

September 25, 2002

To the Public Improvements Committee

Subject: Common Council Resolution File Number 020627

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 020627 being a petition submitted by Hotel Investment Property Partners, LLC, for an amendment to an existing special privilege that was granted to Hotel Investment Property Partners, LLC for use of the public right-of-way to place two covered walks on the east side of Old World 3rd Street and to have an excess door swing encroachment on the north side of West Wisconsin Avenue, both adjacent to the property at 236-40 West Wisconsin Avenue.

The original special privilege, Common Council Resolution File Number 971466, adopted on May 23, 2000, granted permission to place and maintain a 15-foot 6-inch wide covered walk projecting approximately 13 feet into the 15-foot wide concrete paved public sidewalk area. Its' vertical supports are approximately 2 feet and 4.5 feet east of the present curblin, and 3.5 feet west of the building along each side of the structure. The covered walk is centered approximately 110 feet north of the northline of West Wisconsin Avenue at the main entrance of the hotel known as the Inn Towne Hotel. Also, permission was granted for an outward swinging door at the bottom of the hotel stair tower abutting West Wisconsin Avenue, to be used for emergency exiting only. The 3-foot wide door produces a projection in excess of the allowable 1 foot (Sec. 245-4-8 Code of Ordinances). The sidewalk area on the north side of West Wisconsin Avenue at this location is 16.5 feet wide. The door is centered approximately 35 feet east of the eastline of Old World 3rd Street.

Additionally, permission was granted for another encroachment into the public way of Old World 3rd Street as an amendment under Common Council Resolution File Number 990694. The tenant of the first floor space, a jewelry store, had initially had a stationary fabric awning (Sec. 245-6-5) placed at their entrance by permit. They subsequently had side curtains added to it. The resulting structure mimics the nearby

covered walk even though the resulting awning structure projects only approximately 4 feet and the covered walk projects approximately 13 feet.

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The current request is for two recently placed movable sidewalk planters to remain in the public right-of-way. They were contacted regarding necessary prior approvals and subsequently submitted the Petition for Amendment. Our field investigation revealed that two rectangular planters were abutting the building on the Old World 3rd Street side between the covered walk and the other structure. The planters are approximately each 6.2 feet long and 1.2 feet wide and wood covered. They contained flowers. In addition, inside the covered walk structure and abutting the vertical supports near the curb, there were two other decorative movable planters. They are round, about 2-feet high and 2-feet in diameter. Also, they have placed a mat upon the sidewalk under the covered walk extending from the building almost to the curb. These items, it appears, are also intended to stay, as placed. Permission for that to happen is included in the resolution.

We are not aware that any of these items has had an adverse effect on the general use of the public right-of-way at this location. We have, therefore, prepared the attached special privilege resolution that, if adopted, would allow all of these items to encroach into the public rights-of-way.

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