



CITY OF MADISON HEIGHTS
PLANNING COMMISSION MEETING MINUTES

August 16, 2022
Fire Station #1 – Training Room
31313 Brush Street, Madison Heights, MI 48071

1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:32 p.m.

2. ROLL CALL

Present: Chairperson Josh Champagne
Mayor Pro Tem Mark Bliss
Mayor Roslyn Grafstein
City Manager Melissa Marsh
Member Melissa Kalnasy

Absent: Member Eric Graettinger
Member Cliff Oglesby
Member Grant Sylvester

Member Melissa Kalnasy

Also Present: City Planner Matt Lonnerstater
Assistant City Attorney Tim Burns
Business Services Coordinator Mary Daley

3. EXCUSE ABSENT MEMBERS

Motion by Commissioner Bliss, supported by Commissioner Marsh to excuse Commissioner Graettinger.

Nays: None

Absent: Graettinger, Oglesby, Sylvester

Motion carries unanimously.

4. CHANGES TO THE AGENDA

Motion by Commissioner Bliss, supported by Commissioner Kalnasy to add the election of Vice Chair to New Business.

Nays: None

Absent: Graettinger, Oglesby, Sylvester

Motion carries unanimously.

5. APPROVAL OF MINUTES

Motion by Commissioner Marsh, supported by Commissioner Conn, to approve the minutes of the regular Planning Commission meeting of June 21, 2022.

Nays: None

Absent: Graettinger, Oglesby, Sylvester

Motion carries unanimously.

6. PUBLIC HEARING - Rezoning PRZN 22-03: 29022 Stephenson Highway (Caregiver Marihuana Overlay District)

Planner Lonnerstater provided an overview of the city-initiated rezoning: At the meeting on May 17th, the Planning Commission voted to recommend that City Council approve the rezoning of three parcels of land at 29022 Stephenson Hwy from M-1, Light Industrial, to B-3, General Business. On top of that B-3 zoning, we also have a caregiver overlay district. The caregiver overlay district which was created a few years ago, allows for the establishment of one marihuana caregiver per parcel anywhere within the “green zone.” When this map was created it was based on the previous marihuana ordinances which are the adult use and medical marihuana ordinances.

When the City created the Caregiver ordinance, the boundaries of the Caregiver Overlay District were intended to mirror that of the Allowed Parcels Map. The Overlay District map is technically a standalone map with separate zoning regulations. Thus, the Caregiver Overlay District text does not state that caregivers must be located within an underlying M-1 or M-2 district, but only that, “a registered primary caregiver shall not cultivate medical marihuana at a parcel that is not located within the Caregiver Marihuana Grow Overlay District.”

In this specific case, City Council recently rezoned the subject parcels from the M-1 to B-3. By rezoning the parcels to B-3, City Council effectively removed the properties from the Allowed Parcels Map associated with the Medical Marihuana and Adult-Use Marihuana Facilities Ordinances. However, the subject parcels still technically remain in the standalone Caregiver Overlay District. City staff is requesting that the subject parcels be removed from the Caregiver Marihuana Grow Overlay District in order to reflect their new underlying B-3 zoning district.

The members engaged in some discussion. There is currently no caregiver at that parcel. If this is approved and then approved by Council, a Caregiver will no longer have the ability to occupy this parcel as it will be removed from the Caregiver Overlay District. The owner was notified of this rezoning.

Rather than doing this one parcel at a time, the permanent solution would be to add language to the Caregiver ordinance that says property must be M-1 or M-2 as well as be located in the “green zone.” The uses need to align with the zoning district and the adjacent land uses.

Planner Lonnerstater will discuss a text amendment with Staff and ensure a public notice is issued 15 days prior.

Chair Champagne opened the public hearing at 5:57 p.m. to hear comments on PRZN 22-03. Seeing there were no comments, Chair Champagne closed the public hearing at 5:58 p.m.

Motion by Marsh, seconded by Grafstein to recommend that City Council remove three parcels of land at 29022 Stephenson Highway, from the caregiver overlay district for the reasons as reflected in the Staff report and as represented in the map in the staff report entitled “Proposed amendment PRZN- 22-03 draft.”

Ayes: Bliss, Grafstein, Kalnasy, Marsh, Champagne

Nays: None

Absent: Graettinger, Oglesby, Sylvester

Motion carries unanimously.

MATTERS FOR CONSIDERATION

7. PUBLIC COMMENTS: For items not listed on the agenda.

Chair Champagne opened the public comment period at 5:59 p.m. to receive comments for items not on the agenda. Seeing no public comments, the period was closed at 5:59 p.m.

8. MEMBER UPDATES

There were no member updates.

9. PLANNER UPDATES

City Planner Lonnerstater announced there is a joint meeting/community workshop next Wednesday of the DDA, Planning Commission, ZBA, and City Council at 5:30 pm. This will be the first of two workshops focusing on future improvements in the City. The workshop will be held in the Fire Station Training Room. The commission Chairs will each open their meetings if they have a quorum.

10. ADDITIONS TO THE AGENDA (APPOINTMENT OF VICE CHAIR)

Motion by Grafstein, seconded by Marsh to appoint Eric Graettinger to the Vice Chair position contingent upon his acceptance. The Clerk's office will notify him of this appointment.

Ayes: Bliss, Grafstein, Kalnasy, Marsh, Champagne

Nays: None

Absent: Graettinger, Oglesby, Sylvester

Motion carries unanimously.

11. ADJOURNMENT OF MEETING

Meeting adjourned by Chair Champagne at 6:35 p.m.