

March 28, 2003

To the Public Improvements Committee

Subject: Common Council Resolution File Number 990664

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 990664, being a petition of Scaife Day Care LLC, for a special privilege to allow two excess door swing projections and a 5-inch high concrete platform with ramp in the public right-of-way abutting the building at 531 East Burleigh Street.

The doors are located on the west side of North Booth Street, centered approximately 35 feet and 77 feet south of the southline of East Burleigh Street. The doors project, when fully open, approximately 3 feet into the 15-foot wide public sidewalk area. This is greater than the 12-inches allowed by Section 245-4-8 of the Milwaukee Code of Ordinances. The proposed barrier-free concrete ramp is located on the west side of North Booth Street beginning approximately 32 feet south of the southline of East Burleigh Street. The concrete ramp and platform are approximately 12 feet long and 4.5 feet wide, with essentially the entire width of the ramp and platform extending into the 15-foot wide public sidewalk area. Approximately 5 feet of existing concrete paved sidewalk is available for through pedestrians. One of the aforementioned doors swings out over the platform.

Our initial field viewing revealed that there are 2 moveable planters located on each of the 2 abutting streets. Also, there was a driveway approach, that would no longer be needed, since the overhead door was to be removed and replaced with windows. In a sidewalk area where there is a driveway approach that is no longer needed, the approach shall be removed, curb (or curb and gutter, as applicable), sidewalk and tree border restored to Department of Public Works specifications. Their petition indicated an intent to do that within a 2 year time. That work was not within their start-up budget. In addition, there was a one-foot high, 10-foot long section of concrete abutting the building south of the overhead door, that projected approximately one foot (shelf). We cannot determine what its former use was nor can we determine why they intend to have it remain in place. In the front of the building, there is a set of double doors, which swing

inward. They will be allowed to continue to swing inward due to the number of occupants of the building.

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Due to the urgency of timing, a conditional permit had been issued. Our recent field viewing found that there is only one moveable planter on East Burleigh Street; there is a set of outward swinging double doors on the North Booth Street side, toward the rear of the building, that replaced the single inward swinging door; the shelf and the ramp and platform have their surfaces and edges painted yellow (also black stripes on the ramp and platform); the driveway approach has been removed and the sidewalk area properly restored.

We are not aware that any of these items has had an adverse effect on the use of the public rights-of-way. We have, therefore, prepared the attached special privilege resolution, which if adopted, will allow the concrete platform with ramp, doors, moveable planters and shelf 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