

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 19, 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 BUILDINGS SAFETY ENGINEERING

419 *Intersection Consulting Group, request approval for the installation of four (4) bike racks within the ROW on the north side of Agnes St., between Van Dyke and Parker.*

Intersection Consulting Group

419

September 19, 2014

Honorable Detroit City Council

C/O Detroit City Clerk

Coleman A. Young Municipal Center

2 Woodward Avenue, Ste. 200

Detroit, MI 48226

RE : Request approval for the installation of bike racks on the Agnes St. sidewalk. (Encroachment Petition)

On behalf of Hatch Detroit, the Detroit Lions, West Village Association, and The Villages CDC, we respectfully request approval for the installation of four (4) bike racks within the ROW on the north side of Agnes St, between Van Dyke and Parker. These bike racks are a significant component of the community's efforts to reinvigorate the pedestrian oriented (walkable), retail amenities of West Village. Of course, the design of the bike racks is in keeping with the standards of this historic district, and the installation plan is in line with city code (respecting all requirements for clear sidewalks and accessibility).

Other aspects of the overall effort include installation of new concrete, updated lighting (gas to LED conversion), and pedestrian-oriented signage for each of the four new businesses occupying the Agnes street-front.

We believe that the transformational work in this area is in keeping with the City's initiatives around neighborhood level commercial districts, walkability, and sustainable community practices. This effort is supported by the aforementioned entities; as well as, the business and building owners along Agnes.

Please feel free to contact me with any questions, and if given the opportunity, come by Agnes to see the amazing progress being made there.

Respectfully Submitted,



Brian R Ellison, Principal

Intersection Consulting Group



FRIDAY 25th
JULY 2014

645 GRISWOLD ST.
SUITE 2600
DETROIT, MI 48226

www.hatchdetroit.com
info@hatchdetroit.com

To Whom it Might Concern,


We sign in support of the proposed installation of four bicycle racks on Agnes Street between Parker and Van Dyke streets in West Village.

By providing several secure places for bicyclists to store their bikes, the racks will encourage greater pedestrian traffic around the community and increased traffic to the four storefronts along Agnes.

The bike racks will become a wonderful asset to the growing retail district in the neighborhood. Please support installation on August 5, 2014.

Sincerely,


Hugh Yaro
Owner, Craftwork


Kirsten Ussery
Owner, Detroit Vegan Soul


Sandy Heaselgrave
Owner, Red Hook Cafe

Angela Davis
Owner, Tarot & Tea


Sea Breeze LLC Representative
Parkstone & Parkhurst Apartments Owner



CITY OF DETROIT
CITY ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS

COLEMAN A YOUNG MUNICIPAL CENTER
SUITE 601
TWO WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3473
PHONE 313 • 224 • 3949
FAX 313 • 224 • 3471

May 29, 2015

Honorable City Council:

RE: Petition No. 419 – Intersecting Consulting Group, request for approval for the installation of four (4) bicycle racks within the ROW on the north side of Agnes St., between Van Dyke and Parker.

Petition No. 419 of Intersecting Consulting Group, on behalf of Hatch Detroit, the Detroit Lions, West Village Association, and the Villages CDC request to install and maintain certain encroachments in the public right-of-way on the north side of Agnes Avenue, 60 feet wide between Van Dyke Avenue, 66 feet wide and Parker Avenue, 60 feet wide. The proposed encroachments are for four bicycle racks.

The requested encroachment with bike racks can be considered a part of the City of Detroit non-motorized infrastructure development. The bike racks will be installed in a manner that will not impede pedestrian and vehicular traffic.

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

The request was approved by the Solid Waste Division – DPW. The Traffic Engineering Division – DPW (TED) reports involvement, but have no objection to the petitioner's request provided certain provisions are met. The TED provisions have been made a part of the resolution.

Detroit Water and Sewerage Department (DWSD) reports no objection to the encroachment provided that the provisions for encroachments are strictly followed.

All other City Departments and privately owned utility companies have reported no objections. Provisions protecting utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

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

JK/

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

Michael Duggan. MAYOR

BY COUNCIL MEMBER _____

RESOVLED, The City Engineering Division – DPW is hereby authorized and directed to issue permits to “Intersection Consulting Group” and/or their assigns, to install and maintain encroachments with four (4) bicycle racks in Agnes Avenue, 60 feet wide, between Van Dyke Avenue, 66 feet wide and Parker Avenue, 60 feet wide on property described as: Agnes Avenue, 60 feet wide, lying southerly of and adjoining the southerly line of the northerly 16.40 feet of Lot 45 also lying southerly of and adjoining the southerly line of the northerly 16.40 feet of Lot 6 “Plat of Coe, Denham & Shiperd’s Subdivision of Lots 70, 73 and 74 of the Van Dyke Farm, Private Claim 679, Hamtramck (now Detroit), Wayne County, Michigan T.2S. R.12 E.” as recorded in Liber 4, Page 61 of Plats, Wayne County Records.

Provided, that by approval of this petition/request the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the street, and at all time, DWSD its agent or employees, shall have the right to enter upon the street to maintain, repair, alter, service, inspect, or install its facilities. All cost 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 by DWSD shall be borne by the petitioner. All cost associated with gaining access to DWSD’s facilities, which could normally be expected had the petitioner not encroached into the street shall be borne by DWSD; and further

Provided, that all construction performed under this petition shall not be commence until after (5) days written notice to DWSD. Seventy-two hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and 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 further

Provided, that if DWSD facilities located within the street 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 cost incident to the repair, replacement, or relocation of such broken or damaged DWSD facilities; and further

Provided, the petition shall hold DWSD harmless for any damage to the encroaching device constructed or installed under this petition, which may be caused by the failure of DWSD’s facilities; and further

Provided, that if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the street being encroached upon the petitioner agrees to pay all cost for such removal and/or relocation; and further

Provided, that the following conditions of the Department of Public Works – Traffic Engineering Division are met: The bicycle racks with the bicycles mounted thereon shall leave a minimum 6 feet wide clear sidewalk for pedestrian traffic. Petitioner shall seek permission of the abutting property owner before installing the bicycle racks. Petitioner / abutting property owner shall be responsible for maintaining / cleaning the sidewalk surface around the encroachment. Petitioner shall bear all cost associated with the installation and maintenance of the bicycle racks and ensure that the sidewalk adjacent to the encroachment is not damaged due to the bicycle rack encroachment.

Provided, that the bicycle rack installations shall comply with the Certificate Of Appropriateness issued by the City of Detroit Historic District Commission dated October 10, 2014 and signed on behalf of the Commission by Crystal Wilson.

Provided, That the petitioner shall file with the Finance Department and/or City Engineering Division – DPW an indemnity agreement in a 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 faithful or unfaithful performance by the petitioner of the terms thereof. Further, the petitioner shall agree to pay all claims, damages, or expenses that may arise out of the maintenance of the proposed encroachments; and further

Provided, all costs for the construction, maintenance, permits, and use of the project encroachment(s) within the said public right-of-way shall be borne by the petitioner. The installation and maintenance of said encroachment(s) shall comply with the rules and regulations of the City Engineering Division – DPW (in conjunction with Buildings and Safety Engineering Department, if necessary), and Traffic Engineering Division – DPW; and further

Provided, If it becomes necessary to repair or replace the utilities located or to be located in the public right-of-way, by the acceptance of this permission, the project encroachment(s) owners for themselves, their heirs or assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to the City Engineering Division – DPW (in conjunction with Buildings and Safety Engineering Department, if necessary) at the encroachment owner's expense; and further

Provided, That said permittee shall be subject to any tax under the provisions of the General Property Tax Act, which may be levied against it pursuant to law; and further

Provided, That no rights in the public streets, alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment 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, That said permits issued by the City Engineering Division – DPW and/or the Buildings and Safety Engineering Department are granted with the distinct understanding that in the event the City Charter, or Detroit Code(s), or ordinance(s), or resolution(s), or City policies (governing the placement of encroachments in public right-of-ways are amended to provide for the levying thereafter, of a fee, charge or rental, to be hereafter determined upon, for the occupancy of public streets, alleys or other public places, that the permittee will pay said fee, charge or rental provided for in said Charter, or code(s), or ordinance(s), or resolution(s), or policies; also said permittee does hereby bind itself thereunto, and accept said permits on the conditions hereby imposed, and in the event said permittee shall contest the validity of said Charter, or code(s), or ordinance(s), or resolution(s), or policies of said fee, charge or rental, or upon refusal to pay same, these permits shall immediately become void; and further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby waives any right to claim damages or compensation for removal of encroachment(s), and further, that the permittee acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, The installation and maintenance of encroachment with the bicycle racks lying within said area referred to herein shall be construed as acceptance of this resolution by “Intersection Consulting Group” and/or their assigns; and further

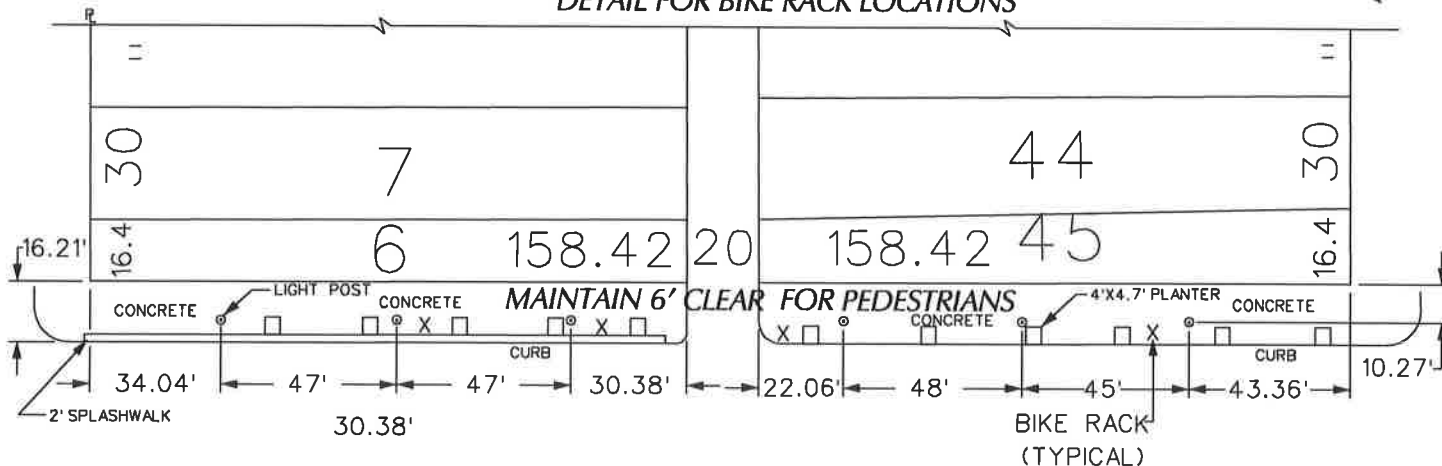
Provided, That the project encroachment(s) permit shall not be assigned or transferred without the written approval of the City Council; and further

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

PETITION NO. 419
 INTERSECTION CONSULTING GROUP
 8120 E. JEFFERSON AVE.
 DETROIT, MICHIGAN 48214
 C/O BRIAN R. ELLISON
 PHONE NO. 313 397-5863

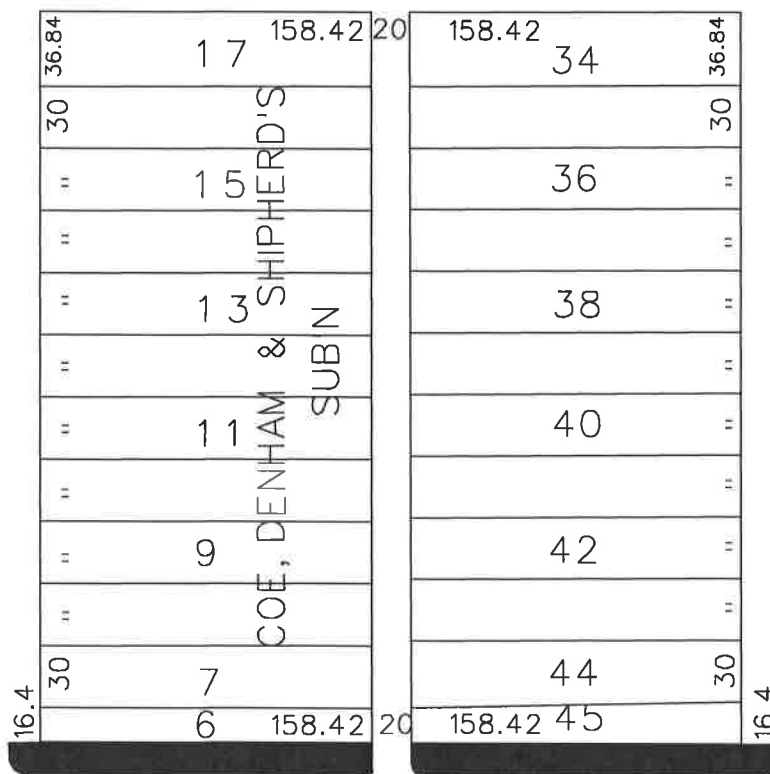


DETAIL FOR BIKE RACK LOCATIONS



VAN DYKE AVE. 66 FT. WD.

COE AVE. 60 FT. WD.



PARKER ST. 60 FT. WD.

SEE DETAIL ABOVE FOR BIKE RACK LOCATIONS

AGNES ST. 60 FT. WD.

- REQUEST ENCROACHMENT
 (With Bike Racks)

LEGEND:	
	Proposed Bike Rack
	4'x4.7' Planters
	Light pole

(FOR OFFICE USE ONLY)

CARTO 46 B

B					
A	6 FEET CLEAR	JK		MAY 2015	
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	WLW	CHECKED			
DATE	11-03-14	APPROVED			

REQUEST ENCROACHMENT
 INTO THE NORTH SIDE OF AGNES AVE.
 BETWEEN VAN DYKE AND PARKER AVE.
 (With Bike Racks)

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 419

October 10, 2014

CERTIFICATE OF APPROPRIATENESS

Giffels Webster
28 W. Adams Suite 1200
Detroit, MI 48226

RE: Application Number 14-239

Addresses: 71 Garfield, 4454 Woodward, 4240 Cass, 4160 Cass, 3921 Second, 441 W. Canfield, 4626 Third, 4830 Cass, 52 E. Forest, 8047 Agnes, 3408 Woodward, 1701 Trumbull, 800 Woodward, 461 Burroughs, Cass & Amsterdam

Historic Districts: Garfield, Willis Selden, Warren Prentis, Sugar Hill, West Village, Brush Park, Corktown, New Amsterdam

Dear Giffels Webster:

Pursuant to Section 5(10) of the Michigan Local Historic District Act, as amended, being MCL 399.205(10), MSA 5-3407(5)(10); Section 25-2-57(b) of the 1984 Detroit City Code; Detroit Historic District Commission Resolution 97-01 (adopted August 13, 1997); Detroit Historic District Commission Resolution 97-02 (adopted October 8, 1997); and Detroit Historic District Commission Resolution 98-01 (adopted February 11, 1998), the staff of the Detroit Historic District Commission has reviewed the above-referenced application for building permit and hereby issues a Certificate of Appropriateness, which is effective as of October 10, 2014.

The HDC Commission finds the work appropriate for the following reasons:

The applicant proposes to construct bike racks in the 16 Local Historic Districts and at the locations referenced above in this letter. The work will be done according to the attached plans and specifications, but there is one change in the scope of work and specifications for 4626 Third Street. The bike rack at 4626 Third shall be perpendicular and a "Lean Only" bike rack. The work items meet "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" Standard 9: New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Please retain this Certificate of Appropriateness for your files. You should now proceed to the City of Detroit Buildings Safety and Engineering Department to obtain a building permit. The Detroit Historic District Commission's approval and issuance of a Certificate of Appropriateness does not waive the applicant's responsibility to comply with any other applicable ordinances or statutes. If you have any questions regarding this letter, please contact me at (313) 224-6543.

For the Commission:


Crystal Wilson

Staff

Detroit Historic District Commission

Copy: Daljit Benipal, B&SE