



Legislation Text

File #: 980978, Version: 1

980978
SUBSTITUTE
961625
THE CHAIR

Substitute resolution amending a special privilege granted to Corcoran Limited Partnership to place and maintain a covered walk and to keep and maintain a ramp/platform/stairs, a service door, a canopy and a loading area in the public right-of-way abutting the premises at 120-26 North Jefferson Street, to now change the name of the grantee of the special privilege to Corcoran Place, LLC, in the 4th Aldermanic District in the City of Milwaukee.

- Analysis -

This special privilege changes the name of the grantee of a special privilege granting permission to keep and maintain a covered walk, a ramp/platform/stairs, a service door, a canopy over the sidewalk area and a loading area all encroaching into the public right-of-way on the south side of East Corcoran Avenue, abutting the premises at 120-26 North Jefferson Street.

Whereas, Corcoran Limited Partnership was granted a special privilege to install and maintain a covered walk and to use and maintain a platform with ramp and stairs, a service door swinging out over the platform, a canopy over the sidewalk area and a loading area all on the south side of East Corcoran Avenue adjacent to the premises at 120-26 North Jefferson Street; and

Whereas, The current owner of the property is Corcoran Place, LLC and should now be named as grantee of the special privilege; and

Whereas, Said encroachments may only legally occupy the public way by the granting of a special privilege; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 961625 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Corcoran Place, LLC, 126 North Jefferson Street, Milwaukee, WI 53202-6105, is hereby granted the following special privileges:

1. To keep, use and maintain a covered walk at the northwest corner of the building at 120-26 North Jefferson Street. Said covered walk, 14 feet in width, is centered approximately 13 feet east of the eastline of North Jefferson Street, and encroaches approximately 10 feet into the 15-foot wide sidewalk area on the south side of East Corcoran Avenue. The covered walk is supported by the building at one end and by 1 vertical support at approximately 3 feet inside of each corner of the covered walk parallel the curb face. The minimum vertical clearance between the skirt of the covered walk and the sidewalk below shall be 8 feet.

Said covered walk shall generally be constructed in accordance with the policies set forth in Common Council Resolution File Number 62-1211-a, adopted July 24, 1962. The covered walk frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot applied in any direction. No guy wires, brackets or diagonal braces shall be permitted lower than 7 feet above the sidewalk level. The covering shall be of any approved material.

All fixtures and materials for illumination of covered walks shall be indicated upon the construction plans and approved prior to installation. No sign or advertising device shall be hung from, attached to, printed or painted on any part of the covered walk. The business may be indicated only on the vertical portion of the covering and shall not exceed 12 inches in height.

Prior to installation, the grantee shall apply for and obtain "Loading Zone" or "No Parking Zone" status adjacent to the proposed covered walk location and maintain this status as long as the covered walk occupies the public way.

2. To keep, use and maintain an existing platform with ramp and stairs in the 15-foot wide public way on the south side of East Corcoran Avenue adjacent to the premises known as 120-26 North Jefferson Street. Said platform/ramp/stairs encroach approximately 9 feet, beginning approximately 7 feet east of the eastline of North Jefferson Street and extend east approximately 33 feet.

3. To keep, use and maintain an existing service door which, when fully open, swings approximately 3.0 feet over the platform in Item No. 2 above and into the 15-foot wide sidewalk area located on the south side of East Corcoran Avenue located approximately 16 feet east of the eastline of North Jefferson Street.

4. To keep, use and maintain an existing canopy over the sidewalk area, which extends from the north face of the building approximately 14 feet into the 15-foot wide stairway area on the south side of East Corcoran Avenue. Said canopy begins approximately 36 feet east of the

eastline of North Jefferson Street and extends east approximately 90 feet. The bottom of said canopy is approximately 15 feet above the sidewalk below.

5. To use and maintain an existing loading area in the 15-foot wide sidewalk area on the south side of East Corcoran Avenue adjacent to the premises known as 120-26 North Jefferson Street. Said area is located adjacent to an overhead door 15 feet in width, which is centered approximately 115 feet east of the eastline of North Jefferson Street. Said door is the easternmost door of three and shall be the only door used for loading/unloading purposes. Vehicles occupying said area and extending over and across the 15-foot wide sidewalk area and portions of the roadway shall park in such a manner that they shall provide at least one lane for through traffic at all times, unless otherwise restricted.

All of the items indicated above shall be constructed, used and maintained to the satisfaction of the Departments of Public Works and Neighborhood Services and all necessary permits shall be obtained from the Departments of Public Works and Building Inspection.

Prior to installation of the covered walk, permits were to have been obtained from the Commissioner of Building Inspection for the structure itself and from the Commissioner of Public Works for excavation and to occupy the right-of-way during construction; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Corcoran Place, 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 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 \$526.71. 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 66.045 of the Wisconsin Statutes (1979), 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 Building Inspection shall have the authority to seek, by resolution, revocation of said special privilege.

Infrastructure Services Division

JJM:cjt

February 8, 1999

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