

REGULAR MEETING OF THE  
PLANNING COMMISSION

Dearborn, Michigan

March 10<sup>th</sup>, 2025

This regular meeting was called to order at 6:33 p.m. by Chairperson Easterly. Upon roll call, the following members were present: Present: (7) (Commissioners Abdallah, Easterly, Kadouh, King, Mohamed, Phillips, & Saymuah). Absent: (2) (Commissioners Abdulla and Fadlallah).

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

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Chairperson Easterly announced that Item II.1 on the agenda is the consideration of the approval of the February 10<sup>th</sup>, 2025 Planning Commission meeting minutes.

Commissioner Abdallah motioned to amend the minutes from “he would be recusing himself for this item, due to a conflict of interest” to “he would be recusing himself for this item, due to a potential conflict of interest”.

Seeing no objections, the motion under consideration was amended.

A motion was made by Vice Chairperson Phillips, supported by Commissioner King, to approve the amended February 10<sup>th</sup>, 2025 minutes. Upon roll call the following vote was taken: Ayes: (7) (Commissioners Abdallah, Easterly, Kadouh, King, Mohamed, Phillips, & Saymuah). Nays: (0). Absent: (2) (Commissioners Abdulla & Fadlallah). The motion was adopted.

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Chairperson Easterly announced that Item III.1 on the agenda is Consideration of the matter of amending the Zoning Ordinance of the City of Dearborn by amending Articles 1.00, 2.00, 4.00, 7.00, 16.00, & 18.00

Kaileigh Bianchini introduced the staff report and accompanying exhibits. Ms. Bianchini stated that the ordinance would allow for food trucks to gain permanent zoning approval, balancing the placemaking and entrepreneurial benefits they provide with the city’s long-term land use strategies. The ordinance amendment would permit food truck parks, which are one or more food trucks located on the same property, in the BC and IA zoning districts, subject to Special Land Use. She explained that it would not be allowed in the city’s four business districts:

West Downtown, East Downtown, Warren, and Dix-Vernor to support brick and mortar businesses in the TIF districts. Ms. Bianchini elaborated that some of this ordinance is designed to address public nuisances that have arisen from food trucks. Under this new zoning ordinance food trucks could not be co-located on a site with a separate principal use and must have a stand-alone structure on site to serve as a commissary kitchen and washroom facility for the trucks. Ms. Bianchini explained that the structure, a licensed mobile food establishment commissary, is a state requirement. She further explained that the proposed amendments would prohibit generators, requiring electrical access for each food truck. The amendments would add commissary kitchens as a permitted use in the IA zoning district. Ms. Bianchini elaborated on some changes since the provided packet was delivered to the commissioners. She added that City Council would still retain the power to approve temporary food trucks, and the city is working on a licensing structure to allow food trucks in public parks.

Commissioner Saymuah stated that he would be interested in adding some language regarding grease disposal. He explained that when a kitchen opens, they have to have a separate sanitation line and grease interception. He added that he believes food trucks moving grease from the truck to the structure could be dangerous, as the grease will be extremely hot and they could be moving it through a crowd of people. Commissioner Saymuah recommended adding a condition for a grease interceptor below grade, with stub ups under each food truck, to avoid this.

Commissioner Abdallah asked for clarification regarding grease interception.

Commissioner Saymuah explained that every building has a sanitary lead. A grease trap or interceptor is a structure below grade that separates waste and grease. This is because grease cannot go into a sanitary line. He added that any place that has food prep or generates grease requires a grease interceptor. He explained that due to the unique nature of a food truck park, potentially multiple kitchens working simultaneously, in his opinion, it makes sense to add a requirement for grease interception. Adding stub ups would also eliminate the desire to dump grease into, for example, stormwater drains.

Commissioner Kadouh asked if grease interception is already required with commissary kitchens, and additionally asked about food truck licensing.

Ms. Bianchini replied that grease interception is required for changes of use or new construction in the plumbing code, and further added that the city is working on an overhaul of this aspect of the code to add clearer parameters regarding grease requirements. She added that it may make sense to make the requirement clear in the zoning ordinance, as the changes have not been codified yet. Ms. Bianchini further explained that the structure on the food truck park must be the food truck's licensed commissary kitchen, meaning they cannot be licensed somewhere else.

Commissioner King asked for clarification regarding the expectations for Planning Commission today.

Ms. Bianchini explained that outside of one business which has a temporary use approval for food trucks and a special event, no other food truck operating in Dearborn has approval since they are not currently allowed under the zoning ordinance. She explained that because food trucks were permitted in licensing but not the zoning ordinance, those food trucks were operating in a grey area, and as the city discussed the options, they did not pursue strict enforcement. Ms. Bianchini added that the ordinance amendments are to allow for a legal pathway forward in the zoning ordinance for the food trucks.

Commissioner Abdallah asked Commissioner Saymuah if his recommendation would require a lead for each individual food truck, and if the leads would be a large economic burden.

Commissioner Saymuah replied yes. Mr. Saymuah added that since there is already a requirement for permanent electrical on-site, they are already digging into the ground, this means that they can just dig slightly further down to establish their grease leads alleviating some of the cost for the leads. He explained the grease interceptor would cost the developers more, but that it would protect the residents and the public stormwater system.

Commissioner Kadouh added that the additional requirements may make the properties more valuable. Commissioner Kadouh asked if they could set limits regarding the number of food trucks on an individual site, and the overall number of food trucks allowed in the city.

Ms. Bianchini replied that the importance of an individual site's context and conditions led staff to determine that the Special Land Use process was the best method of regulation. If a site plan comes before the Commission with too many food trucks, and the circulation is too tight, they may restrict or deny that site plan. She added that without knowing a specific site's features, it's hard to design a one size fits all food truck limit for all sites. Ms. Bianchini stated that from her understanding, there must be a very clear and sound reason for an overall city-wide limit, and that it is easier to set that limit in licensing rather than zoning.

Mr. Mendelsohn replied that there are two aspects to consider. The first part is that to operate in the city, food trucks must have a license from the city. He added that there is currently no limit to the number of licenses that can be issued, and the Planning Commission has no authority to set a licensing cap. He added that he has never seen a cap on the overall licenses issued for food trucks in any jurisdiction. Secondly, because the food truck parks would be a Special Land Use, the commission would have authority to regulate spacing and the number of trucks on a site based on size and configuration.

Commissioner Phillips asked where Commissioner Saymuah wanted to add his requirement for grease interception, and if he wanted to make a motion.

Commissioner Saymuah motioned to add a requirement for "grease interception on-site" for food truck parks.

Seeing no objections, the motion under consideration was amended.

Commissioner Mohamed stated that food trucks are a great entrepreneurial avenue and he liked that the city was taking the scattered food trucks around the city and telling them where they can operate.

Commissioner Saymuah added that as long as the food trucks do it in the right way.

Commissioner Abdallah stated that while he appreciated the regulatory power afforded to them through the Special Land Use process, it might be beneficial to have clear, consistent, and transparent guidelines as it relates to the number of trucks or spacing, and if it makes sense to grant a variance based on the site, then they can go through that process. He added that he doesn't have the experience to suggest the number of trucks on-site.

Commissioner Saymuah added that there are already requirements in the zoning ordinance for parking, and they could explore something similar to that. He added that when it comes to specific numbers, he's not sure what those would be.

Chairperson Easterly asked if this would be one overall approval, or multiple individual approvals.

Ms. Bianchini replied that it would be one overall approval. She added that during their comprehensive review of other ordinances, there were a couple who added specific number requirements for food trucks. Ms. Bianchini explained that the reasoning for not adding it into this amendment is that staff believes that the number is arbitrary. She added that every property is distinct so the Special Land Use process is the best process to regulate this given the number of factors that go into site plan review.

Commissioner Saymuah stated that his other recommendation would be to change the screening requirement to require a masonry screening wall rather than, for example, a fence. He explained that he associates food trucks, and food truck parks, with high numbers of pedestrians, combined with the traffic issues in the city he wants something more substantial to stop a speeding or out of control car.

Commissioner Phillips added that the commissioners will get their chance to examine the screening requirement during the Special Land Use approval process, when the commission sees their plans.

Commissioner Saymuah agreed that it should be examined on a case-by-case basis.

Commissioner Mohamed stated that brick and mortar businesses pay property taxes to the city. Food truck parks only have the commissary kitchen, which will have a lower State

Equalized Value (SEV) than a normal restaurant. He added that the financial benefit to the city is reduced. Commissioner Mohamed asked what fees or requirements are food truck owners required to pay the city to offset the cost and balance the fairness with brick and mortar restaurants.

Ms. Bianchini replied that his line of reasoning is why they are requiring the commissary kitchen building, so that there is some structure that is creating taxable value to the city. Additionally, that is why it is permitted in the IA district. She explained that the IA district is primarily warehouses, which has similar value as it pertains to benefit to the city. Ms. Bianchini added that the issue with the IA district is that there has been stagnation in that zoning district, explaining the recent changes to the district, to increase flexibility. She explained that even in the BC zoning district it is only allowed as a Special Land Use, since there may be some properties where the use is not appropriate and there is not a need for it.

Chairperson Easterly asked who is in charge of enforcement.

Ms. Bianchini replied that enforcement is handled by Code Enforcement in the Economic Development department. She added that enforcement will ramp up once the adoption process has been completed, and the regulations have been publicized.

Seeing no one from the public, Chairperson Easterly opened and closed the public comment period.

A motion was made by Commissioner Saymuah, supported by Commissioner Abdallah, to recommend amending the Zoning Ordinance of the City of Dearborn, with the beforementioned approved motion, by amending Articles 1.00, 2.00, 4.00, 7.00, 16.00, & 18.00

Commissioner Saymuah and Commissioner Kadouh briefly discussed the exact language of the approved motion.

Upon roll call the following vote was taken: Ayes: (7) (Commissioners Abdallah, Easterly, Kadouh, King, Mohamed, Phillips, & Saymuah). Nays: (0). Absent: (2) (Commissioners Abdulla & Fadlallah). The motion was adopted.

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Chairperson Easterly announced that Item IV.1 on the agenda is updates and training on motion procedures from City Staff.

Ms. Bianchini introduced the staff report, accompanying exhibits, and the Special Land Use approval motion template. She explained that the reason for this is to ensure the new commissioners have clarity on the requirements for making a Special Land Use. Ms. Bianchini explained that, moving forward, cases will have the provided cover sheet, which contains the consideration in front of the commission and how to structure a motion. The table of criteria on

the template, which are also included on every staff memo for Special Land Uses, are the criteria the commission may approve or deny a SLU on. Ms. Bianchini stated that, for clarity, every SLU motion should include those criteria. Ms. Bianchini then walked the Commission through an included example.

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

Ms. Bianchini explained that at the last steering committee meeting they went over the Municipal Resiliency Strategy by the Micheal Baker team. She explained that one of the larger takeaways was the discussion about the taxable values of industrial and residential properties. This month the team will meet internally with staff to discuss the subarea plans.

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A motion was made by Commissioner Phillips, supported by Commissioner Abdallah, to adjourn the meeting. Upon roll call the following vote was taken: Ayes: (7) (Commissioners Abdallah, Easterly, Kadouh, King, Mohamed, Phillips, & Saymuah). Nays: (0). Absent: (2) (Commissioners Abdulla & Fadlallah). The motion was adopted.

The meeting was adjourned at 7:28 pm.

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