



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

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DETROIT, MICHIGAN 48226  
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Jan 25th, 2024

Honorable City Council:

**RE: Petition No. x2024-027 – Music Hall, LLC, request for encroachment within the public alley, lying adjacent to the properties commonly known as 300 – 350 Madison Avenue, for the installation of an enclosed 2<sup>nd</sup> level bridge, structural bump-out, a roof bridge, building façade metal screening, concrete bollards, and roof overhang related to the proposed development at 300 Madison Avenue.**

Petition No. x2024-027 – Music Hall, LLC, request for encroachment within the public alley, lying adjacent to the properties commonly known as 300 – 350 Madison Avenue, for the installation of an enclosed 2<sup>nd</sup> level bridge, structural bump-out, a roof bridge, building façade metal screening, concrete bollards, and roof overhang related to the proposed development at 300 Madison Avenue.

This request is being made as part of the new Music Hall development at 300 Madison Avenue

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 Music Hall, LLC or their assigns to install and maintain encroachment within Madison Avenue, Randolph Street, and the public alley further described as: Land in the City of Detroit, Wayne County, Michigan;

1. Enclosed 2<sup>nd</sup> Level Bridge, crossing the full width of the public alley, 20 ft. wide, lying easterly of and adjacent to lot 77 of "Houghton's Section of Brush Farm" as recorded in Liber 7, Page 174 of Plats, Wayne County Records. The north elevation of said pedestrian bridge is to be located 5' south of the southerly right-of-way line of Madison Avenue, 90 ft. wide, and the south elevation located at 23'-5" south of the southerly right-of-way line of Madison Avenue, being 18'-5" wide, installed ranging between 18' to 35'-4" above grade.
2. Structural Bump-Out, within the westerly 17 ft. of the public alley, 20 ft. wide, lying easterly of and adjacent to lots 77, 80, and 83 of "Houghton's Section of Brush Farm" as recorded in Liber 7, Page 174 of Plats, Wayne County Records. The north elevation of said structural bump-out is to be located 30' south of the southerly right-of-way line of Madison Avenue, 90 ft. wide, and the south elevation located at 85' south of the southerly right-of-way line of Madison Avenue, being 55 ft. wide, installed ranging between 18' to 49'-8" above grade.
3. Roof Bridge, crossing the full width of the public alley, 20 ft. wide, lying easterly of and adjacent to lot 77 of "Houghton's Section of Brush Farm" as recorded in Liber 7, Page 174 of Plats, Wayne County Records. The north elevation of said roof bridge is to be located 5' south of the southerly right-of-way line of Madison Avenue, 90 ft. wide, and the south elevation located at 23'-5" south of the southerly right-of-way line of Madison Avenue, being 18'-5" wide, installed ranging between 59'-6" to 67'-6" above grade.
4. Building Façade Metal Screening, along Madison Avenue, 90 ft. wide, and Randolph Street, 39.48 ft. wide, lying northerly of and adjacent lot 77 and lying westerly of and adjacent to lots 77, 80, 83, and 86 of "Houghton's Section of Brush Farm" as recorded in Liber 7, Page 174 of Plats, Wayne County Records. Said building façade metal screening shall extend 4'6" into Madison Avenue and Randolph Street and involves the installation of a support structure frame. The frame and metal screening will begin 15'-6" above grade and extend to the roof overhang at 78' above grade.
5. Roof Overhang, along Madison Avenue, 90 ft. wide, Randolph Street, 39.48 ft. wide, and the public alley, 20 ft. wide, lying northerly of and adjacent lot 77, lying westerly of and adjacent to lots 77, 80, 83, and 86, and lying easterly of and adjacent to lots 77, 80, 83, and 86 of "Houghton's Section of Brush Farm" as recorded in Liber 7, Page 174 of Plats, Wayne County Records. Said roof overhang shall extend 20' into Madison Avenue, extend 9' into Randolph Street, and extend 9' into the public alley. The roof overhang will be installed ranging from 78' to 84' above grade. Roof overhang will be supported by the facade metal screening frame.
6. Concrete Bollards, within the public alley, 20 ft. wide, lying easterly of and adjacent to lots 77, 80, 83, and 86 of "Houghton's Section of Brush Farm" as recorded in Liber 7, Page 174 of Plats, Wayne County Records. Said bollards are to be installed at the grade level along the east elevation of the structure no more than 2' from the structure. Bollards are designed to extend approx. 3' above grade and 3' below grade.

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

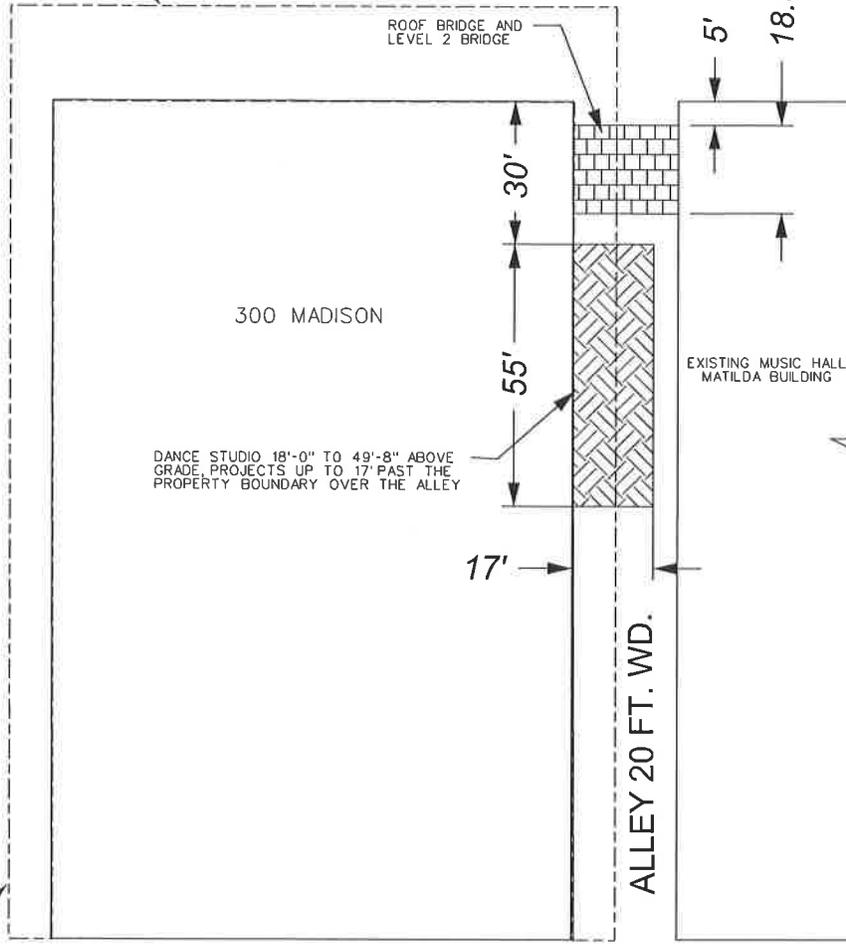
MAP-23-120



MADISON AVE. 90 FT. WD.

ROOF AT 79' ABOVE GRADE, PROJECTS UP TO 20' PAST THE PROPERTY BOUNDARY ON THE NORTH SIDE OF THE BUILDING

RANDOLPH ST. 39.48 FT. WD.



DANCE STUDIO 18'-0" TO 49'-8" ABOVE GRADE, PROJECTS UP TO 17' PAST THE PROPERTY BOUNDARY OVER THE ALLEY

EXISTING MUSIC HALL MATILDA BUILDING

BRUSH ST. 50 FT. WD.

ROOF AT 79' ABOVE GRADE, PROJECTS UP TO 9' PAST THE PROPERTY BOUNDARY ON THE EAST AND WEST SIDES OF THE BUILDING

MADISON AVE. 90 FT. WD.

-  - ROOF BRIDGE 59'-6" TO 67'-6" ABOVE GRADE AND LEVEL 2 BRIDGE 18'-0" TO 35'-4" ABOVE GRADE
-  - DANCE STUDIO 18'-0" TO 49'-8" ABOVE GRADE
-  - ROOF AT 79'-0" ABOVE GRADE, PROJECTS UP TO 20' PAST THE PROPERTY BOUNDARY ON THE NORTH SIDE, AND UP TO 9' PAST THE PROPERTY BOUNDARY ON THE EAST AND WEST SIDES

77	78
80	81
83	84
86	87
89	90
92	93
95	96
98	99
101	102
104	105
107	108

(FOR OFFICE USE ONLY)

GRATIOT AVE. 120 FT. WD.

CARTO 28 A

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	LC	CHECKED	AP		
DATE	10-23-2023	APPROVED	JD		

**REQUEST ABOVE GRADE  
ENCROACHMENTS AROUND  
THE PROPOSED  
MUSIC HALL EXPANSION  
AT 300 MADISON AVE.**

<b>CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU</b>	
JOB NO.	23-120
DRWG. NO.	23-120_1

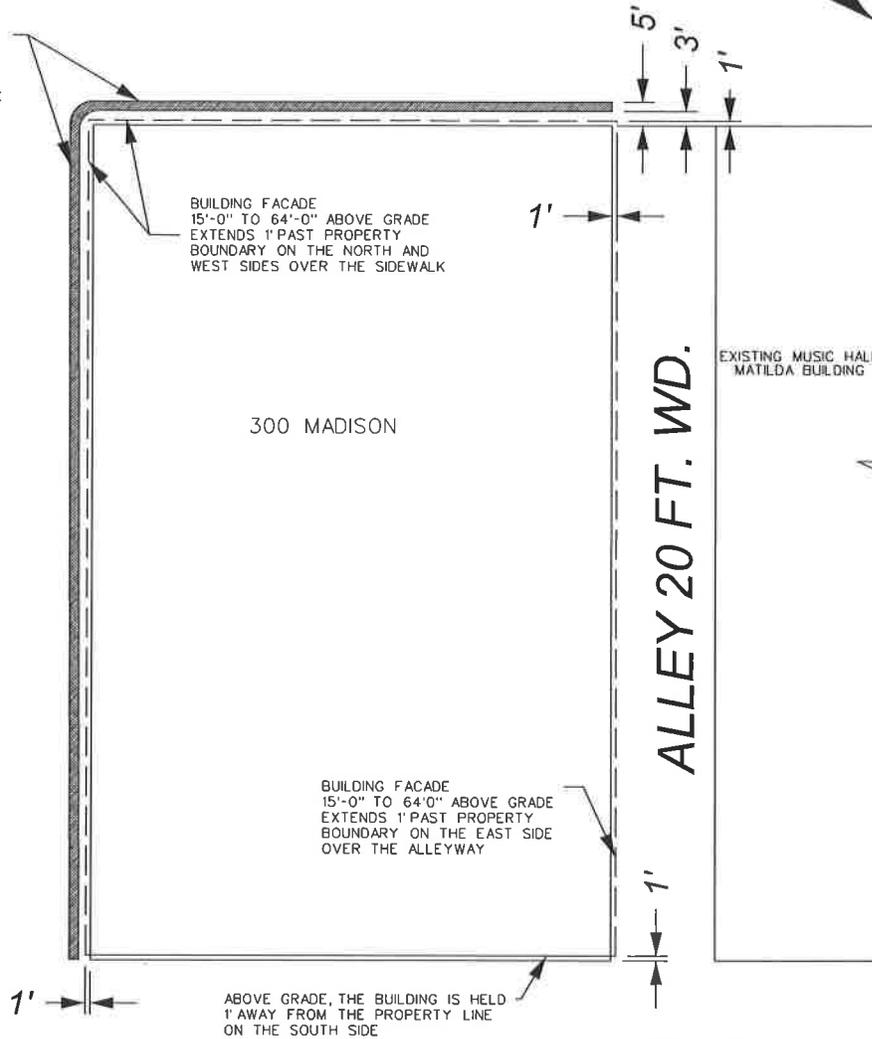
MAP-23-120

MADISON AVE. 90 FT. WD.



SUSPENDED SUN SCREEN  
15'-6" TO 64'-0" ABOVE GRADE  
EXTENDS 5' PAST PROPERTY  
BOUNDARY ON THE NORTH AND  
WEST SIDES OVER THE SIDEWALK

RANDOLPH ST. 39.48 FT. WD.



MADISON AVE. 90 FT. WD.

77	78
80	81
83	84
86	87
89	90
92	93
95	96
98	99
101	102
104	105
107	108

RANDOLPH ST. 39.48 FT. WD.

BRUSH ST. 50 FT. WD.

GRATIOT AVE. 120 FT. WD.

CARTO 28 A

(FOR OFFICE USE ONLY)

- SUSPENDED SUN SCREEN 15'-6" TO 64'-0" ABOVE GRADE  
EXTENDS 5' PAST PROPERTY BOUNDARY ON THE  
NORTH AND WEST SIDES OVER THE SIDEWALK

- BUILDING FACADE 15'-0" TO 64'-0" ABOVE GRADE  
EXTENDS 1' PAST PROPERTY BOUNDARY  
ON THE WEST, NORTH, AND EAST SIDES

REQUEST ABOVE GRADE  
ENCROACHMENTS AROUND  
THE PROPOSED  
MUSIC HALL EXPANSION  
AT 300 MADISON AVE.

CITY OF DETROIT  
CITY ENGINEERING DIVISION  
SURVEY BUREAU

JOB NO. 23-120

DRWG. NO. 23-120\_2

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	LC	CHECKED	AP		
DATE	10-23-2023	APPROVED	JD		