



Adopted as follows:
 Yeas — Council Members Benson, Johnson, Santiago-Romero, Tate, Waters, Young, II and President Sheffield — 7.
 Nays — None.

**Department of Public Works
 City Engineering Division**

April 26, 2023

Honorable City Council:
 Re: **Petition No. x2023-159** — 1375 Michigan Properties, LLC, request for various encroachments within the northerly part of Leverette Street, adjacent to the parcel commonly known as 1375 Michigan Avenue.

Petition No. x2023-159 — 1375 Michigan Properties, LLC, request for various

encroachments within the northerly part of Leverette Street, 60 ft. wide, adjacent to the parcel commonly known as 1375 Michigan Avenue.

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 the site development plan.

The request was approved by the Solid Waste Division — DPW, and City Engineering Division — DPW, Traffic Engineering Division.

Detroit Water and Sewerage Department (DWSD) reports being involved, but they have 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 Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting all 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 Santiago-Romero:

Resolved, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to 1375 Michigan Properties, LLC or their assigns to install and maintain various encroachments within Leverette Street, further described as: Land in the City of Detroit, Wayne County, Michigan; the northerly 8.2' of Leverette Street lying southerly of and adjacent to lot 1 of "Block 58 Woodbridge Farm" as recorded in Liber 1, Page 146-7 of Plats, Wayne County Records; and the northerly 10.5' of Leverette Street lying southerly of and adjacent to lots 2-3-4-5-6 of "Block 58 Col D Baker" Liber 117, P 272-3 of Plats, Wayne County Records.

The follow encroachments are authorized within the described part of Leverette Street:

1. Installation of a wrought iron fence; said fence is to be designed to allow 5 ft. of clearance on all sides of the DTE utility poles located on the northerly side of Leverette Street.
2. Movable furniture; for use of patrons of the establishment at 1375 Michigan Avenue.
3. Flag Pole; established at the easterly most end of the encroachment area.
4. Movable planters, said planters are to be free standing and shall not be bolted or otherwise secured to the surface grade.
5. Movable deck and tiles, said deck and tiles are to be free standing and shall not be bolted or otherwise secured to the surface grade.

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 surface grade within the encroachment area be constructed using City Standard Specifications; and be it further

Provided, That the owner, 1375 Michigan Properties LLC, agrees to remove all encroachments authorized under this resolution if the current permitted use is abandoned or prior to the sale of the property; and be it further

Provided, That access is maintained to all fire department connections, and be it further

Provided, That 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, 1375 Michigan Properties, 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; and further

Adopted as follows:
Yeas — Council Members Benson, Johnson, Santiago-Romero, Tate, Waters, Young, II and President Sheffield — 7.
Nays — None.

**Department of Public Works
City Engineering Division**

April 26, 2023

Honorable City Council:

Re: **Petition No. x2023-160** — U.S. Federal Government, request for encroachment within the southerly part of Lafayette Boulevard, adjacent to the parcel commonly known as 231 Lafayette Boulevard, for the purpose of installing an entry ramp.

Petition No. x2023-160 — U.S. Federal Government, request for encroachment within the southerly part of Lafayette Boulevard, 80 ft. wide, adjacent to the parcel commonly known as 231 Lafayette Boulevard, for the purpose of installing an entry ramp.

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 plan to install an accessibility ramp for operations at 231 Lafayette Boulevard.

The request was approved by the Solid Waste Division — DPW, and City Engineering Division — DPW, Traffic Engineering Division.

Detroit Water and Sewerage Department (DWSD) reports being involved, but they have 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 Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting all 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 Santiago-Romero:

Resolved, That the Department of Public Works. City Engineering Division is hereby authorized and directed to issue permits to U.S. Federal Government or their assigns to install and maintain encroachments within Lafayette Boulevard, further described as: Land in the City of Detroit, Wayne County, Michigan;

Accessibility Ramp; to be installed within the southerly 7 ft. of Lafayette Boulevard lying northerly of and adjacent to lots 7 through 10 of the "Military Reserve Plat" as recorded in Liber 5, Page 218 of

Plats, Wayne County records. Said accessibility ramp will be constructed using concrete, using granite paneling on the exterior, and handrails.

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 access is maintained to all fire department connections, and be it further

Provided, That 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, U.S. Federal Government 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