



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

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August 31st, 2022

Honorable City Council:

RE: Petition No. x2022-273 – 1274 Library, LLC, request for encroachment within the southerly part of East Grand River Avenue and the easterly part of Library Avenue, adjacent to the parcel commonly known as 1274 Library Avenue, for the purpose of installing planter boxes.

Petition No. x2022-273 – 1274 Library, LLC, request for encroachment within the southerly part of East Grand River Avenue, 60 ft. wide, and the easterly part of Library Avenue, 71 ft. wide, adjacent to the parcel commonly known as 1274 Library Avenue, for the purpose of installing planter boxes.

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

The request is being made to add street scape elements for the opening of the Gucci retail store at 1274 Library Avenue.

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

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

/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 1274 Library, LLC or their assigns to install and maintain request for various encroachments within East Grand River Avenue and Library Avenue, further described as: Land in the City of Detroit, Wayne County, Michigan;

1. Planter boxes (9 total), installed northerly of and westerly of lot 62 of "Plat of Section 7 of the Governor's and Judges Plan" as recorded in Liber 34, Page 544 of Plats, Wayne County Records. Said planter boxes are to be installed no less than 2.5' from the street curb and provide no less than 6' clearance from the property line of 1274 Library Avenue so not to obstruct the flow of pedestrian traffic. Each planter boxes will be spaced in increments of approx. 12' – 13' apart. Each of the 9 planter boxes will have a 36" L x 36" W x 30" H dimension. Each planter boxes will stand alone without being permanently secured to the pavement.

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, 1274 Library, 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 1274 Library, 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 1274 Library, LLC or their assigns. Should damages to utilities occur 1274 Library, 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 1274 Library, 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 1274 Library, LLC or their assigns of the terms thereof. Further, 1274 Library, 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 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 1274 Library, 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.

ISSUED	4/28/2022

PROJECT LOCATION:
L.B. KING & COMPANY
BUILDING
1274 LIBRARY STREET
DETROIT, MICHIGAN 48226

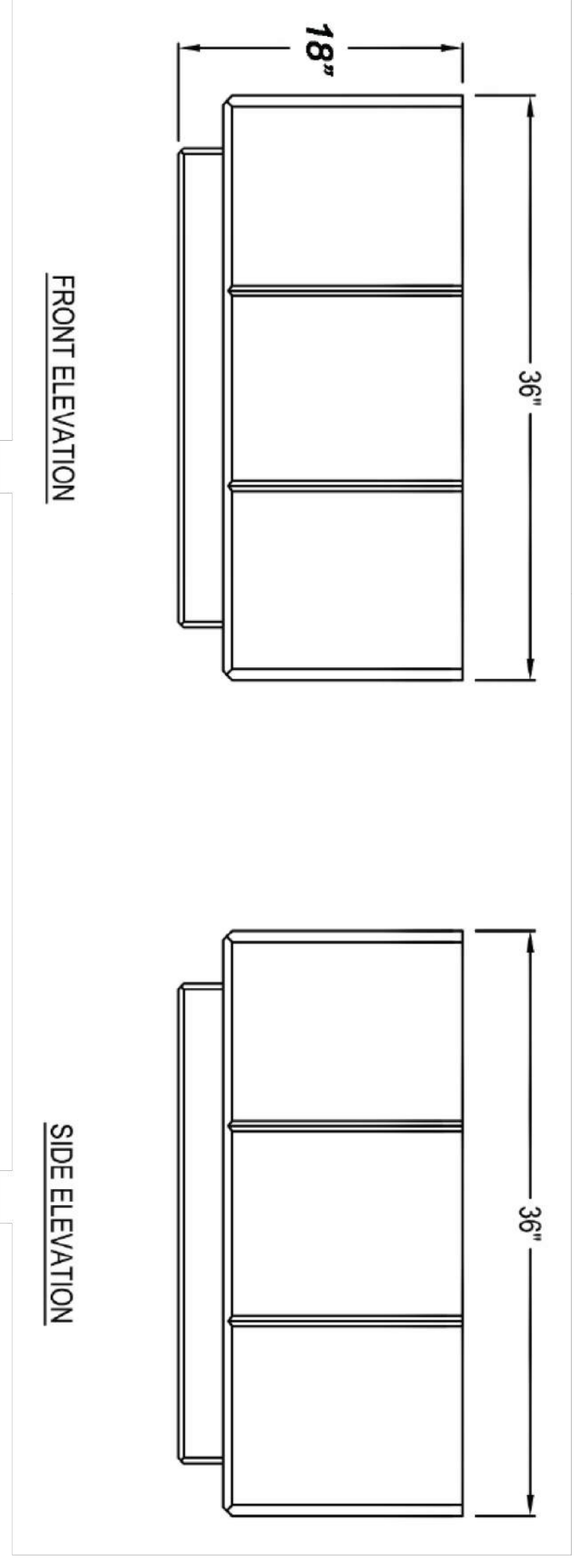
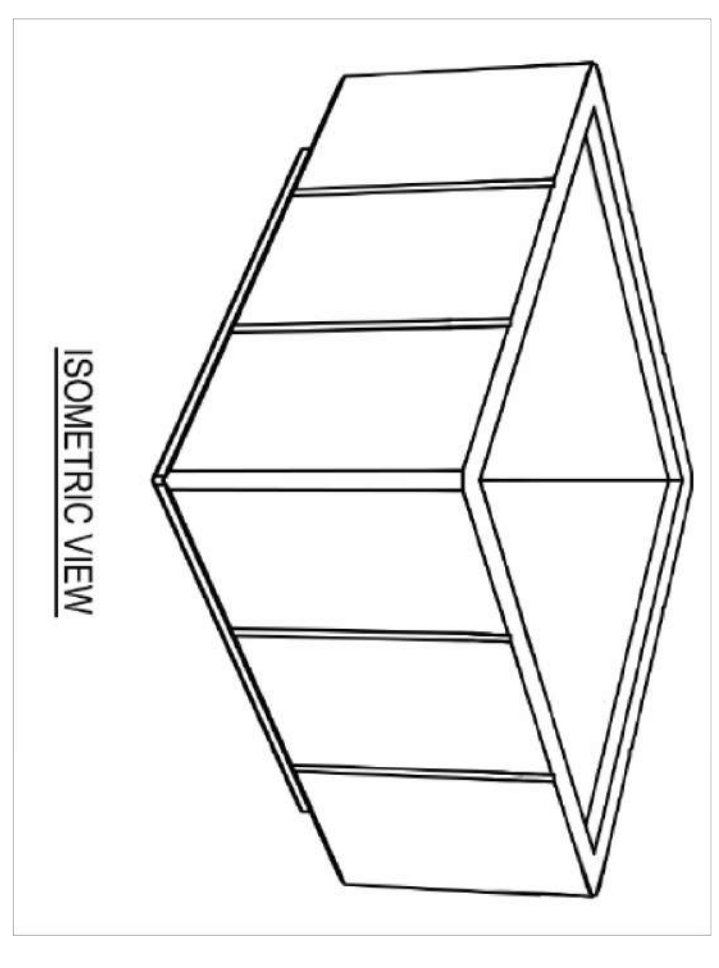
TOTAL AREA: 3,620 SQ.FT.
SHEET TITLE:
SITE PLAN - SIDE WALK &
PLANTER LOCATION
PLAN

PROJECT NO. 195150
SCALE: AS NOTED
DATE: DECEMBER 2021
DRAWN BY: MA, MS, DG
REVIEWED BY: DG
SHEET NO.



PRODUCT SPEC SHEET
P-3618SQ

MODEL: P-3618SQ
DESCRIPTION: Concrete Security Planter
REINFORCING: Welded #3 Rebar Frame
DIMENSIONS: 36" L x 36" W x 18" H
WEIGHT: Approx. 880 lbs.
FINISH OPTIONS: Tan River Rock (pictured)
Gray Limestone
Red Quartzite
Smooth Gray Concrete
- Sherwin-Williams Concrete Stain Available for Finish. Just Provide Us with the Color Code



See our complete product lineup at www.bohlmann.com or call 712.263.3743 to request a proposal
Bohlmann Quality Products - 2302 Yellow Smoke Road - Denison, IA 51442

COLORTOP™ SOLVENT-BASED SOLID COLOR CONCRETE SEALER

AVAILABLE COLORS

These colors are a representation. Actual color will vary due to the concrete finishing method (how smooth or porous the surface is), producing a mottling or dulled appearance.

The Red	HC10	Naturally Red	HC26	Terra Gotta	HC57	Gedwood Brown	HC05	Red Terrazo Tile	HC02
Terracotta Orange	HC59	White Washed Terrazzo	HC05	Adick Sand	HC06	Neutral Balance Tan	HC25	Silk Chocolate	HC17
Sandstone	HC57	Bombay	HC08	Genetial Pearl	HC41	Sheridan Haze	HC49	Fresh Concrete	HC05
Herald Gray	HC05	Muddy Gray	HC72	Midnight Brown	HC01	Ornate Walnut	HC09	Smoked Shrimp	HC07
Gray Horizons	HC40	Gull Gray	HC12	Pearl Gray	HC04	Silver Gray	HC24	Black	HC08
Eden White	HC48	Fall Grass	HC05	Patio Green	HC05	Bombay Green	HC06	One-In Twilight	HC05