

March 28, 2003

To the Public Improvements Committee

Subject: Common Council Resolution File Number 021587

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 021587 being a petition submitted by The Athenian's Restaurant d/b/a Kosta's White Manor, for an amendment to a special privilege granted to The Athenian's Restaurant, Inc. for use of the public right-of-way to now place a covered walk on the south side of East Ivanhoe Place adjacent to the property at 2239 North Prospect Avenue.

The existing special privilege, Common Council Resolution File Number 991485, adopted on May 23, 2000, granted permission to The Athenian's Restaurant, Inc., to keep and maintain a 6-foot wide covered walk projecting approximately 6 feet 5 inches into the 18-foot wide concrete paved public sidewalk area with vertical supports located at each corner of the covered walk closest to the curb, approximately 2 feet west of the present curblines. The covered walk is centered approximately 70 feet south of the southline of East Ivanhoe Place at the main entrance to the restaurant at this location.

The restaurant occupies space in a mall setting and has its own entrance on North Prospect Avenue and additional access through the mall on another street, East Ivanhoe Place. The present request is to grant a special privilege to The Athenian's Restaurant, Inc. d/b/a Kosta's White Manor to construct and maintain an 11-foot 4 1/2-inch wide covered walk projecting approximately 7 feet 11 inches into the 10-foot wide concrete paved public sidewalk area on the south side of East Ivanhoe Place, with vertical supports located at each corner of the covered walk closest to the curb, being approximately 2 feet south of the present curblines and for the existing covered walk located on the west side of North Prospect Avenue to continue to be centered approximately 62 feet west of the westline of North Prospect Avenue.

We are not aware that the existing covered walk has had an adverse effect on the general use of the public right-of-way and we do not believe that the proposed covered walk will have an adverse effect on the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolution that, if adopted, would allow the existing covered walk and proposed covered walk to encroach into the public right-of-way. The applicant will be required to keep a loading zone or "no parking" status adjacent to the covered walks as long as the covered walks are in place.

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