

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Thursday, September 24, 2015

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.

PLANNING AND DEVELOPMENT DEPARTMENT DPW - CITY ENGINEERING DIVISION

845 *Keith Parker, request permission to install three creative Kef Parker's bus shelters in the Franklin Park area of the Cody/Rouge community.*

City Council Petition Request

Request:

The Cody/Rouge-Franklin Park BUS Shelter Project (The Project), a community coalition, seeks to install three creative bus shelters on existing bus stops in the Franklin Park area of the Cody/Rouge community in response to stated community needs for shelter, lighting, seating, and neighborhood beautification and engagement. We have the support and engagement of DDOT, which has given initial approval for the project and the specific designs, and has directed us to petition the Detroit City Council for its approval of the project so that we may move forward to implement these innovative community improvements. Both DDOT and the Coalition see this project as a potential model for similar projects in Detroit communities.

Who:

The Project is driven by a coalition of community groups and individual community members including: The Franklin Park Association; The Cody Rouge Community Action Alliance; The College for Creative Studies' community+public arts: DETROIT (CPAD) program; The Detroit Future City Implementation Office; The Greening of Detroit; Detroit artist and industrial designer Kef Parker, and a host of others who have helped and will continue to contribute to bringing The Project from design to reality. Through CPAD a public arts grant was awarded to the Cody Rouge Community in the amount of \$40,000 to facilitate the design and implementation of this dynamic visual arts project. These funds were secured with the support of The Kresge Foundation, The Fred A. and Barbara M. Erb Family Foundation, and the Community Foundation for Southeast Michigan.

What:

The Project will be a series of three unique, creative, and artistically designed bus shelters in the form of large letter forms (a "B", a "U", and an "S") that each create a shelter that can accommodate 3 - 5 people within. Each includes lighting, seating, an exterior planter with natural greenery and an additional bench. The three letterforms collectively spell BUS when viewed together (full project proposal attached).

845

August 18, 2015

The community has actively participated with every phase of this public arts project including voting to choose the lead artist in collaboration with C+PAD and identifying the specific sites. The Franklin Park Association has signed a Community Partner Agreement and has committed to taking responsibility for the long-term maintenance of this project in partnership with DDOT.

Where/When:

The Project addresses three of four existing bus stops at the Plymouth and Evergreen Road intersection where there is only one shelter - currently located on the northeast corner - to serve this high bus commuter traffic area. The shelter in the shape of the letter B will be placed at the stop near the southeast corner, the U shelter will be placed at the southwest, and the letter S will be placed at the northwest. Fabrication for this creative public arts project will begin once all appropriate approvals have been granted by the Detroit City Council and the necessary permits have been obtained through DDOT. We hope to begin implementing this project as early as Fall 2015, with a target completion of Spring/Summer 2016.

Conclusion:

This project was born from the local values, artistic needs and practical necessities of the Cody Rouge community. We are now at a critical stage where we need to formally request the Detroit City Council's support and approval of this positive and uplifting local public arts/public safety project. The Project has been inspired, facilitated, designed, and supported by local Detroit community members, artists, and organizations. We look forward to working with you, our Detroit City Council, to gain the necessary approval to make the Cody Rouge community's unique dream a beautiful reality and an inspiration to the City of Detroit.

CITY CLERK 21 SEP 2015 09:11:130



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 11, 2015

Honorable City Council:

RE: Petition No. 845 – Keith Parker, request permission to install three creative Kef Parker’s bus shelters in the Franklin Park area of the Cody/Rouge community.

Petition No. 845 – Keith Parker requests to install and maintain an encroachment consisting of three creative bus shelters in Plymouth Road, 86 feet wide, and Evergreen Road, 120 feet wide, near the intersection of the two streets.

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

The request is being made to provide sheltered seating for bus riders and to beautify the neighborhood.

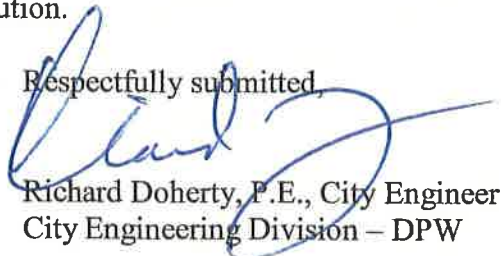
Traffic Engineering Division – DPW (TED), reports being involved and approves provided certain conditions are met. City Engineering – DPW (CED) reports being involved and approves provided that Buildings and Safety Engineering and Environmental Department (BSEED) reviews and approves of the structural design. The TED and CED conditions have been made a part of the attached resolution.

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 Keith Parker and/or The Franklin Park Association and/or their assigns to install and maintain encroachments for three creative bus shelters with solar panels and planters on Plymouth Road, 86 feet wide, and Evergreen Road, 120 feet wide, near the intersection of the two streets. The three locations being further described as follows:

- 1) On the south side of Plymouth Road, 86 feet wide, being 56 feet east of the east line of Evergreen Road, 120 feet wide, and extending easterly 12.5 feet, the shelter also being approximately 10 feet in height and 5 feet wide and adjacent to property described as: Lots 9 and 10 and south 9 feet of vacated Plymouth Road adjoining "Frischkorn's Evergreen Village, a Subdivision of the N.W. $\frac{1}{4}$ of Section 35, T.1S.,R.10E. City of Detroit, Wayne County, Michigan" as recorded in Liber 68, Page 23 of Plats, Wayne County Records.
- 2) On the west side of Evergreen Road, 120 feet wide, being 58 feet south of the south line of Plymouth Road, 86 feet wide, and extending southerly 12 feet, the shelter also being approximately 10 feet in height and 5 feet wide and adjacent to property described as: Lot 12 "Maple's Woods Subdivision, being a Subdivision of E. $\frac{1}{4}$ of E. $\frac{1}{2}$ of N.E. $\frac{1}{4}$ of Section 34, T.1S.,R.10E. City of Detroit, Wayne County, Michigan" as recorded in Liber 62, Page 14 of Plats, Wayne County Records.
- 3) On the north side of Plymouth Road, 86 feet wide, being 66.5 feet west of the west line of Evergreen Road, 120 feet wide, and extending westerly 12 feet, the shelter also being approximately 10 feet in height and 5 feet wide and adjacent to property described as: Lot 271 "Maple's Park Subdivision No. 1 of part of the E. $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of Section 27, T.1S.,R.10E. Redford Township (Now Detroit), Wayne County, Michigan" as recorded in Liber 54, Page 39 of Plats, 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 the minimum sidewalk being 6 feet wide be maintained free and clear from obstruction; and be it further

PROVIDED, that the structural design of the bus shelters be approved by Buildings and Safety Engineering and Environmental Department (BSEED); 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 for the encroachment; and be it further

PROVIDED, that Keith Parker and/or The Franklin Park Association and/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 Keith Parker and/or The Franklin Park Association and/or their assigns; 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 Keith Parker and/or The Franklin Park Association and/ or their assigns. Should damages to utilities occur Keith Parker and/or The Franklin Park Association and/ or their assigns 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

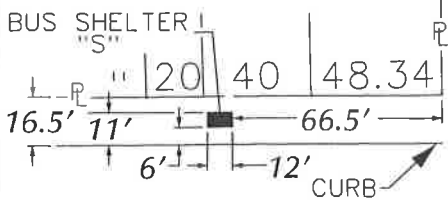
PROVIDED, That Keith Parker shall file with the Finance Department and/or City Engineering Division – DPW an indemnity in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by Keith Parker Center of the terms thereof. Further, Keith Parker shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

PROVIDED, this resolution is revocable at the will, whim or caprice of the City Council, and Keith Parker and/or The Franklin Park Association 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.

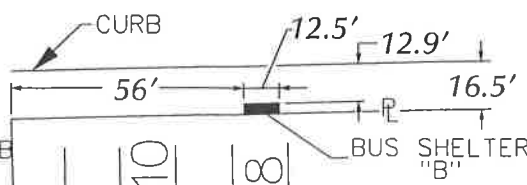
PETITION NO. 845
 DETROIT (C+PAD)
 C/O COLLEGE OF CREATIVE STUDIES
 406 W. BALTIMORE AVE. 6TH FLOOR
 DETROIT, MICHIGAN 48202
 C/O KEITH PARKER
 PHONE NO. 720 291-3559



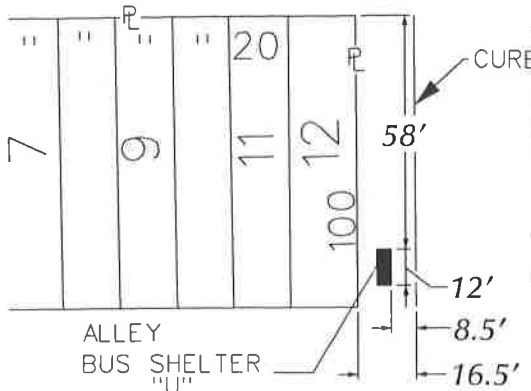
EVERGREEN RD.
120 FT. WD.



PLYMOUTH RD. 86 FT. WD.



WADSWORTH AVE. 60 FT. WD.



245	MR 85	290
246	MR 86	291
248	MR 88	297
250	MR 90	299
252	MR 92	303
254	MR 94	307
256	MR 96	311
258	MR 98	315
260	MR 100	319
262	MR 102	323

449	MR 104	327
451	MR 106	331
453	MR 108	335
455	MR 110	339
457	MR 112	343
459	MR 114	347
461	MR 116	351
463	MR 118	355
464	MR 120	359

PLYMOUTH RD. 86 FT. WD.

VAUGHAN AVE. 62.86 FT. WD.

182	MR 122	363
180	MR 124	367
178	MR 126	371
176	MR 128	375
174	MR 130	379
172	MR 132	383
170	MR 134	387
168	MR 136	391
166	MR 138	395
167	MR 140	399

EVERGREEN RD. 120 FT. WD.

63	MR 142	403
61	MR 144	407
59	MR 146	411
57	MR 148	415
55	MR 150	419
51	MR 152	423
49	MR 154	427
48	MR 156	431

PLAINVIEW AVE. 60 FT. WD.

ELMIRA AVE. 60 FT. WD.

- REQUEST ENCROACHMENT
(With Creative Bus Shelters)

(FOR OFFICE USE ONLY)

CARTO 110 A & B, 111 E & F

B					
	A	DESCRIPTION	DRWN	CHKD	APPD
REVISIONS					
DRAWN BY		WLW	CHECKED		
DATE	10-16-15	APPROVED			

REQUEST ENCROACHMENT
 INTO PLYMOUTH AND EVERGREEN RD.
 AT VARIOUS LOCATIONS
 (With Creative Bus Shelters)

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 845