

RESOLUTION NO. 7850
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,
APPROVING THE FINAL PLAT OF GATEWAY SOUTH SECOND ADDITION

WHEREAS, Duke Realty Corporation, applicant and property owner, has filed an application for a Final Plat of Gateway South Second Addition.

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

Outlot A, Gateway South First Addition

WHEREAS, notice was provided and on October 8, 2015, the Planning Commission held a public hearing regarding the Preliminary Plat application, at which it heard from City Planning staff and invited members of the public to comment; and

WHEREAS, the City Council heard from staff and the Applicant regarding the Second Addition Final Plat at their meeting on March 21, 2017; and

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

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

- A. Approval of title by the City Attorney.
- B. The applicant shall work with City Engineering to determine whether the execution of a Developer's Agreement is required, which will include provisions for security for public improvements within the subdivision and payment of the Street and Utility Fee and the Watermain Fee.
- C. The applicant shall reference the previously recorded easements (Document No. T156013, T237567, T239264, and T173273, with T173273 amended per Document No. T2419880) on the Final Plat mylars.
- D. Payment of all Storm Water Management Plan Review Fees needs to be made, as required by the most current City of Shakopee Fee Schedule.
- E. Payment of the Trunk Storm Water Charge and Trunk Sanitary Sewer Charge needs to be made, as required by the most current City of Shakopee Fee Schedule.
- F. Provide electronic files (AutoCAD and Portable Document Format) of the Final Plat to be recorded with datum on the Scott County coordinate system.

- G. The applicant shall meet park dedication requirements by providing cash in lieu of land dedication. Park dedication fees in the amount required by the City Code and adopted City fee schedule shall be paid as follows:
 {Gross Acreage – Public utility easement (PUE) acreage} x \$6,930/acre = Park Dedication required. Based on current information, that calculation is 25.27 acres x 6,930.00 equals \$175,121.10. The exact amount of acreage accepted by the City for public utility easements must be submitted to the Parks and Recreation Director for the exact Park Dedication calculation.
- H. Easements will be shown on the Final Plat as approved by the City Engineer. They include, but are not be limited to, the following:
1. Minimum drainage and utility easements for public storm sewer need to be dedicated per the City of Shakopee Design Criteria, Section 10.1 (A-D).
 2. The applicant will provide a minimum of ten (10) feet of drainage and utility easement adjacent to all lot lines.
 3. The applicant will provide adequate drainage and utility easements to encompass the approved high water level of the storm water basin.
 4. The applicant will provide adequate drainage and utility easements to encompass the drainage ditch adjacent to Shenandoah Drive and the drainage ditch south of the railroad tracks on the north side of the subdivision.
 5. Lot 1, Block 1 shall comply with the impervious surface percentage requirements set forth by City Code.

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

- A. The trail along 4th Avenue must remain as currently constructed. Trails or sidewalks should be constructed along all 4th Avenue driveways to parking lots and building entrances, consistent with City Code requirements.
- B. It is the City's intent to create a buffer of native plants in and around the stormwater facility on this site. The Applicant shall continue to work with a qualified contractor to provide a seeding and an overall 5 year maintenance plan to be approved by City staff.
- C. A financial security in the amount of 125% the cost of seeding and a total of 5 years of maintenance as shown on the approved plan shall be provided to the City for vegetation establishment within the stormwater facility at the time of grading or building permit. Duration of the financial security shall be determined by City staff, not to exceed 5 years. A reduction of the financial security may be requested annually, not allowing the financial security to be reduced beyond an amount to ensure the completion of the contract.
- D. Soil requirements associated with plant growth within the stormwater facility shall be approved by the City Engineer before a grading permit is issued.
- E. Landscaping requirements shall be calculated at time of building permit application. The landscaping units are based on the gross floor area, per Sec. 11.60 Subd. 8. & 9. of City Code.
- F. The property owner shall provide a maintenance access easement to the City to allow for proper maintenance of all stormwater ponding areas.

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

- A. The applicant will apply for and receive approval of a grading permit for the balance of the site, as proposed on the approved plans, in one (1) phase within one (1) 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. If the grading is not completed within one (1) year from the date of approval of the grading permit, a new permit will be required.

- B. Should blasting techniques of rock formations be implemented, the grading permit and/or building permit applicant will be responsible to contact and inform all nearby properties a minimum of forty-eight (48) hours prior to the blasting operations. The applicant will be responsible for all damages caused by the blasting operations. The applicant will be required to obtain a right-of-way permit prior to any road closures deemed necessary.
- C. The applicant's storm water management plan will accommodate their site's drainage, drainage from 4th Avenue and drainage from other offsite areas. This system will adequately treat and control the discharge rate per requirements set forth by the City of Shakopee's Comprehensive Water Resources Management Plan. The City of Shakopee will reimburse the applicant for oversizing of the storm sewer system.
- D. The applicant will work with the City of Shakopee engineering department to address storm water runoff leaving the site.
- E. The applicant will ensure that the wetland vegetation, native prairie vegetation and/or some other type of minimum maintenance vegetation is provided in the area of the storm water basin.
- F. The applicant will ensure that adequate slopes have been provided in all areas designated as maintenance access points by the City Engineer.
- G. The applicant will ensure that reinforced turf (Geogrid or similar product) has been provided in all areas designated as maintenance access points by the City Engineer.
- H. The applicant shall confirm that Class IV fieldstone riprap has been adequately placed at each flared end section outletting to the storm water basin. The riprap will be placed to the bottom of the basin.
- I. A certain amount of landscaping will be allowed in the storm water basin. However, the quantities and species will need to be approved by the City Engineer. The maintenance of this landscaping will be the responsibility of the property owner.
- J. Landscaping in drainage and utility easements encompassing public storm sewer structures and pipes will need to be in compliance with the most recent version of the City of Shakopee's Easement Fencing and Landscaping Policy.
- K. If possible, the proposed 4th Avenue accesses will be aligned with existing accesses along the south side of Fourth Avenue.
- L. Final approval of the storm water management plan is required by the City.

IV. Following approval and recording of the final plat, the following conditions need to be addressed/completed prior to issuance of a building permit:

- A. As a part of an approved grading permit, 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.
- B. The applicant will provide paper and electronic (AutoCAD and Portable Document Format) as-built record drawings for all public storm sewer and watermain. As-built record plan requirements are set forth in Section 11 of the City of Shakopee Design Criteria.
- C. Sewer, water service, fire protection and access shall be reviewed for code compliance at the time of building permit application(s).

- D. Specific performance/design standard details will be reviewed for compliance with Shakopee City Code, Sections 151.045 (Light Industry Zone) 151.014 (CUP Standards for Industry Zones), 151.014 (B) (7), 151.112, 151.114, 151.115, and 151.117 and 151.108 at the time of building permit application(s).

Adopted in regular session of the City Council of the City of Shakopee, Minnesota, held the _____ day of _____, 2017.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk