



Legislation Text

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SUBSTITUTE

THE CHAIR

Substitute resolution granting permission to Milwaukee County to construct an addition to the Milwaukee Public Museum to contain the new Butterfly Vivarium, located at 800 West Wells Street, which will result in a new roof eave to the addition and light shelf projecting into the public right-of-way on West Wells Street that by their material and/or projection do not comply with the provisions of Section 245-4 of the Milwaukee Building Code, in the 4th Aldermanic District of the City of Milwaukee.

- Analysis -

This resolution grants authority to the Commissioners of the Departments of Public Works and City Development/Neighborhood Services to issue the necessary permits for that portion of the addition to the Milwaukee Public Museum to contain the new Butterfly Vivarium, located at 800 West Wells Street, which will result in a new roof eave to the addition and a light shelf on West Wells Street projecting into the public right-of-way that by their material and/or projection do not comply with the provisions of Section 245-4 of the Milwaukee Building Code. This light shelf is similar to one recently adopted by the Common Council for the City's 809 Building exterior remodeling for the Development Center and seems to be gaining in popularity for use in meeting state lighting and energy codes.

Whereas, An addition to the Milwaukee Public Museum, located at 800 West Wells Street, to contain the new Butterfly Vivarium has been proposed; and

Whereas, The plans indicate both a roof eave projection and a light shelf to encroach into the public right-of-way of West Wells Street but not complying with the provisions of Section 245-4 of the Milwaukee Code of Ordinances; and

Whereas, Although the project's designers have indicated that both the roof eave projection and the light shelf are not required, they are highly advantageous for sun control and in turn energy conservation, they both block direct sunlight from entering the butterfly exhibit, thereby reducing glare and the cooling load; and in addition, the light shelf reflects daylight upon the Vivarium's plaster ceiling, creating a more evenly lit exhibit and in turn reducing the need for artificial light; and

Whereas, These items may only be permitted to occupy the public right-of-way, as proposed, by permission of the Common Council of the City of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioners of the Departments of Public Works and City Development/Neighborhood Services are hereby authorized and directed to issue the respective permits to Milwaukee County for construction, installation and maintenance of the following described facilities.

1. To construct and maintain a main roof eave that projects from approximately 4 feet 8 inches to 5 feet 2 inches into the 12-foot wide fully concrete paved north sidewalk area of West Wells Street being in excess of the allowable amount of 3 feet, and providing approximately 24 to 27 feet of vertical clearance above sidewalk grade (14 feet necessary by Code). The roof is to be approximately 120 feet in length with its east limit being approximately 266 feet west of the westline of North James Lovell Street.

2. To construct/install and maintain a light shelf that projects from approximately 3 feet 10 inches to 4 feet 8 inches into the 12-foot wide fully concrete paved north sidewalk area of West Wells Street providing from approximately 13.5 to 16.5 feet of vertical clearance above sidewalk grade. The shelf is to be approximately 114 feet in length with its east limit being approximately 269 feet west of the westline of North James Lovell Street,

and, be it

Further Resolved, That this permission is granted only on conditions that Milwaukee County shall:

1. Hold the City of Milwaukee or its agents harmless and accept full responsibility for any and all liability that may arise through implementation of the permission granted herein.
2. Obtain the necessary City permits for this construction prior to construction.
3. Maintain the permitted items in a condition satisfactory to the Commissioners of Public Works and Neighborhood Services.

4. Whenever the above-mentioned items are no longer needed or when so ordered for public necessity, not only remove the items 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 permissive resolution. Such grantee shall not be entitled to any damages for such removal.

Infrastructure Services Division

JJM:cjt

October 1, 1999

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