

Adopted as follows:
Yeas — Council Members Bates, S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Pro Tem. K. Cockrel, Jr. — 7.
Nays — None.

**Department of Public Works
City Engineering Division**

October 17, 2005

Honorable City Council:
Re: Petition No. 3438 — “Callewaert Marketing Services”, requesting for the outright vacation of the commercial alley in the area of Gratiot Avenue, Peter Hunt Avenue, and Bessemore Avenue.

Petition No. 3438 of “Callewaert Marketing Services”, at 21711 West Ten Mile Road, Suite 200, Southfield, Michigan 48075, for Alexander and Homung Food Products, request for the

outright vacation of the Southerly portion of the North-South public alley, 16 feet wide, in the block bounded by Gratiot Avenue, 120 feet wide, Vinton Avenue, 60 feet wide, Bessemore Avenue, 50 feet wide, and Peter Hunt Avenue, 50 feet wide, for the construction of a new addition to their existing building founded in the year 1945.

The request was approved by the Planning and Development Department, the Solid Waste Division — DPW, and the Traffic Engineering Division — DPW. The petition was referred to the City Engineering Division — DPW for investigation (utility clearance) and report. This is our report.

The Detroit Water and Sewerage Department (DWSD) reported there is an existing sewer in said alley that must remain in service unless the petitioner owns all of the property served by the

sewer. Otherwise DWSD can agree to the requested outright vacation only if DWSD is granted an easement for their facilities.

DTE Energy Gas and Electric reported there is an existing 4-inch Cast Iron gas main in the said alley, and can prepare a cost for the removal and/or rerouting of gas services; Also DTE reported a cost of \$30,500.00 for the removal and/or rerouting of electric services.

All other city departments and private utility companies have reported no objections to the requested outright vacation.

I am recommending adoption of the attached resolution.

Respectfully submitted,
WILLIAM TALLEY
Head Engineer

City Engineering Division — DPW
By Council Member McPhail:

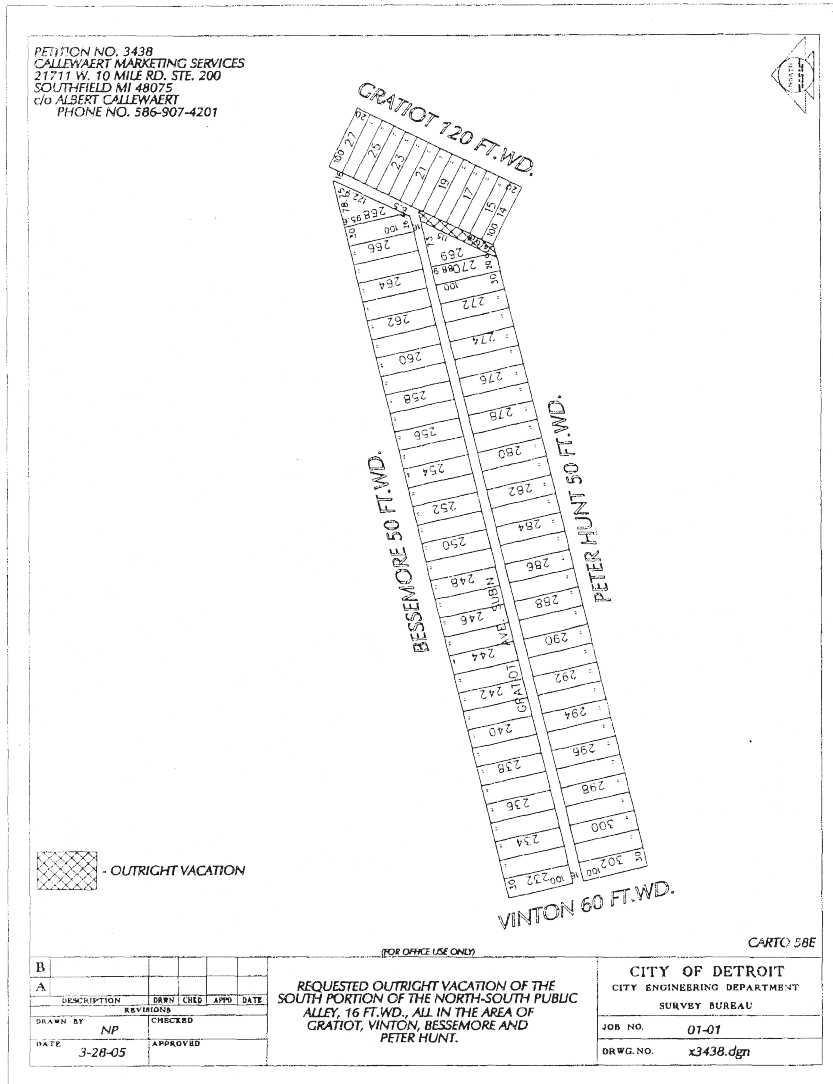
Resolved, All that part of the North-South public alley, 16 feet wide, lying Easterly of and abutting the East line of Lot 269 and abutting the Southeast line, 14.60 feet, of Lot 270, and lying Westerly of and abutting the West line of Lots 14

through 19, both inclusive, and that portion abutting Lot 20 lying South of a line beginning at the Northeasterly corner of said lot 269 and ending at a point in the Westerly line of said Lot 20 said point being 9.60 feet Northerly of the Southwesterly corner of Lot 20 all in the "Bessenger and Moore's Gratiot Avenue Subdivision on Section 22 known as P.C. 12" T. 1. S. R. 12. E., Hamtramck (now Detroit), Wayne County, Michigan as recorded in Liber 26 Page 55, Plats, Wayne County Records.

Be and the same is hereby vacated (outright) as a public right-of-way to be come part and parcel of the abutting property, subject to the following provisions;

Provided, That satisfactory arrangements are made with DTE Energy Gas and Electric for the removal and/or rerouting of gas and electric services, and be it further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



Adopted as follows:
 Yeas — Council Members Bates, S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Pro Tem. K. Cockrel, Jr. — 7.
 Nays — None.

City Planning Commission
 October 17, 2005

Honorable City Council:
 Re: Request of the Alpha Restaurant Group to receive PD (Planned Development District) site plan approval in order to construct a restaurant on the southwest corner of West Seven Mile Road and Monte Vista Avenue (Revised Resolution Recommending Approval with Conditions).

The City Planning Commission submitted a report dated September 6, 2005 to your Honorable Body recommending "approval with conditions" of the Alpha

Restaurant Group's proposal to build a Captain D's Seafood restaurant on the south side of West Seven Mile Road between Meyers Road and Monte Vista Avenue. The report appeared as a line item on Council's September 14, 2005 daily calendar. At that time, Council Member JoAnn Watson asked for written confirmation from the Monte Vista Block Club regarding its position on the proposed project.

On September 22, 2005, the Monte Vista Block Club Board met to discuss the project and submitted a letter dated September 28, 2005 to Council Member Watson (the letter is attached for reference). This letter states in part that the majority of the board is not in support of the Captain D's restaurant with reasons listed in the letter. The letter also states that if Council considers approving the project that the developer agree in writing