

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Wednesday, November 13, 2013

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 PLANNING AND DEVELOPMENT DEPARTMENT
LAW DEPARTMENT LEGISLATIVE POLICY DIVISION

2997 *Michael L. Priest & Associates, request to construct sewer in Arnold Avenue right of way (east of Ogden) South of Michigan Avenue, West of Lonyo.*

AB
[132]

2447



Michael L. Priest & Associates, Inc.
40655 Koppemick Road, Canton, MI 48187
phone: (734) 459-8560
fax: (734) 459-2585

November 06, 2013

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

Attention: The Honorable City Council

Regarding: Request for to Construct Sewer in Arnold Avenue Right of Way (east of Ogden)
South of Michigan Avenue, West of Lonyo

2013 NOV - 7 P 2:33
OFFICE OF THE
DEPUTY CITY CLERK

Dear Council:

We are involved, as engineering and surveying consultants, with a project for a proposed charter school at the site of the former DPS O.W. Holmes School located at 4833 Ogden 48210, between Trenton and Ogden south of Arnold Avenue.

The school is proposed to be a new location for Universal Academy (UA). UA currently operates a K-12 school at 4612 Lonyo in the City. The demand for this school is such that they have a need to expand in the area. The existing location has been demolished and a plan to construct a state of the art facility to provide education to 750 K-12 students. The work is proposed to take place this year with a grand opening to take place during the 2014 – 2015 school year.

The northern portion of the land purchased from DPS by UA is occupied by the school and the southern portion of the land is vacant and abuts the City's Woodrow Wilson Memorial Playfield (now Romanowski Park). The new school is proposed on the northern part of the land and a parking area is proposed on the southern part.

Due to the increase in impervious area proposed we believe it is necessary to split the runoff into two different sewer lines. This will minimize the possibility of any adverse effects of the improvements. It is apparent from a review of the existing sewer plans that the existing line east of this site was designed to support lots in the area that is now the park and has unused capacity.

We are proposing to direct the drainage from the northern part of the site into the sewer line west of Ogden and to direct the drainage from the southern part of the site to the sewer line east of Ogden. To get to the line east of Ogden, we are requesting to place the new sewer in the right of way of Arnold Avenue.

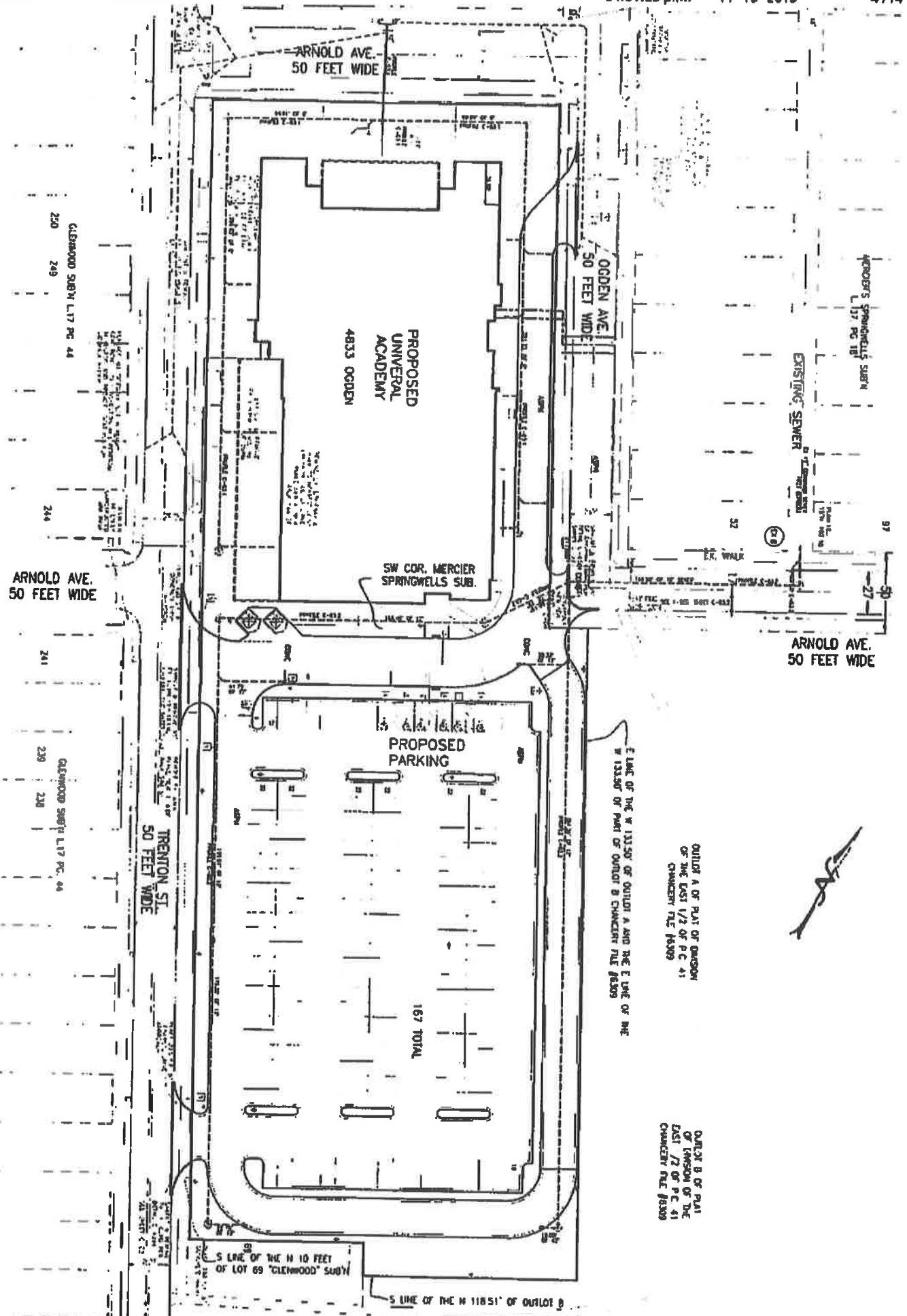
Ten (10) copies of a drawing, illustrating the proposed improvements and location of the requested sewer, are enclosed.

Thank you for your consideration.

Very Truly Yours,

Michael L. Priest, P.E.
File 1203

Ismail Bachir, U.A.



PROPOSED
UNIVERSAL
ACADEMY
4833 OGDEN

SW COR. MERCIER
SPRINGWELLS SUB.

PROPOSED
PARKING

167 TOTAL

ARNOLD AVE.
50 FEET WIDE

TRENTON ST.
50 FEET WIDE

OGDEN AVE.
50 FEET WIDE

ARNOLD AVE.
50 FEET WIDE

OUTLET A OF PLAN OF DRAINAGE
OF THE EAST 1/2 OF P.C. 41
CHANGEMEN FILE #8309

OUTLET B OF PLAN
OF DRAINAGE OF THE
EAST 1/2 OF P.C. 41
CHANGEMEN FILE #8309

E LINE OF THE W 133.50' OF OUTLET A AND THE E LINE OF THE
W 133.80' OF PART OF OUTLET B CHANGEMEN FILE #8309

S LINE OF THE N 10 FEET
OF LOT 69 "CLEMWOOD" SUB'N

S LINE OF THE N 118.51' OF OUTLOT B

CLEMWOOD SUB'N L17 PG 44
250 249

244

241

CLEMWOOD SUB'N L17 PG 44
239 238

4800'S SPRINGWELLS SUB'N
L17 PG 18

EXISTING SEWER

97

50

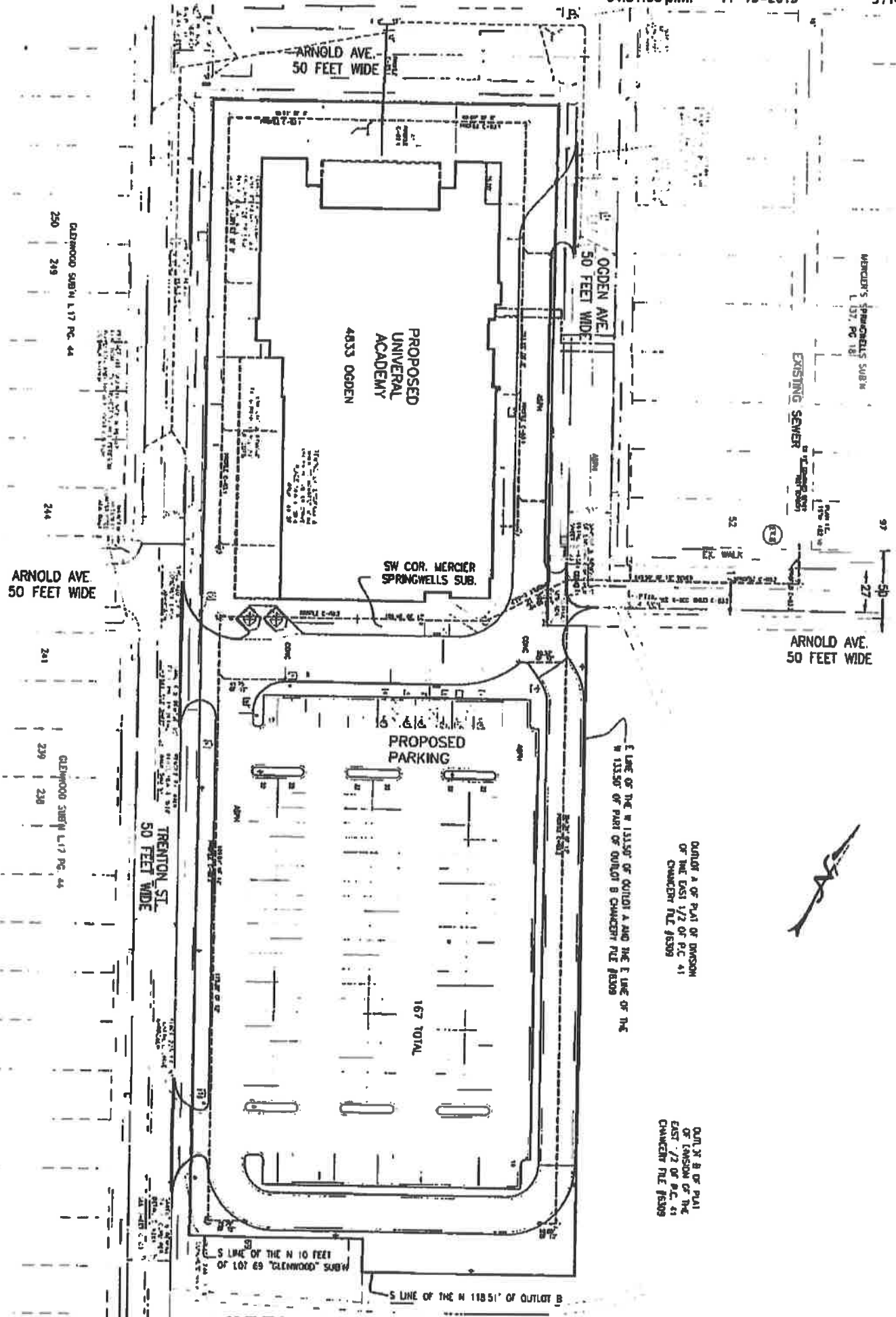
27

52

FR. WALK

(29)





ARNOLD AVE.
50 FEET WIDE

OGDEN AVE.
50 FEET WIDE

EXISTING SEWER

MERCIER'S SPRINGWELLS SUB'N
L 1371, PG 181

PROPOSED
UNIVERSAL
ACADEMY
4833 OGDEN

SW COR. MERCIER
SPRINGWELLS SUB.

ARNOLD AVE.
50 FEET WIDE

ARNOLD AVE.
50 FEET WIDE

PROPOSED
PARKING

167 TOTAL

TRENTON ST.
50 FEET WIDE

E LINE OF THE N 1135' OF OUTLOT A AND THE E LINE OF THE
N 1135' OF PART OF OUTLOT B CHANCERY FILE #8309

OUTLOT A OF PART OF DRAGON
OF THE EAST 1/2 OF P.C. 41
CHANCERY FILE #8309

OUTLOT B OF PART
OF LANSON OF THE
EAST 1/2 OF P.C. 41
CHANCERY FILE #8309

S LINE OF THE N 10 FEET
OF 107 69 "GLENWOOD" SUB'N

S LINE OF THE N 11851' OF OUTLOT B

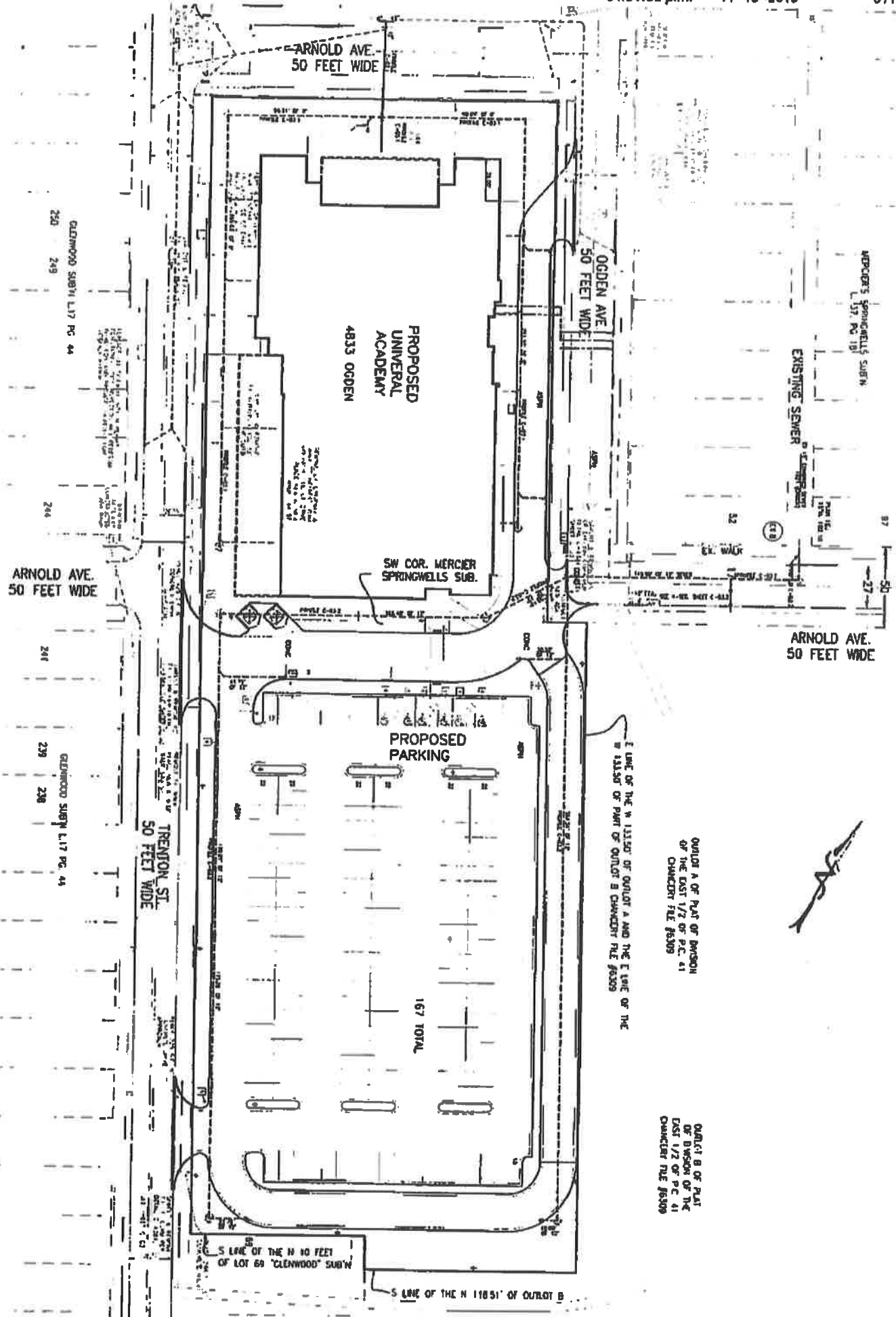
250 249
GLENWOOD SUB'N L 17 PG. 44

244

241

239 238
GLENWOOD SUB'N L 17 PG. 44





ARNOLD AVE.
50 FEET WIDE

OODDEN AVE.
50 FEET WIDE

APPROXIMATE SPRINGWELLS SUB'N
L. 57, PG. 181

EXISTING SEWER

PROPOSED
UNIVERSAL
ACADEMY
4833 OODDEN

SW COR. MERCER
SPRINGWELLS SUB.

ARNOLD AVE.
50 FEET WIDE

ARNOLD AVE.
50 FEET WIDE

PROPOSED
PARKING

167 TOTAL

TRENTON ST.
50 FEET WIDE

GLENWOOD SUB'N L.17 PG. 44
250 249

244

246

GLENWOOD SUB'N L.17 PG. 44
239 238

OUTLOT A OF PART OF PARSON
OF THE EAST 1/2 OF P.C. 41
CHANCERY FILE 65309

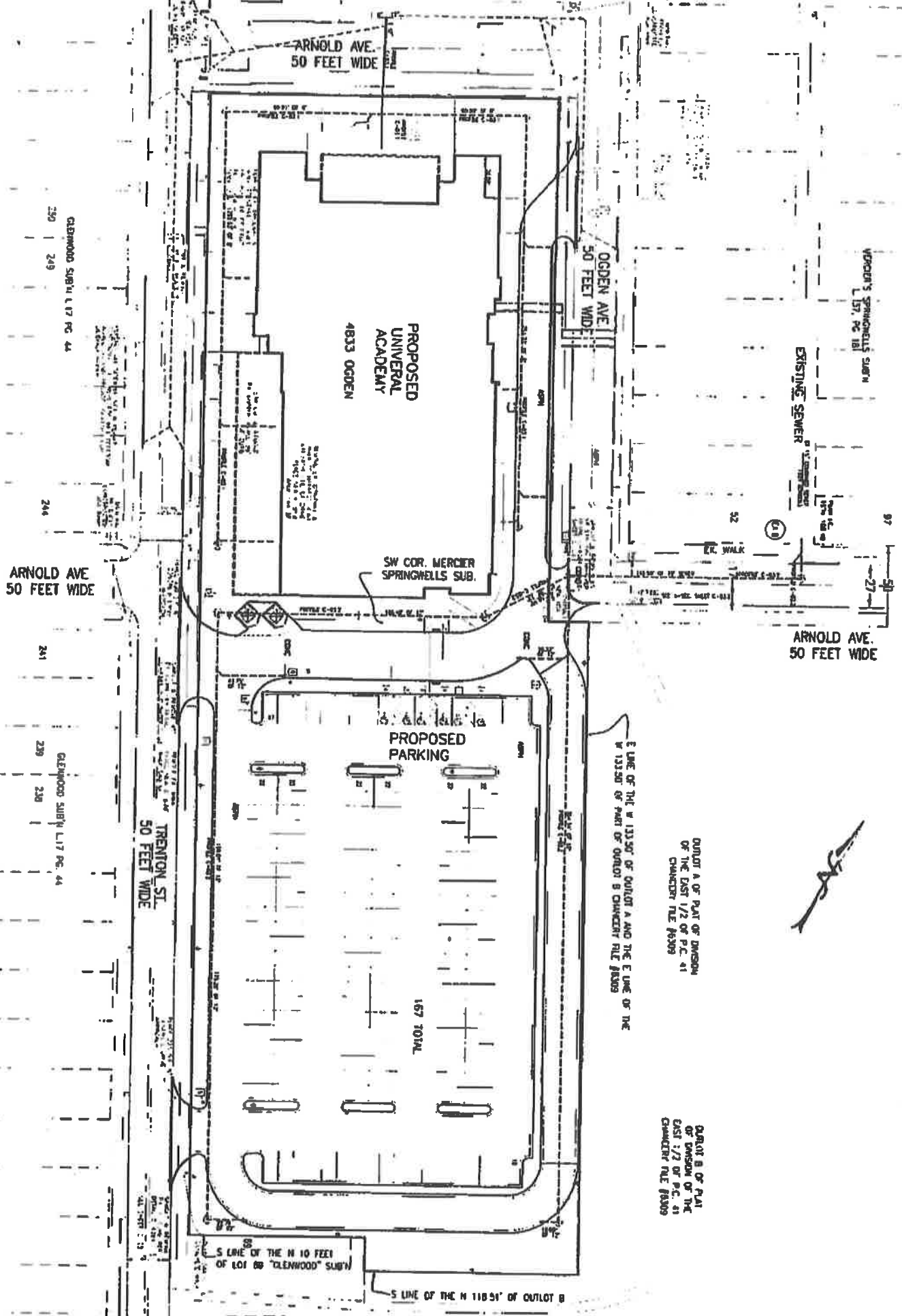
E LINE OF THE N 1151' OF OUTLOT A AND THE E LINE OF THE
N 1151' OF PART OF OUTLOT B CHANCERY FILE 65309

OUTLOT B OF PART
OF DIVISION OF THE
EAST 1/2 OF P.C. 41
CHANCERY FILE 65309

S LINE OF THE N 10 FEET
OF LOT 69 "GLENWOOD" SUB'N

S LINE OF THE N 11651' OF OUTLOT B





CLEMMONS SUBD L 17 PC 44
 239 | 249
 244

ARNOLD AVE
 50 FEET WIDE

241
 239 | 239
 CLEMMONS SUBD L 17 PC 44

TRENTON ST.
 50 FEET WIDE

S LINE OF THE N 10 FEET
 OF LOT 88 "CLEMMONS" SUBD

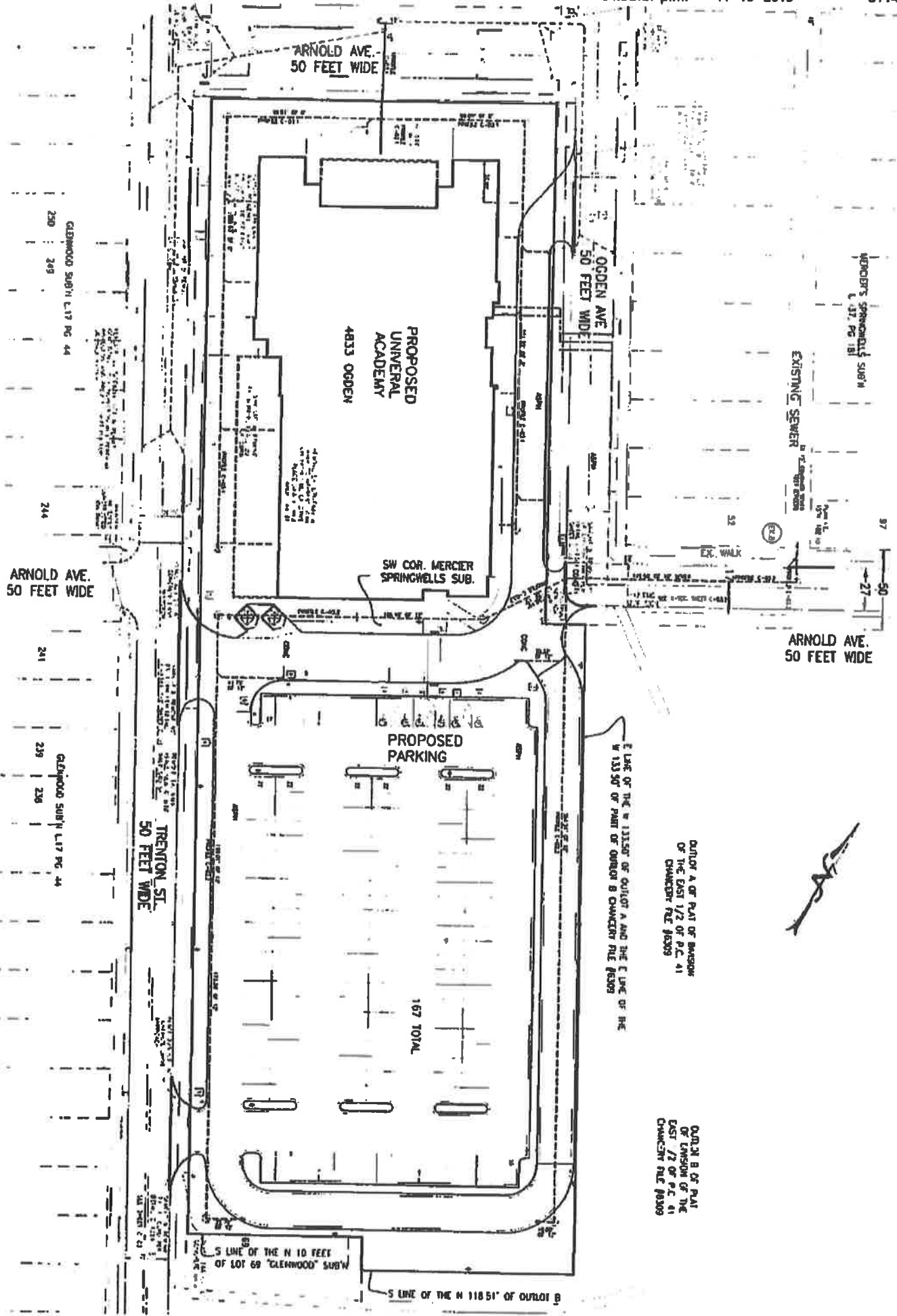
S LINE OF THE N 110.51' OF OUTLOT B

E LINE OF THE N 133.50' OF OUTLOT A AND THE E LINE OF THE
 N 133.50' OF PART OF OUTLOT B CHANCERY FILE #8309

OUTLOT A OF PART OF DIVISION
 OF THE EAST 1/2 OF P.C. 41
 CHANCERY FILE #8309

OUTLOT B OF PART
 OF DIVISION OF THE
 EAST 1/2 OF P.C. 41
 CHANCERY FILE #8309





ARNOLD AVE.
50 FEET WIDE

OGDEN AVE
50 FEET WIDE

MERCER'S SPRINGWELLS SUB
L. 137, PG. 181

EXISTING SEWER

PROPOSED
UNIVERSAL
ACADEMY
4833 OGDEN

SW COR. MERCIER
SPRINGWELLS SUB.

ARNOLD AVE.
50 FEET WIDE

ARNOLD AVE.
50 FEET WIDE

PROPOSED
PARKING

167 TOTAL

TRENTON ST.
50 FEET WIDE

OUTLINE A OR PART OF BOUNDARY
OF THE EAST 1/2 OF P.C. 41
CHANCERY FILE #8309

OUTLINE B OR PART
OF BOUNDARY OF THE
EAST 1/2 OF P.C. 41
CHANCERY FILE #8309

S LINE OF THE N 10 FEET
OF LOT 69 "CLEMWOOD" SUB

S LINE OF THE N 118.51' OF OUTLOT B

CLEMWOOD SUB N. L. 17 PG. 44
250 249

244

241

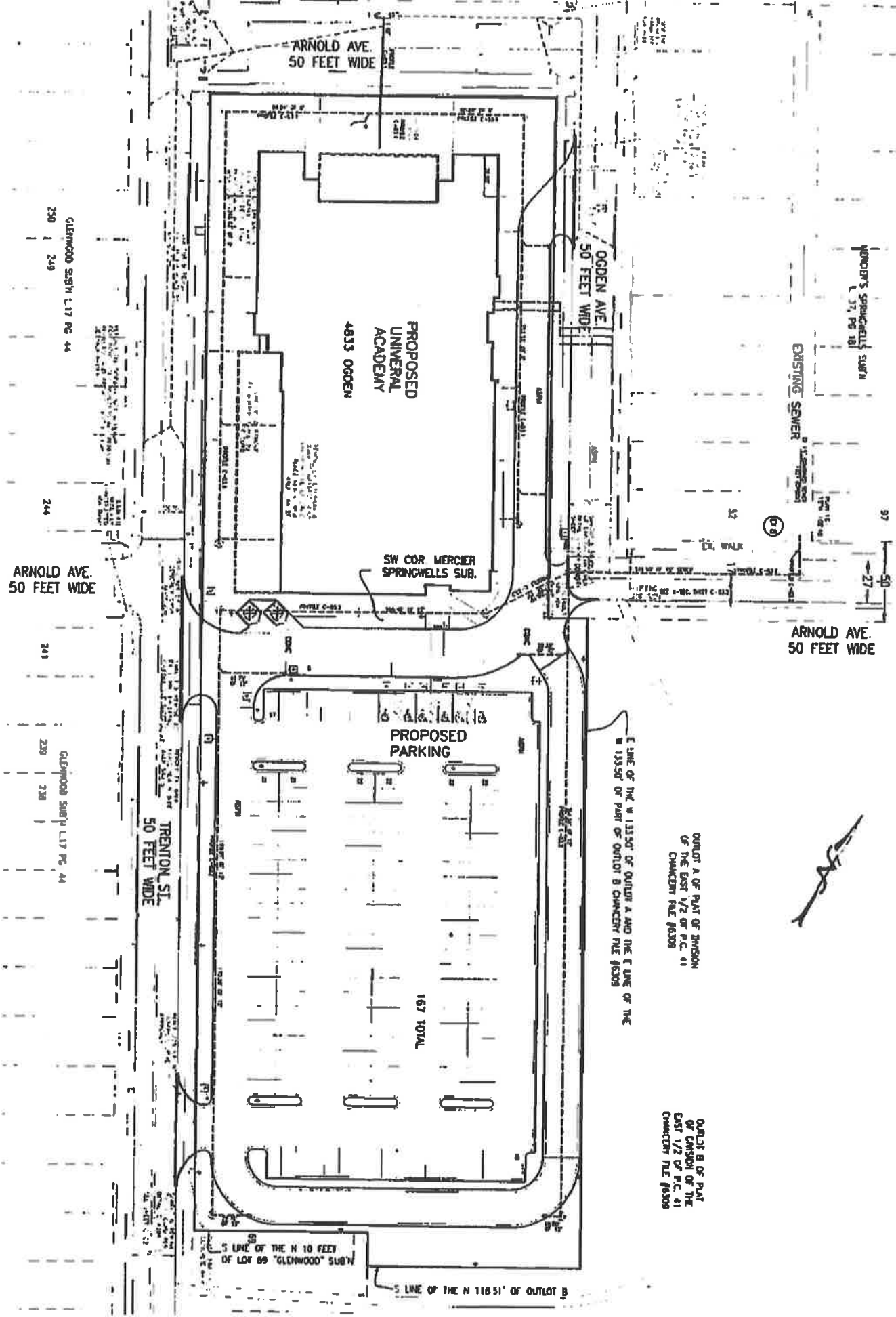
CLEMWOOD SUB N. L. 17 PG. 44
239 238

97

50

27





ARNOLD AVE.
50 FEET WIDE

OGDEN AVE.
50 FEET WIDE

MERCER'S SPRINGWELLS SUB
L. 37, PG 181

EXISTING SEWER

PROPOSED
UNIVERSAL
ACADEMY
4833 OGDEN

SW COR MERCER
SPRINGWELLS SUB.

ARNOLD AVE.
50 FEET WIDE

PROPOSED
PARKING
167 TOTAL

ARNOLD AVE.
50 FEET WIDE

TRENTON ST.
50 FEET WIDE

OUTLOT A OR PART OF DIVISION
OF THE EAST 1/2 OF P.C. 41
CHANCERY FILE #8309

OUTLOT B OR PART
OF DIVISION OF THE
EAST 1/2 OF P.C. 41
CHANCERY FILE #8309

5' LINE OF THE N 10 FEET
OF LOT 89 "GLENWOOD" SUB

5' LINE OF THE N 118.51' OF OUTLOT B

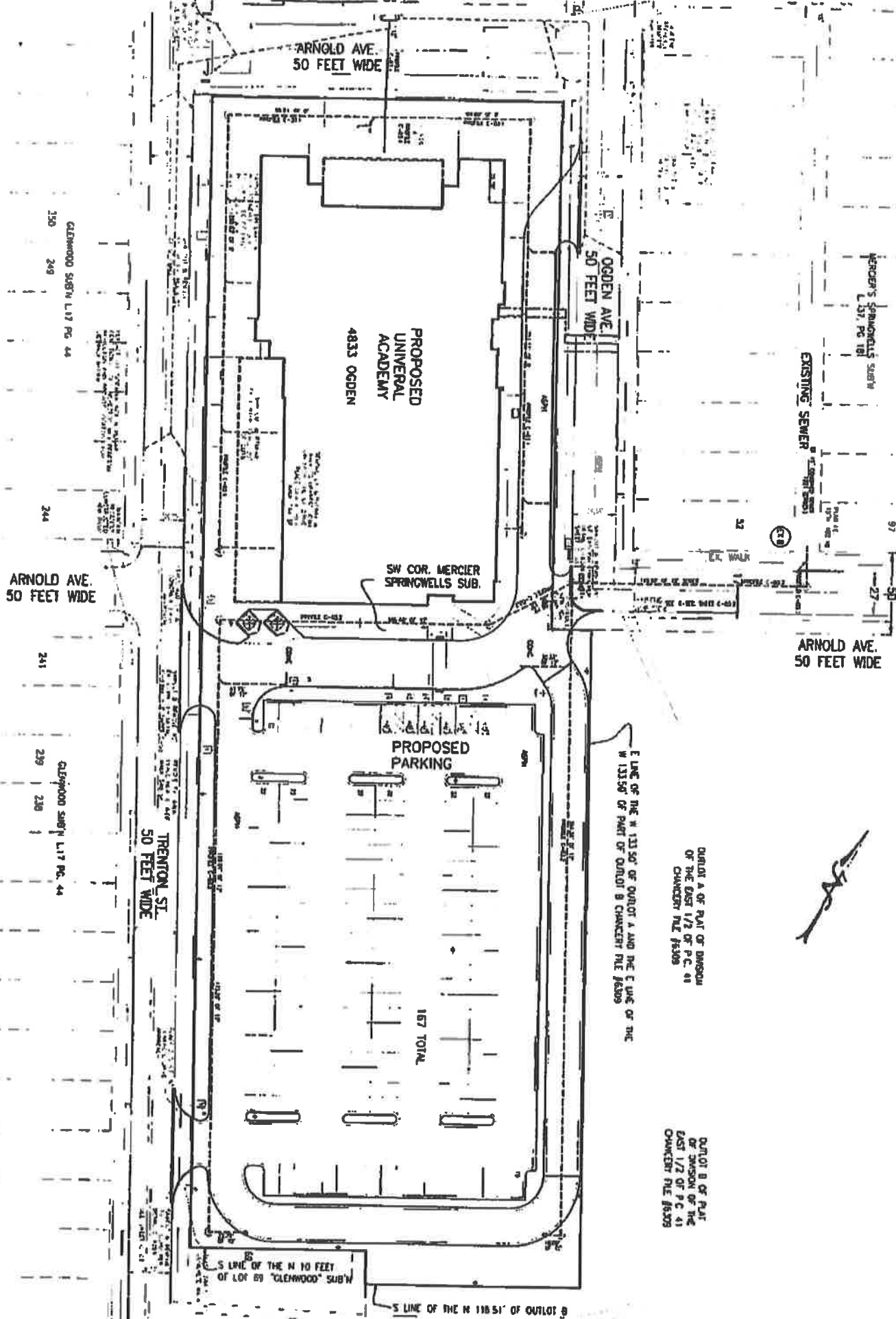
E LINE OF THE N 133.50' OF OUTLOT A AND THE E LINE OF THE
N 133.50' OF PART OF OUTLOT B CHANCERY FILE #8309

GLENWOOD SUB L. 37 PG 181
250 | 249

244

241

GLENWOOD SUB L. 17 PG 44
239 | 238



GLENWOOD SUB L.17 PG. 44
 250 249

ARNOLD AVE. 50 FEET WIDE

GLENWOOD SUB L.17 PG. 44
 239 238

TRENTON ST. 50 FEET WIDE

ARNOLD AVE. 50 FEET WIDE

OGDEN AVE. 50 FEET WIDE

EXISTING SEWER

MERCER'S SPRINGWELLS SUB L.17 PG. 181

PROPOSED UNIVERSAL ACADEMY
 4833 OGDEN

SW COR. MERCIER SPRINGWELLS SUB.

PROPOSED PARKING
 167 TOTAL

ARNOLD AVE. 50 FEET WIDE

E LINE OF THE N 131.50' OF OUTLOT A AND THE E LINE OF THE N 131.50' OF PART OF OUTLOT B CHANCERY FILE #3305

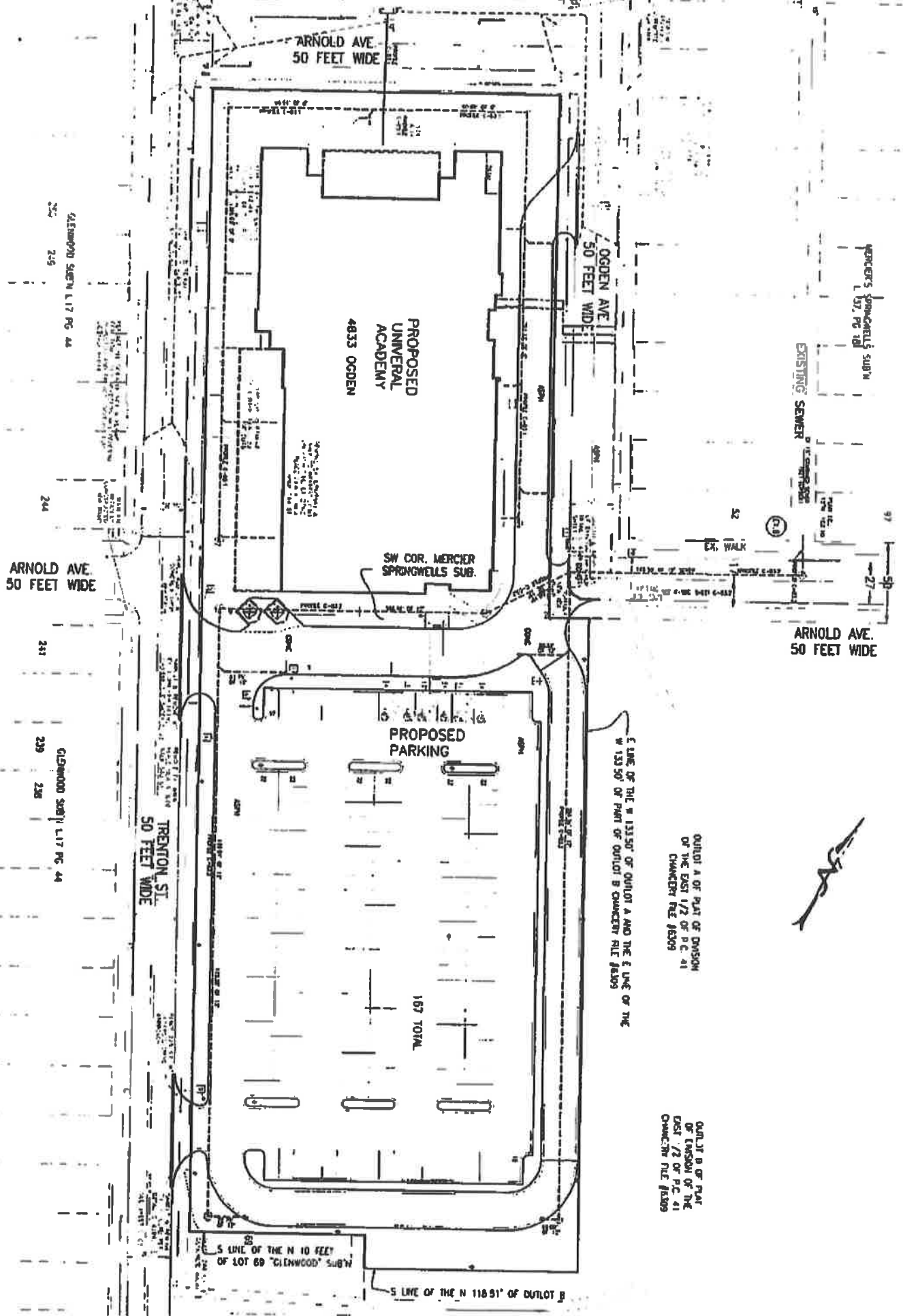
OUTLOT A OR PART OF DIVISION OF THE EAST 1/2 OF P.C. 41 CHANCERY FILE #3305

OUTLOT B OR PART OF DIVISION OF THE EAST 1/2 OF P.C. 41 CHANCERY FILE #3305

S LINE OF THE N 10 FEET OF LOT BY "GLENWOOD" SUB

S LINE OF THE N 118.51' OF OUTLOT B





PROPOSED
UNIVERSAL
ACADEMY
4833 OGDEN

PROPOSED
PARKING

167 TOTAL

SW COR. MERCER
SPRINGWELLS SUB.

ARNOLD AVE.
50 FEET WIDE

ODDEN AVE.
50 FEET WIDE

ARNOLD AVE.
50 FEET WIDE

ARNOLD AVE.
50 FEET WIDE

TRENTON ST.
50 FEET WIDE

GLENWOOD SUB'N L17 PG 44
245

244

243

239

238

GLENWOOD SUB'N L17 PG 44
239 238

OUTLOT A OF PART OF DIVISION
OF THE EAST 1/2 OF P.C. 41
CHANCERY FILE #8309

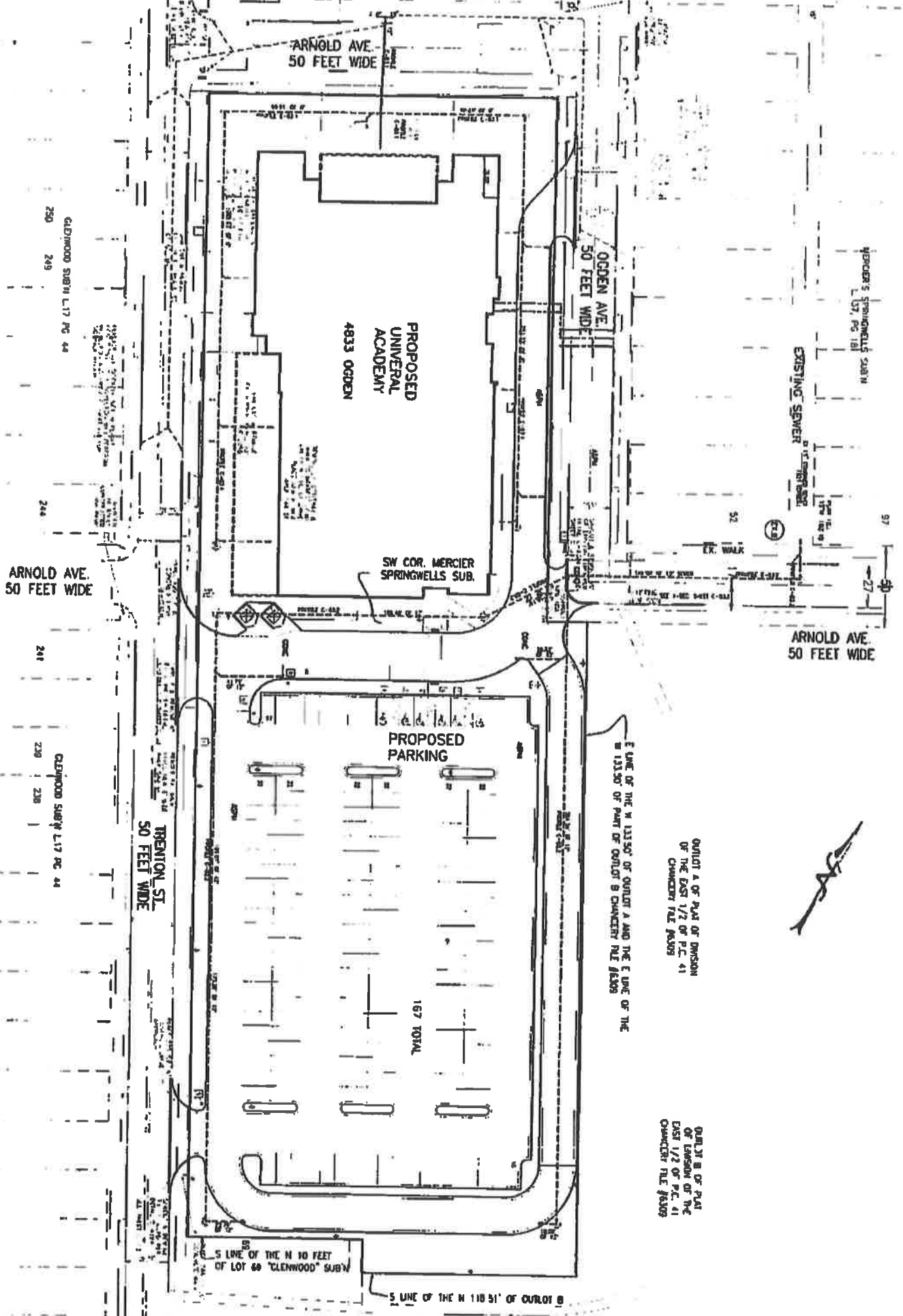
OUTLOT B OF PART
OF DIVISION OF THE
EAST 1/2 OF P.C. 41
CHANCERY FILE #8309

E LINE OF THE W 133.50' OF OUTLOT A AND THE E LINE OF THE
W 133.50' OF PART OF OUTLOT B CHANCERY FILE #8309

S LINE OF THE N 10 FEET
OF LOT 69 "GLENWOOD" SUB'N

S LINE OF THE N 118.91' OF OUTLOT B





PROPOSED
UNIVERSAL
ACADEMY
4833 OGDEN

SW COR. MERCIER
SPRINGWELLS SUB.

PROPOSED
PARKING

167 TOTAL

EXISTING SEWER

ARNOLD AVE.
50 FEET WIDE

ARNOLD AVE.
50 FEET WIDE

BRENTON ST.
50 FEET WIDE

OUTLOT A OR PART OF OUTLOT B
OF THE EAST 1/2 OF P.L. 41
CHANCERY FILE #305

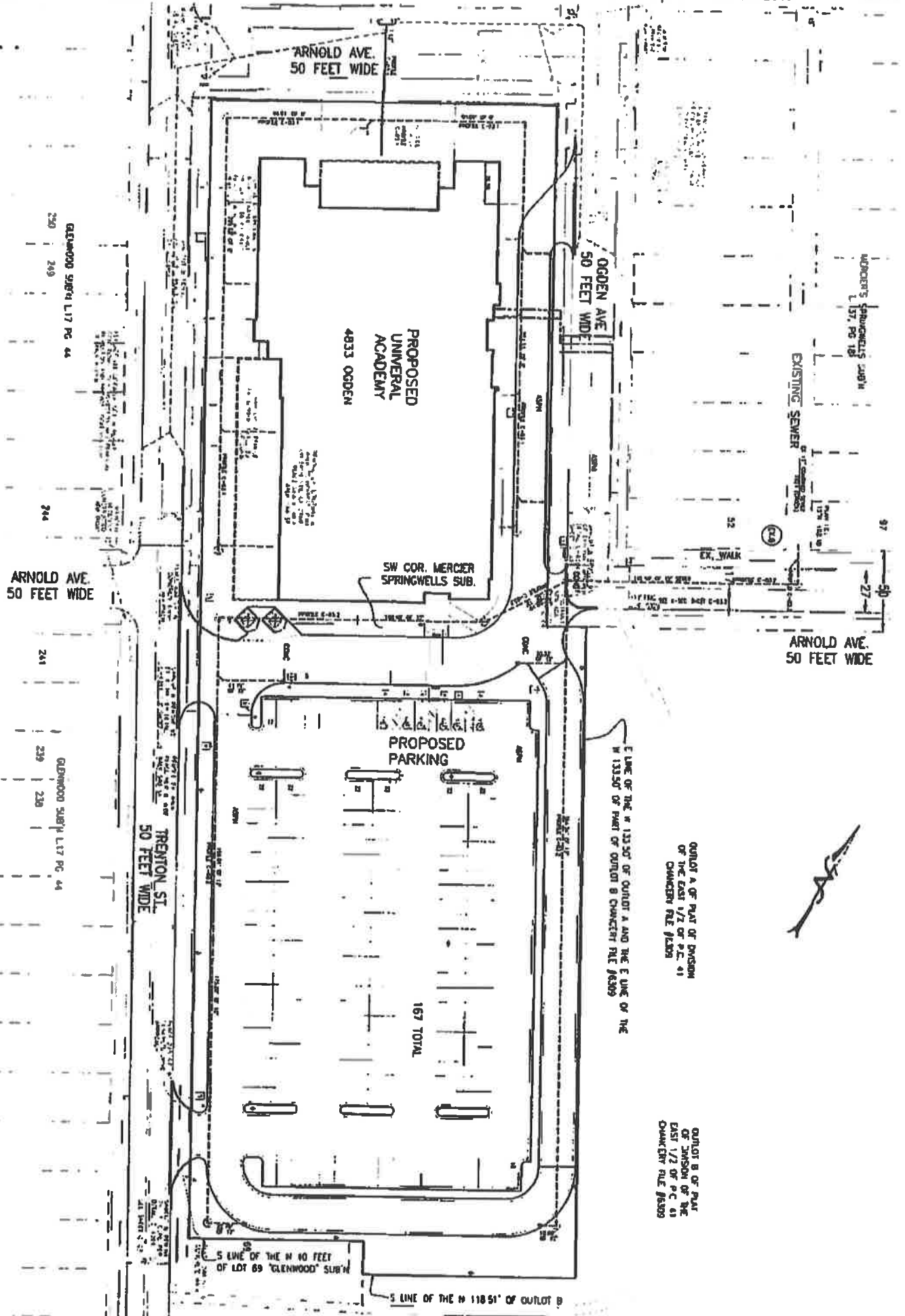
OUTLOT B OR PART
OF SECTION OF THE
EAST 1/2 OF P.L. 41
CHANCERY FILE #305

S LINE OF THE N 10 FEET
OF LOT 69 "OLDWOOD" SUB

S LINE OF THE N 110.51' OF OUTLOT B

E LINE OF THE N 133.50' OF OUTLOT A AND THE E LINE OF THE
N 133.50' OF PART OF OUTLOT B CHANCERY FILE #305





PROPOSED
UNIVERSAL
ACADEMY
4833 OGDEN

SW COR. MERCER
SPRINGWELLS SUB.

PROPOSED
PARKING

167 TOTAL

EXISTING SEWER

ARNOLD AVE.
50 FEET WIDE

ARNOLD AVE.
50 FEET WIDE

TRENTON ST.
50 FEET WIDE

E LINE OF THE N 133.50' OF OUTLOT A AND THE E LINE OF THE
N 133.50' OF PART OF OUTLOT B CHARACTER FILE #3309

OUTLOT A OR PART OF DIVISION
OF THE EAST 1/2 OF P.C. 41
CHARACTER FILE #3309

OUTLOT B OR PART
OF DIVISION OF THE
EAST 1/2 OF P.C. 41
CHARACTER FILE #3309

S LINE OF THE N 80 FEET
OF LOT 69 "GLENWOOD" SUB'D

S LINE OF THE N 118.51' OF OUTLOT B

GLENWOOD SUB'D L17 PG. 44
250 249

GLENWOOD SUB'D L17 PG. 44
241 239 238

MERCER'S SPRINGWELLS SUB'D
L17, PG. 18

(24)





March 31, 2014

Honorable City Council:

RE: Petition No. 2997 – Michael L. Priest & Associates request to construct a sewer in Arnold Avenue right-of-way (east of Ogden) South of Michigan Avenue, West of Lonyo.

Petition No. 2997- Michael L. Priest & Associates of whose address is 40655 Koppernick Road, Canton, Michigan, 48187 request to install and maintain encroachment with an underground sewer pipe in Arnold Avenue, 50 feet wide, between Ogden Avenue and the north-south public alley first easterly of Ogden Avenue.

This reason for this request is construction of a new charter school at the site of the former DPS O.W. Holmes School located at 4833 Ogden between Trenton and Ogden south of Arnold Avenue. The existing location has been demolished and the plan is to construct a state of the art facility to provide education to 750 K-12 students.

The sewer line is needed due to the increase in impervious area proposed, and the new sewer line will split the runoff into two different city sewer lines. The existing line east of the site was designed to support lots in the area that is now a park and so the sewer line has unused capacity.

The petition was referred to the City Engineering Division – DPW for investigation and report. This is our report.

Traffic Engineering Division – DPW (TED), reports there is no objection to the encroachment provided certain requirements are met. The specific requirements are included as provisions within the attached resolution.

City Engineering Division – DPW (CED) reports there is no objection to the encroachment provided certain requirements are met. The specific requirements are included as provisions within the attached resolution.

The Public Lighting Department (PLD) reports an overhead high voltage circuit and street lighting circuit running in the area of the request and provisions protecting these facilities are included in the resolution. The contractor and/or the petitioner will be liable for any damages to any PLD underground facilities.

The Detroit Water and Sewerage Department (DWSD) has approved the sewer pipe encroachment provided that the resolution contain the DWSD specific encroachment provisions. The DWSD encroachment provisions are included in the resolution.



All other involved City departments and privately owned utility companies reported no objections, or that satisfactory arrangements have been made.

I am recommending adoption of the attached resolution.

Respectfully submitted,



Richard Doherty, City Engineer
City Engineering Division – DPW

JK/

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

BY COUNCIL MEMBER _____

RESOLVED, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits Michael L. Priest & Associates or to construct a sewer which will encroach into the Arnold Avenue right-of-way. The encroachment being described as follows:

SEWER PIPE ENCROACHMENT

The encroachment being subsurface of Arnold Avenue, 50 feet wide, occupying the area below the existing surface of land in the City of Detroit, Wayne County, Michigan described as a strip of land 3 feet wide with a centerline more particularly described as follows: Commencing at the southeasterly corner of Lot 51 "Mercier's Springwells Subdivision of the N'yly part of the W'ly 630.50 feet of Lot A of the Sub. Of the E. ½ of P.C. 41 Springwells Twp. (Now City of Detroit) Wayne County, Michigan" as recorded in Liber 37, Page 18 of Plats, Wayne County Records; thence S31°19'14"E along the westerly line of Ogden Avenue 38 feet to the Point of Beginning; thence N28°20'59"E 32.44 feet; thence N58°40'19"E 130.00 feet; thence N31°19'14"W 25.5 feet to the Point of Ending, said point being a sewer manhole in the public alley in the rear of Lot 52 "Mercier's Springwells Subdivision of the N'yly part of the W'ly 630.50 feet of Lot A of the Sub. Of the E. ½ of P.C. 41 Springwells Twp. (Now City of Detroit) Wayne County, Michigan" as recorded in Liber 37, Page 18 of Plats, Wayne County Records.

PROVIDED, That if there is any addition and/or 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, 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 time, 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, That if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the right-of-way being encroached upon the petitioner agrees to pay all costs for such removal and/or relocation; and be it further

PROVIDED, That the contractor call MISS DIG 72 hours prior to starting any underground construction where they plan the underground encroachment; and be it further

PROVIDED, That any structure proposed to be built shall maintain 10 feet of horizontal clearance from overhead PLD lines and installations also any structure proposed to be built shall maintain a minimum of 3-feet horizontal clearance and 12-feet vertical clearance from the PLD conduit bank and manholes. The contractor and/or the petitioner will be liable for any damages to any PLD underground facilities. PLD requires unrestricted 24-hour heavy vehicle access to the encroachment area to maintain their facilities; and be it further

PROVIDED, That Michael L. Priest & Associates or its assigns shall apply to DWSD for permits 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; also

in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), and the Traffic Engineering Division – DPW (if necessary); and further

PROVIDED, The grade shall be restored back to the original condition after the installation of the sewer lines. The petitioner shall be responsible to obtain the necessary permits from the appropriate agencies before the start of excavation. The petitioner is also responsible to seek permission from Traffic Engineering Division – DPW to close lanes to traffic for the related construction work; and further

PROVIDED, That all cost for the construction, maintenance, permits and use of the

en
PF
de
pr
as
sh
en
PF
lo
Pr
co
da
re

er
s and/or city
located in close
proximity to its
associates or its
or its assigns
damages to the
ated or to be
by Michael L.
of permits for
all claims for
incurred in their
other

- STEP. ①
- STEP. ②
MILE
- 5 COPIES
- 1 SCOPE of work
- ROLLED UP

PROVIDED, That Michael L. Priest & Associates shall file with the Finance Department and/or City Engineering Division – DPW an indemnity 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 Michael L. Priest & Associates of the terms thereof. Further, Michael L. Priest & Associates shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

PROVIDED, That no other 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 Michael L. Priest and Associates acquires no implied or other privileges hereunder not expressly stated herein; and further

PROVIDED, That the petitioner shall apply to and become a participating member of "Miss Dig" to comply with Michigan Public Act 53 of 1974, "Protection of Underground Facilities (460.701 - 460.718)"; and further

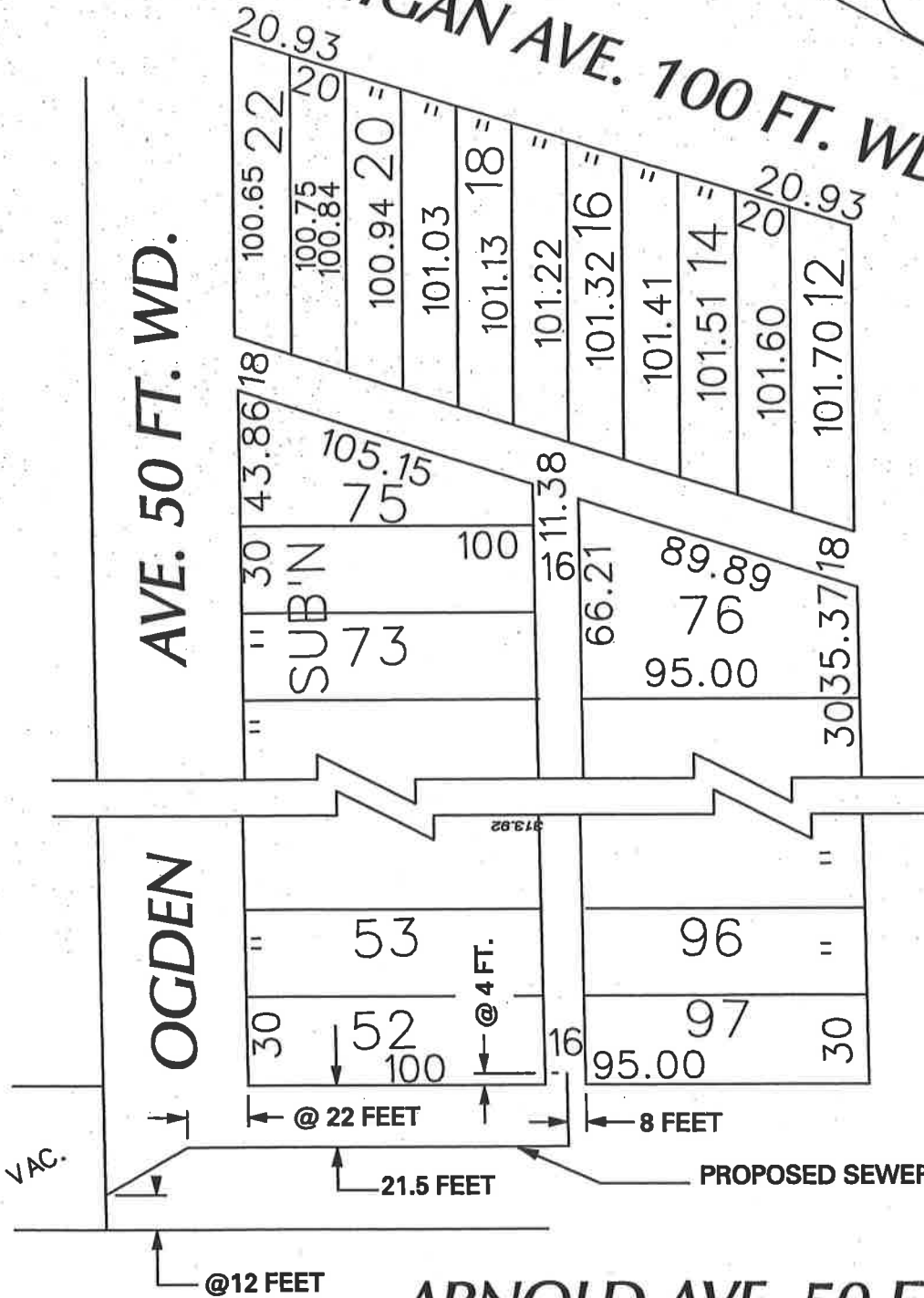
PROVIDED, That the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and further

PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution and indemnity agreement with the Wayne County Register of Deeds.

PETITION NO. 2997
 MICHAEL PRIEST & ASSOCIATES
 40655 KOPPERNICK ROAD
 CANTON, MICHIGAN 48187
 C/O MICHAEL PRIEST
 PHONE NO. 734 459 8560



MICHIGAN AVE. 100 FT. WD.



(FOR OFFICE USE ONLY)

CARTO 4 B

REQUEST ENCROACHMENT
 INTO OGDEN AND ARNOLD AVENUES
 WITH
 SEWER PIPE

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. X2997