

March 14, 2005

To the Public Improvements Committee

Subject: Common Council Resolution File Number 020284

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 020284, being a petition from Bostco LLC to amend a special privilege to allow an excess width marquee, two barrier-free access ramps with platforms, one awning, and four excess door swings to encroach into the public right-of-way of North 4th Street, adjacent to the building at 331 West Wisconsin Avenue.

Permission for said marquee was granted to Milwaukee Boston Store Company, Division of Federated Department Stores Incorporated, under Common Council Resolution File Number 54-2192A. Said marquee is located in the east, 15-foot wide sidewalk area of North 4th Street approximately 139 feet south of the southline of West Wisconsin Avenue. Said marquee is approximately 34 feet in length, parallel to the building, which is in excess of the length, parallel to the building, allowed by Section 245-10-3 of the Code of Ordinances of the City of Milwaukee. Section 245-10-3 permits a length, parallel to the building, equivalent to the width of the door(s) the marquee is located plus 10 feet. The combined width of the existing doors under said marquee is approximately 15 feet. A minimum 10-foot clearance is maintained between the bottom of the marquee and the sidewalk.

Bostco, LLC, the new owner, an organized condominium, has recently undertaken the renovation of the building at 331 West Wisconsin Avenue and divided the building into three different areas of function: retail, office space, and residential. Bostco, LLC has petitioned for a special privilege to allow two barrier-free access areas to encroach into the 15-foot wide, east sidewalk area of North 4th Street. The north barrier-free access area has a platform and ramp, which encroaches approximately 5 feet 6 inches into the public right-of-way for a length of approximately 31 feet 4 inches and is centered approximately 139 feet south of the southline of West Wisconsin Avenue. The platform has two single doors that swing over it. The ramp extends to the north and there are steps to the south of the platform as well as to the west opposite the south door. This entire area has the above-mentioned marquee above it. The south barrier-free access area also has a platform and ramp. It encroaches approximately 5 feet 6 inches into the public right-of-way for a length of approximately 32 feet 7 inches and is centered approximately 231 feet south of the southline of West Wisconsin Avenue. This platform has a single door and one set of double doors that swing over it. The ramp extends to the south and there are steps to the north as well as to the west opposite the double doors. Steel handrails are present on both ramps and platforms.

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All doors are three feet in width and entirely swing out over the platforms, being in excess that section 245-8 of the Milwaukee Code of ordinances allows and therefore may be permitted by this special privilege.

Wispark Corporation, a developer of Bostco, LLC petitioned for a special privilege to allow a canvas awning to project into the public right-of-way under Common Council Resolution File Number 030229. This awning, in fact, is a covered walk structure and only can be allowed to encroach by special privilege resolution. In order to consolidate the special privileges, permission for said covered walk is included in this resolution. The structure projects approximately 1.5 feet beyond the south barrier-free access ramp and platform and provides some protection from inclement weather. There is a minimum 8-foot clearance between the bottom of said structure covering and the sidewalk grade.

We are not aware that the presence of the aforementioned items has had an adverse effect on the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will allow said items to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Martin G. Collins
Commissioner
Department of Neighborhood Services

MDL:cjt

Attachment