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TRADITIONS

Classic Home Furnishings

October 1, 2014

St. Paul City Council
310 City Hall
15 West Kellogg Boulevard
St. Paul, MN 55119

Re: 2014 ROW Assessments – 1037 Grand & 541 Dayton Ave.

Greetings:

My wife and I own the building at 1037 Grand Avenue that houses Traditions Classic Home Furnishings, on the NE corner of Grand and Oxford. We also own a home at 541 Dayton Ave.

I object to this assessment on the following grounds:

1. The Assessment includes costs that are not authorized under law.

This assessment includes charges for “ordinance enforcement” and “emergency service”. These are general government functions that should be funded out of general tax revenues. Neither Section 14.01.2 of the City Charter, nor Chapter 62 of the St. Paul Administrative Code authorizes that these types of charges be assessed as part of the Street Maintenance Assessment.

2. The Assessment exceeds the cost of services that were actually provided for the streets abutting my property.

In 2014 the only services that the City provided on either Grand Ave. or Oxford Street in the vicinity of our property was periodic sweeping and snow plowing. Under MN State Law, only specific improvements that directly benefit a property can be assessed against that property. Street maintenance in other parts of the city does not provide the necessary direct benefit, and should be paid for out of general tax revenues.

3. The amount of the Assessment exceeds the benefit to my property.

Both State law and the City Charter specify that a special assessment cannot exceed the benefits to the property. The limited street maintenance services provided to our property did not provide any increase in its value.

MINNEAPOLIS
4245 Excelsior Blvd.
Minneapolis, MN 55416
(952) 285-2777

ST. PAUL
1039 Grand Ave.
St. Paul, MN 55105
(651) 222-5253

NAPLES
870 6th Ave S.
Naples, FL 34102
(239) 213-1240

www.Traditions.com

4. The Assessment on 1037 Grand is not allocated amongst the affected properties in proportion to the benefits received.

MN State law requires that all special assessments be allocated amongst the affected properties in proportion to the benefits received. The City of St. Paul's policy to charge corner commercial properties for street maintenance on both the front and side street frontages, while similar commercial properties in the middle of the block pay nothing for the maintenance of the side streets, results in dramatic inequities in the amounts assessed in violation of state law.

In the proposed 2014 Assessment, our property is being charged \$1,048.50 for street maintenance on Oxford Street, which every property owner on our block needs to use to get access to our common alley. Without Oxford Street, none of the midblock property owners would be able get to their garages and/or off-street parking, they would not be able to get garbage service, nor would they be able to get electric, telephone, or cable TV services. Yet, these mid block property owners (both commercial and residential) pay NOTHING towards the maintenance of these side streets.

Under the proposed 2014 Assessment, our corner property is being charged a total of \$1,534.05 for ROW maintenance. An identical sized commercial lot in the middle of block will only be charged \$485.55, a 316% difference in assessments.

5. 1037 Grand is being assessed for an alley, which is not useable by this property due to the topography of the land and City Zoning Code Restrictions

The alley abutting 1037 Grand is not accessible to the property due to elevation differences between the alley and the property's parking lot. Even if it were accessible, the City Zoning Code does not permit us to access the alley from our property, as we have access to our parking lot from Oxford. Furthermore the Zoning Code requires property screening between our parking lot and the alley, which would prevent us from accessing the alley. We should not be charged for ROW maintenance on an alley that we have no way of using.

6. Dayton and Marshall Avenues are improperly classified as Arterial Streets.

The City of St. Paul has improperly classified Dayton and Marshall Avenues as arterial streets. East of Dale, both of these streets are residential streets, and have not been used as arterial streets since the 1960s when the I-94 construction was completed. This miss classification results in improper assessments on not just our property at 541 Dayton Ave., but also all the other properties on these two streets, particularly 4+ unit apartment buildings.

Sincerely,



Michael Schumann
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651-208-3791 (cell)