



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

**Date:** September 1, 2009

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

**Subject:** **Assessment for Areaway Abandonment and Removal for properties in the West Lake Street (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29<sup>th</sup> St to W 31<sup>st</sup> St) Reconstruction Project No 6708. Set Public Hearing.**

### Recommendation:

1. Adoption of a Committee Report receiving the final costs, directing the City Engineer to prepare a proposed Areaway Abandonment and Removal Assessment and directing the City Clerk to give notice of an Assessment Public Hearing to be held on November 5, 2009 before the Transportation and Public Works Committee for the benefited properties at:
  - 821 Lake St W, PID 04-028-24-11-0045, in the amount of \$452.23;
  - 2957 Lyndale Ave S, PID 34-029-24-33-0105, in the amount of \$6,954.72.

### Previous Directives:

- March 30, 2007 Council Resolution 2007R-151 Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the paving and streetscape project in the W Lake Street (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29<sup>th</sup> St to W 31<sup>st</sup> St) area.

**Prepared by:** Jenifer Loritz, P.E., Project Manager, Transp. Planning & Engineering, 673-3625  
Suzette R. Hjermstad, Public Works Special Assessment Office, 673-2401  
Don Elwood, P.E., Director, Transportation Planning & Engineering

**Approved by:** \_\_\_\_\_  
Steven A. Kotke, P.E., City Engineer, Director of Public Works

**Presenters:** Jenifer Loritz, P.E., Project Manager, Transportation Planning & Engineering  
Suzette Hjermstad, Special Assessments Office, 673-2401

### Reviews:

Permanent Review Committee (PRC):	Not Applicable
Civil Rights Affirmative Action Plan:	Not Applicable
Policy review Group (PRG):	Not Applicable

### Financial Impact

Special assessments against benefited properties.

**Background/Supporting Information:**

On January 26, 2007, the City Council designated the location, streets and improvements proposed to be made in the W Lake Street area. A public hearing was held on March 20, 2007 that included the areaway abandonment and removal of any conflicting areaways within the W Lake Street area street reconstruction and streetscape project in accordance with Section 95.90 of the Minneapolis Code of Ordinances.

As the street reconstruction and streetscape project work proceeded in 2007 and 2008, the City contacted the property owners of 821 W Lake Street and 2957 Lyndale Ave S regarding their areaways that were in conflict with the project. On or around June 5, 2008 the project manager met onsite with a representative of 821 W Lake Street regarding the areaway conflict; during that meeting the property representative requested that the City proceed with abandoning their areaway and assessing all costs. On August 14, 2008 the project manager received an email from the property owner of 2957 Lyndale Ave S requesting that the City proceed with abandoning their areaway and assessing all costs. Both assessment amounts comprise the labor, material and equipment rental fees in addition to a 5% administrative fee for Hennepin County and a 5% administrative fee for the City of Minneapolis.

The assessment public hearing procedure is in accordance with Section 95.90 of the Minneapolis Code of Ordinances which provides the authority for the City Engineer to abandon and remove an areaway in conflict with a capital improvement project in the City's right-of-way and a public hearing for the assessment of the cost of removal to be held at a later date.

CC: Council Member Robert Lilligren, Ward 6  
Council Member Ralph Remington, Ward 10

**T&PW** – Your committee recommends adoption and summary publication of the accompanying Committee Report, receiving a final cost for areaway abandonment and removal and giving notice of an Assessment Public Hearing for the properties at:

821 Lake St W, PID 04-028-24-11-0045, in the amount of \$452.23;  
2957 Lyndale Ave S, PID 34-029-24-33-0105, in the amount of \$6,954.72.

All in conjunction with the Lake St W (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29<sup>th</sup> St to W 31<sup>st</sup> St) Street Reconstruction and Streetscape Project, Special Improvement of Existing Street No. 6708.

**T&PW** – Your Committee having received final costs for the Areaway Abandonment and Removal at the following properties:

1. 821 Lake St W, PID 04-028-24-11-0045, legally described as: the West 42 feet of Lots 11 and 12, Block 3, "Calhoun Park", Hennepin county, Minn; in the amount of \$452.23.

2. 2957 Lyndale Ave S, PID 34-029-24-33-0105, legally described as: Lot 8, Block 9, "Excelsior Addition to Minneapolis", Hennepin County, Minn; in the amount of \$6,954.72.

All in accordance with the Lake St W (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29<sup>th</sup> St to W 31<sup>st</sup> St) Street Reconstruction and Streetscape Project, Improvement of Existing Street No 6708, as ordered by Resolution 2007R-151, passed March 30, 2007, now recommends that the City Engineer be directed to prepare an Areaway Abandonment and Removal Assessment against the benefited properties.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on November 5, 2009 in accordance with Chapter 8, Sections 12 and 13, of the Minneapolis City Charter, to consider the amount proposed to be assessed to the benefited properties.