



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

**Date:** March 4, 2003  
**To:** Honorable Sandra Colvin Roy, Chair Transportation and Public Works Committee

**Subject:** 1. **Nicollet Avenue South (46<sup>th</sup> St W to Minnehaha Parkway) Reconstruction Project, Special Improvement of Existing Street Number 6694: Designation, Cost Estimate, List of Benefited Properties, Apply 2003 Uniform Assessment Rates and Set Public Hearings**  
2. **Set Public Hearing for Abandonment and Removal of Areaways in Conflict with Street Reconstruction Project**

**Recommendation:**

- 1(a). Passage of a Resolution designating the location, streets and improvements proposed to be made in the Nicollet Avenue South (46<sup>th</sup> St W to Minnehaha Parkway) Reconstruction Project.  
This Resolution may be authorized for summary publication.
- 1(b). Adoption of a Committee Report receiving the cost estimate of \$ 3,796,000 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 2003 Uniform Assessment Rates and directing the City Clerk to give notice of a Project Approval and Assessment Public Hearing to be held on April 22, 2003 before the Transportation and Public Works Committee.
- 2. Setting a public hearing to be held on April 22, 2003, before the Transportation and Public Works Committee to consider the abandonment and removal of areaways in conflict with the street construction project and directing staff to give notice in accordance with the provisions of Section 95.90 of the Minneapolis Code of Ordinances.

**Previous Directives:** none

**Prepared by:** Suzette R. Hjernstad, Public Works, Special Assessments Dept., 673-2401  
**Approved by:** Klara A. Fabry, P. E., City Engineer, Director of Public Works

Richard H. Smith, Assistant Director, Public Works

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

<p><b>Financial Impact</b> (Check those that apply)</p> <p><input checked="" 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): Special assessment against benefited property owners</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**

## **Background/Supporting Information:**

### Nicollet Avenue South Reconstruction Project

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

The location of the street reconstruction project is Nicollet Avenue South from 46<sup>th</sup> Street West to Minnehaha Parkway. Nicollet Avenue South at this location is Minnesota State Aid Route No. 430.

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 Nicollet Avenue South Reconstruction Project.

Also submitted is a cost estimate of \$ 3,796,000 for the Nicollet Avenue South Reconstruction Project.

The street reconstruction special assessments would be determined by applying the 2003 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved streets. The 2003 reconstruction assessment rates are as follows:

\$1.10/sq ft – Local – Non-Residential

\$1.10/sq ft – Other – Non-Residential

\$0.44/sq ft – Local – Residential

\$0.35/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 Tenth Street South reconstruction 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 1 – Project Map  
2 - Resolution  
3 – Committee Report

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

**T&PW** – Your Committee recommends passage of the accompanying Resolution and its accompanying Committee Report designating the location and streets to be improved in the Nicollet Avenue South (46<sup>th</sup> St W to Minnehaha Parkway) Reconstruction Project, Special Improvement of Existing Street Number 6694.

Your Committee further recommends summary publication of the above-described Resolution.

**Colvin Roy**

**Nicollet Avenue South (46<sup>th</sup> St W to Minnehaha Parkway) Reconstruction Project,  
Special Improvement of Existing Street Number 6694**

**Designating the improvement of certain existing streets at the location described hereinafter.**

Resolved by the City Council of the City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provision of Chapter 10, Section 6 of the Minneapolis City Charter, by paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Nicollet Av S (6694)

Nicollet Avenue South from 46<sup>th</sup> Street West to Minnehaha Parkway.

**T&PW** - Your Committee, having received a cost estimate of \$ 3,796,000 for street reconstruction improvements and a list of benefited properties for the Nicollet Avenue South (46<sup>th</sup> St W to Minnehaha Parkway) Reconstruction Project, Special Improvement of Existing Street Number 6694, as designated by Resolution 2003R-\_\_\_\_\_, passed \_\_\_\_\_, now recommends that the City Engineer be directed to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2003 Uniform Assessment Rates as per Resolution 2002R-422 passed November 8, 2002.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on April 22, 2003, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated project and to consider the amount of proposed to be assessed to each benefited property and the amount to be funded by the City.