

RESOLUTION NO. R2019-130

A RESOLUTION OF THE CITY OF SHAKOPEE APPROVING THE PRELIMINARY AND FINAL PLAT OF POWERS FIRST ADDITION

WHEREAS, Shakopee ISD 720 and Greg & Irene Powers, property owners, and Trident Development, LLC, applicant, have made application for Preliminary and Final Plat of POWERS FIRST ADDITION; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on December 5, 2019, at which time all persons present were given an opportunity to be heard; and

WHEREAS, the Planning Commission has recommended to the City Council that the Preliminary Plat be adopted as proposed; and

WHEREAS, the City Council reviewed the Preliminary Plat on December 17, 2019.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Shakopee, Minnesota that the Preliminary Plat of POWERS FIRST ADDITION is hereby approved subject to the following conditions:

- I) The following procedural actions must be addressed/completed prior to the release of the recording of a Final Plat:**
- A. Approval of title by the City Attorney.
 - B. Cash in lieu of land is recommended to satisfy the Park Dedication Requirement.
 - 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. All existing drainage and utility easements must be vacated and rededicated on the Final Plat including any identified new easements. Vacation must occur concurrently with the approval of the Final Plat.
 - E. Execution of a Developer's Agreement, which needs to include provisions for a letter of credit or cash security equal to 125 percent of the estimated total cost of the improvements, plus 100 percent of the estimated costs of city inspection and administration.
 - F. Pay all applicable fees/charges listed below, as required by the most current City of Shakopee Fee Schedule.
 1. Street and Utility Fee
 2. Watermain Fee
 3. Trunk Storm Water Charge
 4. Sign Installation Fee
 5. Bituminous Sealcoat Fee
 6. Storm Water Management Plan Review Fees
 7. Wetland Conservation Act Fees

- G. Grant the city an Access Easement for the purpose of accessing the north infiltration basin.
- H. Submit public improvement construction plans for review. Public improvement plans should include Lusitano Street extension, sanitary sewer, storm sewer, watermain, public street lighting and all other public improvements that are proposed as part of this project. At a minimum, the public improvements must meet the minimum standards provided in the City of Shakopee Design Criteria and the plans must follow the standards provided in Section 11.1 of the City of Shakopee Design Criteria.
- I. A traffic study is being conducted for the proposed development. The results of the traffic study will determine the appropriate cost share for required improvements at adjacent intersections and a down payment will be required for these improvements.
- J. The proposed connection to Marystown Road is contingent upon Scott County and MnDOT approval.
- K. Revised access control along Marystown Road must be approved by Scott County and MnDOT.
- L. The proposed right-in/right-out access onto Marystown Road must include a dedicated right-turn lane on Marystown Road and channelization for the right-in/right-out turning movements. In addition, the existing median at the intersection of Marystown Road and Windermere Way must be extended south to the proposed access and extend 50 feet south beyond the proposed access. These plans must be coordinated with Scott County for approval.
- M. The plat documents must be submitted to Scott County and MnDOT for review and comment.
- N. Easements will be shown on the Final Plat as approved by the City Engineer. They include, but are not limited to the following:
- Provide 5 feet of drainage and utility easement on the property line that separates Lot 1, Block 1 and Outlot A.
 - Provide 15 feet of drainage and utility easement along Marystown Road and 17th Avenue frontage.
 - Provide perimeter drainage and utility easements on Outlot B per City of Shakopee Design Criteria Section 10.1 (A-D).
 - Additional drainage and utility easement is required for the proposed storm sewer outlet pipe from the north infiltration basin.
 - Once adequate utility plan and profile sheets are prepared, the applicant will verify appropriate drainage and utility easements for public sanitary sewer and storm sewer systems are provided. The minimum widths of drainage and utility easements are set forth in Section 10.1 (A-D) of the City of Shakopee Design Criteria.
 - All stormwater ponds must have a drainage and utility easement encompassing the 100-year high water level.
 - Additional drainage and utility easements as required based on final design of public improvements.
- O. As shown on the preliminary plans, a roadway easement is required for the proposed extension of Lusitano Street. Work with the Engineering Division to prepare an easement and provide the city with a copy of the recorded easement.

- P. Submit a detailed contractor's bid for all public improvements associated with this development.
- Q. Submit a detailed lot area drawing showing the total plat area, the total drainage and utility easement area encompassing 100-year 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.
- R. Revise proposed pond grading to comply with maximum allowable slopes per the City of Shakopee Design Criteria Section 4.
- S. At a minimum, obtain conditional approval of the development's storm water management plan.
- T. Provide funds for the construction of a future trail along the property frontage on Marystown Road. The extension of the sidewalks on Lusitano Street to the proposed Marystown Road trail must also be included in the estimate. An additional trail connection from the north end of the site should be included in the plans and future construction funds.
- U. Fire hydrants shall be placed in accordance with local requirements and the Minnesota State Fire Code.
- V. Fire department access shall be provided as required by the Minnesota State Fire Code. Access roads with widths of less than 20-feet shall require special approval.

The following items 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. Obtain final approval of the subdivision's storm water management plan.
- C. Fieldstone riprap and geotextile fabric will be placed at each flared end section. The riprap and fabric must be installed to the bottom of the storm water basin.
- D. Submit detailed pavement design calculations.
- E. Submit a turning movement diagram that shows accessibility for garbage and delivery trucks throughout the proposed development. Diagram must show proposed delivery routes to and from each building.
- F. Provide the city with a copy of all applicable permits/approvals, including, but not limited to the following:
 - 1. Minnesota Department of Health
 - 2. Met Council
 - 3. Minnesota Pollution Control Agency (NPDES and Sanitary Sewer Extension)
 - 4. Shakopee Public Utilities
 - 5. Wetland Conservation Act
 - 6. MnDOT (drainage outlet)
 - 7. Any other required
- G. Submit a landscaping plan in compliance with the most recent version of the City of Shakopee's Easement Fencing and Landscaping Policy.

- H. The owner must enter into a Utility Facilities Easement Agreement with the city. The document must be recorded with Scott County.
- I. The contractor must submit a Construction Management Plan to the city prior to any construction activities.
- J. Submit an NPDES permit for the site.
- K. 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 certified and submitted to the engineering department. Provide a letter from the engineer of record certifying all improvements were constructed per approved plans and under the direct supervision of the engineer of record. The developer/engineer of record must provide a full-time onsite inspector during all utility installation.
- L. It appears the right-of-way for CH 15 and CH 16 proposed to be dedicated with the plat is consistent with future right-of-way needs.
- M. It is recommended a trail be extended along CH 15 with the development. Is the development constructing a trail or will be contributing to the future construction of this trail?
- N. Any work within the County right-of-way shall require a County permit.
- O. Noise issues may arise as traffic volumes increase on the County roadway over time. Noise attenuation is the responsibility of the City and/or developer.
- P. An 8 in. water main shall be extended across property and connected to the 8 in. water main on the east property line, the 12 in. water main near the south property line, and the 8 in water main on the west side of Marystown Road (County Road 15). All public watermain located on private property shall be installed in a watermain easement 20 feet minimum in width dedicated to Shakopee Public Utilities Commission.
- Q. Perimeter utility easements should be platted per city standard, including a 15 ft. easement consistent with the existing D & U easement adjacent to the north ROW line of 17th Avenue.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the _____ day of _____, 2019.

Mayor

Attested:

City Clerk