

utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such as storage of excessive weights or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility.

Adopted as follows:

Yeas — Council Members Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson

— 7.
Nays — None.

Department of Public Works

April 2, 1980

Honorable City Council:

On September 12, 1979, Your Honorable Body confirmed Repair Sidewalk Assessment Roll No. 22-X. The City Treasurer has accepted payment for one of the items applied to that roll.

To remove this item from said roll, we offer the following resolution.

Respectfully submitted,
JAMES W. WATTS

Director

By Council Member Cockrel:

RESOLVED, That the City Treasurer be and he is hereby authorized to make the following deletion:

Roll 22-X, Lot 18; E.S. Rutherford between Verne and Grove, delete \$110.60, Bill No. 30651, Item No. 56064, Treas. Receipt No. 36712.

Adopted as follows:

Yeas — Council Members Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson

— 7.
Nays — None.

Department of Public Works

March 31, 1980

Honorable City Council:

Re: Petition No. 2636. Downtown Development Authority. Vacate Portion of Times Square and alley easterly thereof between Clifford and Grand River west of Washington Blvd.

On September 19, 1979, J.C.C. Pages 2586 and 2587, your Honorable Body adopted a resolution granting a conditional commitment to vacate a portion of Times Square and the alley easterly thereof. The parcel of land is to be used for the construction of the Washington Boulevard Multi-Use Residential Project (UDAG Project # B-78-AA-26-0011).

In accordance with the first provi-

sion of that resolution, the petitioner has agreed to reimburse all utilities for their costs in relocating their facilities from the areas to be vacated.

In accordance with the second provision, all utilities report that they will not require any easements in the areas to be vacated as all of their facilities are to be removed from the areas.

The maps and site plan approved stipulated in the third provision have been submitted. Your Honorable Body's City Planning Commission has reported that the proposed treatment of Times Square and the small park at the southwest corner of Clifford and Times Square meets with its approval, and that said approval has been submitted to your Honorable Body.

In conformance with the City Plan Commission's letter of March 6, 1980 to your Honorable Body, we are submitting the attached resolution vacating the noted public rights of way for your consideration.

Respectfully submitted,
LOUIS W. KLEI
City Engineer

Approved:

JAMES W. WATTS
Director

JOSEPH N. BALTIMORE
Acting Corporation Counsel

**City Council's
City Planning Commission**

March 6, 1980

Honorable City Council:

Re: Washington Boulevard Project. Construct a 23 story apartment building above a 5 level parking structure. Vacate alleys and a portion of Times Square Street, Block bounded by Washington Boulevard, Grand River, Times Square Street and Clifford (2636). (Dept. Report recommending approval with conditions — and recommending referral to the City Engineer's Office, Fire Department and Detroit Department of Transportation.)

The Detroit Downtown Development Authority (DDA) and Forest City Dillon, Inc. are proposing the development of a multi-use structure to be located on the entire block bounded by Washington Boulevard, Grand River, Times Square Street and Clifford. The project would consist of a 5-level, 525-vehicle capacity parking garage which would include 11,500 square feet of commercial space on the ground level, and would also include a 23-story, 349-unit apartment high-rise to be located above the garage at the easterly edge of the site along Washington Boulevard. Con-

struction of the development as proposed requires the vacation of the alleys currently existing within the block in question and the vacation of a portion of Times Square Street to the west of the site.

City Council, through the attached copies of previously adopted resolutions, has required that site plans, elevation plans and other documentation be provided to the City Planning Commission for review and approval prior to the final approval of the street and alley vacations needed for the project to proceed and prior to the issuance of required building permits.

The City Planning Commission discussed the plans for this project on at least three different occasions. In the earlier discussions, the Commission had expressed concern regarding the possible negative impact caused by the proposed partial vacation and narrowing of Times Square Street near Clifford from its present 32 foot pavement width to a 19 foot pavement width. The current plans, which were discussed at the Commission's February 28, 1980, meeting, indicate that the Times Square Street pavement would be narrowed to 16' 10½" near Clifford. At that discussion and in the attached February 22, 1980, letter from DDA, the following reasons were given for the necessity for the partial vacation:

1. Economic and time constraints involved with the project which dictate the present configuration of the structure;
2. Deed restrictions relating to the small park at the southwest corner of Times Square Street and Clifford which require that the park remain intact; therefore prohibiting the realignment of Times Square Street further to the west; and,
3. Presently proposed downtown people mover plans which indicate that a support pylon is to be located near the middle of the existing Times Square Street between Clifford and Grand River.

During the Commission's discussions of earlier plans on this project, the issue of the temporary encroachments for construction barricades onto Times Square Street was raised. These barricades were to completely close Times Square Street north of the alley north of Berman's Chop House to Clifford during the project's construction period. The developers now state that the realignment of the street will be completed and open to traffic prior to any vacation of the existing street.

The Detroit Department of Trans-

portation (D-DOT) has indicated verbally that the narrowing of Times Square Street would not have an adverse impact on the traffic circulation pattern in the area. D-DOT's recommendation is that Times Square Street be converted to a one-way northbound street from Clifford to the alley north of Berman's Chop House while remaining two-way south of said alley to Grand River.

Representatives of Berman's Chop House and the Leo Morris Company, businesses which are located on the west side of Times Square Street near Grand River, who were present at the Commission's February 28 discussion were opposed to the D-DOT recommendation of northbound one-way traffic for the north portion of Times Square Street. The Leo Morris Company spokesperson stated that deliveries to that business would be impossible and the Berman's representative stated that customer accessibility would be seriously impaired unless southbound traffic were allowed. Upon considering these statements, the Commission was of the opinion that southbound one way traffic on the northern portion of Times Square Street should be allowed at least through the construction period of the proposed development. It was also the Commission's opinion that after the project's completion D-DOT should complete a traffic study for the area before making a final determination as to the direction of the one-way traffic on Times Square Street.

The present plans also indicate that the sidewalk adjacent to the northwest corner of the proposed structure would have only a 5 foot width. It is the Commission's opinion that such a narrow sidewalk at that location is likely to have negative pedestrian circulation effects, and provisions for a more adequate pedestrian walkway should be incorporated into the project design. (A staff-suggested design possibility for such a walkway is attached.)

The Commission continues to have some reservations regarding the narrowing of Times Square Street and its effect on future traffic circulation. However, D-DOT, whose transportation experts have reviewed these plans, apparently has no problem with this narrow roadway width. Some of the information provided by the developer lends itself to the possibility that alternatives to the narrowing of Times Square Street would involve such costs as to render the project economically unfeasible.

It is the Commission's opinion that

a provision for increased pedestrian walkway space near the northwest corner of the proposed structure could and should be provided. This could be accomplished by altering the design of the ground level portion of the northwest corner of the structure to allow for a covered arcade walkway, which would also increase driver visibility at the Times Square Street-Clifford Street intersection.

In conclusion, the Commission believes that the project is important to the economic revitalization of the Washington Boulevard area and that, in general, the design of the project, with the above-mentioned exceptions, is satisfactory.

In view of the above, the City Planning Commission recommends approval of the proposed project to the following conditions:

1) That the new realigned Times Square Street be completed and open to traffic prior to the vacation or closing to traffic of any portion of the existing Times Square Street;

2) That pedestrian walkway space near the northwest corner of the building be increased to an area satisfactory to the City Planning Commission staff upon review of final plans; such increased area may be accomplished by widening the Times Square Street Sidewalk adjacent to the northwest corner of the parking structure, or by creating a small pedestrian arcade within the northwest corner of the parking structure, or by a combination thereof;

3) That, if and where possible, the parking rates in the garage be structured to encourage short-term parking for non-residents, thereby decreasing the potential for rush hour congestion on Times Square Street;

4) That detailed plans for any proposed signs to be placed on the ground or attached to any exterior portion of the proposed structure be submitted to and approved by the City Planning Commission staff prior to permits being issued allowing such installation or placement;

5) That the existing park at the southwest corner of Times Square Street and Clifford Street be completed as part of this project in accordance with the design shown on the project's final plans;

6) That the D-DOT seriously consider allowing one-way traffic southbound on the realigned Times Square Street at least during the construction of the proposed development, and that D-DOT undertake a traffic study in the area after the completion of the project prior to the final decision on

the direction of the one-way portion of the street;

7) That prior to final action by City Council regarding the alley closings, street changes and the final development plan approvals both the D-DOT and the Fire Department submit letters to the City Council, with copies to the City Planning Commission, specifically addressing their opinions on the adequacy of the 16' 10½" roadway pavement width of the one-way portion of Times Square Street; and,

8) That the final site plans, elevation plans and landscape plans, including those pertaining to the podium level of the proposed development, be consistent with the plans presented at the City Planning Commission's discussion with the incorporation of all the above conditions and that such be submitted to the City Planning Commission staff for review and approval prior to the issuance of the necessary permits by the Building and Safety Engineering Department.

Prior to Your Honorable Body taking action on the subject proposals, it is recommended that this matter be referred to the City Engineer's Office for the preparation of the necessary street and alley resolution(s), and to the Fire Department and the Detroit Department of Transportation to respond to the concern expressed in condition #7 above.

Respectfully submitted,
DONALD C. BROWNELL,
Director

By Council Member Eberhard:

RESOLVED, That all that part of Times Square Street, 60 feet wide, south of Clifford, described as: Commencing at the northwest corner of Lot 66 of Section 10 of the Governor and Judges Plan of the City of Detroit as recorded in Liber 34, Page 553, Deeds W.C.R. thence S. 14° 57' 44" W. along the easterly line of Times Square 15.40 feet to the point of beginning of the parcel being vacated; thence N. 90° 00' W., a distance of 39.99 feet, thence due south 149.58 feet to a point on the easterly line of Times Square; thence N. 14° 57' 44" E. along said street line 154.83 feet to the point of beginning; be and the same is hereby vacated as a public street, and be it further

RESOLVED, That the 20 feet wide, north-south public alley in the block bounded by Times Square, Washington Boulevard, Grand River Avenue, and Clifford Street as platted in said Section 10 of the Governor and Judges Plan and lying westerly of and abutting Lots 11 through 15, be and

the same is hereby vacated as a public alley, and be it further

RESOLVED, That said vacated rights-of-way are to be attached to and become part of the adjoining property, which property has been acquired by the City and assigned to the Municipal Parking Department, and further

RESOLVED, That the new realigned Times Square Street be completed and open to traffic prior to the vacation or closing to traffic of any portion of the existing Times Square Street; and further

RESOLVED, That pedestrian walkway space near the northwest corner of the building be increased to an area satisfactory to the City Planning Commission staff upon review of final plans; such increased area may be accomplished by widening the Times Square Street Sidewalk adjacent to the northwest corner of the parking structure, or by creating a small pedestrian arcade within the northwest corner of the parking structure, or by a combination thereof; and further

RESOLVED, That, if and where possible, the parking rates in the garage be structured to encourage short-term parking for non-residents, thereby decreasing the potential for rush hour congestion on Times Square Street; and further

RESOLVED, That detailed plans for any proposed signs to be placed on the ground or attached to any exterior portion of the proposed structure be submitted to and approved by the City Planning Commission staff prior to permits being issued allowing such installation or placement; and further

RESOLVED, That the existing park at the southwest corner of Times Square Street and Clifford Street be completed as part of this project in accordance with the design shown on the project's final plans; and further

RESOLVED, That the D-DOT seriously consider allowing one-way traffic southbound on the realigned Times Square Street at least during the construction of the proposed development, and that D-DOT undertake a traffic study in the area after the completion of the project prior to the final decision on the direction of the one-way portion of the street; and further

RESOLVED, That the final site plans, elevation plans and landscape plans, including those pertaining to the podium level of the proposed development, be consistent with the plans presented at the City Planning Commission's discussion with the incorporation of all of the above condi-

tions and that such be submitted to the City Planning Commission staff for review and approval prior to the issuance of the necessary permits by the Buildings and Safety Engineering Department.

Adopted as follows:

Yeas — Council Members Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson
— 7.

Nays — None.

Recreation Department

March 18, 1980

Honorable City Council:

Re: Acceptance of grant and authorization to execute project agreement with the Michigan Department of Social Services for the Juvenile Services Training Council.

The Recreation Department has been awarded a grant by the Michigan Department of Social Services to be known as the Juvenile Services Training Council.

The funds have been made available through a provision of the Law Enforcement Assistance Administration (LEAA) to develop, coordinate, monitor and fund training programs for personnel who deal with delinquent and pre-delinquent youth in Michigan.

Therefore, the Recreation Department is requesting authority to accept the grant in the amount of \$26,277.00.

Respectfully submitted,

DANIEL H. KRICHBAUM

Director

Approved:

W. I. STECHER

Budget Director

JOHN P. KANTERS

Deputy Finance Director

By Council Member Cockrel:

RESOLVED, That the Recreation Department be and it is hereby authorized to accept a grant of \$26,277 from the Michigan Department of Social Services for the Juvenile Services Training Council; and be it further

RESOLVED, That the Finance Director be and is hereby authorized to establish accounts, transfer funds, and honor vouchers in accordance with the foregoing communication and this resolution.

Adopted as follows:

Yeas — Council Members Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson
— 7.

Nays — None.

Recreation Department

March 10, 1980

Honorable City Council: