

Date: February 15th, 2023

To: City of Madison Heights Planning Commission

Meeting Date: February 21st, 2023

From: Matt Lonnerstater, AICP – City Planner

Subject: Rezoning Request PRZN 23-01 – 31010 John R Rd. – B-1 to B-2

Recommendation: Approval

Introduction

The applicant, Jeff Ukrainec on behalf of Goodwill Industries of Greater Detroit, requests to rezone one (1) parcel of land at **31010 John R Road** (PIN Number 44-25-01-351-017) from **B-1, Local Business, to B-2, Planned Business** The subject property is located at the northeast corner of John R. Road and W. 13 Mile Road.

Background

The subject site consists of one (1) parcel which contains a total area of approximately 1.31 acres. The site is improved with an existing 11,000 sq. ft. commercial structure most recently occupied by CVS Pharmacy and Spirit Halloween; the structure is currently vacant.

The applicant requests a rezoning to B-2, Local Business, to open a Goodwill retail store within the existing building. Because Goodwill sells used products (such as clothing, electronics, furniture, and home goods), the store is classified as a *used good use* per the Madison Heights Zoning Ordinance. Per Section 10.502(A) of the Zoning Ordinance, *used good uses* are considered a regulated use. In addition to used good uses, regulated uses include others that have, "serious objectionable operational characteristics [...]," including, but not limited to, tattoo parlors, pawnbrokers, billiard halls, massage parlors, adult theaters, cabarets, and sexually-oriented businesses. Regulated uses are subject to strict siting standards, as follows:

- Shall not be located within 1,000 feet of another regulated use; and
- Shall only be permitted in the B-2 and B-3 zoning districts after Special Approval by City Council;
 and
- Shall not be located within 300 feet of a church, a school, a residential zoning district or residential use, a public park, or a childcare facility.

The applicant requests a B-2 zoning designation as the first step in obtaining regulated use approval. Additional approvals, including Special Approval through City Council, a dimensional variance through the Zoning Board of Appeals, and site plan approval through the Site Plan Review Committee, will be necessary prior to obtaining a Certificate of Occupancy for the proposed use.

Note that approval of the rezoning would not constitute approval of the Special Approval Use, dimensional variance, or site plan.

Zoning and Land Use Considerations

Per the Zoning Ordinance, the existing B-1, Local Business zoning district is, "designed to meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas." Conversely, the proposed B-2, Planned Business district is designed, "to cater to the needs of a larger consumer population than is served by the Local Business District, and [is] generally characterized by an integrated cluster of establishments served by a common parking area and generating large volumes of vehicular and pedestrian traffic."

The Planning Commission should consider all the potential uses that could be developed on this site if it were to be zoned B-2. These uses are highlighted in the table below, compared with uses permitted under the current B-1 zoning designation:

USE	B-1 Local Business	B-2 Planned Business
General Retail Business	Р	Р
Personal Service (e.g. beauty parlors, barbershops)	Р	Р
Office Uses	Р	Р
Medical Offices	Р	Р
Restaurants	Р	Р
Gas Stations	S*	S*
Equipment Rental	S	Р
Bars	S	S
Theaters/Assembly Halls		Р
Bowling Alley		Р
Motor Vehicle Repair/Maintenance		S
Indoor/Outdoor Recreational Uses		S
Regulated Uses		S*

P = Permitted by Right S = Special Approval Required Blank = Not Permitted *Subject to additional siting requirements.

Significant uses permitted in the B-2 district not currently allowed under the B-1 designation include motor vehicle maintenance, regulated uses, and indoor/outdoor recreation. However, these uses would be subject to additional Special Approval use review and approval through City Council.

Staff notes that the existing structure on site is set back approximately 15 feet from the east side property line. While the existing B-1 zoning district does not require any interior side yard setbacks, the proposed B-2 district requires a minimum interior side yard setback of 20 feet. Therefore, if the rezoning is approved, the existing structure would be considered legally non-conforming regarding its side yard setback. Any future building improvements would be subject to the B-2 dimensional standards.

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

Existing Land Use

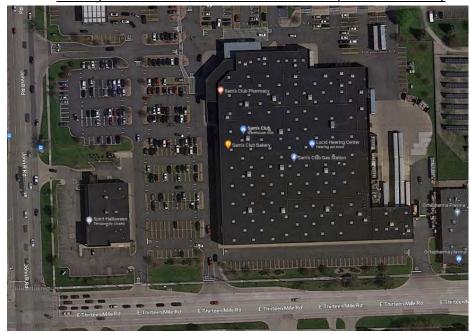
Existing adjacent land uses and zoning designations are denoted in the table below:

Existing Land Uses and Zoning

	Existing Land Use	Existing Zoning	
Site	Commercial Building B-1, Local Business (vacant)		
North	Parking/Gas Station (Sam's Club)	B-2, Planned Business	
South (across 13 Mile)	Retail and Multiple Family Residential	etail and Multiple Family B-1, Local Business, and R-M, Multiple-Family	
East	Parking (Sam's Club)	B-2, Planned Business	
West (across John R)	Retail	B-1, Local Business	

Adjacent land uses consist primarily consist of commercial and retail development, with multi-family residential units across 13 Mile Road. The subject property is located immediately to the west of Sam's Club, and shares curb cuts, drive aisles, and parking with the wholesale club.

Existing Conditions at John R and 13 Mile Road (northeast corner)



Existing Conditions at John R and 13 Mile Road (looking north)



Source: Google Maps

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

Future Land Use		
Site	Commercial	
North	Commercial	
South (across 13 Mile)	Commercial and Multiple-Family	
East	Commercial	
West (across John R) Office		

The future land use designation of the subject site is *Commercial*. Per the Master Plan, the Commercial designation is intended to accommodate a "broad range of goods and services." Adjacent future land use designations include commercial, office, and multiple-family residential.

Staff Analysis

The subject property is surrounded by the Sam's Club property (zoned B-2), including their associated parking, drive aisles and gas station. The subject site shares vehicular access points and drive aisles with Sam's Club and, for all intents and purposes, could be considered an outlot of the Sam's Club property. Given the subject property's integration into the surrounding Sam's Club property, staff believes that the site generally meets the intent of the B-2 zoning district to accommodate an "integrated cluster of establishments served by a common parking area and generating large volumes of vehicular and pedestrian traffic."

Staff finds that the core uses permitted in the B-1 and B-2 districts are fairly consistent with one another. While the B-2 district does permit several uses not allowed in the B-1 district, such as motor vehicle repair facilities and indoor/outdoor recreation, the more intensive uses require Special Approval through City Council. The Special Approval requirement ensures that additional review, action, and conditions of approval can be made on a case-by-case basis.

If the B-2 rezoning request is 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 the potential used goods use/regulated use, would require Special Approval through City Council and further action through the Zoning Board of Appeals. As previously noted, if the rezoning is approved, the existing structure would be considered legally non-conforming regarding its side yard setback. Any future building improvements would be subject to the B-2 dimensional standards.

Findings and Recommendation

- 1. The applicant requests a rezoning from B-1, Local Business, to B-2, Planned Business, to open a used goods use within the existing structure on site. The B-2 district permits a range of general commercial, retail, restaurant, and office uses. The uses permitted in the B-2 district are generally appropriate for the subject site.
- 2. The proposed B-2 district is generally compatible and consistent with adjacent retail uses, including the Sam's Club wholesale facility that surrounds the subject site. The subject site

shares vehicular access points, drive aisles, and parking with the Sam's Club, which is consistent with the intent of the B-2 zoning district.

- 3. The proposed B-2 District is compatible with adjacent B-1 and B-2 zoned parcels, as well as Multiple-Family-zoned parcels across 13 Mile Rd.
- 4. The proposed B-2 District is aligned with the "Commercial" future land use designation for the subject site.
- 5. The Site Plan Review Committee (SPRC) reviewed the proposed rezoning request at their January 25th, 2023 meeting and did not express any objections. The SPRC will separately review additional applications relating to this project, if submitted, including special use, variance, and site plan submittal. Special Approval through City Council is required for used good uses (subject to additional siting standards for regulated uses).

Based on these findings, staff recommends that the Planning Commission recommend to City Council **approval** of the requested rezoning from B-1, Local Business, to B-2, Planned Business, on the subject property at 31010 John R Rd.

Additional Policy Considerations

As a separate policy discussion, staff advises the Planning Commission to consider the full list of *Regulated Uses* per Section 10.502(A) of the Zoning Ordinance. In particular, staff encourages the Planning Commission to discuss whether or not certain non-adult/non-sexually oriented uses currently classified as regulated uses (such as tattoo parlors, used good uses, and billiard/pool halls) are still considered to have *"objectionable operational characteristics"* or contribute to the *"blighting or downgrading of the surrounding neighborhood."* If desired by the Planning Commission and City Council, modifications to the Regulated Uses section may be made as part of the City's ongoing Zoning Ordinance rewrite project to reduce the administrative burden for business owners who wish to open such businesses in Madison Heights.

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 of facts.**

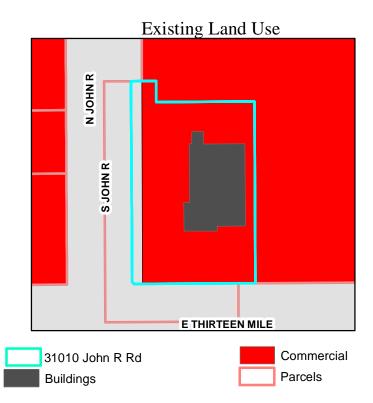
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Site Address: 31010 John R Road

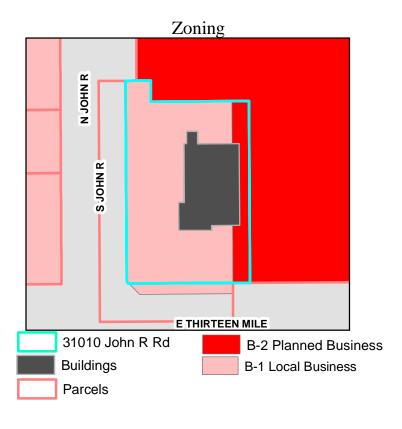


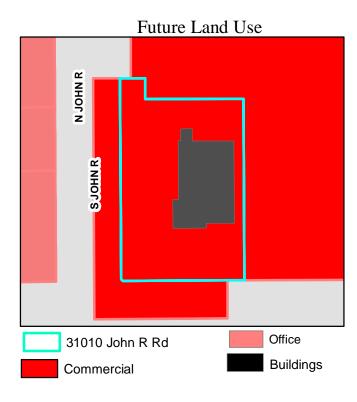
Click for maps

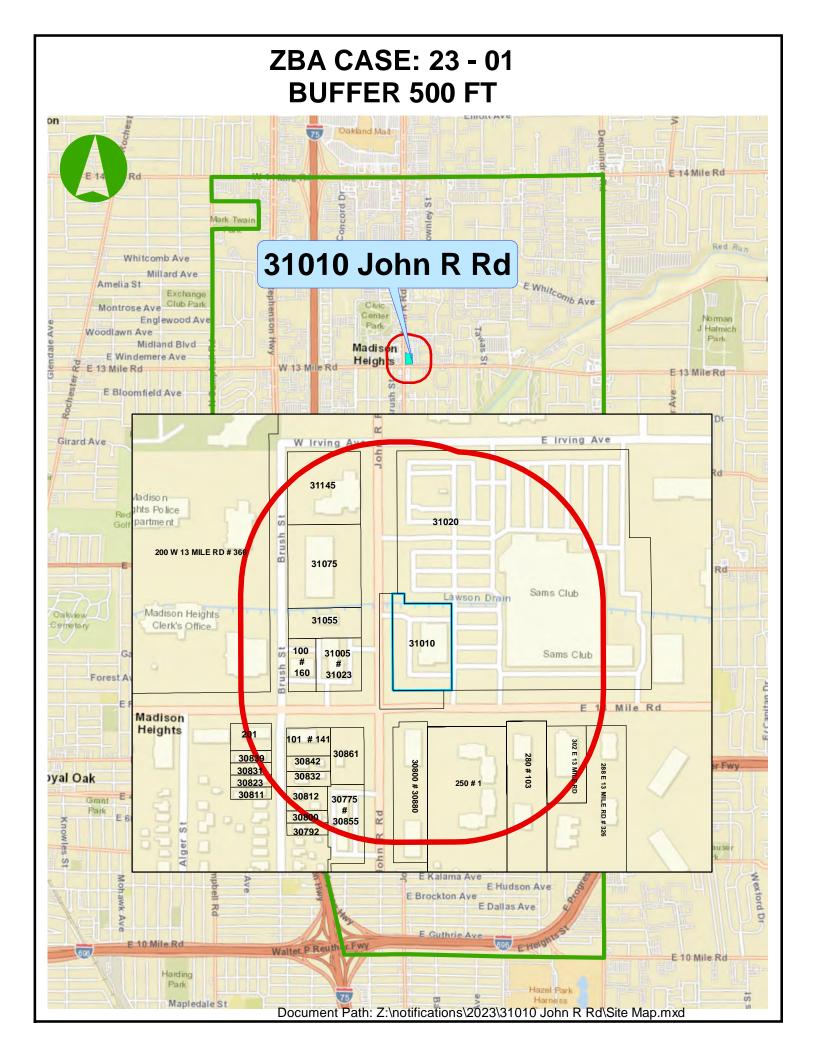












NOTICE OF PUBLIC HEARING

Notice is hereby given that the Madison Heights Planning Commission will hold a public hearing on **Tuesday**, **February 21**st, **2023 at 5:30 p.m.** in the City Hall Council Chambers, 300 West Thirteen Mile Road, Madison Heights, Michigan 48071, to consider the following rezoning requests:

<u>Rezoning Request No. PRZN 23-01</u> by Goodwill Industries of Greater Detroit to rezone one (1) parcel of land located at 31010 John R Road (TM# 44-25-01-351-017) from B-1, Local Business district, to B-2, Planned Business district.

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

For further information, please contact the Community and Economic Development Department at (248) 583-0831.

Cheryl Rottmann, CMC City Clerk (248) 583-0826

Madison-Park News: January 25th, 2023.



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:

1.	Request is hereby made that the following property be rezoned from B-1 to B-2		
2.	The property address is 31010 John R Rd and the parcel is located on the		
	Eastside of John R Rdstreet between 13 Mile Rd		
	and E Irving Avestreets,		
3.	The legal description of said property is as follows: (attach separately if necessary) T1N, R11E, SEC 1 PART OF SW 1/4 BEG AT PT DIST N 379.50 FT & N 89-53-00 E 43 FT FROM SW SEC COR, TH N 89-53-00 E 39.50 FT, TH S 33 FT, TH N 89-53-00 E 154.98 FT, TH S 286.64 FT, TH S 89-54-00 W 191.44 FT, TH N 45-00-00 W 4.30 FT, TH N 316.50 FT TO BEG 1.31 A 2-11-04 FR 012 & 015		
4.	The sidwell number for the property is: 44 25 01 351 017		
5.	The owner of said property is: Name: NADG NNN CPHARM (MH-MI) LP C/o Rob Shelto Street Address: 3131 McKinney Ave, Suite L10 City, State, Zip: Dallas, TX 75204		
6.	The Applicant is: Name: Goodwill Industries of Greater Detroit, Inc. C/o Jeff Ukrainec Street Address: 3111 Grand River Ave City, State, Zip: Detroit, MI 48208 Phone: (313) 557-8773Email: jukrainec@goodwilldetroit.org		
_			
7.	The applicant is the: [] Owner [] Legal Representative [] Purchaser [x] Other Proposed Lessee with Right of First Refusal to Purchase the Property		
8.	Description of proposed use: Goodwill retail store selling new and gently used clothing & accessories, electronics, furniture, home goods, movies, music, books and toys. Creating approximately 25 jobs. Goodwill's Mission is "We build pathways to independence through personal development and the power of work." Goodwill Detroit is a comprehensive social enterprise that use revenue generated to directly support many of life-changing programs, all while directly providing on-the-job training. Goodwill Detroit provides best in class personal and workforce development training program to Metro Detroit residents living with mental health challenges or developmental disabilities, returning citizens, and residents who have been chronically under or unemployed. Their work is cemented in its founding belief in helping people, and their families move from poverty and dependence to prosperity and independence.		

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

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 Owne	er:				
Signature of Appli	تار و <u>لا و لا</u>	New	$\setminus (\lambda)$	More	mar
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My Commission Expires	ion: <u>Februari</u>	1121,50	<u> </u>		
Acting in the County of	: wayne .	<i>)</i>			

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.

ANGELA V. MCKEITH NOTARY PUBLIC, STATE OF MI COUNTY OF WAYNE MY COMMISSION EXPIRES Feb 12, 2027 ACTING IN COUNTY OF Wayne



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



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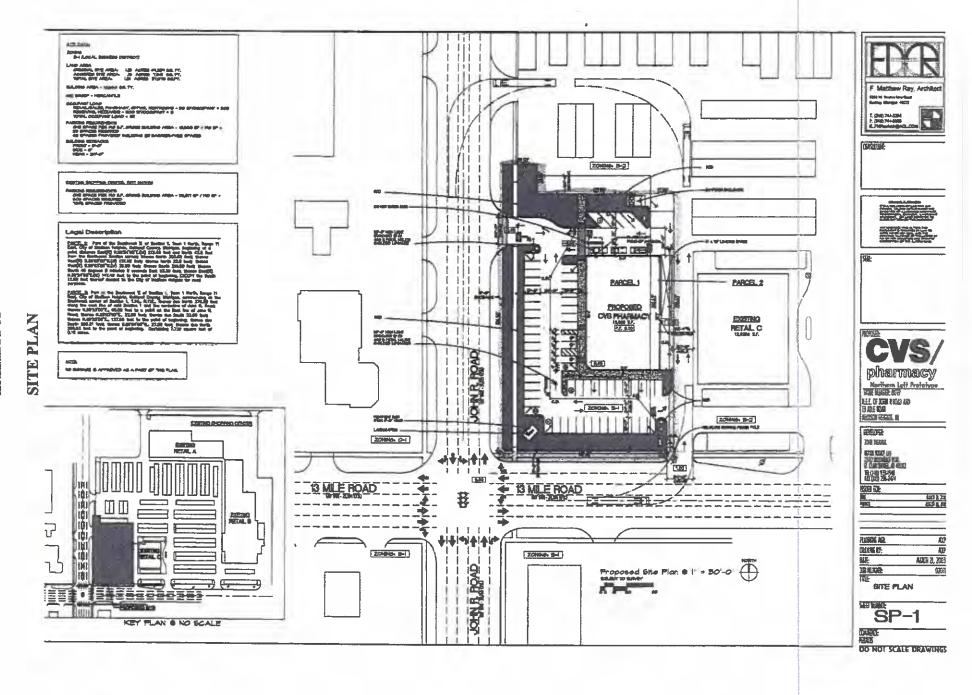
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Signature of Owner:			
Signature of Applicant:			
Date: 1-12-23			
Notary's Signature: T. Dean	<u></u>	T DEANDA Notary ID #12054144	1
Notary's Print Name: T. Deanda		My Commission Expires	П
Notary Public, State of Texas, County of:	Dalias	August 14, 2024	- 1
My Commission Expires on: 8-14-202	4		\dashv
Acting in the County of: Dallas			

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.





SCHEDULE B-2 EASEMENT NOTES

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General Survey Notes

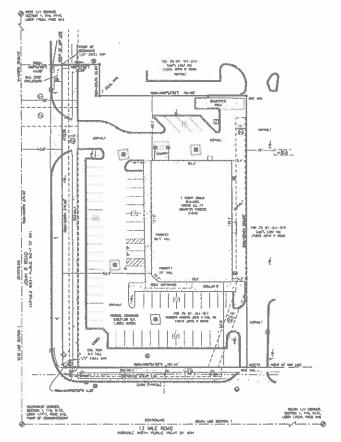
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SURVEYOR'S CERTIFICATE

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ALTA/NSPS LAND TITLE SURVEY

CVS - Madhun Heights, Michigan 31010 John R Road Medison Heights, Oskland County, Michean



PREPARED BY: PREPARTU U.
GEODETIC DESIGNS, INC.
2500 N. GRAND RIVER AVE.
LANSING IM 48806
PHONE: (317) 908-0008
FAR: (317) 908-0008
WHM GEORITICDESIGNS.COM

Sheet Ho. 1 of t

LIST OF POSSIBLE ENCROACHMENTS

ABBREVIATIONS:

	-	RECONDED	THE - TORK 1 NORTH	AVC. + AVENUE
ı	-	MEAGURED	RIDE H RANGE II EAST	BLVD W BOULEVAND
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February 10, 2023

Madison Heights Planning Commission City Hall 300 West Thirteen Mile Road Madison Heights, MI 48071

RE: Rezoning Request No. PRZN 23-01 at 31010 John R Road (TM# 44-25-01-351-017)

Dear Commissioners:

Prior to our rezoning request hearing scheduled for Tuesday, February 21, 2023, I wanted to introduce myself and my organization, Goodwill Industries of Greater Detroit.

Goodwill of Greater Detroit has signed a letter of intent to lease a vacant property at 31010 John R Road (the former CVS at 13 Mile and John R) for what we hope will be our seventh thrift store in the metro Detroit area. We currently operate successful retail stores in Canton, Livonia, Commerce Township, Woodhaven, Dearborn and Ypsilanti.

Goodwill is best known for donated goods and thrift stores. What many do not know, however, is the significant impact of these stores on the mission of Goodwill and all of the communities we serve. Our mission is to **build pathways to independence through personal development and the power of work.** Our retail stores help to fund the training, development and job-placement programming that we provide to individuals across the five county metro Detroit region.

Here is what a new Goodwill store will bring to Madison Heights:

- **Employment and Inclusion** Goodwill provides jobs. We will employ local residents, including those living with disabilities.
- **Cool Factor** Thrifting is in! A store in Madison Heights will attract hip, young shoppers from surrounding areas to browse, buy and dine in your community.
- **Sustainability** Goodwill is environmentally conscious, diverting goods from landfills. In support of your goals and ours, we reuse and recycle millions of tons annually.
- **Convenience** Ninety percent of goods donated to Goodwill stores come from nearby residents. We provide an accessible, convenient, in-person experience, without the visual disruption of donation bins.

For your convenience, I have included a brochure with more information about Goodwill of Greater Detroit and our retail portfolio.

I appreciate your consideration and look forward to meeting each of you on February 21. Meanwhile, if you have any questions, please don't hesitate to reach out.

Sincerely,

Jeffrey J. Ukrainec
Vice President, Donated Goods Retail
Office: 313.557.8773 Mobile: 313.550.2268



RETAIL PORTFOLIO 2023



We build pathways to independence through personal development and the power of work.

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Our History & Timeline

For over 100 years, Goodwill Industries of Greater Detroit has been a leader in making a difference in people's lives. We are committed to providing second chances, growing and restoring independence and dignity, and improving the quality of life for our community members.

Goodwill Automotive

Goodwill Automotive opens to manufacture glove box manuals for early-century automobiles.

1950

League-Goodwill

Goodwill Industries of Greater Detroit merges with the League for the Handicapped and became the nation's largest private vocational rehabilitation agency. Known as League-Goodwill, 180 staff members served over 5,000 clients from 11 buildings in Wayne, Oakland, Macomb, and Washtenaw counties.

Founded

1921

Goodwill Industries of Greater Detroit is founded by Rev. Dr. John E. Martin, pastor of the First Methodist Church in Berkley, MI.



Headquarters

Rev. Martin dedicates a block-long headquarters on Brush Street combining operations from three downtown sites under one roof, including a garage for 20 trucks that gather donations in eight counties.



GGW & DGR

Goodwill's Green Works, Inc. is created to provide investment recovery services to DTE. Our Canton donated goods retail store opens, kicking off the modern era of GIGD Retail.



Continuous Growth

Today Goodwill Industries of Greater Detroit is a comprehensive social enterprise.

Goodwill uses revenue generated to support its life-changing programs, all while directly providing on-the-job training.

New Identity

1984

Board members change the name back to Goodwill Industries of Greater Detroit for a more recognizable identity.



100 Years of Service

Goodwill Industries of Greater Detroit celebrates its centennial, 100 years of serving.





Our Mission In Action





Our Programs



Flip the Script

Focuses on transforming the lives of justice involved individuals through life skills, education, job placement, financial coaching and post-employment retention services.



Skill Building

Helps adults living with intellectual or developmental disabilities strengthen their functional skills in the areas of employment, financial literacy, communication, socialization, and daily life.



Career Centers

Provide resources and workshops that prepare people for work and assist businesses with locating personnel.



Welding Academy

A 12-week hands-on curriculum, through which participants earn American Welding Society Level-1 Certification.



A Place of Our Own Clubhouse

Provides opportunities for people living with mental illness to engage in society through friendship, employment and support services.



SURGE Center

From stable housing to child care, our coaches assist employees in managing personal and professional challenges that may impede their job performance



Our Subsidiaries



Goodwill Integrated Solutions

Provides packaging, distribution, kitting, light assembly, rework, and audit/inspection services, shipping over one million pieces a month. As an extension of Goodwill of Greater Detroit, GIS is focused on helping individuals with significant employment barriers obtain and retain employment, earn a living wage, and start on a career path with opportunities for advancement.



Goodwill's Green Works

An industrial recycling facility on Detroit's East Side, providing money-saving asset recovery services that are safe for the environment. Importantly, Green Works provides both transitional work experience and independent employment opportunities for individuals in Goodwill's mission programs and in our communities.

MISSION IMPACT

Read about real stories. Real people. Real impact.



11,700

PEOPLE SERVED

Our mission **served** 11,700 people in 2022.

1,557

JOBS PLACED

1,557 people obtained competitive employment.

\$17.91

AVG. STARTING HOURLY WAGES

Job-ready individuals who participate in Goodwill programs earn competitive wages.

94%

JOB RETENTION

The skills gained through Goodwill services help individuals **maintain employment** beyond 90 days and 91% after 180 days.



Goodwill International

- Is a network of 166 independent, community-based organizations in the U.S.
- Total revenue by Goodwill organizations: \$5.4 billion annually, with 3,000+ retail stores
- Total number of donors (includes repeat donations):
 65+ million annually
- Retail sales: \$4 billion annually
- 86% of revenues funded employment programs and support services

Goodwill of Greater Detroit Retail

- Operates 6 retail stores across Metro Detroit
- Engages with roughly 30,000 active shoppers via email; 5,000 are enrolled in our Club Blue loyalty program
- In 2022, same store sales grew by 12%
- In 2022, donation events up 8%
- In 2022, \$6 million in overall sales





Retail Footprint





Who Shops & Why?



Frugal Fashionistas

Specifically, Gen Z women looking to save money, find discounted high-end brands, and collect distinct-to-them clothing. They like to have fun while shopping, enjoy finding special items that complete outfits, and appreciate a more sustainable shopping option.



Treasure Hunters

For these millenials and boomers, thrifting is in their DNA. Goodwill of Greater Detroit is just one stop on their weekly circuit. They enjoy the process and spend their leisure time looking for unique finds (home goods and clothing). When they find something cool, they tell people about it.



Resellers

Many of our shoppers own local small businesses of their own. They hunt our stores picking unique items that they can use to fill their own shelves. This includes both brick and mortar businesses, as well as online resellers using platforms like eBay and Facebook Marketplace.



Minimizers

The primary reason many people shop Goodwill of Greater Detroit is to help reduce their household spending. For families with young kids, it's a great place for clothes they will outgrow. Goodwill's everyday value and selection meets their needs.



Secondhand Cycle



Secondhand Shopping is Growing

- Secondhand shopping saw record growth in 2021, growing by 32%.
- The secondhand market is expected to more than double by 2026, reaching \$82 billion.
- Resale clothing is expected to grow 16X faster than the broader retail clothing sector from now until 2026.
- Resale clothing is expected to be larger than fast fashion by the year 2029.
- 41% of shoppers are looking at secondhand first; this grows to 62% for Gen Z and Millennials.



When a Goodwill of Greater Detroit store opens in your neighborhood, you're getting more than an exciting new thrift shopping experience.

Ninety-two cents on every dollar spent at our stores supports personal and workforce development programming. When you shop second hand, you support the environment and you provide second chances for your community.

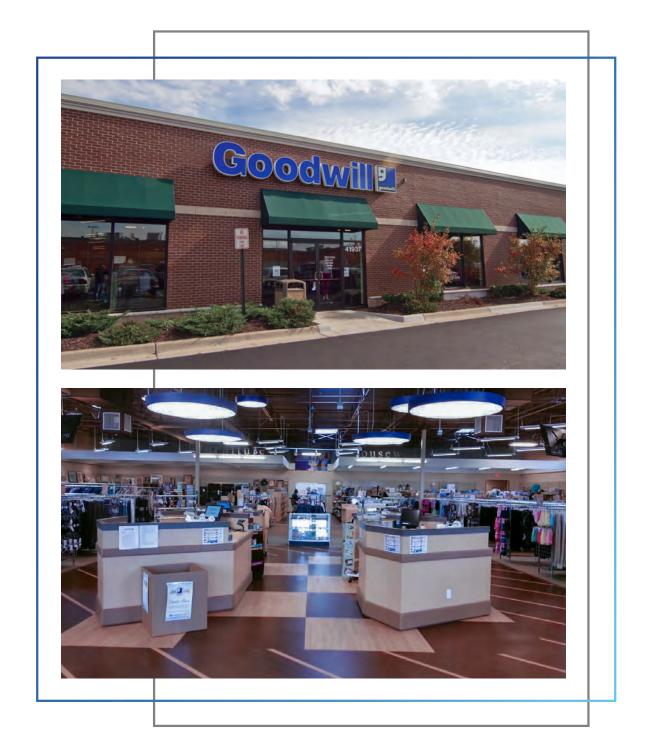
Site Specifications

- Preferred size: 11,000 21,000 square feet
- Co-tenants: Target, Walmart, Home Depot, Kohls, Meijer, and grocery anchors
- Free standing or end cap
- Drive-thru donation access required

Goodwill of Greater Detroit Retail

- Increased customer traffic
- Mutually beneficial: your shoppers become our donors and our donors become your shoppers
- Potential/forecast for each store: 100K shoppers
- Potential/forecast for each store: 30K donors
- Market potential: \$45 \$136 million in annual sales to support Goodwill's mission

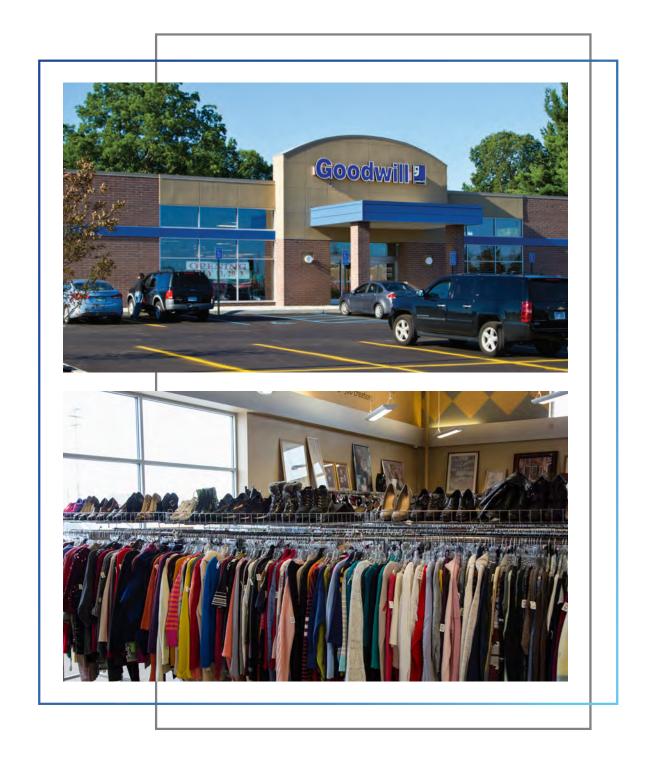




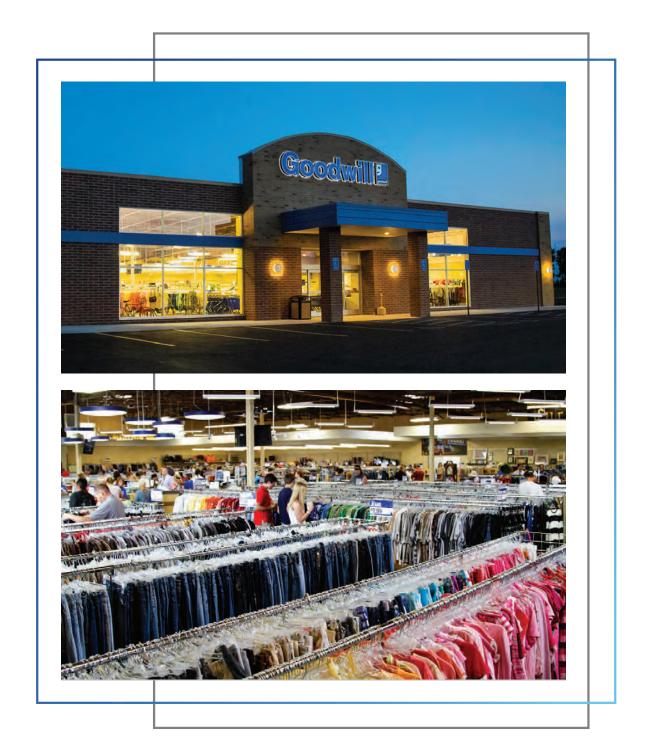




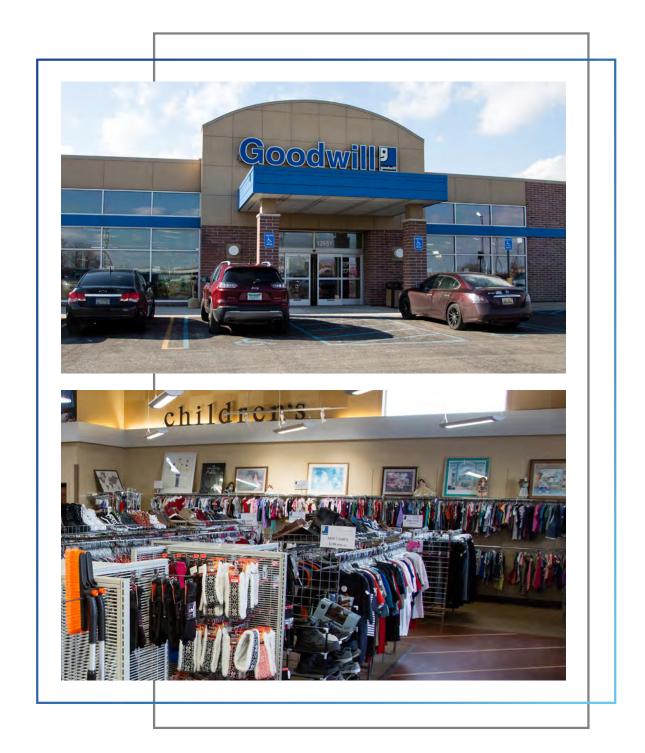












ALL FOLLOW-UP INQUIRIES SHOULD BE ADDRESSED TO:

JEFF UKRAINEC

Vice President, Donated Goods Operations

PHONE:

Direct - 313.557.8773 Cell - 313.550.2268 Fax - 313.557.8577

EMAIL:

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