



July 19th, 2024

Honorable City Council:

RE: Petition No. x2024-264– Detroit & Northern LLC, request for encroachments within the westerly part of Griswold Street, and the northerly part of the Public Alley, lying adjacent to the parcel commonly known as 1133 Griswold Street, for the use of an existing below-grade vault, the installation of at- and below-grade street elements, and the installation of various above-grade building elements and a balcony.

Petition No. x2024-264 – Detroit & Northern LLC, request for above-grade encroachments within the westerly part of Griswold Street, 60 ft. wide, and the northerly part of the Public Alley, 20 ft. wide, lying adjacent to the parcel commonly known as 1133 Griswold Street, for the use of an existing below-grade vault, the installation of at- and below-grade street elements, and the installation of various above-grade building elements and a balcony.

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

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

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 Detroit & Northern LLC or their assigns to install and maintain various encroachments within Griswold Street and the Public Alley, further described as: Land in the City of Detroit, Wayne County, Michigan;

- 1) Existing below-grade vault, within Griswold Street, 60 ft. wide, lying easterly of and adjacent to lot 79 of "The Governor and Judges Plat of Section 8" as recorded in Liber 34, Page 543 of Plats, Wayne County Records. Said existing below-grade vault ranges from 0.0' to 13.5' below grade and extends 14.2' beneath the westerly part of Griswold Street.
- 2) Building-mounted balcony, within Griswold Street, 60 ft. wide, and the Public Alley, 20 ft. wide, lying easterly of and adjacent to lot 79 of "The Governor and Judges Plat of Section 8" as recorded in Liber 34, Page 543 of Plats, Wayne County Records. Said building-mounted balcony shall be installed ranging from 117.0' to 122.75' above grade and shall extend 5.2' into the westerly part of Griswold Street and 6' into the northerly part of the Public Alley.
- 3) Building-mounted building elements, within Griswold Street, 60 ft. wide, and the Public Alley, 20 ft. wide, lying easterly of and adjacent to lot 79 of "The Governor and Judges Plat of Section 8" as recorded in Liber 34, Page 543 of Plats, Wayne County Records. Said building-mounted building elements shall be installed ranging from 21.0' to 23.0' above grade and shall extend 2.7' into the westerly part of Griswold Street and 5.3' into the northerly part of the Public Alley.
- 4) Above-ground building elements, within Griswold Street, 60 ft. wide, and the Public Alley, 20 ft. wide, lying easterly of and adjacent to lot 79 of "The Governor and Judges Plat of Section 8" as recorded in Liber 34, Page 543 of Plats, Wayne County Records. Said above-ground building elements shall be installed ranging from 0.0' to 7.0' above grade (approx.) and shall extend 1.4' into the westerly part of Griswold Street and 1.7' into the northerly part of the Public Alley.
- 5) At-grade trench drain, within Griswold Street, 60 ft. wide, lying easterly of and adjacent to lot 79 of "The Governor and Judges Plat of Section 8" as recorded in Liber 34, Page 543 of Plats, Wayne County Records. Said at-grade trench drain shall be installed ranging from 0.0' to 2.0' below grade and shall extend between 13.6' to 15.6' from the easterly plot line into the westerly part of Griswold Street.
- 6) Below-grade storm pipe, within Griswold Street, 60 ft. wide, lying easterly of and adjacent to lot 79 of "The Governor and Judges Plat of Section 8" as recorded in Liber 34, Page 543 of Plats, Wayne County Records. Said below-grade storm pipe shall be installed ranging from 0.0' to 3.0' below grade and shall extend between 16.3' to 18.3' from the easterly plot line into the westerly part of Griswold Street.

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, Detroit & Northern 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 Detroit & Northern 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 Detroit & Northern LLC or their assigns. Should damages to utilities occur Detroit & Northern 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 Detroit & Northern 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 Detroit & Northern LLC or their assigns of the terms thereof. Further, Detroit & Northern 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 Detroit & Northern 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

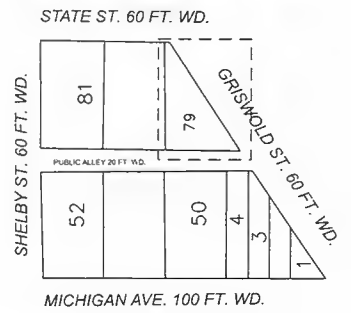
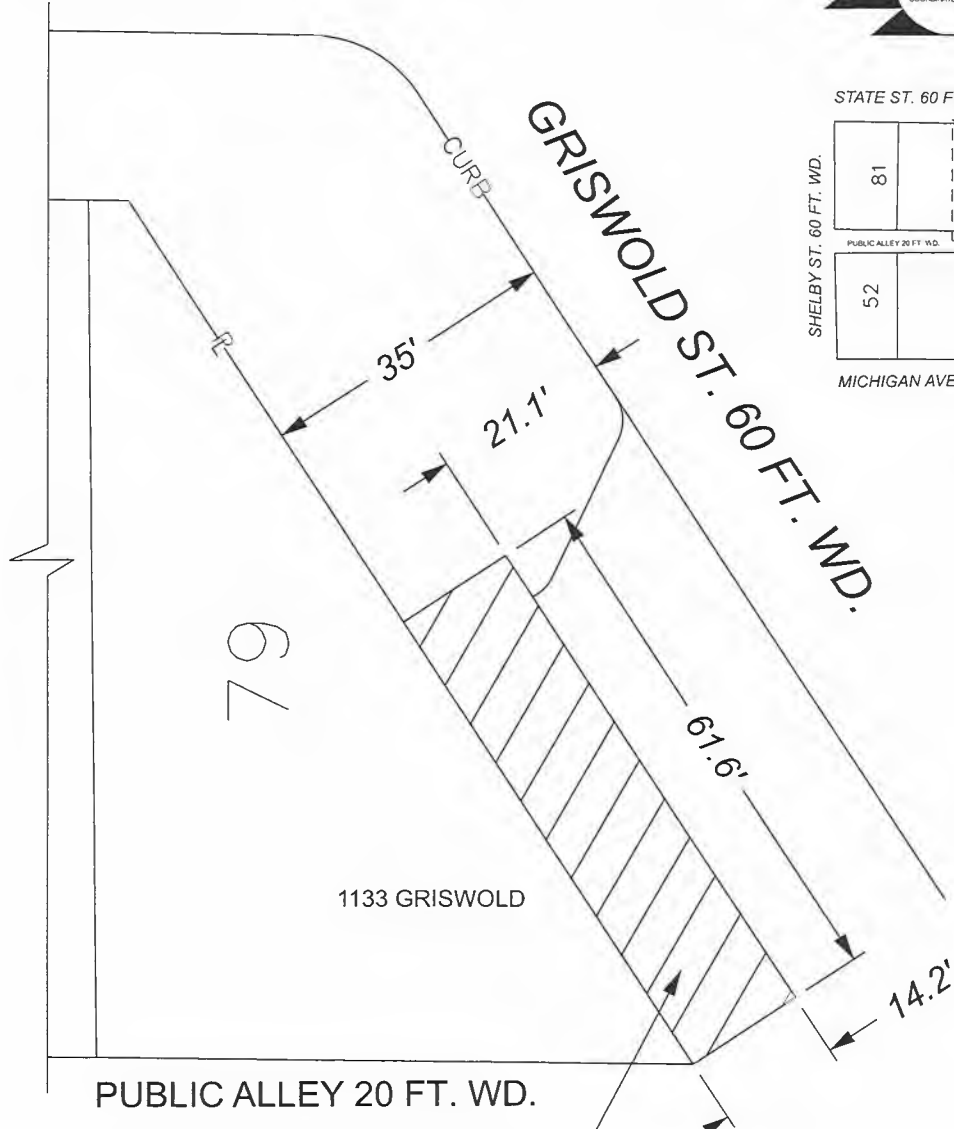
PROVIDED, that the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

MAP-23-72

STATE ST. 60 FT. WD.



SHELBY ST. 60 FT. WD.



PUBLIC ALLEY 20 FT. WD.

EXISTING VAULT, 61.6' L X 14.2' W
FROM 0' TO 13.5' BELOW GRADE



- REQUEST ENCROACHMENT

(FOR OFFICE USE ONLY)

CARTO 28 B

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	LC	CHECKED	AP		
DATE	08-07-2023	APPROVED	JD		

REQUEST ENCROACHMENT
INTO GRISWOLD ST. 60 FT. WD.
FOR EXISTING
BELOW GRADE VAULT

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

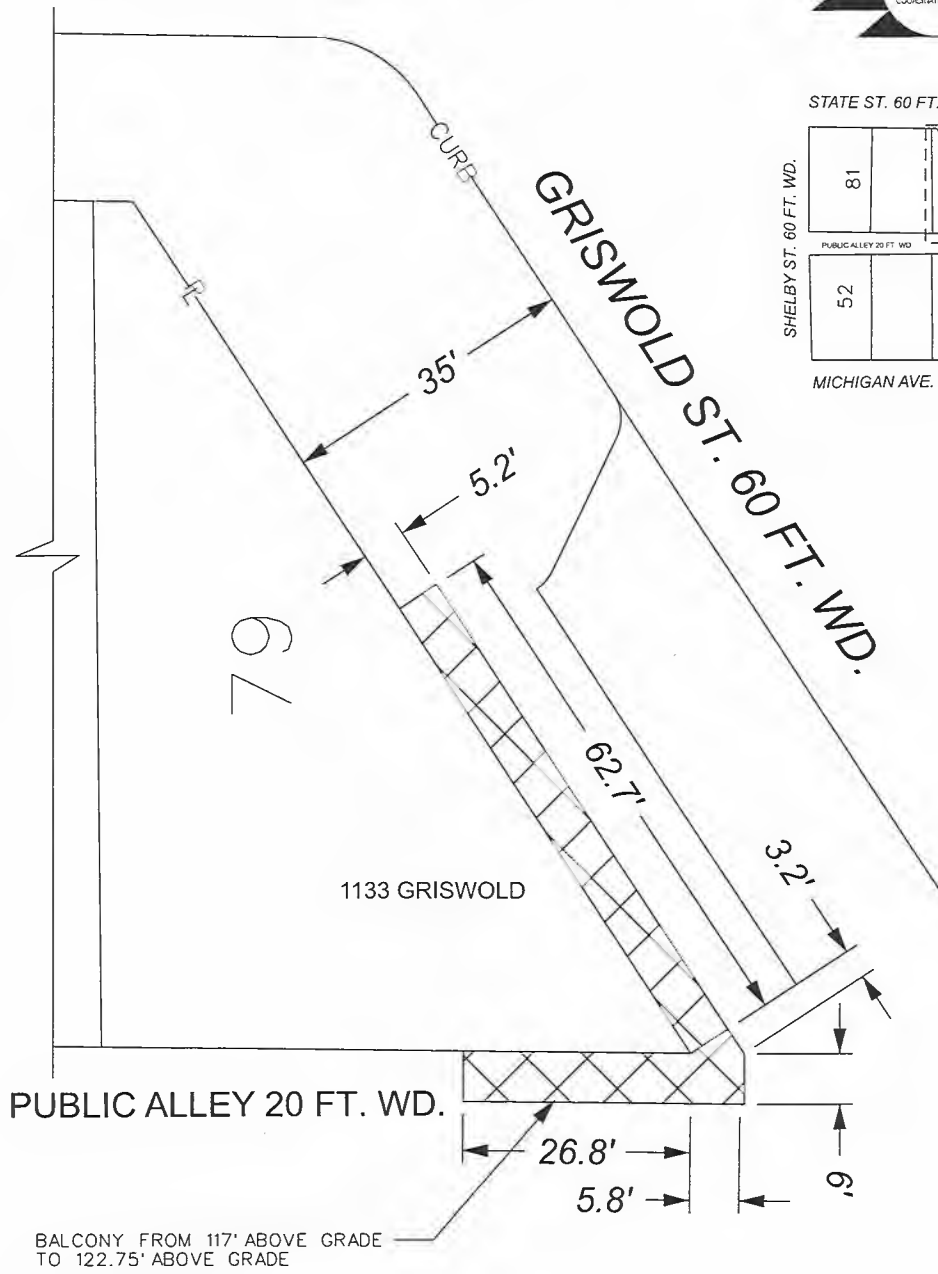
JOB NO. 23-72
DRWG. NO. 23-72_1

MAP-23-72

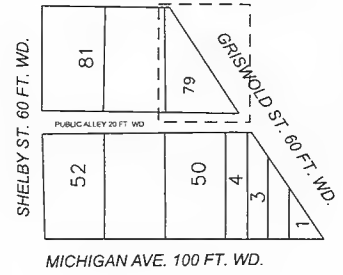
STATE ST. 60 FT. WD.



SHELBY ST. 60 FT. WD.



STATE ST. 60 FT. WD.



- REQUEST ENCROACHMENT

(FOR OFFICE USE ONLY)

CARTO 28 B

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	LC	CHECKED	AP		
DATE	08-07-2023	APPROVED	JD		

REQUEST ENCROACHMENT
 INTO GRISWOLD ST. 60 FT. WD.
 AND PUBLIC ALLEY RIGHT OF WAY
 FOR ABOVE GRADE BALCONY

CITY OF DETROIT
 CITY ENGINEERING DIVISION
 SURVEY BUREAU

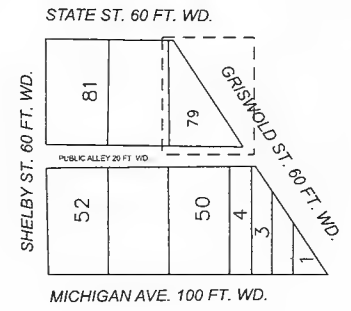
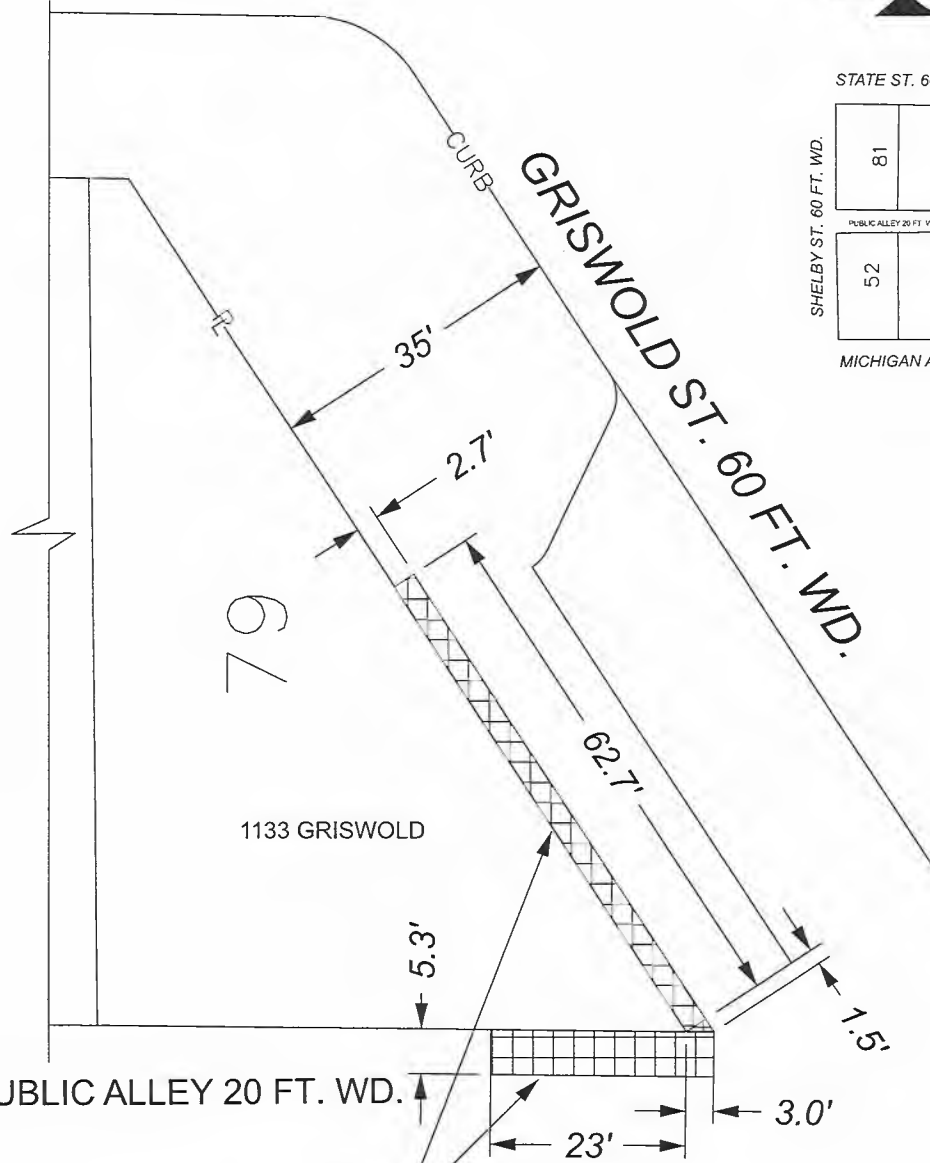
JOB NO. 23-72
 DRWG. NO. 23-72_2

MAP-23-72

STATE ST. 60 FT. WD.



SHELBY ST. 60 FT. WD.



ABOVE GROUND BUILDING ELEMENTS FROM 21' ABOVE GRADE TO 23' ABOVE GRADE



- REQUEST ENCROACHMENT

(FOR OFFICE USE ONLY)

CARTO 28 B

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	LC	CHECKED	AP		
DATE	08-07-2023	APPROVED	JD		

REQUEST ENCROACHMENT INTO GRISWOLD ST. 60 FT. WD. AND PUBLIC ALLEY RIGHT OF WAY FOR ABOVE GRADE BUILDING ELEMENTS

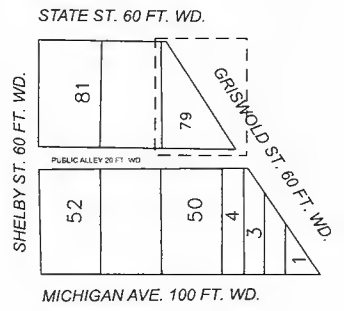
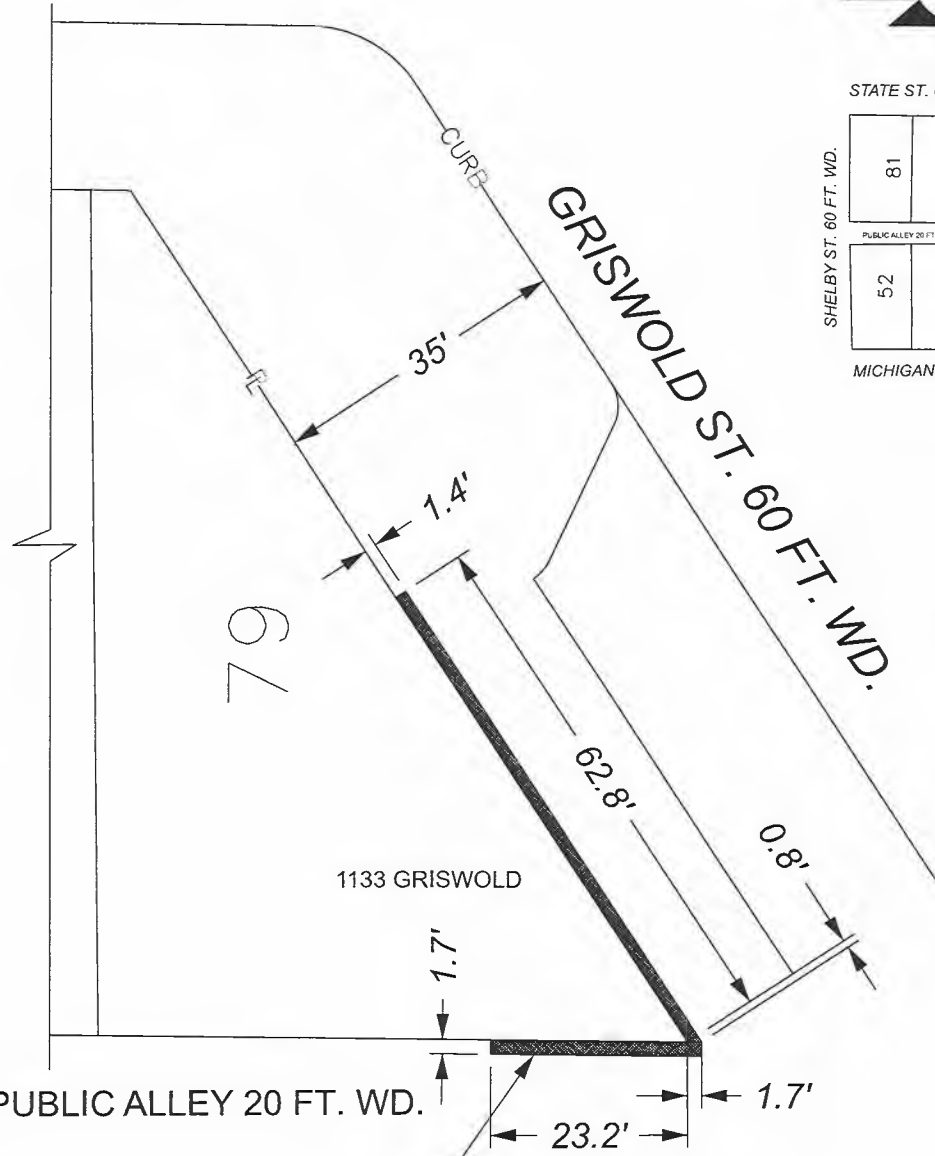
CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU	
JOB NO.	23-72
DRWG. NO.	23-72_3

MAP-23-72

STATE ST. 60 FT. WD.



SHELBY ST. 60 FT. WD.



ABOVE GROUND BUILDING ELEMENTS FROM .00' ABOVE GRADE TO 7.00' ABOVE GRADE (APPROX.).



- REQUEST ENCROACHMENT

(FOR OFFICE USE ONLY)

CARTO 28 B

B					
A					
	DESCRIPTION	DRWN	CHKD	APPD	DATE
	REVISIONS				
	DRAWN BY	LC	CHECKED	AP	
	DATE	08-07-2023	APPROVED	JD	

REQUEST ENCROACHMENT INTO GRISWOLD ST. 60 FT. WD. AND PUBLIC ALLEY RIGHT OF WAY FOR ABOVE GRADE BUILDING ELEMENTS

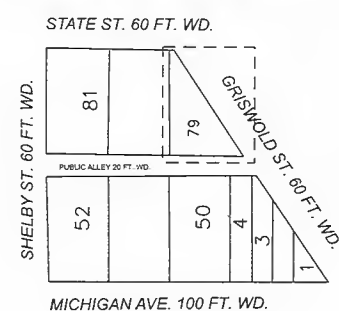
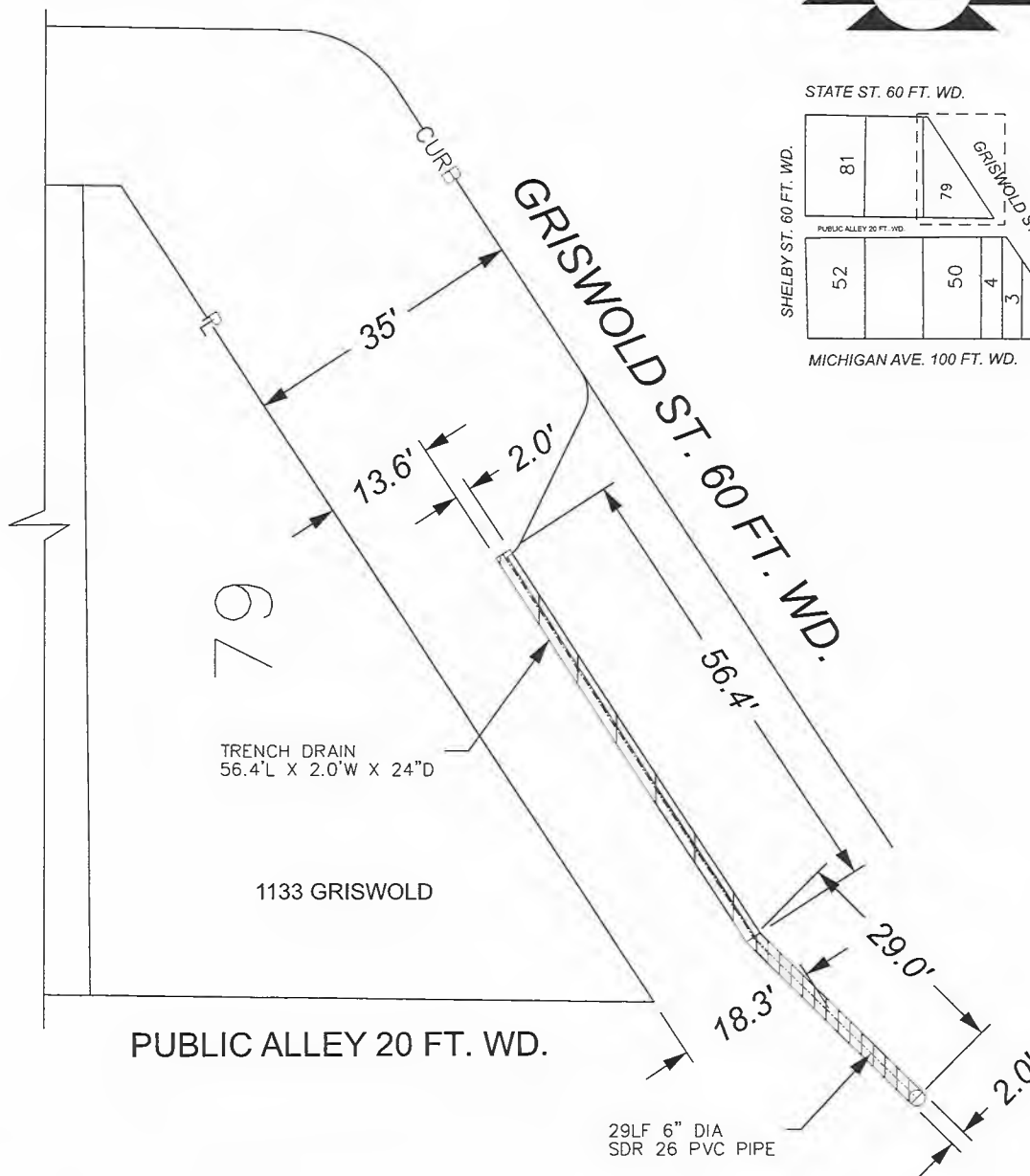
CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU	
JOB NO.	23-72
DRWG. NO.	23-72_4

MAP-23-72

STATE ST. 60 FT. WD.



SHELBY ST. 60 FT. WD.



- REQUEST ENCROACHMENT
(AT GRADE TRENCH DRAIN 65.4'L X 2.0'W X 24"D)
- REQUEST ENCROACHMENT
(BELOW GRADE STORM PIPE 29.0'L X 2.0'W X 3.0'D)

(FOR OFFICE USE ONLY)

CARTO 28 B

B					
A					
	DESCRIPTION	DRWN	CHKD	APPD	DATE
	REVISIONS				
	DRAWN BY	CHECKED		AP	
	DATE	APPROVED		JD	
	08-07-2023				

REQUEST ENCROACHMENT
INTO GRISWOLD ST. 60 FT. WD.
FOR AT AND BELOW GRADE
STREET ELEMENTS

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

JOB NO. 23-72

DRWG. NO. 23-72_5