

November 26, 2008

To the Public Works Committee

Subject: Common Council Resolution File Number 080799

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 080799, which amends a special privilege special privilege to Eagan's on Water Inc for addition of an awning with supports for the premises at 1030 North Water Street.

Eagan's on Water Inc requested permission to construct and maintain a covered walk and to install, use and maintain a sidewalk café with moveable planters. Permission for said items was granted in 1994 under Common Council Resolution File Number 931750. Subsequently, the code was amended to allow for sidewalk cafes in the public right-of-way with a permit from the Department of Public Works. Permission for the moveable planters is still required, however, since they appear to have become permanent fixtures within the public right-of-way.

The current request is for the addition of an awning supported both by the adjacent building and metal supports, which are located within the public way. Said awning with supports projects 2 feet 3 inches into the east, 12-foot wide sidewalk area of North Water Street. The awning commences at a point approximately 76 feet south of the southline of East Highland Avenue and extends 74 feet to the south. The applicant's sidewalk café is located under the awning when in use.

We are not aware that the presence of said awning, covered walk, or moveable planters will have or have had 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.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Thomas Mishefske, Operations Manager
Department of Neighborhood Services

MDL: ns
Attachment
c: Alderman Robert Bauman