

**CITY OF MADISON HEIGHTS
ELECTRONIC COUNCIL AGENDA REQUEST FORM**

SUBMITTED TO: Melissa Marsh, City Manager

SUBMITTED BY: Giles Tucker, CED Director

DATE: 06/02/22

FOR CONSIDERATION AT THE COUNCIL MEETING OF: 06/13/22

ACTION REQUESTED

PRESENTATION _____

PUBLIC HEARING – SPECIAL APPROVAL _____

PUBLIC HEARING – OTHER _____

COMMUNICATION _____

REPORT _____

FUTURE PUBLIC HEARING _____

BID AWARDS / PURCHASES _____

ORDINANCE - FIRST _____

ORDINANCE - SECOND _____

UNFINISHED BUSINESS _____

DESCRIPTION OF ITEM

Special approval request PSP 22-05 - Lutfi Alrishood d/b/a 'Dino Land' - 32109 John R Road - Indoor Recreation. B-3, General Business District.

IF ORDINANCE, CITE TITLE/CHAPTER SECTIONS

POLICY CONSIDERATION

The applicant, Lutfi Alrishood, requests special use approval to operate an indoor children's recreation business within an existing commercial retail center. The subject property is located at 32109 John R Road (PIN 44-25-02-226-030), and is zoned B-3, General Business. The property is commonly known as 'Madison Place' shopping center. The applicant does not propose site modifications as part of this special approval request.

FINANCIAL IMPACT

No Impact _____

✓

Fee Waiver Proposed _____

Budgeted Fund Name(s) _____

Department Name _____

Appropriated in Acct. No. _____

Budget Amount _____

Amount Available in Acct. _____

Second Account Number _____

Budget Amount _____

Amount Available in 2nd Acct. _____

Revenue Generated _____

Other Comments _____

REVIEW CHECKLIST

DEPARTMENT Giles Tucker, CED Director

DATE 06/02/22

DEPARTMENT _____

DATE _____

CITY MANAGER Melissa R. Marsh, City Manager

DATE _____



MEMORANDUM

Date: June 2nd, 2022
To: City of Madison Heights City Council
From: Matt Lonnerstater, AICP – City Planner
Subject: Special Approval Request PSP 22-05 – 32109 John R Rd. – Indoor Recreation

Introduction

The applicant, Lutfi Alrishood, requests special use approval to operate an indoor children's recreation business within an existing commercial retail center. The subject property is located at 32109 John R Road (PIN 44-25-02-226-030), and is zoned B-3, General Business. The property is commonly known as 'Madison Place' shopping center. The applicant does not propose site modifications as part of this special approval request.

Background and Analysis

The applicant proposes to operate an indoor children's playground and café known as 'Dino Land' within a vacant retail space at the Madison Place shopping center. The vacant retail space is approximately 9,600 square feet. Per the project description, the business will provide an indoor playground for children, four private birthday party rooms, and a café.

Per Section **10.326**, '*video arcade businesses and indoor and/or outdoor recreational businesses*' are permitted as a special use within the B-3 zoning district.

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	Retail/Commercial	M-2, Heavy Industrial
North	Retail/Commercial	M-2, Heavy Industrial
South	Retail/Commercial	M-2, Heavy Industrial
East (across John R Rd.)	Retail/Commercial	M-2, Heavy Industrial
West (across Barrington St.)	Multi-Family Residential	R-M, Multi-Family Residential

32109 John R Road is located within the Madison Place shopping center. With the exception of the Lexington Place apartments to the west, the site is surrounded by commercial and retail zoning/uses.

The subject site is zoned B-3, General Business, which, per the Zoning Ordinance, is, *“designed to provide sites for more diversified business types and is often located so as to serve the passer-by traffic.”*



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	Mixed Use Innovation
North	Commercial
South	Mixed Use Innovation
East (across John R Rd.)	Commercial
West (across Barrington St.)	Multiple Family Residential

The future land use designation of the subject site is ‘Mixed Use Innovation.’ Per the Master Plan, Mixed Use Innovation is a new land use designation that is intended to, *“encompass existing areas within the city that are changing from older industrial and commercial uses to newer uses [...]. This designation encourages a mix of office, service, commercial, and light industrial uses.”* The Master Plan further calls

out the Madison Place shopping center as an area where the City should encourage flexibility of uses and encourage reinvestment.

Site Plan Review Committee

The Site Plan Review Committee (SPRC) reviewed the special use application at their May 25th, 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:

1. The applicant requests special use approval to operate an indoor children's recreation business within an existing commercial retail center at 32109 John R Road.
2. The subject property is zoned B-3, General Business, and is improved with the Madison Place shopping Center.
3. The proposed use is consistent and compatible with adjacent commercial/retail uses and adjacent zoning.
4. The proposed use is consistent and compatible with the Mixed Use Innovation future land use designation as envisioned within the Master Plan.
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 **approve** the requested special use application for an *indoor recreational* use at 32109 John R Road.

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:
1. 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.
 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. 10.326– B-3 – Uses permissible on special approval

[...]

- (12) Video arcade businesses and indoor and/or outdoor recreational businesses.

[...]

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council for the City of Madison Heights will hold a public hearing on **June 13th, 2022 at 7:30 p.m. in the Training Room at Fire Station #1 located at 31313 Brush Street, Madison Heights, Michigan 48071** to consider the following special approval request:

Case # PSP 22-05

The applicant, Lutfi Alrishood, requests Special Approval from City Council under Section 10.326 of the Madison Heights Zoning Ordinance for an indoor recreation business (children's indoor playground) at 32109 John R Road, PIN 44-25-02-226-030. The property is zoned 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 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

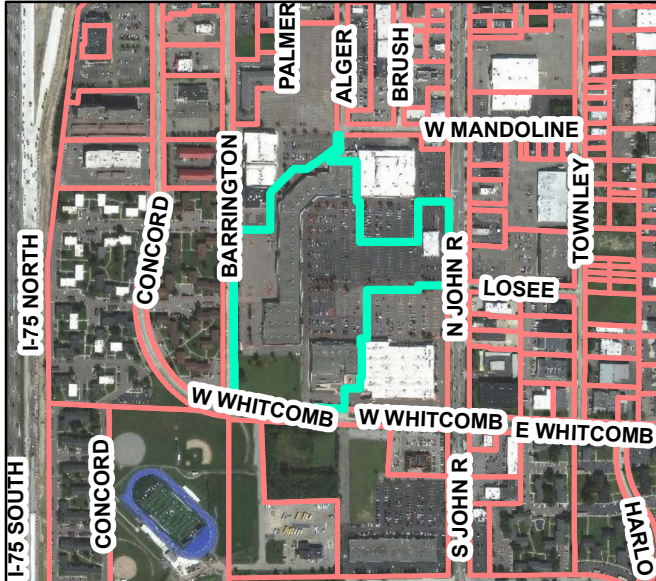
Document Path: Z:\notifications\2022\32109 John R Rd\Site Map.mxd

Site Address: 32109 John R Road



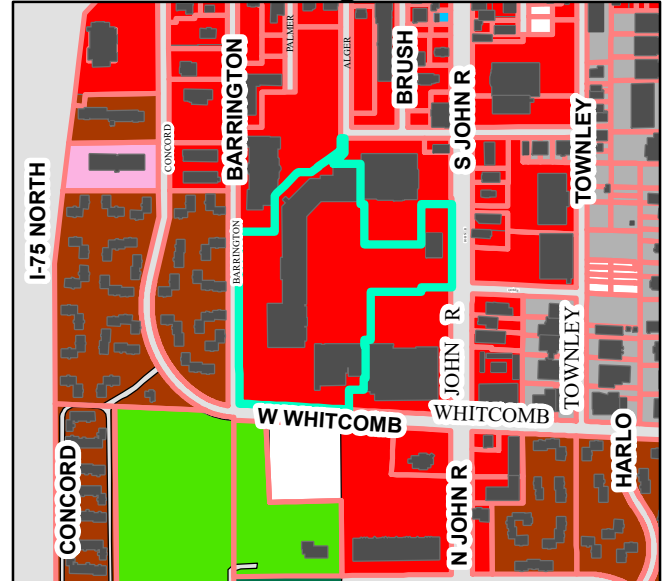
Click for maps

Aerial



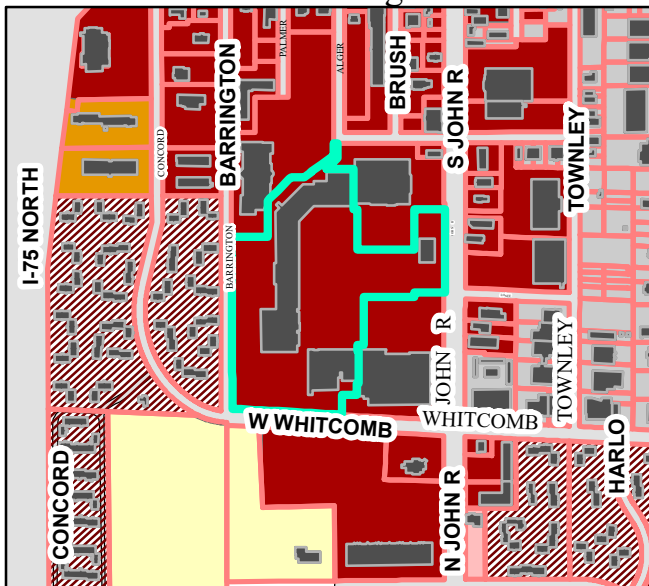
- 32109 John R Road
- Parcels

Existing Land Use



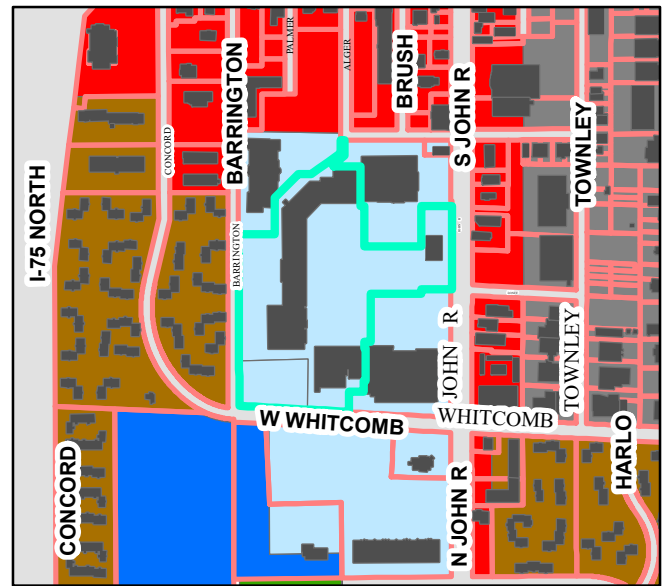
- 32109 John R Road
- Multi Family
- Office
- Commercial
- Industrial
- School
- Parcels
- Vacant

Zoning



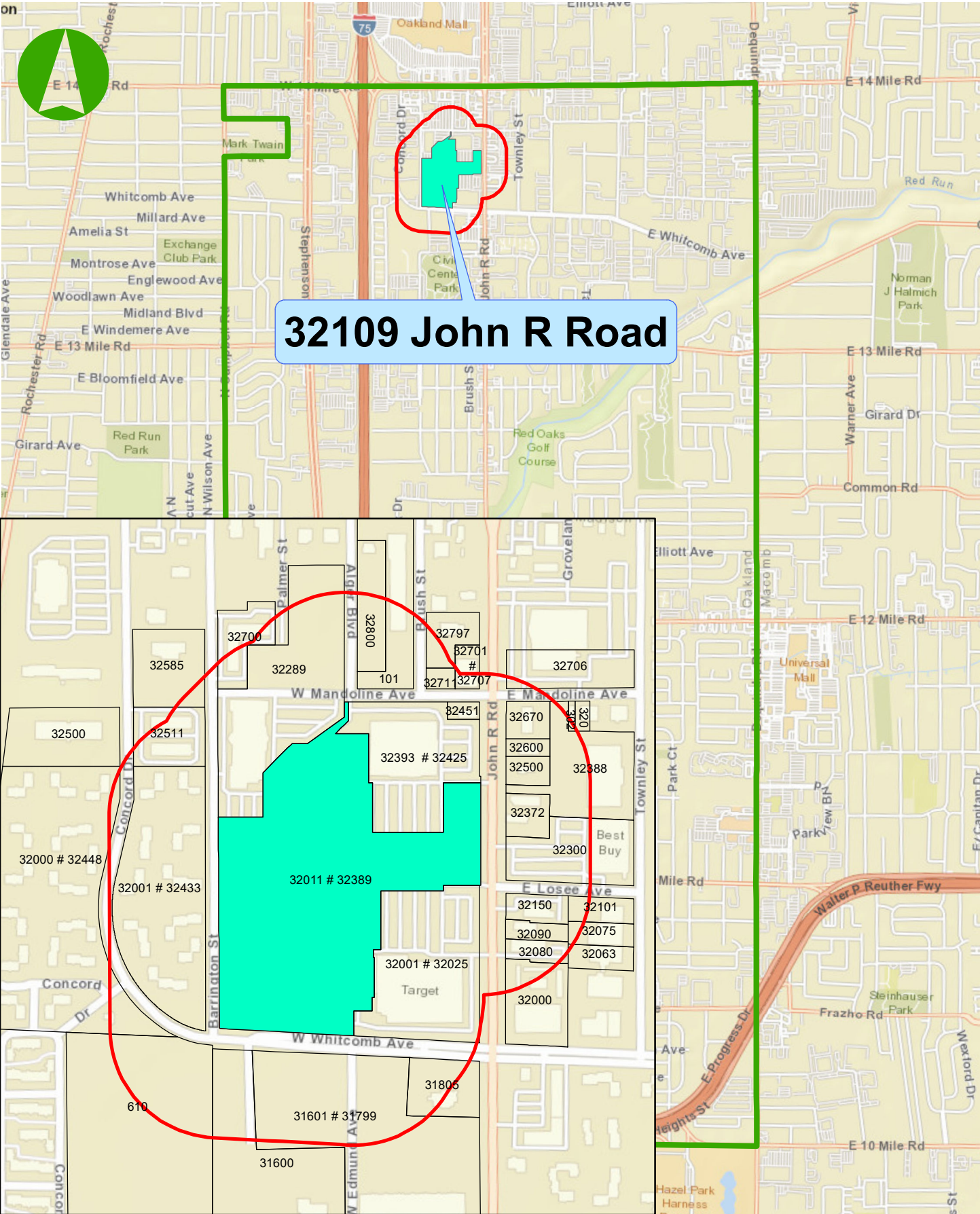
- 32109 John R Road
- B-3 General Business
- H-R High Rise
- M-1 Light Industrial
- Buildings
- R-M Multi Family
- Parcels

Future Land Use



- 32109 John R Road
- Industrial
- Public and Schools
- Recreation
- Conservation
- Mixed Use Innovation
- Single Family
- Multiple Family
- Office
- Commercial

SA CASE 22- 05
BUFFER 500 FT





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

FOR OFFICE USE ONLY
Request PSP22-005 No: _____
Date 5/18/22 Filed: _____
Approved by _____ CDD: _____
Approved for Hearing: _____

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)

Building Address: 32109 John R Rd Madison Heights MI, 48071

Tax ID No.: 44 - 25 - 02-227-020

APPLICANT INFORMATION

Name: Lutfi Alrishood

Phone No.: 313-655-8887 Fax No.: N/A

Mailing Address: 1130 N Gulley Rd City, State, Zip: Dearborn, MI, 48128

(Notices will be mailed to this address)

Driver's License No.: A462560020394 Date of Birth: 05/25/1962

Interest in Property: Indoor playground and cafe business

BUILDING & BUSINESS INFORMATION

Zoning District: B-3 General Business Use Requested Pursuant to Section 10.201 of the Zoning Ordinance

Explain Requested Use in Detail: The use of the property in plaza for family owned business. An indoor playground with cafe. Playground applicable to children ages 0-12 years of age. 4 private rooms for birthday parties. The food served will be mostly finger food (Pizza, chicken tenders, fries, pretzels, mozzarella sticks, ect.). The purpose of the project is to give kids a place to run and play when the weather outside is not agreeable. The hope is to give parents a healthier option to arcades and virtual reality.

The above referenced parcel is known as: (Lots(s) Acreage Parcel (s)) parcel of plaza

Subdivision (if platted lot(s)) and is located on the N S E W (Circle One) side of W Mandoline Ave Street/Road between John R Rd Street/Road and Barrington St Street / Road.

Hours of Operation: 10am-8pm

Property Frontage: 80 ft Width/Depth: 120 ft No. of Parking Spaces: N/A Private Lot ☐ Shared Lot ☐

No. of Floors: 1 Max. No. of Employees: 12 Male N/A Female N/A No. on Largest Single Shift: 8

No. of Seats for Restaurant or Assembly Uses: About 120 Capacity of Waiting Area: About 20 costumers

Building: New No or Existing Yes Will Additions or Alterations to the Building be Required? Yes

Explain: The building is an empty box essentially. We will add partitions for the party rooms and remove the drop ceiling and paint the exposed true ceiling

Describe Any Other Site Improvements to be Made: The site will also have a large indoor playground. The playground will have about 4000 square feet of activities for kids to enjoy. The entire playground is padded so its much safer than outside playgrounds.

Building Owner Name: Maplelawn LLC Phone No.: 248-649-2924 Fax No.: _____

Mailing Address: 1334 Maplelawn Dr City: Troy Zip: 48084
(Notices will be mailed to this address)

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 x 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:

Signature 37 [Signature]
Printed STUART FRANKEL Name
Date _____

FOR THE APPLICANT IF NOT THE OWNER:

Signature [Signature]
Printed Lutfi Alrished Name
Date 05/18/2022

NOTARY:

On this 18th day of MAY 2022

Before me personally appeared
STUART FRANKEL to me known to be the
person who executed the forgoing instrument, and
acknowledged that he executed the same as his free act
and deed.

Notary's
Signature Deborah Ann Roe

Notary's
Printed Name DEBORAH ANN ROE

Notary public, State of Michigan,

County of OAKLAND

My commission expires 12/28/2025

Acting in the County of OAKLAND

NOTARY:

On this 18th day of MAY 2022

Before me personally appeared
LUTFI ALRISHED to me known to be the
person who executed the forgoing instrument, and
acknowledged that he executed the same as his free act
and deed.

Notary's
Signature Deborah Ann Roe

Notary's
Printed Name DEBORAH ANN ROE

Notary public, State of Michigan,

County of OAKLAND

My commission expires 12/28/2025

Acting in the County of OAKLAND

OFFICE USE ONLY

\$750.00 Fee Paid ☒ Receipt Number _____ By AD Date: 5/18/22

One Site Plan Attached no larger than 11 x 17 inches ☒ Yes ☐ No

Site Plan Application: _____ Date: _____

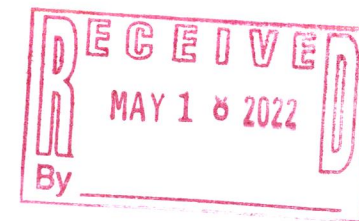
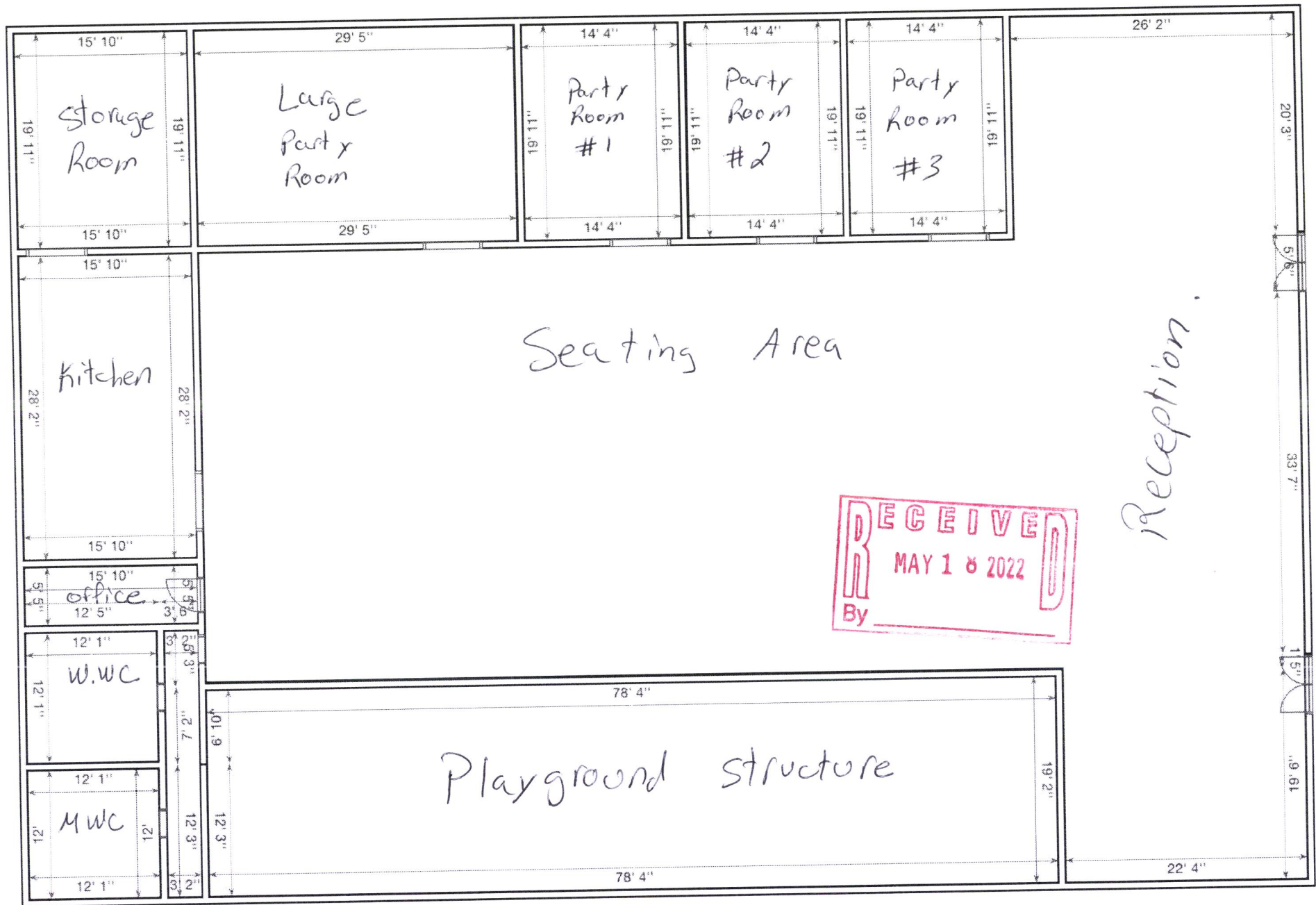
Copies to C.D.D. _____

Notices Mailed to Properties Within 500 Feet _____

Council Action _____

Meeting Date _____

Dino Land LLC Madison Hts.

















LARGE PLAYGROUND



Project	DINO
No	2

Site plan

[illegible]

[illegible]

DATE	DESCRIPTION	AMOUNT	BALANCE
1900	1900		
1901	1901		
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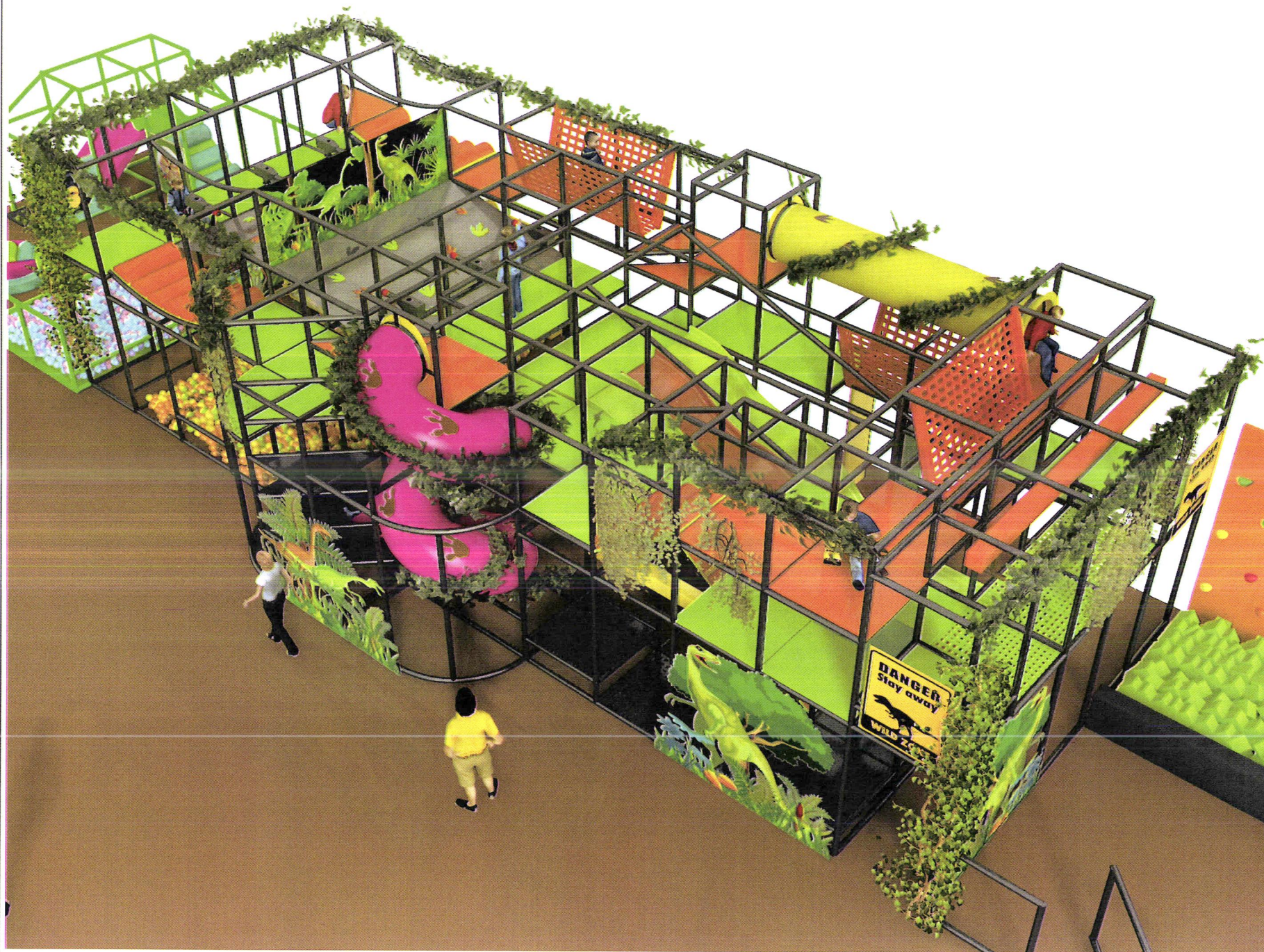
<p>1. $\frac{1}{2} \times \frac{1}{3} = \frac{1}{6}$</p> <p>2. $\frac{1}{4} \times \frac{1}{5} = \frac{1}{20}$</p>	<p>3. $\frac{1}{6} \times \frac{1}{7} = \frac{1}{42}$</p> <p>4. $\frac{1}{8} \times \frac{1}{9} = \frac{1}{72}$</p>
<p>5. $\frac{1}{10} \times \frac{1}{11} = \frac{1}{110}$</p> <p>6. $\frac{1}{12} \times \frac{1}{13} = \frac{1}{156}$</p>	<p>7. $\frac{1}{14} \times \frac{1}{15} = \frac{1}{210}$</p> <p>8. $\frac{1}{16} \times \frac{1}{17} = \frac{1}{272}$</p>

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South east view



Front view



South east
view

Project Description

Item	Quantity	Unit

Project Name	DINO	Location		
Capacity		Theme		
State		Designer		
Drawn by		Project Eng.		
Project Mgr.				



South west
view

Project Name	Address
Client	Date
Page	

Project Name	DINO
Address	2000 2000
Client	2000 2000
Date	2000 2000
Page	1

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