



CITY OF MADISON HEIGHTS
PLANNING COMMISSION MEETING MINUTES

September 16, 2025 (DRAFT)
Council Chambers – City Hall
300 W. 13 Mile, Madison Heights, MI 48071

1. CALL TO ORDER

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

2. ROLL CALL

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

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

Absent: Mayor Roslyn Grafstein, Commissioner Cliff Oglesby

3. EXCUSE ABSENT MEMBERS

Motion by Commissioner Marsh, seconded by Commissioner Graettinger to excuse Commissioner Grafstein, and Commissioner Oglesby

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

Motion carries.

4. APPROVAL OF THE MINUTES

Motion by Commissioner Graettinger, seconded by Commissioner Sylvester to approve the minutes of the regular Planning Commission meeting of August 19, 2025.

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

Motion carries.

5. PUBLIC HEARINGS:

A. ZTA #25-01 - Non-Conforming Residential Driveways - Sections 7.03.10; 10.02.1; and 13.01.6

Planner Lonnerstater introduced the public hearing for zoning text amendments related to non-conforming residential driveways. He explained that many homes in Madison Heights have legally non-conforming driveways that pre-date the new zoning ordinance. Under the current ordinance, these cannot be replaced "in-kind" without a variance from the Zoning Board of Appeals (ZBA).

Staff proposed amendments to address two common non-conformities:

1. **One-foot side-yard setback:** The amendment would allow in-kind replacement for driveways on lots 40 feet wide or less, or where the driveway is 10 feet wide or less.
2. **Driveways in front of a home:** The amendment would allow replacement if the portion in front of the dwelling is a maximum of 5 feet wide.

Chair Champagne opened the public hearing at 5:38 pm. Seeing no one wished to speak, the public hearing was closed.

Commission discussion included a suggestion by Commissioner Bliss to allow any one-foot setback driveway to be replaced in-kind, regardless of lot size, to address stormwater concerns through other means like rain barrels. Planner Lonnerstater and other commissioners expressed concerns about the enforceability of such measures, favoring a simpler, universally applied rule. Planner Lonnerstater confirmed that many lots are 40 feet wide or less, which is where most denials have occurred.

Commissioner Bliss suggests Staff create a document to present to homeowners showing the benefits of rain barrels to collect and store rainwater and to reduce stormwater runoff.

Motion by Fox, seconded by Sylvester to move that the Planning Commission hereby recommends that City Council approve zoning text amendment # PRZN 25-01 relating to non-conforming residential driveways. This recommendation of approval is made after the required public hearing based upon the finding that the 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**

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

Motion carries.

6. MEETING OPEN TO THE PUBLIC

Chair Champagne opened the meeting for public comment on all agenda items.

Timothy Ginster, resident on Dartmouth – Opposed to the Special Special Land Use Request PSP #25-05 - Expressed concerns about traffic congestion, safety risks for pedestrians and drivers, and negative impacts on property values and livability

Kathy Sapia, resident on Dartmouth – Opposed to the Special Special Land Use Request PSP #25-05 - Stated the property cannot support the proposed development and urged the Commission to "hold the line" between business and residential zones to prevent encroachment

Leanne, resident at Alger and Parker – Supports Special Land Use Request PSP #25-05 – Believes another business in Madison Heights could bring more jobs and more development to the City and could work out well

Dale Kohler, resident on Karam Drive – Opposed to the Special Special Land Use Request PSP #25-05 Argued the lot is too small for the proposed restaurant, which will increase traffic on an already overused street and disrupt residential peace.

Keg and Cask owner (name was not clear) - Supports Special Land Use Request PSP #25-05 – Stated the restaurant could bring more employment, and good food to the area

Rob (works in Madison Heights area): Supports Special Land Use Request PSP #25-05 – Said it would be a good choice for additional food in an area with few options

Shannon, resident at 11 Mile and Lorenz, Supports Special Land Use Request PSP #25-05 –: Believed a family restaurant would be better for the community than a fast-food option

Kyle Hethler, resident on Diesing – Opposed to the Special Special Land Use Request PSP #25-05: States that this development would negatively affect already congested traffic, citing potential safety issues, and asked the commission to recommend denial

Katherine Moran resident on Diesing – Opposed to the Special Special Land Use Request PSP #25-05: Recalled issues with a previous business at the location, including noise and accidents, and raised concerns about pedestrian safety

Matthew Irla, resident on Dartmouth – Opposed to the Special Special Land Use Request PSP #25-05: Described the current traffic congestion as "horrendous" and stated the proposal would make it worse, compromising the safety of residents

Kathy Lassila, resident on Dartmouth – Opposed to the Special Land Use Request PSP #25-05: Spoke of existing problems with speeding and profanity from frustrated drivers and the difficulty of exiting her driveway

Resident from Winthrop Drive - Opposed to the Special Land Use Request PSP #25-05: Highlighted the difficulty of getting out of the neighborhood and raised concerns about delivery trucks, trash, and safety.

7. UNFINISHED BUSINESS:

a. SPECIAL LAND USE REQUEST PSP #25-05 - 28767 DARTMOUTH ST. - PARKING AS A PRINCIPAL USE OF A RESIDENTIAL PARCEL

Planner Lonnerstater reintroduced the special land use request, noting it was previously recommended for denial by the Planning Commission on August 19th. The applicant submitted revised plans, and City Council remanded the application back to the Planning Commission for review. The Planner noted that this Special Land Use request is only for the drive aisle and parking on the residential subject parcel. While the proposed drive aisle/parking is related to the proposed adjacent restaurant development, the restaurant use itself is not directly subject to this Special Land Use request. Restaurants are a “by-right” use on the adjacent commercial parcel.

The revised plans incorporate the following changes:

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

The restaurant itself is a by-right use and does not require Planning Commission approval. This request is for a special land use to allow a commercial drive aisle and parking on a residentially-zoned parcel. Staff noted that while the applicant has made modifications, the Commission must still consider the special land use criteria, particularly regarding traffic and landscaping.

The Commission heard from the applicant, Brian Najor of Najor Companies, and Larry, an operating partner for the proposed restaurant, Bubba's 33. Mr. Najor stated the changes were made to address resident concerns about screening and landscaping. He emphasized that the main entrance would be on 12 Mile Road and the Dartmouth access is secondary. Larry spoke to the need for the parking spaces to accommodate employees and guests and the need for a two-way access onto Dartmouth. He reiterated that Bubba's 33 is a family-friendly restaurant similar to the other two locations in Michigan. He stated that Bubba's 33 prides themselves in responsible alcohol service with extensive training for staff.

Discussion among the Commission included concerns about traffic impact, the need for the additional parking, and the safety of the existing public alley versus the proposed improved driveway. Commissioner Bliss expressed concern that if denied, the applicant could still use the existing, less safe alley for access.

Motion by Sylvester, seconded by Fox, that the Planning Commission hereby recommends that city council deny special land use request number PSP 25-05 for parking as a principal use on a residentially-zoned parcel at 28767 Dartmouth street based upon the following findings:

1. **The applicant requests Special Land Use approval for a drive aisle and parking spaces on a residential parcel at 28767 Dartmouth Street as permitted by Section 10.06 of the Zoning Ordinance.**

2. The Planning Commission held a public hearing for PSP 25-05 at their August 19th, 2025 meeting, after which a recommendation of denial was made.
3. The applicant submitted revised concept plans on August 28th, 2025. City Council considered the revised plans at their September 8th, 2025 meeting and remanded the revised Special Land Use application back to the Planning Commission for review and recommendation. The revised plans do not adequately address and alleviate the Planning Commission's original findings for recommending denial.
4. The applicant submitted revised concept plans on August 28th, 2025, which do not adequately address nor alleviate the Planning Commission's original findings for recommending denial.
5. The proposed Parking as a Principal Use is not consistent with the use-specific standards set forth in Section 10.06 and/or the Special Land Use review standards and criteria set forth in Section 15.05.3. In particular [list individual findings for denial].
6. Concerns regarding public safety for the surrounding neighborhood.

Voting Yea: Commissioner Fox, Commissioner Sylvester, Chair Champagne

Voting Nay: Commissioner Bliss, Commissioner Graettinger, Commissioner Marsh

Motion fails - The special land use request will be forwarded to City Council without a recommendation from the Planning Commission.

The item is expected to be on the City Council's October 13th agenda.

8. NEW BUSINESS:

- a. Alley vacation PEE #25-01 – 17-foot wide alley between 601 W. 12 Mile Rd. and 28767 Dartmouth Street

Planner Lonnerstater introduced the request to vacate the 17-foot public alley adjacent to the subject property from the previous agenda item. The applicant owns the properties on both sides of the alley. If vacated, the land would be split between the adjacent parcels. The vacation is contingent on the approval of the special land use request. Utilities exist within the alley, and a full-width utility easement would be required. Staff recommended approval with the condition that it is tied to the approval of the special land use request.

Motion by Fox, seconded by Graettinger, to recommend that City Council approve alley vacation request PEE #25-01 to vacate a 17 ft.-wide improved public alley between the properties located at 601 W. 12 Mile Rd. and 28767 Dartmouth Rd., in accordance with Section 23-109 of the Madison Heights Code of Ordinances, with the following conditions:

1. A public utility easement shall be dedicated and recorded over the full width of the vacated alley benefitting the City of Madison Heights and utility companies for underground facilities such as water, sanitary sewer, and natural gas lines, and overhead facilities such as power lines and communication infrastructure.
2. Prior to formal approval of the alley vacation, the applicant shall coordinate with Comcast and any other remaining utility companies with facilities in the existing alley

regarding necessary easements or facility relocation. Correspondence from such companies shall be provided to the City Planner prior to final City Council action.

3. This approval is tied to the approval of Special Land Use application PSP #25-05. Should PSP #25-05 be denied by City Council, the approval of alley vacation request PEE #25-01, located at 601 W. 12 Mile Rd. and 28767 Dartmouth Rd., will be void.

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

Voting Nay: Commissioner Sylvester, Chair Champagne

Motion carries.

9. PLANNER UPDATES

Planner Lonnerstater provided an update on the Master Plan. An online survey is live at www.madison-heights.org/masterplan. The City will be formally advertising the survey soon. He also mentioned that a public meeting for the Parks and Recreation Master Plan will be held on September 29th at 6:00 p.m. in the Library. Commissioner Bliss praised the quality of the in-house survey, particularly the use of images to clarify housing types.

10. ADJOURNMENT

Chair Champagne adjourned the meeting at 7:50 pm.