



## Legislation Text

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**File #: 160064, Version: 1**

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160064  
SUBSTITUTE 1  
Ald. Bauman

Substitute resolution granting a special privilege to Chicago Street Holdings LLC to install and maintain stationary planters, bollards, and a storm enclosure in the public right-of-way for the premises at 310 East Chicago Street, in the 4<sup>th</sup> Aldermanic District.

This resolution grants a special privilege to Chicago Street Holdings LLC to install and maintain five stationary planters, three bollards, and one storm enclosure in the public right-of-way for the premises at 310 East Chicago Street.

Whereas, Chicago Street Holdings LLC, the applicant, is requesting permission to install and maintain five stationary planters and three bollards in the public right-of-way; and

Whereas, A site visit revealed the presence of a storm enclosure 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 Chicago Street Holdings LLC, 310 East Chicago Street, Milwaukee, Wisconsin 53202 is hereby granted the following special privileges:

1. To install and maintain three, 4-foot 6-inch long stationary planters projecting into the east, 20-foot wide sidewalk area of North Broadway. From north to south, the planters project 1 foot 11 inches, 2 feet 5 inches, and 2 feet 7 inches and are centered approximately 135, 70, and 15 feet north of the north line of East Chicago Street, respectively. All of said planters are 2 feet 6 inches tall and are surrounded by a 3 inch thick wall. Total planter wall length for all three planters is 25 feet 10 inches.
2. To install and maintain two, 5-foot 6-inch long stationary planters projecting 2 feet 8 inches into the north, 15-foot wide sidewalk area of East Chicago Street. Said planters are on the east and west edges of the main building entrance, which is centered approximately 50 feet east of the east line of North Broadway. The 2-foot 6-inch tall planters are surrounded by a wall that is 3 inches wide and has a total length of 20 feet 10 inches.
3. To install and maintain three, 24-inch diameter spherical bollards in the north, 15-foot wide sidewalk area of East Chicago Street. Said bollards are centered approximately 10 feet 6 inches south of the north line of East Chicago Street and are positioned about the main building entrance, which is centered approximately 50 feet east of the east line of North Broadway.
4. To install and maintain a storm enclosure that projects 4 feet 3 inches into the north, 15-foot wide sidewalk area of East Chicago Street. The storm 6-foot long storm enclosure is located to the west of the main building entrance, which is centered approximately 50 feet east of the east line of North Broadway.

Said items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

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, Chicago Street Holdings 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 \$306.88. 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 1<sup>st</sup> 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

JERREL KRUSCHKE/DAWN SCHMIDT

May 12, 2020

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