

Renville, 13347 Rosemary, 14731 Rosemary, 18459 Rosemont, 10930 Roxbury, 18444 Ryan, 15656 Saratoga, 227 W. Savannah.

2166 Scotten, 5740 Seminole, 15317 W. Seven Mile, 17301 W. Seven Mile, 3442 Sheldon, 15792 Snowden, 4706 Somerset, 16511 Sorrento, 17188 St. Mary's, 7485 St. Mary's.

7777 St. Mary's, 7825 St. Mary's, 7425 Stahelin, 469 W. State Fair, 15369 Steel, 20158 Stotter, 10616 Stratmann, 17170 Sunderland, 5119 Tillman, 21660 Thatcher.

4828 Three Mile Dr., 16104 Trinity, 19730 Trinity, 19757 Trinity, 4067 Tyler, 18418 Westmoreland, 11000 Whittier, 9350 Wildemere, 14939 Winthrop, 16618 Woodingham.

19131 Woodingham and 20473 Yacama for the purpose of giving the owner or owners the opportunity to show cause why said structure should not be demolished or otherwise made safe, and further

Resolved, That the Director of the Buildings, Safety Engineering and Environmental Department be and is hereby requested to have his department represented at said hearings before this Body.

Adopted as follows:

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

Nays — None.

**City of Detroit
City Council
Legislative Policy Division
October 27, 2016**

Honorable City Council:
Re: Developments to submit a storm water management plan.

On October 11, 2016, Council Member Raquel Castaneda-Lopez submitted a memorandum requesting the Legislative Policy Division to draft a resolution urging the administration to require all new developments, regardless of their size, to submit a storm water management land with their site plans.

Attached for your review and consideration is the requested resolution.

Respectfully submitted,
DAVID D. WHITAKER
Director

Legislative Policy Division
By Council Member Castaneda-Lopez:

Whereas, The Detroit Water and Sewerage Department (DWSD), in an effort to implement a more equitable rate structure for the processing and treatment of storm water which is captured by way of the city's combined storm water and sewerage system, has implemented new standardized drainage rates for residential and non-residential properties; and

Whereas, DWSD's rate structure calls

for commercial, institutional and industrial properties within the City of Detroit to be assessed a drainage rate of approximately seven hundred and fifty dollars (\$750) per impervious acre on a monthly basis; and

Whereas, The monthly cost of drainage for impervious multi-acre parcels may prove to be stifling and cost prohibitive to many if not all businesses and institutions within the City of Detroit; with little to no notice; and

Whereas, Drainage fees are inextricably tied to the water rates which both commercial and residential customers incur on a monthly basis; non-payment of which may lead to the termination of water services which may further inhibit DWSD's efforts to collect and generate revenue for an aged and over taxed system; and

Whereas, The City should implement changes to the City Code to allow for such implementation measures as pervious pavers, pervious concrete, rain gardens, water retention systems, etc., which might ultimately mitigate the costs assessed to property owners for drainage and storm water run-off.

Now, therefore, be it

Resolved, That the Detroit City Council urges the administration and the Buildings, Safety Engineering and Environmental Department to require as an element of site plan review for any new development, inclusive of renovations and landscaping projects which require permits to include a comprehensive storm water management plan which may aide in the reduction of assessed fees by minimizing impervious ground cover and allowing for storm water management systems to be implemented.

And be it finally,

Resolved, That a copy of this resolution be forwarded to the Mayor's Office and Director of Buildings, Safety Engineering and Environmental.

Adopted as follows:

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

Nays — None.

**Department of Public Works
City Engineering Division**

October 17, 2016

Honorable City Council:
Re: Petition No. 1058 — Green Garage, request for a fence to encroach in the Second Avenue right-of-way located at 4111 Second Avenue.

Petition No. 1058 — Green Garage, LLC, request to install and maintain an encroachment with fence on the west side of Second Avenue, 100 feet wide, between Alexandrine Avenue, 100 feet wide, and Willis Avenue, 100 feet wide.

The petition was referred to the City

Engineering Division — DPW for investigation and report. This is our report.

The request is being made as part of a development consisting of a small seasonal retail space, and a large open green space to hold programmed local community events.

Traffic Engineering Division — DPW (TED), reports being involved and approves provided certain conditions are met. The TED conditions have been made a part of the attached resolution. Planning and Development Department reports involvement as the location is in a Historic District. The project has already obtained the necessary Certificate of Appropriateness.

Detroit Water and Sewerage Department (DWSD) reports being involved, but has no objection provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

All other involved City departments, including the Public Lighting Department and Public Lighting Authority; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division—DPW

By Council Member Benson:

Whereas, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to Green Garage to install and maintain an encroachment with a wrought iron fence on the west side of Second Avenue, 100 feet wide, between Alexandrine Avenue, 100 feet wide, and Willis Avenue, 100 feet wide. The encroachment is 139.67 feet in length beginning 3 feet south of the north line of the described property and extending southerly therefrom; and is 8 feet east of the east line of property describes as: Land in the City of Detroit, Wayne County, Michigan, being Lot 15, Block 96 "Subdivision of part of the Cass Farm to be known as Blocks 89 to 96 inclusive" as recorded in Liber 1, Pages 175 176 and 177 of Plats, Wayne County Records.

Provided, That if there is any cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further

Provided, That, the petitioner comply with the Certificate of Appropriateness from the Detroit Historical Commission; and be it further

Provided, That the remaining sidewalk being a minimum of 9 feet wide from the

encroachment to the curb be maintained free and clear from obstruction; and be it further

Provided, By approval of this petition the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right-of-way, and at all times, DWSD, its agents or employees, shall have the right to enter upon the right-of-way to maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection caused by the encroachment shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the right-of-way, shall be borne by DWSD; and be it further

Provided, That all construction performed under this petition shall not be commenced until after five (5) days written notice to DWSD. Seventy-two (72) hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and be it further

Provided, That construction under this petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and be it further

Provided, That if DWSD facilities located within the right-of-way shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incident to the repair, replacement or relocation of such broken or damaged DWSD facilities; and be it further

Provided, That the petitioner shall hold DWSD harmless for any damages to the encroaching device constructed or installed under this petition which may be caused by the failure of DWSD's facilities; and be it further

Provided, That if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the right-of-way being encroached upon the petitioner agrees to pay all costs for such removal and/or relocation; and be it further

Provided, That the contractor call MISS DIG 72 hours prior to starting any underground construction where they plan the underground encroachment; and be it further

Provided, That Green Garage, LLC or their assigns shall apply to the Buildings, Safety Engineering and Environmental

Department for a building permit prior to any construction. Also, if its becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments such work shall be according to detail permit application drawings submitted to the City Engineering Division — DPW prior to any public right-of-way construction; and further

Provided, That the necessary permits shall be obtained from the City Engineering Division — DPW and the Buildings, Safety Engineering and Environmental Department. The encroachments shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), and the Traffic Engineering Division — DPW (if necessary), Detroit Historical Commission; and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Green Garage, LLC; and further

Provided, That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located

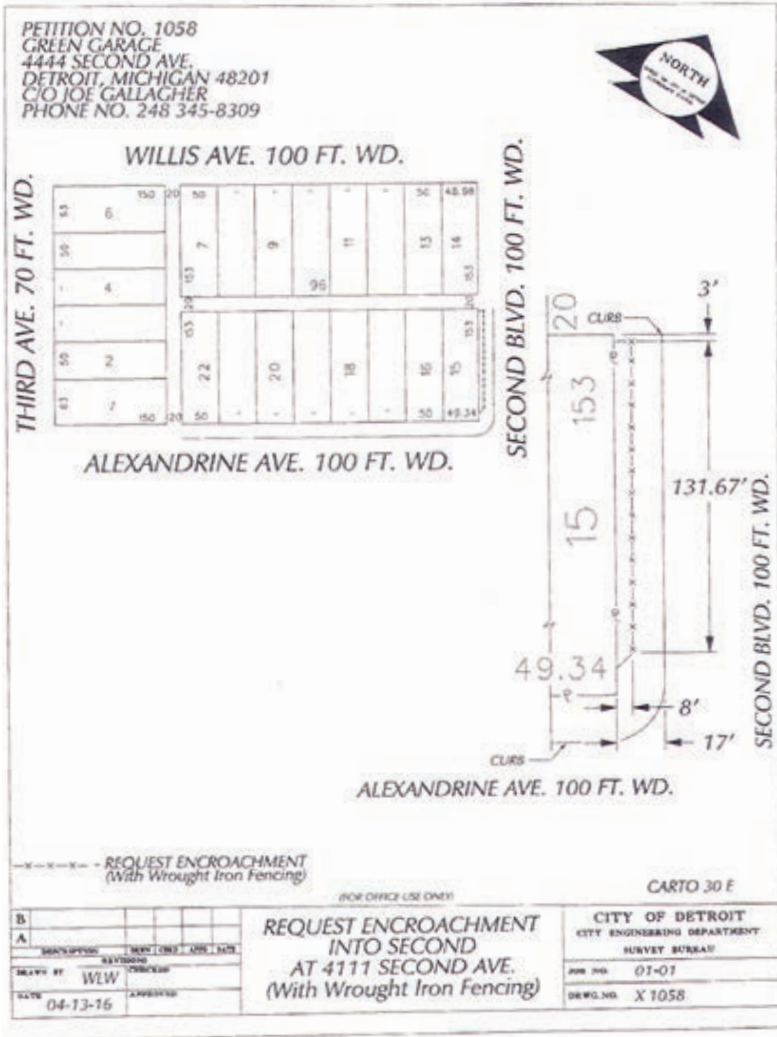
in close proximity to the encroachments shall be borne by Green Garage, LLC or their assigns. Should damages to utilities occur Green Garage, LLC shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

Provided, That no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division — DPW; and further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and Green Garage, LLC acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and 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 Ayers, Benson, Cushingberry, Jr., Leland, Castaneda-Lopez, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON
 Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 4446 23rd, 4452 23rd, 19933 Alcoy, 4690 Algonquin, 19930-32 Andover, 19662 Andover, 19675 Andover, 3436 Annabelle, 19129 Annott and 15788 Appoline, as shown in proceedings of October 17, 2016 (J.C.C. page), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 4446 23rd, 4452 23rd, 19933 Alcoy, 4690