



## Resolution

NO. 58

A Resolution extending the boundaries of the city's previously designated Social District and modifying the State Street Commons Area, which will subsume the Jackson Street Commons Area.

**BATTLE CREEK, MICHIGAN - 2/2/2021**

**Resolved by the Commission of the City of Battle Creek:**

Via Resolution 160 dated July 21, 2020, the city designated a "Social District" and two associated "Commons Areas": State Street Commons Area and Jackson Street Commons Area, pursuant to Public Act 124 of 2020, specifically MCL 436.1551. In order to respond to the changing needs of current Social District Permittees and provide other qualified licensees with an opportunity to participate, the city seeks to extend the boundaries of the existing Social District, as well as to expand the boundaries of the State Street Commons Area in a manner which will subsume the Jackson Street Commons Area.

Therefore, the Battle Creek City Commission designates the below amended Social District, which may be used in accordance with Public Act 124 of 2020 by Qualified Licensees who are recommended to be granted a Social District Permit from the City Commission and are granted a Social District Permit from the State. The City of Battle Creek designated Social District shall be located as follows:

**CITY OF BATTLE CREEK SOCIAL DISTRICT:**

Beginning at the corner of Hamblin Avenue West and Division Street headed northeast along Division Street to Van Buren Street E., then northwest along Van Buren Street to United Way Drive, then south along United Way Drive to Michigan Ave. W., then northwest along Michigan Ave. W. bounded by the north edge of the sidewalk bordering Michigan Ave. W. to the north to Gould Street then returning southeast along Michigan Ave. W. bounded by the south edge of the sidewalk bordering Michigan Ave. W. to the south to Carlyle Street, then southwest along Carlyle to Jackson Street including city-owned parcels 0253-00-090-0 and 0254-00-086-0, then southeast along Jackson to McCamly Street, then southwest along McCamly to Hamblin Ave. then southeast along Hamblin to the point of origin.

**IT IS FURTHER RESOLVED**, that the following Commons Area shall be established within the aforementioned Social District, as depicted on the attached Appendix A and that the previously separately established Jackson Street Commons Area shall be eliminated, because its area is subsumed within the State Street Commons Area:

**State Street Commons Area:**

Beginning at the corner of Michigan Ave. W. and Division Street headed northeast along Division Street to Van Buren Street E., then northwest along Van Buren Street to United Way Drive, then south along United Way Drive to Michigan Ave. W., then northwest along Michigan Ave. W. bounded by the north edge of the sidewalk bordering Michigan Ave. W. to the north to Gould Street then returning southeast along Michigan Ave. W. bounded by the south edge of the sidewalk bordering Michigan Ave. W. to the south to Carlyle Street, then southwest along Carlyle to Jackson Street including city-owned parcels 0253-00-090-0 and 0254-00-086-0, then southeast along Jackson to McCamly Street, then southwest along McCamly to Hamblin Ave. then southeast along Hamblin to Capital Ave. SW., then northeast along Capital Ave. SW. to Michigan Ave. W., then southeast along Michigan Ave. W. to the point of origin, but excluding the licensed premises of any qualified licensee.

The Social District shall be operated and maintained in accordance with the attached Amended Management and Maintenance Plan. The City Manager may amend the City's Management and Maintenance Plan as deemed necessary to protect the health and safety of the community.

The City Manager may also amend the boundaries of the above designated Commons Area so long as it is located within the designated Social District and meets the qualifications set out in MCL 436.1551.

The Social District designation shall remain in effect until December 31, 2024 unless earlier terminated by City Commission resolution in accordance with the procedure set out in Public Act 124 of 2020.

I, Victoria Houser, City Clerk of the City of Battle Creek, hereby certify the above and foregoing is a true and correct copy of a Resolution adopted by the Battle Creek City Commission at a Regular meeting held on February 2, 2021.

*Victoria L. Houser*

Victoria Houser

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Battle Creek City Commission  
2/2/2021

## Action Summary

**Staff Member:** Jill Humphreys Steele, City Attorney

**Department:** City Attorney

### **SUMMARY**

A Resolution extending the boundaries of the city's previously designated Social District and modifying the State Street Commons Area, which will subsume the Jackson Street Commons Area.

### **BUDGETARY CONSIDERATIONS**

The City anticipates spending \$2,000 to provide signage defining the boundaries of the modified Social District and Commons area. There are adequate funds in the city's Economic Development Fund (G/L 599.50.6000) to cover the cost.

### **HISTORY, BACKGROUND and DISCUSSION**

At its July 21, 2020 City Commission meeting, the city authorized the designation of a Social District pursuant to Public Act 124 of 2020 and two associated Commons Areas. The City was one of the first three municipalities to take advantage of the public act and establish a Social District. The District allows qualified licensees who have also been granted a Social District Permit from the State, after recommendation by the City Commission, to provide alcohol in specially marked containers to customers for consumption within an established Commons Area.

Since the establishment of our local Social District, we have experienced increased demand for Social District Permits from new on-premises licensees such as Café Rica and have further evaluated the approach taken by other communities to establishing Social Districts and Commons Areas. As a result, and to better serve potential licensees, we are recommending a slight modification to our Social District boundaries and the expansion of our State Street Commons Area. The expansion of the Commons Area will allow new licensees in the downtown to qualify to apply for a Social District Permit and create a more attractive environment for users of the Commons Area by facilitating movement throughout the downtown including between licensees who have been granted a Social District Permit. The configuration supported by the recommended changes is common to what we are seeing in other communities and appears to be the preferred configuration of both users and licensees who have obtained, or seek to obtain, a Social District Permit. The expansion of the State Street Commons Area will subsume the area previously designated as the Jackson Street Commons Area, which has not had any applicants for a Social District Permit to operate within those confined boundaries.

### **POSITIONS**

The proposed modification to the State Street Commons Area has been reviewed by the Police Department and has their support and approval. Our downtown maintenance team, parking administrator and small business development team work closely with the licensees who have also been granted a Social District Permit to help keep the Commons Area clean and free of debris. We are preparing signage to delineate Commons Area boundaries and plan to have them in place prior to authorizing use of the expanded Commons Area.

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### **ATTACHMENTS:**

File Name	Description
<a href="#"><input type="checkbox"/> Social District map revised 1.28.21.pdf</a>	Revised Social District Map and Commons Area Descriptions
<a href="#"><input type="checkbox"/> Management and Maintenance Plan Rev JHS revised.docx</a>	Amended Management and Maintenance Plan for Commons Area