

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

Janice M. Winfrey  
City Clerk

Robin R. Underwood, CMC  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Friday, June 05, 2015*

**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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**DPW - CITY ENGINEERING DIVISION**

**718** *Bedrock Real Estate Services, request approval of a permanent encroachment for the property located at 1215 Griswold to allow for a potential café seating.*

May 27, 2015

**VIA HAND DELIVERY**

#718

Detroit City Council  
c/o City Clerk  
2 Woodward Avenue, Suite 200  
Detroit, MI 48226

**Re: 1215 Griswold Building Permanent Encroachment Petition  
1215 Griswold, Detroit**

Dear City Council:

This correspondence serves as a request to petition the Detroit City Council, on behalf of Bedrock Real Estate Services, for the 1215 Griswold Building.

This request is for approval of a permanent encroachment extending eight feet (8') wide along the front of the building located on the East elevation of 1215 Griswold and along the public alley located on the West elevation. Along the front of the building, the encroachment will allow for potential café seating, approximately fifty feet long (50'). Along the alley side of the building, the encroachment will be for balconies and fire escapes, approximately fifty feet long (50') with a vertical clearance of approximately eighteen feet (18'). The enclosed drawings show the location and details of the requested encroachment areas.

Thank you for your time and consideration. If you have any questions regarding this request, please do not hesitate to contact me at 313-373-8700.

Sincerely,



Scott R. Collins  
Project Director

SCOTTCOLLINS@BEDROCKMGT.COM

Enclosures

SRC/gel



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

December 4, 2015

Honorable City Council:

**RE: Petition No. 718 – Bedrock Real Estate Services request approval of a permanent encroachment for the property located at 1215 Griswold to allow for potential café seating.**

Petition No. 718 – Bedrock Real Estate Services on behalf of 1215 Griswold LLC request to install and maintain an encroachment for sidewalk café seating on Griswold Avenue, 60 feet wide between State Street, 60 feet wide, and West Grand River, 60 feet wide. The request is also to install and maintain encroachments for balconies and fire escapes in the north-south alley in the block bounded by State Street, 60 feet wide, and West Grand River, 60 feet wide, Washington Boulevard, 195 feet wide and Griswold, 60 feet wide.

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

The request is being made to rehabilitate an existing building and to provide for a possible future outdoor café in front of the building at 1215 Griswold Avenue.

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. Planning and Development Department reports involvement as the building at 1215 Griswold Avenue is in a Historic District, therefore the project will need Historic District Approval prior to construction.

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

All other involved City Departments, including the Public Lighting Department and Public Lighting Authority; also privately owned utility companies have reported no objections to the encroachment. 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

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 Bedrock Real Estate and/or 1215 Griswold LLC to install and maintain an encroachment for sidewalk café seating on Griswold Avenue, 60 feet wide between State Street, 60 feet wide, and West Grand River, 60 feet wide; also to install and maintain encroachments for balconies and fire escapes in the north-south alley in the block bounded by State Street, 60 feet wide, and West Grand River, 60 feet wide, Washington Boulevard, 195 feet wide and Griswold, 60 feet wide. The sidewalk café seating including planters, barriers, and bike racks etcetera shall extend 8 feet into Griswold from the building frontage, approximately 50 feet in length. The balconies and fire escapes shall extend 3.5 feet into the alley and have a vertical clearance of 17 feet. All of the encroachments adjoining property described as: Land in the City of Detroit, Wayne County, Michigan, being the North 48.77 feet of Lot 58 "Plan of Section Numbered 8 in the Territory of Michigan Confirmed Unanimously by the Governor and Judges on the 27<sup>th</sup> day of April, 1807 and ordered to be a record and to be signed by the Governor and attested by the Secretary of the Board" as recorded in Liber 34, Page 543 of Deeds, Wayne County Records.

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, that prior to installation of the encroachment, the petitioner must obtain approval by the Detroit Historical Commission; and be it further

PROVIDED, that the remaining sidewalk being 7 feet 5 inches from the encroachment to the curb be maintained free and clear from obstruction; 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 Bedrock Real Estate and/or 1215 Griswold 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), Detroit Historical Commission; and further

PROVIDED, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Bedrock Real Estate and/or 1215 Griswold 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 Bedrock Real Estate and/or 1215 Griswold LLC or their assigns. Should damages to utilities occur Bedrock Real Estate and/or 1215 Griswold LLC shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; 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 Bedrock Real Estate and/or 1215 Griswold 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

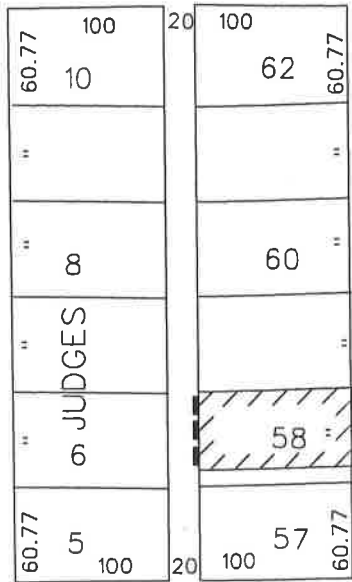
PROVIDED, that the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 718  
 BEDROCK REAL ESTATE SERVICES  
 1092 WOODWARD AVE.  
 DETROIT, MICHIGAN 48226  
 C/O SCOTT R. COLLINS  
 PHONE NO. 313 373-8700



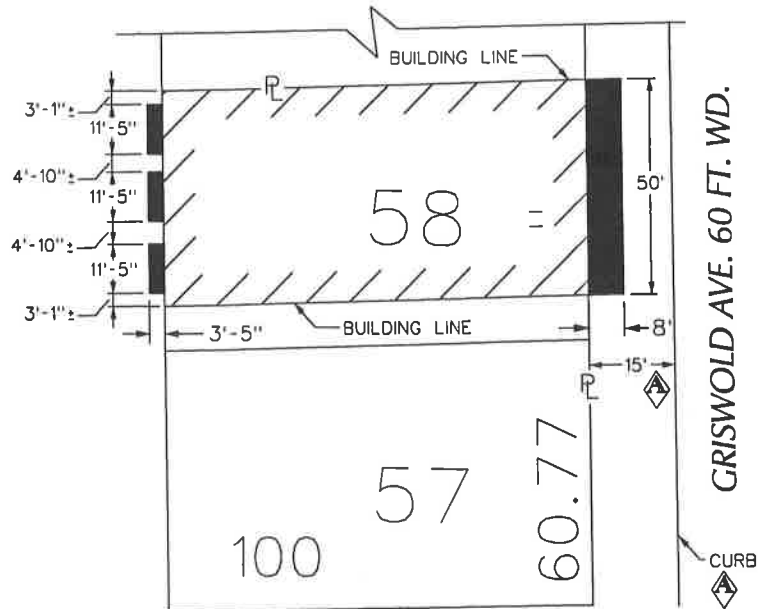
WASHINGTON BLVD. 195 FT. WD. GD. RIVER AVE. 60 FT. WD.

**"REVISED"**



GRISWOLD AVE. 60 FT. WD.

STATE ST. 60 FT. WD.



STATE ST. 60 FT. WD.

- REQUEST ENCROACHMENT  
 (With Permanent Outdoor Seating,  
 Balconies and Fire Escapes)

(FOR OFFICE USE ONLY)

CARTO 28 B

B					REQUEST ENCROACHMENT INTO GRISWOLD AVE. AT 1215 GRISWOLD AVE. (With Permanent Outdoor Seating) AND A PORTION OF THE NORTH/SOUTH PUBLIC ALLEY (With Balconies and Fire Escapes) BETWEEN GD. RIVER AVE. AND STATE ST.	CITY OF DETROIT CITY ENGINEERING DEPARTMENT	
	A	REVISED: ADDING A CURB AND THE SIDEWALK DEPTH IS 15 FT.	WLW	KSM		KSM	8/10/15
DESCRIPTION		DRWN	CHKD	APPD	DATE	JOB NO. 01-01	
DRAWN BY		CHECKED				DRWG. NO. X 718	
DATE		APPROVED					
07-01-15							