

**CITY OF CENTER CITY  
CITY COUNCIL RESOLUTION 2021-09-08**

**RESOLUTION APPROVING A SITE PLAN FOR A SEVEN LOT DEVELOPMENT TO BE KNOWN AS THE  
GO BOAT MOTEL REDEVELOPMENT SITE**

WHEREAS, Chris Dubois (the "Applicant") and My Burger 2, LLC - Paul Abdo (the "Owner"), have submitted a request for site plan approval of a seven lot subdivision in conformance with Title XIX Zoning Regulations, Chapter 199 Site Plan Review of the Center City municipal code relating to site plan review and procedures on property located at 516 & 520 Grand Avenue, with PID numbers of 12.00211.00, 12.00212.20, 12.00210.20 and 12.00210.00 (the "Property"); and

WHEREAS, the Property is zoned B-1 Downtown Business District and is designated Downtown Commercial on the future land use map would need to be rezoned to R-3 Medium Density Residential District and redesignated Medium to High Density Residential on the future land use map; and

WHEREAS, the proposed use of three duplexes (six units) and one single family detached dwelling unit are permitted uses in the R-3 Medium Density Residential District; and

WHEREAS, the Property also is located in the Shoreland Management Overlay District and any proposed development on the Property would need to be approved under those standards and in the case of this Property a planned unit development would be needed to be approved along with a preliminary and final plat; and

WHEREAS, the approval of site plan for the seven lot development does not ensure approval of a the preliminary plat, final plat or planned unit development due to the fact that detailed plans and drawings have not yet been submitted for review and that the site plan approval just ensures that the general design criteria are acceptable to the City; and

WHEREAS, a copy of the proposed site plan materials and application were available at the City Offices for public viewing; and

WHEREAS, Chapter 199 of the Zoning Ordinance outlines Information Requirements and Procedures for site plan approval; and

WHEREAS, the Planning Commission reviewed the site plan at the August 16, 2021 Planning Commission special meeting at which time they recommended approval of the site plan on a 3-1 vote, subject to conditions; and

WHEREAS, the City Council reviewed the site plan on September 7, 2021; and

WHEREAS, the City Council makes the following findings of fact in support of granting approval of the site plan:

A. The legal description of the subject property is:

Parcel 1

Lots 11 and 12, Block 1; Lots 9, 10, 11, 12, 13 and 14, Block 2, except that part of Lot 14 lying Westerly of a line drawn from the Northwest corner of said Lot 14 to the Southeast corner of said Lot 14; and all that part of vacated Grand Avenue lying Easterly of Lots 10 to 14, both inclusive, Block 2, and the West half of Grand Avenue lying directly East of said Lot 9, Block 2, all in F.G. Loren's Addition to Center City, Chisago County, Minnesota

Abstract Property

Parcel 2

That part of Lot 7 and Lot 8, Block 2 of F.G. Lorens Addition to Center City, Chisago County, Minnesota lying Easterly of Grand Avenue (as constructed and traveled) and lying Southerly and Westerly of the Southwesterly Right of Way line of Trunk highway No. 8 (as defined on the recorded plat of the Minnesota Department of Transportation Right of Way Plat No. 13-03).

Parcel 3

That part of vacated Grand Avenue and that part of Lot 10, Block 1 of the recorded plat of F.G. Lorens Addition to Center City, Chisago County, Minnesota lying Southerly of the Southwesterly Right of Way line of Trunk Highway No. 8 (as defined on the recorded plat of Minnesota Department of Transportation Right of Way Plat No. 13-03) and bounded on the Westerly and Southerly sides by the following described line:

Beginning at the intersection of said Southwesterly Right of Way line of Trunk Highway No. 8 and the centerline of Grand Avenue (as platted); thence Southeasterly, along said centerline, to the intersection with the Southwesterly extension of the Southerly line of said Lot 10; thence Northeasterly, along the Southwesterly extension of said Lot 10 and Southerly line of said Lot 10 to the intersection with said Southwesterly Right of Way line, and there terminating.


- B. The planning report dated August 11, 2021 shall be the governing document.
- C. The aerial location map is attached as Exhibit A.
- D. The site plan received 8-10-21 is attached as Exhibit B.
- E. The boundary and topographic survey dated 6-17-21 is attached as Exhibit C.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Center City, Minnesota, that it hereby approves the site plan for a seven lot development subject to the following conditions:

1. Engineer Comments. That the site plan request, satisfy all comments and conditions, if any, of the City Engineer.
2. Mn/DNR Comments. That the site plan request, satisfy all comments and conditions, if any, of the Minnesota Department of Natural Resources.
3. Building Permits. That no construction take place until the appropriate building permits are approved and issued by the City and/or County and the appropriate preliminary and final plat have been approved and recorded with the Chisago County's recorders office.
4. Rezoning. The proposed site plan would require a rezoning from B-1 Downtown Business District to R-3 Medium Density Residential District.
5. Comprehensive Plan Amendment. The proposed site plan would require a comprehensive plan amendment to the future land use map from the current Downtown Commercial designation to Medium to High Density Residential.
6. Preliminary & Final Plat. The proposed site plan would require the approval of a preliminary and final plat, which may include right of way dedication with the final plat approval.
7. Planned Unit Development. The proposed site plan would require the approval of a planned unit development general development plan and final development plan. The general development plan shall be submitted with the preliminary plat and the final development plan shall be submitted with the final plat. Tiering shall also be required per the Shoreland Management Overlay District guidelines to determine the total allowable units.
8. Stormwater Management. The proposed site plan would require the submittal of a grading plan, along with the plat documents, that meets all stormwater management requirements from the City, County, watershed and State. This includes the issuance of a NPDES permit for the site from the MPCA prior to any grading or site work taking place.
9. Building Design Standards. The proposed residential units would need to meet all building design requirements of section 212.06 Building Type and Construction of the zoning ordinance, as well as other requirements under the R-3 Medium Density Residential District. Elevation drawings shall be submitted with the application for the preliminary plat and planned unit development general development plan submittal.

10. Association. An association would be required as part of the proposed development and all association documents would be required to be submitted with the final plat and planned unit development final development plan.
11. Landscaping. A detailed landscape plan shall be required to be submitted for review by the City prior to landscaping installation. The applicant shall be required to install the landscaping as proposed and provide the City with cash, corporate surety bond, approved letter of credit or other surety or security satisfactory to the City to guarantee the proper installation and growth of the approved landscape plan at the time the landscape plan is approved. The landscape plan shall be submitted with the final plat and planned unit development final development plan.
12. Signage. That any proposed signage shall meet the standards set forth in Chapter 207 Signs of the zoning ordinance and that all required sign permits are issued prior to installation of any signage.
13. Lighting. A general lighting plan shall be submitted prior to installation of any lighting. All exterior lighting shall meet the requirements of section 205.11 (Exterior Lighting) of the zoning ordinance.
14. Emissions, Noise, Odors, Smoke, Air Pollution, Dust and Other Particulate Matter and Waste. The applicant shall be required to meet all the requirements in relation to emissions, noise, odors, smoke, air pollution, dust and other particulate matter and waste under section 205.12 (Emissions, Noise, Odors, Smoke, Air Pollution, Dust and Other Particulate Matter and Waste) of the zoning ordinance.
15. Certificate of Taxes Paid. The applicant shall provide certification to the City that there are no delinquent property taxes, special assessments, interest, or City utility fees due upon the parcel of land to which the site plan application relates.
16. Lapse of Approval. Unless otherwise specified by the Zoning Administrator, the site plan approval shall become null and void one year after the date of approval, unless the property owner or applicant has substantially started the construction of any building, structure, addition or alteration, or use requested as part of the approved plan. The property owner or applicant shall have the right to submit an application for time extension in accordance with this chapter.
17. Enforcement. Enforcement of the provisions of the zoning ordinance shall be in accordance with chapter 200 (Enforcement and Penalties) of the zoning ordinance. The City reserves the right upon issuing any site plan approvals to inspect the premises to ensure compliance with the provisions of the zoning ordinance or any conditions additionally imposed. Upon official documentation of a violation of the approved site plan, any issued permit or of the provisions of the zoning ordinance, the City shall have the authority to order the stopping of any and all site improvement activities. Any violation shall also be grounds for denial of future permit applications.

ADOPTED by the City Council of the City of Center City, Chisago County, Minnesota this 7<sup>th</sup> day of September, 2021.

  
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 Jill Behnke  
 Mayor

ATTEST:

Moved by:   
 Seconded by: 

  
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 Valerie Fox  
 City Clerk/Treasurer

Published:  
Filed with Chisago County:

The following Council Members voted in favor: *Jim Behnke, Madonna Higgins, Lloyd Vetter*  
The following Council Members voted against or abstained: *Ø mark Wolcott*

Whereupon the motion was duly passed and executed.

Exhibit A – Aerial Location Map  
Exhibit B – Site Plan Received 8-10-21  
Exhibit C – Boundary and Topographic Survey dated 6-17-21



Exhibit A - Aerial Location Map









