

September 9, 2003

To the Public Improvements Committee

Subject: Common Council Resolution File Number 030418

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 030418, being a petition submitted by Delma Hasan for use of the public right-of-way to place a covered walk on the east side of North Dr. Martin Luther King Jr. Drive adjacent to the property at #2370, being a restaurant named "The Ja'Stacy Restaurant."

The applicant's request is to install, keep and maintain a 6.0-foot wide covered walk projecting approximately 10 feet into the 12-foot wide public sidewalk area. The vertical supports are to be approximately 2 feet east of the present curbline and the covered walk is to be centered on a door that is located approximately 67 feet south of the southline of West Meinecke Avenue at the main entrance. There presently are 3 stationary fabric awnings on the building. The center one, at the door, is to be removed and replaced by the covered walk.

We observed that said 3-foot wide door swings entirely into the right-of-way. Also, there is another door (#2368), for access to the upstairs apartment, that swings entirely into the right-of-way. In addition, the first floor of the building encroaches approximately 0.4 feet. It appears to have been in place many years, but no permit was evident.

To the Public Improvements Committee
September 9, 2003
Page 2

We are not aware that the covered walk, doors or building has had or 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 covered walk to encroach into the public right-of-way. The applicant will be required to obtain and keep a loading zone or "no parking" status adjacent to the covered walk as long as the covered walk is in place. At the present time, the rear portion of a bus stop extends in front of the building, so the area is already "no parking"; however, if the bus stop is eliminated (very unlikely), then a loading zone would need to be obtained.

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
Attachments