



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

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

January 14, 2019

Honorable City Council:

**RE: Petition No. 1768 – Bedrock Management LLC, request for 1400 Woodward Hotel Encroachment into Woodward Avenue, John R. Street, Farmer Avenue, and E. Grand River Avenue, all public rights-of-way.**

Petition No. 1768 – Bedrock Management Services LLC, request for encroachments with outdoor café, planters, non-standard paving and trees with grating inclusive of irrigation, also architectural elements including lighting, awnings and canopies above grade. The encroachments are on the east side of Woodward Avenue, 190 feet wide, also on the south side of John R. Street, 60 feet wide, also on the west side of Farmer Street, variable width, also on the north side of East Grand River Avenue, 60 feet wide. All of the encroachments are located in the block of the above four streets.

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

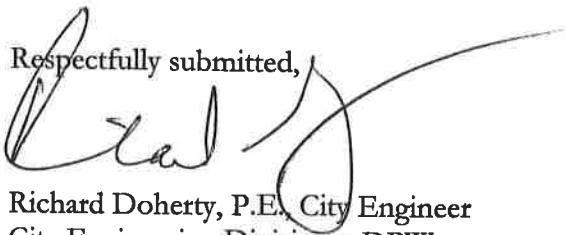
The request is being made for enhancement of the new Shinola Hotel streetscape.

The request was approved by the Solid Waste Division – DPW, and City Engineering Division – DPW, and Traffic Engineering Division – DPW (TED). TED has conditions that are a part of the resolution.

Detroit Water and Sewerage Department (DWSD) reports being involved, but they have 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 Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting all 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

COUNCIL MEMBER \_\_\_\_\_

**RESOLVED**, that the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to Bedrock Management LLC or their assigns to install and maintain encroachments consisting of outdoor café, planters, non-standard paving, and trees with grating inclusive of irrigation, also architectural elements including lighting, awnings and canopies above grade. The encroachments are on the east side of Woodward Avenue, 190 feet wide, also on the south side of John R. Street, 60 feet wide, also on the west side of Farmer Street, variable width, also on the north side of East Grand River Avenue, 60 feet wide. All of the encroachments are located in the block of the above four streets and being land in the City of Detroit, Wayne County, Michigan: Woodward Avenue, Farmer Street, East Grand River Avenue, and John R. Street adjoining Lots 28, 29, 30, 31, 32, 68, 69, 70, and 71 "Plan of Section numbered Seven in the City of Detroit, confirmed the 13<sup>th</sup> day of April 1807" as recorded in Liber 34, Page 544 of Deeds, Wayne County Records. Encroachments are further described as follows:

- 1) Outdoor café seating area including barriers, planters, etcetera being 18 feet wide and 150 feet in length along Woodward Avenue, and being 4.4 feet wide and 100 feet in length along East Grand River Avenue and lying west of and adjoining the west line of all of said Lots 31 and 32 and the South 30 feet of said Lot 30; also lying south of and adjoining the south line of said Lot 32.
- 2) Outdoor café seating area including barriers, planters, etcetera being 5 feet wide and 247.60 feet in length along Farmer Avenue, and being 5 feet wide and 31 feet in length along John R. Street and lying east of and adjoining the east line of all of said Lots 68, 69 and 70; also lying north of and adjoining the north line of said Lot 68.
- 3) Non-standard paving and trees with tree grates and landscaped areas with underground irrigation on sidewalks of Woodward Avenue, Farmer Street, East Grand River Avenue, and John R. Street and being west of and adjoining the west line of said Lots 28, 29, 30, 31, and 32 also lying south of and adjoining the south line of said Lot 32 and the west 8.2 feet of said Lot 71 and the vacated alley adjoining Lots 32 and 71; also lying north of and adjoining the north line of said Lot 68 and east of and adjoining the east line of said Lots 68, 69, 70 and the east 2.7 feet of said Lot 28 and the north 7 feet of said Lot 71 and the vacated alley adjoining said Lots 28 and 68. The encroachment area extending from the above described property lines to the curb lines of the adjoining streets.
- 4) Architectural elements with exterior lighting and awnings adjoining the westerly line of said Lots 31, 32 and south 30 feet of Lot 30 and being part of Woodward Avenue, 150 feet in length and 8 feet wide with an elevation of 8 feet above grade and extending to the building height.
- 5) Architectural elements with exterior lighting and awnings adjoining the southerly line of the westerly 41.2 feet and the westerly 37.2 feet of said Lot 32 and being two parts of East Grand River Avenue, 41.2 feet in length and 8 feet wide also 37.2 feet in length and 8 feet wide, both with an elevation of 8 feet above grade and extending to the building height.
- 6) Architectural elements with exterior lighting and building entrance canopy adjoining the southerly line of the westerly 22 feet of the easterly 59.2 feet of said Lot 32 and being part of East Grand River Avenue, 22 feet in length and 11 feet wide with an elevation of 10 feet above grade and extending to the building height.
- 7) Architectural elements with exterior lighting and awnings adjoining the northerly line and the easterly line of the northerly 96.3 feet said Lot 68 inclusive of within 8.5 feet of the northeasterly corner of said Lot 68 and being part of John R. Street Avenue, and Farmer Street and being 8.5 feet wide and 31 feet in length along John R Street and curving around the

corner of John R. and Farmer Streets with an 8.5 foot radius and continuing 96.3 feet along John R. Street, all with an elevation of 8 feet above grade and extending to the building height.

- 8) Architectural element with building entrance awning with two support poles at grade anchored in the sidewalk adjoining the northerly 11.4 feet of said Lot 70 and being part of Farmer Street 11.4 feet in length and 6 feet wide with an elevation of 8 feet above grade and extending to an elevation of 12 feet above grade.

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 a minimum of 6.0 feet wide clear and unobstructed sidewalk shall be maintained for pedestrian traffic in front of the outdoor seating area at all times; and be it further

PROVIDED, that access is maintained to all fire department connections, and be it further

PROVIDED, that the remaining sidewalk width meets minimum ADA requirements and all City standards and policies are met; and be it further

PROVIDED, that 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, Bedrock Management 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; and further

PROVIDED, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Bedrock Management LLC 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 Bedrock Management LLC or their assigns. Should damages to utilities occur Bedrock Management LLC 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 the area being used as an Outdoor Café shall meet the general requirements set by the “Outdoor Café Guidelines” as adopted by the City Council and guided by Section 50-2-20 (aka code 1964 § 58-2-8.1) of the City Code; and further

PROVIDED, that the petitioner obtains all necessary licenses and permits every year from Departments having jurisdiction over the outdoor café process; and further

PROVIDED, that said activities are conducted under the rules and regulations of the Department of Public Works and the supervision of the Police Department; and further

PROVIDED, that the sale of food or soft drinks is held under the direction and inspection of the Detroit City Health Department; and further

PROVIDED, that the “permitee” remit the required annual fee(s) to Department of Public Works – City Engineering Division for issuance of a use-permit and confirm license of the establishment in compliance with City Code; and further

PROVIDED, that this use-permit shall be for a period of one year, after receiving approval of City Council, and may be renewable thereafter on an annual basis; and further

PROVIDED, that Bedrock Management LLC or their assigns shall file with the Department of Public Works – City Engineering Division an indemnity agreement 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 of Bedrock Management LLC or their assigns of the terms thereof. Further, Bedrock Management LLC or their assigns shall agree to pay all claims, damages or expenses that may arise out of the use, repair and maintenance of the proposed encroachments; and further

PROVIDED, that filing of said indemnity agreement shall be construed as acceptance of this Resolution by the "permitee"; and further

PROVIDED, that the petitioner is responsible to obtain approval of the Michigan Liquor Control Commission, if necessary and approval from the Detroit Police Liquor License Bureau if serving liquor; and further

PROVIDED, that the designated outdoor seating area shall be identified through the use of railings or other physical barrier in order to regulate the serving of liquor within the perimeter of the café; and further

PROVIDED, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Bedrock Management LLC, or their assigns; and further

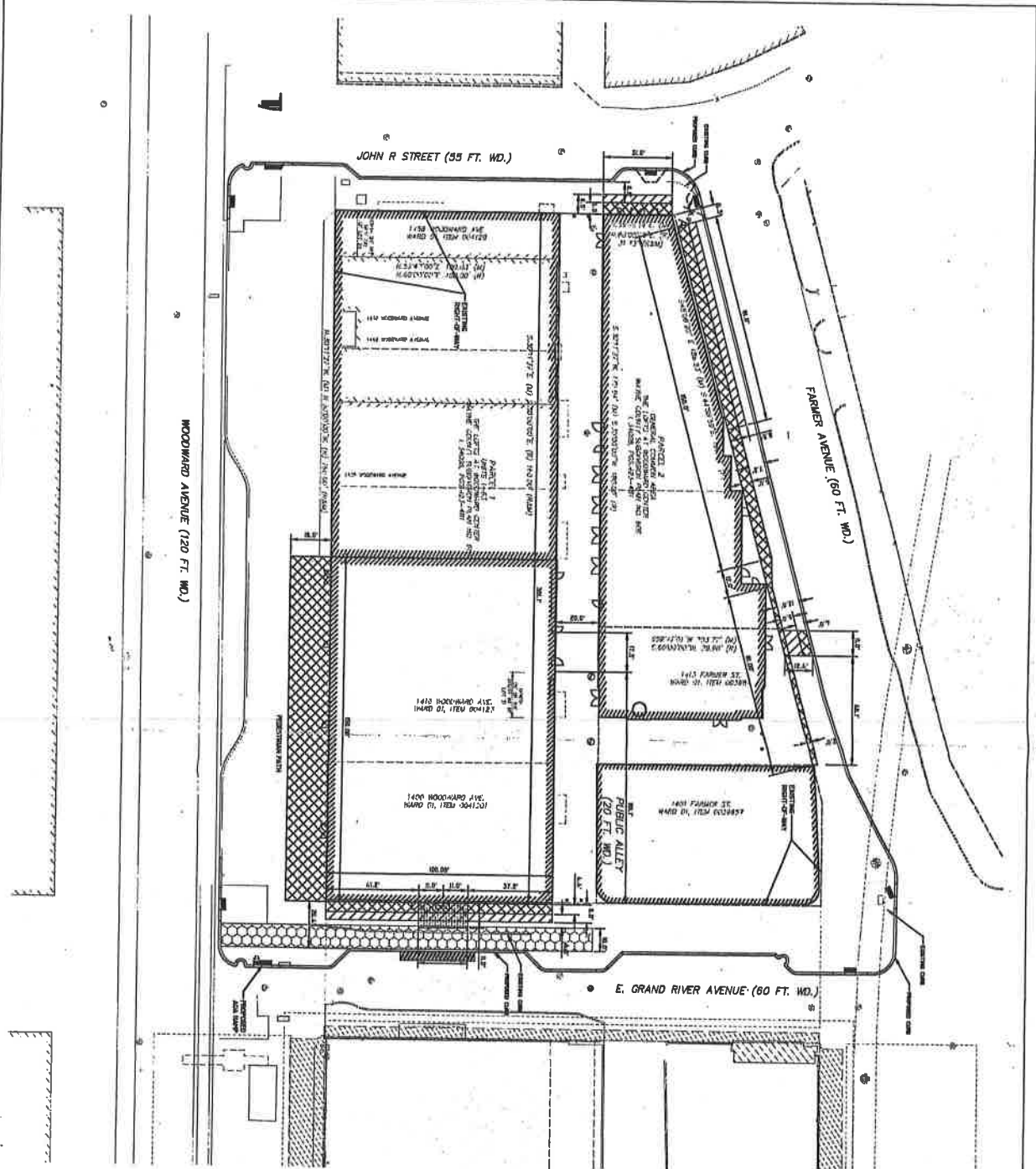
PROVIDED, that Bedrock Management LLC enter into a maintenance agreement with DPW – City Engineering for the encroachment area; and further

PROVIDED, that construction of the encroachments shall constitute acceptance of the terms and conditions as set forth in this resolution; and be it further

PROVIDED, this resolution or part thereof is revocable at the will, whim or caprice of the City Council, and Bedrock Management 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 be it further

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



**LEGEND**

	ENCROACHMENT 1 REAR PORCH ENCROACHMENT EXISTING FROM 1400 WOODWARD AVE. EXISTING FROM 1400 WOODWARD AVE. EXISTING FROM 1400 WOODWARD AVE.
	ENCROACHMENT 2 REAR PORCH ENCROACHMENT EXISTING FROM 1400 WOODWARD AVE. EXISTING FROM 1400 WOODWARD AVE.
	ENCROACHMENT 3 REAR PORCH ENCROACHMENT EXISTING FROM 1400 WOODWARD AVE. EXISTING FROM 1400 WOODWARD AVE.

**PROPOSED ENCROACHMENTS**

ENCROACHMENT 1 - 48' x 12' REAR PORCH ENCROACHMENT FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE. 12' FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE. 12' FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE. 12' FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE.

ENCROACHMENT 2 - 48' x 12' REAR PORCH ENCROACHMENT FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE. 12' FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE. 12' FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE. 12' FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE.

ENCROACHMENT 3 - 48' x 12' REAR PORCH ENCROACHMENT FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE. 12' FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE. 12' FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE. 12' FROM THE JOHN R STREET SIDE OF 1400 WOODWARD AVE.



C2A	SITE PLAN ENCROACHMENTS	1400 WOODWARD HOTEL 1400 WOODWARD AVE. DETROIT, MI	KRAEMER DESIGN GROUP 1400 BROADWAY DETROIT, MI 48226		60 CHARLAC SQUARE SUITE 3311 DETROIT, MI 48226 TEL: 313.961.0000 FAX: 313.961.0009	NO. DATE BY DESCRIPTION	REVISION TO ENCROACHMENT SITE PLAN
					PROJECT NO.: 1400000 DRAWN BY: SJA CHECKED BY: SJA	1 08/20/11 SJA 1400 WOODWARD HOTEL ENCROACHMENT	2 09/01/11 SJA 1400 WOODWARD HOTEL ENCROACHMENT



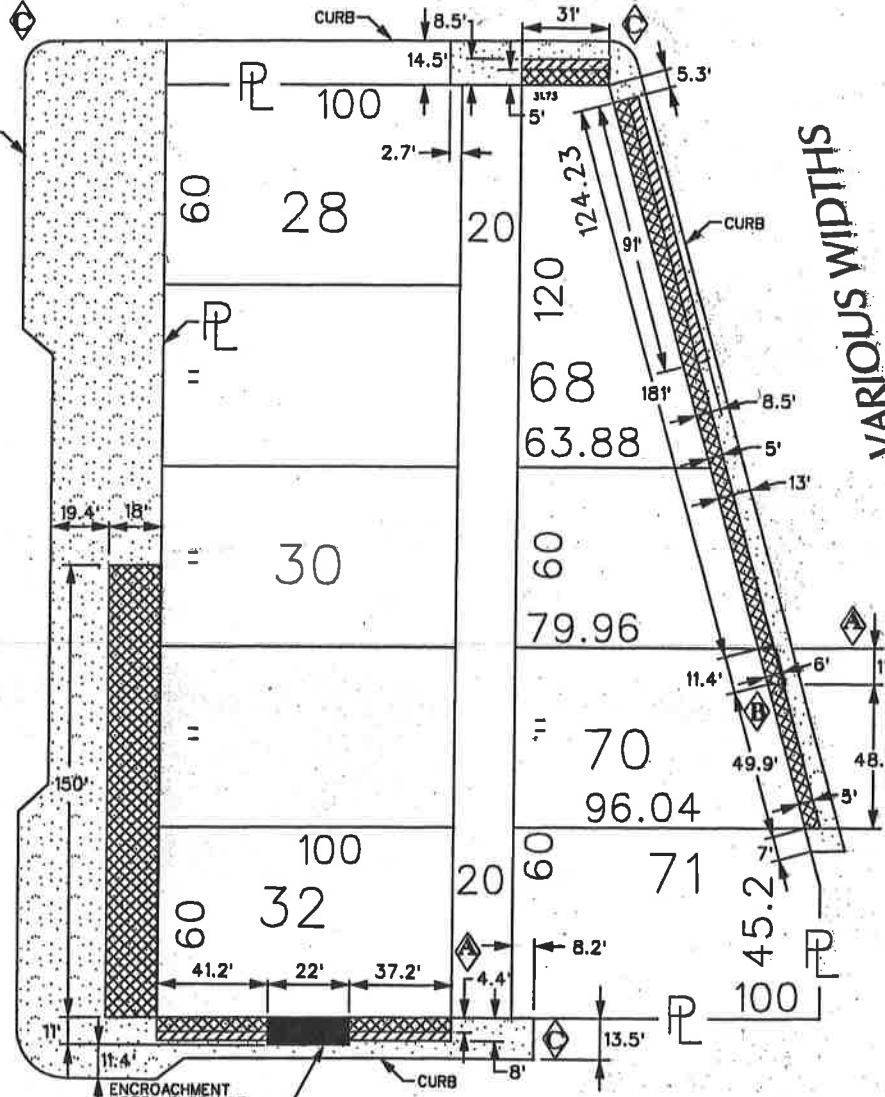
PETITION NO. 1768  
 BEDROCK DETROIT  
 C/O MANNIK SMITH GROUP  
 65 CADILLAC SQUARE SUITE 3311  
 DETROIT, MICHIGAN 48226  
 C/O DAVID RZYI  
 PHONE NO. 313 961-9500

**"REVISED"**







JOHN R. ST. 60 FT. WD.

WOODWARD AVE. 120 FT. WD.



FARMER ST.

E. GRAND RIVER AVE. 60 FT. WD.

-  - REQUEST ENCROACHMENT (With Tree, Tree Grates At and Below Grade)
-  - REQUEST ENCROACHMENT (With Hotel Entrance Awnings - 10' Above Grade)
-  - REQUEST ENCROACHMENT (With Exterior Lighting and Awnings - 8' Above Grade)
-  - REQUEST ENCROACHMENT (With Outdoor Seating, Planters, Exterior Lighting and Awnings - at Grade)

REVISIONS				
DESCRIPTION	DRWN	CHKD	APPD	DATE
C ADDING ENCROACHMENT AREA	WLW	KSM	KSM	10/2/18
B PULLING BACK THE AWNING ON FARMER	WLW	KSM	KSM	10/2/18
A MAINTAINING A 6' WALKWAY ALL AROUND	WLW	KSM	KSM	5/9/18
DRAWN BY WLW		CHECKED KSM		
DATE 04-05-18		APPROVED		

(FOR OFFICE USE ONLY)

CARTO 28 A

**REQUEST ENCROACHMENT  
 VARIOUS LOCATIONS  
 AT 1400 WOODWARD**  
 (With Outdoor Seating, Planters, Exterior Lighting  
 Hotel Entrance Awnings, Other Awnings  
 and Encroachments)

<b>CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU</b>	
JOB NO.	01-01
DRWG. NO.	X 1768