



June 28, 2018

Honorable City Council:

**RE: Petition No. 1819 – The Villages - Detroit, request to encroach on the right of way of various locations around Detroit for the purpose of installing bicycle racks.**

Petition No. 1819 – The Villages - Detroit, request for an encroachment with four (4) bicycle racks: three (3) bicycle racks on the South side of Kercheval Avenue, 80 feet wide, between Van Dyke, 66 feet wide, and Seminole Avenue, 80 feet wide; also one (1) bicycle rack on the North side of East Jefferson, 120 feet wide, between Seyburn Avenue, 70 feet wide, and Van Dyke Avenue, 66 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 provide bicycle parking for the businesses on Kercheval Avenue, and East Jefferson Avenue.

The request was approved by the Solid Waste Division – DPW, and the Traffic Engineering Division – DPW (TED). TED approves provided that certain clearances are met. The TED clearances 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 The Villages - Detroit or their assigns to install and maintain encroachments with four (4) bicycle racks: three (3) bicycle racks on the South side of Kercheval Avenue, 80 feet wide, between Van Dyke, 66 feet wide, and Seminole Avenue, 80 feet wide; also one (1) bicycle rack on the North side of East Jefferson, 120 feet wide, between Seyburn Avenue, 70 feet wide, and Van Dyke Avenue, 66 feet wide. The bike racks are all 54 inches in length, 33 inches in height and 18 inches in width. The bicycle racks are all on land in the City of Detroit, Wayne County, Michigan being further described as follows:

- 1) **Bicycle rack at 8008 Kercheval:** lying 2 feet and extending to 6.5 feet northerly of the northerly line of the East 30 feet of the West 60 feet of the North 91.72 feet of that part of Lot 65 lying southerly of and adjoining Kercheval Avenue and easterly of and adjoining Van Dyke Avenue "Plat of the Subdivision of the Van Dyke Farm, being Private Claims 100 & 679 from Mack to Jefferson Avenue" as recorded in Liber 1, Page 156 of Plats, Wayne County Records.
- 2) **Bicycle rack at 8044 Kercheval:** lying 2.5 feet and extending to 7.0 feet northerly of the northerly line of the East 73 feet of the West 262 feet of the North 91.72 feet that part of Lot 65 lying southerly of and adjoining Kercheval Avenue and easterly of and adjoining Van Dyke Avenue "Plat of the Subdivision of the Van Dyke Farm, being Private Claims 100 & 679 from Mack to Jefferson Avenue" as recorded in Liber 1, Page 156 of Plats, Wayne County Records.
- 3) **Bicycle rack at 8100 Kercheval:** lying 2 feet and extending to 6.5 feet northerly of the northerly line of the West 35 feet of the East 168.72 feet of the North 91.72 feet that part of Lot 65 lying southerly of and adjoining Kercheval Avenue "Plat of the Subdivision of the Van Dyke Farm, being Private Claims 100 & 679 from Mack to Jefferson Avenue" as recorded in Liber 1, Page 156 of Plats, Wayne County Records.
- 4) **Bicycle rack at 7869 East Jefferson:** lying 1.5 feet and extending to 6 feet southerly of the southerly line of the East 20.00 feet of Lot 51 "Chas. Bewick's Subdivision of the Subdivision of Lots 82, 83 and 84, Van Dyke Farm" as recorded in Liber 21, 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 access is maintained to all fire department connections, and be it further

PROVIDED, that the petitioner shall provide a minimum 6 feet wide clear unobstructed sidewalk for pedestrian traffic at all times, 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) hour's 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, The Villages - Detroit 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 The Villages - Detroit 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 The Villages - Detroit or their assigns. Should damages to utilities occur, The Villages - Detroit 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 Villages - Detroit 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 The Villages - Detroit or their assigns of the terms thereof. Further, The

Villages - Detroit 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 construction of the encroachments shall constitute acceptance of the terms and conditions as set forth in this resolution; and be it further

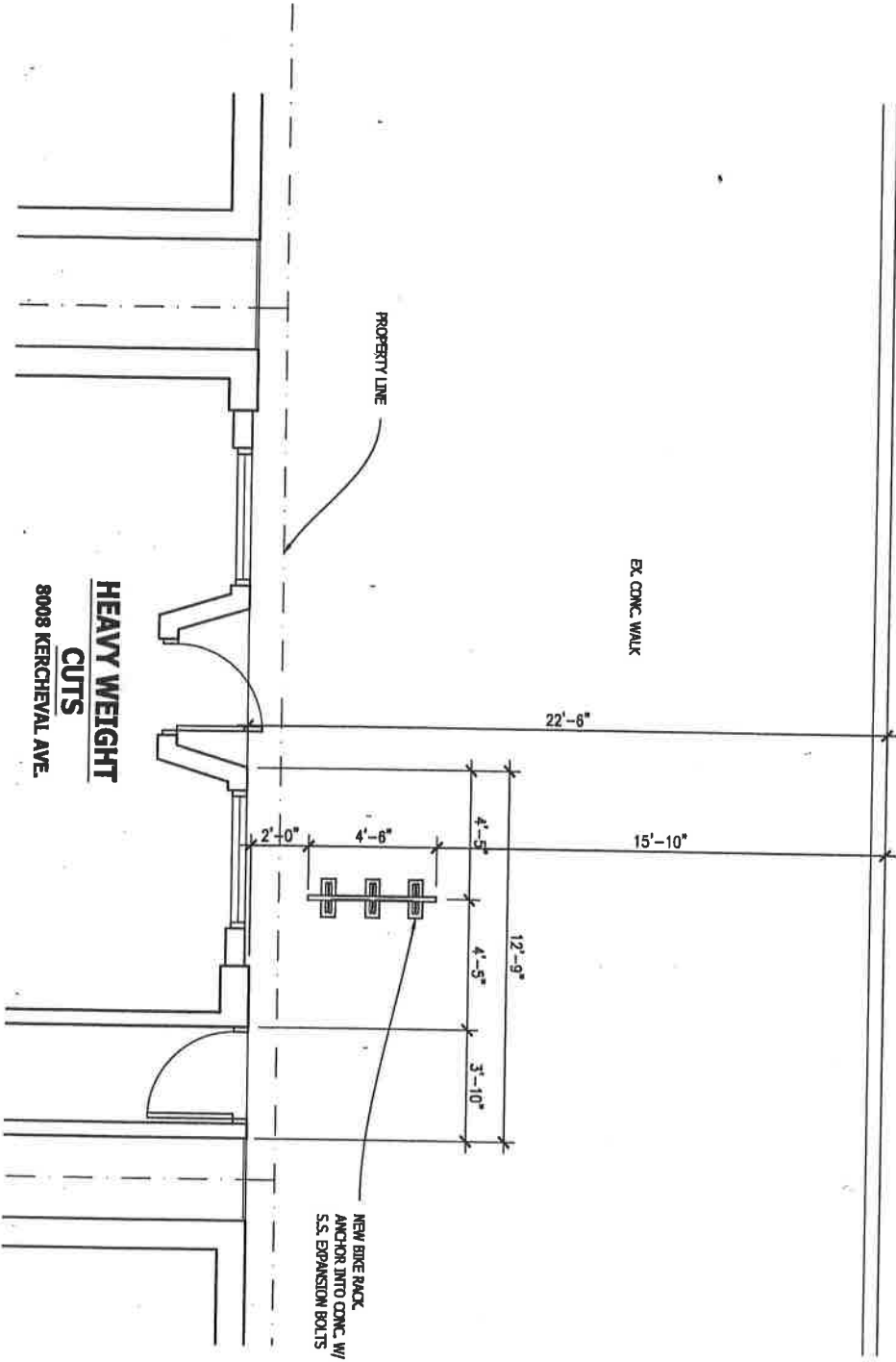
PROVIDED, this resolution is revocable at the will, whim or caprice of the City Council, and The Villages - Detroit acquires no implied or other privileges hereunder not expressly stated herein; and further

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.

KERCHEVAL AVENUE  
(80 FT. WIDE)

EX. CONC. WALK



**HEAVY WEIGHT CUTS**  
8008 KERCHEVAL AVE.

5 SITE PLAN @ HEAVY WEIGHT CUTS  
A1/A6 SCALE: 1/4"=1'-0"

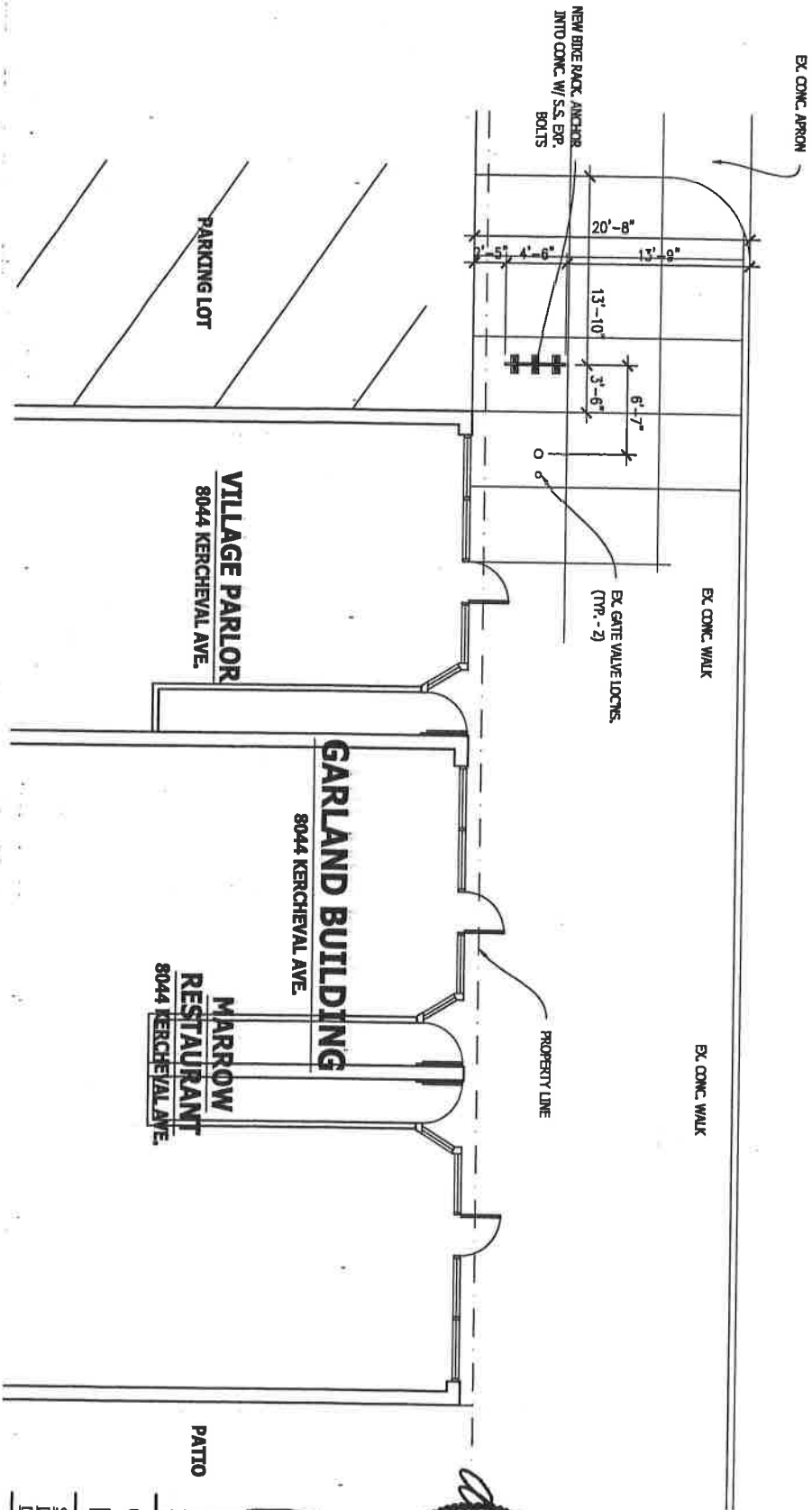


**AM**  
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www.allanmaghiesse.com  
adam@allanmaghiesse.com

**HEAVY WEIGHT CUTS**  
SCALE: 1/4" = 1'-0"  
DRAWN: AMM CHECKED: AMM  
DATE: 7-12-17

**A6**  
SHEET 6 OF 7

KERCHEVAL AVENUE  
(80 FT. WIDE)

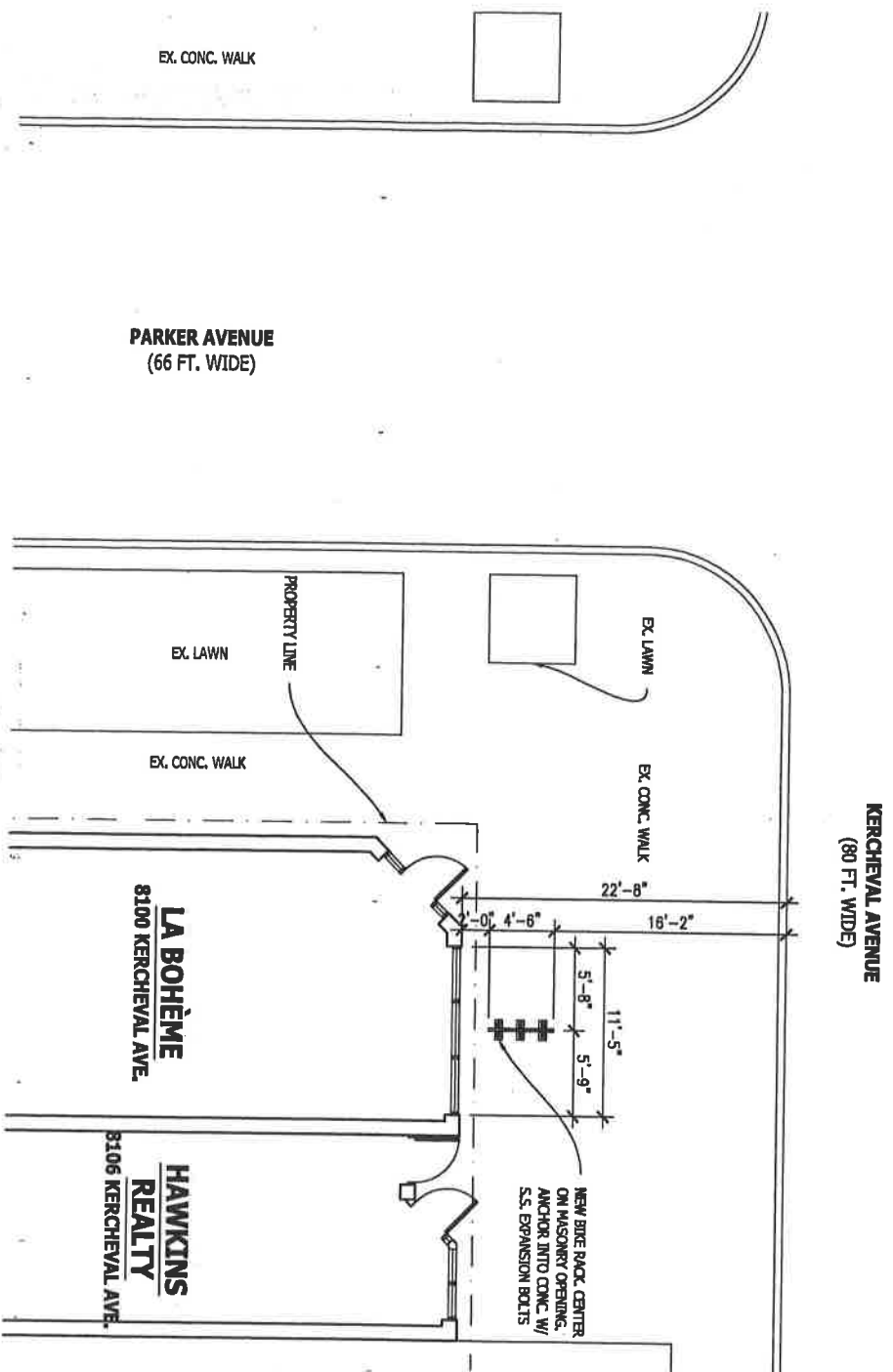


3 SITE PLAN @ GARLAND BUILDING  
A1/A4 SCALE: 1"=10'-0"



**PATTO**  
Allan Mashieze, MA  
7963 Sisk Park Avenue  
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**GARLAND BUILDING**  
SCALE: 1/8" = 1'-0"  
DRAWN: AMM CHECKED: AMM  
DATE: 11-19-17



4 SITE PLAN @ LA BOHEM  
 ALIAS SCALE 1/8"=1'-0"

**LA BOHÈME**  
 8100 KERCHEVAL AVE.

**HAWKINS REALTY**  
 8106 KERCHEVAL AVE.

NEW BIKE RACK, CENTER  
 ON MASONRY OPENING,  
 ANCHOR INTO CONC. W/  
 S.S. EXPANSION BOLTS

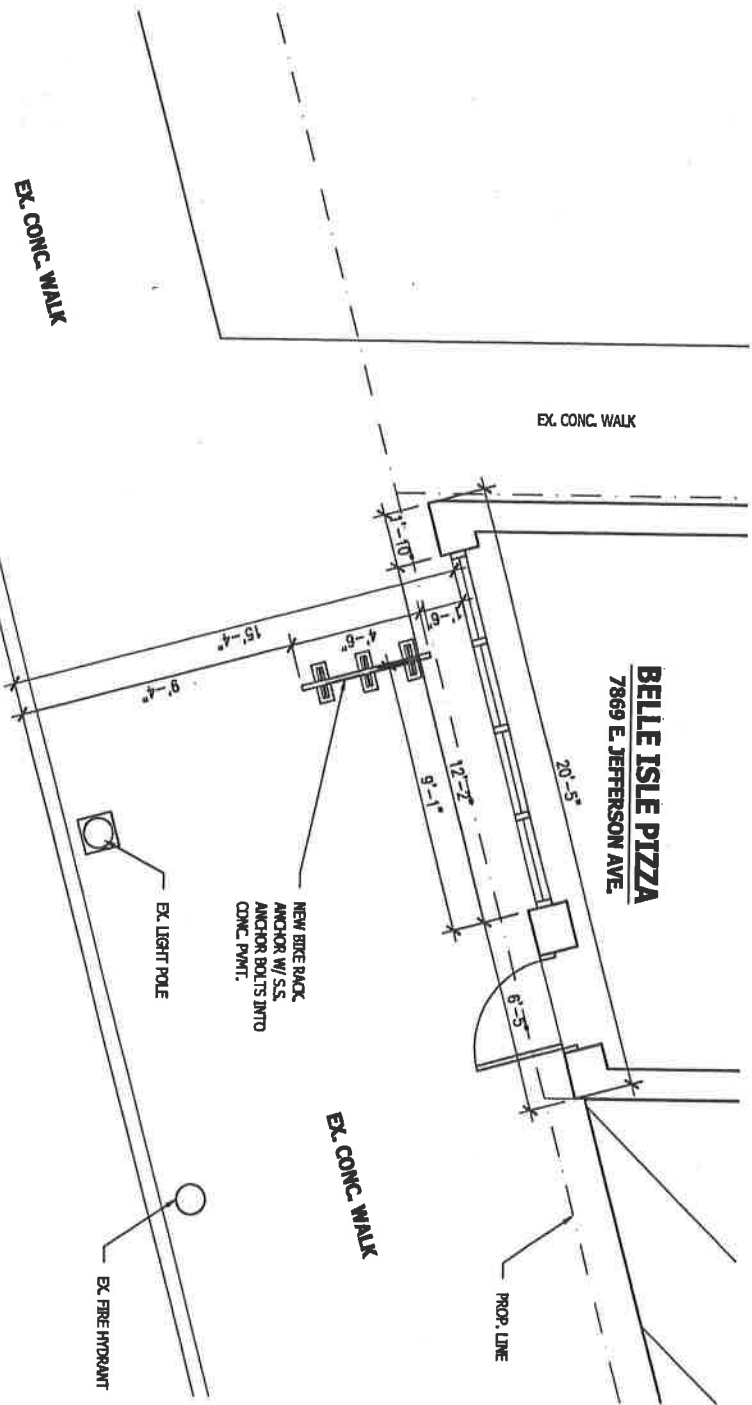


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**LA BOHÈME**

SCALE: 1/8" = 1'-0"  
 DRAWN: MAM CHECKED: MAM  
 DATE: 7-1-17

**A5**  
 SHEET 5 OF 7



1 ENLARGED SITE PLAN @ BELLE ISLE PIZZA  
 A1/A2 SCALE: 1/4" = 1'-0"



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 Architect

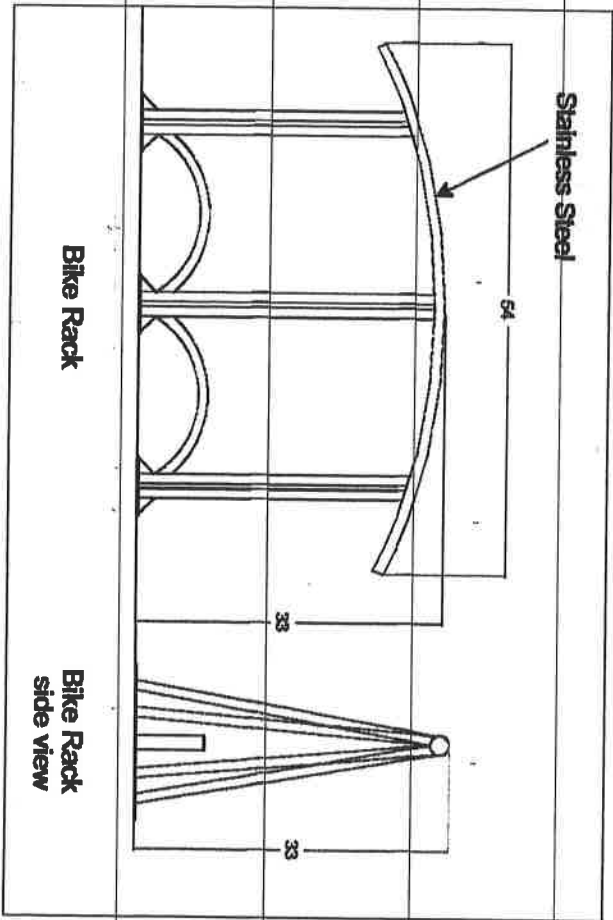
**BELLE ISLE PIZZA**  
 SCALE: 1/4" = 1'-0"  
 DRAWN: AMM CHECKED: AMM  
 DATE: 10-16-17

**A2**  
 SHEET 2 OF 7



**GENERAL NOTES**

- A. CONTRACTOR/INSTALLER SHALL OBTAIN ALL NECESSARY APPROVALS AND PERMITS PRIOR TO INSTALLING BIKE RACKS.
- B. DO NOT SCALE DRAWINGS. USE PRINTED DIMENSIONS ONLY. IF ANY DISCREPANCY OCCURS, NOTIFY THE ARCHITECT FOR DIRECTION.
- C. CONTRACTOR/INSTALLER SHALL FIELD VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH INSTALLATION. IF ANY DISCREPANCY IN THE DRAWINGS IS NOTED, NOTIFY THE ARCHITECT FOR DIRECTION.
- D. INSTALL BIKE RACKS WITH STAINLESS STEEL FASTENERS AND PER FABRICATOR'S INSTRUCTIONS.
- E. AT ALL BIKE RACK LOCATIONS, A MINIMUM OF 6'-0" CLEAR SIDEWALK IS REQUIRED EXCLUSIVE OF BIKE RACK, UTILITY POLES, AND OTHER STREET FIXTURES AND OBSTRUCTIONS TO ALLOW FOR PASSAGE OF PEDESTRIANS.



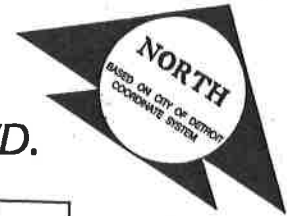
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**TYPICAL BIKE RACK**

SCALE: NIS  
DRAWN: AMM CHECKED: AMM  
DATE: 7-12-17

**A7**

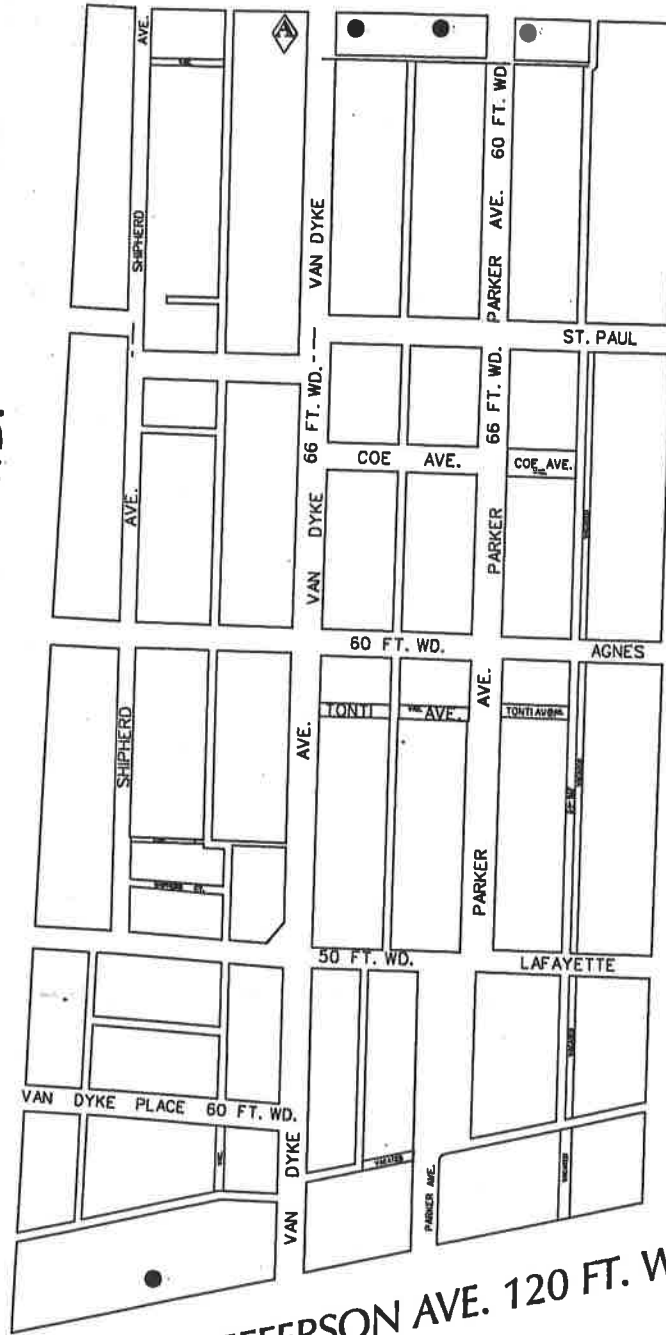
PETITION NO. 1819  
 THE VILLAGES - DETROIT  
 8109 E. JEFFERSON AVE. #1B  
 DETROIT, MICHIGAN 48214  
 C/O MAC FARR  
 PHONE NO. 313 486-2900



KERCHEVAL AVE. 80 FT. WD.

**"REVISED"**

SEYBURN AVE. 70 FT. WD.



SEMINOLE AVE. 80 FT. WD.

E. JEFFERSON AVE. 120 FT. WD.



- REQUEST ENCROACHMENT  
 (Bike Racks)

(FOR OFFICE USE ONLY)

CARTO 46 A & B, 47 E & F

<b>B</b>					
<b>A</b>	REMOVING THE BIKE RACK AT 7964 KERCHEVAL	WLV	KSM	KSM	3/14/18
	DESCRIPTION	DRWN	CHKD	APPD	DATE
REVISIONS					
	DRAWN BY	CHECKED			
	WLW	KSM			
	DATE	APPROVED			
	02-02-18				

**REQUEST ENCROACHMENT**  
 (Bike Racks)  
**INTO VARIOUS LOCATIONS AND WIDTHS**  
**IN THE AREA BOUND BY**  
**SEYBURN, KERCHEVAL, SEMINOLE**  
**AND E. JEFFERSON AVE.**

<b>CITY OF DETROIT</b>	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 1819