



Request for City Council Committee Action from the Department of Community Planning & Economic Development

September 12, 2006

To: Council Member Lisa Goodman, Chair, Community Development Committee

Subject: Land Sale – Lot Division
Jordan NRP

Recommendation:

1. Approve the lot division of 1120 25th Avenue North.
2. Approve the sale of the south ½ of 1120 25th Avenue North for \$350 to Tomas Fernandez subject to the following conditions; a) land sale closing must occur on or before 30 days from date of approval, and b) payment of holding costs of \$150.00 per month from the date of approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval. The sale conditions may be waived or amended with the approval of the Community Planning & Economic Development (“CPED”) Director.
3. Approve the sale of the north ½ of 1120 25th Avenue North for \$350 to James L. Bromenschenkel subject to the following conditions; a) land sale closing must occur on or before 30 days from date of approval, and b) payment of holding costs of \$150.00 per month from the date of approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval. The sale conditions may be waived or amended with the approval of the CPED Director.

Previous Directives: CPED acquired 1120 25th Avenue North on May 13, 1996.

Prepared or Submitted by: Earl S. Pettiford, Senior Project Coordinator
Phone 612-673-5231

Approved by: Chuck Lutz, Deputy CPED Director _____
Elizabeth Ryan, Director, Housing Policy _____
& Development

Permanent Review Committee (PRC) Approval _____ **Not Applicable** X

Policy Review Group (PRG) Approval ___ Date of Approval ___ Not Applicable X

Presenters in Committee: Earl S. Pettiford, Senior project coordinator

Financial Impact (Check those that apply)

No financial impact (If checked, go directly to Background/Supporting Information).

Action requires an appropriation increase to the ___ Capital Budget or ___ Operating Budget.

Action provides increased revenue for appropriation increase.

Action requires use of contingency or reserves.

Business Plan: Action is within the plan. Action requires a change to plan.

Other financial impact (Explain): Eliminate property management costs.

Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact (use any categories that apply)

Ward: 5

Neighborhood Notification: Jordan Area Community Council reviewed this proposal and recommended it be approved.

City Goals: A SAFE PLACE TO CALL HOME. In five years all Minneapolis residents will have a better quality of life and access to housing and services; residents will live in a healthy environment and benefit from healthy lifestyles; the city's infrastructure will be well-maintained and people will feel safe in the city.

Comprehensive Plan: On March 11, 2005, City Council approved the waiving of the Planning Commission's review of certain real estate transactions (including sideyard dispositions) that have no relationship to the City's Comprehensive Plan.

Zoning Code: R2B

Other: N/A

Background/Supporting Information Attached

<u>PARCEL</u>	<u>ADDRESS</u>	<u>SALE PRICE</u>
JOR 94-9 & 10A	1120 25th Avenue North (south ½)	\$350
JOR 94-9 & 10B	1120 25th Avenue North (north ½)	\$350

<u>PURCHASER</u>	<u>PARCEL</u>
Tomas Fernandez 2500 Fremont Avenue North Minneapolis, MN 55411	JOR 94-9 & 10A

James L. Bromenschenkel
8557 Wyoming Avenue North
Brooklyn Park, MN 55445

JOR 94-9 & 10B

PROPOSED DEVELOPMENT:

The subject parcel is 100' x 77' or 7,700 total square feet. The south 50' x 77' or 3,850 square feet (JOR 94-9 & 10A) will be combined as sideyard to the duplex located at 2500 Fremont Avenue North that is owner-occupied by Tomas Fernandez. His lot is currently 50' x 80' or 4,000 square feet. This will create a new lot of 50' x 157' or 7,850 square feet.

The north 50' x 77' or 3,850 square feet square feet (JOR 94-9 & 10B) will be combined as sideyard to the duplex located at 2504 Fremont Avenue North that is owned but not occupied by James L. Bromenschenkel. His lot is currently 50 'x 80 'or 4,000 square feet. This will create a new lot of 50' x 157' or 7,850 square feet.

LAND DISPOSITION POLICY:

This property is a non-buildable lot as defined by City policy and is being divided and sold as sideyard.

FINANCING:

Cash

OFFERING PROCEDURE:

The sales price reflects the full re-use value of these parcels as sideyard to provide additional rear yard and parking space to the adjacent duplexes.

COMMENTS:

Tomas Fernandez proposes to initially sod and seed and use as rear yard to his duplex. James L. Bromenschenkel purposes to initially sod and seed and use as rear yard to his duplex. This proposed sale originally was forwarded to the council for its consideration in February of this year. The proposal was not approved at that time because the council required that the redevelopers agree to each construct a parking pad that could later be the foundation for double cars garages. Mr. Fernandez and Mr. Bromenschenkel have both shopped for contractors and have indicated that they will make the required improvements. Mr. Fernandez who lives with his family in the duplex at 2500 Fremont Avenue North has expressed concern over people driving over the land he would like to acquire and parking on it at odd hours. He has stated that he hopes that the sale of the land can happen soon so he can control the land that appears to be his back yard for he feels that it will give his family a greater feeling of security.

Proposed Resolution

Approving the subdivision of a lot at 1120 25th Avenue North.

Whereas, the City of Minneapolis, through its department of Community Planning & Economic Development (“CPED”) has requested that a parcel of land located at 1120 25th Avenue and legally described as:

The East 38 feet of the West 118 feet of Lots 8 and 9, Block 29, Highland Park Addition to the City of Minneapolis.

Being registered land as is evidenced by Certificate of Title No. 1142750.

And

The East 39 feet of Lots 8 and 9, Block 29, Highland Park Addition to the City of Minneapolis.

be subdivided as follows:

JOR 94-9 & 10A; 1120 25th Avenue N (South ½)

The East 77.00 feet of Lot 8, Block 29, Highland Park Addition to the City of Minneapolis.

A portion being registered land as is evidenced by Certificate of Title No. 1142750.

JOR 94-9 & 10B; 1120 25th Avenue N (North ½)

The East 77.00 feet of Lot 9, Block 29, Highland Park Addition to the City of Minneapolis.

A portion being registered land as is evidenced by Certificate of Title No. 1142750.

Whereas, CPED intends to convey the subdivided parcels listed above to the owners of the adjacent properties with the following parcels:

JOR 94-9 & 10A; 2500 Fremont Av N

The west 80.00 feet of Lot 8, Block 29, Highland Park Addition to the City of Minneapolis.

JOR 94-9 & 10B; 2504 Fremont Av N

The west 80.00 feet of Lot 9, Block 29, Highland Park Addition to the City of Minneapolis.

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on September 1, 2006, a public hearing on said subdivision and proposed sale was duly held in a meeting of the Community Development Committee of the City Council at 1:30 p.m., September 12, 2006 in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the division of the above described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Proposed Resolution

Authorizing sale of land Disposition Parcel No JOR 94-9 & 10A.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase the Disposition Parcel JOR 94-9 & 10A, in the Jordan neighborhood, from Tomas Fernandez, hereinafter known as the Purchaser, the Parcel JOR 94-9 & 10A, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description

JOR 94-9 & 10A; 1120 25th Avenue North (south 1/2)

The East 77.00 feet of Lot 8, Block 29, Highland Park Addition to the City of Minneapolis.

A portion being registered property as is evidenced by Certificate of Title No. 1142750.

Whereas, the Purchaser has offered to pay the sum of \$350, for Parcel JOR 94-9 & 10A, to the City for the land; and

Whereas, the Purchaser has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, on March 11, 2005, City Council approved the waiving of the Planning Commission's review of certain real estate transactions (including sideyard dispositions) that have no relationship to Comprehensive Plan; and

Whereas, the City has determined the offer of \$350 to purchase the Parcel to be reasonable; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the City's accepted methods in determining a re-use value for the Parcel; and

Whereas, the City's Real Estate Disposition Policy provided in Section 2.2.13 for the sale of land for sideyard; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on September 1, 2006, a public hearing on said proposal and proposed sale and the provisions thereof, was duly held on September 12, 2006, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota; and

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

That the re-use value for the JOR 94-9 & 10A is hereby estimated to be the sum of \$350.

Be It Further Resolved that the acceptance of the offer and Purchaser's proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Purchaser possesses the qualifications and financial resources necessary to acquire and maintain the Parcel in accordance with the contract for the sale of land.

Be It Further Resolved that the offer is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver the contract to the Purchaser; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Purchaser in accordance with the provisions of the executed contract and upon payment to the City of the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Proposed Resolution

Authorizing sale of land Disposition Parcel No JOR 94-9 & 10A.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase the Disposition Parcel JOR 94-9 & 10B, in the Jordan neighborhood, from James L. Bromenschenkel, hereinafter known as the Purchaser, the Parcel JOR 94-9 & 10B, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description

JOR 94-9 & 10A; 1120 25th Avenue North (north 1/2)

The East 77.00 feet of Lot 9, Block 29, Highland Park Addition to the City of Minneapolis.

A portion being registered property as is evidenced by Certificate of Title No. 1142750.

Whereas, the Purchaser has offered to pay the sum of \$350, for Parcel JOR 94-9 & 10B, to the City for the land; and

Whereas, the Purchaser has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, on March 11, 2005, City Council approved the waiving of the Planning Commission's review of certain real estate transactions (including sideyard dispositions) that have no relationship to Comprehensive Plan; and

Whereas, the City has determined the offer of \$350 to purchase the Parcel to be reasonable; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the City's accepted methods in determining a re-use value for the Parcel; and

Whereas, the City's Real Estate Disposition Policy provided in Section 2.2.13 for the sale of land for sideyard; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on September 1, 2006, a public hearing on said proposal and proposed sale and the provisions thereof, was duly held on September 12, 2006, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota; and

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

That the re-use value for the JOR 94-9 & 10B is hereby estimated to be the sum of \$350.

Be It Further Resolved that the acceptance of the offer and Purchaser's proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Purchaser possesses the qualifications and financial resources necessary to acquire and maintain the Parcel in accordance with the contract for the sale of land.

Be It Further Resolved that the offer is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver the contract to the Purchaser; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

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