



# Plymouth Downtown Development Authority Meeting Agenda July 10, 2023 7:00 p.m. Plymouth City Hall & Online Zoom Webinar

Plymouth Downtown Development Authority  
831 Penniman  
Plymouth, Michigan 48170

[www.downtownplymouth.org](http://www.downtownplymouth.org)  
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Join Zoom Webinar: <https://us02web.zoom.us/j/85866540855>

Webinar ID: 858 6654 0855

Passcode: 437921

**1) CALL TO ORDER**

*Kerri Pollard, Chairperson  
Andre Martinelli, Vice Chair  
Nick Moroz, Mayor  
Jack Ayoub  
Ellen Elliott  
Brian Harris  
Richard Matsu  
Dan Johnson  
Patrick O'Neill  
Shannon Perry  
Paul Salloum*

**2) CITIZENS COMMENTS**

**3) APPROVAL OF THE AGENDA**

**4) APPROVAL OF MEETING MINUTES**

- A. Regular Meeting 5-8-2023
- B. Regular Meeting 6-12-2023

**5) BOARD COMMENTS**

**6) OLD BUSINESS**

- A. Strategic Plan Update

**7) NEW BUSINESS**

- A. 2024 Outdoor Dining Policy

**8) REPORTS AND CORRESPONDENCE**

**9) ADJOURNMENT**

*Citizen Comments - This section of the agenda allows up to 3 minutes to present information or raise issues regarding items not on the agenda. Upon arising to address the Board, speakers should first identify themselves by clearly stating their name and address. Comments must be limited to the subject of the item.*

*Persons with disabilities needing assistance with this should contact the City Clerk's office at 734-453-1234 Monday through Friday from 8:00 a.m. -4:30 p.m., at least 24 hours prior to the meeting. An attempt will be made to make reasonable accommodations.*

City of Plymouth Strategic Plan 2022-2026

**GOAL AREA ONE - SUSTAINABLE INFRASTRUCTURE**

**OBJECTIVES**

1. Identify and establish sustainable financial model(s) for major capital projects, Old Village business district, 35<sup>th</sup> District Court, recreation department, and public safety
2. Incorporate eco-friendly, sustainable practices into city assets, services, and policies; including more environmentally friendly surfaces, reduced impervious surfaces, expanded recycling and composting services, prioritizing native and pollinator-friendly plants, encouraging rain gardens, and growing a mature tree canopy
3. Partner with or become members of additional environmentally aware organizations
4. Increase technology infrastructure into city assets, services, and policies
5. Continue sustainable infrastructure improvement for utilities, facilities, and fleet
6. Address changing vehicular habits, including paid parking system /parking deck replacement plan, electric vehicle (EV) charging stations, and one-way street options

**GOAL AREA TWO – STAFF DEVELOPMENT, TRAINING, AND SUCCESSION**

**OBJECTIVES**

1. Create a 5-year staffing projection
2. Review current recruitment strategies and identify additional resources
3. Identify/establish flex scheduling positions and procedures
4. Develop a plan for an internship program
5. Review potential department collaborations
6. Hire an additional recreation professional
7. Review current diversity, equity, and inclusion training opportunities
8. Seek out training opportunities for serving diverse communities

**GOAL AREA THREE - COMMUNITY CONNECTIVITY**

**OBJECTIVES**

1. Engage in partnerships with public, private and non-profit entities
2. Increase residential/business education programs for active citizen engagement
3. Robust diversity, equity, and inclusion programs
4. Actively participate with multi-governmental lobbies (Michigan Municipal League, Conference of Western Wayne, etc.)

**GOAL AREA FOUR - ATTRACTIVE, LIVABLE COMMUNITY**

**OBJECTIVES**

1. Create vibrant commercial districts by seeking appropriate mixed-use development, marketing transitional properties, and implementing Redevelopment Ready Communities (RRC) practices
2. Improve existing and pursue additional recreational and public green space opportunities and facilities for all ages
3. Develop multi-modal transportation plan which prioritizes pedestrian and biker safety
4. Improve link between Hines Park, Old Village, Downtown Plymouth, Plymouth Township, and other regional destinations
5. Maintain safe, well-lit neighborhoods with diverse housing stock that maximizes resident livability and satisfaction
6. Modernize and update zoning ordinance to reflect community vision
7. Implement Kellogg Park master plan



# Plymouth Downtown Development Authority

## Regular Meeting Minutes

### Monday, May 8, 2023, 2023 - 7:00 p.m.

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City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

[www.plymouthmi.gov](http://www.plymouthmi.gov)  
Phone 734-453-1234  
Fax 734-455-1892

#### 1. CALL TO ORDER

Chair Kerri Pollard called the meeting to order at 7:00 p.m.

Present: Chair Pollard, Vice Chair Andre Martinelli, Mayor Nick Moroz, Members Jack Ayoub, Ellen Elliott, Scott Foess, Brian Harris, Richard Matsu, Patrick O'Neill, Shannon Perry

Excused: Member Dan Johnson

Also present: Economic Development Director John Buzuvis, DDA Director Sam Plymale

#### 2. CITIZENS COMMENTS

There were no citizen comments.

#### 3. APPROVAL OF THE AGENDA

Moroz offered a motion, seconded by Martinelli, to approve the agenda for Monday, May 8, 2023.

There was a voice vote.

MOTION PASSED

#### 4. APPROVAL OF THE MEETING MINUTES

Martinelli offered a motion, seconded by Moroz, to approve the minutes of the April 10, 2023 meeting.

There was a voice vote.

MOTION PASSED

#### 5. BOARD COMMENTS

Elliott thanked those involved in the recent Artisan Market and Mental Health Fair. She said she asked the City to revise its special events policy to address vendor trash.

Foess said this would be his last meeting because he was resigning due to the time commitment.

#### 6. OLD BUSINESS

a. DDA Action Plan Update

Plymale provided the following updates:

- The Art Walk has been installed, except for one item at Sun and Snow.
- All of the artwork for the DIA Inside Out program has been installed.
- The design of the new website is in the final stages.

#### 7. NEW BUSINESS

a. 2023 Central Parking Deck Renovation Project Bid Award

Plymale reviewed the bid tabulation sheet and noted that RAM Construction has worked on the deck in the past.

The following motion was offered by Moroz and seconded by Martinelli.

WHEREAS The upkeep of the Central Parking Deck is the responsibility of the Downtown Development Authority; and

WHEREAS In November of 2022, the DDA Board approved project engineering for the 2023 Central Parking Deck Renovation Project by Fishbeck at a cost of \$45,500 for what are termed high and moderate priority repairs to the Central Parking Deck, including concrete repairs, joint repairs, and sealant repairs; and

WHEREAS A bid process resulted in RAM Construction of Livonia, MI, the low bid of \$167,995 among three companies that submitted proposals for construction; and

WHEREAS RAM Construction Services has provided quality work in previous renovation projects on the Downtown Plymouth Central Parking Deck.

NOW THEREFORE BE IT RESOLVED THAT the City of Plymouth Downtown Development Authority Board of Directors does hereby authorize DDA staff to contract with RAM Construction Services of Livonia, MI, for rehabilitation work on the Central Parking Deck in the total amount of \$167,995 for construction work, with an additional \$25,200 for contingency and \$4,500 for materials testing. Total approval for construction, contingency and materials testing is up to \$197,695. Funding will come from Acct. No. 405 290 977 813.

Board members expressed frustration that the DDA must keep spending money on the 40-year-old structure instead of building a new one. Fishbeck Engineer Justin Thompson said a typical parking deck has a lifespan of 60 years. He recommended a cost-benefit analysis of continuing to repair vs. building a new deck. Moroz said the City Commission was expecting a report from the administration on paid parking, including what the revenue could do to improve parking.

There was a voice vote.

MOTION PASSED

b. Church Street Parking Spaces Recommendation

The following motion was offered by Elliott and seconded by O'Neill.

WHEREAS The Plymouth DDA has a Strategic Plan Goal to Improve Parking in the downtown district by maximizing the amount of parking spaces; and

WHEREAS There is space along eastbound Church Street just west of Main Street for the potential addition of some on-street parking spaces; and

WHEREAS The City Commission has requested input from the DDA Board before proceeding with additional due diligence on the potential project.

NOW THEREFORE BE IT RESOLVED THAT the Plymouth Downtown Development Authority Board of Directors recommends that the City Commission begin a due diligence process for the potential addition of on-street diagonal parking spaces on Church Street just west of Main Street.

Elliott suggested propagating some of the lilac bushes on the parcel and planting them elsewhere in the City.

Karen Sisolak, 939 Penniman, said it's a great use for the space, but there needs to be a crosswalk at the intersection of Church and Main St.

There was a voice vote.

MOTION PASSED

c. Recommendation for potential Property Acquisition – Delta Diamond Site

The following motion was offered by Moroz and seconded by Elliott.

WHEREAS The Plymouth DDA has a Strategic Plan Goal to Improve Parking in the downtown district by maximizing the amount of parking spaces; and

WHEREAS The Plymouth DDA has a Strategic Plan Goal to Support Businesses by expanding entertainment opportunities in the downtown district; and

WHEREAS The property commonly known as the Delta Diamond site at 895 W. Ann Arbor Trail is available for purchase; and

WHEREAS A pocket park with public parking would satisfy two tasks on the DDA's Five-Year Strategic Plan.

NOW THEREFORE BE IT RESOLVED THAT the Plymouth Downtown Development Authority Board of Directors recommends that the City Commission begin a due diligence process for a potential acquisition of the site located at 895 W. Ann Arbor Trail for the addition of public parking and a potential downtown pocket park.

Several ideas were discussed, including pursuing a parks and recreation grant and creating a social district in the pocket park. The cost of the property was mentioned as a concern, in particular if the DDA were required to pay for a portion.

Karen Sisolak, 939 Penniman, said the concept is good but it would be fiscally irresponsible to undertake this until the City has a plan that addresses long term parking. She added that the assessment process has already begun.

Ron Picard, 1373 Sheridan, said the City could buy the property for parking, then develop it later.

YES: Ayoub, Foess, Harris, Matsu, Martinelli, Perry, Moroz, Pollard

NO: Elliott, O'Neill

MOTION PASSED

**8. REPORTS AND CORRESPONDENCE**

There were no reports or correspondence.

**9. ADJOURNMENT**

Martinelli offered a motion, seconded by O'Neill, to adjourn the meeting at 7:59 p.m.

There was a voice vote.

MOTION PASSED

DRAFT



# Plymouth Downtown Development Authority

## Regular Meeting Minutes

### Monday, June 12, 2023, 2023 - 7:00 p.m.

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City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

[www.plymouthmi.gov](http://www.plymouthmi.gov)  
Phone 734-453-1234  
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#### 1. CALL TO ORDER

Chair Kerri Pollard called the meeting to order at 7:00 p.m.

Present: Chair Pollard, Vice Chair Andre Martinelli, Mayor Nick Moroz, Members Ellen Elliott, Brian Harris, Dan Johnson, Patrick O'Neill

Excused: Member Jack Ayoub, Richard Matsu, Shannon Perry

Also present: Economic Development Director John Buzuvis, DDA Director Sam Plymale

#### 2. CITIZENS COMMENTS

There were no citizen comments.

#### 3. APPROVAL OF THE AGENDA

Martinelli offered a motion, seconded by Moroz, to approve the agenda for Monday, June 12, 2023.

There was a voice vote.

MOTION PASSED

#### 4. APPROVAL OF THE MEETING MINUTES

Pollard offered a motion, seconded by Elliott, to table this item because the minutes of the May 8, 2023, meeting were not included in the meeting packet.

There was a voice vote.

MOTION PASSED

#### 5. BOARD COMMENTS

O'Neill questioned the height of outdoor dining structures.

Moroz thanked all involved in Music in the Air.

Elliott said she was working with Plymouth Pollinators to educate the community.

#### 6. OLD BUSINESS

There was no old business.

#### 7. NEW BUSINESS

- a. 2023-24 DDA Budget

The following motion was offered by Moroz and seconded by Martinelli.

WHEREAS The 2023–2024 DDA Budget has been presented by the DDA Director to the Plymouth City Commission for approval and adoption; and

WHEREAS The City Commission at its June 5, 2023 meeting approved of the DDA budget, in accordance with state law, as part of the overall city budget; and

WHEREAS The next step is formal approval by the DDA Board to show its support of the 2023-2024 fiscal year budget.

NOW THEREFORE BE IT RESOLVED THAT the City of Plymouth DDA Board does hereby adopt the budget as attached for the fiscal year beginning July 1, 2023.

City Finance Director John Scanlon was present to answer questions. Budget amendments and other taxing authorities within the DDA were discussed.

There was a voice vote.

MOTION PASSED

b. Third Quarter Budget Amendments

The following motion was offered by Moroz and seconded by Martinelli.

WHEREAS Certain expenditures require allocation to departments differently than originally projected in the 2022-2023 City Budget, as adopted; and

WHEREAS Revenue forecasts and expenditure patterns require modifications to the original budgetary allocations as established in June 2022.

NOW, THEREFORE BE IT RESOLVED that the 2022-2023 DDA Budget is hereby amended as indicated in the 3rd quarter amendments column of the attached Budget Adjustment Summary which is hereby made a part of this resolution.

BE IT FURTHER RESOLVED that the Finance Director is hereby authorized to make the line item changes necessary to implement these budgetary amendments.

**BUDGET ADJUSTMENT SUMMARY  
SECOND QUARTER - FY 22-23**

FUND DEPT/ACTIVITY	Approved Budget	1st Qtr. Amendments	2nd Qtr. Amendments	3rd Qtr. Amendments	4th Qtr. Amendments	Tot. All Amendments	Amended Budget
<b>DDA OPER FUND REV: #248</b>							
Property Taxes-Non School	1,135,110	-	-	26,400	-	26,400	1,161,510
Program Fees & Other	76,550	8,200	-	4,590	-	12,790	89,340
Appropriation of Surplus	-	48,245	-	(28,370)	-	19,875	19,875
<b>TOTAL REVENUES</b>	<b>1,211,660</b>	<b>56,445</b>	<b>-</b>	<b>2,620</b>	<b>-</b>	<b>59,065</b>	<b>1,270,725</b>
<b>DDA OPER FUND EXP: #248</b>							
Administration	348,125	10,000	-	2,600	-	12,600	358,725
Police Services	34,980	-	-	20	-	20	35,010
Parking System	54,120	-	-	-	-	-	54,120
Saxton Parking Facility	-	-	-	-	-	-	-
DDA Marketing	100,700	-	-	-	-	-	100,700
Streetscape Maintenance	312,220	-	-	-	-	-	312,220
Contrib to DDA Debt Funds	223,560	-	-	-	-	-	223,560
Contrib to DDA Cap Imp Fund	25,000	161,390	-	-	-	161,390	186,390
Contingency	114,945	(114,945)	-	-	-	(114,945)	-
<b>TOTAL EXPENDITURES</b>	<b>1,211,660</b>	<b>56,445</b>	<b>-</b>	<b>2,620</b>	<b>-</b>	<b>59,065</b>	<b>1,270,725</b>

**BUDGET ADJUSTMENT SUMMARY  
SECOND QUARTER - FY 22-23**

FUND DEPT/ACTIVITY	Approved Budget	1st Qtr. Amendments	2nd Qtr. Amendments	3rd Qtr. Amendments	4th Qtr. Amendments	Tot. All Amendments	Amended Budget
<b>DDA CAP IMP FUND REV: #405</b>							
Contrib & Other	25,050	161,390	-	-	-	161,390	186,440
Appropriation of Surplus	-	-	-	-	-	-	-
<b>TOTAL REVENUES</b>	<b>25,050</b>	<b>161,390</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>161,390</b>	<b>186,440</b>
<b>DDA CAP IMP FUND EXP: #405</b>							
Capital Improvements	25,000	161,390	-	-	-	161,390	186,390
Contingency	50	-	-	-	-	-	50
<b>TOTAL EXPENDITURES</b>	<b>25,050</b>	<b>161,390</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>161,390</b>	<b>186,440</b>

There was a voice vote.

**MOTION PASSED**

**c. 2023 Holiday Lights Maintenance Approval**

The following motion was offered by Moroz and seconded by Elliott.

**WHEREAS** The Downtown Development Authority Board has made it a priority to improve the aesthetics of Downtown with holiday lights in the downtown trees to improve the look and feel of Downtown; and

**WHEREAS** The City Commission allocated \$25,000 in the 2023-24 budget to maintain and replace the holiday tree lights in Downtown Plymouth; and

**WHEREAS** DDA Staff and contractor Holiday Lighting Service have identified \$15,065 in needed repairs on lights in trees in 2023 throughout the downtown.

**NOW THEREFORE BE IT RESOLVED THAT** as of July 1, 2023, the Downtown Development Authority Board hereby authorizes up to \$15,065 as payment to Holiday Lighting Service for the summer 2023 tree lights and maintenance of current lights throughout downtown. Funding for this effort is authorized from account # 248.820.933.000.

There was a voice vote.

MOTION PASSED

d. Downtown Plymouth Outdoor Dining Discussion

The group discussed the outdoor dining policy and provided administration with information they would like in an updated policy, especially as it concerns parklets. It was suggested that the policy include uniform architectural guidelines, and that fees be reviewed.

**8. REPORTS AND CORRESPONDENCE**

There were no reports or correspondence.

**9. ADJOURNMENT**

Martinelli offered a motion, seconded by O'Neill, to adjourn the meeting at 8:28 p.m.

There was a voice vote.

MOTION PASSED

DRAFT

2020-2024 Five-Year Action Plan

Rev. February 3, 2021

Goal	Task	Responsible Party	Timeframe	Funding Source	Status Update 7/6/2023
Improve Parking	<p><b>**Top Priority**</b>  <b>Improve condition, aesthetics, and/or functionality of existing parking lots by:</b>                      - Resurface existing lots that are in need (such as Liberty/Penniman lot, and lot at Harvey/Wing); consider lot re-configuration to improve flow, street edge and pedestrian connections as part of projects.                      - Design parking lot at Saxton's site</p>	DDA Staff/ DDA Board	Short-term		2023 Central Parking Deck renovation project nearly complete and 99% of parking is open. Crews to return after Art in the Park to finish project. No further disruptions to parking expected. Saxton's lot design complete and approved. Work expected later in 2023.
	<p>Finance parking lot maintenance and improvements via a paid parking system. Includes demolition/reconstruction of parking deck.                      -Decide on a direction for paid parking</p>	DDA Staff/ DDA Board	Short to Mid-term		COW meeting held on 4/3/2023 to inform boards of direction of parking, woonerf and patio updates. Economic Development Director John Buzuvis presented paid parking presentation to City Commission on 6/5/2023. Waiting on City Commission for next steps.
	<p><b>Maximize number of parking spaces</b></p>	DDA Staff	Short to Long-term		City Commission did not approve the DDA Board recommendation to add parking spaces on Church Street at the 6/5/2023 meeting.
Improve pedestrian safety	<p><b>**Top Priority**</b>                      Improve pedestrian crossings for safety (also goal of DDA Infrastructure Plan), alerting cars that pedestrian is in crosswalk, specifically:                      - At Penniman/Harvey, Harvey/AA Trail, and Main/Church St. intersections (coordinate with City Commission).                      - Increase size of waiting area at crossings.                      - Add alert system for cars as pedestrians enter walkways, especially at midblock crossings such as Main St. between AA Trail and Penniman, or on AA Trail @ Forest. Alerts could include pedestrian activated flashing lights; however, a system with flashing lights may not be appropriate downtown.                      -Identify locations for additional bike racks</p>	City Commission/ DDA Board	Short-term		New bike racks installed at City Hall and Kellogg Park. Additional bike racks planned in 2024 at Deer/Ann Arbor Trail and on Union near UBS. Pedestrian signal installation at Main Street crosswalk and Forest and Ann Arbor Trail crosswalk installed in 2022.
	<p><b>Maintain sidewalks for safety, making them pedestrian friendly by:</b>                      - Repair concrete where needed.                      - Replace tree grates (either overall or where needed).                      - Maintain/update pavers.                      - Extend sidewalks where needed.</p>	DDA Staff	Short-term		Tree grate areas repaired and filled with mulch in March. All 2023 brick work complete as of July 1. DMS Sidewalk/curb work later in 2023.
	<p>Plant trees (Also goal of DDA Infrastructure Plan) along sidewalks; replace trees in poor condition as identified; investigate organizations (Keep Plymouth Leafy) that supply/plant trees</p>	City Commission/ DDA Board	Mid-term		Trees on Penniman and Forest have rebounded and don't need replacement in 2023.

2020-2024 Five-Year Action Plan

Rev. February 3, 2021

Goal	Task	Responsible Party	Timeframe	Funding Source	Status Update 7/6/2023
	Improve street and alley lighting for safety; determine decorative lighting style for alleys (ex. illuminating artwork)	DDA Board/ DDA Staff	Mid to Long-term		New LED lights were installed in June to replace the damaged lights. Lights are intended to help illuminate areas of Fleet Street alley. Holiday Tree Light maintenance completed as of July 3. Addition maintenance possible in November.
	Improve alley "ambiance" via artwork to enhance appearance. Potential locations include DDA office alley, alley around parking structure, alley between theater & gathering area, and by St. Joes (near Subway)	DDA Board	Short-term		Plymouth Art Walk has been installed in all Phase 2 locations except Sun & Snow, which is expected to be fixed later this summer. DIA Inside Out installations installed on 5/4/2023. DDA Staff working with Plymouth Community Arts Council on programming for both Art Walks.
Kellogg Park	Install the new fountain.	DDA Staff	Short-term		COMPLETED
	<p><b>**Top Priority**</b></p> <p><b>Implement Kellogg Park Master Plan by:</b></p> <ul style="list-style-type: none"> <li>- Prioritize action items identified in Goal Setting Session (12-14-20)</li> <li>- Identify potential funding sources priority short-term action items.</li> <li>- Recommend City Commission adopt Kellogg Park Master Plan as an amendment to the Plymouth Five-Year Parks and Recreation Master Plan.</li> <li>- Submit grant application to MDNR to implement top action-item priorities of Kellogg Park Master Plan.</li> </ul>	City Commission/ DDA Board	Short to Long-term		City IT staff working on upgrading camera system in Kellogg Park and surrounding areas with completion expected later in 2023. DMS completed turf repairs and needed tree trimming in May 2023. Planters all planted as of June 1.
Support Businesses	<p><b>**Top Priority**</b></p> <p>Rethink café/outdoor dining policy to include:</p> <ul style="list-style-type: none"> <li>- Closing some streets.</li> <li>- Creating woonerf on Pennimal (in front of theater).</li> <li>- Create semi-permanent dining extension into parallel parking spaces.*</li> <li>- Expand entertainment opportunities in Kellogg Park and throughout downtown.</li> <li>- Create "Social District" for common outdoor liquor sales.</li> </ul> <p>*Approved by City Commission starting in April and extending through 2021.</p> <p>-Reach decision on outdoor dining plan and consider "parklets"</p>	City Commission/ DDA Board	Short-term		COW meeting on 4/3/2023 revealed information on future patio/woonerf possibilities. City Commission extended the platform program through 2023 dining season. Outdoor dining season started April 1. DDA to discuss future of Outdoor Dining at July meeting. DDA staff evaluating other communities social districts to determine future potential of a social district in Downtown Plymouth.
	Expand use of technology	DDA Board	Short to Mid-term		EV charging stations included in design of new parking lot at the Saxton's location. DDA Staff working on spotlight videos for downtown businesses. First few have been posted on DDA socials. More than 40 businesses have shown interest.

**2020-2024 Five-Year Action Plan**

Rev. February 3, 2021

Goal	Task	Responsible Party	Timeframe	Funding Source	Status Update 7/6/2023
	Engage with businesses to create artwork throughout the DDA	DDA Board/ DDA Staff	Short-term		Garage mural on hold until after major renovation of Central Parking Deck in 2023. MML grant denied. Staff to evaluate funding options later in 2023.
	Attract new businesses and engage with existing businesses	DDA Board/ DDA Staff	Short to Long-term		New website design launched May 25. Staff working on updating content before we move forward with publicity campaign. DDA, PCAC, Harris Conservatory, and Chamber partnering on Saturday Scenes event for street performers on Saturday evenings.



## Administrative Recommendation

**To:** DDA Board  
**From:** DDA Staff  
**CC:** S:\DDA\DDA Board\DDA Agendas\DDA Agendas 2023\July  
**Date:** 7/6/2023  
**Re:** Draft Outdoor Dining Policy Review

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### BACKGROUND:

As you are aware the Downtown Development Authority Board of Directors discussed, at their June meeting, the development of a single Outdoor Dining Area Policy that includes rules and requirements for both Sidewalk Café's as well as Platform dining. At that meeting the board discussed several items including pergolas, rail systems, materials, etc.

Ultimately, the City Commission is the approving body for the Outdoor Dining Area policy; however, the City Commission and administration want feedback from the DDA Board on the draft prior to the City Commission considering the language at their July 17<sup>th</sup> meeting. For sake of ease, written feedback from the DDA board members (in the form of an email and/or mark-up of a hard copy) is requested as it would be extremely helpful for the administration.

The administration has collaborated closely with members of the City Commission and done site-visits with some of them and incorporated their feedback into the enclosed draft policy.

The current sidewalk café policy was last revised in 2013. To give the establishments an indication of what to expect for outdoor dining allowances the enclosed draft policy is written with a commitment to a multi-year (5-6 years) program with potential minor tweaks along the way. Applicants make a significant investment in time, materials, and approvals (both local and state) to meet the requirements of our policies and many owners have requested a commitment on behalf of the city for a multi-year program understanding that an annual local application/approval is required.

The enclosed policy combines the current sidewalk café and platform dining policies into one policy. Additionally, the policy requires any/all outdoor dining areas to provide minimum clearances for pedestrian sidewalk passage directly adjacent to the front of their establishment as opposed to on the street side of their outdoor dining area. The policy also addresses pergolas, lighting, umbrellas, drainage, required live plantings etc.

Please contact John Buzuvis directly if you have questions in advance of the meeting.

**RECOMMENDATION:**

DDA Staff recommends that the DDA Board review and discuss the attached draft policy and formally recommend that the City Commission adopt the policy beginning in the 2024 Outdoor Dining Season. In addition, it is requested that if DDA Board members have any specific feedback about the draft policy, they should email administration their feedback to be passed along to Commissioners prior to the July 17 City Commission meeting.

# City of Plymouth

## Outdoor Dining Area Policy

Revised and adopted by the City Commission on \_\_\_\_\_

### History Outdoor Dining Area(s)

On Monday, May 18, 2020, the Plymouth City Commission passed a resolution authorizing City Administration to make additional public space available for use by dining establishments to expand their service area within the scope of the rules and regulations of the State of Michigan. In addition, the resolution designates public spaces in front of or on the side of a business as space available for use; this would include parking spaces.

In 2021, the City of Plymouth, once again, allowed dining establishments the ability to use public spaces adjacent to their business, including parking spaces for patio extensions.

In 2022, the City of Plymouth updated the program to reflect the changes in health orders, restrictions, etc. for the 2022 season. The city took feedback from the businesses in its creation of the 2022 City of Plymouth Patio Extension Program.

At the August 15, 2022, City Commission meeting, the City Commission authorized the extension of the 2022 program through the 2023 patio season. While the City of Plymouth continues its discussions on potential long term “parklets,” one idea that has been discussed by the business community related to outdoor dining and patio extensions is that of dining platforms.

### Fees and Permits

1. All proposed Outdoor Dining Area(s) shall submit an annual application depicting the location and layout of the outdoor dining area to the Community Development Department for approval. Approval of the application shall be subject to compliance with this policy and all applicable building codes.
2. Fees for Outdoor Dining Area(s) shall consist of an application fee and a fee based on the square footage of area used for the outdoor dining area, fees shall be determined by resolution of the City Commission.
3. Before receiving an Outdoor Dining Area permit, the applicant shall pay all required fees.
4. Prior to issuance of an Outdoor Dining Area permit, the City’s finance department shall verify that there are no outstanding fees owed to the City by the person or entity requesting an Outdoor Dining Area permit. An Outdoor Dining Area permit will not be issued until all outstanding debts to the City of Plymouth are paid in full.
5. It is the responsibility of the owner to maintain adherence to federal (including ADA requirements), state (including Michigan Liquor Control Commission), and local regulations. The city will not accept responsibility for any damage whether direct or implied because of the construction, installation, or operation of the outdoor dining platforms.
6. All outdoor dining area operations shall indemnify and hold the City free, clear, and harmless from any and all claims arising out of the operation of the outdoor dining area. The City shall be

added as a named insured on the application/operator's general liability insurance policy and provide the City with a copy of the certificate of insurance. The operator shall carry insurance in the amount of \$500,000 per person, per incident, for general and product liability and have umbrella coverage in the amount of \$1,000,000.

7. The City shall have the right to prohibit the operation of an outdoor dining area because of anticipated or actual problems or conflicts in the use of the business. Some problems may arise from, but are not limited to, festivals and similar events, parades, or repairs to the street, sidewalk or utilities within the public right of way. To the maximum extent possible, the outdoor dining area owner will be given prior written notice of any time period during which the operation of the outdoor dining area may be impacted.

## **Construction**

1. To provide the most flexibility and provide options for the food servicing establishments, the outdoor dining platform may be purchased as a kit from a vendor or constructed using raw materials so long as either option conforms to the guidelines listed below. This section does not attempt to address each and every option available but provides reasonable framework for the establishment to reference while planning and submitting the plan to the city for consideration and approval.
2. The dining platform structure must be constructed of quality materials, such as pressure treated wood, or wood composite, vinyl, metal, etc. The floor of the dining platform must be constructed out of a composite material or wood (such as lpe) in a neutral color such as brown or grey and reflect the characteristics of the restaurant or food establishment. The floor may also be constructed out of stone or tile in the same neutral colors as exemplified above.
3. Dining platform railings must be constructed of a rigid material (wrought iron, cast aluminum, steel, wood, composite, etc.) and be black, neutral, or a color matching the primary color of the building. Rails must meet specifications as defined by the MLCC for liquor serving establishments and any pertinent building codes. Rails must be attached securely to the platform and cannot be loose standing.
4. Dining furniture must be consistent with the quality and character of current outdoor dining permit furniture or other outdoor furniture commonly found in outdoor dining areas.
5. Umbrellas must be constructed of canvas/synthetic canvas material and be aesthetically compatible with the color scheme of the front building façade and contain no logo or advertising. Umbrellas when open shall be fully contained within the dining platform area and shall not hang over into any traffic lane and/or sidewalk area.
6. A pergola may be constructed as part of the outdoor dining area. The materials for the pergola must be consistent with the materials for the construction of the outdoor dining area. The maximum height of the pergola measured from the top of the platform to the top of the pergola shall not exceed nine feet (9').
7. Lighting in the style of tabletop or accessory lighting such as "string lights" will be allowed on the outdoor dining platform.

- Each outdoor dining platform shall contain a form of planter with live planting(s) maintained through the patio season (October 31). Planters with live plantings can be incorporated into the wall structure of the patio or be added on/hanging to the railing. Planting areas must account for 25% of the perimeter measurement of the patio area. For example, if the perimeter of the outdoor dining area measures 100', the planters must account for 25'. Please note that in the event the planters are hanging on the railing, the spacing will be measured from the edge of the planter to the nearest obstruction where applicable.

## Outdoor Dining Area Location and Placement

**A dining platform is an option available to food serving establishments with the following conditions:**

- A dining platform is an option for outdoor dining areas and is defined as a platform operated by an existing restaurant, bar, or other food serving establishment which sells food and beverage for immediate consumption, located on the adjacent parking space(s), alleys, streets, or other public property areas, for patrons and other persons, subject to design guidelines.
- The dining platform must only be accessible from the sidewalk area and not from the street. The platform area shall use readily removable tables, chairs, umbrellas, railings, and planters. The perimeter must be secured by a railing and open to the air, except for any coverage provided by umbrellas.
- Outdoor dining area facilities may extend in front of adjacent businesses if written consent is obtained, annually or upon any change of ownership, from the affected adjacent property owners. If the parking space in front of the applicant's frontage exceeds the width of the building, the applicant may request the use of the entire parking space, within reason.
- An inspection of all outdoor dining area(s) by the Community Development Department is required before opening the premises for use.
- Minimum clearances from the building to the outdoor dining area must be maintained during the patio season. They can be found in the table below:

Street	Boundary	Minimum Distance from Building to Outdoor Dining Area
Penniman	Main St. to Harvey St.	6 Feet
Main St.	Penniman to Ann Arbor Trail	9 Feet
Ann Arbor Trail	Main St. to Union/Deer St.	9 Feet
Ann Arbor Trail	Main St. to Harvey St.	6 Feet
Forest Ave	Ann Arbor Trail to Wing St.	7'6" Feet
Starkweather	Famer to train tracks	9 Feet

- The dining platform must leave no less than a two-foot (2') clearance offset on each end contained within the footprint of the designated parking spaces being used for the patio extension from adjacent parking spaces. A two-foot (2') clearance offset will apply to the side that faces the traffic.

7. A sidewalk only outdoor dining area must leave no less than a one- and one-half foot (1 ½') clearance from the top of the curb to the beginning of the outdoor dining area to allow for the opening of a car door.
8. The dining platform must be flush with the sidewalk or top of curb level. There may be no more than a ½ inch horizontal space between the curb/sidewalk and the edge of the dining platform. The outdoor dining area may be built in a continuous fashion that combines sidewalk and on street areas. The platform must provide a flat surface and match the slope of the existing street or 2%, whichever is less.
9. The dining platform shall not interfere with any public service facility or utility, such as telephone pole, light pole, traffic signal, tree, planter, mailbox, sign pole, mailbox, bench, planter, fire hydrant, etc. These elements may be incorporated into the design element of the platform as they are permanent fixtures in the city but will not be removed or relocated.
10. The dining platform must be designed and constructed in such a way to allow for the flow of storm water to run adjacent to the curb unobstructed.
11. The dining platform cannot be anchored into the street or existing curb.

The maximum number of outdoor dining seats in an outdoor dining area will be determined by a formula: The square footage divided by 8.5. For example: If the patio is 200-square-feet, divided by 8.5, the maximum number of seats is 24.

### **Operation and Maintenance**

1. The maintenance of the dining platform shall be the responsibility of the business owner including, but not limited to surface treatment and cleaning, litter control, rodent control, sweeping, and snow & ice removal. The sidewalk and public property shall be kept neat and clean and free from any substance that may cause damage to the sidewalk or public property (including parking spaces) or cause pedestrian injury.
2. Dining platforms must remain clear of litter, food scraps, and soiled dishes at all times. This includes areas on, around, next to, or underneath the platform. In addition, the outdoor dining area must remain clear of plates, cups, utensils, accoutrements, etc. when the outdoor dining platform is outside regular business hours. Chairs, tables, umbrellas, etc. must be kept contained and secured on the outdoor dining area and organized within reason at the end of each service day.
3. All alcoholic beverages to be served in an outdoor dining area shall be prepared within the existing restaurant, and alcoholic beverages shall only be served to patrons seated at tables. The operator of the outdoor dining area shall take all necessary action to procure the appropriate license(s) or permit(s) from the MLCC to serve alcoholic beverages on the dining platform and shall comply with all other laws and ordinances concerning the serving of alcoholic beverages in the state of Michigan.
4. The exterior of the premises shall be kept in a clean, orderly and maintained condition. Sidewalks shall be cleaned daily with water by the outdoor dining area operator to prevent buildup of dirt and grease. Each establishment with an outdoor dining area must sweep the frontage sidewalk clear of cigarette butts and garbage during hours of operation and following the closure of the

outdoor dining area for the evening. No remnants of cigarette butts or trash will be visible outside the establishment after closing.

5. Outdoor dining areas shall be permitted to operate for the period of April 1 to November 1 only and may be used only during operation hours of the applying establishment.
6. For liquor serving establishments, security cameras must be mounted on private property to give adequate coverage of the outdoor dining area. The specifications are attached and can be changed as technology changes. All cameras must have the approval of the Police Chief before being installed. That includes both the number of cameras needed and the specifications of the cameras to be installed. Each day's video recording must be saved for at least seven days. Upon request, establishments must make video available to the Police Department for investigations within 48 hours of the request. Failure to do so WILL result in immediate suspension of the outdoor dining area, AND revocation of the Outdoor Dining Area permit for the remainder of the season.
7. Outdoor dining areas shall be allowed to continue service until 11:00 pm, Sunday through Wednesday and be closed and clear at 11:30 pm. Outdoor dining areas shall be allowed to continue service until 12:00am (Midnight) on Thursday, Friday and Saturday and be closed and clear at 12:30am.
8. All food preparation shall be performed inside the premises.
9. Outdoor dining areas shall be permitted to serve alcohol only to patrons who are seated in the establishment's designated outdoor dining seating area.
10. Containers for cigarette butts must be made available to patrons outside each establishment with an outdoor dining area. The containers, free standing or attached to private property, must be located directly adjacent to the establishment and meet the standards and be approved by the Downtown Development Authority staff. No unauthorized containers, coffee cans or other receptacles are allowed.
11. Establishments with an outdoor dining area are only allowed to store and secure the number of seats allowed per establishment, tables and propane heaters each night. At the end of business, tables and chairs can be stacked against the wall, left standing in place or stored inside the establishment. Additional property, not limited to but including chair, tables, cleaning materials, are not allowed to be stored outside during or after outdoor dining hours.
12. Each establishment with an outdoor dining area on city property must have a 36-inch high by 24-inch wide sign attached to the fencing and/or the entrance of the outdoor dining area, noticeable to all patrons that reads:  
"Local City & State Ordinances for Outdoor Public Seating  
1. No smoking in the patio  
2. All patrons must be seated in the patio  
3. No pets allowed on the inside of the patio  
4. All alcohol must be brought across the sidewalk by an (establishment name) employee  
City Ordinances Pertaining to Hours of Operation  
Sunday-Wednesday  
Last call will be at 11 p.m. and all patrons must be inside by 11:30 p.m.  
Thursday-Saturday  
Last call will be at 12 a.m. and all patrons must be inside by 12:30 a.m."
13. Outdoor dining areas shall abide by the City's Noise Ordinance.

## General Regulations

1. Failure to comply with all state, county and municipal laws and this policy shall result in the immediate revocation of the outdoor dining area by the city.
2. All denials of applications and revocations of said authority to operate may be appealed to the City Commission, whose decision is final. (Note: The use of public right of way is subject solely to the control of the City Commission.)
3. Appeals of revocations shall stay further proceedings and the applicant shall be permitted to continue the outdoor dining area operation pending a decision by the City Commission. Provided, if a violation poses an immediate danger to the public's health, safety, or general welfare, the City Manager or his designee may order the suspension of all outdoor dining area operations pending a hearing and the applicant shall cease carrying on such activities pending such hearing.
4. All applicants, prior to being issued an Outdoor Dining Area permit, shall enter into a written contract whereby the City shall "permit" the operation and the owner/applicant shall acknowledge the conditions and the City's authority to revoke the permit upon failure to comply with any of the conditions set forth herein.

## Security System Requirements (Liquor Serving Establishments)

### Security System Specifications:

1. 1 terabyte or greater hard drive
  - a. Note: This hard drive sizing will give you the ability to capture more data at a higher resolution and hold that data for a longer duration.
2. "APP" for portable devices
  - a. Note: These apps give the operator the flexibility to view the system remotely from smart phones or other devices.
3. "USB" or "Flash Drive" ports.
  - a. Note: These ports give the operator the ability to transfer and capture data (ie: video) for future viewing.
4. Raid configuration ability:
  - a. Note: This feature gives the operator the option to add more hard drives for redundancy.
5. Remote "IP" address availability:
  - a. Note: This feature gives the operator the ability to view all cameras remotely through an offsite computer.
6. Balun / Cat 5 wiring:
  - a. Note: Using baluns gives the operator the ability to mount a camera anywhere regardless of location of a power source.

### Camera Specifications:

1. Outside camera no less than 600 lines of resolution.
  - a. Note: The higher the line resolution the more detailed the field will be. 700 lines are sufficient for lower "HD" quality.

### Working Example:

1. 700-1080 resolution.

- a. Note: When scanning or searching the hard drive for an issue the higher resolution camera will make it easier to identify your target while scanning in fast forward or rewind mode.
- 2. 3.1 millimeter lens
  - a. Note: This will give you the widest target area while maintaining clarity.
- 3. Infrared "LED" is at .1 lux.
  - a. Note: This gives you your brightness level at night. The lower the "lux" value the brighter the image.
- 4. 60-foot Throw
  - a. Note: Throw is target depth. The longer the throw the farther out your target area.

## Fee Schedule

Application Fee: \$ \_\_\_\_\_ per season  
Application Fee: \$ \_\_\_\_\_ per season non-liquor serving establishments with three or fewer tables  
Sidewalk Usage Fee: \$ \_\_\_\_\_ per square foot per season

DRAFT

**RESOLUTION**

The following Resolution was offered by Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_.

WHEREAS The current Outdoor Dining Policy was adopted in 2013 and needs updating, and

WHEREAS The City Commission has approved a separate platform dining policy through the 2023 season, and

WHEREAS City Administration has recognized the need to create one comprehensive Outdoor Dining Policy that includes updates to the current policy and the addition of platform dining rules and regulations,

WHEREAS The City Commission has requested DDA Board input on the new proposed Outdoor Dining Policy prior to adoption by the Commission.

NOW THEREFORE BE IT RESOLVED THAT the DDA Board recommends that the City Commission adopt the attached Outdoor Dining Policy to go into effect for the 2024 Outdoor Dining Season.