



Legislation Text

File #: 021440, **Version:** 1

021440
SUBSTITUTE 1
871208
THE CHAIR

Substitute resolution granting a special privilege to St. Joseph's Regional Medical Center, Inc. that grants permission to construct and maintain an exterior elevator tower, elevator, ramp, stairs and excess door swing leading to the upper floors of the parking structure at 3001 North 51st Street, as well as to keep and maintain the existing tree grates and pedestrian-scale lights with electrical conduits located on North 51st Street, between West Burleigh and West Chambers Streets, in the 7th Aldermanic District in the City of Milwaukee.

This resolution grants a special privilege to St. Joseph's Regional Medical Center, Inc. to construct and maintain an exterior elevator tower, elevator, ramp, stairs and excess door swing leading to the upper floors of the parking structure at 3001 North 51st Street. It also continues to allow the previously permitted tree grates and pedestrian-scale lights with conduits in the same block of North 51st Street to remain.

Whereas, St. Joseph's Regional Medical Center, (ST. JOE'S) at 5000 West Chambers Street, is renovating some portions of the existing hospital to create a new hospital lobby and constructing a new section to be known as the Women's and Infants Center (WIC) and as a part of the latter area, there is to be a new 2-story pedestrian bridge over North 51st Street that will connect the existing parking structure located on the west side of North 51st Street, to the 2nd and 3rd floors of the WIC; and

Whereas, There is also proposed to be an elevator tower located on the west side of North 51st Street abutting the parking structure that will give access from all levels of the parking structure to the bridge as well as the public sidewalk level; and

Whereas, A portion of the elevator tower is proposed to be located in the public right-of-way as well as a ramp, stairs and excess door swing; and

Whereas, Permission was previously granted to allow private tree grates and pedestrian-scale lights with electrical conduits in this block of North 51st Street as a part of earlier street beautification and they wish for them to remain; and

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

Resolved, That Common Council Resolution File Number 871208 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that St. Joseph's Regional Medical Center, Inc., 5000 West Chambers Street, Milwaukee, WI 53210, is hereby granted the following special privileges:

1. To construct, maintain and use an exterior elevator, which includes the shaft enclosure tower, approximately 16 feet 4 ½ inches in length and 12 feet 4 inches in width located on the west side of North 51st Street, adjacent

to the property known as 3001 North 51st Street. Said enclosure shall be constructed of glass, drywall and steel and shall encroach approximately 6 feet 3 inches into the 16-foot wide fully concrete paved sidewalk area and the elevator shall rise four stories above the sidewalk. The enclosure shall begin approximately 42 feet 11 ½ inches north of the northline of West Chambers Street and extend north.

2. To construct, use and maintain an approximate 10-foot 5 1/2-inch long and 5-foot wide concrete ramp with metal handrail to be located on the west side of North 51st Street adjacent to the property known as 3001 North 51st Street. Said concrete ramp shall begin at a point approximately 10 feet north of the northline of West Chambers Street and encroach approximately 5 feet into the public sidewalk area.

3. To construct, use and maintain a stairs with an enclosure partially located within the public right-of-way on the west side of North 51st Street adjacent to the property at 3001 North 51st Street. The stairs and enclosure rise four stories above the sidewalk, are constructed of metal and glass and encroach approximately 6 feet into the 16-foot wide fully concrete paved sidewalk area. The stairs begin approximately 5 feet north of the northline of West Chambers Street and extend north approximately 16 feet 0 ½ inches.

4. To install, use and maintain an excess door swing encroachment at the building known as 3001 North 51st Street that, when fully open, projects into the public right-of-way in excess of the 12-inch maximum distance permissible under Section 245-4-8 of the Milwaukee Code of Ordinances. The doorway is centered approximately 2 feet 6 inches north of the northline of West Chambers Street and its maximum encroachment is approximately 3 feet into the 16-foot wide sidewalk area.

5. To keep and maintain 6, 5-foot diameter tree grates in the public right-of-way located in the 16-foot wide west sidewalk area of North 51st Street centered approximately 11.5 feet east of the westline of North 51st Street and at distances of approximately 58, 104, 443, 471, 495 and 521 feet south of the southline of West Burleigh Street.

Said tree grates shall be used and maintained to the approval of the Commissioners of Public Works and Neighborhood Services. The grantee shall obtain approval of the Commissioner of Public Works with regard to the type of the tree grates. Permits shall have been obtained prior to placement of the tree grates in the public right-of-way.

6. To keep and maintain 3, 5-foot diameter tree grates in the public right-of-way located in the 16-foot wide east sidewalk area of North 51st Street centered approximately 11.5 feet west of the eastline of North 51st Street and at distances of approximately 87, 163, and 487 feet south of the southline of West Burleigh Street.

Said tree grates shall be used and maintained to the approval of the Commissioners of Public Works and Neighborhood Services. The grantee shall obtain approval of the Commissioner of Public Works with regard to the type of the tree grates. Permits shall have been obtained prior to placement of the tree grates in the public right-of-way.

7. To keep, use and maintain 8, 9-foot high pedestrian-scale lights in the public right-of-way located in the 16-foot wide west sidewalk area of North 51st Street centered approximately 8 feet east of the westline of North 51st Street and at distances of approximately 213, 245, 276, 308, 343, 372, 395 and 416 feet south of the southline of West Burleigh Street.

8. To keep, use and maintain 9, 9-foot high pedestrian-scale lights in the public right-of-way located in the 16-foot wide east sidewalk area of North 51st Street centered approximately 8 feet west of the eastline of North 51st

Street and at distances of approximately 213, 245, 267, 287, 308, 343, 372, 395 and 416 feet south of the southline of West Burleigh Street.

9. To keep, use and maintain the underground conduits for the electrical wiring for the lights in items 7 and 8 above.

All necessary permits shall be procured from the Departments of Public Works and City Development prior to construction and, upon completion, an "as-built" plan shall be provided to the City Engineer in a timely manner

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, St. Joseph's Regional Medical Center, Inc., 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 \$10,000.00 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 \$250,000 covering bodily injury to any one person and \$500,000 covering bodily injury to more than one person in any one accident and \$100,000 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 not 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 \$1,188.11. 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 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 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:cjt
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