



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

**Date:** November 9, 2004  
**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee  
**Subject:** **Assessment Public Hearing for Areaway Abandonment and Removal for properties in the Hennepin Theater District Streetscape Project**

**Recommendation:** Passage of a Resolution adopting and levying the areaway abandonment and removal special assessments in the total amount of \$1,162,462.18 for the benefited properties in the Hennepin Theater District Streetscape Revitalization Project No. 2221.

**Previous Directives:** Resolution 2002R-172 ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the paving and streetscape project in the Hennepin Theater District Streetscape Revitalization area.

**Prepared by:** Suzette R. Hjernstad, Public Works Admin, Management Services, 673-2401  
**Approved by:**

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

**Presenters:** Robb Urquhart, Project Engineer, Suzette R. Hjernstad, RE Investigator II

**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 property  
 Request provided to the Budget Office when provided to the Committee Coordinator

**Background/Supporting Information:**

On April 5, 2002, the City Council designated the location, streets and improvements proposed to be made in the Hennepin Theater District Streetscape Revitalization area. A public hearing was held on May 9, 2002 that included the areaway abandonment and removal of any conflicting areaways within the Hennepin theater District area streetscape and street lighting project in accordance with Section 95.90 of the Minneapolis Code of Ordinances.

As the streetscape and street lighting project work proceeded during 2002 and 2003, the City was petitioned by the owners/taxpayers of the properties at 930 Hennepin Av (PID 27-029-24-

12-0039), 705 Hennepin Av (PID 22-029-24-43-0084), 727 Hennepin Av (PID 22-029-24-43-0082), and 731 Hennepin Av (PID 22-029-24-43-0081) to proceed with the removal of conflicting areaways. The taxpayers also agreed that all costs associated with the abandonment and removal to be assessed to the taxes of said properties in twenty annual installments.

The property at 901 Hennepin Av (PID 27-029-24-12-0005) was tax-forfeited land at the time the areaway abandonment and removal needed to be done to minimize the delay to the project's completion. The assessment public hearing procedure is in accordance with Section 95.90 of the Minneapolis Code of Ordinances which provides the authority for the City Engineer to abandon and remove an areaway in conflict with capital improvement project in the City's right-of-way and a public hearing for the assessment of the cost of removal to be held upon completion. The proposed assessments against the affected properties are as follows:

1. 901 Hennepin Av, PID No. 27-029-24-12-0005, final cost of \$199,406.86,
2. 727 Hennepin Av, PID No. 22-029-24-43-0082, final cost of \$304,146.65
3. 731 Hennepin Av, PID No. 22-029-24-43-0081, final cost of \$255,237.85,
4. 705 Hennepin Av, PID No. 22-029-24-43-0084, final cost of \$110,000,
5. 930 Hennepin Av, PID No. 27-029-24-12-0039, final cost of \$293,670.82.

The policy for assessing areaway abandonment and removals is to assess 100% of the cost to the benefited parcels. If approved, the special assessments would be collected over 20 years beginning on the 2005 real estate tax statements with interest charged at the same rate as assessment bonds are sold. Information has been provided in the notices as to how persons may prepay the special assessments in full without interest charges if they so choose. Public hearing notices were mailed to the benefited property owners 2 weeks in advance of this public hearing.

CC: Council Member Lisa Goodman, Ward 7