

February 24, 2005

To the Public Improvements Committee

Subject: Common Council Resolution File Number 021656

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 021656, being a petition from Milwaukee School of Engineering for a special privilege to allow two roof eaves, a firewall, and four excess door swings to encroach into the public rights-of-way adjacent to the premise of 1251 North Broadway. Said items are located either in the south sidewalk area of East Knapp Street or the east sidewalk area of North Market Street.

The construction of the Milwaukee School of Engineering, a new athletic complex, The Kern Center, has been completed and it can now be seen better what they have requested. The roof eave, which is in the East Knapp Street right-of-way, begins approximately 5 feet west of the eastline of North market Street and ends approximately 115 feet 8 inches east of the eastline of North Market Street for a total length of 120 feet 8 inches. Said roof eave projects approximately 4 feet into the public right-of-way and is a minimum of 61 feet 6 inches above the adjacent sidewalk. The roof eave, which is in the North Market Street right-of-way, begins approximately 4 feet north of the southline of East Knapp Street and ends approximately 199 feet 4 inches south of the southline of East Knapp Street for a total length of 203 feet 4 inches. Said roof eave projects approximately 5 feet into the public right-of-way and is a minimum of 61 feet 6 inches above the adjacent sidewalk. Both roof eaves project beyond the 3 feet allowed under Section 245-4-1 of the City of Milwaukee Code of Ordinances.

An 18-inch wide firewall projects into the public way of East Knapp Street such that at sidewalk grade the projection is 18 inches and at the top of the building, approximately 65 feet above the sidewalk, the projection is 6 feet. The average projection for said firewall, centered approximately 116 feet east of the eastline of North Market Street, is 3 feet 9 inches. Adjacent to said firewall in the 14-foot wide south sidewalk area of East Knapp Street there is a minimum 10-foot wide clear path for pedestrians.

The Milwaukee School of Engineering is also requesting permission to keep, use and maintain four excess door swing encroachments, consisting of one set of double doors in the south sidewalk area East Knapp Street and one single door and two sets of double doors in the east sidewalk area of North market Street. All individual doors are 3 feet in width and project into the public right-of-way more than the 12 inches allowed in Section 245-4-8 of the City of Milwaukee Code of Ordinances.

A site visit also revealed the presence of another set of double doors, one key-card reader mounted to the north building face, one key-card reader mounted to a bollard near the curb of North market Street, five bollards and three dumpsters. Said set of double doors consists of two 3-foot wide doors that project into the 15-foot wide east sidewalk area of North Market Street more than the 12 inches allowed under 245-4-8 of the City of Milwaukee Code of Ordinances. One key-card reader is mounted to the north face of the building, near a set of double doors, such that it projects approximately 5 inches into the north sidewalk area of East Knapp Street at 3 feet above the sidewalk. Another key-card reader is mounted on a steel arm attached to a bollard, such that it is parallel to the sidewalk, approximately 12 feet west of the eastline of North market Street. Said key-card reader is mounted 3 feet 6 inches above the sidewalk and serves as a garage door opener. Of the five bollards, four are located approximately 8 inches west of the eastline of North Market Street, approximately 221, 233, 250 and 261 feet south of the southline of East Knapp Street, adjacent to three garage doors. The fifth bollard is located approximately 222 feet south of the southline of East Knapp Street and 12 feet west of the eastline of North market Street. Said fifth bollard has an aforementioned key-card reader mounted to it. All of the bollards are approximately 9 inches in diameter and 4 feet tall. Finally, three dumpsters were found to be located within the east sidewalk area of North Market Street; however, after a conversation with the building manager, they have been removed and, after several further site visits, have not since been seen in the public right-of-way. Due to their removal from the public right-of-way, said dumpsters will not be included in the attached resolution.

After the aforementioned site visit, which revealed the presence of said light fixtures and key-card reader mounted to a bollard, a call was placed to the building manager to determine how these items were powered. It was determined that the lights are connected via a 1-inch diameter electrical conduit that runs parallel to the building for an approximate length of 141 feet at an approximate depth of 18 inches below ground. A 1-inch diameter conduit connects the key-card reader mounted to a bollard and located in the east sidewalk area of North Market Street to the building. Said conduit runs perpendicular to the building face for an approximate length of 11 feet 9 inches at an approximate depth of 18 inches, it then travels up the bollard to a height of 3 feet 6 inches.

Though a portion of a running track projects into the public right-of-way of East Knapp Street, it will not be addressed in this Common Council Resolution File. An Air Space Lease is being prepared under Common Council Resolution File Number 021294, which will address this particular encroachment.

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We are not aware that the presence of the aforementioned items has had an adverse effect on the general use of the public rights-of-way. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will allow said items to occupy the public rights-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Martin G. Collins
Commissioner
Department of Neighborhood Services

MDL:cjt
Attachment