

Janice M. Winley
City Clerk

Vivian A. Hudson
Deputy City Clerk

RECEIVED JUN - 6 2011

DEPARTMENTAL REFERENCE COMMUNICATION

Thursday, May 26, 2011

To: *The Department or Commission Listed Below*

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

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.

DPW - CITY ENGINEERING DIVISION CITY PLANNING COMMISSION
BOARD OF ZONING APPEALS

987 *Detroit Architect, vacation of alley between 1600 E. Outer Drive and 19740 Conant for use and incorporation of proposed used car lot.*

91D

1406

CEJ

987

D E T R O I T A R C H I T E C T

13718 Woodward Ave, Suite 200 ~ Highland Park, MI 48203 ~ Off: 313-869-6900 Fax: 313-869-4141 ~ www.detroitarchitect.com
Nathan L Harvey, AIA ~ PCS: 313-615-1115 ~ nathan.harvey@detroitarchitect.com

PETITION REQUEST

April 4, 2011

To: The Honorable City Council
Attn: Office of the City Clerk, City of Detroit
200 Coleman A. Young Municipal Center
Detroit, MI 48226

APR 11 2011

From: Mr. Wasim S. Hanna
38154 Thames Ct.
Sterling Heights, MI 48312
Phone: 586-879-7916

-CITY CLERK-

RE: **Vacation of Alley as per Plan**
Joey's Used Cars
1600 E. Outer Drive
Detroit, MI 48234

Mr. Wasim Hanna has acquired two parcels at the corner of E. Outer Drive and Conant, commonly known as 1600 E. Outer Drive and 19740 Conant. There is an alley between the two parcels which he would like to use and incorporate into his proposed used car lot. Used motor vehicle sales is a conditional use, and he has already received a grant for the Outer Drive parcel. We are preparing the site plan review package now so that he can obtain a conditional use grant for the Conant parcel.

It is our understanding that since he now owns the parcels on either side of the alley, and blocking the alley for his used car lot will not create a dead end condition for the remaining alleys, vacating the alley is not a problem for the Engineering Department. Mr. Hanna will pave and maintain the alley, maintain all easements, and leave all utilities in place.

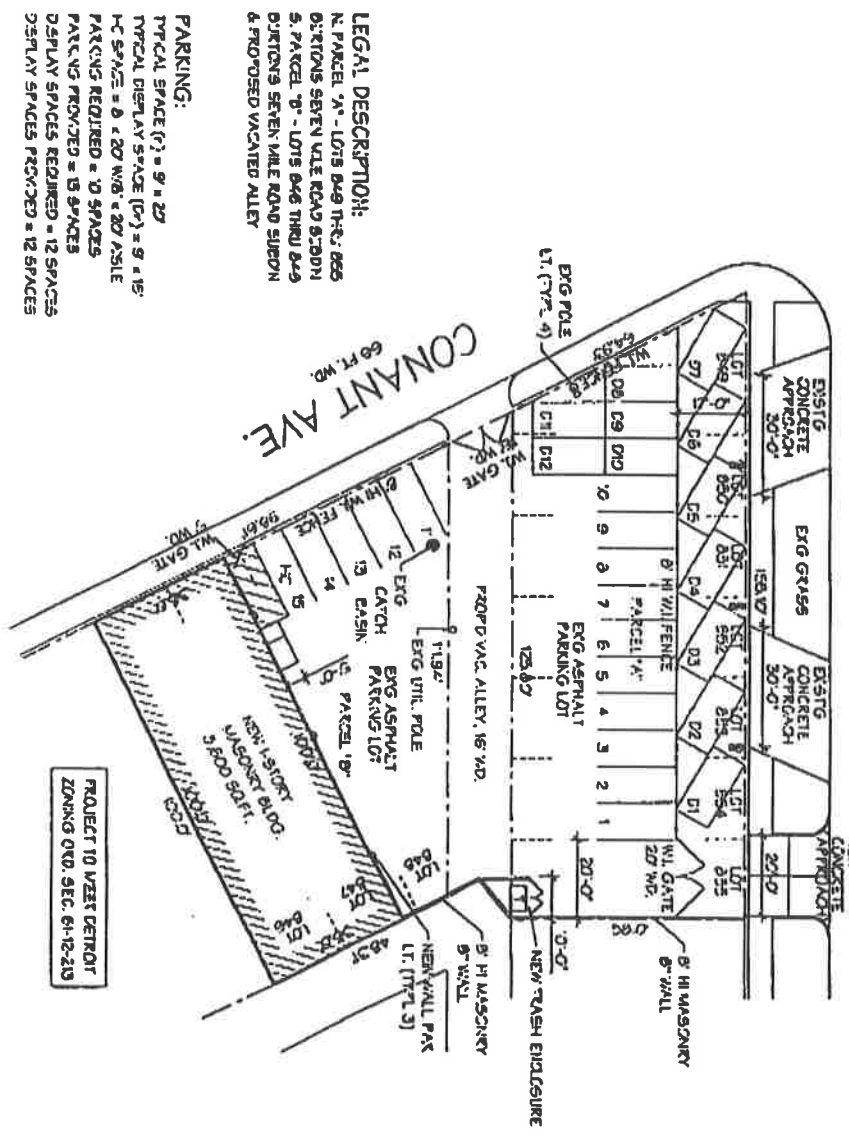
While we do not need an actual hearing before City Council, we would appreciate a speedy referral to the Engineering Department and a Petition Number as soon as possible.

Sincerely yours,



Nathan L. Harvey
Architect for the Petitioner

E. OUTER DRIVE




LEGAL DESCRIPTION:
 N. PARCEL 'A' - LOTS 849 THRU 855
 DIVISION SEVEN WILE ROAD SECTION
 5, PARCEL 'B' - LOTS 846 THRU 848
 DIVISION SEVEN WILE ROAD SUBD
 & PROPOSED VACATED ALLEY

PARKING:
 TYPICAL SPACE (7') = 9 x 22
 TYPICAL DISPLAY SPACE (10') = 9 x 15
 HC SPACE = 8 x 20' W/8 x 20' ASIDE
 PARKING REQUIRED = 10 SPACES
 DISPLAY SPACES REQUIRED = 13 SPACES
 DISPLAY SPACES PROVIDED = 12 SPACES

SITE PLAN

TOTAL SITE AREA = 17,420 SQ. FT.



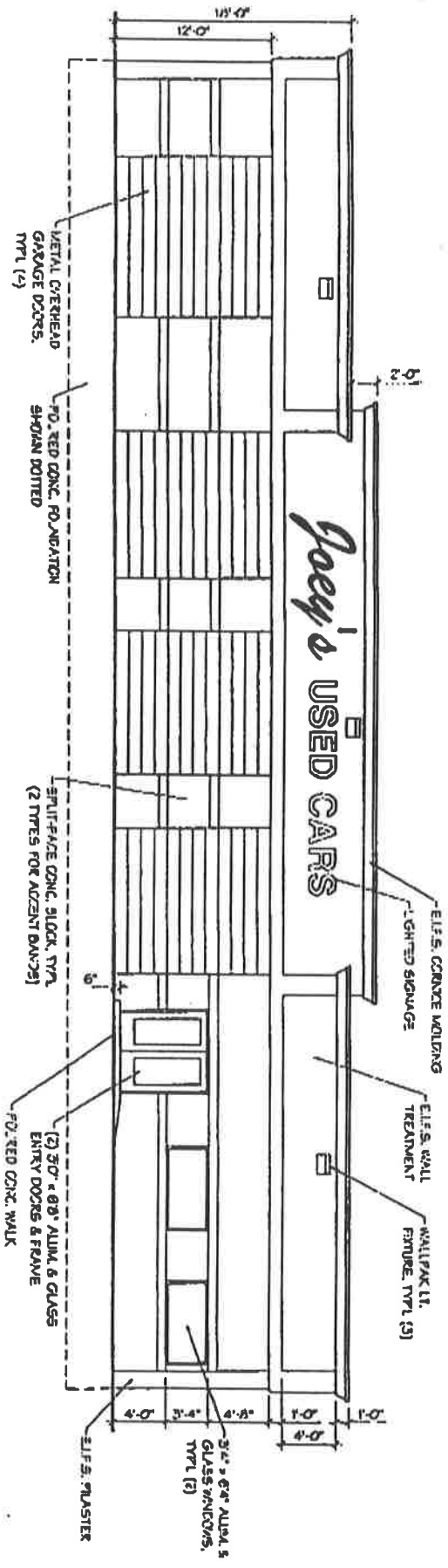

DETROIT ARCHITECT
 William A. Meehan, AIA
 13711 Woodward Ave., Highland Park, MI 48213
 (313) 286-1118
 (313) 286-1119

Joey's Used Cars - 1600 E. Outer Drive
 Owner: Master St. Partners, 3800 E. Thacker Ct., Sterling Hgts., MI
 Contact: Sarah Nantz, 586-573-7395

SITE PLAN
 SCALE: 1" = 30'-0" DATE: 04/20/11 SHEET 1 OF 2

FRONT ELEVATION

SCALE: 1/8" = 1'-0"





DETROIT ARCHITECT

 Daniel J. Miller

 13711 Woodward Ave., Highland Park, MI 48203, 313-963-4191

Joey's Used Cars - 1600 E. Outer Drive

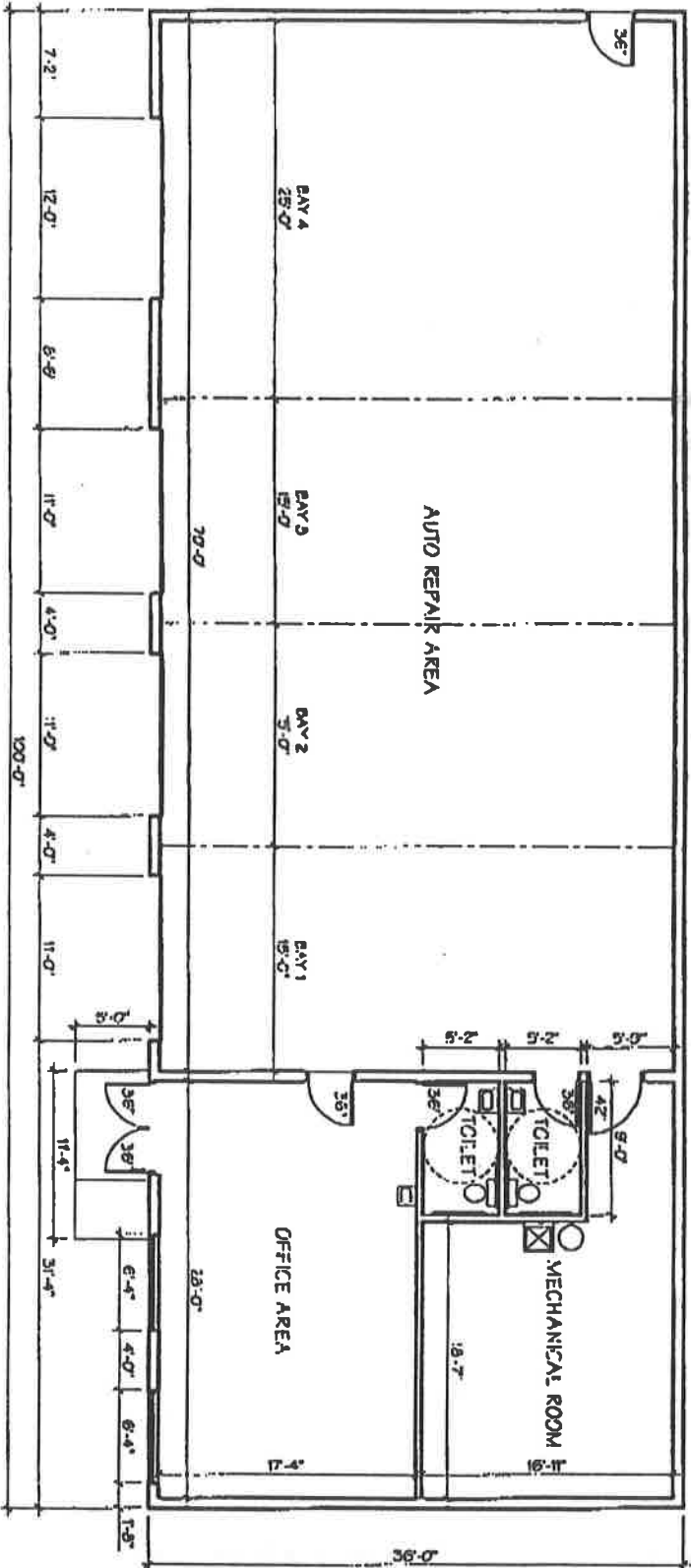
 Detroit, Michigan, MI

 Contract: Sarah Haver, 506-878-7915

 SCALE: 1/8" = 1'-0"

CADWIN

 Sheet 3 of 3



FLOOR PLAN

SCALE: 1/8" = 1'-0"



DETROIT ARCHITECT
 Nathan Lloyd Harvey, MA
 13711 Woodward Ave., Highland Park, MI 48203, harvey@detroitarchitect.com

Joey's Used Cars - 1600 E. Outer Drive
 Contact: Vaughan S. Harris, 3054 Thorne Ct., Sterling Hgts., MI
 Contact: Sarah H. Harris, 535-673-7916
 FLOOR PLAN
 SCALE: 1/8" = 1'-0" CAD: JH
 SHEET 2 OF 3



June 26, 2012

Honorable City:

RE: Petition No. 987 – Detroit Architect, vacation of alley between 1600 E. Outer Drive and 19740 Conant for use and incorporation of proposed used car lot.

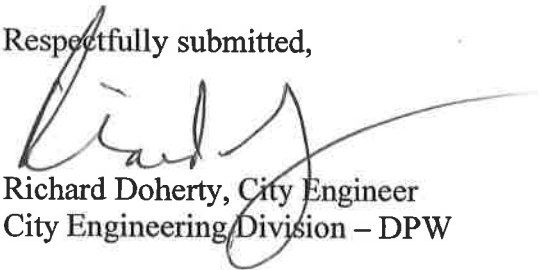
Petition No. 987 of Detroit Architect, request for the conversion of a portion of the east – west public alley, 16 feet wide, in the area south of East Outer Drive, 150 feet wide, between Conant Avenue, 66 feet wide, and Goddard Avenue, 75 feet wide, into a private easement for utilities.

The request was approved by the Solid Waste Division – DPW, and the Traffic Engineering Division – DPW. The petition was referred to the City Engineering Division – DPW for investigation (utility review) and report. This is our report.

All City departments and privately owned utility companies have reported no objections to the conversion of the public rights-of-way into private easement for the public utilities. Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,



Richard Doherty, City Engineer
City Engineering Division – DPW

NRP/

Cc: Ron Brundidge, Director – DPW
Mayor's Office – City Council Liaison

BY COUNCIL MEMBER _____

RESOLVED, All that part of the East – West public alley, 16 feet wide, in the area south of East Outer Drive, 150 feet wide, between Conant Avenue, 66 feet wide, and Goddard Avenue, 75 feet wide, lying Southerly of and abutting the South line of Lots 849 through 854, both inclusive, and the west 5.00 feet of Lot 855 and lying Northerly of and abutting the North line of Lot 848 all in the “Burton’s Seven mile Road Subdivision” of the Southwest ¼ of Section 6 T.1S.,R.12E., Hamtramck Township (now City of Detroit), Wayne County, Michigan as recorded in Liber 34, Page 47, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alley and by their heirs, executors, administrators and assigns, forever to wit:

Provided, that an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easements for the purpose above set forth; and be it further

Provided, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easements is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

Provided, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc., shall be built upon or over said easements, or that no grade changes or storage of materials shall be made within said easements without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, that if any time in the future, the owners of any lots abutting on said alley shall request the removal and/or relocation of the aforementioned utilities in said easements, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easements shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

First, said owners hereby grant to and for the use of the public easement or right-of-way over said vacated public alley herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, Said utility easement or right-of-way in and over said vacated alley herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls, shall be built or placed upon said easements, nor change of surface grade made, without prior approval of the City Engineering Division – DPW,

Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and further

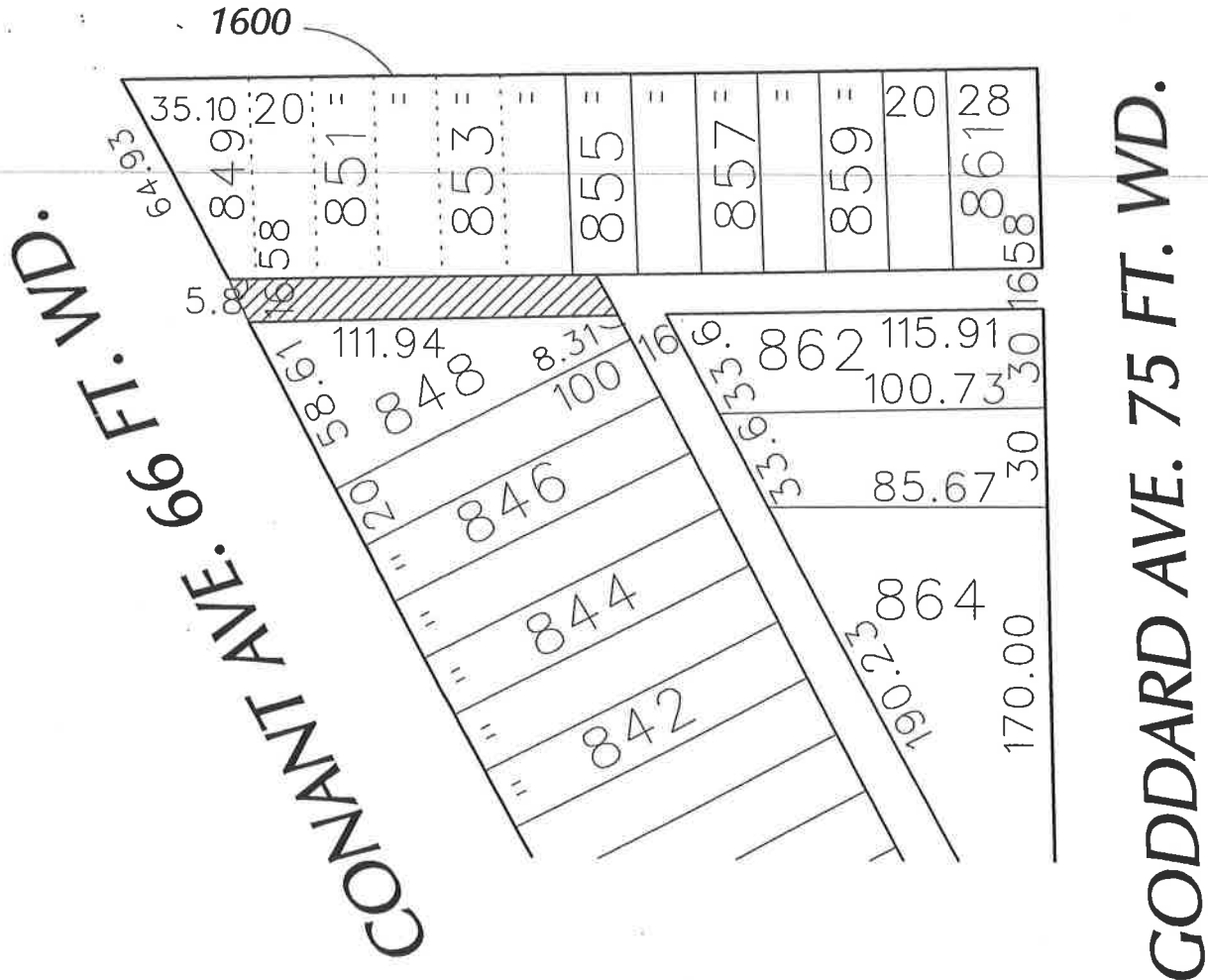
PROVIDED, That if it becomes necessary to remove the paved alley return at the entrances (into Conant Avenue.), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; 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.

PETITION NO. 987
 DETROIT ARCHITECT
 13718 WOODWARD AVE.
 SUITE 200
 HIGHLAND PARK, MICHIGAN 48203
 PHONE NO. 313 869 6900



EAST OUTER DRIVE 150 FT. WD.



 - AREA OF EASEMENT

(FOR OFFICE USE ONLY)

CARTO 91 D

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	KSM				CHECKED
DATE	6-23-11				APPROVED
					<i>[Signature]</i>

**REQUEST EASEMENT
 AT THE WEST PORTION
 OF THE EAST/WEST ALLEY
 BEHIND 1600 EAST OUTER DRIVE**

**CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU**

JOB NO. 01-01
 DRWG. NO. X987.dgn