



City of Hamtramck
History • Diversity • Culture

Plan Commission 2017 Report

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Table of Contents

- 1 | Executive Summary**
- 2 | 2017 Development Projects**
- 7 | Proposed Zoning Ordinance Amendments + Discussion**
- 8 | Plan Commission Membership**
- 9 | Plan Commission Training + Education Resources**
- 10 | Observations + Recommendations**

Executive Summary

The City of Hamtramck Plan Commission performs an essential function for the City by guiding the growth and development of our community. The Commission reviews site plans for new construction, alterations, demolition, special land use, and property rezoning. They also develop and recommend planning and zoning concepts, amendments, and policy to City Council.

The City of Hamtramck Plan Commission held seven (7) regular monthly meetings in 2017 in January, March, May, June, July, November, and December. Meetings for the month of February, April, August, September, and October were cancelled due to lack of agenda items.

The Plan Commission received many more development requests in 2017 over previous years. The Commission reviewed site plans for two (2) new constructions, four (4) alterations to existing buildings, two (2) new construction additions and alterations to existing buildings with site redevelopment, and one (1) dumpster enclosure review, as well as two (2) special land use requests to permit mixed-use. The Commission also reviewed and discussed four (4) potential amendments to the Zoning Ordinance.

In 2017, the Plan Commission's membership vacancies were filled completely and all members now have current terms. The Commission also received new training and educational resources in 2017.

The Plan Commission recommends a major rewriting of the Hamtramck Zoning Ordinance in order to be compliant with the law and to thoughtfully guide the development of our community for future generations.

2017 Development Projects

Islamic Center of Hamtramck, 11347 Joseph Campau Site Plan Review, New Construction

The Preliminary Site Plan for new construction was conditionally approved by the Plan Commission at their January 11, 2017 meeting. The Conditional Approval included:

- 1) That the glass block is replaced by glass windows;
- 2) That the fenestration meets the requirements of the Zoning Ordinance;
- 3) That the exterior color matches that to the adjacent building directly to the north.

The Final Site Plan was Conditionally Approved by the Plan Commission at their June 14, 2017 meeting. The Conditional Approval included the below conditions that the applicant must satisfy:

- 1) The applicant must meet light and ventilation code requirements. Applicant has agreed to make changes to the back of the building fenestration to satisfy this requirement if necessary. These changes in fenestration will be administratively approved by the Building Official and City Planner.

The Final Site Plan was Conditionally Approved by Hamtramck City Council at their June 27, 2017 meeting through Resolution 2017-52.

At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). RTAB approved Resolution 2017-52 at their July 25, 2017 meeting.

Status: Building permits approved through the Building Department. Construction not commenced. Applicant contacted Building Department about adding a full basement. No submission yet on basement.

Edward Wolyniec, Edwin Moran Textiles, 2705 Caniff Street Special Land Use Approval, Mixed-Use

The special land use request to permit a mixed-use commercial and residential use to operate in the Multi-Use District (C2) at 2705 Caniff Street was approved by the Hamtramck Plan Commission on May 10, 2017.

The Special Land Use was approved by City Council at their May 23, 2017 meeting through Resolution 2017-37.

At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). The RTAB approved Resolution 2017-37 at their June 27, 2017 meeting.

The City Planner filed a record of the Special Land Use Approval through Resolution 2017-37 at the Wayne County of Register of Deeds, per the requirements of the Hamtramck Zoning Ordinance.

Status: Occupied.

**Shakil Ahmed, SAPNA Catering Inc., 10027 Conant Street
Site Plan Review, New Construction**

Conditional Approval of the Preliminary Site Plan for new construction was granted by the Plan Commission in 2016. The Conditional Approval included:

- 1) Detention of the site must be addressed.
- 2) A survey of the property must be included in the final site plan, which shows the proposed new construction and existing neighboring structures (those located within 100 feet of the property) including building footprint/relationship.
- 3) Address the parking requirements set forth in the Ordinance by either meeting these requirements or attaining a variance from the Zoning Board of Appeals to waive the parking requirements.

These conditions were met in the Final Site Plan.

The Final Site Plan for the new construction for SAPNA Catering Inc. on the property located at 10027 Conant Street was approved by the Hamtramck Plan Commission on May 10, 2017.

The Final Site Plan was approved by Hamtramck City Council at their May 23, 2017 meeting through Resolution 2017-38.

At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). RTAB approved Resolution 2017-38 at their June 27, 2017 meeting.

Status: No building permits pulled yet. Construction not commenced.

**Zlatan Sadikovic, 10225 Joseph Campau Avenue
Site Plan Review, Alteration to Existing Building
Special Land Use Approval, Mixed-Use**

The Combined Preliminary and Final Site Plan for alteration to the existing building located at 10225 Joseph Campau was approved by the Hamtramck Plan Commission on May 10, 2017. The Hamtramck Plan Commission also approved a special land use request to permit a mixed-use commercial and residential use to operate in the Central Business District (CBD) at 10225 Joseph Campau.

The Final Site Plan and Special Land Use was approved by the Hamtramck City Council at their May 23, 2017 meeting through Resolution 2017-39 and Resolution 2017-40, respectively.

At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). RTAB approved Resolutions 2017-39 and 2017-40 at their June 27, 2017 meeting.

The City Planner filed a record of the Special Land Use Approval through Resolution 2017-40 at the Wayne County of Register of Deeds, per the requirements of the Hamtramck Zoning Ordinance.

Status: Permits pulled. Under construction.

Henry Velleman, 8422 Joseph Campau
Site Plan Review, Alteration to Existing Building and Site Redevelopment

The Combined Preliminary and Final Site Plan for 8422 Joseph Campau was Conditionally Approved by the Plan Commission meeting on June 14, 2017. The Conditional Approval included the below that the applicant must satisfy:

- 1) The applicant must meet the window requirements of the Zoning Ordinance;
- 2) The applicant must have the fence design administratively approved by the City. The applicant must submit a fence design which details site location and installation, design, materials, and color, to the City Planner and Building Official for review and approval.

The Combined Preliminary and Final Site Plan was conditionally approved by Hamtramck City Council on June 27, 2017 through Resolution 2017-51.

At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). RTAB approved Resolution 2017-51 at their July 25, 2017 meeting.

Status: No permits pulled. Construction not commenced.

Abdul Motlib, Al-Islah Islamic Center, 11301 Joseph Campau
Site Plan Review, Alteration to Existing Building

The Final Site Plan for a new exterior façade for 11301 Joseph Campau was Conditionally Approved by the Plan Commission meeting on June 14, 2017. The Conditional Approval included the below conditions that the applicant must satisfy:

- 1) The second floor windows are to be retained in the original size with window glass filling the entire window fenestration;
- 2) The second floor of the building and other areas not covered by stone veneer are to be painted a color which matches the first floor stone veneer.

The Final Site Plan was conditionally approved by Hamtramck City Council at their June 27, 2017 meeting through Resolution 2017-53.

At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). Resolution 2017-53 was approved by the RTAB at their July 25, 2017 meeting.

Status: Minor work continues. The plan came before the Plan Commission this year because the owner was not building what was indicated on their approved site plan. They came before the Plan Commission to have a new plan approved. Window issues not corrected yet. No major construction movement on this project. Project has been under construction for years.

Mohammed Alsomiri, 9808 Joseph Campau
Site Plan Review, Alteration to Existing Building

The Preliminary Site Plan for alterations to the existing building located at 9808 Joseph Campau was tabled and postponed by the Plan Commission on June 14, 2017. The applicant is to completely rework proposed exterior plans with the input of the City Planner and Building Official in order to be compliant

with the Hamtramck Zoning Ordinance, in addition to respecting the architectural character and style of the historic building and CBD.

Status: The City Planner met with the applicant and applicant’s architect several times to discuss an updated plan. The applicant has not resubmitted an updated plan or any drawings for review. No movement on the project. Building continues to deteriorate.

In addition, in the course of completing due diligence for the property located at 9808 Joseph Campau Avenue, Hamtramck, MI 48212, environmental reports and documents were located including, but not limited to, Phase I and Phase II Environmental Site Assessments (ESAs) and Baseline Environmental Assessments (BEAs). The property has documented Recognized Environmental Conditions (RECs) including a Vapor Encroachment Condition (VEC) as well as lead and asbestos, and may be environmentally contaminated.

**JAS Investment LLC, NuVue Foods, 8800 Conant Street
Site Plan Review, New Construction Addition and Alteration to an Existing Building and Site
Redevelopment**

The Combined Preliminary and Final Site Plan for a new addition, alteration to an existing building, and site redevelopment was approved by the Plan Commission at their July 12, 2017 meeting.

The Combined Preliminary and Final Site Plan was approved by Hamtramck City Council on July 25, 2017 through Resolution 2017-59.

At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). The RTAB approved Resolution 2017-59 at their August 22, 2017 meeting.

Status: No permits pulled yet. No construction commenced.

In addition, JAS Investment LLC, NuVue Foods applied for an Industrial Facilities Tax Exemption for the new construction. City Council approved the application for the tax exemption for seven (7) years on August 29, 2017 through Resolution 2017-68. This Resolution and accompanying processed materials were mailed to Michigan Department of Treasury State Tax Commission by the City Planner on September 11, 2017.

**Noaman Nagi, Alqublani LLC, 2950 Holbrook
Site Plan Review, New Construction (Dumpster Enclosure)**

The Combined Preliminary and Final Site Plan for construction of a new dumpster enclosure at 2950 Holbrook was approved by the Plan Commission at their meeting on December 13, 2017.

Status: The Combined Preliminary and Final Site Plan needs to be presented to City Council for review at their January 2018 meeting. At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). RTAB meeting is scheduled for January 2018. Meeting dates TBD.

**Ideal Islamic Center, 2715, 2721, 2727 Holbrook
Site Plan Review, New Construction Addition and Alteration to Existing Buildings**

At their December 13, 2017 meeting, The Plan Commission Conditionally Approved a Preliminary Site Plan only for 2715, 2721, 2727 Holbrook, with the understanding that the applicant come back to the Plan Commission for Final Site Plan Review after working with Markowicz and Williams to clarify materials, color, fenestration, and dumpster areas to be in compliance with the Zoning Ordinance.

Status: The applicant has met with the City Planner and Building Official to go over plans. The applicant is currently reworking the plans.

The applicant was granted a use variance for 2721 Holbrook for a religious/cultural use in 2012. The applicant has applied for a use variance for 2715 and 2727 Holbrook for the proposed expansion. The Zoning Board of Appeals will review the request at their January 2018 meeting.

Proposed Zoning Ordinance Amendments + Discussion

Plan Commission, Article III – 4.01. through 4.07. of Hamtramck Zoning Ordinance 497

The Plan Commission held a public hearing on March 8, 2017 to consider and afford the opportunity for input to be recorded on a proposed amendment to the Hamtramck Zoning Ordinance, with particular consideration of Commission ex officio membership and compliance with the Michigan Planning Enabling Act, Act 33 of 2008. The proposed amendment to the Hamtramck Zoning Ordinance was to eliminate the Plan Commission Administrative Official ex officio position. This amendment would change the Plan Commission membership composition to nine (9) total members, of which seven (7) are regular members and two (2) are ex officio (Mayor and Councilperson). The Plan Commission approved and recommended the Zoning Ordinance amendment as drafted, and to bring it before City Council for consideration. The first reading of the zoning ordinance amendment was read at the May 23, 2017 City Council meeting and the second reading occurred at the June 13, 2017 City Council meeting. The zoning ordinance amendment was passed by City Council as presented at their June 13, 2017 meeting through Ordinance No. 2017-04. At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). The RTAB approved Ordinance 2017-04 at their July 25, 2017 meeting.

Mixed-Use Commercial and Residential Use, Permitted Uses and Special Land Use Approval, Article VI – 1.02, 1.03., 2.02. and 2.03. of Hamtramck Zoning Ordinance 497

The Plan Commission held a public hearing on November 8, 2017 to consider and afford the opportunity for input to be recorded on a proposed amendment to the Hamtramck Zoning Ordinance, to permit mixed-use commercial and residential in Commercial Zoning Districts by right, rather than via special land use approval. The Plan Commission approved and recommended the Zoning Ordinance amendment to permit mixed-use commercial and residential uses by right in the CBD and C2 Commercial Districts with the provision that the commercial use activity occurs on the first floor proper frontage of the building. This needs to be drafted and presented to City Council for consideration, first and second readings, and public input.

Vehicle Dealer Use, Special Land Use Approval, Article VI – 1.03. and 2.03. of Hamtramck Zoning Ordinance 497

The Plan Commission held a public hearing on November 8, 2017 to consider and afford the opportunity for input to be recorded on a proposed amendment to the Hamtramck Zoning Ordinance and to discuss defining and permitting a vehicle dealer use. It is the professional opinion of the City Planner and City Attorney that a Vehicle Dealer use with outdoor storage of inventory cannot be categorized as Commercial Retail Sales and Service. As there is a demonstrated need for this use in the community, it is our responsibility to afford a means to operate this use in one or more zoning districts. The Plan Commission tabled the discussion for more review.

Rental/Banquet Hall Use, Permitted Uses and Special Land Use Approval, Article VI – 1.02, 1.03., 2.02. and 2.03. of Hamtramck Zoning Ordinance 497

The Plan Commission held a public hearing on November 8, 2017 to consider and afford the opportunity for input to be recorded on a proposed amendment to the Hamtramck Zoning Ordinance and to discuss defining and permitting a rental/banquet hall use. The Hamtramck Zoning Ordinance does not currently define or specifically identify this use, although there is a demonstrated need in the community. The Plan Commission tabled the discussion for more review.

Plan Commission Membership

The Plan Commission started off 2017 with one vacancy for an Administrative Official, Ex Officio. This position was technically vacant for years. Four members also had expired terms: Sean Coté, Scott Collins, Mohammed Islam, and Graem Whyte.

David Mischiu stepped down from the Commission to attend graduate school, leaving a vacancy for a regular member, effective May 11, 2017.

With the passing of Ordinance 2017-04 in July 2017, the Administrative Official, Ex Officio position was eliminated, leaving a vacancy for a regular member.

Graem Whyte stepped down from the Commission to allow for new members to be appointed, effective August 15, 2017.

Mayoral reappointments for Sean Coté, Mohammed Islam, and Scott Collins were processed through Resolution 2017-63 at the August 15, 2017 City Council meeting.

Thomas Habitz was appointed to the Plan Commission through Resolution 2017-64 and Tyler Shelton was appointed through Resolution 2017-65 at the August 15, 2017 City Council meeting. Habitz also serves on the Zoning Board of Appeals and serves as the one member of both public bodies.

At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). The RTAB approved Resolutions 2017-63, 2017-64, and 2017-65 at their September 26, 2017 meeting.

With terms expiring on January 1, 2018, Mayoral reappointments for Angela Gougherty and Shannon Lowell were processed through Resolution 2017-94 at the December 12, 2017 City Council meeting. At this time, all resolutions of City Council must also be approved by the Receivership Transition Advisory Board (RTAB). The RTAB review is forthcoming at their January 2018 meeting.

Current members, term expirations and attendance records are below.

| Plan Commissioner | Served Since | Term Expiration | 2017 Attendance | Overall Attendance <i>(since 2012)</i> |
|---------------------------------|--------------|-----------------|-----------------|---|
| Sean Coté | 2014 | 01/01/2020 | 100% | 87.5% |
| Thomas Habitz | 2017 | 01/01/2020 | 100% | 100% |
| Angela Gougherty | 2015 | 01/01/2021 | 100% | 100% |
| Shannon Lowell | 2012 | 01/01/2021 | 100% | 83.33% |
| Mohammed Islam | 2013 | 01/01/2019 | 42.86% | 61.54% |
| Scott Collins, Chair | 2007 | 01/01/2019 | 57.14% | 85.71% |
| Tyler Shelton | 2017 | 01/01/2020 | 100% | 100% |
| Mayor Majewski (Ex Officio) | 2006 | 12/31/2021 | 85.71% | 77.14% |
| Mayor Pro Tem Miah (Ex Officio) | 2014 | 12/31/2019 | 100% | 80.95% |

Plan Commission Training + Education Resources

The Plan Commission started off 2017 without educational resources.

The Plan Commission now has an American Planning Association Group Planning Board Membership. All Commissioners are full members of the American Planning Association (APA) national and Michigan local chapter. APA publishes most of the materials used to educate planning commissions, zoning boards, and boards of adjustment. In addition to *Planning* magazine — and its bimonthly supplement, *The Commissioner* — members have unlimited web access to current and archived publications of the Planning Advisory Service, APA's Research KnowledgeBase, and *Interact* (sources for news on contemporary planning practices). Members also enjoy the APA Library's E-book Collection and discounts on resources through the online store. APA publications, online programming, national and chapter conferences, and targeted training practices teach core lessons that help commissioners create consensus on controversial issues, decide on issues fairly, and sidestep legal pitfalls.

On February 16, 2017, the City Planner organized a two hour training on the Religious Land Use and Institutionalized Persons Act (RLUIPA) for the Plan Commission and Zoning Board of Appeals. City Council, the Downtown Development Authority, and Department Heads were also invited to attend. Materials provided included:

- Letter to Municipal Officials from the U.S. Department of Justice, Civil Rights Division, RE: RLUIPA, December 15, 2016
- Statement of the Department of Justice on the Land-Use Provisions of the Religious Land Use and Institutionalized Persons Act (RLUIPA)
- Report on the Tenth Anniversary of the Religious Land Use and Institutionalized Persons Act, U.S. Department of Justice, September 22, 2010
- Update on the Justice Department's Enforcement of the Religious Land Use and Institutionalized Persons Act: 2010-2016, U.S. Department of Justice, July 2016
- Public Law 106-274, Religious Land Use and Institutionalized Persons Act of 2000

An online training video was also provided to all members who could not attend, titled "Planning For Religious Land Uses in an Age of Religious Diversity and Lawsuits."

https://www.youtube.com/watch?v=ZqqWY_c46TI.

In addition to RLUIPA materials, each new Plan Commissioner is now provided the following materials as part of their onboarding:

- Plan Commission Membership Roster
- Plan Commission Meeting Schedule
- Ordinance 2017-04, Establishment of Plan Commission per recent amendment to Zoning Ordinance 497
- Hamtramck Zoning Ordinance 497
- Hamtramck Zoning Map
- Michigan Zoning Enabling Act, Act 110 of 2006
- Michigan Planning Enabling Act, Act 33 of 2008
- Michigan Open Meetings Act, Act 267 of 1976
- Michigan Freedom of Information Act, Act 442 of 1976
- Plan Commission Handbook from the Michigan Municipal League
- Plan Commission Meeting Minutes
- Hamtramck Master Plan

Observations + Recommendations

There were many more development projects and inquiries in 2017 than in recent years, requiring added resources and capacity to process and review each request. The Community and Economic Development Department is continually working to improve the development review process.

The Hamtramck Zoning Ordinance requires major amendments. Likewise, the Hamtramck Zoning Map also requires an analysis and potential updates. It is the Plan Commission's purview to recommend Zoning Ordinance amendments to City Council for consideration. However, these recommendations are slow to come before Council and are piecemeal. The following are major areas of the Hamtramck Zoning Ordinance that have occupied discussion and require review and amendment to be compliant with recent legal updates and rulings, the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities (RRC) Program, as well as to be more in line with the Hamtramck Master Plan, trends in healthy urbanism, and the context of our community (listed in no particular order).

- Signage Standards
- Parking Requirements
- Permitted Uses
- Replacement within the code of outdated language and removal/replacement of unnecessarily duplicative language/terminology throughout the code
- Mural and Public Art Standards
- Green Infrastructure Standards
- Vacant Land Uses
- Landscape Standards
- Architectural Standards
- Form-based Code
- Public Participation

Capacity is a major challenge to reviewing and recommending Ordinance amendments to City Council. The required changes are to such a large and expansive degree that ad hoc Ordinance amendments will not solve the immediate and long-term issues and needs associated with the Zoning Ordinance and Zoning Map. The Plan Commission recommends that a qualified consultant focus solely on rewriting the Hamtramck Zoning Ordinance and Map and consider incorporating form-based code. This will require a dedication of budgetary resources. These updates will ensure that the Zoning Ordinance not only reflects our community's needs and desired outcomes for the future, but that the City is compliant with the law.

Also of concern are properties which are deteriorating, blighted, and not being redeveloped. It is suggested that a Demolition by Neglect Ordinance is explored for potential adoption into the Code of Ordinances.

PASSED AND APPROVED BY THE PLAN COMMISSION OF THE CITY OF HAMTRAMCK, WAYNE COUNTY, MICHIGAN, THIS 3 DAY OF JANUARY, 2018.

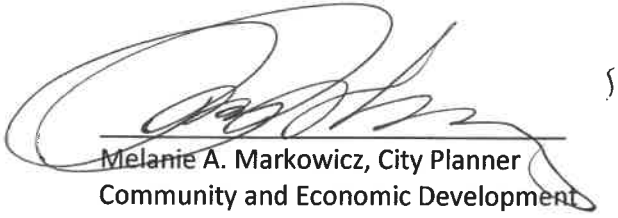
AYES: Majewski, Coté, Lowell, Gougherty, Shelton, Miah

NAYS: None

ABSTENTIONS: None

ABSENT: Habitz, Collins, Islam

ATTEST: None



Melanie A. Markowicz, City Planner
Community and Economic Development