



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

April 5th, 2021

Honorable City Council:

RE: Petition No. 431 – Tiger Stadium Partners, LLC request for encroachment into the westerly sidewalk on Trumbull Street to install landscaping areas and bike racks, adjacent to 1620 Michigan Avenue.

Petition No. 431 – Tiger Stadium Partners, LLC request for encroachment into the westerly sidewalk on Trumbull Street, 100 ft. wide, to install landscaping areas and bike racks, adjacent to 1620 Michigan Avenue.

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

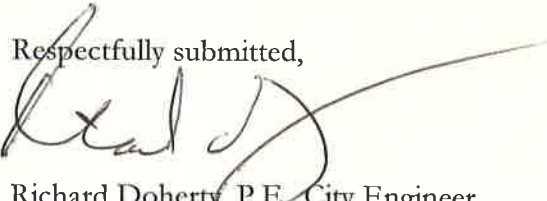
This request is made to add streetscape elements associated with the development at 1620 Michigan Avenue.

The request was approved by the Solid Waste Division – DPW, and City Engineering Division – DPW. The request was approved by the Traffic Engineering Division – DPW.

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. DTE has reported involvement and provisions protecting DTE 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/SW

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 TIGER STADIUM PARTNERS, LLC or their assigns to install and maintain encroachment for the following:

1. 4 Landscaping beds, being easterly and adjacent to parcel 08000590-1, commonly known as 1620 Michigan Avenue, described as being the easterly 5 feet of the west 11 feet of Trumbull Avenue, 100 feet wide, beginning 53.04 feet north of the southeast corner of parcel 08000590-1, also being the north line of Michigan Avenue and the west line of Trumbull Avenue, and extending 109.4 feet north along Trumbull Avenue.
2. Grass Landscaping, being easterly and adjacent to parcel 08000590-1, commonly known as 1620 Michigan Avenue, described as being the easterly 7 feet of the westerly 8.5 feet of Trumbull Avenue, 100 feet wide, beginning 218.34 feet north of the southeast corner of parcel 08000590-1, also being the north line of Michigan Avenue and the west line of Trumbull Avenue, and extending 46.4 feet north along Trumbull Avenue to a pivot point where the grass area gradually widens to a width of 12 feet 75.2 feet north after the pivot point, ending as the easterly 12.5 feet of the west 14 feet of Trumbull Avenue.
3. Landscaping Wall, being easterly and adjacent to parcel 08000590-1, commonly known as 1620 Michigan Avenue, described as being the westerly 1.5 feet of Trumbull Avenue, 100 feet wide, beginning 218.34 feet north of the southeast corner of parcel 08000590-1, also being the north line of Michigan Avenue and the west line of Trumbull Avenue, and extending 121.6 feet north along Trumbull Avenue. Said wall being approx. 3 feet above grade.
4. Bike racks, being easterly and adjacent to parcel 08000590-1, commonly known as 1620 Michigan Avenue, described as being the easterly 5 feet of the west 11 feet of Trumbull Avenue, 100 feet wide, beginning 100.14 feet north of the southeast corner of parcel 08000590-1, also being the north line of Michigan Avenue and the west line of Trumbull Avenue, and extending 15.7 feet north along Trumbull Avenue.

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 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 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 TIGER STADIUM PARTNERS, LLC or their assigns, and further

PROVIDED, that the TIGER STADIUM PARTNERS, LLC or their assigns provide as-built drawings of their installation and the relationship to other utility infrastructure to the Department of Public Works – City Engineering Division, 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 TIGER STADIUM PARTNERS, LLC or their assigns. Should damages to utilities occur TIGER STADIUM PARTNERS, 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 TIGER STADIUM PARTNERS, 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 TIGER STADIUM PARTNERS, LLC or their assigns of the terms thereof. Further, TIGER STADIUM PARTNERS, 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 all cost for the construction, maintenance, permits and use of the encroachments shall be borne by TIGER STADIUM PARTNERS, LLC, or their assigns; 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 TIGER STADIUM PARTNERS, 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.

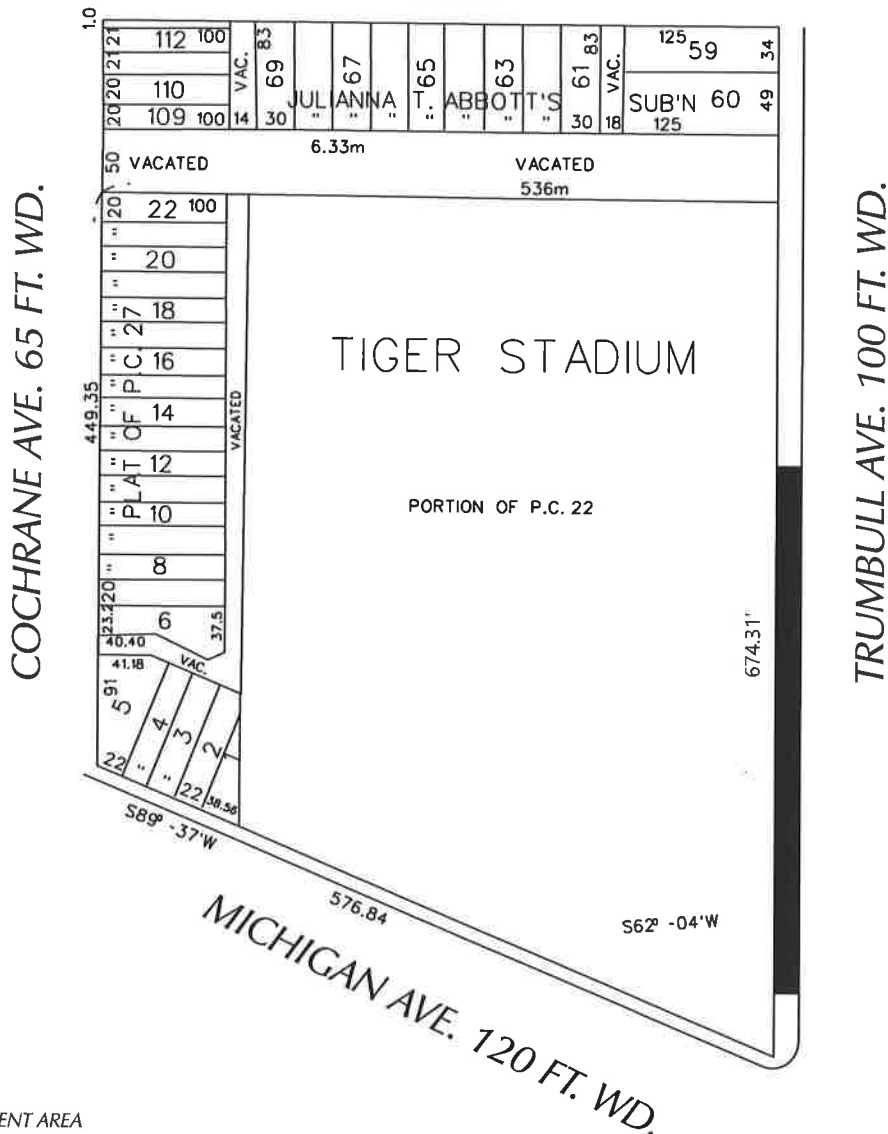
PETITION NO.431
 THE CORNER
 C/O GIFFLES-WEBSTER 28 W. ADAMS , SUITE 1200
 DETROIT, MI 48226
 C/O MICHAEL NONA
 PHONE NO. 313-962-4442



"REVISED"

EASEMENT (FORMELY KALINE DR. 50 FT. WD.)

EASEMENT



- ENCROACHMENT AREA

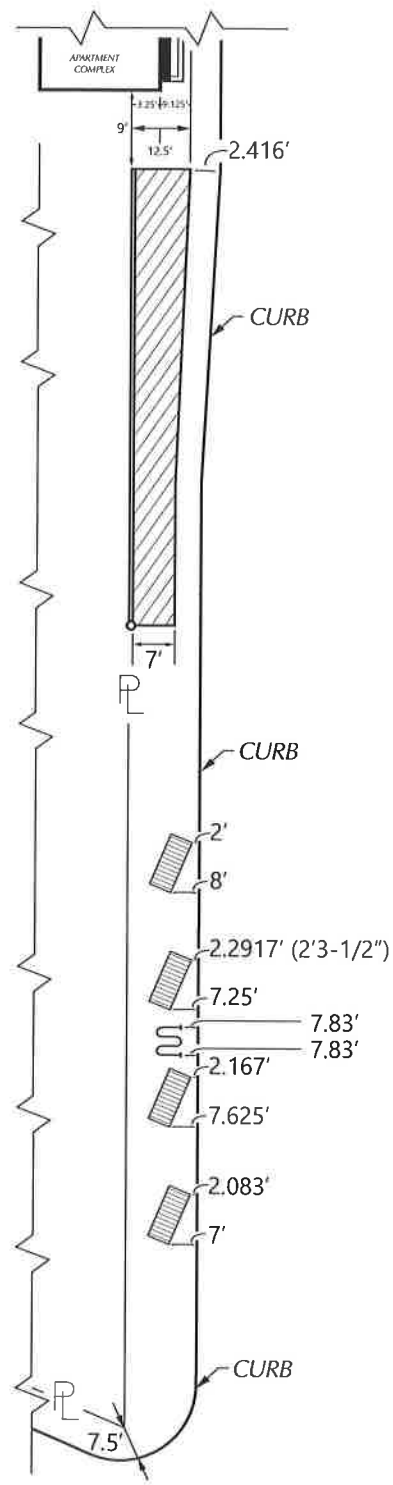
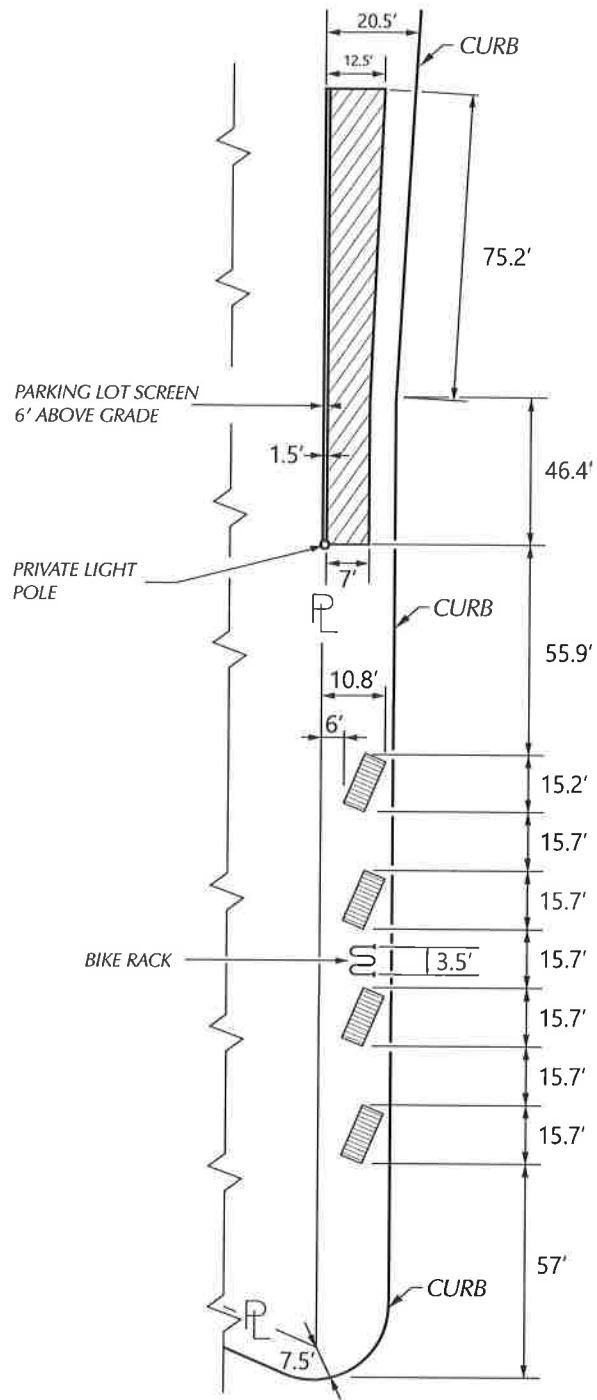
(FOR OFFICE USE ONLY)

CARTO 29 D

B	ADJUSTMENTS TO MARKS, REVISIONS, ACCORDING TO THE FIELD BOOKS AND ADJUSTMENT APPROXIMATIONS	KJ		JD	03-16-21
A	ADJUSTING ENCROACHMENT AREA CURB FLARES OUT FROM 19' TO 24.5'	WLW	KSW	KSW	03-26-19
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	WLW	CHECKED	KSW		
DATE	08-27-18	APPROVED BY			

ENCROACHMENT INTO R.O.W.
 IN THE BLOCK BOUND BY THE
 TRUMBULL AVE, MICHIGAN AVE,
 COCHRANE AVE, AND THE EASMENT
 FORMERLY KNOWN AS KALINE DR.

CITY OF DETROIT	
CITY ENGINEERING DIVISION	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 431



- LANDSCAPE AREA
- TREE GRATES

(FOR OFFICE USE ONLY)

CARTO 29 D

B	ADJUSTING EMBANKMENT AREA	KJ		JD	03-16-21
A	ADJUSTING ENCROACHMENT AREA	WLW	KSW	KSW	03-26-19
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	WLW	CHECKED	KSW		
DATE	08-27-18	APPROVED BY			

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CITY OF DETROIT	
CITY ENGINEERING DIVISION	
SURVEY BUREAU	
JOB NO.	01-02
DRWG. NO.	X 431