

CITY OF CENTER CITY
CITY COUNCIL RESOLUTION 2022-03-01A

A RESOLUTION APPROVING A PRELIMINARY PLAT KNOW AS BORGS BLUFF

WHEREAS, Pam Niemezycki (the "Owner" and "Applicant"), has submitted a preliminary plat request known as Borgs Bluff to the City of Center City (the "City"), located on parcels of property with the following PID numbers of 12.00049.00, 12.00049.10, 12.00083.00, 12.00051.00 and 12.00052.00, (the "Property"); and

WHEREAS, the property is zoned R-1 Traditional Single Family Residential District with a SL Shoreland Management Overlay District and is designated Low Density Residential on the future land use map; and

WHEREAS, before approving the preliminary plat request, at least one public hearing thereon shall be held; and

WHEREAS, a notice of public hearing for the preliminary plat request was published and posted in accordance with the applicable Minnesota Statutes, setting the hearing before the Planning Commission on February 28, 2022 at 7:00 pm or as soon thereafter as reasonably possible, at the City Council chambers for the City of Center City, located at 300 North Center Avenue in the City of Center City, Minnesota to consider the request and hear testimony from all interested persons wishing to speak on the matter; and

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

WHEREAS, the Planning Commission reviewed the preliminary plat request and held a public hearing on February 28, 2022, at which time proceeded to hear all persons interested in said application and persons interested were afforded the opportunity to present their views and objections to the granting of said application; and

WHEREAS, the Preliminary Plat for Borgs Bluff was recommended for approval by the Planning Commission on February 28, 2022 on a 4-0 vote; and

WHEREAS, the City Council has the authority to impose reasonable conditions on a preliminary plat request; and

WHEREAS, the City Council reviewed the preliminary plat request on March 1, 2022; and

WHEREAS, the City Council makes the following findings of fact in support of granting approval of the preliminary plat:

A. The legal description of the subject property is:

Lots 4, 5, 6, 8, 9, 10, 11, and 12, Block 2, CENTRE CITY, Chisago County, Minnesota, according to the recorded plat thereof, together with that part of the vacated alley accruing thereto by reason of the vacation thereof.

AND

Lot 3, Block 2, said CENTRE CITY, excepting therefrom that part thereof described as follows: Commencing at the most northerly corner of said Block 2; thence southeasterly along the northeasterly line of said Block 2 and Lots 7 and 8, MOOBECKS OUTLOTS TO CENTRE CITY, said Chisago County, 512.38 feet to the point of beginning at the most northerly corner of the southeasterly 39 feet of said Lot 8; thence northwesterly along the last described line, 248.46 feet; thence southwesterly, deflecting to the left 89 degrees 06 minutes 30 seconds, a distance of 107.37 feet; thence southeasterly, parallel with the northeasterly line of said Block 2, a distance of 5 feet; thence southwesterly, deflecting to the right 70 degrees 25 minutes 10 seconds, a distance of 109 feet to the shoreline of North Center Lake, formerly known as Chisago Lake; thence southeasterly along said shoreline to the northwesterly line of the southeasterly 39 feet of said Lot 8; thence northeasterly along said northwesterly line, 128 feet to the point of beginning, together with that part of the vacated alley accruing thereto by reason of the vacation thereof.

AND

All that part of Lot 13, Block 2, CENTRE CITY and that part of Lot 7, said MOOBECKS OUTLOTS TO CENTRE CITY, lying northerly and westerly of the following described line: Commencing at the most northerly corner of said Block 2; thence southeasterly along the northeasterly line of said Block 2, and of Lots 7 and 8, of said MOOBECKS OUTLOTS TO CENTRE CITY, 512.38 feet to the most northerly corner of the southeasterly 39 feet of said Lot 8; thence northwesterly along the last described line, 248.46 feet; thence southwesterly, deflecting to the left 89 degrees 06 minutes 30 seconds, 107.37 feet; thence southeasterly parallel with the northeasterly line of said Block 2, a distance of 5 feet to the point of beginning of said described line; thence southwesterly, deflecting to the right 70 degrees 25 minutes 10 seconds, a distance of 109 feet, more or less, to the shoreline of Chisago Lake, and there terminating.

AND

Lot 1, Block 3, said CENTRE CITY.

AND

That part of vacated Lake Street, as dedicated in said CENTRE CITY, lying southeasterly of the southeasterly line of 1st Street (formerly known as First Street) according to Document No. ____.

- B. The planning report dated March 1, 2022 shall be the governing document.
- C. The aerial location map is attached as Exhibit A.
- D. The Preliminary Plat of Borgs Bluff dated 1-30-22 is attached as Exhibit B.
- E. The final plat of Borgs Bluff is attached as Exhibit C.
- F. The grading plan for Borgs Bluff dated 1-30-22 is attached as Exhibit D.
- G. The utility plan for Borgs Bluff dated 1-30-22 is attached as Exhibit E.
- H. The Lake Street vacation exhibit is attached as Exhibit F.
- I. The approved concept plan of Borgs Bluff from November 2, 2021 is attached as Exhibit G.
- J. The engineering comments dated February 18, 2022 are attached as Exhibit H.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF CENTER CITY, MINNESOTA: that the preliminary plat known as Borgs Bluff is hereby approved with the following conditions:

1. Engineer's Comments. The preliminary plat and related documents shall be reviewed by the City Engineer and the applicant shall satisfactorily address any comments and conditions related to the preliminary plat as stated in a memo dated February 18, 2022.
2. Park Dedication. There shall be no park dedication with the approval of the final plat of Borgs Bluff.
3. Chisago County Comments. That a Chisago County permit for working in the right of way shall be required for any work in the Main Street North right of way. This would include installing the curb cut and water and sewer service for Lot 3 Block 1 Borgs Bluff.
4. DNR Comments. The applicant shall satisfactorily address any issues or comments raised by the Minnesota Department of Natural Resources.

5. Shoreland Management Overlay District. The preliminary plat shall meet all of the requirements of Title XIX Zoning, Chapter 229: SL Shoreland Management Overlay District of the City of Center City code of ordinances.
6. Final Plat Submittal. Unless an extension of time is requested by the applicant and granted by the City, the applicant shall within one year, following approval of the preliminary plat, submit the final plat to the City for approval.
7. Development Agreement. A developer's agreement, with all conditions, expectations and financing requirements, shall be approved by the City Council, executed and recorded at the time the final plat mylars are recorded.

ADOPTED by the City Council of the City of Center City, Chisago County, Minnesota this 1st day of March, 2022.



Jill Behnke
Mayor

ATTEST:

Moved by: WOLCOTT
Seconded by: PEASE



Valerie Fox
City Clerk

Published:
Filed with Chisago County:

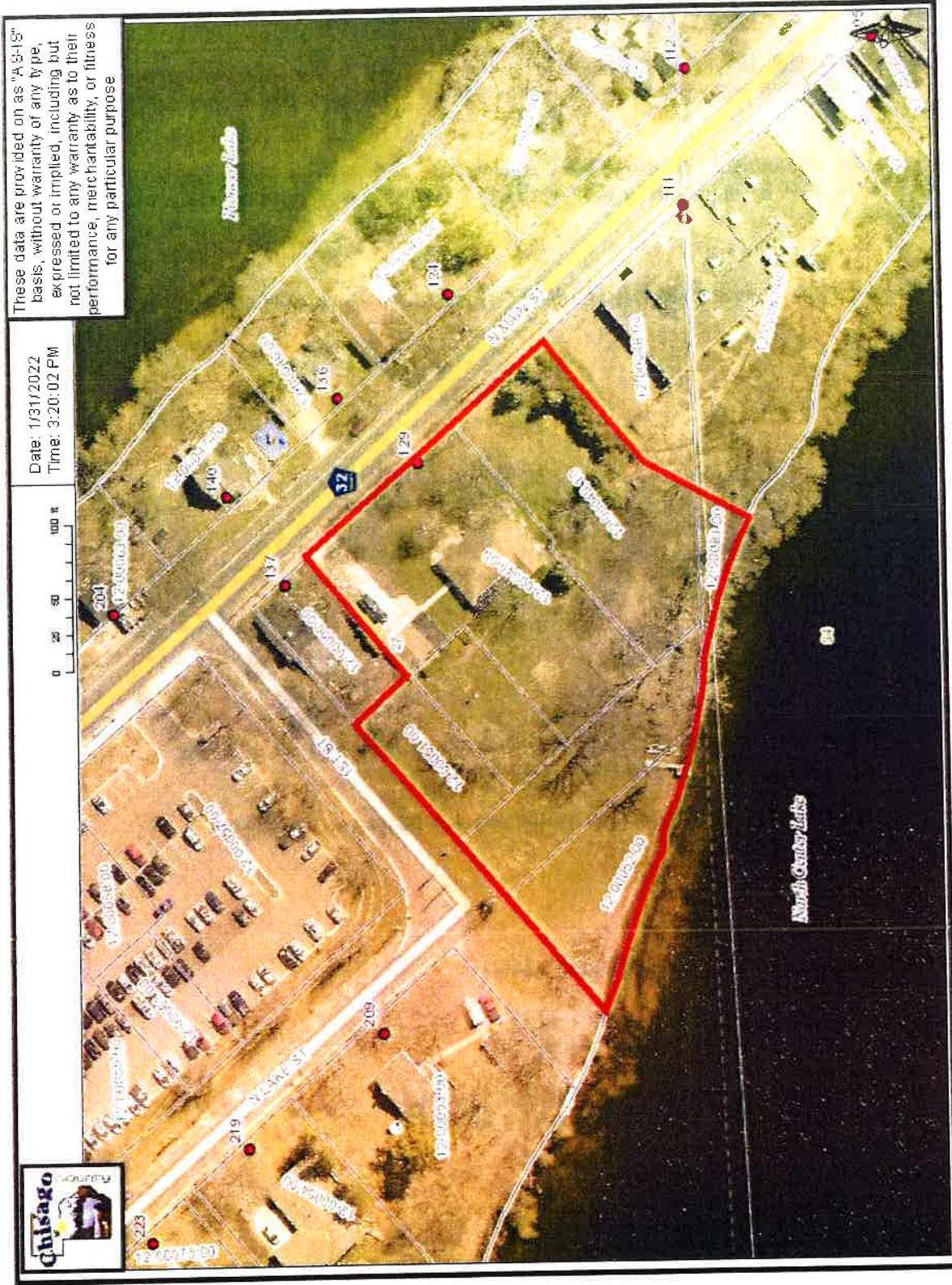
The following Council Members voted in favor: HIGGINS, WOLCOTT, PEASE, BEHNKE
The following Council Members voted against or abstained:

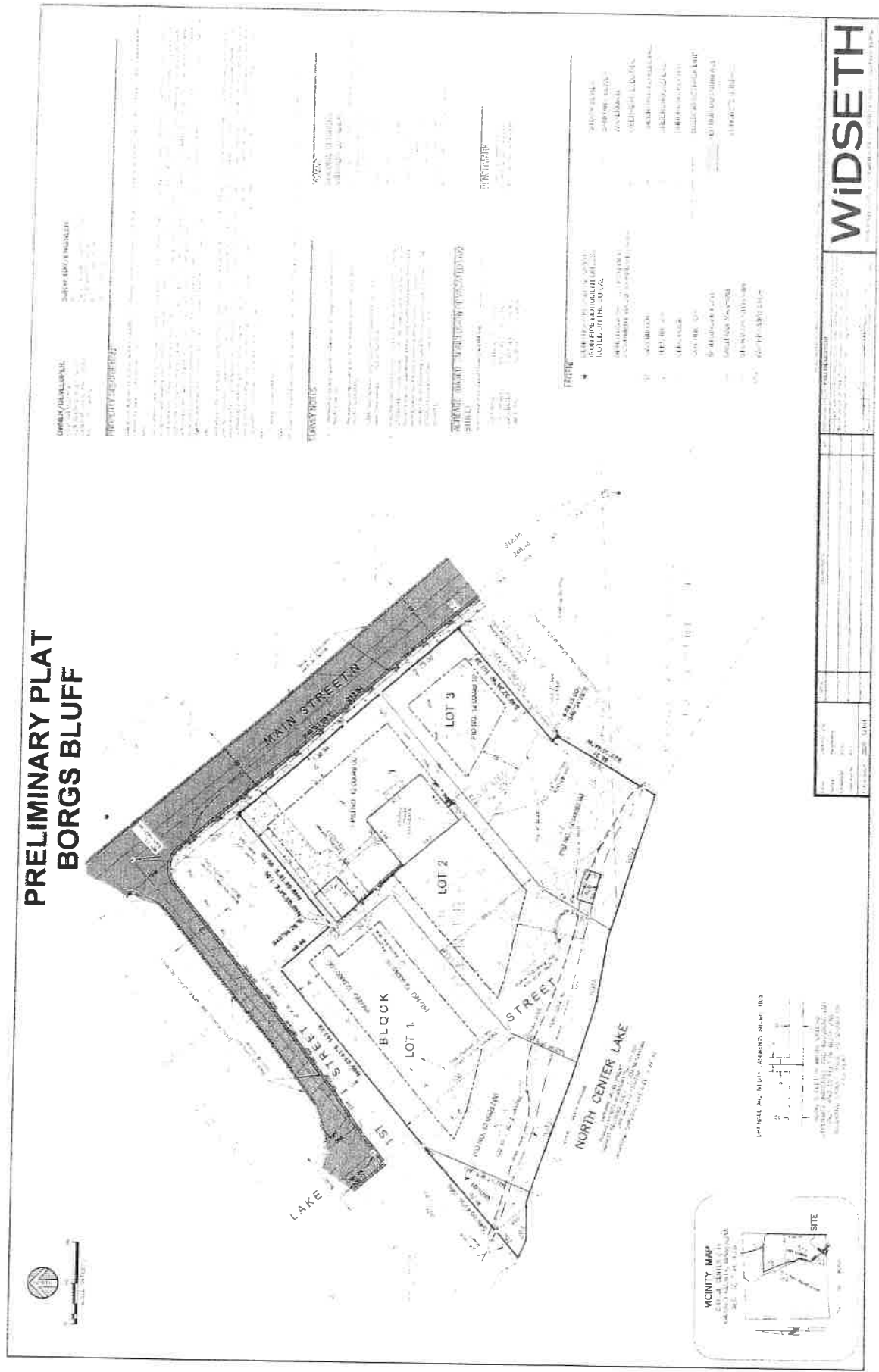
Whereupon the motion was duly passed and executed.

Attachments:

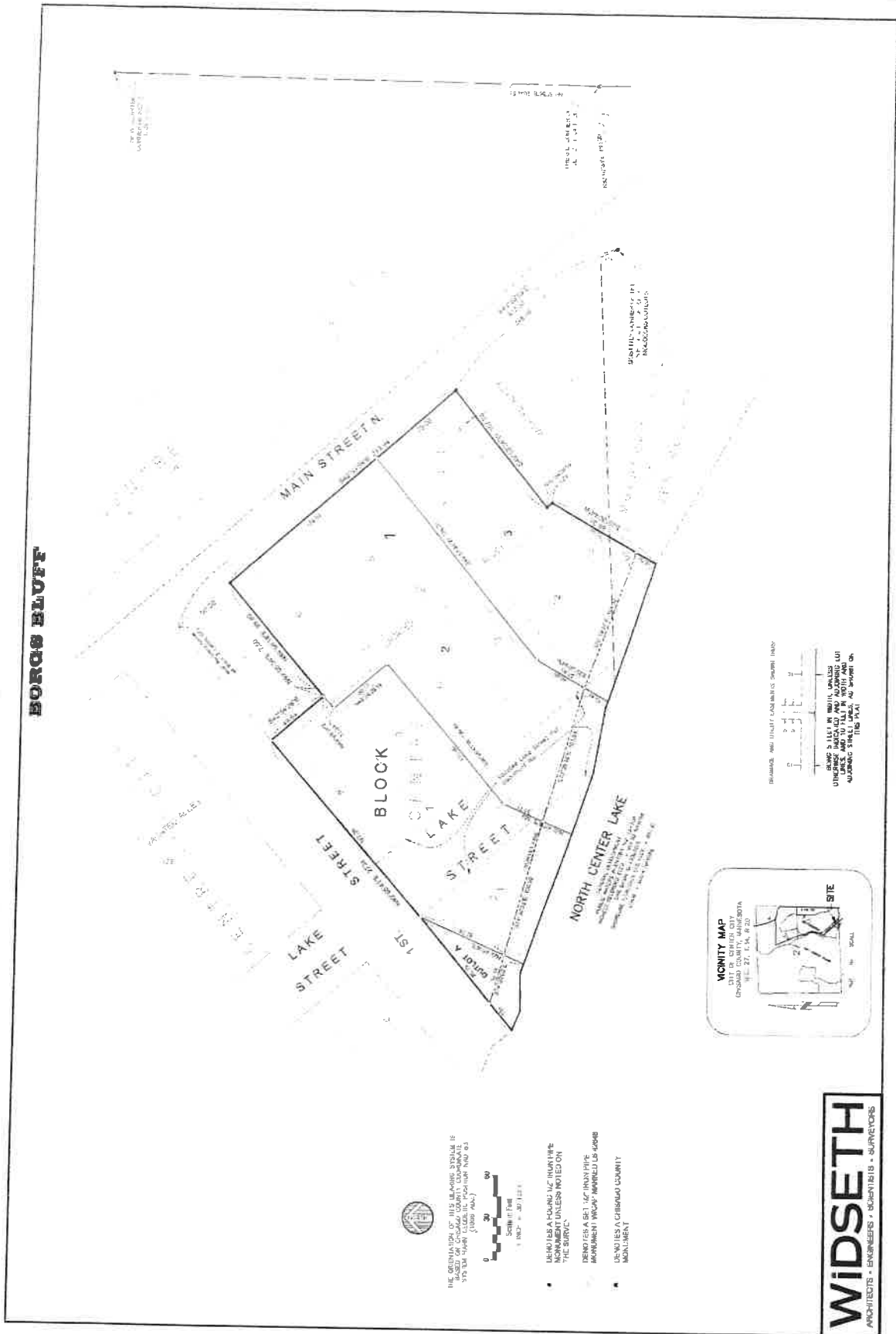
- Exhibit A – Aerial Location Map
- Exhibit B – Preliminary Plat of Borgs Bluff Dated 1-30-22
- Exhibit C – Final Plat of Borgs Bluff
- Exhibit D – Grading Plan of Borgs Bluff dated 1-30-22
- Exhibit E – Utility Plan of Borgs Bluff dated 1-30-22
- Exhibit F – Lake Street Vacation Exhibit
- Exhibit G – Approved Concept Plan of Borgs Bluff from 11-2-21
- Exhibit H – Engineering Comments dated February 18, 2022

Exhibit A - Aerial Location Map





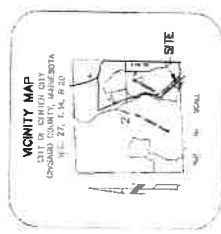
BORGS BLUFF



THE ORIENTATION OF THIS PLATING SYSTEM IS
 TRUE NORTH AS SHOWN BY THE
 SURVEYING INSTRUMENTS USED IN
 THIS SURVEY (1988-1993)



- DEMONSTRATION HOUSE 1/2 INCH WIDE
 MONUMENT UNLESS NOTED ON
 THE SURVEY
- DEMONSTRATION AREA 1/2 INCH WIDE
 MONUMENT UNLESS NOTED ON
 THE SURVEY
- U.S. AND IOWA COUNTY
 MONUMENT

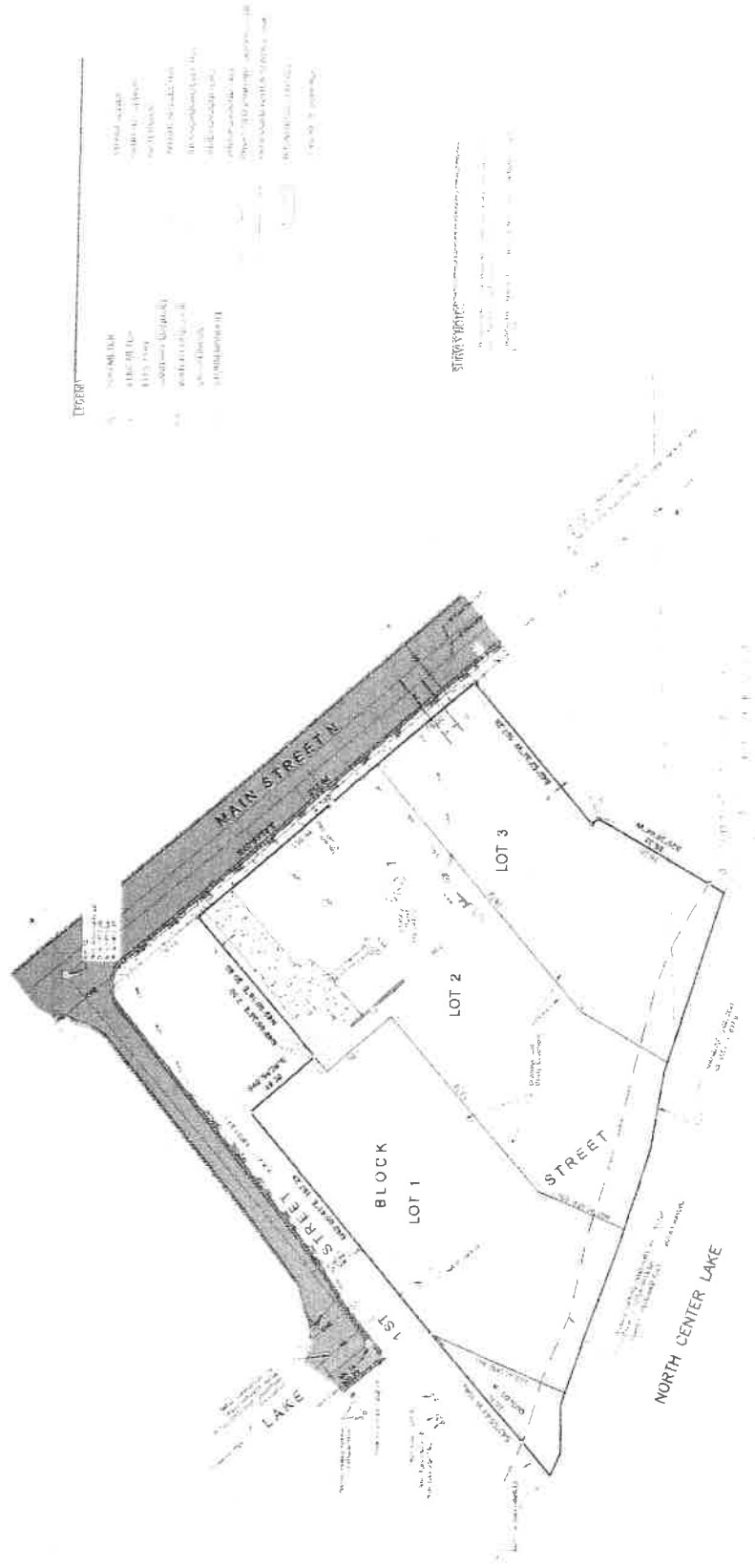


DEMONSTRATION HOUSE 1/2 INCH WIDE
 MONUMENT UNLESS NOTED ON
 THE SURVEY

WIDSETH
 ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

Exhibit E - Utility Plan of Borgs Bluff dated 1-30-22

**UTILITY PLAN
BORGs BLUFF**



WIDSETH
SURVEYING & ENGINEERING, S.D.

PROJECT NO.	DATE	SCALE
DESCRIPTION		
PREPARED BY		
CHECKED BY		
DATE		

Exhibit F -- Lake Street Vacation Exhibit

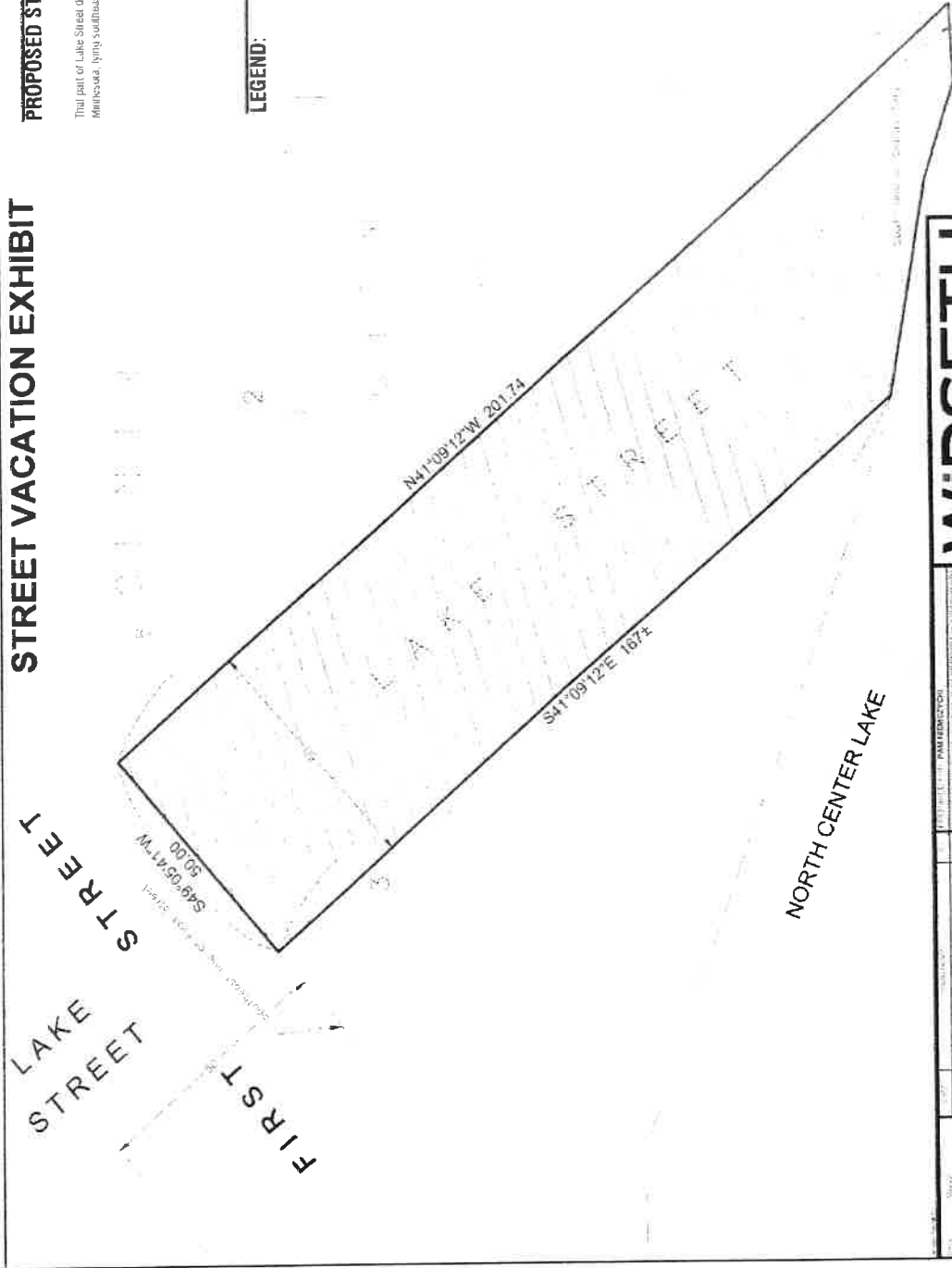
STREET VACATION EXHIBIT

PROPOSED STREET VACATION DESCRIPTION:

That part of Lake Street dedicated on file recorded plat of CENTER CITY, Chicago County, Minnesota, lying southward of the westerly line of First Street, as depicted on said plat.

LEGEND:

PROPOSED STREET VACATION



WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

DATE: 2020-12-11	PROJECT: PARK REDEVELOPMENT	SCALE: AS SHOWN
DRAWN BY: J. [Signature]	CHECKED BY: J. [Signature]	DATE: 12/11/20
PROJECT NO.:	PROJECT NAME:	PROJECT ADDRESS:
CLIENT:	DATE:	SCALE:

Exhibit G – Approved Concept Plan of Borgs Bluff from 11-2-21



PROJECT NUMBER: 11-2-21

DATE: 11/2/21

SHEET NO. 11 OF 11

SCALE: AS SHOWN

PROJECT LOCATION: BORG'S BLUFF

CLIENT: [Name]

DESIGNER: [Name]

PROPERTY OWNER: [Name]

DATE OF PLAN: 11/2/21

SCALE: AS SHOWN

PROJECT LOCATION: BORG'S BLUFF

CLIENT: [Name]

DESIGNER: [Name]

PROPERTY OWNER: [Name]

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PROPERTY OWNER: [Name]

DATE OF PLAN: 11/2/21

SCALE: AS SHOWN

PROJECT LOCATION: BORG'S BLUFF

CLIENT: [Name]

DESIGNER: [Name]

WIDSETH
ARCHITECTURAL FIRM, INC.

DATE: 11/2/21	SHEET: 11 OF 11	PROJECT: BORG'S BLUFF
CLIENT: [Name]	DESIGNER: [Name]	SCALE: AS SHOWN
PROPERTY OWNER: [Name]	DATE OF PLAN: 11/2/21	PROJECT LOCATION: BORG'S BLUFF



Real People. Real Solutions.

3507 High Point Drive North
Bldg. 1 Suite E130
Oakdale, MN 55128

Ph 651.704.9970
Bolton-Menk.com

February 18th, 2022

John Anderson, Consulting Planner, City of Center City
Municipal Development Group, LLC

RE: Borgs Bluff Preliminary & Final Plat Review
City of Center City
Project No.: ON1.126671

Dear Mr. Anderson,

As requested, we have reviewed the preliminary and final plat information submitted by Widseth for the purpose of replating existing residential parcels located south of the 1st Street & Main Street North (Chisago County 32) intersection. Included in the submittal were a Concept Plan dated 10/29/21, a Preliminary Plat dated 1/30/22, a Grading Plan dated 1/30/22, a Utility Plan dated 1/30/22, a Final Plat not dated, and a Title dated 11/18/21.

We provide the following comments for the submitted information.

1. Drainage/Grading

- a. **Block 1, Lot 1** – shall anticipate the possibility of having to install a driveway culvert to maintain drainage on 1st Street. Culvert shall be a minimum of 15" and will be privately owned and maintained. Slope on driveway culvert approaches shall be 6:1 or flatter.
- b. **Block 1, Lot 2** – The finished grade of Lot 2 shall be completed such that drainage is not directed onto Lots 1 or 3. Applicant shall submit grading plan to show how this will be completed.
- c. **Block 1, Lot 3** – driveway culvert may need to be installed upon development of final grading plans and proposed driveway elevations.
- d. The building pad elevations and/or minimum lowest floor elevations should be shown on the plan for each lot.
- e. Elevations and slopes should be shown on the driveways.
- f. Legend should be included on the plans that show what the building elevations represent.
- g. New driveways shall not exceed code widths.

2. Utility

- a. Main Street North has a sanitary sewer forcemain pipe as well as a sanitary sewer gravity pipe. Both pipes should be shown and labelled with size and material. Services should be connected to the gravity line.
- b. 1" Water service and 4" sanitary sewer stub for proposed Lot 1 are shown on the plan. If they are not in a usable condition, applicant shall anticipate installing new water and sewer service lines. Service materials should be stated on the plan.

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Date: February 18th, 2022
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3. **Street**

- a. **Block 1, Lot 1** – if utility work is needed, the street may be impacted. Curb & gutter shall be replaced in kind and the street shall be patched to centerline or full width depending on the area disturbed. May also need to clear trees.
- b. **Block 1, Lot 3** – The street will be impacted due to utility service installation. The curb & gutter and sidewalk will need to be replaced to install a curb cut for the driveway. Street shall be patched full width. Improvements shall meet ADA requirements, if possible. May also need to clear trees.

4. **Erosion Control**

- a. Applicant shall submit a sediment and erosion control plan prior to construction.
- b. Soil piles from the excavation for the proposed work shall be handled with care. All erosion control devices must be installed before any construction work begins. During the work the owner shall anticipate having to clean out or adjust erosion control bmp's as necessary.
- c. Temporary restoration may be required to contain any erosion. Upon completion of the grading, permanent site restoration shall be completed as soon as possible.

5. **Monuments.** All lot corner pipes or iron rods must be a minimum of one half (1/2) inch in diameter, 18 inches in length, and shall be inscribed with the registration number of the land surveyor performing the survey as prescribed in Minnesota Statutes Chapter 505.

6. **Plat and Easements** – setbacks, lots, and easements to be reviewed by the City Planner. We provide the following comments:

- a. Drainage and Utility Easement Detail appears acceptable.
 - i. A total of 10 feet of easement is recommended between properties. Verify if there is existing easement dedicated on adjacent properties. Otherwise, it should be dedicated with this plat revision.



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- b. There is a 10' measurement on the east edge of proposed Lot 3 that is not defined.



- c. Note that the existing garage and existing driveway of proposed Lot 3 are located over the building setback line and encroach on the Drainage & Utility Easement. A variance request may need to be required in the Conditions for Approval.
- d. The Drainage and Utility Easement along Main Street North should also be dedicated for sidewalk to allow for ongoing maintenance.

7. **Title (11/18/21)** – to be reviewed by the City Attorney.

General Comments

8. Verify the status of Lake Street vacation east of 1st Street.
9. Our understanding is that Outlot A will be under the City's control.
10. The Applicant is responsible for coordinating any required private utility work needed for the site improvements (electric, gas, communications, etc.).
11. All construction shall be completed within City approved working hours.
12. A Gopher State One Call is required before any excavation work can start.
13. This project will be responsible for fees/permits as required by the City and Chisago County.
 - a. Shall also obtain a NPDES/SDS construction stormwater general permit, if necessary.
14. If required by the City, a fully executed developer's agreement must be in place prior to commencing work.

Conclusion

We have no objection to the proposed development of Borgs Bluff. We would support approval of the preliminary plat and final plat for the development, subject to the appropriate conditions to address the comments stated in this letter as well as comments presented by other City Staff, members of the Planning Commission or City Council.

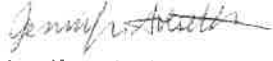
If there are any questions with the above information, please don't hesitate to contact me at 612-719-1727 or jennifer.solseth@bolton-menk.com

Exhibit H – Engineering Comments Dated February 18, 2022 Page 4

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Date: February 18th, 2022
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Sincerely,

Bolton & Menk, Inc.



Jennifer Solseth, PE

