



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

Date: October 23, 2007
To: Honorable Sandra Colvin Roy, Chair Transportation and Public Works Committee

Subject: Lowry Av N Phase II Reconstruction Project No 2266: Designation, Cost Estimate, and Set Public Hearings

Recommendation: 1(a). Passage of a Resolution designating the location, streets and improvements proposed to be made in the Lowry Av N Phase II (Girard Av N to Theodore Wirth Parkway) Street Reconstruction Project.

1(b). Adoption of a Committee Report receiving the cost estimate of \$8,917,653 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 2007 Uniform Assessment Rates and directing the City Clerk to give notice of a Project Approval and Assessment Public Hearing to be held on December 11, 2007 before the Transportation and Public Works Committee.

2. Setting a public hearing to be held on December 11, 2007 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:

- City Council Authorization to Execute Memorandums of Understanding and Cooperative Agreements with Hennepin County to Share Development and Planning Activities for the Lowry Avenue Corridor Project (dated January 16, 2004)
- City Council Resolution 2003R-244, Approval of the West Lowry Avenue Redevelopment Plan (dated June 6, 2003)
- City Council Approval of the Lowry Avenue Corridor Plan (dated July 12, 2002)
- City Council Resolution 2000-R-350, Supporting Hennepin County Community Works' Lowry Avenue N Planning and Redevelopment (dated August 11, 2000)

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Approved by:

Steve Kotke, P. E., City Engineer, Director of Public Works

Presenters: Jack Yuzna, P.E., Transportation, Planning and Engineering

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 (Girard Av N to Theodore Wirth Parkway) Phase II Reconstruction Project

The purpose of this letter is to designate the location, streets and improvements and establish the special assessment improvement proceedings for this Hennepin County Community Works' street reconstruction project.

The location of the street reconstruction project is Lowry Avenue N from Girard Avenue N to Theodore Wirth Parkway. 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 owner's names, 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 \$8,917,653 for the Lowry Avenue N Phase II Reconstruction Project. The City's estimated portion of this project is the total dollar amount of the assessments to be levied. The total special assessment amount will be available at the public hearing. The remainder will be funded by Hennepin County.

The street reconstruction special assessments would be determined by applying the 2007 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved streets. The 2007 reconstruction assessment rates to be used are as follows:

\$1.50/sq ft – Other – Non-Residential

\$0.46/sq ft – Other – Residential

The project is scheduled to be built in 2008 (Queen Avenue N to Girard Avenue N) and 2009 (Theodore Wirth Pkwy to Queen Avenue N).

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 2 – Project Map

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