



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

**Date:** December 2, 2003  
**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee  
**Referral to:** CPED referral to Community Development and Ways and Means Committee  
**Subject:** **CPED Action for Heritage Park Project Authorizing Condemnation Proceedings**

**Recommendation:** Our Department has worked closely with the CPED Staff in the development of the authorization. Public Works concurs with the language, and requests approval from the Committee.

**Previous Directives:**

**Prepared by:** Pierre Willette, Management Services, 673-2761

**Approved by:** *Klara A. Fabry*  
Klara A. Fabry, P.E., City Engineer, Director of Public Works

**Presenters:** Michael Schwab, CEPED  
Representing Public Works: Bob Carlson, Engineer II, Engineering Services  
Lois Eberhart, Project Manager for Heritage Park Infrastructure & Open Space

<p><b>Financial Impact</b> (Check those that apply)</p> <p><input type="checkbox"/> No financial impact - or - Action is within current department budget. (If checked, go directly to Background/Supporting Information)</p> <p><input type="checkbox"/> Action requires an appropriation increase to the Capital Budget</p> <p><input type="checkbox"/> Action requires an appropriation increase to the Operating Budget</p> <p><input type="checkbox"/> Action provides increased revenue for appropriation increase</p> <p><input type="checkbox"/> Action requires use of contingency or reserves</p> <p><input checked="" type="checkbox"/> Other financial impact (Explain):</p> <p><input type="checkbox"/> Request provided to the Budget Office when provided to the Committee Coordinator</p>
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**Background/Supporting Information: Attached CPED Action:**

Minneapolis Community Development Agency

## Request for City Council Action

**Date:** December 02, 2003

**To:** Council Member Sandra Colvin Roy, Transportation and Public Works Committee

**Prepared by:** Darrell Washington, Senior Project Coordinator, Phone 612-673-5174  
Michael Schwab, Development Counsel, Phone 612-673-5064

**Presented by:** Darrell Washington

**Approved by:** Lee Sheehy, Director, CPED  
Chuck Lutz, Deputy Director, CPED \_\_\_\_\_

**SUBJECT:** **Authorization to file Condemnation Proceedings on portions of the following properties: Summit Academy OIC (901, 921, & 1101 Olson Memorial Hwy.), Cooperative Printing (1101 Plymouth Ave N, and 1109 12<sup>th</sup> Ave. N), and City View Apartments (1146 Emerson Ave. N) for Right-of-Way activities relating to the Heritage Park project.**

**Previous Directives:** On July 30, 1999, the City Council approved the Near North Community Redevelopment Plan. The City Council on March 24, 2000 approved the Near Northside Master Plan. On June 22, 2001, the City Council and MCDA Board approved the Hollman Transition TIF Plan, Modification No. 13 to the Grant Urban Renewal Plan, and Modification No. 84 to the Common Development Tax Increment Finance Plan. On December 28, 2001, the City Council approved Modification No. 14 to the Grant Urban Renewal Plan and Modification No. 87 to the Common Plan to allow certain properties to be placed in acquisition status. On August 22, 2003, the City Council adopted Modification No. 15 to the Grant Urban Renewal Plan and Modification No. 95 to the Common Tax Increment Plan, designating three sites within the Grant Urban Renewal Area as properties that may be acquired.

**Ward:** 5

**Neighborhood Group Notification:** The Near Northside Master Plan was the subject of an extensive community process in 2000 in which NRRC and Harrison Neighborhood was a participant.

**Consistency with *Building a City That Works*:** Consistent with Goal 2: Ensure that an array of housing choices exists to meet the needs of our current residents and attract new residents to the City; Goal 3: Support strong and diverse neighborhoods where people choose to live.

**Comprehensive Plan Compliance:** Not applicable.

**Zoning Code Compliance:** Not applicable.

**Impact on City Budget:** Sufficient funds exist in Fund 4100 for acquiring the subject properties.

**Living Wage / Business Subsidy:** Not applicable.

**Job Linkage:** Not applicable.

**Affirmative Action Compliance:** Not applicable.

**Recommendation:** Authorize the initiation of eminent domain proceedings.

Portions of various properties will need to be acquired to complete street improvements relating to the Heritage Park development. Although we are in the process of trying to acquire the property on a negotiated basis, we need to obtain site control in a timely manner so as to satisfy contractual obligations and facilitate the start of construction. Accordingly, staff is requesting authorization to commence eminent domain proceedings for the following property:

Summit Academy OIC (901, 921, & 1101 Olson Memorial Hwy.)

The City is seeking to acquire two strips of land for street improvements currently owned by Summit Academy OIC. The easterly portion of land being acquired is located at 901 Olson Memorial Highway. It is approximately 1,518 square feet in size and is triangular shaped. The land is needed to better align Bryant Avenue with the connection north of Olson Memorial Highway. The westerly portion of land is being acquired to complete the Van White Memorial Boulevard connection south of Olson Memorial Highway. The land area is approximately 10,539 square feet in size and is irregularly shaped. The Boulevard right-of-way will roughly follow the Girard Terrace alignment along Summit Academy's property.

Cooperative Printing (1101 Plymouth Ave N, and 1109 12<sup>th</sup> Ave. N)

Cooperative Printing is one of two landowners that the City will negotiate with to acquire right-of-way to complete the most northerly section of the Boulevard (westerly half of Van White). The land to be acquired is approximately 9,903 square feet in size and runs along the easterly portion of Cooperative Printing's employee parking lot.

City View Apartments (1146 Emerson Ave. N)

City View Apartments is the other current landowner that the City will negotiate with to acquire right-of-way to complete the most northerly section of the Boulevard (easterly half of Van White). The land to be acquired is approximately 12,523 square feet in size, is triangular shaped and runs along the southerly boundary of the City View's resident parking lot.

**RECOMMENDATION:** That the attached resolution authorizing the initiation of condemnation proceedings be adopted.

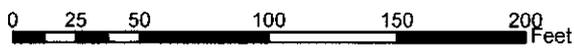
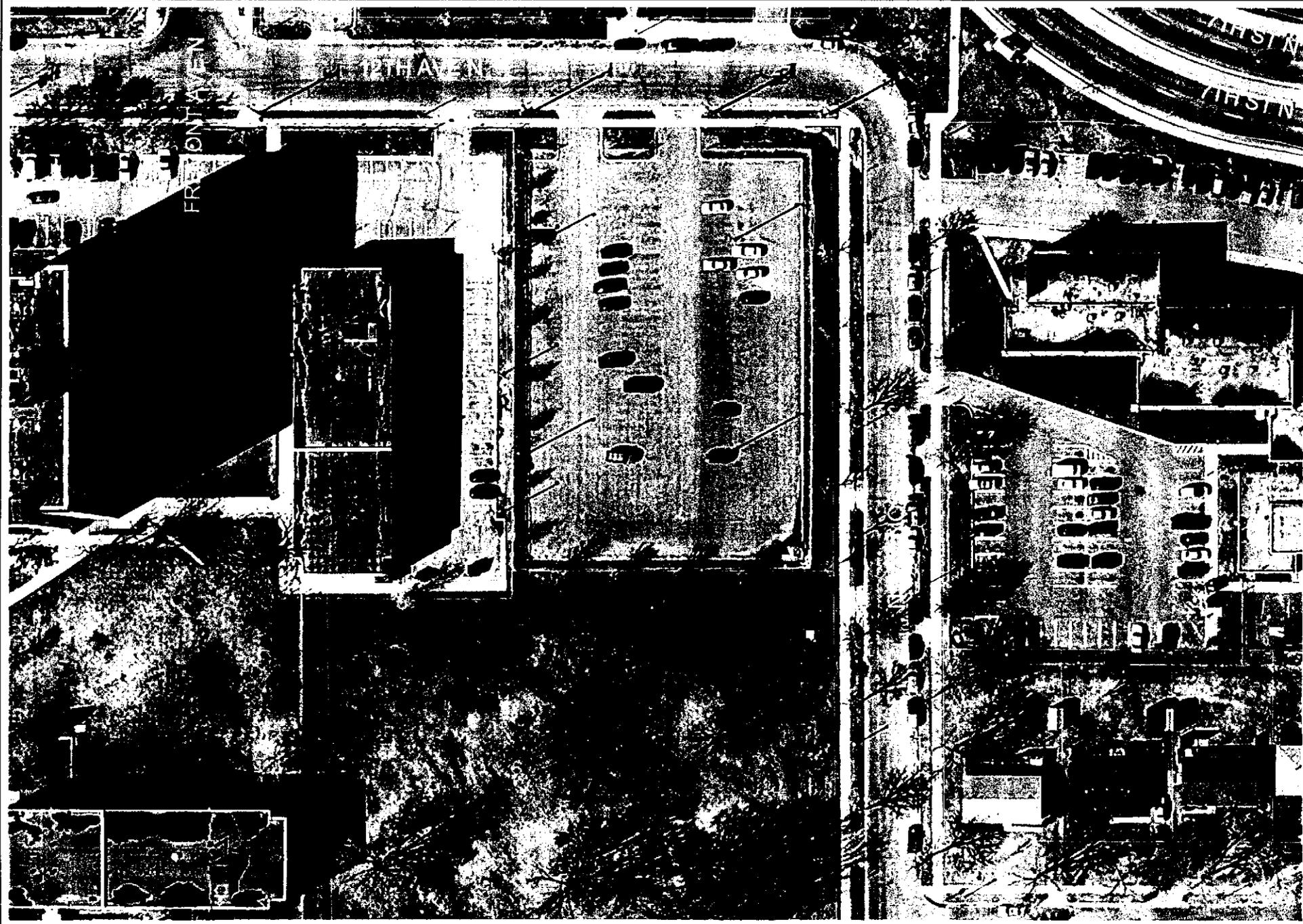
Authorizing the exercise of the City's power of eminent domain for the development of Heritage Park.

Whereas, the City as part of the development of Heritage Park needs to acquire certain property for infrastructure including streets and roadways; and

Whereas, the acquisition of said property is in the public interest and serves a valid public purpose.

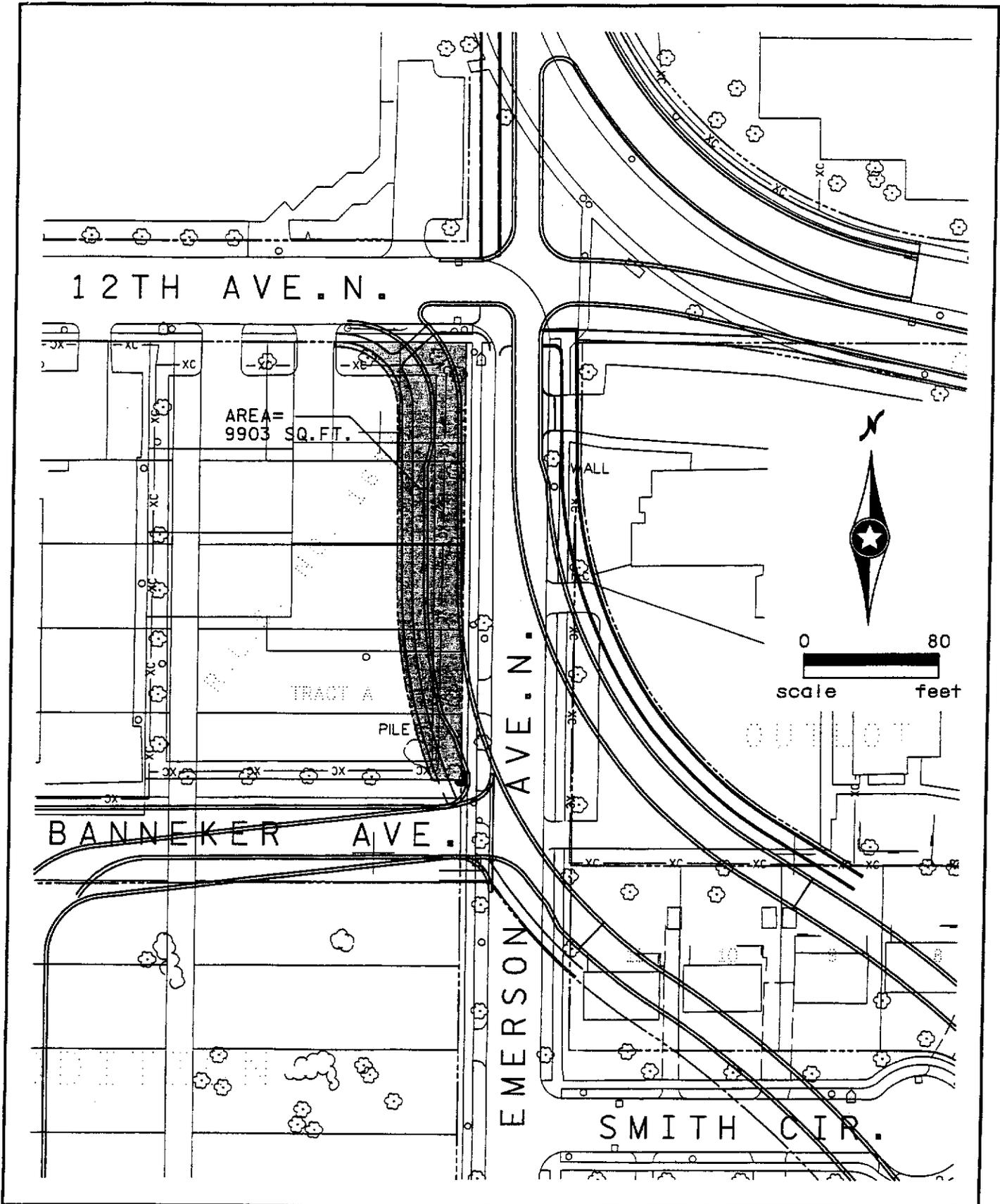
Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Attorney or designee is hereby authorized to acquire portions of the property located at 901, 921 & 1101 Olson Memorial Highway; 1101 Plymouth Avenue North; 1109 12th Avenue North and 1146 Emerson Avenue North through the exercise of the City's power of condemnation.



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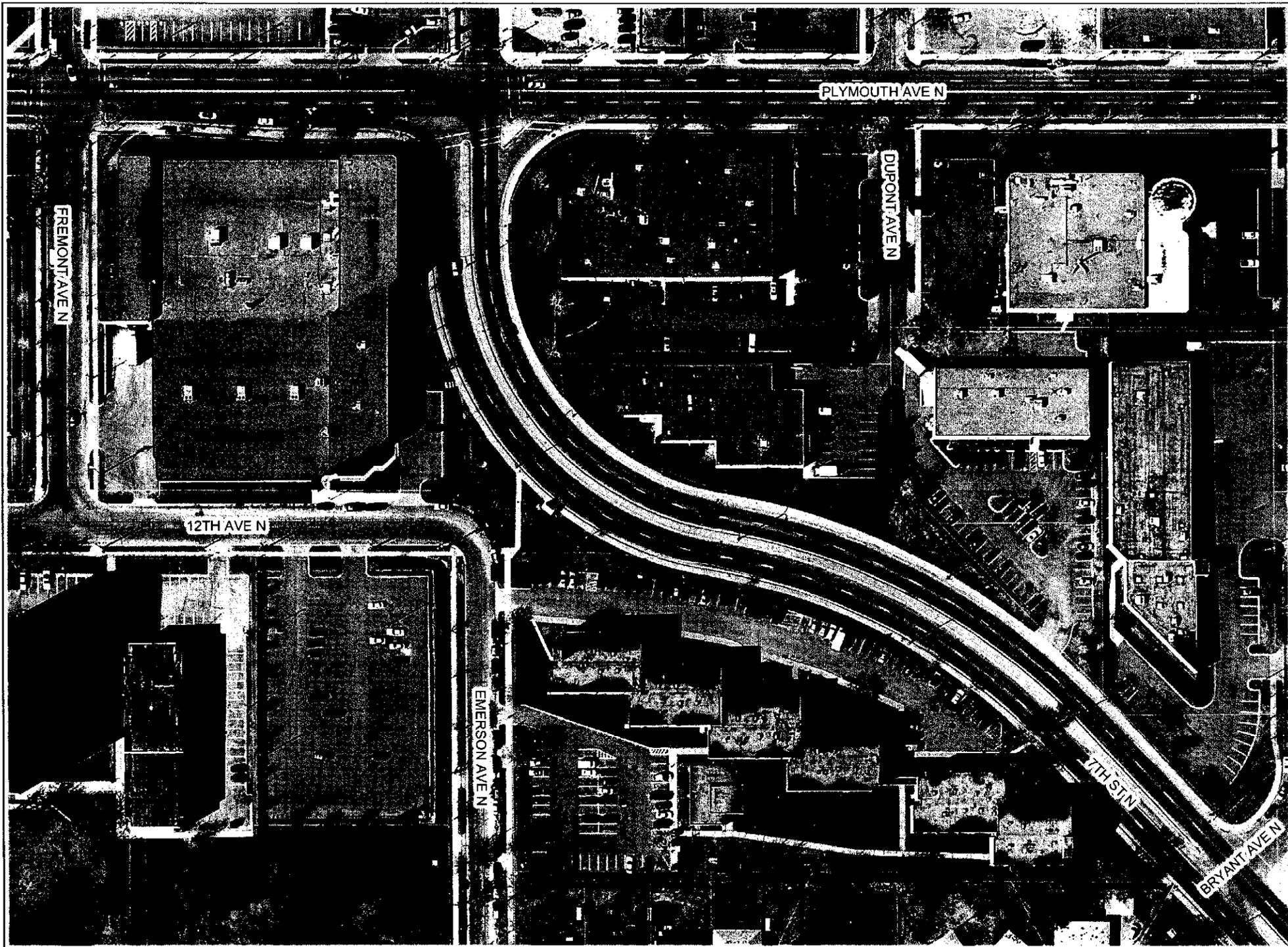


**PROPOSED RW ACQUISITION**  
NEAR NORTHSIDE

**Figure 1**

CITY OF MINNEAPOLIS

0014261  
08/28/2003



PLYMOUTH AVE N

DUPONT AVE N

FREMONT AVE N

12TH AVE N

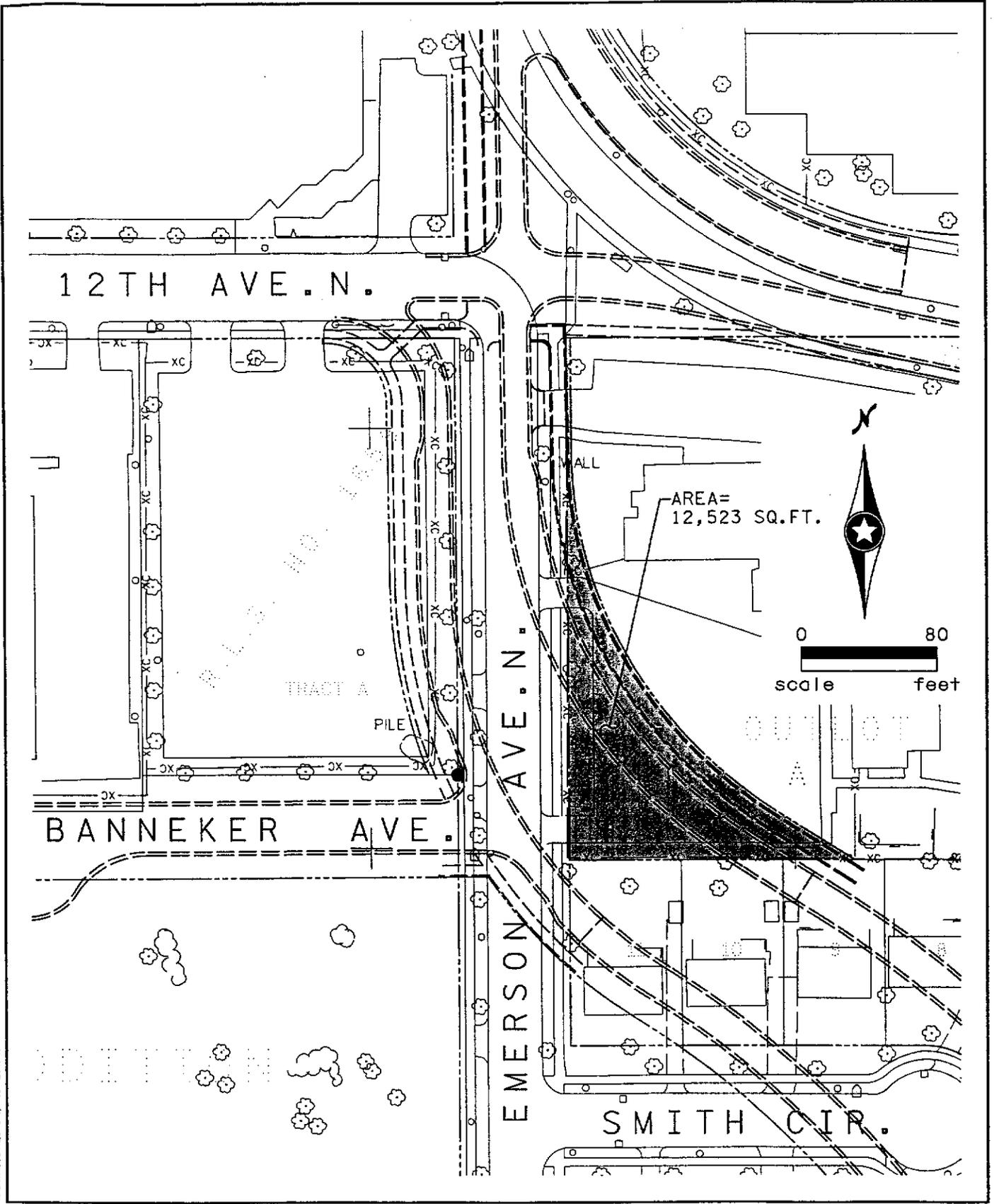
EMERSON AVE N

17TH ST N

BRYANT AVE N



GRS Business Services  
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**PROPOSED RW ACQUISITION**  
NEAR NORTHSIDE  
CITY OF MINNEAPOLIS

**Figure 2**

0014261  
02/26/2003