

February 26, 2002

To the Public Improvements Committee

Subject: Common Council Resolution File Number 011141

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 011141, being a petition submitted by St. George Apartments LLC for an amendment to a special privilege granted to Country Creek Homes, Inc. for use of the public right-of-way to place a covered walk on the south side of East Pleasant Street adjacent to the property at 719 East Pleasant Street.

The existing special privilege, Common Council Resolution File Number 951094, adopted on December 19, 1995, granted permission to erect and maintain an 10.5-foot wide covered walk projecting approximately 8.8 feet into the 17.8-foot wide concrete paved public sidewalk area. The vertical supports were to be located at each corner of the covered walk closest to the curb and be approximately 9 feet south of the curbline. The covered walk, centered approximately 123 feet west of the westline of North Cass Street, is at the main entrance to the building at this location. Our field viewing and measurements revealed a structure slightly different dimensionally, than that originally permitted, including the vertical clearance from the skirt to the sidewalk and a door that swings out into the public right-of-way in excess of the allowable 12 inches

The present request is to change the name of the grantee of the special privilege to St. George Apartments LLC, the current owner of the property, for the continued existence of the covered walk in the public right-of-way.

We are not aware that the covered walk even with its substandard vertical clearance (7.4 feet vs. 8.0 feet) 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 change the name of the grantee of the special privilege and continue to allow the covered walk to encroach into the public right-of-way with the requirements and recommendation stated below. The attached resolution allows the existing structure and covering to remain; however, whenever a new covering is installed, it shall be required to comply with the 8-foot vertical clearance that the policy resolution, 62-1211a, requires. In addition, there is no carriage walk, i.e., curb to the main sidewalk, for direct access to a vehicle nor is there a "no parking" condition at the curb as required by the policy resolution. Since the primary intended

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purpose of these types of structures is to afford shelter for vehicular passengers going/coming, the resolution will require, minimally, that a loading zone be obtained and continued as long as there is a covered walk structure and recommend that a carriage walk be constructed.

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