

January 22, 2000

HONORABLE CITY COUNCIL:

RE: Petition No. 1966 - "Wayne County", requesting permission to maintain existing encroachments at the Wayne County Juvenile Detention Facility in the area of Macomb St. and Chrysler Service Drive.

Petition No. 1966 of "Wayne County" requests to maintain existing encroachments into the West Chrysler Freeway Service Drive between Macomb Street, 50 feet wide, and Clinton Street, 40 feet wide. Encroachments consist of 1) One existing underground bell caisson for the purpose of supporting the southeast building corner at the northwest corner of Macomb Street and the Chrysler Service Drive. The bell caisson is located in the public right-of-way, immediately adjacent to the Wayne County Juvenile Detention Facility, approximately 37-feet north of the Macomb Street right-of-way, along the west edge of the Chrysler Service Drive right-of-way. The footing encroaches approximately 1'-5" into the public right-of-way and is approximately 7'-0" wide. The encroachment request is 4'-0" into the right-of-way and 10'-0" wide. The building column does not encroach upon the public right-of-way. 2) One existing spread footing for the purpose of supporting the east building wall along the west side of the Chrysler Service Drive, north of Macomb Street. The spread footing is located in the public right-of-way, immediately adjacent to the Detention Facility, approximately 82 feet north of the Macomb Street right-of-way, along the west line of the Chrysler Service Drive. The footing encroaches approximately 1'-5" into the public right-of-way and is approximately 9'-6" wide. The building wall does not encroach. 3) One existing ramp along the West Side of the Chrysler Service Drive, north of Macomb Street. The ramp is located in the right-of-way, immediately adjacent to the Juvenile Detention Facility, approximately 40 feet north of the Macomb Street right-of-way, along the west line of the Chrysler Service Drive right-of-way. The ramp encroachment varies from approximately 4'-6" to 5'-6" into the public right-of-way and is approximately 36'-0" wide.

On June 5, 1996 (J.C.C. pages 1229-1232), City Council approved an alley vacation and caisson encroachments at this site.

The petition was referred to the City Engineering Division - DPW for investigation (utility review) and report. This is our report.

The Public Lighting Department (PLD) reports no objections to the proposed encroachments. However, the PLD has underground fed street lights in Chrysler Freeway Service Drive PLD requires a minimum horizontal clearance of 3'- 6" and a vertical clearance of 1'- 0" must be maintained from their facilities.

DENNIS W. ARCHER, MAYOR

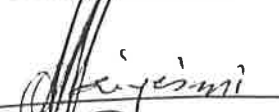
Ameritech reports no objection to the requested encroachments provided that they have continued access to their conduit run from a manhole on Macomb St. to a customer at 1326 St. Antoine.

The Detroit Water and Sewerage Department (DWSD) reports there is an 8-inch water main 22-feet east of the west property line and a 12-inch water main 6-feet east of the west property line in the Chrysler Freeway Service Drive between Clinton and Macomb Streets, therefore, DWSD has objections to this petition, but will agree to the proposed encroachments subject to the fulfilling of the provisions that are a part of the attached resolution.

All other City departments and privately owned utility companies have reported no objections to the encroachments. Where appropriate, provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,



Sunday Jaiyesimi, City Engineer
City Engineering Division - DPW

JDF:jdf

cc: Stephanie R. Green, Interim Director – DPW
Gerarda McCarthy, Mayor's Office

BY COUNCIL MEMBER: _____

WHEREAS, Encroachments consist of 1) One existing underground bell caisson for the purpose of supporting the southeast building corner at the northwest corner of Macomb Street and the Chrysler Service drive. The bell caisson is located in the public right-of-way, immediately adjacent to the Wayne County Juvenile Detention Facility, approximately 37-feet north of the Macomb Street right-of-way, along the west edge of the Chrysler Service Drive right-of-way. The footing encroaches approximately 1'-5" into the public right-of-way and is approximately 7'-0" wide. The encroachment request is 4'-0" into the right-of-way and 10'-0" wide. The building column does not encroach upon the public right-of-way. 2) One existing spread footing for the purpose of supporting the east building wall along the west side of the Chrysler Service Drive, north of Macomb Street. The spread footing is located in the public right-of-way, immediately adjacent to the Detention Facility, approximately 82 feet north of the Macomb Street right-of-way, along the west line of the Chrysler Service Drive. The footing encroaches approximately 1'-5" into the public right-of-way and is approximately 9'-6" wide. The building wall does not encroach. 3) One existing ramp along the West Side of the Chrysler Service Drive, north of Macomb Street. The ramp is located in the right-of-way, immediately adjacent to the Juvenile Detention Facility, approximately 40 feet north of the Macomb Street right-of-way, along the west line of the Chrysler Service Drive right-of-way. The ramp encroachment varies from approximately 4'-6" to 5'-6" into the public right-of-way and is approximately 36'-0" wide; be it therefore

RESOLVED, The City Engineering Division-DPW is hereby authorized to issue permits to the "County of Wayne, Michigan" to construct and maintain the above mentioned encroachments into the Chrysler Freeway West Service Drive; adjoining property described as follows: 1) Underground Bell Caisson- Chrysler Freeway Service Drive, N. of Macomb; Commencing at the southeast corner of Lot 1 on the north side of Macomb Street, 50 feet wide, of the "Plat of the Antoine Beaubien Farm"(private claim 2), City of Detroit, Wayne County Michigan as recorded in Liber 27, Page 127, Deeds, Wayne County Records; thence N.26 degrees 06'13"W., along the easterly line of Lot 1, 37.25 feet to the point of beginning; thence N.26 degrees 06'13"W., along the easterly line of Lot 1, 10.00 feet; thence N.59 degrees 52'09"E., 4.01 feet; thence S.26 degrees 06'13"E., 10.00 feet; thence S.59 degrees 52'00"W., 4.01 feet to the point of beginning, extending from the proposed finish floor elevation of 120.00 feet (city datum) more or less, to elevation 102.00 feet (city datum) more or less; 2) Spread Footing- Chrysler Freeway Service Drive, N. of Macomb; Beginning at a point on the westerly line of I-375 Walter P. Chrysler Freeway westerly service Drive S.26 degrees 06'14"E., 138.73 feet from the intersection of said westerly service drive with the southerly line of Clinton St., 40 feet wide; thence continuing along said line of I-375, S.26 degrees 06'14"E., 8.66 feet; thence 9.35 feet along the arc of a curve to the left, having a radius of 6.93 feet and a central angle of 77 degrees 15'08' to the point of beginning, containing 8.96 sq.ft. 3) Existing Ramp - Chrysler Service Drive, north of Macomb Street; Beginning at a point on the westerly line of I-375 Walter P. Chrysler Freeway westerly service Drive S.26 degrees 06'14"E., 154.54 feet from the intersection of said westerly line of service drive with the

southerly line of Clinton St., 40 feet wide, thence continuing along said line of I-375, S.26 degrees 06'14"E., 32.82 feet; thence along the face of said building S.30 degrees 02'09"E., 2.26 feet; thence along the southerly side of said ramp N.59 degrees 57'51"E., 7.00 feet; thence along the easterly side of said ramp N.30 degrees 02'09"W., 35.00 feet; thence along the northerly side of said ramp S.59 degrees 57'51"W., 4.75 feet to the point of beginning, containing 208.2 sq.ft., Also, Building Corner Encroachment: An encroachment over all that part of the I-375 Walter P. Chrysler Freeway westerly service drive, described as: Commencing at the intersection of the northerly of Macomb St., 50 feet wide, with the westerly line of the I-375 Walter P. Chrysler westerly service drive; thence along said line of the service drive, N.26 degrees 06'14"W., 40.95 feet to the point of beginning; thence continuing along said line, N.26 degrees 06'14"W., 2.26 feet; thence along the easterly face of said building, S.30 degrees 02'09"E., 2.26 feet; thence along the southerly building face, S.59 degrees 57'51"W., 0.15 feet to the point of beginning, containing 0.174 sq.ft.; and further

PROVIDED, The County of Wayne shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, whenever it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for construction of encroachments such work shall be according to detailed permit application drawings 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), the Water and Sewerage Department (if necessary), and the Traffic Engineering Division-DPW (if necessary); and further

PROVIDED, That all costs for the construction, maintenance, permits and use of the encroachments shall be borne by the County of Wayne; 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 the County of Wayne. Should damages to utilities occur the County of Wayne shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

PROVIDED, If it becomes necessary to repair or replace the utilities located or to be located within the public rights-of-way, by acceptance of this permission, the County of Wayne (owners) for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, or mains) waives all claims for damages to the encroaching installations and agree to pay all costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

PROVIDED, That the County of Wayne shall apply to become a participating member of the "MISS DIG" organization (if necessary); and further

PROVIDED, That the County of Wayne shall file with the Finance Department an indemnity agreement 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 the County of Wayne of the terms thereof. Further, the County of Wayne shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

PROVIDED, The property owned by the County of Wayne and the building encroachments shall be subject to proper zoning or regulated use (Board of Zoning Appeals Grant); and further

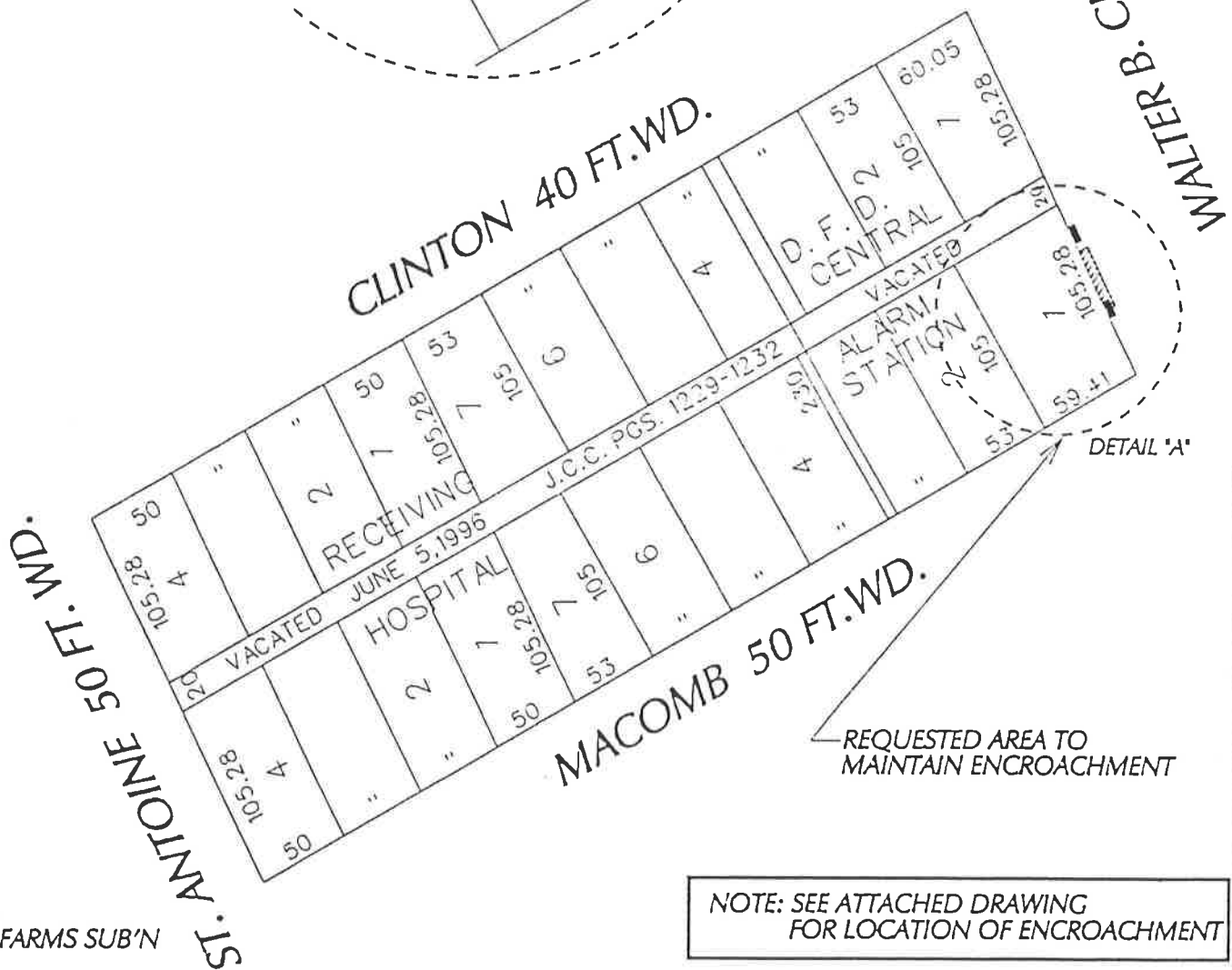
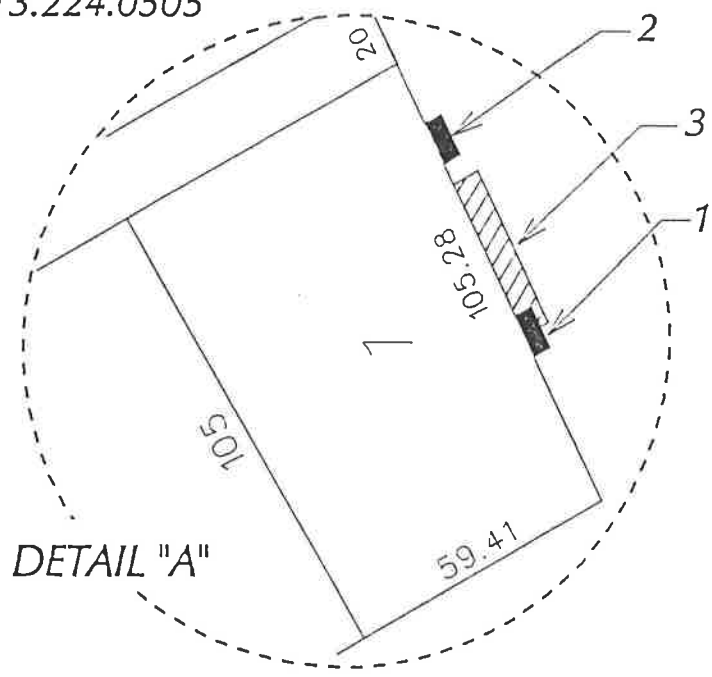
PROVIDED, That no rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored 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 the County of Wayne acquires no implied or other privileges hereunder not expressly stated herein; and further

PROVIDED, That the encroachment permit 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.

WAYNE COUNTY
 600 RANDOLPH STE. 349
 C/O STEVEN COLLIN
 PHONE NO. 313.224.0505



CARTO. 28-A
 C- MORGAN FARMS SUB'N

NOTE: SEE ATTACHED DRAWING FOR LOCATION OF ENCROACHMENT

(FOR OFFICE USE ONLY)

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	N.R.P.		CHECKED		
DATE	10 21 00		APPROVED		

REQUEST TO MAINTAIN EXISTING ENCROACHMENT INTO THE W. CHRYSLER X-WAY SER. DR. SOUTH OF CLINTON AT THE WAYNE COUNTY JUVENILE DETENTION

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X1966.DGN

City of Detroit

CITY COUNCIL

Gil Hill
President

Maryann Mahaffey
President Pro Tem

011263

Clyde Cleveland
Kenneth V. Cockrel Jr.
Sheila M. Cockrel
Kay Everett
Nicholas Hood III
Brenda M. Scott
Alberta Tinsley-Talabi

October 5, 1999

Ms. Stephanie Green, Interim Director
Department of Public Works

Attn: City Engineering

Dear Ms. Green:

Re: Petition of Wayne County (#1966), requesting permission for existing encroachments (underground bell caisson and spreadfooting) at the Wayne Juvenile Detention Facility in area of Macomb Street and the Chrysler Service Drive

The City Council respectfully requests that you respond to the concerns contained in the enclosed clerk's notes regarding timetable for submittal of an appropriate resolution relative to the above captioned petition.

A prompt response will be appreciated.

Very truly yours,



Jackie L. Currie
City Clerk

Enclosure

rh

cc: Mr. Freman Hendrix, Deputy Mayor
Mr. Glenn Oliver, Mayor's Office
Ms. Gerard McCarthy, Mayor's Office

Jackie L. Currie, City Clerk

Coleman A. Young Municipal Center • 2 Woodward Avenue • Suite 200 • Detroit, Michigan 48226
(313) 224-3266

Jim Eoster

MONDAY, OCTOBER 4, 1999

LINE ITEM #12

LOPER, CPC: We did submit a report this morning. We don't have a problem with the requested encroachments, but we contacted City Engineering and they have not yet prepared the appropriate resolution or done the appropriate work on this. WE WOULD ADVISE COUNCIL NOT TAKE ANY ACTION UNTIL YOU RECEIVE REPORTS FROM CITY ENGINEERING.

MAHAFFEY: [To Mrs. McCarthy] We're adding to your workload. IF WE COULD GET SOME INDICATION OF WHEN THEY THINK THEY'LL HAVE IT READY. If the department's would do that--give us an indication of when they will be ready--it would save us coming back regularly on the calendar.

MC CARTHY: I don't believe this has been forwarded yet to City Engineering. This issue was walked on by Mr. Wolfson on Friday. It was put on as a line item today to be referred to the appropriate department.

MAHAFFEY: REFER IT TO DPW, CITY ENGINEERING, AND ASK THEM IF THEY CAN GIVE US A BALLPARK FIGURE ON WHEN IT MIGHT BE READY.

O. GILLON

City of Detroit

CITY COUNCIL

12

Gil Hill
President

Maryann Mahaffey
President Pro Tem

Clyde Cleveland
Kenneth V. Cockrel Jr
Sheila M. Cockrel
Kay Everett
Nicholas Hood III
Brenda M. Scott
Alberta Tinsley-Talabi

October 1, 1999

Ms. Marsha Bruhn, Director
City Planning Commission

Ms. Stephanie Green
Interim Director
Public Works Department

RE: Petition of Wayne County (#1966), requesting permission for existing encroachments (underground bell caisson and spreadfooting) at the Wayne County Juvenile Detention Facility in the area of Macomb St. And the Chrysler Service Drive.

Dear Ms. Bruhn and Ms. Green:

This letter confirms the request of the City Council at the Committee of the Whole Meeting on October 1, 1999, that the above captioned petition be listed on the City Council's Daily Calendar on Monday, October 4, 1999 and also be referred to your respective agencies for a review.

Very truly yours,

Jackie L. Currie

Jackie L. Currie
City Clerk

jm

Attach.

cc: Freman Hendrix, Deputy Mayor
Gerarda McCarthy, Mayor's Office
Glenn Oliver, Mayor's Office
City Engineering

MON OCT 04 1999

*CPC report
Submitted. See attached
papers to City Eng. Dept.
Ask for ballpark
date on submit
might be ready
(Notes) per 10/14*

Jackie L. Currie, City Clerk

City of Detroit

Arthur Simons
Chairperson
Susan Glaser
Vice-Chairperson

Marsha S. Bruhn, AICP
Director
Marcus D. Loper
Deputy Director

CITY PLANNING COMMISSION

202 City-County Building
Detroit, Michigan 48226

(313) 224-6225
Fax: (313) 224-4336

October 1, 1999

Dr. Criegs Beverly
Dr. David Cason, Jr., AICP
Thomas Christensen
Robert L. Glenn
John Slater
Kathleen Wendler
Roy Levy Williams

HONORABLE CITY COUNCIL

**RE: Petition of Wayne County requesting permission for existing encroachments at the Wayne County Juvenile Detention Facility in the area of Macomb and the Chrysler Service Drive
(RECOMMEND NO ACTION PENDING REPORT FROM CITY ENGINEERING)**

Wayne County has requested that Your Honorable Body approve three existing encroachments at the new Wayne County Juvenile Detention Facility located northeast corner of Macomb and St. Antoine. The encroachments involve 1) an underground bell caisson supporting the southeast corner of the building, 2) an existing spreadfooting supporting an indoor stairwell and a wall of a stairway on the east side of the building, and 3) one existing handicapped ramp on the east side of the building along the west side of the Chrysler Service Drive (see September 24, 1999 letter from Nancy McClain of BEI Associates to James Foster of the Department of Public Works for map and details).

Wayne County had been directed to request permission from the Michigan Department of Transportation (MDOT) for the above encroachments, but later found out that the encroachments exist within the City of Detroit's right of way (see October 1, 1999 letter from Wayne County to Your Honorable Body).

The handicap ramp and the stairwell were not included in the plans that were approved by Your Honorable Body. As such, the Buildings and Safety Engineering Department would not give a Certificate of Occupancy until those encroachments have been approved.

CPC staff spoke with the City Engineering Division on October 1, 1999 and discovered that the Division had not received the petition yet. Even after the petition is received, City Engineering will want to conduct an investigation and produce a report. If it deems it appropriate, City Engineering would also prepare the necessary resolution for Your consideration. Given that, City Planning Commission staff recommends that You withhold action until You are advised by the City Engineering Division.

Respectfully submitted,



Marsha S. Bruhn, Director

Robert C. Davis, Staff

10-4-99 *will give to COW 09*

1966



Mary Zuckerman
Assistant County Executive
Charter County of Wayne

Edward H. McNamara
County Executive

October 1, 1999

RE: Petition to grant approval relating to encroachments

Honorable City Council:

Wayne County respectfully requests permission from the Honorable City Council for the following existing encroachments at the Wayne County Juvenile Detention Facility: (1) The existing underground bell caisson constructed for the purpose of supporting the southeast building corner at the northwest corner of Macomb Street and the Chrysler Service Drive; and (2) An existing spreadfooting constructed for the purpose of supporting the east building wall along the west side of the Chrysler Service Drive, north of Macomb Street; and (3) One existing ramp along the west side of the Chrysler Service Drive, north of Macomb Street.

In 1996 Wayne County requested permission from the City of Detroit for certain encroachments needed for the completion of this facility. At that time Wayne County requested permission for the encroachment listed as number 1 in this letter. When this request was made, the City of Detroit indicated that permission should be sought from the Michigan Department of Transportation (herein "MDOT") and not the City. MDOT has now indicated that the encroachment exists in the City of Detroit's right of way and not MDOT's.

Only after completion of the construction of the Wayne County Juvenile Detention Facility, did the County learn construction of the facility resulted in the encroachments listed as numbers 2 and 3 of this request.

The attached memo to the Detroit Public Works Survey Bureau lists items for which approval is needed and the attached sketches depict those items. A formal legal description of the encroachments will follow.

Please feel free to contact me if you have any questions. Thank you for your cooperation.

10-1-99 Received at Table - Refer to
line item Monday

OFFICE OF THE COUNTY EXECUTIVE
600 RANDOLPH STREET, SUITE 349 • DETROIT, MICHIGAN 48226 • 313-224-0286

Sincerely,

A handwritten signature in cursive script that reads "Mary Zuckerman". The signature is written in black ink and includes a long horizontal flourish at the end.

Mary Zuckerman
Assistant County Executive
Charter County of Wayne

cc: James Foster, City of Detroit Department of Public Works Survey Bureau.