

**CITY OF CANNON FALLS  
GOODHUE COUNTY, MINNESOTA**

**RESOLUTION NUMBER 2693**

**RESOLUTION GRANTING FINAL PLAT APPROVAL FOR  
TOWERING BLUFFS 1<sup>ST</sup> ADDITION**

**WHEREAS**, Greg Jablonske (“**Developer**”) is the fee owner and intends to develop a parcel or parcels of land lying within the City and legally described on the attached **Exhibit A** (the “**Property**”);

**WHEREAS**, the Developer is seeking approval of the Towering Bluffs 1<sup>st</sup> Addition Final Plat;

**WHEREAS**, City staff studied the matter, made a report, and provided other information to the City Council; and

**WHEREAS**, the City Council considered the matter at its August 1, 2023 meeting.

**NOW, THEREFORE**, the City Council of the City of Cannon Falls makes the following:

**FINDINGS**

1. On December 12, 2022, the Planning Commission held a public hearing and adopted Resolution No. 2022-13 conditionally approving Developer’s request to rezone the Property from R-2 Single Family Residential and R-E Residential Estate District to a Planned Unit Development Zoning District and Developer’s preliminary plat for a two-phased residential development.

2. The Developer has submitted, for the City’s review and approval, the final plat of Towering Bluffs 1<sup>ST</sup> Addition drafted by James R. Hill, Inc. (the “**Final Plat**”), which Final Plat is attached hereto as **Exhibit B**.

3. On August 1, 2023, the City Council conditionally enacted Ordinance No. 394, which rezoned the Property from R-2 Single Family Residential and R-E Residential Estate District to a Planned Unit Development Zoning District.

4. On August 1, 2023, the City Council passed resolution No. 2692 conditionally approving the Towering Bluffs Development Stage Plan and Towering Bluffs Final Plan attached hereto as **Exhibit C**.

5. Minn. Stat. § 462.358 grants the City, for the purpose of protecting and promoting the public health, safety and general welfare, the authority to adopt subdivision regulations providing for the orderly, economic and safe development of land within the City.

6. The proposed subdivision of Property is governed by City Code Chapter 151.

7. The Developer, pursuant to City Code Chapter 151, has submitted the Final Plat for the City's review and Approval.

8. City Code § 151.090(E) requires the Developer to enter into a development agreement, which must be recorded against the Property. The Towering Bluffs Phase I Development Agreement (the "**Towering Bluffs Development Agreement**") is attached hereto as **Exhibit D**.

9. The Final Plat meets the City Code requirements, provided that it is subject to and meets, to the satisfaction of the City, the conditions set forth in this Resolution.

### **DECISION**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cannon Falls that, based upon the findings cited herein:

1. The City Council hereby conditionally approves the Final Plat and the Mayor and City Administrator are hereby authorized to execute the same, subject to the conditions set forth below in paragraph 2 that must be met, to the satisfaction of the City, prior to release of the Final Plat.

2. The following conditions must be met to the satisfaction of the City prior to the release of the Final Plat:

(a) The conditional approvals granted by this Resolution are subject to the completion of and compliance with all ministerial matters set forth in the City Code and required by the City, including but not limited to, those of Engineering, Planning, Administrative and Legal Departments, *eg.* payment of fees.

(b) The approvals granted by this Resolution apply only to the Property.

(c) The Developer shall comply with the recommendations of the City Engineer set forth in the December 8, 2022 letter from William Angerman, P.E., Cannon Falls Consulting City Engineer, attached hereto in Exhibit B.

(d) Any signage on the Property is not part of the approvals granted by this Resolution and a separate application, subject to review and approval by the City, shall be required.

(e) The City and Developer shall enter into the Towering Bluffs PUD Agreement, subject to final review by the City Attorney, within thirty (30) days of the date of the City's Resolution approving the same. The Towering Bluffs PUD Agreement shall be recorded against and run with the Property. The Developer shall provide the City with

recording information prior to the issuance of any permit for the development of the Property.

(f) The Final Plat shall be consistent with the Towering Bluffs Development Stage Plan and Towering Bluffs Final Plan.

(g) The Developer shall submit, for the City's review and consideration, all information required under City Code ch. 152 for the City Council's consideration of the Towering Bluffs Development Stage Plan and Towering Bluffs Final Plan.

(h) City Council approval of the Towering Bluffs Development Stage Plan and Towering Bluffs Final Plan.

(i) City Council approval of the Towering Bluffs Development Agreement. The City may record the Development Agreement immediately upon receipt of all signatures.

(j) City Council approval of an ordinance rezoning the Property from R-2 Single Family Residential and R-E Residential Estate District to a Planned Unit Development Zoning District.

(k) All construction on and maintenance of the Property shall comply, at all times, with this Resolution, the Towering Bluffs Development Stage Plan, the Towering Bluffs Final Plan, the Final Plat, and City Code.

(l) The Developer shall record the Final Plat within ninety (90) days of the date of this Resolution. If the Developer fails to comply with this conditions, the City Council's approval of the Final Plat shall be considered void, unless the Developer requests and receives an extension from the City Council.

(m) The Developer shall provide a platting title commitment as required by Minn. Stat. § 505.03. The above-mentioned evidence of title shall be subject to the review and approval of the City Attorney to determine the entities that must execute the Final Plat and other documents to be recorded against the Property. Further, the Developer shall provide the City with evidence, which sufficiency shall be determined by the City, that all documents required to be recorded pursuant to this Resolution and by the City Attorney are recorded and all conditions for release of the Final Plat have been met prior to the City processing or approving any building permits or other permits applicable to the development of the Property.

(n) The Developer's satisfaction of all park dedication requirements for the Project prior to the City's release of the Final Plat.

(o) Unless otherwise expressly provided for by this Resolution, the Developer shall comply with the requirements of previous approvals for the Property within the timeframes set forth therein.

**ADOPTED** by the City Council this 1st day of August 2023.

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Matt Montgomery, Mayor

ATTEST: \_\_\_\_\_  
Neil L. Jensen, City Administrator