

REGULAR MEETING OF THE
PLANNING COMMISSION
Dearborn, Michigan
October 13th, 2025

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

Also present were Jeremy Brown, Assistant Corporation Counsel; Amanda Atwy, Assistant 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 Saymuah announced that Item II.1 on the agenda is the consideration of the approval of the September 8th, 2025 Planning Commission meeting minutes.

A motion was made by Commissioner Kadouh, supported by Commissioner Easterly, to approve the September 8th, 2025 minutes. Upon roll call the following vote was taken: Ayes: (6) (Commissioners Abdulla, Easterly, Fadlallah, Kadouh, Mohamed, & Saymuah). Nays: (0). Absent: (3) (Commissioners Abdallah, King, & Phillips).

Chairperson Saymuah announced that Item III.1 on the agenda is consideration of the request of Mourad Ahmed to vacate the remainder of the 18 ft. wide public alley south of Colson Avenue and parallel to Mead and Payne Avenue.

Ms. Bianchini introduced Staff Report B-1 and the accompanying exhibits dated October 13th, 2025. Ms. Bianchini explained that the alley is approximately 18' wide and 108.5' long and the proposed vacation would affect 4 properties: 5057 Mead, 5065 Mead, 5075 Mead, and 15025 Colson. Ms. Bianchini introduced the applicant's letter of intent, which included signatures indicating support from all the affected property owners. Ms. Bianchini added that 5065 Mead has sole garage access through the alleyway, and 5057 Mead has partial garage access through the alleyway. Per Michigan's Land Division Act, the vacated alley would be reverted to the original platting. The City Engineer expressed concern regarding the garage access and confirmed that a utility easement would need to be retained.

Commissioner Easterly asked if, for the properties who do not have driveways to access their garages, they would have to park on the street. He additionally asked where they would park in the event of a snow or emergency day, and if a garbage truck can fit down the street.

Ms. Bianchini clarified that they could park in their partial driveways or the street, but another department would handle parking restrictions in those situations. Ms. Bianchini added that a garbage truck could fit down the street.

Commissioners Abdallah and Saymuah asked if the alley perpendicular to the requested alley vacation is vacated and why the full extent of the current alley was not vacated at that time.

Ms. Bianchini stated that it was vacated in 1974. Based on the records, it appears this portion of the alley was left open due to the properties with rear garage access.

Commissioner Abdallah asked if the neighboring properties indicated support.

Ms. Bianchini noted that, in the applicant's letter of intent, the neighboring property owners' signatures indicate support.

Chairperson Saymuah commented that the current property owners may support this vacation, but future property owners may not.

Commissioner Easterly asked, if the vacation was approved and a property sold, would the future property owner have to demolish and reconstruct their property to comply with the parking and other zoning ordinances. He added that the vacation was making parking non-conformities with the neighboring duplexes worse.

Ms. Bianchini explained that duplexes are a non-conforming use in the RA – One-Family zoning district, a sale or transfer of property would not trigger a non-conformity. She added that the duplexes are also already non-conforming to the parking requirement and that the vacation would reduce the provided parking on-site.

Commissioner Abdallah commented that the property owner of 5055 Mead did not sign the applicant's letter of intent to indicate support and appears to use the alley for garage access. He asked if they received notice of the meeting.

Ms. Bianchini explained that the alley is vacated to the northern property line of 5055 Mead, but that the fence line was not moved. She added that this issue has been flagged to the Engineering Department. Ms. Bianchini also explained that all properties, tenants and property owners, in a 300-foot radius of the subject alley were notified, which included 5055 Mead.

Commissioner Kadouh and Mohamed added that maintenance of the alley seems lacking, and asked about alley access. Commissioner Mohamed also commented on the safety of children who may use the alley.

Commissioner Fadlallah asked if the city was responsible for maintaining the alley.

Ms. Bianchini noted that one of the applicant's reasons for vacating the alley was maintenance, and added that the duplexes at 5065 Mead and 5057 Mead both rely on the alley for part, or all, of their parking and garage access. In addition, that alley maintenance is a joint responsibility between the city and the adjacent property owners.

Chairperson Saymuah asked if maintenance was a criteria for the commission to consider for an alley vacation and if Exhibit B-7 "Right of Way Vacation Application Neighbor Fee Sharing Agreement" is a city form, or if the applicant created the form.

Ms. Bianchini replied that there are no explicit criteria in the ordinance for alley vacations. However, when these requests are brought to the Commission, the staff report will analyze the request and identify any potential impacts on traffic circulation, the adjacent properties, utilities, etc. She further added that the biggest obstacle for this request is the garage access. Lastly, the applicant provided Exhibit B-7 in response to the City recommending to obtain support from the adjacent property owners.

Chairperson Saymuah noted that the form is not notarized. Chairperson Saymuah asked what the process would be if the alley was vacated, and a property was sold, and the future property owner wanted access to the alley.

Ms. Bianchini explained that once the alley is vacated the property reverts back to the original platting, per Michigan's Land Division Act. Legally the property would become part of the adjacent properties. Ms. Bianchini added that, theoretically, a future property owner could attempt to reopen the right of way but that it is a much different and more difficult process than vacating right-of-way.

Commissioner Mohamed asked about the process for closing the curb cut if the alley was vacated.

Ms. Bianchini replied that the Engineering Department would be responsible for closing the curb cut if the proposal was approved by City Council. This typically occurs when they are likely going to be doing work in the area.

Chairperson Saymuah invited the petitioner to speak.

Mourad Ahmed, petitioner and resident of 15025 Colson, stated that all adjacent property owners have signed and indicated support for the vacation. Mr. Ahmed feels that the city has not been properly maintained the alley. Mr. Ahmed added that the alley is not actively used for access and the only property owner who has sole access to his garage from the alley, 5065 Mead, indicates support for the vacation. He noted that there has been nuisance and security issues with the alley, and vacation would help reduce those issues, would not remove public necessity, and he supports a utility easement.

Commissioner Abdallah expressed confusion on the applicant's statement regarding if the alley has not been maintained or if the applicant has maintained it. Commissioner Abdallah added that Ms. Bianchini noted that maintenance is shared between the city and adjacent property owners.

Mr. Ahmed noted that he has been maintaining the alley, but the adjacent property owners do not.

Commissioner Abdallah indicated support of the request and clarified to the applicant that he would only be obtaining a portion of the vacated alley. Additionally, he asked if he would be willing to provide a notarized signature page for City Council and if the applicant had spoken with the property owner of 5055 Mead.

Mr. Ahmed noted that the city doesn't require notarized signatures for the application. Mr. Ahmed noted that city staff indicated that 5055 Mead does not have access to the public portion of the alley.

Commissioner Abdallah replied that, while 5055 Mead's portion of the alley is technically vacated, since the fence lines were not properly shifted, they are still utilizing the alley for access.

Mr. Ahmed indicated that the property owner of 5055 Mead expressed support to him.

Commissioner Abdallah commented that the applicant's argument would be stronger if they had a signature of approval from this property owner.

Commissioners Mohamed and Abdulla expressed confusion if the property owner at 5055 Mead is illegally using the alley, given that it is legally vacated but the fence lines were not properly adjusted.

Ms. Bianchini noted that the alley was vacated to the northern property line of 5055 Mead. The fence lines were moved for the vacated alley with the exception of the eastern half of the alley adjacent to 5055 Mead. Ms. Bianchini explained that this essentially gives them access to the open part of the alley to the north and the curb cut, however this portion of the alley is

legally vacated. Ms. Bianchini noted that this issue has been flagged for Engineering, and that the property owner could legally use his 9 feet to utilize the alley and access his garage.

Commissioner Easterly noted that the property owners have been utilizing the alley for 50 years in this manner. He explained that, as proposed, they could only park on the street. He expressed concern since Mead street is already congested. Additionally, he expressed concern that the property owner is not receiving compensation for the loss of access to the alley noting that, to his knowledge, under Michigan law 18 years is a prescriptive easement. Commissioner Easterly added that he was strongly opposed to the request.

Commissioner Abdallah expressed disagreement with Commissioner Easterly since 5055 Mead's alley access was terminated when the alley was vacated in 1974. They never had access to begin with. He stated there are numerous factors that go into proving an easement, and he was unsure if an applicant could claim an easement against a public entity. He added that the owner was provided a notice of the meeting and chose not to attend.

Mr. Brown, Assistant Corporation Council, supported Commissioner Abdallah's statement.

Chairperson Saymuah opened the public comment period and seeing no comment, Chairperson Saymuah closed the public comment period.

A motion was made by Commissioner Abdallah, supported by Commissioner Kadouh to approve; with the condition that an 18' easement is established along the alley according to the City Engineer's specifications, and *with the recommendations that the applicant provides a signature document for the adjacent property owners indicating support of the request—including the owner of 5055 Mead Street*; the request of Mourad Ahmed to vacate the remainder of the 18 ft. wide public alley south of Colson Avenue and parallel to Mead and Payne Avenue.

Upon roll call the following vote was taken: Ayes: (6) (Commissioners Abdallah, Abdulla, Fadlallah, Kadouh, Mohamed, & Saymuah). Nays: (1) (Commissioner Easterly). Absent: (2) (Commissioners King, & Phillips).

Chairperson Saymuah announced that Item IV.1 was updates from the Planning and Zoning Manager regarding the Master Plan Process.

Ms. Bianchini explained that the upcoming steering committee meeting in November will be to discuss the Future Land Use categories. Ms. Bianchini added that some follow-ups from the last steering committee meeting included discussions around the West and East downtown

boundaries. She added that staff will be in the 4 business district meetings in October and November to provide them with updates and to collect feedback.

A motion was made by Commissioner Abdallah, supported by Commissioner Fadlallah, to adjourn the meeting.

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

The meeting was adjourned at 7:14 pm.
