RESOLUTION NO. R2019-096

A RESOLUTION OF THE CITY OF SHAKOPEE APPROVING THE PRELIMINARY AND FINAL PLAT OF LA TOUR TERRACE.

WHEREAS, Shakopee Public Utilities, applicant, and LATOUR FARMS, L.P. & D.R. Horton, Inc. – MN, property owners, have made application for Preliminary and Final Plat of LA TOUR TERRACE; and

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

The South Half of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 14, Township 115, Range 23, and a parcel in the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 14, Township 115, Range 23, described as follows:

Commencing at the southeast corner of said Northeast Quarter of the Southwest Quarter; thence running west 35 feet; thence northeasterly to a point 35 feet north of the southeast corner of the Northeast Quarter of the Southwest Quarter, thence south 35 feet to the place of beginning.

Together with

Outlot G, Windermere South 2nd Addition, Scott County, Minnesota; 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 and reviewed the Preliminary Plat on September 5, 2019; and

WHEREAS, the City Council reviewed the Preliminary and Final Plat on October 1, 2019.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Shakopee, Minnesota that the Preliminary & Final Plat of LA TOUR TERRACE 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. Provide electronic files (AutoCAD and Portable Document Format) of the Final Plat to be recorded with datum on the Scott County coordinate system.

C. Park dedication fees in the amount required by the City Code and adopted City fee schedule shall be paid prior to the recording of the final plat.

D. Submit a detailed geotechnical report outlining any groundwater encountered as well as infiltration rates in appropriate locations.

E. 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 minimum widths of drainage and utility easements are set forth in Section 10.1 (A-D) of the City of Shakopee Design Criteria.
   - Provide 10 feet of drainage and utility easement around the entire perimeter of Lot 1, Block 1.
   - Provide drainage and utility easement to encompass the 100-year high water level of the proposed stormwater basin.
   - Provide 10 feet of drainage and utility easement along the south and west property lines of Outlot B.

F. Obtain approval of the subdivision's storm water management plan.

G. The applicant must pay all applicable fees/charges listed below, as required by the most current City of Shakopee Fee Schedule:
   - Storm Water Management Plan Review Fees.

H. 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 and the total area of lots.

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

A. Comply with SPU's specific requirements related to municipal water service, underground electric service, and street lighting installation for this project; and shall be responsible for complying with SPU's 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 Capacity Charge, entering into an Underground Distribution Agreement and paying all associated fees.

B. A trail easement for the future trail along CSAH 78 shall be provided, consistent with City Engineering requirements.

C. All trails and sidewalks shall be constructed to meet ADA requirements/guidelines.

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. 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.

B. Pay the Trunk Storm Water Charge, as required by the most current City of Shakopee Fee Schedule. Payment is due at time of building permit issuance and can be combined with the check for the building permit fee.

C. Obtain final approval of the subdivision's storm water management plan.

D. The applicant must obtain a NPDES construction site permit prior to any land disturbing activity. A copy of the permit coverage card and letter must be provided to the city.
E. Submit a Construction Management Plan. The applicant must enter into a Construction Management Agreement with the City of Shakopee. A copy of the agreement can be obtained from the Public Works Department.
F. 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.
G. No ponding, berming, landscaping, or signage shall be permitted within the County right-of-way.
H. Any work within the County right-of-way shall require a County permit.
I. Enter into a Utility Facilities Easement Agreement with the City of Shakopee. The applicant must record the easement agreement with the county.
J. Submit a landscaping plan 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 on the ____ day of _____, 2019.

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Mayor of the City of Shakopee

ATTEST:

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Lori Hensen, City Clerk