

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Robin R. Underwood, CMC
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Friday, September 12, 2014

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

403 *Nolan Investment Group LLC, request to continue parking on the berm on the side of 14501 W. 8 Mile Rd.*

August 27, 2014

Re: Petition request to continue parking on the berm on the side of 14501 W. 8 Mile Rd

To: The Honorable City Council

Attn: Office of the City Clerk

We, The Nolan Investment Group LLC, owners of 14501 W. 8 Mile Rd, Detroit, MI 48235, request that parking be allowed to continue on the side of our building. Customers rely on this area for ease of access to our building. Your consideration and assistance with this matter would be greatly appreciated.

Respectfully Submitted,

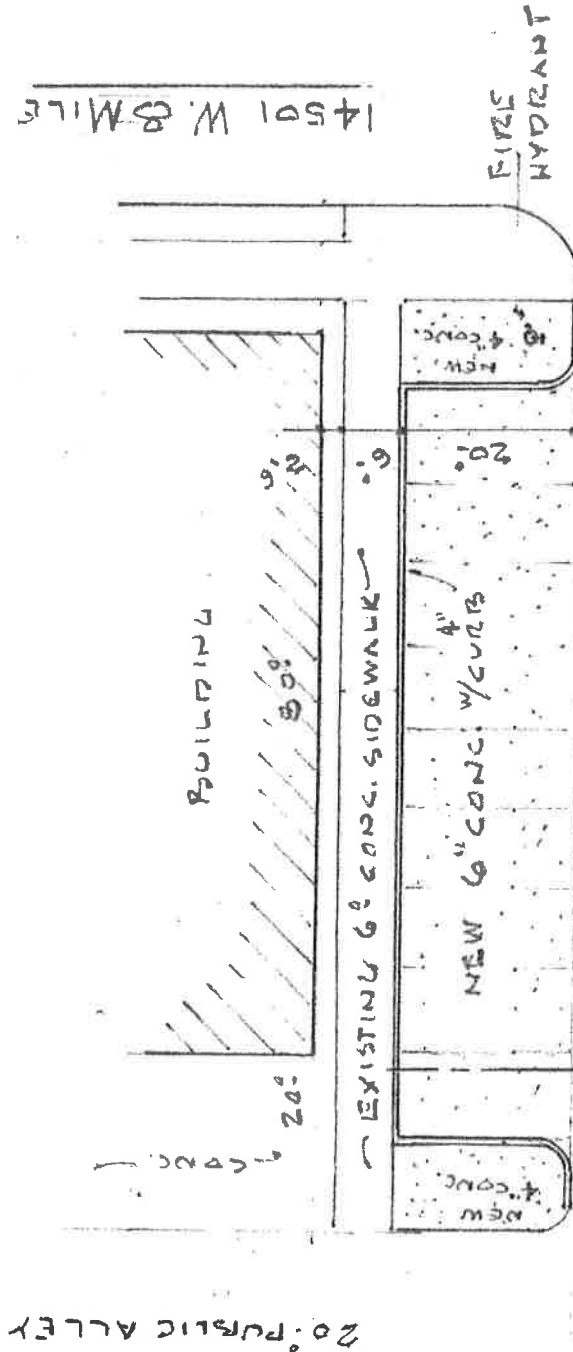
Nolan Investment Group LLC
Munim Yono, Sr. Partner/Owner
14501 W. 8 Mile Road
Detroit, MI 48223

2014 SEP - 9 PM 3 45
DETROIT
CITY CLERK

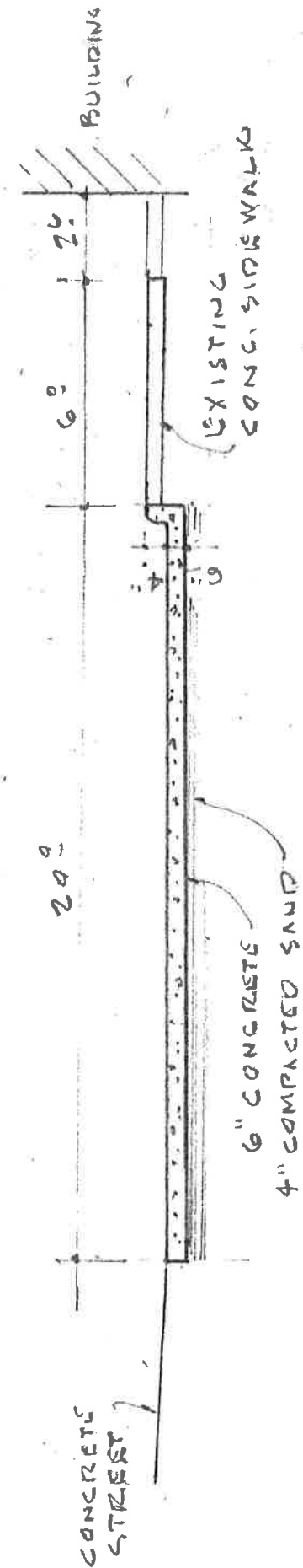
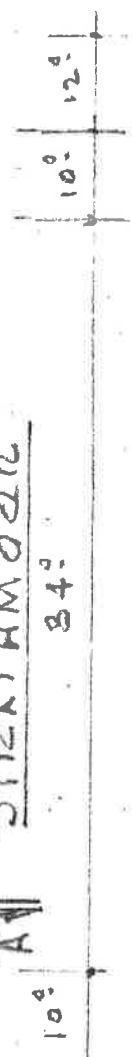
DETROIT
CITY CLERK

2014 SEP -9 P 3:45

14501 W. 8 MILE



"A" STRATHMORE



SECTION "A"
SCALE: 1/4" = 1'-0"



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 601
DETROIT, MICHIGAN 48226
PHONE: (313) 224-3949 • TTY: 711
FAX: (313) 224-3471
WWW.DETROITMI.GOV

July 21, 2015

Honorable City Council:

RE: Petition No. 403 – Nolan Investment Group LLC, request to continue parking on the berm on the side of 14501 W. Eight Mile Road.

Petition No. 403 of Nolan Investment Group LLC whose address is 14501 West Eight Mile Road LLC, Detroit, Michigan 48223 request to install and maintain an encroachment with berm parking on Strathmoor Avenue on the side of the business. The request is being made to provide safe and secure parking for customers.

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

Detroit Water and Sewerage Department (DWSD) reports having facilities in the encroachment area, but has no objection provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

Traffic Engineering Division – DPW (TED), reports being involved and approves provided certain conditions are met. The TED conditions have been made a part of the attached resolution.

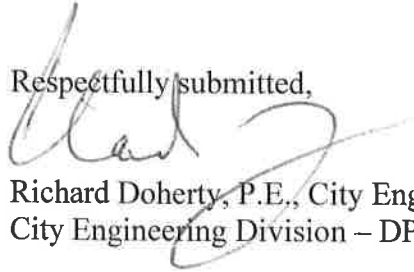
Comcast and SBC Telecommunications – report involvement; and provisions protecting all utilities in the encroachment area are a part of the resolution. All other involved City departments and privately owned utility companies reported no objections.

City Engineering Division – DPW (CED) has issued a notice to the property owner indicating that the construction in the berm is in the public right-of-way, without City Councils approval and the work was done without obtaining a right-of-way permit from CED.

The “Schaefer 7/8 Lodge Association” President Mr. Winfred Blackmon (313) 342-1397 has complained about this berm parking and has asked to be notified of any formal City Council proceedings regarding this request.

An appropriate resolution granting the petition is attached for consideration by your Honorable Body.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard Doherty', written over the typed name.

Richard Doherty, P.E., City Engineer
City Engineering Division – DPW

JMK/

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 to Nolan Investment Group LLC whose address is 14501 West Eight Mile Road LLC, Detroit, Michigan 48223 for an encroachment with berm parking on the west side of Strathmoor Avenue, 60 feet wide, between West Eight Mile Road, 204 feet wide, and the east-west public alley first south of West Eight Mile road adjoining property described as: Land in the City of Detroit, Wayne County, Michigan being all that part of the Northeast $\frac{1}{4}$ of Section 6, T.1S,R.11E. described as follows: Commencing at the North $\frac{1}{4}$ post of said Section 6; thence N88°24'05"E 258.30 feet; thence S1°55'52"E 153.00 feet to the Point of Beginning; thence S88°24'05"W 125.32 feet; thence N1°49'52"W 100.00 feet; thence N88°24'05"E 125.15 along the south line of Eight Mile Road; thence S1°55'52"E 100 feet to the Point of Beginning.

PROVIDED, That if there is any 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 times, 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 the petitioner shall be responsible at his/her expense to install/maintain continuous concrete stoppers for separation of vehicular and pedestrian usage as shown on DPW -Traffic Engineering Division Sketch #2A (attached) showing the layout of the berm parking. The petitioner shall be responsible at his/her expense, to construct/modify the berm surface as per City standards. Petitioner shall be responsible to remove curb along the edge of the berm parking to allow for entry/exit. Petitioner shall be responsible for maintaining the berm surface and for the removal of snow from the berm area, at his/her expense. The petitioner shall be responsible, at his/her expense to install/maintain parking control signs and pavement markings associated with the berm parking as per City standards. The City reserves the right to revoke the approval of the berm parking if it is determined to be in the best interest of the City of Detroit or in case of the petitioners failure to comply with the terms and conditions stipulated in the approval of the berm parking. This request is approved only for parallel parking. On street parking along the stretch adjacent to the berm parking will not be permitted.

PROVIDED, That Nolan Investment Group LLC or their assigns shall apply to the Buildings and Safety Engineering Department for a building permit 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, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Nolan Investment Group LLC; 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 Nolan Investment Group LLC or their assigns. Should damages to utilities occur Nolan Investment Group LLC or his assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

PROVIDED, That Nolan Investment Group LLC 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 Nolan Investment Group LLC of the terms thereof. Further, Nolan Investment Group LLC shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

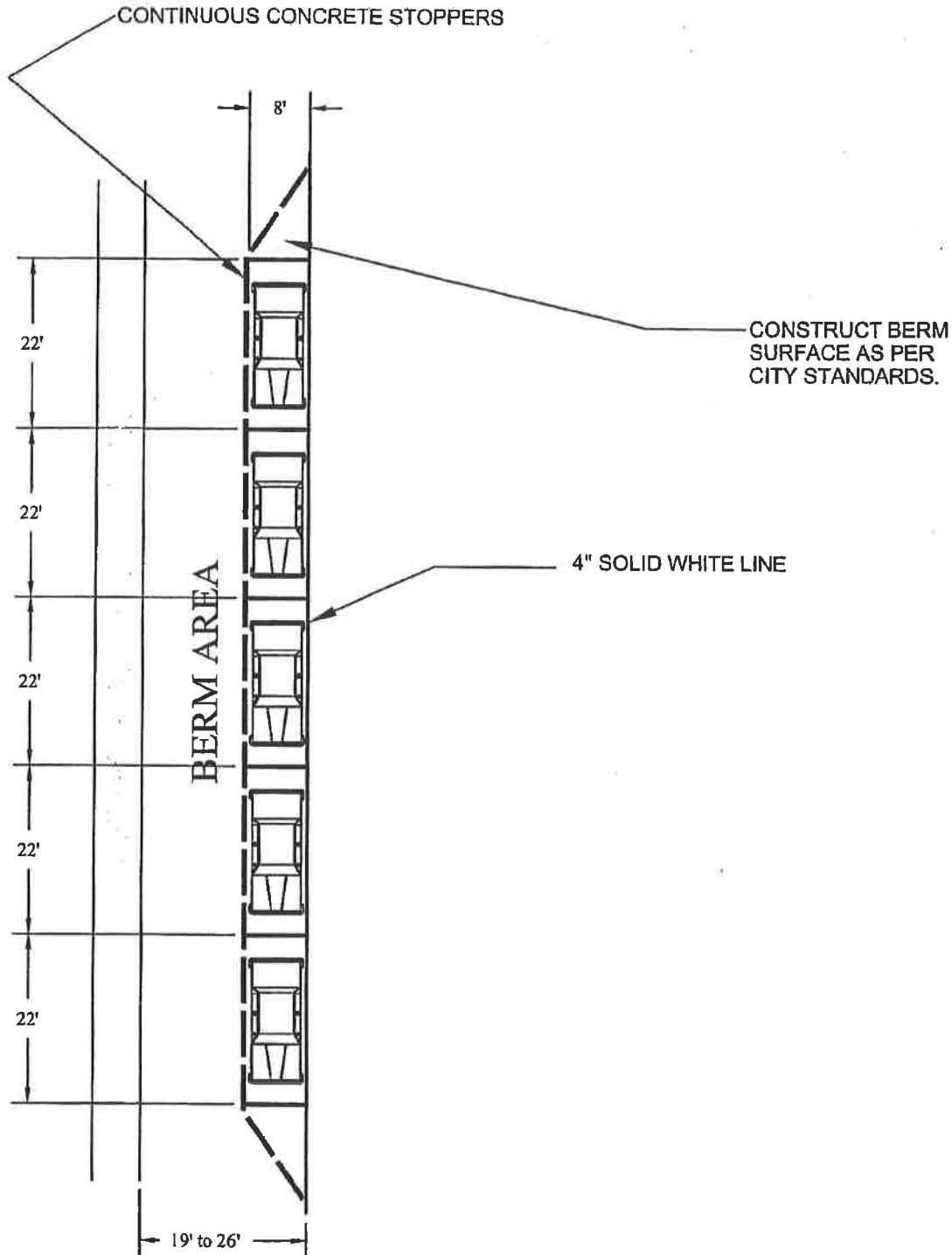
PROVIDED, That no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall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

T:\LAPPIN\Parking Berm\Parking Berm SK 2a PP.dwg, 6/16/2009 2:12:55 PM, Kyocera KM-C2525E KX, 1:240



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
TRAFFIC ENGINEERING DIVISION

PARKING BERM FOR PARALLEL PARKING

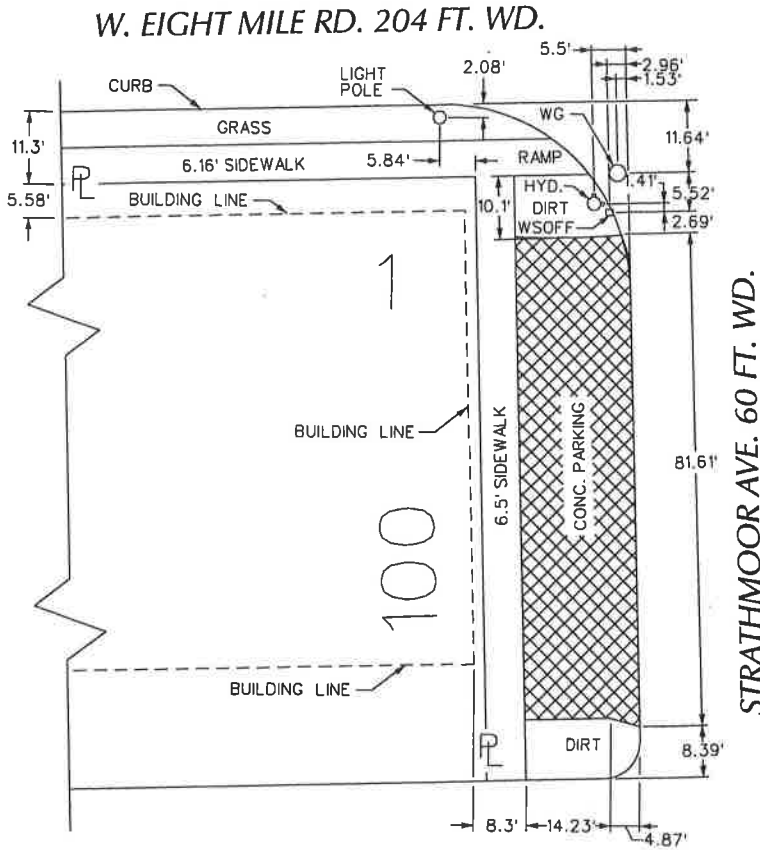
DRAWN : J. LAPPIN
SCALE : 1" = 20'
DATE : 05 - 13 - 2009

SKETCH #2a

PETITION NO. 403
 NOLAN INVESTMENT GROUP LLC
 14501 W. 8 MILE RD.
 DETROIT, MICHIGAN 48223
 C/O MUNIM YONO SR.
 PHONE NO. 248 508-6255

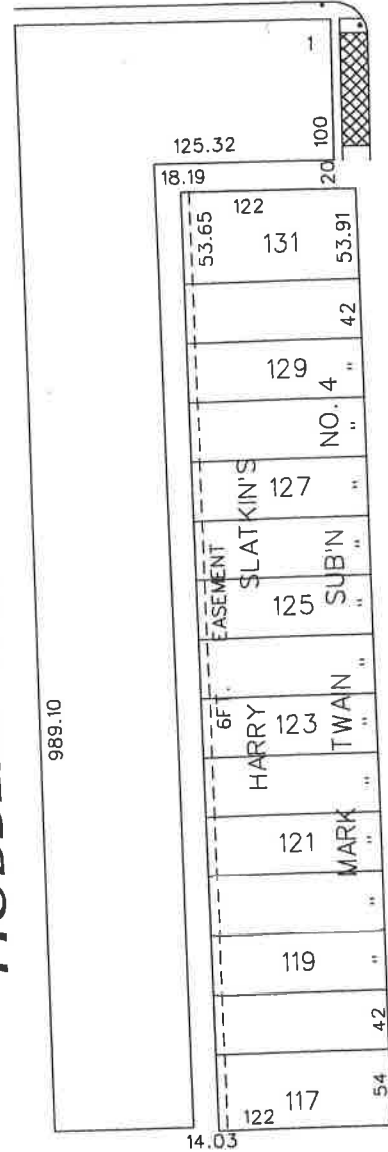


W. EIGHT MILE RD.
 204 FT. WD.



STRATHMOOR AVE. 60 FT. WD.

HUBBELL AVE. 76 FT. WD.



STRATHMOOR AVE. 60 FT. WD.

NORFOLK AVE.
 50 FT. WD.

CARTO 87 B



- REQUESTED BERM USE
 (For Parking Only)

(FOR OFFICE USE ONLY)

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY		CHECKED			
DATE		APPROVED			
04-08-15					

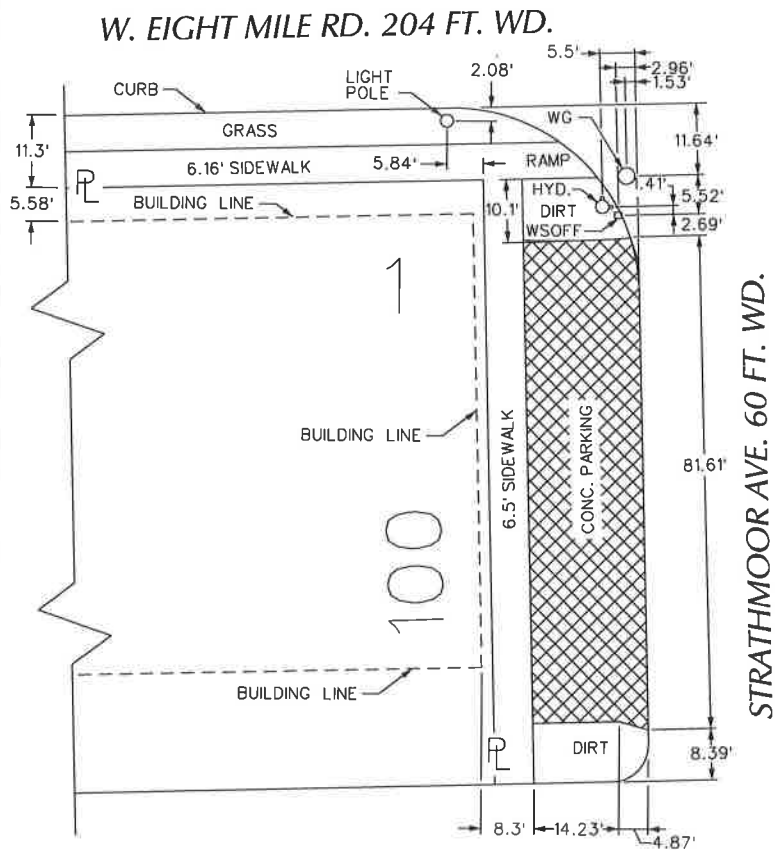
REQUEST BERM USE
 (For Parking Only)
INTO STRATHMOOR AVE.
AT 14501 W. 8 MILE RD.

CITY OF DETROIT CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 403

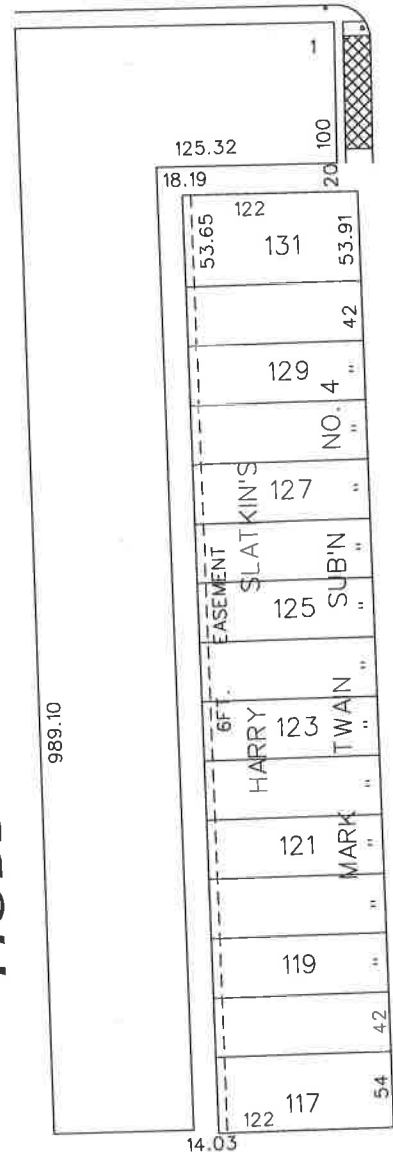
PETITION NO. 403
 NOLAN INVESTMENT GROUP LLC
 14501 W. 8 MILE RD.
 DETROIT, MICHIGAN 48223
 C/O MUNIM YONO SR.
 PHONE NO. 248 508-6255



**W. EIGHT MILE RD.
 204 FT. WD.**

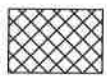


HUBBELL AVE. 76 FT. WD.



STRATHMOOR AVE. 60 FT. WD.

**NORFOLK AVE.
 50 FT. WD.**



- REQUESTED BERM USE
 (For Parking Only)

(FOR OFFICE USE ONLY)

CARTO 87 B

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
	WLW				
DATE	APPROVED				
	04-08-15				

**REQUEST BERM USE
 (For Parking Only)
 INTO STRATHMOOR AVE.
 AT 14501 W. 8 MILE RD.**

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 403

February 24, 2015

Re: Withdrawal request for 14501 W. 8 Mile Rd, Detroit, MI

To whom it may concern:

On August 27, 2014, we submitted a of petition request to continue parking on the berm, on the side of the above mention address. At this time I would like to withdrawal that request.

I apologize for any inconvenience this may have caused.

Sincerely,

Nolan Investment Group LLC
Munim Yono, Sr. Partner/Owner
14501 W. 8 Mile Road
Detroit, MI 48223