

June 21, 2000

To the Public Improvements Committee

Subject: Common Council Resolution File Number 991711

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 991711, being a request for a special privilege by New Land Enterprises, to construct and maintain stairs and railing that encroach into the public right-of-way on the south side of East Kane Place, adjacent to the property previously known as 1001-5 East Kane Place, and now known as 1888 North Water Street (aka Highbridge)

The stairs are an extension of a pedestrian easement granted to the City of Milwaukee in vacated North Astor Street, in December of 1999 in a document known as Highbridge Easement Agreement. The stairs are to give direct pedestrian access from the present terminus of North Astor Street to North Water Street. New Land Enterprises also owns the land on the northerly side of North Water Street extending to the Milwaukee River. This land flanks an open but unimproved section of North Astor Street. The Department of City Development (DCD) envisions that there will eventually be a riverwalk along that property and since it is highly desirable that convenient public pedestrian access be provided to this riverwalk, the DCD has had discussions with New Land Enterprises relating to creating an appropriate pedestrian connection from North Water Street to the River as a part of the development of that land, possibly in exchange for a recommendation that the unimproved but open right-of-way of North Astor Street, between North Water Street and the River, be vacated.

A portion of the proposed stairs need to extend into the public right-of-way on the south side of North Water Street due to a potential conflict with driveways and garage openings serving in-building parking that is accessed from the North Astor Street side of the property and therefore a special privilege is required.

To the Public Improvements Committee
June 25, 2001
Page 2

In order to provide for a transitionary path for through pedestrians walking along the south side of North Water Street around the stairs, the Plans show an intent to construct concrete sidewalks that extend from the stairs to the southerly curb of North Water Street for a longitudinal distance of approximately 34 feet.

The preliminary drawings submitted for our review caused several questions to be raised and in the interim, a public sidewalk and pedestrian access grade situation occurred, which then, apparently due to some original design development assumptions, has now resulted in a terraced walk area and additional private items to be requested to be placed in the right-of-way. These items include several longitudinal sections of low retaining walls and several sets of steps. These items occur to various degree along the entire Water Street frontage of the property. Although not a typical or highly desirable treatment of a sidewalk area, it appears that the resultant treatment provides for: through pedestrian access; access to and from vehicles, that might park along the curb; as well as access to the development from the public sidewalk of North Water Street. After the proposal was submitted, several meetings were held among Department of Public Works, Department of City Development and Department of Neighborhood Services, including at least one at the building site, and all are in agreement with the terraced treatment as being the best remedy given the situation.

We do not believe that the stairs with handrail at North Astor Street, extended, will have an adverse impact on the general use of the public right-of-way as long as the additional public sidewalk is provided, as proposed. We also are of the opinion that the additional low retaining walls and steps, as proposed, will have minimal adverse impact on the general use of the right-of-way at this location. We have, therefore, prepared the attached resolution, which, if adopted, would allow all of the stairs and retaining walls to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Mariano A. Schifalacqua
Commissioner of Public Works

Martin G. Collins
Commissioner
Department of Neighborhood Services

JJM:cjt
Attachment