

November 29, 2004

To the Honorable, The Common Council

Subject: Common Council Resolution File Number 040446

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 040446, being a request by Bethany Church of Christ for a special privilege to construct and maintain a platform with a handicap ramp and stairs projecting into the public right-of-way of West Brown Street and North 13<sup>th</sup> Street, at the building located at 1930 North 13<sup>th</sup> Street.

Due to the imprecise plan submitted and after a view to the site, it was determined to allow the structure to be built by permits, and then revise it and measure the location occupied in order that an appropriate resolution could be prepared. The threshold of the main church doors is approximately 5 feet above sidewalk grade. The structure is a 5-foot tall platform with a handicap ramp on one end and a set of stairs on the other end, constructed of wood, in the public right-of-way of West Brown Street and North 13<sup>th</sup> Street. The platform is centered approximately 42 feet south of the southline of West Brown Street. Due to the height of the platform, the ramp extends around two sides of the building, so that within the east 12-foot sidewalk area of North 13<sup>th</sup> Street, the platform, stairs, and ramp encroach into the public way approximately 1 foot 6 inches for a length of approximately 38 feet 11 inches. The ramp turns the corner on to West Brown Street so that within the south 17-foot wide sidewalk area of the West Brown Street right-of-way, the ramp encroaches approximately 2 feet 4 inches for a length of 69.5 feet. The platform, stairs, and ramp have a wood handrail for their entire length.

It does not appear that the use and maintenance of the above items will have an adverse effect upon the approval use of the public right-of-way in this area. We have, therefore, prepared the attached resolution, which, if adopted, would allow the said items to encroach into the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.  
City Engineer

Jeffrey J. Mantes  
Commissioner of Public Works

Martin G. Collins  
Commissioner of Neighborhood Services

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Attachment