

REGULAR MEETING OF THE  
PLANNING COMMISSION  
Dearborn, Michigan

February 08, 2016

The regular meeting was called to order at 7:03 p.m. by Chairperson Siwik. Upon roll call, the following members were present: (6) (Commissioners, Charter, Sickle, Siwik, Skora, Watts, and Zalewski). Absent: (1) (Al Rayashi).

Also present were Licia Yangouyan, Assistant Corporation Counsel; Mohamed Ayoub, Planner; and interested citizens.

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Chairperson Siwik announced that Item I.1 on the agenda is consideration of the approval of the minutes from the January 11, 2016 meeting.

A motion was made by Commissioner Charter, supported by Vice-Chairperson Zalewski, to approve the January 11, 2016 minutes as submitted. Upon roll call the following vote was taken: Ayes: (6) (Commissioners, Charter, Sickle, Siwik, Skora, Watts, and Zalewski). Absent: (1) (Commissioner AlRayashi). The motion was adopted.

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Chairperson Siwik announced that Item II.1 on the agenda is the consideration of a City initiated request to rezone 2401 South Gulley Road (Parcel #82-09-291-76-001), located in the Georgia Park Subdivision, 2727 South Gulley Road (Parcel #82-09-291-76-007), 2901 South Gulley Road (Parcel #82-09-291-76-008), 25245 Oxford Street (Parcel #82-09-291-76-002), and 25235 Oxford Street (Parcel #82-09-291-76-003) located in the Dearborn Gulley Industrial Park, from Industrial A (Light Industrial District) to Industrial B (Medium Industrial District) zoning classification. The properties requested to be rezoned are located east of South Gulley Road between Trowbridge Street (south of the railroad tracks) and Princeton Street, and south of Oxford Street between South Gulley Road and Westwood Street, respectively.

Planner Mohamed Ayoub stated that the City of Dearborn is requesting to rezone the subject properties from I-A (Light Industrial District) to I-B (Medium Industrial District) zoning classification in order to expand the development flexibility and permitted land uses for these selected properties. The proposed rezoning is consistent with the I-B (Medium Industrial) zoning district immediately to the north. The rezoning is not consistent with the Master Plan which designates the area as "Mixed-Use Centers: Artisan & Innovation" on the Future Land Use Map, defined as "a flexible category which allows for a combination of small and medium-sized artist, artisan, and other related creative businesses. Spaces include a live-work environment and a mix of supporting uses." But, the subject properties are located on the far west side of the City, bordering Dearborn Heights, and are separated from the residential neighborhood on the east side of Westwood Street by approximately 900 feet due to the buffer provided by Crowley Park. With the exception of Dearborn Racquet Club, the existing uses of the subject properties are all industrial and would be well-suited for the inclusion in a rezoned I-

B (Medium Industrial District), which would allow for increased economic flexibility. Expanding the existing Trowbridge Street I-B (Medium Industrial District) south down Gully Road would also allow for better distribution of the I-B (Medium Industrial) zoning district throughout the City. Currently, most of the I-B (Medium Industrial) zoning districts are concentrated on the east side of Dearborn. Although the rezoning is not compatible with the current Master Plan and conflicts with a planned City project to beautify the Crowley Park parking lot off of Gully Road, the rezoning is consistent with the zoning and uses of the surrounding land.

Vice-Chairperson Zalewski stated that he has no issue with rezoning these properties to I-B and disagrees that the Crowley Park parking lot beautification project will conflict with the rezoning. Since there is no clear definition that describes Artist and Innovation designation, he believes it is too soon to be concerned about this future land use category, as the City has not determined how it will be utilized. The rezoning is consistent with the area and existing land uses.

Commissioner Charter stated that the Future Land Use designation of Artist and Innovation is consistent with research and development which is consistent with the I-B district.

Vice-Chairperson Zalewski stated that he is not in favor of limiting and restricting the Artist and Innovation Future Land Use category.

Commissioner Sickie agreed that with Vice-Chairperson Zalewski that she is also not in favor of limiting the Artist and Innovation category by excluding the I-B district from the category.

Commissioner Watts asked what the Crowley Park parking lot beautification project is and what the current progress is.

Planner Mohamed Ayoub described the Crowley Park parking lot beautification project.

Commissioner Watts asked if this request was made by the City and if so, why didn't the City consider the Crowley Park parking lot beautification project when requesting these properties to be rezoned.

Planner Mohamed Ayoub stated that City Council did request to rezone these properties and that the administration is aware of the parking lot beautification issues as they relate to the rezoning.

A motion was made by Vice-Chairperson Zalewski, supported by Commissioner Watts, to recommend approval of rezoning 2401 South Gully Road (Parcel #82-09-291-76-001), located in the Georgia Park Subdivision, 2727 South Gully Road (Parcel #82-09-291-76-007), 2901 South Gully Road (Parcel #82-09-291-76-008), 25245 Oxford Street (Parcel #82-09-291-76-002), and 25235 Oxford Street (Parcel #82-09-291-76-003) located in the Dearborn Gully Industrial Park, from Industrial A (Light Industrial District) to Industrial B (Medium Industrial District) zoning classification. The properties requested to be rezoned are located east of South Gully Road between Trowbridge Street (south of the railroad tracks) and Princeton Street, and

south of Oxford Street between South Gulley Road and Westwood Street, respectively. The recommendation is based on the fact that the rezoning will not change the overall character of the area and will allow for greater flexibility in land use. Upon roll call the following vote was taken: Ayes: (6) (Commissioners, Charter, Sickle, Siwik, Skora, Watts, and Zalewski). Absent: (1) (Commissioner AlRayashi). The motion was adopted.

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Chairperson Siwik announced that Item III.1 on the agenda is consideration of the request of Dr. Ahmad Abulabon, to review and approve the special land use and site plan for Tribeca piano-bar & restaurant at 16351 Ford Road, Suite C-108 (Parcel #82-09-132-01-133), located in the Shops of Fairlane Meadow's Subdivision, currently zoned Business B (Community Business District) zoning classification. The property is located south of Ford Road between Greenfield Road and Mercury Drive.

Planner Mohamed Ayoub stated that this case involves a request to locate a 1,980 square foot fine-dining restaurant at 16351 Ford Road, Suite C-108. The applicant would like to re-occupy and change the use in the existing suite that was previously used for a smoking lounge. The proposed fine-dining restaurant will include a bar area and offer a domestic and Japanese menu. The limited hours of operation proposed by the business owner are 3 p.m. until 2 a.m. on the weekends and 4 p.m. until 1 a.m. on the weekdays. The proposed limited hours of operation will not significantly impact parking demand and traffic circulation throughout the plaza parking lot during peak daytime business hours. However, the proposed restaurant will likely increase demand for parking spaces during the peak dinner hours due to the close proximity of Ollie's Restaurant. There are two prior parking variances for this property. The first allowed the construction of the plaza with 129 parking spaces when 187 were required. The second allowed the plaza to include a smoking lounge with 129 existing parking spaces when 202 were required. Due to the seasonal outdoor seating deck replacing two or three parking spaces, the applicant will need a variance to reduce the required parking to 127 or 126, depending on the configuration of the seating deck plan. Therefore, as a condition of Special Land Use approval the applicant will need to obtain a parking variance from the Zoning Board of Appeals. The proposed restaurant is consistent with the Master Plan and compatible with the surrounding uses. Based upon the abovementioned facts and analysis, staff recommends approval of the Special Land Use for the proposed restaurant at 16351 Ford Road with the condition that a parking variance is obtained from the Zoning Board of Appeals.

Patrick Howe, Attorney, whose address is 280 North Old Woodward, represents the applicant and stated that his client is looking to fill the only vacant space in the Fairlane Meadows shopping center. Adding a seasonal outdoor seating area would add to the vitality of the business and he and his client are aware that a parking variance is needed. The hours of operation will be limited, as the Planner has stated. The applicant is in the process of obtaining a liquor license.

Ahmad Abulabon, the petitioner whose address is 26250 Northwestern Highway, stated that opening this restaurant in Dearborn is his dream. The outdoor seating area will only be used during the warm months.

Mr. Howe stated that he and his applicant want to obtain Special Land Use approval now without any conditions and if the owner did construct a seasonal outdoor dining deck in the future that he would come back for a variance.

Planner Mohamed Ayoub stated that the submitted site plan shows a seasonal outdoor seating deck so the site plan as submitted must be reviewed by the Planning Commission.

Chairperson Siwik asked how many parking spaces are required for a restaurant versus a smoking lounge for this location.

Planner Mohamed Ayoub stated that there is no segregated parking between the establishments occupying the plaza. The whole plaza has a parking variance that requires 129 parking spaces and if the seasonal outdoor deck is constructed, a variance from the Zoning Board of Appeals must be obtained because it would eliminate 2 or 3 of those spaces.

A motion was made by Commissioner Charter, supported by Commissioner Sickle, to approve the special land use and site plan for Tribeca piano-bar & restaurant at 16351 Ford Road, Suite C-108, requested by Dr. Ahmad Abulabon, for Parcel #82-09-132-01-133, located in the Shops of Fairlane Meadow's Subdivision, currently zoned Business B (Community Business District) zoning classification. The property is located south of Ford Road between Greenfield Road and Mercury Drive. The approval is conditioned on the applicant obtaining a parking variance from the Zoning Board of Appeals if a seasonal outdoor patio is built. Upon roll call the following vote was taken: Ayes: (6) (Commissioners, Charter, Sickle, Siwik, Skora, Watts, and Zalewski). Absent: (1) (Commissioner AlRayashi). The motion was adopted.

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Chairperson Siwik announced that Item IV.1 on the agenda is the reconsideration of the matter of amending the Zoning Ordinance of the City of Dearborn to create specific requirements for Recreational Vehicle (RV) storage, by amending Article 7.00, "Site Development Standards Applicable to Specific Uses," Section 7.02, entitled "Site Development Standards for Nonresidential Uses."

Planner Mohamed Ayoub stated that this item was initiated as a result of City Council requesting language to "fully screen the height of recreational vehicles." City Plan and the Planning Commission discussed language that proposed 14 feet high screening walls or fences because 14 feet is 6 inches taller than the maximum height of vehicles allowed on Michigan roads (13'-6"). The Planning Commission expressed deep concern comparing the presence of 14 feet walls and screening fences to prison yards while mentioning that the extensive height is abnormal in Dearborn. 12 and 10 feet high screening walls were also discussed. The Planning Commission tabled the item from the January meeting in order to study the topic in more detail. City Plan studied surrounding communities that have recreational vehicle storage facilities and learned that no known communities require full screening of recreational vehicles. After further consideration and research, City Plan does not recommend fully screening recreational vehicle storage facilities with masonry walls and screening fences based on the height of recreational

vehicles but does recommend that closely spaced natural landscape features (such as evergreens) be used as a substitute for screening.

Chairperson Siwik asked if anyone in the audience would like to speak. No one approached the Commission to speak on the matter.

A motion was made by Vice-Chairperson Zalewski supported by Commissioner Charter to approve the matter of amending the Zoning Ordinance of the City of Dearborn to create specific requirements for Recreational Vehicle (RV) storage, by amending Article 7.00, "Site Development Standards Applicable to Specific Uses," Section 7.02, entitled "Site Development Standards for Nonresidential Uses." Upon roll call the following vote was taken: Ayes: (6) (Commissioners, Charter, Sickle, Siwik, Skora, Watts, and Zalewski). Absent: (1) (Commissioner AIRayashi). The motion was adopted.

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Chairperson Siwik announced that Item IV.2 on the agenda is consideration of the matter of amending the Zoning Ordinance of the City of Dearborn by amending Article 18.00, "I-A, Light Industrial District," Section 18.02, entitled "Permitted uses and structures;" Article 19.00, "I-B, Medium Industrial District," Section 19.01, entitled "Statement of purpose;" Section 19.02 entitled "Permitted uses and structures;" Section 19.03 entitled "Development Standards;" and Article 29.00, "Schedule of Regulations," Section 29.02 entitled "Schedule of Regulations"

Planner Mohamed Ayoub stated that these amendments are being proposed in order to increase the flexibility and align the I-A, Light Industrial District & I-B, Medium Industrial District with the vision of the Master Plan. The amendments will create additional locations throughout the City for technological and research based establishments while promoting the design of campus-like environments in the I-B district. The amendments will also create and promote campus-like environments in our industrial districts which could help attract young new talent to our City which is lacking in the region and in the State of Michigan.

Commissioner Watts asked for clarification as to the requirement that a customer that is not an employee of the principal I-A business would not be allowed to shop at an accessory structure such as a café.

Vice-Chairperson Zalewski stated that he understands the intent of the language but that the language be worded clearer.

Planner Mohamed Ayoub explained the intent of the sentence. For clarification, an example would be an industrial complex that would like to open a café for its employees and others. Reviewing the proposed language, one might be left with the impression that the ordinance prohibits people who are not employed by that industrial business to shop at the café. That is not the intent of the proposed language.

Planner Mohamed Ayoub asked if he could make a change based on the recommendations of the Planning Commission and presented to the City Council without bringing the item back for another meeting with the Planning Commission

Assistant Corporation Counsel Licia Yangouyian stated that the Planning Commission can make comments including recommended changes that could go to the City Council for approval.

A motion was made by Commissioner Watts, supported by Vice-Chairperson Zalewski to recommend approval of the matter of amending the Zoning Ordinance of the City of Dearborn by amending Article 18.00, "I-A, Light Industrial District," Section 18.02, entitled "Permitted uses and structures;" Article 19.00, "I-B, Medium Industrial District," Section 19.01, entitled "Statement of purpose;" Section 19.02 entitled "Permitted uses and structures;" Section 19.03 entitled "Development Standards;" and Article 29.00, "Schedule of Regulations," Section 29.02 entitled "Schedule of Regulations." The approval is conditioned on replacing "solely" with "primarily" and "establishment" with "principal I-A use" in Section 18.02.A2. Upon roll call the following vote was taken: Ayes: (6) (Commissioners, Charter, Sickle, Siwik, Skora, Watts, and Zalewski). Absent: (1) (Commissioner AlRayashi). The motion was adopted.

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A motion was made by Commissioner Watts supported by Commissioner Charter, to adjourn the meeting. Upon roll call the following vote was taken: Ayes (6) (Commissioners Charter, Sickle, Siwik, Skora, Watts, and Zalewski). Nays (0). Absent (1) (Commissioner AlRayashi). The motion was adopted. The meeting was adjourned at 8:00 p.m.