



CITY OF GRAND RAPIDS

NOTICE OF MEETING
PLANNING COMMISSION

Meeting Agenda Full Detail Planning Commission

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

Thursday, September 3, 2015

4:00 PM

Council Chambers

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

15-1580 Approve the minutes of the July 7, 2015, 4:00 pm regular meeting.

Attachments: [July 7, 2015 Meeting Minutes](#)

General Business

15-1583 Consider a recommendation to the City Council regarding the vacation of certain portions of public right-of-way and public easements located within the City of Grand Rapids.

Attachments: [Staff Report: City Initiated Vacations](#)

[Memo from Engr Dept. RE: Proposed Vacations w/Exhibits](#)

[Exhibit E-1](#)

[R-O-W Vacation Considerations](#)

[Easement Vacation Considerations](#)

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, October 1st, 2015*



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 15-1580 **Version:** 1 **Name:** Approve the minutes of the July 7, 2015, 4:00 pm regular meeting.

Type: Minutes **Status:** Approved

File created: 8/25/2015 **In control:** Planning Commission

On agenda: 9/3/2015 **Final action:**

Title: Approve the minutes of the July 7, 2015, 4:00 pm regular meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [July 7, 2015 Meeting Minutes](#)

Date	Ver.	Action By	Action	Result
9/3/2015	1	Planning Commission	Approved as Presented by Commission	

Approve the minutes of the July 7, 2015, 4:00 pm regular meeting.

Background Information:

See attached draft meeting minutes.

Staff Recommendation:

Approve the minutes of the July 7, 2015, 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

Tuesday, July 7, 2015

4:00 PM

Council Chambers

Call To Order

Call of Roll

- Present** 5 - Chairperson Julie Fedje-Johnston, Commissioner Mark Gothard, Commissioner Marn Flicker, Commissioner Charles Burress, and Commissioner Lester Kachinske
- Absent** 1 - Commissioner Susan Lynch

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 June 17, 2015, 4:00 pm special meeting.

Approved as Presented by Commission

General Business

Reconvene consideration of recommendation to the City Council regarding amendments to the Zoning Ordinance which would define a “driveway” and “recreational equipment”, and provide additional direction for off-street parking in single or two-family residential areas.

The Commissioners reviewed the following considerations:

- 1. Will the change affect the character of neighborhoods?
Why/Why not? It will establish additional guidelines for improving the appearance of neighborhoods.*
- 2. Would the change foster economic growth in the community?
Why/Why not? Indirectly, it will help maintain property value.*
- 3. Would the proposed change be in keeping with the spirit and intent of the ordinance?
Why/Why not? Yes.*
- 4. Would the change be in the best interest of the general public?*

Why/Why not? Yes, it will help maintain sight lines therefore increasing public safety.

5. *Would the change be consistent with the Comprehensive Plan?*

Why/Why not? Yes, it will provide consistency of neighborhoods and protect and enhance the livability.

Motion by Commissioner Kachinske, second by Commissioner Burress that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby forward a favorable recommendation to the City Council regarding the attached, draft text amendments. The following voted in favor thereof: Gothard, Flicker, Burress, Fedje-Johnston, Kachinske. Opposed: None, passed unanimously.

Consider a recommendation to the City Council regarding an amendment to the Comprehensive Plan for the inclusion of the Parks and Trails Master Plan and the GRMN Creates: *An Arts and Culture Roadmap*.

Motion by Commissioner Burress, second by Commissioner Flicker to forward a favorable recommendation to the City Council regarding amendments to the Comprehensive Plan for the inclusion of the Parks and Trails Master Plan and the GRMN Creates: An Arts and Culture Roadmap. The following voted in favor thereof: Kachinske, Fedje-Johnston, Burress, Flicker, Gothard. Opposed: None, passed unanimously.

Public Input

Miscellaneous\Updates

Chair Fedje-Johnston noted Commissioner Sedore has resigned and thanked her for her service. Chair Fedje-Johnston directed anyone interested in applying for the Planning Commission to contact the Administration Department.

Adjourn

Adjourn



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 15-1583 **Version:** 1 **Name:** Consider a recommendation to the City Council regarding the vacation of certain portions of public right-of-way and public easements located within the City of Grand Rapids.

Type: Agenda Item **Status:** General Business

File created: 8/26/2015 **In control:** Planning Commission

On agenda: 9/3/2015 **Final action:**

Title: Consider a recommendation to the City Council regarding the vacation of certain portions of public right-of-way and public easements located within the City of Grand Rapids.

Sponsors:

Indexes:

Code sections:

Attachments: [Staff Report: City Initiated Vacations](#)
[Memo from Engr Dept. RE: Proposed Vacations w/Exhibits](#)
[Exhibit E-1](#)
[R-O-W Vacation Considerations](#)
[Easement Vacation Considerations](#)

Date	Ver.	Action By	Action	Result
9/3/2015	1	Planning Commission		

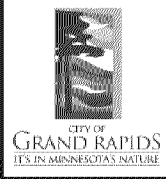
Consider a recommendation to the City Council regarding the vacation of certain portions of public right-of-way and public easements located within the City of Grand Rapids.

Background Information:

*See attached Staff Report and Background Information.
 Memo from Engineer opens on page #3 of document.

Staff Recommendation:

Consider a recommendation to the City Council regarding the vacation of certain portions of public right-of-way and public easements located within the City of Grand Rapids.



Planning Commission Staff Report

Agenda Item # 2	Community Development Department	Date: 9/3/2015
Statement of Issue:	Consider a recommendation to the City Council regarding the vacation of certain portions of public right-of-way and public easements located within the City of Grand Rapids.	
Background:	<p>With the completion of the Pokegama Avenue South reconstruction project (early 2013 - bridge to 10th St. S.), and the Crystal Lake Boulevard project (2014), there are now several sections of Right-Of Way (ROW) which are not needed for transportation purposes, and can be considered for vacation.</p> <p>The attached memo, from City Engineer, Julie Kennedy, identifies six proposed vacations (5-partial right-of-way and 1-partial easement), as well as easements to be retained. The proposed vacations are summarized below:</p> <ul style="list-style-type: none"> • Exhibit A: <i>Portion of 3rd Avenue NE – South of 12th Street NE, Kearney’s 1st Addition to Grand Rapids.</i> <ul style="list-style-type: none"> ○ In 2009, 350’ of Winnepeg Ave. (3rd Avenue NE) through petition and further expanded by the Planning Commission. Upon completion of the Crystal Lake Boulevard project in 2014, the north 50’ of this right-of-way is no longer needed, with the exception of the NW 1/3 of the R-O-W, over which an easement will be retained for utilities and street. • Exhibit B: <i>Portion of 2nd Street SW – West of Pokegama Avenue S., Town of Grand Rapids.</i> <ul style="list-style-type: none"> ○ With the reconstruction of Pokegama Avenue in 2012-13, the 2nd St. SW access to Pokegama Avenue was closed off. The east 115’ of the R-O-W is no longer needed for transportation purposes. A utility easement will be retained over the entire area proposed to be vacated to accommodate existing stormwater and sanitary sewer infrastructure. • Exhibit C: <i>Portion of 3rd Street SW – West of Pokegama Avenue S., Town of Grand Rapids.</i> <ul style="list-style-type: none"> ○ With the reconstruction of Pokegama Avenue in 2012-13, the 3rd St. SW access to Pokegama Avenue was closed off. The east 100’ of the R-O-W is no longer needed for transportation purposes. A utility and sidewalk/trail easement will be retained over the entire area proposed to be vacated to accommodate existing utility infrastructure 	

and pedestrian traffic.

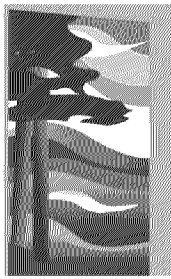
- **Exhibit D:** *Portion of 3rd Street SE – East of Pokegama Avenue S., Town of Grand Rapids.*
 - With the reconstruction of Pokegama Avenue in 2012-13, the 3rd St. SW access to Pokegama Avenue was also closed off. The west 70' of the R-O-W is no longer needed for transportation purposes. A utility and sidewalk/trail easement will be retained over the entire area proposed to be vacated to accommodate existing utility infrastructure and pedestrian traffic.

- **Exhibit E:** *Portions of 4th Street South/Pokegama Avenue, Central Div. of Grand Rapids and Town of Grand Rapids. *This vacation proposal will be summarized separately: SW quadrant of intersection and NE quadrant of intersection;*
 - SW quadrant of 4th St. S./Pokegama Ave. S. intersection: As part of the Pokegama Avenue reconstruction project, 4th Street SW and 4th Street SE were aligned at a common intersection on Pokegama Avenue. As a result of the alignment, there are portions of 4th Street S. right-of-way that are not needed for transportation purposes. Community Development Dept. Staff identified several existing utilities within the area identified for vacation on Exhibit E (overhead power, base of stop light structure, fire hydrant). In an effort to allow for some future development in the proposed vacated area, and not request the retention of a utility easement (*structures may not be placed within a publically held easement*), staff has drafted a scaled down area of vacation for consideration by the Planning Commission, excluding the existing utilities. This revised area of vacation is depicted in Exhibit E-1.

 - NE quadrant of 4th St. S./Pokegama Ave. S. intersection: Community Development Dept. Staff has identified a unique situation with the proposed portion of R-O-W to be vacated within the NE quadrant of the subject intersection. 4th Street S., east of Leland Ave. (Pokegama Ave.), was originally platted, wholly within Garlands Addition, and is the northern edge of the plat. When right-of-way is vacated, ½ of the R-O-W reverts to abutting property owners within the plat. In this instance, with the northern edge of 4th Street S. being the plat boundary (the Plat of Town of Grand Rapids is directly north) any and all vacated 4th Street R-O-W in this area would revert to the adjacent property owner to the south. The City of Grand Rapids currently owns said property (Lots 18-20, Blk. 1, Garlands Add). This property

	<p>was purchased in anticipation of the 4th Street alignment project, and the City currently maintains the portions of property and R-O-W not currently being used for roadway or sidewalk/trail.</p> <ul style="list-style-type: none"> ▪ Conclusion of Exhibit E summary: Upon review by the Planning Commission, staff would recommend that the revised area of vacation in the SW quadrant of the intersection, Exhibit E-1, be forwarded on to the City Council. Additionally, as there is no gain in property, or use of, by adjoining property owners in the NE quadrant of the intersection, staff would recommend that it is not necessary for this area (NE quadrant) of proposed vacation to move forward for consideration by the City Council. <ul style="list-style-type: none"> • Exhibit E: <i>Portion of retained utility easement over vacated 11th St NE from 3rd Ave NE to the alley adjacent to Block 9, Kearney's First Addition.</i> <ul style="list-style-type: none"> ○ In August of 1985, the City Council adopted Res. #85-50 (Record No. 427940) vacating 11th St. NE from 3rd Ave. NE to the alley adjacent to Block 9, Kearney's 1st Add. Within the resolution, a utility easement was reserved over the entire area, due to an existing overhead power line and underground telephone cable. The property owner of the subject lot has inquired as to the need for a full utility easement (excluding the area needed to accommodate the overhead power) over the entire area, as they would like to utilize a portion of the yard area for an accessory building. The Public Works Department has conducted a utility locate which confirmed no underground utilities exist in the proposed area to be vacated. <p>There were no concerns or objections regarding the vacations, as proposed (and amended) from the staff review committee which consists of the Public Works Department, Engineering Department, Community Development Department, and the Grand Rapids Public Utilities Commission.</p> <p>Pursuant to Minnesota Statute 412.851, the City Council initiated the process to consider these right-of-way and easement vacations at their August 24, 2015 meeting.</p>
Considerations:	When considering the vacation of public right-of-way and public easements, the Planning Commission must make findings of fact based on the attached list of considerations.
Recommendation:	Staff recommends that the Planning Commissioners visit the sites, review the comments submitted by the Review Committee, and review the relevant

	<p>sections of the Comprehensive Plan.</p> <p>Prior to making a recommendation to the City Council to approve/not approve the proposed vacations, 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 right-of-way and easement vacations.</p>
<p>Required Action:</p>	<p>Pass a motion forwarding a recommendation to the City Council for approval or non-approval of the proposed public right-of-way and public easement vacations.</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-ways and public easement identified as:</p> <p style="text-align: center;"><i>Exhibits: A, B, C, D, E-1, F</i></p> <p style="text-align: center;"><u>Contingent on the following stipulation(s)/recommendations:</u></p> <ul style="list-style-type: none"> • _____
<p>Attachments:</p>	<ul style="list-style-type: none"> • Memo from City Engineer - Site Maps/Exhibits • List of the Planning Commissions Vacation Considerations



MEMORANDUM

Date: August 13, 2015

To: Rob Mattei, Community Development Director

CC: Jeff Davies, Public Works Director

From: Julie Kennedy, City Engineer

Re: Routine City Initiated Vacations

With the completion of the Crystal Lake Boulevard and Pokegama Avenue South Reconstruction projects, there are now sections of Right-Of Way (ROW) that can be vacated. The following are recommended by the Engineering Department for vacation.

3rd Avenue NE – South of 12th Street NE (Exhibit A)

Several years back 3rd Avenue NE between 11th Street NE and 12th Street NE was vacated. However, in that vacation process, a portion of the ROW was retained on the northern end, adjacent to 12th Street NE, until the area that would be needed for the Crystal Lake Boulevard project could be determined. Now that the Crystal Lake Boulevard project is complete, the Engineering Department is recommending that the ROW be vacated as depicted in the following picture. The red crosshatched triangle, generally located on the west and northern portion of the right of way, should be retained as a utility and street easement.

2nd Street SW (Exhibit B)

With the access closure of 2nd Street SW to Pokegama Avenue, the Engineering Department is recommending that the Easterly 115 feet be vacated, but retain utility easements over the entire vacation.

3rd Street SW (Exhibit C)

With the access closure of 3rd Street SW to Pokegama Avenue, the Engineering Department is recommending that the Easterly 100 feet be vacated, but retain utility and sidewalk/trail easements over the entire vacation.

3rd Street SE (Exhibit D)

With the access closure of 3rd Street SE to Pokegama Avenue, the Engineering Department is recommending that the Westerly 70 feet be vacated, but retain utility and sidewalk/trail easements over the entire vacation.

4th Street South/Pokegama Avenue (Exhibit E)

The intersection of 4th Street South and Pokegama Avenue is more complicated when it comes to what property interests should the City retain. The City owns three lots outlined in red on the following drawing. The tan area shows the 80' ROW that should be retained for the re-aligned 4th St. We are requesting that the Planning Commission review the City-owned lots and decide what portions of the properties, outside of the 80' required ROW, should be retained, if any, for public purpose. Once that has been completed, it will likely be necessary to have a legal survey completed prior to recommending potential vacations of right of ways and sale of excess properties.

11th Street NE (Exhibit F)

On August 14, 1985, the City Council adopted Resolution 85-50 vacating 11th St NE from 3rd Ave NE to the alley adjacent to Block 9, Kearney's First Addition. (attached after Exhibits) The resolution dedicated the entire vacated ROW as a utility easement because of underground telephone cable. At this time, the Engineering Department is recommending vacating the portion of the utility easement in the red crosshatched area, which is generally located as the northern portion of the easement. The Public Works Department has conducted a utility locate that confirmed no underground utilities exist in the proposed area. (attached after Resolution 85-50)

Date:
08-11-15
1 inch = 30 feet

91-585-0130
ITASCA COUNTY
123 NE 4TH ST

2014

CB6360

Crystal Lake Blvd

91-585-0720
MARTY, DAVID M & RASMUSSEN, SHARON
1127 FAIRGROUNDS RD

91-585-0810
MARTY, DAVID M & RASMUSSEN, SHARON
1127 FAIRGROUNDS RD

91-585-0710
HALVORSON, TIA M & JEFFREY P
208 CRYSTAL BLVD

91-585-0820
REINERS, SIDNEY L
PO BOX 628

Legend


Parcels

Parcels

Proposed Vacations

Vacate ROW


Proposed Utility Easement

 Proposed Utility Easement

Date:
08-11-15
1 inch = 30 feet



Legend

- Parcels**
Parcels
- Proposed Vacations**
Vacate ROW
- Proposed Easement**
 Proposed Easement



Date:
08-11-15

1 inch = 30 feet

91-708-6030
HULTEEN, JEREMY A
3 SW 3RD ST

SW 3rd St

Pokegama Ave S

Water

91-410-6710
PRZYTARSKI, STEVEN M & LINDA S
705 NW 9TH ST

Legend


Parcels

Parcels

Proposed Vacations

Vacate ROW

Proposed Easement

 Proposed Easement



Date: 08-11-15
1 inch = 30 feet

91-410-5950
GRAEBER, TARA L
120 SW 4TH ST

91-410-5940
HORNER, THOMAS E
907 CLOVER LANE

SE 3rd St

Pokegama Ave S

91-410-6880
HANSON, BRADLEY S & SUSAN
302 POKEGAMA AVE S

91-410-6870
VROMAN, BRIAN K
310 S POKEGAMA AVE



Legend


- Parcels**

Parcels
- City-owned parcels**

City-owned parcels
- Required 80' ROW**

Required 80' ROW
- Proposed Vacations**

Vacate ROW


 Date:
 08-11-15
 1 inch = 30 feet



Legend

- | | | | |
|----------------|---|--|--|
| Parcels | Proposed Easement | Existing Easements | Existing Vacations |
| Parcels |  Vacate Easement |  Easement |  Existing Vacations |

427940

Councilmember Huntley introduced the following resolution and moved for its adoption:

RESOLUTION NO. 85-50

A RESOLUTION VACATING A CITY RIGHT-OF-WAY

WHEREAS, A petition for the vacation of 11th Street N. E. from 3rd Avenue N. E. to the alley adjacent to Block 9, Kearney's First Addition, by Jerry Snustad, was received, and

WHEREAS, this petition was considered by the City Planning Commission and the Planning Commission recommended that this right-of-way be vacated, and

WHEREAS, this petition was also considered by the Public Utilities Commission and recommended for approval, contingent upon the dedication of utility easement along the existing electrical distribution line located in the present right-of-way, and

WHEREAS, a public hearing was held by Council after due notice, and all persons interested in the vacation were given an opportunity to be heard, and

WHEREAS, the City Engineer recommended that PUC's recommendation be expanded such that the entire vacated right-of-way be re-dedicated as a utility easement because of underground telephone cable, and

WHEREAS, the Council finds that this undeveloped alley serves no useful purpose as presently laid out, except for the utility easements, and that the vacation of the same is in the public interest.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Grand Rapids, Minnesota, hereby vacates 11th Street N. E. from 3rd Avenue N. E. to the alley adjacent to Block 9, Kearney's First Addition, contingent upon re-dedication of the entire vacated right-of-way as a utility easement and contingent upon receiving the easement documents as indicated.

Adopted this 14th Day of August, 1985

John T. Craig /s/
John T. Craig, Mayor

Attest:

Karlene M. Gale
Karlene M. Gale, City Clerk

Councilmember Pollard seconded the foregoing resolution and the following voted in favor thereof: Pollard, Huntley, Akre, Kastner, Craig; and the following voted against same: None, whereby the resolution was declared duly passed and adopted.

City DR

ABIS

15

427940

CLERK'S CERTIFICATE

I, Karlene M. Gale, City Clerk of the City of Grand Rapids, Minnesota, do hereby certify that the foregoing is a true and correct copy of the original resolution adopted by the City Council on the 14th day of August, 1985.

Dated at Grand Rapids this 24th day of January, 1992.

Karlene M. Gale
Karlene M. Gale, City Clerk

(Seal)



OFFICE OF COUNTY RECORDER
STATE OF MINNESOTA
County of Itasca } ss.

I hereby certify that the within instrument was filed in this office for record as
Document No. 427940
Date FEB 05 1992 at 4:30 P.M.

LARRY A. UNGER
County Recorder
By Pamela Anderson
Deputy

AL LAKE

427940

Center
See 16

ST. NO.

VACATED

AVE.	
12	1
9	2
6	3

AVE.	
11	2
16	9
15	4
14	5
13	6
12	7

AVE.	
18	1
17	2
16	3
15	4
14	5
13	6
12	7

AVE.	
19	1
18	2
17	3
16	4
15	5
14	6
13	7

ST. NO.	
18	1
17	2
16	3
15	4
14	5
13	6
12	7

ST. NO.	
18	1
17	2
16	3
15	4
14	5
13	6
12	7

ST. NO.	
18	1
17	2
16	3
15	4
14	5
13	6
12	7

NO.	
19	1
18	2
17	3
16	4
15	5
14	6
13	7

ST.	
18	1
17	2
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15	4
14	5
13	6
12	7

ST.	
18	1
17	2
16	3
15	4
14	5
13	6
12	7

ST.	
18	1
17	2
16	3
15	4
14	5
13	6
12	7

NO.	
19	1
18	2
17	3
16	4
15	5
14	6
13	7

ELAND

BLEEPER

SIMPSON

VINNEREG

Handwritten notes on the right margin, including "Center See 16" and other illegible text.

At that time, the halfway house was a major concern. Mr. Schroeder said that the half-way house had triggered the request for rezoning, but research of the property and what could be done with it was the major concern. The developer's main concern was to be able to develop the the property.

After further discussion, Councilman Huntley voiced her concern that a good reason for changing the zoning has not been submitted. It took the Planning Commission and Council two years to develop the new zoning ordinance, and she was very concerned about changing the zoning within several months of the adoption. She also said that the Council may wish to leave the zoning as is to see how the property in that area develops. Mayor Craig and Councilman Kastner said that they tended to lean towards Councilman Huntley's concerns. Mr. Schroeder said that, with the zoning so restricted, it cuts in half of what could be done with the property. There would be a much wider market in the area if it were changed to R-B.

Marian Barcus, Northland Mental Health, informed the Council on the status of the halfway house. She said that they have recalled for bids. If a bid is accepted, the construction is planned for the end of August, with a completion date of January 1, 1986. She also indicated that it would be very beneficial for the half-way house to be located near services - such as the CWDC, Mental Health Center, Job Services etc.

A discussion was held in regards to the options of the Council. It was pointed out that if the request was denied, the request could not be resubmitted for a period of one year, unless new evidence was submitted. After further deliberation by council, the following action was taken:

85-8-24. Resolved by Councilman Huntley, seconded by Councilman Akre, that we continue the public hearing on the consideration of rezoning Block 6-8, Crowder Addition, until September 11, 1985, at 7:00 p.m. Upon roll call, the following voted in favor thereof: Pollard, Huntley, Akre, Kastner, Craig. Opposed: None. Passed unanimously.

At 7:35 p.m., the Mayor then announced that a public hearing would be held to consider the vacation of 11th Street N. E., east of Third Avenue. The City Clerk presented the affidavit of publication of notice of public hearing, as required by law, and her affidavit of mailing public hearing notices to affected property owners.

The City Engineer informed the Council that the Planning Commission recommended approval of the vacation. This request was also reviewed by Public Utilities Commission. They approved the request contingent upon the dedication of utility easement along the existing electrical distribution line located in the present right-of-way. Because the telephone company has an underground cable in the present right-of-way, the City Engineer recommended that the PUC's recommendation be expanded such that the entire vacated right-of-way be re-dedicated as a utility easement.

There was no one present at the meeting who wished to voice their opinion in regards to the vacation request.

5-8-25. Councilman Huntley introduced the following resolution and moved for its adoption:

RESOLUTION NO. 85-50

A Resolution Vacating a City Right-of-way

WHEREAS, a petition for the vacation of 11th Street N. E. from 3rd Avenue N. E. to the alley adjacent to Block 9, Kearney's First Addition, by Jerry Snustad, was received, and

WHEREAS, this petition was considered by the City Planning Commission and the Planning Commission recommended that this right-of-way be vacated; and

WHEREAS, this petition was also considered by the Public Utilities Commission and recommended for approval, contingent upon the dedication of utility easement along the existing electrical distribution line located in the present right-of-way, and

WHEREAS, a public hearing was held by Council after due notice, and all persons interested in the vacation were given an opportunity to be heard, and

Regular Council Meeting
August 14, 1985
Page Seven

WHEREAS, the city Engineer recommended that PUC's recommendation be expanded such that the entire vacated right-of-way be re-dedicated as a utility easement because of underground telephone cable, and

WHEREAS, the Council finds that this undeveloped alley serves no useful purpose as presently layout, except for the utility easements, and that the vacation of the same is in the public interest.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Grand Rapids, Minnesota, hereby vacates 11th Street N. E. from 3rd Avenue N. E. to the alley adjacent to Block 9, Kearney's First Addition, contingent upon re-dedication of the entire vacated right-of-way as a utility easement and contingent upon receiving the easement documents as indicated.

Councilman Pollard seconded the foregoing resolution and upon roll call, the following voted in favor thereof: Pollard, Huntley, Akre, Kastner, Craig; and the following voted against same: None, whereby the resolution was declared duly passed and adopted.

The City Engineer submitted a 5-year construction program for our municipal state aid street system. He said that this program does not commit the Council to undertake the improvements. After review of the plan, the following action was taken:

85-8-26. Councilman Huntley introduced the following resolution and moved for its adoption:

RESOLUTION NO. 85-51

WHEREAS, the City of Grand Rapids receives an allotment of approximately \$249,968.00 per year from the Minnesota Department of Transportation for improvement on the City's Municipal State-Aid Street System, and

WHEREAS, it is advantageous to prepare a 5-year Construction Program to plan for the expenditure of these funds.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS:

1. The attached schedule is hereby approved and adopted as the Planned Municipal State-Aid Street system 5-year Construction Program for Grand Rapids.
2. The City Engineer is hereby directed to forward a copy of this program to the appropriate MN/DOT officials.

Adopted this 14th day of August, 1985.

Councilman Akre seconded the foregoing resolution and upon roll call, the following voted in favor thereof: Pollard, Huntley, Akre, Kastner, Craig; and the following voted against same: None, whereby the resolution was declared duly passed and adopted.

MUNICIPAL STATE-AID STREET SYSTEM

5-Year Construction Program For GRAND RAPIDS

(State Aid Expenditures Only)

REVENUE

Present State Aid Construction Balance June 30, 19 <u>85</u>	=	\$ <u>249,968</u>
Estimated Annual Construction Allotment \$ <u>184,749</u> X 4	=	\$ <u>738,996</u>
Estimated Total State Aid Allotment for Programming Purposes		\$ <u>988,964</u>

1482 1012

4

Utility	Facility	Response	Locate D/T	Response D/T	Comments
CENTURYLINK - CTLQL - CTLMN01	P	1 - Clear/No Conflict		8/7/2015 09:12:51	
GRAND RAPIDS UTILITIES - GRDRPS01	S,W	1 - Clear/No Conflict	8/7/2015 09:09:40	8/7/2015 09:11:06	
GRAND RAPIDS UTILITIES - GRDRPS01	S,W	1 - Clear/No Conflict	8/6/2015 15:02:23	8/6/2015 15:13:50	
GRAND RAPIDS UTILITIES - GRDRPS01	S,W	1 - Clear/No Conflict	8/6/2015 14:43:57	8/6/2015 14:52:24	
GRAND RAPIDS UTILITIES - GRDRPS01	E,F				
MEDIACOM CABLEVISION - STARTV07	C,F	1 - Clear/No Conflict	8/7/2015 14:45:9	8/7/2015 14:45:10	
MINNESOTA ENERGY RESOURCES - MERC32	G	1 - Clear/No Conflict		8/6/2015 14:51:31	
PAUL BUNYAN COMMUNICATIONS - PLBURT01	C,E,F,P	2 - Marked		8/7/2015 09:33:55	

GARY 368 1974
ALL CLEAR COOP. DEV.
8-11-15

VICKI - COOP DEV.
(218) 368 1973

Ticket Information

Gopher State One Call Locate Request

Ticket Number:	152183030	Old Ticket:	
By:	DREW.L	Source:	VOICE
Type:	NORMAL	Submit Date:	8/6/2015 1:50:14 PM
Send To:	MNPRS	Sequence:	3028
Work Date:	8/10/2015 1:45:00 PM	Expiration Date:	8/24/2015 1:45:00 PM

Excavator Information

CITY OF GRAND RAPIDS PUBLIC WOR	Type:	UTILITY
420 N POKEGAMA AVE		
GRAND RAPIDS MN 55744		
Requested By: CINDY LYMAN	Phone:	(218) 326-7481
Contact: JEFF DAVIES	Contact Phone:	(218) 259-8688
Company Phone: (218) 326-7481	Company Fax:	
Company Email: CLYMAN@CI GRAND-RAPIDS.MN US		

Work Information

Street:	1036 NE 3RD AVE	County:	ITASCA
Place:	GRAND RAPIDS	State:	MN
Intersection:	NE 11TH ST		
Done For:	CITY OF GRAND RAPI		
Type of Work:	OTHER - SEE REMARKS		
Explosives:	No	Tunnel/Bore:	No
Right of Way:	Yes	Duration:	1 WEEK

Remarks

BUILDING A NEW GARAGE OR SHED

MARK A 50FT RADIUS OF WHITE STAKES LOCATED AT THE END OF THE DRIVEWAY, APPROX 100FT FROM THE ROAD

Members

Code	Name	Phone Number
CTLMN01	CENTURYLINK - CTLQL	(855) 742-6062
GRDRPS01	GRAND RAPIDS UTILITIES - GRDRPS01	(218) 568-4744
MERC32	MINNESOTA ENERGY RESOURCES - MERC32	(800) 889-9508
PLBURT01	PAUL BUNYAN COMMUNICATIONS - PLBURT01	(218) 368-1973
STARTV07	MEDIACOM CABLEVISION - STARTV07	(515) 559-5690

Location			
Latitude:	47.242796	Longitude:	-93.524242
Second Latitude:	47.246546	Second Longitude:	-93.52075
T 55N R 25W S 16 Q NE	T 55N R 25W S 16 Q NW	T 55N R 25W S 16 Q SE	T 55N R 25W S 16 Q SW



Exhibit E-1 (area of revised vacation)



S ½ of Union St. (4th St. SW), as represented in the Plat of Central Division of Grand Rapids LYG ADJ to the E ½ of Lot 6 & Lots 7-10, Block 21 & LYG southeasterly of the following described line: Beginning at a point along the N line of Block 21 LYG 11.5 ft. easterly of the NW corner of Lot 4, Block 21, thence northeasterly to a point of intersection of the N line of the S ½ of Union St. LYG 62 ft. W of the northerly extension of the East line of Lot 10, Block 21 & there terminating. And Less the S 11 ft. thereof, all in the Plat of Central Division of Grand Rapids, Itasca County, Minnesota

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?

PLANNING COMMISSION

Considerations

EASEMENT VACATIONS

1. Is the easement needed for traffic purposes?

Why/Why not?

2. Is the easement needed for pedestrian purposes?

Why/Why not?

3. Is the easement needed for utility purposes?

Why/Why not?

4. Would vacating the easement place additional land on the tax rolls?

Why/Why not?

5. Would vacating the easement facilitate economic development in the City?

Why/Why not?