

CITY OF MADISON HEIGHTS

CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.

CITY COUNCIL REGULAR MEETING AGENDA

SEPTEMBER 08, 2025 AT 7:30 PM

CALL TO ORDER

ROLL CALL

INVOCATION and PLEDGE OF ALLEGIANCE - COUNCILOR ROHRBACH

APPROVAL OF THE AGENDA:

1. Additions/Deletions

PRESENTATIONS

- 2. Community Connect presentation to City Council
- 3. Director of Public Services Summer Beautification Awards

PUBLIC HEARINGS:

ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE

MEETING OPEN TO THE PUBLIC:

CONSENT AGENDA:

4. City Council Regular Meeting Minutes of August 25, 2025

COMMUNICATIONS:

REPORTS:

- 5. City Manager Request to Waive Permit, Engineering, and Inspection Fees for the Red Oak Park (Ambassador) Project
- 6. City Planner Special Land Use Request #PSP 25-04 510 W. Girard Ave. Private K-8 School
- 7. City Planner Special Land Use Request #PSP 25-05 28767 Dartmouth St. Parking as a Principal Use

ITEMS FOR FUTURE PUBLIC HEARINGS:

8. City Planner - Alley Vacation Request #PEE 25-01 - 17 ft.-wide alley between 601 W. 12 Mile Road and 28767 Dartmouth Street

BID AWARDS/PURCHASES:

9. Director of Public Services - Scheduled Replacement of Backhoe #455

ORDINANCES:

10. City Planner - Ordinance 2205 - City-Initiated Rezonings PRZN 25-01, 25-02, 25-03, 25-04, and 25-06; First Reading

UNFINISHED BUSINESS:

EXECUTIVE SESSION:

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.

DATE: September 8, 2025

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments Regular Council Meeting of Monday, September 8, 2025

PRESENTATIONS:

FIRE DEPARTMENT – COMMUNITY CONNECT

Chief Lelito will be sharing information about Community Connect, a secure and user-friendly platform designed to strengthen our emergency response.

Community Connect gives residents and businesses the opportunity to share important details with us before an emergency happens. For households, that might include medical needs, mobility challenges, or even information about pets. Having this information in advance allows our Firefighter/Paramedics to respond more quickly and provide the right assistance when every second counts.

For our local businesses, the platform also provides a way to share property details that can help our team make informed decisions in the middle of a response.

It only takes a few minutes to create a profile, but by doing so, residents and business owners are helping us deliver faster, safer, and more effective service—protecting not only themselves, but also their loved ones, neighbors, and coworkers.

<u>DEPARTMENT OF PUBLIC SERVICES – SUMMER BEAUTIFICATION AWARDS</u>

DPS Director Sean Ballantine will be making a special presentation to recognize this year's Summer Beautification Award winners. He will share a brief slideshow highlighting the outstanding displays of all nominees, showcasing the creativity and pride our residents bring to their properties.

Following the presentation, Director Ballantine will announce and honor this year's winners. The first-place award goes to 1817 Elliott, and the second-place award goes to 368 Sonia.

REPORTS:

<u>CITY MANAGER – REQUEST TO WAIVE PERMITTING, ENGINEERING, AND INSPECTION FEES FOR RED OAKS PARK</u>

When projects are funded internally or supported by City-managed grants, it is our standard practice to waive internal permitting fees without Council action. This is because those fees would simply shift money from one City fund to another, with no outside impact.

The Red Oaks Park project, however, is different. It is being funded entirely by Oakland County, with a \$7.2 million investment and no financial obligation to the City. The only request is that the City waive any permit, engineering, or inspection fees. Charging those fees would reduce the funds available for direct project work, which ultimately benefits our residents.

Because this project is funded solely by an outside partner, the waiver request falls outside of our normal procedure and therefore requires formal Council approval. Approving the waiver is consistent with past practice for City-owned and grant-funded projects, and ensures Oakland County's full investment goes directly into creating an improved park for our community.

For these reasons, we respectfully request Council's support in waiving the applicable Community Development fees for permitting, engineering, and inspection for the Red Oaks Park project.

<u>CITY PLANNER – SPECIAL LAND USE REQUEST #PSP 25-04 – 510 W. GIRARD AVENUE</u> <u>PRIVATE K-8</u>

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. The property is located at the northwest corner of W. Girard Avenue and Barrington Street/Northeastern Highway.

The school is proposed to operate out of a wing of the existing church building, which Mt. Zion will also continue to use for religious services. In the R-2 zoning district, K-12 public and private schools are permitted through the Special Land Use process.

The Planning Commission recommended approval of the request, subject to the following conditions:

1. The operation of the school, including enrollment, hours of operation, grade levels, etc., shall substantially comply with the project narrative submitted. Any modifications will need to be reviewed under Section 15.05.5 to determine if a new Special Land Use review is required.

- 2. A "One Way/ Do Not Enter" sign shall be installed at the southern Barrington Street driveway to ensure one-way circulation.
- 3. Ancillary site improvements, such as playground equipment or sports fields, etc., shall be reviewed through the Technical Review Committee (TRC) via the Minor Site Plan process.
- 4. Transitional landscaping shall be added along the western and northern property line.

A template motion, along with findings and conditions, is provided in the staff report on page 8.

<u>CITY PLANNER – SPECIAL LAND USE REQUEST #PSP 25-05 – 28767 DARTMOUTH ST</u> – PARKING AS A PRINCIPAL USE

The applicant and property owner, Najor Companies, has requested Special Land Use approval under Sections 10.06 and 15.05 of the Madison Heights Zoning Ordinance to develop a parking lot and drive aisle as the principal use of a residential parcel. The intent is for this parking lot and drive aisle to serve a proposed restaurant development on the adjacent property to the west.

The subject site is 28767 Dartmouth Street, which is zoned R-3, One-Family Residential. Under Section 10.06, parking as a principal use on a residential parcel requires Special Land Use approval with additional use-specific standards. While related to the proposed restaurant, the restaurant use itself is not part of this Special Land Use request.

The Planning Commission previously recommended denial of the request, citing issues with the site plan. In response, the applicant has revised the plan, addressed the Commission's findings, and held a public town hall meeting with residents. A revised concept plan was submitted to staff on August 28, 2025.

Given these updates, the staff recommends that City Council postpone action on the Special Land Use until the October 13, 2025, Council meeting, and remand the revised submittal back to the Planning Commission for further review and recommendation at their September 16, 2025, meeting.

If the Council chooses not to remand, there are two alternative options:

- 1. Approve the Special Land Use based on the revised concept plan submitted August 28, 2025.
- 2. Deny the Special Land Use.

<u>CITY PLANNER – ALLEY VACATION REQUEST #PEE 25-01 – 601 W. 12 MILE ROAD and 28767 DARTMOUTH STREET</u>

The Community & Economic Development Department has received a petition to vacate a 17-foot-wide improved alley right-of-way located between 601 W. 12 Mile Road and 28767 Dartmouth Road. This alley also provides access to the property at 611 W. 12 Mile Road, and all adjacent property owners have signed the petition.

Staff recommends that City Council establish a public hearing date for October 13, 2025, at which time updated letters will be provided from the impacted utility companies and the Department of Public Services.

City Council may also choose to refer this alley vacation request to the Planning Commission for further study and recommendation. If Council remands the related Special Land Use case PSP #25-09 back to the Planning Commission, staff further recommends that this alley vacation request be referred at the same time for review and comment.

In any case, staff advises that City Council act on Special Land Use case PSP #25-09 before taking final action on the alley vacation request.

DIRECTOR OF PUBLIC SERVICES - SCHEDULED REPLACEMENT OF BACKHOE #455

The approved FY 2025-26 Budget includes funding for the scheduled replacement of Backhoe #455, a 2006 John Deere in the Water and Sewer Division. This unit is nearly 20 years old and has a poor condition analysis score of 33, warranting priority replacement.

Staff is also considering the replacement of Backhoe #407, a 2004 CAT in the Streets Division. This machine has an even lower condition analysis score of 46 and is also due for priority replacement. Operationally, the department no longer requires two backhoes, and therefore recommends trading in both existing units and purchasing a single replacement rather than attempting to replace #407 at a later date.

Staff recommends the following actions:

- Award the purchase of one Caterpillar 420 XE Backhoe, as quoted by MacAllister CAT of Novi, in the amount of \$176,611.83, through the Sourcewell cooperative purchasing agreement.
- Approve the trade-in of Water/Sewer Unit #455 for \$30,000 and Streets Unit #407 for \$20,000, reducing the net cost to \$126,611.83.
- Approve the transfer of \$20,000 from the Water and Sewer Fund to the Streets Fund to account for the cross-departmental trade-in value.

<u>CITY PLANNER - ORDINANCE 2205 - CITY-INITIATED REZONINGS PRZN 25-01, 25-02, 25-03, 25-04, AND 25-06; FIRST READING</u>

The City of Madison Heights is initiating a proactive rezoning of several 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. The purpose of these rezonings is to better align zoning with existing land use patterns, the City's Master Plan, and adjacent street networks. This process is intended to increase opportunities for building expansion and development while ensuring that all current uses remain permitted.

The following properties are included in this rezoning request:

- 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 25-06: Eastern 130 ft. of 30728 John R Road [R-2 to B-1]

The Planning Commission has recommended that case PRZN 25-05, located at 500 W. Gardenia Avenue [R-3 to R-MN], be withdrawn for further analysis.

Staff recommends that City Council conduct the first reading for Ordinance #2205 (covering PRZN 25-01 through 25-04 and PRZN 25-06) and schedule the second and final reading for the September 29, 2025, City Council meeting.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/8/25

PREPARED BY: Sean P. Ballantine, Director of Public Services

AGENDA ITEM CONTENT: Director of Public Services - 2025 Summer Beautification Awards

AGENDA ITEM SECTION: Presentations

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

Presentation of the 2025 Summer Beautification Awards

RECOMMENDATION:

This year's first and second place winners are 1817 Elliott, and 368 Sonia, respectively. The DPS Director requests time to make a brief award presentation and play a short PowerPoint slide show of the winners and nominees outstanding displays.







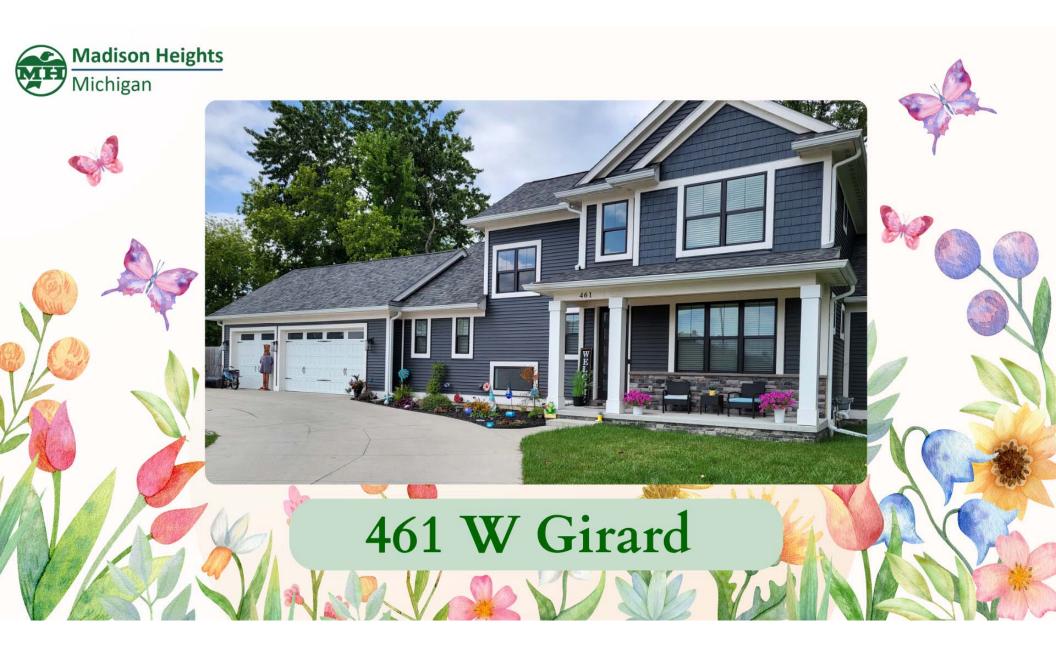


1817 Elliott

NARLY SE VI











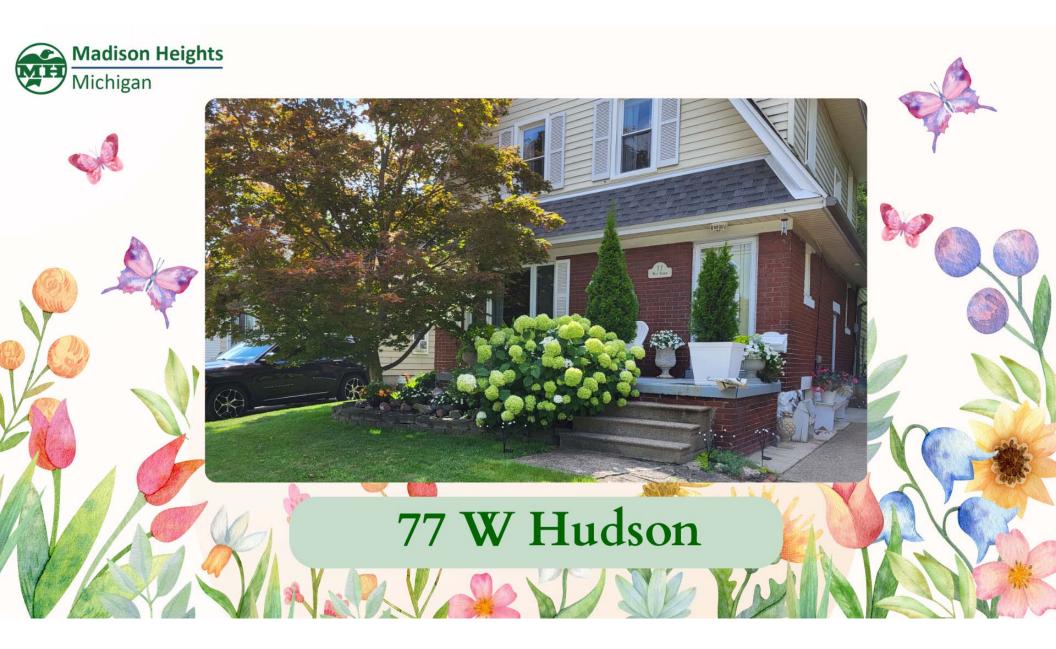




29202 Shirley







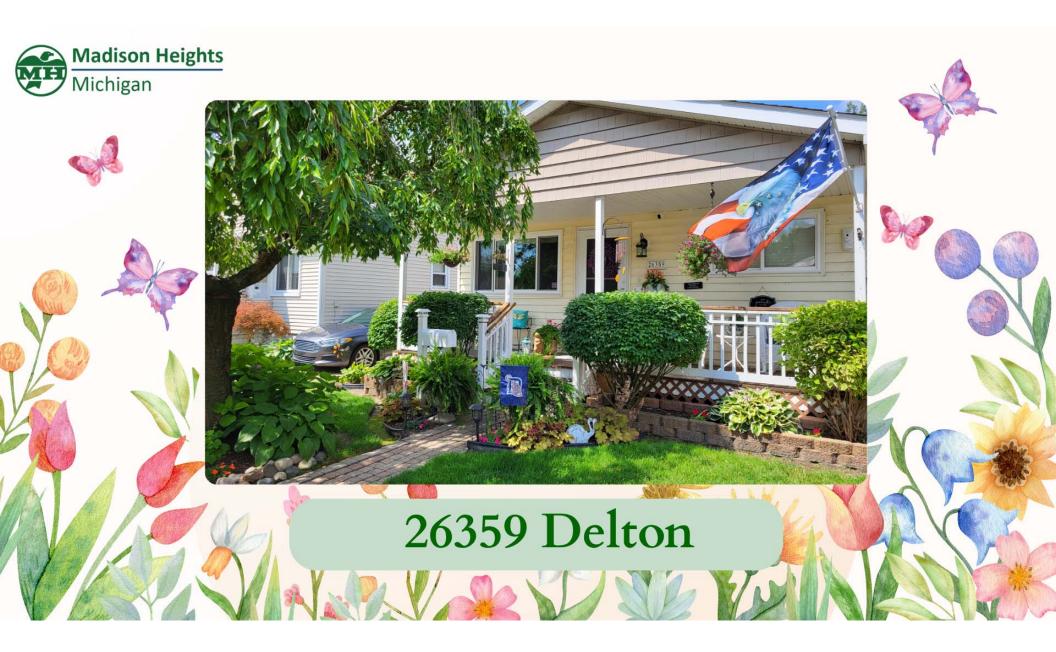
























CERTIFICATE OF APPRECIATION

WHEREAS, the Holiday Light and Summer Beautification Award programs provide recognition of and incentive for pride in the City of Madison Heights; and,

WHEREAS, attractive, well-maintained landscaping and horticultural beauty improve our City's overall appearance and provide a sense of civic pride and community involvement; and,

WHEREAS, the Beautification Committee consists of the Active Adult Advisory Board and DPS supervisory staff; and,

WHEREAS, on the morning of July 21, 2025, the Beautification Committee viewed many well landscaped and beautifully maintained homes throughout the City; and,

WHEREAS, the effort put forth by all Madison Heights' residents and businesses to make our City beautiful does not go unnoticed or unappreciated in the City of Progress.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council extend their heartfelt thanks and gratitude to the 2024 Beautification Award First Place winner

Michael Jurek 1817 Elliott

for maintaining a beautiful home, and extend this certificate as a symbol of our appreciation for their civic-minded contributions to the City of Madison Heights.

Roslyn Grafstein Mayor

Mark Bliss Mavor Pro Tem

William J. Mier Councilman

David M. Soltis Councilor Sean D. Fleming Councilman

Emily J. Rohrbach Councilor

Quinn J. Wright

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council extend their heartfelt thanks and gratitude to the 2024 Beautification Award Second Place winner

Gerald and Tina Harten 368 Sonia

for maintaining a beautiful home, and extend this certificate as a symbol of our appreciation for their civic-minded contributions to the City of Madison Heights.

> Roslyn Grafstein Mayor

Mark Bliss Mayor Pro Tem

William J. Mier Councilman

David M. Soltis Councilor

Sean D. Fleming Councilman

Emily J. Rohrbach Councilor

City Council Regular Meeting Madison Heights, Michigan August 25, 2025

A City Council Regular Meeting was held on Monday, August 25, 2025, at 7:30 PM.

PRESENT

Mayor Roslyn Grafstein Mayor Pro Tem Mark Bliss Councilman Sean Fleming Councilman William Mier Councilor Emily Rohrbach Councilman David Soltis Councilor Quinn Wright

OTHERS PRESENT

City Manager Melissa Marsh City Attorney Larry Sherman Deputy City Manager/City Clerk Cheryl Rottmann

Councilman Mier gave the invocation and the Pledge of Allegiance followed.

PRESENTATIONS:

• Library Card Sign-up Month Design Contest Winners

Madison Heights Public Library Director Vanessa Verdun-Morris announced that September is Library Card Sign-up Month. Two new library card designs, created by local teens Liliana Lowers (present) and Khloe Brown (absent), and are debuting as part of the "Color Our World" library card design contest. Residents can obtain these new cards at the library during September.

• HREC Presentation for Juneteenth Scholarship

HREC Representative X presented the Juneteenth Scholarship Award to Ah'Janae' Newsome for her academic achievement and deep understanding of Juneteenth's meaning (freedom, resilience, pursuit of justice). This was the first year for the scholarship.

MEETING OPEN TO THE PUBLIC:

Jim Capiso, resident: Inquired about the new garbage containers, confirming that while they can be used now, they will be the only ones available for use starting October 6.

Martha Covert, resident: Raised concerns regarding Councilman Wright, alleging policy violations. She cited issues such as a barbecue permit, wearing political attire at a city 5K event (requiring photo editing by staff), using that image on social media, and breaking the City Charter by accepting an endorsement from the Police FOP (alleging employees cannot be involved in city campaigns). Ms. Covert requested the council and city attorney consider these matters and provide a resolution within 14 days.

Mary Hart, resident: Expressed concern over a pattern of behavior from Councilman Wright, specifically his repeated accusations of racism or bigotry when faced with differing opinions or negative interactions. She stated his attempts to connect with residents appeared disingenuous and that his partisan approach made him unfit to represent the city.

Ann Garrison, resident: Questioned Councilman Wright's use of Facebook for his mayoral campaign after he reportedly called Facebook groups racist. The resident also referenced past council meetings where Councilman Wright allegedly made disparaging remarks about residents and called for a focus on health, safety, and wellness issues over what they termed "social justice issues." The resident concluded with a quote from Nelson Mandela.

Unnamed resident: Asked for clarification on how elderly or disabled residents would manage the large new garbage containers. It was confirmed that a form is available through the City Manager's office or DPS for assistance, where Priority Waste will take the cart to the curb for them. The resident also inquired about previous legal issues with the former trash company (GFL), to which City Manager Marsh clarified that GFL sold to Priority Waste, and there were no legal issues causing the change in service.

CM-25-128. Consent Agenda.

Motion to approve the Consent Agenda, as amended.

Mayor Grafstein announced an amendment to the Mayor appointments, stating only one appointment (Ryan Fox to the Planning Commission) would be made, as DDA appointments were postponed allowing candidates to meet the DDA first.

Motion made by Councilor Rohrbach, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor Wright.

Motion carried.

CM-25-129. Board and Commission Appointments – Council Appointments.

Motion to approve the following Council Appointments to Board and Commissions:

Board/Commission	Term Type	Term Expiration	First Name	Last Name
ACTIVE ADULT CENTER ADVISORY BOARD	Regular	8/31/2028	ANNIE	BRAND
ARTS BOARD	Regular Regular	8/31/2028 8/31/2028	JENNIFER KEATON	NAGLE SOTO-OLSON
	Regular	8/31/2028	THOMAS	WRONA

Board/Commission	Term	Term	First Name	<u>Last Name</u>
ACTIVE ADULT CENTER ADVISORY BOARD CONTINUED	Type Alternate	Expiration 8/31/2027	KIMBERLY	OPRIN
CONSTRUCTION BOARD OF APPEALS	Regular	8/31/2027	DEL	LORANGER
ELECTED OFFICIALS COMPENSATION COMMISSION	Regular	8/31/2032	KEVIN	WRIGHT
ENVIRONMENTAL CITIZENS COMMITTEE	Alternate	2/28/2026	MATTHEW	OLSON
HISTORICAL COMMISSION	Regular	2/28/2028	JOEL	SEEWALD
HUMAN RELATIONS & EQUITY COMMISSION	Regular Regular Regular Regular Regular	8/31/2027 8/31/2027 8/31/2027 8/31/2027 8/31/2026	AARON KATE TANNER ALEC ANDREW TERESA	BROWN KAPAS LANGDON YU ATTARD SCOTT
LIBRARY ADVISORY BOARD	Regular Regular Regular Regular Regular Alternate	8/31/2027 8/31/2027 8/31/2027 8/31/2027 8/31/2026 8/31/2027	REBECCA AMANDA JENNIFER JEFFREY JENNIFER ANDREA	HILL MAY NAGLE SCOTT ERTANO MAREK
PARKS & RECREATION ADVISORY BOARD	Alternate	2/28/2027	ERIC	PRAEDEL
TAX BOARD OF REVIEW	Regular	2/28/2027	MARLYNN	HOCK

Motion made by Councilor Rohrbach, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming, Councilman Mier,

Councilor Rohrbach, Councilman Soltis, Councilor Wright.

Motion carried.

CM-25-130. Board and Commission Appointments – Mayor's Appointments.

Motion to concur with the Mayor's recommendation and approve the following Mayor's Appointments to Board and Commissions:

Board/Commission	Term	Term		
	Type	Expiration	First Name	Last Name
PLANNING COMMISSION	Regular	8/31/2028	RYAN	FOX

Motion Made Councilor Rohrbach, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming, Councilman Mier,

Councilor Rohrbach, Councilman Soltis, Councilor Wright.

Motion carried.

CM-25-131. Regular City Council Meeting Minutes of August 11, 2025.

Motion to approve the Regular City Council Meeting Minutes of August 11, 2025, as printed.

Motion Made Councilor Rohrbach, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Mayor Pro Tem Bliss, Councilman Fleming, Councilman Mier,

Councilor Rohrbach, Councilman Soltis, Councilor Wright.

Motion carried.

COUNCIL COMMENTS:

Councilman Mier: Reminded residents that school is back in session and to watch out for children, especially with ongoing construction on 11 Mile Road (expected to open for two-way traffic in 2-3 weeks). He mentioned the final Arts Board concert this week and the upcoming Trail Tunes event. He noted the success of the recent Paint in the Park event and the plan for another. Regarding the new trash cans, he acknowledged they will be a challenge for some, including himself, but expects them to speed up trash collection. He reiterated that assistance is available for those who need help with the cans.

Mayor Pro Tem Bliss: Congratulated the library card design contest winners and the Juneteenth scholarship recipient, expressing a desire to see their designs displayed. He requested staff investigate a policy for more frequent board and commission appointments throughout the year to fill vacancies more quickly. He encouraged residents to support Arts Board volunteer events, including the last summer concert (Wednesday) and Trail Tunes (September 6th), as well as Revin' in the Heights. He also mentioned a five-hour Planning Commission meeting and requested detailed notes or a representative for the upcoming September 8th Council meeting, which he will miss.

Councilor Wright: Promoted the "Revin' in the Heights" event on September 13th at the Civic Center Campus, sponsored by Priority Waste, and encouraged participation. He directly addressed public comments, clarifying that a previous clip was edited and that he was defending Juneteenth against individuals known for prejudice, not calling the entire city racist. He denounced racism, bigotry, and prejudice, and encouraged direct communication rather than relying on social media.

City Attorney L. Sherman: Had no comments.

City Manager Marsh: Announced that Consumers Energy will host a Neighborhood Fest on Wednesday from 5:00 PM to 7:00 PM before the concert in the park, offering food trucks, entertainment, and information about their extensive infrastructure upgrades in the community.

Deputy City Manager/City Clerk Rottmann: Informed residents that absentee ballot applications have been mailed out to those not on the permanent ballot list, and actual ballots for those on the permanent list or who return applications will be mailed at the end of September, expected them to arrive the first week of October.

Councilor Rohrbach: Thanked Councilman Mier for mentioning compost opportunities, noting that 6,654 tons of food waste have been diverted year-to-date. She acknowledged the Parks and Recreation Master Plan and the importance of community input. She addressed recent negative discussions on Facebook groups, emphasizing the need for civil discourse and inviting residents with questions to reach out directly to council members.

Councilman Fleming: Had no comments.

Councilman Soltis: Had no comments.

Mayor Grafstein: Agreed with Mayor Pro Tem Bliss's suggestion to streamline board and commission appointments into the consent agenda more frequently to improve efficiency. She issued a public reminder that elected officials in Madison Heights cannot block residents on social media due to viewpoint discrimination, which could lead to legal issues. She also stated that city staff should not post pictures from community events that include political signs or attire, suggesting that such photos should not be posted at all rather than blurred, as the city cannot be seen endorsing candidates. She reiterated the availability of assistance for residents needing help with the new trash carts through the City Manager's office or DPS and encouraged neighbors to help each other. She confirmed that the carts should be delivered by the end of the week, with October 6th being the deadline for exclusive use of the new carts. She clarified that residents could

use existing proper-sized carts and could request additional carts from the city, noting that the new carts were funded by a grant, not a direct charge, and no refunds would be issued for previously purchased carts. She emphasized that while council members may disagree, their collective goal is to benefit the community, requiring compromise to get things done. Finally, she reminded everyone to be cautious of children and construction workers with school starting and ongoing roadwork.

ADJOURNMENT:

Having no further business, Mayor Grafstein adjourned the meeting at 8:16 p.m.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 09/08/25

PREPARED BY: Melissa Marsh, City Manager

AGENDA ITEM CONTENT: Request to Waive Permit, Engineering, and Inspection Fees for the Red Oak Park

AGENDA ITEM SECTION: Reports

BUDGETED AMOUNT: \$0 FUNDS REQUESTED: \$0

FUND: 101-728

EXECUTIVE SUMMARY:

Under normal circumstances, when projects are funded internally or through City-managed grants, we routinely waive internal fees without Council action, as these fees would otherwise be transferred from one City fund to another. In these situations, no external funding is impacted. However, in this case, the project is funded entirely through Oakland County, and any permit or related fees charged by the City would reduce the total funds available for direct project work. As such, this request falls outside of standard internal procedure and requires formal Council approval. Waiving these fees is consistent with past practice for City-owned or grant-funded projects, and will allow Oakland County's full investment to go toward the benefit of our community. Therefore, we respectfully request Council's support in waiving the applicable fees.

RECOMMENDATION:

To maximize the impact of the County's grant investment and ensure that the full \$7.2 million is used for construction and improvements, we recommend that City Council formally waive all City-related permit, engineering, and inspection fees associated with the Red Oak Park (Ambassador) project.

TO: Mayor and City Council

FROM: Melissa Marsh, City Manager

DATE: August 25, 2025

SUBJECT: Request to Waive Permit, Engineering, and Inspection Fees for the Red Oak Park

(Ambassador) Project

Oakland County is beginning construction on the significant investment of \$7.2 million reimagination of the Red Oak Park (also known as Ambassador Park) project. This investment will directly fund critical improvements on City-owned property, enhancing recreational infrastructure and public amenities for residents.

Under normal circumstances, when projects are funded internally or through City-managed grants, we routinely waive internal fees without Council action, as these fees would otherwise be transferred from one City fund to another. In these situations, no external funding is impacted.

However, in this case, the project is funded entirely through Oakland County, and any permit or related fees charged by the City would reduce the total funds available for direct project work. As such, this request falls outside of standard internal procedure and requires formal Council approval. Waiving these fees is consistent with past practice for City-owned or grant-funded projects, and will allow Oakland County's full investment to go toward the benefit of our community. Therefore, we respectfully request Council's support in waiving the applicable fees.

Recommendation

To maximize the impact of the County's grant investment and ensure that the full \$7.2 million is used for construction and improvements, we recommend that City Council formally waive all City-related permit, engineering, and inspection fees associated with the Red Oak Park (Ambassador) project.

Item 6.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/8/25

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: Special Land Use Request PSP 25-04 - 510 W. Girard Ave. - Private K-8 School

AGENDA ITEM SECTION: Reports

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

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.

RECOMMENDATION:

Planning Commission Recommendation: Approve with Conditions

Refer to staff report, including "Planning Commission Action and Findings" on page 1 and "Template Motion, Findings and Conditions" section on page 8.



Date: August 25th, 2025

To: City of Madison Heights City Council [September 8th, 2025 Meeting]

From: Matt Lonnerstater, AICP – City Planner

Subject: Special Land Use Request PSP 25-04-510 W. Girard Ave. - Private K-8 School

PLANNING COMMISSION RECOMMENDATION: APPROVE WITH CONDITIONS

TEMPLATE MOTIONS AND FINDINGS INCLUDED ON PAGE 8

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.

Planning Commission Action and Findings.

Per the Zoning Ordinance adopted in 2024, Special Land Use requests begin at the Planning Commission for a public hearing, with a recommendation made to City Council for final action. A public hearing was held at the **August 19**th, **2025 Planning Commission meeting.** Several members of the public spoke regarding the application and had concerns pertaining to landscape screening, noise, and activity adjacent to residential property lines. Following the public hearing, the Planning Commission approved the following motion pertaining to the proposed Special Land Use request:

MOTION BY COMMISSIONER FOX, SECONDED BY SYLVESTER 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:

- 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.
- 4. Add transitional landscaping to be installed as required along the western and northern property line.

Voting Yea: Commissioner Bliss, Commissioner Fox, Commissioner Graettinger, and Commissioner Sylvester, Chair Champagne

Motion carries.

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.

REFER TO IMAGES ON FOLLOWING PAGE

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





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	One-family residential	R-3, One-Family Residential
Barrington/Northeastern)		
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 longterm 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.

City Council 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 and Review

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.



Several members of the public spoke at the Planning Commission public hearing to discuss their concerns with screening adjacent to residential properties and potential noise impacts. As such, within their motion, the Planning Commission included a condition relating to landscaping and screening along the northern and western property lines.

Per Section 15.05, City Council 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.

Recommended Conditions

The Planning Commission included the following conditions of approval within their motion. As such, if City Council moves to approve the Special Land Use, staff recommends that the following conditions be incorporated into the motion:

- 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.
- 4. Add transitional landscaping to be installed as required along the western and northern property line.

Next Step

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

A template motion of approval is provided on the following page.

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

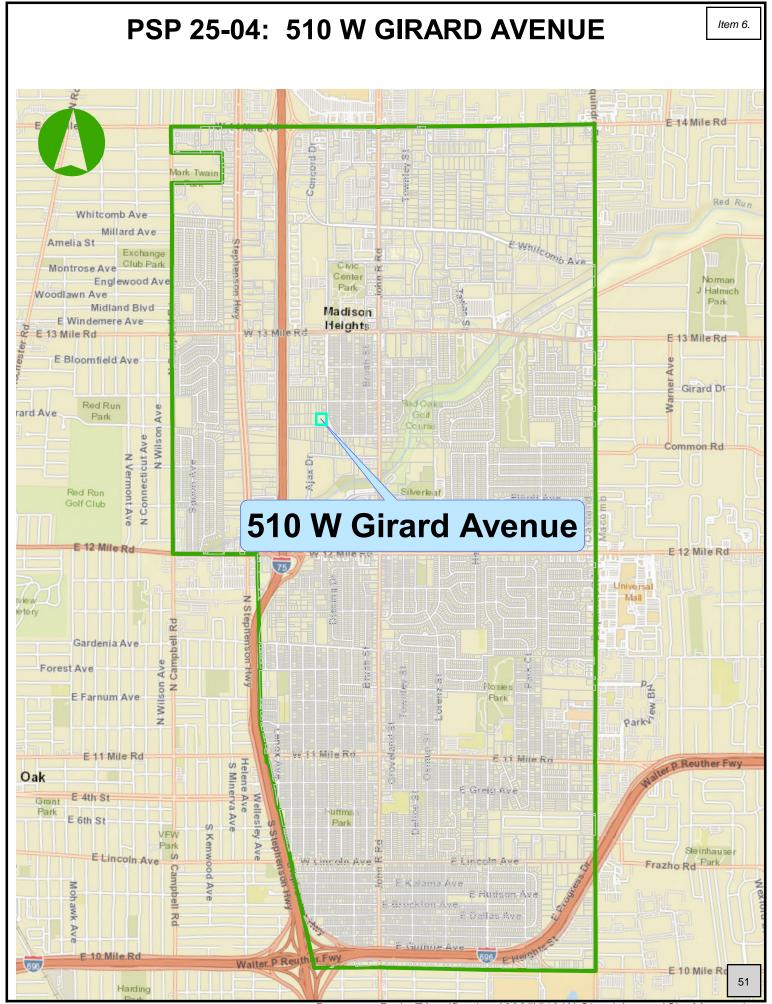
Staff offers the following motion as a suggested template and guide for City Council's consideration. City Council may provide additional detailed findings, as needed, to substantiate any motion for approval or denial.

APPROVAL						
MOTION BY	, SECONDED I	BY, THAT	CITY COUNC	IL HEREBY APPR	OVES SPECIAL	LAND USE
REQUEST PSP	25-04 FOR A PRIVA	ATE K-8 SCHOOL	AT 510 W.	GIRARD BASED	UPON THE FO	OLLOWING
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:

- 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.
- 4. Add transitional landscaping to be installed as required along the western and northern property line.

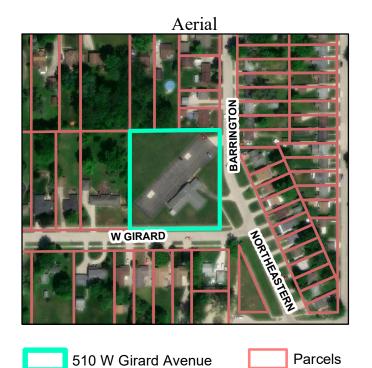


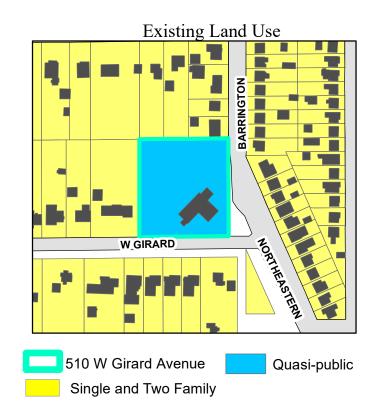
Document Path: Z:\notifications\2025\510 W Girard Avenue\Site Map.mxd

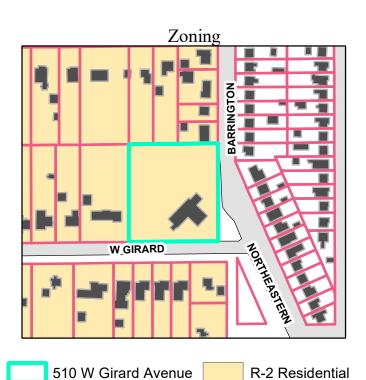
Site Address: 510 W Girard Avenue



Click for maps



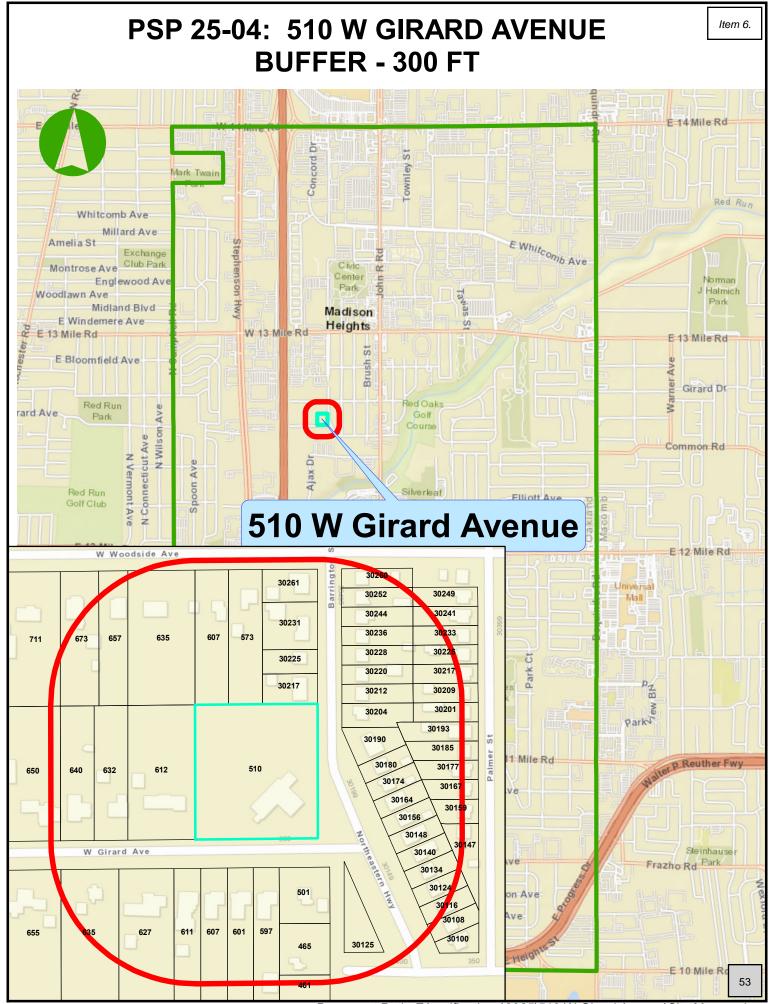




R-3 Residential

Parcels





Document Path: Z:\notifications\2025\510 W Girard Avenue\Site Map.mxd



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

Applicant Address	510 W. Girard					
_{City} Mad	ison Heights		State	MI	ZIP	48071
Interest in Property	(owner, tenant, option, etc.)	Owner				
Contact Person	Randy Wittorp					
Telephone Number		Email Address				
Property Address Tax ID 38-3	510 W. Girard 3502947	Zoning Dis	trict	R2		
-	ferent than applicant)	Zoning Dis	-			
Address						
City			State		Zip	
elephone Number		Email Address				
. CONSULTAN	T INFORMATION (IF APPLICABI	.E)				
Name		Company				
Address						
			State		_ Zip	
Telephone Number		Email Address				

SPECIAL LAND USE APPLICATION

V. PROJEC	CT DESCRIPTION AND SCOPE OF WORK	
Brief D	Description of Proposed Special Land Use:	
The s	congregation is planning to open an elementary school in the fall of school would be run out of the existing building at 510 W Girard wor alterations planned.	
□ Pro pro bui exp □ Con list	red Attachments: oject Narrative: Written description of the nature of the proposed use(s), included the proposed use of the	le the ees; ormation.
I (we) the unabove-describe to city sta	cant certification Indersigned do hereby apply to the City of Madison Heights for review and applied Special Land Use application. Applicant(s) and the property owner(s) do he saff to assess the property for purposes of evaluating the site for requested act	reby consention(s).
I (we) the unabove-describe to city state Printed Name VII. PROPE	cant certification Indersigned do hereby apply to the City of Madison Heights for review and applied Special Land Use application. Applicant(s) and the property owner(s) do he saff to assess the property for purposes of evaluating the site for requested act	reby consention(s). Date 7-19 PROVIDE A CATION OR
I (we) the unabove-describe to city state Printed Name VII. PROPE	cant certification Indersigned do hereby apply to the City of Madison Heights for review and applied Special Land Use application. Applicant(s) and the property owner(s) do he saff to assess the property for purposes of evaluating the site for requested act Randy Wittorp Signature ERTY OWNER CERTIFICATION FULL ARE NOT THE PROPERTY OWNER, YOU MUST HAVE THE PROPERTY OWNER FARIZED SIGNATURE, BELOW, OR PROVIDE A NOTARIZED LETTER OF AUTHORIZED NOTARIZED POWER OF ATTORNEY AUTHORIZING YOU TO ACT ON THEIR BEH	reby consention(s). Date 7-19 PROVIDE A CATION OR
I (we) the unabove-described to city state of the city state of th	CANT CERTIFICATION Indersigned do hereby apply to the City of Madison Heights for review and applied Special Land Use application. Applicant(s) and the property owner(s) do he saff to assess the property for purposes of evaluating the site for requested act Randy Wittorp Signature ERTY OWNER CERTIFICATION U ARE NOT THE PROPERTY OWNER, YOU MUST HAVE THE PROPERTY OWNER TARIZED SIGNATURE, BELOW, OR PROVIDE A NOTARIZED LETTER OF AUTHORIZ NOTARIZED POWER OF ATTORNEY AUTHORIZING YOU TO ACT ON THEIR BEHAMIZED OWNER. Signature Perty Owner: Sworn before me, this day of, 20 C in and for County, Michigan.	reby consention(s). Date 7-19 PROVIDE A CATION OR HALF. Date
I (we) the unabove-described to city state of the city state of th	CANT CERTIFICATION Indersigned do hereby apply to the City of Madison Heights for review and applied Special Land Use application. Applicant(s) and the property owner(s) do he saff to assess the property for purposes of evaluating the site for requested act Randy Wittorp Signature ERTY OWNER CERTIFICATION U ARE NOT THE PROPERTY OWNER, YOU MUST HAVE THE PROPERTY OWNER FARIZED SIGNATURE, BELOW, OR PROVIDE A NOTARIZED LETTER OF AUTHORIZ NOTARIZED POWER OF ATTORNEY AUTHORIZING YOU TO ACT ON THEIR BEH Signature Perty Owner: S sworn before me, this day of, 20 C in and for County, Michigan. Print):	reby consention(s). Date 7-19 PROVIDE A CATION OR HALF. Date

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.

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 interection (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 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 to is 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.

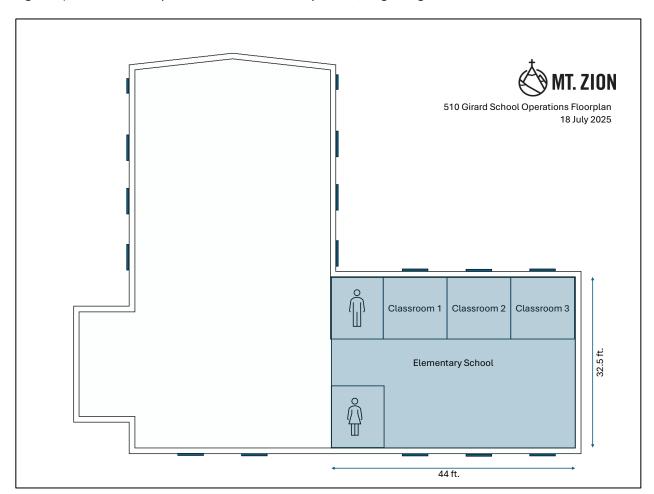


Figure 1

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).

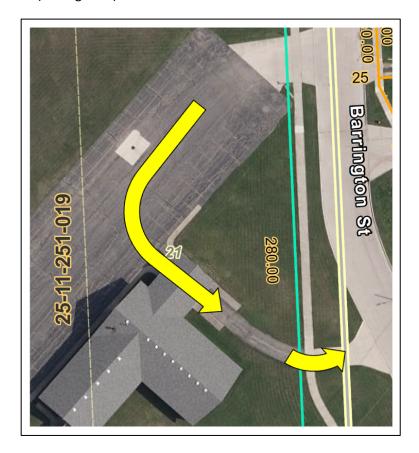


Figure 2

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.

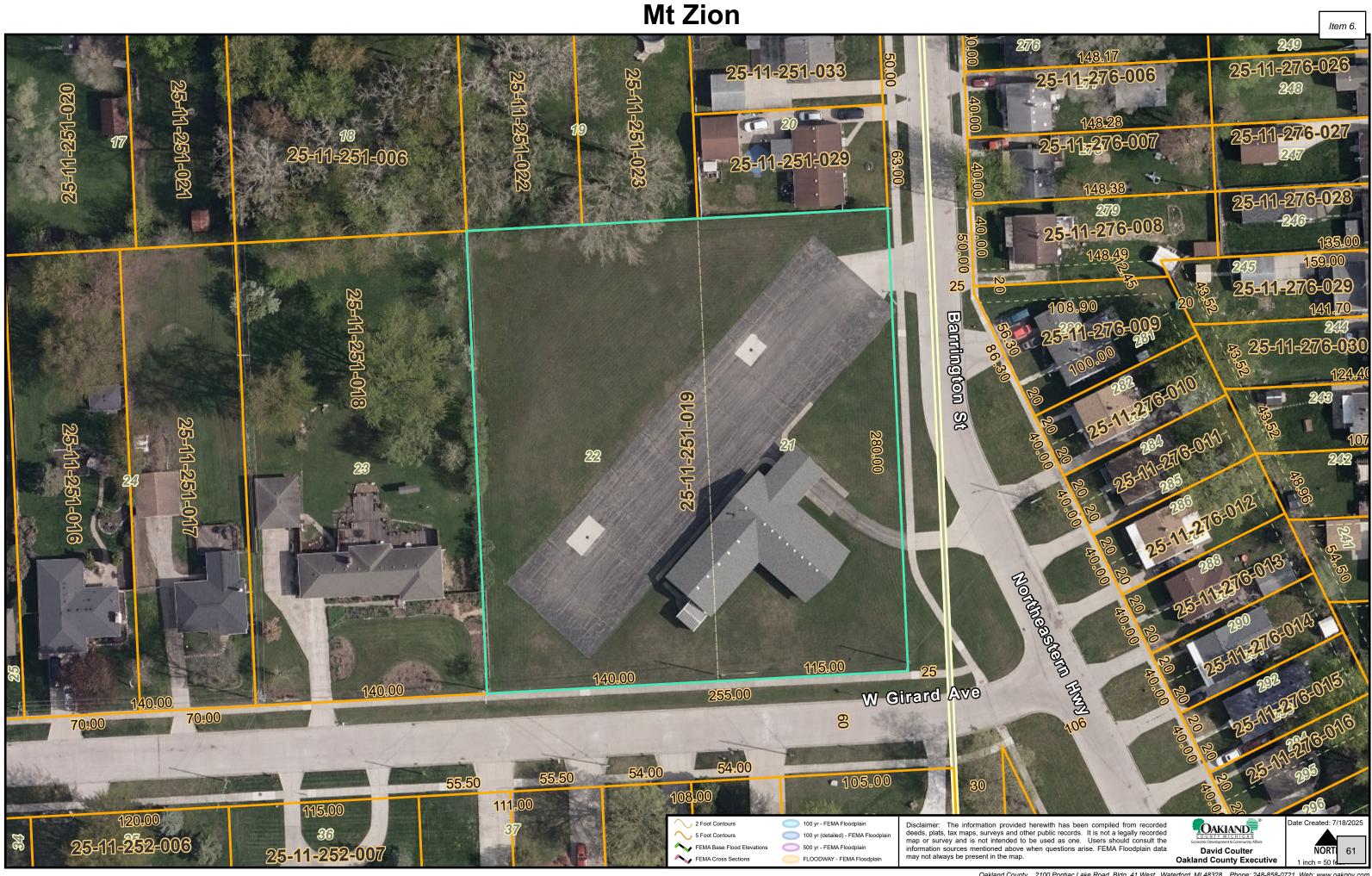
A typical school day would include the pastor and teacher arriving before the school day begins. Parents would arrive bringing in students at approximately 8 am and then arriving again to pick them up at

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





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

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:

<u>Case # PSP 25-04 – 510 W. Girard Ave.</u>

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.

<u>Case # PSP 25-05 – 28767 Dartmouth St.</u>

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

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
 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) 	 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) 	 Accessory Buildings, Structures and Uses <u>Section 8.03</u> Accessory Dwelling Unit <u>7.03(1)</u> Home Occupation, Major <u>7.03(18)</u> Home Occupation, Minor <u>7.03(18)</u>

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 <u>Article 2</u> for definitions of uses.

DIMENSION REGULATIONS				
Lot Standards		Minimum Setbacks		
Min. Lot Area (sq. ft.)	7,200 sq. ft.	Front Yard (ft.)	25 ft. <u>(A)</u>	
Min. Lot Width (ft.)	60 ft.	Side Yard (one) (ft.)	5 ft. <u>(E)</u>	
Max. Lot Coverage	35%	Side Yard (total of 2) (ft.)	14 ft.	
Min. Floor Area/Unit		Street Sides (ft.)	10 ft. <u>(B)</u>	
Max. Building Height (ft.)	25 ft.	Rear Yard (ft.)	30 ft.	
Max. Building Height (stories)				
Footnotes: Refer to Section 4.01 when	ever a footnote is reference	ed in parentheses after one of the design r	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.

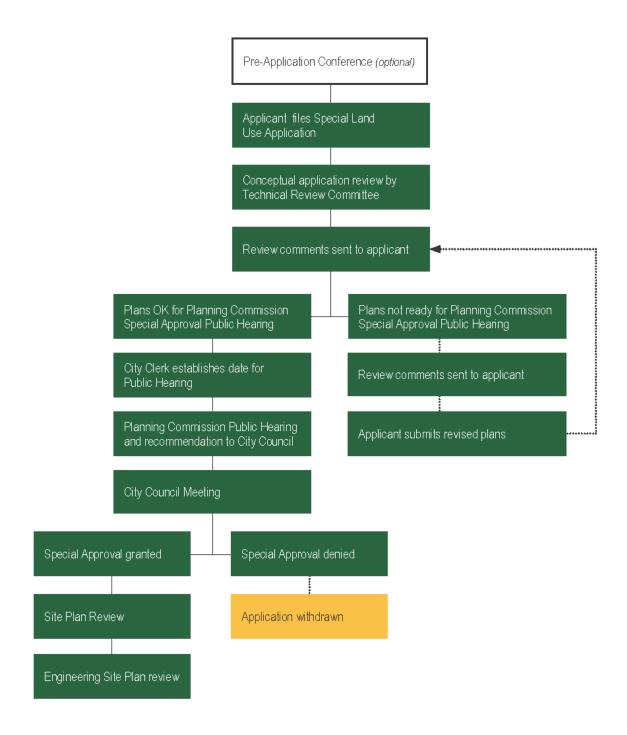
Section 15.05 Special Land Use Review

- 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.
- 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.
- 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.
- 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



Item 7.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/8/25

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: Special Land Use Request PSP 25-05 – 28767 Dartmouth – Parking as a Principal

Use

AGENDA ITEM SECTION: Reports

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

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. 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.

RECOMMENDATION:

The applicant has submitted revised concept plans to address the findings for Planning Commission denial. In light of the revised submittal, City Council has the following options pertaining to this Special Land Use case:

- 1) Approve the Special Land Use based upon the revised conceptual plan submittal submitted to staff on August 28th, 2025.
- 2) Deny the Special Land Use.
- 3) Postpone action on the Special Land Use to the October 13th, 2025 City Council meeting and remand the revised submittal back to the Planning Commission for new review and recommendation at their September 16th, 2025 meeting.



Date: August 29th, 2025

To: City of Madison Heights City Council [September 8th, 2025 Meeting]

From: Matt Lonnerstater, AICP – City Planner

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

PLANNING COMMISSION RECOMMENDATION: DENY

TEMPLATE MOTIONS AND FINDINGS INCLUDED ON PAGE 13

Note: The applicant has submitted revised conceptual plans to address the Planning Commission's findings for denial.

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 parking and a 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. 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.

Please note that this Special Land Use request is only for the drive aisle and parking on the residential subject parcel. While the proposed drive aisle/parking is related to the adjacent restaurant development, the restaurant use itself is not directly subject to this Special Land Use request. Restaurants are a "by-right" use on the adjacent commercial parcel.

Planning Commission Action and Findings

Per the Zoning Ordinance adopted in 2024, Special Land Use requests begin at the Planning Commission for a public hearing, with a recommendation made to City Council for final action. A public hearing was held at the August 19th, 2025 Planning Commission meeting. Several members of the public spoke in opposition of the application. Following the public hearing, the Planning Commission approved the following motion pertaining to the proposed Special Land Use request.

MOTION BY FOX, SECONDED BY SYLVESTER, 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:

 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. The proposed Parking as a Principal Use is not consistent with the use-specific standards set forth in Section 10.06 and the Special Land Use review standards and criteria set forth in Section 15.05.3. In particular:
 - a. The applicant has not demonstrated the need for excess parking on the proposed site.
 - b. The applicant has not demonstrated that the site will be in compliance with the landscaping ordinance.

Voting Yea: Commissioner Bliss, Commissioner Fox, Commissioner Graettinger, and Commissioner Sylvester, Chair Champagne

Motion carries unanimously.

Revised Plans and City Council Options

The applicant submitted revised conceptual plans on August 28th, 2025, which attempt to address the Planning Commission's findings for denial and staff concerns listed within the Planning Commission staff report. The revised plans incorporate the following changes:

- Reduced the number of parking spaces from twelve (12) to three (3).
- Relocated parking spaces from the south side of the drive aisle to the north side; the spaces are now proposed as parallel spaces as opposed to the 90-degree spaces in the original submittal.
- Increased the greenbelt width along the south side of the property and increased the number and variety of trees, shrubs, and perennial plantings.
- Added right-of-way landscaping adjacent to Dartmouth.
- Added a sidewalk connection along the south side of the driveway.

The Planning Commission has not had an opportunity to review the revised concept plans, and their recommendation of denial was based upon the plans submitted with the original application. In light of the revised submittal, City Council has the following options pertaining to this Special Land Use case:

- 1) Approve the Special Land Use based upon the revised conceptual plan submittal submitted to staff on August 28th, 2025.
- 2) Deny the Special Land Use.
- 3) Postpone action on the Special Land Use to the October 13th, 2025 City Council meeting and remand the revised submittal back to the Planning Commission for new review and recommendation at their September 16th, 2025 meeting.

This staff report has been updated to reference both the originally-submitted concept plans and the revised plans dated August 28th, 2025.

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 seventeen-foot (17') 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 8.5 foot-wide strip of land to the north side of the subject parcel. The remaining 8.5 feet would be added to the gas station property.

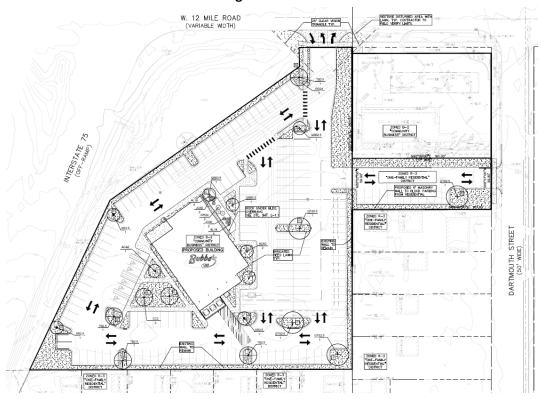
The applicant intends to develop the commercial property to the west with a 7,100 square-foot sit-down restaurant and associated parking lot. While the primary vehicular entrance is planned off 12 Mile Road, the new diverging diamond interchange severely restricts (if not outright prohibits) left-hand 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 provide secondary emergency vehicle access and provide additional overflow parking spaces.

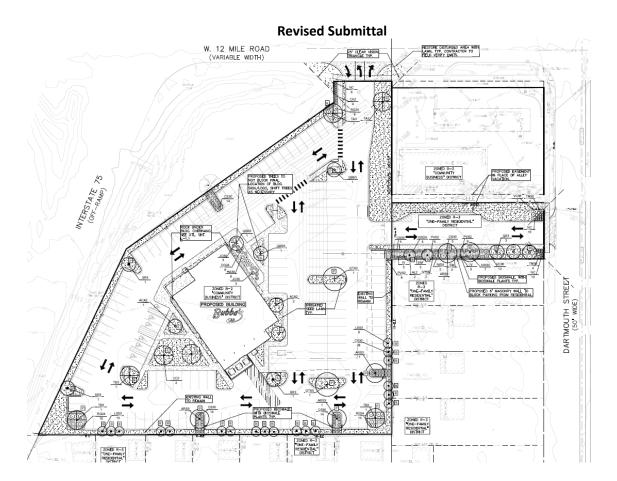
Refer to the images below and on the following page for an aerial overview of the request.



Subject Site and Surrounding Parcels

Original Submittal

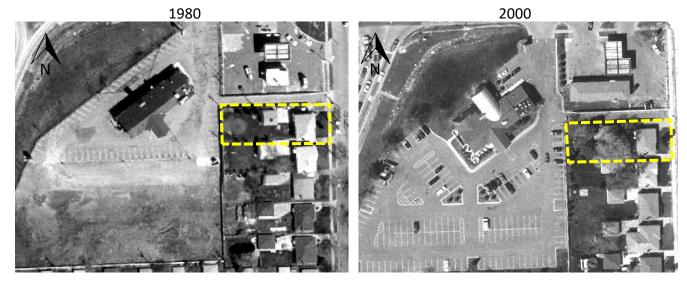




Site History

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



Current Streetview – 28767 Dartmouth and Public Alley



Driveway/Parking Details

Original Submittal: The proposed two-way drive aisle is 24.5 to 25 feet wide, and the edge of the curbcut 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 curbcut 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.

Revised Submital: The proposed two-way drive aisle is 24.5 to 25 feet wide, and the edge of the curb is approximately 20 feet from the southern residential property line. Three (3) parking spaces are proposed as parallel spaces along the north edge of the drive. A "no right turn" sign is still proposed. A six (6) foot tall masonry screen wall is proposed along a portion of the southern property line, with deciduous and ornamental trees and perennial shrubs proposed along the entire length of the southern property line.

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. A vacation request has been submitted under PEE #25-01. 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 based on the original and revised submittals, 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:

Original Submittal: Drive aisle width and parking space dimensions satisfy Zoning Ordinance requirements.

Revised Submittal: The length of the parallel parking spaces need to be increased 24 feet to meet the minimum requirements of Section 10.08. Hatching between spaces may be used to satisfy this requirement.

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

Staff Comment:

Original Submittal: 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 residential driveway on the property to the south is built essentially to the property line. To avoid a masonry wall built right up to this residential driveway, staff recommends that the applicant offset the masonry wall from the southern property line to the greatest extent possible. Additional landscaping and hedging should be placed along the south property line between the eastern edge of the screen wall and the Dartmouth right-of-way, accounting for clear vision corner standards.

Revised Submittal: Additional landscaping has been placed along the south edge of the drive aisle adjacent to the south property line and adjacent to the Dartmouth right-of-way. The length of the masonry wall has been reduced so that it doesn't directly abut the residential driveway to the south.

- 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.
 - <u>Staff Comment:</u> 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.
 - <u>Staff Comment:</u> 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.
 - <u>Staff Comment:</u> The edge of the driveway curb cut is approximately 20 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-sue zoning districts.
 - <u>Staff Comment:</u> 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:

Original Submittal: 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).

Revised Submittal: Three (3) parking spaces are proposed as parallel spaces along the north side of the drive aisle, with the furthest space located approximately 80 feet from the western property line. While increased parallel parking space length is required as noted above, the 80 ft. maximum setback shall still be maintained.

(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:

Original Submittal: 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. Parking studies have not been provided.

City Council 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.

Revised Submittal: 3 parking spaces are now proposed on the subject site instead of 12, bringing the total to 172. Comments pertaining to maximum parking and low-impact stormwater techniques still apply.

(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:

Original Submittal: 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.

Revised Submital: The masonry screen wall and "No Right Turn" sign are still proposed. Additional landscaping is proposed along the southern property line.

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	

City Council should consider the following Goals & Objectives of the 2021 Madison Heights Master Plan as part of this Special Land Use 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 longterm 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.

<u>Transportation Network</u>

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.

The Planning Commission and City Council 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 and Review

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 based on the original submittal, staff and the Planning Commission cited concerns about the lack of landscaping and screening along the southern property line and adjacent to the Dartmouth right-of-way. Further, staff recommended 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. The revised concept plans aim to address these concerns.

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. Based on the original

submittal, a minimum of three (3) parking spaces needed to be removed on the residential subject parcel to satisfy use-specific standards for Parking as a Principal Use. The revised plans removed nine (9) spaces, leaving a total of three (3), and rearranged the parking into parallel parking spaces along the north side of the drive aisle. City Council may request additional information or documentation from the applicant regarding the need for the amount of requested parking.

Several members of the public spoke at the Planning Commission public hearing to discuss their concerns with the project. General concerns expressed at the meeting related to additional vehicular traffic and traffic back-ups down Dartmouth, the lack of landscaping and screening, and noise.

Planning Commission Recommendation & Next Steps

As noted on the first page of this report, the Planning Commission recommended that City Council deny the Special Land Use request based on the following findings:

The proposed Parking as a Principal Use is not consistent with the use-specific standards set forth in Section 10.06 and the Special Land Use review standards and criteria set forth in Section 15.05.3. In particular:

- a. The applicant has not demonstrated the need for excess parking on the proposed site.
- b. The applicant has not demonstrated that the site will be in compliance with the landscaping ordinance.

The applicant has submitted revised conceptual plans to address staff concerns and the Planning Commission's findings for recommending denial. The Planning Commission has not had an opportunity to review the revised concept plans, and their recommendation of denial was based upon the original submittal. In light of the revised submittal, City Council has the following options pertaining to this Special Land Use case:

- 1) Approve (with or without conditions) the Special Land Use based upon the revised conceptual plan submittal dated August 28th, 2025.
- 2) Deny the Special Land Use.
- 3) Postpone action on the Special Land Use to the October 13th, 2025 City Council meeting and remand the revised submittal back to the Planning Commission for new review and recommendation at their September 16th, 2025 meeting.

If City Council decides to act approve the Special Land Use based upon the revised conceptual plans, staff recommends that the following items be included 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 for review and approval by the Technical Review Committee. 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. The Major Site Plan shall be designed in accordance with the revised conceptual plans submitted to city staff on August 28th, 2025.
 - b. Increase the length of the parallel parking spaces to 24 feet to meet the minimum requirements of Section 10.08. Hatching between spaces may be used to satisfy this requirement. The 80 ft. maximum parking setback of Section 10.06.F shall be maintained.

- c. The Technical Review Committee shall have the ability to suggest alternate planting types and locations to satisfy Zoning Ordinance standards.
- d. The Major Site Plan shall include a note stating that 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.
- 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.
- 3) 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.
- 4) 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.

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
- Original Concept Plan
- Revised Concept Plan (Received 8/28/25)
- 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 City Council's consideration. City Council may provide additional detailed findings, as needed, to substantiate any motion for approval or denial.

POSTPONEMENT
MOTION BY, SECONDED BY, THAT, BASED UPON REVISED DOCUMENTATION AND CONCEPT PLANS PROVIDED BY THE APPLICANT, CITY COUNCIL POSTPONES ACTION ON SPECIAL LAND USE REQUEST NUMBER PSP 25-05 TO THE OCTOBER 13 th , 2025 MEETING AND REMANDS THE CASE BACK TO THE PLANNING COMMISSION FOR FURTHER CONSIDERATION AND RECOMMENDATION AT THEIR NEXT REGULARLY-SCHEDULED MEETING.
APPROVAL
MOTION BY, SECONDED BY, THAT, CITY COUNCIL HEREBY APPROVES 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:

 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

- The Planning Commission held a public hearing for PSP 25-05 at their August 19th, 2025 meeting, after which a recommendation of denial to City Council was made based upon the originallysubmitted concept plans.
- 3. The applicant submitted revised concept plans on August 28th, 2025, which adequately address and alleviate the Planning Commission's findings for recommending denial.
- 4. 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.

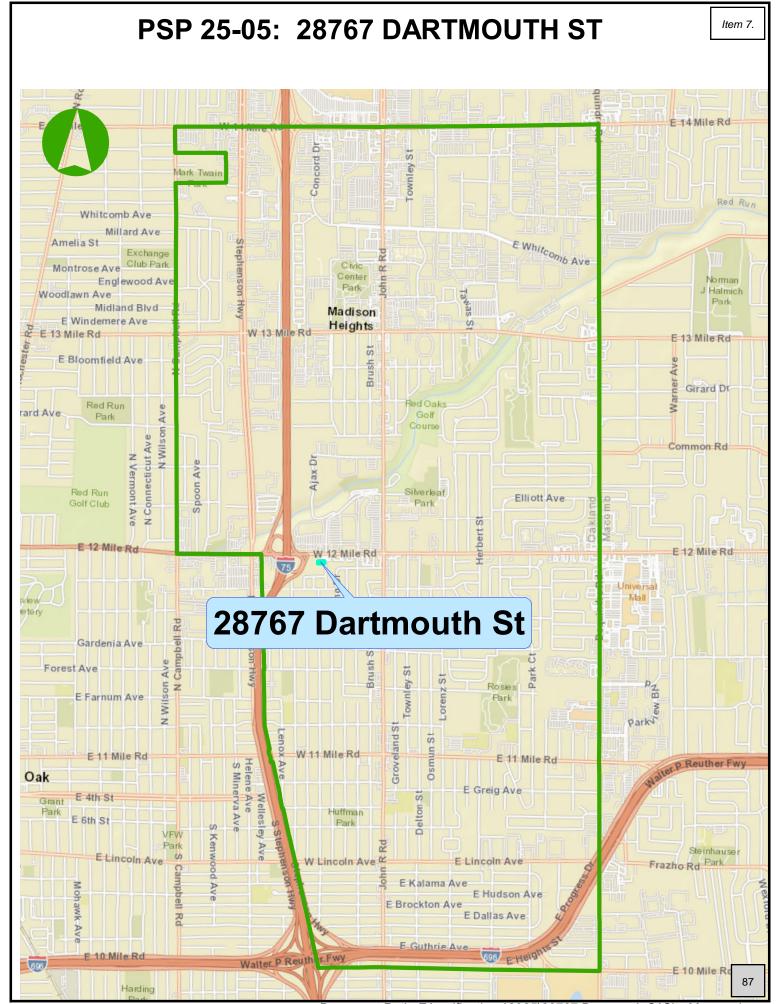
APPROVAL IS GRANTED WITH THE FOLLOWING CONDITIONS

- 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 for review and approval by the Technical Review Committee. 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. The Major Site Plan shall be designed in accordance with the revised conceptual plans submitted to city staff on August 28th, 2025.
 - b. Increase the length of the parallel parking spaces to 24 feet to meet the minimum requirements of Section 10.08. Hatching between spaces may be used to satisfy this requirement. The 80 ft. maximum parking setback of Section 10.06.F shall be maintained.
 - c. The Technical Review Committee shall have the ability to suggest alternate planting types and locations to satisfy Zoning Ordinance standards.
 - d. The Major Site Plan shall include a note stating that 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.
- 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.

- 3) 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.
- 4) 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 CITY COUNCIL HEREBY DENIES SPECIAL LAND U	JSE
REQUEST NUMBER	PSP 25-05 FOR PARKIN	NG AS A PRINCIPAL USE ON A RESIDENTIALLY-ZONED PARCEL.	ΑT
28767 DARTMOUT	H STREET BASED UPON	N 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, after which a recommendation of denial was made.
- 3. The proposed Parking as a Principal 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:
 - a. The applicant has not demonstrated the need for excess parking on the proposed site.
 - b. Ingress/egress to the use has not been designed to assure maximum vehicular, pedestrian and non-motorized safety, convenience and traffic impact on adjacent roads, drives and uses, particularly in regards to the location of, and access to, off-street parking.

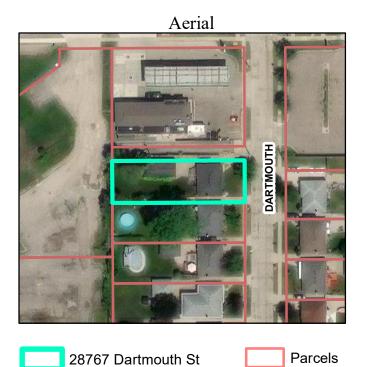


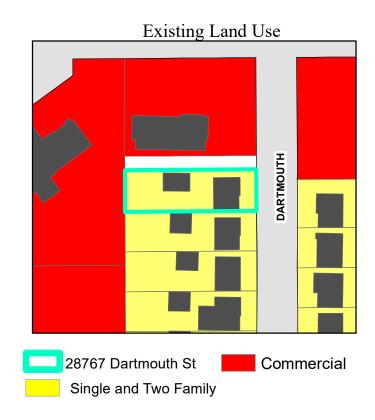
Document Path: Z:\notifications\2025\28767 Dartmouth St\Site Map.mxd

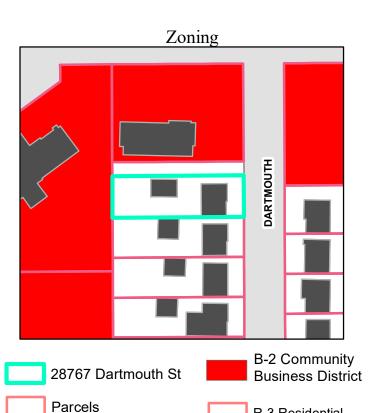
Site Address: 28767 Dartmouth St



Click for maps







R-3 Residential





Document Path: Z:\notifications\2025\28767 Dartmouth St\Site Map.mxd

t: 844.813.2949 www.peagroup.com

SCALE: 1" = 30'

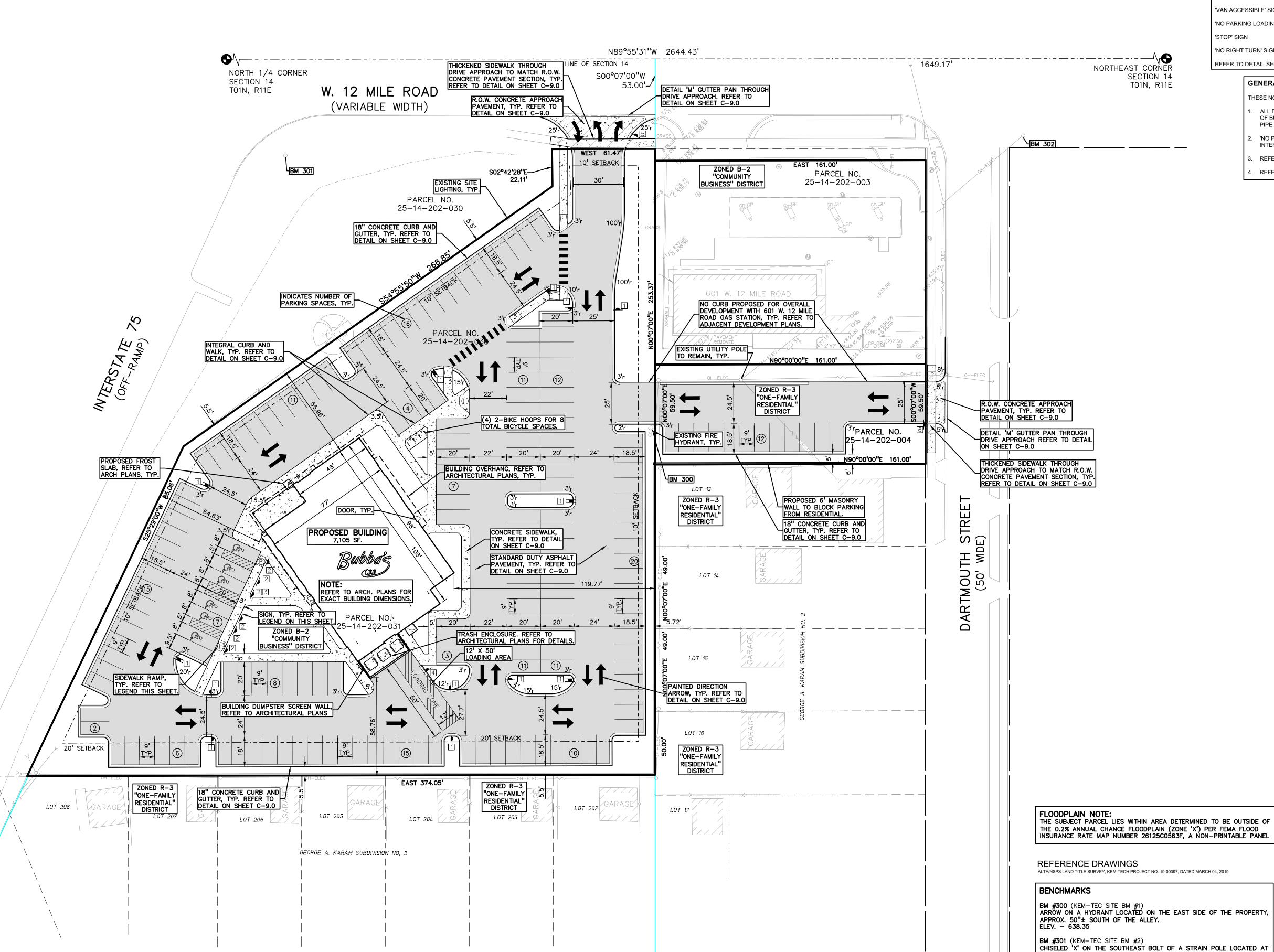
THE LOCATIONS AND ELEVATIONS OF EXISTING UNI JTILITIES AS SHOWN ON THIS DRAWING ARE ONLY

APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOI THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR

DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

W. 12 MILE ROAD

CAUTION!!



SIDEWALK RAMP LEGEND: LEGEND: CONCRETE PAVEMENT SIDEWALK RAMP 'TYPE P' ASPHALT PAVEMENT REFER TO LATEST MDOT R-28 STANDARD RAMP AND DETECTABLE WARNING DETAILS GRAVEL SIGN LEGEND: w w w WETLAND 'NO PARKING FIRE LANE' SIGN BARRIER FREE PARKING' SIGN CONCRETE CURB AND GUTTER 'VAN ACCESSIBLE' SIGN REVERSE GUTTER PAN 'NO PARKING LOADING ZONE' SIGN LIGHTPOLE 'NO RIGHT TURN' SIGN —X——— FENCE GUARD RAIL 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

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

PROPOSED 55.96' 119.77' SIDE (WEST) 64.63'

 REAR (SOUTH) PARKING CALCULATIONS:

REQUIRED

• RESTAURANT = 1 PER 100 SF. (EXCLUDING KITCHEN AREA)

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

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

= (182-40)/20 = 7.1 = 8 SPACES

58.76'

REQUIRED

• BICYCLE PARKING REQUIRED = 1 PER 20 SPACES (OVER 40)

• BICYCLE PARKING PROVIDED = 8 SPACES

LOADING CALCULATIONS:

LEGAL DESCRIPTION

(PER OAKLAND COUNTY)

PARCEL ID 25-14-202-030

PARCEL ID 25-14-202-031

PARCEL ID 25-14-202-004

THE SOUTHEAST CORNER OF W. 12 MILE RD & 1-75 RAMP.

THE SOUTHEAST CORNER OF W. 12 MILE RD & DARTMOUTH ST. ELEV. - 635.80

CHISELED 'X' ON THE SOUTHWEST BOLT OF A STRAIN POLE LOCATED AT

| ELEV. - 637.07

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

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 54-55-50 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 1.06 A 8/22/89 FR

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

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

NAJOR 12 MILE & I-75

REVISIONS

PROJECT TITLE

611 W. 12 MILE ROAD

CLIENT

COMPANIES

BIRMINGHAM, MICHIGAN 48009

600 NORTH OLD WOODWARD, SUITE

MADISON HEIGHTS, OAKLAND COUNTY, MI

CITY COMMENTS

ORIGINAL ISSUE DATE: JUNE 10, 2025

DRAWING TITLE

PRELIMINARY DIMENSION PLAN

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 317.32 FT TH S 25 20 00 W 132.42 FT TH F 374.05 FT TH N		
317.32 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	PEA JOB NO.	25-0636
PARCEL ID 25-14-202-003	P.M.	GB
T1N, R11E, SEC 14 ASSESSORS PLAT NO. 2 LOTS 5 THRU 11 INCL EXC N 7 FT FOR HWY	DN.	JKS
PARCEL ID 25-14-202-004	DES.	JKS

DRAWING NUMBER:

NOT FOR CONSTRUCTION.

NORTH LINE OF SECTION 14

25' CLEAR VISION TRIANGLE TYP.

REMAIN

/GARAGE

PARCEL NO. 25-14-202-023

ZONED R-3 "ONE-FAMILY

RESIDENTIAL" DISTRICT

25-14-202-007

ZONED R-3

"ONE-FAMILY RESIDENTIAL" DISTRICT

25-14-202-024

W. 12 MILE ROAD

(VARIABLE WIDTH)

ZONED B-2 "COMMUNITY

BUSINESS" DISTRICT

PROPOSED BUILDING

PARCEL NO

25-14-202-019

ZONED R-3 "ONE-FAMILY

RESIDENTIAL"

DISTRICT

25-14-202-107

SEE DTL. SHT. L-1.1

IRRIGATED SEED LAWN

"ONE-FAMILY RESIDENTIAL

DISTRICT

25-14-202-022

25-14-202-021

DECIDUOUS TREES



= EXISTING TREES



 $\bigcirc\bigcirc\bigcirc\bigcirc\bigcirc$ = DECIDUOUS SHRUBS



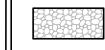
KEY

= IRRIGATED (SEED/SOD) LAWN

= EVERGREEN SHRUBS



= RESTORE SEED LAWN



= ROCK OVER WEED FABRIC





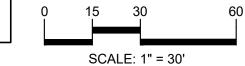
R = RIGHT OF WAY

IL = INTERIOR LANDSCAPING P = PARKING LOT



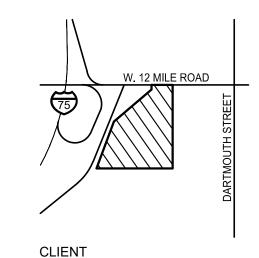
GROUP

t: 844.813.2949 www.peagroup.com





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



NAJOR **COMPANIES** 600 NORTH OLD WOODWARD, SUITE

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.	GE
DN.	TC
DES.	JLE
DRAWING NUMBER:	

GENERAL PLANTING NOTES:

- 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.
- 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.
- 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.
- ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER; TREES WITH FORKED OR IRREGULAR TRUNKS WILL NOT BE
- 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.

t: 844.813.2949 www.peagroup.com

SCALE: 1" = 30'

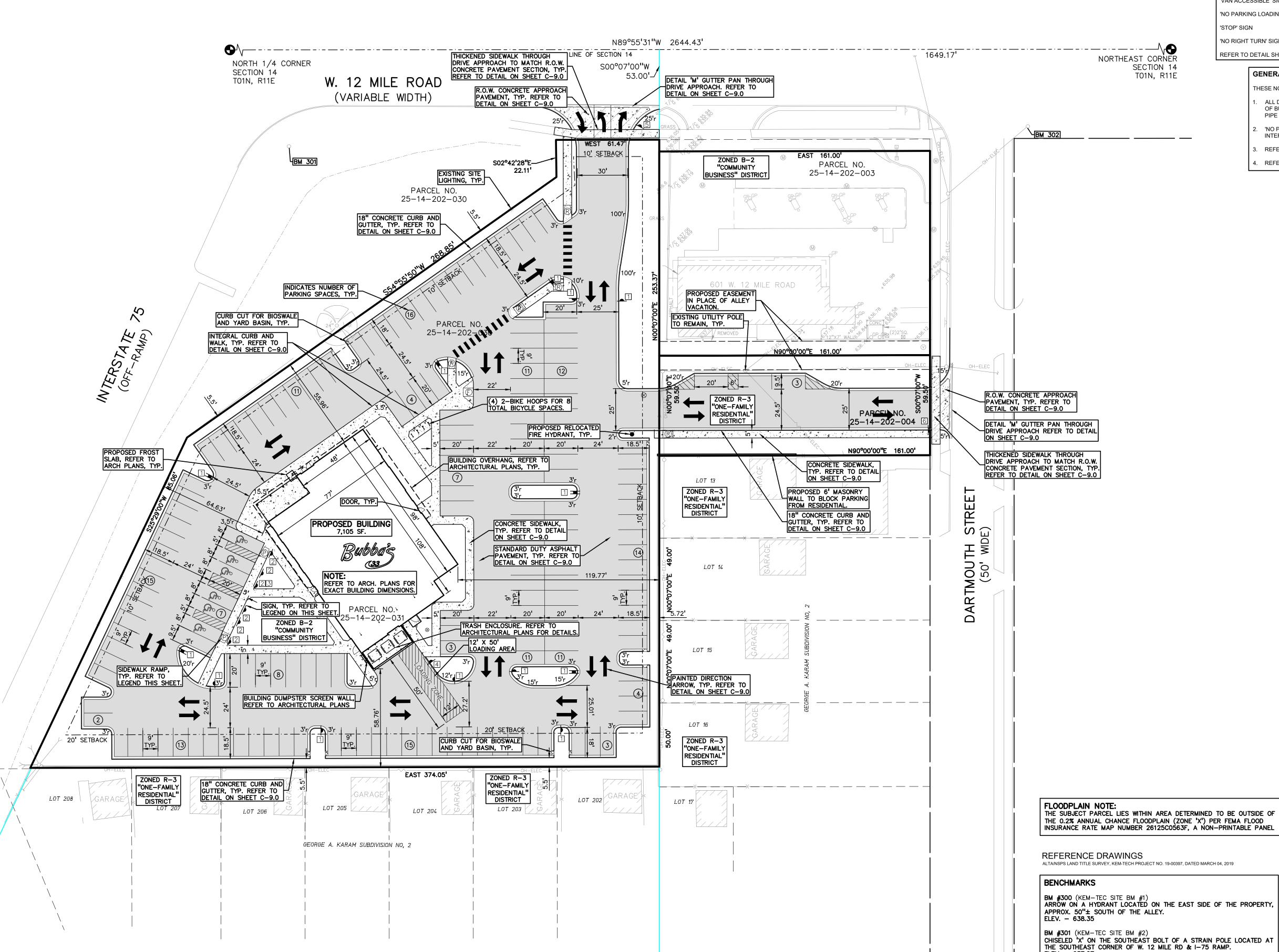
THE LOCATIONS AND ELEVATIONS OF EXISTING UNI JTILITIES AS SHOWN ON THIS DRAWING ARE ONLY

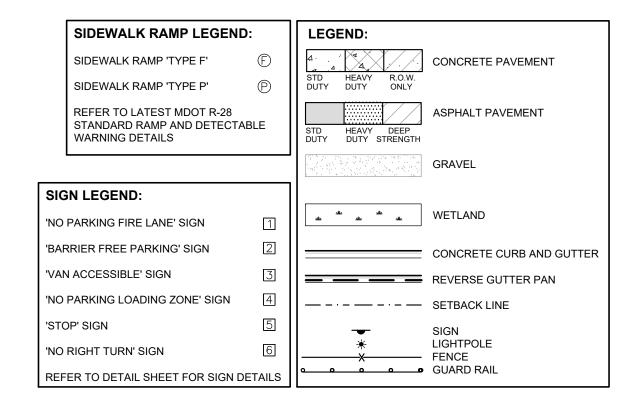
APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR MPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOI HE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR

DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

W. 12 MILE ROAD

CAUTION!!





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
- 'NO PARKING-FIRE LANE' SIGNS SHALL BE POSTED ALONG ALL FIRE LANES AT 100 FOOT
- REFER TO NOTES & DETAILS SHEET FOR ON-SITE SIDEWALK RAMP DETAILS

SITE AREA:

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

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

PROPOSED USE: RESTAURANT (6,686 SF)

BUILDING INFORMATION:

• MAXIMUM ALLOWABLE BUILDING HEIGHT = 40 FT. (2 STORIES)

PROPOSED: 55.96' 119.77' SIDE (WEST) 64.63' REAR (SOUTH) 58.76'

REQUIRED

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

• BICYCLE PARKING REQUIRED = 1 PER 20 SPACES (OVER 40)

• BICYCLE PARKING PROVIDED = 8 SPACES LOADING CALCULATIONS:

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

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

T1N, R11E, SEC 14, PART OF NE 1/4, BEG AT NW COR OF LOT 11 OF

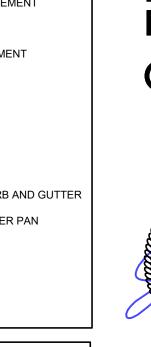
'ASSESSORS PLAT NO 2', TH W 61.47 FT, TH S 00-42-20 E 22.11 FT, TH S 54-55-50 W 268.85 FT, TH S 25-29-00 W 85.06 FT, TH E

317.32 FT, TH N 00-07-00 E 253.37 FT TO BEG 1.06 A 8/22/89 FR

T1N, R11E, SEC 14, PART OF NE 1/4, BEG AT PT DIST S 00-07-00 W

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





- OF BUILDING, PROPERTY LINE, CENTER OF MANHOLE/CATCH BASIN OR CENTERLINE OF PIPE UNLESS OTHERWISE NOTED.
- INTERVALS OR AS DIRECTED BY THE FIRE OFFICIAL.
- REFER TO NOTES & DETAILS SHEET FOR ON-SITE PAVING DETAILS.

SITE DATA TABLE:

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

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

ZONING: B-2 (COMMUNITY BUSINESS CENTER)

• PROPOSED BUILDING HEIGHT = 24'-6" (1 STORY)

• BUILDING FOOTPRINT AREA = 7,105 SF.

• BUILDING LOT COVERAGE = 7,105/100,145 = 0.071 = 7.1%

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

PARKING CALCULATIONS:

• RESTAURANT = 1 PER 100 SF. (EXCLUDING KITCHEN AREA)

• PARKING PROVIDED (RESTAURANT) = 170 SPACES (INC. 6 HC SPACES)

REQUIRED

= (182-40)/20 = 7.1 = 8 SPACES

LEGAL DESCRIPTION

(PER OAKLAND COUNTY)

PARCEL ID 25-14-202-030

PARCEL ID 25-14-202-031

| ELEV. - 637.07

CHISELED 'X' ON THE SOUTHWEST BOLT OF A STRAIN POLE LOCATED AT

THE SOUTHEAST CORNER OF W. 12 MILE RD & DARTMOUTH ST. ELEV. — 635.80

PROJECT TITLE **NAJOR** 12 MILE & I-75

CLIENT

COMPANIES

BIRMINGHAM, MICHIGAN 48009

600 NORTH OLD WOODWARD, SUITE

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

REVISIONS	
CITY COMMENTS	7-14-25

ORIGINAL ISSUE DATE: JUNE 10, 2025

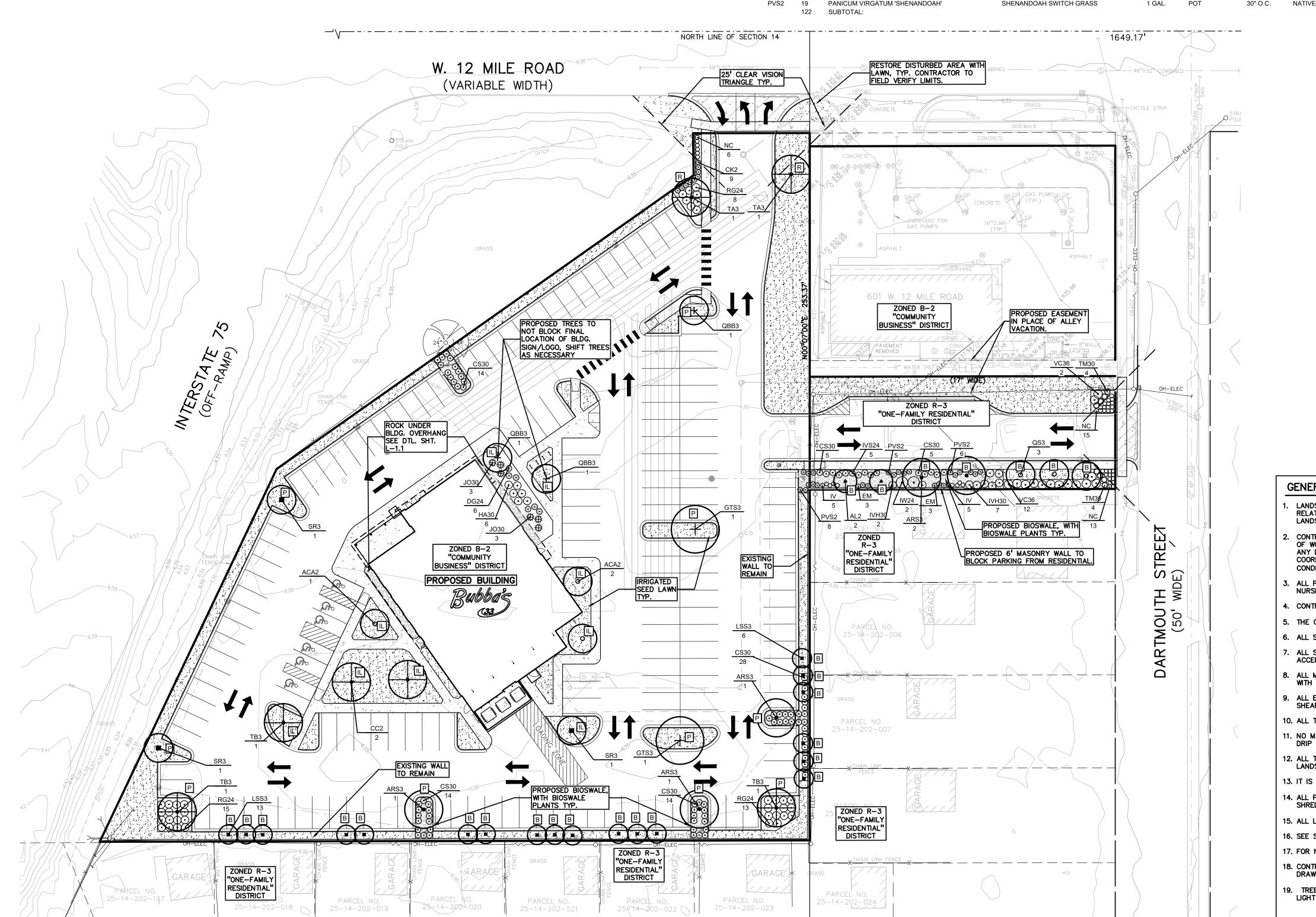
DRAWING TITLE

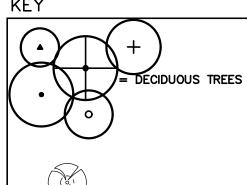
PRELIMINARY DIMENSION PLAN

253.37 FT FROM NW COR OF LOT 11 OF 'ASSESSORS PLAT NO 2', TH W		
317.32 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	PEA JOB NO.	25-0636
PARCEL ID 25-14-202-003	P.M.	GB
T1N, R11E, SEC 14 ASSESSORS PLAT NO. 2 LOTS 5 THRU 11 INCL EXC N 7 FT FOR HWY	DN.	JKS
DADOEL ID 05 44 000 004	DES.	JKS
PARCEL ID 25-14-202-004	DRAWING NUMBER:	

NOT FOR CONSTRUCTION.

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	SPACING	DESIGNATION
DECIDU	JOUS T	REES					
ARS3	5	ACER RUBRUM 'SCARSEN'	SCARLET SENTINEL MAPLE	3" CAL.	B&B	PER PLAN	NATIVE
GTS3	2	GLEDITSIA TRIACANTHOS INERMIS 'SUNCOLE'	SUNBURST HONEY LOCUST	3" CAL.	B&B	PER PLAN	NATIVE
LSS3	19	LIQUIDAMBAR STYRACIFLUA 'SLENDER SILHOUETTE'	SLENDER SILHOUETTE SWEET GUM	3" CAL.	B&B	PER PLAN	NON-NATIVE
QBB3	3	QUERCUS BICOLOR 'BONNIE AND MIKE'	BEACON® OAK	3" CAL.	B&B	PER PLAN	NATIVE
QS3	3	QUERCUS ROBUR X ALBA 'JFS-KW1QX'	STREETSPIRE® OAK	3" CAL.	B&B	PER PLAN	NATIVE
SR3	3	SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK JAPANESE TREE LILAC	3" CAL.	B&B	PER PLAN	NON-NATIVE
TA3	2	TILIA AMERICANA 'AMERICAN SENTRY'	AMERICAN SENTRY LINDEN	3" CAL.	B&B	PER PLAN	NATIVE
TB3	3	TILIA AMERICANA 'BOULEVARD'	BOULEVARD AMERICAN LINDEN	3" CAL.	B&B	PER PLAN	NATIVE
	40	SUBTOTAL:					
ORNAN	ΙΕΝΤΔΙ	TREES					
ACA2	3	AMELANCHIER CANADENSIS	SHADBLOW SERVICEBERRY	2" CAL.	B&B	PER PLAN	NATIVE
AL2	2	AMELANCHIER LAEVIS	ALLEGHENY SERVICEBERRY	2" CAL.	B&B	PER PLAN	NATIVE
CC2	2	CERCIS CANADENSIS	EASTERN REDBUD	2" CAL.	B&B	PER PLAN	NATIVE
002	7	SUBTOTAL:		2 07.12.	262		
	_						
<u>SHRUB</u>							
AL18	1	ARONIA MELANOCARPA 'UCONNAM165'	LOW SCAPE MOUND® BLACK CHOKEBERRY	18" HT	CONT.	PER PLAN	NATIVE
CS30	80	CORNUS SERICEA 'KELSEYI'	KELSEY'S DWARF RED TWIG DOGWOOD	30" HT.	B&B OR CONT.	36"O.C.	NATIVE
DG24	6	DEUTZIA GRACILIS 'NIKKO'	NIKKO DEUTZIA	24" HT.	B&B OR CONT.	36"O.C.	NON-NATIVE
HA30	6	HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE HYDRANGEA	30" HT.	B&B OR CONT.	4` O.C.	NON-NATIVE
IW24	2	ILEX VERTICILLATA 'WINTER RED'	WINTER RED WINTERBERRY	24" HT.	B&B OR CONT.	6" O.C.	NATIVE
IVH30	9	ITEA VIRGINICA 'HENRY'S GARNET'	HENRY'S GARNET SWEETSPIRE	30" HT.	CONT.	PER PLAN	NON-NATIVE
IVS24	5	ITEA VIRGINICA 'SPRICH'	LITTLE HENRY® SWEETSPIRE	24" HT.	B&B OR CONT.	36"O.C.	NON-NATIVE
JO30	6	JUNIPERUS VIRGINIANA 'GREY OWL'	GREY OWL EASTERN REDCEDAR	30" HT.	CONT.	PER PLAN	NATIVE
RG24	46	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	24" SPRD	CONT.	PER PLAN	NATIVE
TM30	8	TAXUS X MEDIA 'DENSIFORMIS'	DENSE ANGLO-JAPANESE YEW	30" HT.	B&B OR CONT.	42" O.C.	NON-NATIVE
VC36	14	VIBURNUM CARLESII 'COMPACTUM'	COMPACT KOREANSPICE VIBURNUM	36" HT.	B&B OR CONT.	4` O.C.	NON-NATIVE
	183	SUBTOTAL:					
PEREN	NIALS						
CK2	9	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	1 GAL.	POT	36"O.C.	NON-NATIVE
EM	6	EUPATORIUM MACULATUM 'GATEWAY'	GATEWAY JOE PYE WEED	1 GAL.	POT	30" O.C.	NATIVE
HP	15	HEMEROCALLIS 'PARDON ME'	PARDON ME DAYLILY	1 GAL.	POT	2` O.C.	NATIVE
IV	10	IRIS VERSICOLOR	BLUE FLAG	1 GAL.	POT	18" O.C.	NON-NATIVE
NC	63	NEPETA X 'CAT'S PAJAMAS'	CAT'S PAJAMAS CATMINT	1 GAL.	POT		NON-NATIVE
PVS2	19	PANICUM VIRGATUM 'SHENANDOAH'	SHENANDOAH SWITCH GRASS	1 GAI	POT	30" O C	NATIVE





= EXISTING TREES

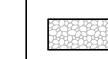
 $\infty \infty$

= DECIDUOUS SHRUBS AND PERENNIALS

= EVERGREEN SHRUBS

= IRRIGATED SEED LAWN

= RESTORE SEED LAWN



= ROCK OVER WEED FABRIC

LETTER DESIGNATION FOR ORDINANCE REQUIRED MATERIALS

R = RIGHT OF WAYB = GREENBELT BUFFERIL = INTERIOR LANDSCAPING

P = PARKING LOT

GROUP

t: 844.813.2949 www.peagroup.com

LANDSCAPE CALCULATIONS

PER CITY OF MADISON HEIGHTS ZONING ORDINANCE: ZONED B-2 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

INTERSTATE 75: EXISTING WALL AND LANDSCAPE TO REMAIN 12-MILE ROAD: 2 PROPOSED TREES, 8 PROPOSED SHRUBS, 15 PERENNIALS

GREENBELT BUFFER LANDSCAPE ADJ TO RESIDENTIAL = B

REQUIRED: 1 TREE AND 4 SHRUBS PER 30 LF SOUTH BOUNDARY: 373 / 30 = 12.43 = 13 TREES AND 52 SHRUBS EAST BOUNDARY: 184 / 30 = 6.13 = 6 TREES AND 28 SHRUBS SE BOUNDARY: 161 / 30 = 5.3 = 6 TREES AND 24 SHRUBS

SOUTH BOUNDARY: 13 COLUMNAR TREES, 52 SHRUBS AND EXISTING WALL TO REMAIN EAST BOUNDARY: 6 COLUMNAR TREES, 28 SHRUBS AND EXISTING WALL TO REMAIN SE BOUNDARY: 7 TREES, 48 SHRUBS, 63 GRASSES/PERENNIALS AND PROPOSED WALL

<u>INTERIOR LANDSCAPING</u> = IL

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

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

9 PROPOSED TREES AND 18 PROPOSED SHRUBS

PARKING LOT LANDSCAPE = P

5 SF OF REQUIRED PARKING LOT LANDSCAPE PER PARKING SPACE AND ONE DECIDUOUS TREE FOR EVERY 100 SF OF REQUIRED PARKING LOT LANDSCAPE. 170 PARKING SPACES x 5 SF = 850 SF OF REQUIRED PARKING LOT LANDSCAPE AND

850 / 100 = 9 REQUIRED TREES.

10 PROPOSED TREES AND LOW SHRUBS IN BIOSWALES

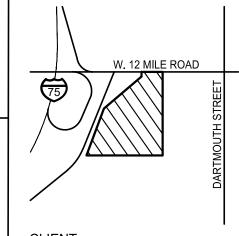
GENERAL PLANTING NOTES:

REMARKS

- . 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.
- . 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.
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- 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.
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CAUTION!! THE LOCATIONS AND ELEVATIONS OF EXISTING UNI UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR MPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOI HE 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 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



Madison Heights Restaurant - Dartmouth Street View September, 2025



Madison Heights Restaurant - Dartmouth Street View September, 2025







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

. APPLICANT INFORMATION								
Applicant Najor Companies								
Applicant Address 600 North Old Woodward, suite 100								
City	Birm	ingham		State	МІ	ZIP	48009	
Interest in	n Property	(owner, tenant, option, etc	owner owner					
Contact P	erson	Keith Maziasz						
Telephon	e Number		Email Address	5				
II. PR	OPERTY I	NFORMATION						
Property .	Address	28767 Dartmo	outh					
Tax ID	44-	24-14-202-004	Zoning Dis	trict [₹-3			
Owner Name (if different than applicant) Same								
Address								
City				State		Zip		
Telephone Number			Email Address	·				
III. CO	NSULTAN	T INFORMATION (IF APPLIC	CABLE)					
Name	Grego	ory Bono, PE	Company	PEA	Group			
Address	184	9 Pond Run						
City	Aubu	ırn Hills		State	МІ	Zip	48326	
Telephone Number			Email Address	5				

IV.	PROJECT NAME		
	Madison Heights Restaurant		
V.	PROJECT DESCRIPTION AND SCOPE OF WORK		
	Brief Description of Proposed Special Land Use	2:	
	We request approval of parking as a p R-3, which is part of the proposed dev	rinciple use on a parce elopment area.	el currently zoned
	Required Attachments: Project Narrative: Written description of to products or services to be provided; activity building; types of equipment to be used; he expected levels/ types of vehicular traffic of Conceptual Site Plan and Floor Plan: Conceptual Site Plan and Flo	ties to be conducted inside nours of operation; number coming to and from the site ceptual plans containing mi e (refer to checklist, attache	and outside the of employees; e; other information.
VI.	APPLICANT CERTIFICATION		
above-	the undersigned do hereby apply to the City of described Special Land Use application. Application city staff to assess the property for purposes of Name	nt(s) and the property own	er(s) do hereby consent
VII.	PROPERTY OWNER CERTIFICATION		
Printed	IF YOU ARE NOT THE PROPERTY OWNER, YOU NOTARIZED SIGNATURE, BELOW, OR PROVID NOTARIZED POWER OF ATTORNEY AUT Name BRIAN SI	DE A NOTARIZED LETTER OF	AUTHORIZATION OR
Notary	for Property Owner:		Notes Sterre
Subscr	ibed and sworn before me, this // day of July	, 2025.	Notary Stamp
Notary Notary	Name (Print): Kimberly M. Hesley Signature: 11-02-2035	Notary F	IBERLY M HESLEP Public, State of Michigan County of Oakland hission Expires 11-02-2025 the County of Oakland
		SE ONLY	
- FI		MPLETE APPLICATIONS]	DCD #
	ILING FEE (\$750): ATE APPLICATION RECEIVED:	SPECIAL LAND USE NO.: RECEIVED BY:	Company of the Compan

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.

- **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

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.

<u>Case # PSP 25-05 – 28767 Dartmouth St.</u>

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

- 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.
 - 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.

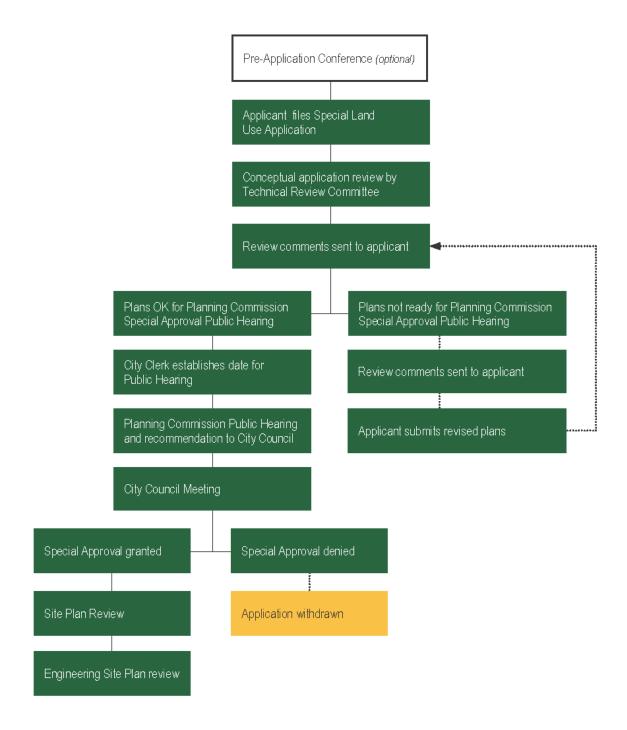
Section 15.05 Special Land Use Review

- 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.
- 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 <u>Section 15.01.</u>
- 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.
- 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.
- 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





AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/8/25

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: PEE #23-01 - Alley Vacation: 17 foot-wide alley between 601 W. 12 Mile Road and

28767 Dartmouth Street.

AGENDA ITEM SECTION: Items for Future Public Hearings

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

The Community & Economic Development Department has received a request to vacate a 17 ft.-wide improved alley right-of-way located between 601 W. 12 Mile Rd. and 28767 Dartmouth Rd. The alley also provides access to the property at 611 W. 12 Mile Road. All adjacent property owners have signed the petition.

RECOMMENDATION:

Staff recommends that City Council establish a public hearing date for the October 13th, 2025 meeting, at which time staff will provide updated letters from impacted utility companies and the Department of Public Services.

City Council may refer the alley vacation to the Planning Commission for further study and recommendation. If City Council chooses to remand related Special Land Use case PSP #25-09 back to the Planning Commission, staff recommends that this alley vacation request also be referred to the Planning Commission for review and comment. In any case, staff recommends that City Council act upon Special Land Use case PSP #25-09 prior to taking final action on this alley vacation request.



Date: August 29th, 2025

To: City of Madison Heights City Council [September 8th, 2025 Meeting]

From: Matt Lonnerstater, AICP – City Planner

Subject: Alley Vacation Request # PEE 25-01 – Alley between 601 W. 12 Mile Road and 28767

Dartmouth Road

Note: This request was originally submitted in 2023 but was postponed and administratively closed due to lack of action. The applicant is requesting this alley vacation alongside Special Land Use request PSP #25-09 – Parking as a Principal Use at 28767 Dartmouth.

Introduction

The Community & Economic Development Department has received a request to vacate a 17 ft.-wide improved alley right-of-way located between 601 W. 12 Mile Rd. and 28767 Dartmouth Rd. The alley also provides access to the property at 611 W. 12 Mile Road. All adjacent property owners have signed the petition.

The aerial image below depicts the location of the alley



Background

Per Section 23-109 (*Vacation of Streets, Alleys, Etc.*) of Chapter 23 of the Code of Ordinances (*Streets and Sidewalks and Other Public Places*), City Council may consider petitions to vacate a street, alley, or right-of-way. When 100% of adjacent property owners sign the petition, City Council may consider the initial request and appoint a time not less than four weeks thereafter to establish a public hearing. If desired, City Council may, but is not required to, refer the matter to the Planning Commission for study and report back to Council.

601 W. 12 Mile Rd. is improved with a gas station, 28767 Dartmouth Rd. is improved with a single-family residence and detached garage, and 611 W. 12 Mile Rd. is vacant.

When a right-of-way is vacated, the new property is split and allocated to adjacent properties. An eight-inch (8") water line and a twelve-inch (12") sanitary sewer line are located within the existing right-of-way. Therefore, if vacated, the City should retain a public utility easement.

The application has been transmitted to applicable utility companies, the Department of Public Services, and the City Engineering Consultant for review; responses will be provided within the forthcoming weeks.

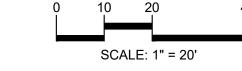
Next Step

Staff recommends that City Council establish a public hearing date for the October 13th, 2025 meeting, at which time staff will provide updated letters from impacted utility companies and the Department of Public Services.

City Council may refer the alley vacation to the Planning Commission for further study and recommendation. If City Council chooses to remand case PSP 25-09 back to the Planning Commission, staff recommends that this alley vacation request also be referred to the Planning Commission for review and comment. In any case, staff recommends that City Council act upon Special Land Use case PSP 25-09 prior to taking final action on this alley vacation request.

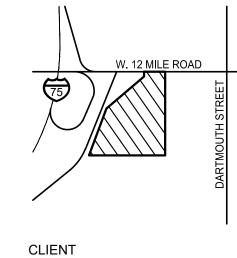








CAUTION!! THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GURANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND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



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

PROJECT TITLE **NAJOR**

12 MILE & I-75 601 W. 12 MILE ROAD MADISON HEIGHTS, OAKLAND COUNTY, MI

ORIGINAL ISSUE DATE: JUNE 10, 2025

DRAWING TITLE

PUBLIC ALLEY VACATION

PEA JOB NO. 25-0636.01

DRAWING NUMBER:



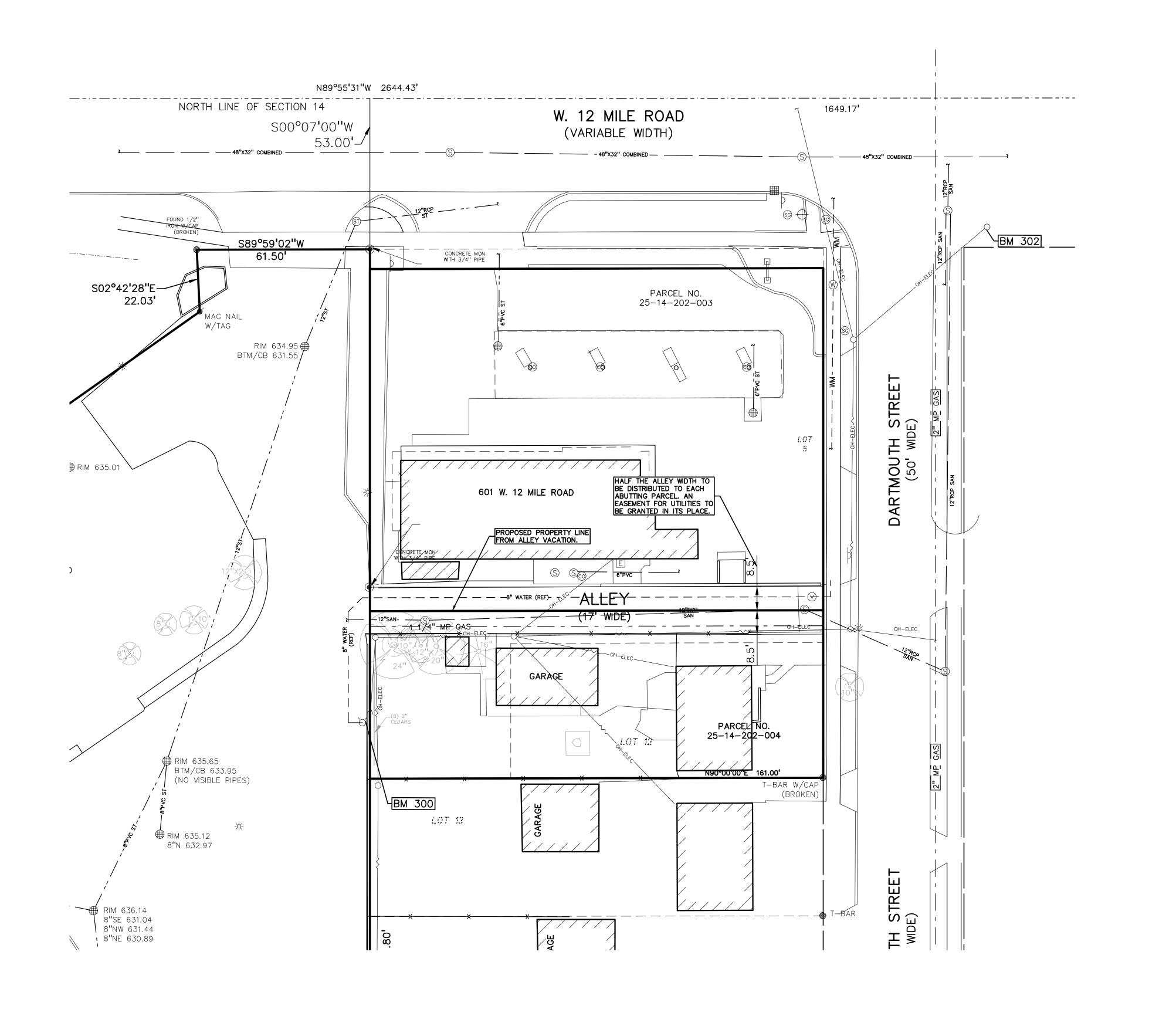
T1N, R11E, SEC 14 ASSESSORS PLAT NO. 2 LOTS 5 THRU 11 INCL EXC N 7 FT FOR HWY

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

LEGAL DESCRIPTION

PARCEL ID 25-14-202-003

PARCEL ID 25-14-202-004



REFERENCE DRAWINGS ALTA/NSPS 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 SOUTHEAST CORNER OF W. 12 MILE RD & DARTMOUTH ST. ELEV. — 635.80



City of Madison Heights Petition to Vacate Public Right of Way or Easement

Petitions to Vacate Public Right of Way or Easement must include the following information:

- 1. Petition (attached) filled out completely and signed by all applicable parties.
- 2. Review letters from all utility companies:

City Of Madison Heights

Water Department Attn: Joe Vitali, Jr., Public Works Supervisor 801 Ajax

Madison Heights, MI 48071

248-589-2294

joevitalijr@madison-heights.org

DTE Energy

Attn: Kimberly A. Tassen, SR/WA, R/W-NAC Right of Way Facilitator The Detroit Edison Company One Energy Plaza, 2016 WCB Detroit, MI 48226 313-235-4458 313-235-4444 fax tassenk@dteenergy.com

Consumer's Energy

Attn: John Hill, 3rd Party Project Coodinator 4600 Coolidge Hwy Royal Oak, MI 48073 248-433-5618 john.hill@cmsenergy.com

AT&T

Attn: Lloyd Reynolds, OSP Engineer 54 North Mill, Box 32 Pontiac, MI 48342 248-456-0882 248-975-4075 fax ir6232@att.com

Wide Open West

Attn: Frank Binaghi
Construction & Engineering Manager
32650 N. Avis Drive
Madison Heights, MI 48071
248-677-9008
248-677-9021 fax
fbinaghi@wideopenwest.com

Comcast

Attn: Warren Setty, Construction Coordinator 6095 Wall Street Sterling Heights, MI 48312 586-883-7257 586-883-7406 fax Warren Setty@cable.comcast.com

Consumer's Energy

attn: Joseph Funke, System Engineer 4600 Coolidge Hwy Royal Oak, MI 48073 248-858-4512 joseph.funke@cmsenergy.com

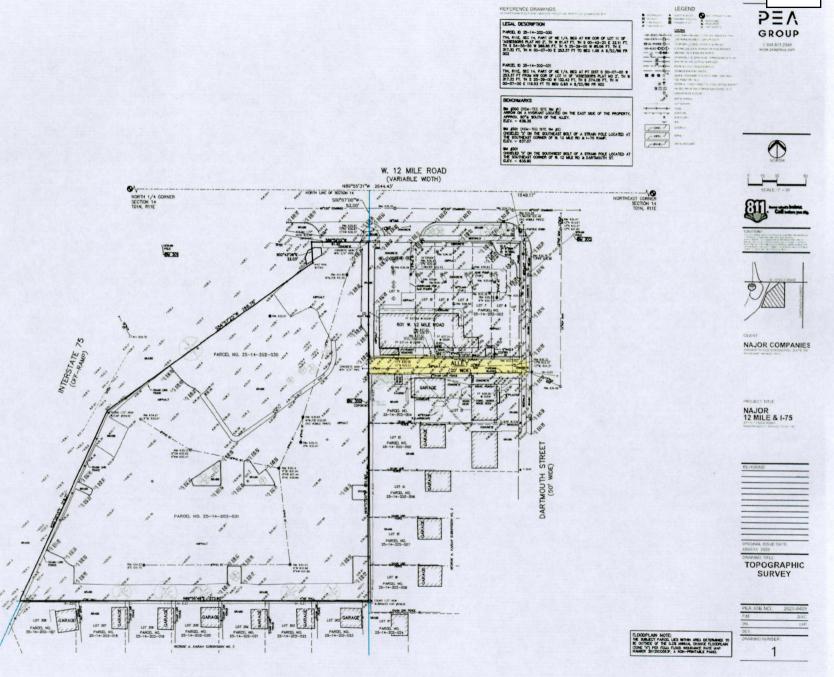
3. 15 copies of a plan (11" x 17") showing existing and proposed adjacent properties, use, structures and easements. Plan should be based on a survey.

PETITION FOR VACATING A PUBLIC STREET, ALLEY AND/OR EASEMENT

To the Honorable,			Date:	8/14/25
The Mayor and City Cour	ncil			
Madison Heights, Michiga	an .			
We, the undersigned peti	tioners, residing at the	e place set opp	osite our respective	names hereto, being
the abutting owners and i	mortgages of real esta	ate located:		
on the	west	_Side(s) of	dartmouth Stre	eet
on the located between in	Twelve Mile Road	and	Karam Driv	/e
in			Subdivision,	
and being entirely in the	City of Madison Heigh	ts and being _	100 percent of th	ne property owners
above said area, hereby	respectfully pray and	petition that yo	u vacate the public (Street, Alley, and/or
Easement) lying adjacent				
25-14-202-	⁰⁰³ of			Subdivision (if
any) and that said parcel	become part of the ac	djoining proper	ty, according to law.	Provided, however,
that if said (street or alley) is now used or may	be used for the	e general public con	venience and welfare
for sewers, water and gas	s mains, electrical line	s and telephor	e lines and because	e said usages are for
the benefit of the general	public beyond the abo	ove described	area and because th	nis vacation is
primarily for the private be	enefit of the undersigr	ned petitioners,	the City of Madison	Heights, as a
condition without existend	ce of which this vacati	on shall be of r	no effect, reserves to	itself for the benefit
and welfare of the genera	al public an easement	co-extensive v	vith the vacated (stre	et, alley) for the
purposes of general publi	c convenience and ne	ecessities such	as sewers, water a	nd gas mains, and
electrical and telephone li	ines together with the	general right o	f entry for maintena	nce purposes in
regard to such public con	veniences and neces	sities, and we t	he undersigned, cor	nsent to the easement
aforesaid on behalf of our	rselves, our heirs, adn	ninistrators and	l assigns.	

LOT#	OWNER'S PRINTED NAME	ADDRESS	SIGNATURE
12	Brian Najor	28767 Dartmouth	#
5-11	MAD Fuel Holdings, LLC	601 W. 12 Mile Road	1
	By: Brian Najor, Manager 611 Madison, LLC	611 W. 12 Mile Road	8
	By: Brian Najor, Manager	off w. 12 wille Road	7
			-





LIBER 55006 PAGE 702

e-recorded

OAKLAND COUNTY TREASURERS CERTIFICATE

I HEREBY CERTIFY that there are no TAX LIENS or TITLES
held by the state or any individual against the within description
and all TAXES on same are paid for five years previous to the
date of this instrument as appears by the records in the office except as stated. Reviewed By: RTN

Oct 16, 2020

5.00 E-FILE

Sec. 135, Act 206, 1893 as amended ANDREW E. MEISNER, County Treasurer Not Examined

0214022

LIBER 55006 PAGE 702 \$21.00 DEED - COMBINED \$4.00 REMONUMENTATION \$5.00 AUTOMATION \$1,505.00 TRANSFER TX COMBINED 10/16/2020 06:21:11 PM RECEIPT# 168966 PAID RECORDED - Oakland County, MI Lisa Brown, Clerk/Register of Deeds



WARRANTY DEED

File No.: MI-20-3945

Drafted by:

Peter Joelson, Title Solutions Agency, LLC, 41486 Wilcox Road Suite 2, Plymouth, MI 48170

When recorded return to:

Title Solutions Agency, LLC, 41486 Wilcox Road Suite 2 Plymouth, MI 48170

THE GRANTOR, Cheryl A. Jamieson f/k/a Cheryl Ann Coldren

Whose address is: 28767 Dartmouth Street Madison Heights, MI 48071

Conveys and Warrants to Brian Najor

Whose address is: 28767 Dartmouth 3 Woodward Steloo Birmingham, MI Legal Description: City of Madison Heights, County of Oakland, State of Michigan, to wit:

Lot 12, ASSESSOR'S PLAT NO. 2, also vacated South 3 feet of alley lying Northerly of Lot 12 and Southerly of Lots 5 through 11, also that part of vacated alley lying West of Lot 12, according to the plat thereof as recorded in Liber 118 of Plats, Page 13, Oakland County Records.

Tax Parcel No.: 25-14-202-004

Commonly known as: 28767 Dartmouth Street Madison Heights, MI 48071

For the sum of ONE HUNDRED SEVENTY FIVE THOUSAND AND 00/100 Dollars (\$175,000.00)

The Grantor grants to the Grantee the right to make (ALL) divisions under section 108 of the land division act, Act 288 of the Public Act of 1967.

If the land being conveyed is unplatted, the following is deemed to be included: "This property may be located within the vicinity of farmland or farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act."

Subject to easements, reservations and restrictions of record.

Page 1 of 2

LIBER 55006 PAGE 703

Attached to and becoming part of the Warranty Deed, on this October 14, 2020, file # MI-20-3945, between Cheryl A. Jamieson FKA Cheryl Ann Coldren, grantor(s) and Brian Najor, grantee(s).

Dated: October 14, 2020

Signed and Sealed:

Cheryl A. Jameson FKA Cheryl Ann Coldren

STATE OF Michigan COUNTY OF Oakland

} ss

On this October 14, 2020, before me personally appeared Cheryl A. Jamieson f/k/a Cheryl Ann Coldren to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.

KYLE C. SMITH
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires Oct 12, 2024
Acting in the County of Oct 12, 2024

____, Notary Public __ County, Michigan

My Commission Expires: ______

Page 2 of 2

DAKLANG COUNTY TREASUREES CERTIFICATE
This is to certify that there are no delinquent property
taxes as of this date owed to our office on this property.
No representation is made as to the status of any taxes,
tax liens or titles owed to any other entities.

Item 8.

SEP 08 2020 RTN

5.00

ANDREW E. MEISNER, County Treasurer Sec. 135, Act 206, 1893 as amended 181987 LIBER 54798 PAGE 175 \$26.00 DEED - COMBINED \$4.00 REMONUMENTATION 09/10/2020 09:41:06 A.M. RECEIPT 142231 PAID RECORDED - DAKLAND COUNTY LISA BROWN, CLERK/REGISTER OF DEEDS

WARRANTY DEED

(Statutory Form - Entity)

Know all persons by these presents; that QSL Madison Heights RE, LLC whose address is 555 Puritan, Birmingham, Michigan 48009

Conveys and warrants(s) to, 611 Madison Property, LLC, a Michigan limited liability company whose address is 600 North Old Woodward Avenue, Suite 100, Birmingham, MI 48009

Land situated in the City of Madison Heights, County of Oakland, State of Michigan, described as follows:

All that part of a parcel of land in Section 14, Town 1 North, Range 11 East, described as: Beginning at a point on the North line of said Section 14, which is 1644.8 feet West of the Northeast corner of said Section 14; thence South 00 degrees 07 minutes West 425.8 feet; thence West parallel to Section line 474 feet; thence North 00 degrees 07 minutes East 425.9 feet; thence East on North Section line 474 feet to the point of beginning, which lies Southeasterly of a line described as: Beginning at the Northwest corner of Lot 11, Assessor's Plat No. 2, as recorded in Liber 118 of Plats, Page 13, Oakland County Records; thence North 90 degrees 00 minutes 00 seconds West along the North line of said Lot 11 (extended) a distance of 61.47 feet; thence South 02 degrees 42 minutes 20 seconds East a distance of 22.11 feet; thence South 54 degrees 55 minutes West a distance of 268.85 feet; thence South 25 degrees 29 minutes 00 seconds West a distance of 350 feet and a point of ending.

Commonly known as: 611 W 12 Mile Rd, Madison Heights, MI 48071 Parcel I.D. Number: 25-14-202-030 & 25-14-202-031

For the full consideration of -SEE REAL ESTATE TRANSFER TAX VALUATION AFFIDAVIT-Subject to:

- (a) Highway Easement in favor of the Board of County Road Commissioners of the County of Oakland, and terms conditions and provisions contained therein, recorded in Liber 6211, page 216, Oakland County Register of Deeds; and
- (b) Permanent Easement for ingress and egress, and the terms, conditions and provisions contained therein, recorded in Liber 11022, page 588, Oakland County Register of Deeds.

JU13-89133

BA - 360

Dated: 25 day of August, 2020

AFTER RECORDING

5850 SEb -3 bW S: 01

OF STAND COUNTY
REGISTER OF DEEDS

Page 2 of Warranty Deed between QSL Madison Heights RE, LLC, a Michigan Limited Liability Company (Grantor) and 611 Madison Property, LLC, a Michigan limited liability company(Grantee)

SELLER ST OST Madison Heights RIV. LC

By:

Milton Feldberg, Manager

State of Michigan County of Oakland

On this 25 day of August, 2020, before me personally appeared QSL Madison Heights RE, LLC, by Milton Feldberg, Its Manager, known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed same as their free act and deed.

NADA MARKOVIC JUDGE
Notary Public, State of Michigan
County of Oakland
My Commission Expires Jun, 15, 2023
Acting in the County of

Hade Markovia Judy Notary Public Ockland County, Michigan

Acting in Carlos County
My Commission Expires: 6-15-23

Instrument drafted without opinion by: Walter Quillico, ESQ.

28470 W. 13 Mile Rd., Suite 325

Farmington Hills, MI 48334

TC13-89133

When recorded return to

611 Madison Property, LLC

600 North Old Woodward, Stc. 100

Birmingham, MI 48009

Title Connect LLC
a title 'nsurance agency
28470 W. 13 Mile Rd. Suite 325
Farmington Hills, MI 48334

LIBER 55405 PAGE 420 \$21.00 MISC RECORDING \$4.00 REMONUMENTATION \$5.00 AUTOMATION 12/28/2020 09:55:43 PM RECEIPT# 220189 PAID RECORDED - Oakland County, MI Lisa Brown, Clerk/Register of Deeds

MEMORANDUM OF LAND CONTRACT

Know all men by these presents that a certain land contract, dated, 12th day of December, 2020, has been executed between Casey Developments, L.L.C., a Michigan Limited Liability Company, as "Seller", whose address is 49649 Red Pine Drive, Macomb, MI 48044

and MAD Fuels Holdings LLC, as "Purchaser(s)",

whose address is 600 North Old Woodward Avenue, Suite 100, Birmingham, MI 48009

the following described premises:

Land situated in the City of Madison Heights, County of Oakland, State of Michigan, described as follows:

Lots 5 through 11, inclusive, except the North 7 feet thereof deeded for highway purposes, Assessor's Plat No. 2, according to the plat thereof, as recorded in Liber 118 of Plats, Page 13, Oakland County Records. 25-14-202-003

25-14-202-003

CKA: 601 W. 12 mile Rd, Madison Heights, MT

The purpose of this instrument is to give notice of the existence of the aforesaid land contract and the rights of the Purchaser(s) thereunder.

IN WITNESS WHEREOF, the Seller(s) and Purchaser(s) have executed this Memorandum of Land Contract on land day of December, 2020

SELLER(S). Casey Developments, L.L.C., a Michigan Limited Liability Company

May Najem, Managing Member

STATE OF: MICHIGAN

COUNTY OF: Oakland

Liability Company, by May Najem, Managing Member, known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed same as their free act and deed.

Notary Public Debouch on Hemit County Oakland

My Commission expires on: 12-11-2024

DEBORAH M. HAMILTON Notary Public, State of Michigan County of Oakland My Commission Expires Dec. 11, 2024
Acting in the County of

TC13-94566

PURCHASER(S): MAD	Fuels Holdings LLC.	a Michigan Li	mited Liability	Company

By:

Brian Najor, Manager

STATE OF: MICHIGANO COUNTY OF: Dakland

On this \(\frac{\frac{1}{2} \text{-}}{2} \) day of December, 2020, before me personally appeared MAD Fuels Holdings LLC, a Michigan Limited Liability Company, by Brian Najor, Manager, known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed same as their free act and deed.

Notary-Public Oukland County

My Commission expires on: 2-7-20-2

Shannel Konja
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF Oakland

My Commission Expires 03/07/292.

Acting in the County of _____CACACIN.C

Drafted by and without opinion by:	When recorded return to:
Walter Quillico, ESQ 28470 W. 13 Mile Road, Suite 325 Farmington Hills MI 48334	MAD Fuels Holdings LLC 600 North Old Woodward Avenue, Suite 100 Birmingham, MI 48009

TC13-94566



AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/8/25

PREPARED BY: Sean P. Ballantine, Director of Public Services

AGENDA ITEM CONTENT: Director of Public Services - Scheduled Replacement of Backhoe #455

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$140,000 FUNDS REQUESTED: \$126,611.83

FUND: 590-901-985-0000

EXECUTIVE SUMMARY:

The approved FY 2025-26 Budget includes funding for the scheduled replacement of Backhoe #455, a 2006 John Deere, funded through the Water and Sewer Division. This machine is approaching 20 years of age, and has a poor condition analysis score of 33, warranting priority replacement. An additional consideration to this purchase is the replacement of Backhoe #407, a 2004 CAT funded through the Streets Division. This unit has an extremely poor condition analysis score of 46, also warranting priority replacement. Operationally, the department no longer needs two of these machines, and would instead opt to trade them both in and purchase one replacement, instead of attempting to replace #407 at a later date.

RECOMMENDATION:

Staff recommends that Council consider the following motions:

To award the purchase of one Caterpillar 420 XE Backhoe as quoted to MacAllister CAT of Novi, in the amount of \$176,611.83, through the Sourcewell cooperative purchasing agreement.

To approve the trade-in of Water/Sewer Unit #455 for \$30,000 and Streets Unit #407 for \$20,000, reducing the total cost of the replacement vehicle to \$126,611.83.

To approve the transfer of \$20,000 from the Water and Sewer Fund to the Streets Fund to account for the cross-departmental trade-in value.

MEMORANDUM

DATE: September 3, 2025

TO: Melissa R. Marsh, City Manager

FROM: Sean P. Ballantine, Director of Public Services

SUBJECT: Scheduled Replacement of Backhoe #455

The approved FY 2025-26 Budget includes funding for the scheduled replacement of Backhoe #455, a 2006 John Deere, funded through the Water and Sewer Division. This machine is approaching 20 years of age, and has a poor condition analysis score of 33, warranting priority replacement.

An additional consideration to this purchase is the replacement of Backhoe #407, a 2004 CAT funded through the Streets Division. This unit has an extremely poor condition analysis score of 46, also warranting priority replacement. As with any purchase, Staff evaluates the best and most efficient use of resources to determine the appropriate course of action. Operationally, the department no longer needs two of these machines, and would instead opt to trade them both in and purchase one replacement, instead of attempting to replace #407 at a later date. Along the same line, this machine is also equipped to replace a third piece of equipment, the aging concrete breaker, which will be auctioned off separately.

The machine provided by MacAllister CAT was extensively demoed by DPS staff, and thoroughly inspected by our mechanics. It is our determination that this machine would well suit the needs of this department. MacAllister was the most responsive of the potential dealers contacted, and are offering a generous trade-in on our two machines, significantly more than we would expect to receive at auction.

Having considered multiple options both in the type of machine and the operational requirements of the department. Staff recommends that Council consider the following motions:

To award the purchase of one Caterpillar 420 XE Backhoe as quoted to MacAllister CAT of Novi, in the amount of \$176,611.83, through the Sourcewell cooperative purchasing agreement.

To approve the trade-in of Water/Sewer Unit #455 for \$30,000 and Streets Unit #407 for \$20,000, reducing the total cost of the replacement vehicle to \$126,611.83.

To approve the transfer of \$20,000 from the Water and Sewer Fund to the Streets Fund to account for the cross-departmental trade-in value.

City of Madison Heights Department of Public Services

801 Ajax Drive Madison Heights, Michigan 48071



Aug 22, 2025

CITY OF MADISON HEIGHTS 801 AJAX Madison Heights, Michigan 48071

Dear Dan,

Thank you for this opportunity to quote Caterpillar products for your business needs. We are pleased to quote the following for your purchase consideration.

One (1) New Caterpillar Model: 420XE Backhoe/Industrial Loaders with all standard equipment in addition to the additional specifications listed below:

STOCK NUMBER: SERIAL NUMBER: YEAR: SMU:

MACHINE SPECIFICATIONS

420XE 07A BHL CFG1
SHIPPING/STORAGE PROTECTION
RUST PREVENTATIVE APPLICATOR
FENDERS, FRONT
ENG, 74.5KW, C3.6, T4F
BELT, SEAT, 2" SUSPENSION
TIRES, 340 80-18/500 70-24, MX
STABILIZER PADS, FLIP-OVER
PRODUCT LINK, CELLULAR, PLE643
COUPLING, QD, THREADED CAPS
CUTTING EDGE, TWO PIECE,WIDE
2 Sets of Pins

COMPACTOR PLATE, CVP40 BRACKET, BL, 45-50MM, XL LINES, CVP40-55, BHL HAMMER, H65S BRACKET, BHL 45-50MM, LG LINES, H65, BHL-F BUCKET-HD, 18", 4.2 FT3 BUCKET-HD, 36", 10.3 FT3 BUCKET-GP, 1.31 YD3, IT COUPLER, PG, HYDR.D.LOCK, BHL THUMB, HYD, NO TINE THUMB, TINE, A 2

WARRANTY & COVERAGE

Standard Warranty New CAT Machines - 12 Months Unlimited Hours Full Machine. * All standard Standard Warranty: warranties include travel time and mileage for the first six (6) months. Scheduled Oil Sampling is

required during entire warranty period.

Extended Coverage: 420XE-60 MO/500 HR POWERTRAIN + HYDRAULICS + TECH

Sell Price \$176,611.83

Ext Warranty Included

Total Net Purchase Price \$176,611.83

Thank you for your interest in Dealership and Caterpillar products for your business needs. This quotation is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

Sincerely, Matthew Swain Machine Sales Representative MatthewSwain@macallister.com 586-855-2854

Quote 1446

Item 9.

Quote 1446

Item 9.

-	adison Heights			Disposit	tion:	Trade-In	
/ehicle F	Replacement Guidelines &	Evaluation Wolly those fields shaded in					
ate of Eva		y arese ricide straded in	-	Vehicle Type:	С		
'ehicle #:	455			Type $A = Sedan$	s / Lig <mark>ht Trucks</mark>	≤ 1 Ton	
•	/ Division: Water			Type B = Mediu		> 1 Ton	
ear / Make	/ Model: 2006 John I	Deere Backhoe		Type C = Off Ro	ad Equipment		
ge:	One point for each year of chronol	logical age beginnir	ng with i	n-service date			
n Service D	nate: <u>1/31/2006</u>	Age in Months: Age in Years (ro		·	235 20	Score:	20
Jsage:	Type A = 1 point per 10,000 miles				<u></u> _		
_	<u> </u>	,, .,po	, ра. 2,20		- poc poo		
	Hours: 1,091 as of	9/1/2025				Score:	4
ervice Ty							
Points	Type A Description	 F	Points		Type C Descripti	ion	
1	Standard sedans and light pickups.		1 9	Standard duties as equipped.		_ 	
2	Standard vehicles with occasional off-road usage.			Standard duties when used w	rith attachments (sickle bar	r, backhoes, rear bushhogs).	
3	Any vehicle that pulls trailers, hauls heavy loads, continu	ed off-road usage.	4	Multiple duties based on seas			
4 5	Any vehicle involved in snow removal.		_	Extreme duties in harmful atn		r).	
	Police, Fire, and Rescue service vehicles.		ype B	Heavy construction work inclu	uding snow removal.		
<u>Points</u>		Descri					
1	Standard use including basic job site duties, som	ne light duty hauling.					
2	Standard use with attachments (compressors, lig	jhts, etc.) including job site	e duties, star	ndard load hauling, some	e towing.		
3	Above standard use including job site duties that						
4 5	Above standard use including job side idling and Extreme service, high job site idling and duties w						a etc
3	(Examples: Sign Truck, Tandem or Single Dump			leavy trailer/equipment t	owing, major snow rei	noval daties, refuse collection	i, etc.
	(· · p · · · · · · · · · · · · · · · ·	,				Score:	5
eliability	Note: Based on curre	ent conditions. Pres	ventative	Maintenance wo	rk is not include	<u></u>	
Points			Descr				
1	In shop 0 or 1 time within the last	: 3 months, and no			d calls.		
2	In shop 1 time within the last 3 m	,	,				
3	In shop more than twice within the						
4	In shop more than once within the	e last month, and 2	or more	e breakdowns/roa	d calls within the	e last month.	
5	In shop more than twice monthly	within the last 3 mg	onths, ar	nd 2 or more brea	kdowns within t	the last month.	
lumber of t ny Road C oad Calls /	imes in shop within the last month: imes in shop within the last 3 mont alls or Breakdowns (Y or N): Breakdowns within the last month: Breakdowns within the last 3 mont	ths: :		0 1 N 0			
	e than twice monthly within the las		I):	N		Score:	1
laintenan	ce & Replacement Costs:						
Points	Description						
1	Maintenance costs are less than or	r equal to 20% of r	replacem	ent cost.			
2	Maintenance costs are 21-40% of	replacement cost.	•				
3	Maintenance costs are 41-60% of	replacement cost.					
4	Maintenance costs are 61-80% of	•					
5	Maintenance costs are greater tha	n or equal to 81%	of replac	cement cost.			
otal Mainte	onance Cost	¢7.060	as of	0/1/2025			
	enance Cost urchase Price - New Veh. :	\$7,069 \$140,000	as of as of	9/1/2025 9/1/2025			
	Value of Car to be sold :	\$20,000	as of	9/1/2025			
	et Replacement Cost :	\$120,000	as of	9/1/2025			
	e Cost as % of Replacement Cost:	5.9%	as of	9/1/2025		Score:	1
ondition:							
Points		Ty	ype A Descr	intion			
1	No visual damage or rust and a good drive train		<u>רפרן</u>	<u>.puon</u>			
2	Minor imperfections in body and paint, interior fair (no ri	ps, tears, burns), and a good d	drive train.				
3	Noticeable imperfections in body and paint surface, some			ipment, worn interior (one or	more rips, tears, burns), a	and a weak or noisy drive train.	
4	Previous accident damage, poor paint and body condition	· · · · · ·					
5	Previous accident damage, poor paint, bad interior, drive		_	ajor damage from add-on equ	uipment		
5		T	ype B				
Points			Descr				
1 2	No visual damage or rust, good paint, good interior, no o			· -			
3	Minor imperfections in body and paint, interior fair (no rip Noticeable imperfections in body and paint surface, some				ninor damage from add-on	equipment	
4	Previous accident damage, poor paint & body condition,						
5	Previous accident damage, poor paint & body condition,						
	Type C						
<u>Points</u>	<u>Description</u>	Number of Nota	able Acci	dents:	0 (list numl	ber)	
1	Good condition, fully functional.	Paint / Body:		Good	commen		
2	Fair body, functional.	Interior:	-	Fair	commen		
3	Minor body damage, weak operating system.	Drive Train:	on:	Good	commen		
4 5	Severe damage, component not functional. Extreme damage, inoperable.	General Condition	un:	2 (pick	number from table)	Score:	2
	еласть чатаус, торегале.				Total Sc		33
overall: - 17	Evcollant	ronlace			i otal Sc	ore:	33
- 1/ 8 - 22	Excellent Do not ro Good Re-evalue	eplace. Jate for future budo	net(c)				
3 - 22 3 - 27		s for replacement if		allows			
+		riority replacement.					
epared By		P. Ballantine		Date	::	9/1/2025	
. ,							

	adison H				Disposition:	Trade-In	
ehicle R	Replacem	ent Guidelines					
ate of Eval	uation:	9/1/2025	Only those fields shade	ea iii yellow n	Vehicle Type:	<u>C</u>	
ehicle #:		407			Type A = Sedans / Lig		
epartment	•	Stre		=	Type B = Medium / He	, ,	
ear / Make		2003	CAT Backhoe		Type C = Off Road Eq	uipment	
ge:	One point f	or each year of chror	nological age begir	nning with i	n-service date		
Service D	ate:	8/7/2003	Age in Month		264	-	
			Age in Years	(rounded):	22	Score:	22
sage:	Type A = 1	point per 10,000 mil	les; Type B = 1 po	oint per 5,00	00 miles; Type C = 1 poi	nt per 250 hours used	
Actual	Mileage:						
	Hours:	3,380 as o	of 9/1/2025			Score:	14
ervice Ty	pe:						
	Туре А				Ту	rpe C	
<u>Points</u> 1	Standard sedans a	<u>Description</u>		<u>Points</u> 1	Standard duties as equipped.	<u>Description</u>	
2		with occasional off-road usage.		2		ments (sickle bar, backhoes, rear bushhogs).	
3	Any vehicle that pu	ills trailers, hauls heavy loads, con	tinued off-road usage.	3	Multiple duties based on seasons (snow		
4	Any vehicle involve			4	Extreme duties in harmful atmosphere		
5	Police, Fire, and Re	escue service vehicles.		5 Type B	Heavy construction work including snov	v removal.	
<u>Points</u>			<u>De</u>	escription			
1		cluding basic job site duties, s	- / -				
2 3					ndard load hauling, some towing.	collection	
4					light trailer/equipment towing, leaf equipment and heavy trailers, light		
5			=			ajor snow removal duties, refuse collec	tion, etc.
	(Examples: Sign	Truck, Tandem or Single Du	mp Truck, Snow Removal	Truck).		Canal	
					44	Score:	5
eliability:		Note: Based on cui	rrent conditions. P		e Maintenance work is no ·	t included.	
<u>Points</u> 1	In chan () o	r 1 time within the la	est 2 months, and		<u>ription</u> reakdowns or road calls.		
2			,	,	ad call within the last 3 r	months.	
3	•		•		breakdowns or road call		
4			•		breakdowns/road calls		
5	In shop mo	re than twice monthl	y within the last 3	months, a	nd 2 or more breakdown	s within the last month.	
lumber of t	imes in shor	within the last mont	th:		0		
		within the last 3 mo			1		
		downs (Y or N):			N		
		s within the last mont s within the last 3 mo			0		
•		monthly within the l		r N):	N	Score:	1
laintenan	ce & Repla	cement Costs:	-	-		-	
Points	Description						
1		e costs are less than			ent cost.		
2		e costs are 21-40%					
3 4		e costs are 41-60% (e costs are 61-80% (•				
5		e costs are greater t			cement cost.		
		J					
	nance Cost	: :	\$19,494		, ,		
	urchase Price Value of Car	e - New Veh. :	\$140,000 \$20,000	_			
	et Replacem		\$120,000	_			
		of Replacement Cost		_		Score:	1
ondition:							
				Туре А			
Points				Desc	<u>ription</u>		
1 2		or rust and a good drive train	o sine toose have	and drive too!			
3		s in body and paint, interior fair (n ctions in body and paint surface, s			ipment, worn interior (one or more rips,	tears, burns), and a weak or noisy drive train	1.
4						uipment, and one drive train component bad.	
5				noperative, and m	ajor damage from add-on equipment		
Doints				Type B	rintion		
<u>Points</u> 1	No visual damage	or rust, good paint, good interior, i	no damage from add-on equip		ription dification, good drive train.		
2		s in body and paint, interior fair (n					
3					n, minor body modification, minor damag		
4						fication evidence, 1 drive train component ba	
5		lamage, poor paint & body condition	on, bad interior, drive train dar	maged or inoperat	ve, major body modifications, major dan	nage from add-on equipment and attachment	S.
<u>Points</u>	<u>' y</u>	<u>Description</u>	Number of N	otable Acci	dents: 0	(list number)	
1	Good condition,		Paint / Body:		Poor	comment	
2	Fair body, functi		Interior:		Poor	comment	
3 4		age, weak operating system.	Drive Train:	dition	Fair (nick number	comment	
4 5	Severe damage, Extreme damage	component not functional.	General Cond	uitiO[];	(pick number	from table) Score:	3
	-Au Cine udilidyi	о, торставісь					
verall:	Eveeller	5	t ronla so			Total Score:	46
- 17 8 - 22	Excellent Good		t replace. aluate for future bu	udaet(s)			
3 - 22 3 - 27	Fair		es for replacement		allows.		
}+	Poor		priority replaceme				
repared By	: <u></u>	Sea	n P. Ballantine		Date:	9/1/2025	



Trade Appraisal

Machine Information							
Appraisal No. 24964				Submit Date 08/21/2025		Inspection 102249	
Customer CITY OF M	ADISO	N HEIGH	TS				
	anufacturer OHN DE						
Serial Number 954016		Compat 416 BHL					
Hours 1,094		Miles 0		Idle Hours 0			
Acquisition Condition TRADE-IN 3 - Good					d		
Features CAB, AC, E	STK, RC	C, 4WD, G	P BKT, R	BKT, 12.5/80)-18, 19.5-R2	4	
Lease Return No	RVG/Gu No	arantee	Guarantee \$0		Term Hours 0		Term Date

	Average Austin	•				
	Average Auctio					
Avg Retail	Auction (90 Days)	Auction (365 Days)				
\$33,000	\$0	\$18,000				
	Average Retail					
	Units Sold	Avg Sell Price				
Inventory Units	0	\$0				
	Units Sold	Avg Sell Price				
In State Sales	0	\$0				
	Units Sold	Avg Sell Price				
Out of State Sales	0	\$0				

Machine Prici	ng	Issues Noticed
Trade Value	\$30,000	Top front edge of fiberglass hood cracked/broken
Estimated Repairs	\$2,000	
Freight	\$500	
Total Cost	\$32,500	Repairs Needed
Consignment	\$0	retail
Margin	20%	
Starting Asking Price	\$40,625	
Purchase Price	\$0	

Sales Rep Matthew J Swain	Store Macomb
Evaluated By Willard D Dowd	Expiration Date 10/05/2025



Trade Appraisal

			IV	lachine Infor	mation		
Appraisal No. 24962				Submit Date 08/21/2025		Inspection No. 10224946	
Customer CITY OF M.	ADISOI	N HEIGH	TS			1	
	anufacturer ATERPI	LLAR			Vender Model 420D		Sales Model 420D
Serial Number FDP13076		Compat 420 BHL					
Hours 3,433		Miles 0		Idle Hours 0			
Acquisition TRADE-IN				Condition 3 - Goo	d		
Features CAB, HTR, I	ESTK, G	P BKT, R	BKT, 4WI	D, 12.5/80-18	s, 19.5-R24	•	
Lease Return No	RVG/Gu No	· .	Guarantee \$0	•	Term Hours		Term Date

	Average Auction					
Avg Retail	Auction (90 Days)	Auction (365 Days)				
\$32,000	\$0	\$24,000				
Average Retail						
	Units Sold	Avg Sell Price				
Inventory Units	1	\$0				
	Units Sold	Avg Sell Price				
In State Sales	27	\$42,791				
Units Sold Avg Sell Price						
Out of State Sales	59	\$28,618				

Machine Pricing		Issues Noticed
Trade Value	\$20,000	Could not open battery box door latch is stuck
Estimated Repairs	\$2,000	hinges very rustyext hoe wornHydraulic functions operated good except for rear boom down, boom down
Freight	\$500	operating very slow when using function alone. When paired with another function boom down operates as it should. Possible problem in resolver network2-5/16in holes drilled into riside pillar post for CBmounting bracket
Total Cost	\$22,500	Repairs Needed
Consignment	\$500	wholesale piecedecertified rops
Margin	20%	
Starting Asking Price	\$28,125	
Purchase Price	\$0	

Sales Rep Matthew J Swain	Store Novi
Evaluated By Willard D Dowd	Expiration Date 10/05/2025



AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/8/25

PREPARED BY: Matt Lonnerstater, AICP

Ordinance 2205 - Rezoning PRZN 25-01, 25-02, 25-03, 25-04, 25-06 -

AGENDA ITEM CONTENT: City-Initiated Rezonings. First Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

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. The following properties are included in this rezoning request:

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 25-06 – Eastern 130 ft. of 30728 John R Road [R-2 to B-1]

The Planning Commission recommended that case PRZN 25-05 - 500 W. Gardenia Avenue [R-3 to R-MN] be withdrawn from this request for further analysis.

RECOMMENDATION:

Staff recommends that the City Council conduct the first reading for Ordinance # 2205 (PRZN 25-01 through 25-04; and PRZN 25-06), and schedule the second and final reading for the September 29th, 2025 City Council Meeting.



Report Date: August 28th, 2025

To: City of Madison Heights City Council

Meeting Date: September 8th, 2025

From: Matt Lonnerstater, AICP – City Planner

Subject: Ordinance 2205 - 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]

PLANNING COMMISSION RECOMMENDATION: APPROVE PRZN 25-01 through 25-04 and 25-06; WITHDRAW PRZN 25-05

Introduction

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.

Planning Commission Action and Findings.

Per the Zoning Ordinance adopted in 2024, Rezoning requests begin at the Planning Commission for a public hearing, with a recommendation made to City Council for final action. A public hearing was held at the **August 19th**, **2025 Planning Commission meeting.** Several members of the public spoke regarding the request and had concerns pertaining to PRZN # 25-05. Following the public hearing, the Planning Commission approved the following motion pertaining to the city-initiated rezonings:

MOTION BY COMMISSIONER FOX, SECONDED BY GRAETTINGER, THAT THE PLANNING COMMISSION HEREBY **RECOMMENDS 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# 44-25-12-226-009) 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 25-06 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.

It is further recommended that city-initiated request PRZN 25-05— to rezone 500 W. Gardenia Avenue (TM# 44-25-14-276-005) from R-3 to R-MN, Residential Mixed-Neighborhood - be withdrawn so that the future land use designation can be further evaluated as part of the 5-year Master Plan update.

Voting Yea: Pro Tem Bliss, Commissioner Fox, Vice Chair Graettinger, Commissioner Sylvester, Chair Champagne.

Motion carries

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.

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. Further rezonings to the R-MN district would permit new "missing-middle" housing types such as duplexes, triplexes, quadplexes, and townhomes that were severely restricted in the previous Zoning Ordinance.

Stacked Duplex



Stacked Quadplex



<u>Letter to Property Owners and Office Hours</u>

Several weeks prior to the 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 Planning Commission 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.

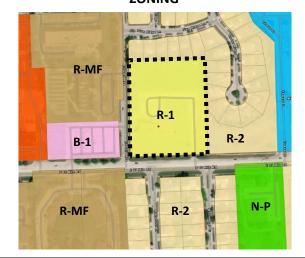
Master Plan Considerations

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.

PRZN 25-01 - 555 E. 13 MILE ROAD

Madison Heights Church of Nazarene: 555 E. 13 Mile Road

ZONING



Current Zoning: R-1, One-Family Residential

Proposed Zoning District: R-MN, Mixed

Neighborhood
Size: 5 Acres

Future Land Use: Single-Family

Status: Active Church



Adjacent Land Uses:

North: Single-Family Residential East: Single-Family Residential South: Single-Family Residential

West: Medical Office



Planning Commission Recommendation: Approve

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 residential character of East 13 Mile while allowing for additional density appropriate along 13 Mile Road.

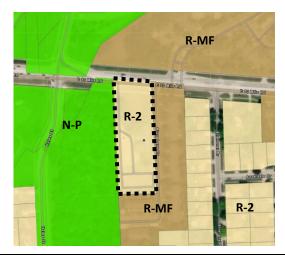
Non-Conformity Consideration: Religious Institutions would continue to be permitted as a Special Land Use under the R-MN district. The existing building appears to meet dimensional standards of R-MN.

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

St. Patrick Episcopal Church: 1434 E. 13 Mile Road

ZONING



Current Zoning: R-2, One-Family Residential Proposed Zoning District: R-MF, Multi-Family

Size: 2 Acres

Future Land Use: Multiple-Family

Status: Active Church

AERIAL



Adjacent Land Uses:

North: Multiple-Family Residential East: Attached Single-Family Residential South: Attached Single-Family Residential

West: Red Oaks Nature Center



Planning Commission Recommendation: Approve

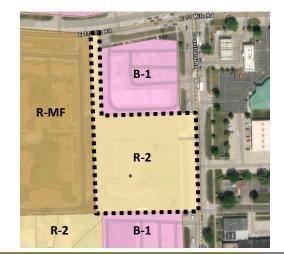
Discussion: Under its current zoning designation (R-2), this property is restricted to those uses permitted in the one-family residential districts (primarily single-family homes). The R-2 district has a minimum lot size of 7,200 square feet, meaning that the property could theoretically accommodate 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

Arabic Evangelical Alliance Church: 30801 Dequindre Road

ZONING



Current Zoning: R-2, One-Family Residential

Proposed Zoning: MUI-2, Mixed Use Innovation 2

Size: 3 Acres

Future Land Use: Commercial

Status: Active Church

AERIAL



Adjacent Land Uses:

North: Commercial

East: Commercial (Warren)

South: Commercial West: Multi-Family



Planning Commission Recommendation: Approve

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 O-1 R-3 R-3

Current Zoning: R-3, One-Family Residential
Proposed Zoning District: R-MN, Mixed Neighb.

Size: 0.7 Acres

Future Land Use: Single-Family

Status: Active Church



Adjacent Land Uses:

North: Single-Family Residential East: Single-Family Residential South: Single-Family Residential West: Single-Family Residential



Planning Commission Recommendation: Approve

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 [WITHDRAWN]



Current Zoning: R-3, One-Family Residential Proposed Zoning District: R-MN, Mixed Neighb.

Size: 4.75 Acres

Future Land Use: Single-Family

Status: Active Church



Adjacent Land Uses:

North: Single-Family Residential East: Single-Family Residential South: Single-Family Residential West: Single-Family Residential



Planning Commission Recommendation: Withdraw

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). 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 recommended 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. However, the Planning Commission had concerns about the R-MN district extending deep into the existing single-family residential neighborhood, and recommended that the case be withdrawn for further analysis as part of the Master Plan update.

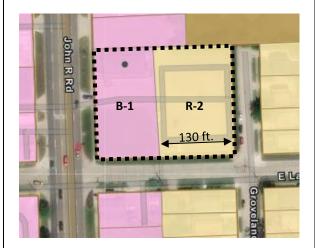
Non-Conformity Consideration: Religious Institutions of all sizes would continue to be permitted as a Special Land Use under the R-MN district. The existing building appears to meet dimensional standards.

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



Current Zoning: West side: B-1, Neighborhood Business. East side: R-2, One-Family Residential Proposed Zoning District: B-1, Neighb. Business

Size: 1.06 acres

Future Land Use: Multi-Family

Status: Vacant church

AERIAL



Adjacent Land Uses:

North: Commercial

East: Single-Family Residential South: Commercial/Single-Family

Residential West: Commercial



Planning Commission Recommendation: Approve

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. 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**, which 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/landscaping along residential property lines.

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.

Next Step

Based on the recommendation of approval from the Planning Commission and their pertinent findings, staff recommends that City Council conduct its first reading of Ordinance #2205 (PRZN 25-01, 25-02, 25-03, 25-04, and 25-06) and schedule the second and final reading for the September 29th, 2025 City Council Meeting. Note that per the Planning Commission's recommendation, this Ordinance does not include case PRZN 25-05 (500 W. Gardenia). An additional public hearing is not required.

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

Template Motion for Second Reading and Ordinance Adoption | Findings and City Council Action

Template motions for Ordinance 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, City Council may make separate motions for each individual rezoning case using the template below, if desired.

MOTION BY ______, SECONDED BY _____ THAT CITY COUNCIL HEREBY **ADOPT** ORDINANCE # 2205, THEREBY APPROVING 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# 44-25-12-226-009) 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.
- 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 APPROVAL IS MADE AFTER THE REQUIRED PUBLIC HEARING, HELD AT THE PLANNING COMMISSION MEETING ON AUGUST 19th, 2025, 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.

It is further moved that city-initiated request PRZN 25-05— to rezone 500 W. Gardenia Avenue (TM# 44-25-14-276-005) from R-3 to R-MN, Residential Mixed-Neighborhood - be withdrawn so that the future land use designation can be further evaluated as part of the 5-year Master Plan update.

ORDINANCE NO. 2205

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2198, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW ZONING ORDINANCE FOR THE CITY OF MADISON HEIGHTS, BY AMENDING THE ZONING MAP CONTAINED WITHIN APPENDIX A.

THE CITY OF MADISON HEIGHTS ORDAINS:

<u>SECTION 1.</u> PRZN #25-01. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 1, ASSESSOR'S PLAT NO 1, OUTLOT A EXC N 5 FT OF W 416.02 FT, ALSO EXC ELY 1060 FT 9-29-95 FR 007

PIN 44-25-01-376-010. 555 E. 13 MILE ROAD

Shall be changed from R-1, ONE-FAMILY RESIDENTIAL, TO R-MN, RESIDENTIAL MIXED-NEIGHBORHOOD

<u>SECTION 2.</u> PRZN #25-02. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 12, PART OF NE 1/4 BEG AT PT DIST N 82-47-00 W 1552.45 FT FROM NE SEC COR, TH N 82-47-00 W 175 FT, TH S 00-14-00 W 760.82 FT, TH S 88-39-00 E 173.73 FT, TH N 00-14-00 E 743.06 FT TO BEG EXC THAT PART TAKEN FOR "PLUM LANE COMDOMINIUM INC" OCCP NO 664 1.96 A 4/5/90 FR 001

PIN 44-25-12-204-038. 1434 E. 13 MILE ROAD

Shall be changed from R-2, ONE-FAMILY RESIDENTIAL, TO R-MF, RESIDENTIAL MULTI-FAMILY.

<u>SECTION 3</u>. PRZN #25-03. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 12, CR43A-2, PART OF NE 1/4 BEG AT PT DIST N 82-47-00 W 333.80 FT FROM NE SEC COR, TH N 82-47-00 W 30.17 FT, TH S 01-13-00 W 621.33 FT, TH S 88-39-00 E 361.97 FT, TH N 01-13-00 E 340.00 FT, TH N 88-39-00 W 331.97 FT, TH N 01-13-00 E 278.25 FT TO BEG 3.02 A

PIN 44-25-12-226-009. 30801 DEQUINDRE ROAD

Shall be changed from R-2, ONE-FAMILY RESIDENTIAL, TO MUI-2, MIXED-USE INNOVATION 2.

<u>SECTION 4.</u> PRZN #25-04. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 13 E 185 FT OF N 225 FT OF NW 1/4 EXC N 60 FT TAKEN FOR RD 0.70 A

PIN 44-25-13-130-024. 1042 E. 12 MILE ROAD

Shall be changed from R-3, ONE-FAMILY RESIDENTIAL, to R-MN, RESIDENTIAL MIXED-NEIGHBORHOOD

<u>SECTION 5.</u> PRZN #25-06. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the EASTERN 130 FEET of following described property, to-wit:

T1N, R11E, SEC 12, NORTHEASTERN HWY SUB NO 1, LOTS 321 TO 329 INCL, ALSO 1/2 OF VAC ALLEY ADJ TO SAME, ALSO LOTS 477 TO 481 INCL, ALSO 1/2 OF VAC ALEY ADJ TO SAME

PIN 44-25-12-101-057. 30728 JOHN R ROAD

Shall be changed from R-2, ONE-FAMILY RESIDENTIAL, TO B-1, NEIGHBORHOOD BUSINESS.

<u>SECTION 6.</u> All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

<u>SECTION 7.</u> This ordinance shall take effect ten (10) days after its adoption and upon publication.

Roslyn Grafstein Mayor
Cheryl E. Rottmann
City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on ______, 2025.

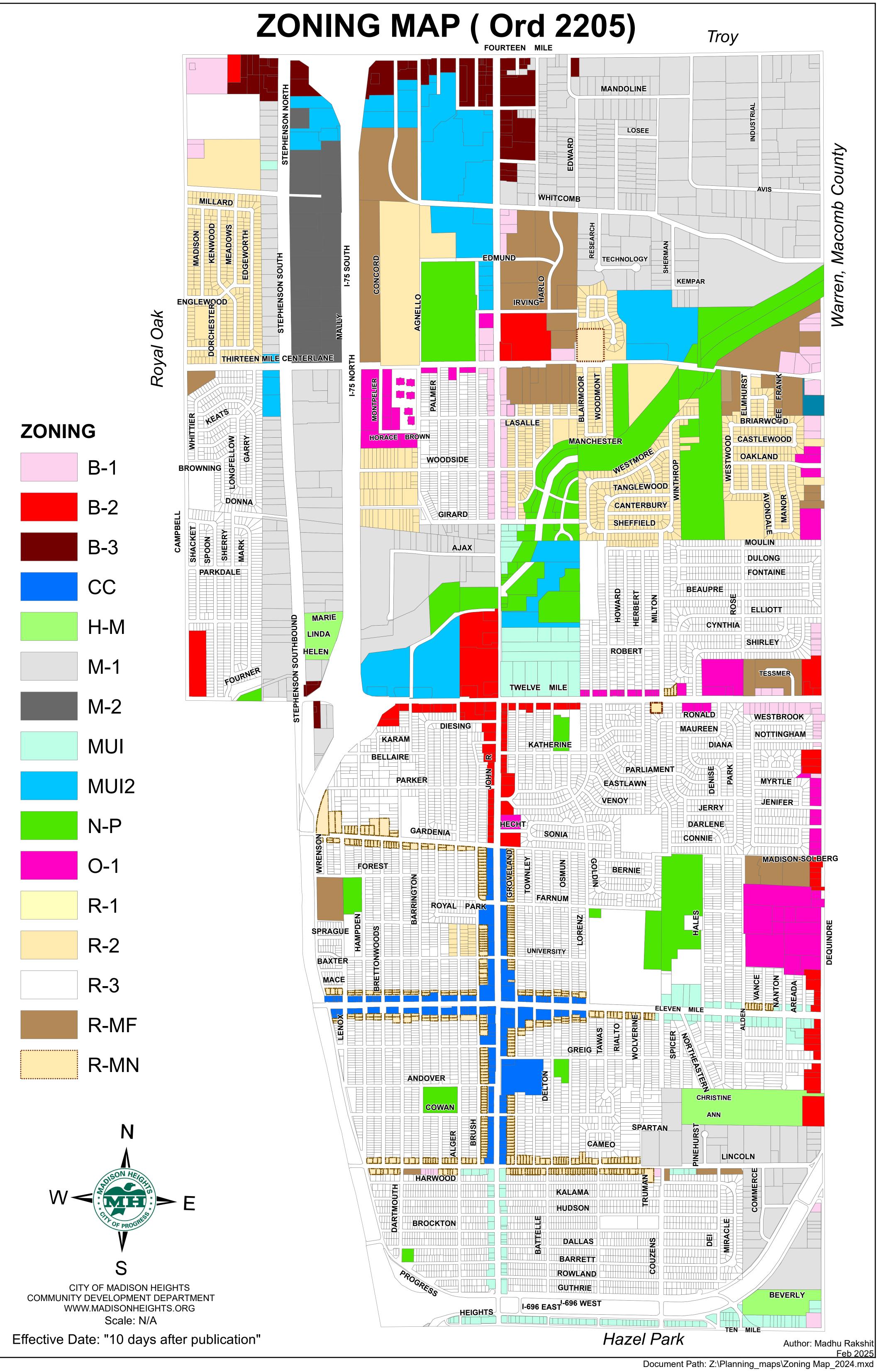
Cheryl E. Rottmann
City Clerk

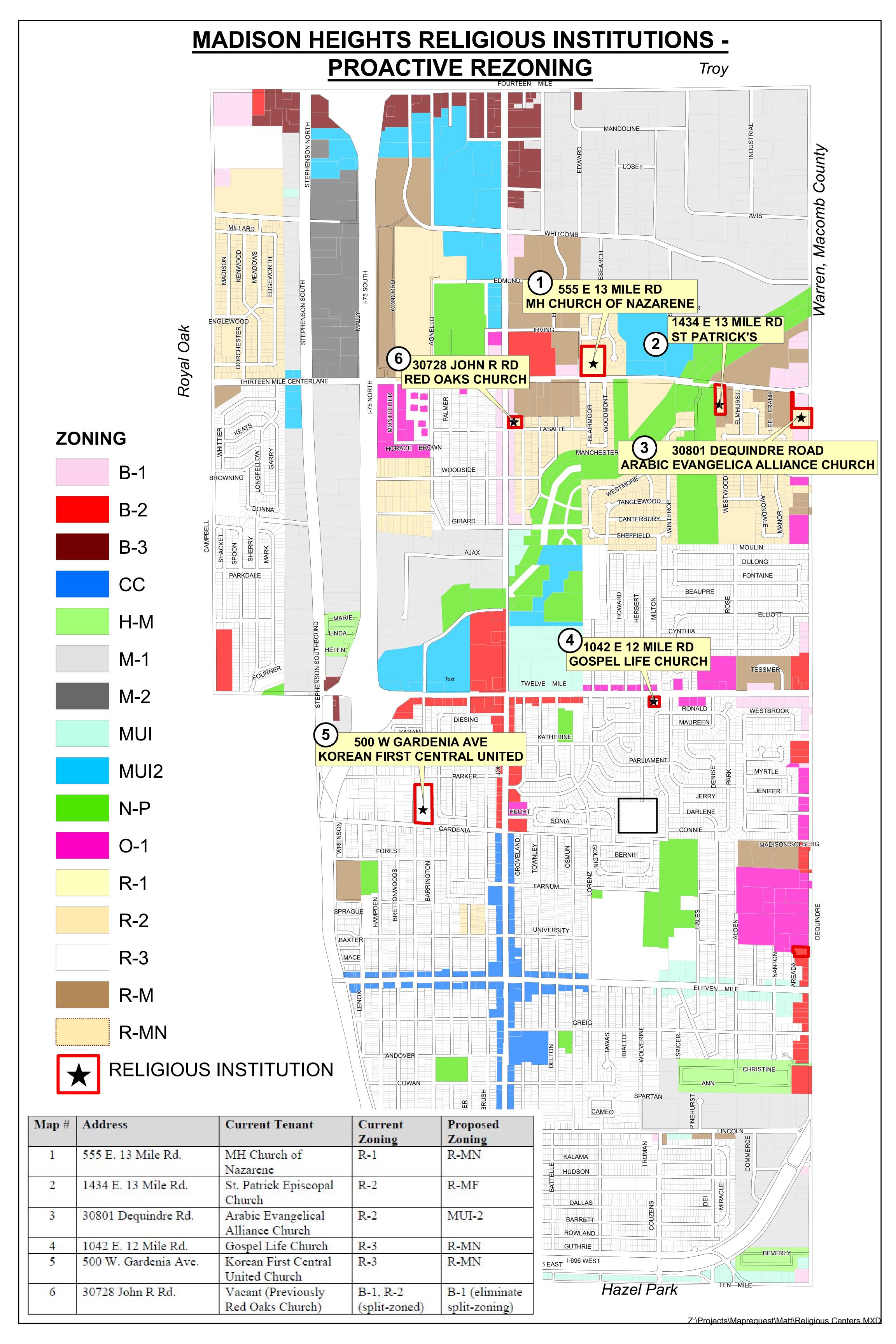
FIRST READING: September 8th, 2025

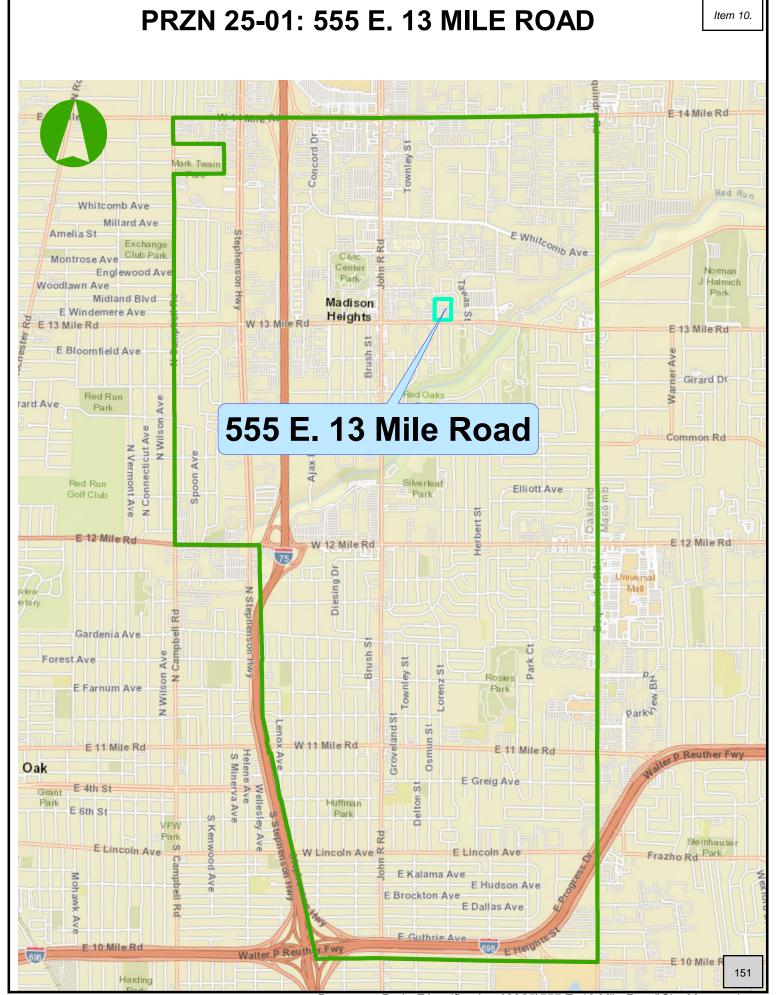
SECOND READING:

ADOPTED: PUBLISHED: EFFECTIVE:









Document Path: Z:\notifications\2025\555 E. 13 Mile Road\Site Map.mxd

Site Address: 555 E. 13 Mile Road

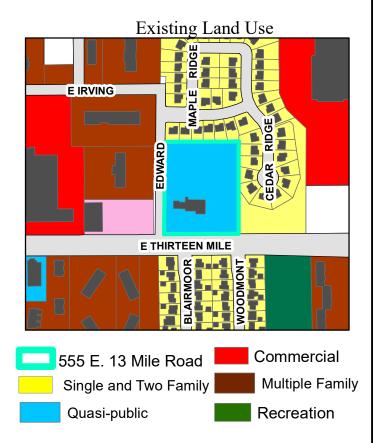
Parcels

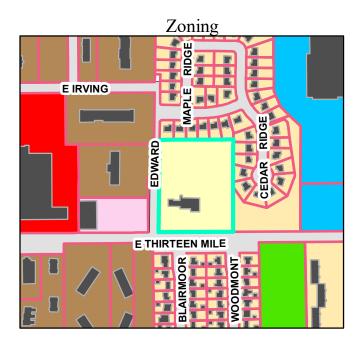


Click for maps



555 E. 13 Mile Road





MUI2

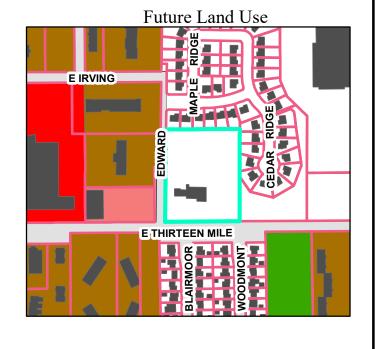
R-M

N-P Natural Preservation

555 E. 13 Mile Road

B-1

B-2



Commercial

152

Office

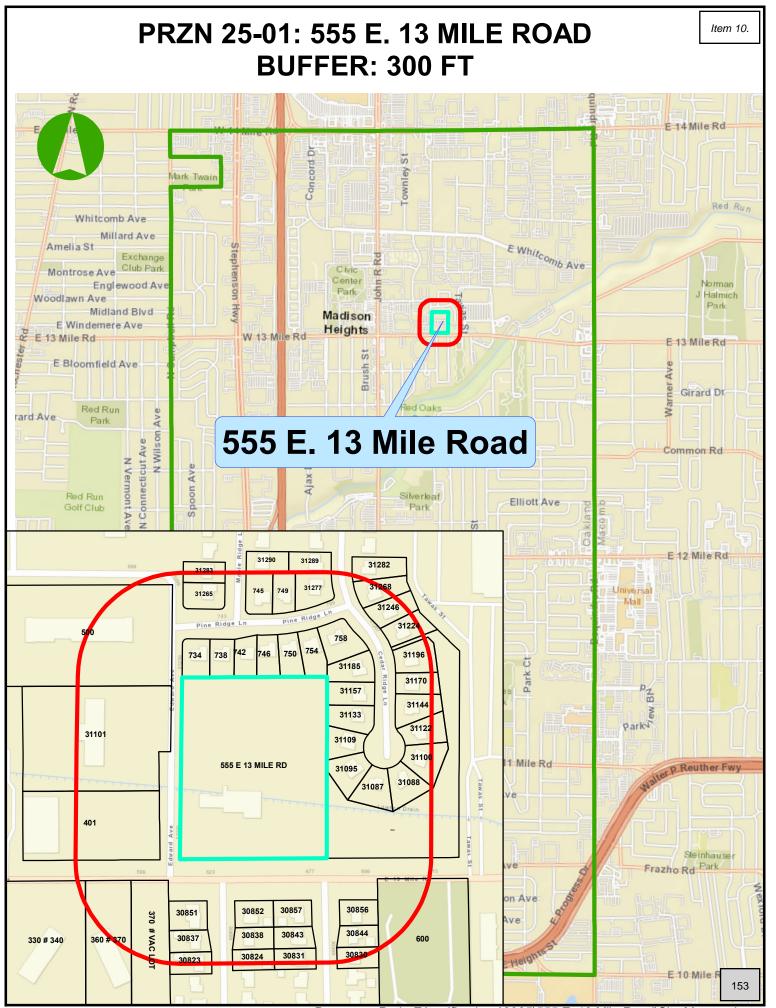
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Recreatio

555 E. 13 Mile Road

Multiple Family

Single Family



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PRZN 25-02: 1434 E. 13 MILE ROAD Item 10. E 14 Mile Rd Mark Twair Whitcomb Ave Millard Ave E Whitcomb Ave Amelia St Exchange Club Park Civic Montrose Ave 00 Center Norman Englewood Ave J Halmich Woodlawn Ave Park Midland Blvd Madison E Windemere Ave Heights E 13 Mile Rd E 13 Mile Rd Brush St E Bloomfield Ave Ave Girard Dr Red Run Ave rard Ave Park 1434 E. 13 Mile Road N-Wilson N Connecticut Av Common Rd Spoon Ave Vermont Ave Red Run Silverleaf Elliott Ave Golf Club Park Herbert St E 12 Mile Rd E 12 Mile Rd W 12 Mile Rd 75 Diesing Dr N Stephenson Hw etery Gardenia Ave さ Brush Forest Ave ley St Rosies E Farnum Ave Park Park GrovelandS W 11 Mile Rd E 11 Mile Rd S Minerva Ave P Reuther Fw Oak E Greig Ave E 4th St Wellesley Delton Huffman E 6th St Ave Rd Park Steinhauser E Lincoln Ave E Lincoln Ave W Lincoln Ave Frazho Rd Park E Kalama Ave E Hudson Ave E Brockton Ave E Dallas Ave E Guthrie Ave Walter P Reuth r Fwy 696 E 10 Mile I 154 Harding

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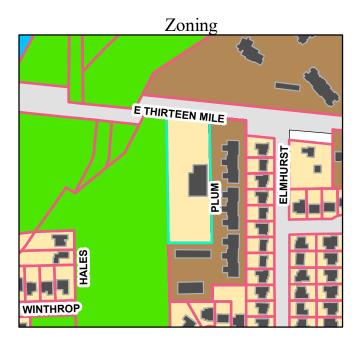
Site Address: 1434 E. 13 Mile Road



Click for maps







1434 E. 13 Mile Road

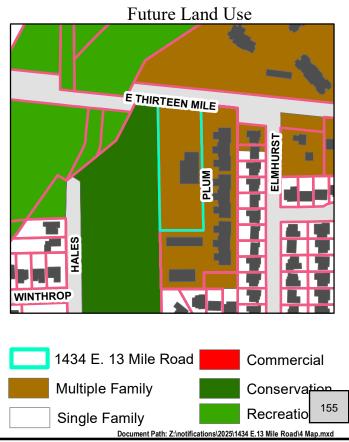
R-1

MUI2

R-M

N-P Natural Preservation





PRZN 25-02: 1434 E. 13 MILE ROAD Item 10. **BUFFER: 300FT** E 14 Mile Rd Whitcomb Ave Millard Ave E Whitcomb Ave Amelia St Exchange Club Park Montrose Ave 00 Center Norman Englewood Ave J Halmich Woodlawn Ave Park Midland Blvd Madison E Windemere Ave Heights E 13 Mile Rd E 13 Mile Rd E Bloomfield Ave Girard Dr Red Run rard Ave Park 1434 E. 13 Mile Road N-Wilson Common Rd Spoon Ave Red Run Silverleaf Elliott Ave Golf Club Park E 12 Mile Rd 5 30989 Park 30969 1 Mile Rd P Reuther Fw 30909 30889 Steinhauser 30869 Frazho Rd Park 30920 30849 30970 30829

30809

30655

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E 10 Mile I

156

PRZN 25-03: 30801 DEQUINDRE ROAD Item 10. E 14 Mile Rd Mark Twain 30801 Dequindre Road Whitcomb Ave Millard Ave Amelia St hitcomb Ave Exchange R Rd Club Park Civic Montrose Ave Center Norman Englewood Ave Park J Halmich Woodlawn Ave Park Midland Blvd Madison E Windemere Ave Heights E 13 Mile Rd W 13 Mile Rd E 13 Mile Rd Brush St E Bloomfield Ave Ave Girard Dr Red Oaks Red Run Ave rard Ave Golf Park Course N-Wilson ConnecticutAv Common Rd Spoon Ave Vermont Ave Red Run Silverleaf Elliott Ave Golf Club Park Herbert St E 12 Mile Rd E 12 Mile Rd W 12 Mile Rd 75 Diesing Dr N Stephenson Hw etery Gardenia Ave さ Brush Forest Ave ey St Rosies E Farnum Ave Park Park GrovelandS W 11 Mile Rd E 11 Mile Rd E 11 Mile Rd S Minerva Ave P Reuther Fw Oak E Greig Ave E 4th St Wellesley Delton Huffman E 6th St Park Kenwood Ave Rd Park Steinhauser E Lincoln Ave E Lincoln Ave W Lincoln Ave Frazho Rd Park E Kalama Ave E Hudson Ave E Brockton Ave E Dallas Ave E Guthrie Ave Walter P Reuth r Fwy 696 EHEIG 696 E 10 Mile I 157 Harding

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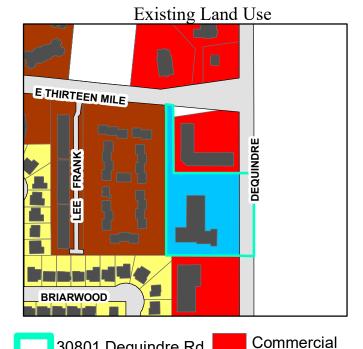
Parcels



Multiple Family

Click for map





30801 Dequindre Rd

Quasi-public

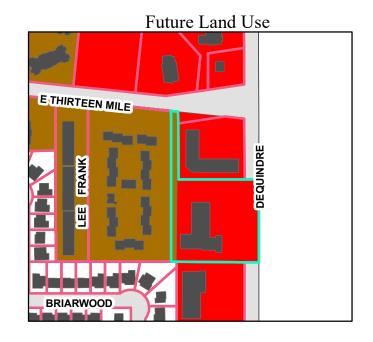
Single and Two Family

30801 Dequindre Rd

Multiple Family



30801 Dequindre Rd



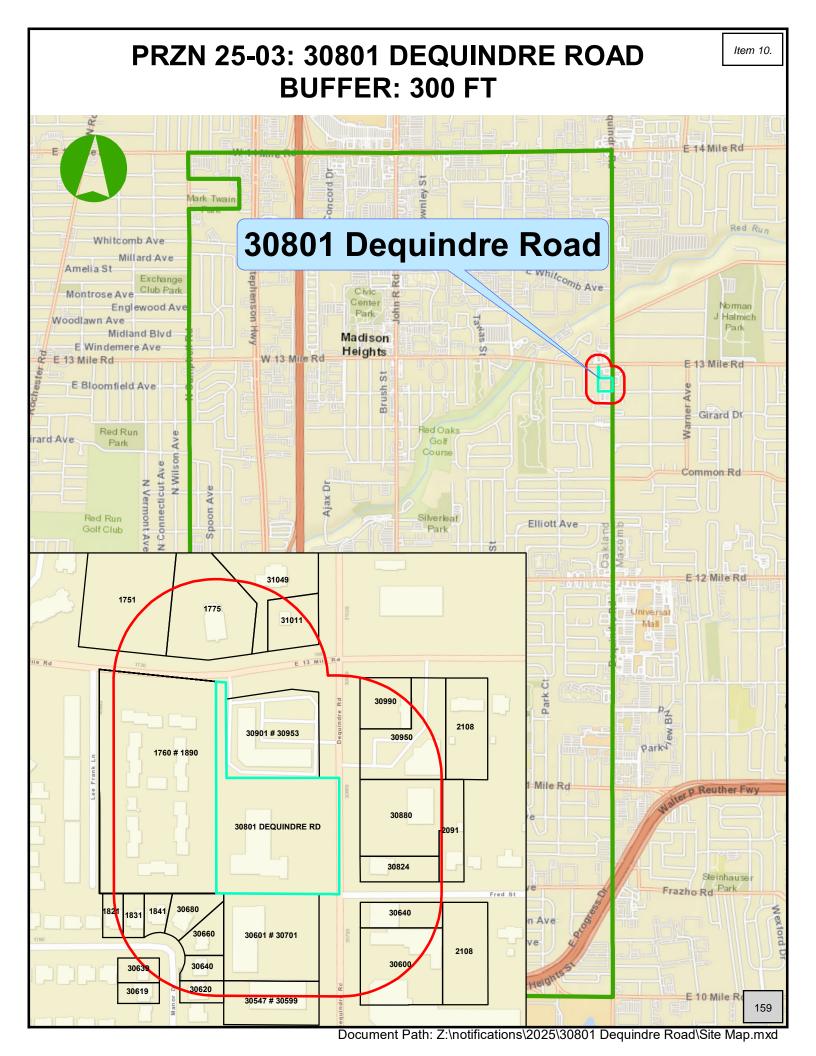


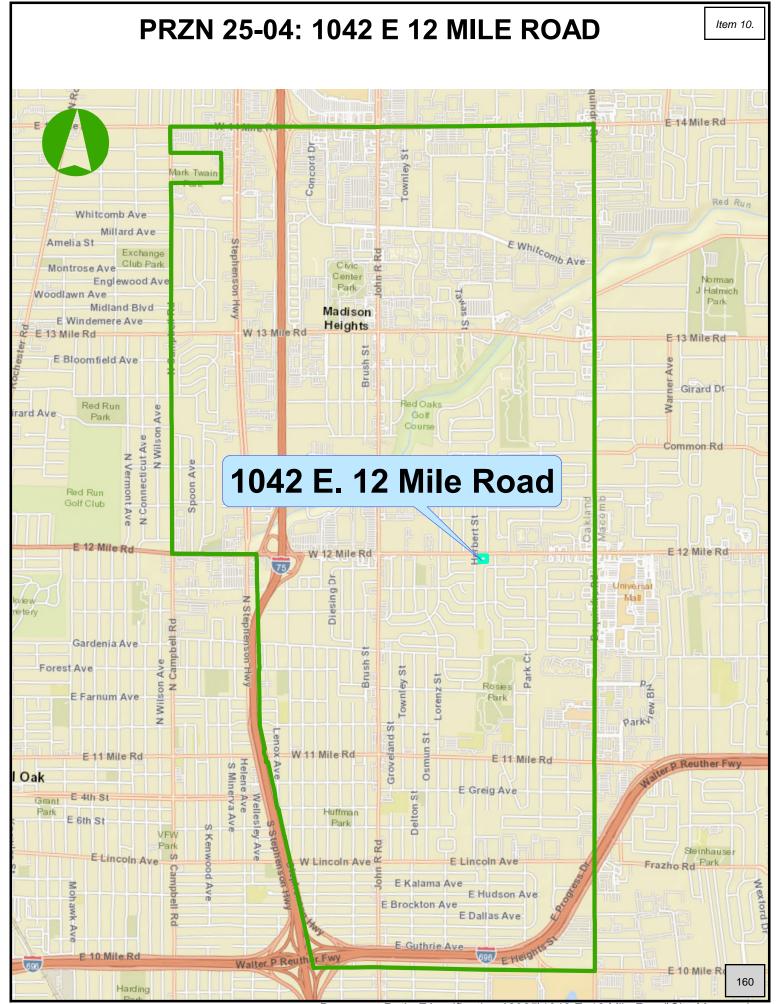
BRIARWOOD

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Commercial

Single Faسالا





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Site Address: 1042 E.12 Mile Road

Parcels

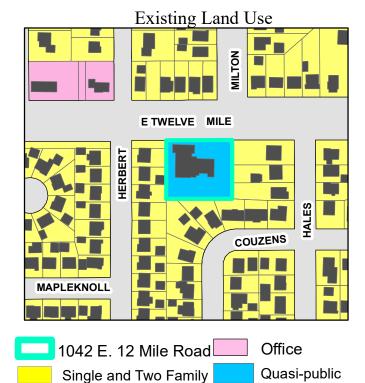
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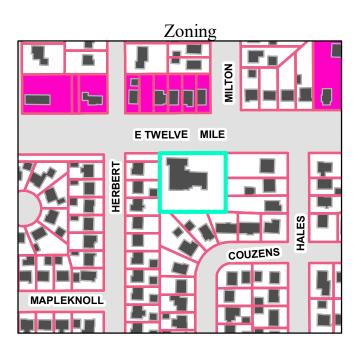


Click for map



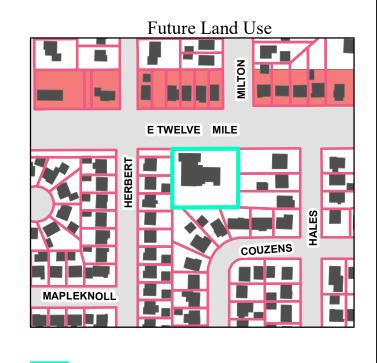
1042 E. 12 Mile Road





1042 E. 12 Mile Road

R-3

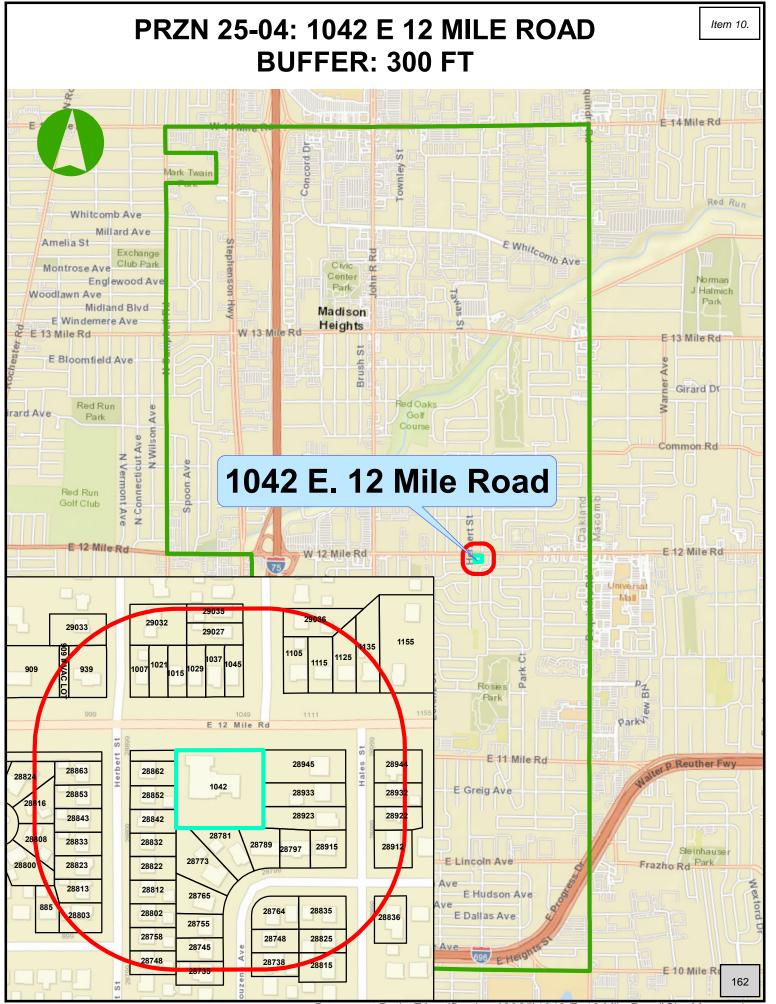


1042 E. 12 Mile Road

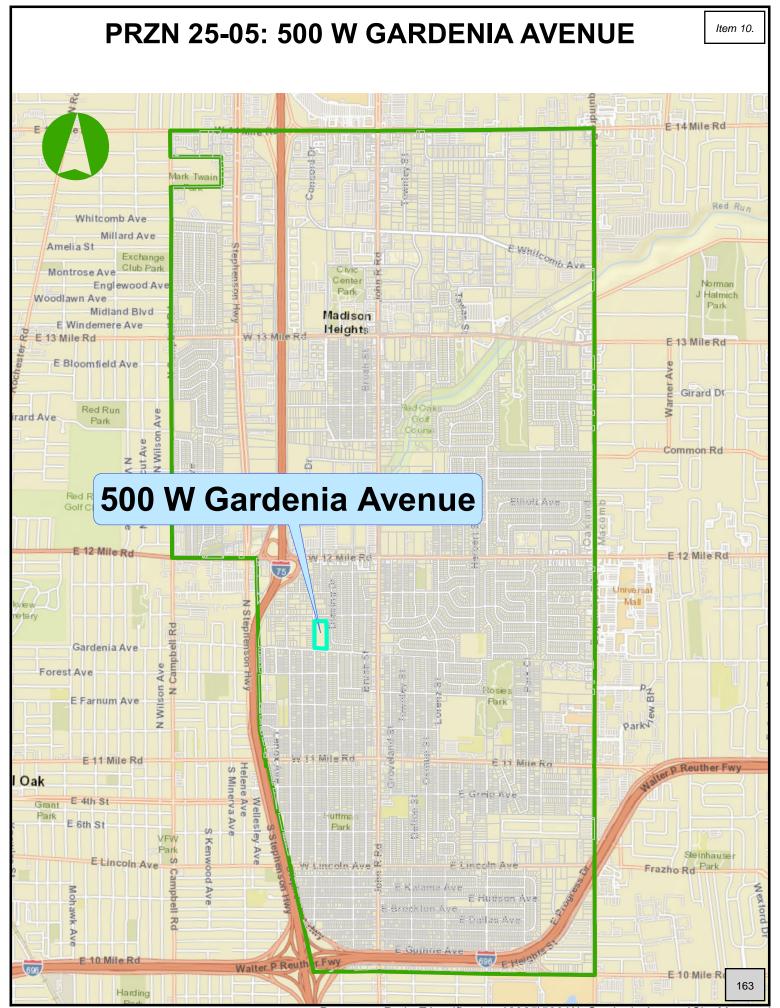
Single Family

Office

161



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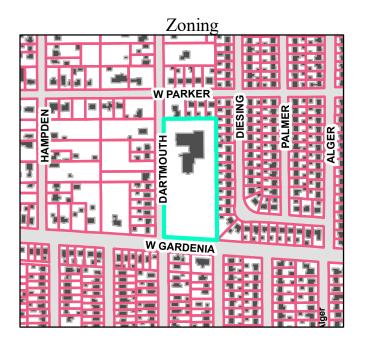
Site Address: 500 W Gardenia Avenue



Click for map

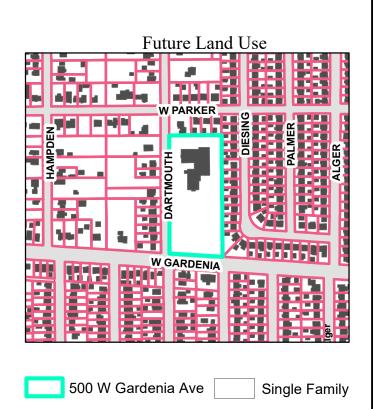


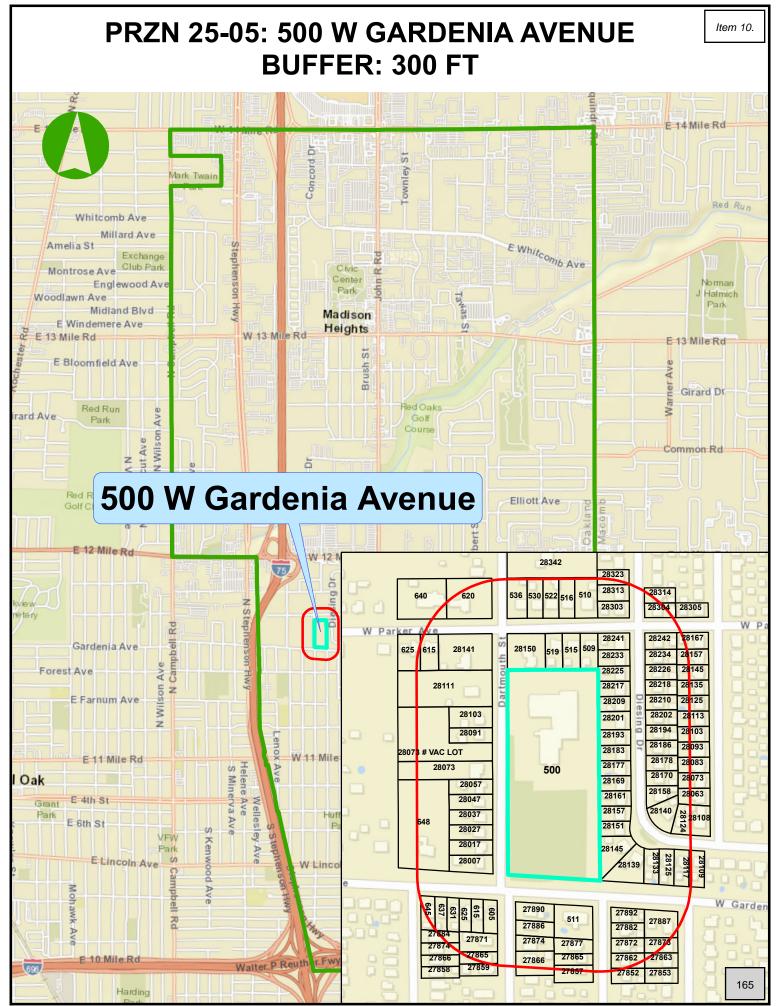




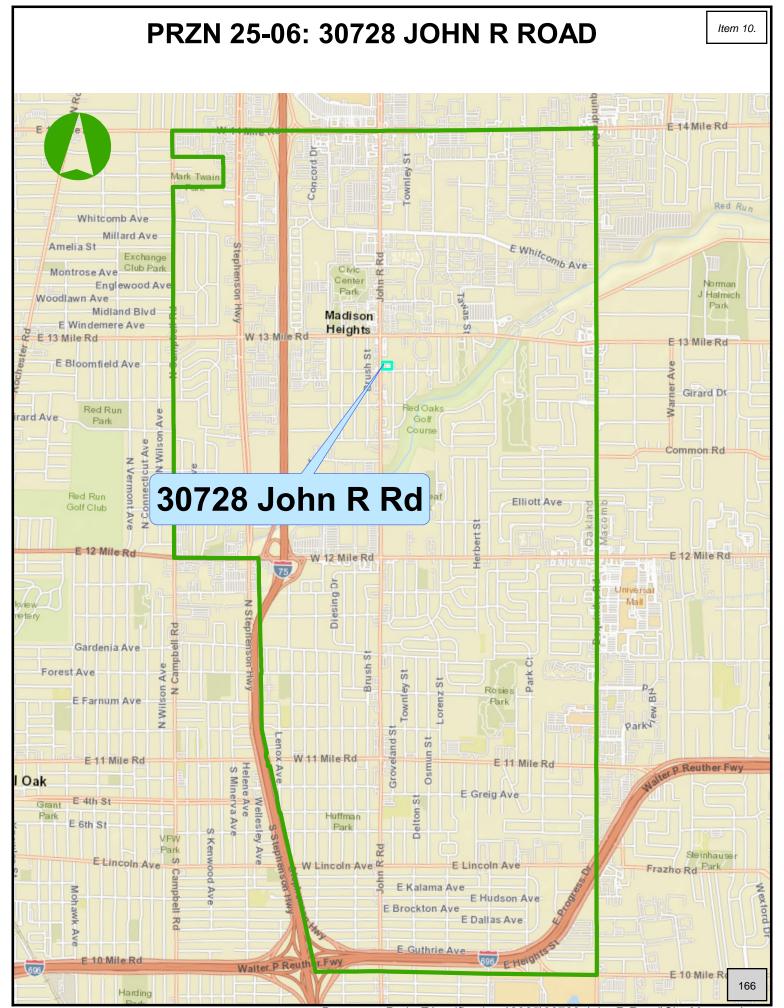
R-3

500 W Gardenia Ave





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Document Path: Z:\notifications\2025\30728 John R Road\Site Map.mxd

Site Address: 30728 John R Road

Parcels



Commercial

Office

Multiple Family

Click for map



Existing Land Use

BROWN

BROWN

BLASALLE

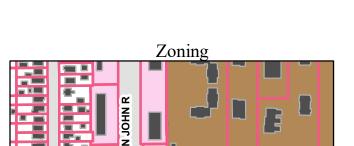
LOWNIE LASALLE

LOW

30728 John R Rd

Quasi-public

Single and Two Family



E LASALLE

30728 John R Rd

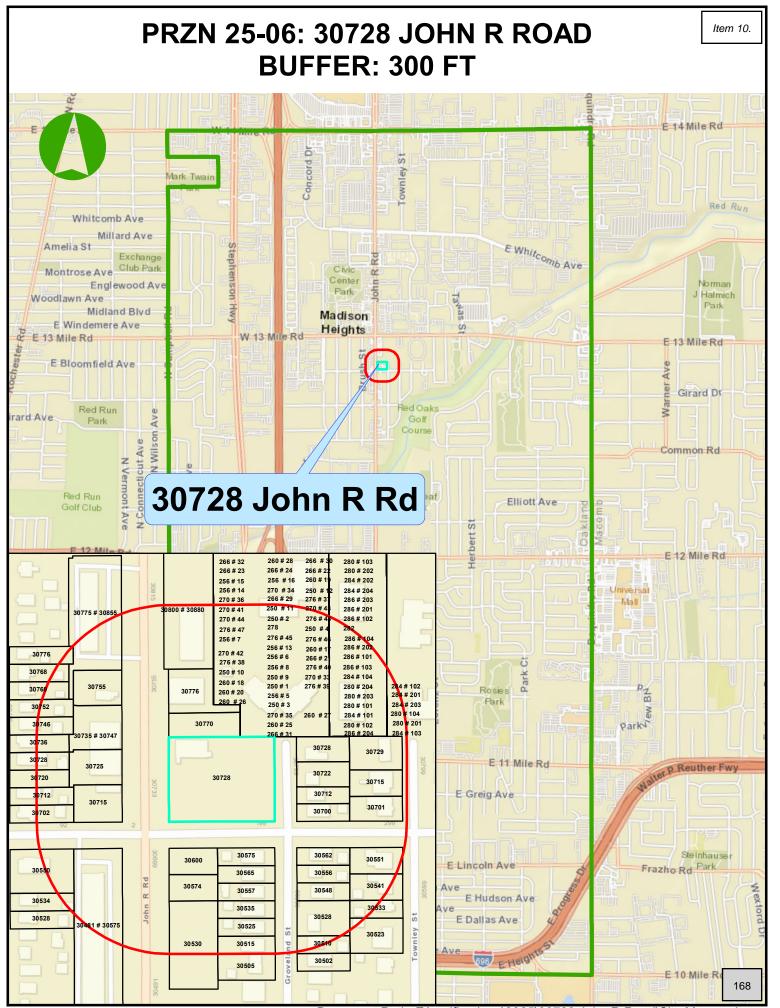




B-1 R-1

S JOHN R

167



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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.

Active Adult Center	545-3464
Assessing	858-0776
City Clerk	583-0826
City Manager	583-0829
Community Development	583-0831
Department of Public Services	

Finance	583-0846
Fire Department	
43rd District Court	583-1800
Human Resources	583-0828
Library	588-7763
Mayor & City Council	

Area Code (248)

Nature Center	585-0100
Police Department	585-2100
Purchasing	583-0828
Recreation	589-2294
Nater & Treasurer	5

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	Proposed
			Zoning	Zoning
1	555 E. 13 Mile Rd.	MH Church of	R-1	R-MN
		Nazarene		
2	1434 E. 13 Mile Rd.	St. Patrick Episcopal	R-2	R-MF
		Church		
3	30801 Dequindre Rd.	Arabic Evangelical	R-2	MUI-2
		Alliance Church		
4	1042 E. 12 Mile Rd.	Gospel Life Church	R-3	R-MN
5	500 W. Gardenia Ave.	Korean First Central	R-3	R-MN
		United Church		
6	30728 John R Rd.	Vacant (Previously	B-1, R-2	B-1 (eliminate
		Red Oaks Church)	(split-zoned)	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 18^{th} 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



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-

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 18^{th} 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: <u>MattLonnerstater@madison-heights.org</u>

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 Chynsik Cho. 7.

Print Name: John C. Cho.

Address: 500W Garden Ave



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

Fr .com>

Date Thu 8/14/2025 9:25 AM

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

Good mornimg

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.

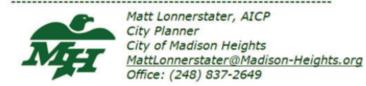
Personally, I live directly behind the church adjacent to the property, with a gate that opens into its parking lot. If the rezoning is approved and the church ever decides to sell, I could be facing multifamily development quite literally in my backyard. That's a deeply unsettling prospect, not just 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,



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

174

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 opintions 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 ar 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

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

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

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

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

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

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 19**th, **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:

<u>Rezoning Request No. PRZN 25-01</u>. 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.

<u>Rezoning Request No. PRZN 25-02.</u> 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.

<u>Rezoning Request No. PRZN 25-06</u>. 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