

RESOLUTION NO. R2018-082

**A RESOLUTION OF THE CITY OF SHAKOPEE APPROVING THE FINAL PLAT
OF WINDERMERE SOUTH.**

WHEREAS, D.R. Horton, Inc. - Minnesota, applicant and Joe Theis, property owner, have made application for Final Plat of Windermere South; and

WHEREAS, the property upon which the request is being made is legally described as:

Outlot A, Theis Highlands 1st Addition; and

WHEREAS, the Planning Commission held a public hearing and reviewed the Preliminary Plat on April 5, 2018.

WHEREAS, the City Council reviewed the Preliminary Plat on April 17, 2018.

WHEREAS, the City Council reviewed the Final Plat on August 8, 2018.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Shakopee, Minnesota that the Final Plat of Windermere South is hereby approved subject to the following conditions:

I) The following procedural actions must be completed prior to the recording of a Final Plat:

- A. Approval of title by the City Attorney.
- B. Park dedication fees shall be submitted in the amount required by the City Code and adopted City fee schedule. Cash in lieu of land is recommended to satisfy the Park Dedication Requirement. Preliminary park dedication calculations (to be confirmed at time of final plat recording) are as follows: 31 lots x \$5,340/lot = \$165,540.

II. Following approval and recording of the final plat, the following conditions shall apply:

- A. The developer shall contact SPU directly for specific requirements related to municipal water service, underground electric service, and street lighting installation for this project. The developer will be responsible for complying with their standard terms and conditions, installing a lateral water main distribution system in accordance with utility policy, paying the associated inspections costs, granting any necessary easements, paying the Trunk Water Charge, paying the Water Connection

Charge, entering into an Underground Distribution Agreement and paying all associated fees.

- B. Municipal water service and fire protection is not available until Shakopee Public Utilities Booster Station is operational. Please contact Shakopee Public Utilities directly to discuss timing of home construction while Booster Station is constructed.
- C. Plans show water services being stubbed to 3 unplatted lots off Windermere Way. These 3 water services may not be extended to unplatted lots unless watermain is extended through Mount Olivet Church's property consistent with the Shakopee Public Utilities Commission Water Policy Manual.
- D. The applicant shall provide an 8' wide trail along the west side of Windermere Way through this development, and along the north side of 128th Street adjacent to Lot 6, Block 3 and Lot 8, Block 4.
- E. The applicant is required to install a 5' wide sidewalk on the east side of Windermere Way through the development, and along the east side of Amberglen Circle.
- F. The applicant shall install park, open space, and trail boundary signage and posts as determined to be needed by the city. The city shall provide the signage and posts.
- G. All trails and sidewalks be constructed to meet ADA requirements or guidelines.
- H. Update 128th Street West to match City addressing.

III. The following conditions need to be addressed/completed prior to approval of a grading permit, a street and utility plan, and/or a building permit:

- A. Any field accesses to CSAH 15 along the property shall be completely removed from the right-of-way and graded to match the existing ditch.
- B. Noise issues may arise as traffic volumes increase on the County roadway over time. Noise attenuation for the new homes is the responsibility of the developer.
- C. No ponding, berming, landscaping, or signage shall be permitted within the County right-of-way.
- D. Any work within the County right-of-way shall require a County permit.
- E. Any stormwater entering the County right-of-way shall require detailed stormwater calculations to be submitted to the County Engineer for review and approval.
- F. The developer shall participate in CSAH 15 improvements, including information such as grading limits, drainage, right-of-way need, intersection street lights and cross sections.

IV. Comply with the conditions referenced in the Final Plat and RLS – Windermere South Memorandum from Micah Heckman, Project Engineer, dated July 31, 2018 (Case #SH091889).

Adopted in Regular session of the City Council of the City of Shakopee, Minnesota, held on the ____ day of _____, 2018.

Mayor of the City of Shakopee

ATTEST:

Lori Hensen, City Clerk

PREPARED BY:
City of Shakopee
485 Gorman Street
Shakopee, MN 55379