



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

Date: March 19, 2002  
To: Transportation and Public Works Committee  
Referral to: None

**Subject:** Skyway Removal across 5<sup>th</sup> Street between Nicollet Mall and Marquette Avenues to Permit LRT Station Construction

**Recommendation:** Revoke Encroachment Permit No. 56020 (skyway) and order the removal of the skyway across 5<sup>th</sup> Street between Nicollet Mall and Marquette Avenue. Direct the City Engineer to order skyway removal in accordance with the Code of Ordinances Section 95.20.

**Previous Directives:** Issuance of Encroachment Permit No. 506020, July 30, 1976

Prepared or Submitted by: Heidi Hamilton, P.E. \_\_\_\_\_  
Engineer III - LRT Project, 673-3439

Approved: David J. Sonnenberg, P.E.  
City Engineer, Director of Public Works

Presenters in Committee: Heidi Hamilton

<p><b>Financial Impact</b> (Check those that apply)</p> <p><input checked="" type="checkbox"/> No financial impact - or - Action is within current department budget. (If checked, go directly to Background/Supporting Information)</p> <p><input type="checkbox"/> Action requires an appropriation increase to the Capital Budget</p> <p><input type="checkbox"/> Action requires an appropriation increase to the Operating Budget</p> <p><input type="checkbox"/> Action provides increased revenue for appropriation increase</p> <p><input type="checkbox"/> Action requires use of contingency or reserves</p> <p><input type="checkbox"/> Other financial impact (Explain):</p> <p><input type="checkbox"/> Request provided to the Budget Office when provided to the Committee</p> <p>Coordinator</p>
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**Background/Supporting Information**

Minneapolis Code of Ordinances Chapter 95.20 authorizes the City to order the removal of any encroachment into the public right-of-way at the sole expense of the property owner, including those that were issued an encroachment permit. The information regarding revocation of an encroachment permit is incorporated into the permit language. The permit holder acknowledges this when they sign the terms and conditions of the permit.

Encroachment Permit Number 56020 permits the skyway across 5<sup>th</sup> Street between Nicollet Mall and Marquette Avenue. This skyway previously connected Gaviidae Common and the

old Powers building. Upon demolition of the Powers building the City allowed the skyway to remain in place.

The Nicollet Mall LRT station will be constructed on 5<sup>th</sup> Street between Marquette Avenue and Nicollet Mall. MCDA has been working with Opus Corporation on the development plans for the block north of this LRT station. While the existing skyway may or may not be suitable for inclusion in future private development, it does conflict with construction of the LRT station. It has also been determined that this skyway does not have the capacity for future vertical circulation off the LRT platform planned for this station. Leaving this skyway in place would preclude such future vertical circulation and, from a timing standpoint, the existing skyway should be removed before construction of the Nicollet Mall LRT station begins. Removal of the skyway after station construction will be much more difficult and costly, could potentially damage the station, and would cause disruption to LRT service. Construction of the LRT station is expected to begin in June 2002. Because of the benefits of removing the skyway now rather than after the LRT improvements are in place, it is recommended that the skyway be removed prior to the start of LRT station construction.

City staff notified Opus Corporation in August 2001 of our intent to recommend removal of the skyway. Staff did not immediately pursue City Council Action because of our desire to permit Opus to negotiate the terms of the skyway removal per their private skyway agreement without involvement from the City. In order to ensure removal of the skyway prior to construction of the Nicollet Mall LRT Station, City Council action is needed at this time.

cc: Council Member Goodman  
Robert Morgan  
Dennis Morris  
George Kissinger, MCDA  
Vicki Barron, Hiawatha Project Office  
Dave Menke, Opus Corporation  
Tom Clairmont, Brookfield Properties  
Tanya Hemphill, CB Richard Ellis

T&PW – Your Committee recommends that Encroachment Permit No. 56020 relating to the skyway over 5<sup>th</sup> Street between Marquette Avenue and Nicollet Mall be revoked and the City Engineer be directed to order their removal in accordance with the Code of Ordinance Section 95.20.