

RESOLUTION NO. R2018-094

**A RESOLUTION OF THE CITY OF SHAKOPEE
APPROVING A PRELIMINARY AND FINAL PLAT OF WINDERMERE WAY 2ND
ADDITION FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CSAH
15/MARYSTOWN ROAD AND 17TH AVENUE**

WHEREAS, Benedictine Health Living Community of Shakopee, LLC, applicant, and D.R. Horton, Inc. - Minnesota, property owner, have requested approval of a Preliminary and Final Plat of Windermere Way 2nd Addition of property located South of Hwy. 169, west of Marystown Rd., & south of 17th Avenue; and

WHEREAS, the property is legally described as:

Outlot A, Windermere Way; and

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

WHEREAS, the Planning Commission held a public hearing on August 9, 2018 and recommended approval of the Preliminary Plat.

WHEREAS, the City Council reviewed the Preliminary and Final Plat on August 21, 2018.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Shakopee, Minnesota that the Final Plat of Windermere Way 2nd Addition 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. Staff recommends a cash park dedication in the amount of \$409,400 for the first phase of the Benedictine Living Community of Shakopee. The cash dedication shall be used to develop a new park near and adjacent to the proposed senior housing development. As proposed, Phase II at 68 units would require a park dedication of \$151,300, depending on bedroom mix and housing product.

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. No watermain shall be installed inside high pressure gas easement unless crossing perpendicular to gas easement. Any watermain installed running parallel to high pressure gas main must be a minimum of 10 feet from gas easement.

- C. No service lines may be stubbed to outlots. A service line is shown, on proposed utility plan, as being installed to outlot A. This proposed service line must be removed from the plan.
- D. The applicant shall ensure that installation of a 5' wide sidewalk on the east side of Windermere Way through the development, and along the north side of Amberglen Circle adjacent to this development, occurs consistent with City Code standards.
- E. All trails and sidewalks be constructed to meet ADA requirements or guidelines.
- F. If transit service is desired, the developer shall consider a bus pull off along Windermere or Amberglen as MVTA (Minnesota Valley Transit Authority) typically will not operate in parking lots.
- G. Landscaping and site design and performance standards shall be provided consistent with City Code requirements, except for the max. building height, which is allowed consistent with submitted plans.
- H. Either HardiePlank siding or LP SmartSide siding be utilized as a substitute for the proposed vinyl siding.
- I. Revise the site elevations by taking the stone spread around the base and applying it to more influential and noticeable areas such as the town center chapel and front entry, as well as at the ends of some of the Independent Living wings.

III. Comply with the conditions referenced in the Preliminary Plat, Final Plat and PUD – Windermere Way 2nd Addition Memorandum from Micah Heckman, Project Engineer, dated July 31, 2018 (Case #SH092216).

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