

April 1st through November 30th for a period of three years (3) from the date of your Honorable Body's approval.

Respectfully submitted,

JOHN SAAD, P.E.

Engineering Services Coordinator
Planning & Development Department
By Council Member Benson:

Resolved That the Department of Public Works – City Engineering Division (DPW/CED) is hereby authorized and directed to issue a Use-permit to Temple Plaza Inc., d/b/a Loco's, Detroit "permittee", whose address is at 454 E. Lafayette, Detroit, Michigan 48226, to install and maintain an outdoor cafe, which will convene every April 1st through November 30th, for a period of three (3) years from the date of your Honorable Body's approval, contingent upon licensee of such premises obtaining approval of the Michigan Liquor Control Commission, if necessary, and compliance with applicable City Ordinance in connection with outdoor cafe activities, prior to the issuance of said use permit; and

Provided, That the cafe meets the regulations set by the "Outdoor Cafe Guidelines" as adapted by the City Council and guided by Chapter 58, Section 50-2-8.1 of the City Code; and

Provided, That said activities are conducted under the rules and regulations of the Department of Transportation, Department of Public Works and the supervision of the Police Department; and

Provided, That the sale of food and soft drinks is held under the direction and inspection of the Health Department; and

Provided, That the "permittee" remit the required annual fee(s) to DPW/CED for issuance of a use-permit and confirm license of the establishment in compliance with the City Code; and

Provided, That the "permittee", prior to obtaining said permit, file an indemnity agreement in a form approved by the Law Department, saving and protecting the City of Detroit harmless from any or all claims, damages or expenses that may arise by reason of the issuance of said permit and the faithful performance by the "permittee" of the terms thereof; and in addition, to pay all claims, damages or expenses that may arise out of the maintenance of said encroachments; and

Provided, That the filing of said indemnity agreement for this current year shall be construed as acceptance of this Resolution by the "permittee"; and

Provided, That the permit is revocable at the will, whim and caprice of the City Council; and hereby expressly waives any right to claim damages or compensation for removal of encroachment, and further, that "permittee" acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That no other rights in the public streets, alley or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the "permittee" at any time when so directed by City Council, and that the public property so affected shall be restored to a condition satisfactory to the DPW/CED by said "permittee" at its expense; and

Provided, That the permit shall not be assigned or transferred without a written approval of the City Council; and

Provided, That the designated outdoor seating area shall be properly identified through the use of railings in order to regulate and control the serving of liquor within the perimeter of the cafe; and

Provided, That if any tent, canopy or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building, Safety Engineering & Environmental Department and the Department of Public Works/City Engineering Division; and

Provided, That an administrative permit from the Department having jurisdiction over temporary encroachment on City right-of-ways must be secured on an annual basis; and

Provided, That all railing equipment and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

Provided, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense;

Adopted as follows:

Yeas — Council Members Ayers, Benson, Leland, Castaneda-Lopez, Sheffield, Spivey and President Jones — 7.

Nays — Tate — 1.

Planning & Development Department

April 26, 2016

Honorable City Council:

Re: Petition No. 1024 - Niki's Pizza for Outdoor Cafe Permit at 735 Beaubien.

The above named petitioner has requested permission for Outdoor Cafe Service. This service will convene every April 1st through November 30th, for a period of three (3) years, from the date of your Honorable Body's approval.

The Department of Public Works/City Engineering Division (DPW/CED) who has jurisdiction over temporary encroachment on City right-of-ways has approved this request contingent upon the petitioners compliance with applicable City ordinance related to outdoor cafe activities and the remittance of the annual use-permit fee to the Permit Section of the DPW/CED.

The Health Department has approved

this petition, subject to petitioner's strict adherence to the 1999 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from the Institute of Population Health Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor cafe area until the Detroit Police Liquor License Bureau has given approval.

The Planning and Development Department (P&DDS) is not aware of any objections from any other City Agencies involved. It is the recommendation of the P&DDS that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene every April 1st through November 30th for a period of three years (3) from the date of your Honorable Body's approval.

Respectfully submitted,

JOHN SAADI, P.E.

Engineering Services Coordinator
Planning & Development Department
By Council Member Benson:

Resolved, That the Department of Public Works – City Engineering Division (DPW/CED) is hereby authorized and directed to issue a Use-permit to Niki's Pizza, Detroit "permittee", whose address is at 735 Beaubien, Detroit, Michigan 48226, to install and maintain an outdoor cafe, which will convene every April 1st through November 30th, for a period of three (3) years from the date of your Honorable Body's approval, contingent upon licensee of such premises obtaining approval of the Michigan Liquor Control Commission, if necessary, and compliance with applicable City Ordinance in connection with outdoor cafe activities, prior to the issuance of said use permit; and

Provided, That the cafe meets the regulations set by the "Outdoor Cafe Guidelines" as adapted by the City Council and guided by Chapter 58, Section 50-2-8.1 of the City Code; and

Provided, That said activities are conducted under the rules and regulations of the Department of Transportation, Department of Public Works and the supervision of the Police Department; and

Provided, That the sale of food and soft drinks is held under the direction and inspection of the Health Department; and

Provided, That the "permittee" remit the required annual fee(s) to DPW/CED for issuance of a use-permit and confirm license of the establishment in compliance with the City Code; and

Provided, That the petitioner angle the

south corner of the patio at the alley as indicated in the attached drawing approved by DPW and repair all the identified broken sidewalks at the petitioner's own expense; and

Provided, That the "permittee", prior to obtaining said permit, file an indemnity agreement in a form approved by the Law Department, saving and protecting the City of Detroit harmless from any or all claims, damages or expenses that may arise by reason of the issuance of said permit and the faithful performance by the "permittee" of the terms thereof; and in addition, to pay all claims, damages or expenses that may arise out of the maintenance of said encroachments; and

Provided, That the filing of said indemnity agreement for this current year shall be construed as acceptance of this Resolution by the "permittee"; and

Provided, That the permit is revocable at the will, whim and caprice of the City Council; and hereby expressly waives any right to claim damages or compensation for removal of encroachment, and further, that "permittee" acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That no other rights in the public streets, alley or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the "permittee" at any time when so directed by City Council, and that the public property so affected shall be restored to a condition satisfactory to the DPW/CED by said "permittee" at its expense; and

Provided, That the permit shall not be assigned or transferred without a written approval of the City Council; and

Provided, That the designated outdoor seating area shall be properly identified through the use of railings in order to regulate and control the serving of liquor within the perimeter of the cafe; and

Provided, That if any tent, canopy or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building, Safety Engineering & Environmental Department and the Department of Public Works/City Engineering Division; and

Provided, That an administrative permit from the Department having jurisdiction over temporary encroachment on City right-of-ways must be secured on an annual basis; and

Provided, That all railing equipment and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

Provided, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense;

Adopted as follows:
Yeas — Council Members Ayers, Benson, Leland, Castaneda-Lopez, Sheffield, Spivey and President Jones — 7.

Nays — Tate — 1.

PERMIT

Honorable City Council:
To your Committee of the Whole was referred Petition of Daughters of Dominion (A.N.E.W., LLC) (#1078), request to host "Detroit 1000 Wailing Women Prayer Walk" on June 11, 2016 from 11:00 am to 3:00 pm on Woodward Ave. between 6 Mile and 8 Mile. After consultation with the Mayor's Office and careful consideration of the request, your Committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
JANE E AYERS
Chairperson

By Council Member Ayers:

Resolved, That subject to approval of the Business License Center, DPW - City Engineering Division, and the Police Department, permission be and is hereby granted to Petition of Daughters of Dominion (A.N.E.W., LLC) (#1078), request to host "Detroit 1000 Wailing Women Prayer Walk on June 11, 2016 from 11:00 am to 3:00 pm on Woodward Ave. between 6 Mile and 8 Mile.

Provided, That the sale of food and soft drinks is held under the direction and inspection of the Health Department, and further

Provided, That required permits be secured should any tents or temporary installations such as Liquefied Petroleum Gas Systems be used, and further

Provided, That the site be returned to its original condition at the termination of its use, and further

Provided, That petitioner assumes full responsibility for installation and removal of the banners, and further

Provided, That such permission is granted with the distinct understanding that petitioner assumes full for any and all claims, damages or expenses that may arise by reason of the granting of said petition, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members Ayers, Benson, Leland, Castaneda-Lopez, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 4), per motions before adjournment.

PERMIT

Honorable City Council:
To your Committee of the Whole was referred Petition of Detroit Greenways Coalition (#1073), request to host the "Bike to Work Day" at the Coleman A. Young Municipal Center on May 20, 2016 from 7:00 am to 9:00 am. After consultation with the Mayors Office and careful consideration of the request, your Committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
JANE E AYERS
Chairperson

By Council Member Ayers:

Resolved, That subject to approval of the Detroit Building Authority, Police Department, DPW-City Engineering Division and Transportation Department; permission be and is hereby granted to Petition of Detroit Greenways Coalition (#1073), request to host the "Bike to Work Day" at the Coleman A. Young Municipal Center on May 20, 2016 from 7:00 am to 9:00 am.

Provided, That same be conducted under the rules and regulations of the concerns departments and the supervision of the Police Department, and further

Provided, That the site be returned to its original condition at the termination of its use, and further

Provided, That such permission is granted with the distinct understanding that petitioner assumes full for any and all claims, damages or expenses that may arise by reason of the granting of said petition, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members Ayers, Benson, Leland, Castaneda-Lopez, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

PERMIT

Honorable City Council:
To your Committee of the Whole was referred Petition of Pewabic Society, Inc. (#1096), to hold the "26th Annual Pewabic House and Garden Show." After consultation with the Mayor's Office and careful consideration of the request, your Committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
JANE E AYERS
Chairperson

By Council Member Ayers:

Resolved, That subject to approval of the Buildings and Safety Engineering & Environmental, Business License Center,