

REGULAR MEETING OF THE
PLANNING COMMISSION

Dearborn, Michigan

May 12th, 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: (9) (Commissioners Abdallah, Abdulla, Easterly, Fadlallah, Kadouh, King (arrives at 6:45, leaves at 8:09), Mohamed, Phillips, & Saymuah). Absent: (0).

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 April 7th, 2025 Planning Commission meeting minutes.

A motion was made by Commissioner Abdallah, supported by Commissioner Fadlallah, to approve the April 7th, 2025 minutes. Upon roll call the following vote was taken: Ayes: (8) (Commissioners Abdallah, Abdulla, Easterly, Fadlallah, Kadouh, Mohamed, Phillips, & Saymuah). Nays: (0). Absent: (1) (Commissioner King). The motion was adopted.

Chairperson Easterly announced that Item III.1 on the agenda is consideration of the request of Ali Dakroub, on behalf of Kamal Meroueh, to review and approve the Special Land Use and site plan for a Drive-Through Restaurant located at 14401 & 14411 Ford Road.

Kaileigh Bianchini introduced the item and accompanying exhibits. Ms. Bianchini explained that the applicant is proposing developing two separate properties, the first property being two parcels on Ford Road which are currently undeveloped, the second property being a parcel to the south, across a public alley, currently utilized as parking. She explained that the applicant is proposing developing a commercial plaza with a drive through restaurant on the property on Ford Road. The parking lot to the south is proposed as being used to meet the parking requirement for the proposed development. Ms. Bianchini then walked the commissioners through the 10 Special Land Use Criteria:

1. Compatibility with Adjacent Uses

- Ms. Bianchini explained that, while the commercial plaza is compatible with adjacent uses, the proposed curb cut on Kenilworth would increase vehicular traffic that would not be compatible with the residential area.
- 2. Consistency with Master Plan
 - She explained that the proposed use would be consistent with the Master Plan designation of Mixed-Use Center: Vehicle Oriented.
- 3. Compliance with Applicable Regulations.
 - The proposed development would require a variance to proceed, to reduce the minimum distance between a drive-through restaurant from 700 feet to 638 feet.
- 4. Use of Adjacent Property
 - Ms. Bianchini explained that the proposed development has the potential to negatively impact the residential neighborhood to the south due to the scale of the development, a curb cut with the potential to increase traffic, and a menu board/speaker oriented towards the residential neighborhood.
- 5. Public Services
 - She explained that the public services are adequate to serve the proposed use.
- 6. Impact on Traffic
 - Ms. Bianchini noted that while there is enough parking to meet the parking requirement, the proposed layout of the site plan is concerning. The level of activity at the front of the site creates opportunities for vehicle conflict, additionally the parking lot located across the alley where pedestrians cross creates a pinch point for vehicle and pedestrian conflict.
- 7. Enhancement of Surrounding Environment
 - The surrounding vacant land will be enhanced by vacant land being developed and the applicant is proposing screening for the additional parking. However, the proposed curb cut that is pushing additional traffic into the neighborhood does not provide enhancement to that neighborhood.
- 8. Impact on Public Health, Safety, and Welfare
 - Ms. Bianchini explained that the pedestrian access to the site from the southern parking lot is not a safe or functional location.
- 9. Isolation of Existing Uses
 - The proposed development will not result in the isolation of any uses.
- 10. Need for the Proposed Use
 - The nearest drive-through restaurant is located ~0.52 miles away

Commissioner King enters and is present for this item.

Chairperson Easterly invited the petitioner to speak.

The petitioner introduced himself as Ali Dakroub. Mr. Dakroub explained that they have a similar project on Michigan Avenue and that project has been successful. He further explained that the property has been sitting unused and the owner of the property, Dr. Kamal, had been waiting for the right tenant. Mr. Dakroub added that after COVID, drive-through businesses have thrived. He continued that they worked with city staff to modify the original site plan and add additional parking.

Commissioner Fadlallah asked the petitioner if their other business is a standalone business or a plaza like the proposed development.

Mr. Dakroub replied that it is a standalone building, but the layout is similar to the proposal.

A member of the development team introduced themselves as Ali Charara, Leasing Agent, who explained that Dunkin has a time limit they need to get people through their drive-through, and they have various methods through which to speed up the drive-through, including Lane Busters. He added that the development may serve to supplement the previous business.

Commissioner Phillips explained that there are other drive-throughs on Ford Road that have serious traffic issues and he explained that the commission needs to seriously consider its decision. He added that he is still open to hearing what the rest of the commissioners have to say.

Commissioner Saymuah added that the commission is always happy when a new business opens or is successful, however the concern is the design of the property. He explained that many other drive-throughs that already exist on Ford Road, which have significant traffic concerns, have similar layouts to the proposed development. He asked why the developer wouldn't keep it all commercial space instead of cramming a drive-through in.

Mr. Dakroub replied that he felt the traffic and design of the property has been safely addressed. He added that he felt the traffic study is favorable to their design and addresses many of the commissioner's concerns, further they took advice from city staff and made some changes to their plan.

Commissioner Saymuah replied that they made many changes, except for one that he sees as the most important, moving the menu board.

Mr. Dakroub explained that they were happy to move it, however they would have needed another variance.

Commissioner Saymuah replied that this is the overarching issue of a drive-through at this location.

Mr. Dakroub added that they are anticipating the parking lot being for employee parking.

A member of the development team introduced themselves as Gisan Khalil from GK Consulting, Design Engineer. Mr. Khalil stated that the cars stopping do not interfere with the pedestrians.

Commissioner Saymuah asked why there was the recommendation to move the menu board.

Mr. Khalil stated he did not know, even if it was moved it would not affect the crosswalk.

Commissioner Saymuah asked for clarification from Ms. Bianchini.

Ms. Bianchini explained that the stacking spaces and order board for the drive-through interfere with the crosswalk, and there is also a curb along the south side of the property, with an opening for an exit, at the same location as the crosswalk. She added that there is a 5-car minimum stacking spaces before the menu board, on top of the 12 car total.

Mr. Dakroub added that the menu board won't be where the front of the car is. They're hoping that becomes a natural stop for the second car, which shouldn't have to block the path. He added that the traffic flow for a drive-through is no more than a few miles per hour, so the ordering vehicles should not interfere with the pedestrian crossing.

Commissioner Fadlallah asked if the traffic study is sufficient from the city's perspective, and he asked if a traffic study has been done on the Tim Hortons.

Ms. Bianchini replied that she believes that a traffic study was done on the Tim Hortons, but that development was before her time at the city. She further explained that the traffic study is sufficient, but that doesn't mean the project is in alignment with the Special Land Use standards or site plan standards.

Commissioner Kadouh added that when the cars enter the complex there will be cars backing out as well, and asked for clarification on if there is enough room. Additionally, the speed limit on Ford Road is 40 and there is the pedestrian walkway.

Ms. Bianchini stated that the requirement is 20 feet and the applicant provided 24 feet. So, from a code perspective, the minimum is met, however from a site plan perspective there is still significant vehicular conflict with how the site is laid out.

Mr. Khalil added that he believes that this issue is there regardless of if you have a drive-through or not.

Commissioner Fadlallah asked why the need for the additional parking lot.

Ms. Bianchini replied that the development has a parking requirement of 37 parking spaces, they provided only 12 spaces in the front parcel, and the remainder of the parking requirement is satisfied with the additional parking lot. Additional parking in a separate parcel is permitted if it's under common ownership within 300 feet.

Commissioner Abdallah asked if the building was smaller or shifted could they add an additional entry and exit point.

Mr. Dakroub added that they've already significantly reduced the building to meet staff's concerns regarding traffic flow and safety. They feel that the parking is over capacity. Mr. Dakroub explained that the development still needs to be economical for the owner, and he believes the project is safe given the slow traffic on the site. He added that given the depth of the site, and the stacking space requirements, he doesn't believe an additional entry and exit point would make much of a difference. Additionally, it's one-way directional controlled traffic.

Commissioner Saymuah asked that, if he went to the drive-through, and the 12 parking spaces in the front are taken, and the drive through is full, would he have to sit in the drive-through for 5 people to order before he can utilize the exit curb cut.

Mr. Khalil replied no, the purpose of removing the 3 spots is to exit on Ford Road, and come back from the site street to the alley.

Commissioner Saymuah asked if the alley is one-way.

Mr. Khalil replied that it goes both ways.

Commissioner Saymuah asked if they have considered the impact of additional vehicles going down Kenilworth to reach the parcel behind the alley.

Mr. Khalil added that most of that parking would be for employees, the 8 parking spaces in the alley would be for customers.

Commissioner Saymuah asked what the other tenants will be for this property.

Mr. Dakroub replied that it would be some type of complementary, low-traffic retail or office.

Commissioner Saymuah asked if they had anything to add regarding the concern of traffic on residential streets.

Mr. Dakroub replied that many will be workers, and workers take fewer trips than customers.

Commissioner Saymuah stated that regardless the parking is adjacent to residential areas.

Mr. Dakroub replied that it is already zoned VP – Vehicular Parking.

Commissioner Saymuah replied that it is still affecting adjacent property.

Mr. Khalil added that this development is different from the Tim Hortons on Ford Road, and explained some of those differences.

Chairperson Easterly opened the public comment period.

A resident introduced themselves as Nancy Harmon, president of the Morley Area Residents Association. Ms. Harmon stated she had two concerns. Firstly, if the neighborhood has restricted parking do people park their cars in the parking lot when trash trucks come through. Secondly, if the order board is facing the neighborhood will residents hear people ordering all day.

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

Commissioner Saymuah reiterated the Special Land Use criteria and restated the reasoning previously made by staff and Ms. Bianchini.

Commissioner Abdallah added that he isn't necessarily opposed to a drive-through on this site. He felt like all of his questions were not answered, particularly shrinking the building to help with traffic flow.

Commissioner King stated that he feels there is no justification for denial of this development, and he would not support denial.

Commissioner Mohamed added that he grew up in Dearborn and he's seen the growth of the coffee culture in Dearborn. He added the Tim Hortons is sometimes overflowing with traffic in the morning. As well, during Ramadan, even the applicant's other location is overflowing, and he's unsure if the traffic study is adequate, particularly given the schools nearby and the accidents along Ford Road.

Commissioner Kadouh asked if it would be any different without a drive-through. She added that she felt that, without a drive-through, there will be more traffic with people going in and coming out of a coffee shop. She added that other coffee shops with no drive through in

Dearborn have increased traffic on the street, and that the drive-through may be safer. Commissioner Kadouh noted that she felt the drive-through was not the issue here.

Commissioner Mohamed added that there is parking in the back

Mr. Dakroub added that they get support from the nearby organizations, including the daycare. He explained that if they asked any of the schools they would not have any issues with their current location.

Commissioner Kadouh explained that the commissioners have nothing against him as a business owner, they are simply looking at this business and site plan itself.

Mr. Dakroub further added that the traffic is one way, versus both ways, which he believes causes the issues. He added that, speaking with staff, he isn't concerned about the variance for the nearness of the school.

Commissioner Saymuah stated that, regardless of what staff said, the applicants did not meet the ordinance requirement of 700 feet.

Ms. Bianchini added that it is not up to the Planning Commission to consider the variance, and the distance from the school is the least of staff's concern. She added that the diversion of traffic does potentially offer justification for a variance, but that is not for the board to consider. She added that staff have serious concerns about the development, particularly the additional traffic down Kenilworth and the traffic pinch points at the front and back of the site. She stated that these are the reasons why staff recommended denial. Ms. Bianchini further explained that just because the applicant modified some aspects of their plan does not mean that it meets the Special Land Use criteria.

Commissioner Mohamed asked if the applicant would entertain meeting again with the Planning Commission with a revised plan. He further asked, since the applicant worked closely with staff, was there a difference in recommendations or where was the divergence in opinion.

Ms. Bianchini explained that the applicants did propose some modifications to their original site plan to align with some of the staff's recommendations; however, not all of the recommendations were addressed. She added that as property owners they want certain economic outputs on the site. She stated that, in her opinion, there was simply a misalignment for the outcomes of the site. Ms. Bianchini added that she would recommend, if the commission chose to table the item to be clear about what specifically they want the applicant to amend their plans for the board to reconsider. She clarified that when major changes are made, the other disciplines in the city need to review it.

Commissioner King asked if the decision should be made based on aesthetics.

Mr. Mendolsohn replied that the board should make decisions based on the factors in the ordinance, which are included in the commissioner's packets.

Commissioner Saymuah asked what aesthetics he was referring to.

Commissioner King stated that he mentioned aesthetics and design numerous times.

Commissioner Saymuah replied that he does not care about aesthetics, by design he was referring to the design of the site as it pertains to traffic flow.

A motion was made by Commissioner Kadouh, supported by King to approve the request of Ali Dakroub, on behalf of Kamal Meroueh, to review and approve the Special Land Use and site plan for a Drive-Through Restaurant located at 14401 & 14411 Ford Road.

Commissioner Fadlallah added that they received correspondence from a resident on Kenilworth who stated they were concerned with traffic and the noise.

Upon roll call the following vote was taken: Ayes: (5) (Commissioners Easterly, Fadlallah, Kadouh, King, & Saymuah). Nays: (4) (Commissioners Abdallah, Abdulla, Mohamed, & Phillips). Absent: (0). The motion was adopted.

Chairperson Easterly announced that Item IV.1 on the agenda is consideration of the request of Michael Tsakoff, on behalf of Wayne Rental & Development LLC, to rezone 100 Telegraph Road from BA (Local Business District) to the BB (Community Business District) zoning classification.

Kaileigh Bianchini introduced the staff report, and accompanying exhibits. She clarified that the Planning Commission provides a recommendation to City Council who has final approval. She stated that the current zoning is BA – Local Business District, and the applicant is proposing rezoning to BB – Community Business District. Ms. Bianchini added that there is currently a nonconforming gas station on the site, and that the rezoning would bring the site up into compliance and would allow the site to undergo improvements. She added that staff recommends approval.

Commissioner King exits and is absent for the remainder of the meeting.

Chairperson Easterly invited the applicant to speak on this item.

The applicant identified himself as Michael Tsakoff, architect. He added that they have been going back and forth with staff, refining this proposal. Mr. Tsakoff added that the site currently has the building in the center of the site, with the gas canopies located parallel to Telegraph and parallel to Cherry Hill. He stated that the site being small, the building located in the center of the site, and the gas canopies oriented in two different directions represent significant challenges for the current layout. He explained that their proposal is to push the building as far to the lot line as possible, and construct one canopy with 3 pumps, double sided, oriented parallel to Telegraph. Mr. Tsakoff explained that the tanks and lines are nearing their life limit and would need to be replaced in the coming years anyway, so it makes sense to line it up with this proposal. He explained that he believes there are safety concerns currently, given the layout of the site and aging infrastructure, that the proposal would solve. Additionally, he wanted the commission to note that the store would not support food trucks and would not sell liquor. Mr. Tsakoff added the renovations would also install a stormwater collection system, as opposed to draining right into the street.

Commissioner Abdallah added that he agrees the station needs to be updated. He asked that, since there are four exits and entrances to the site, will that be an issue with traffic backing up on Telegraph.

Mr. Tsakoff stated that there are no current proposals to change the entrances and exits. He stated that, since it is a state road, he's unsure if that would require permits from the state.

Commissioner Saymuah asked if the increased square footage would be an issue given the size of the site.

Mr. Tsakoff replied that some space is lost due to a cooler, and if it's much smaller than the proposal, it would look odd without much store space.

Commissioner Saymuah replied that much of the eastern side of the site will be the store.

Ms. Bianchini added that since this is a rezoning request, the Commission should not take into consideration a specific site plan. She noted that, if the rezoning request is approved, the proposal would still need to come back before the board and be approved by the commission as a Special Land Use.

Mr. Tsakoff added that with the new proposal, the front wall would essentially be the back wall of the current building.

Commissioner Saymuah explained that the applicant should consider adding more landscaping, from a stormwater perspective.

Mr. Tsakoff replied that they put as much landscaping as possible, and meet the 6% landscaping requirement per the zoning ordinance.

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

A motion was made by Commissioner Abdallah, supported by Kadouh to recommend approval of the request of Michael Tsakoff, on behalf of Wayne Rental & Development LLC, to rezone 100 Telegraph Road from BA to the BB zoning classification.

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

Ms. Bianchini reminded the commission that this will still need to be approved by City Council, who will likely first see this item June 5th.

Chairperson Easterly announced that Item V.1 on the agenda is consideration of the request of the City of Dearborn, to amend the Zoning Ordinance by amending articles 1.00, 4.00, 7.00, 11.00, 12.00, 17.00, & 27.00.

Kaileigh Bianchini introduced the staff report, and accompanying exhibits. She added that Short-Term rentals such as Airbnb and VRBO are rising in popularity, and that these enterprises have required cities to regulate some of the negative externalities of this type of use. Some negatives include contributing to housing shortages and high housing costs, shifting business away from hotels, and introducing nuisances into residential neighborhoods. Ms. Bianchini stated that, for a while, the state was considering creating regulations that local governments would have to abide by, and while those regulations and other litigation was pending the city was waiting to see how to move forward. She explained that now that the legal landscape has cleared up, the city is ready to move forward with two components: the first component is the zoning ordinance which will create land use standards and the second component is the code of ordinances which creates a registration and continuous compliance process. These processes will help differentiate between short- and long-term rentals. Ms. Bianchini added that they are utilizing the definition that the state has been using, short-term rentals being 30 continuous days or less. She clarified that staff sees short-term rentals as commercial in nature and that these changes are designed to meet the following goals: ensure that residential neighborhoods remain residential in nature, reduce common nuisances that come with this use, require short-term rentals to register with the city and meet compliance, ensure they are meeting safety standards, and safeguard the existing housing stock for residents and long-term renters. Ms. Bianchini explained that short-term rentals will be permitted in the downtowns, but not in the mixed residential district within the West Downtown District. Additionally, only one short-term rental unit will be permitted per parcel or residential condominium unit. If more were requested, that would require Special Land Use approval. Ms.

Bianchini added that some of these changes are also to help clean up some language regarding hotels and motels, specifically modifying the language to allow them as a Special Land Use instead of permitted by-right. Additionally, removing language regarding bed and breakfasts, as they would now be regulated as a Short-Term rental.

Chairperson Easterly clarified that this is a recommendation, and not a final decision.

Ms. Bianchini replies yes, and that they can incorporate any feedback the commission may have.

A motion was made by Commissioner Phillips, supported by Commissioner Abdallah, to recommend approval of the request of the City of Dearborn, amend the Zoning Ordinance by amending articles 1.00, 4.00, 7.00, 11.00, 12.00, 17.00, & 27.00.

Chairperson Easterly opened the public comment period.

A Dearborn resident came to the podium and handed flyers to city staff and the commission outlining the number of short-term rentals in their neighborhood, and the concerns they had with them. They asked what would happen to the short-term rentals currently operating.

Ms. Bianchini explained that they would not be grandfathered in and would be required to comply with the ordinance.

A Dearborn resident came to the podium and identified herself as Cynthia Polakowski, the Vice President of the Springwells Park Association. She expressed her concern over Short-Term rentals in her neighborhood. Ms. Polakowski explained that a majority of the homes in her area are duplexes and townhomes, to encourage movement. She added that short-term rentals in the neighborhood remove the ability to move between typologies, and puts transient peoples in the neighborhood. She explained that she has a duplex against her single-family home, one of the neighbors is wonderful but the other half, at one time, was an Airbnb. The Airbnb had cigar smoke, parties, and unknown people entering the house in a residential neighborhood. Ms. Polakowski expressed her support for the amendment. She additionally stated that her neighborhood has short fences, allowing people to see each other, and that a short fence next to a short-term rental makes her uncomfortable. Ms. Polakowski added that she did not move into her home because she wanted to live next to a motel.

A Dearborn resident came to the podium and identified herself as Gail Anderson, living on Brewster. She explained that she has four Airbnbs on her street. Ms. Anderson added that it's a historical neighborhood and the short-term rentals do not take care of the property. Additionally, her neighbor has trouble accessing her driveway because she shares it with a short-term rental.

A Dearborn resident came to the podium and identified herself as Katherine Carroll, explaining that herself and a large group of residents are representing the Springwells Park neighborhood. Ms. Carroll added that there are many children living in the neighborhood and, in her opinion, many of the people frequenting the short-term rentals are nefarious. She also added that she lives on Brewster and Short-Term rentals have decimated their street, the houses used to be well-maintained and they are not anymore.

A Dearborn resident came to the podium and identified herself as Carol McAdam, living on Long Meadow. She expressed her interest in keeping the integrity of a national historic neighborhood. Ms. McAdam stated that landowners for rentals need to ensure they are keeping up maintenance.

A Dearborn resident came to the podium and identified himself as Joseph LeBlang, located on Tenney Street, and stated that he supported this ordinance amendment. Mr. LeBlang stated that he has a short-term rental located next to him and that it has been a nightmare. He stated that this ordinance could not come fast enough to prevent more short-term rentals. He added that he believed that the short-term rental did not go through the proper application process. Mr. LeBlang added that the short-term rental hosts weddings, graduations, reunions, and bachelor parties with cars up and down the street. He stated that, according to the FOIA he filed with the city, there have been 26 police calls to this property and 33 ordinance violations. Mr. LeBlang added that this is just one property over 2 years. He added that Renault and Commander Bazzi have been great to work with. He clarified that, in his opinion, these are not mom and pop shops, these are commercial enterprises and they should be regulated in the same way as hotels.

A Dearborn resident came to the podium and identified herself as Nancy Harmon, resident of 22278 Morely Avenue, and President of the Morely Association. Ms. Harmon stated that she appreciates the work the commission has done. She added that they are a great walkable neighborhood and they want to keep it that way.

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

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

The meeting was adjourned at 8:35 pm.
