

**RESOLUTION NO. 7864**  
**A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,**  
**APPROVING THE FINAL PLAT OF WEST VIERLING ACRES SECOND ADDITION**

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**WHEREAS**, Tim Grabow of Hometown Bank, applicant and Hy-Vee, Inc., property owner, has filed an application for the Final Plat of West Vierling Acres Second Addition.

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

Outlot C, West Vierling Acres First Addition, Scott County, MN

**WHEREAS**, notice was provided and on August 4, 2016, 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 West Vierling Acres Second Addition Final Plat at their meeting on April 18, 2017; and

**NOW THEREFORE, BE IT FURTHER RESOLVED** by the City Council of the City of Shakopee, Minnesota that the Final Plat of West Vierling Acres 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 must provide an additional five (5) feet of drainage and utility easement north of the existing 5' easement along the southern lot line. All perimeter easements shall be 10' in dimension.
- C. The applicant must re-name the final plat West Vierling Acres Second Addition.
- 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 must be paid in the amount required by the City Code and adopted City fee schedule at the time of the recording of the final plat. The applicant must submit a calculation to the Parks and Recreation Director of the acreage of the lot and the acreage of public drainage and utility easements on the lot to determine the exact park dedication fee.
- H. All existing and additional easements must be shown on the Final Plat as approved by the City Engineer.

**II. 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.

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

1. Any future trash enclosure on this lot must be constructed of the same building materials as the principal structure and have a roof. The proposed enclosure must meet the setbacks from lot lines for accessory structures.
2. Any future freestanding signage must receive sign permits and be a monument type design.
3. The parking stall depths shall be reduced to 18'.
4. The applicant must provide a bike rack near the main entrance of the building meeting APBP guidelines with a rated capacity of 4 bicycles to comply with the West Vierling Acres PUD.
5. Pedestrian ramps must be provided at all appropriate entrances to sidewalks.
6. The applicant must remove the two northwesternmost parking spaces, as they conflict with the one way traffic flow of the drive-thru.
7. The applicant must place "Do Not Enter" signage where the the two-way drive aisle west of the building and the one-way drive-thru meet.
8. The applicant must provide a sidewalk connection to the main entrance of the building to the sidewalk along the private drive on the west side of Lot 1.
9. The areas along the perimeter private drives and Vierling Drive must remain greenspace, not impervious materials, such as landscape rock or pavement.
10. Landscaping and required screening along parking and drive aisles must comply with City Code.
11. The applicant must pay the appropriate engineering related fees.
12. Landscaping requirements shall be calculated at time of building permit application. The landscaping units are based on the gross floor area, per City Code.
13. Landscaping in drainage and utility easements will need to be in compliance with the most recent version of the City of Shakopee's Easement Fencing and Landscaping Policy.

**Adopted in regular session of the City Council of the City of Shakopee, Minnesota, held the \_\_\_\_\_ day of \_\_\_\_\_, 2017.**

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**Mayor of the City of Shakopee**

Attest:

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Lori Hensen, City Clerk