

REGULAR MEETING OF THE
PLANNING COMMISSION

Dearborn, Michigan

November 18th, 2024

This regular meeting was called to order at 6:30 p.m. by Chairperson Easterly. Upon roll call, the following members were present: Present: (6) (Commissioners Abdallah, Easterly, Fadlallah, Kadouh, Phillips, & Saymuah). Absent: (2) (Commissioners Aljahmi & King, King arrived at 6:42)

Also present were Bradley Mendelsohn, Deputy Corporation Counsel; Massara Zwayen, Assistant Planning & Zoning Manager; Nolan Kukla, Planner; Kobi Sunday, Planner; and members of the public.

Chairperson Easterly announced that Item I.1 on the agenda is the consideration of the approval of the October 7th, 2024 Planning Commission meeting minutes.

A motion was made by Commissioner Abdallah, supported by Commissioner Fadlallah, to approve the October 7th, 2024 minutes. Upon roll call the following vote was taken: Ayes: (6) (Commissioners Abdallah, Easterly, Fadlallah, Kadouh, Phillips, and Saymuah). Nays: (0). Absent: (2) (Commissioners Aljahmi & King). The motion was adopted.

Chairperson Easterly announced that Item II.1 on the agenda is the consideration of the request of Sam Haidar to review and approve the Special Land Use and site plan for a Carry-Out Restaurant located at 20031 Carlisle Street (Parcel #: 82-09-342-28-026) and located within the Business A (Local Business District) zoning district. The property is located within the Zeigler Park Subdivision and on the South side of Carlisle Street between Ziegler and Jackson Streets.

Ms. Zwayen provided an overview of the Staff Report, Exhibit B-1, and the supporting materials. She explained that there is an existing 5,325 sq. ft. retail building, and the applicant is proposing interior and exterior renovations. Ms. Zwayen further explained that the applicant intends on using the property as a carry-out restaurant with accessory uses including a training kitchen and offices. She stated that a carry-out restaurant is a special land use in the BA zoning district, which requires Planning Commission approval. Ms. Zwayen stated that the proposed use is considered compatible with surrounding uses, future land use designation, and meets all applicable sections of the zoning ordinance. She stated that due to these reasons staff is recommending approval of this special land use.

Chairperson Easterly invited the petitioner to the podium.

Sam Haidar, petitioner for 20031 Carlisle Street, stated that he wanted to bring a small carry-out restaurant for the community, while providing a training kitchen and offices for his business.

Chairperson Easterly asked for clarification regarding any additional requirements for the training kitchen to Ms. Zwayen.

Ms. Zwayen clarified that the carry-out restaurant is the primary use, and any other uses in the property are being treated as accessory uses.

Commissioner Saymuah asked for clarification regarding the size of the conference room in comparison to the kitchen.

Mr. Haidar stated that the conference room is intended only for internal use. He stated that it will be for training, as well as his personal office.

Commissioner Saymuah stated due to the equipment needed, there will be additional rooftop equipment that may not be screened from the southern neighbors. He suggested to the applicant that there be visual and audio screening from those neighbors.

Mr. Haidar clarified that the plan is for all equipment to be screened, and the equipment should produce minimal sound.

Commissioner Saymuah advised the applicant that it is possible that, due to the equipment required, additional fans may be needed. He further asked that there is existing limestone on the north elevation on the plans, yet when he visited the site the elevation was EIFS. He asked for clarification.

Mr. Haidar stated that it was previously limestone, and it is likely covered up.

Commissioner Abdallah asked for more information regarding the dumpster and its screening.

Commissioner Saymuah stated that there is an 8-foot screening wall, with a 6-foot wall at the enclosure.

Ms. Zwayen clarified that all sanitation is governed by Sec. 2.14 of the zoning ordinance, and has been further reviewed during the administrative site plan review process.

Commissioner Kadouh asked about seating and the nature of carry-out, and if the decision for it to be carry-out was made due to parking considerations.

Mr. Haidar clarified that there will be 4-8 tables, but the focus is on the carry-out portion. He stated that the reason for a carry-out business is to cater to the nearby hospital, and to relieve some of the pressure on his other restaurant.

Chairperson Easterly opened the public comment period.

No one from the public came forward.

Chairperson Easterly closed the public comment period.

A motion was made by Commissioner Phillips, supported by Commissioner Abdallah, to approve the Special Land Use and site plan for a Carry-Out Restaurant located at 20031 Carlisle Street (Parcel #: 82-09-342-28-026) and located within the Business A (Local Business District) zoning district. Upon roll call the following vote was taken: Ayes: (6) (Commissioners Abdallah, Easterly, Fadlallah, Kadouh, Phillips, & Saymuah). Nays: (0). Absent: (2) (Commissioner Aljahmi & King). The motion was adopted.

Commissioner King enters, and is present for the remainder of the meeting.

Chairperson Easterly announced that Item III.1 on the agenda is the consideration of the request of Harold Remlinger, on behalf of Fairlane Meadows LLC, to review and approve the proposed addition to a previously approved site plan located at 4900 Heather Drive (Parcel #: 82-09-132-01-105) and in the RD (Multiple-Family Residential District), OS (Business Office District), and the RA (One-Family Residential District) zoning districts. The property is located north of Hubbard Road between Mercury Drive and Palmer Street.

Ms. Zwayen provided an overview of Staff Report C-1 and the supplemental exhibits. She explained that the site currently houses an apartment complex with 488 units. Ms. Zwayen explained that the applicant is proposing demolishing a clubhouse and pool, and constructing two additional apartment buildings, to add a total of 20 residential units. She added that Fairlane Meadows was initially given special land use and site plan approval in 1985, additional changes to the site plan were approved in 1993. Ms. Zwayen explained that any development in multiple-family zoning districts requires Planning Commission approval for modification of the previously approved site plan. Ms. Zwayen clarified that with additional units, they are still under the maximum allowable density. She explained that because the development meets all city ordinances requirements, is compatible with the surrounding area, and offers no anticipated negative impacts on surrounding properties, city staff recommends approval.

Chairperson Easterly invited the petitioner to the podium.

Harold Remlinger, the principal architect for the development, explained that the clubhouse proposed to be demolished is underutilized, and that the residents are better served by a different clubhouse. Mr. Remlinger also explained that the location of the clubhouse generated trespassers of their amenities, creating nuisances. He explained that analysis of the site showed that two additional residential buildings would fit well on the site. Mr. Remlinger explained that the buildings are designed to accommodate the high demand for 2-bedroom 2.5-bathroom units.

Chairperson Easterly asked for clarification regarding the amenities of the clubhouse proposed to be demolished.

Mr. Remlinger explained that this clubhouse was being under-utilized. Mr. Remlinger stated that the intent is to consolidate all the amenities into one structure on the site.

Commissioner Easterly opened up the discussion for public comments.

Laten Lawson, resident of 4867 Korte Street, stated that he was concerned about any potential removal of trees. He further explained that there is a rodent problem in the community, and another concern would be that the removal of habitat could move more of the rodent population into the neighborhood.

Mr. Remlinger clarified that the two proposed residential buildings will be constructed where the clubhouse was and that no nature will be disturbed. He added that there is a greenbelt around the property that they will not be making any changes to.

Mohammad Abraham, a resident on Palmer Street. Mr. Abraham expressed concern about the trees separating the residential neighborhood from the larger commercial complex, and specifically that the trees are there to screen noise.

Carla Catalano, resident of 5250 Palmer Street, expressed concern about privacy (specifically as it relates to the proposed two-story residential structures) and the sewer and drainage plans; She stated that the community does not want sewage from the development backing up. She further asked for clarification regarding the greenbelt. Ms. Catalano additionally asked who owns and maintains the existing drain and sewer systems.

Ms. Zwayen clarified that the land was previously owned by Ford, and the greenbelt is recorded as an easement, meaning that the developers cannot change anything in the easement. She further added that the proposed development went through the site plan review process, meaning the city engineering team have already reviewed and approved any sewage and drainage plans or impacts. Ms. Zwayen stated that she believed the drain and sewer systems are under the city's ownership, but that she would have to follow-up for certainty.

Mr. Remlinger stated that they have been working with city engineers to design an underwater stormwater management system, which will improve the existing system.

Commissioner Saymuah asked if there would be any detention pond, and asked for clarification if it would all be stored underground.

Mr. Remlinger stated that it would all be stored underground, likely in a concrete vault structure. He stated that due to the limited available space in this development, options are limited.

Commissioner Saymuah asked if the new structures would have their own sanitary lead.

Mr. Remlinger stated yes. He said there is an existing sewer running down the street that each structure will tap into.

Seeing no further public comment, Chairperson Easterly closed the public comment period.

A motion was made by Commissioner Abdallah, supported by Commissioner King, to approve the proposed addition to a previously approved site plan located at 4900 Heather Drive (Parcel #: 82-09-132-01-105) and in the RD (Multiple-Family Residential District), OS (Business Office District), and the RA (One-Family Residential District) zoning districts. Upon roll call the following vote was taken: Ayes: (7) (Commissioners Abdallah, Easterly, Fadlallah, Kadouh, King, Phillips, & Saymuah). Nays: (0). Absent: (1) (Commissioner Aljahmi). The motion was adopted.

Chairperson Easterly announced that Item IV.1 on the agenda is the consideration of the request of Hussein Darwiche, on behalf of RHD Greenfield LLC, to rezone 6329 Greenfield Road (Parcel #: 82-09-123-03-026) and to conditionally rezone 15600 Lundy and 15740 Lundy Parkway (Parcel #s: 82-09-123-03-025 & 82-09-123-03-013) from TR (Technology and Research District) to BC (General Business District) zoning classifications. The properties are located west of Greenfield Road and South of Paul Avenue and within the Fairlane North Subdivision.

Ms. Zwayen provided an overview of Staff Report D-1 and the supplemental exhibits. Ms. Zwayen stated that the 3 properties are currently vacant. She added that the two westernmost properties are conditional rezonings, with the self-imposed condition being that their use is restricted to multiple-family residential. Ms. Zwayen stated that the proposed rezoning is consistent with the future land use and master plan. She added that city staff is recommending approval.

Chairperson Easterly asked for clarification regarding whether this request also includes site plan approval.

Ms. Zwayen clarified that there are no plans at this time, just the request for rezoning.

Chairperson Easterly invited the petitioner to the podium.

Hussein Darwish, representing RHD Greenfield LLC, in the rezoning. Mr. Darwish explained that they are currently talking with Director of Economic Development Jordan Twandy and a city-hired consultant to create plans for the area. He explained the current idea is for more multiple-family residential units.

Commissioner King asked if the purpose of the rezoning is to expand the range of uses that Mr. Darwish and the consultant can consider.

Mr. Darwish replied that Commissioner King is correct.

Commissioner Saymuah asked for clarification regarding the self-imposed conditions of multiple-family uses on the two westernmost properties.

Mr. Darwish stated that the self-imposed conditions were recommendations from staff as an option to pursue housing in this area. He asked for clarification regarding if this district would allow for single-family homes.

Commissioner Abdallah stated that he believed the issue, the last time the Planning Commission was brought a request for single-family residential (RA) zoning in this area, was that a rezoning, to RA, would not be consistent with the master plan or future land use plan.

Ms. Zwayen added that the current proposal is consistent with the future land use plan; however, an RA or RB zoning classification, which are necessary to construct single-family homes, would not be consistent. This would also require a formation of a new subdivision.

Mr. Darwish added that he is still not sure exactly what will be done with the properties, because they are so big. He expressed concern of the economic vitality of multiple-family residential units. Mr. Darwish stated that he wished to have the rezoning without the self-imposed restrictions.

Mr. Mendelsohn stated that any conditions on the rezoning are self-imposed and unable to be changed by the commission.

Ms. Zwayen stated that the petitioner is able to withdraw the submission. However, to pursue a rezoning to BC (without conditions) changes the nature of the request and would require a new rezoning application.

Mr. Darwish asked how old the master plan is.

Commissioner Abdallah replied 2014.

Mr. Darwish stated that he will proceed with the application as-is. He stated that he knew the City was currently updating its Master Plan and was interested what that might mean for his properties.

Chairperson Easterly opened the public comment period.

No one from the public came forward.

Chairperson Easterly closed the public comment period.

A motion was made by Commissioner Phillips, supported by Commissioner Fadlallah, to approve the rezoning of 6329 Greenfield Road (Parcel #: 82-09-123-03-026) and to conditionally rezone 15600 Lundy and 15740 Lundy Parkway (Parcel #: 82-09-123-03-025 & 82-09-123-03-013) from TR (Technology and Research District) to BC (General Business District) zoning classifications. Upon roll call the following vote was taken: Ayes: (7) (Commissioners Abdallah, Easterly, Fadlallah, Kadouh, King, Phillips, & Saymuah). Nays: (0). Absent: (1) (Commissioner Aljahmi). The motion was adopted.

Chairperson Easterly announced that Item V.1 on the agenda is the consideration of the matter of amending the Zoning Ordinance of the City of Dearborn by amending Articles 1.00, 3.00, and 29.00.

Ms. Zwayen added that the request for an amendment regarding nonconformities came from City Council. Ms. Zwayen stated that the current ordinance is incredibly strict as it pertains to nonconformities and it makes it difficult to maintain and improve much of Dearborn's current housing stock. She stated that the amendments help separate the differences between nonconforming lots, structures, and uses, and allows for changes to one of the categories if it does not affect the nonconformity in another category. Ms. Zwayen stated that currently residential units can only expand up to 38% if there is a nonconformity preventing, for example, a house from expanding a second floor. She added that the amendment provides more leniency by removing the 38% maximum change for residential districts, and that residential houses can expand so long as it does not increase the nonconformity. Ms. Zwayen also added that for commercial and industrial nonconforming structures, there is no room in the current ordinance for any expansion, while the amendment would allow for 38% increase in G.F.A.

Commissioner King expressed his support for this amendment. He stated that he has had multiple residents approach him asking for his help and there were too many conflicting rules that decisions couldn't be made to support the residents. Commissioner King expressed that this change will be appreciated and will make it easier on the Planning and Zoning Staff. He stated that many residents were unsatisfied and eventually moved, and he believes the amendment will help with situations like those.

Commissioner Saymuah asked if there would be any conflicts with the proposed amendments and homeowners associations.

Ms. Zwayen stated no, as H.O.A.s have their own regulations.

A motion was made by Commissioner Phillips, supported by Commissioner Fadlallah, to approve the amendments to the Zoning Ordinance of the City of Dearborn by amending Articles 1.00, 3.00, and 29.00. Upon voice vote the motion was adopted unanimously.

Chairperson Easterly announced that Item VI.1 on the agenda is receiving updates from the Planning and Zoning Manager regarding the Master Plan Process.

Ms. Zwayen stated that staff is still working with the consultants. She added that there is not defined subarea plans yet, as the overall master plan is currently being further refined. Ms. Zwayen invited Chairperson Easterly to add additional information regarding meetings involving the Lonyo Housing Study.

Chairperson Easterly stated that the City owns a lot of property in the Lonyo area and is looking to reinvest in this area. The City and a group of consultants are currently gathering feedback from the neighborhood to see what the priorities are for those lots. The City is hoping to pursue additional infill housing in this area. He additionally added that the plans will be formally adopted alongside the overall master plan.

A motion was made by Commissioner Aljahmi, supported by Commissioner Fadlallah, to adjourn the meeting. Upon roll call the following vote was taken: Ayes: (7) (Commissioners Abdallah, Easterly, Fadlallah, Kadouh, King, Phillips, & Saymuah). Nays: (0). Absent: (1) (Commissioner Aljahmi). The motion was adopted.

The meeting was adjourned at 7:35 pm.
