



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

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June 8th, 2021

Honorable City Council:

RE: Petition No. x1588 – Eddystone Renaissance, LLC request for the encroachment into the North part of Vacated Sproat Street and the west part of Park Avenue for the installation of canopies and below-grade frost-slabs for the property commonly known as 110 Sproat.

Petition No. x1588 – Eddystone Renaissance, LLC request for the encroachment into the north part of Vacated Sproat Street, 50 ft. wide, and the west part of Park Avenue, 60 ft. wide, for the installation of canopies and below-grade frost-slabs for the property commonly known as 110 Sproat.

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

This request is being made for updates to the sidewalk and façade at the property commonly known as 110 Sproat Street.

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

RESOLVED, that the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to EDDYSTONE RENAISSANCE, LLC or their assigns to install and maintain encroachment for the following:

1. Canopy, being located on the north side of vacated Sproat Street, 60 ft. wide, and the west side of Park Avenue, 60 ft. wide, at the southeast corner of lot 19, of "Block 76 Subdivision of Part of Park Lots" as recorded in Liber 53, Page 196 of Plats, Wayne County Records, adjacent to the parcel commonly known as 110 Sproat Street. Said canopy will extend 5.6 ft. south of the property line adjoining Sproat Street and extend 5.7 ft. east of the property line adjoining Park Avenue, installed at a height ranging from 9 ft. to 13.5 ft. above surface grade, and have a width of 23.6 ft. along Sproat Street and 14.4 ft. along Park Avenue.
2. Canopy, being located on the west side of Park Avenue, 60 ft. wide, along the northerly 12.6 ft. of lot 20 of "Block 76 Subdivision of Part of Park Lots" as recorded in Liber 53, Page 196 of Plats, Wayne County Records. Said canopy will extend 8 ft. east of the property line adjoining Park Avenue, installed at a height ranging from 9 ft. to 13.5 ft. above surface grade, and have a width of 12.6 ft. along Park Avenue.
3. Frost Slab, being located on the north side of vacated Sproat Street, 60 ft. wide, being approx. 7.8 ft. east from the southwest corner of lot 19 of "Block 76 Subdivision of Part of Park Lots" as recorded in Liber 53, Page 196 of Plats, Wayne County Records. Said frost slab will extend 2.1 ft. south of the property line and have a width being 6 ft. parallel to the property line.
4. Frost Slab, being located on the north side of vacated Sproat Street, 60 ft. wide, being approx. 48 ft. east from the southwest corner of lot 19 of "Block 76 Subdivision of Part of Park Lots" as recorded in Liber 53, Page 196 of Plats, Wayne County Records. Said frost slab will extend 4.8 ft. south of the property line and have a width being 6.9 ft. parallel to the property line.
5. Frost Slab, being located on the north side of vacated Sproat Street, 60 ft. wide, being approx. 6 ft. west from the southeast corner of lot 19 of "Block 76 Subdivision of Part of Park Lots" as recorded in Liber 53, Page 196 of Plats, Wayne County Records. Said frost slab will extend 4.8 ft. south of the property line and have a width being 6 ft. parallel to the property line.
6. Frost Slab, being located on the west side of Park Avenue, 60 ft. wide, being approx. 1.1 ft. south from the northeast corner of lot 20 of "Block 76 Subdivision of Part of Park Lots" as recorded in Liber 53, Page 196 of Plats, Wayne County Records. Said frost slab will extend 4.3 ft. east of the property line and have a width being 6 ft. parallel to the property line.
7. Frost Slab, being located on the west side of Park Avenue, 60 ft. wide, being approx. 4.5 ft. north from the southeast corner of lot 20 of "Block 76 Subdivision of Part of Park Lots" as recorded in Liber 53, Page 196 of Plats, Wayne County Records. Said frost slab will extend 4.3 ft. east of the property line and have a width being 6 ft. parallel to the property line.

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 EDDYSTONE RENAISSANCE, LLC or their assigns, and further

PROVIDED, that the EDDYSTONE RENAISSANCE, 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 EDDYSTONE RENAISSANCE, LLC or their assigns. Should damages to utilities occur EDDYSTONE RENAISSANCE, 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 EDDYSTONE RENAISSANCE, 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 EDDYSTONE RENAISSANCE, LLC or their assigns of the terms thereof. Further, EDDYSTONE RENAISSANCE, 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 EDDYSTONE RENAISSANCE, 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 EDDYSTONE RENAISSANCE, LLC acquires no implied or other privileges hereunder not expressly stated herein; and further

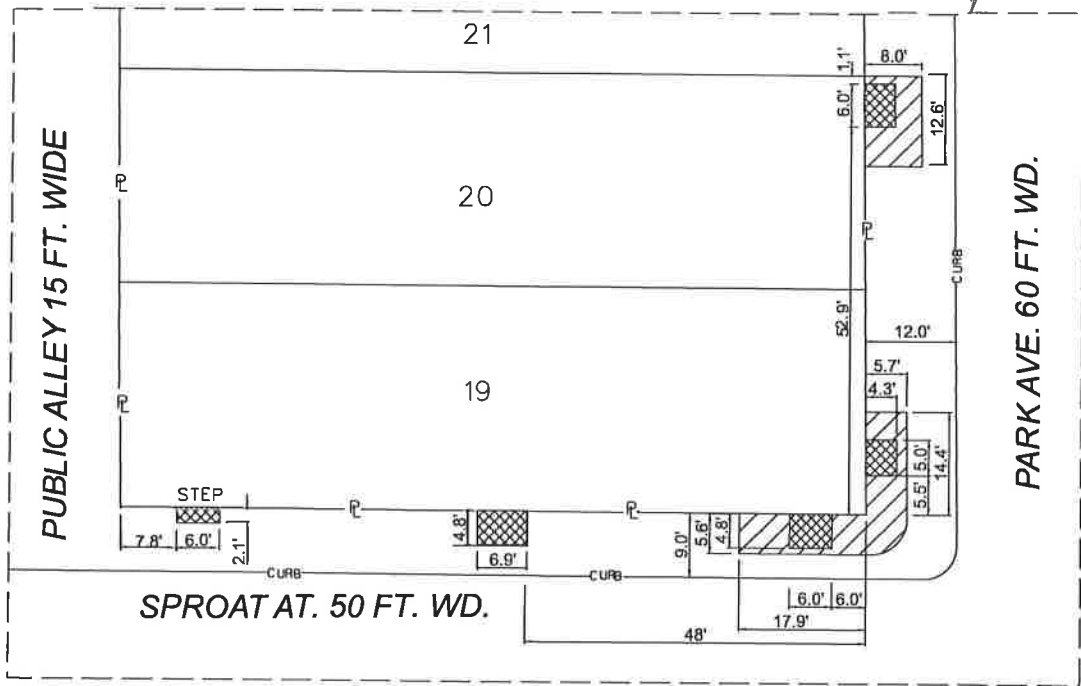
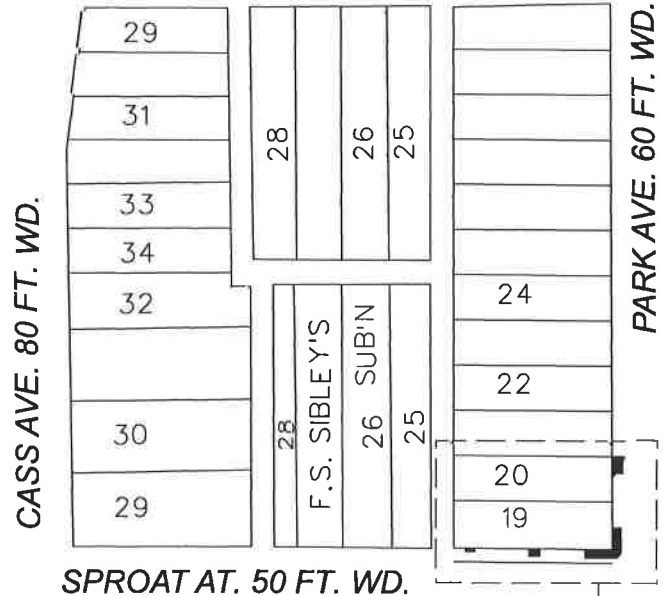
PROVIDED, that the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and be it further

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. x1588
 EDDYSTONE RENAISSANCE, LLC
 GIFFELS WEBSTER
 28 W. ADAMS, SUITE 1200
 DETROIT, MI, 48226
 MICHAEL MARKS
 PHONE NO. (313) 962-4442



TEMPLE AVE. 60 FT. WD.



- REQUEST ENCROACHMENT
- BELOW GRADE ENCROACHMENT FOR FROST SLABS/STEPS FROM AT GRADE TO 4 FEET BELOW GRADE
- ABOVE GRADE ENCROACHMENT FOR CANOPY BEGINNING 9.0 FEET ABOVE GRADE TO 13.5 FEET ABOVE GRADE

(FOR OFFICE USE ONLY)

CARTO 29 E

B					
A					
DESCRIPTION	DRWN	CHEK	APPD	DATE	
REVISIONS					
DRAWN BY	SA	CHECKED	JD		
DATE	11-02-2021	APPROVED			

REQUEST FOR A SERIES OF ENCROACHMENTS INTO THE RIGHT-OF-WAY AND PUBLIC EASEMENT WITHIN THE BLOCK BOUNDED BY SPROAT STREET PUBLIC EASEMENT, PARK AVENUE, TEMPLE AVENUE, AND CASS AVENUE.

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