



Adopted as follows:  
 Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 9.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**  
 April 5, 2019

Honorable City Council:  
 Re: Petition No. 581 — WD Partners, request permission to obtain approval for a sidewalk encroachment on St. Antoine Street in front of the Greektown Casino Hotel.

**Correction: Error in a legal description.**  
 Petition No. 581 of WD Partners, on behalf of Greektown Casino LLC whose address is ~~555 E. Lafayette~~, 580 Monroe,

Detroit, MI 48226 request to install and maintain an encroachment with a two step stairway and railing on St. Antoine Avenue, 50 feet wide. The request is being made to provide a new entry/exit door for a proposed Starbucks Coffee-house in the Greektown Casino Hotel.

A resolution granting the petition was approved by your Honorable Body on July 28, 2015 and found in J.C.C. pages 1436-1439 and recorded in Liber 52402, page 410, Wayne County Records.

However, a review by DPW — City Engineering has been made and a correction to the legal description is needed; also a change to the address of the petitioner, and both are herewith added as a part of this corrective resolution. The revised legal description and address are represented in **bold and underlined**. All

deletions are represented in ~~bold and strike through~~.

I am recommending adoption of the attached resolution.

Respectfully submitted,  
RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division — DPW

By Council Member Benson:

Resolved, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to "Greektown Casino LLC" whose address is ~~555 E. Lafayette 580 Monroe~~ Detroit, MI 48226 or to their assigns for: ~~an encroachment with a stairway with railing projecting 1.5 feet into St Antoine Street, 50 feet wide, and being 6 feet 9 inches in length and being 65.4 feet north of the north line of Monroe Avenue, 50 feet wide adjoining property described as: Land in the City of Detroit, Wayne County, Michigan being Lots 4 (north of and adjoining Monroe Avenue) "Plat of the Antoine Beaubien Farm" as recorded in Liber 27, Page 197 of Deeds, Wayne County — Records.~~ **SIDEWALK ENCROACHMENT ON ST. ANTOINE STREET FRONT OF THE GREEKTOWN CASINO HOTEL DESCRIBED AS: A STAIRWAY WITH RAILWAY PROJECTING 1.5 FEET INTO ST. ANTOINE STREET (50 FEET WIDE) AND BEING 6 FEET 9 INCHES IN LENGTH AND BEING 50.4 FEET NORTH OF THE NORTH LINE OF MONROE AVENUE (50 FEET WIDE), ADJOINING PROPERTY DESCRIBED AS: LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN BEING LOT 4 OF (NORTH OF AND ADJOINING MONROE AVENUE) "PLAT OF THE ANTOINE BEAUBIEN FARM" AS RECORDED IN LIBER 27, PAGE 197-199 OF DEEDS, WAYNE COUNTY RECORD.**

**SIDEWALK ENCROACHMENT ON ST. ANTOINE STREET FRONT OF THE GREEKTOWN CASINO HOTEL DESCRIBED AS: A STAIRWAY WITH RAILWAY PROJECTING 1.5 FEET INTO ST. ANTOINE STREET (50 FEET WIDE) AND BEING 6 FEET 9 INCHES IN LENGTH AND BEING 50.4 FEET NORTH OF THE NORTH LINE OF MONROE AVENUE (50 FEET WIDE), ADJOINING PROPERTY DESCRIBED AS: LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN BEING LOT 4 OF (NORTH OF AND ADJOINING MONROE AVENUE) "PLAT OF THE ANTOINE BEAUBIEN FARM" AS RECORDED IN LIBER 27, PAGE 197-199 OF DEEDS, WAYNE COUNTY RECORD.**

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, 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 (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 (1-800-482-5000) 72 hours (three working days) prior to starting any underground construction; and be it further

Provided, That the stairwell encroachment be installed in a manner that will provide for a minimum unobstructed sidewalk width of 8 feet 5 inches for pedestrian use.

Provided, That DTE Energy — Gas Division reports involvement and the petitioner or property owner shall be responsible for the cost of removing, and/or relocating/ rerouting including the following: Field Investigation, Survey, Design, and drawing of the Gas Utilities. The cost to be determined by Michcon Gas Company's Public Improvement Department. Please contact the following persons at 313-389-7211 (Michael Fedele — Supervisor) and/or 313-389-7261 (Laura Forrester — Gas Planner).

Provided, That Public Lighting Department (PLD) reports involvement and requires that any excavation be done by hand digging to expose PLD conduit. If conduit is in the encroachment, it must be relocated at project cost. Coordinate with Denise Williams — Senior Assistant Mechanical Engineer for PLD at 313-267-7216.

Provided, That the "Greektown Casino LLC" or their assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, if it 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 and Safety Engineering 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); and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by "Greektown Casino LLC" or their assigns; 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 "Greektown Casino LLC" or their assigns. Should damages to utilities occur "Greektown Casino LLC" or their assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

Provided, That "Greektown Casino LLC" or their assigns shall file with the Finance Department and/or City Engineering Division — DPW an indemnity in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by "Greektown Casino LLC" or their assigns of the terms thereof. Further, "Greektown Casino LLC" or their assigns shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; 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 "Greektown Casino 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 and indemnity agreement with the Wayne County Register of Deeds.

Adopted as follows:

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

Nays — None.

\*WAIVER OF RECONSIDERATION (No. 18), per motions before adjournment.

**Department of Public Works  
City Engineering Division**

April 5, 2019

Honorable City Council:

Re: Petition No. 1028 — Greektown Casino, request to encroach into the public rights-of-way with the new valet garage.

Correction: Amended to add additional encroachments.

Petition No. 1028 of "Greektown Casino" whose address is 555 E. Lafayette Avenue, Detroit, MI 48226 request permission to encroach into Macomb Street, 50 feet wide, 16.00 feet with a cantilever parking structure with an additional 2.00 feet for decorative façade at least 17.00 feet above grade, also 2.00 feet into Beaubien Avenue, 60 feet wide and 2.00 feet into St. Antoine Avenue feet 2.00 feet into the east-west public alley, 20 feet wide, with caissons and parking structure and a pedestrian bridge 25.00 feet wide and at least 17.00 feet above grade, and into Monroe Street, 50 feet wide, with a pedestrian bridge 25.00 feet wide and at least 17.00 feet above grade, also a reinforced underground caisson for the pedestrian bridge in the area of Macomb Street, 50 feet wide, Monroe Street, 50 feet wide, Beaubien Avenue, 60 feet wide, and St. Antoine Avenue, 50 feet wide.

A resolution granting the petition was approved by your Honorable Body by a Resolution adopted by City Council on October 18, 2011, JCC pages 2348-2351; a copy of which is recorded at Liber 49612, Page 386 Wayne County Records.

However, a review by DPW — City Engineering has been made and additional encroachments consisting of the extent of the decorative façade along with two protective bollards and signage have