



## Legislation Details (With Text)

<b>File #:</b>	070253	<b>Version:</b>	1
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	5/30/2007	<b>In control:</b>	PUBLIC WORKS COMMITTEE
<b>On agenda:</b>		<b>Final action:</b>	7/11/2007
<b>Effective date:</b>			
<b>Title:</b>	Substitute resolution to amending a special privilege for change of ownership to River Renaissance Condominium Association Inc and for addition of handicap ramps and steps to encroach into the public right-of-way for the premises at 102-110 North Water Street, in the 4th Aldermanic District.		
<b>Sponsors:</b>	THE CHAIR		
<b>Indexes:</b>	SPECIAL PRIVILEGE PERMITS		
<b>Attachments:</b>	1. Special Privilege Petition.PDF, 2. Fiscal Note, 3. Cover Letter		

Date	Ver.	Action By	Action	Result	Tally
5/30/2007	0	COMMON COUNCIL	ASSIGNED TO		
5/31/2007	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
6/21/2007	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/27/2007	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
6/27/2007	1	CITY CLERK	DRAFT SUBMITTED		
7/11/2007	1	COMMON COUNCIL	ADOPTED	Pass	14:0
7/18/2007	1	MAYOR	SIGNED		

070253  
SUBSTITUTE 1  
050454  
THE CHAIR

Substitute resolution to amending a special privilege for change of ownership to River Renaissance Condominium Association Inc and for addition of handicap ramps and steps to encroach into the public right-of-way for the premises at 102-110 North Water Street, in the 4<sup>th</sup> Aldermanic District.

This resolution amends a special privilege for change of ownership to River Renaissance Condominium Association Inc and grants permission for the addition of handicap ramps and steps to encroach into the public right-of-way for the premises at 102-110 North Water Street

Whereas, Rivren Group, LLC, the condominium developer, requested permission to construct and maintain excess balcony projections, excess door swings, an excess masonry belt course projection and excess light fixture projections; and

Whereas, Permission for said items was granted under Common Council Resolution File Number 050454; and

Whereas, The applicant is now requesting permission to construct and maintain two handicap ramps with platforms and one set of steps in the public right-of-way; and

Whereas, Said new items may only legally encroach into the public right-of-way by the granting of a special privilege resolution adopted by the Common Council; and

Whereas, River Renaissance Condominium Association, Inc. will now be legally responsible for encroachments in the public right-of-way; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that River Renaissance Condominium Association, Inc., 320 East Buffalo Street, Suite 700, Milwaukee, Wisconsin 53202 is hereby granted the following special privileges:

1. To construct and maintain two handicap ramps in the southerly, 15-foot wide sidewalk area of East Erie Street. Said ramps with platforms will project 4 feet 8 inches into the public right-of-way. The westerly ramp with platform will commence at a point approximately 47 feet east of the eastline of North Water Street and will extend 24 feet to the east. The easterly ramp will commence at a point approximately 84 feet east of the eastline of North Water Street and extend 14 feet to the east.
2. To construct and maintain concrete steps in the southerly, 15-foot wide sidewalk area of East Erie Street. Said 12-foot long steps will project 8 inches into the public way and will be centered approximately 72 feet east of the eastline of North Water Street.
3. To keep and maintain three balconies at the second floor level, approximately 13 feet above the adjacent sidewalk grade, which will project 4 feet 8 inches into the southerly, 15-foot wide sidewalk area of East Erie Street. Said balconies, which are to be 9 feet 10 inches long, will be centered approximately 18, 26, and 199 feet easterly of the eastline of North Water Street. Said balconies will project in excess of the 4 feet allowed under Section 245-4.9 of the Milwaukee Code of Ordinances.
4. To keep and maintain twelve balconies at the third thru sixth floor levels, which will project 4 feet 8 inches into the southerly, 15-foot wide sidewalk area of East Erie Street. Said balconies, which are to be 9 feet 10 inches long, will be centered approximately 18, 26, and 199 feet easterly of the eastline of North Water Street. Said balconies will project in excess of the 4 feet allowed under Section 245-4.9 of the Milwaukee Code of Ordinances.
5. To keep and maintain one, 22-foot 8-inch long balcony at the seventh floor level. Said balcony, which projects 4 feet 4 inches, will commence at a point 32 feet south of the southerly line of East Erie Street. Said balcony will project into the east, 12-foot wide sidewalk area of North Water Street in excess of the 4 feet allowed under Section 245-4.9 of the Milwaukee Code of Ordinances.
6. To keep and maintain three, 6-foot wide double excess door swings, comprised of two single 3-foot wide doors each. Said doors will project 1 foot 4 inches into the southerly, 15-foot wide sidewalk area of East Erie Street centered approximately 55, 66, and 92 feet easterly of the eastline of North Water Street. Said doors will project in excess of the 12 inches allowed under Section 245-4.8 of the Milwaukee Code of Ordinances.
7. To keep and maintain masonry belt course at the second floor level, approximately 13 feet above the surrounding sidewalk grade. Said masonry belt course will project 8 inches into the southerly, 15-foot wide sidewalk area of East Erie Street at several building column locations for a total length of 22 feet 9 inches. These columns will be centered approximately 3, 25, 48, 156, and 179 feet easterly of the eastline of North Water Street. The mason belt course at these locations will project in excess of the 4 inches allowed under Section 245-4.3 of the Milwaukee Code of Ordinances.
8. To keep and maintain twelve light fixtures in the public rights-of-way of East Erie Street and North Water Street. Said light fixtures will be centered approximately 2, 34, 48, 84, 120, 156, and 179 feet easterly of the eastline of North Water Street and approximately 3, 28, 54, 80 and 106 feet south of the southerly line of East Erie Street. Said light fixtures project in excess of the 1-foot allowed for light fixtures located between 7 and 10 feet above grade per Section 245-4.25 of the Milwaukee Code of Ordinances.

Said above-mentioned items shall be used, kept, and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it;

Further Resolved, That this special privilege is granted only on condition that by accepting this special privilege the grantee, River Renaissance Condominium Association Inc., shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$10,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$100,000 covering bodily injury to any one person and \$200,000 covering bodily injury to more than one person in any one accident and \$40,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$522.41. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1 of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Department of Public Works  
Infrastructure Services Division  
MDL:lja  
June 18, 2007  
070253