



**CITY OF MADISON HEIGHTS**  
**CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.**  
**CITY COUNCIL REGULAR MEETING AGENDA**  
**SEPTEMBER 29, 2025 AT 7:30 PM**

---

**CALL TO ORDER**

**ROLL CALL**

**INVOCATION and PLEDGE OF ALLEGIANCE - COUNCILMAN SOLTIS**

**APPOINTMENT OF ACTING CITY CLERK**

**APPROVAL OF THE AGENDA:**

- [1.](#) Additions/Deletions

**PRESENTATIONS**

- [2.](#) Fire Department - 2025 Fire Prevention Proclamation

**PUBLIC HEARINGS:**

**ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE**

**MEETING OPEN TO THE PUBLIC:**

**CONSENT AGENDA:**

- [3.](#) Director of Public Services - 2025-26 RCOC Winter Maintenance Agreement
- [4.](#) City Council Regular Meeting Minutes of September 8, 2025

**COMMUNICATIONS:**

**REPORTS:**

- [5.](#) Deputy City Manager/City Clerk - State and Local Cybersecurity Grant Program Agreement

**ITEMS FOR FUTURE PUBLIC HEARINGS:**

**BID AWARDS/PURCHASES:**

**ORDINANCES:**

- [6.](#) City Planner - Ordinance #2205 - Second Reading - City-Initiated Rezoning PRZN 25-01; 25-02; 25-03; 25-04; and 25-06
- [7.](#) City Planner - Ordinance #2206 - First Reading - Zoning Ordinance Text Amendment ZTA #25-01 - Non-Conforming Residential Driveways
- [8.](#) DPS Director - Ordinance No. 2207 - First Reading - Requirement for Recycling and Trash Carts

**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-](mailto: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 24, 2025  
**TO:** City Council  
**FROM:** Melissa R. Marsh, City Manager  
**SUBJECT:** Agenda Comments Regular Council Meeting of Monday, September 29, 2025

**PRESENTATIONS:**

**FIRE DEPARTMENT – 2025 FIRE PREVENTION WEEK PROCLAMATION**

Council is set to proclaim October 5-11, 2025 as 2025 Fire Prevention Week in the City of Madison Heights. This year's theme of "Charge into Fire Safety: Lithium-Ion Batteries in Your Home," serves to remind us of the importance of using, charging, and recycling lithium-ion batteries safely to reduce the risk of fires in homes and communities. Fire Marshal Nate Figueroa will be present to accept the proclamation and briefly speak.

**CONSENT AGENDA:**

**DIRECTOR OF PUBLIC SERVICES - RCOC WINTER MAINTENANCE AGREEMENT**

Council is asked to consider the annual agreement with the Road Commission for Oakland County (RCOC) for the City to provide winter maintenance on 14 Mile from Campbell to Dequindre, John R from 14 Mile to the Red Run Drain, and 12 Mile from Dequindre to Campbell. This contract allows \$8,092.46 per mile of four or five lane road, and \$9,981.19 per mile of six lane road. The total amount of the contract is \$47,492.28. This amount reflects a 4% increase from last year.

Staff recommends that City Council approve the 2025-26 Winter Maintenance Agreement with RCOC, and authorize the Mayor and City Clerk to sign on behalf of the City.

**REPORTS:**

**DEPUTY CITY MANAGER/CITY CLERK - STATE AND LOCAL CYBERSECURITY GRANT PROGRAM AGREEMENT**

As part of the Information Technology Advisory Committee strategic planning to gain more credibility and trust in our digital footprint as a governmental entity, enhance our cybersecurity and prevent malicious actors, as well as follow best practices, a migration to a .gov domain is recommended. The city has applied for and received full grant funding for this project in the amount of \$18,488. The project will support the acquisition and implementation of a .gov domain for the city.

Staff recommends that Council approve the FY 2023 State and Local Cybersecurity Grant Program Grant agreement in the amount of \$18,488 to convert to a .gov domain and have the City Clerk sign on behalf of the city.

### **ITEMS FOR FUTURE PUBLIC HEARINGS:**

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

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 the 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 the City Council act on Special Land Use case PSP #25-09 before taking final action on the alley vacation request.

### **ORDINANCES:**

#### **CITY PLANNER - ORDINANCE 2205 - CITY-INITIATED REZONINGS PRZN 25-01, 25-02, 25-03, 25-04, AND 25-06; SECOND READING**

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 adopt on Second Reading, Ordinance #2205 (covering PRZN 25-01 through 25-04 and PRZN 25-06).

**CITY PLANNER - ORDINANCE #2206 - FIRST READING - ZONING ORDINANCE TEXT AMENDMENT ZTA #25-01 - NON-CONFORMING RESIDENTIAL DRIVEWAYS**

Section 7.03.10.C of the new Madison Heights Zoning Ordinance contains use-specific standards for residential driveways. As a majority of single-family detached houses and their associated driveways in Madison Heights were constructed prior to the adoption of the new Zoning Ordinance, there are many cases of legally non-conforming driveway conditions throughout the city. Recently, staff has had to deny many applications for the replacement of non-conforming driveways; this is due to Article 13 (Nonconformities) of the Zoning Ordinance which requires non-conforming site elements to be brought up to code when replaced. Permit denials have, understandably, led to frustration for these property owners due to the impracticality of alternate driveway designs or the cost/time factor of going in front of the Zoning Board of Appeals (ZBA) for a variance. To avoid an abundance of cases in front of the Zoning Board of Appeals, staff recommends several zoning text amendments which would allow certain non-conforming residential driveways to be replaced in-kind. Staff proposes text amendments to the following sections of the Zoning Ordinance:

- Section 7.03.10: Use-Specific Standards for Detached One-Family Dwellings
- Section 10.02.1: Parking of Motor Vehicles in Residential Districts
- Section 13.01.6: Nonconforming Site Elements

The Planning Commission held a public hearing on September 19th, 2025, after which they recommended approval of the proposed text amendments as written.

Staff recommends that City Council conduct the first reading for Ordinance #2206 (ZTA 25-01) and schedule the second and final reading for the October 13th City Council Meeting.

**DPS DIRECTOR - ORDINANCE NO. 2207 - FIRST READING - REQUIREMENT FOR RECYCLING AND TRASH CARTS**

The City has moved to standardize waste collection practices to improve efficiency, safety, reduce cost, and increase compliance with regional recycling standards. Residents will now be required to use uniform receptacles for trash and recycling to allow for automated collection equipment, decrease worker injury risks, and increase service efficiency. The revised ordinance amends

Ordinance 517 Chapter 14, Section 14-10, 14-11, and 14-16 to require the use of City-approved recycling and trash carts for all residential garbage and recycling collection.

It is recommended that the City Council approve the revised ordinance requiring the use of City-approved trash and recycling carts, as presented on first reading, and schedule the second reading for October 13th

**City of Madison Heights  
2025 Fire Prevention Week Proclamation**

**WHEREAS**, the City of Madison Heights is committed to ensuring the safety and security of all those living in Madison Heights and visiting; and

**WHEREAS**, fire remains a serious public safety concern both locally and nationally, and the presence of lithium-ion batteries in many household devices introduces unique fire risks; and

**WHEREAS**, most of the electronics used in homes daily, including smartphones, tablets, laptops, power tools, e-bikes, e-scooters, and toys, are powered by lithium-ion batteries, which, if misused, damaged, or improperly charged, can overheat, start a fire, or explode; and

**WHEREAS**, the National Fire Protection Association reports an increase in battery-related fires, underscoring the need for public education on the safe use of lithium-ion batteries; and

**WHEREAS**, residents should follow three key calls to action: Buy only listed products, charge batteries safely, and recycle them responsibly to prevent battery-related fires; and

**WHEREAS**, lithium-ion batteries store a large amount of energy in a small space, and improper use, such as overcharging, using off-brand chargers without safety certification, or exposing batteries to damage, can result in fire or explosion; and

**WHEREAS**, the proper disposal and recycling of lithium-ion batteries help prevent environmental hazards and reduce fire risks in the home and community; and

**WHEREAS**, the 2025 Fire Prevention Week theme, "Charge into Fire Safety: Lithium-Ion Batteries in Your Home," serves to remind us of the importance of using, charging, and recycling lithium-ion batteries safely to reduce the risk of fires in homes and communities.

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison Heights City Council hereby proclaims October 5–11, 2025, as Fire Prevention Week throughout the city, and urges all residents to safely use, handle, and dispose of lithium-ion batteries properly.



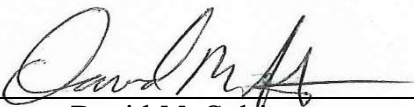
Roslyn Grafstein  
Mayor



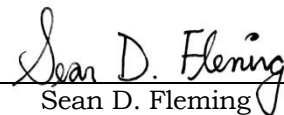
Mark Bliss  
Mayor Pro Tem



William J. Mier  
Councilman



David M. Soltis



Sean D. Fleming  
Councilman



Emily J. Rohrbach  
Councilor



Quinn J. Wright



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 9/29

**PREPARED BY:** Sean P. Ballantine - Director of Public Services

**AGENDA ITEM CONTENT:** Director of Public Services - RCOC Winter Maintenance Agreement

**AGENDA ITEM SECTION:** Consent Agenda

**BUDGETED AMOUNT:** Revenue: \$47,492.28

**FUNDS REQUESTED:**

**FUND:** 202-025-676-6781

**EXECUTIVE SUMMARY:**

Attached is the annual agreement with the Road Commission for Oakland County (RCOC) for the City to provide winter maintenance on 14 Mile from Campbell to Dequindre, John R from 14 Mile to the Red Run Drain, and 12 Mile from Dequindre to Campbell. This contract allows \$8,092.46 per mile of four or five lane road, and \$9,981.19 per mile of six lane road.

The total amount of the contract is \$47,492.28. This amount reflects a 4% increase from last year.

**RECOMMENDATION:**

Staff recommends that City Council approve the 2025-26 Winter Maintenance Agreement with RCOC, and authorize the Mayor and City Clerk to sign on behalf of the City.

2025-2026 WINTER MAINTENANCE AGREEMENT  
CITY OF MADISON HEIGHTS

Item 3.

Under 1951 PA 51, As Amended

This Winter Maintenance Agreement (“Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2025 between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, hereinafter referred to as the “Board,” and the City of Madison Heights, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the “City.”

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain winter maintenance of said roads under the terms of this Agreement, and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City shall perform Winter Maintenance of certain roads under the terms of this Agreement, and the Board will participate in the cost thereof as provided in Section III of this Agreement. “Winter Maintenance,” herein required to be performed by the City, shall mean snow removal and ice control, on all roads listed in Exhibit A, as follows: Snow removal by blading, plowing and other methods necessary to make the roads reasonably safe for public travel, and ice control by salting, sanding, scraping and other methods necessary to make the roads reasonably safe for public travel, together with such other work and services, such as recordkeeping and insurance, required by this Agreement. All Winter Maintenance work and services performed by the City shall be in accordance with the Board’s maintenance guidelines, including the Board adopted Winter Maintenance Guidelines, the Board’s standard practices and this Agreement.

II

The City shall keep accurate and uniform records of all Winter Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the assumption of Winter Maintenance by the City, the Board hereby agrees to pay to the City the sum of \$47,492.28 as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Winter Maintenance. Payments are to be made by the Board to the City as follows:

50% in December 2025  
50% in March 2026

The making of said payments shall constitute the Board’s entire obligation in reference to Winter Maintenance.

The City hereby agrees to hold harmless, represent, defend and indemnify the Board, the Road Commission for Oakland County, its officers, and employees; the County of Oakland; the Office of the Oakland County Water Resources Commissioner and applicable drainage district(s); the Michigan State Department of Transportation and the Transportation Commission; and any and all local unit(s) of government within which the roads subject to this Agreement are located, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons (including death), or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, specifically those activities set out in Section I, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Winter Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the Board. Therefore, the City falls within the governmental immunity protection of the Board.

During that part of the year that the City is providing Winter Maintenance under Section I, the City agrees to promptly notify the Board as soon as possible, but not longer than 5 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Winter Maintenance subject to this Agreement.

## V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation insurance, employer's liability insurance, automobile and comprehensive general liability insurance coverages, as more fully described in Exhibit B attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement.

Without the prior written consent of the Board, the City shall not cancel, reduce, or fail to renew the insurance coverage required by this Agreement. Certificates of insurance for each policy of insurance required by this Agreement shall provide for 30 days actual (not "endeavor to"), prior, written notice to the RCOC by the insurance carrier of any cancellation, termination, reduction or other material change of the policy; and the City shall deliver such certificates to the RCOC.

## VI

The City further agrees to comply with all applicable laws and regulations, including without limitation, laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

## VII

In accordance with Michigan 1976 Public Acts No. 220 and 453, being MCLA §§37.1209 and 37.2209, as the same may be amended, the City and its subcontractors shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height,

weight, or marital status; or because of a disability that is unrelated to the individual's ability to perform duties of a particular job or position. A breach of this covenant may be regarded as a material breach of Agreement.

Item 3.

## VIII

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Winter Maintenance activities will be executed annually by the Parties hereto.

The terms and conditions of this Agreement shall become effective on October 1, 2025, and shall continue in full force and effect until a subsequent Winter Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Winter Maintenance agreement has not been executed by the parties hereto on or before September 1, 2026, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of \_\_\_\_\_, and by the City by authority of a resolution of its governing body, adopted \_\_\_\_\_, (copy attached as Exhibit C).

Witnesses:

CITY OF MADISON HEIGHTS  
A Municipal Corporation

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Witnesses:

BOARD OF COUNTY ROAD COMMISSIONERS  
OF THE COUNTY OF OAKLAND,  
A Public Body Corporate

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

**WINTER MAINTENANCE  
2025-2026  
CITY OF MADISON HEIGHTS  
EXHIBIT A**

John R Road

Extending from the Red Run Drain to Fourteen Mile Road

| <u>Miles</u> | <u>Cost Per Mile</u> |              |
|--------------|----------------------|--------------|
| 1.70         | \$8,092.46           | \$ 13,757.18 |

Twelve Mile Road

Extending from Campbell Road to Dequindre Road

| <u>Miles</u> | <u>Cost Per Mile</u> |              |
|--------------|----------------------|--------------|
| 2.01         | \$8,092.46           | \$ 16,265.84 |

Fourteen Mile Road

Extending from Campbell to Stephenson Highway

| <u>Miles</u> | <u>Cost Per Mile</u> |             |
|--------------|----------------------|-------------|
| 0.32         | \$8,092.46           | \$ 2,589.59 |

Extending from John R to Dequindre

| <u>Miles</u> | <u>Cost Per Mile</u> |             |
|--------------|----------------------|-------------|
| 1.00         | \$8,092.46           | \$ 8,092.46 |

Extending from Stephenson Highway to John R

| <u>Miles</u> | <u>Cost Per Mile</u> |                    |
|--------------|----------------------|--------------------|
| 0.68         | \$9,981.46           | <u>\$ 6,787.39</u> |

Total Miles

**TOTAL** \$ 47,492.47

5.71

FOUR OR FIVE LANES (\$8,092.46 per mile)

| <u>Miles</u> | <u>Cost Per Mile</u> |                    |
|--------------|----------------------|--------------------|
| 1.70         | \$8,092.46           | \$ 13,757.18       |
| 2.01         | \$8,092.46           | \$ 16,265.84       |
| 0.32         | \$8,092.46           | \$ 2,589.59        |
| <u>1.00</u>  | <u>\$8,092.46</u>    | <u>\$ 8,092.46</u> |
| 5.03         |                      | \$ 40,705.07       |

SIX OR MORE LANES (\$9,981.19 per mile)

| <u>Miles</u> | <u>Cost Per Mile</u> |                    |
|--------------|----------------------|--------------------|
| <u>0.68</u>  | <u>\$9,981.19</u>    | <u>\$ 6,787.21</u> |
| 0.68         |                      | <u>\$ 6,787.21</u> |

Total Miles

**TOTAL** \$ 47,492.28

5.71

50% in December, 2025 \$ 23,746.14

50% in March, 2026 \$ 23,746.14

**EXHIBIT B**  
**2025-2026 WINTER MAINTENANCE AGREEMENT**  
**ROAD COMMISSION FOR OAKLAND COUNTY**  
**INSURANCE PROVISION**  
**(CITY)**

**Insurance Coverage:**

The City, prior to execution of the maintenance agreement, shall file with the Road Commission for Oakland County, copies of completed certificates of insurance as evidence that he carries adequate insurance satisfactory to the Board. Insurance coverage shall be provided in accordance with the following:

- a. **Worker's Compensation and Employer's Liability Insurance:** The insurance shall provide worker's compensation protection for the City's employees, to the statutory limits of the State of Michigan, and provide Part B Employers Liability as follows:

|                         |             |
|-------------------------|-------------|
| Each Accident           | \$1,000,000 |
| Disease – Each Employee | \$1,000,000 |
| Disease – Policy Limit  | \$1,000,000 |

The indemnification obligation under this section shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker's disability compensation coverage established by law.

- b. **Bodily Injury and Property Damage:** The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operation for one year, after completion of the work.

1. **Bodily Injury and Property Damage Other Than Automobile:** The minimum limits of property damage and bodily injury liability covering each contract shall be:

|                                                         |                                   |
|---------------------------------------------------------|-----------------------------------|
| <b>Bodily Injury and<br/>Property Damage Liability:</b> | <b>or: Combined Single Limit:</b> |
| Each Person \$1,000,000                                 | Aggregate \$2,000,000             |
| Each Occurrence \$1,000,000                             |                                   |
| Aggregate \$2,000,000                                   |                                   |

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors coverages.

2. Bodily Injury Liability and Property Damage Automobiles: The minimum limits of bodily injury liability and property damage liability shall be:

|                                              |                                                            |
|----------------------------------------------|------------------------------------------------------------|
| Bodily Injury and Property Damage Liability: | or: Combined Single Limit:<br>Each Occurrence: \$1,000,000 |
| Each Person \$1,000,000                      |                                                            |
| Each Occurrence \$1,000,000                  |                                                            |

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- c. Excess and Umbrellas Insurance – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- d. The City shall provide for and in behalf of the Road Commission for Oakland County and all agencies specified by the Road Commission, as their interest may appear, Owner's Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City's General Liability Insurance.
- e. Notice – The City shall not cancel, renew, or non-renew the coverage of any insurance required by this Section without providing 30-day prior written notice to the Road Commission for Oakland County. All such insurance shall include an endorsement whereby the insurer shall agree to notify the Road Commission for Oakland County immediately of any reduction by the City. The City shall cease operations on the occurrence of any such cancellation or reduction and shall not resume operations until new insurance is in force. If the City cannot secure the required insurance within 30 days, the Board reserves the right to terminate the Contract.
- f. Reports: The City or its insurance carrier shall promptly report to the Road Commission all of the following events each time as they occur: Claims received, claims investigations made, and disposition of claims.

See provisions of the maintenance agreement to which this Exhibit B is attached.

## City Council Regular Meeting Madison Heights, Michigan September 8, 2025

A City Council Regular Meeting was held on Monday, September 8, 2025, at 7:30 PM.

### PRESENT

Mayor Roslyn Grafstein  
Councilman Sean Fleming  
Councilman William Mier  
Councilor Emily Rohrbach  
Councilman Quinn Wright

### ABSENT

Mayor Pro Tem Mark Bliss  
Councilman David Soltis

### OTHERS PRESENT

City Manager Melissa Marsh  
Assistant City Attorney Tim Burns  
Deputy City Manager/City Clerk Cheryl Rottmann

Councilor Rohrbach led the invocation and the Pledge of Allegiance followed.

### **CM-25-132. Excuse Councilmembers.**

Motion to excuse Mayor Pro Tem Bliss and Councilman Soltis from tonight's meeting.

Motion by Councilor Wrights, Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Councilman Fleming, Councilman Mier, Councilor Rohrbach,  
Councilman Wright.

Absent: Mayor Pro Tem Bliss, Councilman Soltis

Motion carried.

### **PRESENTATIONS:**

- ***Community Connect***

Fire Chief Greg Lelito introduced *Community Connect*, a new initiative from the Fire Department. This secure online platform allows residents and businesses to share critical information directly with the Fire Department, aiming to improve emergency response, boost safety for occupants and responders, and lead to better outcomes. For residents, information can include details about family members with medical or mobility needs, pets, or access points like locks and door codes. For businesses, it can include contact information, building layouts, fire systems, and hazardous materials. This data allows crews to make faster, safer, and more informed decisions. Residents and businesses create a secure account, add important information, and receive an annual reminder

to verify accuracy. The program strengthens partnerships with the community and ensures a more efficient emergency response. Chief Lelito also mentioned an incentive for signing up before October 1st, where 24 fire blankets would be randomly selected and given out.

- ***Summer Beautification Awards***

The Director of Public Services Sean Ballantine presented the 2025 Summer Beautification Awards on behalf of the Beautification Committee, which includes the Active Adult Advisory Board and staff from the AAC and DPS.

- First place winner: Michael Jurich - 817 Elliot
- Second place winner: Kathy Pasternak - 680 E Gardenia

Director Ballantine noted that the Beautification Committee would return in December to look at holiday lights and decorations.

## **MEETING OPEN TO THE PUBLIC:**

The following residents spoke in opposition to the proposed project at 28767 Dartmouth:

- Kathy Sapia
- Timothy Ginster

Alice McKeage, resident, expressed concerns about the Special Land Use for a school at 510 W. Girard.

An unnamed resident spoke in opposition to the proposed re-zoning of 500 West Gardinia, PRZN 25-05.

Ann Ericson Gault, Oakland County Commissioner representing Madison Heights, Hazel Park, and part of Troy, provided an update on county matters. She assured continued funding for the Co-Responder Program and was looking into Community Development Block Grant funding. She promoted the Savi student debt relief program, noting it ends September 30th. It is free for a year of service, has resulted in an average of \$1,540/month savings, and \$26 million in student loan debt forgiven for Oakland County residents, with an average of \$42,000 per person for those qualifying for forgiveness. A workshop for the program is scheduled for September 18th.

An unnamed resident raised concerns about a Flock camera installed at 12 Mile and John R. They stated it was an AI camera, not just a license plate reader, capable of searching for vehicles based on descriptions (e.g., "white sports car with racing stripe") even without a plate. The resident expressed concerns about Flock maintaining a license to access customer data, potential security hazards from hacks, and the use of data for training AI models. They encouraged the council to decline renewing the subscription-based contract, citing Austin, Texas, as an example.

Cory Haines, resident, thanked the council and the Arts Board for recent concerts in the park and the Trail Tunes event, which he sponsored. He commended four Boy Scouts (James Kramer, Henry

Kramer, Layman Sandborn, Tanner Langdon) for completing or nearly completing their Eagle Scout projects. He also commended the neighbors who spoke at the meeting.

Randy Wittorp, President of Mount Zion Lutheran Church, stated the church's intent to be good neighbors and expressed excitement about the school project at 510 W Girard. He noted that improvements were being made to address neglected maintenance items.

Pastor Tom Naumann of Mount Zion Lutheran Church, 510 West Girard, spoke about the plan to open a Christian day school. He mentioned the church purchased the building in May and expressed their love for the Madison Heights community. He acknowledged Alice McKeage's concerns about the fence and dog and expressed a desire to maintain good neighborly relations, appreciating the sounds of children playing and learning.

**CM-25-133. Consent Agenda.**

Motion to approve the Consent Agenda, as read.

Motion made by Councilor Wright, Seconded by Councilor Rohrbach.

Voting Yea: Mayor Grafstein, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Wright.

Absent: Mayor Pro Tem Bliss, Councilman Soltis

Motion carried.

**CM-25-134. City Council Regular Meeting Minutes of August 26, 2025.**

Motion to approve the Regular City Council Meeting Minutes of August 26, 2025, as printed.

Motion made by Councilor Wright, Seconded by Councilor Rohrbach.

Voting Yea: Mayor Grafstein, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Wright.

Absent: Mayor Pro Tem Bliss, Councilman Soltis

Motion carried.

**CM-25-135. Request to Wave Permit, Engineering, and Inspection Fees for Red Oaks Park Project.**

Motion to formally waive all city-related permit, engineering, and inspection fees associated with the Red Oaks Park project.

Motion by Councilor Rohrbach, Seconded by Councilman Fleming.

Voting Yea: Mayor Grafstein, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Wright.

Absent: Mayor Pro Tem Bliss, Councilman Soltis

Motion carried.

**CM-225-136. Special Land Use PSP 25-04 – 510 West Gerard Avenue, Private K-8 School.**

City Manager Marsh stated that the applicant, Mount Zion Evangelical Lutheran Church, requested Special Land Use approval to operate a private K-8 school at 510 West Gerard Avenue, which is zoned R-2 One-Family Residential. The school would operate out of the wing of the existing church building. The Planning Commission recommended approval, subject to conditions, including substantial compliance with the project narrative, installation of a one-way "do not enter" sign at the southern Barrington Street driveway, review of ancillary site improvements (playground, sports field) via minor site plan, and transitional landscaping along the western and northern property lines.

Motion to approve the Special Land Use request PSP25-04 at 510 West Gerard Avenue for the private K-8 school, with 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.

Motion mad by Councilor Rohrbach, Seconded by Councilman Fleming.

Voting Yea: Mayor Grafstein, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Wright.

Absent: Mayor Pro Tem Bliss, Councilman Soltis

Motion carried.

**CM-25-137. Special Land Use PSP 25-05 – 28767 Dartmouth Street, Parking as a Principal Use.**

City Manager Marsh stated that the applicant and property owner, Najor Companies, requested Special Land Use approval to develop a parking lot and drive aisle as a principal use on a residential parcel (28767 Dartmouth Street, zoned R-3 One-Family Residential) to serve a proposed adjacent restaurant. The Planning Commission had previously recommended denial due to site plan issues. The applicant has since revised the site plan and held a public town hall meeting. Staff recommended postponing action until the October 13th council meeting and to remand the

revised submittal back to the Planning Commission for further review and recommendation at their September 16th, 2025, meeting. The alternatives were to approve or deny the request.

Motion to postpone action on Special Land Use request PSP25-05 to the October 13th meeting and remand the case back to the Planning Commission for further consideration.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

Councilor Rohrbach stated she does not believe this proposal makes sense for the neighborhood's safety and consistency and requires further Planning Commission review.

Councilman Wright agreed to send it back, acknowledging ongoing discussions and compromise attempts.

Councilman Fleming encouraged the public to email or call council members to voice their concerns.

Mayor Grafstein supported remanding it to the Planning Commission, emphasizing their role in master planning and ordinances. The Planning Commission meeting for this item is scheduled for September 16th at 5:30 p.m.

Voting Yea: Mayor Grafstein, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Wright.

Absent: Mayor Pro Tem Bliss, Councilman Soltis

Motion carried.

**CM-25-138. Alley Vacation Request PE 25-01 – 17 Foot Wide Alley between 601 West 12 Mile Road and 28767 Dartmouth Road.**

City Manager Marsh stated that the Community and Economic Development Department received a petition to vacate the 17-foot-wide improved alley right-of-way between 601 West 12 Mile Road and 28767 Dartmouth Road, which also provides access to 611 West 12 Mile. All adjacent property owners signed the petition. Staff recommended establishing a public hearing date of October 13, 2025, and referring the request to the Planning Commission for further study and recommendation, specifically linking it to the remanded Special Land Use case PSP25-05.

Motion to remand the alley vacation request PE 25-01 to the Planning Commission for review and comment and to set a public hearing date for October 13, 2025.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Wright.

Absent: Mayor Pro Tem Bliss, Councilman Soltis

Motion carried.

**CM-25-139. Scheduled Replacement of Backhoe Number 455.**

Motion to award the purchase of one Caterpillar 420XCE backhoe as quoted by MacAllister Cat of Novi for \$176,611.83 through the Sourcewell cooperative purchasing agreement, to approve the trade-in of Water and Sewer Unit #455 for \$30,000 and Street Unit #407 for \$20,000 (reducing total cost to \$126,611.83), and to approve the transfer of \$20,000 from the Water and Sewer Fund to Streets Fund.

Motion made by Councilor Wright, Seconded by Councilor Rohrbach.

Voting Yea: Mayor Grafstein, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Wright.

Absent: Mayor Pro Tem Bliss, Councilman Soltis

Motion carried.

**CM25-140. Ordinance 2205, City Initiated Rezonings PRZN 25-1, 25-2, 25-3, 25-4, 25-6 (First Reading).**

City Manager Marsh stated that the City of Madison Heights initiated a proactive re-zoning of several qualified properties to R-MN (Residential Mixed-Neighborhood), R-MF (Residential Multi-Family), MUI-2 (Mixed-Use Innovation 2), or B-1 (Neighborhood Business). This process aims to align zoning with existing land use, the City's Master Plan, and adjacent street networks to increase opportunities for building expansion and development while ensuring current uses remain permitted. The properties included are 555 East 13 Mile Road, 1434 East 13 Mile Road, 30801 Dequindre Road, 1042 East 12 Mile Road, and the eastern 130 feet of 30728 John R Road. PRZN25-05 (500 West Gardenia Avenue) was not included and was recommended by the Planning Commission to be withdrawn for further analysis. Staff recommended conducting the first reading of Ordinance 2205 and scheduling the second and final reading for the September 29, 2025, council meeting.

Motion to approve Ordinance number 2205 (PRZN25-01 through 25-04 and PRZN25-06) as follows and schedule the Second and final reading for the September 29, 2025 Council meeting.:

**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.**

Motion made by Councilor Rohrbach Seconded by Councilman Mier.

Voting Yea: Mayor Grafstein, Councilman Fleming, Councilman Mier, Councilor Rohrbach, Councilman Wright.

Absent: Mayor Pro Tem Bliss, Councilman Soltis

Motion carried.

### **COUNCIL COMMENTS:**

Councilman Mier thanked attendees and reiterated the decision to send the Dartmouth project back to the Planning Commission. He commented on the new garbage and recycling cans, reminding residents to place them with the handle toward the house and mouth toward the street, leaving about 3 feet of space between cans for the automated collection arm. He shared an example of neighbors taking turns collecting small bags into one bin to wheel out. He also noted he is recycling more with the larger bin.

Councilor Wright promoted Revin' in the Heights, an event on September 13th from 10 AM to 3 PM at the Civic Center Campus, partnered with the Human Relations and Equity Commission (HREC) and the Fire Department. It will feature a car show, Fire Department open house activities, an Oakland County Parks bounce blaster, Lego sets, three food trucks, and various cars. The event is free and will include multiple awards. He also addressed previous public comments, clarifying that he was defending Juneteenth against prejudice, not calling the entire city racist. He promoted a "Scream Club" on Tuesday nights at The Hill at 7:30 PM, a neutral event for collective stress release. He concluded by reminding everyone to "be kind".

City Manager Marsh wished Mayor Pro Tem Bliss a happy 40th birthday. She reminded everyone that the next meeting is September 29th and that October council meetings will start an hour earlier at 6:30 PM (except for tree lighting night at 7:30 PM). She thanked the Arts Board for Trail Tunes and announced upcoming events: Downtown Touchdown on October 4th at the 11 Mile Streetscape and the Harvest Festival at Rosies Park the following Saturday. She also mentioned an informal Police Reserves meeting on October 15th from 6 PM to 7 PM at the Police auditorium. Sergeant Steve Shram elaborated on the reserve program, which augments the Police Department for various activities, and encouraged interested individuals to apply via the city website.

Deputy City Manager/City Clerk Rottmann reminded residents about the city election on November 4th. Early voting starts on Saturday, October 25th, at the Royal Oak Senior Center, and absentee ballots will be mailed out by the end of September/early October.

Councilor Rohrbach reiterated the excitement for Revin' in the Heights and thanked Councilor Wright and the HREC for their work. She strongly encouraged residents to sign up for Community Connect with the Fire Department, emphasizing its importance for sharing critical information about pets, accessibility issues, and medical needs. She wished her twin boys, Eric and Evan, a happy 12th birthday on Wednesday. She also mentioned a Halloween dress-up event for dogs at the Madison Heights Red Oaks Dog Park on the 30th.

Councilman Fleming thanked attendees and noted that the Value Center at 14 Mile Road is becoming a Holiday Market. He enjoyed the Trail Tunes event, highlighting new bands and the council's role as judges. He announced a Boy Scouts 9/11 service on September 11th at 7 PM at the fire station and encouraged support for first responders. He also commended the four Boy Scouts mentioned earlier for their Eagle Scout projects.

Mayor Grafstein thanked Councilman Mier for sharing a story about community and good neighbors. She provided background on the church re-zoning, explaining that the changes were made to simplify processes for future uses while noting that the Gardinia property was pulled for separate, resident-input-driven review. She thanked Consumers Energy for their family fun night at Civic Park and their support for the band shell. She recognized the Chinese Community Center's 20th anniversary, Mayor Grafstein emphasized that the Council's primary job is to ensure residents feel safe and comfortable in their homes, prioritizing essential services over "fun" events.

**ADJOURNMENT:**

Having no further business, Mayor Grafstein adjourned the meeting at 8:59 p.m.



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 9/29/25

**PREPARED BY:** Cheryl Rottmann

**AGENDA ITEM CONTENT:** Deputy City Manager/City Clerk - State and Local Cybersecurity Grant Program

**AGENDA ITEM SECTION:** Reports

**BUDGETED AMOUNT:** \$18,488.00

**FUNDS REQUESTED:**

**FUND:**

**EXECUTIVE SUMMARY:**

As part of the Information Technology Advisory Committee strategic planning to gain more credibility and trust in our digital footprint as a governmental entity, enhance our cybersecurity and prevent malicious actors, as well as follow best practices, a migration to a .gov domain is recommended. The city has applied for and received full funding for this project in the amount of \$18,488. The project will support the acquisition and implementation of a .gov domain for the city.

**RECOMMENDATION:**

Staff recommends that Council approve the FY 2023 State and Local Cybersecurity Grant Program Grant agreement in the amount of \$18,488 to convert to a .gov domain and have the City Clerk sign on behalf of the city.

|                                                                                                                                                     |  |                                                                                   |                                                                                                                                                                  |                                          |                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------------|
| Michigan State Police<br>Emergency Management<br>and<br>Homeland Security<br>Division                                                               |  |  |                                                                                                                                                                  | Grant Agreement                          |                 |
| <b>FEDERAL AWARD IDENTIFICATION</b>                                                                                                                 |  |                                                                                   |                                                                                                                                                                  |                                          |                 |
| SUBRECIPIENT NAME<br><br>City of Madison Heights                                                                                                    |  | GRANT NAME<br><br>State and Local<br>Cybersecurity Grant<br>Program               |                                                                                                                                                                  | Assistance Listings Number<br><br>97.137 |                 |
| SUBRECIPIENT IRS/VENDOR NUMBER<br><br>CV0048672                                                                                                     |  | FEDERAL AWARD IDENTIFICATION<br>NUMBER (FAIN)<br>EMW-2023-CY-00003                |                                                                                                                                                                  | FEDERAL AWARD DATE<br><br>12/17/2023     |                 |
| SUBRECIPIENT UEI<br><br>EGY3GJKYGZ83                                                                                                                |  | SUBAWARD<br>PERFORMANCE<br>PERIOD<br>BUDGET PERIOD                                |                                                                                                                                                                  | FROM<br>8/29/2025                        | TO<br>8/31/2027 |
| RESEARCH & DEVELOPMENT<br><br>N/A                                                                                                                   |  | Funding                                                                           |                                                                                                                                                                  | Total                                    |                 |
|                                                                                                                                                     |  | Federal Funds Obligated by<br>this Action                                         |                                                                                                                                                                  | \$18,488.00                              |                 |
| INDIRECT COST RATE<br><br>None on file                                                                                                              |  | Total Federal Funds<br>Obligated to Subrecipient                                  |                                                                                                                                                                  | \$18,488.00                              |                 |
|                                                                                                                                                     |  | Total Amount of Federal<br>Award                                                  |                                                                                                                                                                  | \$18,488.00                              |                 |
| FEDERAL AWARD PROJECT DESCRIPTION<br><br>2023 State and Local Cybersecurity Grant Program (SLCGP)                                                   |  |                                                                                   |                                                                                                                                                                  |                                          |                 |
| DETAILS<br><br>FY 2023 SLCGP funds for cybersecurity assessments. Funding requirements are found on<br>page 2 (Section III) of the grant agreement. |  |                                                                                   |                                                                                                                                                                  |                                          |                 |
| FEDERAL AWARDING AGENCY<br><br>Federal Emergency Management Agency - GPD<br>400 C Street, SW, 3 <sup>rd</sup> Floor<br>Washington, DC 20472-3645    |  |                                                                                   | PASS-THROUGH ENTITY (RECIPIENT) NAME<br><br>Michigan State Police<br>Emergency Management and<br>Homeland Security Division<br>PO Box 30634<br>Lansing, MI 48909 |                                          |                 |

# State of Michigan Fiscal Year 2023 State and Local Cybersecurity Grant Program Grant Agreement

**August 29, 2025 to August 31, 2027**

**Assistance Listing Number: 97.137**  
**Grant Number:**  
**EMW-2023-CY-00003**

This Fiscal Year (FY) 2023 State and Local Cybersecurity Grant (SLCGP) grant agreement is hereby entered into between the Michigan Department of State Police, Emergency Management and Homeland Security Division (hereinafter called the Recipient), and the

**CITY OF MADISON HEIGHTS**  
(hereinafter called the Subrecipient)

## **I. Purpose**

The purpose of this grant agreement is to provide federal pass-through funds to the Subrecipient for the development of projects that align with the objectives of the SLCGP.

The goal of the SLCGP is to assist State, Local, and Tribal governments with managing and reducing systemic cyber risk. Allocation of funds must align with the approved cybersecurity plan, and one of the projects outlined in the approved Investment Justifications. The FY 2023 SLCGP focuses on the following program objectives:

- Objective 1: Develop and establish appropriate governance structures, including developing, implementing, or revising cybersecurity plans, to improve capabilities to respond to cybersecurity incidents and ensure continuity of operations.
- Objective 2: Understand their current cybersecurity posture and areas for improvement based on continuous testing, evaluation, and structured assessments.
- Objective 3: Implement security protections commensurate with risk.
- Objective 4: Ensure organization personnel are appropriately trained in cybersecurity, commensurate with responsibility.

For guidance on allowable costs and program activities, please refer to the *FY 23 SLCGP Notice of Funding Opportunity* (NOFO) located at <http://www.fema.gov/grants>.

## **II. Statutory Authority**

Funding for the FY 23 SLCGP is authorized by Section 2220A of the Homeland Security Act of 2002, as amended (Pub. L. No. 107-296) (6 U.S.C. § 665g).

Appropriate Authority is authorized by Infrastructure Investments and Jobs Appropriations Act (Pub. L. No. 117-58).

The Subrecipient agrees to comply with all FY 23 SLCGP requirements in accordance with the *FY 23 SLCGP Notice of Funding Opportunity* located at <http://www.fema.gov/grants>, the U.S. Department of Homeland Security (DHS) Standard Administrative Terms and Conditions located at <https://www.dhs.gov/publication/fy15-dhs->

[standard-terms-and-conditions](#), and the FY 2023 SLCGP Agreement Articles Applicable to Subrecipients. The *FY 23 SLCGP Articles Applicable to Subrecipients* document is included for reference in the grant agreement packet.

The Subrecipient shall also comply with the most recent version of:

- A. 2 C.F.R., Part 200 of the Code of Federal Regulations (C.F.R.), *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* located at <http://www.ecfr.gov>.
- B. Federal Emergency Management Agency (FEMA) Policy #108-023-1 *Grant Programs Directorate Environmental Planning and Historic Preservation Policy Guidance*.

### III. Award Amount and Restrictions

The **City of Madison Heights** is awarded \$18,488.00 under the FY 2023 SLCGP. The grant agreement shall be administered based on the Subrecipient's policies and procedures, provided they conform to state and federal rules, laws, and/or regulations. Please note, no personnel costs are approved under this award. The table below outlines the approved projects and respective funding amounts.

| Project Number | Project Area             | Project Allocation |
|----------------|--------------------------|--------------------|
| 1              | Migration to .gov Domain | \$18,488.00        |

- A. The FY 2023 SLCGP has a 20% cost share (cash or in-kind) requirement, as authorized by the Infrastructure Investment and Jobs Appropriations Act. The State of Michigan is providing the 20% cost share for the subrecipient. There is no cost share requirement for the Subrecipient under the FY 2023 SLCGP.
- B. The FY 23 SLCGP covers eligible costs from August 29, 2025 to August 31, 2027. The funds awarded in the grant agreement shall only be used to cover allowable costs that are incurred during the agreement period.
- C. The Subrecipient may only fund projects which directly support SLCGP objectives and were included in the approved FY 23 SLCGP subrecipient application and the federal FY 23 SLCGP Investment Justifications.
- D. Any proposed change to the scope of work provided in the approved grant project requires prior approval.
- E. Except as otherwise specifically set forth in this grant agreement, the Recipient (not the Subrecipient) shall make the final determination on how funds awarded under this grant agreement are allocated and/or spent.
- F. For any activities involving construction, demolition, ground disturbance, or installations of equipment, an Environmental and Historic Preservation (EHP) Review must be completed prior to any work being done. Some training and exercise activities that required any type of land, water, or vegetation disturbance or building of temporary structures or that are not located at facilities designated for training and exercises may require an EHP. **Any activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for federal funding.**

Subrecipients are prohibited from using SLCGP funds to construct, remodel, or perform alterations of buildings and other physical facilities. However, subrecipients may use SLCGP funding to perform minor modifications that do not substantially affect a building's, or other physical facility's, structure, layout, or systems. Reference the FEMA [Grant Programs Directorate Information Bulletins | FEMA.gov](#) No. 523 for additional information.

- G. In the event that the U.S. Department of Homeland Security (DHS) determines that changes are necessary to the award document after an award has been made, including but not limited to, changes to period of

performance or terms and conditions, Subrecipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate Subrecipient acceptance of the changes to the award.

#### IV. Responsibilities of the Subrecipient

- A. **Grant funds must supplement, not supplant, state or local funds.** Federal funds must be used to supplement existing funds, not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be carefully reviewed in subsequent monitoring reviews and audits. Subrecipients may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.
- B. The Subrecipient agrees to comply with all applicable federal and state regulations; the FY 2023 SLCGP NOFO, located at: [www.fema.gov/grants](http://www.fema.gov/grants); and the Agreement Articles Applicable to Subrecipients, included in the grant agreement package for reference.
- C. The Subrecipient shall not use FY 23 SLCGP funds to generate program income.
- D. In addition to this grant agreement, the Subrecipient shall complete, sign, and submit to the Recipient the following documents, which are incorporated by reference into this grant agreement:
  - 1. Subrecipient Risk Assessment Certification;
  - 2. Standard Assurances;
  - 3. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements;
  - 4. Audit Certification (EMHSD-053);
  - 5. Request for Taxpayer Identification Number and Certification (W-9);
  - 6. CISA Services Certification (EMHSD-075);
  - 7. Other documents that may be required by federal or state officials.
- E. The Subrecipient agrees to comply with all applicable federal and state regulations, including, but not limited to, the following:
  - 1. Make all purchases in accordance with federal, state, and local purchasing policies.
  - 2. The Subrecipient is required to submit reports to the Recipient on the status of all projects and funding. Reporting must follow the format and schedule specified by the Recipient.
  - 3. Submit projects to the Recipient in the format specified by the Recipient prior to starting a project. Individual solution area costs must also be submitted to the Recipient for alignment and allowability evaluation prior to starting a project. All grant expenditures must meet DHS and Recipient grant guidelines and must directly support one of the FY 23 SLCGP Investments. Any project that proposes a change in scope of work during the grant performance period must be resubmitted to the Recipient for evaluation and approval. Any funds spent on a project prior to receiving Recipient approval may be ineligible for reimbursement.
  - 4. Create and maintain an inventory of all equipment purchases in accordance with 2 C.F.R., Part 200.313 located at <http://www.ecfr.gov>. **Within 30 days of the end of the Subrecipient's fiscal year, the Subrecipient must supply a copy of this inventory to the Michigan State Police, Emergency Management and Homeland Security Division, Audit Unit, by email to [mssp-emhsd-audit@michigan.gov](mailto:mssp-emhsd-audit@michigan.gov) or by mail to: P.O. Box 30634, Lansing, Michigan 48909.** An Equipment Tracking Form is available to assist the Subrecipient in meeting these requirements.
  - 5. The Subrecipient agrees to prepare and submit reimbursement requests to the Recipient in a timely manner. Reimbursement requests must include all required supporting documentation, including proof of payment. **All reimbursement requests must be submitted to the Recipient no later than 30 days after the end of the performance period identified in this grant agreement.**

6. Current forms and instructions are located at <http://www.michigan.gov/emhds> (select Grant Programs) or can be requested by sending an email to [EMD\\_HSGP@michigan.gov](mailto:EMD_HSGP@michigan.gov).
7. Comply with applicable financial and administrative requirements set forth in the current edition of 2 C.F.R., Part 200, including, but not limited to, the following provisions:
  - a. Account for receipts and expenditures, maintain adequate financial records, and refund expenditures disallowed by federal or state audit.
  - b. Retain all financial records, statistical records, supporting documents, and other pertinent materials for at least three years after the grant is closed by the awarding federal agency for purposes of federal and/or state examination and audit. All equipment dispositions must follow MSP/EMHSD's equipment disposition policy.
  - c. Non-federal organizations which expend \$1,000,000 or more in federal funds during their current fiscal year are required to have an audit performed in accordance with the Single Audit Act of 1984, as amended, and 2 C.F.R. 200, Subpart F.
8. Subrecipients must carry out their programs and activities in a manner that respects and ensures the protection of civil rights for protected populations. These populations include but are not limited to individuals with disabilities and others with access and functional needs, individuals with limited English proficiency, and other diverse racial and ethnic populations, in accordance with Section 504 of the *Rehabilitation Act of 1973*, Title VI of the *Civil Rights Act of 1964*, and Executive Order 13347.
9. **Environmental and Historic Preservation (EHP) Compliance.** The federal government is required to consider the effects on the environment and/or historic properties of any federally funded activities and programs, including grant funded projects. The EHP Program engages in a review process to ensure that federally funded activities comply with federal EHP regulations, laws, and executive orders as applicable. The goal of these compliance requirements is to protect the nation's environmental, historic, and cultural resources. The Subrecipient shall not undertake any project having the potential to impact EHP resources without prior approval.

**Any activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for federal funding.**

Subrecipients are prohibited from using SLCGP funds to construct, remodel, or perform alterations of buildings and other physical facilities. However, subrecipients may use SLCGP funding to perform minor modifications that do not substantially affect a building's, or other physical facility's, structure, layout, or systems. Reference the FEMA [Grant Programs Directorate Information Bulletins | FEMA.gov](#) No. 523 for additional information.

10. Comply with the *Davis-Bacon Act* (40 U.S.C. 3141 *et seq.*) for grant funded construction projects. The Subrecipient must ensure that contractors or subcontractors for construction projects pay workers employed directly at the worksite no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor wage determinations, is located at <http://www.dol.gov/whd/govcontracts/dbra.htm>.
11. Comply with all reporting requirements, including special reporting, data collection, and evaluation requirements, as prescribed by law or program guidance.
12. Maintain a valid Unique Entity Identifier (UEI) through <https://sam.gov/> at all times during the performance period of this grant.
13. The Subrecipient must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. The Subrecipient also agrees to require any subrecipients, contractors, successors, transferees, and assignees to acknowledge and agree to comply with these same provisions. Detailed information on record access provisions can be found in the *DHS Standard Terms and Conditions* located at

<https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions>, specifically in the DHS Specific Acknowledgements and Assurances on page 1.

14. Subrecipients are required to participate in the following free services and memberships offered by Cyber and Infrastructure Security Agency (CISA):

a. Cyber Hygiene Services

- i. Web Application Scanning is an “internet scanning-as-a-service.” This service assesses the “health” of your publicly accessible web applications by checking for known vulnerabilities and weak configurations. Additionally, CISA can recommend ways to enhance security in accordance with industry and government best practices and standards.
- ii. Vulnerability Scanning evaluates external network presence by executing continuous scans of public, static IPs for accessible services and vulnerabilities. This service provides weekly vulnerability reports and ad-hoc alerts.

To register for these services, email [vulnerability\\_info@cisa.dhs.gov](mailto:vulnerability_info@cisa.dhs.gov) with the subject line “Requesting Cyber Hygiene Services – SLCGP” to get started. Indicate in the body of your email that you are requesting this service as part of the SLCGP. For more information, visit [Cyber Hygiene Services | CISA](#).

b. Nationwide Cybersecurity Review (NCSR)

- i. The NCSR is a free, anonymous, annual self-assessment designed to measure gaps and capabilities of a SLT’s cybersecurity programs. It is based on the National Institute of Standards and Technology Cybersecurity Framework and is sponsored by DHS and the MS-ISAC. Entities and their subrecipients should complete the NCSR, administered by the MS-ISAC, during the first year of the award/subaward period of performance and annually. For more information, visit <https://www.cisecurity.org/ms-isac/services/ncsr>.

The FY 23 SLCGP NOFO outlines additional services, memberships, and resources that are strongly encouraged or recommended. Please refer to the FY 23 SLCGP NOFO for additional information.

## V. Responsibilities of the Recipient

The Recipient, in accordance with the general purposes and objectives of this grant agreement, will:

- A. Administer the grant in accordance with all applicable federal and state regulations and guidelines and submit required reports to the awarding federal agency.
- B. Provide direction and technical assistance to the Subrecipient.
- C. Provide to the Subrecipient any special report forms and reporting formats (templates) required for administration of the program.
- D. Reimburse the Subrecipient, in accordance with this grant agreement, based on appropriate documentation submitted by the Subrecipient.
- E. At its discretion, independently, or in conjunction with the federal awarding agency, conduct random on-site reviews of the Subrecipient(s).

## VI. Reporting Procedures

The Subrecipient is required to submit reports to the Recipient on the status of all projects and funding. Reporting must follow the format and schedule specified by the Recipient. Current forms and instructions can be requested by sending an email to [EMD\\_HSGP@michigan.gov](mailto:EMD_HSGP@michigan.gov).

Reporting on funding status is mandated by the federal government. Failure by the Subrecipient to fulfill reporting requirements, in compliance with federal grant rules, shall result in the suspension of grant activities until reports are received and may jeopardize future federal funding.

## VII. Payment Procedures

The Subrecipient agrees to prepare and submit the Reimbursement Cover Sheet (EMD-054) with all required supporting documentation attached, including proof of payment. The Subrecipient will submit **one Reimbursement Cover Sheet and related forms for each grant project, solution area, allocation type, and individual exercise**. Reimbursement Cover Sheets must be filled out completely. Instructions are provided with each of the reimbursement forms. The Reimbursement Cover Sheet and other reimbursement forms can be found on the MSP/EMHSD website located at <http://www.michigan.gov/emhsd>. The Subrecipient will not be reimbursed for funds until all required signed documents and reimbursement documentation are received. **All reimbursement requests must be submitted to the Recipient no later than 30 days after the end of the performance period identified in this grant agreement.**

Drawdown of Funds in Advance. Up to 90 days **prior** to expenditure, the Subrecipient may request funds for purchases of \$10,000 or more. All the following requirements must be met when obtaining advanced funds:

- A. The Subrecipient must submit advance requests with a copy of approved purchase orders and a copy of approved Alignment and Allowability Forms.
- B. The Subrecipient must place advanced funds in an interest-bearing account.
- C. The Subrecipient may keep interest up to \$500 per year (2 C.F.R., Part 200.305) for administrative expenses for all federal grants combined.
- D. The Subrecipient must notify the Recipient quarterly, in writing, of any interest earned over \$500.
- E. The Subrecipient must promptly, but at least quarterly, remit any interest earned over \$500 to: Michigan State Police, Emergency Management and Homeland Security Division, Financial Management and Audit Section, P.O. Box 30634, Lansing, Michigan 48909.
- F. The Subrecipient must liquidate each advance **by the date specified by the Recipient** (usually within 90 days).
- G. The Subrecipient must ensure all invoices and proof of payment documents are dated **after the date the advance was issued by the Recipient**.

## VIII. Employment Matters

The Subrecipient shall comply with Title VI of the *Civil Rights Act of 1964*, as amended; Title VIII of the *Civil Rights Act of 1968*; Title IX of the *Education Amendments of 1972 (Equal Opportunity in Education Act)*; the *Age Discrimination Act of 1975*; Titles I, II and III of the *Americans with Disabilities Act of 1990*; the *Elliott-Larsen Civil Rights Act, 1976 PA 453*, as amended, MCL 37.2101 *et seq.*; the *Persons with Disabilities Civil Rights Act, 1976 PA 220*, as amended, MCL 37.1101 *et seq.*, and all other federal, state and local fair employment practices and equal opportunity laws and covenants. The Subrecipient shall not discriminate against any employee or applicant for employment, to be employed in the performance of this grant agreement, with respect to their hire, tenure, terms, conditions, or privileges of employment; or any matter directly or indirectly related to employment because of their race, religion, color, national origin, age, sex, height, weight, marital status, limited English proficiency, or handicap that is unrelated to the individual's ability to perform the duties of a particular job or position. The Subrecipient agrees to include in every contract or subcontract entered into for the performance of this grant agreement this covenant not to discriminate in employment. A breach of this covenant is a material breach of the grant agreement.

The Subrecipient shall ensure that no subcontractor, manufacturer, or supplier of the Subrecipient for projects related to this grant agreement appears on the Federal Excluded Parties List System located at <https://www.sam.gov>.

#### **IX. Limitation of Liability**

The Recipient and the Subrecipient to this grant agreement agree that each must seek its own legal representative and bear its own costs, including judgments, in any litigation that may arise from performance of this contract. It is specifically understood and agreed that neither party will indemnify the other party in such litigation.

*This is not to be construed as a waiver of governmental immunity for either party*

#### **X. Third Parties**

This grant agreement is not intended to make any person or entity, not a party to this grant agreement, a third-party beneficiary hereof or to confer on a third party any rights or obligations enforceable in their favor.

#### **XI. Grant Agreement Period**

This grant agreement is in full force and effect from August 29, 2025 to August 31, 2027. No costs eligible under this grant agreement shall be incurred before the starting date of this grant agreement, except with prior written approval. This grant agreement may be terminated by either party by giving 30 days written notice to the other party stating reasons for termination and the effective date, or upon the failure of either party to carry out the terms of the grant agreement. Upon any such termination, the Subrecipient agrees to return to the Recipient any funds not authorized for use, and the Recipient shall have no further obligation to reimburse the Subrecipient.

#### **XII. Entire Grant Agreement**

This grant agreement is governed by the laws of the State of Michigan and supersedes all prior agreements, documents, and representations between the Recipient and the Subrecipient, whether expressed, implied, or oral. This grant agreement constitutes the entire agreement between the parties and may not be amended except by written instrument executed by both parties prior to the grant end date. No party to this grant agreement may assign this grant agreement or any of their/its rights, interest, or obligations hereunder without the prior consent of the other party. The Subrecipient agrees to inform the Recipient in writing immediately of any proposed changes of dates, budget, or services indicated in this grant agreement, as well as changes of address or personnel affecting this grant agreement. Changes in dates, budget, or services are subject to prior written approval of the Recipient. If any provision of this grant agreement shall be deemed void or unenforceable, the remainder of the grant agreement shall remain valid.

The Recipient may suspend or terminate grant funding to the Subrecipient, in whole or in part, or other measures may be imposed for any of the following reasons:

- A. Failure to expend funds in a timely manner consistent with the grant milestones, guidance, and assurances.
- B. Failure to comply with the requirements or statutory objectives of federal or state law.
- C. Failure to follow grant agreement requirements or special conditions.
- D. Proposal or implementation of substantial plan changes to the extent that, if originally submitted, the project would not have been approved for funding.
- E. Failure to submit required reports.
- F. Filing of a false certification in the application or other report or document.
- G. Failure to adequately manage, monitor or direct the grant funded activities.

Before taking action, the Recipient will provide the Subrecipient reasonable notice of intent to impose corrective measures and will make every effort to resolve the problem informally.

### **XIII. Business Integrity Clause**

The Recipient may immediately cancel the grant without further liability to the Recipient or its employees if the Subrecipient, an officer of the Subrecipient, or an owner of a 25% or greater share of the Subrecipient is convicted of a criminal offense incident to the application for or performance of a state, public, or private grant or subcontract; or convicted of a criminal offense, including, but not limited to any of the following: embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, attempting to influence a public employee to breach the ethical conduct standards for State of Michigan employees; convicted under state or federal antitrust statutes; or convicted of any other criminal offense which, in the sole discretion of the Recipient, reflects on the Subrecipient's business integrity.

### **XIV. Freedom of Information Act**

Much of the information submitted in the course of applying for funding under this program, or provided in the course of grant management activities, may be considered law enforcement-sensitive or otherwise critical to national security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. Therefore, each Subrecipient agency Freedom of Information Officer will need to determine what information is to be withheld on a case-by-case basis. The Subrecipient should be familiar with the regulations governing Protected Critical Infrastructure Information (6 C.F.R., Part 29) and Sensitive Security Information (49 C.F.R., Part 1520), as these designations may provide additional protection to certain classes of homeland security information.

**XV. Official Certification**

**For the Subrecipient**

The individual or officer signing this grant agreement certifies by their signature that they are authorized to sign this grant agreement on behalf of the organization they represent. The Subrecipient agrees to complete all requirements specified in this grant agreement.

\_\_\_\_\_  
Subrecipient Name

\_\_\_\_\_  
Subrecipient's UEI Number

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**For the Recipient (Michigan State Police, Emergency Management and Homeland Security Division)**

Capt. Kevin Sweeney, \_\_\_\_\_  
Printed Name

Commander, Emergency  
Management and Homeland Security  
Title



9/17/2025

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 9/29/25

**PREPARED BY:** Matt Lonnerstater, AICP

**AGENDA ITEM CONTENT:** Ordinance 2205 - Rezoning PRZN 25-01, 25-02, 25-03, 25-04, 25-06 - City-Initiated Rezoning. Second 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 approve and adopt ordinance #2205 (PRZN 25-01; 25-02; 25-03; 25-04; 25-06) upon second reading.



# MEMORANDUM

Report Date: September 19<sup>th</sup>, 2025  
 To: City of Madison Heights City Council  
 Meeting Date: September 29<sup>th</sup>, 2025  
 From: Matt Lonnerstater, AICP – City Planner  
 Subject: Ordinance 2205 [Second Reading] - Rezoning Request PRZN 25-01 through 25-06 – City-Initiated Rezoning of Certain Qualified Properties:

PRZN 25-01 – 555 E. 13 Mile Road [R-1 to R-MN]  
 PRZN 25-02 – 1434 E. 13 Mile Road [R-2 to R-MF]  
 PRZN 25-03 – 30801 Dequindre Road [R-2 to MUI-2]  
 PRZN 25-04 – 1042 E. 12 Mile Road [R-3 to R-MN]  
 PRZN 25-06 – 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 19<sup>th</sup>, 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**



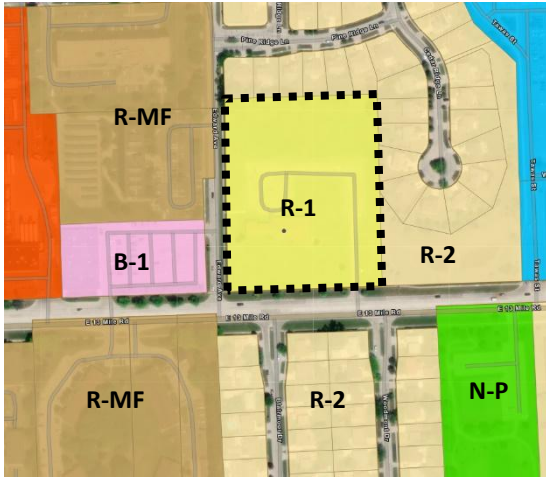
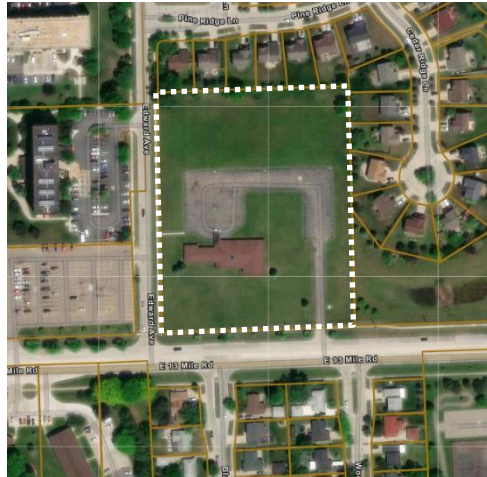
## Letter to Property Owners and Office Hours

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 18<sup>th</sup>, 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**

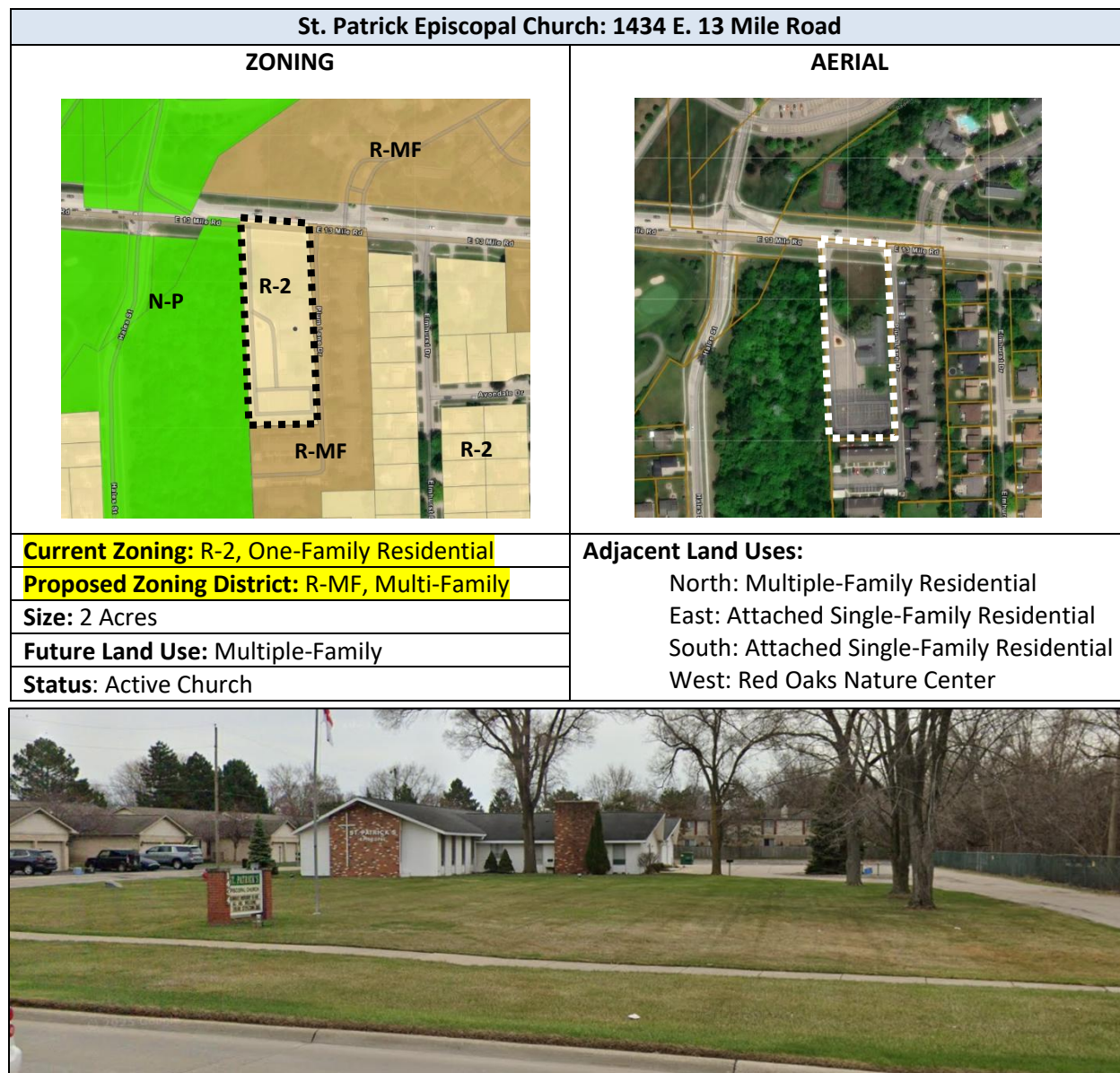
| Madison Heights Church of Nazarene: 555 E. 13 Mile Road                                                                                                                                                                                 |                                                                 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

**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.

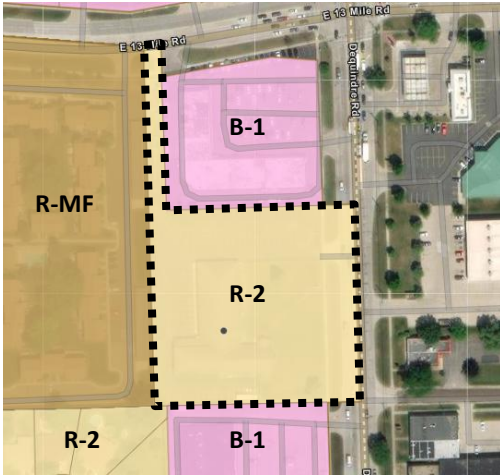
**Master Plan Consideration:** If the site is rezoned to R-MN, the Future Land Use map should be amended as part of the ongoing Master Plan update.

**PRZN 25-02 – 1434 E. 13 MILE ROAD****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**

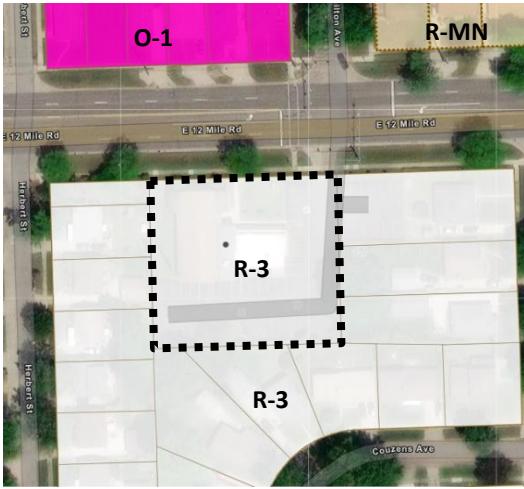
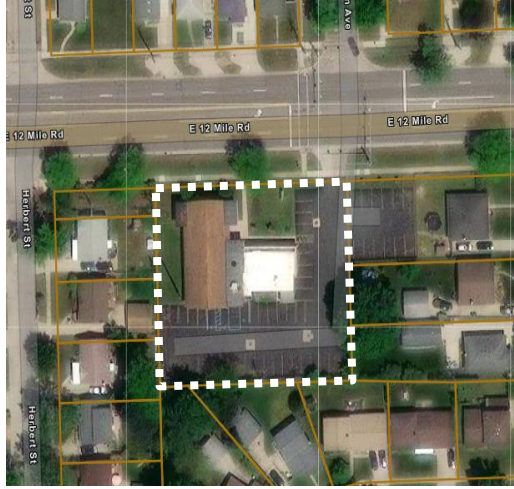
| Arabic Evangelical Alliance Church: 30801 Dequindre Road                            |                                                                                                                         |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <b>ZONING</b>                                                                       | <b>AERIAL</b>                                                                                                           |
|    |                                       |
| <b>Current Zoning:</b> R-2, One-Family Residential                                  | <b>Adjacent Land Uses:</b><br>North: Commercial<br>East: Commercial (Warren)<br>South: Commercial<br>West: Multi-Family |
| <b>Proposed Zoning:</b> MUI-2, Mixed Use Innovation 2                               |                                                                                                                         |
| <b>Size:</b> 3 Acres                                                                |                                                                                                                         |
| <b>Future Land Use:</b> Commercial                                                  |                                                                                                                         |
| <b>Status:</b> Active Church                                                        |                                                                                                                         |
|  |                                                                                                                         |

**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                                                                            | AERIAL                                                                                                                                                                   |
|  |                                                                                        |
| <b>Current Zoning:</b> R-3, One-Family Residential                                | <b>Adjacent Land Uses:</b><br>North: Single-Family Residential<br>East: Single-Family Residential<br>South: Single-Family Residential<br>West: Single-Family Residential |
| <b>Proposed Zoning District:</b> R-MN, Mixed Neighb.                              |                                                                                                                                                                          |
| <b>Size:</b> 0.7 Acres                                                            |                                                                                                                                                                          |
| <b>Future Land Use:</b> Single-Family                                             |                                                                                                                                                                          |
| <b>Status:</b> Active Church                                                      |                                                                                                                                                                          |



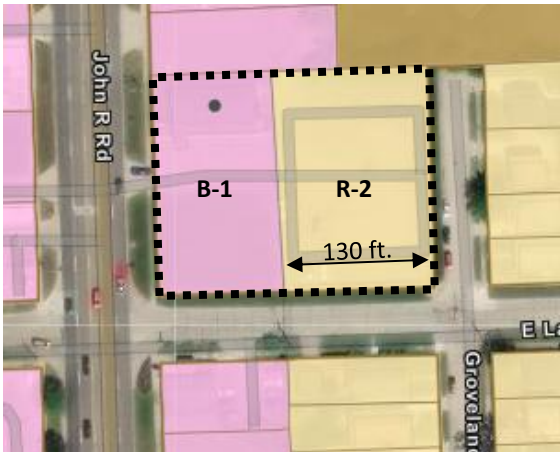
**Planning Commission Recommendation:** Approve

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

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

**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 approve and adopt Ordinance #2205 (PRZN 25-01, 25-02, 25-03, 25-04, and 25-06) upon second reading.

Note that per the Planning Commission's recommendation, this Ordinance does not include case PRZN 25-05 (500 W. Gardenia).

### Attachments

- Ordinance #2205
- Madison Heights Religious Institutions – Proactive Rezoning Map
- Compiled maps
- Letter to property owners dated July 3<sup>rd</sup>, 2025
- Public hearing notice

**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.
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 APPROVAL IS MADE AFTER THE REQUIRED PUBLIC HEARING, HELD AT THE PLANNING COMMISSION MEETING ON AUGUST 19<sup>th</sup>, 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:

**SECTION 1.** 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

**SECTION 2.** 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.

**SECTION 3.** 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.

SECTION 4. 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

SECTION 5. 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.

SECTION 6. 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.

SECTION 7. 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 8<sup>th</sup>, 2025  
SECOND READING: September 29<sup>th</sup>, 2025  
ADOPTED:  
PUBLISHED:  
EFFECTIVE:

DRAFT

MADISON HEIGHTS RELIGIOUS INSTITUTIONS -  
PROACTIVE REZONING

Troy

FOURTEEN MILE

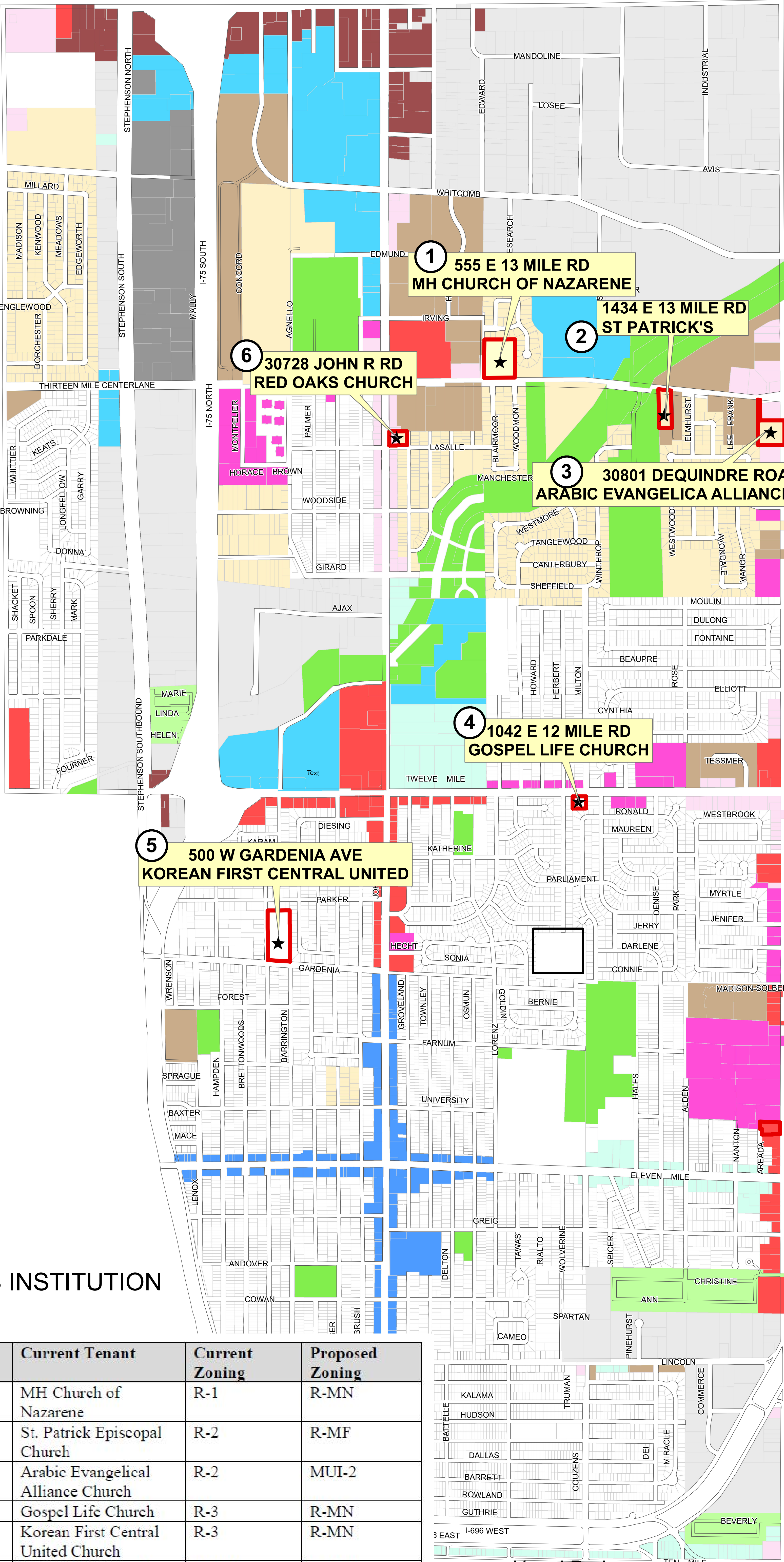
Warren, Macomb County

Royal Oak

ZONING

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

★ RELIGIOUS INSTITUTION

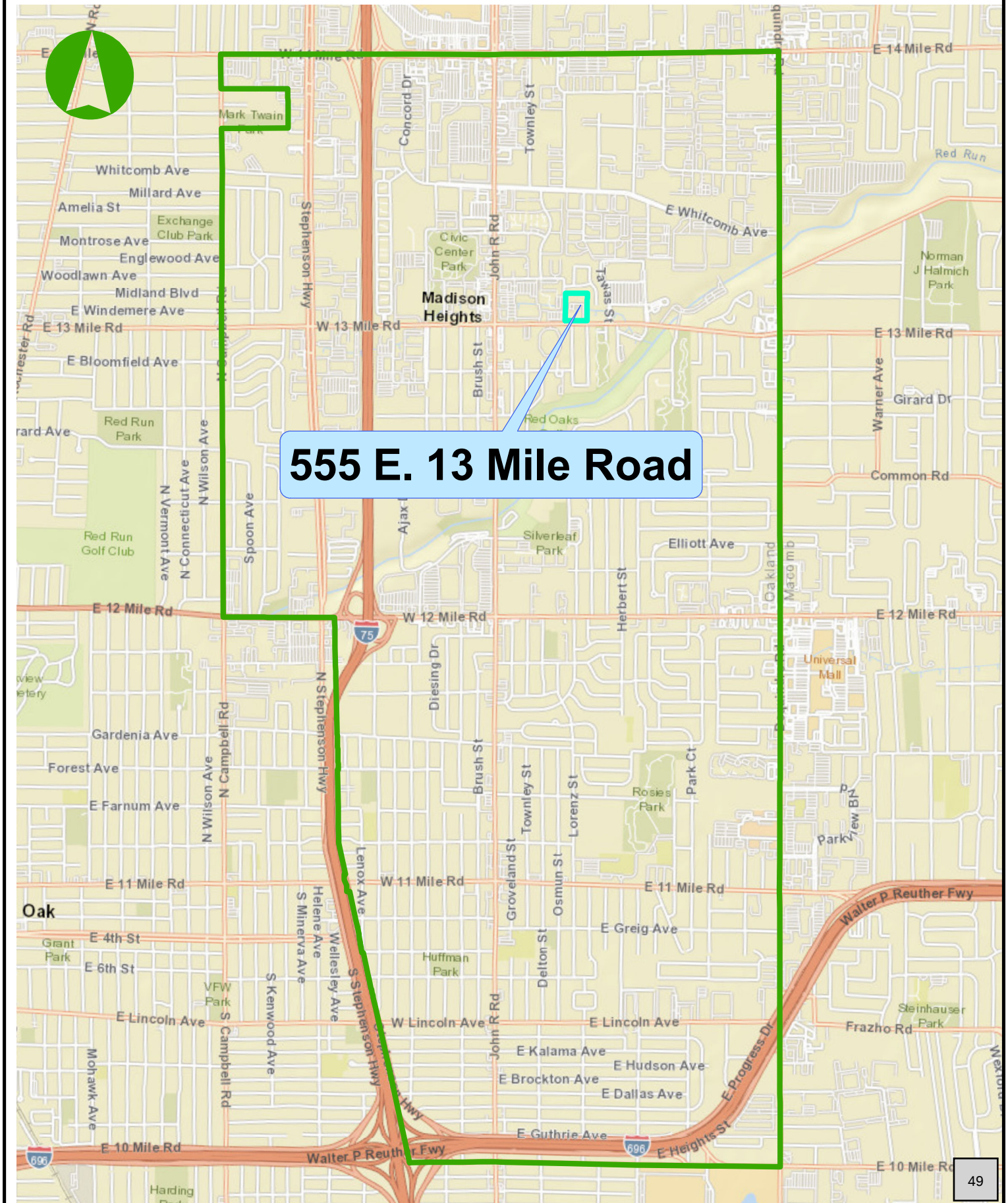


| Map # | Address              | Current Tenant                      | Current Zoning         | Proposed Zoning              |
|-------|----------------------|-------------------------------------|------------------------|------------------------------|
| 1     | 555 E. 13 Mile Rd.   | MH Church of Nazarene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

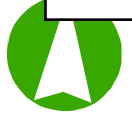
Hazel Park

# PRZN 25-01: 555 E. 13 MILE ROAD

Item 6.



# Site Address: 555 E. 13 Mile Road



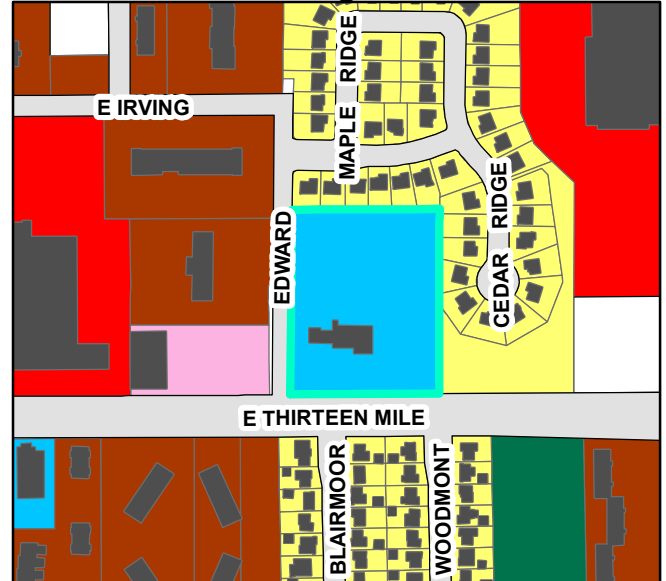
[Click for maps](#)

Aerial



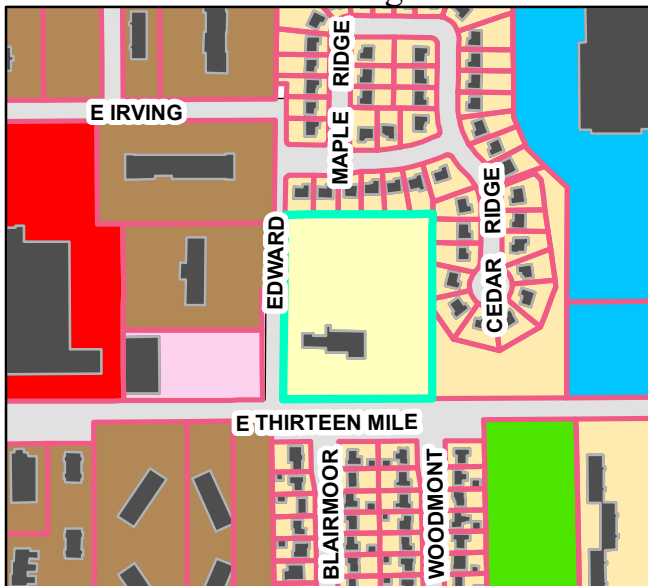
555 E. 13 Mile Road Parcels

Existing Land Use



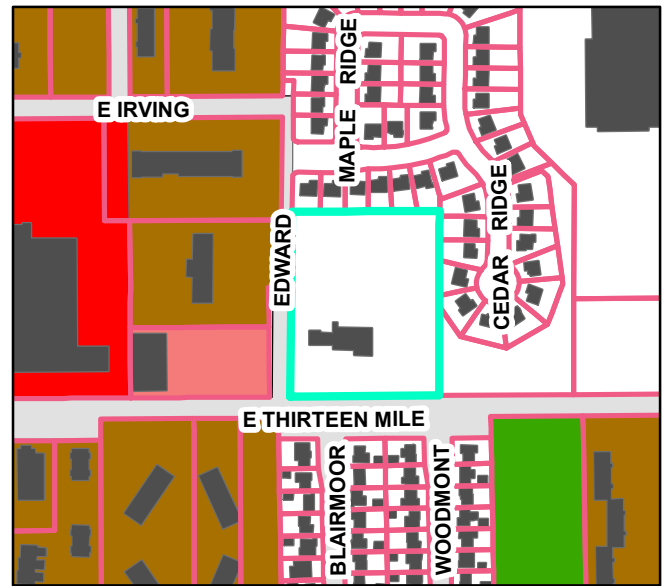
555 E. 13 Mile Road Commercial  
 Single and Two Family Multiple Family  
 Quasi-public Recreation

Zoning



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

Future Land Use

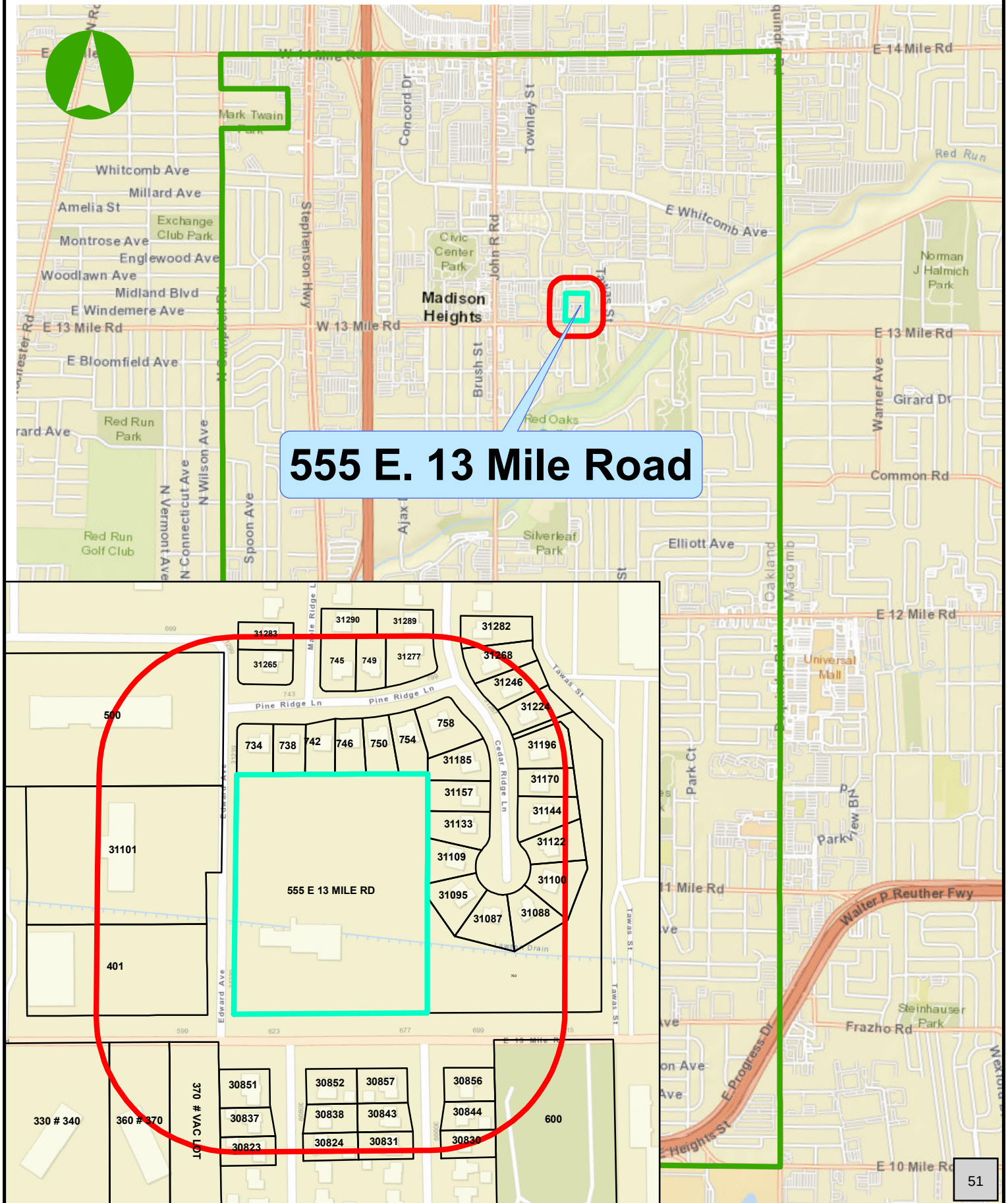


555 E. 13 Mile Road Commercial  
 Multiple Family Office  
 Single Family Recreation

# PRZN 25-01: 555 E. 13 MILE ROAD

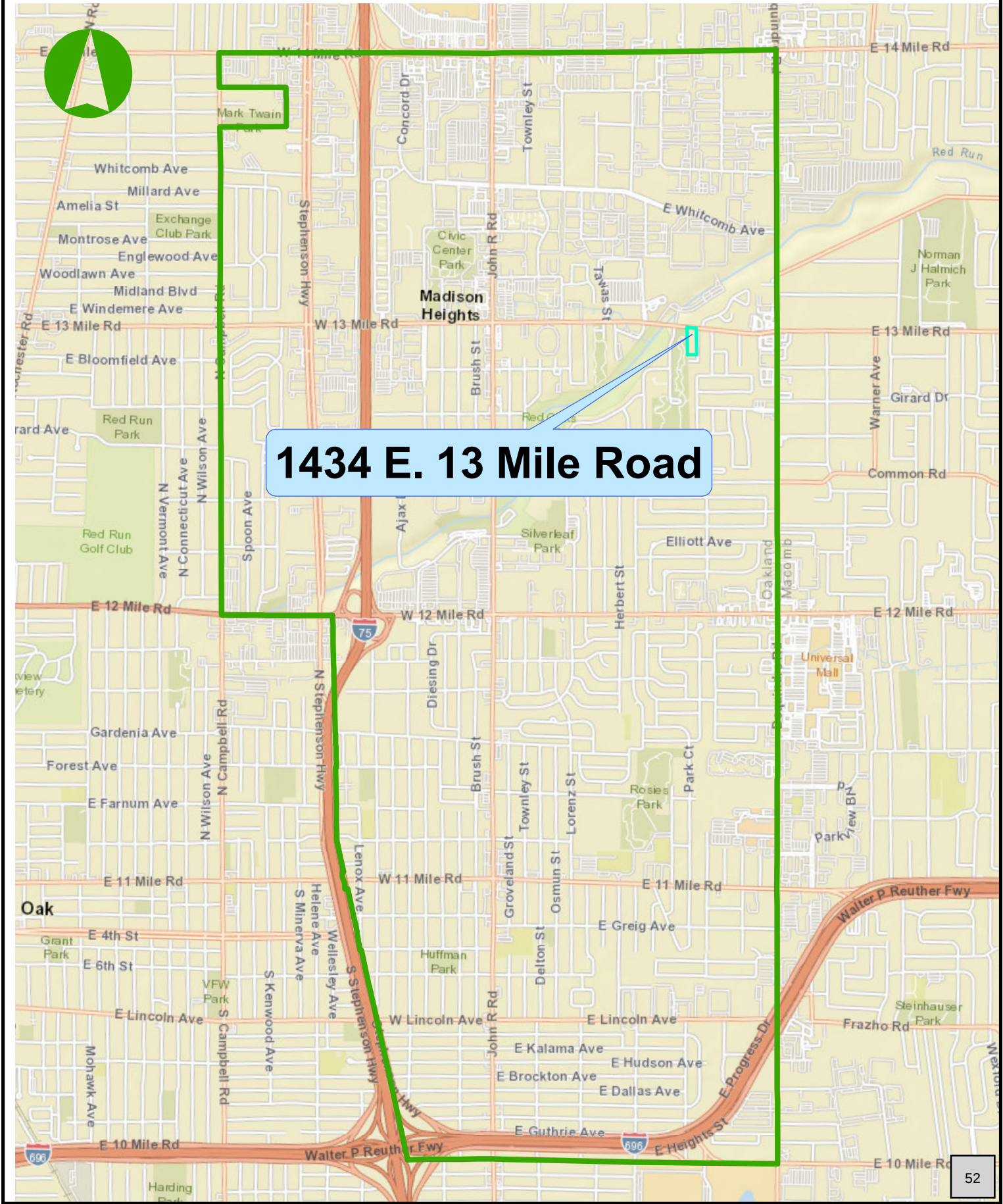
## BUFFER: 300 FT

Item 6.

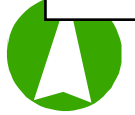


PRZN 25-02: 1434 E. 13 MILE ROAD

Item 6.



# Site Address: 1434 E. 13 Mile Road



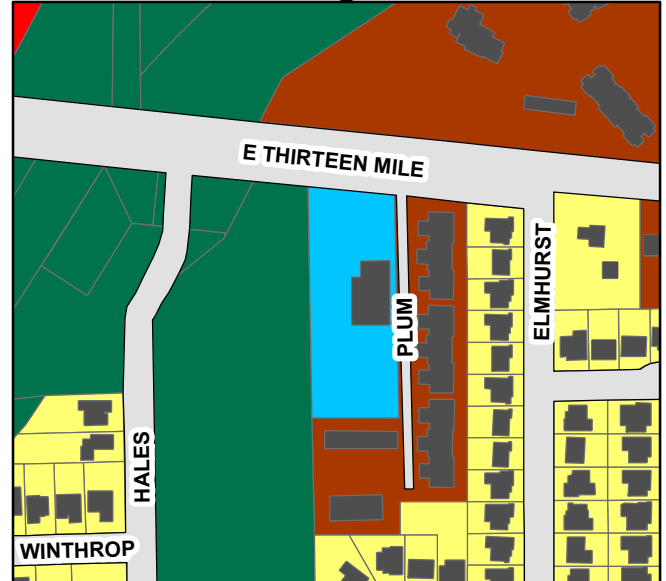
[Click for maps](#)

Aerial



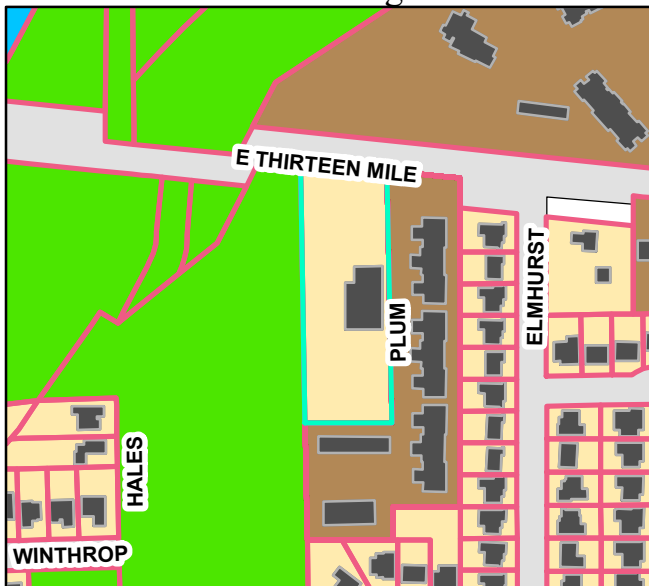
1434 E. 13 Mile Road     Parcels

Existing Land Use



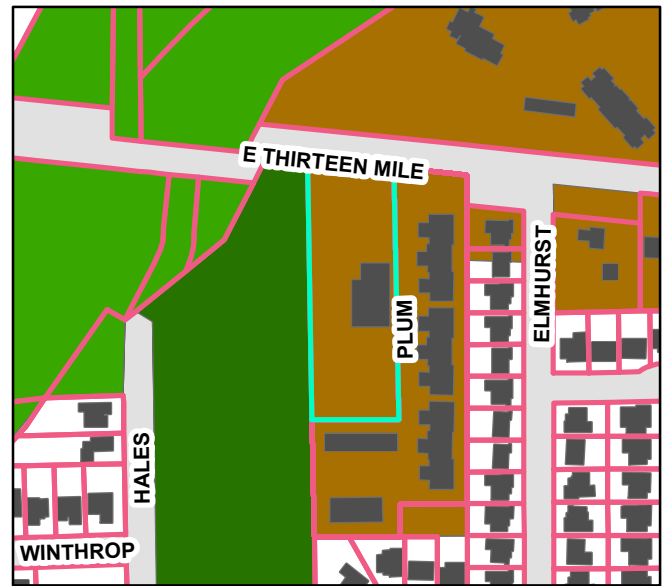
1434 E. 13 Mile Road     Commercial  
 Single and Two Family     Multiple Family  
 Quasi-public     Recreation

Zoning



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

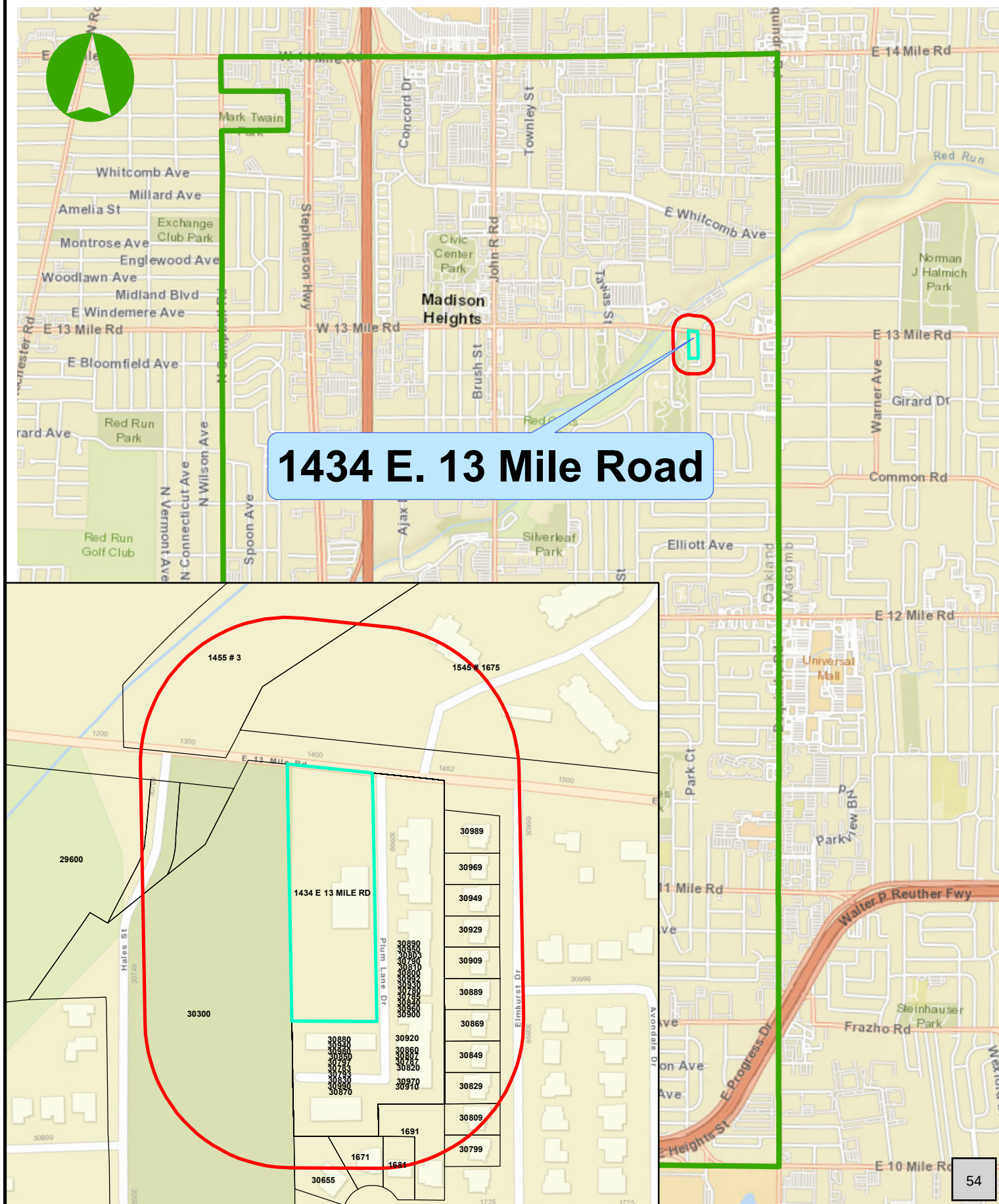
Future Land Use



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

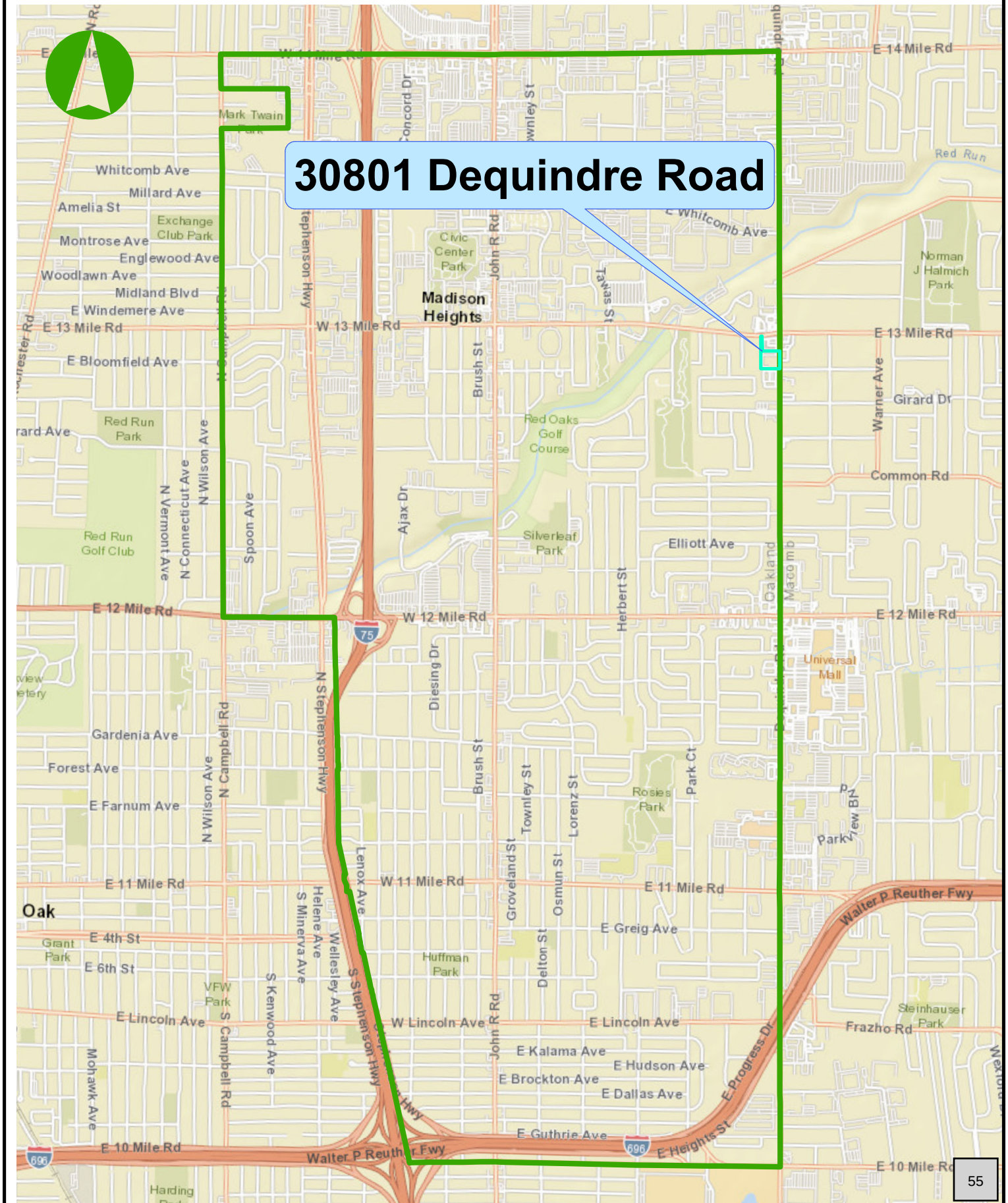
**PRZN 25-02: 1434 E. 13 MILE ROAD**  
**BUFFER: 300FT**

Item 6.



# PRZN 25-03: 30801 DEQUINDRE ROAD

Item 6.

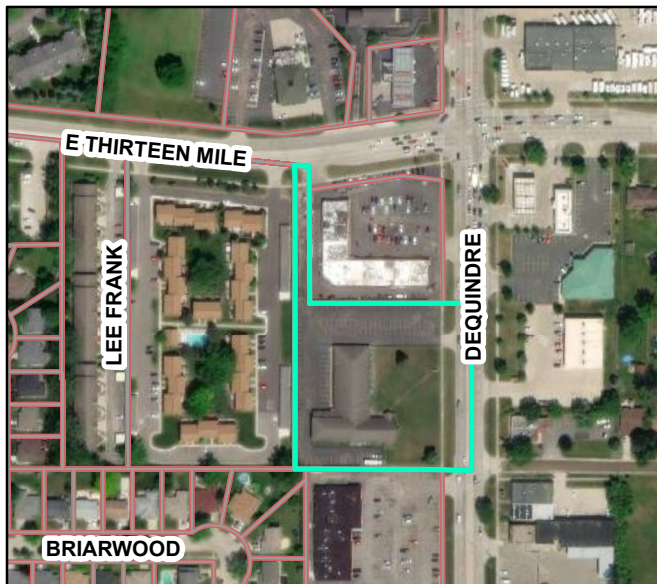


# Site Address: 30801 Dequindre Road



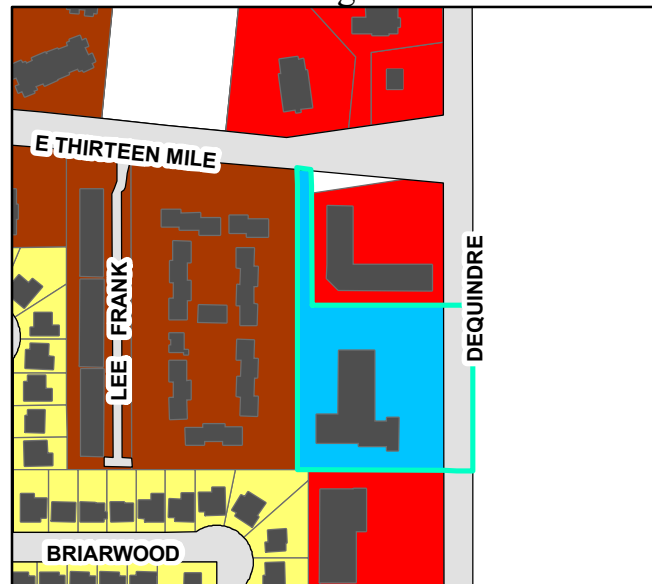
[Click for map](#)

Aerial



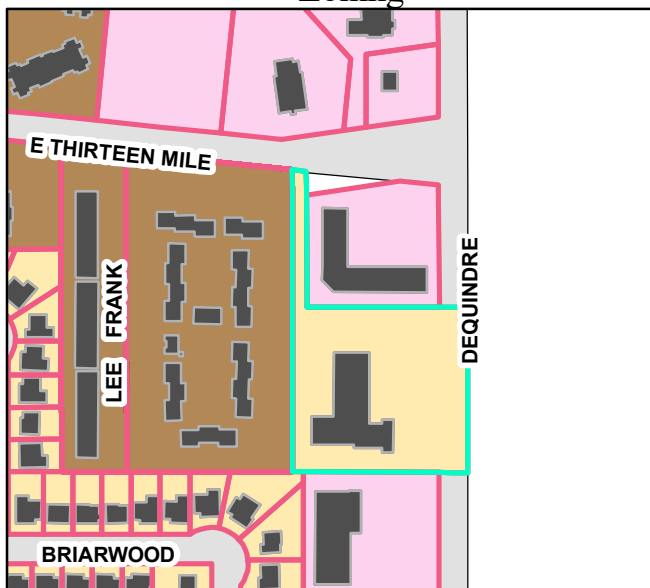
 30801 Dequindre Rd  Parcels

Existing Land Use



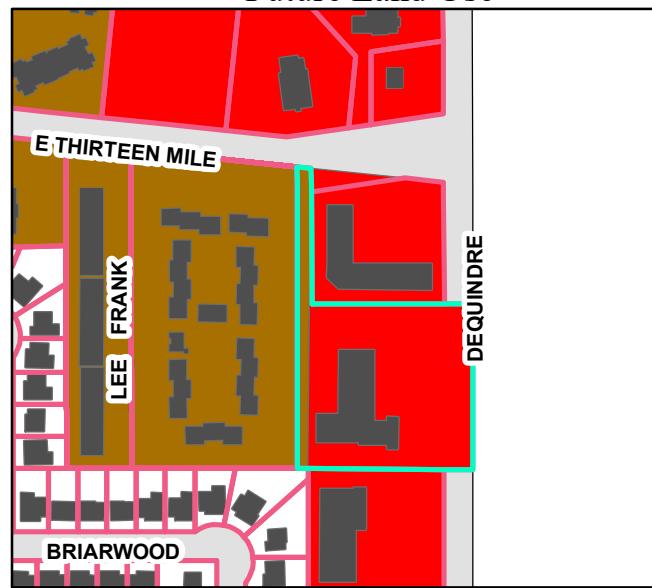
 30801 Dequindre Rd  Commercial  
 Single and Two Family  Multiple Family  
 Quasi-public

Zoning



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

Future Land Use



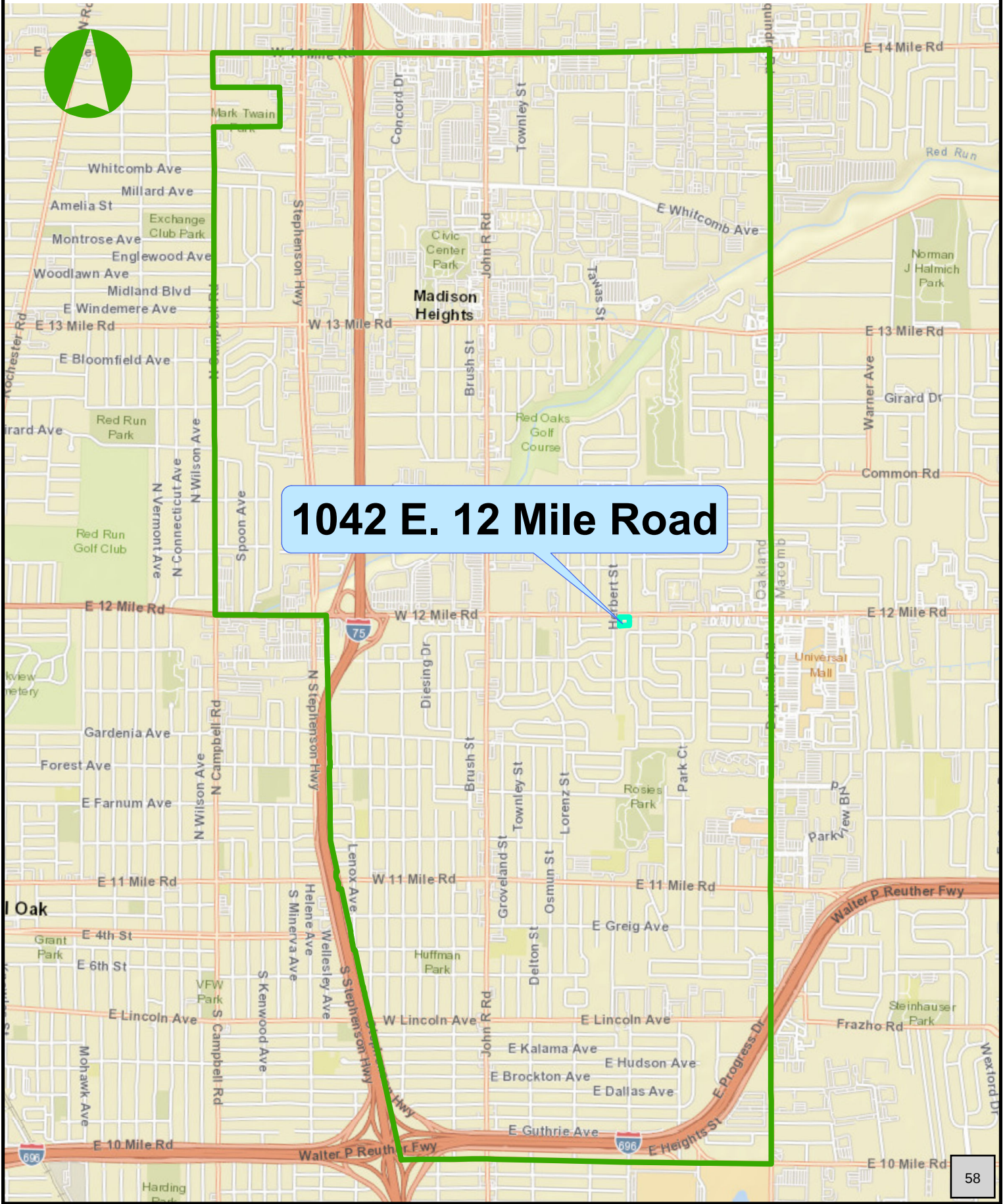
 30801 Dequindre Rd  Commercial  
 Multiple Family  Single Family

*Item 6.*

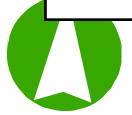


PRZN 25-04: 1042 E 12 MILE ROAD

Item 6.



# Site Address: 1042 E.12 Mile Road



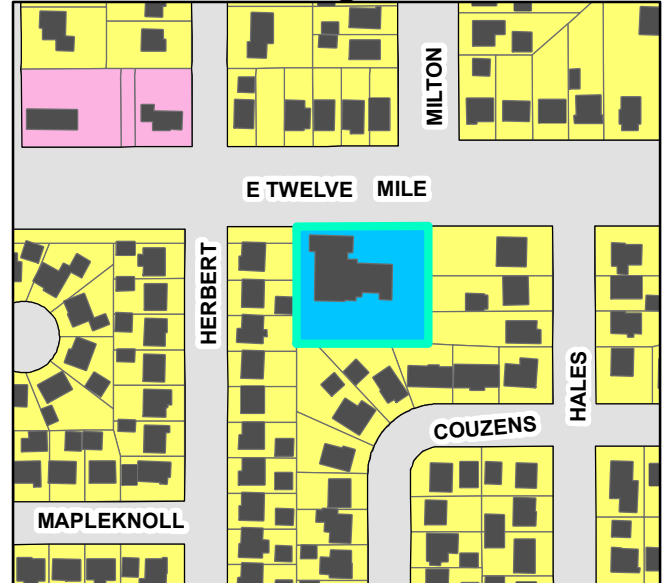
[Click for map](#)

Aerial



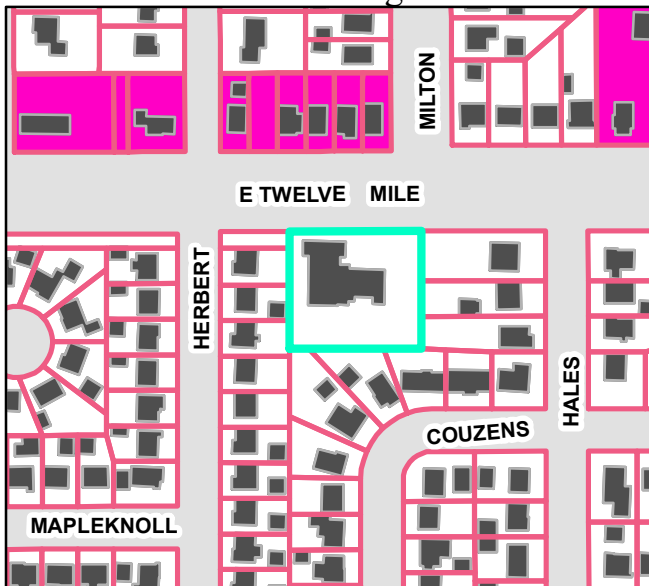
 1042 E. 12 Mile Road     Parcels

Existing Land Use



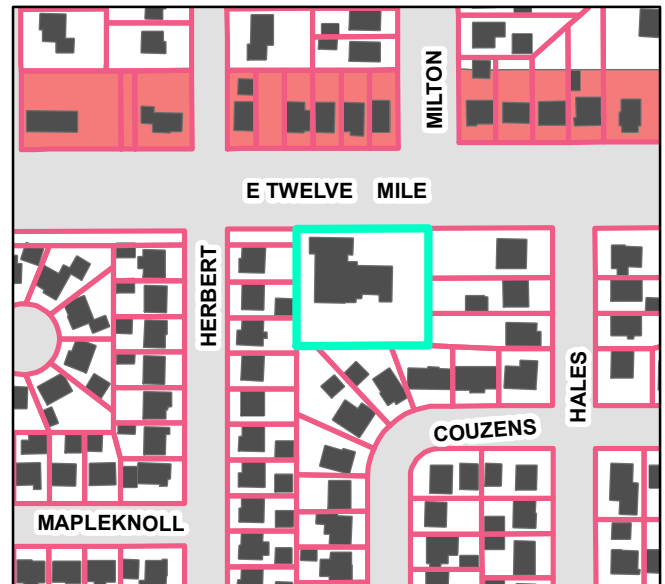
 1042 E. 12 Mile Road     Office  
 Single and Two Family     Quasi-public

Zoning



 1042 E. 12 Mile Road     O-1  
 R-3

Future Land Use

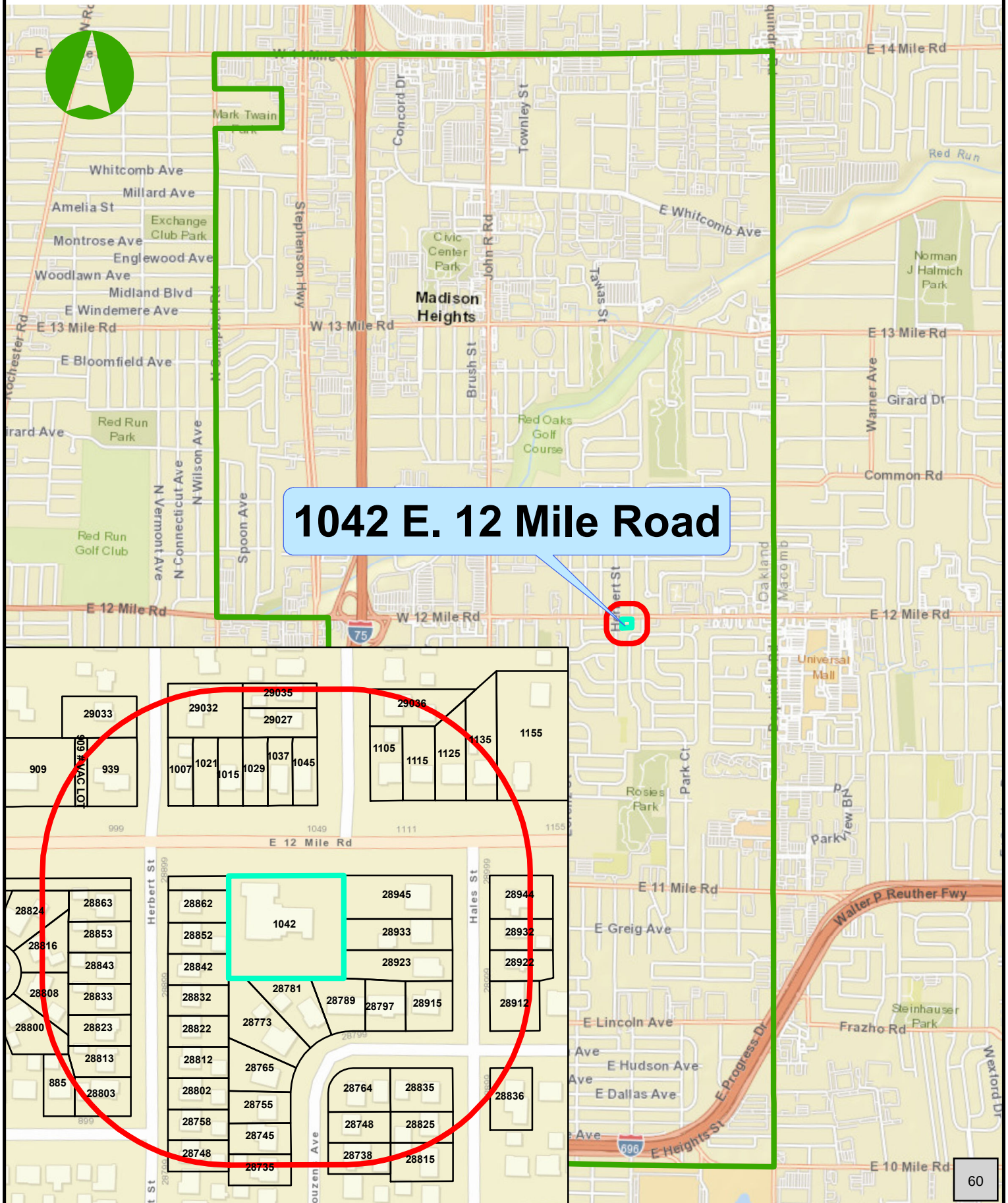


 1042 E. 12 Mile Road     Office  
 Single Family

# PRZN 25-04: 1042 E 12 MILE ROAD

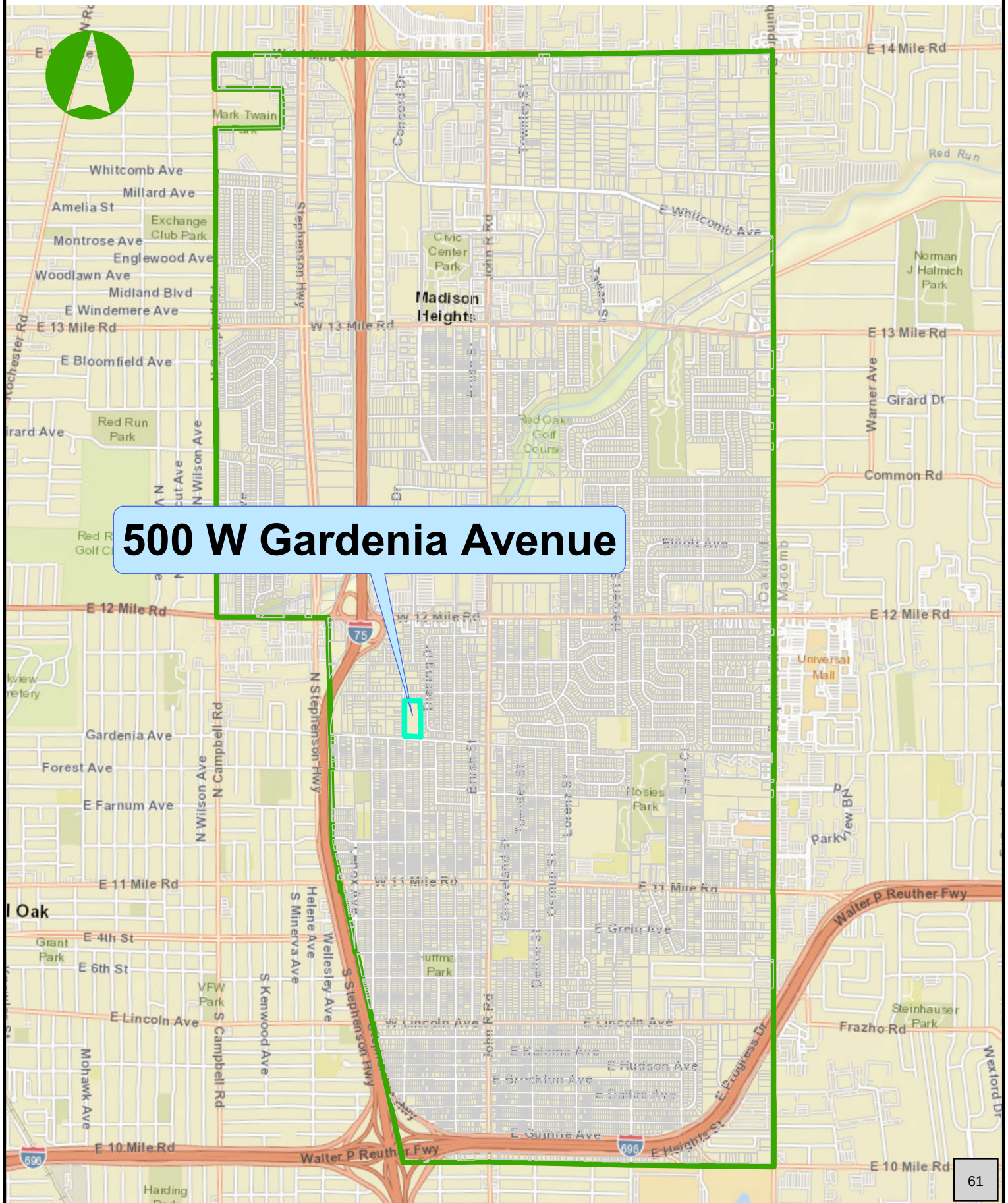
## BUFFER: 300 FT

Item 6.

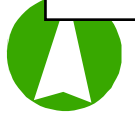


# PRZN 25-05: 500 W GARDENIA AVENUE

Item 6.



# Site Address: 500 W Gardenia Avenue



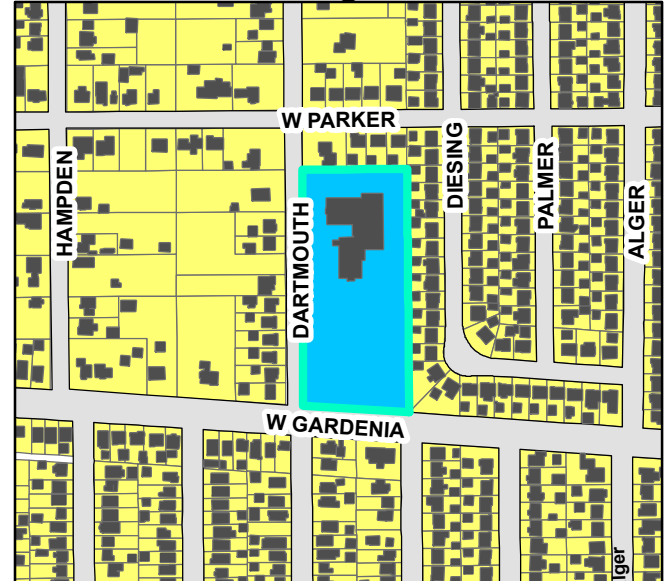
[Click for map](#)

Aerial



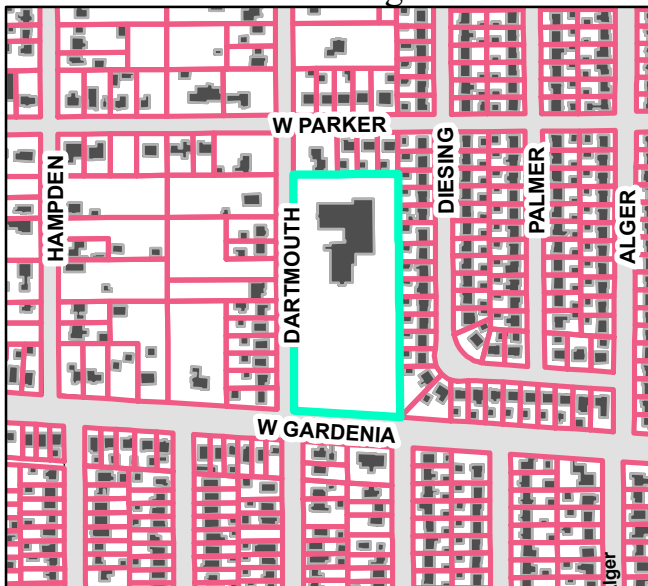
 500 W Gardenia Avenue  Parcels

Existing Land Use



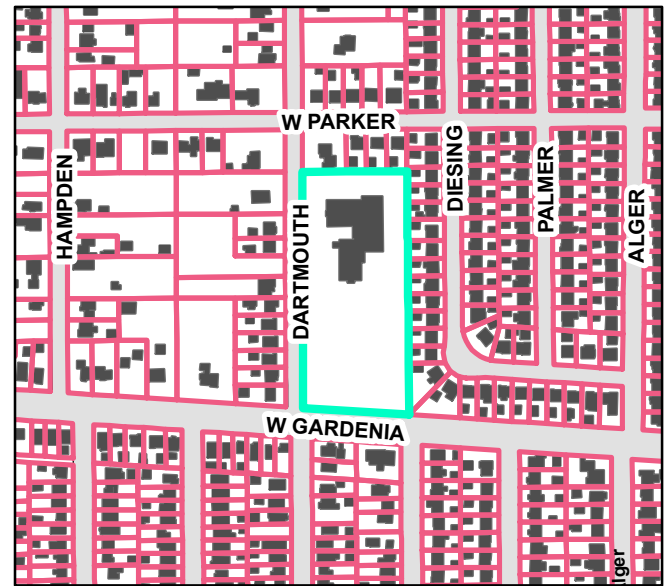
 500 W Gardenia Ave  Quasi-public  
 Single and Two Family

Zoning



 500 W Gardenia Ave  R-3

Future Land Use

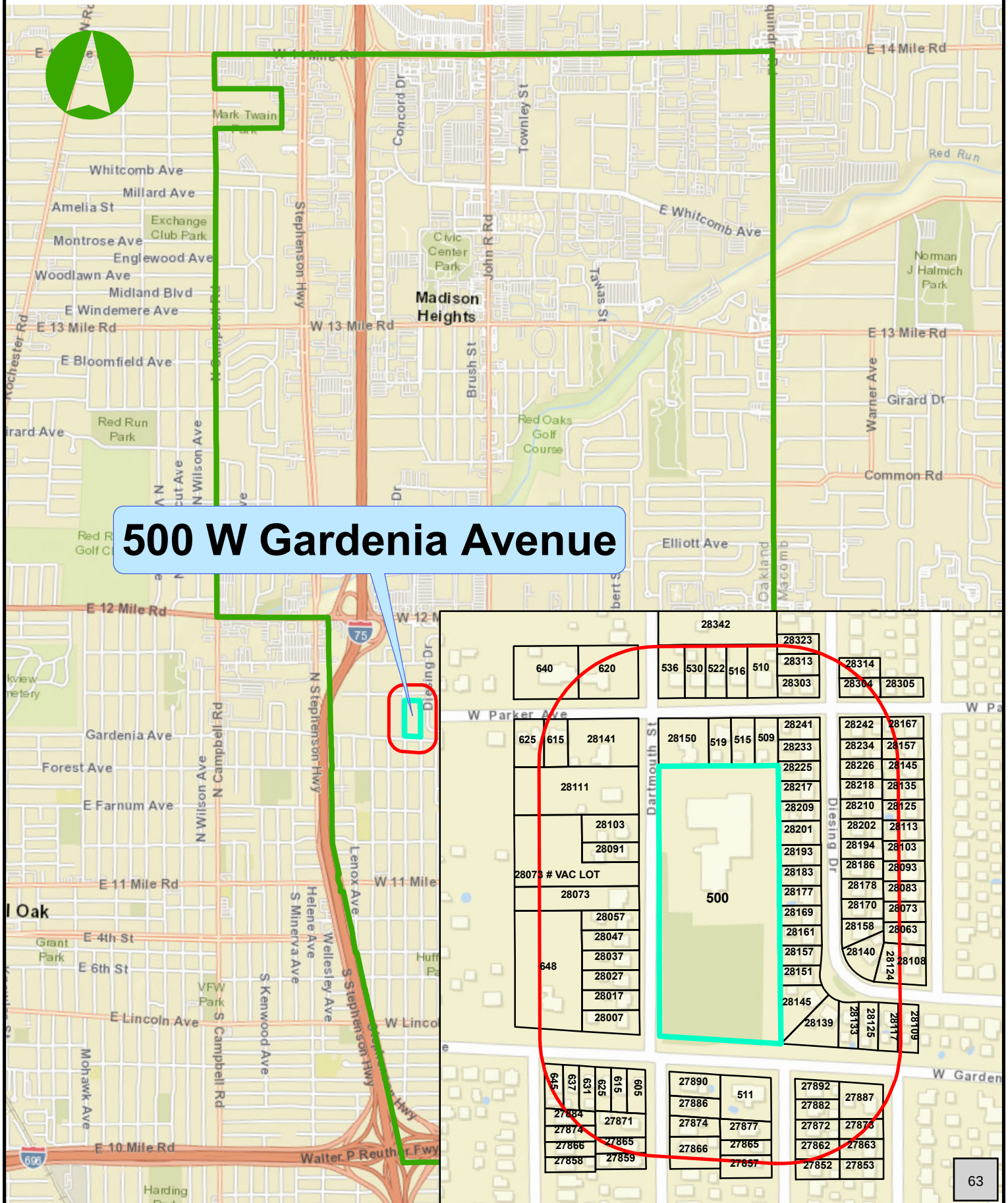


 500 W Gardenia Ave  Single Family

# PRZN 25-05: 500 W GARDENIA AVENUE

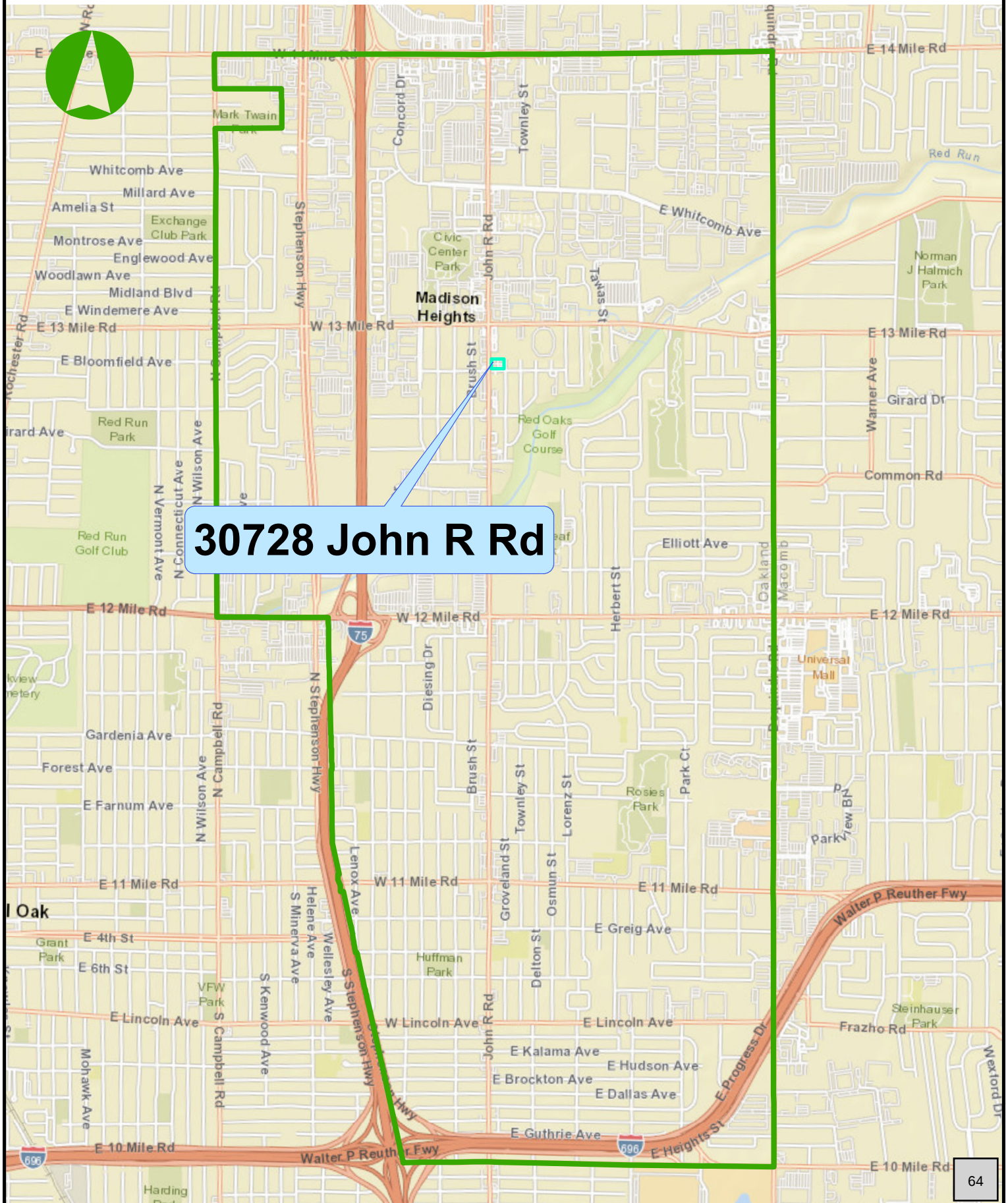
## BUFFER: 300 FT

Item 6.

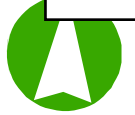


# PRZN 25-06: 30728 JOHN R ROAD

Item 6.



# Site Address: 30728 John R Road



[Click for map](#)

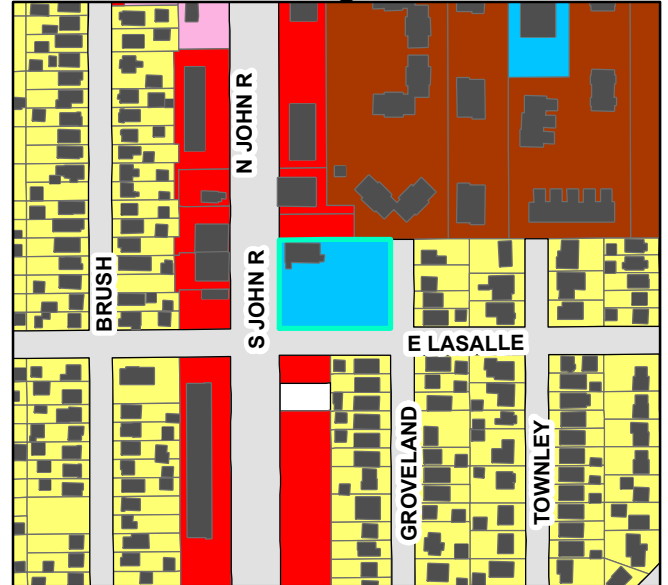
Aerial



30728 John R Rd

Parcels

Existing Land Use



30728 John R Rd

Commercial

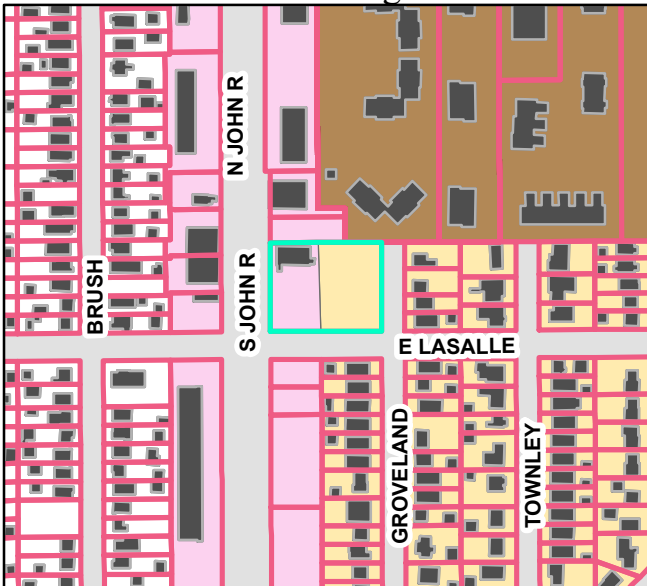
Single and Two Family

Multiple Family

Quasi-public

Office

Zoning



30728 John R Rd

R-3 Residential

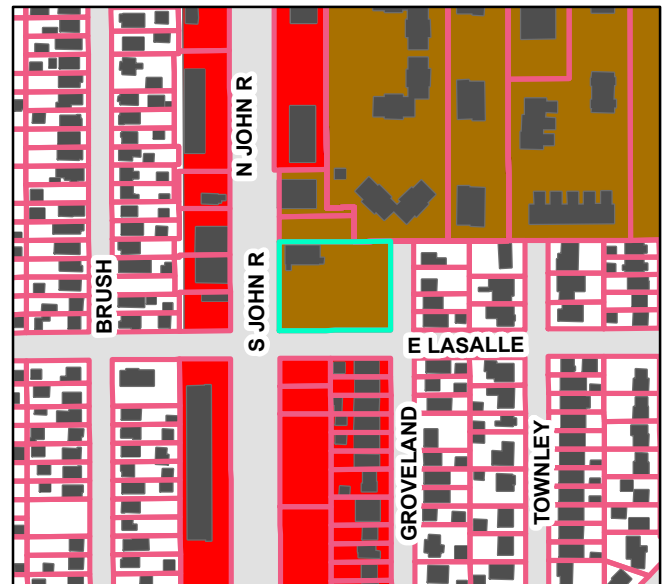
Parcels

R-M

B-1

R-1

Future Land Use



30728 John R Rd

Commercial

Multiple Family

Parcels

*Item 6.*





# 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](http://www.madison-heights.org)

July 3<sup>rd</sup>, 2025

## RE: City-Initiated Rezonings for Certain Qualified Properties

Dear property owner and/or current tenant:

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

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

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

### Background

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

#### Area Code (248)

Active Adult Center..... 545-3464  
Assessing..... 858-0776  
City Clerk..... 583-0826  
City Manager..... 583-0829  
Community Development..... 583-0831  
Department of Public Services..... 589-2294

Finance..... 583-0846  
Fire Department..... 588-3605  
43rd District Court..... 583-1800  
Human Resources..... 583-0828  
Library..... 588-7763  
Mayor & City Council..... 583-0829

Nature Center..... 585-0100  
Police Department..... 585-2100  
Purchasing..... 583-0828  
Recreation..... 589-2294  
Water & Treasurer..... 583-0829

### Qualifying Properties

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

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

Zoning district summaries are provided below:

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

## **Response Form and Office Hours**

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

City staff will also be holding an open office hours event on **Friday, July 18<sup>th</sup> 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 18<sup>th</sup>**, 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 18<sup>th</sup>**, 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](mailto:MattLonnerstater@madison-heights.org)  
(248) 837-2649

## NOTICE OF PUBLIC HEARING

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

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

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

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

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

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

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

The application and any supporting documents can be viewed during regular business hours at the Community and Economic Development Department. In addition, the agenda item can be viewed online after 4:00 p.m. on the Friday prior to the meeting at [www.madison-heights.org](http://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](mailto:MattLonnerstater@madison-heights.org).

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



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 9/29/25

**PREPARED BY:** Matt Lonnerstater, AICP

**AGENDA ITEM CONTENT:** Ordinance 2206 - Zoning Text Amendment ZTA 25-01 - Non-Conforming Residential Driveway Text Amendments. First Reading

**AGENDA ITEM SECTION:** Ordinances

**BUDGETED AMOUNT:** N/A

**FUNDS REQUESTED:** N/A

**FUND:** N/A

**EXECUTIVE SUMMARY:**

City staff proposes the attached text amendment [ZTA 25-01 - Ordinance 2206] to allow certain non-conforming residential driveways to be replaced in-kind without the need to obtain a variance from the Zoning Board of Appeals.

**RECOMMENDATION:**

Staff recommends that City Council conduct the first reading for Ordinance #2206 (ZTA 25-01) and schedule the second and final reading for the October 13th City Council Meeting.



# MEMORANDUM

Date: September 19<sup>th</sup>, 2025  
 To: City of Madison Heights City Council [September 29<sup>th</sup>, 2025 Meeting]  
 From: Matt Lonnerstater, AICP – City Planner  
 Subject: Zoning Text Amendment #25-01 [Ordinance 2206]- Non-Conforming Residential Driveways – City Council First Reading

## Introduction and Planning Commission Action

To avoid an abundance of cases in front of the Zoning Board of Appeals, staff recommends several zoning text amendments which would allow certain non-conforming residential driveways to be replaced in-kind. Staff proposes text amendments to the following sections of the Zoning Ordinance:

- Section 7.03.10: Use-Specific Standards for Detached One-Family Dwellings
- Section 10.02.1: Parking of Motor Vehicles in Residential Districts
- Section 13.01.6: Nonconforming Site Elements

The Planning Commission held a public hearing at their September 19<sup>th</sup>, 2025, after which they recommended approval of the proposed text amendments as written.

## Background

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

Staff has generally denied non-conforming driveway replacements based on a failure to meet one (or multiple) of the following zoning standards:

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

### Proposed Text Amendments

Based on the discussion at the August 19<sup>th</sup>, 2025 Planning Commission meeting, staff recommends adding a provision on “Non-Conforming Residential Driveways” within the use-specific standards for One-Family Detached Dwellings, Section 7.03.10. The proposed text amendments would allow two prevalent types of non-conforming residential driveways to be replaced in-kind without the need for a variance, subject to certain conditions:

- 1) Existing driveways that do not meet the one (1) foot side-yard setback requirement.
- 2) Existing driveways, including attached service walks, that extend a limited distance in front of the residential dwelling.

The proposed text amendment to Section 7.03.10, in full, is as follows:

- (1) Non-conforming Residential Driveways: The following types of non-conforming residential driveways may be repaved or reconstructed in-kind without the need to seek a dimensional variance, but in no case shall the extent of the existing non-conformity increase:
  - (a) A driveway, or a portion of a driveway, which is non-conforming due to a failure to meet the one (1) foot side-yard setback requirement of paragraph (3), above, may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line, if at least one of the following conditions are met:
    - i) The existing parcel features a lot width of 40 feet or less.
    - ii) The non-conforming portion of the driveway to be repaved or reconstructed is ten (10) feet wide or less.
  - (b) A driveway, or a portion of a driveway, which is non-conforming due it extending directly in front of a residential dwelling may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line. However, in no case shall the portion of the driveway extending in front of the dwelling exceed five (5) feet in width.

The proposed text amendments are discussed in more detail, below:

### Side-Yard Setback

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



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

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

The proposed text amendment would allow driveways on narrow lots (40 ft. wide or less), and narrow driveways themselves (10 ft. wide or less), to be replaced in-kind without having to meet the one-foot setback requirement. This provision would not apply to wider lots where adequate room may be available to shift the driveway to meet the setback requirement, nor would it apply to wider driveways which can be reasonably reduced in width to meet the setback.

#### Driveways in front of Residential Dwellings

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

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



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

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

The proposed text amendment would allow non-conforming driveways and attached service walks located directly in front homes to be replaced in-kind, as long as that portion of the driveway extending directly in front of the home does not exceed five (5) feet in width. This amendment would allow the example driveway on the left to be replaced in-kind, but would require the driveway on the right to be reduced in width so that the portion in front of the house does not exceed a width of 5 feet.



*The proposed text amendments would allow the driveway on the left to be replaced in-kind, but would require the driveway on the right to be modified so that the driveway only extends a maximum of 5 feet in front of the house.*

### Additional Text Amendments for Cross-Referencing Purposes

Because the Zoning Ordinance is over 200 pages long, it is important to cross-reference relevant Zoning Ordinance sections wherever possible. Staff recommends cross-referencing the proposed non-conforming residential driveway provisions in Section 10.02.1 (Parking of Motor Vehicles in Residential Districts) and Section 13.01.6 (Nonconforming Site Elements).

### A Note on Duplexes and Multiplexes

Per Section 7.03 (Use-Specific Standards), duplexes (2-units) and multiplexes (3-4 units) are subject to the same standards as one-family detached dwellings, with certain exceptions. Therefore, the proposed text amendments would also apply to non-conforming driveways servicing existing duplex and multi-plex structures.

### **Standards of Review for Amendments**

Section 15.07.3 of the Zoning Ordinance contains standards of review for text amendments, provided below:

*Text Amendments. In considering any petition for an amendment to the text of this Ordinance, the Planning Commission and City Council shall consider the following criteria in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.*

- (1) Consistency with the goals, policies, and objectives of the Master Plan and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistency with recent development trends in the area shall be considered.*
- (2) Consistency with the basic intent and purpose of this Zoning Ordinance.*
- (3) Consideration of changing conditions since the Zoning Ordinance was adopted or a finding that there is an error in the Zoning Ordinance that justifies the amendment.*

### **Next Step**

Based on the Planning Commission's recommendation of approval and their pertinent findings, staff recommends that City Council conduct the first reading of **Ordinance # 2206 (ZTA # 25-01)** and schedule the second and final reading for the October 13<sup>th</sup>, 2025 City Council meeting. An additional public hearing is not required.

Alternatively, the Planning Commission may postpone action on the proposed text amendments to a date certain or include conditions as part of a recommendation to City Council.

### Template Motion for Second Reading and Ordinance Adoption

*Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, that City Council hereby adopt Ordinance #2206, thereby approving zoning text amendment # ZTA 25-01. This approval is made after the required public hearing, held at the Planning Commission meeting on September 16<sup>th</sup>, 2025, based on the finding that the proposed zoning text amendment satisfactorily addresses the standards of review contained in Section 15.07 of the Zoning Ordinance, as follows:*

- 1) The proposed text amendment is consistent with the Housing Objective #1 as contained within the adopted 2021 Master Plan, which is to, “encourage maintenance and reinvestment in existing neighborhoods.”*
- 2) The proposed text amendment grants reasonable flexibility to Madison Heights residents without impairing the basic intent and purpose of the Zoning Ordinance*

**Ordinance 2206  
City of Madison Heights  
Oakland County, Michigan  
Zoning Text Amendment 25-01**

**AN ORDINANCE TO AMEND ORDINANCE 2198, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW ZONING ORDINANCE FOR THE CITY OF MADISON HEIGHTS, BY AMENDING APPENDIX A, SECTION 7.03.10 – “USE SPECIFIC STANDARDS” – “DETACHED ONE-FAMILY DWELLINGS”; SECTION 10.02.1 – “VEHICLE PARKING REQUIREMENTS” – “PARKING OF MOTOR VEHICLES IN RESIDENTIAL DISTRICTS”; AND SECTION 13.01.6 – “NONCONFORMING SITE ELEMENTS” TO ADD STANDARDS TO PERMIT THE IN-KIND REPLACEMENT OF CERTAIN NON-CONFORMING RESIDENTIAL DRIVEWAYS.**

The City of Madison Heights ordains:

**Section 1. SECTION 7.03.10 (USE SPECIFIC STANDARDS – DETACHED ONE-FAMILY DWELLINGS) is hereby amended as follows:**

**10. DETACHED ONE-FAMILY DWELLINGS**

**[...]**

**C. DRIVEWAYS**

- (1) Minimum driveway width at the right-of-way line: 9 feet.
- (2) All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete.
- (3) Driveways shall be set back a minimum of one (1) foot from side and rear lot lines, except in cases where the driveway is accessed from a rear alley or where a driveway is shared between two or more properties. Driveways shall not be permitted in front of the residential dwelling, except as permitted within this Section.
- (4) Driveways leading to an Attached Garage: A driveway providing access to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the property line adjacent to the street and shall be angled no greater than forty-five (45) degrees. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of living spaces above the garage.
- (5) Driveways leading to a Detached Garage: A driveway that provides access to a detached garage shall be no wider than twelve (12) feet in width at the property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin in the side or rear

yard and shall be angled no greater than forty-five (45) degrees. In no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the detached garage.

On a corner property, a driveway leading to a detached garage facing a side street shall be no wider than 20 feet at the side street property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the side street property line. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the garage.

- (6) Driveways on Properties without a Garage: Where no garage exists, a driveway shall be no wider than twelve (12) feet in width at the property line but may taper to a maximum of twenty (20) feet in the side and rear yard. In no case shall any part of the driveway be located directly in front of the residential dwelling.
- (7) Circular Driveways: A circular driveway with two approaches on the same street, or one per street on a corner lot, is permitted on parcels containing 200 feet or more of combined lot width.
- (8) Ribbon Driveways: Ribbon driveways are permitted for residential driveways, subject to the same dimensions and paving standards for standard driveways. Individual ribbons shall only be permitted within the boundary of the lot and shall not be less than eighteen (18) inches or more than thirty (30) inches wide.
- (9) Additional Parking Pad: One (1) additional parking pad for parking and turnarounds, no greater than 18 x 20 feet, is permitted adjacent to a permitted driveway within a side or rear yard. Parking pads shall be set back a minimum of one (1) foot from side and rear property lines.

For properties fronting an arterial or collector street, as denoted within the Master Plan, one (1) parking pad, no greater than 18 x 20 feet, may be located within a required front or street side yard setback to allow for safe vehicular turnaround. Such parking pad shall be screened from the abutting street with plant materials or an alternative screening method approved by the Planning and Zoning Administrator, and shall be set back a minimum of five (5) feet from the street right-of-way line.

- (10) Non-conforming Residential Driveways: The following types of non-conforming residential driveways may be repaved or reconstructed in-kind without the need to seek a dimensional variance, but in no case shall the extent of the existing non-conformity increase:

- (a) A driveway, or a portion of a driveway, which is non-conforming due to a failure to meet the one (1) foot side-yard setback requirement of paragraph (3), above, may be repaved or reconstructed in-kind, irrespective of non-conforming

driveway width at the property line, if at least one of the following conditions are met:

- i) The existing parcel features a lot width of 40 feet or less.
- ii) The non-conforming portion of the driveway to be repaved or reconstructed is ten (10) feet wide or less.
- (b) A driveway, or a portion of a driveway, which is non-conforming due it extending directly in front of a residential dwelling may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line. However, in no case shall the portion of the driveway extending in front of the dwelling exceed five (5) feet in width.

**A. DETACHED ONE-FAMILY DWELLINGS IN N-P DISTRICT.** Detached one-family dwellings within the N-P, Natural Preservation and Recreation District, shall only be permitted upon parcels with a minimum area of one acre, and shall require Special Land Use approval.

---

**Section 2. SECTION 10.02.1 (VEHICLE PARKING REQUIREMENTS - PARKING OF MOTOR VEHICLES IN RESIDENTIAL DISTRICTS) is hereby amended as follows:**

**1. Parking of Motor Vehicles in Residential Districts.**

- A. Such parking shall be limited to passenger vehicles and commercial vehicles of the light delivery type, such as a van or pick-up truck, not to exceed a three-quarter ton manufacturers rating.
- B. Not more than one commercial vehicle shall be permitted per dwelling unit. Parking of commercial vehicle, trailer or truck over three-quarter-ton manufacturer rating on private property within the R-1, R-2, R-3 and R-MN residential zoning districts, may be permitted as a special land use.
- C. The parking of any other type of commercial vehicle, limousine, taxi, or bus, except for school or religious institution owned vehicles parked on the school or religious institution's property, is prohibited in a residential zone. Parking spaces for all types of uses may be provided either in garages or parking areas conforming with the provisions of this Ordinance. Recreational Equipment, including motorized homes and travel trailers, shall be permitted in accordance with Chapter 18 of the Madison Heights Code of Ordinances.
- D. Off-street parking facilities and driveways for detached one-family dwellings, duplexes, multiplexes, and townhomes shall be designed in accordance with the use-specific standards for said uses contained within Section 7.03.

**Section 3. SECTION 13.01.6 (NONCONFORMING SITE ELEMENTS) is hereby amended as follows:**

**6. Nonconforming Site Elements.**

**A.** Nonconforming site elements pertaining to Article 7 (Standards Applicable to Specific Uses), Article 8 (General Provisions), Article 10 (Parking, Loading, and Access Management), and Article 11 (Landscaping) shall be brought into compliance when one (1) or more of the following situations occurs

~~A.~~ (1) A proposed site modification requires Major Site Plan approval, per Section 15.04; or

~~(1)~~ (2) Major change of use classification (per use table). (i.e., commercial to residential); or

~~(2)~~ (3) Other actions deemed necessary to bring the site into compliance as determined by the Planning and Zoning Administrator.

**B.** For non-residential or multi-family residential sites with legal nonconforming site elements, the Planning and Zoning Administrator, Technical Review Committee, or other reviewing/approving body may reduce the requirements of any numerical standard by up to 25% if it is found that full compliance with site element requirements is not feasible, or that alternative compliance would satisfy the intent and spirit of the standard.

~~B.C.~~ Certain non-conforming residential driveways may be replaced in-kind in accordance with Section 7.03.10, Use-Specific Standards for Detached One-Family Dwellings.

**Section 4. Repealer**

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.

**Section 5. Severability**

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**Section 6. Savings**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

**Section 7. Effective Date**

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

**Section 8. Enactment**

A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and between 12:30 p.m. and 4:30 p.m. on regular business days.

---

Roslyn Grafstein, Mayor

---

Cheryl 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 Rottmann, City Clerk

**ZOTXT 25-01 (Ordinance 2206)**

Planning Commission Public Hearing: September 16<sup>th</sup>, 2025

City Council First Reading: September 29<sup>th</sup>, 2025

City Council Second Reading: TBD

Adopted: TBD

Published: TBD

Effective: TBD

## NOTICE OF PUBLIC HEARING

### CITY OF MADISON HEIGHTS PLANNING COMMISSION

Notice is hereby given that the Planning Commission for the City of Madison Heights will hold a public hearing on **Tuesday, September 16<sup>th</sup>, 2025 at 5:30 p.m.** in the **City Council Chambers of City Hall at 300 W. 13 Mile Road, Madison Heights, Michigan 48071** to consider the following zoning text amendments:

#### **Zoning Text Amendment 25-01**

An ordinance to amend Appendix A of Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Sections 7.03.10 (*Use Specific Standards pertaining to Detached One-Family Dwellings*), Section 10.01 (*Intent and General Parking Requirements*), Section 10.02 (*Vehicle Parking Requirements*), and 13.01.6 (*Nonconforming Site Elements*) to provide flexibility for the repair, repaving and/or reconstruction of non-conforming residential driveways.

The application and 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](http://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](mailto: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 09/03/2025



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 09/29/

**PREPARED BY:** Sean Ballantine, Department of Public Services Director

**AGENDA ITEM CONTENT:** Ordinance No. 2207 - Requirement for Recycling and Trash Carts, First Reading

**AGENDA ITEM SECTION:** Ordinances

**BUDGETED AMOUNT:** n/a

**FUNDS REQUESTED:** n/a

**FUND:**

**EXECUTIVE SUMMARY:**

The City has moved to standardize waste collection practices to improve efficiency, safety, reduce cost, and increase compliance with regional recycling standards. Residents will now be required to use uniform receptacles for trash and recycling to allow for automated collection equipment, decrease worker injury risks, and increase service efficiency.

The revised ordinance (attached) amends Ordinance 517 Chapter 14, Section 14-10, 14-11, and 14-16 to require the use of City-approved recycling and trash carts for all residential garbage and recycling collection.

**RECOMMENDATION:**

It is recommended that the City Council approve the revised ordinance requiring the use of City-approved trash and recycling carts, as presented on first reading, and schedule the second reading for October 13th.

**To: Mayor and City Council**  
**From: Sean Ballantine, Department of Public Services Director**  
**Date: September 24, 2025**  
**Subject: Ordinance No. 2207 Revised Ordinance – Requirement for Recycling and Trash Carts**

The City has moved to standardize waste collection practices to improve efficiency, safety, reduce cost, and increase compliance with regional recycling standards. Residents will now be required to use uniform receptacles for trash and recycling to allow for automated collection equipment, decrease worker injury risks, and increase service efficiency.

The revised ordinance (attached) amends Ordinance 517 Chapter 14, Section 14-10, 14-11, and 14-16 to require the use of City-approved recycling and trash carts for all residential garbage and recycling collection.

### **Recommendation**

It is recommended that the City Council approve the revised ordinance requiring the use of City-approved trash and recycling carts, as presented on first reading, and schedule the second reading for October 13<sup>th</sup>.

An Ordinance to amend Ordinance No. 517, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 14, Sections 14-10, 14-11, and 14-16 of the Code of Ordinances, City of Madison Heights, Michigan, to establish a requirement for trash and recycling carts for city-wide rubbish pick-up.

### **Section 1. Amendment.**

**That Chapter 14, Section 14-10, 14-11 and 14-16 of the Code of Ordinances, City of Madison Heights, Michigan, are hereby amended to read as follows:**

#### **Sec. 14-10. Authorized recyclable materials.**

- (a) Residents or occupants of any house, home, dwelling, apartment building or structure of any kind or description whatsoever, intended as a place where people live in the city (collectively "premises"), shall separate authorized recyclable materials and place them in an authorized container at the curb on their normal garbage pickup day and in the manner set out in this chapter, or for multiple dwellings or apartment buildings, at approved locations on the site in authorized containers.
- (b) Due to the rapidly changing technology in the area of [refuse and](#) recycling, authorized recyclable materials and authorized containers may change from time to time based upon available markets, transportation vehicle sizes, and pickup methods. To keep the public informed of the current authorized recyclable materials and authorized containers, the city shall on a regular basis distribute in newsletter form, or to be included with other information in an appropriate newsletter, details and listings of the then current authorized recyclable materials and authorized containers. In addition, the city shall provide a leaflet containing a list and details of the current authorized recyclable materials and authorized containers, which leaflets shall be available for pickup by the public at the city clerk's office, the information desk at City Hall and the department of public services.

(Ord. No. 2139, § 1, 5-28-19)

#### **Sec. 14-11. Deposit in required receptacles; kind; placement, use.**

- (a) All yards, alleys, streets, vacant lots or other places in the city shall be kept free from garbage, bulky waste and rubbish. Garbage, bulky waste and rubbish shall be deposited in an appropriate container or placed for collection as set out in this chapter.
- (b) The residents or occupants of any premises shall [have and use approved containers compatible with the city-authorized mechanical handling equipment](#), ~~provide a covered, watertight container with handles, not exceeding a 30-gallon capacity,~~ for receipt of garbage and rubbish, but not compostable material. [All garbage and rubbish \(with the exception of bulky waste\) shall be placed in the container for collection,](#) ~~or shall have approved containers compatible with the city-authorized mechanical handling equipment.~~
- (c) For composting purposes, compostable materials will not be collected by the city from any premises unless it is placed in a container approved by the director of the department of public services or his or her designee.
- (d) All containers shall be placed in a convenient location for collection at the proper time. The city shall not collect bulky waste or containers holding garbage, bulky waste, rubbish or compostable which weigh over ~~50~~ [200](#) pounds.

- (e) No containers, rubbish, bulky waste or other materials to be disposed of shall be placed in any public street, alley or other public place, or in front or side yard, prior to 12 hours before the regular collection time, and said containers shall be removed from said places not later than 12 hours after collections are made.
- (f) Containers and bulky waste on collection day shall be placed between the curb and the sidewalk unless otherwise authorized. ~~Except for compostable materials, the use of plastic containers will be permitted, provided, that tops of the same are secured to prevent garbage, paper or debris from spilling or otherwise escaping the confines of such containers. At no time will the use of paper bags be permitted, except to hold newspapers as set out in subparagraph (f) of this section.~~
- ~~(g) Stacks of newspapers or boxes may be placed at the curb without being in a container if said newspapers or boxes are placed in paper bags.~~
- (h) Small tree limbs, two inches and less in diameter, shall be collected only if they have been cut into lengths not to exceed three feet in length and tied securely into bundles not to exceed three feet in length and tied securely into bundles not to exceed three feet in girth. In lieu of this paragraph, brush-chipping services are available as specified under subparagraph (i) of this section.
- (i) The city will provide brush-chipping services upon request of the landowner or occupant of the premises. The fee for brush chipping services has previously been established by resolution of the city council. The individual making the request for services will be billed after the services are rendered.
- (j) If payment is not received within 30 days after the services are billed, the director of the department of public services shall make a sworn statement of said account and deliver the same to the city clerk. The city clerk shall certify them forthwith to the city treasurer. The city treasurer shall then enforce payment for those services as prescribed in this chapter for the collection of special assessment.

(Ord. No. 2139, § 1, 5-28-19)

#### **Sec. 14-12. Garbage to be drained of liquids.**

No resident or occupant shall place in any garbage container any materials that have not been well drained of all liquids.

(Ord. No. 2139, § 1, 5-28-19)

#### **Sec. 14-13. Scavenging of authorized recyclable materials prohibited.**

Recyclable materials placed appropriately at the curb in accordance with this chapter shall become the exclusive property of the city or the city's authorized recycler. There shall be a presumption that the residents or occupants intended to recycle materials under this chapter if the authorized recyclable material is placed at curbside as provided in this chapter.

(Ord. No. 2139, § 1, 5-28-19)

#### **Sec. 14-14. Unauthorized collection prohibited.**

No resident or occupant shall dispose of any bulky waste, rubbish or garbage except to an authorized collector of the city.

(Ord. No. 2139, § 1, 5-28-19)

## Sec. 14-15. Vehicles.

Any vehicles used for the purpose of conveying bulky waste, rubbish or garbage shall be constructed, covered and equipped so as to prevent any of the contents thereof from leaking, spilling, falling or blowing off, and any such vehicle, when not in immediate use, shall not be stored or parked in any street, alley or public place so as to become offensive or a hazard to any person.

(Ord. No. 2139, § 1, 5-28-19)

Cross reference(s)—Traffic and motor vehicle code, Ch. 26.

## Sec. 14-16. Burning restrictions.

- (a) Burning of rubbish, garbage, paper, wood, leaves, branches, or any other waste material shall be prohibited within the city.
- (b) A person shall not kindle or maintain any bonfire nor shall it be maintained on any premises without having obtained a permit or other proper authorization from the fire chief or his or her [designated designee](#).  
Provided, however, that such permit shall only permit burning in accordance with the International Fire Code as heretofore adopted by the City of Madison Heights.

(Ord. No. 2139, § 1, 5-28-19)

Cross reference(s)—Air pollution prevention, Ch. 3; fire department and fire prevention and protection, Ch. 12.

SECTION 2. Repealer. 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.

SECTION 3. Severability. Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date. This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection. A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and between the hours of 12:30 p.m. and 4:30 p.m. on regular business days.