

June 26, 2003

To the Public Improvements Committee

Subject: Common Council Resolution File Number 020439

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 020439, being a request by Williams Development Corporation, managing member of the property's latest owner, for an amendment to a special privilege originally granted to Gimbel Bros. Realty Co. Inc. to maintain a structure partially overhanging the public right-of-way of a north-south alley in the block bounded by West Clybourn Street, West Michigan Street, North Plankinton Avenue and North 2nd Street at the building located at 555 North Plankinton Avenue.

The existing special privilege Common Council Resolution File Number 083361, that was adopted on December 21, 1994, granted permission to construct and maintain at the third and fourth floor level a parking structure for automobiles that projects approximately 20 feet into the 20-foot wide north one-half of the north-south alley lying, as stated then, between lots 17 and 18, Block 74, in the Plat of the Town of Milwaukee, etc. The lowest part of the structure "shall not be less than 18 feet and 4 inches above the established grade of the alley."

Over the years, familiar names of the ownership have been such as, but not limited to, Gimbels Midwest Inc., Dayton Hudson Corporation, Ivory Tusk LLC to the present owner Ivory Retail Office Investors LLC, located at 648 North Plankinton Avenue.

The present request is to change the name of the grantee of the special privilege to the present owner of the property, for the continued encroachment of said structure.

Our field investigation observed that the structure still exists. The encroachment only exists at the 3rd floor level. It does not even appear that it existed also at the 4th floor level.

It does not appear that the use and maintenance of the overhanging portion of the parking structure has had an adverse effect upon the use of the public right-of-way in this area. We have, therefore, prepared the attached resolution which, if adopted, would change the name of the grantee of the special privilege and continue to allow the structure to encroach into the right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Mariano A. Schifalacqua
Commissioner of Public Works

Martin G. Collins
Commissioner

JJM:cjt
Attachment

Department of Neighborhood Services