



Legislation Text

File #: 131306, Version: 1

131306

SUBSTITUTE 1

Substitute resolution granting a special privilege to Advanced Childcare LLC to construct and maintain several sets of steps, raised planters and a retaining wall in the public right-of-way for the premises at 2335-2339 West Greenfield Avenue, in the 8th Aldermanic District.

This resolution grants a special privilege to Advanced Childcare LLC to construct and maintain several sets of steps, raised planters and a retaining wall in the public right-of-way for the premises at 2335-2339 West Greenfield Avenue. Whereas, The applicant is requesting permission to construct and maintain several sets of concrete steps, a concrete block retaining wall, and several raised stationary planter beds in the public right-of-way; and

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

Resolved, By the Common Council of the City of Milwaukee that Advanced Childcare LLC, c/o Chrepohu Yachrechohn, 7437 West Waterford Avenue, Milwaukee, Wisconsin 53220 is hereby granted the following special privileges:

1. To construct and maintain a 1-foot 4-inch tall concrete block retaining wall projecting 1 foot 10 inches into the south, 12-foot wide sidewalk area of West Greenfield Avenue. Said 1-foot 1-inch wide retaining wall commences at a point approximately 24 feet east of the eastline of South 24th Street and extends east 36 feet 6 inches.
2. To construct and maintain a set of concrete steps with platform and handrails projecting 1 foot 10 inches into the south, 12-foot wide sidewalk area of West Greenfield Avenue. Said steps and platform commence at a point approximately 14 feet east of the eastline of South 24th Street and extend east 7 feet 11 inches. The platform is 2 feet 3 inches tall.
3. To construct and maintain a stationary raised planter projecting 2 feet into the south, 12-foot wide sidewalk area of West Greenfield Avenue. Said planter is surrounded by a 1-foot 1-inch wide concrete block retaining wall that is 1 foot 3 inches tall. The 3-foot 10-inch long planter is centered approximately 19 feet east of the eastline of South 24th Street.
4. To construct and maintain a set of concrete steps with platform and handrails projecting 2 feet 8 inches into the 12-foot wide south sidewalk area of West Greenfield Avenue. Said 4-foot 1-inch wide steps and platform are centered approximately 8 feet east of the eastline of South 24th Street.
5. To construct and maintain a circular raised planter that projects 1 foot 6 inches into the south, 12-foot wide sidewalk area of West Greenfield Avenue and 1 foot 8 inches into the east, 16-foot wide sidewalk area of South 24th Street. The planter is surrounded by a 1-foot 1-inch wide concrete block wall that is 7 feet 4 inches long.
6. To construct and maintain three sets of concrete steps with platforms and handrails in the east, 16-foot wide sidewalk area of South 24th Street. Said sets of steps are centered approximately 4, 35, and 66 feet south of the southline of West Greenfield Avenue; are 4 feet 3 inches, 4 feet 3 inches, and 4 feet 4 inches long; and project into the public way 2 feet 3 inches, 2 feet 5 inches, and 2 feet 6 inches, respectively.
7. To construct and maintain three raised planter areas that are each surrounded by a 1-foot 1-inch wide concrete block wall projecting into the east, 16-foot wide sidewalk area of South 24th Street. Said planters are commence at points approximately 18, 38, 68 feet south of the southline of West Greenfield Avenue and extend south 12 feet 7 inches, 26 feet

7 inches, and 13 feet 7 inches, respectively. All of said planters project 3 feet 9 inches into the public way.

Said items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

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, Advanced Childcare 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 Commissioner of Public Works 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. The insurance policy shall provide that it shall not be cancelled until after at least thirty days' notice in writing to the Commissioner of Public Works.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$137.15. 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 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 Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Department of Public Works

Administration Division

MICHAEL LOUGHRAN/DAWN SCHMIDT/C. MURPHY

July 14, 2015