



Planning Commission Staff Report

Agenda Item #2	Community Development Department	Date: 5/5/22
Statement of Issue:	Consider a recommendation to the City Council regarding the vacation of platted street and alley right-of-way within Reynolds' Addition to Grand Rapids.	
Background:	<p>Matt Grose, Superintendent of ISD #318, on behalf of the School District Board submitted a valid petition, on April 15, 2022 requesting the vacation of the following described <u>public right-of-ways</u>:</p> <p style="text-align: center;"><i>6th Avenue East Lying Between Lot 6, Block 1 and Lot 1, Block 2, Reynolds' Addition to Grand Rapids</i></p> <p style="text-align: center;"><i>And;</i></p> <p style="text-align: center;"><i>N/S alley in Block 1 and the N/S alley in Block 2, Reynolds' Addition to Grand Rapids, Itasca County, Minnesota.</i></p> <p>The three publically, unimproved segments of platted right-of-way (2-alley, and 1-street) petitioned for vacation, terminate at the northern edge of the plat of Reynolds' Addition to Grand Rapids (platted in 1948). The remaining northern 2/3's of the city block, is an unplatted 3.8 acre parcel of land, occupied by the majority of the (former) Edna I Murphy elementary school and play ground, constructed in approximately 1953.</p> <p>The subject segments of right-of-way petitioned for vacation are currently used for/occupied by:</p> <ul style="list-style-type: none">• Western most alley: 140 ft. of sidewalk• 6th Ave. E. R-O-W: entrance to east side of the former school for parking/deliveries, and 2,200 sq. ft. of building is located in the R-O-W.• Eastern most alley: extends through/under the ice hockey rink and into ball field/playground area. <p>The School District is the owner of the of the former Murphy Elementary School property. The vacation request, if approved, would remove the unimproved right-of-ways from the property, providing a clean title to the site, for potential future sale.</p> <p>As described in the attached email correspondence, the Engineering/Public Works Department have no objections to the petitioned vacation, however Matt Wegwerth, City Engineer/Public Works Director, noted the ownership of the sidewalk along the east side of 5th Avenue appears to be fully on ISD 318 property, which would require the walk to be the responsibility of the District. With the vacation, this would eliminate all public ownership of this walk.</p>	

	<p>Historically, the sidewalk along the east side of 5th Avenue (between 9th Street NE and 8th Street NE) has been maintained by the school district. During the schools operational years, snow removal was taken care of by the districts grounds maintenance department, as the school busses unloaded and picked up on the west side of the school, for the majority of its time open. The northern 2/3's of the sidewalk, on this side of the school, remain on the School District's property.</p> <p>There were no concerns or objections regarding the petitioned right-of-way vacations from the remaining members of the staff review committee which consists of the Engineering/Public Works 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 (or a portion of) 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 the School District represents 100% 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 of fact 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 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 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 public right-of-way.</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 rights-of-way described as:</p> <p style="padding-left: 40px;"><i>6th Avenue East Lying Between Lot 6, Block 1 and Lot 1, Block 2, Reynolds' Addition to Grand Rapids</i></p> <p style="padding-left: 80px;"><i>And;</i></p> <p style="padding-left: 40px;"><i>N/S alley in Block 1 and the N/S alley in Block 2, Reynolds' Addition to Grand Rapids, Itasca County, Minnesota;</i></p>

	<p><u>Contingent on the following stipulation(s):</u></p> <ul style="list-style-type: none">• _____.
Attachments:	<ul style="list-style-type: none">• Site/Area Maps and Plat• Public Vacation Application/Petition• Staff Review Committee Comments• List of the Planning Commissions Vacation Considerations

Eric Trast

From: Matt Wegwerth, PE
Sent: Friday, April 22, 2022 10:52 AM
To: Eric Trast
Cc: Rob Mattei
Subject: RE: ISD #318 Right-of-way Vacation Request

Eric,

I have no objections to the vacation request. My only comment is the ownership of the sidewalk along the east side of 5th Avenue. It appears to be fully on ISD 318 property, which would require the walk to be the responsibility of the District. With the vacation, this would eliminate all public ownership of this walk. No concerns, just want this to be noted.

Thanks

Matt Wegwerth, PE
Public Works Director / City Engineer
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7625
Mobile: 218-244-1987
Fax: 218-326-7621

From: Eric Trast <ETrast@ci.grand-rapids.mn.us>
Sent: Thursday, April 21, 2022 2:37 PM
To: Matt Wegwerth, PE <mwegwerth@ci.grand-rapids.mn.us>; Julie Kennedy <jakennedy@grpuc.org>; Travis Cole <tcole@ci.grand-rapids.mn.us>; Steve Schaar <sschaar@ci.grand-rapids.mn.us>
Cc: Rob Mattei <rmattei@ci.grand-rapids.mn.us>; Steven Mattson <srattson@grpuc.org>; Jeremy Goodell <jjgoodell@grpuc.org>
Subject: ISD #318 Right-of-way Vacation Request

To All-

Please see the attached memo requesting your review and comment on a petitioned public right-of-way vacation request, from ISD #318, on the former Murphy School property.

Feel free to reach out with any questions.

Thanks,

Eric

Eric Trast
Zoning Administrator
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662

Eric Trast

From: Jeremy Goodell
Sent: Thursday, April 21, 2022 3:01 PM
To: Eric Trast; Matt Wegwerth, PE; Julie Kennedy; Travis Cole; Steve Schaar
Cc: Rob Mattei; Steven Mattson
Subject: RE: ISD #318 Right-of-way Vacation Request

There are no issues with GRPU Electric.

Thanks,

Jeremy Goodell, Electric Department Manager
Grand Rapids Public Utilities Commission
500 SE 4th St., Grand Rapids, MN 55744
W: 218.326.7182, F: 218.326.7499, jjgoodell@grpuc.org
www.grpuc.org "GRPUC – Service is Our Nature"

From: Eric Trast [mailto:ETrast@ci.grand-rapids.mn.us]
Sent: Thursday, April 21, 2022 2:37 PM
To: Matt Wegwerth, PE <mwegwerth@ci.grand-rapids.mn.us>; Julie Kennedy <jakennedy@grpuc.org>; Travis Cole <tcoble@ci.grand-rapids.mn.us>; Steve Schaar <sschaar@ci.grand-rapids.mn.us>
Cc: Rob Mattei <rmattei@ci.grand-rapids.mn.us>; Steve Mattson <srmattson@grpuc.org>; Jeremy Goodell <jjgoodell@grpuc.org>
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Caution: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Thanks,

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Eric Trast
Zoning Administrator
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7650
Fax: 218-326-7621

Eric Trast

From: Steven Mattson
Sent: Thursday, April 21, 2022 3:31 PM
To: Eric Trast; Matt Wegwerth, PE; Julie Kennedy; Travis Cole; Steve Schaar
Cc: Rob Mattei; Jeremy Goodell
Subject: RE: ISD #318 Right-of-way Vacation Request

No issues with GRPU Water and Sanitary.

Steve R Mattson | Water and Wastewater Manager
Grand Rapids Public Utilities Commission
500 SE 4th St | Grand Rapids, MN 55744
W: 218.326.7195 | M: 218.244.5092
www.grpuc.org | "GRPUC - Service Is Our Nature"

From: Eric Trast [mailto:ETrast@ci.grand-rapids.mn.us]
Sent: Thursday, April 21, 2022 2:37 PM
To: Matt Wegwerth, PE <mwegwerth@ci.grand-rapids.mn.us>; Julie Kennedy <jakennedy@grpuc.org>; Travis Cole <tcoble@ci.grand-rapids.mn.us>; Steve Schaar <sschaar@ci.grand-rapids.mn.us>
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Zoning Administrator
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7650
Fax: 218-326-7621

Eric Trast

From: Steve Schaar
Sent: Thursday, April 21, 2022 2:41 PM
To: Eric Trast; Matt Wegwerth, PE; Julie Kennedy; Travis Cole
Cc: Rob Mattei; Steven Mattson; Jeremy Goodell
Subject: RE: ISD #318 Right-of-way Vacation Request

No issues with the Police Department.

Steve Schaar

Chief of Police
Grand Rapids Police Department
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-3464
Mobile: 218-244-5039
Fax: 218-326-7610

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Zoning Administrator
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7650
Fax: 218-326-7621

Eric Trast

From: Travis Cole
Sent: Thursday, April 21, 2022 4:10 PM
To: Eric Trast; Matt Wegwerth, PE; Julie Kennedy; Steve Schaar
Cc: Rob Mattei; Steven Mattson; Jeremy Goodell
Subject: RE: ISD #318 Right-of-way Vacation Request

Fire Department has no issues with proposed Right-of-way vacation request.

Travis Cole

Fire Chief
City of Grand Rapids
104 SE 11th St.
Grand Rapids, MN 55744-2662
Office: 218-326-7639
Mobile: 218-360-9702
Fax:

From: Eric Trast <ETrast@ci.grand-rapids.mn.us>
Sent: Thursday, April 21, 2022 2:37 PM
To: Matt Wegwerth, PE <mwegwerth@ci.grand-rapids.mn.us>; Julie Kennedy <jakennedy@grpuc.org>; Travis Cole <tcole@ci.grand-rapids.mn.us>; Steve Schaar <sschaar@ci.grand-rapids.mn.us>
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