

report and recommendation of the Planning and Development Department, dated October 24, 2014.

Respectfully submitted,
 ALTON JAMES
 Chairperson
 MARCELL R. TODD, JR.
 Director

**DETROIT MASTER PLAN
 OF POLICIES
 MASTER PLAN CHANGE # NINE
 A RESOLUTION TO AMEND THE
 DETROIT MASTER PLAN
 OF POLICIES IN THE
 VICINITY OF THE WOODWARD
 AVENUE /1-75 FREEWAY
 INTERSECTION TO
 ACCOMMODATE THE DEVELOPMENT
 A 20,000-SEAT ARENA ALONG WITH
 RESIDENTIAL AND COMMERCIAL
 USES**

By Council member Tate:

WHEREAS, The Detroit Master Plan of Policies, adopted July 28, 2009, consists of policies and methods for improving the City of Detroit as a place for people to live and work based upon their needs and desires; and

WHEREAS, The Detroit Master Plan of Policies is approved and adopted as a major reference for evaluating proposed development activities and/or action programs such as neighborhood plans, urban renewal plans, zoning amendments, property acquisition or disposition, and construction of public or private facilities; and

WHEREAS, The Detroit Master Plan of Policies is continuously studied and amended as needed to reflect the desires of residents, businesses, and industries of the City of Detroit; and

WHEREAS, the Planning & Development Department requests that the future general land use in the Master Plan of Policies be amended for the area northwest of the intersection of Woodward Avenue and the 1-75 Freeway; and

WHEREAS, the proposed Amendment will accommodate the development of a 20,000 seat arena;

WHEREAS, the proposed development project will redevelop a vacant area and created a link between the downtown and the mixed-use sections of Midtown;

NOW, THEREFORE, BE IT RESOLVED, The Detroit Master Plan of Policies is amended as follows:

1. The only map to be modified is the Neighborhood Cluster 4, Lower Woodward Neighborhood Area Map 4-5B: for the area bounded by Sprout Street, Woodward Avenue, the I-75 Service Drive, and Clifford Street/Cass Avenue which is now shown as "MRC", Mixed-Residential/Commercial; map is changed to show "CS", Special Commercial.

Adopted as follows:

Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 9.

Nays — None.

**Housing and
 Revitalization Department**

January 8, 2018

Honorable City Council:

Re: Resubmitted Petition #1673 — Starbucks Café to Establish a Temporary Outdoor Café at 1114 Washington Boulevard.

The above-referenced petition was originally before your Honorable Body on July 25, 2017, and due to an objection by the Buildings, Safety, Engineering & Environmental Department (BSEED), the petition was not passed. Since that time, the petitioner has met all of its obligations with BSEED and is now ready to move forward with the above request for a Temporary 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 at the above-referenced location.

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 petitioner's 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 Petitioner shall remove fence and all equipment for the Outdoor Cafe by the end of Outdoor Cafe Season.

The Health Department has approved this petition, subject to the 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 Health Department's 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 Housing & Revitalization Department (H&RD) is not aware of any objections from any other City Agencies involved. It is the recommendation of H&RD that the petitioner's request be granted, subject to the terms and conditions provided in the attached resolution.

Respectfully submitted,
 JOHN SAAD, P.E.

Engineering Services Coordinator

By Council Member Tate:

RESOLVED, That the Department of Public Works — City Engineering Division (DPW/CED) is hereby authorized and directed to issue a use-permit to Starbucks Cafe, Detroit "Permittee", whose address is at 1114 Washington Boulevard, Detroit, Michigan, 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 adopted by the City Council and guided by Chapter 58, Section 50-2-8.1 of the City Code; and

PROVIDED, That the petitioner obtains all necessary licenses and permits every year from Departments having jurisdiction over the Outdoor Cafe process; and

PROVIDED, That the petitioner obtains all necessary permits and Certificate of Occupancy from the Building, Safety, Engineering and Environmental Department (BSEED); 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 Detroit 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 the outline and location of the outdoor cafe is not to be different from the site plan approved by the Housing & Revitalization Department and the Department of Public Works; 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 the outline and location of outdoor cafe is not to be different from previously approved site plan by the Historic District Commission; 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, Castañeda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 9.

Nays — None.

Planning & Development Department
January 3, 2018

Honorable City Council:
Re: Real Property at 3414 Fourth Street, Detroit, MI 48201.

The City of Detroit Planning and Development Department ("P&DD") has received an offer from 830 Peterboro, LLC, a Michigan Limited Liability Company ("Offeror") requesting the conveyance by the City of Detroit (the "City") of the real property, having a street address of 3414 Fourth, Detroit, MI 48201 (the "Property").

The P&DD entered into a Purchase Agreement dated December 21, 2017