

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2024-11**

**RESOLUTION APPROVING A PRELIMINARY PLAT AND GRANTING TWO
VARIANCES FROM MAXIMUM LENGTH OF A CUL-DE-SAC FOR THE
ELLIOTT CROSSING MAJOR SUBDIVISION**

WHEREAS, Mike Regan, on behalf of MOR Development, LLC (“Applicant” and “Owner”) has submitted an application for Preliminary Plat of a major subdivision and Variances from the maximum length of two cul-de-sacs generally located south of 75th Street North (CSAH 12) and west of Lake Elmo Avenue (CSAH 17) in the City of Grant, Minnesota; and

WHEREAS, the Preliminary Plat will subdivide approximately 192-acres of land that is currently a mix of uses including agricultural production, open space and three Indian Hills Golf Club holes; and

WHEREAS, the agricultural land will be converted to rural residential uses, while the open space and existing wetlands will be protected as part of the proposed development; and

WHEREAS, the Preliminary Plat identifies 18 new rural residential lots and two Outlots A and B; and

WHEREAS, the 18-lots contained in the Preliminary Plat will be accessed by two new cul-de-sacs where 12 lots are accessed from CSAH 12 and six lots are accessed from CSAH 19; and

WHEREAS, the two cul-de-sacs exceed the maximum permitted length per the City’s subdivision ordinance and require a variance from the permitted length to be constructed as shown on the Preliminary Plat; and

WHEREAS, on May 7, 2024 the City Council held a duly noticed public hearing and considered public testimony; and

WHEREAS, the City Council considered the Preliminary Plat and the Variances from maximum cul-de-sac length at their May 7th and June 4th regular City Council meetings.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of MOR Development LLC for Preliminary Plat provided that the following conditions of Preliminary Plat are met:

1. An updated Preliminary Plat incorporating the City Engineer's recommendations and incorporating any changes of the BCWD, must be submitted for review and approval by City Staff within 12-months of Preliminary Plat approval.
2. The Applicant shall comply with all recommendations and standards of the City Engineer.
3. The Applicant shall provide evidence that PID containing Lot 1, Block 2 and Outlot B cannot be subdivided, and that the current design configuration is not in conflict with any provisions of the original subdivision.
4. The Applicant shall adjust the lot line between Lots 2 and 3, Block 2 to comply with the subdivision design standards.
5. The Lot area of Lot 2, Block 2 must be adjusted to comply with the minimum lot size requirements.
6. Additional ROW must be granted to provide a connection for Lot 6 Block 2 to comply with the City Engineer's recommendations.
7. The Applicant must establish an HOA or similar to manage the stormwater management systems on site. Such entity shall be appropriately established and identified within the Development Agreement.
8. A management plan for Outlot B shall be developed and submitted for review and inclusion within the Development Agreement. Such responsibilities for management and maintenance, including any signage, shall be identified within the applicable HOA covenants.
9. The Applicant shall obtain all necessary stormwater permits from the BCWD and such permits shall be obtained prior to the City granting any Final Plat of the Project.
10. If the Project is proposed to be phased, the phasing plan must be submitted prior to approval of the Development agreement and Final Plat.
11. The Applicant will be required to enter into a Development Agreement prior to the City Granting any Final Plat of the Project to ensure that the requirements and conditions as set forth herein are complied with to ensure the installation of all subdivision infrastructure.
12. The Applicant, or assigns, shall obtain all necessary permits for the installation of individual wells serving each lot, and such permits shall be obtained prior to the City issuing any Building Permit for such lot.
13. The full public right-of-way of both cul-de-sacs shall be dedicated on the Final Plat, and such dedication shall occur with the appropriate phase.

14. Site improvements as described within Section 30-194 shall be agreed to and identified within the Development Agreement.
15. A letter from Washington County Environmental Services shall be provided indicating that the proposed primary and secondary septic sites meet their standards and requirements, and that adequate area exists on each lot to accommodate a septic system. Such letter shall be provided prior to granting any Final Plat of the Project.
16. The Applicant shall identify and rope off all septic drainfield areas on the site prior to the City issuing any grading permits on the subject property.
17. The Applicant shall obtain all necessary permits and approvals from any agency having jurisdiction over the project including, but not limited to, Washington County and the Browns Creek Watershed District.
18. The Applicant, or assigns, shall be required to obtain all septic permits, based on the actual design of a principal structure prior to the City issuing a Building Permit.
19. Final Plat shall be applied for within 12 months of preliminary plat approval.
20. The Applicant shall pay all fees and delinquent escrow balances.
21. The Applicant shall obtain access permits from Washington County prior to the City granting any Final Plat of the Project.
22. The Applicant shall be required to install all necessary improvements to CSAH 12 and CSAH 17 (if applicable) as agreed to, and conditioned by, Washington County. Such improvements shall be included and addressed within the Development Agreement.
23. Review of the cul-de-sac lengths from the Fire Chief shall be obtained to ensure that there are no issues regarding access to each of the created lots.
24. The Applicant shall pay all fees and delinquent escrow balances.

FURTHER BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of MOR Development, LLC to exceed the maximum length of a cul-de-sac with the following findings pursuant to Section 32-59 and 32-60 of the City's Zoning Ordinance which provides that a Variance may be granted if a practical difficulty is demonstrated. The City Council's Findings relating to the standards are as follows:

- The buildable area of the subject property is constrained by natural features including a high-quality FEN wetland complex that bisects the property preventing the connection of the roadway through the subject property.
- The site constraints associated with the FEN, including buffer areas, are the result of the natural landscape and governmental regulations and are not self-created.
- The Indian Hills Golf Club is part of the essential character of the neighborhood and the relocation of three holes in 2021 protected the viability of the golf club. The relocated golf holes impacts the ability to connect the roadway due to the proximity of the holes to

the FEN wetland complex. Protection of the FEN and the golf holes is important to preserve the character of the area.

- The cul-de-sac configuration is consistent with the character and design of rural residential subdivisions throughout the City.

Adopted by the Grant City Council this 4th day of June, 2024.

Jeff Huber, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2024 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this ____ day of _____, 2024.

Kim Points
Clerk
City of Grant