



CITY OF MADISON HEIGHTS
COUNCIL CHAMBERS - CITY HALL, 300 W. 13 MILE RD.
PLANNING COMMISSION MEETING AGENDA
AUGUST 19, 2025 AT 5:30 PM

CALL TO ORDER

ROLL CALL

ADDITIONS/DELETIONS

APPROVAL OF MINUTES

1. July 15th, 2025 Meeting Minutes

PUBLIC HEARING

2. Special Land Use Request PSP #25-04 - 510 W. Girard Ave. - Private K-8 School
3. Special Land Use Request PSP #25-05 - 28767 Dartmouth St. - Parking as a Principal Use of a Residential Parcel
4. Rezoning Requests PRZN #25-01 through 25-06 – City-Initiated Rezoning of Certain Qualified Properties:
 - PRZN 25-01 – 555 E. 13 Mile Road [R-1 to R-MN]
 - PRZN 25-02 – 1434 E. 13 Mile Road [R-2 to R-MF]
 - PRZN 25-03 – 30801 Dequindre Road [R-2 to MUI-2]
 - PRZN 25-04 – 1042 E. 12 Mile Road [R-3 to R-MN]
 - PRZN 25-05 – 500 W. Gardenia Avenue [R-3 to R-MN]
 - PRZN 25-06 – Eastern 130 ft. of 30728 John R Road [R-2 to B-1]

MEETING OPEN TO THE PUBLIC: Items not listed on agenda

UNFINISHED BUSINESS

NEW BUSINESS

5. Introductory Discussion of Potential Text Amendment(s) related to Non-Conforming Residential Driveways

MEMBER UPDATES

PLANNER UPDATES

ADJOURNMENT

NOTICE: Persons with disabilities needing accommodations for effective participation through electronic means in this meeting should contact the City Clerk at (248) 583-0826 or by email: clerks@madison-heights.org at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



CITY OF MADISON HEIGHTS
PLANNING COMMISSION MEETING MINUTES

July 15, 2025 (DRAFT)
Council Chambers – City Hall
300 W. 13 Mile, Madison Heights, MI 48071

1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:30 p.m.

2. ROLL CALL

Present: Chair Josh Champagne
Mayor Roslyn Grafstein
Mayor Pro Tem Mark Bliss
City Manager Melissa Marsh
Commissioner Eric Graettinger
Commissioner Ryan Fox

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

Absent: Commissioner Cliff Oglesby, Commissioner Colton Smith, Commissioner Grant Sylvester

3. EXCUSE ABSENT MEMBERS

Motion by Commissioner Fox, seconded by Commissioner Graettinger to excuse Commissioner Oglesby, Commissioner Smith, and Commissioner Sylvester.

Voting Yea: Commissioner Bliss, Commissioner Fox, Commissioner Graettinger, Commissioner Grafstein, Commissioner Marsh, Chair Champagne

Motion carries unanimously.

4. APPROVAL OF THE MINUTES

Motion by Commissioner Graettinger, seconded by Commissioner Fox to approve the minutes of the regular Planning Commission meeting of June 17, 2025.

Voting Yea: Commissioner Bliss, Commissioner Fox, Commissioner Graettinger, Commissioner Grafstein, Commissioner Marsh, Chair Champagne

Motion carries.

5. PUBLIC HEARING - Special Land Use Request PSP #25-03 - 205 W. Lincoln Ave. - Minor Vehicle Service [Vehicle Wrapping]

Chair Champagne opened the floor for public comment at 5:34 pm.

Speaker #1

A resident at 216 W. Lincoln spoke in opposition to the special land use request PS 25-03 for 205 W. Lincoln. The resident who is an adjacent property owner submitted a letter/packet owner listing concerns about the Special Land Use case. The letter/packet will be attached at the end of the minutes. In the letter/packet, he cited the following issues: 1) hours of operation are beyond normal city approved hours of operation 2) working without a license 3) late night noise 4) littering 5) maintenance.

Speaker #2

Owner of the building speaks in support of the owner of the business. He states they work in normal business hours.

Speaker #3

The applicant, Haythum Musleh, spoke in support of his application. He says they work until midnight but they do not rev engines and try not to wash cars after 6 pm. He disputed the description from the City of his business as “minor auto repair.” Mr. Musleh claims that they do not repair cars and the only major machines they have is a power washer and a heat gun.

Seeing no further speakers, the Chair closed the public comment at 5:49 pm.

City Planner Lonnerstater introduced the request for Special Land Use approval to operate a Minor Auto Repair and Service use at 205 W. Lincoln Ave., zoned MUI-1, Mixed-Use Innovation 1. The property is located on the south side of W. Lincoln Ave. between John R and Alger St. Per city records, the building is currently divided into four (4) separate tenant spaces. The applicant intends to operate a vehicle wrapping business out of one of the tenant spaces, which involves removing dust and applying plastic wrap to the contours of the vehicle with heat processes. While “vehicle wrapping” is not explicitly mentioned in the Zoning Ordinance, staff has determined that the use is comparable to “Minor Auto Repair and Service”, which requires Special Land Use approval in the MUI-1 zoning district.

As of the date of this report, there is only one active Certificate of Occupancy and business license for the building attributed to Q Stone, Inc. - a granite and quartz countertop contractor business – which operates out of the eastern half of the building. The applicant does not yet have a certificate of occupancy or business license.

While no site modifications are proposed, staff finds that the sketch plan and applicant responses do not contain enough detail to ensure compliance with the following use-specific standards:

1. Vehicles awaiting repair – these should not be parked on a public street, including those to be towed.
2. 1 parking space per 300 sq feet of usable floor area plus 2 per each service bay
3. Hours of operation – no auto repair or maintenance shall be performed before 7 am or after 9 pm
4. Due to the existing building footprint and orientation, the following use-specific standard cannot be met: Service bays that are oriented toward a public street shall be screened from the right-of-way, at minimum, in accordance with perimeter parking lot screening standards, Section 11.06. Comment: The applicant intends to utilize the existing overhead door facing Lincoln Ave which directly faces the single-family homes across the street. As the building and overhead door are

placed directly at the front property line, there is no room for additional landscaping or screening. A variance from the Zoning Board of Appeals will be required for an exception to this standard.

Planner Lonnerstater cited additional concerns by staff:

1. Lack of detail sketch plan and lack of detail on the application (to include the number of employees, parking arrangement with other building tenants)
2. Parking concerns for proposed use
3. Impact on adjacent residential uses (i.e need for information on hours of operation, how the use will be operating, uses will be taking place inside the building, there's no discharge of chemicals etc.)

Planner Lonnerstater reviewed the special land use review standards contained in Section 15.05.3 for the planning commission prior to discussion. After discussion, the Commission members concur that a postponement would allow the applicant to address all the aforementioned cited concerns.

*Motion by Marsh, Seconded by Graettinger, that following the required public hearing, the Planning Commission hereby **POSTONES ACTION** on Special Land Use Request # PSP 25-03 for a minor auto repair and service facility at 205 W. Lincoln to a date after the applicant obtains a decision on the required variance from Zoning Board of Appeals in order to address the following: 1) Provide a more detailed site plan addressing staff concerns, as contained within staff report; 2) Provide more information regarding the operation of the proposed use, including but not limited to hours of operation, parking, number of employees; and 3) Confirmation that code enforcement issues pertaining to unlicensed business operations at the site have been resolved.*

Voting Yea: Commissioner Bliss, Commissioner Fox, Commissioner Graettinger, Commissioner Grafstein, Commissioner Marsh, Chair Champagne

Motion carries.

Attorney Burns addressed the applicant stressing the importance of ceasing any operations until both the Certificate of Occupancy and the Business license is

6. MEETING OPEN TO THE PUBLIC: Items not listed on the agenda

Chair Champagne opened the meeting for comments at 6:27 pm. Seeing none, public comment was closed at 6:27 pm.

7. NEW BUSINESS - Major Site Plan Request PSPR #25-11 - 28220 John R Road - Dental and Medical Office Development

Planner Lonnerstater introduced the next item, Major Site Plan PSPR 25-11– 28220 John R Road – Dental and Medical Office. This building is formerly occupied by McDonald's, which is proposed to be torn down to accommodate the new development. The applicant requests Major Site Plan approval from the Planning Commission under Section 15.04 of the Madison Heights Zoning Ordinance to

construct a new 9,536 sq. ft. multi-tenant dental and medical office building.

While medical offices are permitted by right in the B-2 district, Planning Commission review and approval is required under Section 15.04.D(2) for non-residential developments exceeding 7,500 gross square feet that abut single-family-zoned or used property.

Site is composed of two separate parcels totaling approximately 1.07 acres in size and the technical review committee lists several scenarios where Planning Commission approval would be required.

One item for review is parking. A total of sixty-nine (69) parking spaces are proposed, including three (3) ADA-accessible spaces. (Staff notes that the site plan incorrectly denotes 67 parking spaces). Parking space dimensions satisfy ordinance requirements. The site plan exceeds the 130% maximum. However, the Planning Commission, "may permit additional parking over and above the maximum parking if the applicant proposes low-impact development techniques such as permeable pavement, rain gardens, bioswales, or other methods that are satisfactory to the Planning Commission." The applicant proposes stormwater rain gardens within the greenbelt along the south and east property lines.

Discussion continued and focused on landscaping. There were several landscaping waiver requests that were made and summarized by Planner Lonnerstater (as detailed in the packet) that Planning Commission has the ability to waive pertaining to the following:

1. Transitional landscaping
2. Greenbelt requirement
3. Frontage landscaping

LANDSCAPE WAIVERS

*Motion by Fox, seconded by Bliss, to **DENY** the waiver for the 5 ft. transitional landscaping greenbelt along the northern property line.*

Voting Yea: Commissioner Bliss, Commissioner Fox, Commissioner Grafstein, Commissioner Marsh

Voting Nay: Commissioner Graettinger, Chair Champagne

Motion carries 4-2

*Motion by Fox, seconded by Marsh, to **APPROVE** the waiver for perimeter landscape plantings within the greenbelt along the southern property line.*

Voting Yea: Commissioner Bliss, Commissioner Fox, Commissioner Graettinger, Commissioner Grafstein, Commissioner Marsh, Chair Champagne

Motion carries.

*Motion by Fox, seconded by Graettinger, to **APPROVE** the waiver for frontage landscape plantings between the building and John R Road to allow for flexibility in the types and sizes of trees, conditioned upon an alternative landscape plan being approved by the Technical Review Committee (TRC) that meets the general intent of frontage landscaping requirements.*

Voting Yea: Commissioner Bliss, Commissioner Fox, Commissioner Graettinger, Commissioner Grafstein, Commissioner Marsh, Chair Champagne

Motion carries.

SITE PLAN

Motion by Fox, seconded by Marsh, that, following discussion, the Planning Commission hereby approves major site plan request number PSPR 25-11 for a multi-tenant medical office building at 28220 John R Road based upon the following findings:

1. *The applicant requests Major Site Plan approval to redevelop a vacant commercial property into an approximately 10,000 square-foot multi-tenant medical office building, as permitted as a by right use within the B-2 zoning district.*
2. *Contingent upon several conditions, the proposed Major Site Plan is consistent with the site plan review standards and criteria set forth in Section 15.04.5 of the Zoning Ordinance. In particular:*
 - a. *The site plan is in substantial compliance with applicable site design standards contained in the Zoning Ordinance.*
 - b. *The location of development features, including principal and accessory buildings, open spaces, parking areas, driveways, and sidewalks minimize possible adverse impacts on adjacent properties and promote pedestrian and vehicular traffic safety.*
 - c. *On-site and off-site circulation of both vehicular, non-motorized and pedestrian traffic will achieve both safety and convenience of persons and vehicles using the site, including emergency vehicle access.*
 - d. *With modifications, proposed landscaping is of such a design and location that the proposed development's impact on existing and future uses in the immediate area and vicinity and on residents and occupants is minimized and harmonious.*

APPROVAL IS GRANTED WITH THE FOLLOWING CONDITIONS:

1. *The following site plan modifications shall be included on a revised site plan, which shall be submitted to the Community and Economic Development (CED) Department for final review and approval by the Technical Review Committee (TRC):*
 - a. *Provide additional information, details, and specifications regarding the design of the proposed stormwater rain gardens, required for parking that exceeds maximum standards.*
 - b. *Denote the correct number of parking spaces (69) on all relevant sheets.*
 - c. *Provide details, including height, materials, and condition of the existing screen wall along the northern property line.*
 - d. *Extend the new screen wall adjacent to Groveland Street around the northeast and southeast property corners of the property to connect with existing screen walls.*

- e. *Provide right-of-way screening between John R Road and the parking space in the southwest corner of the site*
 - f. *Provide a 5 ft.-wide greenbelt between the parking lot and the northern property line.*
 - g. *Adjust the interior parking lot landscaping calculation to account for 69 parking spaces rather than 67.*
 - h. *Provide building foundation landscaping along the base of the west side of building.*
 - i. *Ensure consistency between the Landscaping Requirement and Plant Material List tables.*
 - j. *The light fixtures on the light poles shall feature cut-off shields to ensure that light does not project above a 90-degree horizontal plane.*
 - k. *Building plans, when submitted, shall denote clear glass within the aluminum frame storefront areas to satisfy transparency requirements.*
 - l. *Remove the outdated wall sign standard on sheet A-5.*
 - m. *Coordinate with the Madison Heights Fire Department to ensure that the fire truck turning movement template on Sheet C3.2 accommodates the largest truck operated by the fire department.*
 - n. *If the existing sanitary line is to be re-utilized for the development, coordinate with the Department of Public Services (DPS) and the City Engineer to discuss televising/clean-out requirements.*
2. *Following the approval of a revised Major Site Plan by the Technical Review Committee and the CED Department, the applicant shall submit for Final Engineering Plan review and the Site Plan Guarantee deposit in accordance with Section 15.04.*
 3. *Prior to the issuance of any building permits related to the ground-up development of the site, the applicant shall apply for a parcel combination with the CED Department.*

Voting Yea: Commissioner Bliss, Commissioner Fox, Commissioner Graettinger, Commissioner Grafstein, Commissioner Marsh, Chair Champagne

Motion carries.

8. UNFINISHED BUSINESS

Update on City-Initiated Rezoning for Qualified Properties [Religious Institutions]

After the Commission meeting on June 17th, Staff was directed to formally initiate the proactive rezoning of certain qualified properties currently improved with religious institutions. Planner Lonnerstater sent a letter to the six properties that were identified and will also be holding a drop-in-style office hours event on Friday, July 18th from 1-2:30 p.m. in the Executive Conference Room at City Hall to allow property owners and tenants to find out more information and ask any additional questions they may have. The formal public hearing will be tentatively scheduled for the August 19th Planning Commission meeting and all impacted owners and adjacent property owners will receive public hearing notices.

9. COMMUNICATION – Sterling Heights - Notice of Master Plan Adoption

The City of Sterling Heights has adopted their Master Plan recently. Staff will review the Master Plan where it abuts Madison Heights and update the Planning Commission on anything of significant importance.

10. MEMBER UPDATES

Commissioner Fox shared that the Michigan Association of Planning (M.A.P.) announced that the City of Troy received an award for Implementation of their Master Plan for the Big Beaver Corridor plan.

Commissioner Bliss invites Commission members to view the most recent Council meeting playback online to see City Manager Marsh's presentation called Marihuana Impact Report. This was an extensive report highlighting the revenues and improvements of the cannabis business in Madison Heights. She summarized the financial impact, social impact, and crime statistics.

11. PLANNER UPDATES

Per Planner Lonnerstater, legal notices have been sent out about notice of intent to formerly update the City of Madison Heights Master Plan.

12. ADJOURNMENT

Chair Champagne adjourned the meeting at 7:35 pm.



MEMORANDUM

Date: August 12th, 2025
 To: City of Madison Heights Planning Commission [August 19th, 2025 Meeting]
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Special Approval Request PSP 25-04– 510 W. Girard Ave. – Private K-8 School

TEMPLATE MOTIONS AND FINDINGS INCLUDED ON PAGE 7

Introduction

The applicant, Mt. Zion Evangelical Lutheran Church, requests Special Land Use approval from the Planning Commission and City Council under Section 15.05 of the Madison Heights Zoning Ordinance to operate a private K-8 school at 510 W. Girard Avenue, zoned R-2, One-Family Residential; tax parcel 44-25-11-251-019. The school is proposed to operate out of a wing of the existing church building; Mt. Zion will also use the building for religious services. The property is located at the northwest corner of W. Girard Avenue and Barrington Street/Northeastern Highway. K-12 public/private schools are permitted through the Special Land Use process in the R-2 zoning district.

Project Summary

The subject property is 1.64 acres in size and is currently improved with a 4,400 square-foot non-residential building which has historically been used as a church. Per historic aerial photography and city records, the structure was built in the early 1960s for the Madison Heights Church of Christ. Mt. Zion Evangelical Lutheran Church recently purchased the building and intends to operate their church out of the building. In addition, the applicant proposes to operate a small K-8 school out of the western wing of the building. Per the project narrative, the school will initially have a small enrollment (approximately 5 students), with plans to grow up to an enrollment of approximately 25 students. No major site modifications are proposed at this time.

510 W. Girard Ave. – Aerial Image – Existing Conditions (Red Line)



Streetview – Corner of Girard and Northeastern**Proposed Use/Operation**

Per the project narrative, Mt. Zion Evangelical Lutheran Church intends to operate the K-8 school Monday through Friday from 8 a.m. to 3 p.m. School operating hours generally will not overlap with church operations. The school is proposed to operate out of the western wing which has three (3) small classrooms and a large multi-purpose wing. Enrollment will start with approximately five (5) lower-grade students, one pastor and one elementary school teacher, but is anticipated to grow to up to twenty-five (25) students with the possibility of additional staff.

The existing parking lot has approximately fifty (50) spaces. Per the project narrative, parents can either park for student drop-off/pick-up or use the lane that passes under the overhang at the main entrance. With the exception of playground equipment (size and location to be determined), no site improvements are proposed.

Use-Specific Standards for K-12 Public/Private Schools

The Zoning Ordinance does not contain any use-specific standards for K-12 public or private schools.

Site Analysis**Existing Zoning and Land Use**

The table below denotes existing adjacent land uses and zoning designations.

	Existing Land Use	Existing Zoning
Site	One-family residential	R-2, One-Family Residential
North	One-family residential	R-2, One-Family Residential
South (across Girard)	One-family residential	R-2, One-Family Residential
East (across Barrington/Northeastern)	One-family residential	R-3, One-Family Residential
West	One-family residential	R-2, One-Family Residential

The site borders single-family residential zoning and land uses on all sides.

Per the Madison Heights Zoning Ordinance, R-2 and R-3 zoning districts are intended to, “provide for one-family dwelling sites and residentially-related uses in keeping with the Master Plan of residential development in the City of Madison Heights.”

K-12 public/private schools are listed as a Special Land Use in all one-family residential districts.

Future Land Use and Master Plan

The table below denotes adjacent future land use designations as contained within the 2021 Madison Heights Master Plan.

	Future Land Use
Site	Single-Family Residential
North (across Lincoln)	Single-Family Residential
South	Single-Family Residential
East	Single-Family Residential
West	Single-Family Residential

The subject site and adjacent properties are all planned for Single-Family Residential.

The Planning Commission should consider the following Goals & Objectives of the 2021 Madison Heights Master Plan as part of this Special Approval request:

Community Character

- *Promote the city’s positive identity in the region.*
- *Promote the use of quality building design and materials to enhance the appearance and long-term maintenance of new development.*
- *Protect established neighborhoods and business districts from the potentially negative impacts of development, including noise, traffic, waste, odor, and other nuisances through effective and thoughtful site and building design.*

Housing

- *Encourage maintenance of and reinvestment in existing neighborhoods.*
- *Ensure that infill and redeveloped residential properties are compatible with the surrounding areas and adjacent parcels.*
- *Support neighborhoods by improving walkability and access to goods and services.*

Transportation

Girard, Barrington and Northeastern are under the jurisdiction of the City of Madison Heights and are classified as local streets, which typically do not carry through traffic and handle a low level of daily traffic.

Special Land Use Criteria

Requests for Special Land Use approval are subject to processes and review standards contained in Section 15.05. A public hearing is required in front of the Planning Commission, after which the Planning Commission may make a recommendation to City Council. After receiving a recommendation from the Planning Commission, City Council has the authority to take final action on Special Land Use requests.

In making a recommendation to City Council, the Planning Commission shall consider the Special Land Use review standards contained in Section 15.05.3 and incorporate them into any motion of approval or denial:

- A. The use is so designed, located and proposed to be operated in a way that protects the public health, safety and welfare.
- B. The use is designed in a way that considers the natural environment and helps conserve natural resources and energy.
- C. The special land use will not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- D. The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood, and vicinity. At a minimum, this shall include:
 - (1) Location of use(s) on site;
 - (2) Height of all improvements and structures;
 - (3) Adjacent conforming land uses;
 - (4) Conformance with the Master Plan and future land use map for the area as adopted by the Planning Commission;
 - (5) Compatibility with the permitted principal uses allowed in the zoning district where the Special Land Use is requested, and consistency with the intent of the zoning district.
- E. Ingress/egress to the use shall be controlled to assure maximum vehicular, pedestrian and non-motorized safety, convenience and minimum traffic impact on adjacent roads, drives and uses including, but not limited to:
 - (1) Reduction in the number of ingress/egress points through elimination, minimization, and/or consolidation of drives and/or curb cuts;
 - (2) Proximity and relation to intersections, specifically with regard to distance from drive(s) to intersection(s);
 - (3) Reduction/elimination of pedestrian/vehicular traffic conflicts;
 - (4) Adequacy of sight distances;
 - (5) Location and access of off-street parking;
 - (6) Location and/or potential use of service drives to access multiple parcels, reducing the number of access points necessary to serve the parcels.
- F. The use is consistent with the intent and purpose of the zoning district in which it is proposed.

In granting Special Land Use approval, City Council may impose conditions that it deems necessary to fulfill the spirit and purpose of the Zoning Ordinance. The conditions may include those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

Staff Analysis

In deliberating the proposed Special Land Use, staff believes that the Planning Commission should focus on the compatibility of the proposed private school with adjacent residential properties and any negative ancillary effects on these residential properties. In general, staff finds the proposed private school to be compatible with adjacent residential land uses based on the historical use of the site for religious purposes (including related educational facilities), the limited size of enrollment, the limited number of classrooms, and the limited proposed site work. However, staff recommends several conditions to ensure that the school remains fairly small in size and maintains its neighborhood-scale.

To ensure proper site circulation for student drop-off/pick-up under the main entrance overhang, staff recommends that a “One Way/Do Not Enter” sign be posted at the driveway off Barrington Street, as shown below. This will ensure that one-way circulation is maintained to the east due to the narrow width of the driveway.



Planning Commission Recommendation

Per Section 15.05, the Planning Commission may postpone action on a Special Land Use request to allow verification, compilation, or submission of additional or supplemental information or to address other concerns or issues.

Should the Planning Commission move to recommend approval of the Special Land Use to City Council, staff suggests that the following conditions be incorporated as conditions of approval:

1. Operation of the proposed school, including enrollment, hours of operation, etc., shall be in substantial compliance with the project narrative provided with this Special Land Use application.

Modifications to the Special Land Use (e.g. hours of operation, student enrollment, grade levels offered, site circulation, etc.) shall be reviewed in accordance with Section 15.05.5 for a determination regarding the need for new Special Land Use review.

2. Install a “One Way/ Do Not Enter” sign at the southern Barrington Street driveway to ensure one-way circulation.
3. Ancillary site improvements such as, but not limited to, playground equipment, sports fields, etc., shall be reviewed through the Technical Review Committee (TRC) via the Minor Site Plan process.

Next Step

After the public hearing and discussion, the Planning Commission may take action on the requested Special Land Use in the form of a recommendation to City Council. Any motion shall include concise findings based upon the Special Approval review standards and criteria, Section 15.03.3. Per Section 15.05, the Planning Commission alternatively may postpone action on a Special Land Use request to allow verification, compilation, or submission of additional or supplemental information or to address other concerns or issues.

Template motions for postponement, approval, and denial are provided at the end of this report.

Attachments

- **Special Land Use Application - PSP #25-04**
- **Project Narrative – PSP# 24-04**
- **Associated Maps**
- **Section 3.08 – R-2, One-Family Residential**
- **Section 15.05 – Special Land Use Review**

Template Motion, Findings and Conditions

Staff offers the following motions as a suggested template and guide for the Planning Commission's consideration. The Planning Commission may provide additional detailed findings, as needed, to substantiate any motion for approval or denial.

POSTPONEMENT

MOTION BY _____, SECONDED BY _____, THAT, FOLLOWING THE REQUIRED PUBLIC HEARING, THE PLANNING COMMISSION **POSTPONES ACTION** ON SPECIAL LAND USE REQUEST NUMBER PSP 25-04 FOR A PRIVATE K-8 SCHOOL AT 510 W. GIRARD UNTIL THE _____, 2025 MEETING. THIS POSTPONEMENT IS MADE IN ACCORDANCE WITH SECTION 15.05 OF THE ZONING ORDINANCE TO ALLOW THE APPLICANT TO RESPOND TO THE FOLLOWING ITEMS: **[LIST ADDITIONAL ITEMS TO BE PROVIDED BY APPLICANT]**

APPROVAL

MOTION BY _____, SECONDED BY _____, THAT, FOLLOWING THE REQUIRED PUBLIC HEARING, THE PLANNING COMMISSION HEREBY **RECOMMENDS THAT CITY COUNCIL APPROVE** SPECIAL LAND USE REQUEST NUMBER PSP 25-04 FOR A PRIVATE K-8 SCHOOL AT 510 W. GIRARD BASED UPON THE FOLLOWING FINDINGS:

1. The applicant requests Special Land Use approval for a private K-8 school at 510 W. Girard Avenue as permitted by Section 3.08 of the Zoning Ordinance.
2. The Planning Commission held a public hearing for PSP 25-04 at their August 19th, 2025 meeting
3. With several minor conditions required as part of special land use approval, the proposed private school use is consistent with the special land use review standards and criteria set forth in Section 15.05.3. In particular:
 - a. The use is designed, located, and proposed to be operated in a way that protects the public health, safety and welfare.
 - b. The use will not involve activities that will be detrimental to adjacent residential land uses.
 - c. The use is designed and located so that it is compatible with the principal uses permitted in the R-2 district and is consistent with the historical use of the property for religious purposes.
 - d. The special land use will not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
 - e. The use is designed and located so that it is compatible with the Madison Heights Master Plan.
 - f. Ingress/egress to the use shall be controlled to assure maximum vehicular, pedestrian and non-motorized safety, convenience and minimum traffic impact on adjacent streets.

APPROVAL IS GRANTED WITH THE FOLLOWING CONDITIONS

1. Operation of the proposed school, including enrollment, hours of operation, etc., shall be in substantial compliance with the project narrative provided with this Special Land Use application. Modifications to the Special Land Use (e.g. hours of operation, student enrollment, grade levels

offered, site circulation, etc.) shall be reviewed in accordance with Section 15.05.5 for a determination regarding the need for new Special Land Use review.

2. Install a “One Way/ Do Not Enter” sign at the southern Barrington Street driveway to ensure one-way circulation.
3. Ancillary site improvements such as, but not limited to, playground equipment, sports fields, etc., shall be reviewed through the Technical Review Committee (TRC) via the Minor Site Plan process.

DENIAL

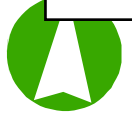
MOTION BY _____, SECONDED BY _____, THAT, FOLLOWING THE REQUIRED PUBLIC HEARING, THE PLANNING COMMISSION HEREBY **RECOMMENDS THAT CITY COUNCIL DENY** SPECIAL LAND USE REQUEST NUMBER PSP 25-04 FOR A PRIVATE K-8 SCHOOL AT 510 W. GIRARD BASED UPON THE FOLLOWING FINDINGS:

1. The applicant requests Special Land Use approval for a private K-8 school at 510 W. Girard Avenue as permitted by Section 3.08 of the Zoning Ordinance.
2. The Planning Commission held a public hearing for PSP 25-04 at their August 19th, 2025 meeting
3. The proposed private school use is not consistent with the special land use review standards and criteria set forth in Section 15.05.3. In particular **[LIST INDIVIDUAL CRITERIA]**



Site Address: 510 W Girard Avenue

[Click for maps](#)

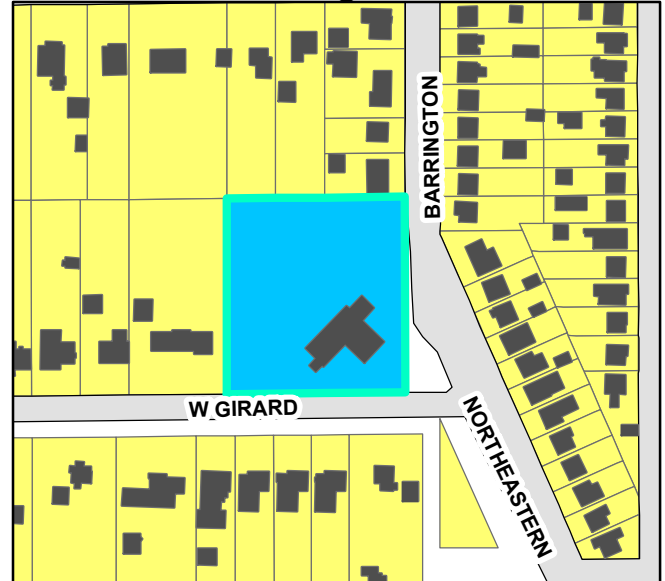


Aerial



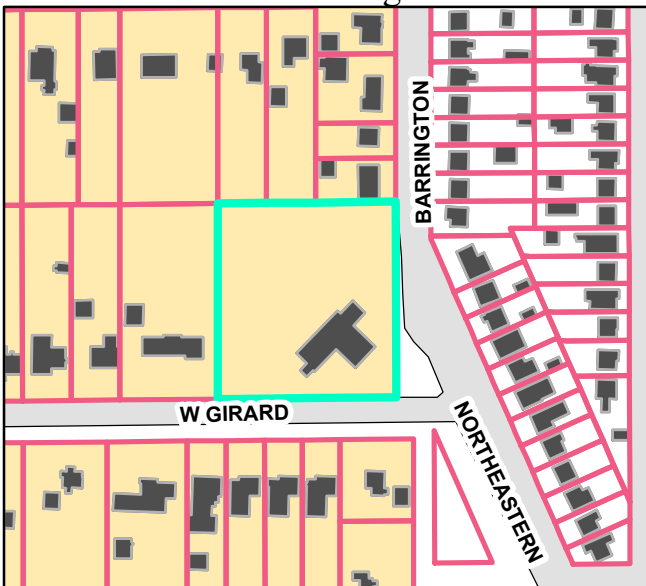
510 W Girard Avenue Parcels

Existing Land Use



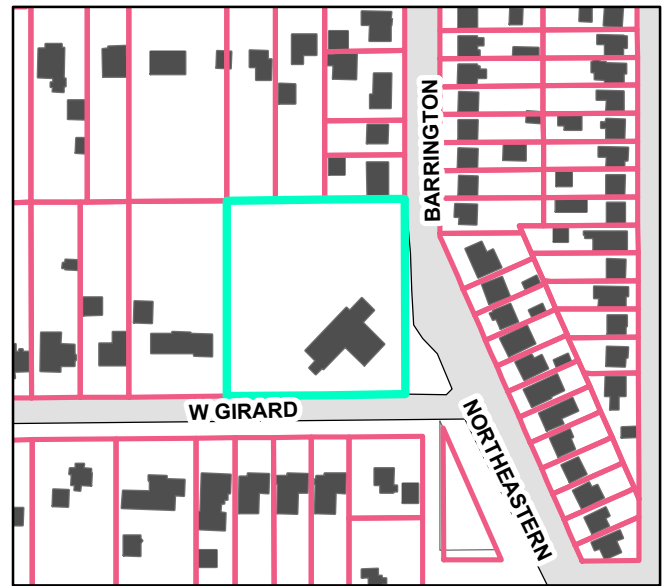
510 W Girard Avenue Quasi-public
 Single and Two Family

Zoning



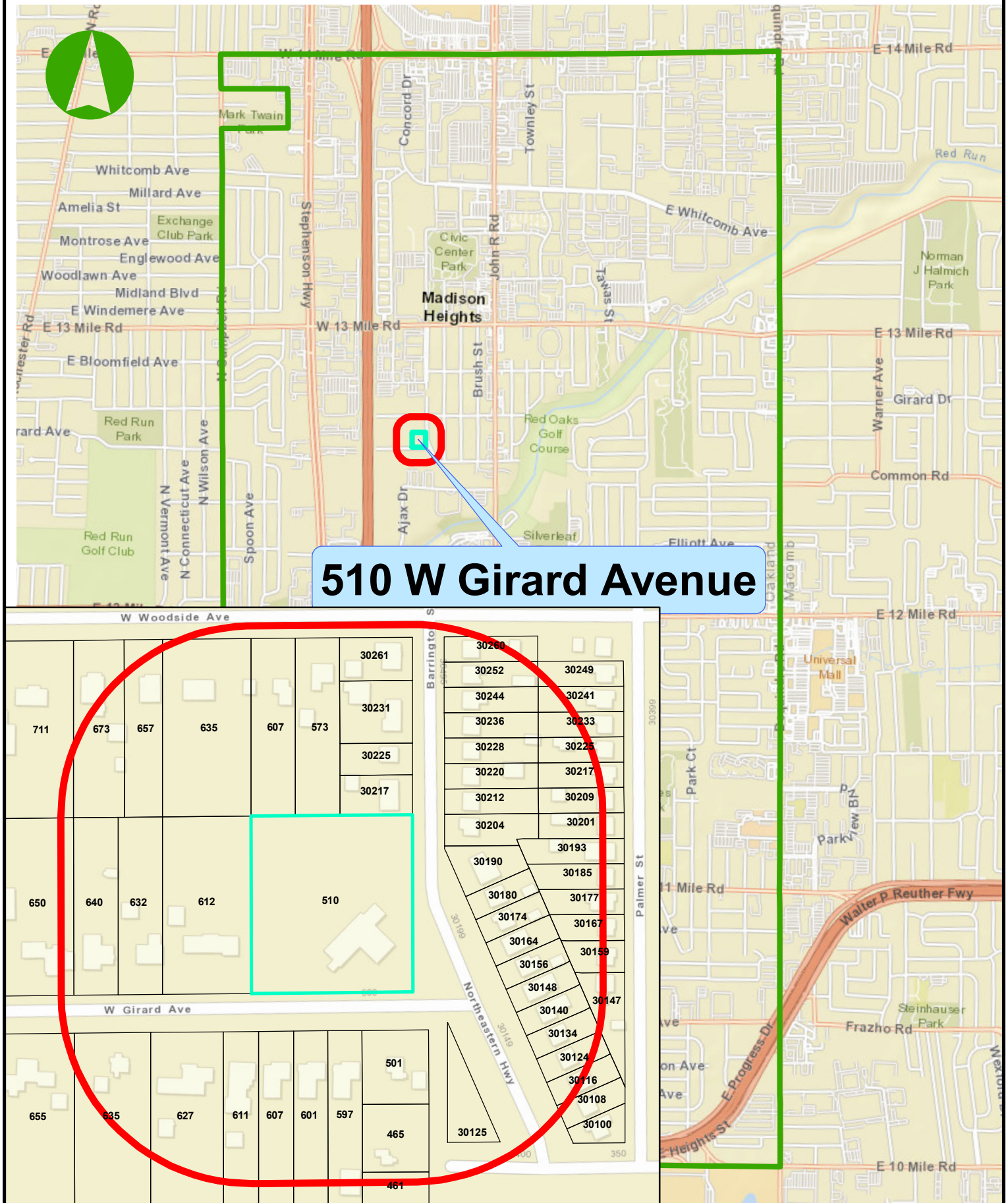
510 W Girard Avenue R-2 Residential
 Parcels R-3 Residential

Future Land Use



510 W Girard Avenue Parcels
 Single Family

PSP 25-04: 510 W GIRARD AVENUE BUFFER - 300 FT





**CITY OF MADISON HEIGHTS
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
SPECIAL LAND USE APPLICATION**

I. APPLICANT INFORMATION

Applicant Mt. Zion Evangelical Lutheran Church
 Applicant Address 510 W. Girard
 City Madison Heights State MI ZIP 48071
 Interest in Property (owner, tenant, option, etc.) Owner
 Contact Person Randy Wittorp
 Telephone Number [REDACTED] Email Address [REDACTED]

II. PROPERTY INFORMATION

Property Address 510 W. Girard
 Tax ID 38-3502947 Zoning District R2
 Owner Name (if different than applicant) _____
 Address _____
 City _____ State _____ Zip _____
 Telephone Number _____ Email Address _____

III. CONSULTANT INFORMATION (IF APPLICABLE)

Name _____ Company _____
 Address _____
 City _____ State _____ Zip _____
 Telephone Number _____ Email Address _____

SPECIAL LAND USE APPLICATION

IV. PROJECT NAME

Mt. Zion Elementary School

V. PROJECT DESCRIPTION AND SCOPE OF WORK

Brief Description of Proposed Special Land Use:

Our congregation is planning to open an elementary school in the fall of 2026. The school would be run out of the existing building at 510 W Girard with no major alterations planned.

Required Attachments:

- ☐ **Project Narrative:** Written description of the nature of the proposed use(s), including: products or services to be provided; activities to be conducted inside and outside the building; types of equipment to be used; hours of operation; number of employees; expected levels/ types of vehicular traffic coming to and from the site; other information.
- ☐ **Conceptual Site Plan and Floor Plan:** Conceptual plans containing minimum information listed in **Section 15.05** of Zoning Ordinance (refer to checklist, attached)
- ☐ **Review Standards Response Form** (attached)

VI. APPLICANT CERTIFICATION

I (we) the undersigned do hereby apply to the City of Madison Heights for review and approval of the above-described Special Land Use application. Applicant(s) and the property owner(s) do hereby consent to city staff to assess the property for purposes of evaluating the site for requested action(s).

Printed Name Randy WittorpSignature Date 7-14-2025

VII. PROPERTY OWNER CERTIFICATION

IF YOU ARE NOT THE PROPERTY OWNER, YOU MUST HAVE THE PROPERTY OWNER PROVIDE A NOTARIZED SIGNATURE, BELOW, OR PROVIDE A NOTARIZED LETTER OF AUTHORIZATION OR NOTARIZED POWER OF ATTORNEY AUTHORIZING YOU TO ACT ON THEIR BEHALF.

Printed Name _____ Signature _____ Date _____

Notary for Property Owner:

Notary Stamp

Subscribed and sworn before me, this ____ day of _____, 20____.

A Notary Public in and for _____ County, Michigan.

Notary Name (Print): _____

Notary Signature: _____

My Commission Expires: _____

STAFF USE ONLY

[DO NOT ACCEPT INCOMPLETE APPLICATIONS]

FILING FEE (\$750): \$750SPECIAL LAND USE NO.: PSP # 25-04DATE APPLICATION RECEIVED: 7/14/25RECEIVED BY: MDL

SPECIAL LAND USE APPLICATION

SPECIAL LAND USE: REVIEW STANDARDS RESPONSE FORM

Section 15.05(3) of the Zoning Ordinance contains Special Land Use review standards and criteria. Please provide responses to the following review standards for consideration by staff, the Planning Commission, and City Council. (Provide additional separate sheets, if necessary).

- A. Describe how the proposed use will be designed, located, and operated in a way that protects the public health, safety and welfare.

The school will be operated during normal school hours in the building in its current condition with only minor updates and maintenance updates planned. Pickup and drop off in the morning and afternoon would result in minor increase in vehicle traffic, and during the day recess and other activities will be conducted outside the building.

- B. Describe how the use will be designed in a way that considers the natural environment and helps conserve natural resources and energy.

There will not be any negative environmental impact. Landscaping will include planting of native trees and other native plants. All updates within the building will consist of energy efficient heating, cooling and lighting.

- C. Will the Special Land Use will involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. If so, describe in detail.

As mentioned in item "A" there will be a slight increase in vehicle traffic mornings and afternoons during the school year, although this will be minor. No sources of smoke, fumes, glare or odor will be introduced. Only additional noise might be the sound of children at play.

- D. Describe how the proposed land use will be designed and located so that it is compatible with surrounding properties, neighborhood, and vicinity. At a minimum, this shall include: 1) Location of use(s) on site; 2) Height of all improvements and structures; 3) Adjacent conforming land uses; 4) Conformance with the Master Plan and future land use map for the area as adopted by the Planning Commission; and 5) Compatibility with the permitted principal uses allowed in the zoning district where the Special Land Use is requested, and consistency with the intent of the zoning district.

The current structure will remain as it is with only minor updates and maintenance as needed for the upkeep of the building. Interior configuration may be altered. We are applying to have a school in this residential zoned area.

SPECIAL LAND USE APPLICATION

- E. Describe how ingress/egress to the use will be controlled to assure maximum vehicular, pedestrian and non-motorized safety, convenience and minimum traffic impact on adjacent roads, drives and uses including, but not limited to:
1. Reduction in the number of ingress/egress points through elimination, minimization and/or consolidation of drives and/or curb cuts;
 2. Proximity and relation to intersections, specifically with regard to distance from drive(s) to intersection(s);
 3. Reduction/elimination of pedestrian/vehicular traffic conflicts;
 4. Adequacy of sight distances;
 5. Location and access of off-street parking; and
 6. Location and/or potential use of service drives to access multiple parcels, reducing the number of access points necessary to serve the parcels.

The building has two ingress/egress points, the primary access point is approximately 235 feet from the nearest intersection. A secondary egress is located approximately 70 feet from the same intersection (designed for dropping off at covered entrance).

- F. Describe how the proposed use will be consistent with the intent and purpose of the zoning district in which it is proposed

Current zoning already allows for operation of a religious institution on the property; operation of a small elementary school on the same property would be consistent with the same intent and purpose and conforms with the traditional use of residential zoning.

Mt Zion Lutheran Elementary School Project Narrative

2025 Jul 18



Our religion organization, Mt. Zion Evangelical Lutheran Church, has recently acquired the property at 510 West Girard Madison Heights which will be our new operating location. The current building at the site is approximately 60 years old and has been used continuously for a religious organization to operate a church. Our intent is to operate out of this building in its current condition and configuration, with minor improvement and maintenance work and anything required for safe operations in compliance with state and local regulations.

The building has a wing that includes one large multipurpose room and three smaller adjoining rooms as well as a men's and women's restroom totally around 1400 square feet. In this wing of the building (see Figure 1), we intend to operate a small elementary school, beginning in the fall of 2026.

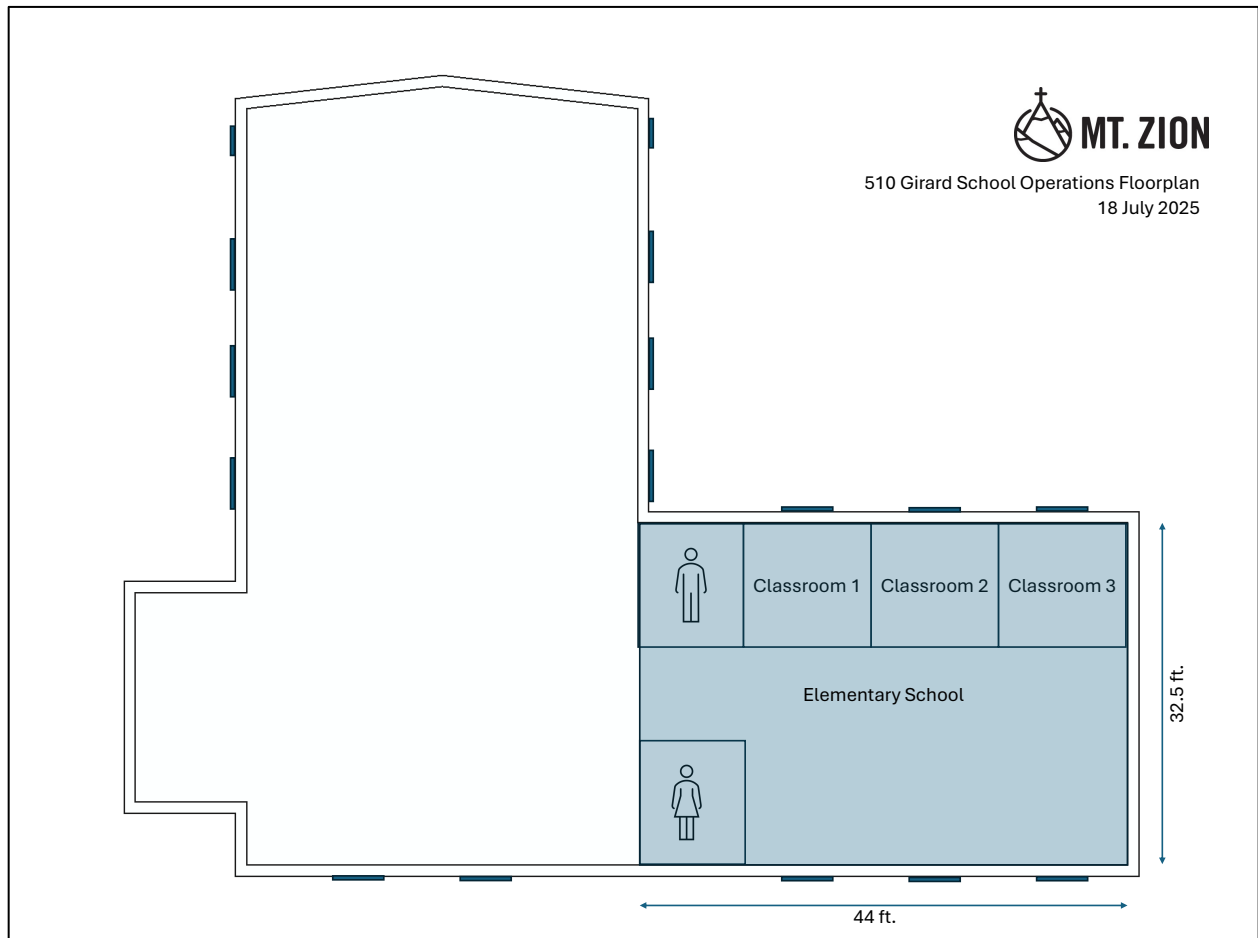


Figure 1

We will offer grades K-8, with an initial student population of approximately 5 lower grade students with the intent to grow up to approximately 25 students. We will operate the school at normal school hours,

Monday-Friday, with children being dropped off for school at or around 8 am and pickup at or around 3 pm. We have a parking lot with more than adequate parking for parents bringing students to school in the morning, with over 50 parking spots available. Parents can either park for drop off or use the lane that passes under the overhang at the main entrance to the church and exits south of the main entrance onto Barrington Street (see Figure 2).

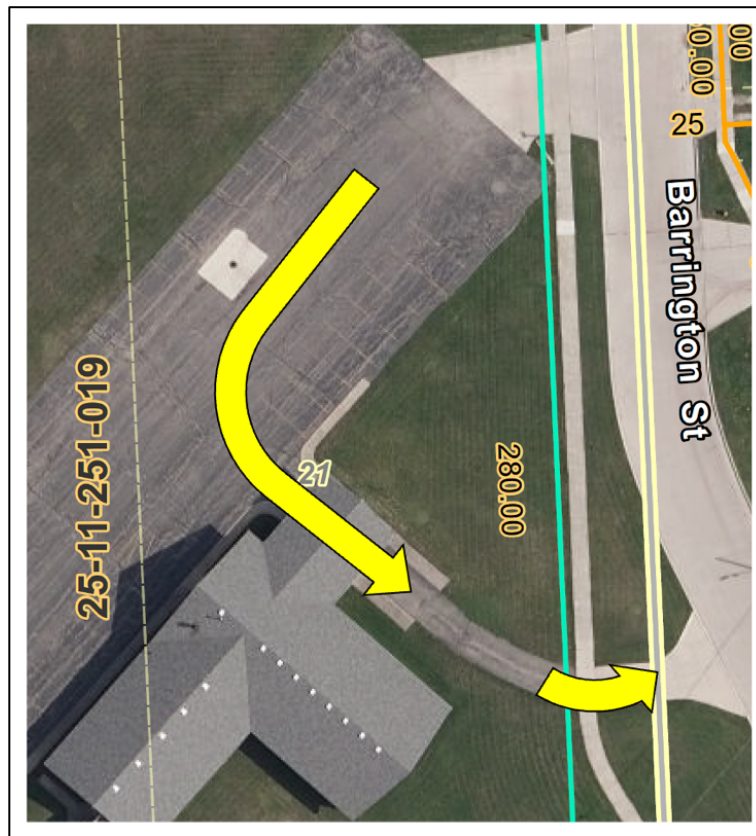


Figure 2

Anticipated vehicle traffic in Fall 2026 would be approximately 5-7 each day, Monday through Friday at drop off and pick up times, and as the school grows, we would anticipate a maximum of 15 vehicles arriving and departing in the morning and afternoon. School operating hours will not overlap with church operations; we hold worship services on Sunday mornings and seasonal Wednesday evening services in December and the six weeks preceding Easter.

We currently employ one full time pastor. Ahead of opening the school, likely between Jan. and Mar. of 2026, we intend to bring on a second full-time staff member, an elementary school teacher.

On the grounds outside the building, we plan to add playground equipment, some fencing to provide a safe space for recess and other outdoor activities.

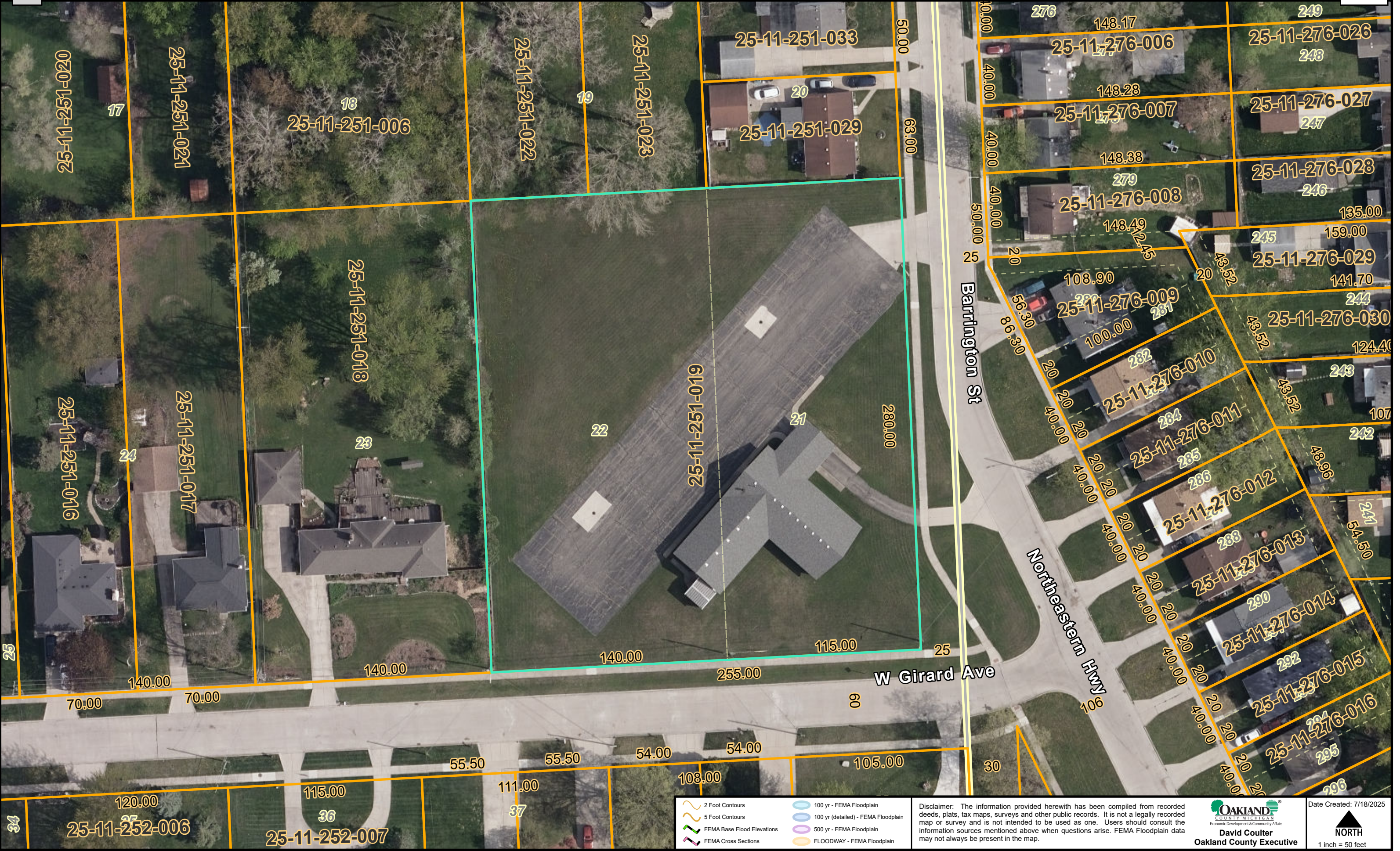
A typical school day would include the pastor and teacher arriving before the school day begins. Parents would arrive bringing in students at approximately 8 am and then arriving again to pick them up at

around 3 pm. Children will receive instruction inside the school and have supervised recess periods outside at set times throughout the school day.

We are excited to open our school in this beautiful neighborhood, and are committed to being a positive presence in the community, a place that will welcome any of our new neighbors to come and learn more about us.

Respectfully submitted,

Randy S Wittorp, President, Mt Zion Lutheran Church



Section 3.08 R-2 One Family Residential District

PREAMBLE

The R-2 residential district is designed to provide for one-family dwelling sites and residentially related uses in keeping with the Master Plan of residential development in the City of Madison Heights.

PERMITTED USES	SPECIAL LAND USES	ACCESSORY USES
<ul style="list-style-type: none"> Child Family Day Care Homes 7.03(7) Detached One-Family Dwelling 7.03(10) Essential Public Utility Services Foster Care Family Homes 7.03(14) Government Office Building/Courthouse/Public Police and Fire Services Public Parks Temporary Buildings and Uses 7.03(43) 	<ul style="list-style-type: none"> Cemetery Child Group Day Care Homes 7.03(7) Child/Adult Day Care Center and Preschools 7.03(6) Foster Care Group Homes 7.03(14) Home Occupation, Major 7.03(18) K-12 Schools, Public or Private Parking as a Principal Use 7.03(34) Public Library, Museum, Art Center, Community Center Religious Institutions, Private Clubs, and Lodges (greater than 75 persons) 7.03(39) Religious Institutions, Private Clubs, and Lodges (less than 75 persons) 7.03(39) 	<ul style="list-style-type: none"> Accessory Buildings, Structures and Uses Section 8.03 Accessory Dwelling Unit 7.03(1) Home Occupation, Major 7.03(18) Home Occupation, Minor 7.03(18)

The above list is a summary of Principal Permitted Uses, Special Land Uses, and Accessory Uses in the district. Uses provided with a section reference indicates uses that have specific use standards. Refer to [Article 2](#) for definitions of uses.

DIMENSION REGULATIONS

Lot Standards		Minimum Setbacks	
Min. Lot Area (sq. ft.)	7,200 sq. ft.	Front Yard (ft.)	25 ft. (A)
Min. Lot Width (ft.)	60 ft.	Side Yard (one) (ft.)	5 ft. (E)
Max. Lot Coverage	35%	Side Yard (total of 2) (ft.)	14 ft.
Min. Floor Area/Unit	--	Street Sides (ft.)	10 ft. (B)
Max. Building Height (ft.)	25 ft.	Rear Yard (ft.)	30 ft.
Max. Building Height (stories)	--		

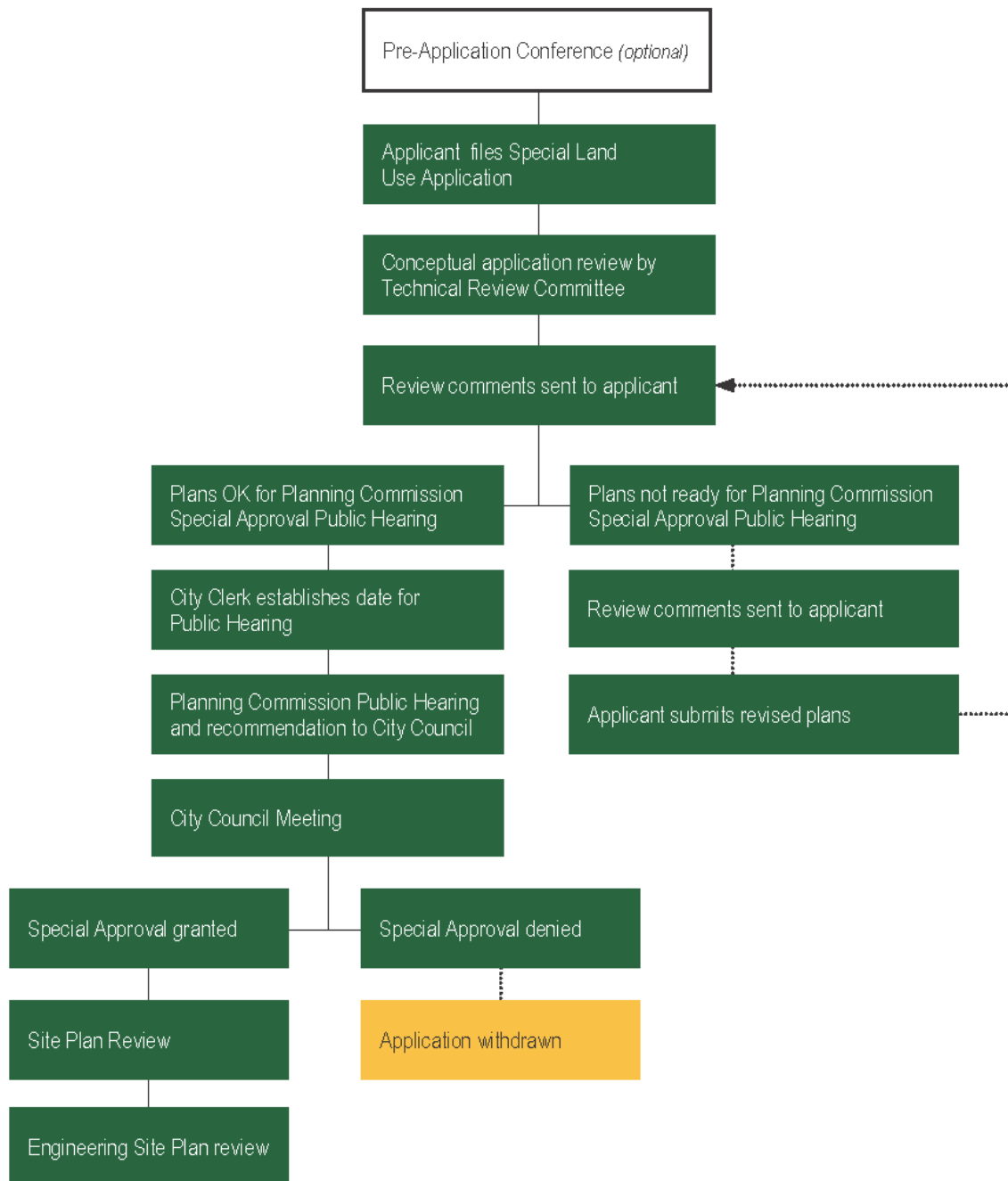
Footnotes: Refer to [Section 4.01](#) wherever a footnote is referenced in parentheses after one of the design regulations.

- E. The guarantee or portion thereof, shall be promptly released upon the inspection and approval of all improvements in compliance with the approved final site plan or conditional use permit and all applicable city standards and specifications. Portions of the guarantee may be released, in not more than three installments, provided:
- (1) The project or approved phase of a project has been completed for six months and the improvements for which the release is requested have been inspected and approved in accordance with the above standards, and the remaining balance is sufficient to cover the remaining improvements, including administrative and contingency expenses.
 - (2) The guarantee shall not be reduced below the minimum amount required above.
- F. **Types of Completion Guarantees.** The applicant may provide a guarantee in the form of a cash deposit, certified check, surety bond or letter of credit in a form acceptable to the city. Surety bonds and letters of credit shall be valid for a period of one year past the anticipated request for the last Certificate of Occupancy for the entire project and, if required, shall be renewed by the applicant not less than 30 days prior to expiration.

Section 15.05 Special Land Use Review

1. **Purpose.** The purpose of this section shall be to:
 - A. Require Special Land Use approval for certain uses in all zoning districts that are listed as Special Land Uses.
 - B. Establish review procedures for all Special Land Uses.
 - C. Establish review standards for all Special Land Uses.
 - D. Establish the Planning Commission as the advisory board and City Council as the final review and approval authority for Special Land Uses.
 - E. Establish authority to impose conditions upon Special Land Uses.
2. **Submission and Review Process.** All Special Land Uses in all zoning districts shall be reviewed in accordance with the following procedures:
 - A. Applicant may request a preliminary meeting with Community and Economic Development Department staff to discuss the proposal, design elements, ordinance requirements, etc. The applicant may further request a preliminary discussion at the Planning Commission for informal input. The city's comments during a pre-application conference shall be advisory in nature only.
 - B. Applicant submits application, fee, two (2) copies of the proposed conceptual site plan, and a digital version of the conceptual site plan, to the Community and Economic Development Department (site plan must be reduced to 11" x 17"). A separate site plan application is not required at the time of special land use review. A conceptual site plan shall include at a minimum:
 - (1) Location map showing the proposed site location, zoning classifications and major roads.
 - (2) Property identification number(s) and the dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
 - (3) Location of all existing and proposed structures, uses, number of stories, gross building area, required and proposed setback lines, and distances between structures on the subject property.
 - (4) The percentage of land area devoted to building, paved, and open space.
 - (5) All existing and proposed structures, roadways, drives, landscaping, trees, parking areas, and pedestrian paths.
 - (6) Number of parking spaces and location of loading areas and handicap parking spaces and access routes on the subject property.
 - (7) Location and height of all walls, fences, and landscaping, including a conceptual landscaping plan.
 - (8) Location and widths of all abutting streets, existing and proposed rights-of-way, easements, and pavement.

- (9) Type of existing and proposed surfacing of all drives, parking areas, loading areas and roads.
 - (10) All utilities located on or serving the site, including sizes of water and sewer lines, wells, proposed hydrants, and proposed fire suppression line into building. Proposed sanitary leads and sanitary sewers must also be shown, as applicable.
 - (11) Preliminary storm system layout and flow arrows demonstrating that storm flow connections and disposal methods are feasible.
 - (12) Existing and proposed ground contours at intervals of two feet, or spot elevations sufficient to review the proposed grading and drainage plan, as determined by the city's consulting engineer.
- C. The Planning and Zoning Administrator may waive particular submittal items, as listed above, upon a determination that such items are not necessary for making a determination on the requested Special Land Use.
 - D. The Technical Review Committee reviews the Special Land Use application for general conformance with Ordinance requirements and transmits review comments to the applicant for revision, if necessary. Applicant submits revised materials to Planning and Zoning Administrator, if necessary, for re-consideration by Technical Review Committee. Comments made by the Technical Review Committee shall be forwarded onto Planning Commission for consideration.
 - E. The Planning and Zoning Administrator notifies the City Clerk when Special Land Use applications are adequate for consideration by The Planning Commission. The Planning and Zoning Administrator and City Clerk establish a public hearing date and post/send public notices in accordance with [Section 15.01](#).
 - F. The Planning Commission shall hold a public hearing. Following the public hearing, the Planning Commission shall review the request and make a recommendation to the City Council in the form of a motion. The recommendation may be subject to certain conditions or changes being made.
- If the Planning Commission requires additional information, the application may be postponed to a date certain until such information has been received.
- G. Following the review and recommendation of the Planning Commission, the application shall be forwarded to the City Council at its next scheduled meeting. The City Council shall consider the request, along with the Planning Commission recommendation, and approve, approve with conditions, or deny the application for special use approval. If City Council requires additional information, the application may be postponed to a date certain until such information has been received.
 - H. Each action taken with reference to special land use approval shall be duly recorded in the minutes of the Planning Commission and City Council and shall state the grounds for the action taken upon each special use submitted for its approval.
 - I. Special land use approval shall be obtained from the City Council before issuance of a Certificate of Occupancy for any special land use, and prior to the submittal and approval of a site plan, engineering plan, and building permit, if required.
 - J. The Planning and Zoning Administrator, in coordination with the City Clerk, sends the applicant a Notice of Action and a copy of the City Council minutes from the meeting in which the case was acted upon. If Site Plan approval is required for the project, the applicant may apply for Site Plan review in accordance with [Section 15.04](#)



3. **Review Standards and Criteria.** In approving a special land use, the Planning Commission and City Council shall make a finding that the proposed Special Land Use is in compliance with all of the following standards:
- A. The use is so designed, located and proposed to be operated in a way that protects the public health, safety and welfare.
 - B. The use is designed in a way that considers the natural environment and helps conserve natural resources and energy.
 - C. The special land use will not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
 - D. The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood, and vicinity. At a minimum, this shall include:
 - (1) Location of use(s) on site;
 - (2) Height of all improvements and structures;
 - (3) Adjacent conforming land uses;
 - (4) Conformance with the Master Plan and future land use map for the area as adopted by the planning commission; and
 - (5) Compatibility with the permitted principal uses allowed in the zoning district where the Special Land Use is requested, and consistency with the intent of the zoning district.
 - E. Ingress/egress to the use shall be controlled to assure maximum vehicular, pedestrian and non-motorized safety, convenience and minimum traffic impact on adjacent roads, drives and uses including, but not limited to:
 - (1) Reduction in the number of ingress/egress points through elimination, minimization and/or consolidation of drives and/or curb cuts;
 - (2) Proximity and relation to intersections, specifically with regard to distance from drive(s) to intersection(s);
 - (3) Reduction/elimination of pedestrian/vehicular traffic conflicts;
 - (4) Adequacy of sight distances;
 - (5) Location and access of off-street parking;
 - (6) Location and/or potential use of service drives to access multiple parcels, reducing the number of access points necessary to serve the parcels.
 - F. The use is consistent with the intent and purpose of the zoning district in which it is proposed.
 - G. In granting Special Land Use approval, City Council may impose conditions that it deems necessary to fulfill the spirit and purpose of this Ordinance. The conditions may include those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.
4. **General Stipulations.**
- A. The breach of any condition, safeguard or requirement, and the failure to correct such breach within 30 days after an order to correct is issued by the city shall be reason for immediate revocation of the Special Land Use Approval. Conditions and requirements stated as a part of special use permit authorizations shall be continuing obligations of the holders of such permits and are binding upon their heirs and assigns and upon any persons taking title to the affected property while such special use permit is in effect.
 - B. The discontinuance of a special land use after a specified time may be a condition to the issuance of the permit. Renewal of a special land use permit may be granted after a review and determination by the city council that

continuing private need and public benefit will be served by such renewal. Renewal applications shall be in accord with standards and requirements in effect at the time that the renewal is requested.

- C. Application for Special Land Use Approval shall be made with the full consent of all persons having an ownership interest in the land on which the Special Land Use is requested. All persons having ownership interest in the property shall sign the application prior to its acceptance by the city.
 - D. Special Land Use Approval is valid for a period of one year. When required, site plan approval and commencement of construction of approved improvements must occur within one year of the city council's Special Land Use Approval or the Special Land Use Approval shall be automatically null and void. The City Council may grant an extension for good cause for a period not to exceed six months from the date of expiration of the original approval provided for extension is made during the period of effectiveness.
 - E. When an established use approved under the special land use approval procedure ceases to function or is abandoned for a period of six months, the special use approval shall lapse and shall no longer be in effect.
 - F. The record of the city council shall be the approved minutes for Special Land Use cases. Said record shall be made available to the applicant whether the Special Land Use Approval request is approved, approved with conditions, or denied and shall constitute notice of the city council's decision regarding the Special Land Use Approval request.
 - G. The Planning Commission shall give notice of the time and place of the required public hearing as required by state law.
 - H. All construction, improvement or use of a parcel or parcels of land shall be in complete accord with the Special Land Use Approval, any conditions imposed by the city council and the approved site plan.
 - I. A special land use permit may be terminated by subsequent rezoning of the affected site as a part of an appropriate zoning district, subject to any vested nonconforming use rights. Such termination may be initiated only after determination by the city council that the development status of the site is in accordance with requirements of the zoning district in which it is to be placed. There shall be no waiver of standards or procedures, including publication, hearings, planning commission and city council action, in regard to the rezoning of a site which is occupied or used under a special use permit.
 - J. No reapplication, reconsideration and/or rehearing for a special use permit which has been denied by the city council shall be resubmitted until the expiration of one year from the date of such denial, except on grounds of newly discovered evidence or proof of materially changed conditions, sufficient to justify reconsideration by the city council. Each reapplication will be treated as a new application.
 - K. Appeals: No decision or condition related to a special land use application shall be appealed to the Zoning Board of Appeals. An appeal of a special land use decision or condition may be taken to Circuit Court.
5. **Amendments, Expansions or Change of Special Land Use.** The following provisions apply when there is an amendment or a proposed expansion to an approved special land use, an amendment or proposed modification to a condition previously applied to a special land use, or when there is a proposed change from one special land use to another.
- A. **Amendments.** Any applicant who has been granted special land use approval shall notify the Planning and Zoning Administrator of any proposed amendment to the approved Special Land Use. The Planning and Zoning Administrator shall determine whether a proposed amendment requires new special land use approval. New special land use approval may be required when such amendment is a departure from the operation or use described in the approved application or causes external impacts such as additional traffic, hours of operation, noise, additional outdoor storage, or display. Any alteration of previously approved conditions pertaining to a special land use approval shall require resubmittal and new Special Land Use consideration by Planning Commission and City Council in the manner described in this Section.
 - B. **Expansions.** An expansion of any use requiring a special use approval that results in an increase of 10% or more of the building, parking, paved areas, or site area shall require resubmittal and new Special Land Use consideration in the manner described in this Section.
 - C. **Change in Use.** The applicant shall be responsible for informing the Planning and Zoning Administrator of any significant change in an approved special land use, operations, or activities prior to any such change. The Planning and Zoning Administrator shall determine if a new special land use approval is required. A significant change shall

mean any departure from the operation or use described in the approved application or any change that may cause external impacts such as additional traffic, hours of operation, noise, additional outdoor storage, or display.

Section 15.06 Variances and Appeals

1. **Administrative Appeals.** The Zoning Board of Appeals shall have the power to hear and decide appeals where it is alleged by the applicant that there is an error in any order, requirement, permit, decision, or interpretation made by the Planning and Zoning Administrator, zoning enforcement officer, or any other administrative official, board or commission in carrying out or enforcing any provision of this Ordinance, except where this Ordinance prohibits Zoning Board of Appeal Action (e.g. direct appeal to Circuit Court).
 - A. An appeal to the Zoning Board of Appeals based in whole or in part on the provisions of this Ordinance may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, board or bureau affected by the decision of the building inspector aggrieved by the decision, order, requirement, or determination made by the Planning and Zoning Administrator, Technical Review Committee, Planning Commission, zoning enforcement officer, or other administrative official or board or commission tasked with administering or enforcing the provisions of this Ordinance. Such appeal shall be taken by filing a notice of appeal with the Planning and Zoning Administrator on appropriate forms provided by the Community and Economic Development Department. The Planning and Zoning Administrator shall transmit all papers constituting the records of such appeal to the board. The board may require the applicant to furnish such surveys, plans or other information as may be required for the proper consideration of the matter. Upon a hearing before the board, any person or party may appear in person, or by agent, or by attorney.
 - B. **Time for Appeal.** An appeal shall be filed to the Planning and Zoning Administrator within thirty (30) days from the date listed on the Notice of Action referring to the order, requirement, decision, or determination which is the subject of the appeal.
 - C. The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to in accordance with the procedures set forth in the Michigan Zoning Enabling Act, PA 110 of 2006 (as amended) and Section 15.01.
 - D. The board may reverse or affirm wholly or partly or may modify the order, requirement, decision or determination as, in its opinion, ought to be made in the premises and, to that end, shall have all the powers of the officer from whom the appeal is taken. The concurring decision of a majority of the members of the board shall be necessary to reverse an order, requirement, decision or determination of an administrative officer or body, or to decide in favor of the applicant a matter upon which they are required to pass under an ordinance, or to effect a variation in an ordinance. An appeal shall stay all proceedings in furtherance of the action appealed from unless the building inspector certifies to the Zoning Board of appeals after notice of appeal shall have been filed with him that by reason of facts stated in the certificates a stay would cause imminent peril to life and property, in which case the proceedings shall not be stayed otherwise than by a restraining order which shall be granted by the Zoning Board of Appeals or by the Circuit Court on application, on notice of the building inspector and on due cause shown.
2. **Variances.** The ZBA shall have the power to authorize, upon application, specific variances from such dimensional requirements as lot area and width regulations, building height and square foot regulations, yard width and depth regulations; such requirements as off-street parking and loading space, requirements, sign regulations and other similar requirements as specified in the Ordinance, provided such modifications will not be inconsistent with the purpose and intent of such requirements. In granting a variance, the Zoning Board of Appeals shall make findings that a "practical difficulty" has been shown by the applicant by finding that all of the following requirements have been met by the applicant's petition:
 - A. That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, and would thereby render the conformity unnecessarily burdensome for other than financial reasons; and
 - B. That a variance will provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring area, provided that possible increased financial return shall not of itself be deemed sufficient to warrant a variance; and

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission for the City of Madison Heights will hold a public hearing on **Tuesday, August 19th, 2025 at 5:30 p.m. in the City Council Chambers of the Municipal Building at 300 W. 13 Mile Road, Madison Heights, Michigan 48071** to consider the following **Special Land Use** requests:

Case # PSP 25-04 – 510 W. Girard Ave.

The applicant, Mt. Zion Evangelical Lutheran Church, requests Special Land Use approval per the procedures set forth in Section 15.05 of the Madison Heights Zoning Ordinance to operate a private school aft 510 W. Girard Ave. (PIN 44-25-11-251-019). The school will operate in association with the existing religious institution (church) on the subject property. The property is approximately 1.64 acres in size and is zoned R-2, One-Family Residential.

Case # PSP 25-05 – 28767 Dartmouth St.

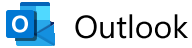
The applicant, Najor Companies, requests Special Land Use approval per the procedures set forth in Sections 10.06 and 15.05 of the Madison Heights Zoning Ordinance to operate a parking lot as a principal use of a residential parcel at 28767 Dartmouth St (PIN 44-25-14-202-004). The parking lot and driveway are intended to serve a proposed restaurant on the adjacent parcel at 611 W. 12 Mile Road. The property is approximately 0.19 acres in size and is zoned R-3, One-Family Residential.

The applications and any supporting documents can be viewed during regular business hours at the Community and Economic Development Department. In addition, the agenda item can be viewed online after 4:00 p.m. on the Friday prior to the meeting at www.madison-heights.org in the Agenda Center.

If you are unable to attend the meeting, you can send your comments via email to: MattLonnerstater@madison-heights.org and your comment will be read into the record at the meeting. Written comments may also be mailed prior to the meeting to 300 West Thirteen Mile Road, Madison Heights, Michigan, 48071. All comments will be heard at the meeting.

MADISON HEIGHTS COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
(248) 583-0831

Madison Park News
July 23rd, 2025



Outlook

Can't make meeting on church request

From Tom Burry <teburry@yahoo.com>

Date Fri 7/25/2025 3:11 PM

To Matt Lonnerstater <MattLonnerstater@madison-heights.org>

I have lived in Madison hgts for 47 years city I slowly sinking do to they are not building taxable housing but are allowing tax exempt church's and organizations to do what ever. Well I talked to a few of my neighbors and we are not happy that are taxes are climbing and you should not allow this tax exemption school land should build houses to help are tax base Plus it is taking away are public schools students and now they are saying are taxes should pay for religious and charter schools. Well put 3 kids thru public school and college. So think you should really look closely at this. We need more houses to keep taxes down Plus it's not fair to residents who move here for the public schools. There are to many religious and charter school s that are not staffed with qualified educators do to its all about money not children education

Sent from my iPad



MEMORANDUM

Date: August 12th, 2025

To: City of Madison Heights Planning Commission [August 19th, 2025 Meeting]

From: Matt Lonnerstater, AICP – City Planner

Subject: Special Approval Request PSP 25-05 – 28767 Dartmouth – Parking as a Principal Use

TEMPLATE MOTIONS AND FINDINGS INCLUDED ON PAGE 11

Introduction

The applicant and property owner, Najor Companies, requests Special Land Use approval from the Planning Commission and City Council under Sections 10.06 and 15.05 of the Madison Heights Zoning Ordinance to develop a parking lot and drive aisle as a principal use of a residential parcel; the parking lot and drive aisle are intended to serve a proposed restaurant development on the adjacent site to the west.

The subject property is located at 28767 Dartmouth Street and is zoned R-3, One-Family Residential. **Because the subject parcel is zoned One-Family Residential, it cannot be combined with the commercially-zoned parcels to the west; this arises from Section 3.05 of the Zoning Ordinance which prohibits the creation of new split-zoned parcels.** Per Section 10.06, parking as a principal use of a residential parcel is subject to Special Land Use approval with additional use-specific standards. While the proposed drive aisle/parking is related to the restaurant development, the restaurant use itself is not directly subject to this Special Land Use request.

Project Summary

The subject property is 0.19 acres in size and is currently improved with a single-family house and a detached garage, which are proposed to be demolished to accommodate the parking/drive aisle. The applicant owns the subject parcel, the vacant commercial parcels to the west, and the gas station property to the north. A twenty-foot (20') wide alley separates the subject parcel from the gas station property to the north; the applicant plans to petition the City to vacate this alley, which would add an approximately ten-foot (10') wide strip of land to the north side of the subject parcel. The remaining 10 feet would be added to the gas station property.

The applicant intends to develop the commercial property to the west with a 7,100 square-foot sit-down restaurant and associated parking lot. While the primary vehicular entrance is planned off 12 Mile Road, the new diverging diamond interchange severely restricts (if not outright prohibits) left-hand turns from the restaurant property onto 12 Mile Road as well as left-hand turns into the property from west-bound 12 Mile Road. The proposed drive aisle would allow restaurant guests and employees to access the signalized intersection at Dartmouth and 12 Mile Road, thus allowing for west-bound access to/from 12 Mile Road. Per the applicant, the proposed drive aisle would also allow provide secondary emergency vehicle access and provide additional overflow parking spaces.

Refer to the images on the following page for an aerial overview of the request.

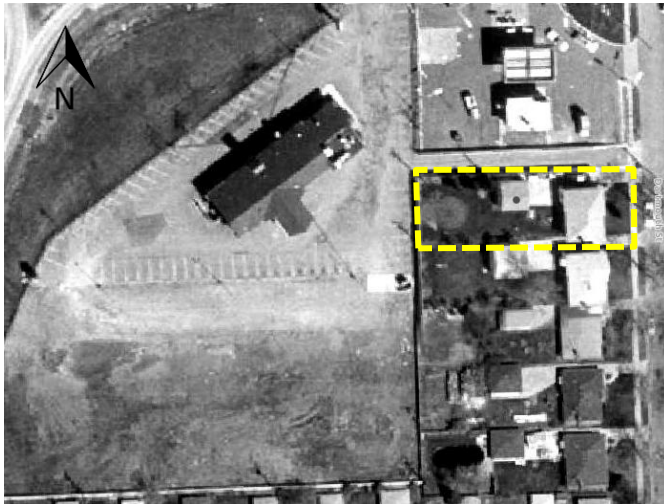
[illegible]

Site History

Per historic aerial photographs, the subject site has been improved with a single-family detached house since 1963 or prior. The commercial site to the west was previously improved with a restaurant (Marinelli's) and parking lot, which was demolished in 2014. The public alley between the restaurant site and Dartmouth was improved in the 1970s to provide a secondary access point and utility easement to/from the restaurant. The images below show the development progression over time as well as a current streetview image of the subject property.

Aerial Images of Subject Site and Adjacent Parcels

1980



2000



Current Streetview – 28767 Dartmouth and Public Alley



Driveway/Parking Details

The proposed two-way drive aisle is 24.5 to 25 feet wide, and the edge of the curb-cut is placed approximately 23.5 feet from the southern residential property line. Twelve (12) parking spaces are proposed as overflow parking for the restaurant. A “no right turn” sign is proposed at the curb-cut to prevent exiting vehicles from turning right onto Dartmouth Street into the residential neighborhood. A six (6) foot tall masonry screen wall is proposed along the southern property line to screen the parking/drive aisle from the residential parcel to the south. One (1) deciduous tree is proposed in the southeast corner.

A cross-access easement will need to be recorded to allow for vehicle access to/from the restaurant site.

Alley Vacation

Prior to construction of the drive aisle and parking, if approved, the applicant will need to petition City Council to vacate the existing public alley along the north side of the site. Per Ordinance requirements, City Council shall hold a public hearing prior to acting on the request. As there are public utilities within the existing alley, including water and sewer lines, as well as overhead DTE electric lines and poles, a public utility easement will need to be retained over the vacated alley. The property owner had previously petitioned City Council to vacate the alley in 2023, but the request was paused and administratively closed due to concerns from DTE. DTE concerns would need to be addressed as part of the new alley vacation request.

Use-Specific Standards for Parking as a Principal Use

Section 10.06 of the Zoning Ordinance contains use-specific standards for parking as a principal use. These standards, and staff comments, are provided below:

Parking as a principal use is permitted as a special land use in all zoning districts, subject to the following standards:

- A. *Unless otherwise noted, the parking lot shall satisfy all layout, construction and design standards of this article.*

Staff Comment: Drive aisle width and parking space dimensions satisfy Zoning Ordinance requirements.

- B. *The parking lot shall be landscaped and screened in accordance with Section 11.06 (Parking Lot Landscaping).*

Staff Comment: A screen wall greenbelt consisting of a six foot (6') tall masonry wall and 5-foot-wide greenbelt is provided along a portion of the southern property line between the parking spaces and the adjacent residential property. The screen wall should extend closer to the Dartmouth Street right of way, dropping to a height of 30 inches (30") at a distance of ten feet (10') from the right of way line to comply with clear vision corner standards. Alternatively, evergreen landscaping can be placed between the eastern edge of the screen wall and the right-of-way line, accounting for clear vision corner standards.

Additional right-of-way screening is needed between the eastern-most parking space and the Dartmouth Street right-of-way. This can be achieved via a low (30") masonry knee wall, landscaping, or a combination of both in accordance with Section 11.06.2

- C. *The use of the parking lot shall be restricted to the parking lot of passenger automobiles only. No commercial vehicles shall be parked or stored.*

Staff Comment: Staff recommends placing this standard as a condition of special land use approval and requiring it to be noted on the formal site plan, when submitted.

- D. *The parking lot shall serve customers, visitors, and employees of adjacent non-residential/mixed-use districts.*

Staff Comment: The parking lot and drive aisle are intended to serve the proposed sit-down restaurant development to the west.

- E. *Each entrance and exit from such parking lot shall be located at least twenty (20) feet from any adjacent residential zoning district, measured from the property line.*

Staff Comment: The edge of the driveway curb cut is approximately 23.5 feet from the southern residential property line, meeting this standard.

- F. *The following additional standards apply to principal use parking lots in R-1, R-2, R-3, R-MN, and R-MF districts:*

- (1) *The residential parcel on which the parking lot is located shall have a side or rear lot line that directly abuts a non-residential or mixed-use zoning district, or directly abuts a public alley which divides said residential and non-residential/mixed-use zoning districts.*

Staff Comment: The subject parcel directly abuts B-2 zoned parcels to the west and north. The drive aisle and parking lot intends to serve the proposed restaurant development directly to the west of the subject site.

- (2) *All portions of the paved parking lot and all parking spaces and maneuvering lanes shall be within eighty feet (80') of the non-residential/mixed-use zoning district to be served, or the edge of a public alley which divides said residential; and non-residential/mixed-use zoning districts.*

Staff Comment: The parking spaces are intended to serve the proposed restaurant use to the west. Twelve (12) parking spaces are proposed on the residential parcel, with the furthest space being located approximately 105 feet from the western property line. In order to satisfy this standard, the three (3) eastern-most parking spaces will need to be removed. Alternatively, the applicant has the ability to apply for a variance from the Zoning Board of Appeals (ZBA).

- (3) *The applicant shall, through the Special Land Use process, demonstrate that adequate parking cannot be reasonably provided on the subject property or an adjacent non-residentially-zoned parcel.*

Staff Comment: Section 10.03 of the Zoning Ordinance sets a minimum parking rate of 1 space per each 100 square feet of usable floor area for restaurant uses, while Section 10.04 sets a maximum parking rate of 130% of the minimum. With approximately 6,700 square feet of usable floor area, the minimum parking count for the proposed restaurant is set at 67 spaces while the maximum is set at 88 spaces.

Based on the conceptual site plan provided with the Special Use application, the applicant proposes a total of 169 spaces directly on the restaurant site, which is nearly 200% of the maximum permitted parking and 250% of the minimum. The additional 12 spaces proposed on this subject parcel bring the total to 181 spaces. Within the project narrative, the applicant

claims that the parking counts are necessary to account for peak demand and an anticipated wait time of up to one hour, as well as parking for employees.

The Planning Commission has the ability to request additional documentation or business details to justify the parking counts for the development. Any parking counts above 130% of the minimum requirements (67 spaces) will require the installation of low-impact stormwater design on the restaurant site in accordance with Section 10.04 of the Zoning Ordinance, which would need to be addressed as part of the Major Site Plan submittal for the restaurant.

- (4) *The applicant shall, through the Special Land Use process, demonstrate that the parking areas will not detrimentally impact the residential character of the adjacent neighborhood.*

Staff Comment: The applicant proposes a masonry screen wall, as required per the Zoning Ordinance, and a “No Right Turn” sign to restrict vehicles from exiting the site into the residential neighborhood. However, staff recommends that additional landscaping and right-of-way screening be installed in the grass area adjacent to the right-of-way to further screen the parking lot/drive aisle and to create a better transition into the residential neighborhood.

Site Analysis

Existing Zoning and Land Use

The table below denotes existing adjacent land uses and zoning designations.

	Existing Land Use	Existing Zoning
Site	One-family residential	R-3, One-Family Residential
North	Gas station	B-2, Community Business
South	One-family residential	R-3, One-Family Residential
East (across Dartmouth)	One-family residential	R-3, One-Family Residential
West	Vacant commercial	B-2, Community Business

The site borders single-family residential to the south and east, and commercial zoning to the north and west. The site to the west is currently vacant but was improved with a restaurant use (Marinelli’s) until 2014.

Per the Madison Heights Zoning Ordinance, R-3 zoning districts are intended to, “provide for one-family dwelling sites and residentially-related uses in keeping with the Master Plan of residential development in the City of Madison Heights.”

Future Land Use and Master Plan

The table below denotes adjacent future land use designations as contained within the 2021 Madison Heights Master Plan.

	Future Land Use
Site	Single-Family Residential
North	Commercial
South	Single-Family Residential
East (across Dartmouth)	Single-Family Residential
West	Commercial

The Planning Commission should consider the following Goals & Objectives of the 2021 Madison Heights Master Plan as part of this Special Approval request:

Community Character

- *Enhance the city's commercial corridors to support walkability and improve community identity.*
- *Promote the city's positive identity in the region.*
- *Promote the use of quality building design and materials to enhance the appearance and long-term maintenance of new development.*
- *Protect established neighborhoods and business districts from the potentially negative impacts of development, including noise, traffic, waste, odor, and other nuisances through effective and thoughtful site and building design.*

Housing

- *Encourage maintenance of and reinvestment in existing neighborhoods.*
- *Ensure that infill and redeveloped residential properties are compatible with the surrounding areas and adjacent parcels.*
- *Support neighborhoods by improving walkability and access to goods and services.*

Commercial and Industrial Development

- Provide incentives and flexible zoning mechanisms for commercial and industrial property owners and tenants to upgrade existing commercial and industrial sites.
- Promote walkability by ensuring sufficient local destinations for goods and services.

Transportation

- Promote the use of accepted traffic calming and access management techniques that make all travel safe and efficient.
- Provide a safe, efficient non-motorized pathway system that provides links to various land uses throughout the city that gives residents choice about their modes of travel.
- Explore innovative traffic designs and flexible engineering standards to improve the safety and efficiency of travel for motorized and non-motorized travel.

Transportation Network

Dartmouth Street is under the jurisdiction of the City of Madison Heights and is classified as a local street, which typically do not carry through traffic. SEMCOG traffic volume data is not available for Dartmouth. However, given the signalized intersection at 12 Mile and the proximity to the I-75 interchange, staff estimates slightly higher traffic volumes on Dartmouth compared to other local streets within Madison Heights.

Special Land Use Criteria

Requests for Special Land Use approval are subject to processes and review standards contained in Section 15.05. A public hearing is required in front of the Planning Commission, after which the Planning Commission may make a recommendation to City Council. After receiving a recommendation from the Planning Commission, City Council has the authority to take final action on Special Land Use requests.

In making a recommendation to City Council, the Planning Commission shall consider the Special Land Use review standards contained in Section 15.05.3 and incorporate them into any motion of approval or denial:

- A. The use is so designed, located and proposed to be operated in a way that protects the public health, safety and welfare.
- B. The use is designed in a way that considers the natural environment and helps conserve natural resources and energy.
- C. The special land use will not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- D. The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood, and vicinity. At a minimum, this shall include:
 - (1) Location of use(s) on site;
 - (2) Height of all improvements and structures;
 - (3) Adjacent conforming land uses;
 - (4) Conformance with the Master Plan and future land use map for the area as adopted by the Planning Commission;
 - (5) Compatibility with the permitted principal uses allowed in the zoning district where the Special Land Use is requested, and consistency with the intent of the zoning district.
- E. Ingress/egress to the use shall be controlled to assure maximum vehicular, pedestrian and non-motorized safety, convenience and minimum traffic impact on adjacent roads, drives and uses including, but not limited to:
 - (1) Reduction in the number of ingress/egress points through elimination, minimization, and/or consolidation of drives and/or curb cuts;
 - (2) Proximity and relation to intersections, specifically with regard to distance from drive(s) to intersection(s);
 - (3) Reduction/elimination of pedestrian/vehicular traffic conflicts;
 - (4) Adequacy of sight distances;
 - (5) Location and access of off-street parking;
 - (6) Location and/or potential use of service drives to access multiple parcels, reducing the number of access points necessary to serve the parcels.
- F. The use is consistent with the intent and purpose of the zoning district in which it is proposed.

In granting Special Land Use approval, City Council may impose conditions that it deems necessary to fulfill the spirit and purpose of the Zoning Ordinance. The conditions may include those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

Staff Analysis

Staff recognizes the importance of the secondary ingress/egress point off Dartmouth to enable the development of the adjacent commercial parcel. The recently-completed diverging diamond interchange at I-75 and 12 Mile Road severely restricts the ability to make left-hand turns from the commercial property onto 12 Mile Road and the ability to directly enter the property from west-bound 12 Mile Road. By allowing access to and from the signalized intersection at 12 Mile/Dartmouth, the proposed drive aisle aims to alleviate these site access issues and provide secondary emergency access to the property.

A key point revolves around impacts to the adjacent neighborhood. The “No Right Turn” sign at the exit should discourage vehicular traffic through the neighborhood, but additional landscaping and screening should be provided along the southern property line and near the right of way to further screen the drive aisle and parking spaces. Further, staff recommends providing a 5 foot (5') wide sidewalk connection along the northern edge of the subject parcel to allow residents in the surrounding neighborhood to safely walk to the restaurant without needing to walk all the way to 12 Mile Road.

Despite the rationale for the drive aisle and curb cut off Dartmouth, staff has concerns about the additional parking being proposed. The restaurant concept plan, while not technically reviewed directly as part of this Special Land Use request, appears to be vastly overparked. Per Ordinance standards, this additional parking will require the installation of significant low-impact stormwater management techniques on the adjacent site to offset the additional impervious surface. A minimum of three (3) parking spaces will need to be removed on the residential subject parcel to satisfy use-specific standards for Parking as a Principal Use. The Planning Commission may request additional information or documentation from the applicant regarding the need for the amount of requested parking.

Staff offers the following comments on the Special Land Use and the conceptual site plan in order to bring the site into compliance with the use-specific standards for Parking as a Principal Use and the Special Land Use criteria, offer a better transition into the residential neighborhood to the south, and satisfy the objectives of the Master Plan; these comments may be placed as conditions of Special Land Use approval:

- 1) Remove the three (3) eastern-most parking spaces to satisfy the 80-foot maximum parking setback of Section 10.06.F. Alternatively, apply for a variance from the Zoning Board of Appeals (ZBA).
- 2) Extend the screen wall closer to the Dartmouth Street right of way, dropping to a height of 30 inches (30") at a distance of ten feet (10') from the right of way line to comply with clear vision corner standards. Alternatively, place evergreen landscaping between the eastern edge of the screen wall and the right-of-way line, accounting for clear vision corner standards.
- 3) Provide additional right-of-way screening between the eastern-most parking space and the Dartmouth Street right-of-way. This can be achieved via a low (30") masonry knee wall, landscaping, or a combination of both in accordance with Section 11.06.2
- 4) Install a minimum five foot (5') wide sidewalk along the northern edge of the drive aisle to allow residents in the surrounding neighborhood to safely walk to the restaurant.

Planning Commission Recommendation

Per Section 15.05, the Planning Commission may postpone action on a Special Land Use request to allow verification, compilation, or submission of additional or supplemental information or to address other concerns or issues.

Should the Planning Commission move to recommend approval of the Special Land Use to City Council, staff suggests that the following conditions be incorporated as conditions of approval:

1. A Major Site Plan shall be submitted to the Community and Economic Development Department in accordance with Section 15.04 of the Zoning Ordinance. The Major Site Plan application may be combined with the adjacent restaurant development or act as a stand-alone application. The Major Site Plan, when submitted, shall be designed to satisfy the following:
 - a. Remove the three (3) eastern-most parking spaces to satisfy the 80-foot maximum parking setback of Section 10.06.F. Alternatively, apply for a variance from the Zoning Board of Appeals (ZBA).
 - b. Extend the masonry screen wall closer to the Dartmouth Street right of way, dropping to a height of 30 inches (30”) at a distance of ten feet (10’) from the right of way line to comply with clear vision corner standards. Alternatively, place evergreen landscaping between the eastern edge of the screen wall and the right-of-way line, accounting for clear vision corner standards.
 - c. Provide additional right-of-way screening between the eastern-most parking space and the Dartmouth Street right-of-way. This can be achieved via a low (30”) masonry knee wall, landscaping, or a combination of both in accordance with Section 11.06.2
 - d. Install a minimum five foot (5’) wide sidewalk along the northern edge of the drive aisle to allow residents in the surrounding neighborhood to safely walk to the restaurant.
 - e. Maintain the “No Right Turn” sign at the curb cut, as shown in the Special Land Use concept plan, to restrict turning movements into the residential neighborhood.
2. The use of the parking lot shall be restricted to the parking of passenger automobiles only. No commercial vehicles shall be parked or stored.
3. A cross-access agreement shall be recorded at Oakland County Register of Deeds to allow for vehicular/pedestrian access across the subject property to and from the adjacent restaurant site.
4. Special Land Use approval is conditioned upon the City of Madison Heights vacating the public alley along the northern property line and reserving any necessary public utility easements over the property. If the City denies the alley vacation request, the Special Land Use shall be deemed null and void and the rights thereunder shall terminate.
5. Modifications to the Special Land Use (e.g. site access, proposed parking spaces, driveway width, etc.) shall be reviewed in accordance with Section 15.05.5 for a determination regarding the need for new Special Land Use review.

Next Step

After the public hearing and discussion, the Planning Commission may take action on the requested Special Land Use in the form of a recommendation to City Council. Any motion shall include concise findings based upon the Special Approval review standards and criteria, Section 15.03.3. Per Section 15.05, the Planning Commission alternatively may postpone action on a Special Land Use request to allow verification, compilation, or submission of additional or supplemental information or to address other concerns or issues.

Template motions for postponement, approval, and denial are provided at the end of this report.

Attachments

- **Special Land Use Application - PSP #25-05**
- **Project Narrative – PSP# 25-05**
- **Concept Plan – PSP #25-05**
- **Associated Maps**
- **Section 10.06 – Parking as a Principal Use**
- **Section 15.05 – Special Land Use**

Template Motion, Findings and Conditions

Staff offers the following motions as a suggested template and guide for the Planning Commission's consideration. The Planning Commission may provide additional detailed findings, as needed, to substantiate any motion for approval or denial.

POSTPONEMENT

MOTION BY _____, SECONDED BY _____, THAT, FOLLOWING THE REQUIRED PUBLIC HEARING, THE PLANNING COMMISSION **POSTPONES ACTION** ON SPECIAL LAND USE REQUEST NUMBER PSP 25-05 FOR PARKING AS A PRINCIPAL USE ON A RESIDENTIALLY-ZONED PARCEL AT 28767 DARTMOUTH STREET UNTIL THE _____, 2025 MEETING. THIS POSTPONEMENT IS MADE IN ACCORDANCE WITH SECTION 15.05 OF THE ZONING ORDINANCE TO ALLOW THE APPLICANT TO RESPOND TO THE FOLLOWING ITEMS: **[LIST ADDITIONAL ITEMS TO BE PROVIDED BY APPLICANT]**

APPROVAL

MOTION BY _____, SECONDED BY _____, THAT, FOLLOWING THE REQUIRED PUBLIC HEARING, THE PLANNING COMMISSION HEREBY **RECOMMENDS THAT CITY COUNCIL APPROVE** SPECIAL LAND USE REQUEST NUMBER PSP 25-05 FOR PARKING AS A PRINCIPAL USE ON A RESIDENTIALLY-ZONED PARCEL AT 28767 DARTMOUTH STREET BASED UPON THE FOLLOWING FINDINGS:

1. The applicant requests Special Land Use approval for a drive aisle and parking spaces on a residential parcel at 28767 Dartmouth Street as permitted by Section 10.06 of the Zoning Ordinance
2. The Planning Commission held a public hearing for PSP 25-05 at their August 19th, 2025 meeting
3. With conditions placed upon the special land use as part of the approval process, the proposed parking as a principal use is generally consistent with the use-specific standards of Section 10.06 and the Special Land Use review standards and criteria set forth in Section 15.05.3. In particular:
 - a. The use is designed, located, and proposed to be operated in a way that protects the public health, safety and welfare.
 - b. The use will not involve activities that will be detrimental to adjacent residential land uses.
 - c. The use is designed and located so that it is compatible with the principal uses permitted in the R-3 district
 - d. The special land use will not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
 - e. The use is designed and located so that it is compatible with the Madison Heights Master Plan.
 - f. Ingress/egress to the use shall be controlled to assure maximum vehicular, pedestrian and non-motorized safety, convenience and minimum traffic impact on adjacent streets.

APPROVAL IS GRANTED WITH THE **FOLLOWING CONDITIONS**

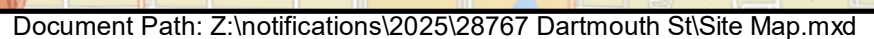
1. A Major Site Plan shall be submitted to the Community and Economic Development Department in accordance with Section 15.04 of the Zoning Ordinance. The Major Site Plan application may be combined with the adjacent restaurant development or act as a stand-alone application. The Major Site Plan, when submitted, shall be designed to satisfy the following:

- a. Remove the three (3) eastern-most parking spaces to satisfy the 80-foot maximum parking setback of Section 10.06.F. Alternatively, apply for a variance from the Zoning Board of Appeals (ZBA).
 - b. Extend the masonry screen wall closer to the Dartmouth Street right of way, dropping to a height of 30 inches (30") at a distance of ten feet (10') from the right of way line to comply with clear vision corner standards. Alternatively, place evergreen landscaping between the eastern edge of the screen wall and the right-of-way line, accounting for clear vision corner standards.
 - c. Provide additional right-of-way screening between the eastern-most parking space and the Dartmouth Street right-of-way. This can be achieved via a low (30") masonry knee wall, landscaping, or a combination in accordance with Section 11.06.2
 - d. Install a minimum five foot (5') wide sidewalk along the northern edge of the drive aisle to allow residents in the surrounding neighborhood to safely walk to the restaurant.
 - e. Maintain the "No Right Turn" sign at the curb cut, as shown in the Special Land Use concept plan, to restrict turning movements into the residential neighborhood.
2. The use of the parking lot shall be restricted to the parking of passenger automobiles only. No commercial vehicles shall be parked or stored.
 3. A cross-access agreement shall be recorded at Oakland County Register of Deeds to allow for vehicular/pedestrian access across the subject property to and from the adjacent restaurant site.
 4. Special Land Use approval is conditioned upon the City of Madison Heights vacating the public alley along the northern property line and reserving any necessary public utility easements over the property. If the City denies the alley vacation request, the Special Land Use shall be deemed null and void and the rights thereunder shall terminate.
 5. Modifications to the Special Land Use (e.g. site access, proposed parking spaces, driveway width, etc.) shall be reviewed in accordance with Section 15.05.5 for a determination regarding the need for new Special Land Use review.

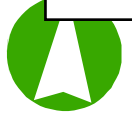
DENIAL

MOTION BY _____, SECONDED BY _____, THAT, FOLLOWING THE REQUIRED PUBLIC HEARING, THE PLANNING COMMISSION HEREBY **RECOMMENDS THAT CITY COUNCIL DENY** SPECIAL LAND USE REQUEST NUMBER PSP 25-05 FOR PARKING AS A PRINCIPAL USE ON A RESIDENTIALLY-ZONED PARCEL AT 28767 DARTMOUTH STREET BASED UPON THE FOLLOWING FINDINGS:

1. The applicant requests Special Land Use approval for a drive aisle and parking spaces on a residential parcel at 28767 Dartmouth Street as permitted by Section 10.06 of the Zoning Ordinance
2. The Planning Commission held a public hearing for PSP 25-05 at their August 19th, 2025 meeting
1. The proposed Parking as a Principal Use use is not consistent with the use-specific standards set forth in Section 10.06 and/or the Special Land Use review standards and criteria set forth in Section 15.05.3. In particular **[LIST INDIVIDUAL CRITERIA]**

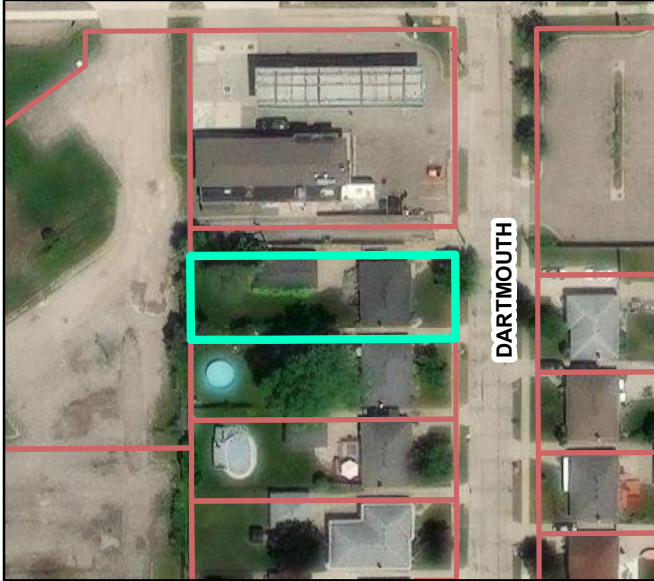




Site Address: 28767 Dartmouth St



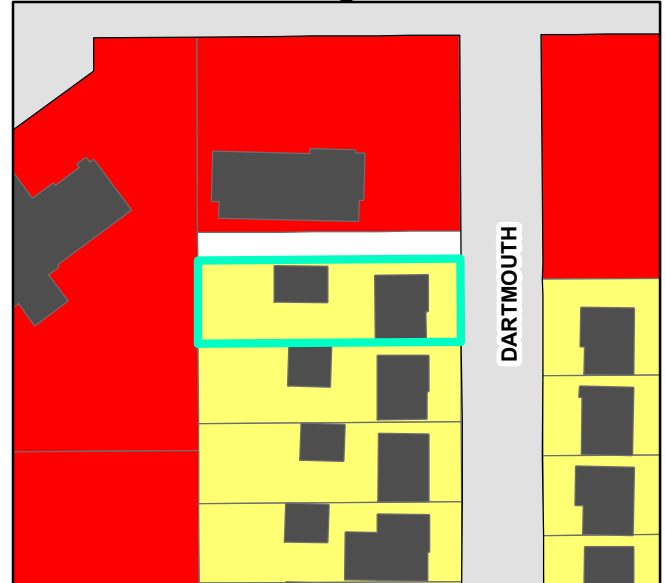
[Click for maps](#)




Aerial



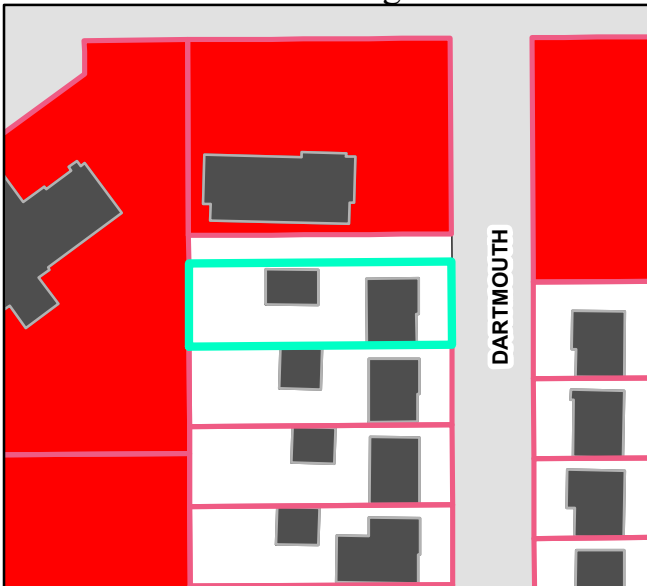
 28767 Dartmouth St  Parcels

Existing Land Use



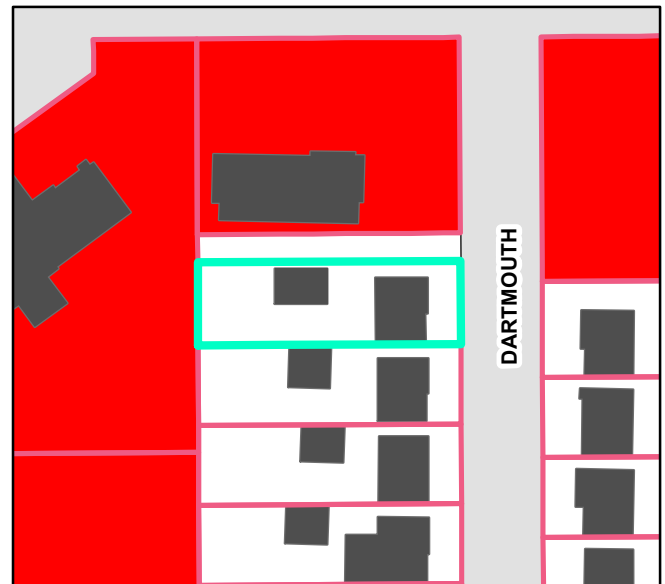
 28767 Dartmouth St  Commercial
 Single and Two Family





Zoning



 28767 Dartmouth St  B-2 Community Business District
 Parcels  R-3 Residential

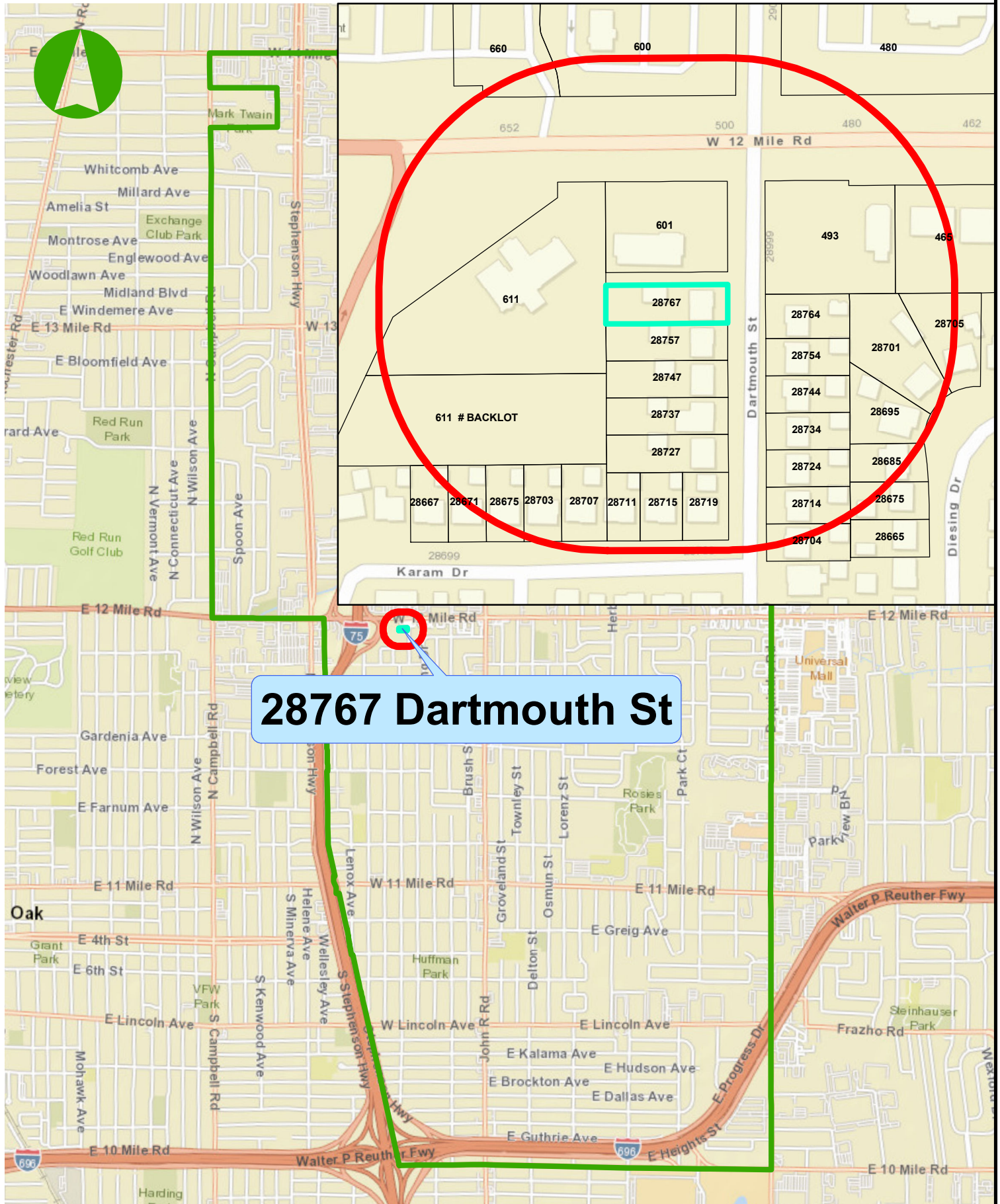
Future Land Use



 28767 Dartmouth St  Parcels
 Single Family  Commercial

PSP 25-05: 28767 DARTMOUTH ST

BUFFER: 300 FT





CITY OF MADISON HEIGHTS
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
SPECIAL LAND USE APPLICATION

I. APPLICANT INFORMATION

Applicant Najor Companies
Applicant Address 600 North Old Woodward, suite 100
City Birmingham State MI ZIP 48009
Interest in Property (owner, tenant, option, etc.) owner
Contact Person Keith Maziasz
Telephone Number [REDACTED] Email Address [REDACTED]

II. PROPERTY INFORMATION

Property Address 28767 Dartmouth
Tax ID 44-24-14-202-004 Zoning District R-3
Owner Name (if different than applicant) same
Address _____
City _____ State _____ Zip _____
Telephone Number _____ Email Address _____

III. CONSULTANT INFORMATION (IF APPLICABLE)

Name Gregory Bono, PE Company PEA Group
Address 1849 Pond Run
City Auburn Hills State MI Zip 48326
Telephone Number [REDACTED] Email Address [REDACTED]

SPECIAL LAND USE APPLICATION

IV. PROJECT NAME

Madison Heights Restaurant

V. PROJECT DESCRIPTION AND SCOPE OF WORK

Brief Description of Proposed Special Land Use:

We request approval of parking as a principle use on a parcel currently zoned R-3, which is part of the proposed development area.

Required Attachments:

- ☐ **Project Narrative:** Written description of the nature of the proposed use(s), including: products or services to be provided; activities to be conducted inside and outside the building; types of equipment to be used; hours of operation; number of employees; expected levels/ types of vehicular traffic coming to and from the site; other information.
- ☐ **Conceptual Site Plan and Floor Plan:** Conceptual plans containing minimum information listed in **Section 15.05** of Zoning Ordinance (refer to checklist, attached)
- ☐ **Review Standards Response Form** (attached)

VI. APPLICANT CERTIFICATION

I (we) the undersigned do hereby apply to the City of Madison Heights for review and approval of the above-described Special Land Use application. Applicant(s) and the property owner(s) do hereby consent to city staff to assess the property for purposes of evaluating the site for requested action(s).

Printed Name _____ Signature _____ Date _____

VII. PROPERTY OWNER CERTIFICATION

IF YOU ARE NOT THE PROPERTY OWNER, YOU MUST HAVE THE PROPERTY OWNER PROVIDE A NOTARIZED SIGNATURE, BELOW, OR PROVIDE A NOTARIZED LETTER OF AUTHORIZATION OR NOTARIZED POWER OF ATTORNEY AUTHORIZING YOU TO ACT ON THEIR BEHALF.

Printed Name BRIAN WATKINS Signature [Signature] Date 7/14/25

Notary for Property Owner:

Subscribed and sworn before me, this 14th day of July, 2025.

A Notary Public in and for Oakland County, Michigan.

Notary Name (Print): Kimberly M. Heslep

Notary Signature: [Signature]

My Commission Expires: 11-02-2025

Notary Stamp

KIMBERLY M HESLEP
Notary Public, State of Michigan
County of Oakland
My Commission Expires 11-02-2025
Acting in the County of Oakland

STAFF USE ONLY**[DO NOT ACCEPT INCOMPLETE APPLICATIONS]**

FILING FEE (\$750): _____ SPECIAL LAND USE NO.: PSP # _____
DATE APPLICATION RECEIVED: _____ RECEIVED BY: _____

SPECIAL LAND USE APPLICATION

SPECIAL LAND USE: REVIEW STANDARDS RESPONSE FORM

Section 15.05(3) of the Zoning Ordinance contains Special Land Use review standards and criteria. Please provide responses to the following review standards for consideration by staff, the Planning Commission, and City Council. (Provide additional separate sheets, if necessary).

- A.** Describe how the proposed use will be designed, located, and operated in a way that protects the public health, safety and welfare.

The parking area and drive aisle are located to provide vehicular circulation and additional parking for the adjacent restaurant development. No buildings are proposed on the R-3 parcel.

- B.** Describe how the use will be designed in a way that considers the natural environment and helps conserve natural resources and energy.

The property will be enhanced with proposed landscaping and an extension of the existing 6' screen wall.

- C.** Will the Special Land Use will involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. If so, describe in detail.

no

- D.** Describe how the proposed land use will be designed and located so that it is compatible with surrounding properties, neighborhood, and vicinity. At a minimum, this shall include: 1) Location of use(s) on site; 2) Height of all improvements and structures; 3) Adjacent conforming land uses; 4) Conformance with the Master Plan and future land use map for the area as adopted by the Planning Commission; and 5) Compatibility with the permitted principal uses allowed in the zoning district where the Special Land Use is requested, and consistency with the intent of the zoning district.

The parking and drive are an enhancement to the existing alley (which is to be vacated) and provides acceptable width for fire and other emergency vehicular access, if necessary. A 6' screen wall and landscaping are proposed.

SPECIAL LAND USE APPLICATION

- E.** Describe how ingress/egress to the use will be controlled to assure maximum vehicular, pedestrian and non-motorized safety, convenience and minimum traffic impact on adjacent roads, drives and uses including, but not limited to:

1. Reduction in the number of ingress/egress points through elimination, minimization and/or consolidation of drives and/or curb cuts;
2. Proximity and relation to intersections, specifically with regard to distance from drive(s) to intersection(s);
3. Reduction/elimination of pedestrian/vehicular traffic conflicts;
4. Adequacy of sight distances;
5. Location and access of off-street parking; and
6. Location and/or potential use of service drives to access multiple parcels, reducing the number of access points necessary to serve the parcels.

- This provides a secondary access (aligning with a previous alley to be vacated) to the signalized intersection at Dartmouth St. and 12 Mile Rd., 160 feet to the east.
- multiple access points provides improved traffic circulation and reduction of conflict

- F.** Describe how the proposed use will be consistent with the intent and purpose of the zoning district in which it is proposed

there will be no structures proposed on the parcel, only additional parking and secondary drive accessibility which is an enhancement to the existing alley.

PEA GROUP

1849 Pond Run
Auburn Hills, MI 48326

844.813.2949
peagroup.com

July 14, 2025

Matt Lonnerstater, AICP
City Planner – City of Madison Heights
300 W. 13 Mile Rd.
Madison Heights, MI 48071

**RE: Madison Heights Restaurant – I-75 and 12 Mile Rd.
Special Land Use Project Narrative**

Dear Mr. Lonnerstater:

The following is a project narrative, as required for a Special Land Use approval, which provides a written description of the nature of the proposed use(s), including: product or services to be provided; activities to be conducted inside and outside the building; types of equipment to be used; hours of operation; number of employees; expected levels/types of vehicular traffic coming to and from the site; other information.

Project Narrative

The Madison Heights Restaurant project proposes a 7,105 sf Bubba's 33 restaurant, with associated infrastructure, parking and landscaping. The following information has been provided from their website:

Bubba's 33 was born in 2013 and was created by Kent Taylor, the founder of Texas Roadhouse. Our focus has always been on delicious, made-from-scratch food, friendly service, and a fun atmosphere. Our food is scratch-made daily. We're known for our friendly service. We give back to the communities we serve. We partner with local organizations. And we want you to be a part of it.

Their menu consists of appetizers, wings, pizzas, burgers, sandwiches, bubba's dinners, signature pastas, salads, sides and extras, kids meals, beverages and desserts.

Hours of operation are expected to be Sunday – Thursday 11am – 10pm, and Friday – Saturday 11am – 11pm and will have approximately 20 employees, which varies by location and depends on staffing levels needed.

Traffic is anticipated to be entering the property from the I-75 interchange through the primary entrance on 12 Mile Rd. Based on the restaurant size and peak demand, along with employees and anticipated wait time of a maximum of 1 hour, additional parking spaces and an access drive to the signalized intersection at Dartmouth St. and 12 Mile Rd. are required. In addition, Fire Department and emergency services requires multiple access points to a development with this occupancy in the establishment at peak times. This access drive is an enhancement to the existing alley currently in place, which is narrow and overgrown. The

proposed improvements will include landscape screening and a 6' screen wall, which is extended from the existing screen wall currently around the property border with the residential-zoned parcels.

Let me know if you have any questions.

Sincerely,



Gregory Bono, PE
Project Manager

SIDEWALK RAMP LEGEND:

SIDEWALK RAMP 'TYPE F'

SIDEWALK RAMP 'TYPE P'

REFER TO LATEST MDOT R-28
STANDARD RAMP AND DETECTABLE
WARNING DETAILS

LEGEND:

STD DUTY

HEAVY DUTY

STD DUTY

HEAVY DUTY

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SIGN LEGEND:

'NO PARKING FIRE LANE' SIGN

'BARRIER FREE PARKING' SIGN

'VAN ACCESSIBLE' SIGN

'NO PARKING LOADING ZONE' SIGN

'STOP' SIGN

'NO RIGHT TURN' SIGN

REFER TO DETAIL SHEET FOR SIGN DETAILS

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.
- 'NO PARKING-FIRE LANE' SIGNS SHALL BE POSTED ALONG ALL FIRE LANES AT 100 FOOT INTERVALS OR AS DIRECTED BY THE FIRE OFFICIAL.
- REFER TO NOTES & DETAILS SHEET FOR ON-SITE PAVING DETAILS.
- REFER TO NOTES & DETAILS SHEET FOR ON-SITE SIDEWALK RAMP DETAILS

SITE DATA TABLE:

SITE AREA:

PARCEL NO. 25-14-202-030 & 25-14-202-031 (RESTAURANT):
2.11 ACRES (91,934 SF.) NET AND GROSS

PARCEL NO. 25-14-202-004:
0.19 ACRES (8,211 SF.) NET AND GROSS

ALLEYWAY:
0.06 ACRES (2,737 SF.) NET AND GROSS

OVERALL AREA: 2.36 ACRES (102,882 SF.) NET AND GROSS

ZONING: B-2 (COMMUNITY BUSINESS CENTER)

PROPOSED USE: RESTAURANT (6,686 SF)

BUILDING INFORMATION:

- MAXIMUM ALLOWABLE BUILDING HEIGHT = 40 FT. (2 STORIES)
- PROPOSED BUILDING HEIGHT = 24'-6" (1 STORY)
- BUILDING FOOTPRINT AREA = 7,105 SF.
- BUILDING LOT COVERAGE = 7,105/100,145 = 0.071 = 7.1%

GREENSPACE:

- 0.45 ACRES (PERVIOUS) / 2.30 ACRES = 20%

SETBACK REQUIREMENTS:

	REQUIRED	PROPOSED
FRONT (NORTH)	10'	55.96'
SIDE (EAST)	10'	119.77'
SIDE (WEST)	10'	64.63'
REAR (SOUTH)	20'	58.76'

PARKING CALCULATIONS:

- REQUIRED
- RESTAURANT = 1 PER 100 SF. (EXCLUDING KITCHEN AREA)
= 6686/100 = 66.9 = 67 SPACES

- TOTAL REQUIRED PARKING = 67 SPACES (INC. 3 HC SPACES)

PROPOSED

- PARKING PROVIDED (RESTAURANT) = 181 SPACES (INC. 6 HC SPACES)

BICYCLE PARKING

- REQUIRED
- BICYCLE PARKING REQUIRED = 1 PER 20 SPACES (OVER 40)
= (182-40)/20 = 7.1 = 8 SPACES

PROPOSED

- BICYCLE PARKING PROVIDED = 8 SPACES

LOADING CALCULATIONS:

- REQUIRED
- LOADING REQUIRED = (1) - 12'x50' FOR 2,000-20,000 SF BUILDING AREA

PROPOSED

- LOADING PROVIDED = (1) - 12'x50' AT REAR OF BUILDING

FLOODPLAIN NOTE:

THE SUBJECT PARCEL LIES WITHIN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN (ZONE 'X') PER FEMA FLOOD INSURANCE RATE MAP NUMBER 26125C0563F, A NON-PRINTABLE PANEL

REFERENCE DRAWINGS

ALTANSPS LAND TITLE SURVEY, KEM-TECH PROJECT NO. 19-00397, DATED MARCH 04, 2019

BENCHMARKS

BM #300 (KEM-TEC SITE BM #1)
ARROW ON A HYDRANT LOCATED ON THE EAST SIDE OF THE PROPERTY, APPROX. 50'± SOUTH OF THE ALLEY.
ELEV. - 638.35

BM #301 (KEM-TEC SITE BM #2)
CHISELED 'X' ON THE SOUTHEAST BOLT OF A STRAIN POLE LOCATED AT THE SOUTHEAST CORNER OF W. 12 MILE RD & I-75 RAMP.
ELEV. - 637.07

BM #301
CHISELED 'X' ON THE SOUTHWEST BOLT OF A STRAIN POLE LOCATED AT THE SOUTHWEST CORNER OF W. 12 MILE RD & DARTMOUTH ST.
ELEV. - 635.80

LEGAL DESCRIPTION

(PER OAKLAND COUNTY)

PARCEL ID 25-14-202-030

T1N, R11E, SEC 14, PART OF NE 1/4, BEG AT NW COR OF LOT 11 OF 'ASSESSORS PLAT NO 2', TH W 61.47 FT, TH S 00-42-20 E 22.11 FT, TH S 54-35-50 W 268.85 FT, TH S 25-29-00 W 85.06 FT, TH E 317.32 FT, TH N 00-07-00 E 253.37 FT TO BEG 0.95 A 8/22/89 FR 002

PARCEL ID 25-14-202-031

T1N, R11E, SEC 14, PART OF NE 1/4, BEG AT PT DIST S 00-07-00 W 253.37 FT FROM NW COR OF LOT 11 OF 'ASSESSORS PLAT NO 2', TH W 61.47 FT, TH S 25-29-00 W 132.42 FT, TH E 374.05 FT, TH N 00-07-00 E 119.53 FT TO BEG 0.95 A 8/22/89 FR 002

PARCEL ID 25-14-202-003

T1N, R11E, SEC 14 ASSESSORS PLAT NO. 2 LOTS 5 THRU 11 INCL EXC N 7 FT FOR HWY

PARCEL ID 25-14-202-004

T1N, R11E, SEC 14 ASSESSOR'S PLAT NO 2 LOT 12, ALSO VAC S 3 FT OF ALLEY LYING NLY OF LOT 12 & SLY OF LOTS 5 TO 11 INCL, ALSO THAT PART OF VAC ALLEY LYING W OF LOT 12

NOT FOR CONSTRUCTION

PEA GROUP

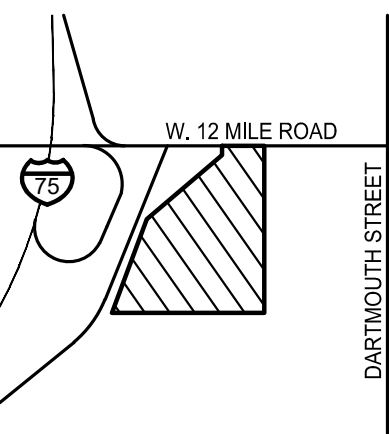
t: 844.813.2949
www.peagroup.com



0 15 30 60
SCALE: 1" = 30'



CAUTION!!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.



CLIENT

NAJOR COMPANIES

600 NORTH OLD WOODWARD, SUITE 100
BIRMINGHAM, MICHIGAN 48009

PROJECT TITLE

NAJOR 12 MILE & I-75

611 W. 12 MILE ROAD
MADISON HEIGHTS, OAKLAND COUNTY, MI

REVISIONS

CITY COMMENTS 7-14-25

ORIGINAL ISSUE DATE:

JUNE 10, 2025

DRAWING TITLE

PRELIMINARY DIMENSION PLAN

PEA JOB NO. 25-0636

P.M. GB

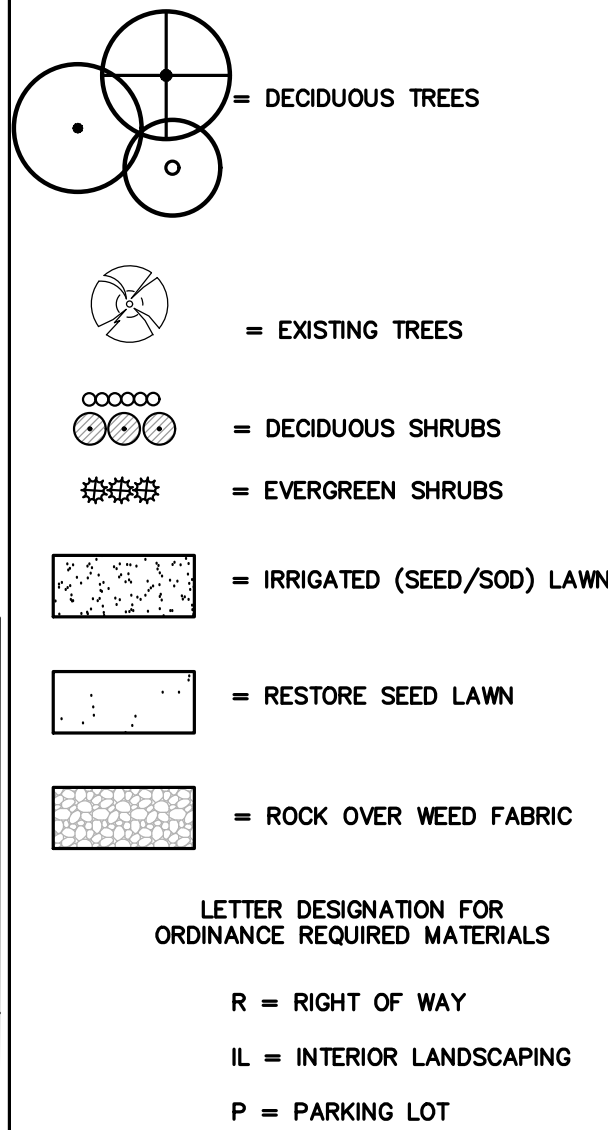
DN. JKS

DES. JKS

DRAWING NUMBER:

C-3.1

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	SPACING	DESIGNATION	REMARKS
DECIDUOUS TREES								
GT32.5	4	GLEDTISIA TRIACANTHOS INERMIS 'SUNCOLE'	SUNBURST HONEY LOCUST	2.5" CAL.	B&B	PER PLAN	NATIVE	
BT82.5	3	QUERCUS BICOLOR 'BONNIE AND MIKE'	BEACON® OAK	2.5" CAL.	B&B	PER PLAN	NATIVE	
SR2.5	3	SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK JAPANESE TREE LILAC	2.5" CAL.	B&B	PER PLAN	NON-NATIVE	
BT2.5	4	TILIA AMERICANA 'BOULEVARD'	BOULEVARD AMERICAN LINDEN	2.5" CAL.	B&B	PER PLAN	NATIVE	
	14	SUBTOTAL:						
ORNAMENTAL TREES								
ACA2	3	AMELANCHIER CANADENSIS	SHADBLOW SERVICEBERRY	2" CAL.	B&B	PER PLAN	NATIVE	
CC2	2	CERCIS CANADENSIS	EASTERN REDBUD	2" CAL.	B&B	PER PLAN	NATIVE	
	5	SUBTOTAL:						
SHRUBS								
AL18	11	ARONIA MELANOCARPA 'JCONNAM165'	LOW SCAPE MOUND® BLACK CHOKEBERRY	18" HT	CONT.	PER PLAN	NATIVE	
IVH24	3	ITEA VIRGINICA 'HENRY'S GARNET'	HENRY'S GARNET SWEETSPIRE	24" HT.	CONT.	PER PLAN	NON-NATIVE	
JC30	6	JUNIPERUS VIRGINICA 'GREY OWL'	GREY OWL EASTERN REDCEDAR	30" HT	CONT.	PER PLAN	NATIVE	
RG24	5	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	24" SPRD	CONT.	PER PLAN	NATIVE	
	25	SUBTOTAL:						



PER CITY OF MADISON HEIGHTS ZONING ORDINANCE: ZONED B-3 GENERAL BUSINESS

RIGHT OF WAY GREENBELT LANDSCAPE = R

REQUIRED: 1 TREE AND 4 SHRUBS PER 30 LF
INTERSTATE 75: $410 / 30 = 13.67 = 14$ TREES AND 55 SHRUBS
12-MILE ROAD: $(61.5 - 30) / 30 = 1.05 = 1$ TREE AND 5 SHRUBS

PROVIDED:
INTERSTATE 75: EXISTING WALL TO REMAIN
12-MILE ROAD: 1 PROPOSED TREES AND 5 PROPOSED SHRUBS

REQUIRED: 1 TREE AND 4 SHRUBS PER 30 LF
COUNT BOUNDARY: 333 / 30 = 10.17 = 13 TREES AND 50 SHRUBS

SOUTH BOUNDARY: $373 / 30 = 12.43 = 13$ TREES AND 52 SHRUBS
EAST BOUNDARY: $184 / 30 = 6.13 = 7$ TREES AND 28 SHRUBS
SE BOUNDARY: $161 / 30 = 5.3 = 6$ TREES AND 24 SHRUBS

PROVIDED:
SOUTH BOUNDARY: EXISTING WALL TO REMAIN
EAST BOUNDARY: EXISTING WALL TO REMAIN
SE BOUNDARY: PROPOSED WALL

REQUIRED:
5% OF THE TOTAL IMPERVIOUS AREA (BUILDINGS AND PAVED AREAS).
ONE 2.5" DECIDUOUS TREE AND THEN ONE 2.5" DECIDUOUS TREE FOR EVERY
ADDITIONAL 400 SF OF REQUIRED INTERIOR LANDSCAPE AREA
(2) 18" SHRUBS AND THEN (2) 18" SHRUBS FOR EVERY ADDITIONAL 400 SF OF
REQUIRED INTERIOR LANDSCAPE AREA

IMPERVIOUS AREA: 71,080 SF
REQUIRED:
 $71,080 \times (0.05) = 3554$ SF OF LANDSCAPE AREA
 $3554 / 400 = 8.89 = 9$ TREES AND 18 SHRUBS

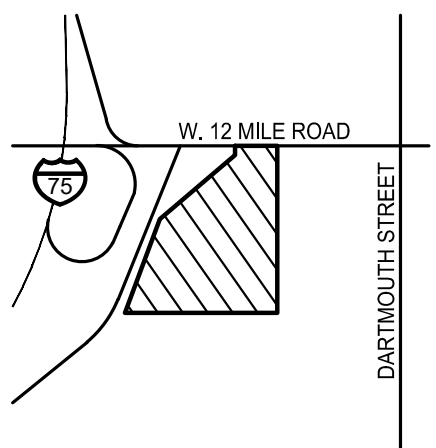
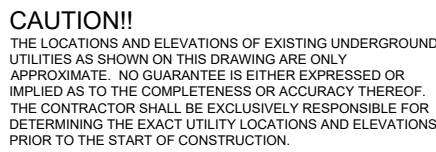
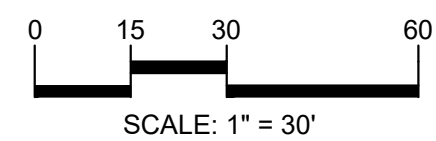
**PROVIDED:
9 PROPOSED TREES AND 19 PROPOSED SHRUBS**

REQUIRED:
5 SF OF REQUIRED PARKING LOT LANDSCAPE PER PARKING SPACE AND ONE 2.5"
DECIDUOUS TREE FOR EVERY 100 SF OF REQUIRED PARKING LOT LANDSCAPE.

181 PARKING SPACES x 5 SF = 905 SF OF REQUIRED PARKING LOT LANDSCAPE AND
905 / 100 = 9 REQUIRED TREES.

**PROVIDED:
9 PROPOSED TREES**

1. LANDSCAPE CONTRACTOR SHALL VISIT SITE, INSPECT EXISTING SITE CONDITIONS AND REVIEW PROPOSED PLANTING AND RELATED WORK. IN CASE OF DISCREPANCY BETWEEN PLAN AND PLANT LIST, PLAN SHALL GOVERN QUANTITIES. CONTACT LANDSCAPE ARCHITECT WITH ANY CONCERNS.
2. CONTRACTOR SHALL VERIFY LOCATIONS OF ALL ON SITE UTILITIES PRIOR TO BEGINNING CONSTRUCTION ON HIS/HER PHASE OF WORK. ELECTRIC, GAS, TELEPHONE, CABLE TELEVISION MAY BE LOCATED BY CALLING MISS DIG 1-800-482-7171. ANY DAMAGE OR INTERRUPTION OF SERVICES SHALL BE THE RESPONSIBILITY OF CONTRACTOR. CONTRACTOR SHALL COORDINATE ALL RELATED ACTIVITIES WITH OTHER TRADES ON THE JOB AND SHALL REPORT ANY UNACCEPTABLE JOB CONDITIONS TO OWNER'S REPRESENTATIVE PRIOR TO COMMENCING.
3. ALL PLANT MATERIAL TO BE PREMIUM GRADE NURSERY STOCK AND SHALL SATISFY AMERICAN ASSOCIATION OF NURSERYMEN STANDARD FOR NURSERY STOCK. ALL LANDSCAPE MATERIAL SHALL BE NORTHERN GROWN, NO. 1. GRADE.
4. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON LANDSCAPE PLAN PRIOR TO PRICING THE WORK.
5. THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT MEETING SPECIFICATIONS.
6. ALL SINGLE STEM SHADE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROWNS.
7. ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER; TREES WITH FORKED OR IRREGULAR TRUNKS WILL NOT BE ACCEPTED.
8. ALL MULTI STEM TREES SHALL BE HEAVILY BRANCHED AND HAVE SYMMETRICAL CROWNS. ONE SIDED TREES OR THOSE WITH THIN OR OPEN CROWNS SHALL NOT BE ACCEPTED.
9. ALL EVERGREEN TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE GROUND, SYMMETRICAL IN SHAPE AND NOT SHEARED FOR THE LAST FIVE GROWING SEASONS.
10. ALL TREES TO HAVE CLAY OR CLAY LOAM BALLS, TREES WITH SAND BALLS WILL BE REJECTED.
11. NO MACHINERY IS TO BE USED WITHIN THE DRIP LINE OF EXISTING TREES; HAND GRADE ALL LAWN AREAS WITHIN THE DRIP LINE OF EXISTING TREES.
12. ALL TREE LOCATIONS SHALL BE STAKED BY LANDSCAPE CONTRACTOR AND ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF THE PLANT MATERIAL.
13. IT IS MANDATORY THAT POSITIVE DRAINAGE IS PROVIDED AWAY FROM ALL BUILDINGS.
14. ALL PLANTING BEDS SHALL RECEIVE 3" SHREDDED HARDWOOD BARK MULCH WITH PRE EMERGENT, SEE SPECIFICATIONS. SHREDDED PALETTE AND DYED MULCH WILL NOT BE ACCEPTED.
15. ALL LANDSCAPED AREAS SHALL RECEIVE 3" COMPACTED TOPSOIL.
16. SEE SPECIFICATIONS FOR ADDITIONAL COMMENTS, REQUIREMENTS, PLANTING PROCEDURES AND WARRANTY STANDARDS.
17. FOR NON-LAWN SEED MIX AREAS, AS NOTED ON PLAN, BRUSH MOW ONCE SEASONALLY FOR INVASIVE SPECIES CONTROL.
18. CONTRACTOR SHALL NOT INSTALL PLANTS UNDER BUILDING OVERHANG AND SHALL NOTIFY LANDSCAPE ARCHITECT IF DRAWINGS CONFLICT WITH BUILDING OVERHANGS.
19. TREES SHALL NOT CONFLICT/ BLOCK PROPOSED REGULATORY DIRECTION SIGNAGE, MONUMENT SIGNS, ADDRESS OR LIGHT POLES. SHIFT TREES AS NECESSARY TYP.



CLIENT

**NAJOR
COMPANIES**
600 NORTH OLD WOODWARD, SUITE
100
BIRMINGHAM, MICHIGAN 48009

PROJECT TITLE

NAJOR
12 MILE & I-75
611 W. 12 MILE ROAD
MADISON HEIGHTS, OAKLAND COUNTY, MI

REVISIONS	
CITY COMMENTS	7-14-25

ORIGINAL ISSUE DATE:
JUNE 10, 2025

DRAWING TITLE

PRELIMINARY LANDSCAPE PLAN

PEA JOB NO.	25-0636
P.M.	GB
DN.	TC
DES.	JLE

DRAWING NUMBER:

NOT FOR CONSTRUCTION

L-1.0

4. **Remote Shared Parking.** Where an applicant requests to utilize a shared parking arrangement at an off-site parking area, a remote parking agreement shall be submitted to the Community and Economic Development department and shall be subject to approval by the Planning and Zoning Administrator. Remote parking shall be provided in accordance with the following:
- A. Remote parking areas shall be limited to existing parking lots already serving a principal building/use, or a parking lot as a principal use approved in accordance with [Section 10.06](#), below.
 - B. Pedestrian access between the remote parking facility and the served use(s) shall be provided in a safe convenient manner.
 - C. Remote parking areas shall be located on a lot within 300 feet of the principal building/use, measured from the nearest point of the property lines to the nearest point of the off-site parking lot.
 - D. Remote parking may not be separated from the use that it serves by a street right-of-way width exceeding 60 feet, unless a grade-separated pedestrian walkway, traffic control, or shuttle service is provided to the remote parking area.
 - E. If remote parking becomes unavailable and minimum parking is not able to be accommodated elsewhere, the served use(s) shall be discontinued.
 - F. The shared parking agreement shall, at minimum, contain the following, and shall be recorded at the County Register of Deeds:
 - (1) A term of at least five years to protect the city's interest in providing long-term, stable parking for the served use.
 - (2) Maintenance requirements.
 - (3) Termination, violation and enforcement provisions.

Section 10.06 Parking as a Principal Use

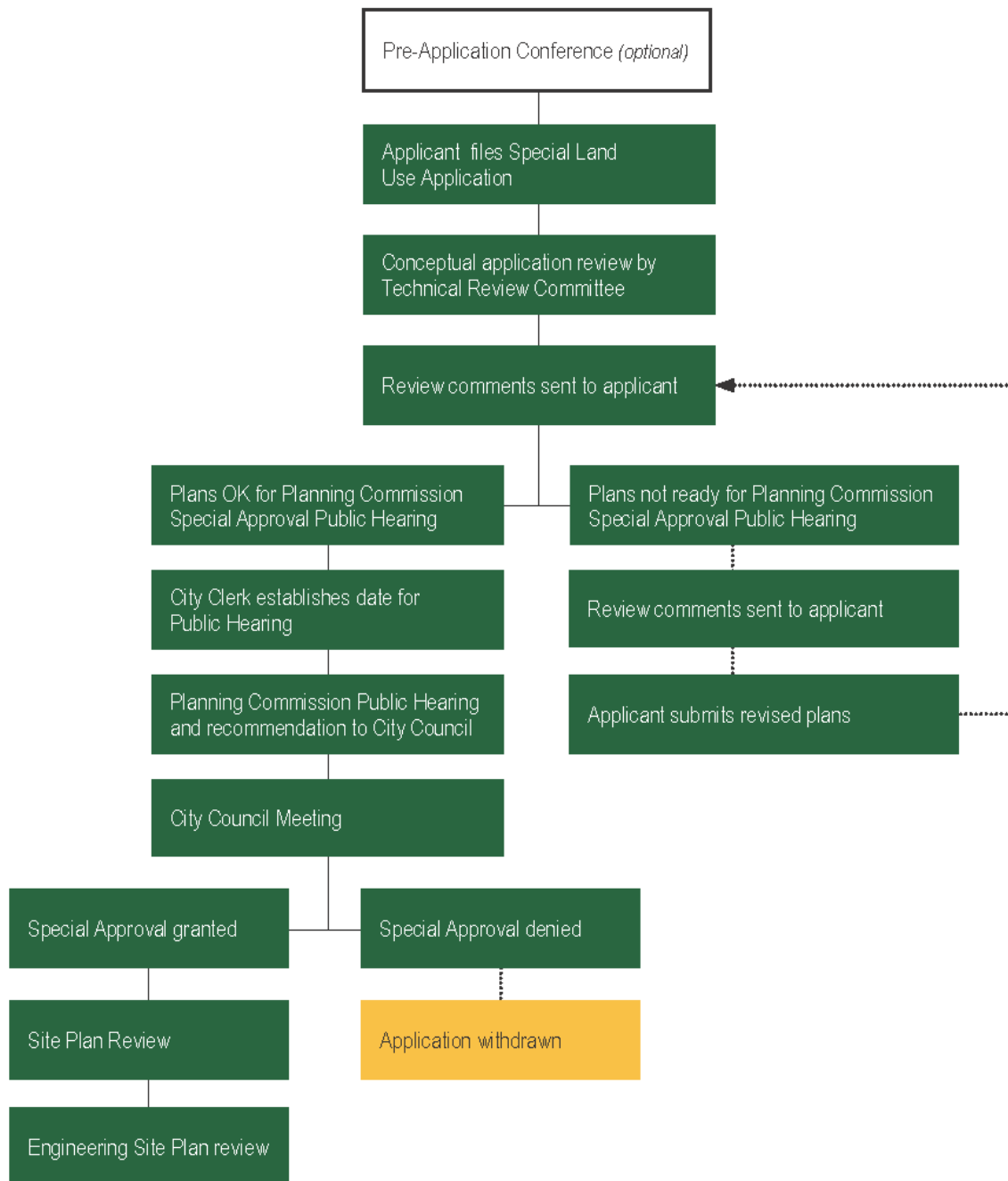
1. Parking as a principal use is permitted as a special land use in all zoning districts, subject to the following standards:
- A. Unless otherwise noted, the parking lot shall satisfy all layout, construction and design standards of this article.
 - B. The parking lot shall be landscaped and screened in accordance with Section 11.06 (Parking Lot Landscaping).
 - C. The use of the parking lot shall be restricted to the parking of passenger automobiles only. No commercial vehicles shall be parked or stored.
 - D. The parking lot shall serve customers, visitors, and employees of adjacent non-residential/mixed-use districts.
 - E. Each entrance and exit from such parking lot shall be located at least twenty (20) feet from any adjacent residential zoning district, measured from the property line.
 - F. The following additional standards apply to principal use parking lots in R-1, R-2, R-3, R-MN, and R-MF districts:
 - (1) The residential parcel on which the parking lot is located shall have a side or rear lot line that directly abuts a non-residential or mixed-use zoning district, or directly abuts a public alley which divides said residential and non-residential/mixed-use zoning districts.
 - (2) All portions of the paved parking lot and all parking spaces and maneuvering lanes shall be within eighty (80) feet of the non-residential/mixed-use zoning district to be served, or the edge of a public alley which divides said residential and non-residential/mixed-use zoning districts.
 - (3) The applicant shall, through the Special Land Use process, demonstrate that adequate parking cannot be reasonably provided on the subject property or an adjacent non-residentially-zoned parcel.
 - (4) The applicant shall, through the Special Land Use process, demonstrate that the parking areas will not detrimentally impact the residential character of the adjacent neighborhood(s).

- E. The guarantee or portion thereof, shall be promptly released upon the inspection and approval of all improvements in compliance with the approved final site plan or conditional use permit and all applicable city standards and specifications. Portions of the guarantee may be released, in not more than three installments, provided:
 - (1) The project or approved phase of a project has been completed for six months and the improvements for which the release is requested have been inspected and approved in accordance with the above standards, and the remaining balance is sufficient to cover the remaining improvements, including administrative and contingency expenses.
 - (2) The guarantee shall not be reduced below the minimum amount required above.
- F. **Types of Completion Guarantees.** The applicant may provide a guarantee in the form of a cash deposit, certified check, surety bond or letter of credit in a form acceptable to the city. Surety bonds and letters of credit shall be valid for a period of one year past the anticipated request for the last Certificate of Occupancy for the entire project and, if required, shall be renewed by the applicant not less than 30 days prior to expiration.

Section 15.05 Special Land Use Review

1. **Purpose.** The purpose of this section shall be to:
 - A. Require Special Land Use approval for certain uses in all zoning districts that are listed as Special Land Uses.
 - B. Establish review procedures for all Special Land Uses.
 - C. Establish review standards for all Special Land Uses.
 - D. Establish the Planning Commission as the advisory board and City Council as the final review and approval authority for Special Land Uses.
 - E. Establish authority to impose conditions upon Special Land Uses.
2. **Submission and Review Process.** All Special Land Uses in all zoning districts shall be reviewed in accordance with the following procedures:
 - A. Applicant may request a preliminary meeting with Community and Economic Development Department staff to discuss the proposal, design elements, ordinance requirements, etc. The applicant may further request a preliminary discussion at the Planning Commission for informal input. The city's comments during a pre-application conference shall be advisory in nature only.
 - B. Applicant submits application, fee, two (2) copies of the proposed conceptual site plan, and a digital version of the conceptual site plan, to the Community and Economic Development Department (site plan must be reduced to 11" x 17"). A separate site plan application is not required at the time of special land use review. A conceptual site plan shall include at a minimum:
 - (1) Location map showing the proposed site location, zoning classifications and major roads.
 - (2) Property identification number(s) and the dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
 - (3) Location of all existing and proposed structures, uses, number of stories, gross building area, required and proposed setback lines, and distances between structures on the subject property.
 - (4) The percentage of land area devoted to building, paved, and open space.
 - (5) All existing and proposed structures, roadways, drives, landscaping, trees, parking areas, and pedestrian paths.
 - (6) Number of parking spaces and location of loading areas and handicap parking spaces and access routes on the subject property.
 - (7) Location and height of all walls, fences, and landscaping, including a conceptual landscaping plan.
 - (8) Location and widths of all abutting streets, existing and proposed rights-of-way, easements, and pavement.

- (9) Type of existing and proposed surfacing of all drives, parking areas, loading areas and roads.
 - (10) All utilities located on or serving the site, including sizes of water and sewer lines, wells, proposed hydrants, and proposed fire suppression line into building. Proposed sanitary leads and sanitary sewers must also be shown, as applicable.
 - (11) Preliminary storm system layout and flow arrows demonstrating that storm flow connections and disposal methods are feasible.
 - (12) Existing and proposed ground contours at intervals of two feet, or spot elevations sufficient to review the proposed grading and drainage plan, as determined by the city's consulting engineer.
- C. The Planning and Zoning Administrator may waive particular submittal items, as listed above, upon a determination that such items are not necessary for making a determination on the requested Special Land Use.
 - D. The Technical Review Committee reviews the Special Land Use application for general conformance with Ordinance requirements and transmits review comments to the applicant for revision, if necessary. Applicant submits revised materials to Planning and Zoning Administrator, if necessary, for re-consideration by Technical Review Committee. Comments made by the Technical Review Committee shall be forwarded onto Planning Commission for consideration.
 - E. The Planning and Zoning Administrator notifies the City Clerk when Special Land Use applications are adequate for consideration by The Planning Commission. The Planning and Zoning Administrator and City Clerk establish a public hearing date and post/send public notices in accordance with [Section 15.01](#).
 - F. The Planning Commission shall hold a public hearing. Following the public hearing, the Planning Commission shall review the request and make a recommendation to the City Council in the form of a motion. The recommendation may be subject to certain conditions or changes being made.
- If the Planning Commission requires additional information, the application may be postponed to a date certain until such information has been received.
- G. Following the review and recommendation of the Planning Commission, the application shall be forwarded to the City Council at its next scheduled meeting. The City Council shall consider the request, along with the Planning Commission recommendation, and approve, approve with conditions, or deny the application for special use approval. If City Council requires additional information, the application may be postponed to a date certain until such information has been received.
 - H. Each action taken with reference to special land use approval shall be duly recorded in the minutes of the Planning Commission and City Council and shall state the grounds for the action taken upon each special use submitted for its approval.
 - I. Special land use approval shall be obtained from the City Council before issuance of a Certificate of Occupancy for any special land use, and prior to the submittal and approval of a site plan, engineering plan, and building permit, if required.
 - J. The Planning and Zoning Administrator, in coordination with the City Clerk, sends the applicant a Notice of Action and a copy of the City Council minutes from the meeting in which the case was acted upon. If Site Plan approval is required for the project, the applicant may apply for Site Plan review in accordance with [Section 15.04](#)



3. **Review Standards and Criteria.** In approving a special land use, the Planning Commission and City Council shall make a finding that the proposed Special Land Use is in compliance with all of the following standards:
- A. The use is so designed, located and proposed to be operated in a way that protects the public health, safety and welfare.
 - B. The use is designed in a way that considers the natural environment and helps conserve natural resources and energy.
 - C. The special land use will not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
 - D. The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood, and vicinity. At a minimum, this shall include:
 - (1) Location of use(s) on site;
 - (2) Height of all improvements and structures;
 - (3) Adjacent conforming land uses;
 - (4) Conformance with the Master Plan and future land use map for the area as adopted by the planning commission; and
 - (5) Compatibility with the permitted principal uses allowed in the zoning district where the Special Land Use is requested, and consistency with the intent of the zoning district.
 - E. Ingress/egress to the use shall be controlled to assure maximum vehicular, pedestrian and non-motorized safety, convenience and minimum traffic impact on adjacent roads, drives and uses including, but not limited to:
 - (1) Reduction in the number of ingress/egress points through elimination, minimization and/or consolidation of drives and/or curb cuts;
 - (2) Proximity and relation to intersections, specifically with regard to distance from drive(s) to intersection(s);
 - (3) Reduction/elimination of pedestrian/vehicular traffic conflicts;
 - (4) Adequacy of sight distances;
 - (5) Location and access of off-street parking;
 - (6) Location and/or potential use of service drives to access multiple parcels, reducing the number of access points necessary to serve the parcels.
 - F. The use is consistent with the intent and purpose of the zoning district in which it is proposed.
 - G. In granting Special Land Use approval, City Council may impose conditions that it deems necessary to fulfill the spirit and purpose of this Ordinance. The conditions may include those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.
4. **General Stipulations.**
- A. The breach of any condition, safeguard or requirement, and the failure to correct such breach within 30 days after an order to correct is issued by the city shall be reason for immediate revocation of the Special Land Use Approval. Conditions and requirements stated as a part of special use permit authorizations shall be continuing obligations of the holders of such permits and are binding upon their heirs and assigns and upon any persons taking title to the affected property while such special use permit is in effect.
 - B. The discontinuance of a special land use after a specified time may be a condition to the issuance of the permit. Renewal of a special land use permit may be granted after a review and determination by the city council that

continuing private need and public benefit will be served by such renewal. Renewal applications shall be in accord with standards and requirements in effect at the time that the renewal is requested.

- C. Application for Special Land Use Approval shall be made with the full consent of all persons having an ownership interest in the land on which the Special Land Use is requested. All persons having ownership interest in the property shall sign the application prior to its acceptance by the city.
 - D. Special Land Use Approval is valid for a period of one year. When required, site plan approval and commencement of construction of approved improvements must occur within one year of the city council's Special Land Use Approval or the Special Land Use Approval shall be automatically null and void. The City Council may grant an extension for good cause for a period not to exceed six months from the date of expiration of the original approval provided for extension is made during the period of effectiveness.
 - E. When an established use approved under the special land use approval procedure ceases to function or is abandoned for a period of six months, the special use approval shall lapse and shall no longer be in effect.
 - F. The record of the city council shall be the approved minutes for Special Land Use cases. Said record shall be made available to the applicant whether the Special Land Use Approval request is approved, approved with conditions, or denied and shall constitute notice of the city council's decision regarding the Special Land Use Approval request.
 - G. The Planning Commission shall give notice of the time and place of the required public hearing as required by state law.
 - H. All construction, improvement or use of a parcel or parcels of land shall be in complete accord with the Special Land Use Approval, any conditions imposed by the city council and the approved site plan.
 - I. A special land use permit may be terminated by subsequent rezoning of the affected site as a part of an appropriate zoning district, subject to any vested nonconforming use rights. Such termination may be initiated only after determination by the city council that the development status of the site is in accordance with requirements of the zoning district in which it is to be placed. There shall be no waiver of standards or procedures, including publication, hearings, planning commission and city council action, in regard to the rezoning of a site which is occupied or used under a special use permit.
 - J. No reapplication, reconsideration and/or rehearing for a special use permit which has been denied by the city council shall be resubmitted until the expiration of one year from the date of such denial, except on grounds of newly discovered evidence or proof of materially changed conditions, sufficient to justify reconsideration by the city council. Each reapplication will be treated as a new application.
 - K. Appeals: No decision or condition related to a special land use application shall be appealed to the Zoning Board of Appeals. An appeal of a special land use decision or condition may be taken to Circuit Court.
5. **Amendments, Expansions or Change of Special Land Use.** The following provisions apply when there is an amendment or a proposed expansion to an approved special land use, an amendment or proposed modification to a condition previously applied to a special land use, or when there is a proposed change from one special land use to another.
- A. **Amendments.** Any applicant who has been granted special land use approval shall notify the Planning and Zoning Administrator of any proposed amendment to the approved Special Land Use. The Planning and Zoning Administrator shall determine whether a proposed amendment requires new special land use approval. New special land use approval may be required when such amendment is a departure from the operation or use described in the approved application or causes external impacts such as additional traffic, hours of operation, noise, additional outdoor storage, or display. Any alteration of previously approved conditions pertaining to a special land use approval shall require resubmittal and new Special Land Use consideration by Planning Commission and City Council in the manner described in this Section.
 - B. **Expansions.** An expansion of any use requiring a special use approval that results in an increase of 10% or more of the building, parking, paved areas, or site area shall require resubmittal and new Special Land Use consideration in the manner described in this Section.
 - C. **Change in Use.** The applicant shall be responsible for informing the Planning and Zoning Administrator of any significant change in an approved special land use, operations, or activities prior to any such change. The Planning and Zoning Administrator shall determine if a new special land use approval is required. A significant change shall

mean any departure from the operation or use described in the approved application or any change that may cause external impacts such as additional traffic, hours of operation, noise, additional outdoor storage, or display.

Section 15.06 Variances and Appeals

1. **Administrative Appeals.** The Zoning Board of Appeals shall have the power to hear and decide appeals where it is alleged by the applicant that there is an error in any order, requirement, permit, decision, or interpretation made by the Planning and Zoning Administrator, zoning enforcement officer, or any other administrative official, board or commission in carrying out or enforcing any provision of this Ordinance, except where this Ordinance prohibits Zoning Board of Appeal Action (e.g. direct appeal to Circuit Court).
 - A. An appeal to the Zoning Board of Appeals based in whole or in part on the provisions of this Ordinance may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, board or bureau affected by the decision of the building inspector aggrieved by the decision, order, requirement, or determination made by the Planning and Zoning Administrator, Technical Review Committee, Planning Commission, zoning enforcement officer, or other administrative official or board or commission tasked with administering or enforcing the provisions of this Ordinance. Such appeal shall be taken by filing a notice of appeal with the Planning and Zoning Administrator on appropriate forms provided by the Community and Economic Development Department. The Planning and Zoning Administrator shall transmit all papers constituting the records of such appeal to the board. The board may require the applicant to furnish such surveys, plans or other information as may be required for the proper consideration of the matter. Upon a hearing before the board, any person or party may appear in person, or by agent, or by attorney.
 - B. **Time for Appeal.** An appeal shall be filed to the Planning and Zoning Administrator within thirty (30) days from the date listed on the Notice of Action referring to the order, requirement, decision, or determination which is the subject of the appeal.
 - C. The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to in accordance with the procedures set forth in the Michigan Zoning Enabling Act, PA 110 of 2006 (as amended) and Section 15.01.
 - D. The board may reverse or affirm wholly or partly or may modify the order, requirement, decision or determination as, in its opinion, ought to be made in the premises and, to that end, shall have all the powers of the officer from whom the appeal is taken. The concurring decision of a majority of the members of the board shall be necessary to reverse an order, requirement, decision or determination of an administrative officer or body, or to decide in favor of the applicant a matter upon which they are required to pass under an ordinance, or to effect a variation in an ordinance. An appeal shall stay all proceedings in furtherance of the action appealed from unless the building inspector certifies to the Zoning Board of appeals after notice of appeal shall have been filed with him that by reason of facts stated in the certificates a stay would cause imminent peril to life and property, in which case the proceedings shall not be stayed otherwise than by a restraining order which shall be granted by the Zoning Board of Appeals or by the Circuit Court on application, on notice of the building inspector and on due cause shown.
2. **Variances.** The ZBA shall have the power to authorize, upon application, specific variances from such dimensional requirements as lot area and width regulations, building height and square foot regulations, yard width and depth regulations; such requirements as off-street parking and loading space, requirements, sign regulations and other similar requirements as specified in the Ordinance, provided such modifications will not be inconsistent with the purpose and intent of such requirements. In granting a variance, the Zoning Board of Appeals shall make findings that a "practical difficulty" has been shown by the applicant by finding that all of the following requirements have been met by the applicant's petition:
 - A. That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, and would thereby render the conformity unnecessarily burdensome for other than financial reasons; and
 - B. That a variance will provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring area, provided that possible increased financial return shall not of itself be deemed sufficient to warrant a variance; and

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission for the City of Madison Heights will hold a public hearing on **Tuesday, August 19th, 2025 at 5:30 p.m. in the City Council Chambers of the Municipal Building at 300 W. 13 Mile Road, Madison Heights, Michigan 48071** to consider the following **Special Land Use** requests:

Case # PSP 25-04 – 510 W. Girard Ave.

The applicant, Mt. Zion Evangelical Lutheran Church, requests Special Land Use approval per the procedures set forth in Section 15.05 of the Madison Heights Zoning Ordinance to operate a private school at 510 W. Girard Ave. (PIN 44-25-11-251-019). The school will operate in association with the existing religious institution (church) on the subject property. The property is approximately 1.64 acres in size and is zoned R-2, One-Family Residential.

Case # PSP 25-05 – 28767 Dartmouth St.

The applicant, Najor Companies, requests Special Land Use approval per the procedures set forth in Sections 10.06 and 15.05 of the Madison Heights Zoning Ordinance to operate a parking lot as a principal use of a residential parcel at 28767 Dartmouth St (PIN 44-25-14-202-004). The parking lot and driveway are intended to serve a proposed restaurant on the adjacent parcel at 611 W. 12 Mile Road. The property is approximately 0.19 acres in size and is zoned R-3, One-Family Residential.

The applications and any supporting documents can be viewed during regular business hours at the Community and Economic Development Department. In addition, the agenda item can be viewed online after 4:00 p.m. on the Friday prior to the meeting at www.madison-heights.org in the Agenda Center.

If you are unable to attend the meeting, you can send your comments via email to: MattLonnerstater@madison-heights.org and your comment will be read into the record at the meeting. Written comments may also be mailed prior to the meeting to 300 West Thirteen Mile Road, Madison Heights, Michigan, 48071. All comments will be heard at the meeting.

MADISON HEIGHTS COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
(248) 583-0831

Madison Park News
July 23rd, 2025



MEMORANDUM

Date: August 12th, 2025
 To: City of Madison Heights Planning Commission
 Meeting Date: August 19th, 2025
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Rezoning Request PRZN 25-01 through 25-06 – City-Initiated Rezonings of Certain Qualified Properties:

PRZN 25-01 – 555 E. 13 Mile Road [R-1 to R-MN]
 PRZN 25-02 – 1434 E. 13 Mile Road [R-2 to R-MF]
 PRZN 25-03 – 30801 Dequindre Road [R-2 to MUI-2]
 PRZN 25-04 – 1042 E. 12 Mile Road [R-3 to R-MN]
 PRZN 25-05 – 500 W. Gardenia Avenue [R-3 to R-MN]
 PRZN 25-06 – Eastern 130 ft. of 30728 John R Road [R-2 to B-1]

Introduction

As directed by City Council, the City of Madison Heights is initiating a proactive rezoning of certain qualified properties to the R-MN (Residential Mixed-Neighborhood), R-MF (Residential Multi-Family), MUI-2 (Mixed-Use Innovation 2), or B-1 (Neighborhood Business) district. These rezonings, if approved, aim to better-align the zoning of these properties with existing land use patterns, the City's Master Plan, and adjacent street networks. Further, this rezoning process will have the effect of *increasing* building expansion and development potential while simultaneously ensuring that all existing uses are permitted to continue. Properties included in this proactive rezoning process share the following characteristics:

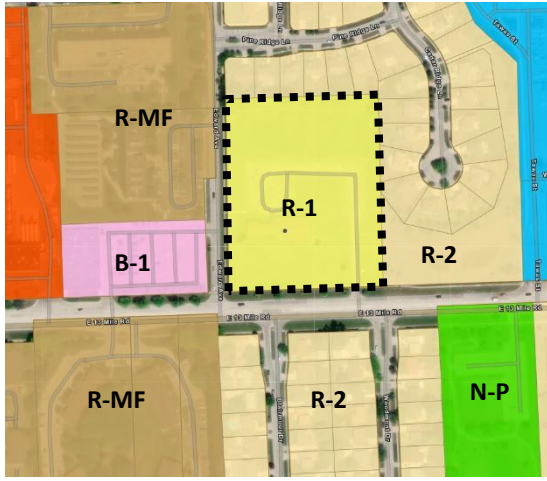
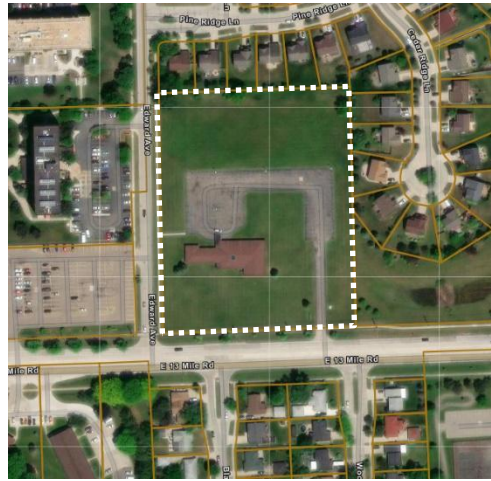
- Currently zoned One-Family Residential (R-1, R-2, or R-3).
- Located on a moderate to high-traffic street identified as either an “arterial” or “collector” street in the Madison Heights Master Plan.
- Currently improved with a religious institution, private club, or lodge.

Background

Madison Heights adopted a new Zoning Ordinance in 2024 which replaced an outdated ordinance that had been in effect for nearly fifty years. The previous Zoning Ordinance (pre-2024) only permitted religious institutions such as churches, synagogues, mosques, temples, etc. in the one-family residential and office zoning districts. The new Zoning Ordinance permits religious institutions, private clubs, and lodges in a greater number of zoning districts including, in some capacity, residential, office, business, and mixed-use districts. While many properties improved with religious institutions or clubs were rezoned as part of the 2024 Zoning Ordinance adoption, several properties on higher-traffic streets still retain one of the lower-density one-family residential zoning designations; these zoning designations are out of character with the street system and nearby land use and development patterns and potentially reduce opportunities for future expansion projects or redevelopment.

The individual properties selected for proactive rezoning are highlighted on the following pages.

PRZN 25-01 – 555 E. 13 MILE ROAD

Madison Heights Church of Nazarene: 555 E. 13 Mile Road	
<p>ZONING</p> 	<p>AERIAL</p> 
<p>Current Zoning: R-1, One-Family Residential</p> <p>Size: 5 Acres</p> <p>Future Land Use: Single-Family</p> <p>Status: Active Church</p> <p>Proposed Zoning District: R-MN</p>	<p>Adjacent Land Uses:</p> <p>North: Single-Family Residential</p> <p>East: Single-Family Residential</p> <p>South: Single-Family Residential</p> <p>West: Medical Office</p>

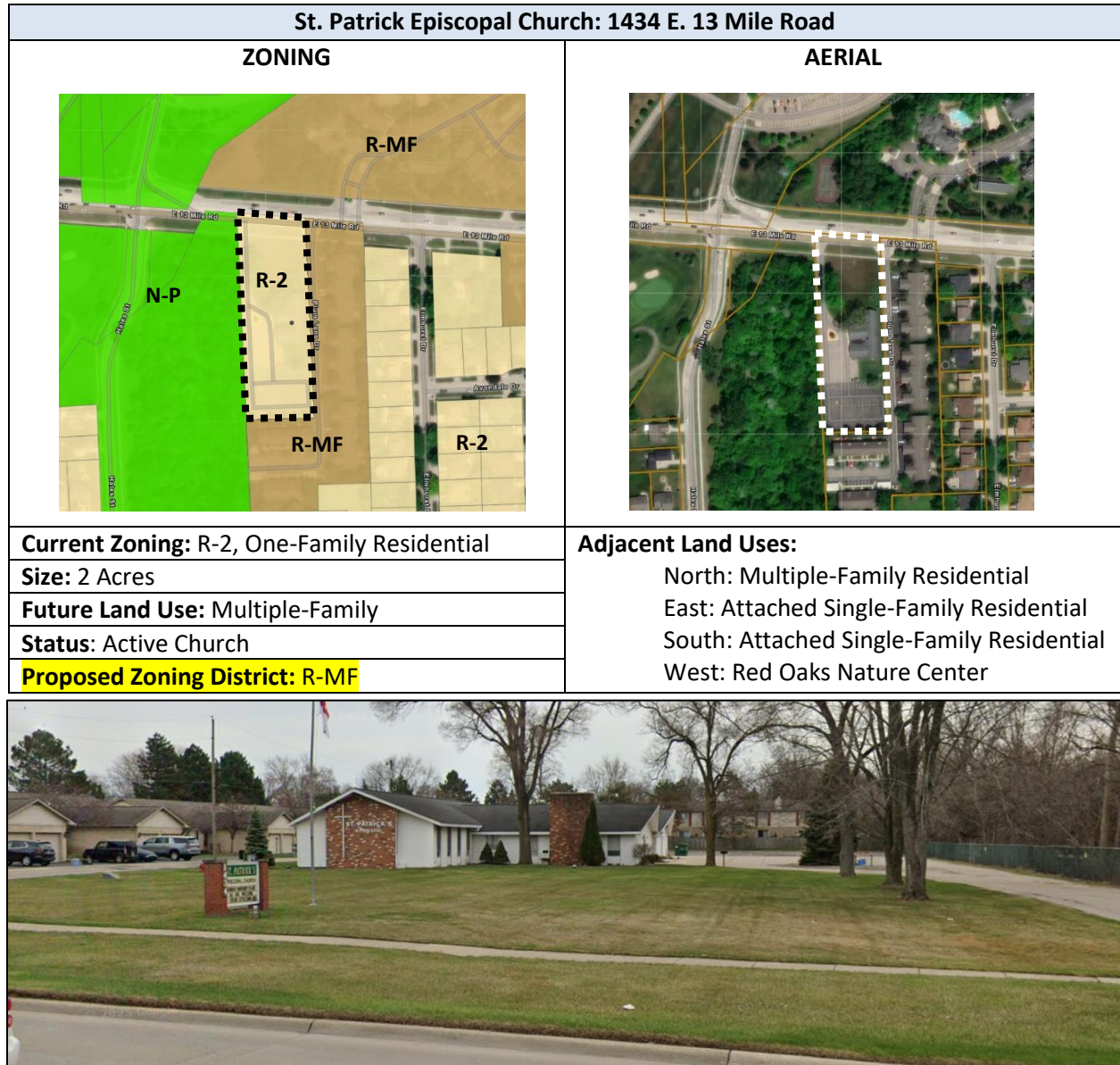


Discussion: Under its current zoning designation (R-1), this property is restricted to those uses permitted in the one-family residential districts (primarily single-family homes). The R-1 district has a minimum lot size of one (1) acre, meaning that the property could theoretically only accommodate a total of five (5) single-family detached homes on very large lots. Per the Master Plan, the Future Land Use category for this property is single-family. This portion of E. 13 Mile Road is primarily improved with single-family and multi-family residential uses, with the exception of the Meijer and Sam's Club properties and the Red Oaks Water Park and golf course. **Staff recommends that the site be rezoned to Residential Mixed-Neighborhood (R-MN)** (allowing duplex, multiplex and townhome developments) to keep with the primarily residential character of East 13 Mile while allowing for additional density appropriate along 13 Mile Road.

Non-Conformity Consideration: Religious Institutions would continue to be permitted as a Special Land Use under the R-MN district. The existing building appears to meet dimensional standards of the R-MN district.

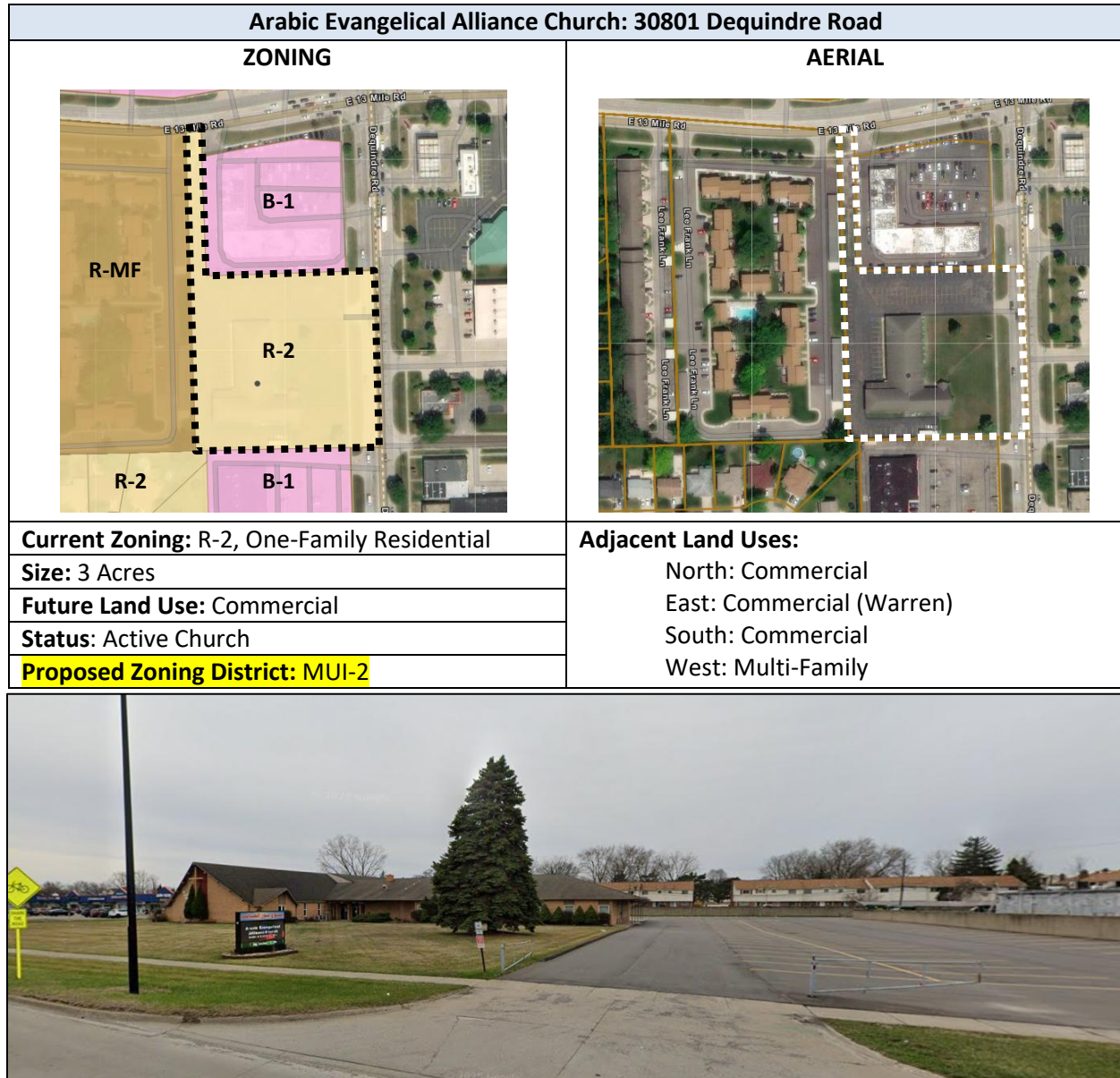
Master Plan Consideration: If the site is rezoned to R-MN, the Future Land Use map should be amended as part of the ongoing Master Plan update.

PRZN 25-02 – 1434 E. 13 MILE ROAD



Discussion: Under its current zoning designation (R-2), this property is restricted to those uses permitted in the one-family residential districts (primarily single-family homes). The R-2 district has a minimum lot size of 7,200 square feet, meaning that the property could theoretically accommodate about twelve (12) single-family detached homes. However, a new private street would likely need to be created to get to this density. Per the Master Plan, the Future Land Use category for this property is multi-family. The property abuts multiple-family residential uses, including townhomes and multi-family buildings, to the north, south, and east and recreational uses to the west. **Staff recommends that the site be rezoned to Multi-Family Residential (R-MF)** as it would be consistent with the Future Land Use map and adjacent land uses.

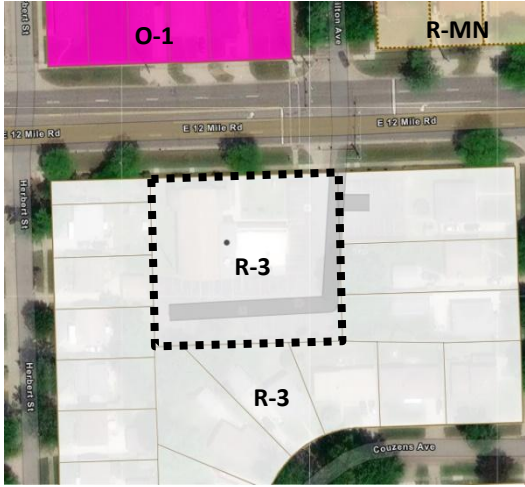
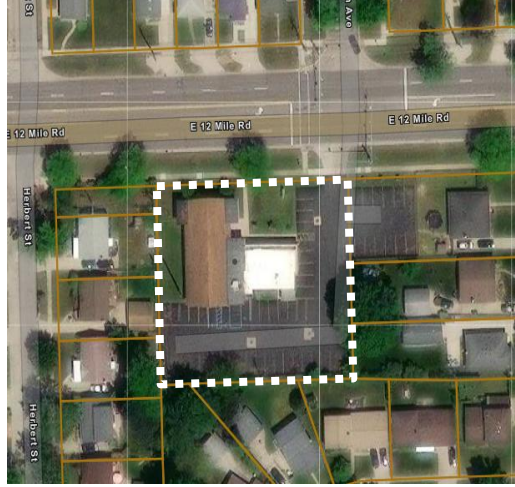
Non-Conformity Consideration: Religious Institutions would continue to be permitted as a Special Land Use under the R-MF districts. The existing building appears to meet dimensional standards of the R-MF district.

PRZN 25-03 – 30801 DEQUINDRE ROAD

Discussion: Under its current zoning designation (R-2), this property is restricted to those uses permitted in the one-family residential districts (primarily single-family homes). The R-2 district has a minimum lot size of 7,200 square feet, meaning that the property could theoretically accommodate about eighteen (18) single-family detached homes. However, a new private street would likely need to be created to get to this density. Per the Master Plan, the Future Land Use category for this property is Commercial. The property abuts commercial/retail properties to the north, south, and east and multi-family residential property to the west. **Staff recommends that the site be rezoned to Mixed-Use Innovation 2 (MUI-2)** as it would be consistent with the Commercial future land use designation and land uses while continuing to allow for religious institutions and clubs.

Non-Conformity Consideration: Religious Institutions would be permitted by right within the MUI-2 district. The existing building appears to meet dimensional standards of the MUI-2 district.

PRZN 25-04 – 1042 E. 12 MILE ROAD

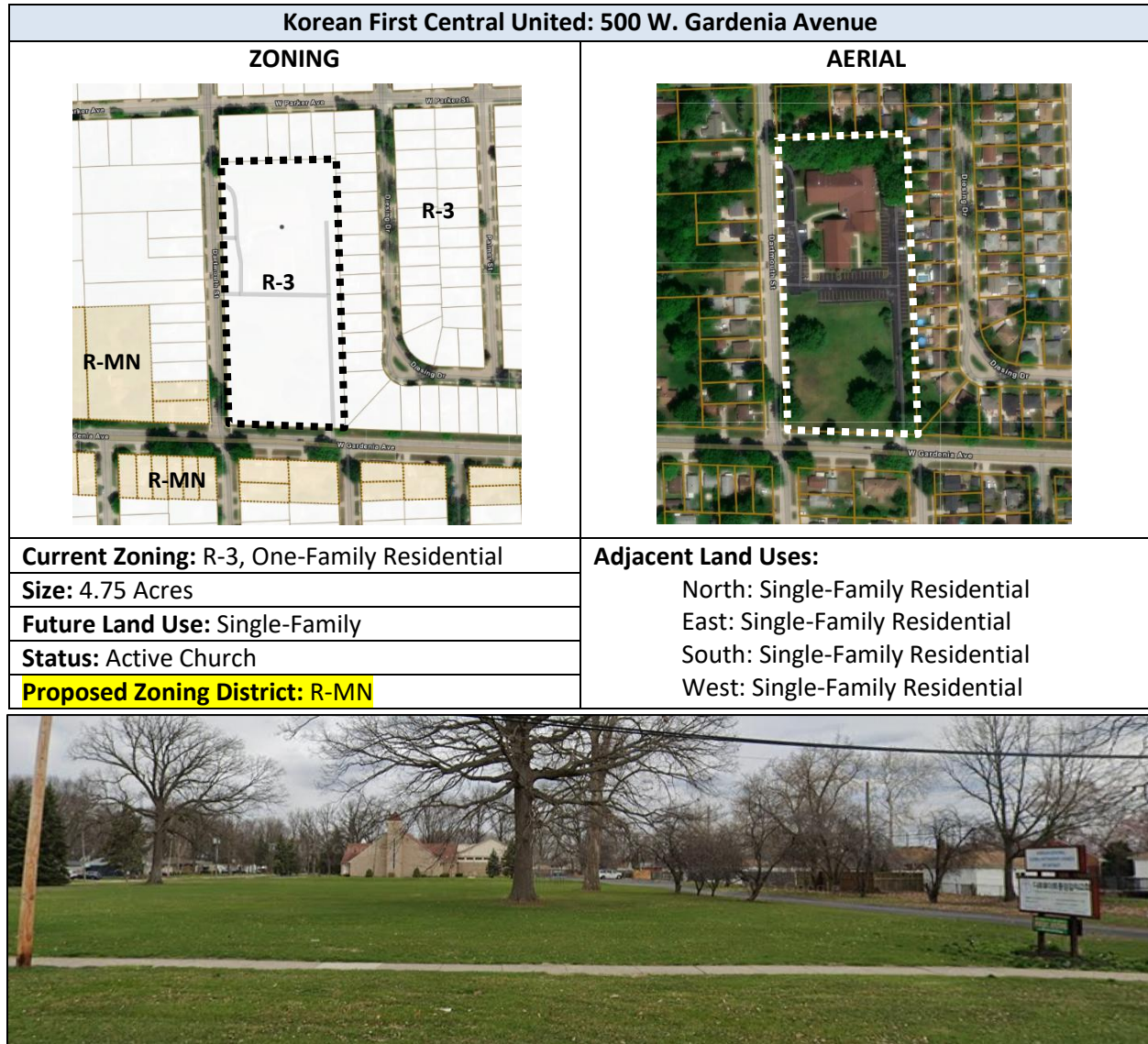
Gospel Life Church: 1042 E. 12 Mile Road	
ZONING	AERIAL
	
Current Zoning: R-3, One-Family Residential	Adjacent Land Uses: North: Single-Family Residential East: Single-Family Residential South: Single-Family Residential West: Single-Family Residential
Size: 0.7 Acres	
Future Land Use: Single-Family	
Status: Active Church	
Proposed Zoning District: R-MN	



Discussion: Under its current zoning designation (R-3), this property is restricted to uses permitted in the one-family residential districts (primarily single-family homes). The R-3 district has a minimum lot size of 5,000 square feet, meaning that the property could theoretically accommodate about six (6) single-family detached homes. Per the Master Plan, the Future Land Use category for this property is Single-Family Residential. The property abuts single-family uses to the north, south, east and west. **Staff recommends that the site be rezoned to Residential Mixed-Neighborhood (R-MN)** to allow for slightly higher residential density that would still be compatible with adjacent single-family residential uses. Staff notes that a portion of the church parking lot is on the adjacent single-family parcel to the east, which is also owned by the church. This adjacent parcel is not included within this rezoning request.

Non-Conformity Consideration: Religious Institutions of all sizes would continue to be permitted as a Special Land Use under the R-MN districts. The existing building appears to have a non-conforming front-yard setback under the current R-MN zoning district. However, a rezoning to R-MN would likely not create an additional non-conformity.

Master Plan Consideration: If the site is rezoned to R-MN, the Future Land Use map should be amended as part of the ongoing Master Plan update.

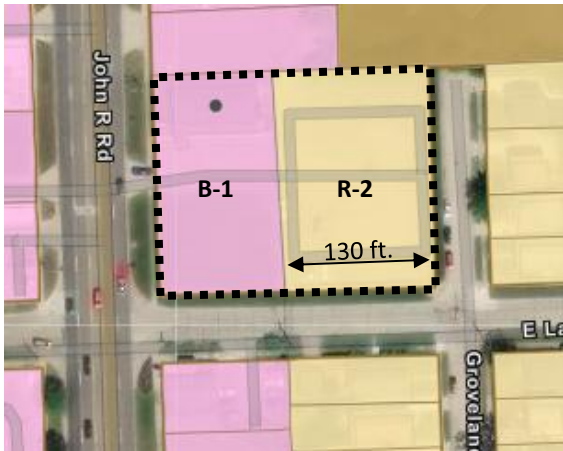

PRZN 25-05 – 500 W. GARDENIA AVENUE

Discussion: Gardenia is listed as a “collector” street and serves as an important east-west connector into/from Royal Oak. Under its current zoning designation (R-3), the property is restricted to those uses permitted in the one-family residential districts (primarily single-family homes). The R-3 district has a minimum lot size of 5,000 square feet, meaning that the property could theoretically accommodate about forty-one (41) single-family homes. However, a new private street would likely need to be created to get to this density. Per the Master Plan, the Future Land Use category for this property is Single-Family Residential. The property abuts single-family uses to the north, south, east and west. Properties along Gardenia were rezoned to Residential Mixed-Neighborhood (R-MN) as part of the 2024 zoning update, which allows for single-family, duplex, triplex, quadplex, and townhome-style development. Staff recommends that the site be rezoned to Residential Mixed-Neighborhood to allow for missing-middle housing (duplexes, triplexes, townhouses, etc.) consistent with the R-MN district along Gardenia.

Non-Conformity Consideration: Religious Institutions of all sizes would continue to be permitted as a Special Land Use under the R-MN district. The existing building appears to meet dimensional standards for these districts.

Master Plan Consideration: If the site is rezoned to R-MN, the Future Land Use map should be amended as part of the ongoing Master Plan update.

PRZN 25-06 – EASTERN 130 FEET OF 30728 JOHN R ROAD

Vacant [Former Red Oaks Church]: 30728 John R Road	
ZONING	AERIAL
	
Current Zoning: West side: B-1, Neighborhood Business. East side: R-2, One-Family Residential Size: 1.06 acres Future Land Use: Multi-Family Status: Vacant church Proposed Zoning District: B-1	Adjacent Land Uses: North: Commercial East: Single-Family Residential South: Commercial/Single-Family Residential West: Commercial



Discussion: The property is currently split-zoned B-1, Neighborhood Business and R-2, One-Family Residential. The R-2 portion at the rear of the site is improved with a parking lot. The Madison Heights Zoning Ordinance advises against split-zoning as it creates confusion with regards to permitted uses and dimensional standards. In order to encourage reuse or redevelopment of the vacant building, **staff recommends that the eastern 130 feet of the site be rezoned to B-1, Neighborhood Business;** this would eliminate the split-zoning and allow for a cohesive zoning district on the parcel. Any future redevelopment of the site would need to incorporate screening and landscaping to allow for a proper transition to the residential uses to the east and south.

Non-Conformity Consideration: Small religious institutions, clubs and lodges with a capacity of 75 persons or less would continue to be permitted as a Special Land Use under the B-1 district. However, larger facilities (76 or more persons) would not be permitted.

Master Plan Consideration: If the site is rezoned to B-1, the Future Land Use map should be amended as part of the ongoing Master Plan update.

Map Amendment (Rezoning) Review Standards

Section 15.07 of the new Zoning Ordinance contains standards that the Planning Commission and City Council shall consider when reviewing and acting upon a rezoning request:

- (1) Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*
- (2) Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*
- (3) Consistency with the goals, policies, and objectives of the Master Plan (including the Future Land Use Plan), and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistency with recent development trends in the area shall be considered.*
- (4) The boundaries of the requested zoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*
- (5) The requested zoning district is considered to be more appropriate from the city's perspective than another zoning district.*
- (6) If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
- (7) The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
- (8) The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*
- (9) That the amendment will not be expected to result in exclusionary zoning.*

Staff Discussion and Policy Analysis

Staff believes that the proactive rezoning of these sites will benefit property owners by increasing development potential on their parcels while simultaneously maintaining their ability to continue operation as religions or assembly uses. Further, these rezonings aim to align the zoning designations and permitted uses on the subject parcels with existing development and transportation patterns.

Letter to Property Owners and Office Hours

Several weeks prior to this public hearing, staff sent out informational letters to all affected property owners along with a public response form. We have received several response forms and emails back, which are provided within the agenda packet. Additionally, staff held a drop-in-style office hours event on Friday, July 18th, which was lightly attended. As required by law, staff mailed out the public hearing notice to the affected property owners and property owners/tenants within 300 feet of the subject sites and placed the notice in the Madison Park News.

Master Plan Considerations

As part of the ongoing Master Plan update, staff will analyze the Future Land Use map to ensure that future land use designations of the impacted parcels align with these rezonings, if approved.

Next Step

After the public hearing and discussion, the Planning Commission may make a recommendation on the proposed rezonings to City Council. **Any motion which includes a recommendation to City Council shall include concise findings of facts.**

Template Motion | Findings and Recommendations to City Council

Template motions for recommendations of approval, including findings of fact, are provided below. For the sake of efficiency, the template motion is for approval of all six rezoning cases. However, the Planning Commission may make separate motions for each individual rezoning case using the template below, if desired.

I move to recommend that City Council approve the following city-initiated rezoning requests:

- 1) *PRZN 25-01 – 555 E. 13 Mile Road (TM# 44-25-01-376-010) from R-1 to R-MN, Residential Mixed-Neighborhood.*
- 2) *PRZN 25-02 – 1434 E. 13 Mile Road (TM# 44-25-12-204-038) from R-2 to R-MF, Multi-Family Residential.*
- 3) *PRZN 25-03 – 30801 Dequindre Road (TM# 44-25-12-204-038) from R-2 to MUI-2, Mixed-Use Innovation 2.*
- 4) *PRZN 25-04 – 1042 E. 12 Mile Road (TM# 44-25-13-130-024) from R-3 to R-MN, Residential Mixed-Neighborhood.*
- 5) *PRZN 25-05 – 500 W. Gardenia Avenue (TM# 44-25-14-276-005) from R-3 to R-MN, Residential Mixed-Neighborhood.*
- 6) *PRZN 25-06 – the eastern 130 feet of 30728 John R Road (TM# 44-25-12-101-057) from R-2 to B-1, Neighborhood Business.*

This recommendation of approval is made after the required public hearing based upon the finding that the city-initiated rezonings satisfactorily address the rezoning review standards contained in Section 15.06 of the Zoning Ordinance, as follows:

- 1) *The city-initiated rezonings allow for zoning districts, their respective permitted uses and site development regulations that are more compatible with surrounding uses and zoning than the current zoning designations.*
- 2) *The city-initiated rezonings are consistent with the goals, policies, and objectives of the Master Plan pertaining to housing and commercial & industrial development.*
- 3) *The boundaries of the proposed zoning districts are reasonable in relation to surrounding zoning districts, and construction on site will be able to meet dimensional regulations for the pertinent zoning districts.*
- 4) *The rezonings will not create isolated or incompatible zoning districts within their respective neighborhoods and will not result in exclusionary zoning.*
- 5) *The rezonings result in zoning designations that are more compatible with adjacent street systems than the current designations.*

Attachments

- Madison Heights Religious Institutions – Proactive Rezoning Map
- Compiled maps
- Section 3.06 – Permitted Use Table
- Section 4.01 and 4.02 – Schedule of Regulations
- Section 15.07 – Zoning Ordinance Amendments (Map and Text)
- Letter to property owners dated July 3rd, 2025
- Public hearing notice
- Received public response forms and emails

MADISON HEIGHTS RELIGIOUS INSTITUTIONS - PROACTIVE REZONING

Troy

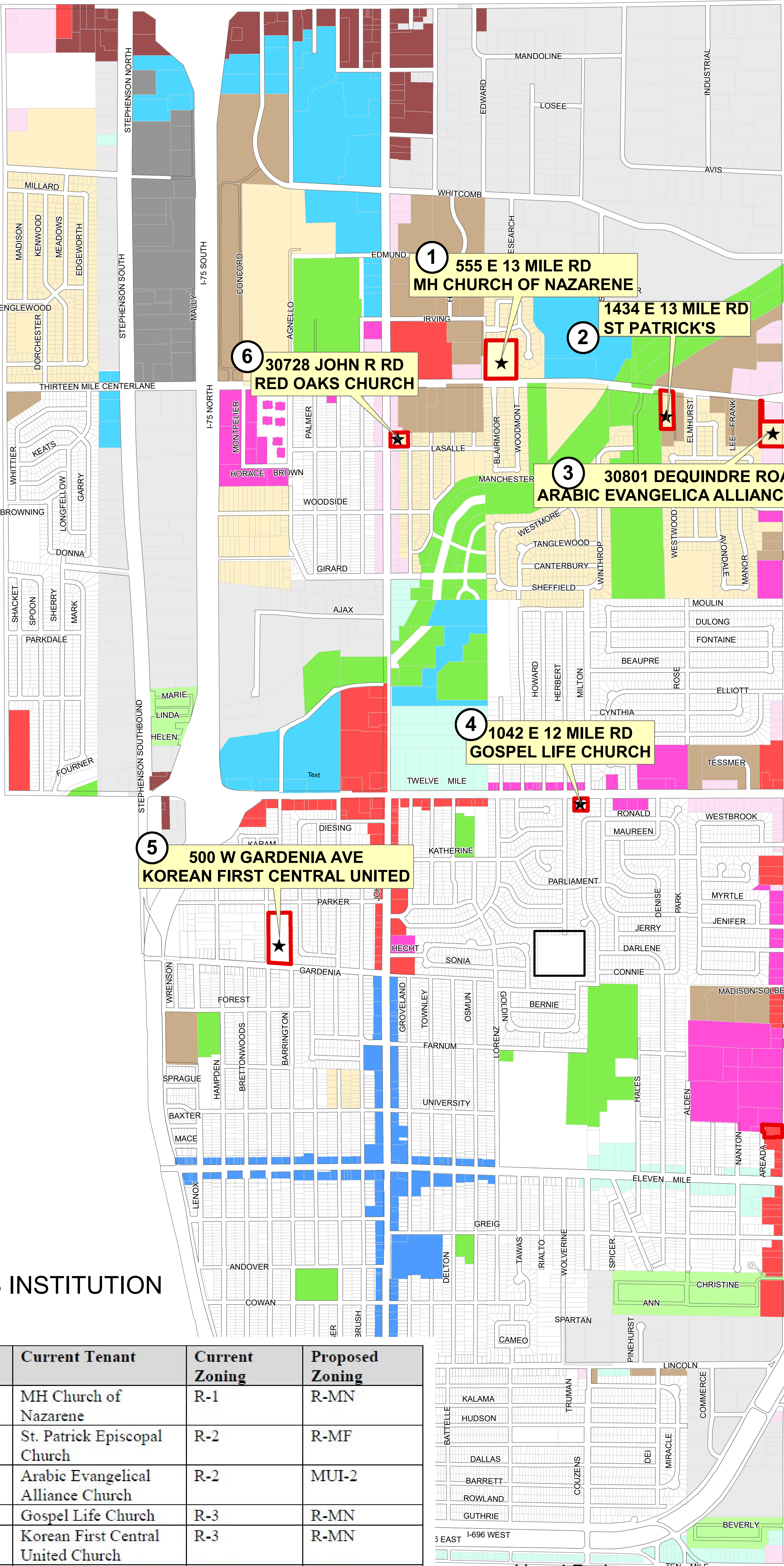
FOURTEEN MILE

Warren, Macomb County

Royal Oak

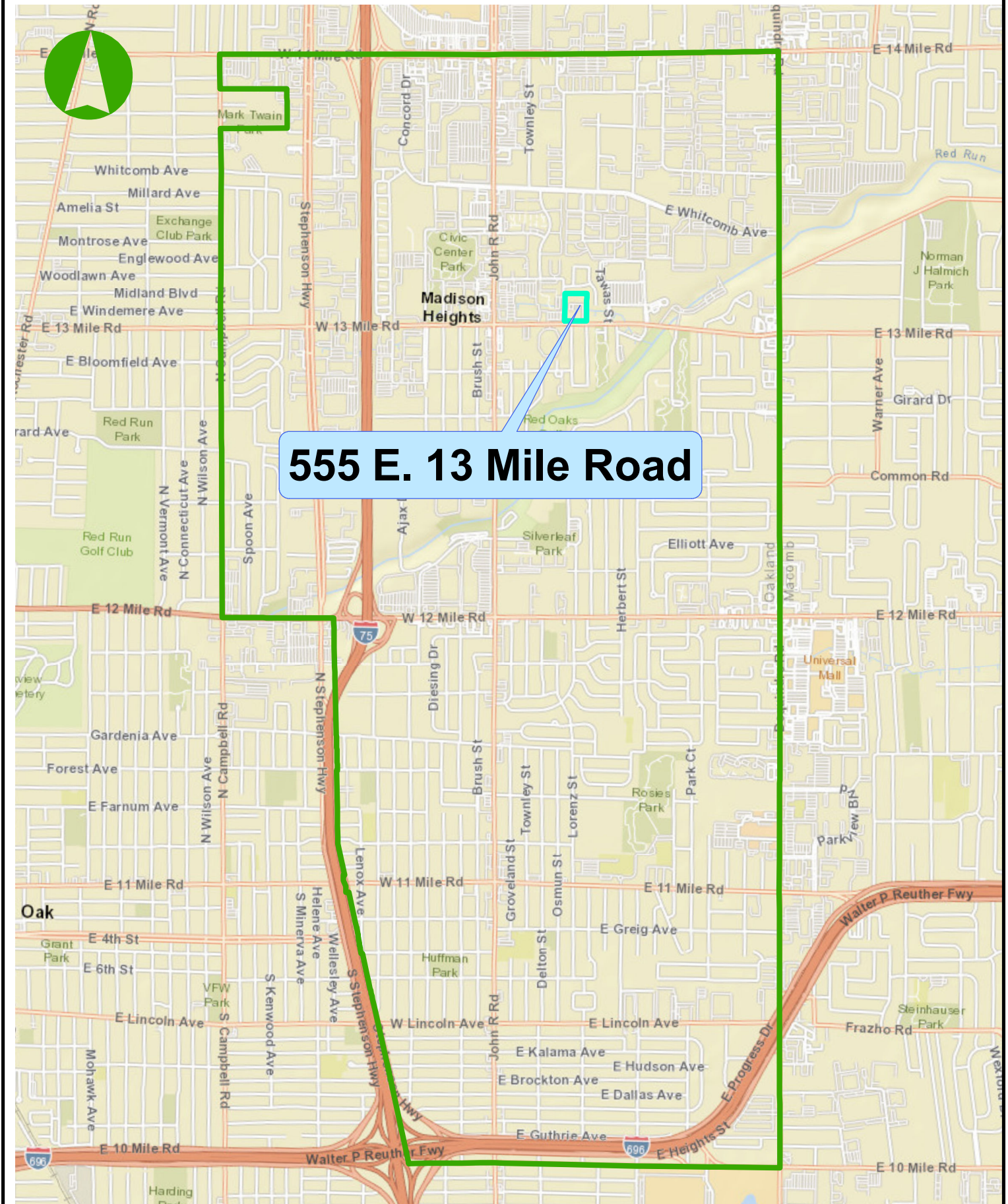
ZONING

- B-1
- B-2
- B-3
- CC
- H-M
- M-1
- M-2
- MUI
- MUI2
- N-P
- O-1
- R-1
- R-2
- R-3
- R-M
- R-MN
- ★ RELIGIOUS INSTITUTION



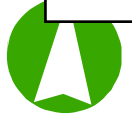
Map #	Address	Current Tenant	Current Zoning	Proposed Zoning
1	555 E. 13 Mile Rd.	MH Church of Nazarene	R-1	R-MN
2	1434 E. 13 Mile Rd.	St. Patrick Episcopal Church	R-2	R-MF
3	30801 Dequindre Rd.	Arabic Evangelical Alliance Church	R-2	MUI-2
4	1042 E. 12 Mile Rd.	Gospel Life Church	R-3	R-MN
5	500 W. Gardenia Ave.	Korean First Central United Church	R-3	R-MN
6	30728 John R Rd.	Vacant (Previously Red Oaks Church)	B-1, R-2 (split-zoned)	B-1 (eliminate split-zoning)

Hazel Park

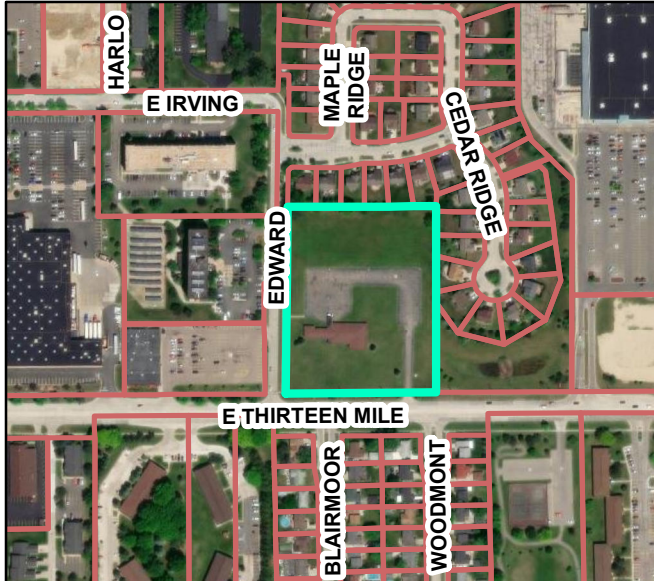


Site Address: 555 E. 13 Mile Road

[Click for maps](#)

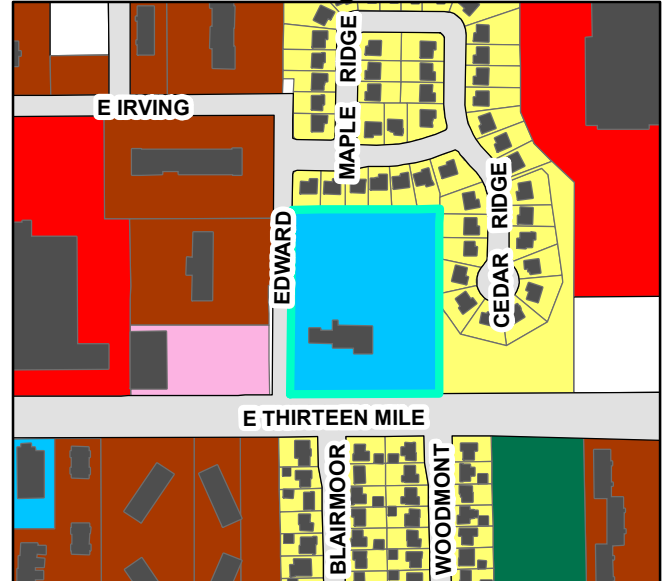


Aerial



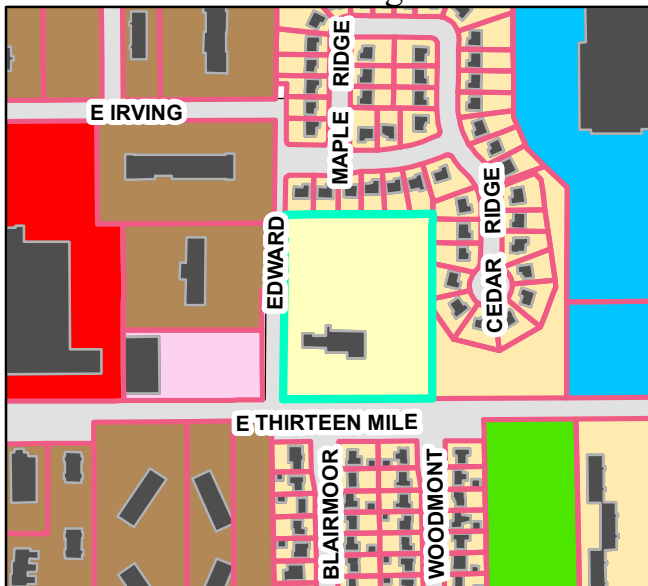
555 E. 13 Mile Road Parcels

Existing Land Use



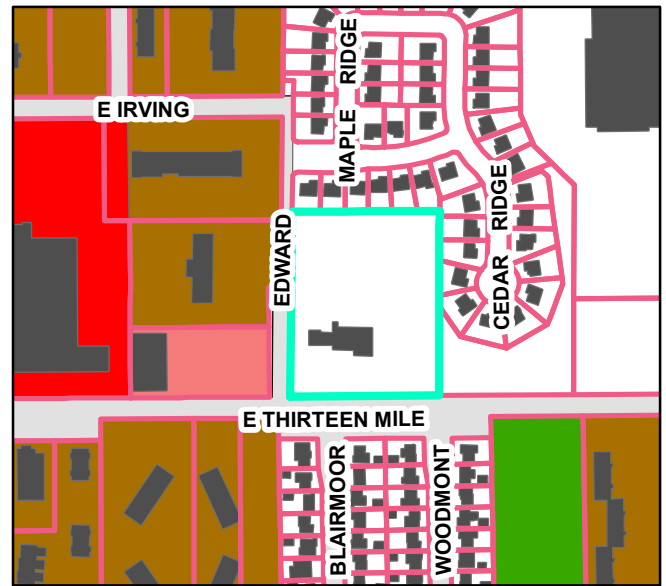
555 E. 13 Mile Road Commercial
 Single and Two Family Multiple Family
 Quasi-public Recreation

Zoning



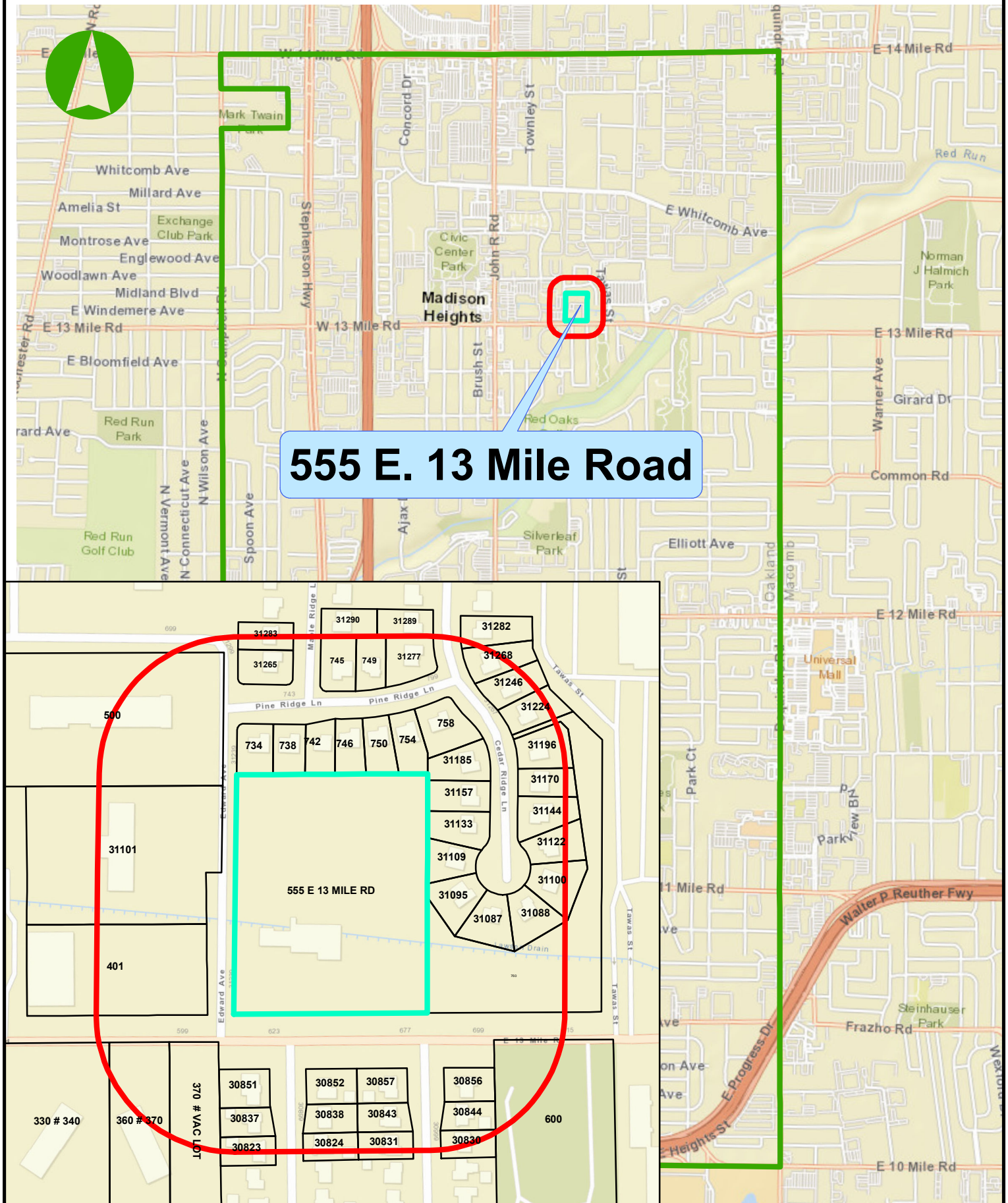
555 E. 13 Mile Road MUI2
 B-1 R-M
 B-2 N-P Natural Preservation

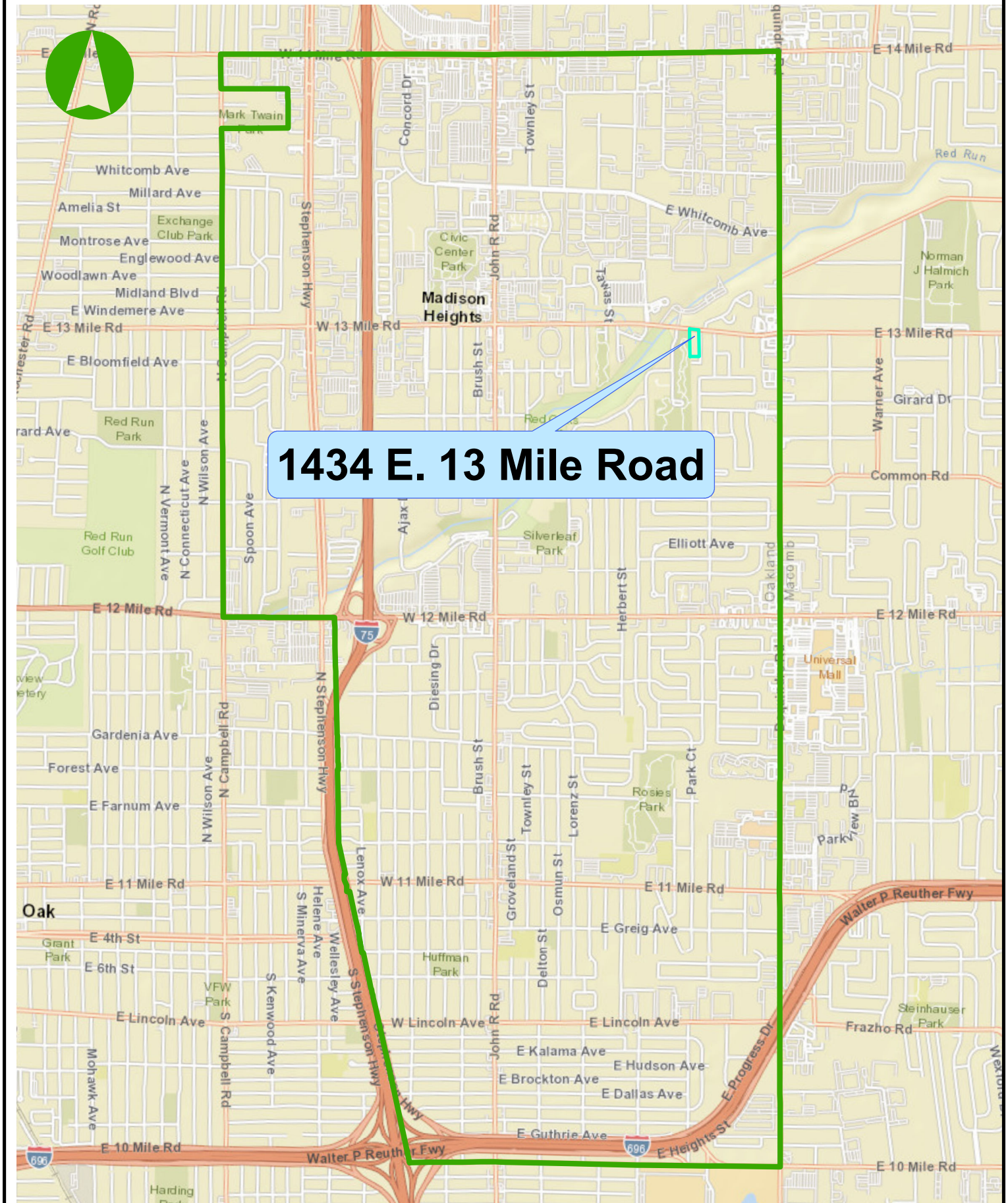
Future Land Use



555 E. 13 Mile Road Commercial
 Multiple Family Office
 Single Family Recreation

PRZN 25-01: 555 E. 13 MILE ROAD
BUFFER: 300 FT





Site Address: 1434 E. 13 Mile Road

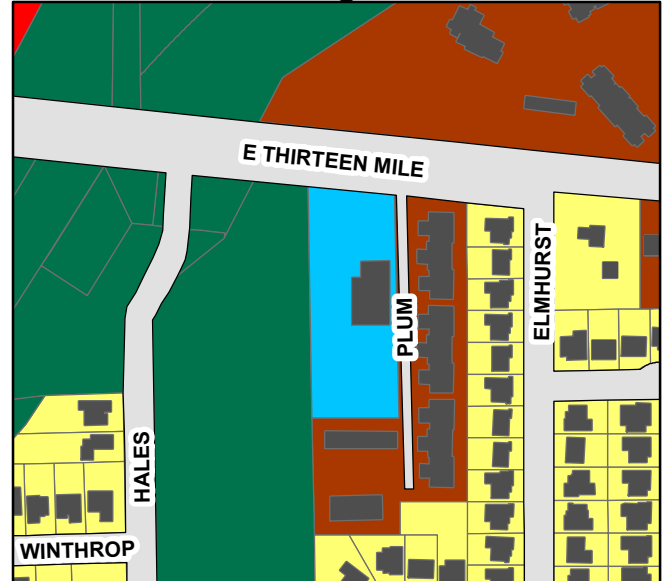
[Click for maps](#)

Aerial



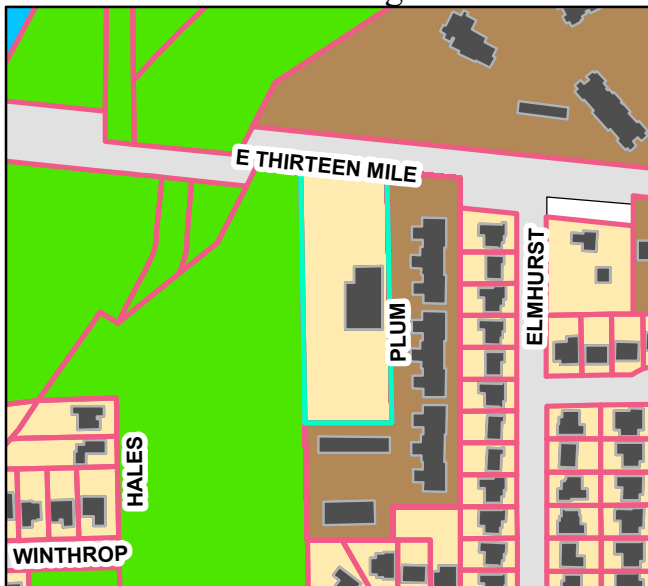
 1434 E. 13 Mile Road  Parcels


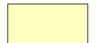

Existing Land Use



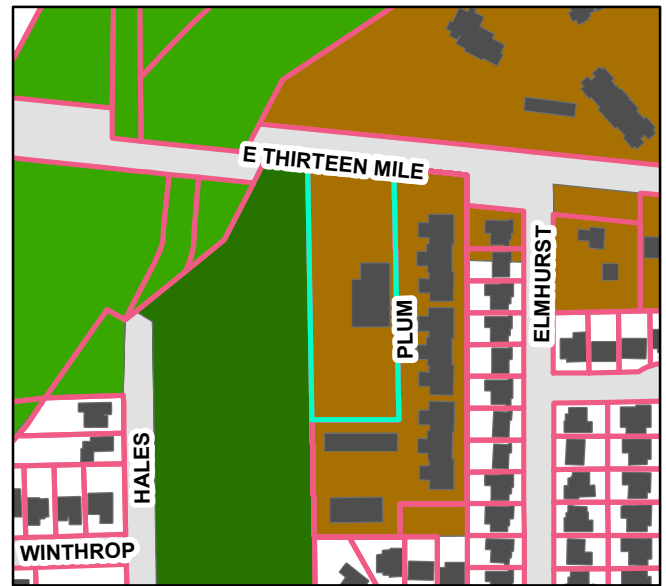
 1434 E. 13 Mile Road  Commercial
 Single and Two Family  Multiple Family
 Quasi-public  Recreation

Zoning



 1434 E. 13 Mile Road  MUI2
 R-1  R-M
 N-P Natural Preservation

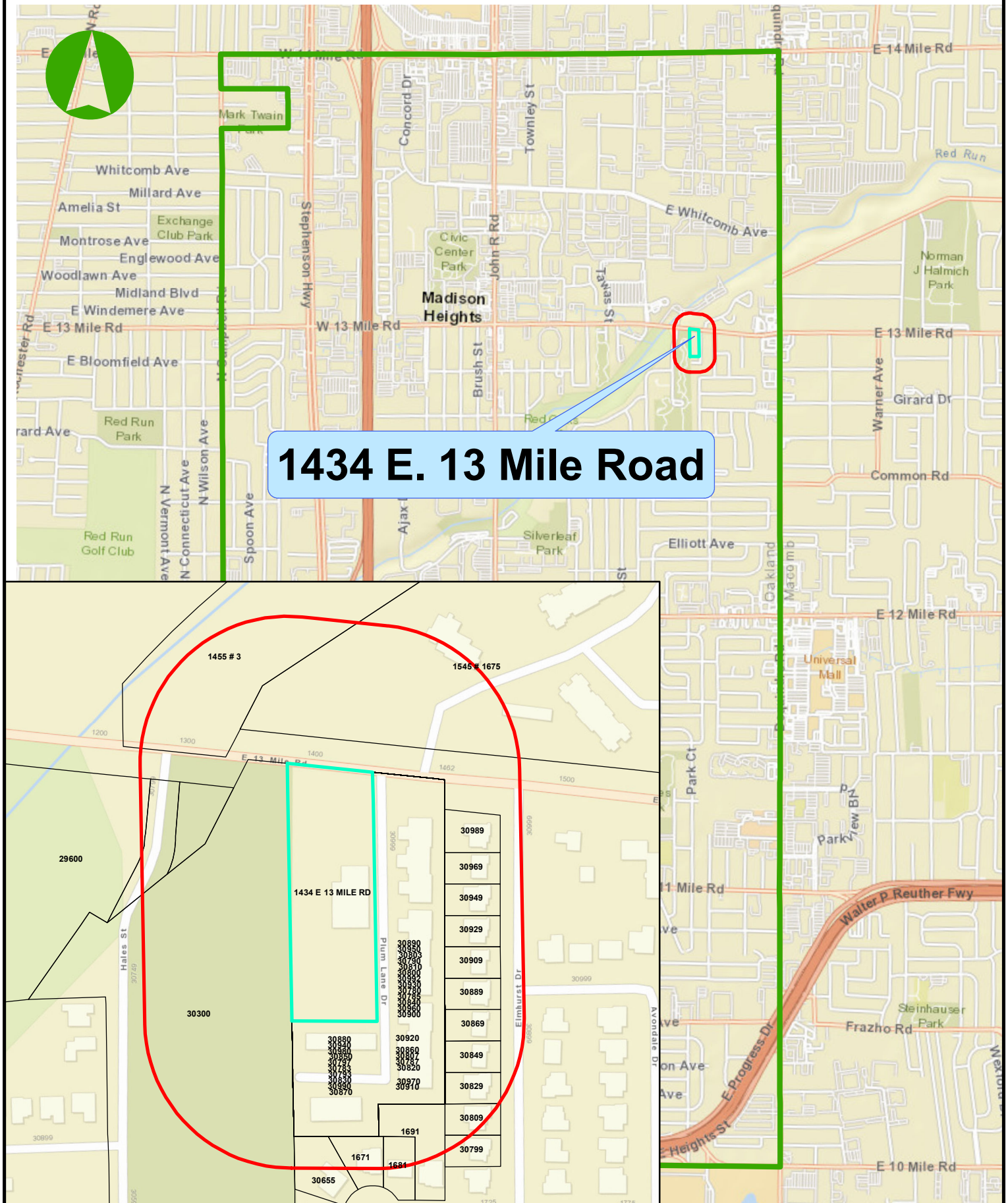
Future Land Use

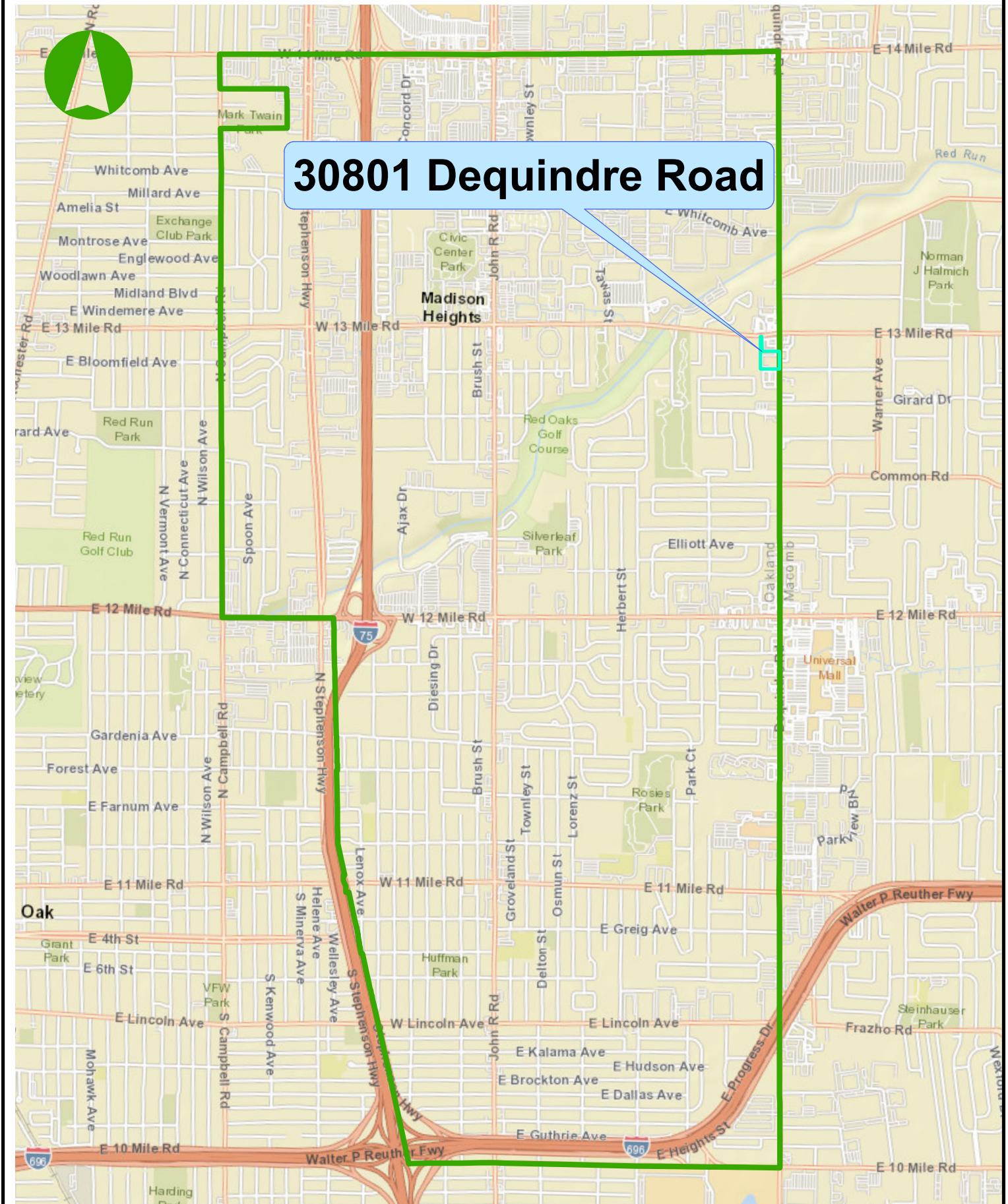


 1434 E. 13 Mile Road  Commercial
 Multiple Family  Conservation
 Single Family  Recreation

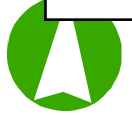
PRZN 25-02: 1434 E. 13 MILE ROAD

BUFFER: 300FT





Site Address: 30801 Dequindre Road



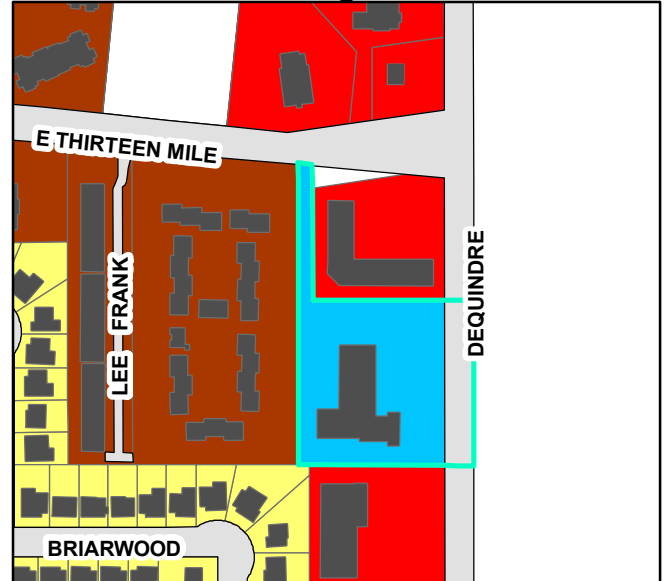
[Click for map](#)

Aerial



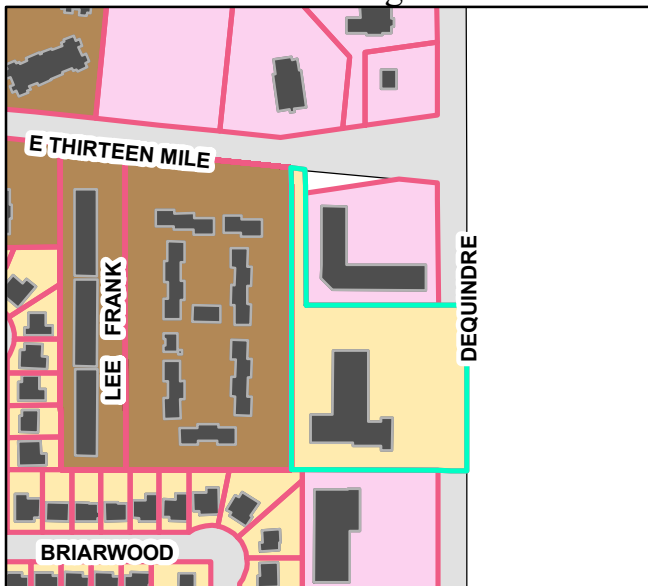
 30801 Dequindre Rd  Parcels



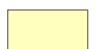


Existing Land Use



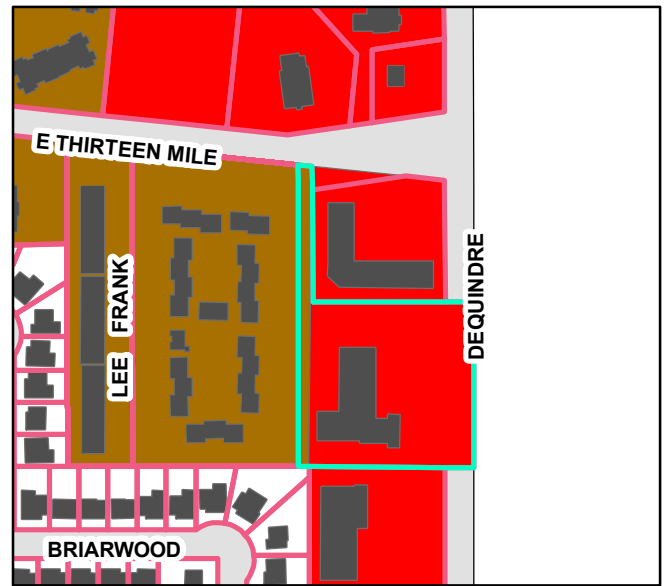
 30801 Dequindre Rd  Commercial
 Single and Two Family  Multiple Family
 Quasi-public





Zoning



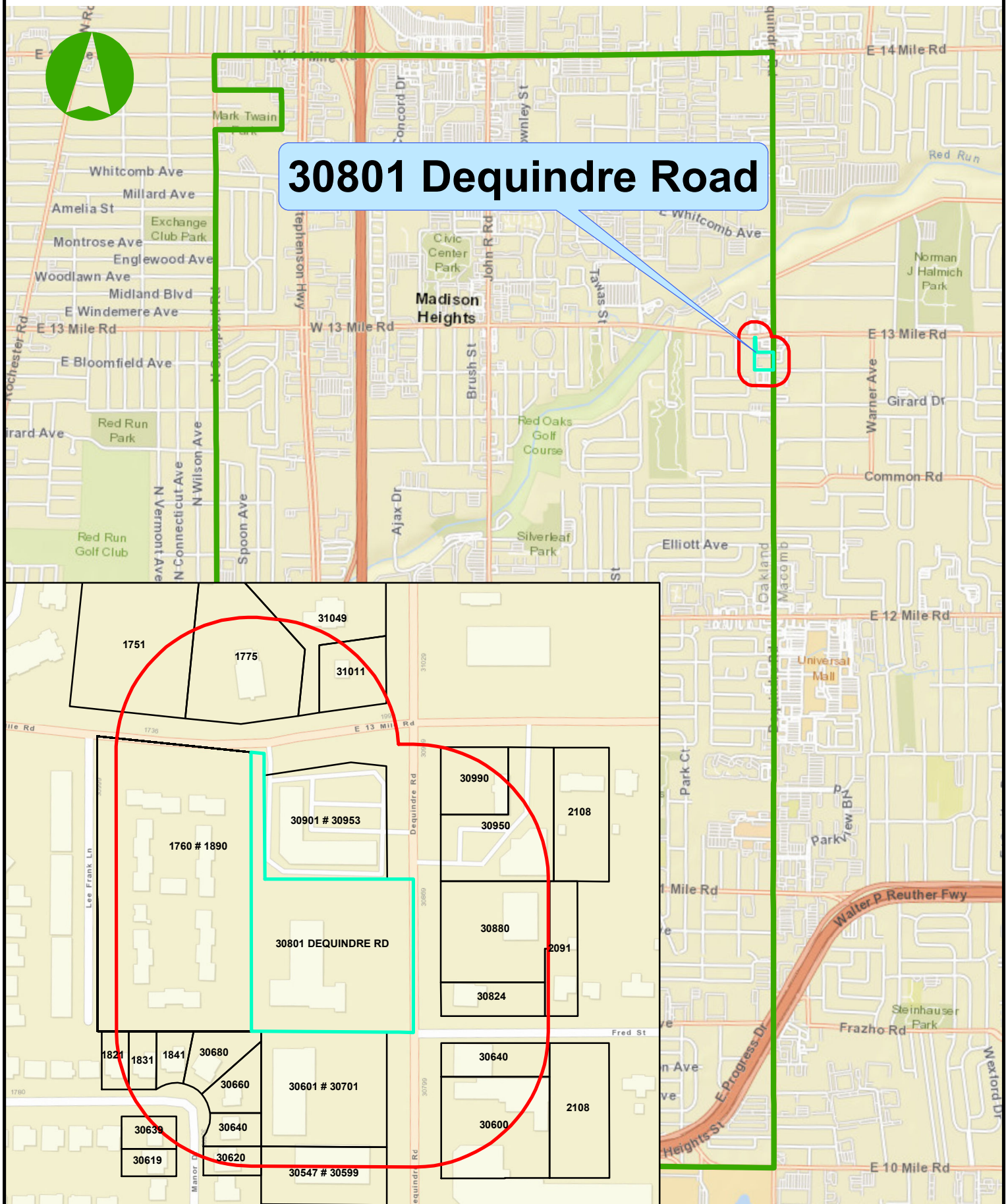
 30801 Dequindre Rd  MUI2
 R-1  R-M
 B-1

Future Land Use

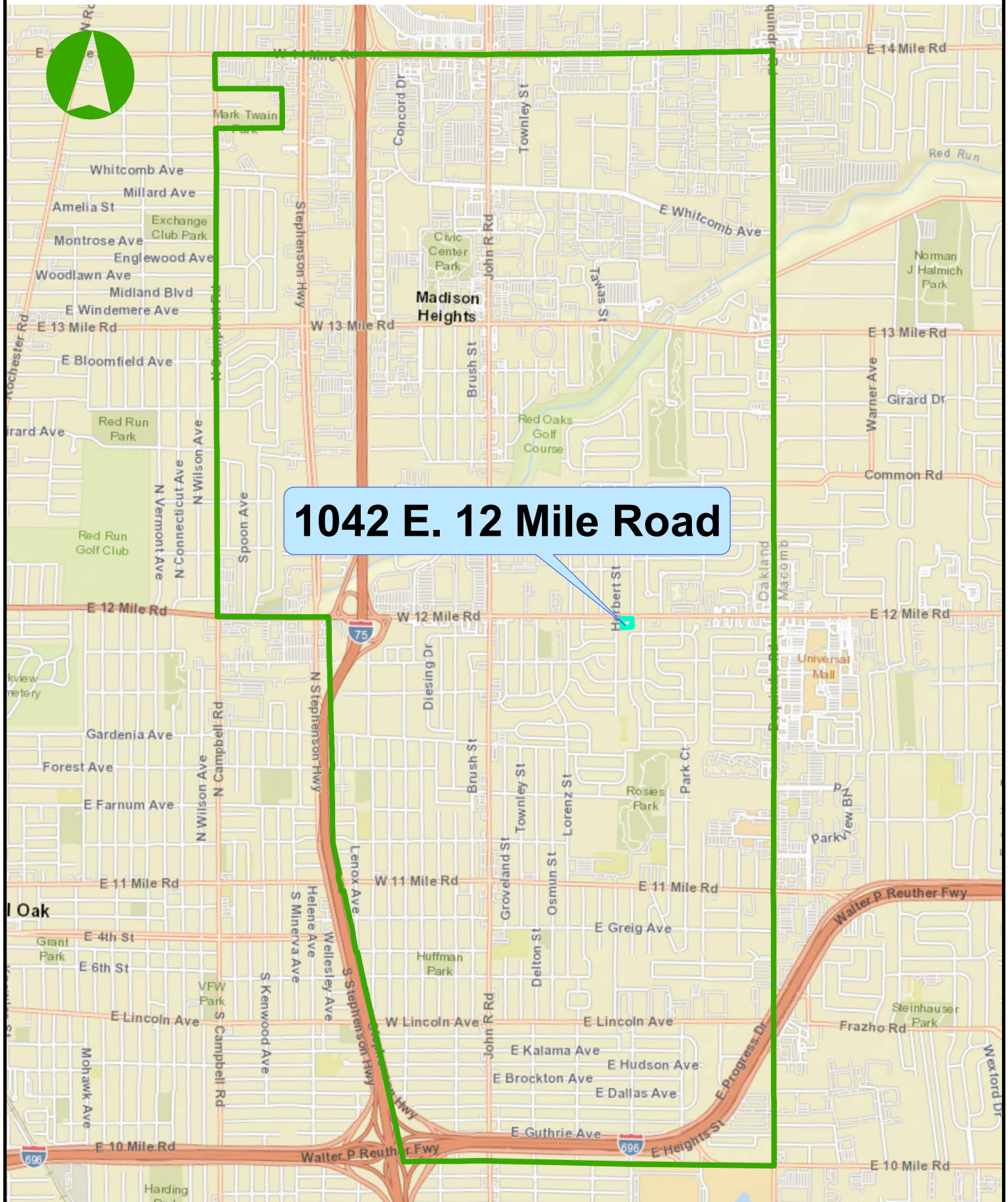


 30801 Dequindre Rd  Commercial
 Multiple Family  Single Family

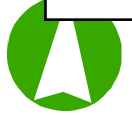
PRZN 25-03: 30801 DEQUINDRE ROAD
BUFFER: 300 FT



PRZN 25-04: 1042 E 12 MILE ROAD



Site Address: 1042 E.12 Mile Road



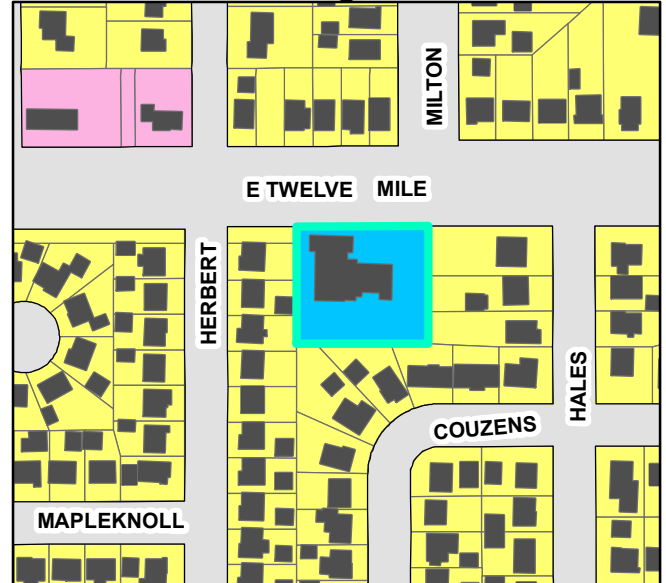
[Click for map](#)





Aerial



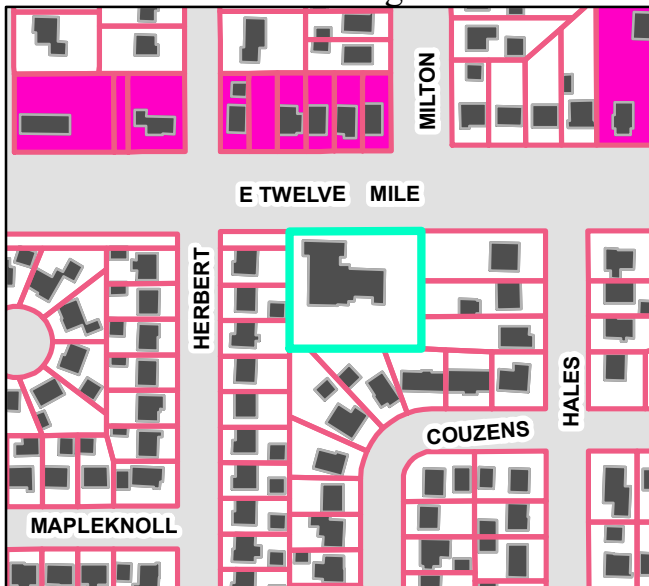
 1042 E. 12 Mile Road  Parcels




Existing Land Use



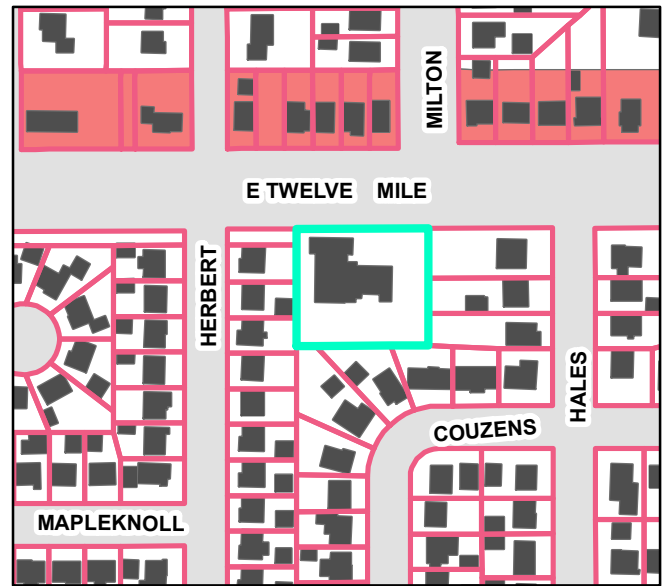
 1042 E. 12 Mile Road  Office
 Single and Two Family  Quasi-public




Zoning

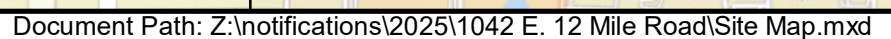


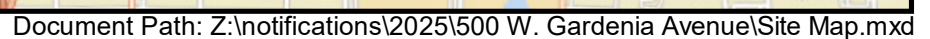
 1042 E. 12 Mile Road  O-1
 R-3

Future Land Use

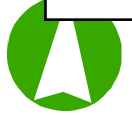


 1042 E. 12 Mile Road  Office
 Single Family







Site Address: 500 W Gardenia Avenue



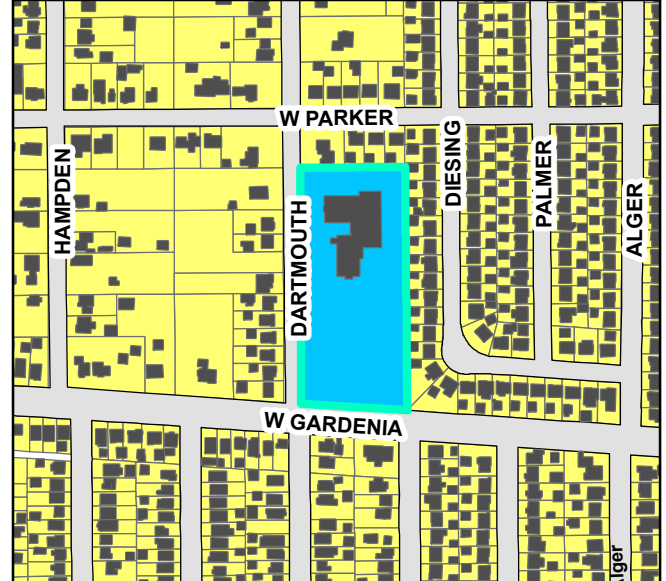
[Click for map](#)




Aerial



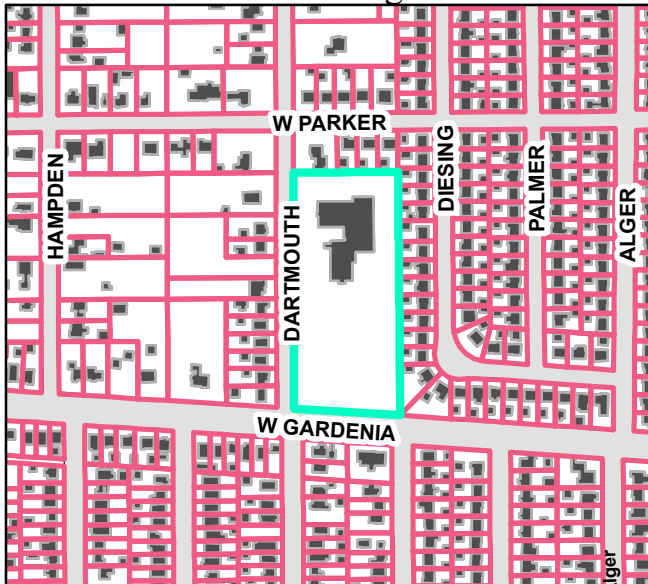
 500 W Gardenia Avenue  Parcels

Existing Land Use



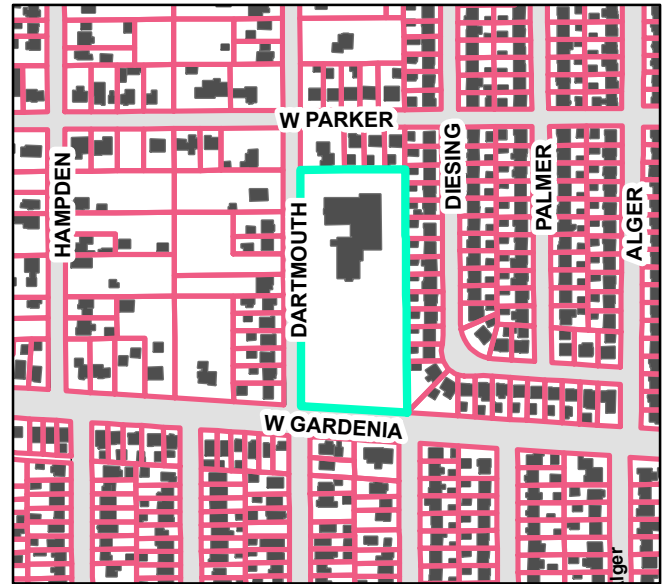
 500 W Gardenia Ave  Quasi-public
 Single and Two Family

Zoning



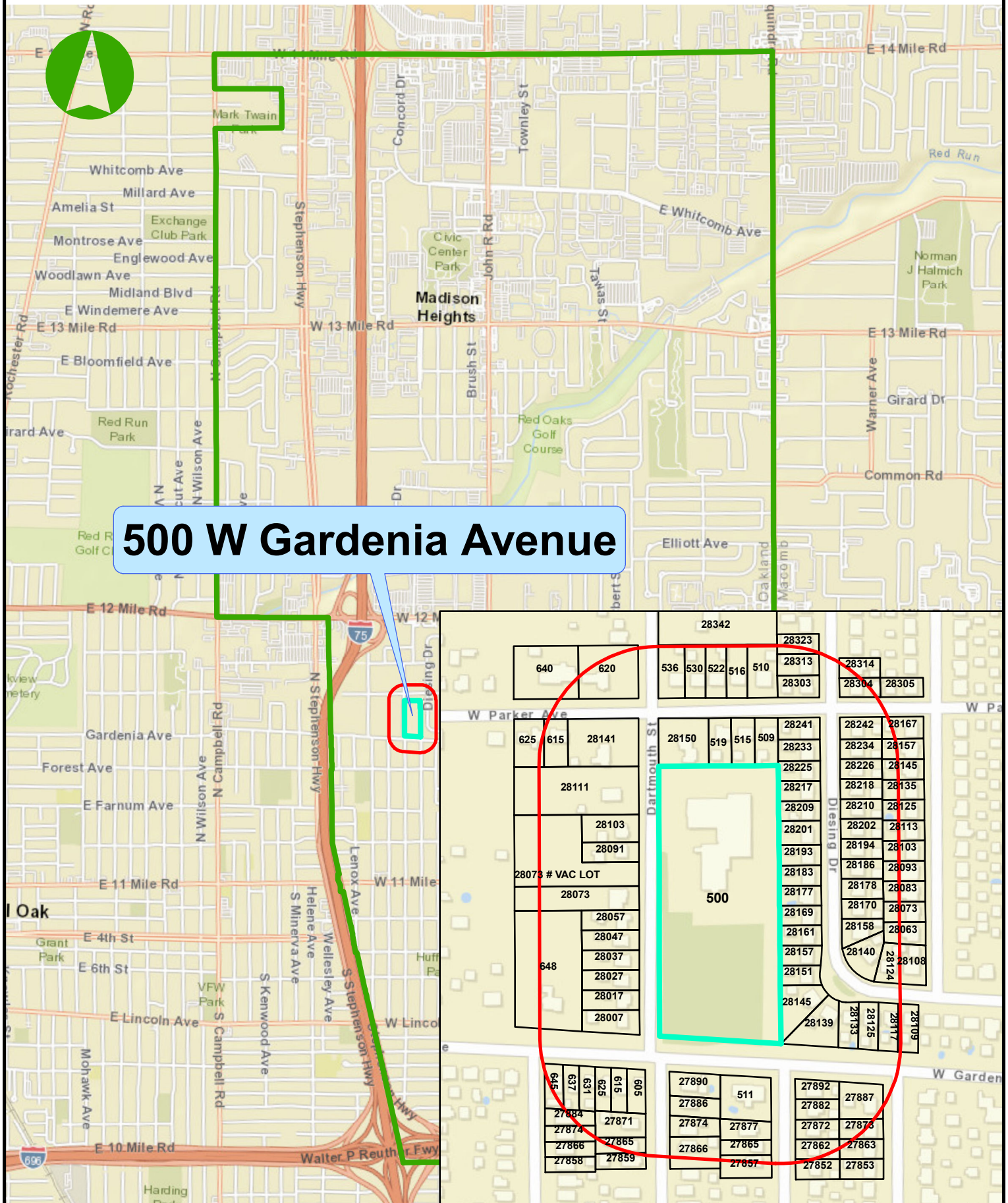
 500 W Gardenia Ave  R-3

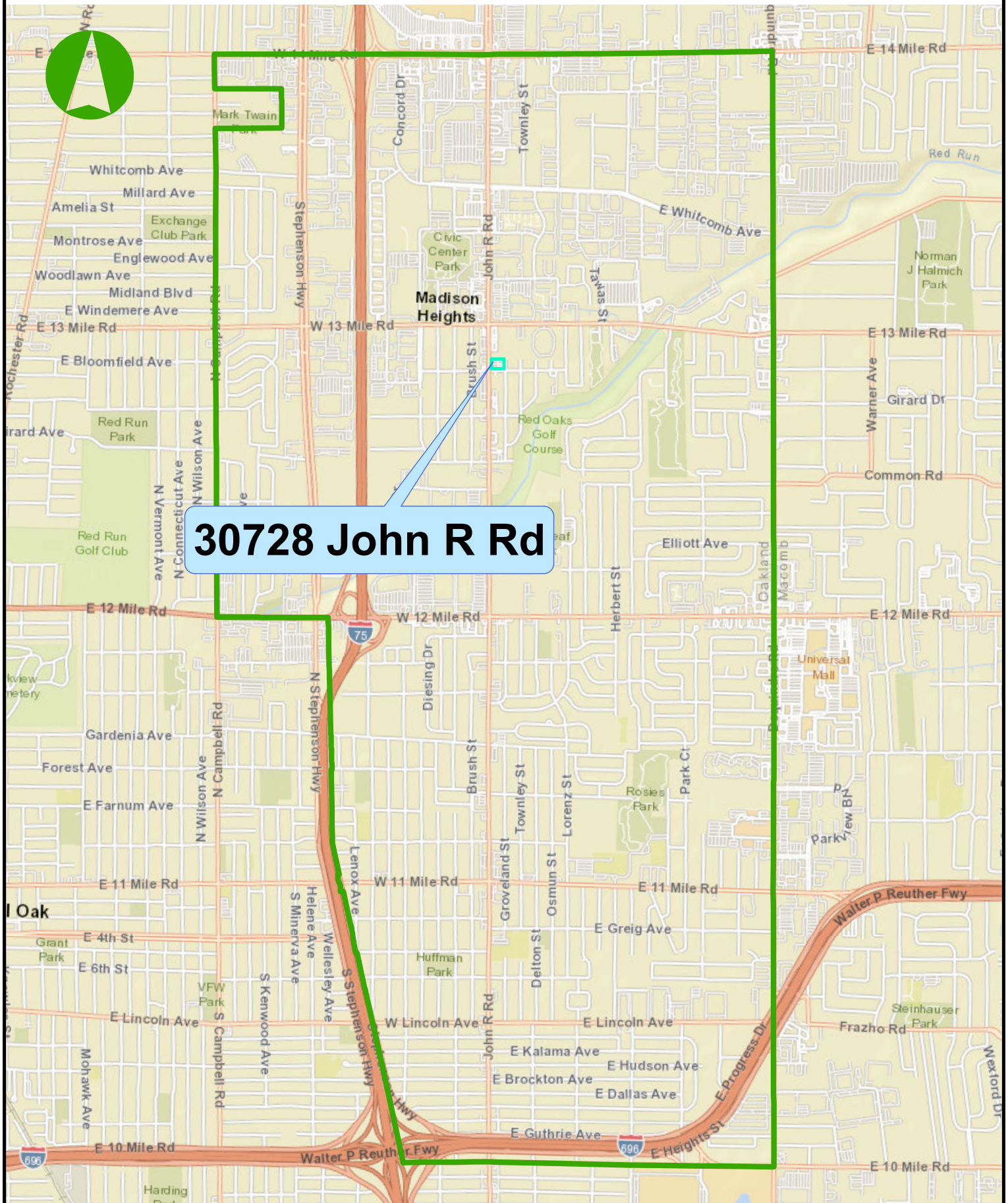
Future Land Use



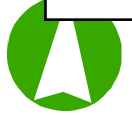
 500 W Gardenia Ave  Single Family

PRZN 25-05: 500 W GARDENIA AVENUE BUFFER: 300 FT



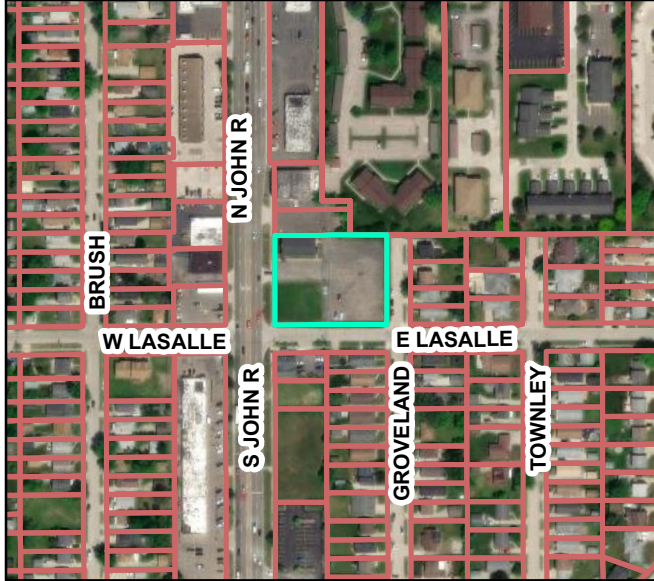


Site Address: 30728 John R Road



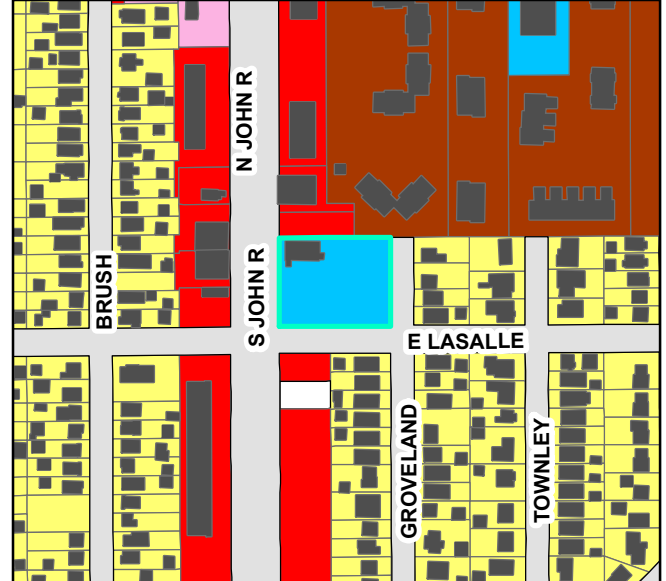
[Click for map](#)







Aerial



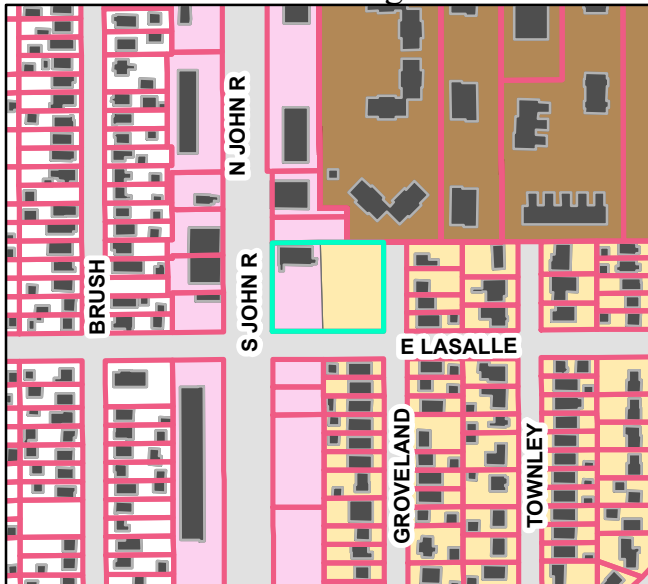
 30728 John R Rd  Parcels







Existing Land Use



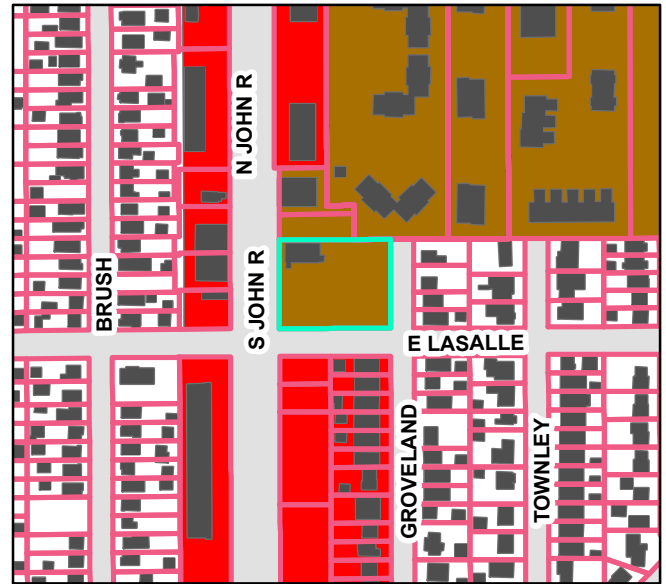
 30728 John R Rd  Commercial
 Single and Two Family  Multiple Family
 Quasi-public  Office





Zoning



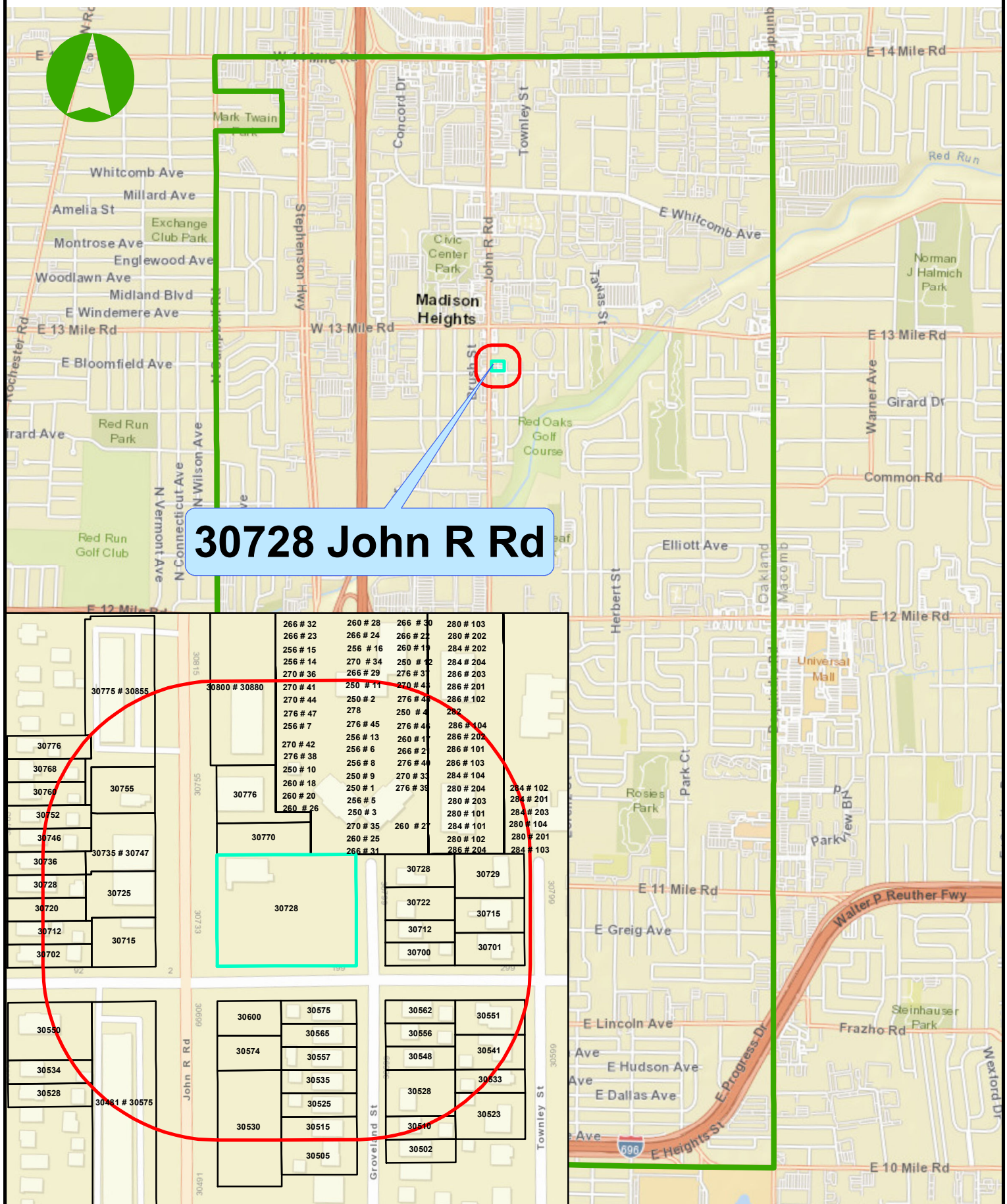
 30728 John R Rd  R-3 Residential
 Parcels  R-M
 B-1  R-1

Future Land Use



 30728 John R Rd  Commercial
 Multiple Family  Parcels

PRZN 25-06: 30728 JOHN R ROAD
BUFFER: 300 FT



Section 3.06 Permitted Use Table

Uses not listed in a particular Zoning District but permitted elsewhere in the Zoning Ordinance shall be considered prohibited in that Zoning District. However, the Planning and Zoning Administrator or their designee may determine that a use which is not specifically mentioned in this Ordinance is comparable to a permitted or prohibited use in any district, either by right or as a Special Land Use. The Planning and Zoning Administrator may refer a use interpretation to the Zoning Board of Appeals.

The City Center Zoning District is regulated in [City Center District, Section 6.02](#)

Key:

P = Principal Uses Permitted By-Right

S = Uses Permitted on Special Land Use Approval

A = Permitted as an Accessory Use

P/S = May be Permitted By-Right or as a Special Land Use. Refer to use-specific standards

A+S = Permitted as an Accessory Use upon Special Land Use Approval

[blank] = Not Permitted

* = Refer to City Center, [Section 6.02](#), for additional use matrix based on building type.

† = Only permitted in Primary Caregiver Marihuana Grow Overlay District, [Section 5.01](#)

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Residential Uses																	
Accessory Dwelling Unit	A	A	A	A	A												7.03(1)
Detached One-Family Dwelling	P	P	P	P	P											S	7.03(10)
Townhomes, Attached One-Family Dwellings				P	P						P	P					7.03(45)
Duplexes				P	P												7.03(12)
Multiplexes				P	P												7.03(29)
Multi-Family Dwellings					P					P*		P					7.03(30)
Residential/Commercial Mixed-Use							P	P	P	P*	P	P					7.02(2)
Live/Work				S	S		P				P	P					7.03(23)
Manufactured Homes															P		3.12
Senior Housing, Assisted					S	S						S					7.03(41)
Senior Housing, Independent					P					P*		P					7.03(42)
Child Family Day Care Homes	P	P	P	P	P						P	P				P	7.03(7)
Child Group Day Care Homes	S	S	S	S	S						S	S				S	7.03(7)
Foster Care Family Homes	P	P	P	P	P						P	P				P	7.03(14)
Foster Care Group Homes	S	S	S	S	S						S	S				S	7.03(14)
Commercial Uses																	
Artist Studio						P	P	P	P	P*	P	P	P	P			
Auto Repair and Service (Minor)								S	P		S		S	S			7.03(2)
Auto Repair and Service (Major)								S	S		S		S	S			7.03(2)
Auto Sales (New and Used) and Rental								S	S		S	S	P/S	P/S			7.03(3)
Auto Wash									S								7.03(4)
Banquet/Assembly/Meeting Halls (less than 75 persons)						S	S	P	P	P/S*	P	P	P	P			7.03(5)
Banquet/Assembly/Meeting Halls (greater than 75 persons)								P	P	P/S*	S	P					7.03(5)
Bars and Taprooms							S	P	P	P/S*	P	P	P	P			
Business or Trade Schools						P	S	P	P	P*	S	P	P	P			

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Child/Adult Day Care Center and Preschools	S	S	S	S	S	P	P	P	P	P*	S	P					7.03(6)
Commercial Kennels and Boarding Facilities								S	S			S	S	S			7.03(8)
Drive-Through Facilities						A+S	A+S	A	A		A+S	A					7.03(11)
Financial Institutions						P	P	P	P	P*	P	P	P	P			
Firearm Retail Sales								P	P				A	A			7.03(13)
Funeral Homes						S		S	S			S					7.03(15)
Gasoline/Recharging Stations								S	S								7.03(16)
General Retail, Small to Mid-Format (up to 30,000 sq. ft.)							P	P	P	P*	P	P					
General Retail, Large Format (>30,000 sq. ft.)								P	P		S	S					
Home Improvement Centers and Garden Centers, Small to Mid-Format (up to 30,000 sq. ft.)							P	P	P	P/S*	P	P	S	S			7.03(17)
Home Improvement Centers and Garden Centers, Large Format (>30,000 sq. ft.)								P	P		S	S	S	S			7.03(17)
Hotels and Lodging Facilities								S	P	P/S*	S	P					7.03(20)
Incubator Kitchen or Catering Facility						S	P	P	P	P*	P	P	P	P			
Indoor Recreational Business							P/S	P	P	P/S*	P/S	P/S	P	P			7.03(21)
Indoor Shooting Range									S				S	S			7.03(22)
Medical Office						P	P	P	P	P*	P	P					
Microbreweries, Wineries and Distilleries							S	P	P	P*	P	P	P	P			
Mobile Food Court (Principal Use)										S*	S	S					7.03(27)
Mobile Food Site (Accessory Use)										A*	A	A					7.03(28)
Outdoor Dining and Seating						A	A	A	A	A*	A	A	A	A			7.03(31)
Outdoor Recreational Business								S	S			S					7.03(32)
Outdoor Sales and Display						A+S	A+S	A	A	A*	A	A	A	A			7.03(33)

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Personal Service Establishments						P	P	P	P	P*	P	P					
Pharmacy						P	P	P	P	P*	P	P					
Professional Office						P	P	P	P	P*	P	P	P	P			
Restaurant						P	P	P	P	P*	P	P	P	P			
Self-Storage Facility									S				S	S			<u>7.03(40)</u>
Tutoring and Instructional Services						P	P	P	P	P*	P	P					
Tobacco/Smoke Shop or Smoke Lounge								P	P	S*	S	P					<u>7.03(44)</u>
Theater							S	P	P	P*	P	P					
Veterinary Clinic or Animal Grooming						S	S	P	P	P*	P	P					<u>7.03(46)</u>
Industrial Uses																	
Artisan Manufacturing/Makerspace										P*	P	P	P	P			
Contractor's Office						P	P	P	P	P*	P	P	P	P			<u>7.03(9)</u>
Light Industrial, Assembly, Repair and Manufacturing											P		P	P			
Heavy Industrial, Assembly, Repair and Manufacturing														P			
Lumber Yard													S	S			<u>7.03(17)</u>
Fleet Vehicle and Trucking Storage Yard. Commercial Storage of Boats, Trailers, Recreational Vehicles, or other Operable Vehicles or Equipment.													S	S			
Research, Development and Testing Facilities										S*	P		P	P			
General Warehouse and Distribution											P		P	P			
Wholesale Sales/Retail									P		S	S	S	S			
Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution								P	P	S*	S	P	P	P			
Incubator Workspaces								P	P	P*	P	P	P	P			
Yard Waste Transfer and Composting Facilities														S			
Junk, Tow, or Salvage Yard														S			

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Recycling Drop Off Centers													S	S			
Recycling Transfer and Processing Facilities														S			
Public & Quasi-Public Uses																	
Hospital						S		S	S								7.03(19)
Public Library, Museum, Art Center, Community Center	S	S	S	S	S	P	P	P	P	P*	P	P	P	P	S	S	
Government Office Building/Courthouse/Public Police and Fire Services	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Post Office					P	P	P	P	P	P*	P	P	P	P			
Religious Institutions, Private Clubs, and Lodges (less than 75 persons)	S	S	S	S	S	S	S	P	P	P*	P	P	P	P			7.03(39)
Religious Institutions, Private Clubs, and Lodges (greater than 75 persons)	S	S	S	S	S			P	P	S*	S	P					7.03(39)
K-12 Schools, Public or Private	S	S	S	S	S	P	S	S	S	S*	S	S					
Institutions of Higher Learning						P	S	P	P	S*	P	P					
Public Parks	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Cemetery	S	S															
Essential Public Utility Services	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Other Uses																	
Accessory Buildings, Structures and Uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	8.03
Temporary Buildings/Uses	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	7.03(43)
Home Occupation, Minor	A	A	A	A	A					A*	A	A			A	A	7.03(18)
Home Occupation, Major	A+S	A+S	A+S	A+S	A+S					A+S*	A+S	A+S			A+S	A+S	7.03(18)
Parking as a Principal Use	S	S	S	S	S	S	S	S	S	S*	S	S	S	S	S		7.03(34)
Regulated Uses								S	S								7.03(38)
Wireless Communication Facilities	Refer to Section 7.03(47)																
Medical Marihuana Caregiver											P ⁺	P ⁺	P ⁺	P ⁺			7.03(24)
Medical Marihuana and Adult Use Marihuana Safety Compliance Facility						P					P	P	P	P			7.03(25)

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Medical Marihuana and Adult Use Marihuana Facilities	Refer to Section 7.03(26)																

Article 4.

Schedule of Regulations

Section 4.01 Residential Districts Schedule of Regulations

District	Minimum Lot Size		Maximum Building Height (ft.)	Minimum Yard Setback (ft.)					Maximum Lot Coverage
	Area (sq. ft.)	Width (ft.)		Front	Sides			Rear	
					One	Total	Street		
R-1	43,560	150	25	25 <u>(A)</u>	10 <u>(E)</u>	25	10 <u>(B)</u>	50	25%
R-2	7,200	60	25	25 <u>(A)</u>	5 <u>(E)</u>	14	10 <u>(B)</u>	30	35%
R-3	5,000	40	25	25 <u>(A)</u>	3 <u>(E)</u>	12	10 <u>(B)</u>	20	40%
R-MN <u>(D)</u>	4,000	40	30	25 <u>(A)</u>	3 <u>(E)</u>	12	10 <u>(B)</u>	20	40%
R-MF <u>(D)(F)</u>	7,200	60	40	25 <u>(A)</u>	10 <u>(C)</u>	20 <u>(C)</u>	10 <u>(B)</u>	30	45%
H-M	Refer to <u>Section 3.12</u>								

Notes applicable to all Districts:

1. Refer to Article 7 for standards applicable to specific uses.
2. Refer to Section 8.01 for exceptions to area, setback, and height requirements.
3. Refer to Section 8.03 for accessory buildings, structures and uses.
4. Refer to Article 10 for parking area setback requirements.
5. Refer to Article 11 for landscaping, buffering and screening requirements.
6. Refer to Article 13 for Nonconforming Structures and Lots.

Footnotes

- A. If the average front yard setback of the principal buildings on the same block are less than the minimum front yard setback of the district, the minimum front yard setback of a subject lot may be reduced to that average, provided the principal buildings used in the average are on the same side of the street and in the same zoning district as the subject lot.
- B. In the case of a rear yard abutting a side yard of an adjacent lot, the street side yard shall not be less than the required front yard setback of that district. The front yard setback averaging provision of Footnote (A) shall be available to the street side yard setback.
- C. Where a side yard in an R-MF district abuts a property zoned R-1, R-2 or R-3, the minimum side yard setback shall be increased to 20 feet.

- D. Townhome structures are subject to the dimensional standards of [Section 7.03\(45\)](#). Where the dimensional/design standards of the zoning district and the use-specific standards for townhomes conflict, the use-specific standards for townhomes shall take precedence.
- E. The distance between principal structures located on adjacent lots shall not be less than twelve (12) feet.
- F. One-family, duplex, and multi-plex structures within the R-MF district shall be subject to the setback standards of the R-MN district, including footnote (E) above.

Section 4.02 Mixed-Use and Non-Residential Districts Schedule of Regulations

District	Minimum Lot Size		Maximum Building Height (ft.)	Minimum Yard Setback (ft.)					Maximum Lot Coverage
	Area (sq. ft.)	Width (ft.)		Front	Sides			Rear	
					One	Total	Street		
CC	Refer to Section 6.02								
MUI-1	Refer to Section 3.20								
MUI-2	Refer to Section 3.21								
O-1	--	--	30	20	5 (A)	10 (A)	10	20	--
B-1	--	--	30	5	5 (A)	10 (A)	5	15 (B)	--
B-2	--	--	40	10	10 (A)	20 (A)	10	20 (B)	--
B-3	--	--	40	20	15 (A)	30 (A)	20	20 (B)	--
M-1	--	--	40	50	20 (A)	40 (A)	50	25	--
M-2	--	--	60	50	20 (A)	40 (A)	50	25	--
NP	43,560	150	25	25	10	25	10	50	20%

Notes applicable to all Districts:

- Refer to [Article 7](#) for standards applicable to specific uses.
- Refer to [Section 8.01](#) for exceptions to area, setback, and height requirements.
- Refer to [Section 8.03](#) for accessory buildings, structures and uses.
- Refer to [Article 10](#) for parking area setback requirements.
- Refer to [Article 11](#) for landscaping, buffering and screening requirements.
- Refer to [Article 13](#) for Nonconforming Structures and Lots.

Footnotes

- A. For side yards abutting residential districts:
- In the O-1, B-1, B-2 and B-3 districts, the minimum side yard shall be increased to 20 feet.
 - In the M-1 and M-2 districts, the minimum side yard shall be increased to 50 feet.

B. For rear yards abutting residential districts:

- (1) In the B-1 district, the minimum rear yard setback shall be increased to 20 feet.
- (2) In the B-2 and B-3 districts, the minimum rear yard setback shall be increased to 25 feet.
- (3) In the M-1 and M-2 district, the minimum rear yard setback shall be increased to 50 feet.

- C. That plight of the owner is due to the unique circumstances of the property, such as the shape of the parcel, unique topographic or environmental conditions, or any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; and
- D. That the requested variance is the minimum amount necessary to permit reasonable use of the land, building or structure; and
- E. That the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community; and
- F. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

In granting any variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance, provided that said conditions:

- (1) Are designed to protect natural resources, the health, safety, and welfare and social and economic well-being of the public; and
 - (2) Are necessary to meet the intent and purpose of this Ordinance, are related to the standards established in the section for the land use or activity under consideration and are necessary to ensure compliance with those standards.
- 3. **Use Variances Prohibited.** The Zoning Board of Appeals shall not have the authority to grant a use variance to permit a use that is not permitted in a zoning district. However, the Zoning Board of Appeals may consider expansions or alterations of non-conforming uses in accordance with [Section 13.01](#).
- 4. **Approval Period.**
 - A. No order of the Zoning Board of Appeals permitting the erection or alteration of buildings shall be valid for a period longer than one year unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is commenced and proceeds to completion in accordance with the terms of such permit.
 - B. No order of the Zoning Board of Appeals permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that the use of such permit is dependent upon the erection or alteration of a building, such order shall continue in full force and effect if a building permit for such use, erection or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.
- 5. **Appeals of Decisions to Circuit Court.** The decision of the ZBA shall be final. An appeal of a decision of the Zoning Board of Appeals shall be taken to the Oakland County Circuit Court within a time period specified in the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended) and by such persons permitted by State statute and common law. Upon appeal, the court shall review the record and decision of the ZBA to ensure that the decision complies with the constitution and laws of the state, is based upon proper procedure, is supported by competent, material, and substantial evidence on the record and represents the reasonable exercise of discretion granted by law to the ZBA. As a result of this review required by this Section, the court may affirm or modify the decision of the ZBA.
- 6. **Resubmittal.** No application for a variance which has been denied in whole or in part by the Zoning Board of Appeals shall be re-submitted for a period of three hundred sixty five (365) days from such denial, except on the ground of new evidence or proof of changed conditions found by the Zoning Board of Appeals to be valid.

Section 15.07 Zoning Ordinance Amendments (Map and Text)

The City Council may amend, supplement, or change the regulations or the district boundaries of this Ordinance pursuant to the authority and according to the procedure set forth in Act 110, of the Public Acts of 2006, as amended. Changes in the text or zoning district boundaries of this Ordinance may be proposed by the Planning Commission, Planning and Zoning Administrator, other City Staff, or any interested person or organization.

1. **Application for Amendment.** An application for an amendment to the text of this Ordinance or an amendment to change the zoning classification of a particular property shall be commenced by filing an application with the Community and Economic Development Department on the forms provided by the Department and accompanied by the fees specified. The application shall describe the proposed amendment and shall be signed by the applicant. Applications for rezoning of a specific site shall be accompanied by a plot plan or survey which specifies the boundaries and legal description of the site. The Planning and Zoning Administrator, Planning Commission, and City Council may request additional information with the application.
2. **Amendment Review Procedures.** The amendment, be it a text or a map amendment, and application materials shall be prepared in accordance with the provisions of this Article and shall be reviewed in accordance with the following procedure. Amendments or application materials that do not meet the stipulated requirements shall be considered incomplete and shall not be eligible for consideration by the Planning Commission:
 - A. **Technical Review.** Prior to Planning Commission consideration, the proposed amendment and application materials shall be distributed to the Technical Review Committee for review, comment, and recommendations. The proposed amendment and application materials may also be distributed to applicable outside agencies and designated city consultants for review.
 - B. **Public Hearing.** A public hearing shall be held at a Planning Commission meeting in accordance with [Section 15.01](#)
 - C. **Planning Commission Consideration of the Proposed Amendment.** The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this Section, and shall report its findings and recommendation to the City Council.
 - D. **City Council Action on the Proposed Amendment.** Upon receipt of the report and recommendation from the Planning Commission, the City Council may approve or deny the proposed amendment. If determined to be necessary, the City Council may refer the amendment back to the Planning Commission for further consideration. City Council may, but is not required to, hold an additional public hearing. In the case of an amendment to the official Zoning Map, the City Council shall approve or deny the amendment, based upon its consideration of the criteria contained in this Ordinance.
3. **Standards of Review for Amendments.**
 - A. **Text Amendments.** In considering any petition for an amendment to the text of this Ordinance, the Planning Commission and City Council shall consider the following criteria in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.
 - (1) Consistency with the goals, policies and objectives of the Master Plan and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistent with recent development trends in the area shall be considered.
 - (2) Consistency with the basic intent and purpose of this Zoning Ordinance.
 - (3) Consideration of changing conditions since the Zoning Ordinance was adopted or a finding that there is an error in the Zoning Ordinance that justifies the amendment.
 - B. **Map Amendments.** In considering any petition for an amendment to the Zoning Map, the Planning Commission and City Council shall consider the following criteria in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.
 - (1) Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.
 - (2) Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

- (3) Consistency with the goals, policies and objectives of the Master Plan (including the Future Land Use Plan), and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistent with recent development trends in the area shall be considered.
- (4) The boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.
- (5) The requested zoning district is considered to be more appropriate from the city's perspective than another zoning district.
- (6) If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
- (7) The requested rezoning will not create an isolated or incompatible zone in the neighborhood.
- (8) The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
- (9) That the amendment will not be expected to result in exclusionary zoning.

C. **Rezoning with Conditions.** The Planning Commission and City Council recognize that, in certain instances, it would be an advantage to both the City and to a property owner seeking rezoning if the property owner proposes certain conditions and limitations as part of a petition for rezoning. Therefore, it is the intent of this Section to provide a process consistent with the provision of Section 405 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, being MCL 125.3405, to permit property owners to offer conditions regarding the use and/or development of land as part of the rezoning request. It is the further intent of this ordinance to accomplish, among other things, the objectives of the Zoning Ordinance and the Master Plan to achieve integration of the proposed land development project with the characteristics of the surrounding area.

(1) **Authorization and Eligibility.**

- (a) The standards of this Section shall grant a property owner the option of voluntarily proposing conditions for the development and use of property in connection with the submission of a petition seeking a rezoning. Such conditions may be proposed at the time the application for rezoning is filed, or at a subsequent point in the process of review of the proposed rezoning.
- (b) In order to be eligible for consideration of a Rezoning with Conditions, a property owner must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, voluntarily offer certain site-specific conditions (to be set forth in a Rezoning with Conditions Agreement) that are more strict or limiting than the regulations that would apply to the land under the proposed new zoning district. Such conditions may include, but are not limited to, the following:
 - (i) The location, size, height or other measure for and/or of buildings, structures, improvements, setbacks, landscaping, buffers, design, architecture and other physical features of the proposed development.
 - (ii) Specification of maximum density or intensity of development and/or use, expressed in terms fashioned for the particular development and/or use. For example: units per acre, maximum usable floor area, or hours of operation.
 - (iii) Preservation of open space, natural resources and/or natural features.
 - (iv) Improvements to address traffic issues, including paving, substantial improvements to or funding of improvements to major roads to the benefit of the entire City.
 - (v) Site improvements such as signage, lighting, landscaping, building materials for the exterior of some or all structures above and beyond what would otherwise be required by City Ordinance.
 - (vi) Limitations on permissible uses of the property.
 - (vii) Any other conditions that may be voluntarily proposed by the property owner.

(2) **Application and Review Procedures.**

- (a) Application.

- (i) At the time of making application for amendment of this ordinance seeking a rezoning of property, or at a later time during the process of City consideration of such rezoning a property owner may submit a complete application for approval of a Rezoning with Conditions to apply in conjunction with the rezoning.
 - (ii) The application, which may be amended by the applicant during the process of consideration, shall specify the Rezoning Conditions proposed by the applicant, recognizing that Rezoning Conditions shall not authorize uses or development not permitted in the district proposed by the rezoning.
 - (iii) An application for a Rezoning with Conditions shall include a Rezoning with Conditions Agreement ("the Agreement"). The Agreement shall set forth the rezoning conditions and may incorporate a Rezoning with Conditions Plan.
 - (iv) The application shall include a notarized signature of the property owner indicating that the conditions attached to the rezoning are voluntarily offered.
 - (b) Technical Review Committee Review. The proposed Rezoning with Conditions will become an agenda item for the Technical Review Committee, with comments forwarded to the Planning Commission.
 - (c) Planning Commission Review.
 - (i) The proposed Rezoning with Conditions shall be noticed for public hearing in accordance with Section 15.01 before the Planning Commission as a proposed legislative amendment of the Zoning Ordinance.
 - (ii) Following the public hearing, and further deliberations as deemed appropriate by the Planning Commission, the Planning Commission shall make a recommendation to the City Council on the proposed Rezoning with Conditions.
 - (d) City Council Review. Upon recommendation by the Planning Commission, the City Council shall make a final determination to approve or deny the Rezoning with Conditions as offered by the applicant. The City Council may only consider the conditions offered by the applicant and may not attach any other conditions to the rezoning other than those offered by the applicant. Any new conditions voluntarily offered by the applicant shall require Planning Commission review and a new public hearing. The City Council's deliberations shall include, but not be limited to, a consideration of the review criteria for a Rezoning with Conditions.
- (3) **Review Criteria.** A Rezoning with Conditions shall only be approved if it meets the following requirements and standards:
- (a) The proposed Rezoning with Conditions will further the goals and objectives of the City Master Plan.
 - (b) Rezoning conditions shall not authorize uses or development not permitted in the district proposed by the rezoning (and shall not permit uses or development expressly or implicitly prohibited in the Rezoning with Conditions Agreement).
 - (c) The use of the property in question shall be in complete conformity with all regulations governing development and use within the zoning district to which the property is proposed to be rezoned, including, without limitation, permitted uses, lot area and width, setbacks, height limits, required facilities, buffers, open space areas, and land use density; provided, however, the following shall apply:
 - (i) Development and use of the property shall be subject to the more restrictive requirements shown or specified in the Rezoning with Conditions Agreement, and/or in other conditions and provisions set forth in the Rezoning with Conditions Agreement required as part of the Rezoning with Conditions approval. Such Rezoning with Conditions Agreement shall supersede all inconsistent regulations otherwise applicable under the Zoning Ordinance.
 - (d) The proposed Rezoning with Conditions will result in integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Rezoning with Conditions.
 - (e) As compared to the existing zoning and considering the site-specific conditions and/or land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Conditions. 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, taking into consideration reasonably accepted planning, engineering, environmental and other principles, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.

- (f) The proposed conditions will not preclude future zoning and planning actions by or on behalf of the municipality.
 - (g) Existing and available public services will be capable of serving proposed or potential development that will occur as a result of the Rezoning with Conditions without negatively impacting the delivery of public services to other properties in the City, or the conditions will ensure that public services will be sufficient to serve both the site and other properties in the City.
 - (h) The offered condition(s) are beneficial to the public good and likely to be enforceable.
 - (i) The condition does not have the same effect as a use variance.
 - (j) The proposed conditions do not relieve the applicant of the responsibility of securing any applicable site plan, plat, condominium, or special land use approvals.
- (4) **Effect of Approval.** Approval of the Rezoning with Conditions and Rezoning with Conditions Agreement confirms only the rezoning of the property, subject to any conditions reflected in the Rezoning with Conditions Agreement. Any applicable site plan, plat, condominium, special land use, or variance approvals shall be required before any improvements to the property may be undertaken.

If approved, the zoning district classification of the rezoned property shall consist of the district to which the property has been rezoned, accompanied by a reference to "CR Rezoning with Conditions". The Zoning Map shall specify the new zoning district plus a reference to "CR" e.g., the district classification for the property might be "B-1, Neighborhood Business District (CR, Rezoning with Conditions)", with a Zoning Map Designation of "B-1/CR." Use of the property so classified and approved shall comply with the conditions set forth in the Rezoning with Conditions Agreement. No development or use of the land inconsistent with the conditions of the Rezoning with Conditions Agreement shall be permitted.

(5) **Compliance with Conditions.**

- (a) Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all of the conditions set forth in the Rezoning with Conditions Agreement. Any failure to comply with a condition contained within the Rezoning with Conditions Agreement shall constitute a violation of this Zoning Ordinance and shall be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.
- (b) No permit or approval shall be granted under this Ordinance for any use or development that is contrary to an applicable Rezoning with Conditions Agreement.

(6) **Period of Approval.**

- (a) The Rezoning with Conditions and Agreement shall expire after a period of one (1) year from the effective date of the Rezoning unless substantial progress towards obtaining site plan and other required approvals has been made, and shall expire after a period of two (2) years unless development of the property is substantially begun within such two (2) year period and proceeds diligently and in good faith as required by ordinance to completion.
- (b) In the event substantial progress towards obtaining site plan and other required approvals has not commenced within one (1) year and bona fide development has not commenced within two (2) years from the effective date of the rezoning, the Rezoning with Conditions and the Rezoning with Conditions Agreement shall be void and of no effect.
- (c) The property owner may apply for a one (1) year extension two (2) times. The request must be submitted to the Community and Economic Development Department before the approval time limit expires. The property owner must demonstrate why the extension should be granted, and must also demonstrate that there is a strong likelihood that the development or use will commence within the period of extension and proceed diligently thereafter to completion, and if the City Council finds that there has not been a change

in circumstances that would render the Rezoning with Conditions incompatible with adjacent or nearby use and zoning of land or is otherwise inconsistent with sound zoning policy.

- (d) An extension request shall be considered by the City Council following a recommendation by the Planning Commission.
- (e) If the Rezoning with Conditions becomes void in the manner provided in this section, the following procedures shall apply:
 - (i) The property owner may seek a new rezoning of the property within thirty (30) days of the expiration of the period of approval.
 - (ii) If no application is made for a new rezoning of the property, the land shall revert to its former zoning classification as set forth in MCL 124.286i (as amended). The City Council shall direct the Planning Commission to proceed with consideration of rezoning the land to its former zoning designation following the standard rezoning procedures set forth in this Zoning Ordinance.
 - (iii) Until such time as a new zoning district classification of the property has become effective, no development shall be undertaken or permits for development issued.
- (7) **Rezoning with Conditions Agreement Requirements.** A Rezoning with Conditions Agreement shall be executed between the applicant and the City at the time of City Council approval of a Rezoning with Conditions.
 - (a) Rezoning with Conditions Agreements shall, at a minimum, contain all of the following items:
 - (i) Identification of the requested zoning district and a listing of the conditions offered by the applicant.
 - (ii) A statement acknowledging that the Rezoning with Conditions was proposed by the applicant, and further agreement and acknowledgment that the conditions and Rezoning with Conditions Agreement are authorized by all applicable state and federal law and constitution, and that the Agreement is valid and was entered into on a voluntary basis and represents a permissible exercise of authority by the City.
 - (iii) Agreement and understanding that the property in question shall not be developed or used in a manner inconsistent with the Rezoning with Conditions Agreement.
 - (iv) Agreement and understanding that the approval and Rezoning with Conditions Agreement shall be binding upon and inure to the benefit of the property owner and City, and their respective heirs, successors, assigns, and transferees.
 - (v) If the City Council grants an extension of approval, a new Rezoning with Conditions Agreement with the new expiration date shall be recorded.
 - (vi) Agreement and understanding that, if a Rezoning with Conditions becomes void, no development shall be undertaken or permits for development issued until a new zoning district classification of the property has been established.
 - (vii) Agreement and understanding that each of the requirements and conditions in the Rezoning with Conditions Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved Rezoning with Conditions, taking into consideration the changed zoning district classification and the specific use authorization granted.
 - (viii) A legal description of the property affected by the Rezoning with Conditions.
 - (ix) Development regulations affected by the conditions of rezoning, including but not limited to density, setbacks, height, site coverage, signs, parking, architecture, etc.
 - (x) Revocation of approval provisions returning the property to its original zoning designation if the developer violates the terms of the Agreement. A Rezoning with Conditions Plan may be included as an exhibit to the Agreement.
 - (b) The Rezoning with Conditions Plan may show the conceptual layout of the proposed development or use, along with any other information deemed relevant by the applicant. Inclusion of a Rezoning with Conditions Plan as an exhibit to a Rezoning with Conditions Agreement shall not replace the

requirement for preliminary and final site plan, subdivision, condominium, special land use or variance review and approval.

- (8) **Amendment of Rezoning with Conditions Agreement.** Amendment of a Rezoning with Conditions Agreement shall be proposed, reviewed and approved in the same manner as a new Rezoning with Conditions.
 - (9) **Recordation of Rezoning with Conditions Agreement.** A Rezoning with Conditions shall become effective following publication in the manner provided by law, and, after recordation of the Rezoning with Conditions Agreement, whichever is later.
 - (10) **Termination.** The City Council shall be the only body with the authority to terminate a Rezoning with Conditions agreement. The consideration to terminate the agreement shall be for reasons of expiration of the agreement, discovery of false information upon which the initial approval was based, or the existence or discovery of new information that alters the viability of the approved rezoning. The Termination shall comply with any applicable provisions of this ordinance or the Rezoning with Conditions Agreement.
 - (11) **City Right to Rezone.** Nothing in the Rezoning with Conditions Agreement or in the provisions of this Section shall be deemed to prohibit the City from rezoning all or any portion of land that is subject to a Rezoning with Conditions to another zoning classification. Any such rezoning shall be conducted in compliance with this Ordinance and the Michigan Zoning Enabling Act.
 - (12) If land that is subject to a Rezoning with Conditions Agreement is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no Rezoning with Conditions Agreement, the Rezoning with Conditions Agreement attached to the former zoning classification shall cease to be in effect.
4. **Notice of Adoption of Amendment.** Following adoption of an amendment by the City Council, one (1) notice of adoption shall be filed with the City Clerk and one (1) notice shall be published in a newspaper of general circulation in the City within fifteen (15) days after adoption, in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. A record of all amendments shall be maintained by the City Clerk. A Zoning Map shall be maintained by the City Clerk, which shall identify all map amendments. The required notice of adoption shall include all of the following information:
- A. In the case of a newly adopted Zoning Ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the City of Madison Heights."
 - B. In the case of an amendment(s) to the existing Zoning Ordinance, either a summary of the regulatory effect of the amendment(s), including the geographic area affected, or the text of the amendment(s).

Section 15.08 Temporary Use Permits

1. **Purpose.** This section sets forth the requirements for the application, review, approval, and enforcement of temporary use permits in the City of Madison Heights. Temporary use permits may be reviewed and acted upon by the Planning and Zoning Administrator, Technical Review Committee, or Planning Commission.
2. **Use-Specific Standards.** Temporary uses are subject to the use-specific standards of [Section 7.03\(43\)](#)
3. **Planning and Zoning Administrator/Technical Review Committee Review.** The Planning and Zoning Administrator may review and approve certain temporary uses addressed in Section 7.03(XXXX). The Planning and Zoning Administrator reserves the right to refer any request for a temporary use permit to the Technical Review Committee or Planning Commission for review and approval.
4. **Planning Commission Review.** The Planning Commission shall review and act upon temporary use permit requests where the applicant seeks approval for a time period longer than otherwise allowed by [Section 7.03\(43\)](#) or for a temporary use not specifically permitted in [Section 7.03\(43\)](#) nor deemed similar by the Planning and Zoning Administrator; provided, that the temporary use complies with all other relevant development and operational standards for the use as provided in this Zoning Ordinance.



City of Madison Heights

City Hall Municipal Offices
300 W. Thirteen Mile Road
Madison Heights, MI 48071

Department of Public Services
801 Ajax Drive
Madison Heights, MI 48071

Fire Department
31313 Brush Street
Madison Heights, MI 48071

Police Department
280 W. Thirteen Mile Road
Madison Heights, MI 48071

www.madison-heights.org

July 3rd, 2025

RE: City-Initiated Rezonings for Certain Qualified Properties

Dear property owner and/or current tenant:

The City of Madison Heights is initiating a proactive rezoning of certain qualified properties to the R-MN (Residential Mixed-Neighborhood), R-MF (Residential Multi-Family), MUI-2 (Mixed-Use Innovation 2), or B-1 (Neighborhood Business) district. These rezonings, if approved, aim to better-align the zoning of these properties with existing land use patterns, the City's Master Plan, and adjacent transportation systems. Further, this rezoning process will have the effect of *increasing* building expansion and development potential while simultaneously ensuring that all existing uses remain conforming to Ordinance standards. Properties included in this proactive rezoning process share the following characteristics:

- Currently zoned One-Family Residential (R-1, R-2, or R-3).
- Located on a moderate to high-traffic street identified as either an "arterial" or "collector" street in the Madison Heights Master Plan.
- Currently improved with a religious institution, private club, or lodge.

If you received this letter, then you are the registered owner and/or current tenant of a qualified property that is scheduled to be included in this rezoning process. **This rezoning process will not negatively impact your ability to continue to operate or expand your current use.**

Background

Madison Heights adopted a new Zoning Ordinance in 2024 which replaced an outdated ordinance that had been in effect for nearly fifty years. The previous Zoning Ordinance (pre-2024) only permitted religious institutions such as churches, synagogues, mosques, temples, etc. in the one-family residential and office zoning districts. The new Zoning Ordinance permits religious institutions, private clubs, and lodges in a greater number of zoning districts including, in some capacity, residential, office, business, and mixed-use districts. While several properties improved with religious institutions or clubs were rezoned as part of the 2024 Zoning Ordinance adoption, several properties on higher-traffic streets still retain one of the lower-density one-family residential zoning designations; these zoning designations are out of character with the street system and nearby land use and development patterns and potentially jeopardize opportunities for future expansion projects or redevelopment.

Area Code (248)

Active Adult Center.....	545-3464	Finance	583-0846	Nature Center	585-0100
Assessing.....	858-0776	Fire Department.....	588-3605	Police Department.....	585-2100
City Clerk.....	583-0826	43rd District Court.....	583-1800	Purchasing.....	583-0828
City Manager	583-0829	Human Resources.....	583-0828	Recreation.....	589-2294
Community Development	583-0831	Library	588-7763	Water & Treasurer	583-0845
Department of Public Services.....	589-2294	Mayor & City Council.....	583-0829		

Qualifying Properties

At their June 17th, 2025 meeting, the Madison Heights Planning Commission identified the following properties to include in this rezoning process. (These properties are also highlighted in the attached zoning map):

Map #	Address	Current Tenant	Current Zoning	Proposed Zoning
1	555 E. 13 Mile Rd.	MH Church of Nazarene	R-1	R-MN
2	1434 E. 13 Mile Rd.	St. Patrick Episcopal Church	R-2	R-MF
3	30801 Dequindre Rd.	Arabic Evangelical Alliance Church	R-2	MUI-2
4	1042 E. 12 Mile Rd.	Gospel Life Church	R-3	R-MN
5	500 W. Gardenia Ave.	Korean First Central United Church	R-3	R-MN
6	30728 John R Rd.	Vacant (Previously Red Oaks Church)	B-1, R-2 (split-zoned)	B-1 (eliminate split-zoning)

Zoning district summaries are provided below:

- **R-1/R-2/R-3 (One-Family Residential):** Designed to provide for one-family dwelling sites and residentially related uses in keeping with the Master Plan of residential development in the City of Madison Heights.
- **R-MN (Residential Mixed Neighborhood):** Designed to promote a variety of housing opportunities including single-family attached and detached, townhomes, and two, three and four-family dwelling structures and will serve as zones of transition between the higher density residential/non-residential districts and lower density single-family districts. The R-MN district is further intended to allow for a residential density to support nearby businesses and the City Center district.
- **R-MF (Residential Multi-Family):** Designed to provide sites for multiple-dwelling structures which will serve as zones of transition between the non-residential districts and lower density single-family districts.
- **B-1 (Neighborhood Business):** Designed to meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas. The B-1 district shall encourage uses and design that are compatible with, and accessible to, nearby residential uses, thus reducing the number of vehicle trips required in these areas.
- **MUI-2 (Mixed-Use Innovation 2):** Established to promote the redevelopment of moderate to larger-scale regional commercial centers into walkable, compact developments featuring a cohesive mix of commercial, residential, and recreational land uses. MUI-2 development standards are intended to allow for the creation of integrated mixed-use, walkable districts, which prioritize pedestrian connectivity over vehicle circulation and parking. The MUI-2 district is also intended as an alternative format for larger-scale commercial uses than that of the Business (B) zoning districts.

Response Form and Office Hours

Your opinion on this planned rezoning process is vital. We hope that you will take the time to review this letter, including the proposed zoning district information, to understand the city's goals regarding this process. A **response form** is attached to this letter where we welcome your feedback.

City staff will also be holding an open office hours event on **Friday, July 18th from 1 – 2:30 p.m. in the Executive Conference Room at City Hall, 300 W. 13 Mile Road**. This will be an informal, drop-in-style event where you can meet with City staff to ask any questions you may have about these rezonings.

Public Hearing

Following the office hours event on **Friday, July 18th**, a formal rezoning application will be prepared for a public hearing at the Planning Commission (date to be determined). Following the public hearing, the Planning Commission will make a recommendation to City Council for final action. As an affected party, you will receive a mailed notice ahead of the scheduled public hearing.

Frequently Asked Questions

- *Will this rezoning process negatively impact our ability to continue to operate our religious institution/club on the property or the ability to expand in the future?*

No! Religious institutions, clubs and lodges will remain a permitted use on your property (either "by-right" or a Special Land Use) after rezoning. In fact, this rezoning process aims to increase and streamline opportunities to expand your current use or develop new uses on the property in the future.

- *Will this rezoning directly impact our current property taxes?*

No. Property tax is based on current use and improvements on the property, not the zoning district or planned future land uses. Any existing property tax exemptions for religious or educational nonprofit organizations will remain in place.

- *Do I need to take any further action?*

No. However, you are invited to provide feedback on the attached response form, attend the drop-in office hours event on **July 18th**, and/or attend the upcoming public hearing at the Planning Commission (public hearing mailers with date/time information to be mailed separately).

Sincerely,



Matthew D. Lonnerstater, AICP
City Planner | City of Madison Heights
MattLonnerstater@madison-heights.org
(248) 837-2649

NOTICE OF PUBLIC HEARING

Notice is hereby given that the **Planning Commission** for the City of Madison Heights will hold a public hearing on **Tuesday, August 19th, 2025 at 5:30 p.m.** in the City Hall Council Chambers, 300 West Thirteen Mile Road, Madison Heights, Michigan 48071, to consider the following **rezoning** requests:

Rezoning Request No. PRZN 25-01. City initiated rezoning of one (1) parcel of land located at 555 E. 13 Mile Road (TM# 44-25-01-376-010) from R-1, One-Family Residential, to R-MN, Residential Mixed-Neighborhood.

Rezoning Request No. PRZN 25-02. City initiated rezoning of one (1) parcel of land located at 1434 E. 13 Mile Road (TM# 44-25-12-204-038) from R-2, One-Family Residential, to R-MF, Residential Multiple-Family.

Rezoning Request No. PRZN 25-03. City initiated rezoning of one (1) parcel of land located at 30801 Dequindre Road (TM# 44-25-12-226-009) from R-2, One-Family Residential, to MUI-2, Mixed-Use Innovation 2.

Rezoning Request No. PRZN 25-04. City initiated rezoning of one (1) parcel of land located at 1042 E. 12 Mile Road (TM# 44-25-13-130-024) from R-3, One-Family Residential, to R-MN, Residential Mixed-Neighborhood.

Rezoning Request No. PRZN 25-05. City initiated rezoning of one (1) parcel of land located at 500 W. Gardenia Avenue (TM# 44-25-14-276-005) from R-3, One-Family Residential, to R-MN, Residential Mixed-Neighborhood.

Rezoning Request No. PRZN 25-06. City initiated rezoning of the eastern 130 feet of one (1) parcel of land located at 30728 John R Road (TM# 44-25-12-101-057) from R-2, One-Family Residential, to B-1, Neighborhood Business.

The application and any supporting documents can be viewed during regular business hours at the Community and Economic Development Department. In addition, the agenda item can be viewed online after 4:00 p.m. on the Friday prior to the meeting at www.madison-heights.org in the Agenda Center.

For further information, please contact the Community and Economic Development Department at (248) 583-0831 or email MattLonnerstater@madison-heights.org.

Matt Lonnerstater, AICP
City Planner
(248) 583-0831



City of Madison Heights

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300 W. Thirteen Mile Road
Madison Heights, MI 48071

Department of Public Services
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CITY OF MADISON HEIGHTS RESPONSE FORM

The City of Madison Heights is initiating a proactive rezoning of certain qualified properties to the R-MN (Residential Mixed-Neighborhood), R-MF (Residential Multi-Family), MUI-2 (Mixed-Use Innovation 2), or B-1 (Neighborhood Business) district. These rezonings, if approved, aim to better-align the zoning of these properties with existing land use patterns, the City's Master Plan, and adjacent transportation systems. Further, this rezoning process will have the effect of *increasing* building expansion and development potential while simultaneously ensuring that all existing uses remain conforming to Ordinance standards.

If you received this letter, then you are the registered owner and/or current tenant of a qualified property that is scheduled to be included in this rezoning process. *This rezoning process will not impact your ability to continue to operate or expand your current use.*

You are invited to attend a drop-in style office hours event on Friday, July 18th from 1 – 2:30 p.m. in the Executive Conference Room at City Hall, 300 W. 13 Mile Road. You will receive an additional public notice mailer for the public hearing to be held at an upcoming Planning Commission meeting (date TBD).

Participants may also choose to submit comments that can be read into the record at the upcoming public hearing. To submit a written reply, you may use this form to reply by mail or email. Returning this form has as much validity as verbal comments at the public hearing. Unsigned or anonymous comments **will not** be considered.

Return via email: MattLonnerstater@madison-heights.org

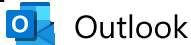
Return via mail: Community and Economic Development Department
300 W. Thirteen Mile Road
Madison Heights, Michigan 48071
(248) 837-2649

☒ I SUPPORT ☐ I OBJECT TO

THE PLAN TO REZONE MY PROPERTY FOR THE FOLLOWING REASONS:

We plan to exercise our options for future needs.

Signature: John Chunsik Choi
Print Name: John C. Choi
Address: 500 W. Gardenia Ave



Re: Concerns Regarding Rezoning Request PRZN 25-05 (500 W Gardenia)

From Catherine <catherinesullivan1985@gmail.com>

Date Thu 8/14/2025 9:25 AM

To Matt Lonnerstater <MattLonnerstater@madison-heights.org>

Good morning

Thank you for taking the time to hear our concerns and share them with the planning committee. This issue is deeply felt by many of us in the neighborhood. To my understanding, the property at 500 W Gardenia is currently zoned for single-family residential use. The proposed rezoning would allow for multi-family dwellings such as apartments or condos, which feels out of step with the character and layout of our area.

While I can understand the rationale for rezoning properties along major roads, this particular site is nestled in the heart of an already busy residential neighborhood. It's not just about traffic or aesthetics—it's about preserving the integrity and rhythm of our community.

Personally, I live directly behind the church adjacent to the property, with a gate that opens into its parking lot. If the rezoning is approved and the church ever decides to sell, I could be facing multi-family development quite literally in my backyard. That's a deeply unsettling prospect, not just for me, but for the many families who chose this neighborhood for its quiet, single-family charm.

We're not opposed to thoughtful development—but we ask that it be done with respect for the existing community and its long-standing character.

Catherine Moran
28183 Diesing Drive
248-224-6300

On Wed, Aug 13, 2025, 8:12 AM Matt Lonnerstater <MattLonnerstater@madison-heights.org> wrote:
Good morning. Thank you for the email. I will forward this onto the Planning Commission for their consideration.

Best,



Matt Lonnerstater, AICP
City Planner
City of Madison Heights
MattLonnerstater@Madison-Heights.org
Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>

From: Catherine <catherinesullivan1985@gmail.com>

Sent: Tuesday, August 12, 2025 10:24 PM

To: Matt Lonnerstater <MattLonnerstater@madison-heights.org>

Subject: Concerns Regarding Rezoning Request PRZN 25-05 (500 W Gardenia)

Good evening,

I'm writing to express my deep concern about the proposed rezoning of 500 W Gardenia (Request No. PRZN 25-05), which directly borders my property and neighborhood.

I have already emailed Mr Wright and Mr. Haines to get their respective opinions but i would also like to express mine.

This isn't just an empty lot—I understand why the church is so willing to re zone and sell. In today's market it's a move that may help keep their congregation afloat for some time. But at what cost to the city and my neighborhood?

I would like to express my concerns as this move would essentially eliminate any chance or privacy for several homes in my neighborhood. This specific home/block it's part of the reason I chose to build my life here.

I'm a lifelong Madison Heights resident. I attended Edison, Wilkinson, and Madison High school, and now I'm raising my own family in the Lamphere district—Edmonson and Page. We chose this quiet neighborhood because of its peaceful character and the green space that surrounds it.

This particular area is more than just land. It's where my kids have picnics with friends, where we catch fireflies, admire rainbows, and collect cicadas from the same oak tree every summer. We even gather sticks from the cottonwood to see their "stars." These moments are woven into the fabric of our lives.

I understand the city's goal of increasing workforce housing, and I support efforts to make Madison Heights more inclusive and accessible. But I respectfully ask: why here? Why rezone a quiet residential area when there are other underutilized properties—like the church south of 13 mile on John R or the long-stalled condo development at 11 Mile and John R—that could better serve this purpose? Better yet let's focus on the blight in clear display at 12 & John R I have been in touch with code enforcement and apparently there is nothing that can be done...

Rezoning this parcel opens the door to multi-family developments that would dramatically alter the character of our neighborhood. I would be devastated to lose this green space, and I'm not alone—many of my neighbors share these concerns. While I'd still be saddened to see any development here, I could understand single-family homes, which are already permitted under the current zoning. At least that would preserve some sense of privacy and neighborhood continuity.

My neighbors and I plan to attend the public hearing on August 19th at 5:30 PM, and we hope to better understand your perspective on this proposal. We also hope you'll consider ours.

Thank you for your time and for listening to the voices of the community.

Catherine Moran

28183 Diesing Drive
Madison Heights MI 48071
248-224-6300

----- Forwarded message -----

From: **Catherine** <catherinesullivan1985@gmail.com>

Date: Tue, Aug 12, 2025, 9:42 PM

Subject: Concerns Regarding Rezoning Request PRZN 25-05 (500 W Gardenia)

To: 4mayor@quinnwright.com <4mayor@quinnwright.com>

Dear Mr Wright

I'm writing to express my deep concern about the proposed rezoning of 500 W Gardenia (Request No. PRZN 25-05), which directly borders my property and neighborhood. This isn't just an empty lot—it's part of the reason I chose to build my life here.

I'm a lifelong Madison Heights resident. I attended Edison, Wilkinson, and Madison High school, and now I'm raising my own family in the Lamphere district—Edmonson and Page. We chose this quiet neighborhood because of its peaceful character and the green space that surrounds it.

This particular area is more than just land. It's where my kids have picnics with friends, where we catch fireflies, admire rainbows, and collect cicadas from the same oak tree every summer. We even gather sticks from the cottonwood to see their "stars." These moments are woven into the fabric of our lives.

I understand the city's goal of increasing workforce housing, and I support efforts to make Madison Heights more inclusive and accessible. But I respectfully ask: why here? Why rezone a quiet residential area when there are other underutilized properties—like the abandoned church on John R or the long-stalled condo development at 11 Mile and John R—that could better serve this purpose?

Rezoning this parcel opens the door to multi-family developments that would dramatically alter the character of our neighborhood. I would be devastated to lose this green space, and I'm not alone—many of my neighbors share these concerns. While I'd still be saddened to see any development here, I could understand single-family homes, which are already permitted under the current zoning. At least that would preserve some sense of privacy and neighborhood continuity.

My neighbors and I plan to attend the public hearing on August 19th at 5:30 PM, and we hope to better understand your perspective on this proposal. We also hope you'll consider ours.

Thank you for your time and for listening to the voices of the community.

Catherine Moran
28183 Diesing Drive
Madison Heights MI 48071
248-224-6300



MEMORANDUM

Date: August 14th, 2025
To: City of Madison Heights Planning Commission [August 19th Meeting]
From: Matt Lonnerstater, AICP – City Planner
Subject: Non-Conforming Residential Driveways – Initial Discussion on Potential Text Amendment(s)

Introduction

At the August 19th, 2025 Planning Commission meeting, staff would like to discuss issues pertaining to the replacement of non-conforming residential driveways. Based on Zoning Ordinance requirements, staff has recently denied several concrete permits related to the like-for-like replacement of non-conforming residential driveways. To avoid an abundance of cases in front of the Zoning Board of Appeals, staff recommends that the Planning Commission consider zoning text amendments which would allow certain non-conforming residential driveways to be replaced in-kind. If the Planning Commission determines that a zoning ordinance text amendment is warranted, a public hearing should be set for the next meeting.

Background

Section 7.03.10.C of the recently-adopted Madison Heights Zoning Ordinance contains use-specific standards for residential driveways. As a vast majority of single-family detached houses and their associated driveways in Madison Heights were constructed prior to the adoption of the new Zoning Ordinance, there are many cases of legally non-conforming driveway conditions throughout the city. As property owners and their contractors have come in to pull concrete permits for routine driveway replacement over the summer months, staff has had to deny many applications for the replacement of non-conforming driveways; this is due to the Article 13 (Nonconformities) of the Zoning Ordinance which requires non-conforming site elements to be brought up to code when replaced. Permit denials have, understandably, led to frustration for these property owners due to the impracticality of alternate driveway designs or the cost/time factor of going in front of the Zoning Board of Appeals (ZBA) for a variance.

Staff has generally denied concrete permit applications relating to non-conforming driveway replacements based on one (or multiple) of the following zoning standards:

- (A) Driveways shall be set back a minimum of one (1) foot from side and rear lot lines, except in cases where the driveway is accessed from a rear alley or where a driveway is shared between two or more properties.
- (B) Driveways shall not be permitted in front of the residential dwelling. Nonconformities relating to this standard often lead to one of the following additional nonconformities:
 - 1) Driveways leading to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening.
 - 2) Driveways leading to a detached garage shall be no wider than twelve (12) feet in width at the property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening.

Side Yard Setback

Section 7.03.10.C.(3) requires driveways to be set back a minimum of one (1) foot from side and rear lot lines. The intent behind this standard is to allow for stormwater to infiltrate into a grass strip at the property line instead of sheet flowing directly onto adjacent properties. While this standard is important for new construction, there are myriad examples of existing residential driveways built right along the side property line; this is especially true in the southern portions of the city, where narrow parcel widths and minimum building setback requirements have limited both driveway and building placement.



Narrow lot widths and minimum building setback requirements have historically limited driveway placement to the side property line edges.

In many cases, especially those with narrow lot widths of 40 feet or less, enforcing the one-foot minimum driveway setback for replacement driveways may lead to other non-conforming conditions, such as driveways that are too narrow (less than 9 feet wide) or driveways that need to extend to an area in front of the dwelling. Due to the pervasiveness of this non-conformity, staff recommends a text amendment.

Text Amendment Consideration: The Planning Commission has several options to consider for a text amendment related to this type of non-conformity:

- 1) **Comprehensive:** Any legally permitted driveway which is non-conforming due to a failure to meet the side or rear yard driveway setback requirement may be repaired, repaved, and/or reconstructed in-kind; however, in no case may the extent of an existing non-conformity increase as a result.
- 2) **Limited:** A legally permitted driveway which is non-conforming due to a failure to meet the side or rear yard driveway setback requirement may be repaired, repaved, and/or reconstructed in-kind if one (or both) of the following conditions are met:
 - a. The existing parcel features a lot width of 40 feet or less; or
 - b. The existing driveway to be replaced is ten (10) feet wide or less.

In no case may the extent of an existing non-conformity increase as a result.

- 3) No change (non-conformity shall be addressed with driveway replacement).
- 4) Other approach, based on Planning Commission discussion.

Driveways in front of a Residential Dwelling/Maximum Driveway Width

Section 7.03.10.C prohibits driveways directly in front of residential dwellings. This general requirement was carried over from the the previous Zoning Ordinance (with the standard adopted sometime prior to 1999), which stated, *“no paved surfaces of any type whatsoever, including, but not by way of limitation, surfaces consisting of concrete, asphalt, or portland cement binder, will be permitted in front of the main building except a paved surface which constitutes a sidewalk and/or service walk for the purposes of pedestrian travel and which is not intended to be driven upon or parked upon.”*

The intent behind this standard, and of the standards in the new Zoning Ordinance, is to limit vehicles from dominating the front yard of a residential property and to reduce the amount, or at least the appearance, of impervious surface in front of a home. The Zoning Ordinance envisions service walks that are completely separate from the driveway or, at minimum, connected to the driveway via a flare/taper:



Zoning Ordinance standards encourage a pedestrian service walk that is completely separate from the driveway or, at a minimum, tapered/ flared from the edge of the driveway.

Unfortunately, it appears as if this standard has historically been applied sporadically, interpreted in a variety of ways, or simply not enforced. There are a number of examples of service walks being placed directly adjacent to the entire length of the driveway from the porch to the public sidewalk; these “service walk” extensions effectively act as a full-length driveway extension with pavement in front of the home. In many cases, the combined width of the driveway and attached service walk also result in a total driveway width exceeding the maximums permitted by the Zoning Ordinance.



Examples of full-length “service walks” directly connected to a driveway which result in pavement in front of the dwelling and excessive driveway widths.

There are, of course, more egregious examples where the width of a service walk and related pavement could potentially permit additional vehicle parking in front of the dwelling. The Planning Commission may want to ensure that these nonconformities cannot be reconstructed in-kind:



Examples of combined driveways/service walks which extend a significant distance into the front yard.

There is potentially a case to be made to allow the like-for-like replacement of non-conforming driveways with modest attached service walks projecting in front of the home (e.g. 5 feet wide or less), especially where homes are built with their front entrances/patios immediately adjacent to the driveway. However, staff recommends that the Zoning Ordinance continue to prohibit the replacement of egregious non-conforming driveways/service walks where the pavement extends a considerable distance into the front yard, or where a service walk is not a logical component of the extended driveway width.

Text Amendment Consideration: The Planning Commission has several options to consider for a text amendment related to this type of non-conformity:

- 1) **Comprehensive:** Any legally permitted driveway which is non-conforming due to pavement extending in front of the residential dwelling, including any attached service walk, may be repaired, repaved, and/or reconstructed in kind; however, in no case may the extent of an existing non-conformity increase as a result.
- 2) **Limited:** A legally permitted driveway which is non-conforming due to an attached service walk extending up to, but not exceeding, five (5) feet in front of the residential dwelling may be repaired, repaved, and/or reconstructed in-kind; this shall be permitted irrespective of nonconforming driveway width at the property line; however, in no case may the extent of an existing non-conformity increase as a result.
- 3) No change (the non-conformity shall be addressed with driveway replacement).
- 4) Other amendment, based on discussion.

All-Encompassing Standard for All Non-Conforming Driveways

As an alternate to addressing the specific types of non-conforming addressed in this memo, the Planning Commission may consider adopting “all encompassing” text amendment which would allow for the in-kind replacement of any legally non-conforming driveway, regardless of the type or extent of non-conformity. The City of Plymouth has a similar standard in their Zoning Ordinance which states, “Any legal, non-conforming [residential] driveway may be repaved or reconstructed in the same location and in the same manner if it was established legally and with necessary permits.”

Planning Commission Discussion and Next Steps

Provided the Planning Commission elects to move forward with text amendments to grant flexibility to property owners with non-conforming driveways, staff would set a public hearing for the **September 16th** Planning Commission meeting and begin the public notice process. Staff believes that text amendments, to some extent, may be reasonable in order to grant a limited amount of flexibility to residential property owners so that they may improve their driveways without needing to seek a variance. Staff advises against adopting an all-encompassing waiver amendment which would allow the like-for-like replacement of any nonconforming residential driveway, no matter the extent of the nonconformity. However, staff looks to the Planning Commission for guidance as to which set of amendments, if any, should be adopted.

To summarize, staff offers the following text amendment approaches for consideration (staff recommendations are highlighted in yellow). Of course, additional approaches may be discussed.

	<p>A) All-Encompassing (any nonconforming driveway): Any legal, non-conforming driveway may be repaved or reconstructed in the same location and in the same manner if it was established legally and with necessary permits. However, in no case may the extent of an existing non-conformity increase as a result.</p>
	<p>B) Case-Specific: Certain non-conforming driveways may be replaced in-kind, dependent on the situation:</p>
	<p>1) One-Foot Side Yard Setback:</p> <ul style="list-style-type: none"> a. Comprehensive: Any legally permitted driveway which is non-conforming due to a failure to meet the side or rear yard driveway setback requirement may be repaired, repaved, and/or reconstructed in-kind; however, in no case may the extent of an existing non-conformity increase as a result. b. Limited: A legally permitted driveway which is non-conforming due to a failure to meet the side or rear yard driveway setback requirement may be repaired, repaved, and/or reconstructed in-kind if one (or both) of the following conditions are met: <ul style="list-style-type: none"> i. The existing parcel features a lot width of 40 feet or less; and/or ii. The existing driveway to be replaced is ten (10) feet wide or less. <p>In no case may the extent of an existing non-conformity increase as a result.</p>
	<p>2) Front-Yard Parking/Driveway Width:</p> <ul style="list-style-type: none"> a. Comprehensive: Any legally permitted driveway which is non-conforming due to pavement extending in front of the residential dwelling, including any attached service walk, may be repaired, repaved, and/or reconstructed in kind; however, in no case may the extent of an existing non-conformity increase as a result. b. Limited: A legally permitted driveway which is non-conforming due to an attached service walk extending up to, but not exceeding, five (5) feet in front of the residential dwelling may be repaired, repaved, and/or reconstructed in-kind; this shall be permitted irrespective of nonconforming driveway width at the property line; however, in no case may the extent of an existing non-conformity increase as a result.
	<p>C) No change: Any non-conformity shall be addressed with driveway replacement.</p>