



City of Grand Forks
Staff Report

Planning & Zoning Commission – August 7, 2019
City Council – August 19, 2019

APPROVED & ACCEPTED
by City Council

08/19/2019

Maureen Storstad
Maureen Storstad
City Auditor

Agenda Item: 4-1 (Preliminary) Preliminary approval of the Replat of Lot 22, Block 1, Southern Estates Twelfth Addition

Prepared by: Ryan Brooks, Deputy City Planner

Submitted by: Brad Gengler, City Planner

Staff Recommended Action: Recommend preliminary approval of the request from Houston Engineering on behalf of Useldinger LLLP, for preliminary approval of the Replat of Lot 22, Block 1, Southern Estates Twelfth Addition to the City of Grand Forks, ND, located at 4400 block of South Columbia Road, subject to the conditions shown on or attached to the review copy. Recommend the City Council give preliminary approval to the request on August 19, 2019, subject to the conditions shown on or attached to the review copy, and set a public hearing for September 16, 2019.

August 7, 2019 – Committee Recommended Action: *Motion by Reichert, second by Sande for approval with conditions: 1) Removal of proposed public street and 2) lot line to run through the center of the removed public Right of Way. Motion carried unanimously.*

August 19, 2019 – Council Action: *Motion by Vein, second by Weber, to give preliminary approval of the plat as originally recommended by staff including preliminary approval of the Street and Highway Ordinance, and to set a public hearing for September 16, 2019. Motion carried unanimously.*

September 4, 2019 – Committee Recommended Action:

September 16, 2019 – Council Action:

BACKGROUND: The owner of the property is requesting to subdivide the commercial lot located east of South Columbia Road and plat a cul-de-sac located at 43rd Avenue South. The request meets the city code requirements.

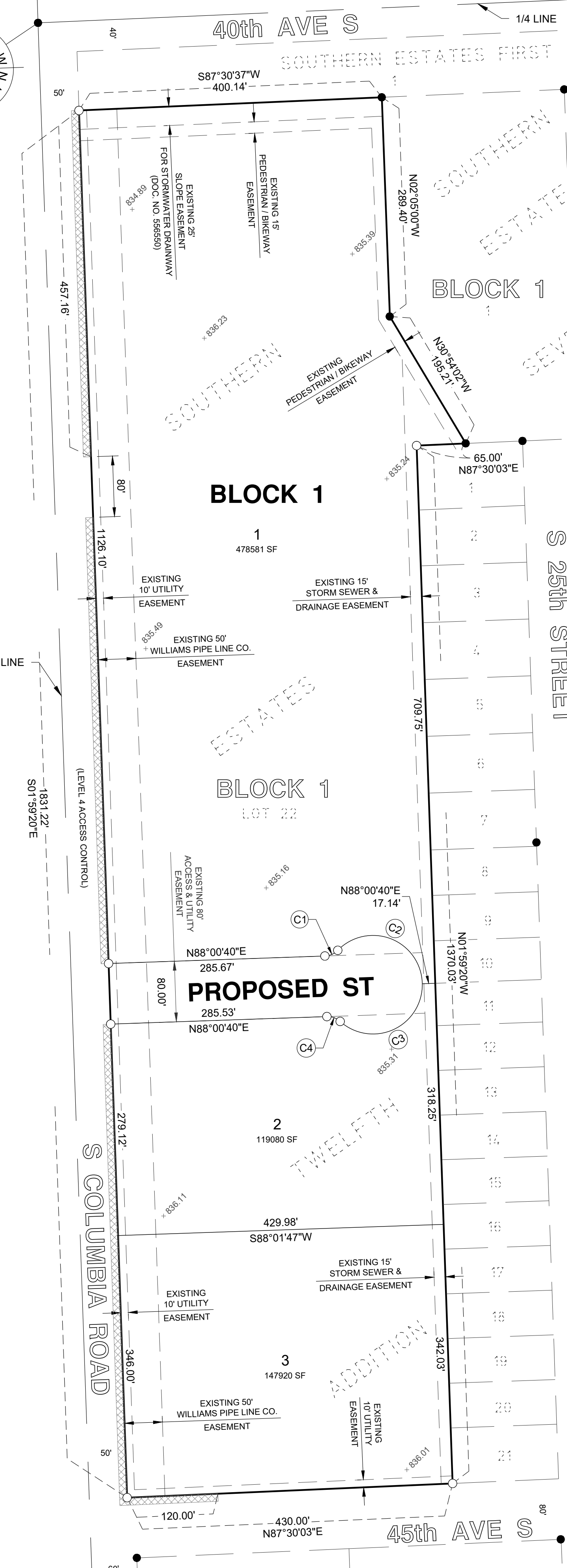
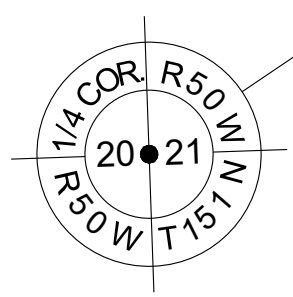
Staff recommends approval.

ANALYSIS AND FINDINGS OF FACT:

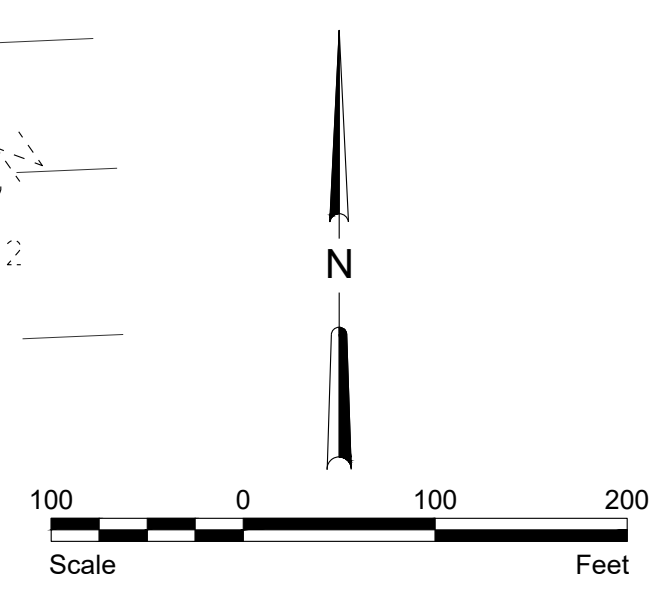
- Regular tract plats require preliminary and final approvals by the Planning and Zoning Commission and the City Council.

SUPPORT MATERIALS:

- Requested plat
- Technical change sheet



- NOTES:
- ALL BEARINGS SHOWN ARE BASED ON NORTH DAKOTA STATE PLANE (NAD 83) - NORTH ZONE.
 - ELEVATIONS SHOWN ARE BASED ON NAVD 88 VERTICAL DATUM.



LEGEND

IRON MONUMENT FOUND	●
IRON MONUMENT SET	○
MEASURED BEARING	—
MEASURED DISTANCE	—
PLAT BOUNDARY	—
LOT LINE	—
PROPOSED EASEMENT	- - -
EXISTING LOT LINE	- - -
EXISTING EASEMENT	- - -
ACCESS CONTROL	▨

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	19.07	25.00	43°42'08"	N66°09'36"E	18.61
C2	152.63	65.00	134°32'19"	S68°25'18"E	119.90
C3	150.87	65.00	132°59'05"	S65°20'24"W	119.21
C4	19.12	25.00	43°49'16"	N70°04'42"W	18.66



VICINITY MAP
NOT TO SCALE

OWNER'S CONSENT AND DEDICATION:

We, the undersigned, being all the owners of the land platted herein, to be known as "A REPLAT OF LOT 22, BLOCK 1, OF SOUTHERN ESTATES TWELFTH ADDITION TO THE CITY OF GRAND FORKS, NORTH DAKOTA", do hereby voluntarily consent to the execution of said replat, containing 781,862 square feet or 17.949 acres, more or less. We hereby dedicate the public grounds as shown hereon, including all sewers, culverts, bridges, water distribution lines and other improvements on or under such public grounds, whether such improvements are shown or not, to the public use. We consent to any access control to the property designated on the plat and further agree to prohibit any and all ingress or egress across those lot lines designated hereon as having "access control". We also hereby dedicate easements, to run with the land, for water, sewer, gas, electric, telephone, or other public utility lines or services under, on, or over those certain strips of land designated hereon as "Utility Easements". We agree not to vacate any portion of this plat without the consent of the Planning and Zoning Commission and the City of Grand Forks.

Timothy J. Useldinger, LLLP; Guy A. Useldinger, LLLP; Kevin J. Useldinger, LLLP; and a life estate interest to Gregor John Useldinger
By: Useldinger Properties, LLLP

By: _____
Guy A. Useldinger, Trustee and Co-Trustee, respectively, of the Guy A. Useldinger Voting Trust Agreement dated April 1, 2016, and Timothy J. Useldinger Voting Trust dated April 1, 2016, General Partners

By: _____
Kevin J. Useldinger, Trustee and Co-Trustee, respectively, of the Kevin J. Useldinger Voting Trust Agreement dated April 1, 2016, and Timothy J. Useldinger Voting Trust dated April 1, 2016, General Partners

State of _____)
County of _____) ss

On this _____ day of _____, 20____ before me, a Notary Public in and for the said County and State, personally appeared Guy A. Useldinger, Trustee and Co-Trustee, respectively, of the Guy A. Useldinger Voting Trust Agreement dated April 1, 2016, and Timothy J. Useldinger Voting Trust dated April 1, 2016, General Partners, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: _____

State of _____)
County of _____) ss

On this _____ day of _____, 20____ before me, a Notary Public in and for the said County and State, personally appeared Kevin J. Useldinger, Trustee and Co-Trustee, respectively, of the Kevin J. Useldinger Voting Trust Agreement dated April 1, 2016, and Timothy J. Useldinger Voting Trust dated April 1, 2016, General Partners, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, James A. Schlieman, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the survey of said subdivision; that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this _____ day of _____, 20____.

James A. Schlieman, Professional Land Surveyor No. 6086

State of North Dakota)
County of Cass) ss

On this _____ day of _____, 20____ before me, a Notary Public in and for the said County and State, personally appeared James A. Schlieman, Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: _____

A REPLAT OF LOT 22, BLOCK 1, SOUTHERN ESTATES TWELFTH ADDITION TO THE CITY OF GRAND FORKS, GRAND FORKS COUNTY, NORTH DAKOTA

PLANNING AND ZONING COMMISSION APPROVAL:

The Subdivision of land shown hereon has been approved by the Planning and Zoning Commission of the City of Grand Forks, on this _____ day of _____, 20____ in accordance with the laws of the State of North Dakota, ordinances of the City of Grand Forks, and regulations of said Planning and Zoning Commission. In witness thereof are set the hands and seals of the President and Secretary of the Planning and Zoning Commission of the City of Grand Forks.

Steven Wasvick, President

Meggen Sande, Secretary

State of North Dakota)
County of Grand Forks) ss

On this _____ day of _____, 20____ before me, a Notary Public in and for the said County and State, personally appeared Steven Wasvick, President, and Meggen Sande, Secretary of the City of Grand Forks Planning and Zoning Commission, and acknowledged consent and dedication to have been executed at the direction and on behalf of the City of Grand Forks Planning and Zoning Commission.

Notary Public: _____

APPROVAL BY CITY COUNCIL:

The City of Grand Forks, North Dakota, has approved the subdivision of land shown hereon on this _____ day of _____, 20____, and has accepted the dedication of all streets, alleys, easements, and other public ways shown hereon lying within the corporate limits of the City of Grand Forks.

Attest: Maureen Storstad, City Auditor

State of North Dakota)
County of Grand Forks) ss

On this _____ day of _____, 20____ before me, a Notary Public in and for the said County and State, personally appeared Maureen Storstad, City Auditor for the City of Grand Forks, North Dakota, and acknowledged the execution and signing of the above certificate.

Notary Public: _____

APPROVAL OF THE CITY ENGINEER:

On this _____ day of _____, 20____, I, Allen R. Grasser, City Engineer for Grand Forks, North Dakota, hereby certify that I have reviewed this plat and find that it meets applicable design criteria as specified by City Ordinance and the North Dakota Century Code.

Allen R. Grasser, City Engineer

State of North Dakota)
County of Grand Forks) ss

On this _____ day of _____, 20____ before me, a Notary Public in and for the said County and State, personally appeared Allen R. Grasser, City Engineer for the City of Grand Forks, North Dakota, and acknowledged the execution and signing of the above certificate.

Notary Public: _____

Approval of Replat of Lot 22, Block 1, Southern Estates 12th Addition

GENERAL AGREEMENT WITH COMPREHENSIVE PLAN

		<u>STATUS OF REQUEST</u>		
		<u>YES</u>	<u>NO</u>	<u>N/A</u>
A.	Land Use Element	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B.	Transportation Element	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.	Housing Element	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D.	Central Business District (CBD) Element	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E.	Neighborhood Development Element	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F.	Community Facilities Element	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G.	Parks & Open Space Element	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H.	Capital Improvements Program Element	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments, if any (Specify):

PLANNING STAFF RECOMMENDATIONS AND/OR CONDITIONS:

Denial Approval Approval Subject to the Following (See Comments)

1. Submit Title Opinion
2. Show the correct distance for the South Line of existing Lot 22
3. Correct all square footages, on the Drawing and in the Owner's Consent
4. Change all Line Bearings to match previously platted Bearings for the Area. Adjust Cord Bearings in the Curve Table accordingly.
5. Number the newly created Lots as "23", "24" and "25"
6. Identify all Platted Areas surrounding this Plat
7. Check the Drawing Scale, as it is not 1 Inch to 100 Feet
8. Updated Master Utility Plan as necessary
9. Add 10 Foot Utility Easement along proposed street Right of Way Lines
10. Add Access Controls to 120 Feet East of Columbia Road into the Proposed Street.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE STREET AND HIGHWAY PLAN OF THE CITY OF GRAND FORKS, NORTH DAKOTA, TO INCLUDE THE PUBLIC RIGHTS-OF-WAY SHOWN AS DEDICATED ON THE **REPLAT OF LOT 22, BLOCK 1, SOUTHERN ESTATES TWELFTH ADDITION** TO THE CITY OF GRAND FORKS, NORTH DAKOTA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND FORKS, NORTH DAKOTA, PURSUANT TO ITS HOME RULE CHARTER THAT:

Section 1. Amending Clause

The Street and Highway Plan of the City of Grand Forks, as established by Section 18-0802, Subsection 2 of the Grand Forks City Code of 1987, as amended, is hereby amended to include the public rights-of-way, shown as dedicated on the **REPLAT OF LOT 22, BLOCK 1, SOUTHERN ESTATES TWELFTH ADDITION** to the City of Grand Forks, North Dakota.

Section 2. Effectivity

This ordinance shall be in full force and effect after its passage and approval as provided by law.

Michael R. Brown, Mayor

ATTEST:

Maureen Storstad, City Auditor

Introduction and first reading: 08/19/2019

Public Hearing: 09/16/2019

Second reading and final passage:

Approved:

Published: Not required by law.