



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

Date: July 21, 2009
To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee
Subject: **Areaway Abandonment & Removal in Alley between Hennepin Ave S & Holmes Ave S, Project No 4459 – Public Hearing**

Recommendation:

1. 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 Storm Sewer Construction/Rainleader Disconnect Project No. 4459.

This Resolution may be authorized for summary publication.

Previous Directives:

- Resolution 2007-644 adopting the Five Year Capital Budget including the Inflow & Infiltration Removal Program
- Set Public Hearing -Transportation & Public Works Committee June 16, 2009

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Lisa K. Cerney, P.E. Director, Surface Water & Sewers

Approved by:

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

Presenters: Kelly E. MacIntyre, Project Engineer
Suzette R. Hjermsstad, Public Works, Special Assessments Dept., 673-2401

Reviews

Permanent Review Committee (PRC)	Approval _____	Not applicable	<u> X </u>
Civil Rights Review	Approval _____	Not applicable	<u> X </u>
Policy review Group (PRG)	Approval _____	Not applicable	<u> X </u>

Financial Impact

Special assessment to benefited properties

Community Impact

Neighborhood Notification: Public hearing notice sent out 2 weeks prior to public hearing.

Neighborhood Meetings: Not Applicable

City Goals: Maintain the physical infrastructure to ensure a healthy, vital and safe City

Comprehensive Plan: Consistent

Zoning Code: Not Applicable

Background/Supporting Information:

Rainleader Disconnect Project No. 4459 is part of a program that removes Inflow & Infiltration from the sanitary sewer system, thus eliminating excess flow in the sanitary sewer system that contributes to combined sewer overflows to the Mississippi River. This project will provide a storm drain connection point for private properties along this alley. The project also includes storm drain construction and full width restoration of the alley between Hennepin & Holmes Ave S and W Lake St & W 31st St.

An areaway in conflict with the project was identified at 3022 Hennepin Ave during the restoration of the alley. The costs of abandoning the areaway will be assessed to this address.

The next steps for this project are to consult with a structural engineer, provide a plan and cost estimate, bid the work, complete construction work, and assess the actual costs to the property owner.

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 construction, streetscape or street lighting projects. Before the City may abandon and remove conflicting areaways (upon 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. In an effort to minimize delays and potential delay related costs to the project that conflicting areaways may pose, notices were given by the City Engineer that provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances. Public Hearing notices were mailed to property owners/managers 2 weeks prior to this public hearing.

Cc: Council Member Ralph Remington, Ward 10

Attachment 1 Project Location Map

