



Legislation Text

File #: Ord. 980, **Version:** 1

City Council Meeting Date: August 2, 2016

To: Mayor and City Council
City Administrator

From: Scott Tempel, City Planner

Consideration of Ordinance Vacating Utility Easement on 1012 to 1108 Woodley Street East

Action Requested:

Staff recommends approval of the second reading of the ordinance - Vacating an Existing Utility Easement crossing five properties from 1012 to 1108 Woodley Street East.

Summary Report:

The first reading of the vacation of the utility easement was held on July 19, 2016, there were no objections from the public or utility companies with the vacation. By moving forward with the vacation it will allow for new easements to be created over the location of the public utilities, hence resolving the issue of public utilities located outside a utility easement.

Project Background

City staff has been working with a local developer on an infill development project at 1012 East Woodley Street since 2014. The developer wished to maximize development on the lot using the existing N1 residential zoning. The N1 zoning district includes multi-family dwellings as a principle permitted use, which is also in line with the Comprehensive Plan goals of encouraging infill development with a mix of housing types. Therefore, a proposal for a seven unit multi-family rental building was submitted for site plan review.

During the administrative site plan review process, it was discovered that a City of Northfield sanitary sewer line is located outside of the designated utility easement. All public utility infrastructure must be contained within a permanent easement for protection of the utilities, and for access and maintenance.

To solve the problem, the City is proposing to relocate a portion of the sewer line and water line and to relocate part of the easement on the development property. The 1012 Woodley portion of the line will be moved back into the easement as it is interfering with the construction of the apartments.

The section of sanitary sewer line crossing the condominium property from 1102 - 1108 Woodley will remain in place. The City easement will be moved and reestablished over the existing sanitary sewer line. The process is governed by Section 15.6 of the City Charter and is summarized below:

The council may by ordinance approved by at least five (5) members vacate any street, alley or other public grounds or part thereof within the city. Such vacation may be made only after published notice and an opportunity for affected property owners and public to be heard, and

upon such further terms and by such procedures as the council by ordinance may prescribe. A notice of completion of such proceedings shall be filed with the proper county offices in accordance with law.

A public notice was published in the Northfield News on July 6th, 2016. Notices were also sent to Qwest, Xcel Energy and Charter Communications. None of the private utilities will be affected by this vacation. All affected property owners within 350 feet were also notified by mail.

Financial Impacts:

Minor costs with this items in terms of publication, costs for the utility relocation are outlined with that council item.

Tentative Timelines:

The utility relocation project will be concurrent with the construction of the seven unit multi-family apartment building proposed for later this summer/fall.