – 10PM with Nighttime occupying 10PM – 7AM.

Sound Level Expectations for the Proposed Jax Kar Wash

The proposed car wash will have various sources of sound from the equipment on site and patron activities. Jax Kar Wash sources include:

- Wash operation sound generated from wash equipment and dryers, emitting from the entrance and exit.
- A centralized vacuum system with the vacuum motor located within the building, and vacuum lines running underground from the building to the vacuum stations.
- Compressed air nozzles at the vacuum stations, with compressed air lines running underground, supplied from a central compressor within the building.
- Vehicles moving on site at slow speeds, typically less than 10 MPH.

The expected sound levels from the operations of the Jax Kar Wash at the adjacent properties are:

- 63 dB(A) at the Commercial Property (Vibe Credit Union) 160-feet to the west
- 60 dB(A) at the Commercial Property Entrance (Buddy's Pizza) 280 to 180-feet southeast
- 45 dB(A) at the Residential Property 300-feet to the northwest
- 45 dB(A) at the Commercial Property 300-feet to the northeast

These expected sound levels are below the residential and commercial noise limits for daytime and nighttime. Furthermore, the Jax Kar Wash will only operate during daytime hours. Based on our review of the proposed Jax Kar Wash operations, we expected the proposed car wash to comply with the City of Novi ordinance noise limits at all adjacent properties.

Mr. Gesund, we hope the information from our review is informative and helpful. Should you need additional assistance, do not hesitate to contact us.

Sincerely,
K & S ENGINEERS, LLC



Darren Brown, P.E.
INCE Board Certified
Principal Consultant

EXHIBIT 1

AERIAL IMAGE OF THE PROPOSED JAX KAR WASH
SHOWING THE PROXIMITY OF ADJACENT PROPERTIES AND ZONING



EXHIBIT 2

EXHIBIT 2

EXHIBIT 2

1849 Pond Run
Auburn Hills, MI 48326

844.813.2949
peagroup.com

August 08, 2024
Project No.: 23-1246

Ms. Lindsay Bell Senior Planner
City of Novi Community Development
45175 West Ten Mile Road
Novi, Michigan 48375

RE: Jax Kar Wash JZ24-02

Dear Ms. Bell:

Based upon the comments in the review letter of July 17, 2024, please note following response regarding the comments:

Planning Review:

Ordinance Deviations:

1. Overhead Door (Section 3.10.1.A)

- Because the subject parcel has essentially three (3) frontage yards (Twelve Mile Road, Cabaret Drive, and Mall Access Drive) the location of the overhead doors associated with the car wash tunnel for this project will be visible regardless of how the car wash is configured. The proposed use as a drive thru car wash with one directional operation requires the installation of two overhead doors. It is for this reason that a deviation is being requested.

2. Dumpster (Section 4.19.2F)

- The dumpster has been shifted to the north to be placed "behind" the front of the building. This location places the dumpster 6' from the building, where 10' is required. We are requesting a deviation for the location of the dumpster.

3. Loading/Unloading (Section 5.4.2)

- The proposed car wash does not have a specific need for loading/unloading area for its business operations. We are requesting a deviation to not install a loading/unloading area.

4. Parking Lot Landscaping (Section 5.5.3C)

- The deficiencies in the proposal landscape plan are related to the fact that the location of the existing gas main is located immediately west of the proposed bypass lane and east of the proposed sidewalk. The situation leaves limited room available for the installation of landscaping. We have spoken with an Asset Manager with Consumers Energy and was told

that they will permit **“Shrubs under 7’ at maturity can normally be allowed if they are at least 5’ away from the pipeline”**. Unfortunately, there is only 7’ between the centerline of the gas main and the east edge of the proposed sidewalk. So, there is not sufficient room to allow for the installation of landscaping. We are requesting a deviation to not install landscaping in this area.

5. Correlated Color Temperature (Section 5.7.3F)

- The correlated color temperature will be revised to meet the Zoning Ordinance Requirements of 3000K on the final site plan submittal drawings, therefore no waiver is required.

6. Section 9 Waiver (Section 5.15)

- A waiver is being requested for the overage on horizontal lap siding and asphalt shingles.

Planning Review Chart:

Overhead Door

- The location of the proposed overhead door facing Twelve Mile Road will require a variance from the Zoning Board of Appeals.

Parking Setback

- The proposed proposal line on the east side will require a parking setback deviation.

Parking, Loading and Dumpster Requirements:

- A legal agreement for the five (5) off-site parking spaces will be provided as a part of the final site plan approval.

Posted Fire Lanes:

- The height of the EXP structure shall be indicated on the final site plan submittal drawings.

Bike Parking:

- The layout of the bike parking will be included in the final site plan drawings

Loading Spaces:

- We are requesting a deviation to not install a loading/unloading area

Dumpster:

- We are requesting a deviation for the location of the dumpster.

Outdoor Vacuums:

- A copy of the noise study related to the vacuums and car wash is included with this response letter.

Vacuum Enclosure:

- The proposed vacuum system is located within the proposed building, see sheet PFP-1 Floor Plan for details. It's denoted as "Vacuum Room".

Noise Specifications:

- A copy of the noise study related to the vacuums and car wash is included with this response letter.

Economic Impact:

- The economic impact will be provided with the final site plan approval documents.

Parcel Split:

- The proposed development will require a land division approval to create the development parcel.

Lighting Plan

- The lighting plan will be updated for the final site plan submittal

Building Lighting:

- A photometric plan and details for the building lighting will be provided at final site plan submittal.

Color Spectrum Management:

- The correlated color temperature will be revised on the final site plan submittal drawings.

Indoor Lighting

- Indoor lighting shall comply with the ordinance requirements.

Security Lighting:

- Any afterhours security lighting shall be indicated on the final site plan submittal.

Maximum Illumination

- Lighting levels at the sidewalks and building entrances shall be indicated on the final site plan submittal

Landscaping:

Ordinance Considerations

- If the existing landscape is damaged during grading, the plantings will be replaced. (Section 37)

- A deviation is requested for parking lot landscaping, see page 1. #4 of this document. (Section .5.3C)

Landscape Review summary Chart:

Landscape Plan Requirements:

- Signed and Sealed Landscape Plan will be provided for final site plan submittal.
- The hatching for the easements will be lightened up on the final site plan submittal.
- The soil type map will be indicated on the final site plan submittal.
- Reducing the impact of grading on existing plantings will be maximized as much as possible.
- Gas Main easement restrictions are noted above.
- Proposed lighting shall be shown on the Landscape plans and will avoid conflict with trees.
- JAX Kar Wash parking space depth standard is 20 feet for vacuum spaces.

Irrigation:

- Irrigation plan will be revised permit the comments received.

Engineering

All comments will be addressed on the final site plan submittal.

Traffic Engineering Review/Traffic Study

- No comments received

Fire

No comments.

If you should have any questions, please feel free to contact this office.

Sincerely,

PEA Group



James P. Butler, PE
Principal/Project Executive

Enclosure: Noise Study

EXHIBIT 3

EXHIBIT 3

EXHIBIT 3



Proposed Exterior Renderings for:



Building Better Communities

F.A.studio
design to inspire



Proposed Exterior Renderings for:



Building Better Communities

F.A.studio
design to inspire



Proposed Exterior Renderings for:



Building Better Communities

F.A.studio
design to inspire



Proposed Exterior Renderings for:



Building Better Communities

F.A.studio
design to inspire



Proposed Exterior Renderings for:



Building Better Communities

F.A.studio
design to inspire



Proposed Exterior Renderings for:



Building Better Communities

F.A.studio
design to inspire

PLANNING COMMISSION MINUTES

EXCERPT APRIL 24, 2024



PLANNING COMMISSION
MINUTES
CITY OF NOVI
Regular Meeting
April 24, 2024 7:00 PM

Council Chambers | Novi Civic Center
45175 Ten Mile Road, Novi, MI 48375 (248) 347-0475

CALL TO ORDER

The meeting was called to order at 7:00 PM.

ROLL CALL

Present: Member Avdoulos, Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney

Absent Excused: Member Verma

Staff: Barb McBeth, City Planner; Tom Schultz, City Attorney; Lindsay Bell, Senior Planner; Rick Meader, Landscape Architect; Humna Anjum, Plan Review Engineer; Adam Yako, Plan Review Engineer; Jason DeMoss, Wetland/Woodland Consultant

PLEDGE OF ALLEGIANCE

Member Lynch led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Avdoulos to approve the April 24, 2024 Planning Commission Agenda.

VOICE VOTE ON MOTION TO APPROVE THE APRIL 24, 2024 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS. *Motion carried 6-0.*

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward. Seeing no one, Chair Pehrson closed the first public audience participation.

CORRESPONDENCE

There was not any correspondence.

COMMITTEE REPORTS

There were no Committee reports.

CITY PLANNER REPORT

There was no City Planner report.

CONSENT AGENDA - REMOVALS AND APPROVALS

1. JSP18-76 SCENIC PINES

Approval of the request of Singh Development LLC for a one-year extension of the Final Site Plan (3rd request). The subject property is located south of South Lake Drive and east of West Park Drive in the R-4, One-Family Residential Zoning District and Section 3 of the City. The site plan proposes a 25-unit residential site condominium utilizing the One-Family Cluster Option. Final Site Plan approval was granted May 20, 2020, the first one-year extension was granted April 27, 2022

and the second extension was granted April 19, 2023.

Motion to approve the final one year extension for JSP18-76 Scenic Pines made by Member Avdoulos and seconded by Member Lynch.

In the matter of JSP18-76 Scenic Pines, motion to approve a one-year extension of the Final Site Plan approval.

ROLL CALL VOTE ON MOTION TO APPROVE THE ONE YEAR EXTENSION FOR JSP18-76 SCENIC PINES MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. Motion carried 6-0.

PUBLIC HEARINGS

1. JZ24-02 JAX KAR WASH PRO PLAN WITH REZONING 18.744

Public hearing at the request of Jax Kar Wash for initial submittal and eligibility discussion for a Zoning Map Amendment from Regional Center (RC) to General Business (B-3) with a Planned Rezoning Overlay. The subject site is approximately 1.8-acres of the larger 64-acre parcel containing the Fountain Walk commercial center and is located east of Cabaret Drive, south of Twelve Mile Road (Section 15). The applicant is proposing to develop an enclosed car wash tunnel building with exterior vacuum spaces, which is not a permitted use in the RC District.

Senior Planner Lindsay Bell stated the applicant is proposing to rezone a 1.8-acre portion of the larger Fountain Walk at Twelve Mile Crossing commercial center utilizing the Planned Rezoning Overlay option. The vacant site is located south of Twelve Mile Road, to the east of Cabaret Drive. The Liberty Park residential development is to the north, along with a bank. The Vibe Credit Union headquarters is to the west. On the east and south are parking lots for Fountain Walk.

The current zoning of the property is RC Regional Center. The adjacent parcels on the west are OST Office Service Technology. The Liberty Park area is zoned Residential Acreage but developed under a consent judgment as townhouses, with OS-1 Office Service zoning to the northeast.

The Future Land Use Map identifies this property as Regional Commercial with the rest of Fountain Walk. To the west is planned Office, Research, Development and Technology, and the north side of Twelve Mile is Multiple Family Residential, and northeast is Community Office.

There are no regulated natural features on the site, as it was cleared back when Fountain Walk was developed in the early 2000s.

The applicant is proposing to utilize the Planned Rezoning Overlay to rezone to B-3 General Business in order to develop a tunnel car wash, which is not permitted in the current RC district. The initial PRO plan shows a one-story 6,200 square foot building, with outdoor vacuum stations that are typically associated with this type of car wash. Access to the site would be from the existing Fountain Walk driveway off Cabaret Drive, so no new curb cuts are proposed for either public road frontage.

In their narrative, the applicant describes some of the reasons this site has remained vacant in the 20+ years since Fountain Walk was developed, including being limited by lease agreements to not allow a use that would compete with existing tenants of the center. The RC district also requires 100-foot building setbacks, which limits the developable area for a corner site, especially if it is to be split off from the larger parcel. There are also 55-foot and 60-foot-wide gas line easements that run north-south along both sides of the property. An image displayed depicted the gas easements shown in yellow, and the approximate building area with 100-foot setbacks shown as green hatched areas.

The request to rezone includes the condition to limit the use of the property to a car wash, which would prevent it from being redeveloped into another B-3 use such as a gas station or auto dealership, or any other possible use, unless the agreement is amended. Additional conditions proposed include limitations on building height, exceeding the building setbacks of the B-3 District, and approximately doubling the minimum requirement for brick material on the elevations.

Staff and consultants have identified some issues with the proposed rezoning and PRO Plan. One of the biggest questions with the proposal is whether this would be considered spot zoning, since no like or similar B-3 uses are in proximity. There was also not an obvious benefit to the public proposed as required with a PRO. The applicant's response letter indicates they are proposing to donate funds to the Novi Library in order to refurbish and rebuild the teen area. Planning staff does not believe that this is an appropriate public benefit. The proposed payment is unrelated to the project, or the effects of the project, and would not fall within any of the contemplated descriptions of a benefit as stated in the PRO ordinance. The City has previously declined other offers of this kind in connection with zoning approvals.

Engineering notes there is capacity for the water and sewer demands for the proposed use in the public utilities, and stormwater detention is to be treated on-site before being discharged into the existing storm water system.

The proposed parking lot landscaping is deficient, potentially due to the gas easements. Other deviations include the lack of a loading zone and an overhead door facing a public road. The proposed parcel split will also likely cause variances to be required for the parking and building setbacks on the remaining larger Fountain Walk parcel, which may not be able to be incorporated into the PRO agreement, which may require ZBA approval.

The Façade review notes that the building will require Section 9 façade waivers for an overage of fiber cement horizontal siding and an overage of asphalt shingles on all facades. These waivers are supported as they are minor in nature and do not adversely affect the overall aesthetic quality. The amount of brick proposed significantly exceeds the required amount.

Tonight, the Planning Commission is asked to hold the public hearing, and to offer feedback on whether the project meets the requirements of eligibility for Planned Rezoning Overlay proposal. Members may offer comments for the applicant to consider that would be an enhancement to the project and surrounding area, including suggesting site-specific conditions, revisions to the plans or the deviations requested, and other guidance. Following the Planning Commission public hearing, the project would then go to the City Council for its review and comment on the eligibility.

The applicant Todd Gesund from Jax Kar Wash, along with attorney David Landry, as well as other members of their team, are here representing the project. Staff is also available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

David Landry introduced himself and stated the applicant is anxious to hear the Planning Commission comments and take them into consideration. The parcel is unique and has been vacant since Fountain Walk opened 22 years ago for two main reasons. First, internal restrictions within Fountain Walk dictate that key tenants, such as a restaurant, can restrict competition. The second reason is unique to the parcel since there are setbacks in the RC district and two very large Consumers Energy easements running north and south. A car wash is one of the only things that will actually fit there.

The applicant is seeking a PRO for only one B-3 use, which would be a car wash. It would be entered into the PRO agreement that if anything other than a car wash is proposed there, the zoning reverts back to RC.

With respect to the PRO ordinance, it requires two things in particular. First, that the proposal has to be stricter than the proposed district B-3. The applicant is proposing lower building height, a greater setback, and a facade with much more brick than is required under the city ordinance. With respect to a lot of façade or landscape issues, those are site plan issues that can be dealt with. This is really the early stage of the PRO process.

Five letters were provided, one from the owner of Fountain Walk, Mr. Michael Zimmerman, who is here this evening and would like to briefly address the Planning Commission, Emagine Theater, Buddy's Pizza, Full Throttle Adrenaline Park, and the Putting Edge. All these businesses in Fountain Walk are supportive of Jax Kar Wash and believe it would be an enhancement to Fountain Walk.

The second aspect of the PRO ordinance is the public benefit. Mr. Landry struggles with this. Clients come to his office and question what a public benefit is. Mr. Landry can only deal with the language of the Ordinance, which says an overall benefit to the public which outweighs any material detriments. The public benefit is not specifically defined for all situations, rather it's defined in relation to the detriments from this development.

We can't assess the public benefit until we first assess the detriment, because the public benefit just has to outweigh the detriment. As for site specific, this parcel has remained undeveloped. The development is limited by the uniqueness of the parcel, with the setbacks and the public utilities. The car wash use fits.

As far as detriments are concerned, ingress and egress are not a problem. There's no entrance or exit off Twelve Mile Road or Cabaret Drive, it's off an interior road. Hours of operation are not a problem. It doesn't have any problem with public services, fire or police. The neighbors consider it a benefit. The proposed building is attractive. The public has an interest in the ongoing success of the entire regional Fountain Walk center. We've always considered I-96 as having a significant effect in the planning of the city, north and south. There are currently no standalone car washes north of I-96.

Jax employs young people and would like to do something for them, and has learned the Novi Public Library wants to expand their teen area, which clearly is jammed every day at 3:00 PM when the high school gets out. Jax is offering to finance the rehabilitation of the teen area and thinks it would be a great way to be a public and business resident of the city.

Mr. Landry submits the public benefit, considering all that, outweighs the detriment. Other than the fact that it is not zoned now for a car wash, Mr. Landry does not see what the detriment is, and neither do the neighbors as they are in full support.

Todd Gesund introduced himself as the Vice President and Director of Expansion for Jax Kar Wash and a car wash lifer having grown up and worked in the car wash business since he was nine years old. Mr. Gesund introduced Bruce Milan, a second-generation founder of Jax Kar Wash and also a car wash lifer, Lindon Ivezaj, COO of Cunningham-Limp, Alyssa Cook and Owen Kipke, members of the design build team at Cunningham-Limp, and Civil Engineer Jim Butler, principal at PEA Group. Mr. Gesund stated this project took a long time to come, but hopefully Jax Kar Wash is familiar as it is a Detroit institution.

Mr. Milan, Chairman of the Board, stated that he and Mr. Gesund were friendly competitors for many years and were finally able to join companies. They have grown quite a bit over the last a few years. Mr. Milan has been in the business since 1969, when he got out of the Army and has enjoyed it very much. His father started the business in 1953 and over the years, they've developed a model that works very well. They are able to have high production, so they don't have cars backing up out onto the roads. They are looking forward to being part of Novi.

Mr. Milan was in front of the Planning Commission back in the early 2000's for the rezoning and development of his property at Thirteen Mile and I-275 for Fox Run. He understands the quality of buildings that Novi is looking for and hopes to be able to provide that.

Mr. Gesund stated that something that sets Jax apart, that not a lot of car washes do any more, is when a customer exits the car wash, their vehicle is hand towel dried before it leaves the site. As part of the Jax experience, when a customer pulls on the lot the Jax greeter says hello and the towel dry team says goodbye. Jax builds beautiful buildings, they have the best technology and equipment. They have free vacuums and have indoor mat cleaning rooms at their sites, which also have restrooms in them should customers need them.

Jax is very involved in all the communities in which they reside. From the Jax Gives Back Charity weekend, school fundraisers, school donations, groups and organizations, there is no donation that is ever denied. Jax raises thousands of dollars every year in each of the communities where they reside.

Mr. Gesund grew up a few miles from the site down Twelve Mile Road, so he is very familiar with Novi. He spent a lot of his youth at Twelve Oaks Mall and saw the growth of the Town Center and West Oaks. He is very excited about the site and selected it for several reasons. It is a great community; it fills a geographic need for Jax. There is great retail and entertainment in the area. As Mr. Landry mentioned, there is no car wash north of I-96. Highways are typically divider points for traffic patterns. Jax has a perfect site layout for the car wash. The property is limited as to what can be built there.

Benefits to the community and dense population, as Mr. Landry touched on, are that Jax fills a need for the residents of Novi and is a complementary business to other retail and entertainment, not only at Fountain Walk, but the Novi corridor as well. Jax would complete an empty parcel that has been sitting vacant for 22 years and has very little development potential. Jax builds beautiful buildings and Mr. Gesund thinks that the building would help rejuvenate Fountain Walk.

Mr. Gesund stated we all have kids who have gone through or are still in school. As Mr. Landry mentioned, Jax does a lot with local schools and does all kinds of fundraisers for them. They employ a lot of kids so the opportunity to assist with the new teen space at the library hits close to home.

Mr. Gesund showed several images of the proposed car wash depicting the multiple access points to the site, and the exterior site plan including the stacking space for 20 cars prior to the pay station and an additional 9 cars after. The vacuums and mat cleaning room are on the east side of the property. The motors that run the vacuums are inside the building, which is rare since most are outside. This eliminates most of the noise that comes from the car wash and the only thing that you can hear in the vacuum area is the air blowing through the vacuum.

Jax is very neighborhood friendly. The hours of operation are 7:00 AM to 8:00 PM Monday through Saturday and 8:00 AM to 6:00 PM on Sunday, and the average number of employees at a time on site is 4-6 depending on weather and other factors. Lastly, a car wash is generally not a destination point. Customers mainly come from a three-mile radius and after shopping or eating will stop for a car wash. This represents the synergy and complementary aspect of the car wash business to the other retail and entertainment in the area.

Michael Zimmerman, owner of Fountain Walk, stated that he took over the property in November 2019 and has put every penny above and beyond the loan and bills back into the property to try to get it to what it was intended to be and for the first time in history it is 100% occupied right now. There are festivals, music and kids' events happening. Mr. Zimmerman wants traffic, and the car wash is going to bring people to the center. There are over 30 tenants, and several have restrictions in their leases. This site is not plotted separately so every restriction on the property applies here as well. He is unable to get this site developed. The only offers have been for gas stations, and he will not put a gas station there. Mr. Zimmerman has had developers call to purchase the property and develop it, but he can't do that due to the restrictions of the center. He is looking for traffic generators that aren't going to violate other restrictions, so the property has been vacant. Last year Mr. Zimmerman planted Texas wildflowers on the site, and people would go there to take photos.

In terms of parking, Jax will provide their own parking so that is not an issue. In terms of benefits, right now the site is not generating any property tax, it is platted so there is no tax on it. The benefit is that it is going to bring traffic, which will help other Fountain Walk tenants.

Chair Pehrson opened the Public Hearing and invited members of the audience who wished to participate to approach the podium.

Dorothy Duchesneau, 1191 South Lake Drive, stated she loves the idea of Jax Kar Wash, but thinks they need to think a little more outside the box in terms of public benefit. Although the library is one of Ms. Duchesneau's pet projects, and she agrees that it should be supported, she is also looking at the SMART bus service. In going through other areas, anything from Novi Road and Twelve Mile going east there are stops all over, going west from Novi Road and Twelve Mile there is nothing until the south side of I-96 off Beck Road. Ms. Duchesneau suggested that the public benefit of a bus stop shelter for people to get to Fountain Walk should be something to consider.

Seeing no other audience members who wished to speak, Chair Pehrson confirmed there was no correspondence received, closed the public hearing, and turned the matter over to the Planning Commission for consideration.

Member Lynch stated that one thing he wants to make sure is that this is not a spot zoning. In looking at the property, with the gas lines there, this parcel is really restricted and is really unique. He does not have a problem approving this change of use, mainly because it can be defended. This is a very unique piece of property with many restrictions which makes it very challenging.

One of the deviations requested was an overhead door facing the road. The Planning Commission just approved that on a car wash on Grand River, so Member Lynch does not have a problem with that. The idea of limiting to car wash use only makes sense.

Member Lynch was impressed with the favorable letters received from other Fountain Walk tenants. The operation is not going to interfere with other tenants. In addition to driving traffic to Fountain Walk and those already there using it, there are a lot of adjacent residential areas. It makes sense in this location because as the applicant mentioned there are no car washes north of I-96. The traffic is within the planned volume and there are no curb cuts needed.

In terms of the public benefit for the PRO, the Planning Commission can make suggestions, but overall City Council it is the role of the City Council to determine that.

Member Lynch thinks this will be perfect for the site, he cannot imagine what else could possibly be put there. We want to keep Fountain Walk one of the gems of the City, and want to keep it profitable, so overall Member Lynch has no problems with the car wash proposal.

Member Becker inquired to Mr. Zimmerman whether he personally or his team was involved with negotiating the lease agreements with the current tenants which include covenants that established the noncompeting requirement for new restaurants, or did he inherit these leases when he assumed control of Fountain Walk. Mr. Zimmerman responded that both apply, since he added eight or nine tenants in vacancies and some were existing. Member Becker further inquired if it is correct to say that these restrictive non-compete leasing covenants were never required in any way by any City of Novi ordinance restrictions concerning the usage or businesses of Fountain Walk. Mr. Zimmerman responded that it was the tenants that wanted the non-compete leasing agreements.

Member Becker stated it is interesting and new for him regarding the non-compete agreements, and inquired whether the new Sai Gon Pho Vietnamese restaurant competes with KPOT, which is a Korean BBQ. Mr. Zimmerman responded that they are two totally different things and Sai Gon Pho didn't ask for an exclusion. Member Becker inquired whether the number of restaurants at Fountain Walk is limited, or could more be added as long as they don't compete with existing ones? Mr. Zimmerman responded that more can be added as long as they don't compete, however Fountain Walk is currently full.

Member Becker inquired to Mr. Gesund whether he intends to offer interior detailing services at this proposed Jax location as they do at other sites in Michigan. Mr. Gesund responded that they will be primarily exterior. However, they've been setting up all new builds with the ability to pivot and do what they call a full-service wash. They don't have the space inside the building to do that so what is done at most new builds is to make vacuum spaces three spaces wider to entertain full service. Then there is a small bus terminal-like station where customers wait outside while full service is being done on their vehicle. That plan is down the road, it is not planned for this site yet.

Member Becker stated the issue before the Planning Commission is deciding if the requirements have been established for creating a PRO. The existing regional commercial zoning designation established at least 22 years ago was done to create a specific type of development, regional commercial. The goals were to have a mix of retail businesses, restaurants, and other businesses that would appeal to regional communities, not just to the people who live and work in Novi. The architecture of the buildings for this type of zoning was key. They were taller, harmonious without being cookie-cutter, and they're not small.

The development was meant to be a destination, a magnet that would attract new businesses, patrons, and jobs to Novi. Member Becker found it interesting in Mr. Zimmerman's letter that in trying to find a tenant for the subject property, which has been vacant for 22 years, there has been a lot of interest from gas station/convenience store developers, which Mr. Zimmerman does not want adjacent to Fountain Walk. Member Becker totally agrees, and that is why the parcel is not zoned B-3, but rather RC. The subject parcel isn't actually adjacent to Twelve Mile Crossing, it is part of it.

The applicant seems to be making the case for the PRO due to the hardship of not being able to find a tenant for the subject property in 22 years. The justification is Twelve Mile Crossing executed a number of lease agreements with current tenants that include very restrictive covenants about noncompeting interests and other unstated restrictions. It needs to be pointed out that this hardship has absolutely nothing to do with City of Novi zoning ordinance designation or any other City imposed restrictions. The hardship is completely self-inflicted. This relatively small parcel was created by the original developer's site plan, again, self-inflicted, and the easements for the consolidated gas pipes were known from the very beginning. Member Becker can't help but wonder if the reason for the other larger piece of land with a for lease sign located almost in the center of Twelve Mile Crossing, south of Chuck E. Cheese's, east of Launch Trampoline Park, going undeveloped for 22 years might have the same problems caused by the restrictive lease agreement.

The letter from Mr. Landry mentions there were no standalone car washes north of the I-96 freeway in the City of Novi, there is a need for the northern area of the City and this development would meet that. Using the strict qualifiers of in the City of Novi and north of I-96, this is correct, but it's not the whole truth. Near the intersection of Wixom Road and Grand River, there's a Zax full-service tunnel style car wash less than 50 yards outside the City of Novi. A quarter mile north in Wixom there is Motor City Express Car Wash. Both serve the western and northern parts of our community through main roads.

Two weeks ago, the Planning Commission gave initial approval for another full-service tunnel car wash about an eighth of a mile east of Zax in Wixom, also easily accessible to both halves of the city. For the north central parts of our city, there is a car wash on Novi Road just three-tenths of a mile south of I-96 and easily accessible to communities to the north. Two and a half miles south of this there's another full-service car wash. A new car wash at Meadowbrook and Ten Mile Road is about to open, easily serving residents from the north as soon as we finish construction on Meadowbrook Road.

As for the northern and eastern parts of Novi, there are three different Jax Kar Wash locations in Walled Lake and Commerce, all of them less than two miles from the Fourteen Mile Road City limit. These will be much more likely to be convenient for residents in the northeast quadrant in Novi than a car wash at Twelve Mile Crossing. In short, if you were to lay a rectangle over the area of Eight Mile on the south, Pontiac Trail and Maple Road on the north, Haggerty Road on the east, and Wixom Road on the west, you would have an area of about 48 square miles that currently has eight full-service tunnel car washes, with a ninth in the approval process. That is one car wash for every five square miles, with car washes located in the western, central, and northeast parts of this area. True, not technically within the City of Novi, but still within that area. Member Becker finds it to be a stretch to say that this proposed development is meeting some important, unfulfilled need in our community.

On the Twelve Mile Crossing website the development is described as "where shopping, food and fun come together. An outdoor shopping entertainment complex, Twelve Mile Crossing at Fountain Walk offers a unique blend of retail, restaurants and recreation." How does the car wash fit that mission? As always, Member Becker considers what precedent will be set for the future by approving this PRO, allowing non-conforming businesses to begin cluttering up existing, harmonious developments because Novi did it for Jax and Twelve Mile Crossing. How does a car wash at Twelve Mile Crossing support and enhance our City's concept of an original commercial center enticing people from the region to visit and come to Twelve Mile Crossing? Member Becker just doesn't see where the need has been met for public benefit outweighing the detriments.

Member Dismondy stated that after 22 years of no development there because it's such a complicated site with the easements and setbacks, he figured there'd be more pushback from the neighbors, and they seem to be doing the opposite of pushing back and supporting. The indoor vacuum motors, rather than

exterior, seem good. While it's true, there are a lot of car washes, it just seems like a good use for this site.

Member Roney stated he certainly understands the difficulties in developing this piece of property, it has been vacant for a long time and the property owner certainly has a desire to develop it and has the right to develop it. Member Roney gave a lot of thought to this proposal and agrees that it's difficult to identify any detriments. He talked to a couple of friends who are citizens of Novi and they think it's a good place for a car wash. The key thing when he read the packet was seeing the five businesses give their support. It looked like Fountain Walk was going to fail for a little while, Member Roney is glad to hear it's 100% occupied and if this can keep the business growing in that area and those businesses think it's going to support them, then Member Roney thinks we should support them and sees that as a public benefit. In referring to public benefit, we're not talking about the general public, we're talking about all public, which is also our corporate citizens and if it benefits them, then there's a benefit.

The stretch is the library, but it's creative, a nice gesture towards the City, and it also has a public benefit. The next proposal on the agenda has something somewhat similar, but not quite as far separated. Putting all those together, there is a public benefit through all those supporting Fountain Walk, supporting the businesses, and supporting the library for the teens. Member Roney hopes this project can find its way to move forward with the PRO.

Member Avdoulos stated that he appreciates all his fellow Planning Commissioners' comments and Member Becker's thoroughness as he was looking at it with similar detail. At the same time, Member Avdoulos was looking at this as a site that is indicated as Regional Commercial for Future Land Use and this is a commercial project, so what are the benefits to the site. As indicated, it will promote activity on the site. It is also something that is going to create convenience for the residents around there. It is complementary to what is going on at Fountain Walk, and Member Avdoulos is pleased that it is 100% occupied since he goes there frequently. He thinks a car wash can be a destination spot since he lives on a gravel road.

What Member Avdoulos likes about the proposal is that there are no curb cuts on the main streets, it has internal traffic control. There are escape lanes in case of, for example, a power outage and cars need to leave. He appreciates the limitation of use so that only a car wash is permitted. The 3-dimensional visual that showed the project on the site is great, it shows how it contextually fits on the site.

Member Avdoulos appreciates the donation to the library, but does not think that should be part of the PRO. He liked Ms. Duchesneau's comment on the bus stop shelter, which could benefit the community. He was working on a project in Cincinnati where there was discussion about mass transit, how to engage with the public, and the opportunity to have bus stops close to their facility, so that would be great here.

Member Avdoulos appreciated the discussion on noise mitigation and how it will be handled, as well as the hours of operation and number of employees. From what has been presented, the pros outweigh the cons.

Chair Pehrson stated there is a reason why there is a PRO option in the City relative to allowing applicants to come forward with unique opportunities for the City that necessarily weren't considered 10 or 20 years ago with property splits and the way things come about with easements taken into account. When we look at the Master Plan it gives us a guideline, it doesn't give us hard, fast rules, rather a reference point to start. The pros definitely outweigh the cons in this particular application. Chair Pehrson's concern was the public benefit, and he asked the applicant to go back and research. Maybe Ms. Duchesneau's idea could be brought to fruition, and/or something else. He does not discount the idea of a donation to the Public Library but would like to see something affixed to the particular application here.

Chair Pehrson inquired to City Attorney Schultz if there is any guidance relative to past offerings where money is not associated to an application that could be brought forward to help frame something. City Attorney Schultz responded that he could speak with the applicant about that. He tends to agree with comments that if it's not really relating to the development, it is probably not something that would be used as a condition, and thinks we've indicated that to other developers in the past as well. Ultimately the applicant will have to sell this through the process with conditions that aren't related to that donation.

They will get information from this evening, and staff can work with them further but will probably not suggest the donation to the library be in a PRO agreement.

Chair Pehrson appreciates Mr. Landry bringing up the verbiage in the ordinance relative to the PRO, maybe that is something we need to look at going forward, again not to put too much of a restriction on any of the words that were used in trying to interpret what is or isn't but certainly to be able to have it address that particular application.

City Attorney Schultz added that what the Planning Commission and the City Council are doing with the PRO is really making two kinds of findings. First, is the proposal an enhancement to the project area that you couldn't get with the existing zoning or without the PRO. Second, is just a general finding that the rezoning and the use of the PRO is in the public interest. That's a broad question that depends on the number of conditions that are imposed. That's how the ordinance is written. Do the conditions that you are going to impose over and above what they're otherwise obligated to comply with, do those together make this a project in the public interest? Benefits versus detriments is sort of only one aspect of that, and that's going to differ every time. It's part of an overall process that relies mostly on the conditions as opposed to tangible public benefits, which sometimes there won't be.

Chair Pehrson added the opportunity to talk about a PRO involves all those conditions relative to what Planning Commission input is, what the City Council input is, what the citizens input is, relative to restrictions to that particular PRO. He appreciates that the property owner has turned away other proposals that might have additional issues and has done due diligence in trying to make the property something that we're all going to be proud of. In this case, there would be restrictions on the PRO so that if the business failed for some reason, it goes back to ground zero, so we have a level playing field. Again, that's something that probably no one thought of 20 years ago when we were thinking of a Master Plan and how we're going to use this piece of property before this particular center existed. Hopefully, the Planning Commission comments provide the applicant with some valuable input, and we appreciate their time. Chair Pehrson looks forward to driving his car through a Jax Kar Wash in the near future.

This agenda item was discussed, but a motion on the item was not required.

2. J222-28 ELM CREEK PRO PLAN WITH REZONING 18.737

Public hearing at the request of Toll Brothers, Inc. for Planning Commission's recommendation to City Council for a Zoning Map amendment from Office Service Technology (OST) and Low-Rise Multiple Family (RM-1) to Low-Rise Multiple Family (RM-1) with a Planned Rezoning Overlay. The subject site is approximately 37-acres and is located south of Twelve Mile Road, west of Meadowbrook Road (Section 14). The applicant is proposing to develop a two-phased 121-unit multiple-family townhome development.

Senior Planner Bell stated the applicant is proposing to rezone about 37 acres south of Twelve Mile Road, on the west side of Meadowbrook Road, utilizing the Planned Rezoning Overlay (PRO) option. The existing development to the north and east is largely office, with some vacant parcels. The Waltonwood Senior Living facility is to the west, along with Twelve Oaks Lake.

The current zoning of the property is mostly OST – Office Service Technology, and a portion on the west side is RM-1. The properties to the north, east and south are also zoned OST. The area to the west is RM-1 Low Rise Multiple Family.

The Future Land Use Map identifies this property and those around it as Office, Research Development and Technology, which is consistent with the current zoning. The area to the west is designated Planned Development 1, which allows for multi-family development.

The natural features map shows there are significant wetland and woodland areas on this property as well as to the north and south. The tree and wetland surveys provided by the applicant confirm these features with more precise boundaries.

You may recall that the Planning Commission reviewed and offered feedback on the initial PRO request

CITY COUNCIL MINUTES

EXCERPT JUNE 3, 2024

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JUNE 3, 2024, AT 7:00 P.M.**

Mayor Fischer called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Fischer, Mayor Pro Tem Casey, Council Members Gurumurthy, Heintz, Smith, Staudt, Thomas

ALSO PRESENT: Victor Cardenas, City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA:

CM 24-06-79 Moved by Thomas, seconded by Casey; MOTION CARRIED: 7-0

To approve the agenda as presented

Roll call vote on CM 24-06-79 **Yeas: Casey, Gurumurthy, Heintz, Smith, Staudt, Thomas, Fischer**
Nays: None

PUBLIC HEARINGS: None

PRESENTATIONS:

PRESENTATIONS FOR BOARDS AND COMMISSIONS

1. Laurel Acho - PRCS Commission

In lieu of going through her application again, Ms. Acho addressed qualifications not in her application. She has a Bachelor of Science in Business Administration, majored in marketing, and went to law school. She has done surveys and then would summarize the results. She has written summaries, charts, graphs, and done PowerPoint presentations. She has designed brochures, written newsletters, organized & marketed events, wrote articles about new products and then pitched them to magazines & journals. She also uses her marketing skills to design her own business cards and other promotional materials.

2. Farah Baig - PRCS Commission

Ms. Baig is long time resident having moved here in 1993 and has seen a lot of development since then. She is pleased to see Novi take an active role in maintaining its green spaces. She has had the opportunity to sit at several of the Older Adult Committee meetings and is excited about plans to create a community center. She is a strong proponent of intergenerational interactions and feels the PRCS is a natural space to make that happen. She currently works as a consultant with the State of Minnesota while they develop their blueprint for an age-friendly state. She expressed that the opportunity has given her a unique perspective on the importance of natural space that makes our

CM 24-06-81 Moved by Thomas, seconded by Casey: MOTION CARRIED: 7-0

Approval of a cost participation agreement with the Road Commission for Oakland County for the preliminary engineering associated with the widening of Twelve Mile Road between Beck Road and Dixon Road in the estimated amount of \$937,680.

Roll call vote on CM 24-06-81

**Yeas: Heintz, Smith, Staudt, Thomas, Fischer,
Casey, Gurumurthy**

Nays: None

- 2. Initial review of Planned Rezoning Overlay (PRO) eligibility of the request of Jax Kar Wash, JZ24-02, to rezone property at the southeast corner of Twelve Mile Road and Cabaret Drive from Regional Center to General Business with a Planned Rezoning Overlay.**

City Manager Cardenas commented that this is part of the PRO process that was amended and allows for early input on request. The Petitioner is requesting a zoning map amendment for approximately 1.8 acres of property on the south side of Twelve Mile. The site is currently vacant and is part of Fountain Walk and Twelve Mile Crossing Commercial Center. The vacant site is located by Cabaret Drive and Twelve Mile with Liberty Park residential developments to the north and the Vibe Credit Union to the west.

David Landry, Legal Counsel for Jax Car Wash, is with the applicant who is applying for a rezoning from regional commercial to B-3 with a planned rezoning overlay and the proposal would limit the B-3 uses to only one use and that is auto wash. The parcel in question is on the northwest corner of Fountain Walk, Twelve Mile and Cabaret Drive, which has been vacant for 22 years. There are unique characteristics to this property. First, like all other regional commercial centers, when a large tenant comes in there are restrictions. This parcel has unique physical characteristics to it. Under the RC zoning district requirements, there is a 100-foot setback so the only portion of the property that could be developed is a little square. In addition, there are two 55 to 60-foot easements from Consumers Energy running along the east and west parts of the property. An auto wash building is perfect because it's long and skinny and would fit right in the middle of the parcel. Mr. Landry continued to say that per the PRO ordinance, the intent as written is to accomplish a land development project to achieve integration of the proposed development with the characteristics of the project area, which is Fountain Walk. Mr. Landry stated that the owner of Fountain Walk, Mr. Michael Zimmerman is in full support and asks the Council to approve this PRO and that Mr. Zimmerman states "that is why we are excited about Jax Car Wash. This is a higher quality use that has absolutely no competition with our tenants. It brings a good amount of traffic to the area and will be complimentary to other tenants.". The only interest that Fountain Walk has ever received has been from gas stations which can't be put on a RC. Mr. Landry referred to a letter the Council has from Imagine Theater's owner Mr. Glance, who wants this project there and Buddy's Pizza wants it as well. Mr. Landry continued by saying that as far as

integrating with the area around it, there's no objection from any of the surrounding people. With respect to eligibility, PRO's are a two-step process. The first process is with the Planning Commission and City Council to talk about eligibility and then you go back and do the site plan, the landscaping and everything else. The ordinance says that an applicant to propose a new zoning district must have site specific conditions that have two aspects to them. One, that it is more strict or limiting than the regulations that would apply under the proposed zoning district. The proposed zoning district is B-3, and we are proposing to limit it to a single use only. The building height is less than what would be allowed under B-3. The setback is far greater at 68 feet instead of 30 feet, which would be allowed under B-3. The façade that's proposed is 60% brick on two sides of the building, double what the ordinance requires. Mr. Landry reiterated that the first requirement for eligibility is satisfied because what is being proposed is stricter than the regulations that would apply if it were a straight rezoning under B-3. The second aspect is showing a public benefit. The ordinance does not define public benefit with any kind of specificity saying that the proposed improvement must constitute an overall public benefit that outweighs any material detriment or not, and or that could not otherwise be accomplished without the proposed rezoning. The ordinance defines public benefits in relative terms. Public benefit is not the same for all parcels so before the public benefit can be analyzed, the public detriment must be defined. When considering a rezoning the first thing to be looked at is adjacency and will it integrate in with what's around it. There are letters from the owner of Fountain Walk that wants this and there have not been any negative comments from anybody. When looking at traffic, the City's traffic consultant is recommending approval. The only entrance and exit are on Fountain Walk so there would never be any stacking on Cabaret or on Twelve Mile. Engineering recommends approval as there's no storm water problem. The Fire Department recommends approval and Façade recommends approval with a Section 9 waiver. Mr. Landry states that nobody's opposed to it, the property has been vacant for 22 years, and it's a unique parcel that has unique characteristics that have prevented development in the past. The public benefit in this case is threefold. Number one, the master plan economic development goal, number 18 in the plan is to retain and support the growth of existing business and attract new business to the City. Number two, Jax Car Wash employs high school students and is offering to pay \$54,000 to refurbish the library's teen space. And thirdly, due to the easements on the property, the applicant has offered to build a 230 square foot patio with bench along Twelve Mile. Per Mr. Landry, a member of the Planning Commission suggested that if there's going to be bus service to Fountain Walk, perhaps the applicant can install a bus stop area, which the applicant is willing to do, instead of a patio with benches. In conclusion, Mr. Landry said that five of the six Planning Commissioners that looked at the project, studied the pros and cons plus the public benefits, were in favor of it. He also commented that this would be the only stand-alone car wash north of I-94. In the packet provided to the Council, there is an analysis by the administration that gives examples of conditions that may be more strict or limited and provide an overall benefit to the public. The administration has analyzed all the aspects to criteria and indicated that yes, the conditions were included except for traffic because there is no traffic problem.

Todd Gesund, Vice President/Director of Expansion, has worked in the car wash business since he was nine. His family owned a company called Super Car Wash and they had 11 locations throughout metro Detroit. The company started in 1977 and they were competitors with Jax Car Wash. Over the last 20 years, there was talk about joining forces to become one large car wash company and a couple of years ago, that came to fruition. One thing that's been special about being part of the Jax family is the name Jax as it is synonymous with car washing in Detroit. Jax was founded in 1953 and they own and operate 29 locations in 18 different cities around Michigan. In addition to David Landry, Mr. Gesund brought Jon Zimmerman, CEO of Jax Car Wash and Lindon Ivezaj who is the CEO of their design build team, Cunningham-Limp. Michael Zimmerman, owner of Fountain Walk, and Bruce Milen, second generation founder of Jax Car Wash, were unable to attend this meeting but did attend the Planning Commission meeting. Mr. Gesund stated that he was excited about the positive comments and feedback received from the Planning Commission. Mr. Gesund said excellent service sets them apart and one of the things they pride themselves on and makes them different and unique is that they hand towel dry every vehicle as it exits the site. Customers are greeted as they come on site and when they exit, their car is dried off and employees say goodbye as that is part of the experience. Jax Car Wash also offers free vacuums, and they have an indoor mat cleaning room as well as customer restrooms. They are involved in the communities they are in and have a charity weekend. Jax had school fundraisers, group donations and organizations. They do towel drive fundraisers on site, and they don't turn anybody away. They help raise thousands of dollars in the communities in which they reside, every year. They employ lots of high school students in different communities as they have phenomenal relationships with the high schools. For example, a soccer team from Walled Lake comes and they are allowed to dry cars for the day, and they collect tips and Jax Car Wash makes donations. High school bands have been on site with their instruments. Mr. Gesund said he grew up in the area, on Twelve Mile in Farmington Hills and frequented Twelve Oaks. He saw the development of the Novi Town Center and Fountain Walk as he lived in Novi in his late twenties. Novi is a phenomenal community with unbelievable retail. Mr. Gesund corrected Mr. Landry's previous statement by saying there are no car washes north of I-96, not I-94. Mr. Gesund addressed the site layout in his presentation and showed some of the different multiple access points. He continued to say with the easement restrictions and the narrow piece of property, they fit perfectly on the site. He also said that they believe they fill a need for Novi and there are several customers that come out to Walled Lake, their closest site. He said that customers ask about a Novi location and that Novi is a dense population and they're complimentary to the businesses and retail of Fountain Walk. They are going to build a beautiful building that is going to enhance the area. Talking about the site layout, there's no new curb cut off on Twelve Mile Road and people will be able to get in at many points. There will be phenomenal stacking space here so cars won't back up into the parking lot as they can stack 29 spaces on site, 20 before the pay stations and an additional nine stacking spaces after the pay stations. The vacuums and indoor mat room on the east side of the building are only going to be used by their car wash customers and that is significant because it limits who's coming into the site. There will be little to no noise outside of the car wash building since all the vacuum and blower motors are inside the building and all their new sites have this special room. The building has

been designed to fit harmoniously with Fountain Walk and the other surrounding retail district. The building is not a typical looking car wash as there is landscaping that will exceed what's required, giving it a park-like setting. The car wash would be open 7:00 am to 8:00 pm, Monday through Saturday and 8:00 am to 6:00 pm on Sundays. They would employ anywhere from four to six employees at a time, depending on the weather. Most customers would come from a three-mile radius around the site. Mr. Gesund stated that customers don't wake up in the morning deciding to just get a car wash and go back home. Instead, they wake up, think about going to Dick's for some gear or Ford's Garage for lunch and then get a car wash at their favorite car wash. Mr. Gesund said this is the synergy he spoke about why he feels they will complement the area and then he concluded by saying that Fountain Walk has struggled over the years and now that it's 100% occupied, hopefully the car wash can keep that momentum going.

Mayor Fischer stated this is part of Council's early initial PRO process and an opportunity to provide feedback as the applicant goes through the remainder of the PRO process. Jon Zimmerman made himself available to answer questions from Council.

Member Staudt expressed that he likes the proposal and thinks it's a good use of the property but is not buying the public benefits. There is no fiduciary responsibility to the library and it's inappropriate to fund anything for it. He also doesn't think that developing a vacant parcel is a benefit of the proposal. Member Staudt liked the idea of the patio area along Twelve Mile as well as the suggestion from the Planning Commission. Mr. Staudt said that previously discussed was that the City was spending \$3.5 million dollars of the overall cost of \$35 million for an investment into Twelve Mile so he thinks it would be appropriate to think about what can be done along Twelve Mile, whether it is better landscaping, picnic benches or whatever. He also said that Novi has a property value of somewhere around \$5 billion and one lot's not going to change the makeup of the City's tax base, but he liked the idea and look, and he agrees that the lot has been empty too long. Member Staudt continued to say that what the applicant was asking for is reasonable but would make adjustments to the public benefit and would probably look forward to supporting this in the future.

Member Thomas added by saying that she generally likes the proposal and thinks it is a good spot for that particular business. She said she could see herself going there for a car wash and maybe stopping over to Coldstone for an ice cream. She would love to have funding for the library but thinks the public benefit needs to be tied more to that area in the community. She likes the idea of having covered areas especially if you're walking and biking down that path and get caught in the rain as there is not a lot of shade.

Member Heintz stated that he thought overall, the applicants have great potential and liked how they saved water. He expressed that a public benefit could be a spin off from the inspiration of being interested in the environment and suggested the applicants could have a space for a charge station or whatever would be a benefit for that region. He concluded by stating that the project could help that spot and it's a creative use of that space.

Member Gurumurthy commented that she thinks a car wash aligns and fits with the whole area. She said that it would be great if when people took walks, there were pockets of places where they can sit and have some time. She also wanted to add that in terms of the parking lot, she encouraged adding more in terms of landscaping.

Member Smith agreed with his colleagues and thinks this is a good site for the project but that the public benefit needs work. He said from an environmental aspect, he suggested adding solar panels to the roof since he's sure a car wash uses a lot of electricity. He also said that although we love the library, it isn't a great fit as a public benefit.

Mayor Pro Tem Casey started by saying that she has a different opinion than some of her colleagues in terms of putting a car wash on the site, specifically the PRO that the applicant is seeking. We have heard quotes from part of the ordinance but the other piece to think about is the benefit of a PRO and the reason for a PRO is to enable enhancement of the project area as compared to the existing zoning. This is a tough space and that was left undeveloped as Fountain Walk built around it and that's a challenge the owner is trying to solve for. There are easements on this property that are restricting what can be used on that property. Mayor Pro Tem Casey wondered if this really is a PRO opportunity. She complimented the applicants on how the traffic flowed but struggles with whether a car wash is really an enhancement. She continued to say that it is not Jax, it's not anything specific to this project. She did state that she was happy about the feedback on the noise because that was one of the things that she saw that was left pending. She concluded by saying that she is sharing some of the hesitancy right now with the idea of a PRO and the basically she's not sure that this project meets the definition of what a PRO is intended to do.

Mayor Fischer said that he wanted to discuss the restriction to this specific use. As part of the PRO proposal, B-3 has many different uses, as he understands it. He then asked City Attorney Tom Schultz if the property is restricted to just the car wash use, what happens if the applicants get bought out or sell out or it doesn't turn out financially viable? City Attorney Tom Schultz responded by saying he assumed that the City would write the PRO agreement like with Carvana, where if this is no longer being used for what it was built for and we're back to whatever the open space is. How exactly that is written, the City would have to work on that. Mayor Fischer then said that he would be interested to see that kind of terminal view of it because he doesn't want to get in a situation where the applicants could come back and say the car wash didn't work so let's try to go with the other B-3 items. The Mayor would want to see a reverting back to the current zoning. Mayor Fischer then stated that as far as the PRO process, this is a very interesting use and that he shares some of the same hesitancy as the Mayor Pro Tem. This is a wonderful business, and it has nothing to do with that but has to do with the fact that there are plenty of areas in the city where a car wash use is allowable. The Mayor then wondered if the PRO process is the right one and stated that there are a lot of discussions in the presentation about the setbacks and having a hard time putting a different sort of business under the current zoning in there. He then asked Attorney Schultz is this not more appropriate to be sent to the Zoning Board for some sort of variance as opposed to the

PRO process given that there are hesitations on the public benefit aspect. Attorney Schultz commented that a variance is hard to get and not many are given out but that it's a possibility, but essentially the applicant would have to show that there's no other use to that property and that it's the zoning ordinance that's causing the issues. The Mayor responded that he felt like the presentation was going down that path, hence the question. Attorney Schultz then stated that the question for Council or the ZBA is, is it really the ordinance causing the problem or the way that the who property's already been built out? The underlying easements are not the fault of the ordinance, and the tenant restrictions are the City's issue. Attorney Schultz said he thinks it would be a complicated case to present to the ZBA for a variance. The Mayor then asked Mr. Landry if, from Fountain Walk's perspective, the owner had anyone interested in the property over the last 22 years. Mr. Landry said that all he knows was what Mr. Zimmerman's packet letter stated was that since he's owned the property, since 2018 or 2019, the only inquire he's had was from a gas station, which he won't allow but otherwise nobody's even inquired because of all the restrictions and the building envelop is the size of a postage stamp. Mr. Landry also commented that the applicant would agree if the car wash doesn't work, the zoning would revert. The Mayor reiterated that he shares some hesitancy with the Mayor Pro Tem. There are a lot of people who seem to be nodding in favor of this project. The applicant now has some feedback and clearly some public benefit things they are going to have to think through.

3. Consideration of request for Fireworks Permit by Eddie Hesano to be operated by Great Lakes Fireworks, LLC, on Saturday, July 27th, 2024, on Walled Lake.

City Manager Cardenas said the applicant is here to answer questions. Also, with respect to the staff's viewpoint, all the inspections, preparations, respective applications and insurance have all been acquired.

Mayor Pro Tem Casey addressed Mr. Hesano by stating that she wanted to go on record to say that she didn't want to see constant requests for fireworks coming to the Council as she thinks there are a lot of people for whom fireworks are a challenge. Mr. Hesano said he agreed, and he would only be having one fireworks event per year.

CM 24-06-82 Moved by Casey, seconded by Staudt: MOTION CARRIED: 7-0

Approval of request for Fireworks Permit by Eddie Hesano to be operated by Great Lakes Fireworks, LLC, on Saturday, July 27th, 2024, on Walled Lake.

Mayor Fischer supports the sentiment from Mayor Pro Tem Casey and said that from an ordinance review perspective, not all the pieces are put together at this point so the Council will have more discussions on what the policy and framework for fireworks is going forward. He concluded by saying that he is not looking forward to repeat permit requests.

Roll call vote on CM 24-6-82

Yeas: Smith, Staudt, Thomas, Fischer, Casey, Gurumurthy, Heintz

PLANNING COMMISSION MINUTES

EXCERPT August 28, 2024



PLANNING COMMISSION MINUTES

CITY OF NOVI
Regular Meeting
August 28, 2024 7:00 PM

Council Chambers | Novi Civic Center
45175 Ten Mile Road, Novi, MI 48375 (248) 347-0475

CALL TO ORDER

The meeting was called to order at 7:00 PM.

ROLL CALL

Present: Member Avdoulos, Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney

Absent Excused: Member Verma

Staff: Barbara McBeth, City Planner; Beth Saarela, City Attorney; Lindsay Bell, Senior Planner; Humna Anjum, Plan Review Engineer

PLEDGE OF ALLEGIANCE

Member Becker led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Avdoulos to approve the August 28, 2024 Planning Commission Agenda.

VOICE VOTE ON MOTION TO APPROVE THE AUGUST 28, 2024 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS. *Motion carried 6-0.*

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward. Seeing no one, Chair Pehrson closed the first public audience participation.

CORRESPONDENCE

There was not any correspondence.

COMMITTEE REPORTS

There were no Committee reports.

CITY PLANNER REPORT

There was no City Planner Report.

CONSENT AGENDA - REMOVALS AND APPROVALS

There were no Consent Agenda Removals and Approvals.

PUBLIC HEARINGS

1. **JSP24-14 GATSBY'S PATIO AND FAÇADE RENOVATION**

Public hearing at the request of Tower Built LLC for Special Land Use and Preliminary Site Plan approval for the exterior renovation of the existing Gatsby's Restaurant. The subject property is approximately 1.09 acres and is located at 45701 Grand River Avenue.

- shown on the site plan, because this is an existing condition and only minor changes to the parking lot are proposed, which is hereby granted.
- c. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.

ROLL CALL VOTE ON MOTION TO APPROVE THE JSP24-14 GATSBY'S PATIO AND FAÇADE PRELIMINARY SITE PLAN MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. Motion carried 6-0.

2. JZ24-02 JAX KAR WASH PRO PLAN WITH REZONING 18.744

Public hearing at the request of Jax Kar Wash for Planning Commission's recommendation to City Council for a Zoning Map Amendment from Regional Center (RC) to General Business (B-3) with a Planned Rezoning Overlay. Conditional approval of the Preliminary Site Plan and Stormwater Management Plan is requested concurrently. The applicant is proposing to develop an enclosed car wash tunnel building with exterior vacuum spaces.

Senior Planner Bell stated this project came before the Planning Commission in April for the initial round of feedback. The applicant is proposing to rezone a 1.8-acre portion the larger Fountain Walk at Twelve Mile Crossing commercial center utilizing the Planned Rezoning Overlay option. The vacant site is located south of Twelve Mile Road, to the east of Cabaret Drive. The Liberty Park residential development is to the north, along with a bank. The Vibe Credit Union headquarters is to the west. On the east and south are parking lots for Fountain Walk.

The current zoning of the property is RC Regional Center. The adjacent parcels on the west are OST Office Service Technology. The Liberty Park area is zoned Residential Acreage but developed under a consent judgment as townhouses, with OS-1 Office Service zoning to the northeast.

The Future Land Use Map identifies this property as Regional Commercial with the rest of Fountain Walk. To the west is planned Office Research Development and Technology, and the north side of Twelve Mile is Multiple Family Residential, and Community Office.

There are no regulated natural features on the site, as it was cleared back when Fountain Walk was developed in the early 2000s.

The applicant is proposing to utilize the Planned Rezoning Overlay to rezone to B-3 General Business in order to develop a tunnel car wash, which is not permitted in the current RC district. The PRO plan shows a one-story 6,200 square foot building, with outdoor vacuum stations that are typically associated with this type of car wash. Access to the site would be from the existing Fountain Walk driveway off Cabaret Drive, so no new curb cuts are proposed for either public road frontage.

The applicant describes some of the reasons this site has remained vacant in the 20+ years since Fountain Walk was developed, including being limited by lease agreements to not allow a use that would compete with existing tenants of the center. The RC district also requires 100-foot building setbacks, which limits the developable area for a corner site, especially if it is to be split off from the larger parcel. There are also 55-foot and 60-foot-wide gas line easements that run north-south along both sides of the property. In the image shown, the gas easements are shown in yellow, and the green hatched area represents the approximate building area with 100-foot setbacks. Recently, our engineers have been in contact with Consumers Energy, the easement holder, and it appears that the eastern easement may not have infrastructure running through it, so that easement may be able to be removed – but it would have to go through a process and agreement by those private parties.

The request to rezone includes the condition to limit the use of the property to a car wash, which would prevent it from being redeveloped into another B-3 use such as a gas station or auto dealership, or any other possible use, unless the agreement is amended. Additional conditions proposed include limitations

on building height, exceeding the building setbacks of the B-3 District, and approximately doubling the minimum requirement for brick material on the elevations.

As a benefit to the public, the applicant offers to construct two covered seating areas along 12 Mile Road. The plan shows a concrete pedestrian node along the sidewalk fronting on 12 Mile Road, with the other stated location further to the east near Donelson Drive. The paved nodes would include concrete pads, benches and a metal pergola covering.

The applicant also offers two decorative curved walls on the property. One at the corner of 12 Mile Road and Cabaret Drive, and the other at the corner of Cabaret Drive and the entrance of Fountain Walk. The walls could include signage identifying the center. No signage for Jax Kar Wash would be on these walls. The stone on the walls would match the existing wall located at the West Oaks and Donelson Drive entrance. The wall details show the wall to be approximately 30 inches high, and about 10 feet in length.

Staff and consultants have identified some issues with the proposed rezoning and PRO Plan. There is a question whether this would be considered a spot zoning, since no B-3 properties are in proximity. However, the surrounding retail center is also commercial, and the terms of the PRO Agreement could ensure that it stays compatible with the surrounding uses and reverts to Regional Center zoning if the car wash is no longer viable.

Engineering notes there is capacity for the water and sewer demands for the proposed use in the public utilities, and stormwater detention is to be treated on-site before being discharged into the existing storm water system. Traffic has also noted that there will not be more traffic generated compared to other uses that could be developed under the current RC zoning.

The proposed parking lot landscaping is deficient on the west side due to the gas easement. Other deviations include the lack of a loading zone, the distance of the dumpster enclosure from the building, and an overhead door facing a public road. The proposed parcel split will also likely cause variances to be required for the parking and building setbacks on the Fountain Walk parcel.

Façade review notes that the building will require Section 9 façade waivers for an overage of fiber cement horizontal siding and an overage of asphalt shingles on all facades. These waivers are supported as they are minor in nature and do not adversely affect the overall aesthetic quality. The amount of brick proposed significantly exceeds the required amount.

The applicant is requesting approval of the Preliminary Site Plan concurrently with the PRO Plan. Staff does not object if Planning Commission agrees to a conditional approval, as the plan is in general conformity with the requirements of the Zoning Ordinance and sufficient detail has been provided for a Preliminary Site Plan. The applicant has provided the justification for the landscaping waiver, and the noise impact statement to show compliance with Section 5.14.10.

Tonight, the Planning Commission is asked to hold the public hearing, and to make a recommendation to City Council on the PRO Plan and consider concurrent approval of the Preliminary Site Plan and Stormwater Management Plan. Following the Planning Commission public hearing, the project would then go to City Council for its determination of approval.

The applicant Todd Gesund from Jax Kar Wash, attorney David Landry, as well as other members of their team, are here representing the project tonight. Staff is also available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Attorney David Landry stated Jax Kar Wash is seeking the rezoning from RC Regional Commercial to B-3 with a Planned Rezoning Overlay limiting to a single use of B-3 car wash along with conditional approval of the Preliminary Site Plan and Stormwater Management Plan. The parcel is on the southeast corner of Twelve Mile Road and Cabaret Drive, the extreme northwest corner of Fountain Walk.

The parcel has been vacant for 22 years since Fountain Walk opened due to the unique characteristics

of it. Given its current zoning, the RC setbacks are a hundred feet, which means the only developable area on this parcel is a small postage stamp area. There are two 55-foot Consumers Energy easements which limit what structures can be placed on the parcel.

What can fit on the parcel that would be compatible with the area? A car wash. The PRO Ordinance section on intent states it is to accomplish development to achieve integration of the proposed development with the characteristics of the project area. In this case the Planning Commission has letters of support from the project area. The owner of Fountain Walk, Michael Zimmerman, states he believes that this is going to be an enhancement to the other businesses in Fountain Walk. Letters from Imagine Theater, Buddy 's Pizza, Full Throttle, and Putting Edge state the same. To Mr. Landry's knowledge there have been no negative comments from any landowner or anyone in the surrounding area.

With respect to PRO eligibility there are two requirements. First, there must be site specific conditions that are stricter than the regulations that would apply under the proposed ordinance, which would be B-3. Here the PRO will limit to a single use of a car wash. If the car wash ever doesn't exist, the zoning refers reverts to RC. The building height would be 24.5 feet instead of 30 feet. The setback instead of a mere 30 feet would be 68 feet. The facade ordinance only will allow 30 percent brick, here there is 49-50 percent brick. So those are limiting factors with this respect particular proposal.

Secondly, the PRO requires that a development would constitute an overall public benefit that outweighs any material detriment, or that could not be accomplished without a rezoning. The public benefit always seems to be the issue with anyone that comes for a PRO. The question is what's the public benefit. It's not specifically defined in the Ordinance. It is defined in relative terms. It is a public benefit that outweighs any material detriment. Before we can assess a public benefit that's sufficient, we have to first identify what are any material detriments. It's a sliding scale. If the detriments are high, then the public benefit has to be really high. If the detriments aren't very high, the public benefit doesn't have to be very high.

When considering any rezoning, we first look at any adjacency detriments. The businesses in Fountain Walk want this. There are no negative comments to Mr. Landry's knowledge from anybody in the surrounding area. There are no lighting issues. There are no noise issues, the vacuum motors are inside the building, not outside. The hours of operation are 7:00 AM to 6:00 PM Monday through Friday, 8:00 AM to 6:00 PM Saturday and Sunday, less than what the RC zoning would allow. There is no ingress or egress off 12 Mile Road or Cabaret Drive, it's all internal. Every department has recommended approval or conditional approval.

In terms of the public benefit, originally Jax Kar Wash proposed funding the teen area renovation at the Novi Library because many of the employees are teenagers. The Planning Commission had few negative comments on that public benefit. The City Council wasn't too keen on that, and indicated they would like to see a public benefit that is tied to the site and tied to overall Fountain Walk and 12 Mile Road. Jax Kar Wash is has now proposed four streetscapes. A covered, landscaped seating area that would match other seating areas at Fountain Walk are proposed on the car wash lot and another to the east, and then two decorative walls are proposed that with optional signage such as "Welcome to Fountain Walk".

Mr. Landry thinks the analysis really begins with this – it is a difficult parcel. For whatever reason it hasn't developed. This fits within the PRO Ordinance, and the public benefit outweighs any detriment. Mr. Landry asks the Planning Commission to make a positive recommendation to City Council, and also asks for conditional approval of the Preliminary Site Plan and Stormwater Management Plan, which is recommended by staff conditioned on, of course, City Council approving the PRO. The architect, engineer and representative of Jax Kar Wash are also present if there are any questions.

Chair Pehrson opened the Public Hearing and invited members of the audience who wished to participate to approach the podium. Seeing no one, Chair Pehrson asked Member Lynch to read correspondence. Member Lynch stated there was one response form from Michael Zimmerman in support. Chair Pehrson closed the Public Hearing and turned the matter over to the Planning Commission for consideration.

Chair Pehrson asked City Attorney Beth Saarela to clarify the difference between what has been referred

to as spot zoning in this case versus what the Planning Commission is being asked to look at relative to the PRO. City Attorney Saarela responded that spot zoning is sort of like taking one property in an area that has nothing similarly zoned in that area and asking to rezone it for just that one parcel. Sometimes that's done through a ZBA use variance. It's not something that should be done. The difference here is the rezoning request is for a similar use to the surrounding area and is tied to a specific plan with an agreement. Chair Pehrson added that as he has looked at the topic in Planner's reference guides, the overarching considerations relative to the anticipated public benefit are the consistency inside the community relative to the comprehensive plan that has been laid out, whether that's the Master Plan or in this case the surrounding area, and the consistency with what the applicant is looking for to the rest of the development.

Member Lynch stated that 22 years ago internet shopping was not as prevalent, and we didn't have COVID. One thing that is stunning when you look at the Fountain Walk development is the desert of asphalt. From a bigger, broader picture at the time it was developed, it probably made sense given the economy and technology. Just looking at the proposed project, it is an oasis in a desert of asphalt. The way it looks in the rendering is a benefit to the whole area. When Fountain Walk was developed, there is no way to have known how technology was going to progress, and we didn't have COVID.

Member Lynch likes the way the project is done, it has trees and greenery that break up the sea of asphalt. He recalls from the prior presentation the applicant mentioned people may want to get a car wash when frequenting other Fountain Walk businesses. It seems the other Fountain Walk tenants are okay with the proposal, it will not affect the traffic, and it will not have an affect on public services. Member Lynch thinks the car wash makes sense, he is in support, especially given the limitations of the site.

Member Becker stated this idea requires a zoning amendment to rezone a 1.8 eight-acre parcel within a huge regional center zone property, and that is virtually the definition of spot zoning that the American Planners Association strongly advises communities against doing. The RC zoning for the then Fountain Walk development was specific as to the types of businesses we wanted to have there. Businesses that would attract visitors from the region, not just local residents. A full-service tunnel car wash falls far short of this goal.

A proposed car wash business is not a unique addition to our community. Within the city, we already have three full-service tunnel car washes and another already in the planning stage. Surrounding the Novi City boundary there are six more full-service tunnel car washes as close as fifty yards and no more than two miles from our City limits.

The proposed building is in no way harmonious with the existing buildings within the RC Twelve Mile Crossing of Fountain Walk. The existing buildings were meant to look like a true regional destination, not a strip mall. None of the existing buildings have a number of brontosaurus-type of equipment outside them, and none of the existing buildings are drive through.

Part of the justification for the spot zoning request is that this small parcel has been difficult to develop due to its size, location and the underground utility easements. The original developer is the entity that created this difficult piece of property in their original planning of the property, the City of Novi did not create this hardship.

Granting the zoning amendment is a really bad idea for these reasons. When we talk about detriment, setting a detriment of spot zoning that can be used in the future is the one that is the biggest one for Member Becker.

Member Dismondy thinks it is a good use for a parcel that is challenging mainly due to the utilities. The current zoning looks like it allows for a bank with a drive through, so this is not much different, especially since the noise concern that most people would have when they hear about a car wash coming has been mitigated. It looks really nice too, and it looks like it's laid out very well. Regarding the public benefit, the economic impact to the city for such a challenging parcel, is benefit enough in Member Dismondy's opinion. He is in favor.

Member Roney stated he agrees that this is a challenging piece of property to develop, and it's been vacant for 22 years. What is really telling about the proposal is the support from the fellow businesses. They see benefit to themselves, and to their businesses, and we want to support them. As far as detriments go, Member Roney could not find any real detriments. How do you value the public benefit when you don't even know what the detriments are? He is in favor and thinks it'll be a good fit.

Member Avdoulos stated this is a difficult site because of what Mr. Landry had pointed out. If you look at the setbacks and the constraints that it has, it leads to an understanding of what you can do on that site.

Member Avdoulos thinks similar to Member Dismondy in that if a bank can be allowed here, other similar type uses scale wise could work. This is kind of matching that scale. It's also acting as a kind of an anchor at the corner of this development and the design contributes positively to the existing Fountain Walk development. It fits well contextually on the site, and it is a business within an area of businesses. There is a sea of parking out there but that's another topic to take a look at and see what Fountain Walk can do. Member Avdoulos' biggest concern is how a business on this corner can contribute to that area and thinks the presentation tonight helps to address that.

Motion to recommend approval to City Council JZ24-02 Jax Kar Wash made by Member Avdoulos and seconded by Member Lynch.

Chair Pehrson stated he supports the applicant in this particular request. He asks that planning staff look at in another session how to better define public benefit.

In the matter of JZ24-02 Jax Kar Wash, with Zoning Map Amendment 18.744 motion to recommend approval to City Council to rezone the subject property from Regional Center (RC) to General Business (B-3) with a Planned Rezoning Overlay Concept Plan.

- A. The recommendation includes the following ordinance deviations for consideration by the City Council, for the reasons noted:
1. **Overhead Door (Sec. 3.10.1.A)**: In the B-3 District, no overhead door or other type of service bay door is permitted to face a major thoroughfare. A deviation would be required for the car wash tunnel door facing Twelve Mile Road. *The corner lot location makes it necessary for an overhead door to face one of the frontages, and the existing easements limit options for building orientation.*
 2. **Dumpster (Sec. 4.19.2.F)**: The location of the dumpster within 10 feet of the building would require a deviation. *This deviation is supported since there are no office or living spaces adjacent inside the main building, only the car wash tunnel.*
 3. **Loading-Unloading Zone (Sec. 5.4.2)**: Deviation would be required for the lack of a loading zone. *The applicant states the car wash use does not have a specific need for a loading/unloading area as there are no large deliveries to the site.*
 4. **Parking Lot Landscaping (Section 5.5.3.C)**: Deviation would be required for not providing the required number of accessway perimeter trees. *The applicant has provided the easement for the existing utility easement which does not permit the planting of landscaping in the easement area.*
 5. **Section 9 Waiver (Section 5.15)**: Proposed elevations of the building have an overage of Horizontal lap siding (8-10% proposed, 0% minimum required) and an overage of Asphalt Shingles (31-36% proposed, 25% maximum allowed). *In this case the deviations are not detrimental to the overall design of the building, and the design consistent with the intent and purpose of the Ordinance.*
- B. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:
1. The use shall be limited to a car wash. No other uses permitted in the B-3 District would be allowed on this site.
 2. The building height will be 24.5 feet, which is more limiting than the 30 feet allowed in the B-3 District.
 3. The building setbacks will exceed the B-3 requirements on all sides. Front and exterior side yards are 68-88 ft (30 ft required) and interior side yards are 54- to 138-feet (15 ft

- required).
4. The façade ordinance requires a minimum of 30% brick on all elevations. The proposed building exceeds this requirement with 49.6 to 59.9%.
 5. A shared parking agreement with the Fountain Walk retail center will be required for employee parking spaces on the adjacent parcel.
- C. This motion is made because the proposed General Business (B-3) zoning district is a reasonable alternative to the RC District and fulfills the intent of the Master Plan for Land Use, and because:
1. The applicant offers to construct two covered seating areas along 12 Mile Road. The plan shows a concrete pedestrian node with benches and a metal pergola along the sidewalk fronting on 12 Mile Road, with the other stated location further to the east near Donelson Drive.
 2. The applicant offers to provide two decorative curbed walls on the property: one at the corner of 12 Mile Road and Cabaret Drive, and the other at the corner of Cabaret Drive and the entrance of Fountain Walk. The walls could include signage identifying the center. No signage for Jax Kar Wash or other businesses would be placed on the walls. The stone would match the existing wall located at the West Oaks and Donelson Drive entrance.
 3. Public utilities are available to connect to, and adequate service capacity is available for the car wash demand proposed.
 4. The car wash use is not expected to generate more traffic demand than other uses that could be built under the existing RC zoning.
 5. The project does not impact existing woodland or wetland areas since the area was prepared for development when the Fountain Walk center was originally developed.
 6. The proposed Jax Kar Wash would support the Master Plan goal of attracting new businesses to the City, and may provide a customer draw that would support the growth of other businesses within Fountain Walk.
 7. The detriments to the City from a car wash development as proposed are not substantial overall, so while the benefits to the public of this proposed use resulting from the conditions above are somewhat speculative, they do tend to outweigh the detriments.

ROLL CALL VOTE TO RECOMMEND APPROVAL TO CITY COUNCIL JZ24-02 JAX KAR WASH MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. Motion carried 5-1 (Becker).

Motion to conditionally approve JZ24-02 Jax Kar Wash Preliminary Site Plan made by Member Avdoulos and seconded by Member Lynch.

In the matter of JZ24-02 Jax Kar Wash, motion to conditionally approve the Preliminary Site Plan subject to the City Council's determination regarding the proposed rezoning request with Planned Rezoning Overlay, based on and subject to the following:

- a. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.
- b. The applicant has addressed the noise impact requirements.

This motion is conditioned on the applicant's PRO request being approved by City Council, and because the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance.

ROLL CALL VOTE TO CONDITIONALLY APPROVE JZ24-02 JAX KAR WASH PRELIMINARY SITE PLAN MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. Motion carried 5-1 (Becker).

Motion to conditionally approve JZ24-02 Jax Kar Wash Stormwater Management Plan made by Member Avdoulos and seconded by Member Lynch.

In the matter of JZ24-02 Jax Kar Wash motion to approve the Stormwater Management Plan,

subject to the findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is conditioned on the applicant's PRO request being approved by City Council, and because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.

ROLL CALL VOTE TO CONDITIONALLY APPROVE JZ24-02 JAX KAR WASH STORMWATER MANAGEMENT PLAN MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. *Motion carried 6-0.*

MATTERS FOR CONSIDERATION

1. APPROVAL OF THE AUGUST 14, 2024 PLANNING COMMISSION MINUTES

Motion to approve the August 14, 2024 Planning Commission minutes made by Member Lynch and seconded by Member Avdoulos.

ROLL CALL VOTE ON MOTION TO APPROVE THE AUGUST 14, 2024 PLANNING COMMISSION MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS. *Motion carried 6-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no consent agenda items.

SUPPLEMENTAL ISSUES/TRAINING UPDATES

City Planner McBeth stated that the Michigan Association of Planning is holding the Planning Michigan Conference in Grand Rapids on September 25-27th.

Chair Pehrson stated relative to PRO implementation and discussion of the Jax Kar Wash PRO by the City Council, he would like to have the Planning Commission in the future better flesh out the definition of public benefit and perhaps put a little more emphasis on that in the Ordinance. He would still like to give a developer latitude to be creative but would like to see consistency in what the expectations are for the City.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward. Seeing no one, Chair Pehrson closed the final audience participation.

ADJOURNMENT

Motion to adjourn the August 28, 2024 meeting made by Member Lynch and seconded by Member Becker.

VOICE VOTE ON MOTION TO ADJOURN THE AUGUST 28, 2024 PLANNING COMMISSION MEETING MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BECKER. *Motion carried 6-0.*

Meeting adjourned at 7:52 PM.

*Actual language of the motion sheet subject to review.