



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

**Date:** July 26, 2011

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

**Subject:** **33<sup>rd</sup> Ave SE Reconstruction - Authorization to Acquire Easements/Right-of-Way, and Resolution to Proceed with Formal Variance Request from MSA**

**Recommendation:**

- a. Authorize Public Works to negotiate with private property owners to acquire permanent sidewalk easements and additional right of way if needed.
- b. Adopt a resolution directing the City Engineer to proceed with a formal request for a variance from Minnesota State Aid (MSA) for the vertical alignment on 33<sup>rd</sup> Ave SE.

**Previous Directives:**

January 14, 2011 Layout approval

**Prepared by:** Beverly Jo Warmka, P.E. Transportation Planning and Engineering 673-3762  
Don Elwood, P.E. Transportation Planning and Engineering 673-3622

**Approved by:**

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

**Presenters:** Beverly Jo Warmka, Project Engineer, Transportation, Planning and Engineering.

**Reviews**

Permanent Review Committee (PRC):	Approval	<b>NA</b>	Date
Civil Rights Affirmative Action Plan	Approval	<b>NA</b>	Date
Policy Review Group (PRG):	Approval	<b>NA</b>	Date

**Financial Impact**

No financial impact

**Community Impact**

Neighborhood Notification: Not Applicable

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**

The proposed quarter mile long project will reconstruct 33<sup>rd</sup> Avenue Southeast between Como Avenue Southeast and East Hennepin Avenue. 33<sup>rd</sup> Avenue Southeast carries two-way low volume truck traffic, serving an industrial area. This truck traffic has taken its toll on this Municipal State Aid roadway (MSA 444). The project will be constructed in 2013. The existing roadway is an unpaved oil-dirt surface with little to no existing curb or gutter to aid drainage and requires considerable maintenance. The project will consist of paving with concrete, base, curb, gutter, signage and striping, drives, sidewalks, and some boulevards.

### Authorize Public Works to obtain right-of-way or easements

Staff is requesting authorization to allow Public Works to negotiate with private property owners to acquire permanent sidewalk easements and additional right of way if needed.

Currently, it's anticipated that there are 4 locations where permanent sidewalk easements are needed. The sidewalk easements are needed at the sidewalk intersections on both sides of 33<sup>rd</sup> Ave SE at Como Ave, the southwest corner of 33<sup>rd</sup> Ave SE and Talmage Ave SE, and the southeast corner of 33<sup>rd</sup> Ave SE and Hennepin Ave. The easements are needed in order to build proper pedestrian curb ramps.

The existing vertical curves on 33<sup>rd</sup> Ave SE will be modified to better conform to MSA Standards. Temporary construction easements will also likely be needed to match into existing grades.

### Formal Request for Variance

MSA Rule 8820.9936 requires minimum vertical curves for stopping sight distance at 30mph design speeds. The existing vertical curve alignment conditions will be improved with the project. The reason they can not be completely fixed is due to matching into the existing railroad tracks and adjacent driveways that need to remain in place.

To submit the formal request for variance to the Minnesota State Aid Operation Rules Chapter 8820, a resolution from Council is required directing the City Engineer to proceed.

Attachments: None

Cc: Council Member Kevin Reich, Ward 1

**By Colvin Roy**

**Directing the City Engineer to proceed with a variance request from State Aid Rules per Administrative Variance to State Aid Operations rules, Chapter 8820 effective October 1, 2007, to the Minnesota Commissioner of Transportation for the reconstruction of 33<sup>rd</sup> Avenue Southeast between East Hennepin Avenue and Como Avenue Southeast.**

Whereas, the City of Minneapolis wishes to reconstruct 33<sup>rd</sup> Ave SE between East Hennepin Avenue and Como Avenue Southeast; and

Whereas, Minnesota Department of Transportation State Aid Rule 8820.9936 (Design Standards, Urban; New or Reconstruction Projects) per Administrative Variance to State Aid Operation rules, Chapter 8820, effective October 1, 2007, require "*Minimum lengths of crest and sag vertical curves*"; and

Whereas, the design chart has minimum vertical curve lengths were developed from AASHTO's *A Policy on Geometric Design of Highways and Streets Manual*; and

Whereas, physical constraints, existing railroad crossing and property access limit vertical curve lengths of 33<sup>rd</sup> Avenue Southeast between East Hennepin Avenue and Como Avenue Southeast; and

Whereas, State Aid Rules provide that a political subdivision may request a variance from the Rules;

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

That the City Engineer is hereby directed to submit to the Commissioner of transportation a formal request for variance from MnDOT State Aid Rule 8820.9936 per Administrative Variance to State Aid Operations rules, Chapter 8820, effective October 1, 2007, to permit the reconstruction of 33<sup>rd</sup> Avenue Southeast from East Hennepin Avenue and Como Avenue Southeast with less than minimum vertical curve lengths as required by Rule 8820.9936.