



**CITY OF MADISON HEIGHTS**  
**COUNCIL CHAMBERS - CITY HALL, 300 W. 13 MILE RD.**  
**PLANNING COMMISSION MEETING AGENDA**  
**MAY 17, 2022 AT 5:30 PM**

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**CALL TO ORDER**

**ROLL CALL**

**ADDITIONS/DELETIONS TO AGENDA**

**APPROVAL OF MINUTES**

1. April 19th, 2022 PC Meeting

**PUBLIC HEARING**

2. **Rezoning PRZN 22-01: 30151, 30171 and 30183 Dequindre Rd.**

Rezoning request by Hudson Madison II LLC to rezone three (3) parcels of land at 30151, 30171 and 30183 Dequindre Road (Tax Map #s 44-25-12-280-027; -026; and -025) from R-3, One-Family Residential, to R-M, Multiple-Family Residential.

3. **Rezoning PRZN 22-02: 29022 Stephenson Highway**

Rezoning request by EWM-Miller Wash LLC to rezone three (3) parcels of land at 29022 Stephenson Highway (Tax Map #s 44-25-11-377-015; -016; and -019) from M-1, Light Industrial, to B-3, General Business.

**MATTERS FOR CONSIDERATION**

4. Zoning Ordinance Rewrite Project Update

**MEETING OPEN TO THE PUBLIC: Items not listed on agenda**

**MEMBER UPDATES**

**PLANNER UPDATES**

**ADJOURNMENT**

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



# CITY OF MADISON HEIGHTS

## PLANNING COMMISSION MEETING MINUTES

April 19, 2022

Council Chambers – City Hall

300 W. 13 Mile, Madison Heights, MI 48071

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### 1. CALL TO ORDER

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

### 2. ROLL CALL

Present: Mayor Pro Tem Mark Bliss (arrived at 5:35 pm)  
Chairperson Josh Champagne  
Member Bruce Conn  
Member Eric Graettinger  
Mayor Roslyn Grafstein  
City Manager Melissa Marsh  
Member Cliff Oglesby  
Member Grant Sylvester

Absent: None

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

### 3. APPROVAL OF AGENDA

There were no additions or deletions to the agenda

### 4. APPROVAL OF MINUTES

Motion by Commissioner Conn, supported by Commissioner Graettinger, to approve the minutes of the regular Planning Commission meeting of March 15, 2022.

Motion carries unanimously.

### 5. PUBLIC HEARING:

#### a. Zoning Text Amendment ZTA 22-01: Mobile Food Vending

Planner Lonnerstater reintroduced the Zoning Text Amendment ZTA 22-01 to create regulations

for the operation of mobile food vehicles (a.k.a. food trucks) on private property within the City. The planning commission reviewed the initial draft of the ordinance at the March 15<sup>th</sup> meeting. After the productive discussion, Staff updated the proposed mobile food ordinance. The new draft is presented in a flexible format that presents several regulatory options for Planning Commission consideration. Staff included seven different sections which present various choices.

To clarify this draft ordinance amendment is for private property only. This does not pertain to food trucks operating in the public right-of-way or operating City streets or parks.

Planner Lonnerstater started by reviewing the revisions made to the original ZTA 22-01.

In response to the discussion and the questions posed by commissioners at the meeting on March 15<sup>th</sup>, staff updated the original proposed mobile food vending ordinance. The updated draft includes the following modifications, which are summarized below:

- Clarification that food truck operation on public property or within the right-of-way is subject to the 'special event' approval process as contained within City's business license ordinance.
- New definitions and regulations pertaining to "mobile food courts." As proposed, mobile food courts constitute a principal use of the property and require special use approval through City Council and site plan approval through the Site Plan Review Committee.
- Updates to the 'brick and mortar' separation requirement, now measured 100 feet to the property line of a property containing existing brick and mortar restaurants.
- Clarification that speakers/live entertainment may be permitted subject to decibel-level limits at the property line.

The draft also presents seven choices, also referred to as "choose-your-own-adventure", which our planner narrowed down and presented options (under each choice) for the Planning Commission to consider. Each was discussed at length by the Commissioners, resulting in an option for each "choice".

**Choice 1**      **Where should mobile food sites (as an accessory use) be permitted within the City?**

Option B - The property shall be zoned O-1, B-1, B-2, B-3, M-1 or M-2, and shall be located within the boundaries of the DDA.

**Choice 2**      **Should property owners be required to re-apply for mobile site plan approval on an annual basis?**

Option A - Property owners shall be required to apply for mobile food site approval annually.

**Choice 3**      **Where should mobile food courts (as a primary use) be permitted within the City?**

Option B - The property shall be zoned O-1, B-1, B-2, B-3, M-1 or M-2, and shall be located within the boundaries of the DDA.

**Choice 4**      **Should there be a residential separation requirement for mobile food courts?**

Option B – Outdoor seating areas shall be set back a minimum of 40 feet from any property line that abuts a residential zoning district. Outdoor seating areas facing residential districts shall be screened by a minimum 8-foot-high obscuring wall.

**Choice 5**      **Should mobile food vendors be limited as to the number of days per year they can operate from an individual mobile food site?**

Option B – No duration limits.

**Choice 6**      **Should food vendors be required to remove their food trucks from mobile food sites during non-operational hours?**

Option B - The mobile food vehicle may be stored on-site during non-operational hours from a location that is not readily visible from the right-of-way. Non-operational hours should be defined as periods of non-activity of greater than 24 hours.

**Choice 7**      **Should mobile food vendors be required to obtain a new Certificate of Occupancy for each mobile food site/mobile food court on an annual/bi-annual basis?**

Option A - Certificates of occupancy for each mobile food site/court are valid for a period of one (1) year and may be renewed annually.

The following additional modifications were also suggested and were summarized by Planner Lonnerstater:

1. Elimination of hours of operation limits
2. Sound requirements should mimic patio/outdoor seating ordinance
3. No portable generators permitted
4. Clarification regarding electrical hookup as required by electrical inspector

**Motion by Bliss, supported by Conn to recommend that City Council adopt the zoning text amendment ZTA 22-01: Mobile Food Vending to include the 7 choices selected and the additional modifications as summarized by Planner Lonnerstater.**

**Motion carries unanimously.**

## **6. MATTERS FOR CONSIDERATION**

Planner Lonnerstater asks that the Commission members please fill out a survey that will help the City achieve the Redevelopment Ready Community designation from the MEDC. We are working on a Boards and Commissions training strategy and the first step in doing that is to complete this survey.

## **7. PUBLIC COMMENT - For items not listed on the agenda**

No public comment.

## **8. MEMBER UPDATES**

No member updates.

## **9. PLANNER UPDATES**

Planner Lonnerstater has no further comments.

## **10. ADJOURNMENT OF MEETING**

Meeting adjourned by the Chair at 7:15 p.m.



# MEMORANDUM

Date: May 11<sup>th</sup>, 2022  
 To: City of Madison Heights Planning Commission  
 From: Matt Lonnerstater, AICP – City Planner  
 Subject: Rezoning Request PRZN 22-01 – 30151, 30171 and 30183 Dequindre Road – R-3 to R-M

## Introduction

The applicant, Hudson Madison II LLC, requests to rezone three (3) parcels of land at **30151, 30171 and 30183 Dequindre Road** (PIN Numbers 44-25-12-280-027, 44-25-12-280-026, and 44-25-280-025) from **R-3, One-Family Residential, to R-M, Multiple Family Residential**. The subject properties are located on the west side of Dequindre Road, south of Oakland Drive.

## Background

The three subject properties contain a total of 2.86 acres and are improved with single-family detached homes and their accessory structures. The applicant requests a rezoning to R-M in order to construct a senior living, assisted living and memory care facility on site, which is permitted as a special use within the R-M district. The new facility will be associated with the independent senior living facility currently under construction immediately to the south of the site. Note that approval of the rezoning does not constitute special use or site plan approval.

Per the Zoning Ordinance, the R-M zoning district is, *“designed to provide sites for multiple-dwelling structures which will generally serve as zones of transition between the nonresidential districts and lower density single-family districts and is further provided to serve the limited needs for the apartment type of unit in an otherwise single-family residential community.”*

The Planning Commission should consider all of the potential uses that could be developed on this site if it were to be zoned R-M. Uses permitted by right within the R-M district include one and two-family dwellings, multiple-dwellings, and rental/management offices accessory to multiple-dwelling unit developments. Uses permitted as a special use include convalescent homes and general hospitals.

**When reviewing a rezoning request, the Planning Commission should review the proposed district’s consistency and compatibility with adjacent land uses and the future land use map as laid out in the Master Plan.**

## Existing Land Use

Existing adjacent land uses and zoning designations are denoted in the table below:

	Existing Land Use	Existing Zoning
<b>Site</b>	Single-Family Homes	R-3, One-Family Residential
<b>North</b>	Fraternal Organization	R-3, One-Family Residential
<b>South</b>	Multiple-Family (under construction)	O-1, Office
<b>East (across Dequindre)</b>	Multiple-Family Residential/Retail	Multiple-family and Industrial (City of Warren)
<b>West</b>	Single-Family Homes/Vacant	R-3, One-Family Residential

The subject site is located immediately to the north of “The Reserve at Red Run,” an independent senior living facility currently under construction, zoned O-1, Office. Adjacent properties to the west and north are zoned R-3, One-Family Residential. Properties to the east (across Dequindre Rd) are located within the City of Warren and are zoned for commercial and multi-family purposes.

*Existing Conditions along Dequindre (looking north)*



### Future Land Use

Adjacent future land uses, as envisioned by the 2021 Madison Heights Master Plan, are denoted in the table below:

	Future Land Use
<b>Site</b>	Office
<b>North</b>	Office
<b>South</b>	Office
<b>East (across Dequindre Rd.)</b>	Mixed-Use (City of Warren)
<b>West</b>	Single-Family Residential

The future land use designation of the subject site is “Office.” Per the Master Plan, the Office designation is intended to accommodate, *“a blend of local service, professional and general office uses into traditional office developments, as well as commercial uses that service office users.”*

If the R-M rezoning request is approved, any multi-family development on the subject parcel, including parking, will be subject to screening, buffering and site development requirements per the Zoning Ordinance.

### **Staff Analysis**

While the proposed R-M zoning district is not completely aligned with the site’s “Office” Future Land Use designation, staff recognizes the importance of providing land for additional housing units within the city. In many cases, multiple-family zoning can provide for an appropriate mix of uses along major thoroughfares and arterials, such as Dequindre Road. Further, staff finds that a future multiple-family development on this subject site could be complementary to, and compatible with, the multiple-family independent senior living facility currently under construction to the south. The proposed R-M district promotes one of the Master Plan’s housing objectives to, *“provide a diverse range of housing options that meet the affordability, maintenance, and lifestyle needs of current and future residents.”*

### Findings and Recommendation

1. The applicant requests a rezoning from R-3, One-Family Residential, to R-M, Multiple-Family Residential, to construct a senior living, assisted living and memory care facility on site. The R-M district permits single and multiple-family residential uses.
2. The proposed R-M district is generally compatible and consistent with adjacent multiple-family and commercial uses along Dequindre Road and is compatible with single-family residential to the west.
3. The proposed R-M District is compatible with adjacent O-1-zoned parcels along Dequindre Road.
4. While the proposed R-M District is not entirely aligned with the “Office” future land use designation, the rezoning advances the Master Plan’s objective to, *“provide a diverse range of housing options that meet the affordability, maintenance and lifestyle needs of current and future residents.”*
5. The Site Plan Review Committee (SPRC) reviewed the proposed rezoning request at their May 4<sup>th</sup>, 2022 meeting and did not express any objections. The SPRC will separately review additional applications relating to this project, if submitted, including special use and site plan submittal. Special use approval through City Council is required for convalescent homes.

Based on these findings, staff recommends that the Planning Commission recommend to City Council **approval** of the requested rezoning on the three (3) subject parcels from R-3 to R-M.

### Next Step

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



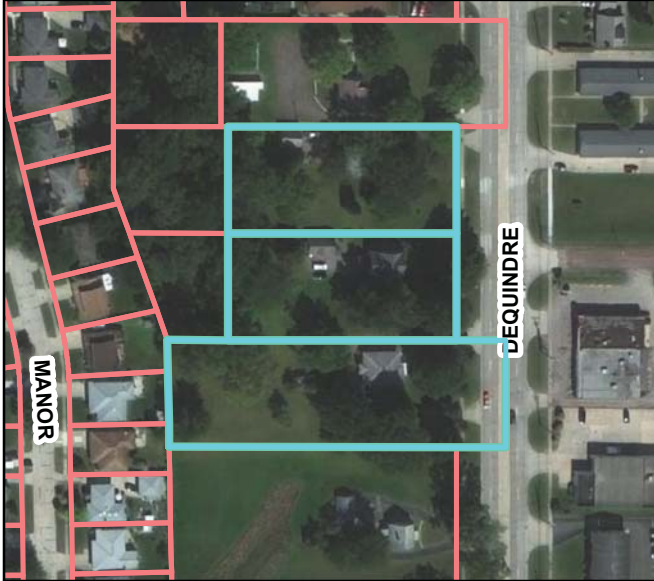


# Site Address: 30151, 30171, 30183 Dequindre Road

[Click for maps](#)

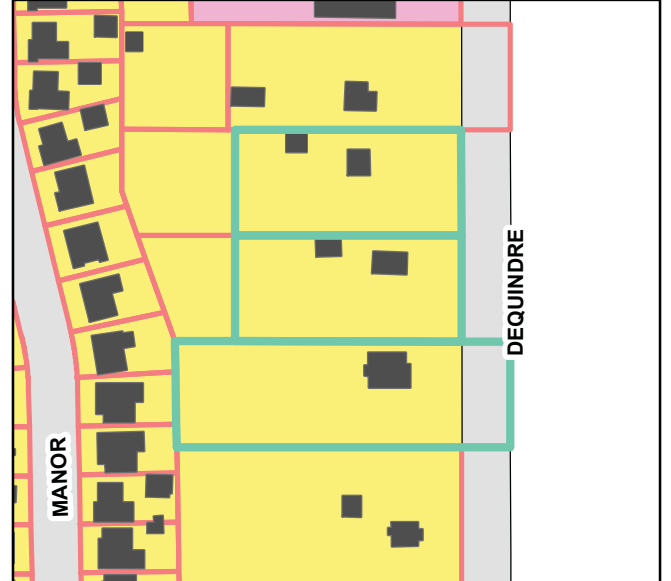


Aerial



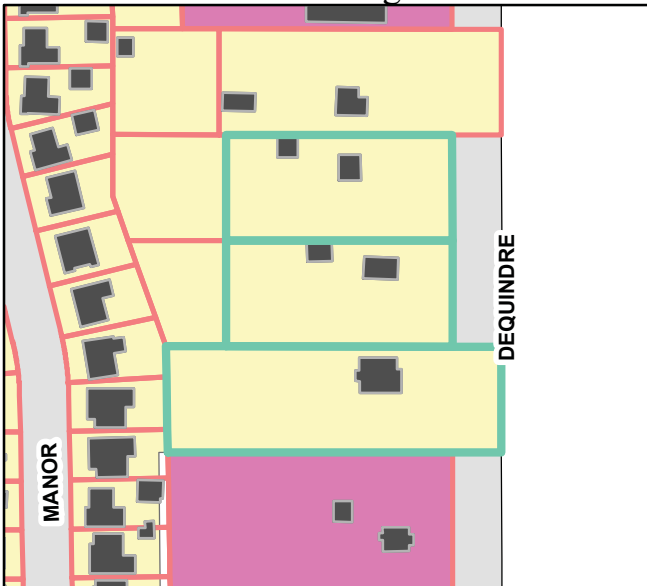
- 30151, 30171, 30183 Dequindre Rd
- Parcels

Existing Land Use



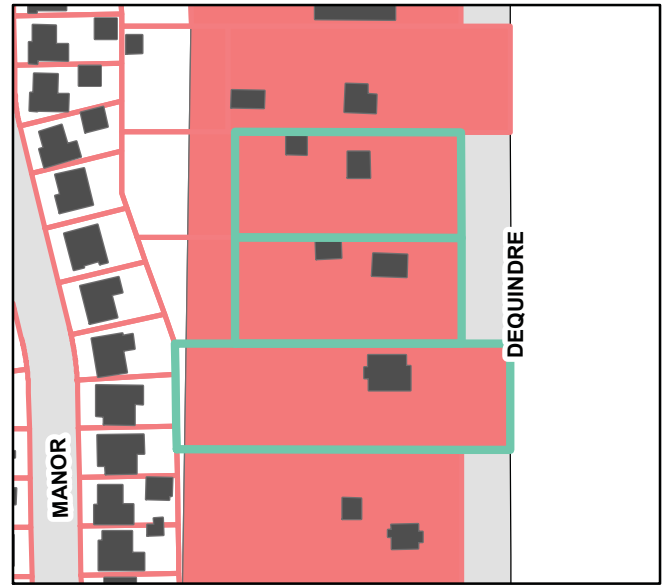
- 30151, 30171, 30183 Dequindre Rd
- Buildings
- Parcels
- Vacant
- Single And Two Family
- Office
- Commercial
- Industrial
- Public

Zoning



- 30151, 30171, 30183 Dequindre Rd
- Buildings
- Parcels
- R-1 Residential
- R-2 Residential
- R-3 Residential
- O-1 Office

Future Land Use

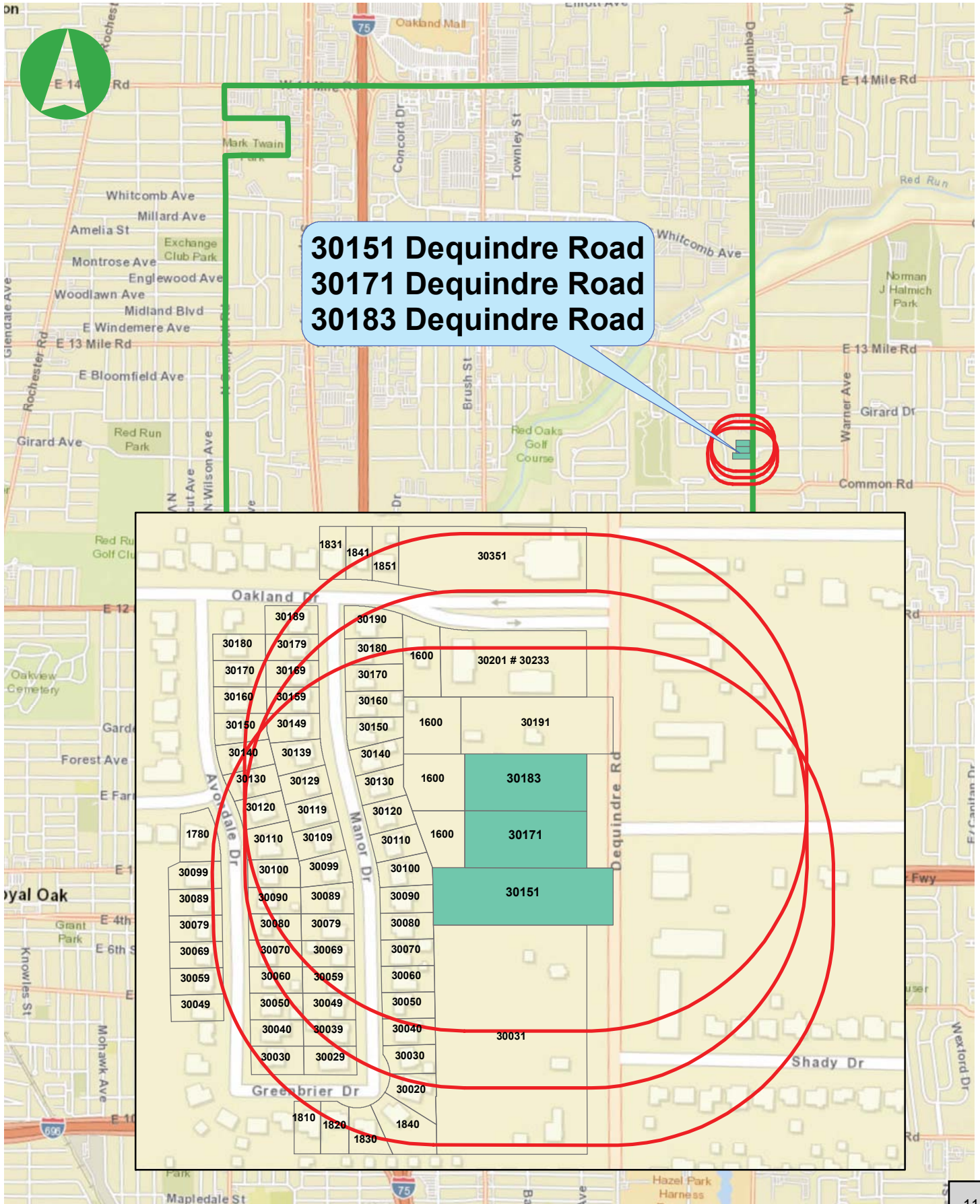


- 30151, 30171, 30183 Dequindre Rd
- Single Family
- Multiple Family
- Office
- Commercial
- Recreation
- Conservation
- Mixed Use Inno



# PRZN CASE: 22 - 01

## BUFFER 500 FT





# Legal Ad Proof

Item 2.

*If you wish to email changes please reply or use the email below*

**legals@candgnews.com**

*(NOTE: After 3:00pm on press day you must call for corrections)*

**Date Proof Sent: 4/21/2022 9:49 AM**

## **AD INFORMATION**

**Ad Number: 0329-2218**

**Ad Title: CITY OF MADISON HEIGHTS-Notice of Public Hearing - Rezonings - Combined - PRZN 22-01 and PRZN 22...**

**Week Of Publication: 4/27/2022**

**Publication(s) ad will appear: Madison-Park News**

**For corrections call 586-498-1097**

**email corrections: legals@candgnews.com (NOTE: After 3:00pm on press day you must call for corrections)**

**Please scroll to the next page to view the ad.**

# NOTICE OF PUBLIC HEARING

Notice is hereby given that the Madison Heights Planning Commission will hold a public hearing on Tuesday, May 17th, 2022 at 5:30 p.m. in City Hall Council Chambers, 300 West Thirteen Mile Road, Madison Heights, Michigan 48071 to consider the following requests:

**Rezoning Request No. PRZN 22-0001** by Hudson Madison LLC to rezone three (3) parcels of land described as: 30151 Dequindre Rd. (TM# 44-25-12-28-0027); 30171 Dequindre Rd. (TM# 44-25-12-280-026); and 30183 Dequindre Rd. (TM# 44-25-12-280-025). The request is to rezone the properties from R-2, One-Family Residential, to R-M, Multiple-Family Residential.

**Rezoning Request No. PRZN 22-0002** by EWM-Miller Wash, LLC to rezone three (3) parcels of land described as 29022 Stephenson Hwy (TMs: 44-25-11-377-015; 44-25-11-377-016; and 44-25-11-377-019). The request is to rezone the properties from M-1, Light Industrial, to B-3, General 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 after 4:00 p.m. on Friday, May 13th, 2022 online at [www.madison-heights.org](http://www.madison-heights.org) in the Agenda Center.

For further information, please contact the Community & Economic Development Department at (248) 583-0831 or [MattLonnerstater@madison-heights.org](mailto:MattLonnerstater@madison-heights.org).

**CITY OF MADISON HEIGHTS**

Published: Madison-Park News 04/27/2022

0329-2218





COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
300 W. THIRTEEN MILE RD.  
MADISON HEIGHTS, MI 48071  
(248) 583-0831

Application to Rezone Land

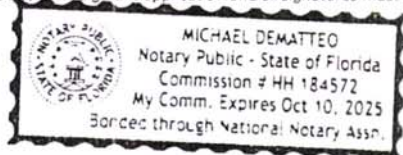
I (we) the undersigned do hereby respectfully apply and petition the City of Madison Heights to amend the Zoning Ordinance by changing the zoning map as hereinafter requested. As part of this application, the following facts are shown:

- Request is hereby made that the following property be rezoned from R-2 to Rm.
- The property address is 30151 Deguindre and the parcel is located on the West side of Deguindre street between 12 mile and 13 mile streets.
- The legal description of said property is as follows (attach separately if necessary)  
See Attach PRD
- The sidwell number for the property is: 25-12-28-00-21
- The owner of said property is:  
Name: Betty Huffman  
Street Address: 30151 Deguindre  
City, State, Zip: Madison Heights, MI 48071  
Phone: 248-202-2310 Email: bcrow25@gmail.com
- The Applicant is:  
Name: Cypress Partners Hudson Madison LLC (Jeffrey Buck)  
Street Address: 220 West Maple Road  
City, State, Zip: Birmingham, MI 48009  
Phone: 248-540-9380 Email: JBuck@CypressPartners.biz
- The applicant is the:  
☒ Owner ☐ Legal Representative ☒ Purchaser ☐ Other \_\_\_\_\_
- Description of proposed use:  
Senior Living, Assistant Living & Memory Care
- Attached two (2) copies of the plot plan prepared in compliance with the requirements shown in item number three (3) of the "Procedure for Filing Rezoning Application" and the \$1,500.00 application fee.

Signature of Owner: Krisanida H. Crowe POA Betty Huffman  
Signature of Applicant: Jeffrey Buck  
Date: 4-18-2022

Notary's Signature: Michael DeMatteo  
Notary's Print Name: Michael DeMatteo  
Notary Public, State of Florida, County of: Pine Hills  
My Commission Expires on: 10-10-2025  
Acting in the County of: Pine Hills

Note: All owners of the property must sign this application and all signatures must be notarized, or legal proof of authority to apply, such as a Power of Attorney, must be attached.





COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
300 W. THIRTEEN MILE RD.  
MADISON HEIGHTS, MI 48071  
(248) 583-0831

Item 2.

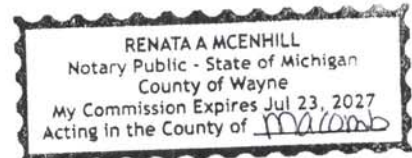
Application to Rezone Land

I (we) the undersigned do hereby respectfully apply and petition the City of Madison Heights to amend the Zoning Ordinance by changing the zoning map as hereinafter requested. As part of this application, the following facts are shown:

1. Request is hereby made that the following property be rezoned from R-2 to R-M.
2. The property address is 30171 Dequindre Road and the parcel is located on the West side of Dequindre Road street between Moulin Avenue and Oakland Drive streets.
3. The legal description of said property is as follows: (attach separately if necessary)  
See Attached
4. The sidwell number for the property is: 44 - 25 - 12 - 280 - 026
5. The owner of said property is:  
Name: Walter Kozak  
Street Address: 30171 Dequindre Road  
City, State, Zip: Madison Heights, MI 48071  
Phone: 248-585-9596 Email: \_\_\_\_\_
6. The Applicant is:  
Name: Hudson Madison LLC (Jeff Buck) Jeffrey Buck *gvs.*  
Street Address: 280 West Maple Road, Suite 230  
City, State, Zip: Birmingham, MI 48009  
Phone: 248-540-9300 ext. 12 Email: jbuck@cypresspartners.biz
7. The applicant is the:  
☐ Owner ☐ Legal Representative ☒ Purchaser ☐ Other \_\_\_\_\_
8. Description of proposed use:  
One (1) Story Senior Living (Assisted & Memory Care)
9. Attached two (2) copies of the plot plan prepared in compliance with the requirements shown in item number three (3) of the "Procedure for Filing Rezoning Application" and the \$1,500.00 application fee.

Signature of Owner: [Signature]  
Signature of Applicant: [Signature]  
Date: 4/18/22

Notary's Signature: [Signature]  
Notary's Print Name: Renata A. McEnhill  
Notary Public, State of Michigan, County of: Wayne  
My Commission Expires on: July 23, 2027  
Acting in the County of: Macomb



Note: All owners of the property must sign this application and all signatures must be notarized, or legal proof of authority to apply, such as a Power of Attorney, must be attached.



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
300 W. THIRTEEN MILE RD.  
MADISON HEIGHTS, MI 48071  
(248) 583-0831

Item 2.

Application to Rezone Land

I (we) the undersigned do hereby respectfully apply and petition the City of Madison Heights to amend the Zoning Ordinance by changing the zoning map as hereinafter requested. As part of this application, the following facts are shown:

1. Request is hereby made that the following property be rezoned from R-2 to R-M.
2. The property address is 30183 Dequindre Road and the parcel is located on the West side of Dequindre Road street between Moulin Avenue and Oakland Drive streets.
3. The legal description of said property is as follows: (attach separately if necessary)  
See Attached
4. The sidwell number for the property is: 44 - 25 - 12 - 280 - 025
5. The owner of said property is:  
Name: Marvin Huffman  
Street Address: 30183 Dequindre Road  
City, State, Zip: Madison Heights, MI 48071  
Phone: 313-930-6862 Email: marty.huffman5@gmail.com
6. The Applicant is:  
Name: Hudson Madison LLC (Jeffrey Buck)  
Street Address: 280 West Maple Road, Suite 230  
City, State, Zip: Birmingham, MI 48009  
Phone: 248-540-9300 ext. 12 Email: jbuck@cypresspartners.biz
7. The applicant is the:  
☐ Owner ☐ Legal Representative ☒ Purchaser ☐ Other
8. Description of proposed use:  
One (1) Story Senior Living (Assisted & Memory Care)
9. Attached two (2) copies of the plot plan prepared in compliance with the requirements shown in item number three (3) of the "Procedure for Filing Rezoning Application" and the \$1,500.00 application fee.

Signature of Owner: [Signature]  
Signature of Applicant: [Signature]  
Date: 4-19-2022

Notary's Signature: [Signature]  
Notary's Print Name: Cheryl E. Rottmann  
Notary Public, State of Michigan, County of: Oakland  
My Commission Expires on: 1-27-29  
Acting in the County of: Oakland, MI

Note: All owners of the property must sign this application and all signatures must be notarized, or legal proof of authority to apply, such as a Power of Attorney, must be attached.



## Legal Descriptions

**Betty Huffman**

**30151 Dequindre Road, Madison Heights, Michigan 48071**

**44-25-12-280-027**

T1N, R11E, SEC 12 PART OF NE 1/4 BEG AT PT DIST N 01-13-00 E 521 FT FROM E 1/4 COR, TH N 88-39-00 W 408.45 FT, TH N 00-14-00 E 129.50 FT, TH S 88-39-00 E 410.58 FT, TH S 01-13-00 W 129.50 FT TO BEG 1.22 A

**Walter Kozak**

**30171 Dequindre Road, Madison Heights, Michigan 48071**

**44-25-12-280-026**

T1N, R11E, SEC 12 PART OF NE 1/4 BEG AT PT DIST N 01-13-00 E 650.50 FT FROM E 1/4 COR, TH N 01-13-00 E 129.50 FT, TH N 88-39-00 W 1682.91 FT, TH S 00-14-00 W 129.53 FT, TH S 88-39-00 E 1680.68 FT TO BEG EXC E 60 FT IN HWY, ALSO EXC W 1342 FT 0.83 A

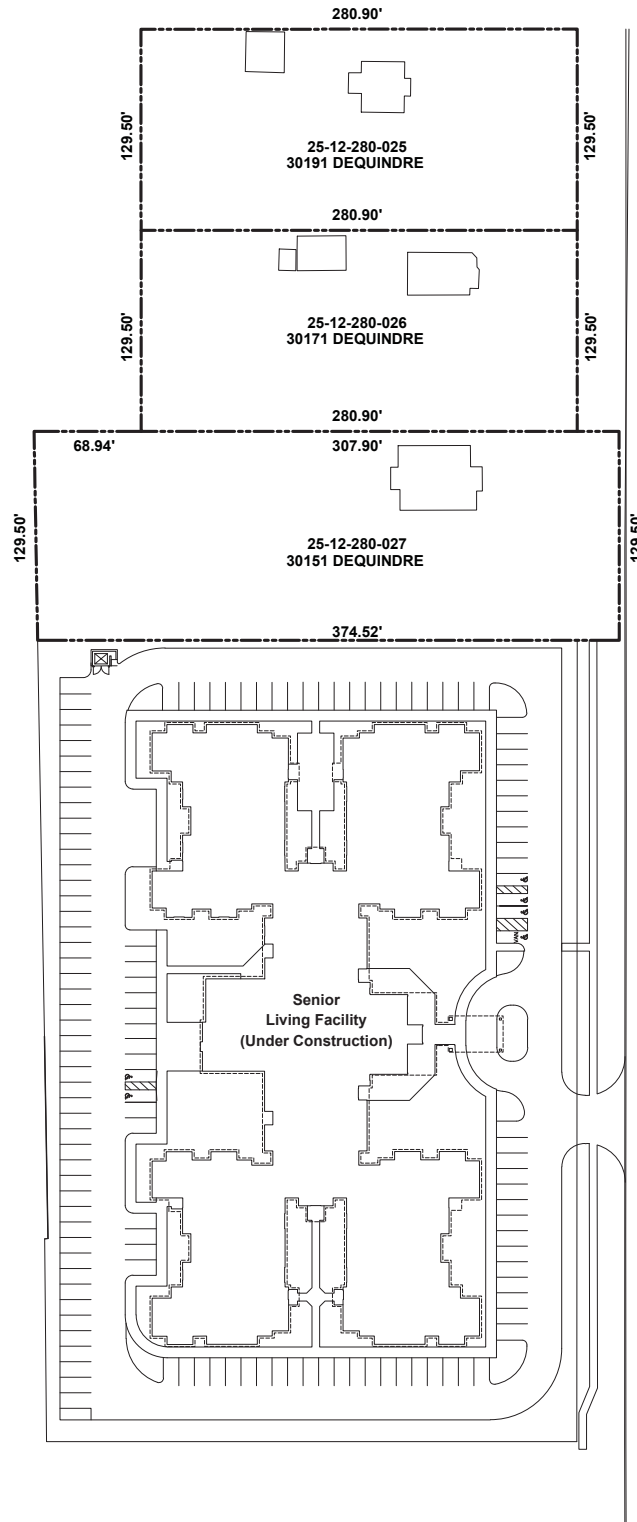
**Marvin Huffman**

**30183 Dequindre Road, Madison Heights, Michigan 48071**

**44-25-12-280-025**

T1N, R11E, SEC 12 PART OF NE 1/4 BEG AT PT DIST N 01-13-00 E 780 FT FROM E 1/4 COR, TH N 01-13-00 E 129.50 FT, TH N 88-39-00 W 336.91 FT, TH S 01-13-00 W 129.50 FT, TH S 88-39-00 E 336.91 FT TO BEG EXC E 60 FT IN HWY 0.82 A

EXHIBIT A  
EXISTING CONDITIONS PLAN



Dequindre Road

HUDSON MADISON , LLC  
280 WEST MAPLE ROAD, SUITE: 230  
BIRMINGHAM, MICHIGAN 48009

SHEET 1 OF 1  
MARCH 18, 2022  
2019-236A

PEA  
GROUP

t: 844.813.2949  
www.peagroup.com



# MEMORANDUM

Date: May 11<sup>th</sup>, 2022  
 To: City of Madison Heights Planning Commission  
 From: Matt Lonnerstater, AICP – City Planner  
 Subject: Rezoning Request PRZN 22-02 – 29022 Stephenson Hwy.

## Introduction

The applicant, EWM-Miller Wash, LLC, requests to rezone three (3) parcels of land at **29022 Stephenson Highway Road** (PIN Numbers 44-25-11-377-015, 44-25-11-377-016, and 44-25-11-377-019) from **M-1, Light Industrial, to B-3, General Business**. The subject properties are located at the northeast corner of Stephenson Highway and E. 12 Mile Road, immediately to the west of the I-75 interchange.

## Background

The subject site consists of three (3) parcels which contain a total area of approximately 1.14 acres. The site is improved with an existing 3,285 sq. ft. commercial structure currently occupied by Col's Place restaurant. The applicant requests a rezoning to B-3 in order to construct an auto car wash facility, which is permitted as a special use within the B-3 district. Note that approval of the rezoning would not constitute special use or site plan approval. The Planning Commission should consider all of the potential uses that could be developed on this site if it were to be zoned B-3. The applicant has provided conceptual plans for an express car wash on-site; these conceptual plans are included for demonstrative purposes only and are not subject to this rezoning review.

Per the Zoning Ordinance, the proposed B-3 zoning district is, *“designed to provide sites for more diversified business types and is often located so as to serve the passer-by traffic.”* Uses permitted by right within the B-3 district include, but are not limited to, general retail, personal service establishments, sit-down and drive-through restaurants, professional offices, new car auto sales and showrooms, and mixed-use developments. Uses permitted through the special approval process include, but are not limited to, gasoline stations, auto washes, bars, and motor vehicle repair facilities.

**When reviewing a rezoning request, the Planning Commission should review the proposed district's consistency and compatibility with adjacent land uses and the future land use map as laid out in the Master Plan.**

## Existing Land Use

Existing adjacent land uses and zoning designations are denoted in the table below:

	Existing Land Use	Existing Zoning
<b>Site</b>	Restaurant	M-1, Light Industrial
<b>North</b>	Oakland County Water	M-1, Light Industrial
<b>South (across 12 Mile)</b>	Retail	General Business (City of Royal Oak)
<b>East</b>	--	I-75
<b>West (across Stephenson)</b>	Gas Station	M-1, Light Industrial

The subject site is located immediately to the west of the 12 Mile Road/I-75 interchange. Adjacent land uses consist primarily of auto-oriented uses, including a gas station across Stephenson Highway, an auto repair shop across 12 Mile Road, and a new drive-through fast food restaurant kitty-corner at the intersection of 12 Mile Road and Stephenson Highway (in Royal Oak).

Existing Conditions at Stephenson/12 Mile (looking north)



Existing Conditions at Stephenson/12 Mile (looking south)



Existing Conditions at Stephenson/12 Mile (looking east toward I-75)





### Future Land Use

Adjacent future land uses, as envisioned by the 2021 Madison Heights Master Plan, are denoted in the table below:

	<b>Future Land Use</b>
<b>Site</b>	Industrial
<b>North</b>	Industrial
<b>South (across 12 Mile)</b>	General Commercial (City of Royal Oak)
<b>East</b>	I-75
<b>West (across Stephenson)</b>	Industrial

The future land use designation of the subject site is “Industrial.” Per the Master Plan, the Industrial designation is intended to accommodate manufacturing, processing, warehousing, storage of raw materials and intermediate and finished products, industrial service providers, industrial parks, and industrial research activities.

### **Staff Analysis**

While the proposed B-3 zoning district is not completely aligned with the site’s “Industrial” Future Land Use designation, staff recognizes the existing auto-oriented nature of the 12-Mile Road/I-75 interchange, as well as the existing regional commercial uses located at or near the intersection of Stephenson Highway and E. 12 Mile Road. Existing uses at the Stephenson/12 Mile intersection include several gas stations, an auto repair shop, a Kroger Marketplace, and several commercial outlots. Further, the 12 Mile corridor on the east side of I-75 is currently improved with several regional retail developments, including Lowe’s, Home Depot, and BJ’s Wholesale Club. Staff believes that the uses permitted within the proposed B-3 district are consistent with and complementary to the existing land use pattern in the vicinity.

If the B-3 rezoning request were to be approved, any major re-development on the subject parcel would be subject to site plan approval through the Site Plan Review Committee. Certain uses, such as a potential auto wash, would require special approval through City Council. Staff further notes that a rezoning to B-3 would remove the subject parcels from the Marihuana Overlay District; medical and adult-use marijuana establishments are not permitted within the B-3 zoning district.

### **Findings and Recommendation**

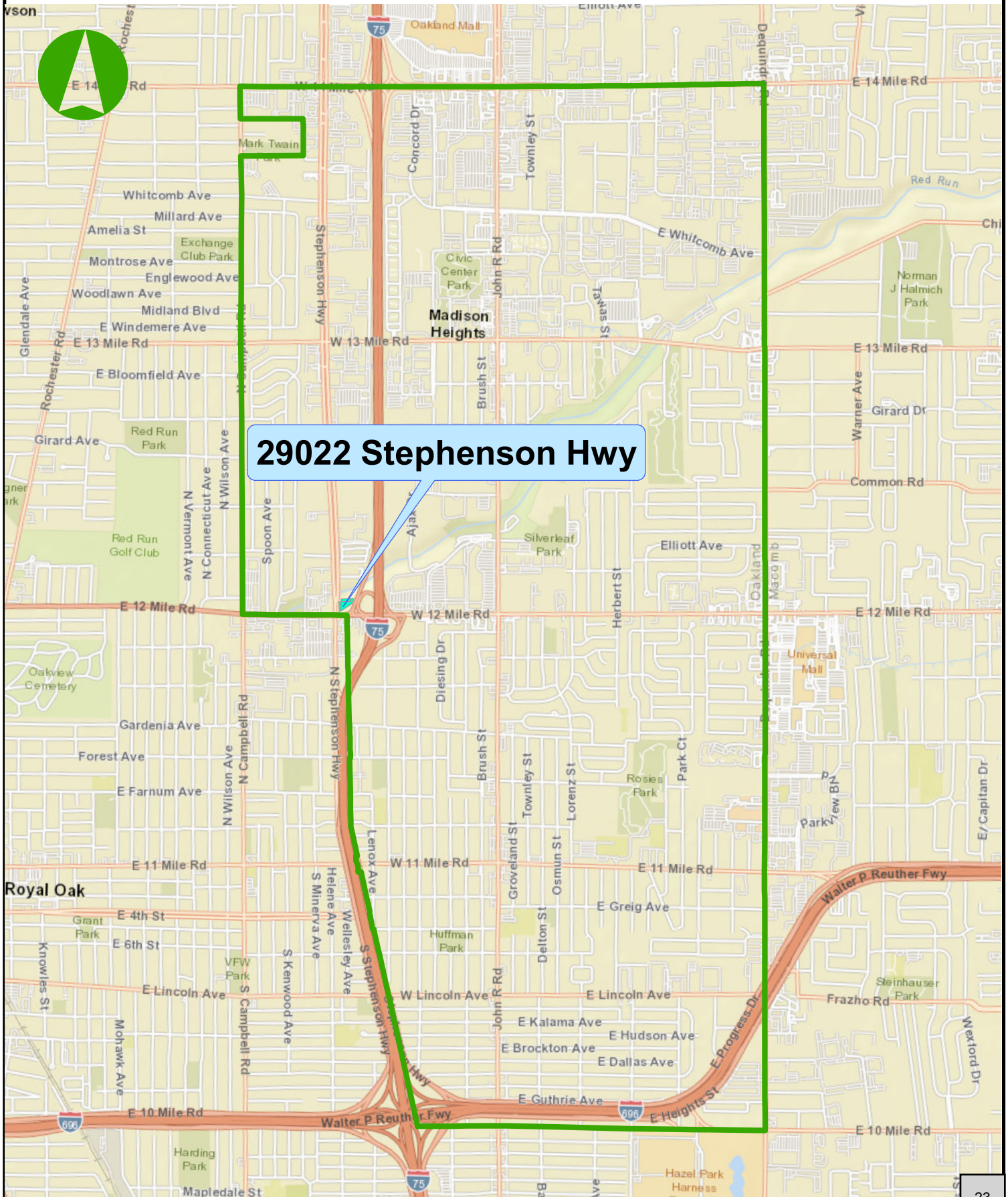
1. The applicant requests a rezoning from M-1, Light Industrial, to B-3, General Business, to construct an automatic express car wash facility on site. The B-3 district permits a range of general commercial, retail, restaurant, and office uses.
2. The proposed B-3 district is generally compatible and consistent with adjacent auto-oriented uses and regional commercial developments near the 12 Mile Road/I-75 Interchange.
3. The proposed B-3 District is compatible with adjacent M-1 zoned parcels within Madison Heights and commercially-zoned parcels within Royal Oak.
4. While the proposed B-3 District is not entirely aligned with the “Industrial” future land use designation, the subject site is located at the very southern end of the Stephenson Highway industrial corridor and is adjacent to a number of existing auto-oriented commercial uses.

5. The Site Plan Review Committee (SPRC) reviewed the proposed rezoning request at their May 4<sup>th</sup>, 2022 meeting and did not express any objections. The SPRC will separately review additional applications relating to this project, if submitted, including special use and site plan submittal. Special use approval through City Council is required for auto washes.

Based on these findings, staff recommends that the Planning Commission recommend to City Council **approval** of the requested rezoning on the three (3) subject parcels from M-1 to B-3.

#### **Next Step**

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





# Site Address: 29022 Stephenson Hwy

[Click for map](#)



## Aerial



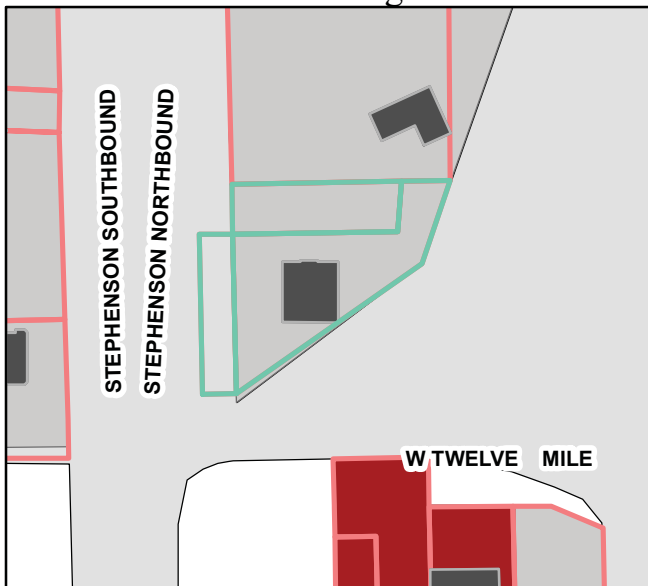
- 29022 Stephenson Hwy
- Parcels

## Existing Land Use



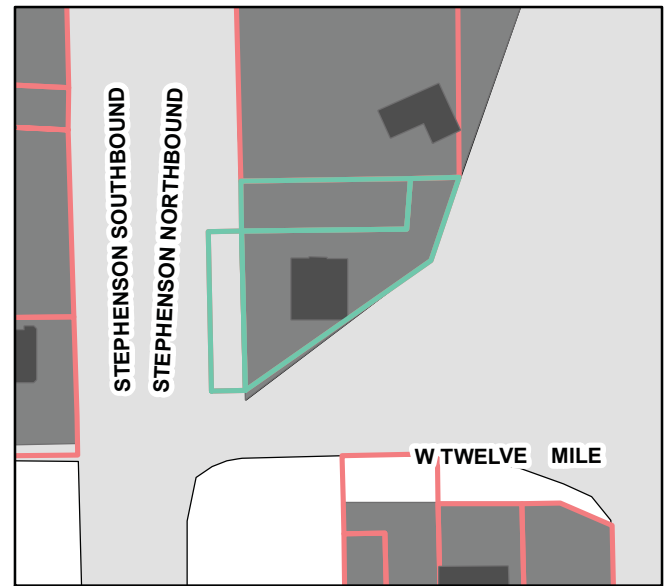
- 29022 Stephenson Hwy
- Buildings
- Parcels
- Vacant
- Single And Two Family
- Office
- Commercial
- Industrial
- Public

## Zoning



- 29022 Stephenson Hwy
- Buildings
- Parcels
- M-1 Light Industrial
- B-1 Local Business
- B-2 Planned Business
- B-3 General Business

## Future Land Use



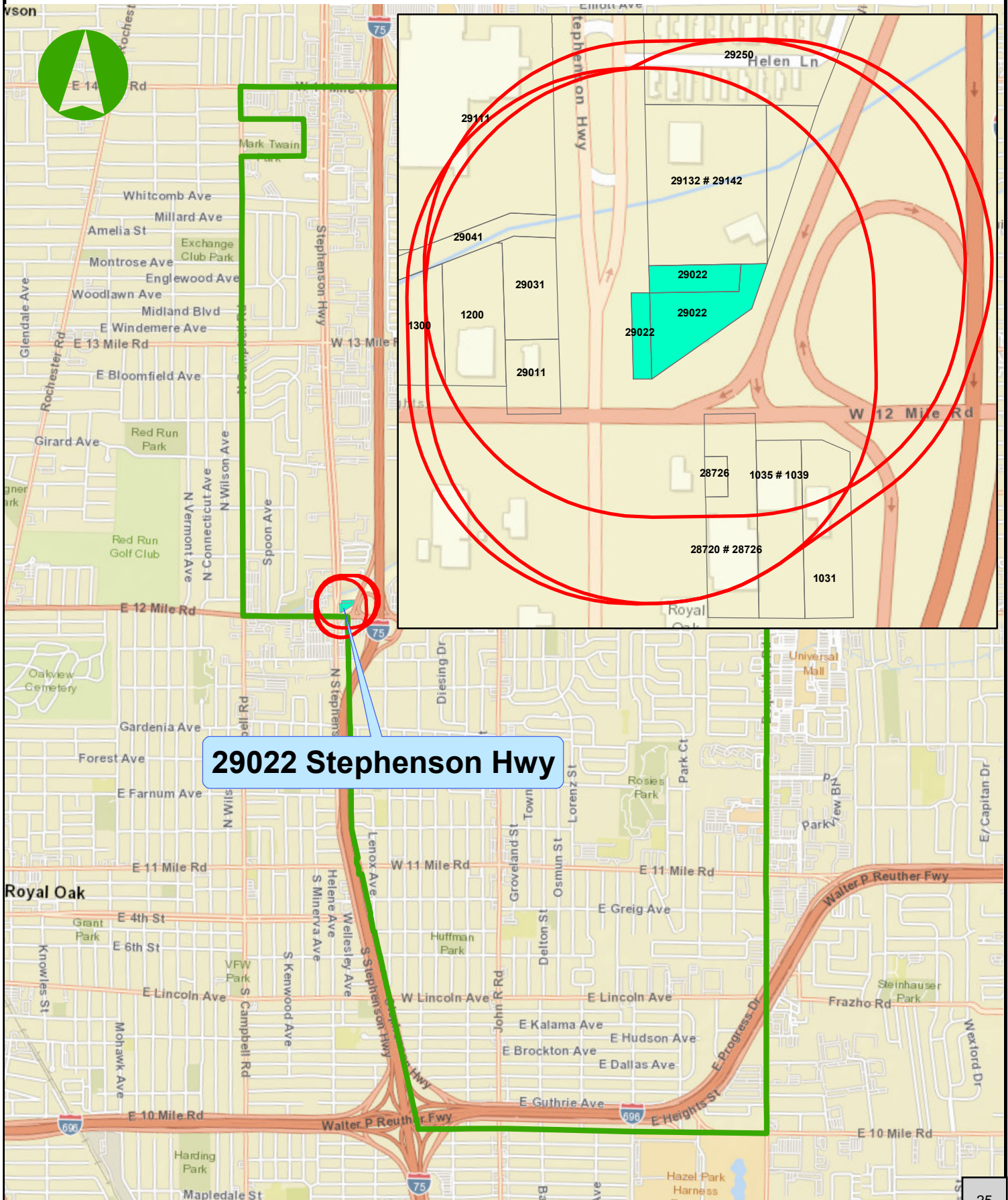
- 29022 Stephenson Hwy
- Vacant
- Industrial
- Office
- Commercial
- Recreation
- Conservation
- Mixed Use Inn



# PRZN CASE: 22 - 02

## BUFFER 500 FT

Item 3.





# Legal Ad Proof

Item 3.

*If you wish to email changes please reply or use the email below*

**legals@candgnews.com**

*(NOTE: After 3:00pm on press day you must call for corrections)*

**Date Proof Sent: 4/21/2022 9:49 AM**

## **AD INFORMATION**

**Ad Number: 0329-2218**

**Ad Title: CITY OF MADISON HEIGHTS-Notice of Public Hearing - Rezonings - Combined - PRZN 22-01 and PRZN 22...**

**Week Of Publication: 4/27/2022**

**Publication(s) ad will appear: Madison-Park News**

**For corrections call 586-498-1097**

**email corrections: legals@candgnews.com (NOTE: After 3:00pm on press day you must call for corrections)**

**Please scroll to the next page to view the ad.**

# NOTICE OF PUBLIC HEARING

Notice is hereby given that the Madison Heights Planning Commission will hold a public hearing on Tuesday, May 17th, 2022 at 5:30 p.m. in City Hall Council Chambers, 300 West Thirteen Mile Road, Madison Heights, Michigan 48071 to consider the following requests:

**Rezoning Request No. PRZN 22-0001** by Hudson Madison LLC to rezone three (3) parcels of land described as: 30151 Dequindre Rd. (TM# 44-25-12-28-0027); 30171 Dequindre Rd. (TM# 44-25-12-280-026); and 30183 Dequindre Rd. (TM# 44-25-12-280-025). The request is to rezone the properties from R-2, One-Family Residential, to R-M, Multiple-Family Residential.

**Rezoning Request No. PRZN 22-0002** by EWM-Miller Wash, LLC to rezone three (3) parcels of land described as 29022 Stephenson Hwy (TMs: 44-25-11-377-015; 44-25-11-377-016; and 44-25-11-377-019). The request is to rezone the properties from M-1, Light Industrial, to B-3, General 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 after 4:00 p.m. on Friday, May 13th, 2022 online at [www.madison-heights.org](http://www.madison-heights.org) in the Agenda Center.

For further information, please contact the Community & Economic Development Department at (248) 583-0831 or [MattLonnerstater@madison-heights.org](mailto:MattLonnerstater@madison-heights.org).

**CITY OF MADISON HEIGHTS**

Published: Madison-Park News 04/27/2022

0329-2218



Williams Williams Rattner & Plunkett, P.C.  
Attorneys and Counselors

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Suite 300  
Birmingham, Michigan 48009

Tel: (248) 642-0333  
Fax: (248) 642-0856

John D. Gaber  
jdg@wwrplaw.com

April 19, 2022

**PERSONAL DELIVERY**

City of Madison Heights  
Community and Economic Development Department  
300 W. Thirteen Mile Rd.  
Madison Heights, MI 48071

**Re: 29022 Stephenson Highway  
Application to Rezone Land**

Dear Clerk:

Enclosed for filing please find the following documents with respect to the above-referenced property:

1. Application to Rezone Land;
2. Exhibit A – Legal Description;
3. Addendum in Support of Application to Rezone Land City of Madison Heights, Michigan; and
4. Two copies of Rezoning Survey-Site Plan.

Also enclosed is a check in the amount of \$1,500 for the filing fee.

Please feel free to call with any questions.

Very truly yours,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.



John D. Gaber

JDG/srs  
Enclosures





COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
300 W. THIRTEEN MILE RD.  
MADISON HEIGHTS, MI 48071  
(248) 583-0831

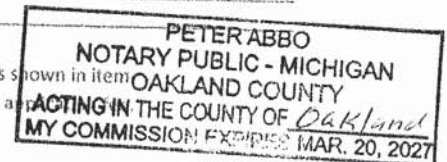
Item 3.

Application to Rezone Land

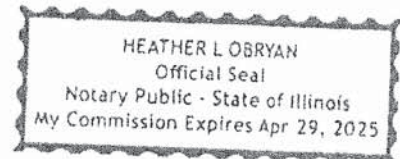
I (we) the undersigned do hereby respectfully apply and petition the City of Madison Heights to amend the Zoning Ordinance by changing the zoning map as hereinafter requested. As part of this application, the following facts are shown:

1. Request is hereby made that the following property be rezoned from M-1 to B-3.
2. The property address is 29022 Stephenson Highway and the parcel is located on the East side of Stephenson Highway street between Twelve Mile Road and Helen Ct streets.
3. The legal description of said property is as follows: (attach separately if necessary)  
Refer to attached legal description
4. The sidwell number for the property is: 25-11-377-015, 25-11-377-016 and 25-11-377-019
5. The owner of said property is:  
Name: Sokol and Angelina Ndrejaj  
Street Address: 29022 Stephenson Highway  
City, State, Zip: Madison Heights, Michigan 48071  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_
6. The Applicant is:  
Name: EWM-Miller Wash, LLC  
Street Address: 201 East Ogden Ave. Suite #18-1  
City, State, Zip: Hinsdale, IL 60521  
Phone: 856-371-6223 Email: do@ewmpartners.com
7. The applicant is the:  
☐ Owner ☐ Legal Representative ☒ Purchaser ☐ Other \_\_\_\_\_
8. Description of proposed use:  
Proposed express car wash with automated pay stations and free vacuums
9. Attached two (2) copies of the plot plan prepared in compliance with the requirements shown in item number three (3) of the "Procedure for Filing Rezoning Application" and the \$1,500.00 fee.

Signature of Owner: [Signature]  
Signature of Applicant: [Signature]  
Date: 4/14/22



Notary's Signature: [Signature]  
Notary's Print Name: Heather L. O'Bryan  
Notary Public, State of Michigan, County of: Dodge  
My Commission Expires on: 4.29.25  
Acting in the County of: Dodge



Note: All owners of the property must sign this application and all signatures must be notarized, or legal proof of authority to apply, such as a Power of Attorney, must be attached.

## Exhibit A

### Legal Description

Land in the City of Madison Heights, Oakland County, Michigan, being more particularly described as follows:

#### PARCEL 1:

Part of the East half of the East half of the Southwest quarter of Section 11, Town 1 North, Range 11 East, described as: Commencing at a point which is South 88 degrees 11 minutes 35 seconds West along the South section line 544.34 feet and North 01 degree 48 minutes 25 seconds West along the Easterly right of way of Stephen Highway, 75 feet from the South quarter corner of said Section 11; thence North 52 degrees 16 minutes 00 seconds East 265.16 feet; thence North 17 degrees 41 minutes 59 seconds East 106.98 feet; thence South 87 degrees 15 minutes 35 seconds West 250.84 feet to the Easterly right of way line of Stephenson Highway; thence South 01 degree 48 minutes 25 seconds East along said Easterly line 252.10 feet to the point of beginning.

#### PARCEL 2:

The Easterly 40 feet of Stephenson Highway right of way adjacent to that part of the Southwest 1/4 of Section 11, Town 1 North, Range 11 East, described as beginning at a point distant South 88 degrees 11 minutes 35 seconds West 544.34 feet and North 01 degree 48 minutes 25 seconds West 75.00 feet from the South 1/4 corner; thence North 52 degrees 16 minutes 00 seconds East 265.16 feet; thence North 17 degrees 41 minutes 59 seconds East 106.98 feet; thence South 87 degrees 15 minutes 35 seconds West 59.00 feet; thence South 08 degrees 02 minutes 22 seconds West 61.31 feet; thence South 87 degrees 15 minutes 35 seconds West 180.99 feet; thence South 01 degree 48 minutes 25 seconds East 192.10 feet to the beginning.

Commonly known as 29022 Stephenson Highway, Madison Heights, Michigan 48071  
Tax Parcel Nos. 25-11-377-015, 25-11-377-016 and 25-11-377-019



**ADDENDUM IN SUPPORT OF  
APPLICATION TO REZONE LAND  
CITY OF MADISON HEIGHTS, MICHIGAN**

**Applicant: EWM-Miller Wash, LLC  
Parcel ID No.: 25-11-377-015, -016, -019  
Date: April 14, 2022**

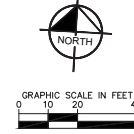
Applicant submits this Addendum in Support of Application to Rezone Land to rezone the above subject property ("Property") from M-1 Light Industrial to B-3 General Business, and states the following in support of its Application:

1. Applicant proposes to construct a modern automatic express car wash on the Property, which is a Use Permissible on Special Approval in the B-3 General Business district (§10-326(8)). While a rezoning review would focus on all of the potential permitted uses in the B-3 district which could be operated on the Property, the principal permitted uses and special approval uses in the B-3 district (and by incorporation the O-1, B-1 and B-2 districts) would appear to be appropriate uses for this Twelve Mile Road retail/restaurant corridor.
2. Current land use supports the requested rezoning. The Property is currently used for commercial, not industrial purposes. Similarly, most of the existing uses in the Twelve Mile Road corridor in this area of the City are commercial uses. A gas station/convenience store operates west of the Property. An auto repair and miscellaneous retail are located south of the Property. The Twelve Mile corridor east of the Property features Home Depot, Lowe's, and several restaurant outlots. The Twelve Mile corridor southwest of the Property in Royal Oak also houses retail/restaurant uses. The existing land uses in the area would be permitted uses or special approval uses in the B-3 district, and therefore support the requested rezoning to B-3.
3. Likely consistent with City Master Plan Update. The requested rezoning to B-3, while not consistent with the current Future Land Use Map of the City, would most likely be updated in the impending City Master Plan update process to reflect that the Twelve Mile corridor has been converting from industrial to commercial uses over time. There is a likelihood that Future Land Use Map could be updated in this process to change the designation of these Twelve Mile frontage properties to Commercial, which would support the rezoning to B-3.
4. No adverse impact. The requested rezoning would not adversely impact adjacent properties because the Property is already used for commercial purposes, and commercial uses operate on the east, west and south sides of the Property. The Oakland County Water Resource Commission is located to the north of the Property, which is a public utility facility, also consistent with commercial uses. Traffic would access the site from Stephenson Highway at the north end of the Property, away from the intersection, to reduce traffic conflicts and maximize safety.

For the above reasons, Applicant believes rezoning the Property to B-3 would be consistent with good land use planning practices, and respectfully requests rezoning approval.







## GENERAL NOTES

1. ALL DIMENSIONS REFER TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
2. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
3. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
4. RADII NOT DIMENSIONED ON THIS PLAN SHALL BE 2'-FEET, TYPICAL.
5. REFER TO ARCHITECTURAL PLANS FOR MONUMENT SIGN DETAILS. SEE MEP PLANS FOR SITE ELECTRICAL DRAWINGS.
6. ALL PROPOSED ON-SITE STRIPING SHALL BE PAINTED UNLESS OTHERWISE NOTED.

## SITE LEGEND

- STANDARD DUTY ASPHALT PAVEMENT  
SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- HEAVY DUTY CONCRETE PAVEMENT  
SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- CONCRETE SIDEWALK  
SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- 6" CONCRETE CURB AND GUTTER
- EASEMENT LINE
- PROPERTY LINE
- ACCESSIBLE PARKING MARKING

## SITE DATA TABLE

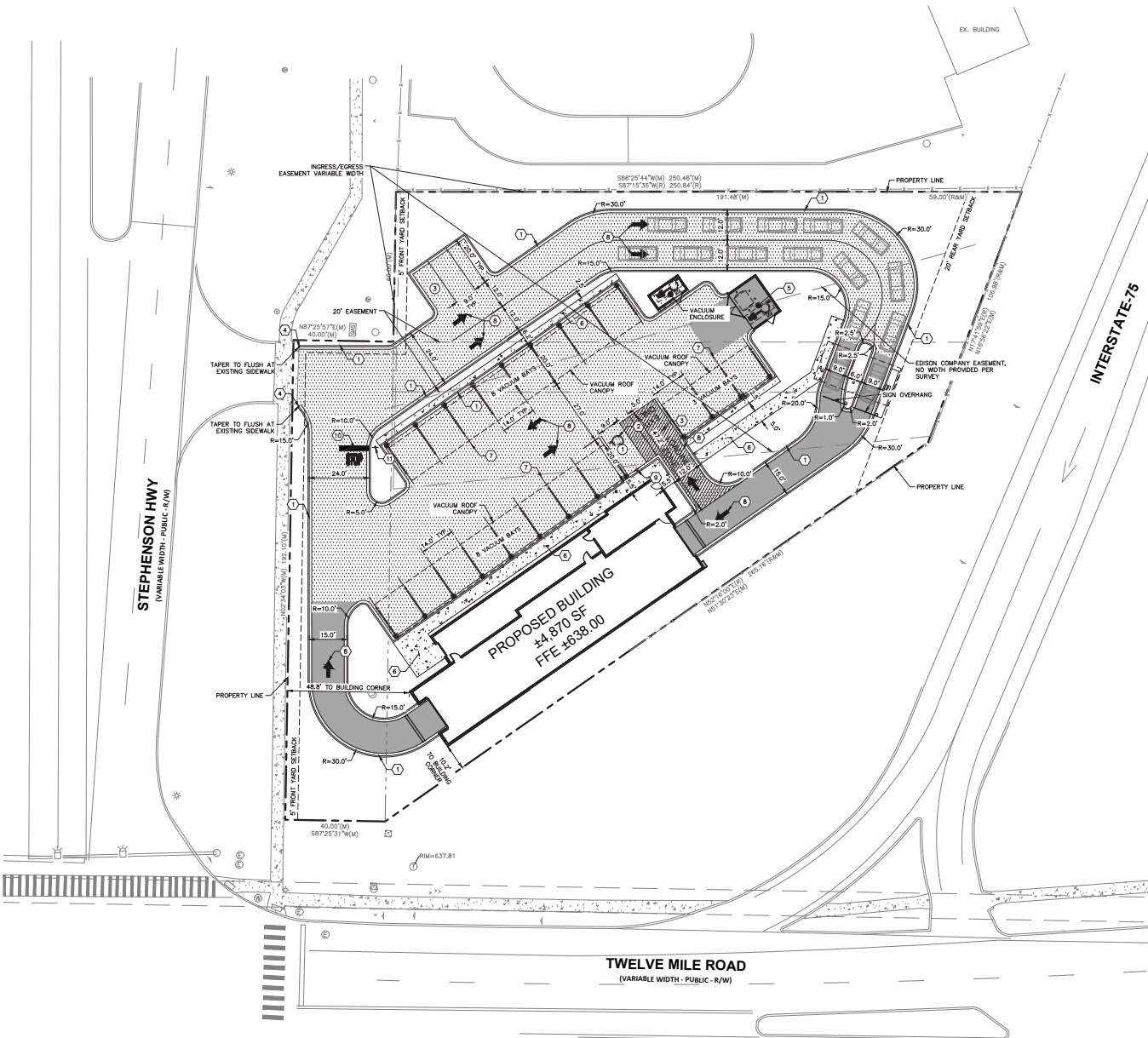
CURRENT ZONING: LIGHT INDUSTRIAL (M-1)		
REZONING: GENERAL BUSINESS (B-3)		
	REQUIRED	PROVIDED
BUILDING SETBACKS		
FRONTAGE (STEPHENSON HWY)	5 FT	40 FT
SIDE (NORTH)	0 FT	114 FT
SIDE (SOUTH)	0 FT	10 FT
REAR (INTERSTATE 75)	30 FT	68 FT
PARKING SETBACKS		
FRONT (STEPHENSON HWY)	5 FT	10 FT
ADA SPACES	1	1
PARKING		
1 SPACE PER EMPLOYEE		
STANDARD SPACES (90°)	2	3

## SITE DATA TABLE

TOTAL LOT AREA	1.09 AC
TOTAL AREA DISTURBED	1.09 AC
EXISTING IMPERVIOUS AREA	0.85 AC
PROPOSED IMPERVIOUS AREA	0.98 AC

## KEY NOTES

1. 6" CURB AND GUTTER, TYP.
2. ACCESSIBLE PAVEMENT MARKINGS, TYP.
3. 4" WIDE PAINTED SOLID LINE, TYP.
4. CONNECT TO EXISTING PAVEMENT, SIDEWALK, CURB, TYP.
5. TRASH ENCLOSURE (SEE ARCHITECTURAL PLANS FOR DETAILS)
6. CONCRETE SIDEWALK, TYP.
7. VACUUMS TYP.
8. DIRECTIONAL PAVEMENT MARKINGS
9. ACCESSIBLE PARKING SIGN
10. 24" WIDE STOP BAR
11. STOP SIGN (MUTCD R1-1)



**Kimley-Horn**  
CONSULTANTS, INC.  
3001 SW 15th Avenue  
Fort Lauderdale, FL 33311  
TEL: 954-574-4800  
FAX: 954-574-4801  
WWW.KHINC.COM

SCALE: AS NOTED  
DESIGNED BY: SPS  
DRAWN BY: SPS  
CHECKED BY: DEL

NOT FOR  
CONSTRUCTION



SITE PLAN

COSMOS CAR WASH  
29022 STEPHENSON HWY  
CITY OF MADISON HEIGHTS, OKLAHOMA COUNTY, OKLAHOMA

ORIGINAL ISSUE:  
4/15/2022  
KHA PROJECT NO.  
190125007  
SHEET NUMBER

C1.0