

June 26, 2003

To the Public Improvements Committee

Subject: Common Council Resolution File Number 030113

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 030113, being a file to review a request from Plant Two Corporation, 338-40 South Water Street, for a special privilege to park boats and boat trailers on a section of unnamed street, that extends from South Water Street to the Milwaukee River. The request also includes a provision to have a "locked gate" situation along the eastline of South Water Street.

It appears that this use has gone on for some period of time. The petitioners recently requested that the mostly unimproved area (not much surface pavement but some utilities are in this space) be converted from public right-of-way to private real estate by petitioning for a street vacation. This was not approved, perhaps because of long term potential development and the City's desire to maintain access to the River, whenever possible. If this area is to be used privately on an interim basis, the special privilege procedure is the appropriate course of action. The area, according to our plat maps, is approximately 36 feet in width and almost 200 feet in length. It appears that either of the abutting ownerships are the appropriate parties to use this street on a short-term basis, as proposed. The abutting properties are #318 to the north (Kurth Malting) and #338-48 to the south (Plant Two Corporation).

It does not appear that the proposed usage will have an adverse impact on the general use of the unimproved right-of-way. We have, therefore, prepared the attached special privilege resolution that, if adopted, would allow the generally exclusive usage of the unnamed street, as proposed.

Most of the time when a special privilege is granted, its term is unlimited. If that were to be done in this case, there is potential that the proposed use might continue on without a higher and better use proposed for the abutting land. Therefore, a sunset provision is written into the attached resolution. The time frame is 3 years. This provides for 3 boating seasons, including the current one.

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