

February 5, 2009

To the Public Works Committee

Subject: Common Council Resolution File Number 081043

Dear Honorable Members:

Returned herewith is the Common Council Resolution File Number 081043, amending a special privilege to Marcus Cinemas of Wisconsin LLC for change of ownership of wheel guards and an alley vault and for addition of various items in the public right-of-way for the premises at 212 West Wisconsin Avenue.

Warner Brothers Theatres Inc. requested permission to construct and maintain wheel guards, a window rail guard, and a hollow alley area way in the public right-of-way. Permission for said items was originally granted in 1930 under Common Council Resolution File Numbers 44897 and 44898. The window rail guard appears to have been removed from the public right-of-way.

A site visit revealed the presence of a concrete step, two sets of excess door swings, eight display window cases and two excess fire escape projections in the public right-of-way. The display window cases are located in the west sidewalk area of North 2nd Street, while the rest of the items are located in either the east-west or the north-south alley abutting the subject premises. It should be noted that the fire escapes meet all requirements of the Code, except that they project into the public right-of-way beyond the 7 feet allowed under Section 245-4-9 of the Milwaukee Code of Ordinances. Additionally, it appears that all of said items have been present in the public right-of-way for an extended length of time.

We are not aware that the presence of said items 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, which, if adopted, will allow said items to continue to occupy the public right-of-way and will change the name of the owner to Marcus Cinemas of Wisconsin LLC.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Art Dahlberg, Commissioner
Department of Neighborhood Services

MDL: ns
Attachment
c: Alderman Robert Bauman