



April 2nd, 2024

Honorable City Council:

**RE: Petition No. x2024-117 – 1550 Webward, LLC, request for encroachments within the easterly part of Woodward Ave, adjacent to the parcel commonly known as 1550 Woodward Avenue, for the installation of a new canopy and a new decorative façade, as well as within the public alley bounded by Woodward Ave, John R St, Witherell St, and Broadway Ave adjacent to the parcel commonly known as 1550 Woodward Avenue, for the installation of a new canopy, new utilities, 2 new sub-grade frost slabs, and the repair of 4 existing curbs.**

Petition No. x2024-117 – 1550 Webward, LLC, request for encroachments within the easterly part of Woodward Ave, 120 ft. wide, adjacent to the parcel commonly known as 1550 Woodward Avenue, for the installation of a new canopy and a new decorative façade, as well as within the public alley, 20 ft. wide, bounded by Woodward Ave, 120 ft. wide, John R St, 60 ft. wide, Witherell St, 60 ft. wide, and Broadway Ave, 100 ft. wide, adjacent to the parcel commonly known as 1550 Woodward Avenue, for the installation of a new canopy, new utilities, 2 new sub-grade frost slabs, and the repair of 4 existing curbs.

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 1550 Webward, LLC or their assigns to install and maintain various encroachments within Woodward Avenue and the public alley, further described as: Land in the City of Detroit, Wayne County, Michigan;

1. One (1) new building-mounted canopy, within Woodward Avenue, 120 ft. wide, lying westerly of and adjacent to the north 15' of lot 24 and the south 30' of lot 23 of "The Governor and Judges Plat of Section 7" as recorded in Liber 34, Page 544 of Plats, Wayne County Records. Said building-mounted canopy shall be installed ranging from 9.75' to 10.75' above grade and extend 6.81' into the easterly part of Woodward Avenue.
2. One (1) new decorative granite facade, within Woodward Avenue, 120 ft. wide, lying westerly of and adjacent to the north 15' of lot 24 and the south 30' of lot 23 of "The Governor and Judges Plat of Section 7" as recorded in Liber 34, Page 544 of Plats, Wayne County Records. Said decorative granite facade shall be installed ranging from 27.08' to 27.75' above grade and extend 0.42' into the easterly part of Woodward Avenue.
3. One (1) new building-mounted canopy, within the public alley, 20 ft. wide, lying easterly of and adjacent to the north 15' of lot 24 and the south 30' of lot 23 of "The Governor and Judges Plat of Section 7" as recorded in Liber 34, Page 544 of Plats, Wayne County Records. Said building-mounted canopy shall be installed ranging from 8.33' to 11.12' above grade and extend 3.00' into the westerly part of the public alley.
4. Four (4) existing concrete curbs, within the public alley, 20 ft. wide, lying easterly of and adjacent to the north 15' of lot 24 and the south 30' of lot 23 of "The Governor and Judges Plat of Section 7" as recorded in Liber 34, Page 544 of Plats, Wayne County Records. Said existing concrete curbs shall be installed ranging from 0.00' to 1.50' above grade and extend 0.50' into the westerly part of the public alley.
5. Various new utilities, within the public alley, 20 ft. wide, lying easterly of and adjacent to the north 15' of lot 24 and the south 30' of lot 23 of "The Governor and Judges Plat of Section 7" as recorded in Liber 34, Page 544 of Plats, Wayne County Records. Said utilities, to include one (1) water heater exhaust grill, two (2) grease exhaust fans, and one (1) relief air louver, shall be installed ranging from 12.79' to 22.58' above grade and extend 2.92' into the westerly part of the public alley.
6. One (1) new gas meter, within the public alley, 20 ft. wide, lying easterly of and adjacent to the north 15' of lot 24 and the south 30' of lot 23 of "The Governor and

Judges Plat of Section 7" as recorded in Liber 34, Page 544 of Plats, Wayne County Records. Said gas meter shall be installed ranging from 0.00' to 4.23' above grade and extend 1.00' into the westerly part of the public alley.

7. Two (2) new concrete sub-grade frost slabs, within the public alley, 20 ft. wide, lying easterly of and adjacent to the north 15' of lot 24 and the south 30' of lot 23 of "The Governor and Judges Plat of Section 7" as recorded in Liber 34, Page 544 of Plats, Wayne County Records. Said sub-grade concrete frost slabs shall be installed ranging from 0.00' to 3.50' below grade and extend 3.50' into the westerly part of the public alley.

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, 1550 Webward, 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 1550 Webward, 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 1550 Webward, LLC or their assigns. Should damages to utilities occur 1550 Webward, 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

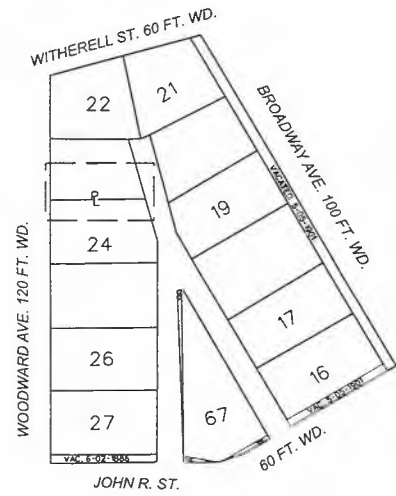
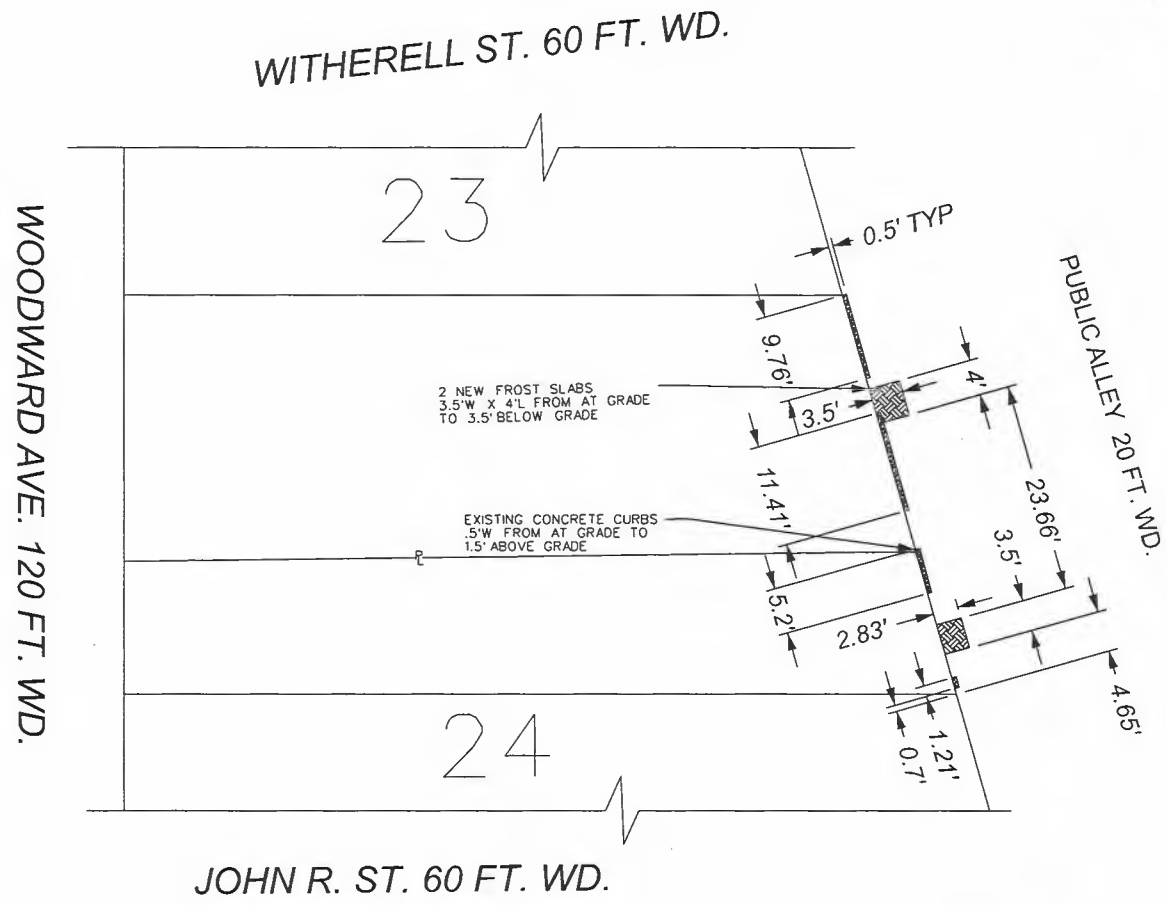
PROVIDED, that 1550 Webward, LLC or their assigns shall file with the Department of Public Works – City Engineering Division an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance of 1550 Webward, LLC or their assigns of the terms thereof. Further, 1550 Webward, 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 1550 Webward, 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.



- REQUEST ENCROACHMENT (For Two New Frost Slabs)
- REQUEST ENCROACHMENT (For Existing Concrete Curbs)

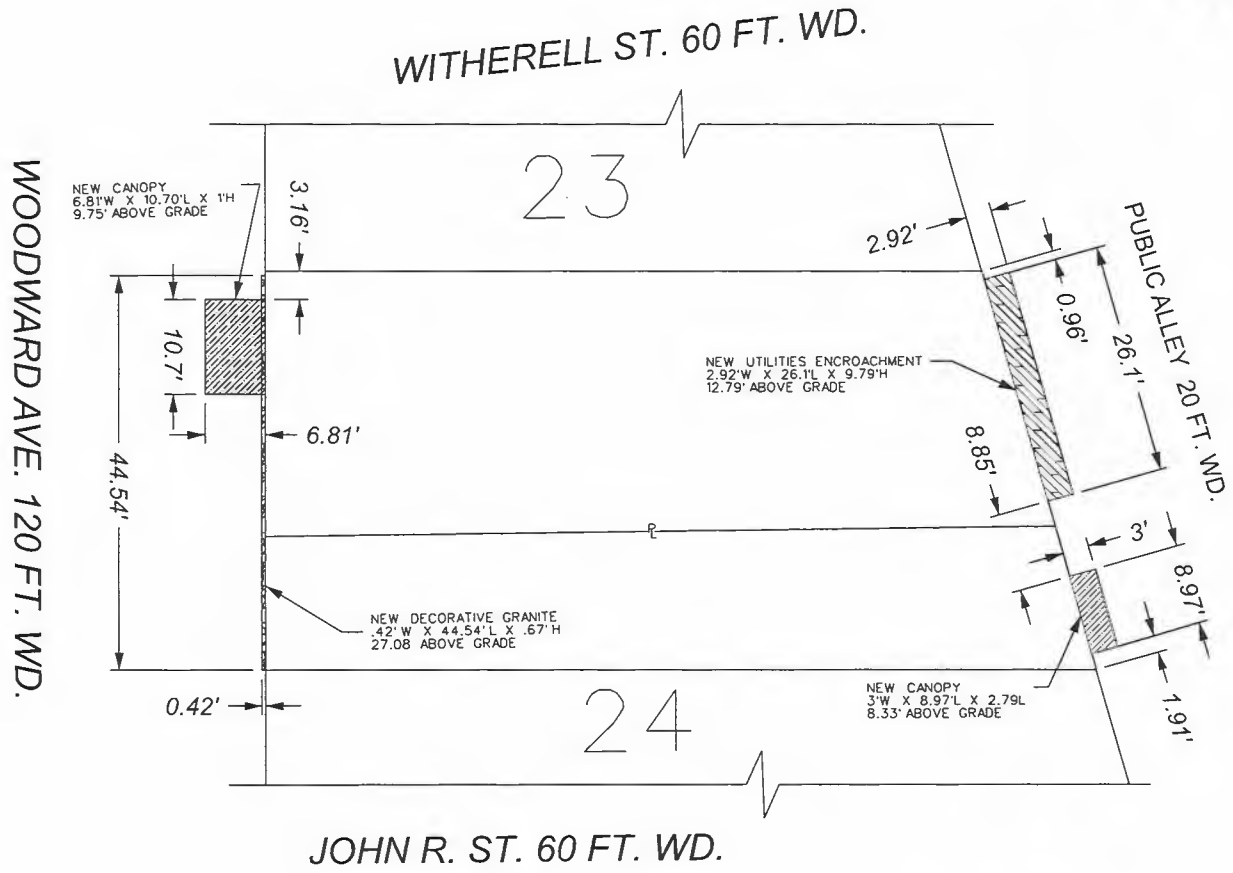
(FOR OFFICE USE ONLY)

CARTO 28 A

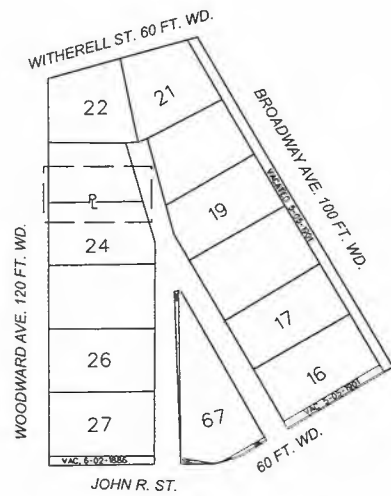
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DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	LC	CHECKED	AP		
DATE	02-15-2024	APPROVED	JD		

**REQUEST ENCROACHMENTS AT 1550 WOODWARD AVENUE**

<b>CITY OF DETROIT</b>	
CITY ENGINEERING DIVISION	
SURVEY BUREAU	
JOB NO.	23-132
DRWG. NO.	23-132_2



- REQUEST ENCROACHMENT  
(For Two Above Grade Canopies)
- REQUEST ENCROACHMENT  
(For Above Grade Decorative Granite)
- REQUEST ENCROACHMENT  
(For Above Grade Combined Utilities)



(FOR OFFICE USE ONLY)

CARTO 28 A

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	DESCRIPTION	DRWN	CHKD	APPD	DATE
REVISIONS					
	DRAWN BY	LC	CHECKED	AP	
	DATE	02-15-2024	APPROVED	JD	

**REQUEST ENCROACHMENTS  
AT 1550 WOODWARD AVENUE**

<b>CITY OF DETROIT</b>	
CITY ENGINEERING DIVISION	
SURVEY BUREAU	
JOB NO.	23-132
DRWG. NO.	23-132_1