

Request for City Council Committee Action from the Department of Community Planning and Economic Development - CPED

Date: December 2, 2008

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

Subject: Public Hearing-Grant of Easement
38th and Chicago Redevelopment Area Plan

Recommendation: Approve a grant of easement to protect property for 3749 Chicago Avenue to Samir H. Abumayyaleh for \$1.

Previous Directives: CPED acquired 3749 Chicago Avenue South on August 5, 2008.

Prepared by: Rebecca Parrell, Project Coordinator (673-5018)

Approved by: Charles T. Lutz, Deputy Director, CPED _____

Catherine A. Polasky, Director, Economic Policy and Development _____

Presenter in Committee: Rebecca Parrell

Reviews

None

Financial Impact

No financial impact

Action is within the Business Plan

Community Impact

Neighborhood Notification: Not required

City Goals: Not applicable

Sustainability Targets: Not applicable

Comprehensive Plan: Not applicable

Zoning Code: Shed on the property at 3753 Chicago Avenue South complies with Zoning Code and Regulatory Services issued a remodeling permit (# 3054487) to construct the single-level, unheated rear storage addition to the existing grocery store on July 22, 2008

Living Wage/Business Subsidy Agreement: No living wage or business subsidy because easement valued belloved \$25,000

Job Linkage: Primary objective of the easement is to protect property, not create jobs

Supporting Information

PARCEL

38th & Chi - 27

ADDRESS

3749 Chicago Avenue South

EASEMENT PRICE

\$1

The lot size is 80' x 122.1' = 9,768 total square feet

PURCHASER

Samir H. Abumayyaleh
3753 Chicago Ave S
Minneapolis, MN 55407

PROPOSED EASEMENT

CPED recommends granting an easement to protect property to Mr. Samir Abumayyaleh, owner of 3753 Chicago Ave S, for \$1 to attach metal flashing and sealant onto the exterior masonry wall of the adjacent, City-owned property, at 3749 Chicago Ave S. Without the appropriate flashing, both Mr. Abumayyaleh's and the City's properties are left unprotected from the elements.

Samir Abumayyaleh received a remodeling permit from Regulatory Services on July 22, 2008 to construct a single-level, unheated rear storage addition to his existing grocery at 3753 Chicago Ave S. The permit allows for continuous metal flashing and sealant onto the adjacent exterior masonry wall of 3749 Chicago Ave S. A stop work order was issued at the request of CPED when we became aware of the work affecting our adjacent property. In order to address issues regarding maintenance, removal, and insurance, CPED staff recommends approving the easement.

The flashing between the adjacent properties will protect each building wall from the elements. Moisture penetration can cause enormous damage to any structure because once rain or snow gets between buildings it is very difficult for the space to dry. Dampness can cause interior wall finishes to peel and may induce mold. There is also potential for moisture to freeze and expand in the wall, which may cause chipping or flaking of the masonry. The flashing will prevent debris, insects, small rodents, and birds from living between the buildings, which could also cause damage. Lastly, the flashing provides a more finished look to the exposed wall, as viewed from 38th Street. Mr. Abumayyaleh will be responsible for all costs to install and maintain the flashing.

**Authorizing the Grant of Easement Disposition Parcel No. 27
38th and Chicago Redevelopment Area Plan**

WHEREAS, the City owns 3749 Chicago Avenue South, Disposition Parcel No. 27 in the 38th and Chicago Redevelopment Area Plan; and

WHEREAS, Samir H. Abumayyaleh, herein known as the Purchaser, has offered to enter into an easement agreement with the City, agreeing to pay \$1 for grant of easement; and

WHEREAS, pursuant to due notice thereof published in *Finance and Commerce* on November 21, 2008, a public hearing on this grant of easement was duly held on December 2, 2008, at the regularly scheduled Community Development Committee meeting of the City Council, 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;

NOW, THEREFORE, BE IT RESOLVED that the proper City officers be authorized to execute related documents for grant of easement interest.