



Request for City Council Committee Action From the Department of Public Works

Date: November 29, 2011

To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

Subject: **Nicollet Avenue (Lake Street to 40th Street) Reconstruction and Street Lighting Project No 6713: Areaway Abandonment Public Hearing**

Recommendation:

- a. Passage of a Resolution ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that are in conflict with the Nicollet Ave Reconstruction Project.

This Resolution may be authorized for summary publication.

Previous Directives:

- September 2, 2011- Nicollet Avenue (Lake St to 40th St) Approved Layout, Authorized Public Works to negotiate to acquire easements and additional right of way if needed, and Set the public hearing for areaway abandonment

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Approved by:

Steven A. Kotke, P.E., City Engineer, Director of Public Works

Presenters: Don Elwood, P.E., Director, Transportation Planning and Engineering
Beverly Jo Warmka, P.E., Project Engineer

Reviews Not Applicable

Financial Impact

Special Assessments against benefited properties

Community Impact

Neighborhood Notification: Public hearing notices to be mailed prior to public hearing

City Goals: A SAFE PLACE TO CALL HOME: the city's infrastructure will be well-maintained, people will feel safe in the city.

Comprehensive Plan: Not Applicable

Zoning Code: Not Applicable

Background/Supporting Information

Project and Scope

Nicollet Avenue is Municipal State Aid route (MSA 430) and is classified as a community corridor in Access Minneapolis. Nicollet Avenue carries two-way traffic and allows for parking on both sides. Approximately 1.25 miles of Nicollet Ave from Lake Street to 40th Street is proposed for reconstruction. The roadway was constructed in 1954 with a mill and overlay occurring in 1977. There has also been a continuous maintenance effort needed along the roadway. This project is included in the City's 2012 and 2013 Capital Improvement Program (CIP).

The proposed reconstructed Nicollet Ave will carry 2-way motorized traffic and have parking on both sides. The reconstructed street width is generally 44 feet. The roadway will widen between Lake Street and 31st St as well as around the intersections with 36th St and 38th St to accommodate current or future turn lanes. The reconstruction project includes new asphalt roadway surface, concrete curb and gutter, sidewalks, turf boulevards and trees. The existing street width is generally 50 feet. The reduction in width results in less impervious pavement and allows for wider green space. The boulevards provide space for tree planting, streetscape amenities, light poles, and signs out of the pedestrian sidewalk area.

During the planning and design phase of this project, public works has attempted to address potential areaways. Letters were sent to property owners along the project area in July 2011 and again in November 2011 requesting that the property owners notify the City regarding the presence of areaways and to provide a schedule to abandon or modify an areaway if it conflicts with the street reconstruction project.

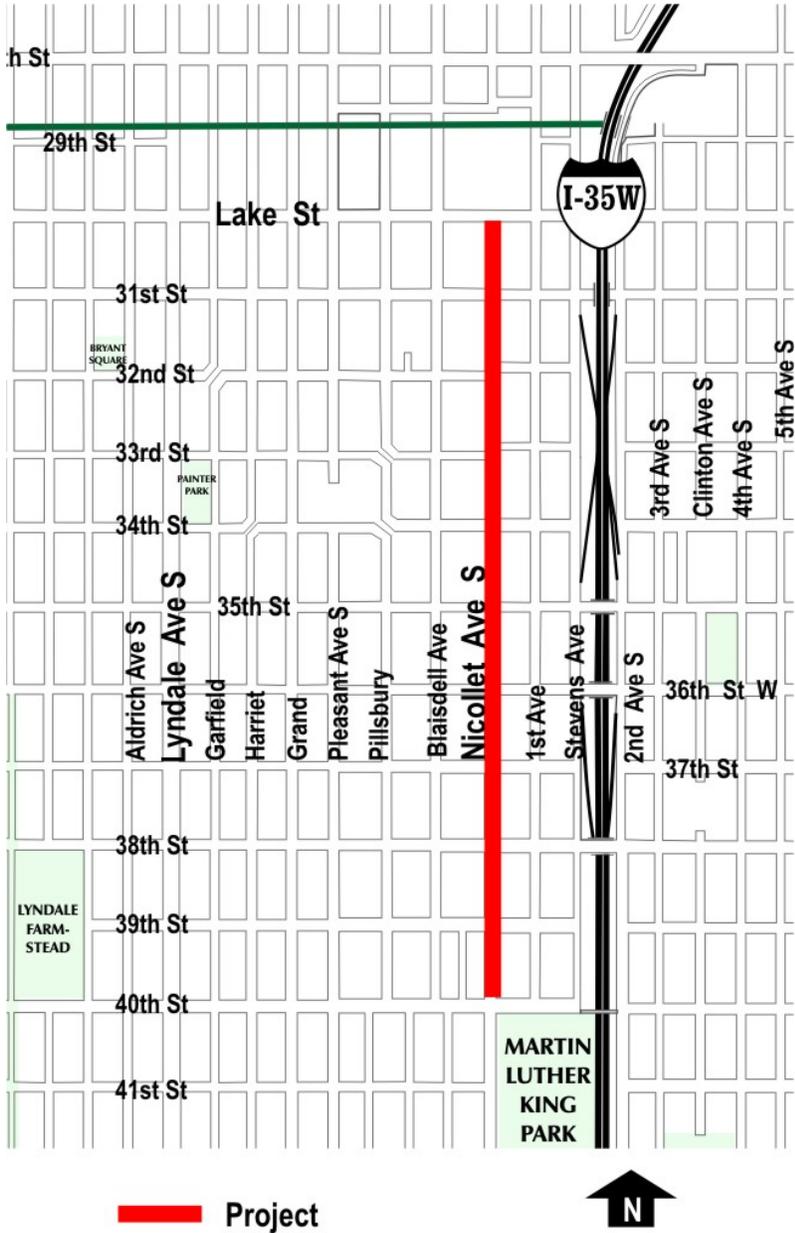
Abandonment and Removal of Conflicting Areaways

Section 95.90 of the Minneapolis Code of Ordinances provides a procedure for dealing with areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street reconstruction. Before the City may abandon and remove conflicting areaways (upon the failure of the abutting property owner to resolve or agree to resolve the conflict) and then later assess the costs, a public hearing must be held. Prior to the areaway public hearing notices being given, the City Engineer has provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

Attachments: *Project Map*

Cc: Council Member Elizabeth Glidden, Ward 8
Council Member Meg Tuthill, Ward 10
Jack Qvale, Secretary, Board of Estimation and Taxation
Craig Troutman, Finance

Nicollet Ave Reconstruction Project Map



T&PW - Your Committee recommends passage and summary publication of the accompanying Resolution:

Ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that are in conflict with the paving project, for the Nicollet Ave (Lake St to 40th St) Reconstruction Project, Special Improvement of Existing Street No. 6713.

Colvin Roy

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction in the Nicollet Avenue area.

Whereas, the City of Minneapolis has scheduled the street reconstruction improvements starting in 2012 in the Nicollet Avenue (Lake St to 40th St) area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said reconstruction; and

Whereas, a public hearing was held on November 29, 2011 in accordance with Chapter 10, Section 8 of the Minneapolis Code of ordinance to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street r/w adjoining the properties along Nicollet Ave (both sides) from Lake St to 40th St.