

**City of Detroit**  
OFFICE OF THE CITY CLERK

Janice M. Winfrey  
City Clerk

Vivian A. Hudson  
Deputy City Clerk

RECEIVED  
JAN - 6 2011

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**DEPARTMENTAL REFERENCE COMMUNICATION**

*Friday, December 17, 2010*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

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The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

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PUBLIC WORKS DEPARTMENT    DPW - CITY ENGINEERING DIVISION  
CITY PLANNING COMMISSION    BUILDINGS & SAFETY ENGINEERING  
POLICE DEPARTMENT    FIRE DEPARTMENT  
MUNICIPAL PARKING DEPARTMENT    WATER & SEWERAGE DEPARTMENT

**791**

*U.S. General Services Administration (GSA), for vacation of public right of way and restricted use of public rights of way at or near the Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, MI*

ZAB

791



December 3, 2010

**Via UPS Overnight Mail**

Mr. Sidney Bogan, Chief of Staff  
Office of Council President Pro-Tempore Gary A. Brown  
Coleman A. Young Municipal Center  
Suite 1340  
2 Woodward Avenue  
Detroit, MI 48226

Re: United States of America ("Government") acting by and through the U.S. General Services Administration ("GSA") Request for Vacation of Public Right of Way and Restricted Use of Public Rights of Way at or near the Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, MI ("PVM")

Dear Mr. Bogan:

Three years ago, GSA put forth a Solicitation for Offers ("SFO") on behalf of the FBI requesting proposals from prospective private development teams for a newly constructed privately owned facility that would meet the space requirements of the FBI. The prospective location of the new facility targeted the Detroit Central Business District ("CBD"). That effort culminated in the award of a design build contract for a new facility to be located at 1200 6<sup>th</sup> Street. Unfortunately, the challenges of having to overcome difficult lender financing restrictions and prohibitive site preparation costs made the project unsustainable. The awarded contract was terminated.

GSA is now committed to providing the Federal Bureau of Investigation Detroit Field Office ("FBI") required office space in accordance with its programmatic mission in the Patrick V. McNamara Federal Building, where the FBI is now housed.

Integral to the redesign of the PVM which meet the needs of the FBI will be mandatory improvements that provide a level of heightened building security. The Government's requirements for heightened building security include the vacation, closure and/or effective control of adjacent and proximate public right of ways to the PVM and its adjacent surface parking lot. Historically, these land use controls and rights, while limited, were granted by the City of Detroit ("City") which voted in favor of the Government's Petition No. 2275 dated January 21, 1998.

Please consider this GSA's written request to the City to modify and expand upon those certain rights granted in Petition No 2275.

2010 DEC 17 11:11 AM  
CITY CLERK  
DETROIT

U.S. General Services Administration  
230 South Dearborn Street  
Chicago, IL 60604-1696  
www.gsa.gov

GSA has retained the Smith Group to provide certain design services. A newly constructed secured parking structure is to be located on the current Government owned surface parking lot adjacent to the west side of First Street between Abbott and Howard Streets. This secured parking structure is an FBI requirement and will be connected by an overhead walkway to the PVM.

Therefore and most importantly, the Government requires exclusive control of vehicular and pedestrian access, (other than access for vehicles and personnel authorized to maintain and repair existing public or private utility easement areas of record as well as fire, life and safety vehicles and their respective personnel), for those portions of First Street (60 feet wide) situated between the south right of way line of Abbott Street and the north right of way line of Howard Street further illustrated as "Area 1" on the attached drawing. The Government requests that the City vacate its ownership interest of these portions of First Street with all reversionary rights conveyed to the Government subject only to those existing public and or private utility easements of record. Approval of this request for vacation will meet the requirement to provide an unbroken secured perimeter enveloping the PVM and the planned secured parking structure. This request for vacation would closely reflect the current and historical operational conditions of First Street granted by Petition 2275 since its inception dated January 21, 1998.

Secondly, the Government requests exclusive vehicular control (subject only to those existing easement rights of record and fire, life and safety vehicles and respective personnel described above) for those portions of Howard Street (60 feet wide) situated between the west right of way line of Cass Street to a point approximately 103 feet west of the west right of way line of First Street further illustrated as "Area 2 & 4A" on the attached drawing. Furthermore, this right shall be perpetual until such time that the Drug Enforcement Administration (DEA) no longer is the sole tenant at its current location in the Rick Finley Bldg located at 431 Howard Street or at such time occupancy is taken by an alternative single tenant Government Agency having similar heightened security requirements.

Thirdly, the Government requests exclusive vehicular control (subject only to those existing easement rights of record as well as fire, life and safety vehicles and their respective personnel described above) for those portions of First Street (60 feet wide) situated between the south right of way line of Howard Street to a point approximately 130 feet south along its west right of way line and approximately 150 feet along its east right of way line to a barricade current situated south of the first alley-way which is illustrated as "Area 3". This right shall be perpetual until such time that the DEA no longer is the sole tenant at its current location at 431 Howard Street or at such time occupancy is taken by an alternative single tenant Government Agency having similar heightened security requirements.

Lastly, the Government requests that all public parking be prohibited on the north and south sides of Howard Street between First Street and Second Street, and the east and west sides of Second Street between the Abbott Street and Howard Street and the north and south sides of Abbott Street between First Street and Second Street as further illustrated as "Area 4" on the attached drawing. This prohibition of parking shall

continue until such time that the Government determines in its sole discretion that this prohibition of parking is not contrary to the FBI's heightened security level requirements. Public vehicular access shall be prohibited to that portion of First Street that is situated between the south right of way line of Michigan Avenue and the south right of way line of Abbot Street, "Area 5", shall remain closed at Michican Avenue and further restricted to vehicular access along the west right of way line of First Street to Abbot Street.

Furthermore and pursuant to Petition No. 2775, please consider this GSA's formal request to modify and/or amend provisions contained in the current approved petition. More specifically, the rights granted in the petition shall not be revocable by the City. As well, the Government, by law, is unable to indemnify the City. I welcome the opportunity to discuss alternative language that supports this requirement.

It is the sincere intent of GSA to provide the FBI with a facility that will provide a secure first class working environment for its employees in a downtown location. GSA welcomes the opportunity to partner with the City of Detroit to make this effort a reality.

I am available to discuss this request in further detail and to answer any questions or concerns this request may pose.

Respectfully requested,

By: 

**FORREST HUDSON**

Site Acquisition Officer

Real Estate Acquisition Division (5PR)

Public Buildings Service

U.S. General Services Administration

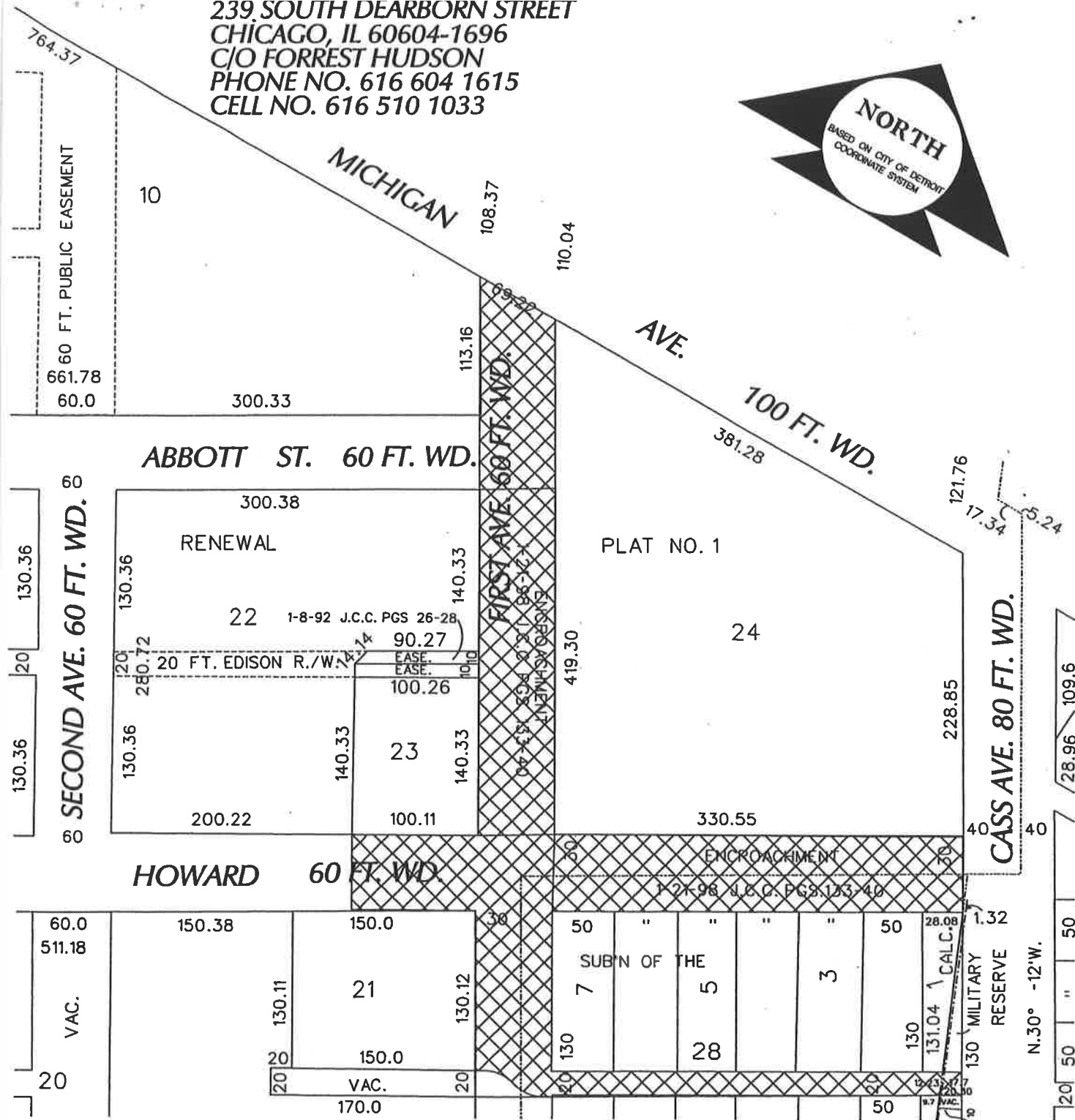
Great Lakes Region

(616) 604-1615 (o)

(616) 510-1033 (c)

cc: Noel Perry, Supervisor Maps and Records, City of Detroit  
Gary Walker, GSA Project Manager (email)  
Christopher Wainwright, GSA Asset Manager (email)  
Carl E. Smith, GSA Assistant Region Counsel (email)  
Anndrea Greer, GSA Building Manager, PVM (email)  
Munir F. Muhammad, GSA Supervisory Property Manager (email)  
Brooke Smith, The Smith Group (email)



239 SOUTH DEARBORN STREET  
 CHICAGO, IL 60604-1696  
 C/O FORREST HUDSON  
 PHONE NO. 616 604 1615  
 CELL NO. 616 510 1033



 - CLOSURE

(FOR OFFICE USE ONLY)

CARTO 28 B

DESCRIPTION	DRWN	CHKD	APPD	DATE
REVISIONS				
DRAWN BY	CHECKED			
KSM				
DATE	APPROVED			
1-11-11				

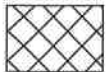
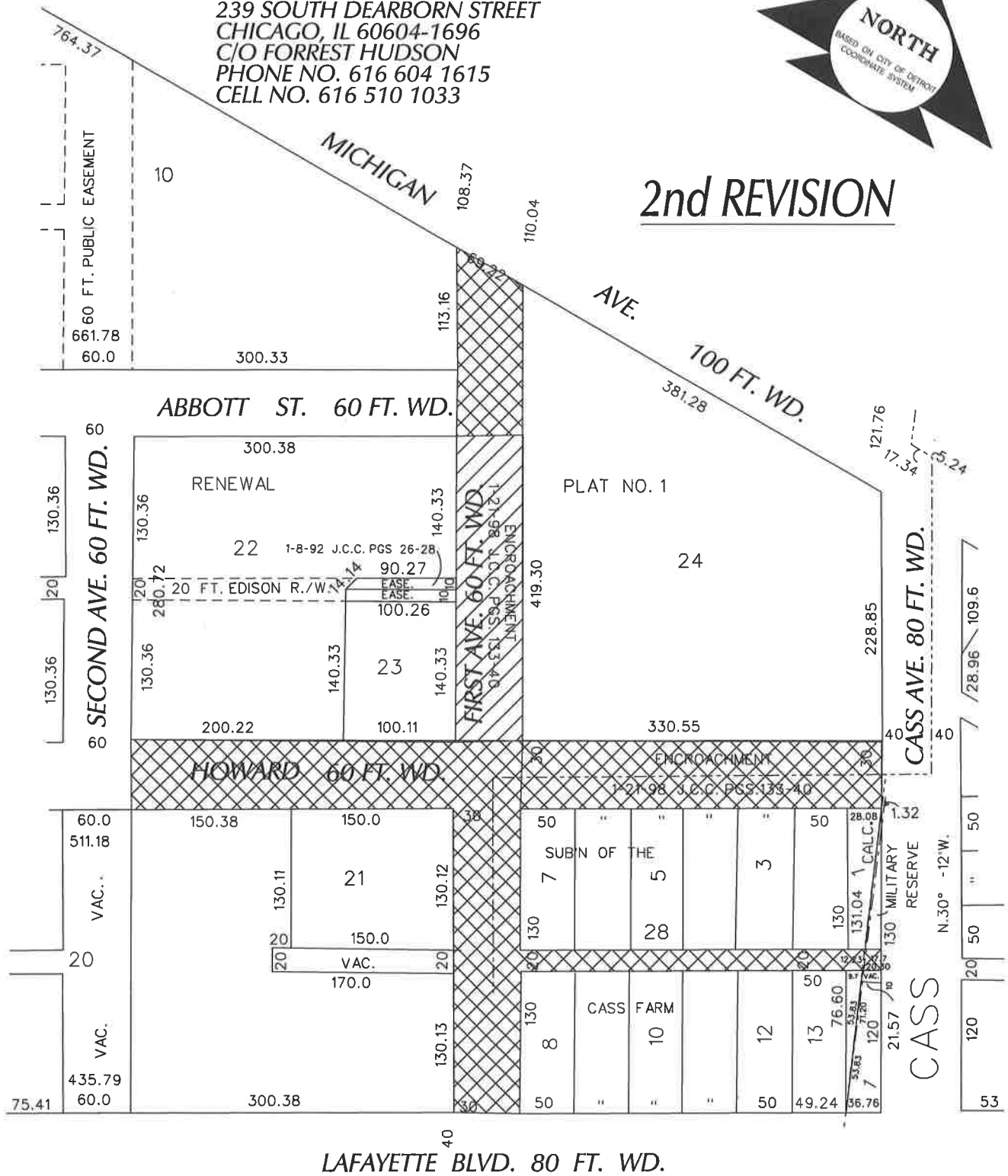
REQUEST CLOSURE OF  
 FIRST AVE. FROM MICHIGAN AVE. TO ALLEY SOUTH OF HOWARD  
 HOWARD FROM CASS TO @103' WEST OF FIRST  
 AND THE 20 FT. WD. E/W ALLEY SOUTH OF HOWARD  
 FROM FIRST TO CASS

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X791.dgn

PETITION NO. 791  
 U.S. GENERAL SERVICES ADMINISTRATION (GSA)  
 239 SOUTH DEARBORN STREET  
 CHICAGO, IL 60604-1696  
 C/O FORREST HUDSON  
 PHONE NO. 616 604 1615  
 CELL NO. 616 510 1033



**2nd REVISION**



- CLOSURE



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 28 B

<b>B</b>	Close of Abbott & Howard to Second Ave./First to Lafayette	KSM			5-6-11
<b>A</b>	OUTRIGHT VACATION BTWN ABBOTT & HOWARD	KSM			1-11-11
REVISIONS					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
DRAWN BY	KSM		CHECKED		
DATE	1-11-11		APPROVED		

REQUEST CLOSURE OF  
 FIRST AVE. FROM MICHIGAN AVE. TO LAFAYETTE  
 HOWARD FROM CASS TO SECOND  
 THE 20 FT. WD. E/W ALLEY SOUTH OF HOWARD  
 FROM FIRST TO CASS, AND ABBOTT ST. BETWEEN SECOND AND  
 FIRST MINUS FIRST AVE. FROM S./P/L OF ABBOTT TO N. P/L OF  
 HOWARD REQUEST OUTRIGHT VACATION

<b>CITY OF DETROIT</b>	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X791.dgn