



CITY OF MADISON HEIGHTS
PLANNING COMMISSION MEETING MINUTES

June 20, 2023
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 5:31 p.m.

2. ROLL CALL

Present: Chair Josh Champagne
Mayor Roslyn Grafstein
Mayor Pro Tem Mark Bliss
Commissioner Eric Graettinger
City Manager Melissa Marsh
Commissioner Cliff Oglesby
Commissioner Grant Sylvester arrived at 5:39 p.m.

Absent: Commissioner Melissa Kalnasy

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

3. EXCUSE ABSENT MEMBERS

Motion by Grafstein, seconded by Oglesby to excuse Commissioner Melissa Kalnasy.

Motion carries unanimously.

4. APPROVAL OF THE MINUTES

Motion by Bliss, seconded by Graettinger to approve the minutes of the regular Planning Commission meeting of May 16, 2023.

Motion carries unanimously.

5. PUBLIC HEARING

No public hearing scheduled.

6. PUBLIC COMMENT - For items not listed on the agenda

Matthew Savaya, owner of Victoria Jewels, located at 28731 Dequindre addressed the

Commission and thanked them for allowing him to be here.

7. UNFINISHED BUSINESS

None at this time.

8. NEW BUSINESS

Recently, City Council had directed the Planning Commission and staff to review the list of Regulated Uses contained within the Zoning Ordinance and determine if updates to the list are needed. Initially, the list of Regulated Uses only included sexually-oriented businesses such as cabarets, adult theaters, adult retail and book stores. Throughout the years, the list has expanded to include non-sexually-oriented businesses such as tattoo parlors, pawnbrokers, used goods sales, massage parlors, and billiard halls. Regulated Uses are subject to strict siting, approval, and licensing requirements and are also regulated separately under the Business Regulations and Licenses Ordinance. For this meeting, informal discussion primarily focused on non-sexually oriented uses.

The Commission would prefer to proceed as part of the ongoing comprehensive zoning ordinance rewrite project rather than stand-alone zoning text amendments.

1. Tattoo Parlors

Staff and Commission discussed the reputation of tattoo parlors, their value in a community and if the Planning Commission would prefer to continue to treat them as a regulated use and if not, perhaps instead classify them as a personal service. Another option would be to regulate them separately. Commissioner Bliss suggested they are regulated similarly to barber shops and we should license them the same way, through the Certificate of Occupancy or Business License process.

2. Pool/Billiard Halls

Pool and billiard halls are defined as a commercial establishment where pool or billiard tables are provided for use on the premises by the public. The Planning Commission discussed whether or not pool/billiard halls should remain as a Regulated Use, or should they be removed? If removed, should pool/billiard halls be classified as an “indoor recreational” use, or should they be treated separately? If we remove them from regulated uses, it would likely be redefined as a commercial establishment where the primary use is pool or billiard tables. Similar amusement uses, such as bowling alleys and indoor recreational uses, are permitted either by right or through special approval in the City’s commercial zoning districts. Discussion continued in regards to which zoning districts should they be permitted in if regulated separately, and if there should be any supplemental regulations.

3. Used Goods Uses

A used goods business is one engaged with a substantial portion of their business comprising the sale of used goods, including, but not limited to, secondhand and junk dealers, as defined pursuant to Public Act 1970, No. 350, as amended, MCL 445.401 et seq., and persons engaged in substantially similar uses. Not included shall be the occasional resale of goods which is not a principal business purpose.

This would include thrift stores, consignment shops, antique shops, and boutique “vintage” shops. Note that this classification does not include pawnshops or junkyards, which are both listed as separate uses in the Zoning Ordinance and regulated separately.

A primary question for the Planning Commission is whether or not secondhand or used goods stores should be treated and classified differently from general retail businesses, which are permitted by right in the City's business districts. If it is removed from the regulated uses, any outdoor impacts such as goods drop offs, would be regulated through the site plan process.

Staff will research other communities' ordinances pertaining to used-goods uses and their requirements.

4. Pawnbrokers

Our ordinance defines pawnbrokers as any person, corporation, or member or members of a co-partnership or firm, who loans money on deposit or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price. Pawnbrokers are similar to Used Goods Uses in that they offer secondhand sales of used items, pawnbrokers also offer loans, with interest, for personal property.

Staff and the Commission discussed a response from the Police Department as detailed in the packet. Attorney Burns noted that State Law essentially says pawnshops have to report transactions within two days but they put the burden on the local Police Department in regard to enforcing that requirement. Staff and Attorney Burns will research ordinances from other communities to see how they treat pawnbrokers.

5. Massage Parlors

Massage parlors are defined as any business establishment whose principal business is the practice of massage and which has a fixed place of business where any person, firm, association or corporation carries on massage as the principal use.

Planner Lonnerstater discussed remarks from the Madison Heights Police Department as described in the packet. Attorney Burns has issues and concerns about current businesses. Staff also recognizes that legitimate massage facilities exist in other communities. Commissioner Bliss and Commissioner Marsh would like Staff to research what Troy, Rochester Hills and Bloomfield Hills do to regulate these types of facilities.

9. PLANNER UPDATES

Planner Lonnerstater briefly updates the Commission on the Zoning Ordinance Rewrite. The Committee last met on June 6th to discuss housing types.

Planner Lonnerstater provided a development update as outlined in the packet.

10. MEMBER UPDATES

No member updates.

11. ADJOURNMENT OF MEETING

Meeting adjourned by the Chair at 6:50 pm.