

June 6, 2003

To the Public Improvements Committee

Subject: Common Council Resolution File Number 030012

Dear Honorable Member:

Returned herewith is Common Council Resolution File Number 030012, being a petition for a special privilege submitted by LESZ, Inc. d/b/a/ The Oak Barrel to construct and maintain a decorative entryway with a second floor balcony/deck to be used for outdoor dining, across the entire front of the building located at 1211 North Water Street.

The request is to construct and maintain a balcony/deck structure that will be supported by the building and by decorative steel columns with concrete footings at the building at 1211 North Water Street and at the building next door at 1213 North Water Street, for which another special privilege has been applied for (C.C. # 030011). The balcony/deck structure and columns will encroach approximately 10 feet into the 12-foot wide fully paved public sidewalk area for a distance of approximately 41 feet 2 inches in length encompassing the two buildings. The clear height from the sidewalk to the underside of the roof structure is to be a minimum of 13 feet 11 inches. The balcony/deck structure will consist of a concrete slab over metal decking with metal railing around the perimeter of the deck. One harp light on the west side of North Water Street will need to be removed for placement of the structure at the costs of the developer. Recessed can lights will be located on the underside of the deck structure over the sidewalk for illumination of the sidewalk area and other downlighting will be located along the structure's east edge. All lighting must be non-glare. At the present time, there is a storm enclosure on the sidewalk at this property. There is also a sign bracket, which projects approximately 5 feet, that is being used as a light support. No record of permission could be found approving of these items to be in the public right-of-way; however, it appears that they will be removed to construct the proposed structure.

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It does not appear that the proposed balcony/deck encroachment into the public right-of-way of North Water Street will have an adverse effect on the general use of the public right-of-way at this location after it is constructed. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will allow the balcony/deck structure 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 balcony/deck structure as long as the structure is in place.

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  
Attachment