



Legislation Details (With Text)

**File #:** 130550      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 9/4/2013      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 3/28/2017  
**Effective date:**

**Title:** Substitute resolution granting a special privilege to Gasoline Studios LLC to install and maintain a back up driveway, exhaust duct, and bollards in the public right-of-way for the premises 2432 West Cornell Street, in the 1st Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** SPECIAL PRIVILEGE PERMITS

**Attachments:** 1. Petition, 2. PW Letter 130550.pdf, 3. CCF 130550 Photos.pdf, 4. CCF 130550 Map.pdf

Date	Ver.	Action By	Action	Result	Tally
9/4/2013	0	COMMON COUNCIL	ASSIGNED TO		
9/6/2013	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
3/8/2017	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
3/28/2017	1	COMMON COUNCIL	ADOPTED	Pass	15:0
4/6/2017	1	MAYOR	SIGNED		

130550  
SUBSTITUTE 1  
THE CHAIR

Substitute resolution granting a special privilege to Gasoline Studios LLC to install and maintain a back up driveway, exhaust duct, and bollards in the public right-of-way for the premises 2432 West Cornell Street, in the 1<sup>st</sup> Aldermanic District.

This resolution grants a special privilege to Gasoline Studios LLC to install and maintain a back up driveway, exhaust duct, and bollards in the public right-of-way for the premises 2432 West Cornell Street.

Whereas, The applicant is requesting permission to install and maintain a back up driveway in the public right-of-way; and

Whereas, A site visit revealed the presence an exhaust duct and bollards 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 Gasoline Studios LLC, Attn: Justin Gaver, 1826 East Kenwood Boulevard, Milwaukee, WI 53211 is hereby granted the following special privileges:

- To install and maintain a back up driveway in the east, 15-foot wide sidewalk area of North 24<sup>th</sup> Place to serve an 8-foot 2-inch wide loading dock door. Said driveway is centered approximately 78 feet north of the northline of West Cornell Street. Vehicles may occupy the sidewalk area and a portion of the roadway and shall be parked in such a way so as not to project more than 8 feet beyond the east curb of North 24th Place during loading and unloading operations. The grantee is to provide sufficient traffic control to ensure continued two-way traffic while the backup driveway is in use.

2. To install and maintain a 1-foot 8-inch wide exhaust duct projecting 2 feet 2 inches into the east, 15-foot wide sidewalk area of North 24<sup>th</sup> Place. Said 4-foot 6-inch tall exhaust duct is centered approximately 23 feet north of the northline of West Cornell Street.
3. To install and maintain two bollards in the east, 15-foot sidewalk area of North 24<sup>th</sup> Place abutting the building at 2432 West Cornell Street. The bollards are 7 inches in diameter and 4 feet 6 inches tall. Said bollards are centered about a point approximately 158 feet north of the northline of West Cornell Street.

Said items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

Said items shall be maintained or removed from the public right-of-way, at such future time as it is 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, Gasoline Studios 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 \$433.47. 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 and/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 1<sup>st</sup> 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.
7. Owner must ensure sufficient traffic control while using the backup driveway to allow continued, safe traffic flow on North 24<sup>th</sup> Place. Traffic control measures may include, but are not limited to flag persons and traffic cones.

Department of Public Works  
Administration Division  
KAREN DETTMER/DAWN SCHMIDT/C. MURPHY  
February 15, 2017  
130550