

February 21, 2005

To the Public Improvements Committee

Subject: Common Council Resolution File Number 041025

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 041025, being a resolution which changes the name of the grantee to DJK47 47 LLC, JBC 47 LLC, TAH 47 LLC for the encroachments into the public right-of-way of a fence and masonry planter for the premises at 2624 North Downer Avenue.

Permission for the fence and masonry planter was originally granted to Don Quijote, Inc., who was the tenant in the building in 2001 adjacent to the items, by adoption of Common Council Resolution File Number 010263. The 7-foot tall fence serves to block the view of dumpsters, located at the residential property to the north, for customers seated at the outdoor dining area, in the 10-foot wide space between the westline of North Hackett Avenue and the main public sidewalk. An approximately 1-foot high masonry planter surrounds said fence, which is approximately 2 feet 4 inches in width. Both the fence and planter are located on the northwesterly side of North Hackett Avenue near the north corner of the building. The items extend approximately 9 feet perpendicularly into the public right-of-way. A site visit also revealed the presence of two moveable planters, approximately 18 inches in diameter and 2 feet tall. These moveable planters are located approximately 5 and 12 feet south of said fence and masonry planter in the 10-foot wide area between the westline of North Hackett Avenue and the public sidewalk and is believed that they will continue to be in the public right-of-way and therefore are included in the resolution.

We are not aware that the presence of said fence, masonry planter, and moveable planters within the public right-of-way have had any adverse effects on the use of the public right-of-way. We have, therefore, prepared the attached resolution, which, if adopted, will change the name of the grantee.

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