



Legislation Details (With Text)

File #: 070995 **Version:** 1
Type: Resolution **Status:** Passed
File created: 11/9/2007 **In control:** COMMON COUNCIL
On agenda: **Final action:** 4/9/2013
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Title: Substitute resolution amending a special privilege for change of ownership to Pritzlaff Redevelopment LLC for a back-up driveway serving five loading dock doors and for addition of various items in the public right-of-way for the premises at 315-333 North Plankinton Avenue, in the 4th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: 1. Cover Letter, 2. Petition for a Special Privilege and Drawings, 3. More Drawings, 4. Map, 5. Photos, 6. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/9/2007	0	COMMON COUNCIL	ASSIGNED TO		
11/13/2007	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
3/22/2013	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/27/2013	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
4/9/2013	1	COMMON COUNCIL	ADOPTED	Pass	15:0
4/18/2013	1	MAYOR	SIGNED		

070995
SUBSTITUTE 1
52-1744-a
THE CHAIR

Substitute resolution amending a special privilege for change of ownership to Pritzlaff Redevelopment LLC for a back-up driveway serving five loading dock doors and for addition of various items in the public right-of-way for the premises at 315-333 North Plankinton Avenue, in the 4th Aldermanic District.

This resolution amends a special privilege for change of ownership to Pritzlaff Redevelopment LLC for a back-up driveway serving five loading dock doors and for addition of a wood platform with steps, two wood steps, a concrete step and historic building façade encroachments in the public right-of-way for the premises at 315-333 North Plankinton Avenue.

Whereas, Julius Bernstein, Harry Hack and Sidney Hack requested permission to keep and maintain a back-up driveway to serve five loading dock doors; and

Whereas, Permission for said driveway was granted in 1959 under Common Council Resolution File Number 52-1744-a; and

Whereas, The applicant is requesting permission to construct and maintain a platform with steps in the public right-of-way; and

Whereas, A site visit revealed the presence of two wood steps, a concrete step and historic building encroachments in the public right-of-way; and

Whereas, Said items may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Numbers 52-1744-a is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Pritzlaff Redevelopment LLC, 10535 West College Avenue, Franklin, WI 53132 is hereby granted the following special privileges:

1. To construct and maintain a wood platform with steps in the south, 15-foot wide sidewalk area of West St Paul Avenue. Said structure, including both the steps and the platform, commences at a point approximately 101 feet west of the westline of North Plankinton Avenue and extends a total of 9 feet 6 inches to the west. The steps, which are located to the east of the platform, project 4 feet 7 inches into the public way for a distance of 4 feet 4 inches. The platform projects 4 feet 9 inches for a distance of 9 feet 2 inches.
2. To construct and maintain two wood steps in the west, 10-foot wide sidewalk area of North Plankinton Avenue. The 9-foot 4-inch wide projects 1 foot into the public way and is centered approximately 302 feet south of the southline of West St Paul Avenue. The 8-foot wide, northern step projects 10 inches into the public way and is centered approximately 247 feet south of the southline of West St Paul Avenue.
3. To construct and maintain a concrete step projecting 8 inches into the west, 10-foot wide sidewalk area of North Plankinton Avenue. The 8-foot 11-inch wide step is centered approximately 226 feet south of the southline of West St Paul Avenue.
4. To keep and maintain a back-up driveway in the south, 15-foot wide sidewalk area of West St Paul Avenue serving 5 loading dock doors. Said doors are centered approximately 186, 203, 219, 236, and 250 feet west of the westline of North Plankinton Avenue and measure 8 feet, 10 feet, 9 feet 10 inches, 9 feet 10 inches, and 10 feet wide, respectively.

Said items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Pritzlaff Redevelopment LLC, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the Commissioner of Public Works a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. The insurance policy shall provide that it shall not be cancelled until after at least thirty days' notice in writing to the Commissioner of Public Works.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$76.03. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this

special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration or removal for such purposes.

5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Department of Public Works
Infrastructure Services Division

MDL:clm

March 1, 2013

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