

CITY OF GRAND RAPIDS

*NOTICE OF MEETING
PLANNING COMMISSION*



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

Meeting Agenda Full Detail

Thursday, June 7, 2018

4:00 PM

Council Chambers

Planning Commission

**COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744**

Call To Order**Call of Roll**

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Approval of Minutes

18-0330 Approve the minutes of the May 3, 2018, 4:00 pm regular meeting.

Attachments: [May 3, 2018 Meeting Minutes](#)

General Business

18-0363 Consider a recommendation to the City Council regarding the vacation of a portion of platted right-of-way (Jones Avenue) adjacent to Lot 12, Block 8, Syndicate Division.

Attachments: [Right-of-way Vacation Request: Staff Report w/review committee comments](#)
[Right-of-way Vacation: Area Maps](#)
[R-O-W Vacation Considerations](#)
[Smith R-O-W Vacation: Application](#)

Public Input

Individuals may address the Planning Commission about any non public hearing item or any item not included on the Regular Meeting Agenda. Speakers are requested to come to the podium, state their name and address for the record and limit their remarks to three (3) minutes.

Miscellaneous\Updates**Adjourn**

*NEXT REGULAR PLANNING COMMISSION MEETING IS SCHEDULED FOR:
Thursday, July 10th , 2018*



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0330 **Version:** 1 **Name:** Approve the minutes of the May 3, 2018, 4:00 pm regular meeting.

Type: Minutes **Status:** Approval of Minutes

File created: 5/15/2018 **In control:** Planning Commission

On agenda: 6/7/2018 **Final action:**

Title: Approve the minutes of the May 3, 2018, 4:00 pm regular meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [May 3, 2018 Meeting Minutes](#)

Date	Ver.	Action By	Action	Result
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Approve the minutes of the May 3, 2018, 4:00 pm regular meeting.

Background Information:

See attached draft meeting minutes.

Staff Recommendation:

Approve the minutes of the May 3, 2018, 4:00 pm regular meeting.



CITY OF GRAND RAPIDS

NOTICE OF MEETING
PLANNING COMMISSION

Minutes - Final Planning Commission

COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744

Thursday, May 3, 2018

4:00 PM

Council Chambers

Call To Order

Call of Roll

- Present** 4 - Commissioner Mark Gothard, Chairperson Lester Kachinske, Commissioner Susan Lynch, and Commissioner Molly MacGregor
- Absent** 3 - Commissioner Charles Burress, Commissioner Michelle Toven, and Commissioner Sue Zeige

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Approved As Presented

Approval of Minutes

Approve the minutes of the April 5, 2018, 4:00 pm regular meeting.

Motion by Commissioner Lynch, second by Commissioner Gothard to approve the minutes of the April 5, 2018 regular meeting. The following voted in favor thereof: MacGregor, Lynch, Kachinske, Gothard. Opposed: None, passed unanimously.

General Business

Consider the election of Planning Commission Officer's-Chairperson and Vice Chairperson/Secretary.

Motion by Commissioner Gothard, Second by Commissioner MacGregor to elect Commissioner Lynch as Chair and Commissioner Toven as Vice Chair/Secretary. The following voted in favor thereof: Kachinske, Gothard, Lynch, MacGregor. Opposed: None, passed unanimously.

Consider initiating the process to review and potentially update/amend the Zoning Ordinance in Sections which pertain to maximum building height in General Business zoning districts, and required off-street parking (minimum numbers).

During staff's preliminary discussions with various hotel developers, over the past couple of years, the topic of maximum building height and required off-street parking have been an area of concern, primarily in the General Business zoning district.

Staff feels there is an opportunity to review and potentially enhance or modernize portions of the Zoning Ordinance which better reflect today's building and land use trends. We recommend forming a Planning Commission work group to work with staff to bring possible draft amendments to the full Planning Commission for consideration at a later date, and potentially the forwarding of a recommendation to the City Council for adoption.

Motion by Commissioner MacGregor, second by Commissioner Lynch to initiate the review and updating to the text of various sections of the Zoning Ordinance as they relate to maximum building height in general business zoning districts and minimum off street parking numbers to be reviewed by a work group consisting of Commissioners MacGregor and Gothard. The following voted in favor thereof: Gothard, Kachinske, Lynch, MacGregor. Opposed: None, passed unanimously.

Public Input

Miscellaneous\Updates

Adjourn

Motion by Commissioner Lynch, second by Commissioner MacGregor to adjourn the meeting at 4:15 p.m. The following voted in favor thereof: MacGregor, Lynch, Kachinske, Gothard. Opposed: None, passed unanimously.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	18-0363	Version:	1	Name:	Consider a recommendation to the City Council regarding the vacation of a portion of platted right-of-way (Jones Avenue) adjacent to Lot 12, Block 8, Syndicate Division.
Type:	Agenda Item	Status:			General Business
File created:	5/31/2018	In control:			Planning Commission
On agenda:	6/7/2018	Final action:			
Title:	Consider a recommendation to the City Council regarding the vacation of a portion of platted right-of-way (Jones Avenue) adjacent to Lot 12, Block 8, Syndicate Division.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Right-of-way Vacation Request: Staff Report w/review committee comcoments Right-of-way Vacation: Area Maps R-O-W Vacation Considerations Smith R-O-W Vacation: Application				

Date	Ver.	Action By	Action	Result
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Consider a recommendation to the City Council regarding the vacation of a portion of platted right-of-way (Jones Avenue) adjacent to Lot 12, Block 8, Syndicate Division.

Background Information:

See attached Staff Report and Background Information.

Staff Recommendation:

Consider a recommendation to the City Council regarding the vacation of a portion of platted right-of-way (Jones Avenue) adjacent to Lot 12, Block 8, Syndicate Division.



Planning Commission Staff Report

Agenda Item #2	Community Development Department	Date: 6/7/2018
Statement of Issue:	Consider a recommendation to the City Council regarding the vacation of a portion of platted right-of-way (Jones Avenue) adjacent to Lot 12, Block 8, Syndicate Division.	
Background:	<p>Mr. and Mrs. Stephen Smith submitted a valid petition on March 23, 2018 requesting the vacation of the following described portion of public right-of-way (<i>and outlined in the attached maps</i>):</p> <p style="text-align: center;"><i>E ½ of Jones Ave. (15th Ave. W), ADJ to Lot 12, Block 8, Syndicate Division of Grand Rapids, Itasca County, Minnesota.</i></p> <p>The partial right-of-way vacation request, if approved, would provide the Smith property with more usable/developable yard area. It is the Smith's intent to remove the dilapidated, single-stall garage, on the property and replace it with a larger two-stall garage (meeting current required minimum setbacks for structures). Currently, the existing accessory building encroaches 20 ft. into the required 20 ft. Street Side-yard setback (west), and approximately 20 ft. into the required 75 ft. setback from the OHWL (Ordinary High Water Level) of Forest Lake.</p> <p>Additionally, the newly acquired yard area would help bring the property closer into compliance with the minimum lot size requirements (area) established in Section 30-512 Table 17C-1 <i>Minimum Lot Size Standards Shoreland Districts</i>. The subject property currently has a gross area of 9,861 sq. ft. which is below the minimum required of 20,000 sq. ft.</p> <p>Pursuant to Minnesota Statute 412.851; as the requested vacation abuts upon a public body of water, the Commission of the Minnesota DNR was provided notice 60-days prior to the public hearing, which is scheduled to be conducted by the City Council on June 25, 2018.</p> <p><i>To date, staff has not received a response from the Minnesota DNR. The 60-day comment period expired on Monday, May 28th. Staff will provide the Planning Commission, and/or the City Council, any comments received prior to, or at your respective meeting.</i></p> <p>There were no concerns or objections expressed, regarding the petitioned partial right-of-way vacation, from the staff review committee which consists of: Public Works Department, Engineering Department, Community Development Department, Fire Department, Police Department, and the Grand Rapids Public Utilities Commission.</p>	

	<p>Minnesota Statutes 412.851 governs the procedures for vacating right-of-way in a statutory city. Generally speaking, under this statute the City Council has the authority to vacate public right-of-way on its own motion or through a petition of the majority of the land owners. The petition presented by Mr. and Mrs. Smith represents 100% of the maximum level of participation of adjacent land owners, and therefore is valid.</p>
<p>Considerations:</p>	<p>When considering the vacation of public right-of-way, the Planning Commission must make findings based on the attached list of considerations.</p>
<p>Recommendation:</p>	<p>Staff recommends that the Planning Commissioners visit the site, review the comments submitted by the Review Committee, and review the relevant sections of the Comprehensive Plan.</p> <p>Prior to making a recommendation to the City Council to approve/not approve the vacation request, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or not approve the partial right-of-way vacation.</p>
<p>Required Action:</p>	<p>Pass a motion forwarding a recommendation to the City Council for approval or non-approval of the proposed partial public right-of-way vacation.</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby forward to the City Council a recommendation to (approve) (not approve) the vacation of public right-of-way described as;</p> <p style="text-align: center;"><i>E ½ of Jones Ave. (15th Ave. W), ADJ to Lot 12, Block 8, Syndicate Division of Grand Rapids, Itasca County, Minnesota.</i></p> <p style="text-align: center;"><u>Contingent on the following stipulations:</u></p> <ul style="list-style-type: none"> • _____
<p>Attachments:</p>	<ul style="list-style-type: none"> • Site Maps • Public Vacation Application/Petition • Staff Review Committee (and DNR Comments) • List of the Planning Commissions Vacation Considerations

Eric Trast

From: Matt Wegwerth, PE
Sent: Wednesday, March 28, 2018 1:53 PM
To: Rob Mattei
Cc: Eric Trast
Subject: Vacation request: 15th Ave W platted as Jones Ave

I do not have any concerns over the vacation request.

Matt Wegwerth, PE
City Engineer
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7625
Mobile: 218-244-1987
Fax: 218-326-7608

Eric Trast

From: Rob Mattei
Sent: Monday, April 02, 2018 9:03 AM
To: Eric Trast
Subject: FW: Stephen R Smith Public Vacation request

Rob Mattei

Director of Community Development
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7622
Mobile: 218-244-2924
Fax: 218-326-7621

From: Jeff Davies
Sent: Monday, April 02, 2018 6:53 AM
To: Rob Mattei <rmattei@ci.grand-rapids.mn.us>
Cc: Matt Wegwerth, PE <mwegwerth@ci.grand-rapids.mn.us>
Subject: Stephen R Smith Public Vacation request

Rob,

I'm in full support of this request.

Jeff Davies

Director of Public Works
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7480
Mobile: 218-259-8688
Fax: 218-326-7688

Smith Vacation Request

(Portion of Platted Right-of-way - Jones Avenue)



Smith Vacation Request (w/Utilities)

Forest Lake

Area of vacation request
(yellow cross-hatch)

Smith Property

5th Street N.

15th Avenue NW
(Platted as Jones Avenue)

4th Street N./U.S. Hwy. #2

130 65 0 130 Feet

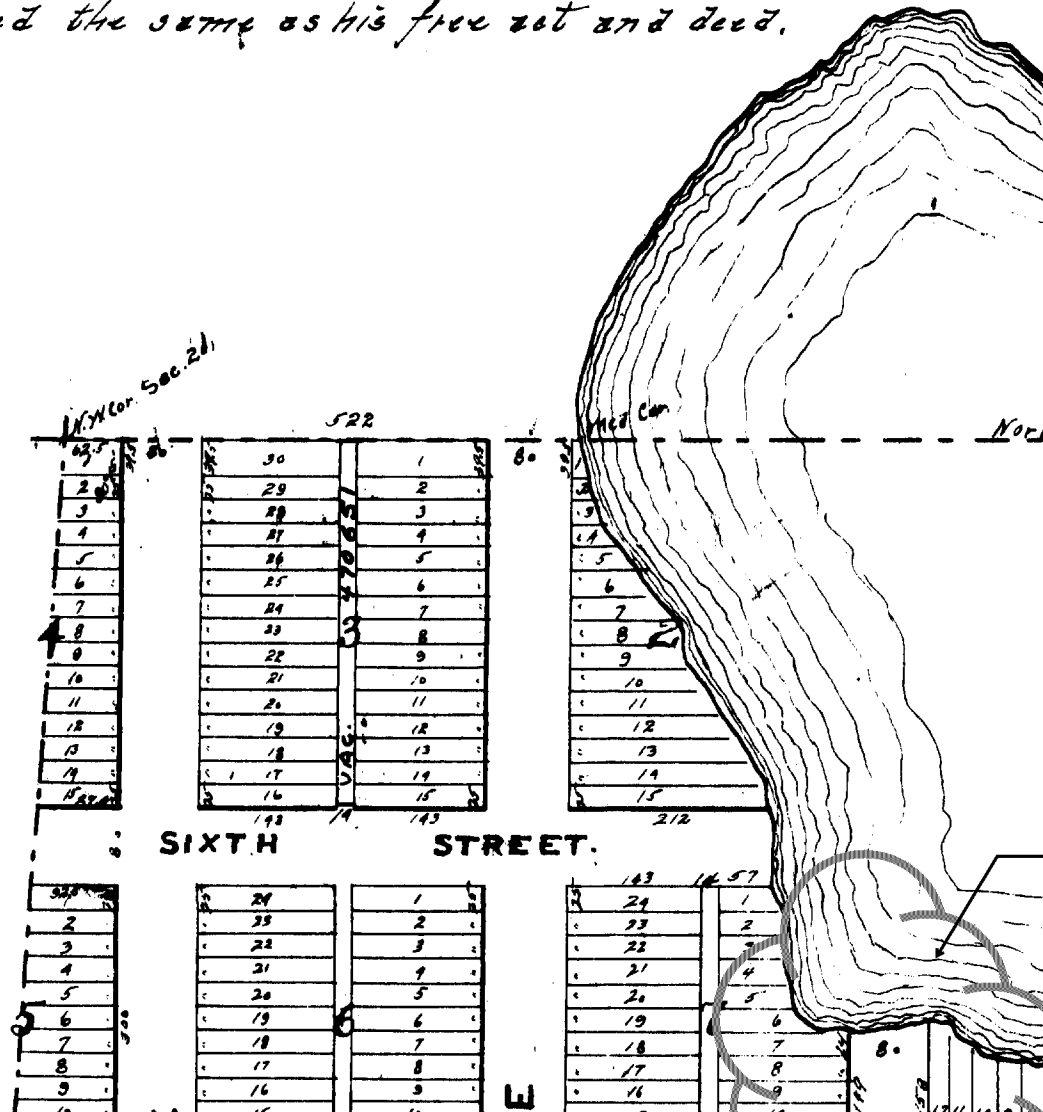
City of



I. Edwin R. Lewis, Deputy County Surveyor of Itasca County
 property as described on this plat as "Syndicate Division, Gra
 on this plat; that the boundary lines of the land platted are
 all distances as marked on this plat are correct.

State of Minnesota } ss
 County of Itasca }

On this 8th day of August A.D. 1890, I
 Edwin R. Lewis, to me known to be the person described in a
 executed the same as his free act and deed.



PLANNING COMMISSION

Considerations

RIGHT-OF-WAY VACATIONS

1. Is the right-of-way needed for traffic purposes?
Why/Why not?

2. Is the right-of-way needed for pedestrian purposes?
Why/Why not?

3. Is the right-of-way needed for utility purposes?
Why/Why not?

4. Would vacating the right-of-way place additional land on the tax rolls?
Why/Why not?

5. Would vacating the right-of-way facilitate economic development in the City?
Why/Why not?



CITY OF GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

Public Vacation Application
Community Development Department
420 North Pokegama Ave.
Grand Rapids, MN 55744
Tel. (218) 326-7601 Fax (218) 326-7621
Web Site: www.cityofgrandrapidsmn.com

General Information:

Stephen R Smith

Name of Applicant
802 5th St. S.E.

Address
Grand Rapids MN 55744

City State Zip
218-326-2814 csmith1965@

Business Telephone/e-mail address
msn.com

Name of Owner (If other than applicant)

Address

City State Zip

Business Telephone/e-mail address

Please check which of the following you are applying for:

- Street Vacation Alley Vacation Jones Avenue Easement Vacation

Provide a legal description of the property to be vacated (for example, the North-South alley adjacent to lots 8-12, block 5, Grand Rapids 5th Division). Attach an exhibit and/or electronic file if the legal description is lengthy.

E. 40' of 15th Ave W adjacent to Lot 12
Block 8, syndicate div to Grand Rapids

I(we) certify that, to the best of my(our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

Stephen R Smith
Signature(s) of Applicant(s)

3/23/18
Date

Signature(s) of Owner(s)-(If other than applicant)

Date

Date Received MAR 23 2018 Certified Complete Mar-23, 2018 Office Use Only Fee Paid \$505

Does the boundary of the requested vacation terminate at or abut a public water body: Yes No

Planning Commission Recommendation Approved _____ Denied _____ Meeting Date 6/7/18

City Council Action Approved _____ Denied _____ Meeting Date _____

Summary of Special Conditions of Approval: _____

Required Submittals:

- Application Fee - \$505.00 *1 Location Map Petition for Vacation
 Proof of Ownership – (a copy of a property tax statement or deed will suffice)

*1 The application fees charged are used for postage to mail the required notices to adjacent properties, publication of the public hearing notice in the Grand Rapids Herald Review, and for a small portion of staff time for case review and preparation of documents. It is the policy of the City of Grand Rapids to require applicants for land use approvals to reimburse the City for costs incurred by the City in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the City.

Justification of Proposed Vacation: Please answer the following question (attach additional pages if needed). The Planning Commission and City Council will consider these questions and responses, and other issues (see attached list) in making their findings of fact and recommendation on the proposed rezoning.

1. Explain why the proposed vacation would be in the public's best interest. Please refer to the factors being considered by the Planning Commission and City Council that are listed on the final page of this application.

We want to tear down the existing garage and replace it. The new garage would be starting in front of the oak trees seen in the picture and going towards the road. We are attaching pictures of the existing garage. The new garage would be further from the lake and aesthetically, would benefit the property and increase the tax value. We have already been maintaining this property for the last 25 years.

Additional Instructions:

Prior to submitting your Petition for Vacation, you will need to arrange for one or more preliminary meetings with the Director of Community Development. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals.

Findings for Approval:

The Planning Commission, in formulating its recommendation, and the City Council, in support of its action will make findings of fact based on their responses to the following list of considerations:

- Is the street right-of-way needed for traffic purposes?
- Is the street right-of-way needed for pedestrian purposes?
- Is the street right-of-way needed for utility purposes?
- Would vacating the street right-of-way place additional land on the tax rolls?
- Would vacating the street right-of-way facilitate economic development in the City?

In cases where a street/alley or public right-of-way is adjacent to a public water (lake or river), the City will also give consideration to comments submitted by the Minnesota Department of Natural Resources.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Complete applications shall be submitted to the Community Development Department one month prior to the Planning Commission's review of the vacation. More information may be requested by the City of Grand Rapids Planning Commission or City Council, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.

Petition for Vacation

PETITION FOR VACATION OF (PART OF) 15th Ave W (STREET/ALLEY/EASEMENT) IN THE CITY OF GRAND RAPIDS.

To the City Council of Grand Rapids, Minnesota:

The undersigned, a majority of the owners of property as set forth opposite their respective names, abutting on 15th Ave W. (Street/Alley/Easement), respectfully petition the City Council to vacate the aforesaid (part of) 15th Ave W. (Street/Alley/Easement).

Names (If not owner, describe nature of the interest in this property)

Description of Property

Stephen and Cheryl Smith

1421 5th St. N.W.
Grand Rapids, MN

Received on the 23 day of March, 2018

[Signature]
City Clerk

*This petition must be signed by at least **FIFTY PERCENT (50%)** of the property owners, or those with property interests abutting the property (street, alley or easement) to be vacated. Please provide the appropriate number of names and addresses and signatures, as needed to meet this requirement (attach additional sheet if necessary).*

Itasca County
Auditor/Treasurer
123 NE 4th Street
Grand Rapids, MN
55744

218-327-2859
www.co.itasca.mn.us

Property ID: 91-705-0820

Owner: SMITH, STEPHEN R & CHERYL J
ESCROW# 88
SMITH, STEPHEN R & CHERYL J

Taxpayer(s):

ESCROW# 88
SMITH, STEPHEN R & CHERYL J
802 SE 5TH ST
GRAND RAPIDS MN 55744

Property Description:

GRAND RAPIDS CITY
SEC:20 TWP: 55.0 RG:25 LOT: BLK: ACRES: .23
SYNDICATE DIV TO GRAND RAPIDS
LOTS 10-12-BLK 8

2018 Property Tax Statement

		VALUES & CLASSIFICATION	
		Taxes Payable Year: 2017	
		2017	2018
STEP 1	Estimated Market Value:	111,300	103,300
	Homestead Exclusion: Taxable Market Value:	111,300	103,300
	New Improvements/ Expired Exclusions: Property Classification:	RES NON-HSTD	RES NON-HSTD
Sent in March 2017			
STEP 2	PROPOSED TAX Proposed Tax:(excluding special assessments) Sent in November 2017		1,812.00
STEP 3	PROPERTY TAX STATEMENT First-half Taxes: May 15 Second-half Taxes: October 15 Total Taxes Due in 2018:		927.00 927.00 1,854.00

\$\$\$

You may be eligible for one or even two refunds to reduce your property tax.

REFUNDS? Read the back of this statement to find out how to apply.

	Taxes Payable Year:	
	2017	2018
1. Use this amount on Form M1PR to see if you're eligible for a property tax refund. File by August 15. If box is checked, you owe delinquent taxes and are not eligible.	<input type="checkbox"/>	
2. Use these amounts on Form M1PR to see if you are eligible for a special refund.		
PROPERTY TAX AND CREDITS		
3. Property tax before credits	1,921.00	1,809.00
4. Credits that reduce property taxes:		
A. Agricultural and rural land credits		
B. Taconite tax relief		
C. Other credits		
5. Property tax after credits	1,921.00	1,809.00
PROPERTY TAX BY JURISDICTION		
6. County	670.21	645.36
7. City or Town	920.31	854.75
8. State General Tax		
9. School District: A. Voter approved levies	19.43	
0318		
B. Other local levies	307.79	306.27
10A. Special taxing district	3.26	2.62
B. Tax increment		
C. Fiscal disparity		
11. Non-school voter approved referenda levies		
12. Total property tax before special assessments	1,921.00	1,809.00
SPECIAL ASSESSMENTS		
13A. SOLID WASTE ASSMT (RESIDENTIAL NH)		45.00
B. SOLID WASTE ASSMT (NON-HOMESTEAD)	45.00	
C.		
14. Total property tax and special assessments	1,966.00	1,854.00

ISSUED: 03/13/2018

2ND HALF PAYMENT STUB

Pay on or before October 15 to avoid penalty

Real Estate ITASCA COUNTY

Payable in 2018



*917050820

ESCROW# 88 SMITH, STEPHEN R & CHERYL J

RES NON-HSTD ACCT# 77831

Property ID Number:	91-705-0820
Full Tax for Year	1,854.00
Balance Due	927.00
Penalty	
Total Paid	

Note: When you provide a check as payment you authorize the County to use information from your check to make a one-time electronic fund transfer from your account. The funds may be withdrawn from your account the same day. You will not receive your check back from your financial institution.

Make checks payable to:
Jeffrey T. Walker
County Auditor/Treasurer

CASH

CHECK

COUNTER

MAIL

Mail to: Itasca County
Auditor/Treasurer
123 NE 4th Street
Grand Rapids, MN
55744

Check if address change on back

If box is checked you owe delinquent taxes

Detach stub and include with second half payment

\$30.00 service charge for all returned checks.

ISSUED: 03/13/2018

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000000927000000018540001



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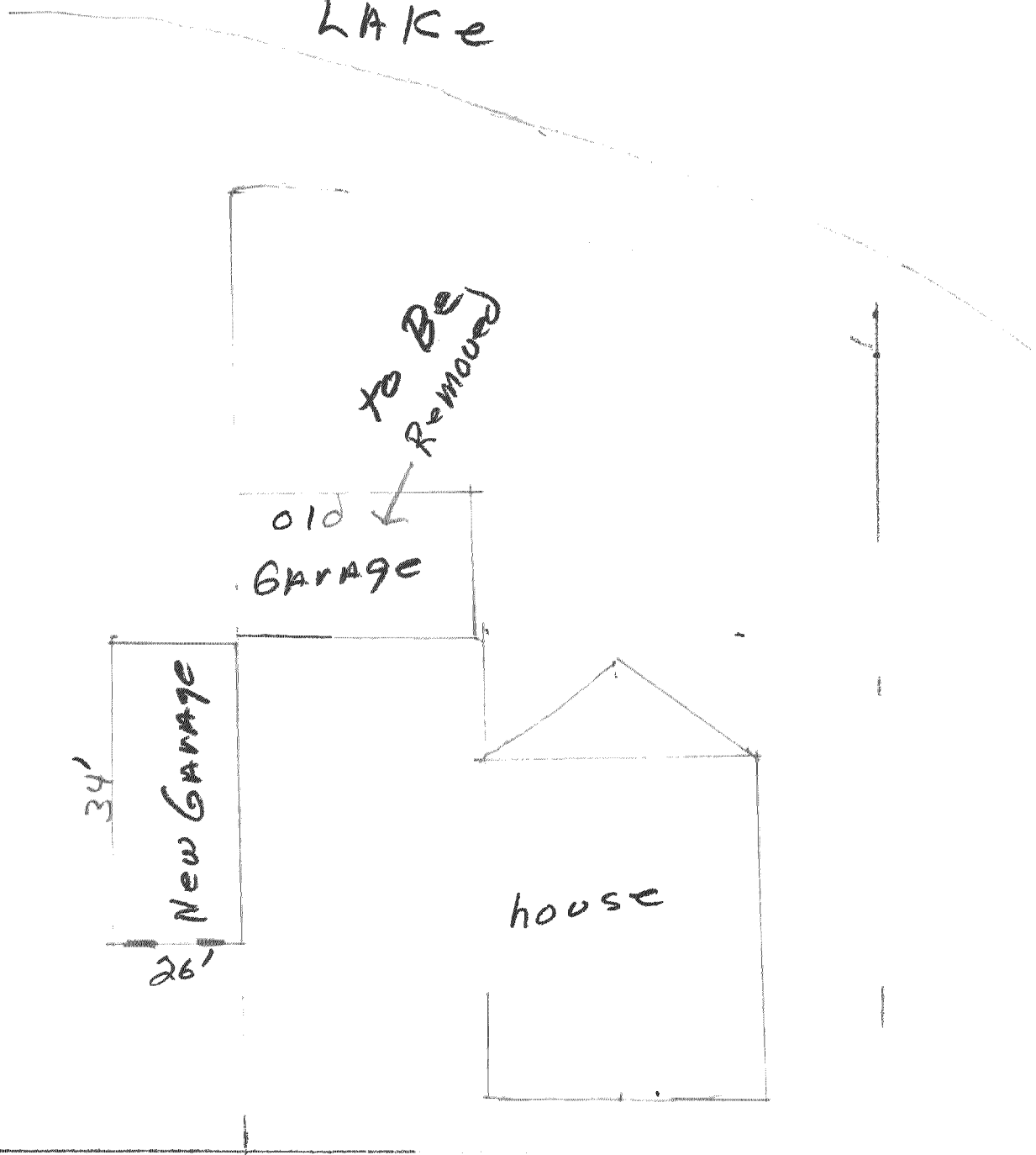
12 11 10 9 8 7 6 5

NW 5th St

NW 5th St

NW 15th Ave

Lake



to Be
Removed

old
Garage

34'
New Garage
26'

house

NW 5th St

NW 5th St.

NW 15th
Ave

