



## Legislation Text

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**File #:** 20-1419, **Version:** 1

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Resolution to Approve Outdoor Seating and Live Entertainment for Zal Gaz Grotto, 2070 West Stadium Boulevard, until October 31, 2020 as Special Event

Attached for your consideration is a resolution to approve outdoor seating and live entertainment for Zal Gaz Grotto at 2070 West Stadium Boulevard until October 31, 2020, consistent with an 2020 Limited Permanent Outdoor Service Approval Order from the Michigan Liquor Control Commission. As all restaurants in Michigan during the COVID-19 pandemic, Zal Gaz Grotto is required to limit their indoor seating capacity. City Council may designate certain dates and locations as special events, including any conditions and standards of conduct, as provided in Section 5.16.7.C of Chapter 55 (Unified Development Code).

The Unified Development Code does provide for Temporary Outdoor Sales in Section 5.16.6.K. Temporary Outdoor Sales are available in all mixed-use zoning districts (O, C1, C1A, C1B, C1A/R, D1, D2, C2B, C3) as accessory uses subject to five requirements. One requirement is that the temporary outdoor sales area may not exceed 10% of the business's floor area. Usually, the size restriction is not a limitation for sale tables or display areas, or a picnic table or two. However, during this pandemic, it is proving to be a significant barrier for restaurants attempting to move half of their seating capacity outdoors. Zal Gaz Grotto is a 6,000-square foot business and would be restricted to 600 square feet of Temporary Outdoor Sales area. However, the rear portion of the site is zoned P (Parking) district. None of the allowable temporary outdoor seating, and no other uses except for parking, can be located in the P district.

The Unified Development Code also allows Special Event Sales to be designed by resolution of City Council on certain dates and locations (Section 5.16.7.C). Both the Art Fairs and the University of Michigan home football games are standing special event sales dates and locations. The resolutions approving these Special Event Sales must include conditions and standards of conduct to be in force, but are open to what those conditions may be and what are the appropriate standards of conduct.

Zal Gaz Grotto is requesting a Special Event Sales designation until October 31, 2020, along with their already-approved Limited Permanent Outdoor Service Approval Order from the Michigan Liquor Control Commission, in an area up to 100 feet by 120 feet at the rear of their site. This will enable 14 four-person tables and a stage area for live entertainment.

To help the Council evaluate this request, staff asked several questions of the applicant. The questions and the applicant's responses (lightly edited for clarity) are as follows:

Question: What are the proposed outdoor activities?  
Response: Live music outside in the back parking lot.

Question: What are the date(s) and time(s) of the activities?  
Response: Friday, Saturday, Sunday, Monday and Tuesday from 6pm to 10pm, and Saturday 11am to 3pm.

Question: How many customers are expected?

Response: The proposed area can provide social distanced seating for 56 people.

Question: How will parking be accommodated?

Response: There are enough spaces in the front and side of the building for customer parking.

Question: How will the outdoor activity area be defined?

Response: Rope and flag barriers between wooden posts will outline and define the area.

Question: How will the outdoor activity impact adjacent neighbors?

Response: The live entertainment stage faces away from the neighbors to the north, toward the vacant building south of the site. There have been no complaints when similar events occurred in the past.

Question: How will any complaints be handled?

Response: Zal Gaz Grotto has been a good neighbor and member of the community for over 60 years and has always maintained good relationships with our neighbors. Any neighbor can contact us directly and we will take all concerns seriously and make any adjustments as necessary.

Prepared by: Alexis DiLeo, City Planner

Reviewed by: Brett Lenart, Planning Manager and Derek Delacourt, Community Services Area Administrator

Approved by: Tom Crawford, Interim City Administrator

Whereas, Zal Gaz Grotto is requesting a Special Event Sales designation to outdoor seating during the COVID-19 pandemic through October 31, 2020;

Whereas, The outdoor seating area and live entertainment space is up to 100 feet by 120 feet, exceeding 10% of the indoor floor area and located in a P (Parking) district;

Whereas, City Council may designate Special Event Sales as provided in Section 5.16.7.C of the Unified Development Code for certain dates and locations; and

Whereas, The outdoor seating area and live entertainment will enable this local business to provide their usual services in a socially distance manner for the health and safety of employees and customers;

RESOLVED, That City Council approves a Special Event Sales at 2070 West Stadium Boulevard for outdoor seating and live entertainment at the rear of the site until October 31, 2020 as shown on the attachments.

Sponsored by: Councilmembers Ramlawi and Smith