ELI	CITY OF MADISO ECTRONIC COUNCIL AGI		М
SUBMITTED TO: Melissa	Marsh, City Manager		
SUBMITTED BY: Giles Tu	acker, CED Director	DATE: 05/1	2/2022
FOR CONSIDERATION AT	THE COUNCIL MEETING	OF: 05/23/22	
	ACTION REQU		
PRESENTATION PUBLIC HEARING – SPEC	IAI ADDROWAI	FUTURE PUBLIC H BID AWARDS / PU	
PUBLIC HEARING – OTHE		ORDINANCE - FIR	
COMMUNICATION		ORDINANCE - SEC	
REPORT		UNFINISHED BUSI	NESS
	DESCRIPTION 22-04 - Jesse R. Schmidt d/b/a d undercoating shop. M-2, Hea	Precision Laser & Manua	facturing- 31330 Stephensor
IF	ORDINANCE, CITE TITLE	C/CHAPTER SECTION	S
Highway (PIN 44-25-02-378-	existing industrial building. Tl 023) and is zoned M-2, Heavy strial building. The applicant d l approval request.	Industrial. The property	s improved with an existing
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No Impact Budgeted Fund Name(s)	✓	Fee Waiver Proposed _ Department Name	
Appropriated in Acct No		Budget Amount	
Amount Available in Acct.			
	t	Budget Amount _ Revenue Generated	
Other Comments		-	
	REVIEW CHE	CKLIST	
DEPARTMENT Giles Tu	ucker, CED Director	DATE	
DEPARTMENT		DATE	
CITY MANAGER Melissa	R. Marsh, City Manager	DATE _	
See P:\SHARED\COUNCIL AGENDA\FO. Rev. January 2004	RMS	ITEM#	A



Date: May 12th, 2022

To: City of Madison Heights City Council From: Matt Lonnerstater, AICP – City Planner

Subject: Special Approval Request PSP 22-04 – 31330 Stephenson Hwy. – Paint Shop

Introduction

The applicant, Jesse R. Schmidt d/b/a Precision Laser & Manufacturing LLC, requests special use approval to install a paint booth within an existing industrial building. The subject property is located at 31330 Stephenson Highway (PIN 44-25-02-378-023) and is zoned M-2, Heavy Industrial. The property is improved with an existing 22,000 square foot metal industrial building. The applicant does not propose modifications to the site or building footprint as part of this special approval request.

Background and Analysis

The applicant proposes to set up an industrial paint booth inside of the existing industrial building at 31330 Stephenson Highway. The applicant represents Precision Laser & Manufacturing, which is a light industrial manufacturing company that produces material handling racks and containers for the automotive industry. Precision Laser & Manufacturing has applied for a Certificate of Occupancy to operate from the building.

Per the project narrative, the items that are manufactured by the applicant's business need to be painted in order to prevent rusting. The applicant proposes to use an environmentally-friendly water-based paint. The building plan provided by the applicant denotes a 20 ft. by 30 ft. paint booth area inside of the existing building.

Per Section **10.322A**, painting, varnishing and undercoating shops are permitted within the M-2 zoning district as a special use. These shops must be set back at least 75 feet from any adjacent residential districts and shall be conducted within a completely enclosed building. Note that the subject site is located within the Stephenson Highway industrial corridor and does not abut any residential zoning districts.

Requests for special approval are subject to the following criteria, as outlined in Section 10.201(4):

The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood and vicinity. At a minimum, this shall include:

- 1. Location of use(s) on site;
- 2. Height of all improvements and structures;
- 3. Adjacent conforming land uses;
- 4. Need for proposed use in specified areas of the city;
- 5. Conformance with future land use plans for the area as adopted by the planning commission;
- 6. Compatibility with the permitted principal uses allowed in the zoning district where the special approval use is requested.

Additional criteria for reviewing special uses are contained at the end of this report.

Existing Zoning and Land Use

The table below denotes existing adjacent land uses and zoning designations.

	Existing Land Use	Existing Zoning
Site	Industrial	M-2, Heavy Industrial
North	Industrial	M-2, Heavy Industrial
South	Industrial	M-2, Heavy Industrial
East	Industrial	M-2, Heavy Industrial
West (across Stephenson Hwy)	Industrial	M-1, Light Industrial

The subject site is located along the Stephenson Highway industrial corridor and is surrounded by existing light and heavy industrial uses. The property is sandwiched between four existing industrial buildings to the north, east, south and west, and is in close proximity to I-75.

The subject site is zoned M-2, Heavy Industrial, which, per the Zoning Ordinance, is, "designed primarily for manufacturing, assembling, and fabrication activities including large scale or specialized industrial operations whose external, physical effects will be felt to some degree by surrounding districts."

Future Land Use and Master Plan

The table below denotes adjacent future land use designations as contained within the 2021 Madison Heights Master Plan.

	Future Land Use
Site	Industrial
North	Industrial
South	Industrial
East	Industrial
West (across Stephenson Hwy.)	Industrial

The future land use designation of the subject site and all surrounding properties is 'Industrial.' Per the Master Plan, the Industrial future land use 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. These more intense uses are intended for existing industrial areas along Stephenson, I-75, and 14 Mile Road."

Site Plan Review Committee

The Site Plan Review Committee (SPRC) reviewed the special use application at their April 27th, 2022 meeting. The SPRC did not cite any concerns with the proposed use.

Findings and Recommendation

Staff offers the following findings for City Council consideration:

- The applicant requests special use approval for a paint booth associated with an existing industrial manufacturing business, Precision Laser & Manufacturing, at 31330 Stephenson Highway.
- 2. The subject property is zoned M-2, Heavy Industrial, and is located within the Stephenson Highway industrial corridor.
- 3. The proposed use satisfies the use-specific criteria for *painting, varnishing and undercoating shops* in the M-2 district, as the paint booth is located within a completely enclosed building and is not within 75 feet of a residentially-zoned property.
- 4. The proposed use is consistent and compatible with adjacent industrial uses and industrially-zoned parcels and is consistent with the Industrial future land use designation.
- 5. The proposed use generally satisfies the special use approval review standards and criteria listed in Section 10.201(4).

Based on these findings, staff recommends that the City Council <u>approve</u> the requested special use application for a *painting*, *varnishing* and *undercoating* shop at 31330 Stephenson Highway.

Next Step

After the public hearing and discussion, the City Council may take action on the requested special use. Any motion shall include concise findings based upon the special approval review standards and criteria, Section 10.201(4).

Pertinent Zoning Ordinance Sections

Section 10.201 – Special Approval Use Review Procedures and Requirements

- (4) Review standards and criteria. The city council shall consider the following standards and criteria in their review of all special approval use requests:
 - (a) Site plans submitted for special approval uses shall be prepared in conformance with and contain all information as outlined in Section 10.514. Site Plan Review.
 - (b) All design standards or criteria imposed on specific special approval uses elsewhere in this Ordinance shall be met.
 - (c) The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood and vicinity. At a minimum, this shall include:
 - 1. Location of use(s) on site;
 - 2. Height of all improvements and structures;
 - 3. Adjacent conforming land uses;
 - 4. Need for proposed use in specified areas of the city;
 - 5. Conformance with future land use plans for the area as adopted by the planning commission; and

- 6. Compatibility with the permitted principal uses allowed in the zoning district where the special approval use is requested.
- (d) Ingress/egress to the use shall be controlled to assure maximum vehicular and pedestrian safety, convenience and minimum traffic impact on adjacent roads, drives and uses including, but not limited to:
 - 1. Reduction in the number of ingress/egress points through elimination, minimization and/or consolidation of drives and/or curb cuts;
 - 2. Proximity and relation to intersections, specifically with regard to distance from drive(s) to intersection(s);
 - 3. Reduction/elimination of pedestrian/vehicular traffic conflicts;
 - 4. Adequacy of sight distances;
 - 5. Location and access of off-street parking;
 - 6. Location and/or potential use of service drives to access multiple parcels, reducing the number of access points necessary to serve the parcels.
- (e) Screening shall be provided along all property lines, where council determines such screening is necessary to minimize impact of the use on adjacent properties or uses.
- (f) The use shall be properly served by utilities.
- (g) The use shall not have an adverse effect on the environment beyond the normal affects of permitted principal uses in the same zoning district and shall not result in an impairment, pollution, and/or destruction of the air, water, and natural resources.
- (h) The use shall be specifically scrutinized for conformance with the performance standards outlined in section 10.509 of this Ordinance.
- (i) The proposed use shall be designed as to location, size, intensity, site layout, and periods of operation to eliminate any possible nuisances which might be noxious to the occupants of any other nearby properties. The use shall not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration, odors, and adverse environmental impacts.
- (j) The proposed use does not impose an unreasonable burden upon public services and utilities in relation to the burden imposed by permitted principal uses in the same zoning district.
- (k) The city council may impose conditions in granting special approval that it deems necessary to fulfill the spirit and purpose of this Ordinance. The conditions may include those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall:
 - Be designed to protect natural resources, the health, safety and welfare, as well as the social and
 economic well-being of those who will use the land use or activity under consideration, residents
 and landowners immediately adjacent to the proposed land use or activity, and the community
 as a whole.
 - 2. Be related to the valid exercise of the police power and purposes that are affected by the proposed use or activity.
 - 3. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this Ordinance for the land use or activity under consideration (if applicable); and be necessary to ensure compliance with those standards.

PSP 22-04 – 31330 Stephenson Hwy.

- 4. Provide adequate safeguards as deemed necessary for the protection of the general welfare and individual property rights, and for ensuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement, and the failure to correct such breach within 30 days after an order to correct is issued by the city shall be reason for immediate revocation of the special approval. Conditions and requirements stated as a part of special use permit authorizations shall be continuing obligations of the holders of such permits and are binding upon their heirs and assigns and upon any persons taking title to the affected property while such special use permit is in effect.
- (I) The discontinuance of a special use after a specified time may be a condition to the issuance of the permit. Renewal of a special use permit may be granted after a review and determination by the city council that continuing private need and public benefit will be served by such renewal. Renewal applications shall be in accord with standards and requirements in effect at the time that the renewal is requested.

Sec. 10.322A - M-2 - Uses permissible on special approval

(2) Painting, varnishing and undercoating shops when set back at least 75 feet from any adjacent residential districts and provided further that such operation be conducted within a completely enclosed building.

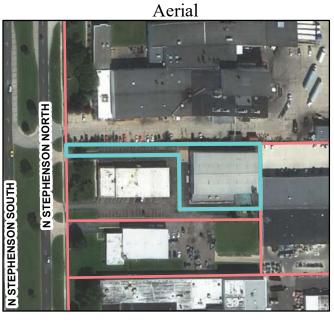
Page 5

SA CASE: 22 - 04 31330 Stephenson Hwy Whitcomb Ave Millard Ave E Whitcomb Ave Center Norman Park J Halmich Woodlawn Ave Park Midland Blvd Madison E Windemere Ave Heights W 13 Mile Rd E 13 Mile Rd E 13 Mile Rd E Bloomfield Ave Red Run N Wilson Ave Girard Ave Park N Connecticut Ave Common Rd Red Run Silverleaf Elliott Ave Golf Club E 12 Mile Rd E 12 Mile Rd W 12 Mile Rd Cemetery Gardenia Ave Forest Ave E Farnum Ave E 11 Mile Rd E 11 Mile Rd P Reuther Fwy S Minerva Ave yal Oak E Greig Ave E 4th St Wellesley Grant E 6th St Steinhauser E Lincoln Ave E Lincoln Ave W Lincoln Ave Frazho Rd Park E Hudson Ave E Brockton Ave E Dallas Ave Walter P Reuth r Fwy E 10 Mile Rd E 10 Mile Rd Harding Park Mapledale St Document Path: Z:\notifications\2022\31330 Stephenson Hwv\Site Map.mxd

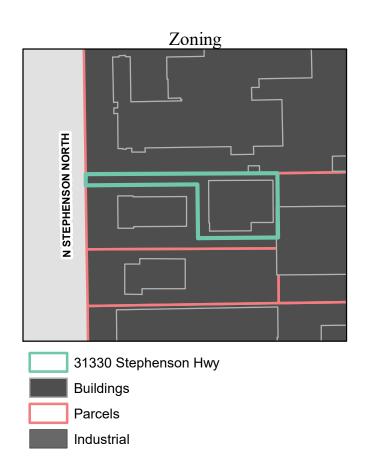
Site Address: 31330 Stephenson Hwy

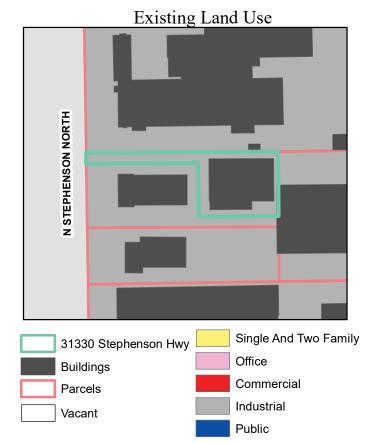


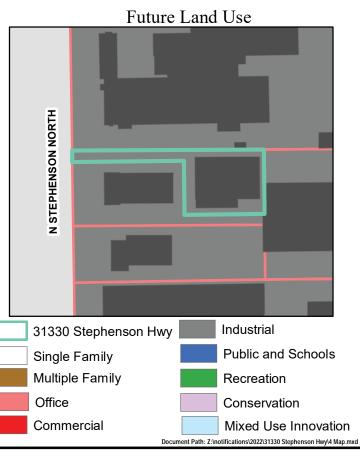
Click for maps

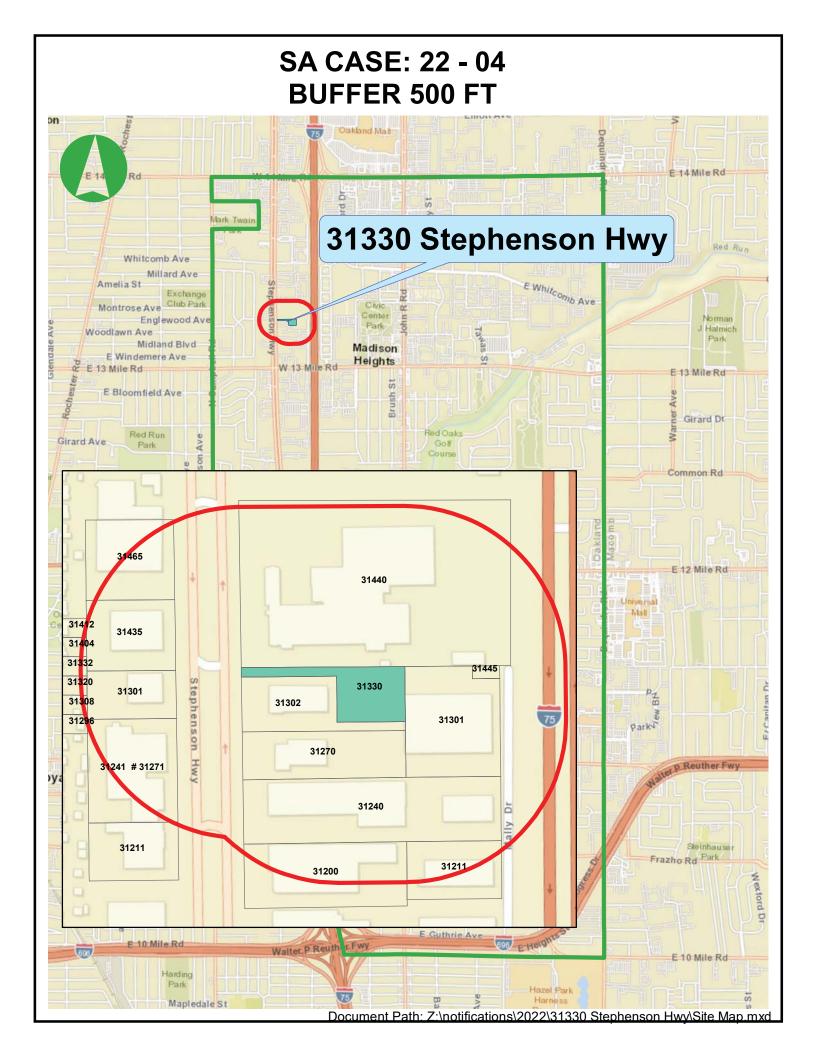














Legal Ad Proof

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: 0328-2218

Ad Title: CITY OF MADISON HEIGHTS-Newspaper and Mailer Public Hearing Notice - PSP 22-04 - 31330

Stephens...

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 City Council for the City of Madison Heights will hold a public hearing on <u>May 23rd</u>, <u>2022 at 7:30 p.m.</u> in the <u>City Council Chambers of the Municipal Building at 300 W. 13 Mile Road, Madison Heights, Michigan 48071</u> to consider the following special approval request:

Case # PSP 22-04

The applicant, Jesse R. Schmidt, requests Special Approval from City Council under Section 10.332A of the Madison Heights Zoning Ordinance to allow for a painting, varnishing and undercoating shop at 31330 Stephenson Highway, PIN 44-25-02-378-023. The property is zoned M-2, Heavy Industrial.

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 20th, 2022 online 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

Published: Madison-Park News 04/27/2022

0328-2218



Building Address: 31330 Stephenson Twy

CITY OF MADISON HEIGHTS COMMUNITY DEVELOPMENT DEPARTMENT PETITION FOR USE PERMITTED BY SPECIAL APPROVAL

FOR OFF	FICE USE	ONLY
Request PS	P22-0	004 No: Filed.
Approved	by	CDD:

Tax ID No.: 44 - 25 - 07 - 378 023

I (we) the under signed, do hereby apply and petition the City of Madison Heights for a Special Approval Use Permit and provide the following information.

(Application must be typed) 31330 Stephenson HWY

Name: Jesse N. Schmidt

Phone No.: 248-736-3751

Mailing Address: 31330 Stepheson HWY

City, State, Zip: Madison Heights, Mailing No.: S 530 403 730 328

Interest in Property: Rental for Manufacturing

Zoning District: M2 Use Requested Pursuant to Section 10.201 Explain Requested Use in Detail: The addition of a paint booth
Explain Requested Use in Detail:
The above referenced parcel is known as: (Lots(s) Acreage Parcel (s)) of
Subdivision (if platted lot(s)) and is located on the NSEW (Circle One) side of Stephenson Street/Road between
13 mile Street/Road and Whitcomb Street / Road.
Hours of Operation: 6:00 AM to 3:00PM
Property Frontage: Width/Depth: 125 x 1 No. of Parking Spaces: 28 Private Lot Shared Lot
No. of Floors: 1 Max. No. of Employees: 20 Male Female No. on Largest Single Shift: 20
No. of Seats for Restaurant or Assembly Uses: Capacity of Waiting Area:
Building: New or Existing X Will Additions or Alterations to the Building be Required? Yes
Explain: Hole in the roof for ventilation
Describe Any Other Site Improvements to be Made:
248-935-0100
Building Owner Name: Atlas Building LLC Phone No.: 248-935-01(Fax No.:
Mailing Address: 1447 Club Dr City: Bloomfield Hills Zip: 48302

Note: All blanks and boxes above must be completed. Use N/A where appropriate. CONTINUED ON REVERSE SIDE



PETITION FOR USE PERMITTED BY SPECIAL APPROVAL (Continued)

Include one (1) copies of a site plan, no larger than 11×17 inches, which meets the requirements of Section 10.514 of the Zoning Ordinance of Madison Heights and the required seven hundred and fifty dollar fee (\$750.00) plus a site plan application.

This petition / application must be signed by both the Owner in Fee of the property and the Applicant prior to submittal. Applicant(s) and property owner(s) hereby consent to city staff, board and commission members, and contractors to access the property for purposes of evaluating the site for the requested action(s).

FOR THE OWNER:	FOR THE APPLICANT IF NOT THE OWNER:
Signature 1	Signature m D Mr.
Printed Peter Friesen Name	Printed Sesse R. Schmidt Name
Date 4/14/2022	Date 4/14/2022
NOTARY:	NOTARY:
On thisday of	On this 14th day of APRIL
Before me personally appeared	Before me personally appeared
Tehun These to me known to be the	George Selvest to me known to be the
person who executed the forgoing instrument, and	person who executed the forgoing instrument, and
acknowledged that he executed the same as his free act	acknowledged that he executed the same as his free act
and deed.	and deed.
Notary's Signature	Notary's Signature Ale Re
Notary's Printed Name	Notary's Printed Name NICOLE BARRAGUELL
Notary public, State of Michigan,	Notary public, State of Michigan,
County of Operation.	County of OAKLANO .
My commission expires 6/4/65	My commission expires 6/4/28.
Acting in the County of OAKLANO.	Acting in the County of OAKLAND.
	1
OFFICE USE ONLY	NICOLE BARDWELL Notary Public - State of Michigan County of Oakland My Commission Expires Jun 4, 2028
\$750.00 Fee Paid Receipt Number	By
One Site Plan Attached no larger than 11 x 17 inches	Yes No
Site Plan Application: PSP 27-004 Dat	e: 4/18/27
Copies to C.D.D.	
Notices Mailed to Properties Within 500 Feet	
Council Action	
Meeting Date	

Per our paperwork and our conversation we are requesting the permit to set up a paint booth for our business. We are a light industrial manufacturer of material handling racks and containers for the automotive industry. These items are welded together out of raw steel and will need to be painted to prevent rusting during their useful life. Our intentions are to use an environmentally friendly water based paint commonly utilized industry wide for this application. Please find the attached picture to be an average size bin. 45 x 48 x 34".



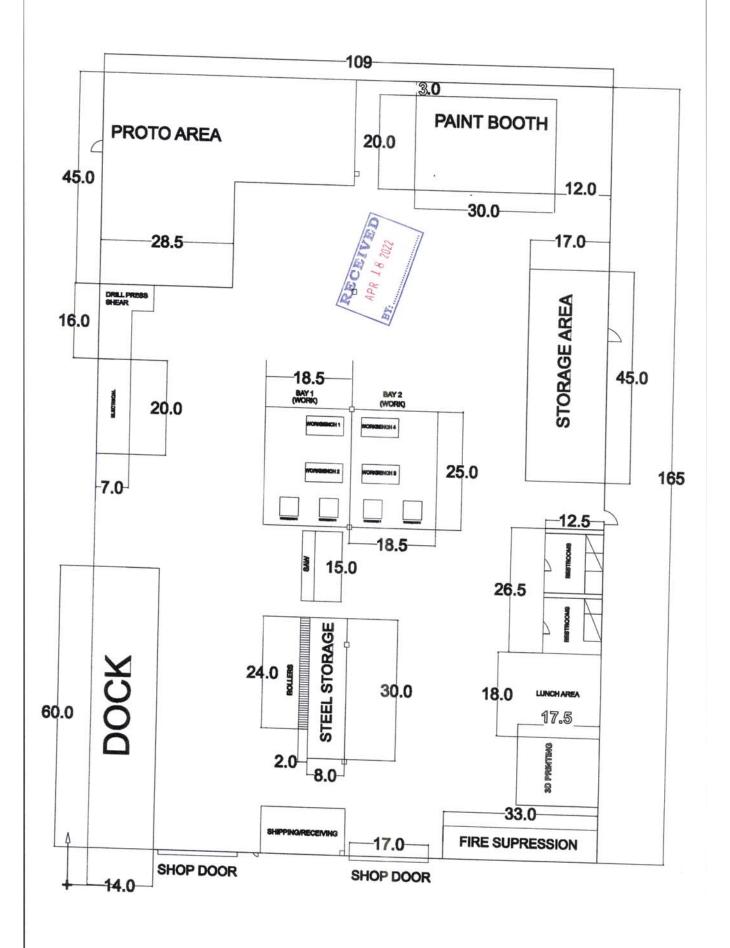


Exhibit A

Legal Description

Land in the City of Madison Heights, County of Oakland, State of Michigan described as:

A Part of the East 1/2 of the Southwest 1/4 of Section 2, Town 1 North, Range 11 East, City of Madison Heights, Oakland County, Michigan, more particularly described as beginning at a point on the East line of Stephenson Highway (204 feet wide) distant North 89 degrees 35 minutes 00 seconds West 832,90 feet and North 00 degrees 06 minutes 00 seconds East 1290,00 feet from the South 1/4 corner of said Section 2; thence North 00 degrees 06 minutes 00 seconds East 30.00 feet; thence South 89 degrees 37 minutes 20 seconds East 506,50 feet; thence South 00 degrees 20 minutes 31 seconds West 173,00 feet; thence North 89 degrees 37 minutes 20 seconds West 209,98 feet; thence North 00 degrees 22 minutes 40 seconds East 143,00 feet; thence North 89 degrees 37 minutes 20 seconds West 296,48 feet to the point of beginning.

EASEMENT PARCEL:

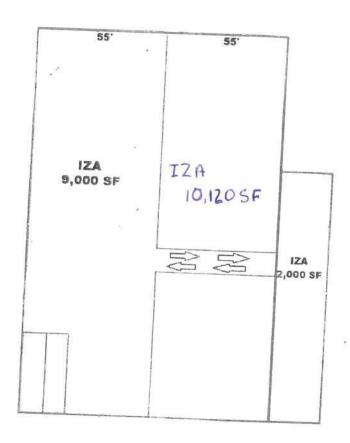
Together with non-exclusive easement(s) as created, limited and defined by that instrument recorded in Liber 41851, page 558, Oakland County Records.

Commonly known as: 31330 Stephenson Hwy. Madison Hts., Michigan

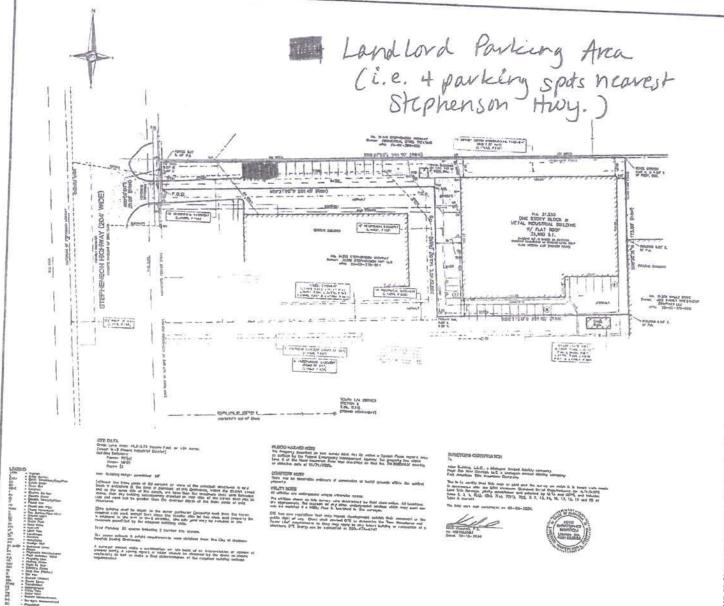
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Exhibit 8



ExhibitC



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CIVIL INGINEERS LAND SURVEYORS

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No. 31330 Stuphenson Highway Fort of the SW. [Ald] Section 2, T.(M., R 111-City of Abdison Fleighta Onlined County; MI

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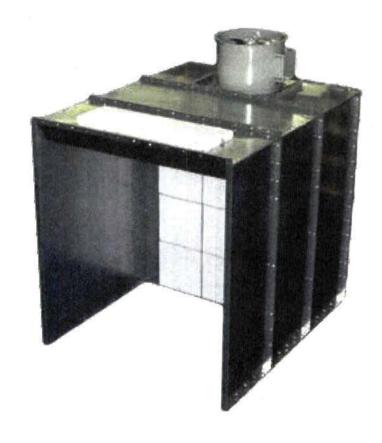
Installation Manual

Industrial Booths

Class I

- >> Open Front Booths IB
- >> Open Front Bench Booths IBB
- >> Enclosed Industrial Booths EIB
- >> Industrial Exhaust Chamber IBC
- >> Exhaust Bench EB

This Installation Manual reviews an introduction, safety, component description, installation, maintenance and warranties of RTT's industrial spray booths.



888-452-6684 www.rttsolutions.com

Revised August 2020



