



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

Date: December 13, 2005  
To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee  
**Subject: Lowry Av N Reconstruction Project No 2259: Designation, Cost Estimate, and Set Public Hearings**

**Recommendation:**

- (a). Passage of a Resolution designating the location, streets and improvements proposed to be made in the Lowry Av N (3<sup>rd</sup> St N to Girard Av N) Street Reconstruction Project;
- (b). Adoption of a Committee Report receiving the cost estimate of \$5,389,650 and the list of benefited properties, directing the City Engineer to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2006 Uniform Assessment Rates and directing the City Clerk to give notice of a Project Approval and Assessment Public Hearing to be held on January 31, 2006 before the Transportation and Public Works Committee, and
- (c). Setting a public hearing to be held on January 31, 2006 before the Transportation and Public Works Committee to consider the abandonment and removal of areaways in conflict with the street construction projects and directing staff to give notice in accordance with the provisions of Section 95.90 of the Minneapolis Code of Ordinances.

These Resolutions may be authorized for summary publication.

**Previous Directives:** None

**Prepared by:** Suzette R. Hjermstad, Public Works, Special Assessments Dept., 673-2401  
**Approved by:**

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Klara A. Fabry, P. E., City Engineer, Director of Public Works

**Presenters:** Jack Yuzna, P.E., Engineering Services Division

**Financial Impact** (Check those that apply)

- No financial impact - or - Action is within current department budget.  
(If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Other financial impact (Explain): Special assessment against benefited properties
- Request provided to the Budget Office when provided to the Committee Coordinator

## **Background/Supporting Information:**

### Lowry Av N (3<sup>rd</sup> St N to Girard Av N) Reconstruction Project

The purpose of this letter is to designate the location, streets and improvements and establish the special assessment improvement proceedings for street reconstruction.

The location of the street reconstruction project is Lowry Avenue N from 3<sup>rd</sup> Street N to Girard Avenue N. Lowry Avenue N at this location is County State Aid Route No 153.

As provided in Chapter 10, Section 6 of the City Charter, submitted herewith is a list of parcels with names of owners, as nearly as can be readily ascertained, which would be benefited by and assessed for the Lowry Avenue N Street Reconstruction Project.

Also submitted is a cost estimate of \$5,389,650 for the Lowry Avenue N Reconstruction Project. The City's estimated portion of this project is the total dollar amount of the assessments to be levied; approximately \$187,625. The remainder will be funded by Hennepin County.

The street reconstruction special assessments would be determined by applying the 2006 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved streets. The proposed 2006 reconstruction assessment rates are as follows:

\$1.36/sq ft – Local – Non-Residential

\$1.36/sq ft – Other – Non-Residential

\$0.52/sq ft – Local – Residential

\$0.42/sq ft – Other – Residential

### Abandonment and Removal of Conflicting Areaways

Section 95.90 of the Minneapolis Code of Ordinances provides a procedure for dealing with areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street construction. Before the City may abandon and remove conflicting areaways (upon the failure of the abutting property owner to resolve or agree to resolve the conflict) and then later assess the costs, a public hearing must be held. It is our recommendation that this areaway public hearing be held in conjunction with the Lowry Av N Reconstruction Project public hearing. Prior to the areaway public hearing notices being given, the City Engineer will have provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

Attachment – Project Map

Cc: Jack Qvale, Secretary, Board of Estimate and Taxation