

RESOLUTION NO. 7851
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,
APPROVING A PLANNED UNIT
DEVELOPMENT, THE PRELIMINARY PLAT OF RIDGE CREEK

WHEREAS, Joe Jablonski of Lennar Corporation, applicant, and Western Bank, property owner, has made application for the Planned Unit Development and Preliminary Plat of Ridge Creek; and

WHEREAS, the property upon which the request is being made is legally described as:
See Attached Exhibit; and

WHEREAS, the Planning Commission of the City of Shakopee did review the Planned Unit Development on March 9, 2017, and

WHEREAS, all required public notices regarding the public hearing for the Planned Unit Development were duly sent and posted and all persons appearing at the hearing have been given an opportunity to be heard thereon; and

WHEREAS, the City Council of the City of Shakopee did review the Planned Unit Development on March 21, 2017 and adopted the following findings:

Criteria No. 1: Whether the proposed development is consistent in all respect with the comprehensive plan and with this section.

Finding No.1: The comprehensive plan guides the area single family residential development, which is what the applicant is proposing.

Criteria No. 2: Whether the proposed development, including deviations from design standards of the underlying zones, is compatible with surrounding land uses.

Finding No. 2: The proposed deviations relating to setback, grading near the top of a bluff, and filling of wetlands, and reduction in street width are in keeping with the character of the surrounding land uses. The adjacent development to the west has also impacted the bluff setback area. Without impacting the bluff setback area, multiple residential lots would not be buildable on the north side of Oakridge Trail because the street alignment was set by Ridgeview Estates, which was developed under different regulations.

Criteria No. 3: Whether the proposed development, including deviations from development standards of the underlying zone, provides adequate open space, circulation, parking, recreation, screening, and landscaping.

Finding No. 3: No changes are proposed in regard to landscaping, open space, or screening. Only minor deviations from development standards relating to wetlands, bluff setback areas, street widths, and side-yard setbacks are proposed as part of this development.

Criteria No. 4: Whether the primary function of the PUD is to encourage development which will preserve and enhance the worthwhile, natural terrain characteristics and not force intense development to utilize all portions of a given site in order to arrive at the maximum density allowed. In evaluating each individual proposal, the recognition of this objective will be a basic consideration in granting approval or denial.

Finding No. 4: The proposed development dedicates approximately 38 acres of open space. The City of Shakopee intends to develop the open space with park dedication funds paid by this development. Approval of the PUD allows for development of a challenging site, where nearly ½ of the area will be dedicated as open space to the city.

Criteria No. 5: Whether there exists an overall compatibility of land uses and overall appearance and compatibility of individual buildings to other site elements or to surrounding development. However, the architectural style of buildings shall not solely be a basis for denial or approval of a plan.

Finding No. 5: The ultimate development of the PUD will provide for overall compatibility of land uses, buildings, and other site elements to the surrounding development. All surrounding land uses are single family residential developments. The applicant is proposing to build homes similar in character and design to the adjacent developments.

Criteria No. 6: Whether the proposed PUD plan would afford a greater general public benefit than would be realized under the underlying zoning district and/or general zoning provisions.

Finding No. 6: The proposed PUD allows for the flexibility to develop a creative site plan for a site with significant development challenges related to topography, wetlands, woodlands, and required street connections. The proposed PUD also allows for adequate pedestrian circulation to connect to the adjacent residential and park areas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHAKOPEE, MINNESOTA, AS FOLLOWS:

That the Planned Unit Development Ridge Creek is hereby approved to allow the development in the following manner:

1. 7.5' side-yard setbacks are approved. The 7.5' setback applies to both the dwelling part of the unit and garage. In the case of a corner lot, the street-side setback is 20'.
2. The applicant is permitted to grade within the 30' setback to the top of the bluff. The applicant must minimize the disturbance in this area to the extent possible and reduce drainage down the bluff to the extent possible, as approved by the City Engineer.
3. The applicant is permitted to grade within the wetland buffer adjacent to Crossings Boulevard, with the approval by the City Engineer.
4. The applicant must notify future owners of lots in Block 4 about the location of the gas pipeline and easement.

5. "NextGen" units must not be separated from the rest of the house by a deadbolt lock, or separate entrance. The units must not contain both separate laundry and full kitchen facilities. The applicant must provide information to owners about zoning requirements.
6. The three trail connections to trails along both CSAH 21 and CSAH 16 shall be as proposed on the revised plans.
7. If the applicant constructs a monument sign for this subdivision, the sign must meet City Code standards for design and location and receive a sign permit. All signage is required to be located within a dedicated sign easement.
8. Park dedication funds received from this development shall be programmed for development of the trails and open space within this development. Any funds collected that are not used for development of the open space in Ridge Creek shall be dedicated to the park reserve fund.
9. A utility coordination plan is required and must receive approval from the City of Shakopee. Right-of-way permits will not be granted without an approved coordination plan.
10. Locations of trees planted by the applicant must be marked by the applicant and approved by the city prior to planting.
11. Required landscaping and replacement trees planted on residential lots must be planted at least 8' from side lot lines.
12. Maintenance of landscaping and trees on private property is the responsibility of private property owners, or a homeowner's association.
13. The area identified as bluff, and bluff impact zone shall be dedicated to the city as a conservation easement. Posts shall be installed by the applicant on each property corner identifying the boundaries and attach signage provided by the city. Areas within the bluff impact zone which are impacted shall not be included in the easement. The applicant must also provide and install open space and trail boundary signage as determined to be needed by the City.
14. Crossings Boulevard shall have a minimum eight-foot-wide planting strip between the back of curb and trail/sidewalk. A trail easement shall be given for any portion of the trail which is outside of the city right-of-way, plus an additional two feet beyond the trail.
15. Soil modification within the planting strips on Crossings Boulevard is required as approved by the city engineer.
16. Tree planting/landscaping done within the city right-of-way or easements must be approved by the city engineer. This includes but is not limited to species selection, location, quantity, sizing, maintenance, installation schedule, and warranty.
17. Due to road alignment on the adjacent property, a 30-foot bluff impact zone is to be used. The applicant is required to minimize and justify any impacts to the bluff impact zone.
18. A joint trench is required for all underground wire utilities. The location of the joint trench, utility coordination plan, and installation schedule is to be approved by the city engineer before building permits are issued.
19. Any off-site grading of the back yards of adjacent lots in Riverside Bluffs must be approved by the City Engineer.

20. The applicant is required to construct maintenance trails along the ponds or drainage ditch at the time the wetlands are restored or the drainage ditch is improved or moved (if part of the development project).
21. All trails and sidewalks must meet ADA requirements and guidelines.
22. Wetland, ponding areas, drainageways, and utility easements accepted by the city shall not be considered in the park land and/or cash contribution to the city.
23. The applicant must comply with the memorandum from WSB and Associates dated 2-23-17, except a portion of condition #1E in the memorandum. The lining of stormwater ponds is not required.
24. The applicant must comply with the Shakopee Public Utilities Memo dated 2/14/17.

The following relates to the proposed Preliminary Plat of Ridge Creek

WHEREAS, the Planning Commission of the City of Shakopee reviewed the preliminary plat on March 9, 2017 and recommended that the City Council approve the preliminary plat of Ridge Creek; and

WHEREAS, the City Council reviewed the preliminary plat on March 21, 2017.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Shakopee, Minnesota that the preliminary plat of Ridge Creek is hereby approved subject to the following conditions:

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

1. Execution of a Developer's Agreement, which needs to include provisions for security for public improvements within the subdivision and payment of the Street and Utility Fee and the Watermain Fee.
2. Payment of all Storm Water Management Plan Review Fees need to be made, as required by the most current City of Shakopee Fee Schedule.
3. Payment of the Trunk Sanitary Sewer Charge needs to be made, as required by the most current City of Shakopee Fee Schedule.
4. Payment of the Trunk Storm Water Charge needs to be made, as required by the most current City of Shakopee Fee Schedule.
5. Payment of the Sign Installation Fee needs to be made, as required by the most current City of Shakopee Fee Schedule.
6. Payment of the Bituminous Sealcoat Fee needs to be made, as required by the most current City of Shakopee Fee Schedule.
7. The applicant will submit a detailed contractor's bid for all public improvements associated with this subdivision.
8. The applicant will submit a detailed lot area drawing showing the total plat area, the total drainage and utility easement area encompassing high water levels of wetlands/storm water basins, the total area of right-of-way, the total area of conservation easements and outlots, the total area of bituminous street and the total area of lots.
9. The applicant shall have an approved wetland replacement plan addressing the proposed impacts. Final approval must be granted prior to any grading in wetland areas.

10. The easement on the site known as Document No. 201406 must be vacated by both the City of Shakopee and Prior Lake – Spring Lake Watershed district prior to the dedication of the right-of-way of Crossings Boulevard on a final plat.
11. The applicant must have final approval of the subdivision's storm water management plan.
12. Outlots A and B must be deeded to the City of Shakopee.
13. The applicant will provide adequate wetland buffers and associated easements/outlots as set forth in Section 54.32 of our Code of Ordinances.
14. The applicant must work with the City Engineer and Prior Lake – Spring Lake Watershed District to develop a plan for removal of existing culverts in Outlot A and the placement of any necessary rip rap for the ninety-degree bend in the channel.
15. Easements will be shown on the Final Plat as approved by the City Engineer. They include, but are not be limited to, the following:
 - The applicant will provide minimum widths of drainage and utility easements as set forth in Section 10.1 (A-D) of the City of Shakopee Design Criteria.
 - Provide a minimum of 15 feet of drainage and utility easement adjacent to the County Road 16, County Road 21 and Crossing Boulevard rights-of-way.
16. Provide electronic files (AutoCAD and Portable Document Format – PDF) of the Final Plat to be recorded with datum on the Scott County coordinate system.
17. In areas where a sidewalk or trail is provided on private property, a sidewalk / trail easement shall be provided.
18. A sidewalk shall be added to the north side of all parts of Ridge Creek Trail.
19. Street names on a future final plat are to be reviewed and approved by the city.
20. In the case of restoration in lieu of replacement trees, any restoration done on or adjacent to the bluff and bluff impact zone must equal the monetary and ecological value of replacement trees not replanted onsite, per city code 151.113. A portion of the landscaping/tree replacement financial security shall be held for a minimum of three full years to ensure establishment. The portion held shall never be reduced to less than 125% the amount to ensure the completion of the contract as shown on the plan approved by the city engineer.
21. The applicant must meet all vegetation establishment requirements within stormwater areas and city outlots, as approved by the city engineer.
22. The applicant must comply with the Shakopee Public Utilities Memorandum dated 2/14/17.
23. Park dedication fees must be paid in the amount required by City Code and the adopted fee schedule at the time of recording of a final plat.
24. The minimum right-of-way dedication for CSAH 16 is 75-feet of right-of-way from the center of the roadway.
25. A trail must be built along CSAH 16 and connect to the existing trail along CSAH 16.
26. Noise issues may arise as traffic volumes increase on the County roadways over time. Noise attenuation for the platted lots is the responsibility of the City and/or developer.
27. No ponding, berming, landscaping, or signage shall be permitted within the County right-of-way.
28. Any work within the County right-of-way shall require a County permit.

The following items need to be addressed / completed prior to approval of a grading permit and/or a building permit:

1. The applicant will need final approval of the subdivision's storm water management plan.
2. The applicant will grade the entire site, as proposed on the approved plans, in one phase within one year from the date of approval of the grading permit application. Grading is defined as bringing the site to the proposed finished grade with materials deemed acceptable by the City of Shakopee engineering department, providing topsoil per City requirements and applying seed, mulch and/or sod per City requirements and providing an as-built record grading plan per Section 2.5 of the City of Shakopee Design Criteria.
3. Class IV fieldstone riprap and geotextile fabric will be placed at each flared end section. The riprap and fabric will be installed to the bottom of the storm water basin.
4. The applicant will work with the City of Shakopee to eliminate lots with public utilities on both side lot lines.
5. Storm manholes will need to be added in order to reduce flow velocities at flared end sections to an acceptable rate. This rate will be determined by the engineering division.
6. The applicant will seed the disturbed storm water basin area with a native vegetation. The seed mixture, application and maintenance requirements will be determined by the City
7. The applicant will install trunk sanitary sewer to south property line as directed by the engineering division.
8. The applicant will provide vertical street curves that comply with city requirements, unless otherwise approved by the city engineer.
9. The applicant will submit detailed pavement design calculations.
10. The applicant will submit a landscaping plan in compliance with the most recent version of the City of Shakopee's Easement Fencing and Landscaping Policy. If the applicant wishes to vary from these requirements, a detailed subdivision-wide utility service corridor plan will need to be submitted for review.
11. Record plans need to be provided per the City of Shakopee Design Criteria, Section 2.5 and Section 11.2 (A-L). The record plans need to be submitted to the engineering department.
12. Identify EOF's for all catch basins, wetlands and ponds. Rear yard catch basins, wetlands and ponds should have an EOF route clearly marked on the plans.
13. Revise the grading between Lots 7 and 8, Block 1 to ensure slopes do not exceed 3:1.
14. A right-of-way permit is required before installation of any utilities within city right-of-way or easements.
15. Grading permit approval for grading within wetland areas is contingent on the applicant providing a wetland replacement plan meeting the requirements of approval by the City Engineer.

BE IT FURTHER RESOLVED,

**Adopted in _____ session of the City Council of the City of Shakopee, Minnesota,
held on the ____ day of _____, 2017.**

Mayor of the City of Shakopee

ATTEST:

Lori Hensen, City Clerk

PREPARED BY:
City of Shakopee
129 Holmes Street South
Shakopee, MN 55379