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**DATE:** November 12, 2019

**TO:** Honorable Mayor and City Council  
Dave Perrault, City Administrator

**FROM:** Mike Mrosla, Community Development Manager/City Planner

**SUBJECT: Planning Case #19-002**  
**Applicant:** Summit Development  
**Property Location:** 1718, 1720, 1722 Parkshore Drive and 4177 Old Highway 10  
**Request:** Vacation of Easement

<b>Budgeted Amount:</b>	<b>Actual Amount:</b>	<b>Funding Source:</b>
N/A	N/A	N/A

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**Council Should Consider the Following**

Motion to adopt Resolution 2019-039 approving a Vacation of Easements at 1718, 1720, 1722 Parkshore Drive and 4177 Old Highway 10 as proposed in Planning Case 19-002.

**Background**

The applicant has requested a Vacation of Easement in order to consolidate existing lots located at 1718, 1720, 1722 Parkshore Drive and 4177 Old Highway 10 into one lot for a multi-family senior living complex, as approved in Planning Case 19-002. The Applicant is requesting vacate all existing drainage, right of way and utility easements as created and dedicated in North Ridge Apartments Addition, according to the recorded plat thereof, Ramsey County, Minnesota, lying over, under, and across Lots 1, 2, 3, and 4, Block 1, and the Park (Attachment A). The City previously approved the Final Plat and Planned Unit Development for North Ridge Apartments in 1989. The project consisted of four (4) stand-alone apartment buildings, located on four (4) individual lots. Due to financial constraints, the developer was unable to move forward with the project and the PUD expired in January 1992. However, the lot subdivision and easements remained in effect. The Interim Public Works Director/City Engineer has reviewed and approved the proposed easement vacations.

**Council shall consider:**

Adopting a motion approving the Vacation of Easements at 1718, 1720, 1722 Parkshore Drive and 4177 Old Highway 10 via the attached resolution.

### **Motion Language Option**

1. **Approve with Conditions:** Motion to *approve* Vacation of Easements at 1718, 1720, 1722 Parkshore Drive and 4177 Old Highway 10, subject to the following conditions:
  - a. The existing drainage and utility easements and public right-of-way legally described and depicted on the attached Exhibit “A” is hereby vacated, conditioned on the approval of the Final Plat of ARDEN HILLS SENIOR LIVING.
  - b. The existing drainage and utility easements and public right-of-way legally described and depicted on the attached Exhibit “B” is hereby vacated, conditioned on the approval of the Final Plat of ARDEN HILLS SENIOR LIVING.
  - c. The Applicant is directed to file a certified copy of this Resolution with the County Auditor and County Recorder/Registrar of Titles. This resolution must be recorded just prior to the final plat of ARDEN HILLS SENIOR LIVING.
  - d. The Applicant must provide the City proof of recording.
2. **Approve without Conditions:** Motion to *approve* Vacation of Easements at 1718, 1720, 1722 Parkshore Drive and 4177 Old Highway 10.
3. **Denial:** Motion to *deny* Vacation of Easements at 1718, 1720, 1722 Parkshore Drive and 4177 Old Highway 10. *The City Council should identify findings to deny should specifically reference the reasons for denial and why those reasons cannot be mitigated.*
4. **Table:** Motion to *table* Vacation of Easements at 1718, 1720, 1722 Parkshore Drive and 4177 Old Highway 10. *The City Council should identify a specific reason and/or information request should be included with a motion to table.*

### **Budget Impact:**

NA

### **Attachments**

- A. Resolution 2019-039