



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

July 9th, 2020

Honorable City Council:

RE: Petition No. 1282 – Hudson Real Property LLC, request for encroachment for installation of terraces, structural overhangs, and a canopy on the building façade of the proposed structure development at 1208 Woodward Avenue (Hudson Site).

Petition No. 1282 – Hudson Real Property LLC, request for encroachment for installation of terraces (from 19 ft. to 186 ft. above grade), overhangs (from 19.5 ft. to 140 ft. above grade), and canopies (from 15 ft. to 24 ft. above grade) on building façade of the proposed structure development at 1208 Woodward Avenue (Hudson Site), bounded by Woodward Avenue (120 ft. wide), Grand river Avenue (60 ft. wide), Farmer Street (71 ft. wide), and Gratiot Avenue (60 ft. 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 approve the final architectural design of the proposed high-rise development planned for the site at 1208 Woodward Avenue.

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

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

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 Hudson Real Property, LLC or their assigns to install and maintain encroachments for event terraces, structural overhangs, and a canopy on the building façade of the proposed building at 1208 Woodward Avenue, further described as follows:

1. Terrace encroachments extending 6 ft. into the right-of-way and ranging from 19 ft. above grade to 186 ft. above grade on the east side of Woodward Avenue (120 ft. wide), south side of Grand River Avenue (60 ft. wide) and the west side of Farmer Street (71 ft. wide) adjoining lots 33 through 36 and part of lot 37; lots 72 through 75 and part of lot 76; and adjoining the northerly opening of the north-south vacated alley (20 ft. wide) and the easterly opening of the east-west vacated alley (20 ft. wide) all within "Plat of Section of the Governor and Judges Plan" as recorded in Liber 34, Page 544 of Deeds, Wayne County Records.
2. Overhang encroachments extending 1 ft. into the right-of-way and ranging from 19.5 ft. above grade to 140 ft. above grade on the north side of Gratiot Avenue (60 ft. wide) and on the west side of Farmer Street (71 ft. wide) adjoining lots 39 and 77-78, also the southerly opening of the north-south vacated alley (20 ft. wide) all within "Plat of Section of the Governor and Judges Plan" as recorded in Liber 34, Page 544 of Deeds, Wayne County Records.
3. Canopy encroachment extending 22.5 ft. into the right-of-way, having a width of 8812 ft. and ranging from 15 ft. above grade to 24 ft. above grade, with the lip of the canopy being 17.1 ft. above grade on the west side of Woodward Avenue (120 ft. wide) adjoining part of lots 38 & 39 within "Plat of Section of the Governor and Judges Plan" as recorded in Liber 34, Page 544 of Deeds, 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 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 petitioner maintain a vertical clearance of 18 feet above grade from DWSD facilities for maintenance access and repair; 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 the underground pipes are encased in concrete to protect them from inadvertent damage, and permanent monuments be installed at the intersection of the property line and the centerline of the installed pipes, and further

PROVIDED, that the Hudson Real Property 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, Hudson Real Property 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 Hudson Real Property 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 Hudson Real Property LLC or their assigns. Should damages to utilities occur Hudson Real Property LLC or their assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

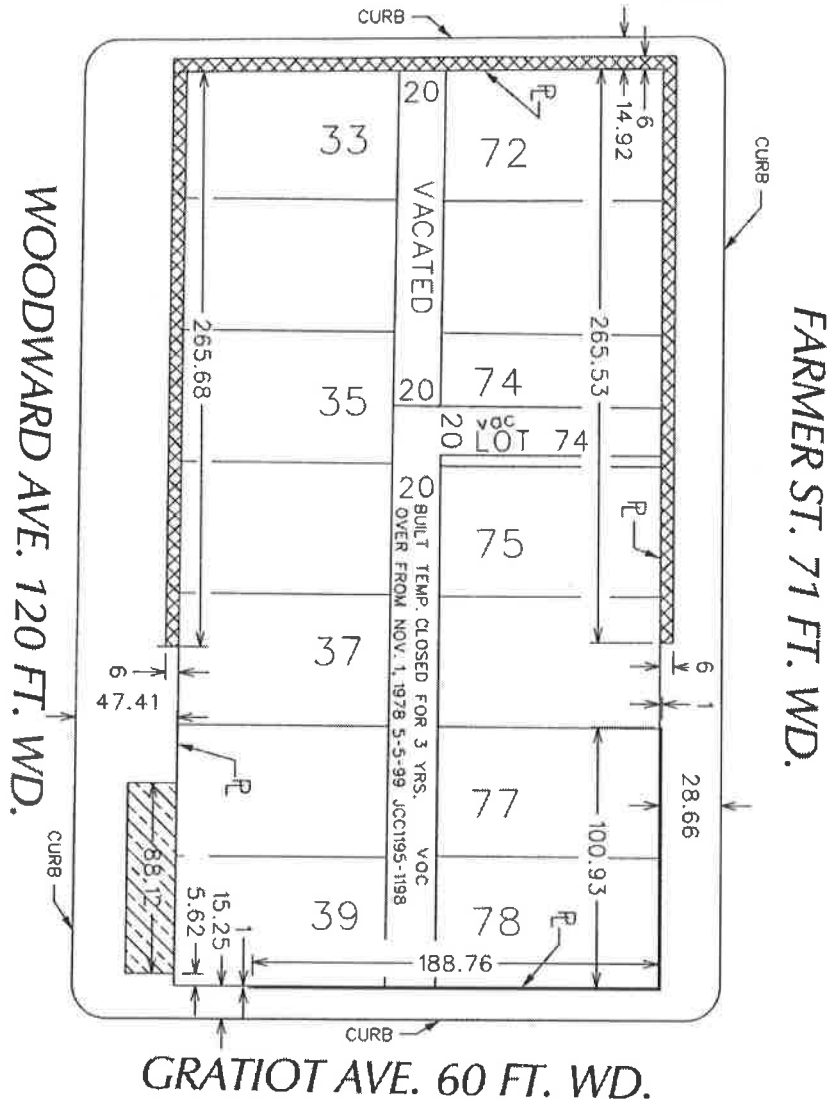
PROVIDED, that no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division – DPW; and further




PROVIDED, that Hudson Real Property 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,

PETITION NO.
 C/O GIFFELS WEBSTER
 28 W. ADAMS, SUITE 1200
 DETROIT, MICHIGAN 48226
 MICHAEL MARKS
 PHONE NO. (313) 962-4442



GRAND RIVER AVE. 60 FT. WD.



-  - (EVENT TERRACE) ABOVE GRADE BUILDING ENCROACHMENT FROM 19' TO 186' ABOVE FINISHED GRADE .
-  - (OVERHANGS) ABOVE GRADE BUILDING ENCROACHMENT FROM 19.5' TO 140' ABOVE FINISHED GRADE.
-  - (CANOPY) ABOVE GRADE BUILDING ENCROACHMENT FROM 15' TO 24' ABOVE FINISHED GRADE .

(FOR OFFICE USE ONLY)

CARTO 28 A

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	SA	CHECKED	KSM		
DATE	05-27-20	APPROVED	JD		

REQUEST ENCROACHMENT
 INTO THE RIGHTS-OF-WAY WITHIN THE
 BLOCK BOUNDED BY
 WOODWARD AVE., GRAND RIVER AVE.,
 FARMER ST. AND GRATIOT AVE.

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