

REGULAR MEETING OF THE
PLANNING COMMISSION

Dearborn, Michigan

April 7th, 2025

This regular meeting was called to order at 6:31 p.m. by Chairperson Easterly. Upon roll call, the following members were present: Present: (7) (Commissioners Abdallah, Easterly, Fadlallah, King, Mohamed, Phillips, & Saymuah). Absent: (2) (Commissioners Abdulla and Kadouh, Kadouh arrives at 6:39pm).

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.

Chairperson Easterly announced that Item II.1 on the agenda is the consideration of the approval of the March 10th, 2025 Planning Commission meeting minutes.

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

Chairperson Easterly announced that Item III.1 on the agenda is consideration of the request of the City of Dearborn, to approve the 51st year Community Development Block Grant Capital Improvement Projects.

Commissioner Saymuah announced that he would be recusing himself from this item, due to a conflict of interest, and removed himself in accordance with the Planning Commission's bylaws.

Commissioner Kadouh enters and is present for the remainder of the meeting.

Kaileigh Bianchini introduced the accompanying exhibits. Ms. Bianchini noted that the highlighted items are items that may be impacted by the city's overall CDBG funding. She added that many of the items were previously on CDBG budgets. Ms. Bianchini stated that there is a

20% maximum for staff and planning costs. She clarified that this is funding from the federal government that is rolled into the overall CIP project.

Chairperson Easterly asked if the CDBG budget process is managed in-house. He additionally asked if the City of Dearborn loses anything by not taking advantage of the Section 8 housing program.

Ms. Bianchini replied yes, it is managed by the community development division. She added that none of the proposed budget line items would be impacted.

Chairperson Easterly asked about the status of the sewer redevelopment project from last year.

Ms. Bianchini replied that most of those projects have been wrapped up, and CDBG from this year is focused less on sewer and road infrastructure projects and more on targeted programs for at-need areas.

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

A motion was made by Commissioner Phillips, supported by Fadlallah to recommend approval of the City of Dearborn's 51st year Community Development Block Grant Capital Improvement Projects.

Upon roll call the following vote was taken: Ayes: (7) (Commissioners Abdallah, Easterly, Fadlallah, Kadouh, King, Mohamed & Phillips). Nays: (0). Absent: (1) (Commissioner Abdulla). Abstain (1) (Commissioner Saymuah). The motion was adopted.

Commissioner Saymuah reenters and is present for the remainder of the meeting.

Chairperson Easterly announced that Item III.2 on the agenda is consideration of the request of the City of Dearborn, to review and approve the proposed 5-year Capital Improvement Plan.

Kaileigh Bianchini introduced the staff report, and Amelia Krupa, a member of the finance department who will be assisting on this item. Ms. Bianchini explained that the Capital Improvement Plan (CIP) are a list of projects the city is implementing, and as required by state law, comes before the Planning Commission for a recommendation to City Council. She added that, under the new administration, a CIP Steering Committee had been established with all the department directors providing feedback on the budget.

Chairperson Easterly asked about the difference between the total cost of \$934 million and the total budget of \$767 million. He additionally asked about the role of the Planning Commission in this process.

Ms. Bianchini replied that it is a state requirement that this comes before the board for a recommendation, and that the Planning and Enabling Act states that the CIP should be directly related to a city's Master Plan. She added that the total project cost identified does not mean that the entirety of that project's cost will be funded, explaining the discrepancy between the cost and budget.

Ms. Krupa introduced a staff exhibit, and walked the committee through the budget line items for Fiscal Year 2026, totaling \$31 million. She added that for the Michigan Avenue resurfacing project, the Michigan Department of Transportation is providing the majority of the funds – \$6.5 million, while the city is contributing \$243,000.

Commissioner King asked who owns the John Dingell Transit Center.

Ms. Krupa replied that Amtrack owns the transit center. She explained that the City maintains the center, and the city gets reimbursed by Amtrack. Ms. Krupa added that the city does own the land under the center, and under the Tim Hortons adjacent to the center.

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

A motion was made by Commissioner Phillips, supported by King to recommend approval of the City of Dearborn's 51st year Community Development Block Grant Capital Improvement Projects.

Upon roll call the following vote was taken: Ayes: (8) (Commissioners Abdallah, Easterly, Fadlallah, Kadouh, King, Mohamed, Phillips, & Saymuah). Nays: (0). Absent: (1) (Commissioner Abdulla). The motion was adopted.

Chairperson Easterly announced that Item IV.1 on the agenda is consideration of the request of Lisa Carroll, on behalf of Ferrous Processing & Trading Company, to review and approve the Special Land Use and site plan for a metal recycling facility at 3651 Wyoming Avenue.

Ms. Bianchini introduced the staff report and accompanying exhibits. She provided a history of the property including that the proposed metal recycling facility was referred to the

Planning Commission to make a use determination consistent with Sec. 2.08 A3 of the Zoning Ordinance. Ms. Bianchini gave a summary of the Planning Commission's findings from the use determination process:

November 2023 – Planning Commission determined that a metal recycling facility is permitted in the IC-Intensive Industrial District zoning district subject to Special Land Use review and approval

August 2024 – the commission determined that a metal recycling facility requires specific site development standards. The specific site development standards the commission set were: a 20-foot greenbelt along Wyoming Avenue, a 10-foot screening wall, a 30 foot minimum distance between the screening wall and any outdoor storage containers, a 180 foot minimum distance between stockpiles and any property line, 7am-7pm hours for bailing and processing, and a requirement that metals with flammable residue are not permitted on-site.

Ms. Bianchini stated that the applicant is proposing to demolish 2 of the 1-story buildings and construct an underground stormwater system. She added that the applicant is also adding landscaping and screening walls consistent with the development standards the Planning Commission laid out. Ms. Bianchini stated that the outdoor processing, bailing, and sorting of metal with heavy hydraulic equipment is not consistent with the Master Plan's Future Land Use designation of Industrial – Logistics. Additionally, that the proposed use is not consistent with the surrounding trucking related uses which include various truck repair/servicing facilities and associated logistics. Ms. Bianchini added that the applicant provided a community noise impact study of a metal recycling facility and that this study showed a maximum continuous noise source of 65 dB, 5 dB higher than the maximum continuous sound level for daytime operations, as stated in Sec. 13-44.3c.

Commissioner Kadouh asked why the application is listed as a new appeal when the commission has already heard from the applicant before.

Ms. Bianchini explained that the use determination and special land use processes are two separate processes and thus have different case numbers. She stated that this will be the first time the commission is reviewing and taking action as a part of the Special Land Use process.

Chairperson Easterly asked what zoning districts is the metal recycling plant use permitted in.

Ms. Bianchini replied that metal recycling facilities are an unlisted use in the city's Zoning Ordinance and reminded the commission that this item was referred to the Planning Commission for a use determination. The use determination was required for the applicant to move forward with the site plan process.

Chairperson Easterly invited the applicant to speak on behalf of the item.

Tony Levin, the applicant representing Ferrous Processing & Trading Company, asked to withdraw the item to make additional edits.

After inquiries from Commissioners regarding process, Bradley Mendelsohn stated that the item is currently before the board so they may handle the item as they see fit. He stated that if they would like the item to be withdrawn a Commissioner must make a motion to grant the request to withdraw the item.

Mr. Levin added that they would like for the item to be adjourned.

Commissioner Saymuah asked for the applicant's reasoning for this request.

Mr. Levin replied that there is new information that they would like to respond to.

Commissioner Saymuah stated that the city reached out and asked if the applicant had any additional information regarding the provided noise study on January 23rd. He added that the provided noise study shows the operation will produce maximum sound volume 5 dB above the maximum allowed by the city. Mr. Saymuah stated that he believes the applicant has had plenty of time to make changes to meet Special Land Use criteria.

Mr. Levin stated that he believes that they would be able to adjust the site plan to meet the sound ordinance.

Commissioner Saymuah asked why the applicants did not already make the necessary changes to comply.

Mr. Levin replied that he was unaware they were violating the noise ordinance.

Commissioner Kadouh added that she believes the applicant has had plenty of time to meet the ordinance, and instead of going back and forth with the applicant, she would like to decide on the item as it is before the commission.

Commissioner Saymuah agreed.

Paul Voice, resident at 22144 Edison, asked for clarification regarding the staff's recommendation for an indoor processing facility, and he also asked that regardless, monitoring of air quality be conducted at this site.

Ms. Bianchini responded that the staff report does state that an indoor processing facility would be the most appropriate for this site.

Commissioner King stated that he believes withdrawal of the item would be appropriate, as he believes a vote could impact the business and he wants to give the applicant a chance to address the comments.

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

Commissioner Abdallah asked if there is a difference between the language of removing an item from the agenda, adjourning the item from the agenda, and withdrawing the item from the agenda.

Mr. Mendelsohn stated that when this comes up with other boards, it is typically phrased as the applicant wishing to withdraw the item, and if approved, the applicant would then reach back out to the staff informing them when they would like to come back before the board. Mr. Mendelsohn stated that if the applicant wishes to come back across the board the language could be *a motion to withdraw*. He noted that there may not be much of a difference between those languages.

Commissioners Kadouh asked what it would mean if that type of motion was not approved by the commission.

Mr. Mendelsohn advised that the item would then still be before the board.

Commissioner Abdallah and Fadlallah asked if the item before the board is denied is the applicant able to come back before the board.

Ms. Bianchini replied that if there are major or significant modifications to the proposed site plan they would be able to. If there are only minor modifications, and the site plan is overall similar to the previous plan, they would not be permitted to move forward. Any appeals would be heard by the Wayne County Circuit Court.

Chairperson Easterly stated that he believes enclosing the facility is the most appropriate to protect the health and safety of the community. He understands that they have a job to do, and he doesn't want to deny the business owner their right to do business, but they also need to manage concerns of the community. Commissioner Easterly added that he doesn't believe they meet several of the Special Land Use criteria.

Commissioner Saymuah stated that he believes that the applicants do not meet 7 of the 10 Special Land Use criteria:

1. Compatibility with adjacent use. The outdoor nature of this use is not compatible with the surrounding indoor warehouse uses.
2. Consistent with Future Land Use. The Future Land Use designation is Industrial: Logistics which primarily focuses on receiving and distributing goods instead of the assembling of materials. The processing that the applicant is proposing is not consistent with this designation.

3. Compliance with applicable regulations. The applicant provided a noise study which showed the operation would violate the City of Dearborn's noise ordinance; the operation has a maximum sound level of 65 dB, 5 dB louder than the maximum allowable sound level of 60 dB for continuous daytime sounds for industrial properties.
4. Use of adjacent property. The site violating the city's noise ordinance would negatively impact adjacent properties.
7. Enhancement of surrounding environment. The site is developed in a way that would violate the city's noise ordinance. It is also inconsistent with the surrounding pattern of development. Staff analysis indicates that an indoor processing facility would be the most appropriate for this site.
8. Impact on public safety, health, and welfare. While the staff report indicated that there is no known impact on public safety, Commissioner Saymuah indicated concern that the site may have a negative impact on the surrounding community due to fugitive dust.
10. Need for proposed use. The commissioner noted that since there are already a significant number of metal recycling plants in the city, and in a 0.5-mile radius of the site, there is not a community need for the proposed use.

Commissioner Saymuah stated many of these criteria could not be met even if the applicant made changes to their site plan. He further stated that the commission has seen aspects of the site plan for more than 2 years, and he did not believe giving the applicant additional time would make a considerable difference.

Commissioner King added that he did not believe it makes sense for the commission to slam the door on the applicant by denying their request to withdraw.

Commissioner Saymuah replied that he was not anti-business or anti-metal recycling plant. He added that the commissioners are not here to stop businesses from making a profit. Commissioner Saymuah elaborated that the established master plan, which the commission is responsible for, is produced to frame the values and concerns of the residents. He added that if the decision was black and white, the commission would have already made a decision, but the decision is not that easy.

Commissioner King asked what the cost was for allowing the applicant to come back with a revised site plan.

Commissioner Saymuah replied that it does not cost the commission anything, but this plan has been over 2 years in the making with opportunities to address aspects of the site plan with the city and the applicant declined to do so.

Chairperson Easterly stated that a motion to withdraw the item by Commissioner King failed due to a lack of a second.

A motion was made by Commissioner Kadouh, supported by Saymuah to deny the request of Lisa Carroll, on behalf of Ferrous Processing & Trading Company, to review and approve the Special Land Use and site plan for a metal recycling facility at 3651 Wyoming Avenue.

Commissioner King requested a roll call vote.

Upon roll call the following vote was taken: Ayes: (7) (Commissioners Abdallah, Easterly, Fadlallah, Kadouh, Mohamed, Phillips, & Saymuah). Nays: (1) (Commissioner King). Absent: (1) (Commissioner Abdulla). The motion was adopted and the Special Land Use and site plan was denied.

Commissioner Abdallah motioned to amend the previous motion by providing the Commission's reasoning for denial. Commissioner Abdallah stated that the proposed site plan is failing to meet Special Land Use criteria: 1, 2, 3, 4, 7, 8, and 10. Commissioner Abdallah then reiterated the justification and rationale consistent with the points previously stated on the record by Commissioner Saymuah.

Approved by a voice majority, the previously approved motion was amended to include the beforementioned language.

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 the next Master Plan Steering Committee will be in May, and will be regarding the Master Plan subarea plans.

A motion was made by Commissioner King, supported by Commissioner Abdallah, to adjourn the meeting. Upon roll call the following vote was taken: Ayes: (8) (Commissioners Abdallah, Easterly, Fadlallah, Kadouh, King, Mohamed, Phillips, & Saymuah). Nays: (0). Absent: (1) (Commissioners Abdulla). The motion was adopted.

The meeting was adjourned at 7:56 pm.
