



Legislation Text

File #: 030006, Version: 1

030006

Substitute

The Chair

Substitute resolution to grant a special privilege to Riverwest Jam, LLC to construct and maintain a platform with ramp for barrier-free access and to keep and maintain existing steps, vestibule and dumpster located in the public right-of-way, adjacent to the property located at 1001 East Locust Street, in the 6th Aldermanic District in the City of Milwaukee.

This resolution grants permission to Riverwest Jam, LLC to construct and maintain a platform with ramp for barrier-free access and to have existing steps, vestibule and dumpsters remain in the right-of-way on the east side of North Weil Street adjacent to the premises known as 1001 East Locust Street.

Whereas, Riverwest Jam, LLC is desirous to provide for barrier-free access to the building that is being renovated, and added onto, at 1001 East Locust Street and in order to do this, proposes to construct a platform with ramp to encroach into the public right-of-way on the east side of North Weil Street; and

Whereas, Review of the plans and field investigation found existing steps, an entrance vestibule and commercial dumpster that are located in the public right-of-way adjacent to the property which they intend to keep; and,

Whereas, These items may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Riverwest Jam LLC, 1001 East Locust Street, Milwaukee, WI 53212, is hereby granted the following special privileges:

1. To construct and maintain an approximate 26-foot long and 5-foot wide platform with ramp and metal handrail to be located on the east side of North Weil Street adjacent to the property known as 1001 East Locust Street. Said ramp shall begin at a point approximately 48 feet south of the southline of East Locust Street and extend south approximately 19.5 feet to the approximately 6.5-foot long platform. The ramp encroaches approximately 4.2 feet and the platform encroaches approximately 5 feet. A 3-foot wide door may swing out over the platform.
2. To keep and maintain an entrance vestibule consisting of a 3 sided enclosure on a platform with a set of steps with metal handrails located on the east side of North Weil Street adjacent to the property known as 1001 East Locust Street. Said steps have a landing and are adjacent to the front entrance to the premises and are partially located in the public rights-of-way at the southeast corner of East Locust Street and North Weil Street. The encroachment into East Locust Street is approximately 2.5 feet and into North Weil Street approximately 5 feet.
3. To keep and maintain a set of steps located on the east side of North Weil Street adjacent to the property known as 1001 East Locust Street. Said steps are 3.5 feet wide, have three risers and are centered approximately 30 feet south of the southline of East Locust Street. The projection is approximately 2 feet.

4. To keep, use and maintain a commercial dumpster encroaching approximately 3 feet for a length of approximately 5 feet, centered approximately 34 feet south of the southline of East Locust Street

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Riverwest Jam, 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 \$5,000, such bond to be approved by the City Attorney. The 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 \$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. Both bond and insurance policy shall provide that they shall no be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$359.10. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of the 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 any 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
Infrastructure Services Division

JJM:lja
May 16, 2003

compdocs/resolutions/Riverwest Jam LLC 4-25-03