



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

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March 27, 2020

Honorable City Council:

RE: Petition No. 1038 6001 Cass LLC, request for various encroachments with blade signage into the York Street and Cass Avenue rights-of-way.

Petition No.1038 by Giffels –Webster on behalf of 6001 Cass, LLC request to encroach with 4 blade signs: 3 signs on the west side of Cass Avenue, 80 feet wide, between York Street, 60 feet wide, and Burroughs Avenue, 50 feet wide; also with 1 sign on the north side of York Street, between Cass Avenue and Second Boulevard, 150 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 as part of the historic restoration of the 6001 Cass Cadillac project.

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

Detroit Water and Sewerage Department (DWSD) reports involvement, but no objection. The standard DWSD provisions for encroachments have been made a part of the resolution.

All other involved City Departments and 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

/JK

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 6001 Cass, LLC or their assigns to install and maintain encroachments consisting of 4 blade signs: 3 signs on the west side of Cass Avenue, 80 feet wide, between York Street, 60 feet wide, and Burroughs Avenue, 50 feet wide; also with 1 sign on the north side of York Street, between Cass Avenue and Second Boulevard, 150 feet wide. Location of the encroachments described as follows: land in the City of Detroit, Wayne County, Michigan being part of Cass Avenue, 80 feet wide, and part of York Street, 60 feet wide, lying southerly of and adjoining the southerly line, also lying easterly of and adjoining the easterly line of a parcel of land being: Lots 1, 2, 3, 4, 5, and east 12 feet of the south 57.50 feet of Lot 8, and the east 12 feet of Lot 11 "Cass Farm Co. Limited Subdivision of Blocks 111, 112, 113, 114, 115, 116, 118 & 119 and part of Block 117 Cass Farm" as recorded in Liber 19, Page 35 of Plats, Wayne County Records. The encroachments further described as follows:

- 1) A blade sign extending 17.5 feet easterly into Cass Avenue from the easterly line of the above described parcel. Sign centered 3.1 feet northerly of the southeast corner of the parcel and being 3.0 feet in width, and beginning 44 feet above grade and extending to 88 feet above grade.
- 2) A blade sign extending 6.5 feet southerly into York Street from the southerly line of the above described parcel. Sign centered 72.5 feet westerly of the southeast corner of the parcel and being 2.2 feet in width, and beginning 11.5 feet above grade and extending to 16.5 feet above grade.
- 3) A blade sign extending 7.0 feet easterly into Cass Avenue from the easterly line of the above described parcel. Sign centered 74.5 feet northerly of the southeast corner of the parcel and being 2.2 feet in width, and beginning 11.5 feet above grade and extending to 15.5 feet above grade.
- 4) A blade sign extending 10.5 feet easterly into Cass Avenue from the easterly line of the above described parcel. Sign centered 37.1 feet northerly of the southeast corner of the parcel and being 2.2 feet in width, and beginning 11.5 feet above grade and extending to 18.0 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 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 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, 6001 Cass, 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 6001 Cass, 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 6001 Cass, LLC or their assigns. Should damages to utilities occur 6001 Cass, 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 6001 Cass, 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 6001 Cass, LLC or their assigns of the terms thereof. Further, 6001 Cass, 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 and construction of the encroachments shall be construed as acceptance of this Resolution by the “permitee”; and further

PROVIDED, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by 6001 Cass, LLC, or their assigns; and further

PROVIDED, this resolution or part thereof is revocable at the will, whim or caprice of the City Council, and 6001 Cass, LLC acquires no implied or other privileges hereunder not expressly stated herein; and further

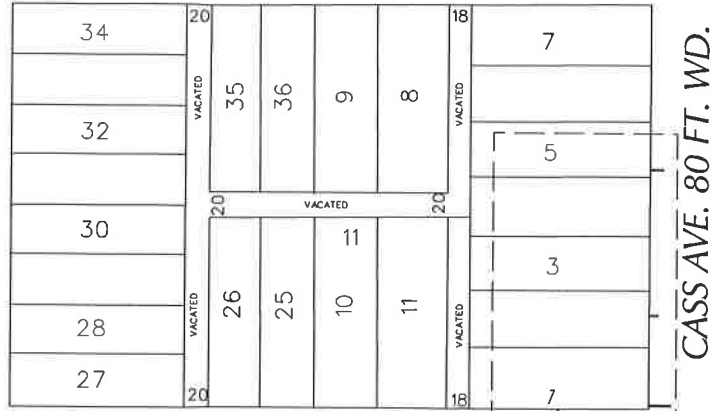
PROVIDED, that the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and be it further

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. 1038
 6001 CASS LLC,
 C/O GIFFELS WEBSTER
 28 W. ADAMS, SUITE 1200
 DETROIT, MICHIGAN 48226
 TRICIA DEMARCO
 PHONE NO. 313 962-4442

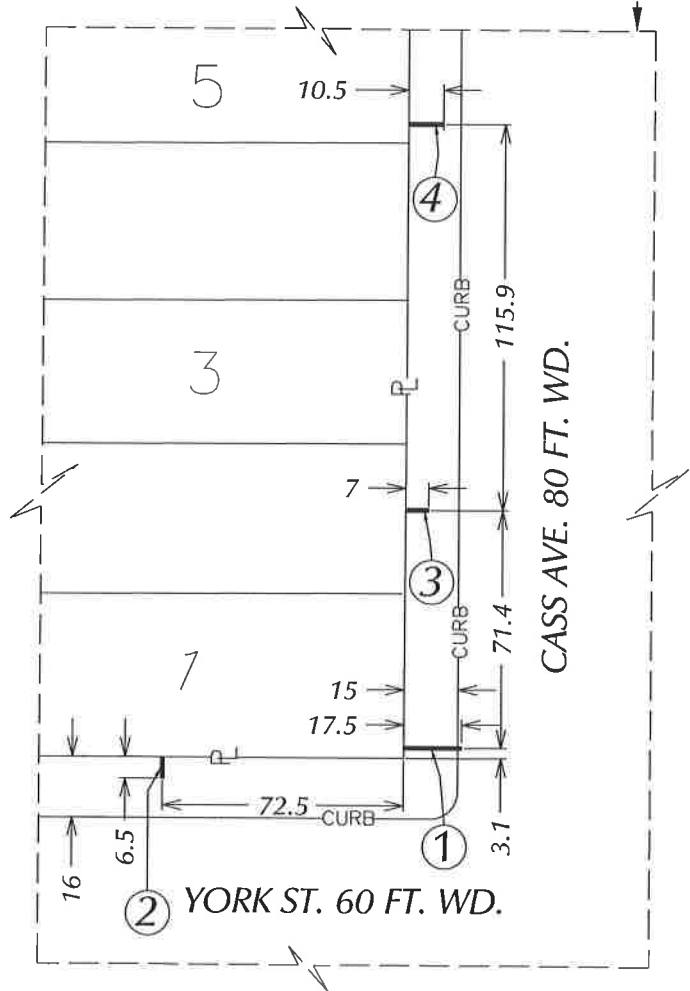
BURROUGHS AVE. 50 FT. WD.

SECOND BLVD. 150 FT. WD.



- REQUEST ENCROACHMENT
 (FOR BLADE SIGNAGE)

- ① BLADE SIGN ENCROACHMENT
 EXTENDED 44' TO 88' ABOVE GRADE
- ② BLADE SIGN ENCROACHMENT
 EXTENDED 11.5' TO 16.5' ABOVE GRADE
- ③ BLADE SIGN ENCROACHMENT
 EXTENDED 11.5' TO 15.5' ABOVE GRADE
- ④ BLADE SIGN ENCROACHMENT
 EXTENDED 11.5' TO 18' ABOVE GRADE



(FOR OFFICE USE ONLY)

CARTO 31 E

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	SA	CHECKED	JA		
DATE	09-19-19	APPROVED			

REQUEST ENCROACHMENT
 INTO THE YORK ST. AND CASS AVE.
 (FOR BLADE SIGNAGE)

CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 1038