

May 5, 2004

To the Public Improvements Committee

Subject: Common Council Resolution File Number 020484

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 020484, being a request for an amendment to a special privilege granted to American Landmark Properties for use of the public rights-of-way to install/place several amenities abutting the building commonly known and referred to as 735 North Water Street. Many of the items petitioned for were allowed by the Milwaukee Code of Ordinances. Only above-ground movable planters, wall-hung lights and a railing required approval in the form of a special privilege by the Common Council.

The existing special privilege resolution, Common Council Resolution File Number 930957, adopted on March 29, 1994, granted permission to American Landmark Properties to place and maintain movable planters, wall-mounted light fixtures and decorative railing in the public rights-of-way.

The current request is to change the name of the grantee of the special privilege to Compass Properties North Water Street, LLC for the continued placement of these items in the public rights-of-way.

Our field investigation revealed that there are 4 wood picnic-style tables located on the upper sidewalk area of East Mason Street along the decorative railing. They are to remain and therefore need to be included in the special privilege. In addition, it was observed that along the "basement" wall, in what is now a pedestrian path (south side East Mason Street (lower) there is an external (encroaching) housing for the roll-up overhead door that serves as access to the basement for deliveries, and also a swing-out person door. The vertical clearance of the housing provides for only approximately 6.8 feet for pedestrians, if they happen to be walking directly along the wall. It is therefore necessary for this item to be included, for the potential liability issue, in the resolution as well as the service door.

With the planters in place, there is approximately 7 feet of clear walking space for pedestrians on North Water Street. This is a width that probably can provide for the existing and anticipated pedestrian volumes in this area. If more pedestrian capacity is needed in the future, the planters may have to be removed. We have prepared the attached resolution, which, if adopted, would allow all of these discussed items to be within the public rights-of-way and change the name of the grantee of the special privilege to Compass Properties North Water Street, LLC.

Very truly yours,

Jeffrey S. Polenske, P.E.  
City Engineer

James P. Purko  
Director of Operations

Martin G. Collins  
Commissioner  
Department of Neighborhood Services

JJM:cjt  
Attachment