

Zimmerschied, Inc. 4400 Lyndale Avenue N, Minneapolis, MN 55412, 612-522-3331
June 20, 2006

City of Minneapolis
Public Works Department
Stormwater Appeal
350 South 5th Street
Minneapolis MN 55415-1316

Received in 203 City Hall,
office of City Engineer,
on 28-JUN-06

RE: Stormwater Tax
Address: 4400 Lyndale Avenue N and 4430 Lyndale Avenue N, Minneapolis, MN 55412
ID#: 103-0796.300 and 801-1460.300
Name: Zimmerschied, Inc.

We have previously (on 3/28/05) submitted "Utility Office Dispute Forms" concerning the excessive stormwater tax on our properties. At that time we did not know for sure which properties were being billed because we received two billings, but have five adjacent parcels. We later received separate billings for the other three properties not previously billed. We received some reduction on both properties then billed, but we consider these reductions to be inadequate because of the favorable soil conditions on the property, the slope of the lots away from the street, the drainage of roofs onto the property and away from the street or other drains rather than toward city streets or drains, all making the amount of stormwater leaving the property very minimal compared to a similar-sized property that has larger buildings and more paving. In fact, when there is a large downpour, water overflows from Lyndale Avenue onto our property. There is also the question of whether there can be enough income from the properties to sustain stormwater tax payments of this magnitude.

The property #103-0796.300, at 4400 Lyndale Avenue N all slopes away from the street where the only storm drains exist, to a low area toward the back of the property. All roofs drain to the back of the property and runoff is absorbed in the low area which is covered with trees and grass. The East edge of the property is higher than this low area so there is no runoff in that direction, and the property to the South is higher than ours so there is no runoff in that direction. There is no runoff that goes to any storm drains. I am enclosing pictures showing the low areas where runoff collects along with the sketch I sent previously of the layout and flow directions on the property. Picture 001 is the area east of the shed and is the lowest spot. Picture 004 shows the slope from Lyndale Avenue toward the back of the property. When there is a heavy rain where the street overflows the curbs, the street drains ONTO our property, not from our property to the street. Therefore the stormwater tax should be based on no more than 1 ESU. The current stormwater tax is 3450% of the previous charge and that is an unreasonable increase for a property with no runoff. The accumulated billings need to be reduced as I have suggested and all "late payment charges" cancelled.

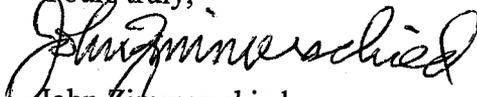
The property #801-1460.300, at 4430 Lyndale Avenue N also slopes away from the street to a low area at the back that is sand and gravel with no paving and bordered by grass. I am enclosing a picture of the driveway at the rear of that property showing the accumulation of water that collects at this lowest spot. The water sinks into the soil and does not run off to any storm drain. Only one roof section of a total of seven roof sections, drains toward the front of the building. That one roof has an area of 7700 square feet, or the equivalent of 5 ESUs. All other roof sections drain to the back of the building and the back of the property where runoff is absorbed on the property. We do not have any paved driveways, only a paved loading area, but the slope of the whole property is away from the street where the only nearby storm drains exist, and the gravel driveways slope to the back and away from the street and are themselves the lowest area at the rear of the property as shown in Picture 002. Beyond the driveway at the rear is a higher area of

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grass and trees so water does not drain over the edge of the property. The Hirshfields property to the North is higher than ours and is mostly paved so we do not drain toward them. And when the street overflows the curbs from a heavy rain, the water flows ONTO our property, not the other way around. I am enclosing a layout of this property showing the direction of slope of the roofs and the land itself which will show that there is no runoff from any of the property except one roof. The 16.37 ESUs now being charged to this property should be reduced to 5 ESUs. The current stormwater tax of \$150.11 is 7500% of the previous charge and that is also an unreasonable increase for a property with minimal runoff. The accumulated billings need to be reduced as I have suggested and all "late payment charges" cancelled.

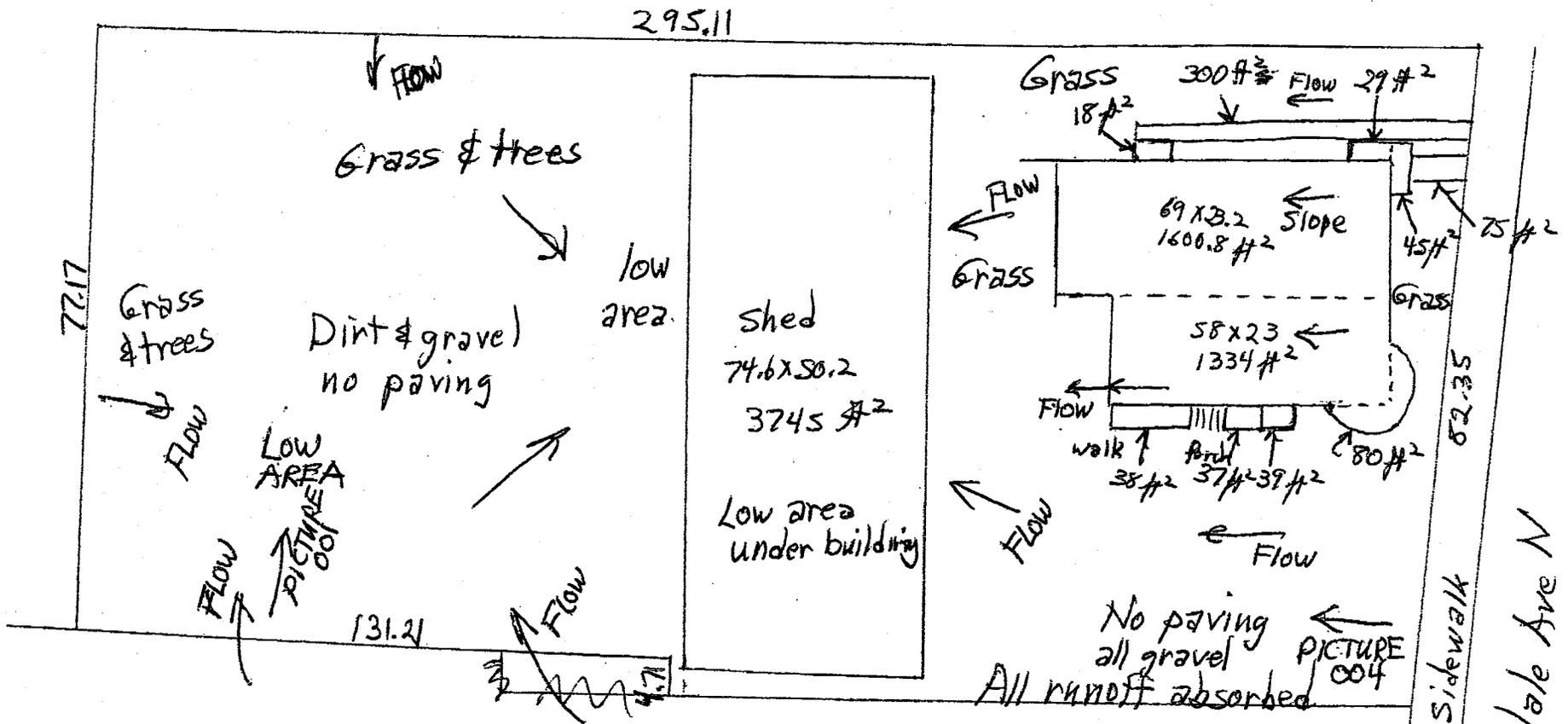
When compared to nearby properties such as Hirshfield's Paints and MacDonald's which have multi-million dollar annual incomes, we are struggling just to cover property taxes and heating with less than \$50,000 annual income for the five properties combined. Real Estate Taxes alone take \$29,000 of that amount. It cannot be justified to apply the same stormwater tax rates to low-income properties as to high-revenue properties. And it especially cannot be justified when the properties in question act as rain gardens as they already exist and have extremely minimal runoff.

Yours truly,


John Zimmerschied

Includes: 2pg pictures
2pg layout sketches

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Stormwater Tax

Impervious Areas #²

- 29
- 45
- 75
- 800
- 39
- 337
- 308
- 1600
- 1334
- 300
- 18
- 3745
- 7340

Total Lot area
23180

$\frac{317}{23180} \leftarrow$
23180 | 7340

ratio of impervious area to total

Zimmerschied, Inc
4400 Lyndale Ave N

PIN 1311821120019
Acct 103-0796.800

\leftarrow Your recent modification says 12139.25 #²

But all runoff from buildings stays on lot with no runoff.

City Sidewalk 62.35

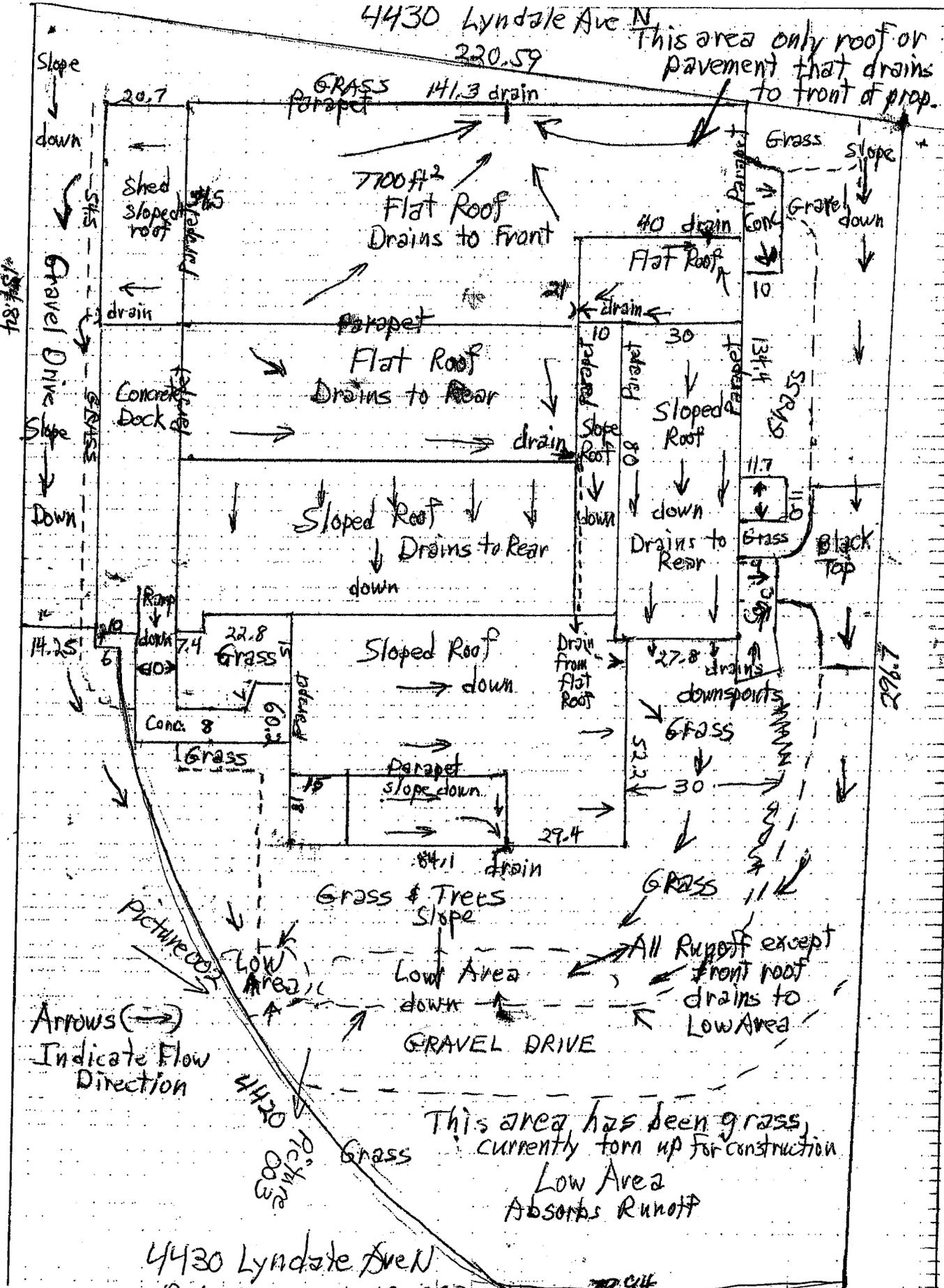
Lyndale Ave N

6-20-06
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~~Picture 004~~

4430 Lyndale Ave N

This area only roof or pavement that drains to front of prop.



4430 Lyndale Ave N
 PIN 13-118-21 12 0023
 Act: 801-460.300

6-20-06

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4400
Lyndale
Ave
N.
Property
#103-
0796
300
Both
pictures

PICTURE 001

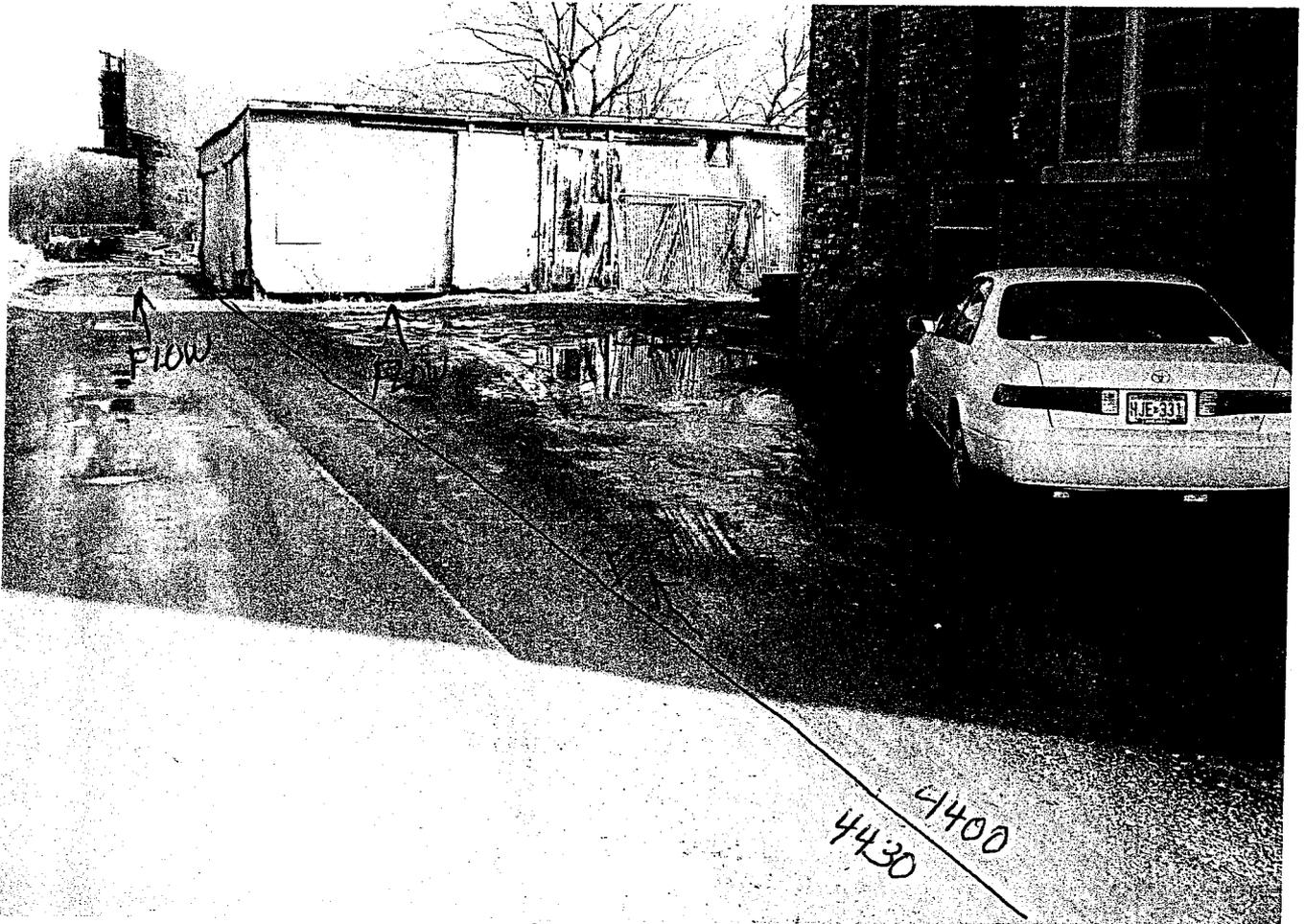


EXHIBIT 3 (page 5 of 6) PICTURE 004



4430
Lyndy
Ave
N
Propert
#801-
1460.3

Picture
003
this
area

PICTURE 002

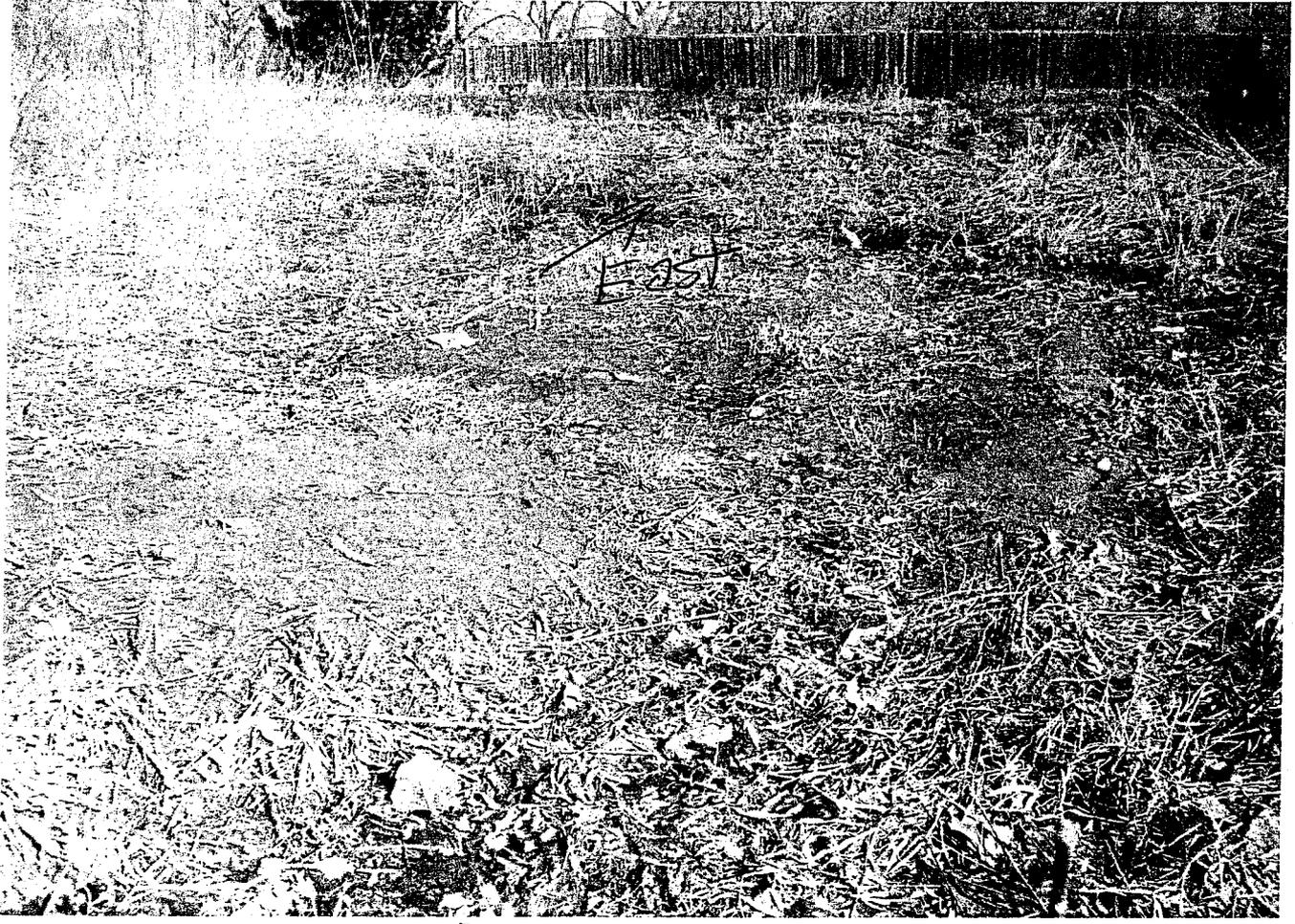


EXHIBIT 3 (page 6 of 6) PICTURE 003