

REGULAR MEETING OF THE
PLANNING COMMISSION
Dearborn, Michigan

October 10, 2016

The regular meeting was called to order at 7:00 p.m. by Chairperson Siwik. Upon roll call, the following members were present: (7) (Commissioners Easterly, Green, Mehregan, Sickle, Siwik, Watts, and Zalewski). Absent: (1) (Commissioner Skora).

Also present were Licia Yangouyian, Assistant Corporation Counsel; Mohamed Ayoub, Senior Planner; Jeffrey Polkowski, Planner; and interested citizens.

Chairperson Siwik announced that Item I.1 on the agenda is consideration of the approval of the minutes from the September 12, 2016 meeting.

A motion was made by Commissioner Sickle, supported by Commissioner Green, to approve the September 12, 2016 minutes as submitted. Upon roll call the following vote was taken: Ayes: (7) (Commissioners Easterly, Green, Mehregan, Sickle, Siwik, Watts, and Zalewski). Absent: (1) (Commissioner Skora). The motion was adopted.

Chairperson Siwik announced that item II.1 on the agenda is the request of the City of Dearborn, to review and approve the rezoning of 7150 Lonyo Avenue (Parcel #82-10-091-04-007), from Industrial B (Medium Industrial Intensity) to Business B (Community Business District). The property is located south of Warren Avenue and east of Lonyo Avenue.

Mr. Ayoub stated that the City of Dearborn is requesting to rezone the vacant triangular shaped lot on the southwest corner of Lonyo and Warren in order to be consistent with the zoning district along Warren Avenue and the property directly adjacent to the east at 8835 W. Warren. Per the master plan, the future land use is manufacturing. The proposed rezoning is not consistent with the Master Plan. However, rezoning the property to Business B would not affect the overall character of the area. The proposed rezoning request is a result of the property to the east previously being rezoned from Industrial B to Business B in order to accommodate a mosque and community center.

Commissioner Zalewski stated that he recognizes that the proposed rezoning is consistent with the character of the area and the previous rezoning of 8835 W. Warren.

A motion was made by Commissioner Zalewski, supported by Commissioner Green, to approve the request of the City of Dearborn, to approve the rezoning of 7150 Lonyo Avenue (Parcel #82-10-091-04-007), from Industrial B (Medium Industrial Intensity) to Business B (Community Business District). Upon roll call the following vote was taken: Ayes: (7)

(Commissioners Easterly, Green, Mehregan, Sickle, Siwik, Watts, and Zalewski). Absent: (1) (Commissioner Skora). The motion was adopted.

Chairperson Siwik announced that item III.1 on the agenda is the request of Guido Architects, Inc., to review and approve the Special Land Use and Site Plan for the property located at 2901 S. Gulley, (Parcel #82-09-291-76-005), located in Dearborn Gulley Industrial Park. The property is currently zoned Industrial B (Medium Industrial District) zoning classification. The property is located east of S. Gulley Road and south of Oxford Street.

Mr. Ayoub stated that this request is to renovate an existing building into an indoor recreational vehicle storage facility. The building has been vacant for the last 10 years and the last known use was a government office. The building will house exotic and recreational vehicles while the gated parking lot will be used to securely store recreational vehicles.

Mr. Ayoub stated that the applicant requested a Use Variance for the same proposal and was denied by the Zoning Board of Appeals on June 25, 2015 because, at the time, the City's Zoning Ordinance did not permit a recreational vehicle storage facility in any zoning district. The Zoning Ordinance has since been updated to accommodate this use as a Special Land Use in Industrial B districts. The property has also been rezoned from Industrial A to Industrial B to accommodate the requested use. The applicant is now requesting a Special Land Use to proceed with the recreational vehicle storage facility as proposed.

Mr. Ayoub stated that the proposed use will occupy a building that has been vacant for at least 10 years and that occupying the building enhances the surrounding area. Additionally, the property owners are proposing to restripe the faded parking lot and renovate the interior.

Mr. Ayoub stated that recreational vehicles are prohibited from being parked in residential zoning districts. Currently there are no recreational vehicle storage facilities in the City. This may be a hardship for recreational vehicle owners residing in the City of Dearborn. Because of this, the Planning Division believes that there is a need for a recreational vehicle storage facility in the City.

Mr. Ayoub stated that the proposed use is not consistent with the future land use designation for this property which is Mixed Use Center, Artisan Innovation.

Mr. Ayoub stated that the applicant is proposing an 8 ft. high masonry wall that will wrap the perimeter of the facility to provide screening and security of the facility consistent with the requirements of the Zoning Ordinance and site development standards. The southern portion of the masonry wall will be located adjacent to the Crowley Park entrance and will not provide the aesthetically pleasing image that is favorable when entering a City park. The City has completed Phase I of a two phase \$500,000 beautification and parking lot improvement plan for the Gulley Road entrance of Crowley Park.

Commissioner Mehregan asked if there is a definition for exotic vehicles.

Dr. Suchyta, the property owner, stated that the exotic vehicles will be mostly collector cars similar to those that participate in the Woodward Dream Cruise. They will not be exotic high performance cars.

Commissioner Zalewski stated that it is likely that trailers will be moving in and out of the facility.

Chairperson Siwik asked if the exotic cars will be permanently placed on trailers while in the facility.

Dr. Suchyta responded that it is possible that a client could utilize a trailer in order to move several cars, but that would not always be the situation.

Commissioner Easterly asked if the ceiling height will accommodate the recreational vehicles.

Dr. Suchyta stated that the ceiling height will be 10 ft. and will not accommodate most recreational vehicles. The recreational vehicles will be stored outside within the wall surrounding the perimeter of the property.

Commissioner Easterly asked is someone will be inside the facility at all times.

Dr. Suchyta replied in the negative.

Commissioner Easterly asked if it was the City's intention to maintain the Gulley Street entrance as the permanent entrance to the park.

Mr. Ayoub stated that the entrance from Westwood Street has been removed in order to designate the Gulley Street entrance as the primary entrance to the park. This will reduce conflicts with residents caused by the excessive traffic generated by the soccer tournaments held at Crowley Park. A second Gully Street entrance has also been added to the park.

Mr. Guido stated that there is significant distance between the subject property and any nearby park facilities.

Mr. Guido stated that the building is going to be designed for storage of classic cars, and that there is not enough clearance for any recreational vehicles. The purpose is to have secured outdoor parking for recreational vehicles, with classic cars stored indoors.

Commissioners Zalewski asked what would be the approximate capacity of the indoor parking.

Dr. Suchyta estimated 30 cars.

Mr. Guido stated that the interior of the building will only be accessible by appointment.

Commissioners Zalewski asked if there will be a regular attendant on site.

Mr. Guido replied that there would not and stated that there will be security cameras as well as a fire suppression system. The outdoor section will have an automatic gate with a card access. An eight foot wall will be constructed and there will be no barbed wire. The wall will be built with a split face, colored, masonry block that will be aesthetically pleasing in order to accommodate the adjacent park. The gate will be lighter in color in order to function properly, but will be obscured to be hidden from view.

Mr. Guido stated that there is a five year renewable agreement between Dr. Suchyta and the Dearborn Racket Club to provide additional parking for the club. A greenbelt and additional landscaping will be added to the site.

Chairperson Siwik stated that additional landscaping will help visually screen the proposed wall.

Commissioner Mehregan asked if there will be landscaping along the south face wall that extends to the park entrance, stating that the proposed site plan could degrade the visual appearance of the park entrance on Gulley Road.

Mr. Ayoub stated that there is no way to provide sufficient landscape screening in front of the wall without substantially modifying the layout to the point of making the property unfeasible for recreational vehicle storage.

Mr. Guido stated that requiring a landscape wall would make the yard insufficient in terms of parking capacity. Mr. Guido then stated that it is his hope that the City will eventually allocate funding to beautify the right-of-way in order to increase interest in the park.

Commissioner Zalewski agreed, stating that the area is not particularly attractive as it presently stands and the entrance is not well defined. There is a tradeoff to be made in this scenario between the aesthetic view of the utilitarian entrance and the potential to utilize a parcel that is not practical to develop.

Commissioner Watts asked what the plan is for traffic flow in the event that some of these cars are brought by trailer, expressing concern for insufficient room for traffic flow due to land being allocated to the Dearborn Racket Club for parking.

Mr. Guido explained that there is a 50 ft. clearance for a trailer to be brought into the property and that cars will be offloaded outdoors within the gated area and then driven into the building.

Commissioner Zalewski asked Dr. Suchyta to explain the business model for the proposed development.

Dr. Suchyta explained that lease terms will be day, week, month, or year depending on the length of lease term the customer would like. Recreational vehicle fees will be determined according to size of the vehicle.

Commissioner Sickle asked what is the length of the proposed wall.

Mr. Ayoub stated the wall is 300 ft. along the south side.

Commissioners Zalewski stated that he is of the opinion that this proposed project is compatible with the Artisan Innovation district because it has not been fully defined as of yet.

Commissioner Easterly stated that he feels classic cars are consistent with Artisan Innovation.

Commissioner Mehregan suggested that a public mural could make the entrance more attractive.

Mr. Ayoub stated that he is in support of a mural but it would have to be discussed with the property owner.

Mr. Ayoub reminded the Planning Commission that it is possible to require closely spaced landscaping as an alternative to the masonry wall. However, that alternative will require significant modification to the site plan.

Commissioner Mehregan stated that he is in support of the masonry wall because of the proposed use and its proximity to the park entrance.

Commissioner Easterly stated that aesthetic masonry brick is preferable to small landscaping that may not be maintained.

Commissioner Sickle stated that this is an improvement to the site because these entrances are not as beautiful as the wall that is currently being presented.

Commissioner Easterly asked how wide the entrance gate is.

Mr. Guido answered that the entrance gate is 24 ft. wide with 50 ft. to maneuver once you enter the facility.

A motion was made by Commissioner Easterly, supported by Commissioner Sickle, to approve the request of Guido Architects, Inc., to review and approve the Special Land Use and Site Plan for the property located at 2901 S. Gulley, (Parcel #82-09-291-76-005). Upon roll call the following vote was taken: Ayes: (6) (Commissioners Easterly, Green, Sickle, Siwik, Watts, and Zalewski). Nay: (1) (Mehregan) Absent: (1) (Commissioner Skora). The motion was adopted.

Chairperson Siwik announced that item IV.1 is the consideration of the matter of amending the Zoning Ordinance of the City of Dearborn to add Bicycle Parking Requirements, by amending Article 4.00, "Off-street parking and loading requirements," Section 4.03, "Bicycle parking requirements."

Mr. Ayoub stated that these bicycle parking requirements were presented in January and that the Mayor's Office asked for some changes to accommodate the small commercial lots within the City that are often deficient in parking. Modifications have been made to lower the bicycle parking requirements and to allow for a waiver or exemption from the proposed required bicycle parking. This is the first time the City has ever worked towards biking requirements and the intention is to start small and then increase efforts over time if necessary.

Commissioner Sickle asked if there is a specific location where bicycle parking must be provided on a property.

Mr. Ayoub stated that it would be up to the property owner, with recommendations from the Planning Division and the Zoning Administrator during preliminary site plan review. The proposed ordinance does provide some guidance for placement such as high visibility area.

Commissioner Watts asked why the City Planner is given the ability to authorize a waiver.

Mr. Ayoub stated that not all proposed development comes before the Planning Commission. The Planning Division is often the first point of contact and it would be best to discuss the waiver with the City Planner as opposed to the Planning Commission. Site plans that require Planning Commission approval and bicycle parking can be discussed with the Planning Commission.

Commissioner Zalewski then asked if an applicant wishes to appeal the City Planner's refusal to authorize a waiver. Is there a way to present that appeal to the Zoning Board of Appeals?

Mr. Ayoub confirmed that there is an appeal.

Chairperson Siwik stated that it is unreasonable to force an applicant to appeal to the Zoning Board of Appeals because the fee is approximately the same price as a bike rack would cost.

Commissioner Green stated that the standards seem unreasonable based on the use of a building.

Mr. Ayoub stated that the proposed ordinance does allow for a determination as to whether or not the proposed land use will benefit from bicycle parking.

Commissioner Zalewski stated that it is easy to foresee an applicant often making arguments for a waiver, testifying that long term infrastructure improvements, such as a bike rack, would be more beneficial to the City in the interest of long range planning.

Chairperson Siwik stated that the proposed ordinance can be viewed as subjective and if there is a change in City Planners, then the new City Planner may have a different opinion. She agreed that it is good to have it tied to use of the facility, stating that it makes sense to have it required for community and civic facilities. She also expressed concern for commercial and multi-family residential buildings.

Commissioner Mehregan stated that regardless of what the exact language for the ordinance is, there should be some sort of required parking spaces for various specific land uses throughout the City of Dearborn and that many businesses would benefit from bicycle parking. This could be a catalyst for future proactive bicycle planning. He further qualified his statement by mentioning that requiring all commercial uses to provide bicycle parking may be too much.

Mr. Ayoub stated that the proposed ordinance submitted today is the least restrictive requirement out of any community that he has researched within the past year, many of which are located in southeast Michigan.

Commissioner Easterly asked if there are statistics on how many people use bicycles in the City of Dearborn.

Mr. Ayoub stated that the City is currently coordinating with multiple entities to create a non-motorized transportation plan. A statistic currently revealed during the preliminary phases of this plan show that cities with bicycle parking infrastructure have a significant decrease in total collisions and severity with bicyclists and motorized vehicles. Statistics on the number of bicycle riders is unknown.

Commissioner Green stated that the City should adopt bicycle parking requirements rather than do nothing. If issues do occur with the proposed ordinance then the Planning Commission and City Council can reevaluate the language.

Commissioner Sickle asked if it is possible to incentivize bicycle parking by offering a credit for vehicle parking if the developers are willing to add bicycle parking.

Mr. Ayoub stated that the City will not decrease vehicle parking requirements as an incentive to providing bicycle parking.

Commissioner Watts stated that the ordinance is vague in regards to who it applies to within the zoning districts and that altering the interior of the building should not trigger this ordinance unless they are altering the use of the building.

Chairperson Siwik stated that it would be best to table this until the next meeting to go through the types of businesses in the City and determine the best way to apply this ordinance.

Commissioner Green stated that the location of businesses should also affect whether or not a waiver is granted.

A motion was made by Commissioner Green, supported by Commissioner Sickle, to table the request to consider of the matter of amending the Zoning Ordinance of the City of Dearborn to add Bicycle Parking Requirements, by amending Article 4.00, "Off-street parking and loading requirements," Section 4.03, "Bicycle parking requirements," with the following action items:

- Investigate the dividing of commercial land uses based upon zoning type or building use.
- Examine any additional considerations for the waiver and exemption elements.

Upon roll call the following vote was taken: Ayes: (7) (Commissioners Easterly, Green, Mehregan, Sickle, Siwik, Watts, and Zalewski). Absent: (1) (Commissioner Skora). The motion was adopted.

Chairperson Siwik announced that item IV.2 is the reconsideration of the matter of amending the Zoning Ordinance of the City of Dearborn to regulate barbed wire, by amending Article 2.00, "General Provisions," Section 2.19 "Fences."

Mr. Ayoub stated that the fence ordinance allows for barbed wire in all industrial districts as long as the fence it is tied to is at least eight feet above the ground. The proposed ordinance prohibits barbed wire from being placed along the frontage of collector and arterial roads. Barbed wire in Industrial A districts is permitted as long as the property is 200 feet away from a residential district. Barbed wire standards have been merged together to make it easier to find within the City's Zoning Ordinance.

A motion was made by Commissioner Watts, supported by Commissioner Green, to approve the matter of amending the Zoning Ordinance of the City of Dearborn to regulate barbed wire, by amending Article 2.00, "General Provisions," Section 2.19 "Fences." Upon roll call the following vote was taken: Ayes: (7) (Commissioners Easterly, Green, Mehregan, Sickle, Siwik, Watts, and Zalewski). Absent: (1) (Commissioner Skora). The motion was adopted.

Chairperson Siwik announced that item IV.3 is the reconsideration of the matter of amending the Zoning Ordinance of the City of Dearborn to modify the landscaping requirements for single-family residences, by amending Article 1.00, "Short Title, Rules of Construction and Definitions," Section 1.03, entitled "Definitions;" Article 2.00, "General Provisions," Section 2.05, entitled "Residential Design Standards," Section 2.09, entitled "Yard and Bulk Regulations;" Article 5.00, "Landscaping," Section 5.02, entitled "General Landscaping Requirements," Section 5.03, entitled "Specific Landscaping Requirements for Zoning Districts," Section 5.04, entitled "Standards for Landscaping Materials;" and Article 29.00, "Schedule of Regulations," Section 29.02, entitled "Schedule of Regulations."

Mr. Ayoub stated that this amendment is being proposed because of additional modifications that were requested and made to the landscaping requirements. Initially the major modification was the addition of landscaping requirements for residential uses in R-A and R-B districts. The removal of subjective language and the addition of Certificate of Occupancy language to Section 5.02 (General Landscaping Requirements) is a major modification since last proposed to the Planning Commission.

Commissioner Watts asked if it is acceptable or not for trees to overhang from the sidewalk in any way.

Mr. Ayoub stated that trees shall comply with a minimum vertical clearance of seven feet over sidewalk surfaces. Trees on a resident's property that are not in compliance would have to be trimmed by the resident.

Commissioner Watts stated that the wording of Section 5.02.B.3(d) would need to be clarified because it restates tree clearance requirements which is already noted in Section 5.02.B.3(b).

Mr. Ayoub stated that 'trees' can be removed from Section 5.02.B.3(d) because its original intention was to target shrubs that protrude through the public right-of-way.

Commissioner Green stated that the language in 5.03.B.1(b) 'front yards shall be edged regularly' should include a precise metric unit in order for inspectors to determine when a front yard is not in compliance with this edging requirement.

Mr. Ayoub stated that he can modify the language to state how many inches a yard may protrude before it is no longer in compliance with the Zoning Ordinance.

Chairperson Siwik asked if there is a section of the Zoning Ordinance that deals with trees that would be considered noxious weeds.

Ms. Yangouyian stated that there is a Noxious Weed ordinance in the City's Code of Ordinances that deals with the removal of weeds. This ordinance is separate from the landscaping ordinance that is currently being presented to the Planning Commission.

Commissioner Green stated that existing trees and trees within the public easement should be exempt from the requirement that trees must have a five feet minimum lateral clearance to the edge of the road. However, new trees that are to be planted within the easement should still be subject to approval from the Director of Public Works.

Chairperson Siwik stated that new trees within the easement should have to be approved by the City. But for the Zoning Ordinance to outright say that trees cannot be located within five feet from the road is problematic.

Commissioner Watts stated that the word ‘trees’ should be removed from Section 5.02.B.3(d).

A motion was made by Commissioner Green, supported by Commissioner Watts, to table the request of is the reconsideration of the matter of amending the Zoning Ordinance of the City of Dearborn to modify the landscaping requirements for single-family residences, by amending Article 1.00, “Short Title, Rules of Construction and Definitions,” Section 1.03, entitled “Definitions;” Article 2.00, “General Provisions,” Section 2.05, entitled “Residential Design Standards,” Section 2.09, entitled “Yard and Bulk Regulations;” Article 5.00, “Landscaping,” Section 5.02, entitled “General Landscaping Requirements,” Section 5.03, entitled “Specific Landscaping Requirements for Zoning Districts,” Section 5.04, entitled “Standards for Landscaping Materials;” and Article 29.00, “Schedule of Regulations,” Section 29.02, entitled “Schedule of Regulations” with the following action items:

- Include an exemption for existing trees or language to the effect that the requirements relating to trees are for newly planted trees.
- Planting of trees in the public right-of-way be exempt from the clearance requirements and would require City approval.
- Require a specified number of inches in regards to the edging requirements to prevent grass onto the sidewalk.
- Remove the word ‘trees’ from Section 5.02.B.3(d).

Upon roll call the following vote was taken: Ayes: (7) (Commissioners Easterly, Green, Mehregan, Sickle, Siwik, Watts, and Zalewski). Absent: (1) (Commissioner Skora). The motion was adopted.

Mr. Ayoub made a miscellaneous comment stating that the City will start to explore the possibility of implementing a Form-Based Code in the City’s west downtown.

Chairperson Siwik stated that she would like to welcome the newest Planning Commissioner, Robert Mehregan, to the Planning Commission.

Chairperson Green stated that he would like to welcome the newest Planner, Jeffrey Polkowski to the City of Dearborn.

A motion was made by Commissioner Green supported by Commissioner Watts, to adjourn the meeting. Upon roll call the following vote was taken: Ayes: (7) (Commissioners Easterly, Green, Mehregan, Sickle, Siwik, Watts, and Zalewski). Absent: (1) (Commissioner Skora). The motion was adopted. The meeting was adjourned at 8:56 p.m.

MATTHEW ZALEWSKI
Acting Secretary