



Legislation Text

File #: 021226, Version: 1

021226
SUBSTITUTE
951306
THE CHAIR

Substitute resolution amending a special privilege for change of ownership to Historic Holdings, LLC for encroachment into the public right-of-way of a building entrance structure and planter curbing for the building at 1020 North Broadway, in the 4th Aldermanic District in the City of Milwaukee.

This resolution grants an amended special privilege to Historic Holdings, LLC for encroachment into the public right-of-way of a building entrance encroachment and planter curbing for the building at 1020 North Broadway. Whereas, German English Academy Associates requested permission to keep and maintain a building entrance structure and planting curbing in the east sidewalk area for its building at 1020 North Broadway; and

Whereas, Permission was granted in 1995 under Common Council Resolution File Number 951306; and

Whereas, Historic Holdings, LLC now owns the building; and

Whereas, For the liability to be formally transferred to the current owner for the building entrance structure and planting curbing, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, That Common Council Resolution File Number 951306 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee, that Historic Holdings, LLC, 1020 North Broadway, Milwaukee, WI 53202, is hereby granted the following special privileges:

1. To keep and maintain an entrance structure with a ceiling light fixture and brick paved walk area in front of the building located at 1020 North Broadway. Said structure is 19 feet wide, anchored to the building face and centered approximately 188 feet north of the northline of East State Street. The structure projects approximately 7 feet 7 inches into the 20-foot wide public sidewalk area and is supported by two structural columns. One of the columns is 5 feet 6 inches wide, measured parallel to the street line, and 3 feet 5 inches measured perpendicular and is centered approximately 176 feet north of the northline of East State Street. The other column is 4 feet 9 inches wide, measured parallel to the streetline and 3 feet 5 inches measured perpendicular and is centered approximately 191 feet north of the northline of East State Street. Both columns are centered, in the public way, approximately 5 feet 6 inches west of the eastline of North Broadway. There shall be a minimum vertical clearance of 8 feet between the lowest portion of the structure and the sidewalk grade beneath it.

There shall be no sign or advertising device hung from, attached to, printed on or painted on any part of the structure. The name, street number or character of business may be indicated on the vertical west face of the structure, only if the size of the lettering does not exceed 8 inches in height.

2. To keep and maintain planter areas in front of the building located at 1020 North Broadway. Said planters

consist of 2 inch high by 3 ½ inch wide concrete curbing encompassing assorted plants and foliage. Said planters are located as follows: One planter commences at the east property line of North Broadway at a point approximately 156 feet north of the northline of East State Street, and extends westerly approximately 4 feet 4 inches, then extends northerly approximately 26 feet 8 inches to the south face of the existing southerly column in place by special privilege, then extends easterly from the east face of said column to the east property line of North Broadway. A second planter commences at the east property line of North Broadway at a point approximately 234 feet north of the northline of East State Street, and extends westerly approximately 4 feet 4 inches, then extends southerly approximately 42 feet 10 inches to the north face of the existing northerly column in place by special privilege, then extends easterly from the east face of said column to the east property line of North Broadway.

Said above-mentioned 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 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, Historic Holdings, 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 City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$10,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any one owner on the area or areas included within the special privilege and name the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay the City Treasurer an annual fee, which has an initial amount of \$357.28. 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 in 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 the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Department of Public Works

MDL:dr

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