



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

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March 30th, 2022

Honorable City Council:

RE: Petition No. x2022-91 – Selden Innovation Center LLC, request for the encroachment of various installments within the utility easement reserved over part of vacated Frank Street, between 4th Street and the John C. Lodge Service Drive.

Petition No. x2022-91 – Selden Innovation Center LLC, request for the encroachment of various installments within the utility easement reserved over part of vacated Frank Street, 50 ft. wide, between 4th Street, 50 ft. wide, and the John C. Lodge Service Drive.

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 proposed development at 950 Selden Street.

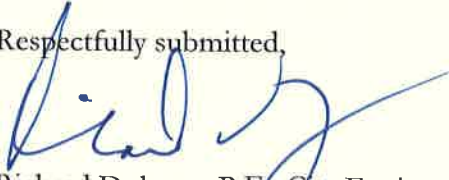
The request was approved by the Solid Waste Division – DPW, and City Engineering Division – DPW. Traffic Engineering Division – DPW approves provided pedestrian traffic is accommodated, and a provision for a clear pedestrian walk, 6 feet wide, is a part of the resolution.

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 authorizes Selden Innovation Center LLC or their assigns to install and maintain encroachments within the utility easement described as: Land in the City of Detroit, Wayne County, Michigan; Frank Street, Lying southerly of and adjacent to lots 5 through 8 and the east 19 ft. of lot 4 of "The Subdivision of Out Lot 687 of Forsyth Farm, North of Grand River Road" as recorded in Liber 1, Page 269 of Plats, Wayne County Records; Also lying southerly of and adjacent to the east 42.5 ft. of the north 337 ft. of Out Lot 7 of the "Plat of Subdivision of the Crane Farm" as recorded in Liber 1, Page 117 of Plats, Wayne County Records, said encroachments are described as followed:

1. Electrical and water service connections for the Food Truck platform located in the westerly part of vacated Frank Street adjacent to the northbound John C. Lodge approach. Said electrical connection includes a 23 LF conduits extending below-grade north from the structure located at 950 Selden Street to the surface mount located at the Food Truck platform. Said water connection includes a 23 LF lead extending below-grade north from the structure located at 950 Selden Street to the surface mount located at the Food Truck platform.
2. Various 12' aluminum poles bolt anchored to the pavement for string lighting.
3. Concrete landing steps located adjacent to the entrance ways of the Structure at 950 Selden Street.
4. Concrete ramp and handrails located along southerly part of Frank Street as a pathway for the grade elevation change.
5. Bike Racks, located along the southerly part of Frank Street.
6. PVC Drainage piping and catch basins
7. Landscaping and irrigation system
8. Wall pack and lantern style LED building mounted lighting
9. Various 3.25 ft. LED bollard lights

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 the DWSD required clearance of 18 feet above grade for maintenance excess 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, Selden Innovation Center 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 all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Selden Innovation Center 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 Selden Innovation Center LLC or their assigns. Should damages to utilities occur Selden Innovation Center 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 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 Selden Innovation Center LLC acquires no implied or other privileges hereunder not expressly stated herein; and further

PROVIDED, that the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

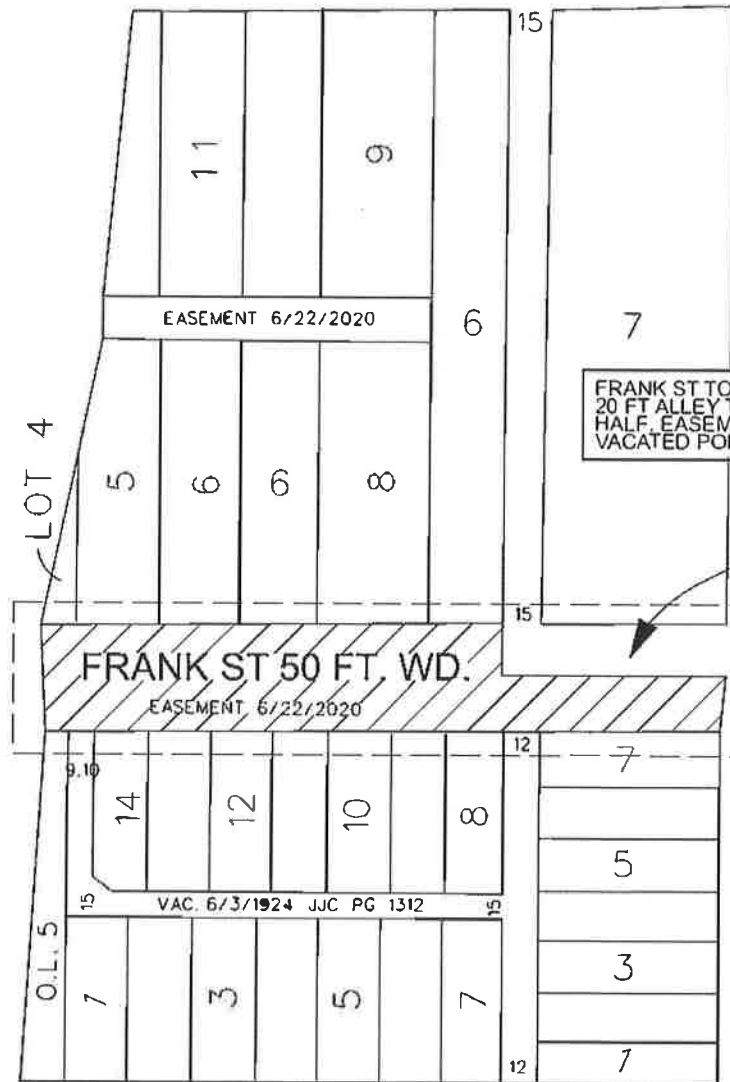
Petition x2022-91

MAP-22-4



ALEXANDRINE ST 50 FT. WD.

JOHN C LODGE SERVICE FREEWAY



FRANK ST TO BE VACATED TO 4TH STREET.
20 FT ALLEY TO BE RETAINED ON NORTH
HALF. EASEMENT TO BE RETAINED OVER
VACATED PORTIONS.

4TH ST 50 FT. WD.

SELDEN AVE 50 FT. WD.

- MULTIPLE ENCROACHMENTS

(FOR OFFICE USE ONLY)

CARTO 29 C

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	KJ		CHECKED		
DATE	2-09-22		APPROVED	JD	

CONVERSION OF EXISTING
EASEMENT - EXISTING ROADWAY,
FRANK ST, TO BE CONVERTED TO
OUTDOOR PEDESTRIAN AREA,
WITH MULTIPLE ABOVE AND BELOW
GRADE ENCROACHMENTS

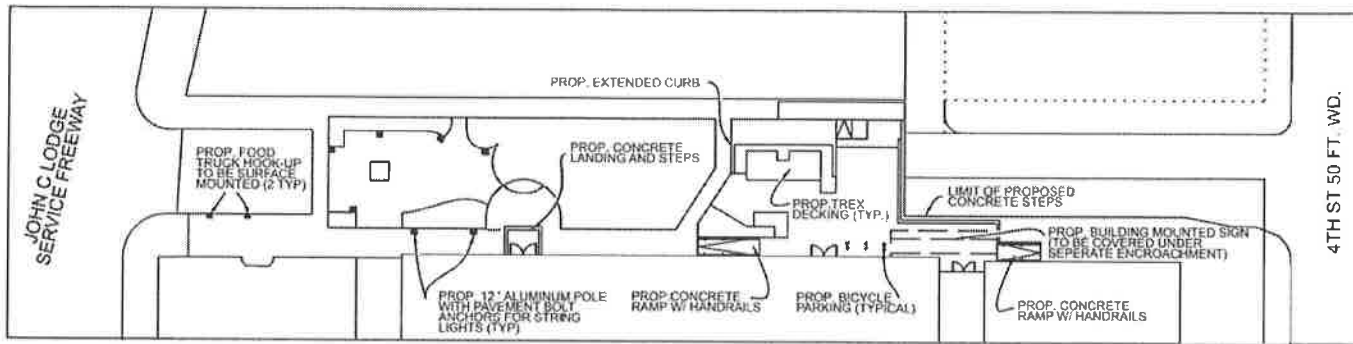
CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

JOB NO.

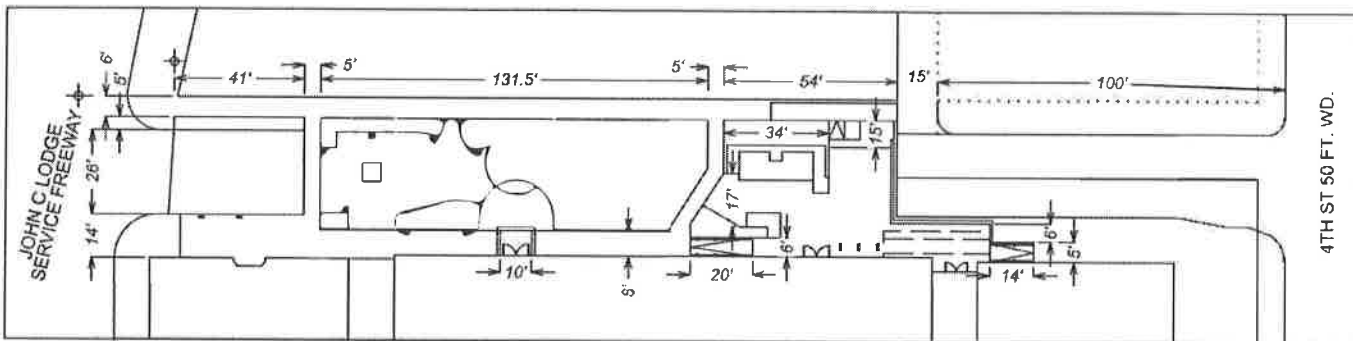
DRWG. NO. 01-01

Petition x2022-91

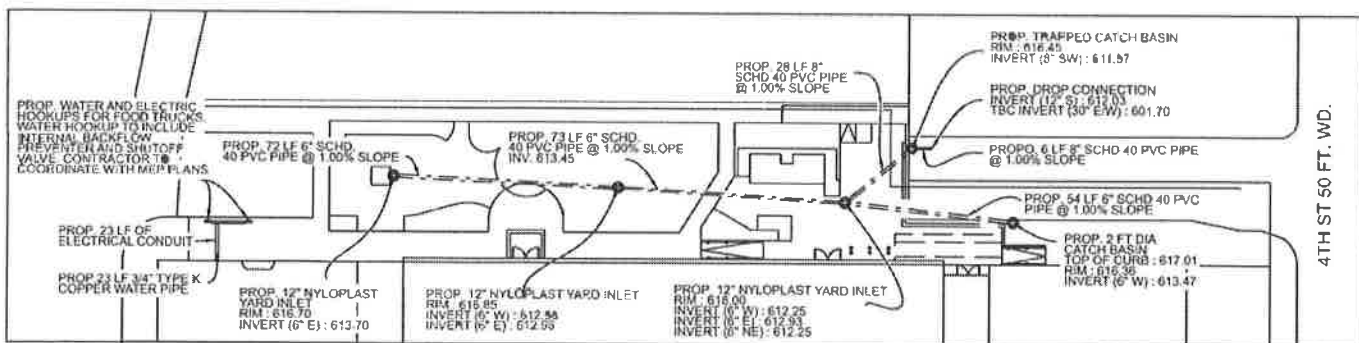
MAP-22-4



LANDSCAPES' PLAN



DIMENSIONS PLAN



SEWER PLAN

(FOR OFFICE USE ONLY)

CARTO 29 C

B				
A				
DESCRIPTION		DRWN	CHKD	APPD DATE
REVISIONS				
DRAWN BY	KJ	CHECKED		
DATE	2-09-22	APPROVED		
		JD		

CONVERSION OF EXISTING EASEMENT -EXISTING ROADWAY, FRANK ST, TO BE CONVERTED TO OUTDOOR PEDESTRIAN AREA, WITH MULTIPLE ABOVE AND BELOW GRADE ENCROACHMENTS

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

JOB NO.

DRWG. NO. 01-02