



**CITY OF NEWPORT  
REGULAR COUNCIL MEETING  
NEWPORT CITY HALL  
March 3, 2022 – 5:30 P.M.**

MAYOR: Laurie Elliott  
COUNCIL: Kevin Chapdelaine  
Tom Ingemann  
Marvin Taylor  
Rozlyn Johnson

City Administrator: Deb Hill  
Supt. of Public Works: Bruce Hanson  
Fire Chief: Steven Wiley  
Asst. to the City Admin: Travis Brierley  
Law Enforcement (WCSO): Bill Harrell

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. PUBLIC COMMENTS - Visitors may share their concerns with the City Council on any issue, which is not already on the agenda, under Public Comments. Please give your name, address and your concern or comments. Each person will have 3 minutes to speak. Your comments must be addressed exclusively to the Mayor and City Council, not to any individual Council or staff member. The Mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. All comments will be taken under advisement by the Council. No action will be taken at this time.
6. ADOPT CONSENT AGENDA – All items listed under this section are considered routine and non-controversial by the Council and will be approved by a single motion. An item may be removed from the consent agenda and discussed if a Council member, staff member, or citizen so requests.
  - A. Minutes- February 17, 2022 Regular Council
  - B. Planning Commission Minutes December 2021
  - C. **Resolution No. 2022-10** Re-Establishing Precincts
  - D. Gambling Application- Ducks Unlimited
  - E. List of Bills- \$307,597.07
7. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT
8. FIRE CHIEF'S REPORT
9. ENGINEER'S REPORT
10. SUPERINTENDENT OF PUBLIC WORKS REPORT

11. ADMINISTRATOR'S REPORT

- A. Newport Transit Station Area Comp Plan Amendment
  - 1. **Resolution No. 2022-11** Future Land Use Map Amendment
  - 2. **Resolution No. 2022-12** Comp Plan Text Amendments
- B. 910 12<sup>th</sup> Street Land Use
  - 1. **Resolution No. 2022-13** Future Land Use Map Amendment
- C. Employee Resignation- Bruce Hanson

12. MAYOR AND COUNCIL REPORTS

13. ADJOURNMENT



**CITY OF NEWPORT  
REGULAR COUNCIL MEETING MINUTES  
NEWPORT CITY HALL  
February 17, 2022**

**1. CALL TO ORDER**

Mayor Elliott called the City Council Meeting to order at 5:30 p.m. on February 17, 2022.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Present (5): Mayor Laurie Elliott, Council Member Kevin Chapdelaine, Council Member Tom Ingemann, Council Member Marvin Taylor, and Council Member Rozlyn Johnson

Not Present (0): None.

**4. ADOPT AGENDA**

Member Chapdelaine motioned to adopt the agenda. Seconded by Member Johnson. Approved 5-0.

**5. STATE OF THE CITY ADDRESS**

Mayor Elliott presented the State of the City Address to the public. Mayor Elliott discussed the highlights of Newport's accomplishments in 2021. These include the construction of the new public service building, securing 3M settlement funds for safe drinking water connections with Woodbury and Cottage Grove, the park survey that was given in order to establish priorities for updating our parks, an update to our website which is in the works for 2022, refinery safety bill that requires all refineries in MN to have a full-time firefighting crew on-site at all times, revising our city logo, and updating our nuisance code. Mayor Elliott thanked the many people involved in these various projects for all their hard work in moving the city forward.

**6. PUBLIC COMMENTS**

Bill Sumner, residing at 737 21<sup>st</sup> Street, addressed the Council. Mr. Sumner stated he continues to grow his hair out as he plans to donate it to Locks of Love. Mr. Sumner stated the Red Cross continues to need blood donations. Mr. Sumner stated he found a cell phone on Hastings Avenue which he turned in to the Sheriff's office. Finally, Mr. Sumner discussed that he attended the Heritage Preservation Commission (HPC) meeting and was elected President of the HPC for the upcoming year.

**7. PRESENTATIONS**

**A. Newport Community Garden**

Marge Meconis and Susan Lindoo gave a presentation to Council on the Newport Community Garden. Volunteers from Newport on the Move started the garden in 2011 near Fire Station 2 off Glen Road. In 2017, the Community Garden was moved to a new site on the corner of 4<sup>th</sup> Avenue and 15<sup>th</sup> Street. The garden received a grant from the Refinery to purchase fencing materials and the Newport Public Works Department installed the fencing. There are permeant paths and water at the site. The site includes a large giving garden and 16 individual plots available for rent. In 2011, the giving garden gave 729 pounds of produce and in 2021 they gave 2,073 pounds of produce to the Friends in Need Food Shelf. They are now working to expand the garden and make larger individual plots. Ms. Lindoo thanked the many supporters of the garden and stated they are always in need of more volunteers to help.

## **8. ADOPT CONSENT AGENDA**

- A. Minutes-** January 20, 2022 Regular Council
- B. Minutes-** January 20, 2022 Council Workshop
- C. Minutes-** February 3, 2022 Special Council
- D. Minutes-** February 3, 2022 Regular Council
- E. Minutes-** February 3, 2022 Council Workshop
- F. Planning Commission Minutes** (Approved)
- G. Resolution No. 2022-09-** Abating Assessments
- H. Massage License-** Ochis
- I. Kennel License-** Buetow
- J. List of Bills-** \$178,997.11
- K. Financial Statement-** January 2022

Member Ingemann motioned to adopt the Consent Agenda. Seconded by Member Johnson. Approved 5-0.

## **9. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT**

Washington County Sheriff's Deputy Sergeant Bill Harrell stated he is pleased to announce they will be hosting a Citizens Academy this year, which will be the first one since COVID. They will be accepting applications starting in March and you can contact Sergeant Harrell if you are interested. Sergeant Harrell believes the academy will be on Monday evenings for 12 weeks. It will be a great opportunity for the public to learn about the various components of the sheriff's office.

## **10. FIRE CHIEF'S REPORT**

None.

## **11. ENGINEER'S REPORT**

### **A. Sanitary Sewer Lining (I&I)**

- 1. Engineer's Report**
- 2. MSA Scope/Proposal**
- 3. Sanitary Sewer Lateral Lining Agreement**
- 4. Public Engagement Task Order**
- 5. Assessment Procedure Task Order**

City Engineer Jon Herdegen stated at the January 20<sup>th</sup> workshop there was a discussion on the sanitary sewer lining and manhole sealing project that is funded through the 2020 bonding bill. There are three formal agreements laid out in the packet for Council's consideration. These include the sanitary sewer lateral lining agreement for \$309,500, the public engagement task order for an estimated \$12,000, and the assessment procedure task order for an estimated \$8,500. These agreements outline the roles and responsibility of MSA as well as the city and have been reviewed by the City Attorney.

Mayor Elliott informed the public that this is a comprehensive project involving 228 residential service laterals and 122 manholes. The plan for this project is to help reduce our Met Council costs for treatment of our sanitary sewer lines.

Member Ingemann motioned to approve the Sanitary Sewer Lateral Lining Agreement. Seconded by Member Chapdelaine. Approved 5-0.

Member Johnson motioned to approve the Public Engagement Task Order. Seconded by Member Ingemann. Approved 5-0.

Member Taylor motioned to approve the Assessment Procedure Task Order. Seconded by Member Ingemann. Approved 5-0.

Engineer Herdegen stated at the last workshop we reviewed our capital improvement plan and identified three priority projects. We worked with representative Karla Bigham and representative Frankie to include those as requests for infrastructure projects. Mayor Elliott stated our three priority projects are estimated at \$2 million, \$5 million, and \$6 million. These are expensive projects and that is why we need to advocate effectively to help us with funding for these projects.

Engineer Herdegen stated the 3M settlement subgroup met yesterday and reviewed the procedure for applying for planning and construction grants. We will need to meet with Woodbury and Cottage Grove Staff to plan for the interconnects.

## **12. SUPERINTENDENT OF PUBLIC WORKS REPORT**

### **A. Pay Request H&U- \$216,815.67**

Superintendent of Public Works Bruce Hanson stated there is a pay request number 13 from H+U for \$216,815.67 for labor and materials.

Member Chapdelaine motioned to approve Pay Request No. 13 for H+U in the amount of \$216,815.67. Seconded by Member Johnson. Approved 5-0.

### **B. Sale of MNDot Property**

Superintendent Hanson stated the next item is the sale of MNDot property. This property is located behind well number two and the pedestrian bridge. This is a piece of property that was bought by MNDot to allow access to build the pedestrian bridge. They no longer need this property and offered it for sale to the city. Superintendent Hanson stated he does not believe the city has a need for this property and recommends we notify the state so they can put it up for public sale.

Member Ingemann motioned to decline the offer to purchase Parcel ID 36.028.22.32.010 in the amount of \$32,000. Seconded by Member Chapdelaine. Approved 5-0.

## **13. ADMINISTRATOR'S REPORT**

None

## **14. MAYOR AND COUNCIL REPORTS**

Mayor Elliott reminded the public that there is one opening on our Park Board. If you are interested in applying, please go to the city's website. There will be some fun activity coming with the Park Board as they make plans to upgrade our playgrounds. Mayor Elliott stated that Xfinity has an affordable connectivity program (ACP) where eligible households can get a credit up to \$30 per month towards internet service. Visit [xfinity.com/acp](http://xfinity.com/acp) to apply for that credit.

Member Taylor stated the Planning Commission met last Tuesday and discussed discrepancy in zoning near the transit station, potential acquisition with the land use for Croix Holding property, and a potential rezone of a single-family parcel on 12<sup>th</sup> Street.

## 15. ADJOURNMENT

Member Chapdelaine motioned to adjourn the City Council Meeting. Seconded by Member Johnson. Approved 5-0.

The City Council Meeting was adjourned at 6:31 p.m. on February 17, 2022.

Respectfully Submitted:  
Jill Thiesfeld,  
Administrative Assistant II

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor



**CITY OF NEWPORT  
PLANNING COMMISSION MEETING MINUTES  
NEWPORT CITY HALL  
December 14, 2021**

**1. CALL TO ORDER**

Chair Mahmood called the Planning Commission Meeting to order at 5:30 p.m. on December 14, 2021.

**2. ROLL CALL**

Present (4): Chairman Anthony Mahmood, Commissioner Brandon Leyde, Commissioner Tami Fuelling, and Commissioner Michael Kermes.

Not Present (1): Commissioner Maria Bonilla.

**3. MEETING MINUTES**

**A. November 9, 2021**

Chair Mahmood motioned to approve the Planning Commission Meeting Minutes from November 9, 2021. Seconded by Commissioner Kermes. Approved 4-0.

**4. PUBLIC HEARING- Driveway Variance Request 460 12<sup>th</sup> St**

City Planner Nathan Fuerst stated there is a request from Leeland Kinnell for a driveway variance at 460 12<sup>th</sup> Street. The current driveway is considered legal-nonconforming because it is in violation of two city codes. The first violation is the class 5 surface material and the second is the proximity to the side yard. The driveway surface will be improved, but the location cannot be moved due to the configuration on the site of the home and detached garage. Staff recommends approving this request with conditions listed in the report.

Chair Mahmood opened the Public Hearing at 5:33 p.m. on December 14, 2021.

Bill Sumner, residing at 737 21<sup>st</sup> Street, addressed the Commission. Mr. Sumner stated he supports the driveway variance as it is a reasonable request. The driveway has been there a long time and there are no alternative locations.

Chair Mahmood closed the Public Hearing at 5:35 p.m. on December 14, 2021.

Commissioner Leyde motioned to recommend Council approve the Driveway Variance Request at 460 12<sup>th</sup> Street. Seconded by Commissioner Fuelling. Approved 4-0.

## **5. RESIDENTIAL PARKING ORDINANCE**

Planner Fuerst stated at the last meeting the Planning Commission provided feedback on several items regarding the residential parking ordinance. One item the Planning Commission wanted to further discuss was the number of passenger vehicles allowed and to be flexible in accommodating larger families. Another point of discussion was the number of commercial vehicles allowed to ensure residents who work in the trade industry can park their commercial vehicles. The Commission also felt recreational vehicles should not be counted if they are property screened in the side and rear yards of a property. Planner Fuerst stated there is an updated draft of the residential parking ordinance for consideration.

Chair Mahmood stated in Section 36-163 there is a line that states no more than four vehicles, but if you continue reading, there are exceptions to this rule which is contradictory and confusing. Planner Fuerst stated the beginning statement is the standard and the items detailed underneath provide flexibility to that standard. Planner Fuerst stated we can look at changing the wording to streamline and make it clearer.

Chair Mahmood stated when discussing screening he did not see the definition in this section. Planner Fuerst stated that screening is defined in the definition section of the zoning ordinance. Planner Fuerst stated we can provide a cross-reference to that definition.

Commissioner Kermes motioned to recommend Council approve the Residential Parking Ordinance with the discussed changes. Seconded by Commissioner Leyde. Approved 4-0.

## **6. COMMISSION REPORTS**

None.

## **7. ADJOURNMENT**

Commissioner Leyde motioned to adjourn the Planning Commission Meeting. Seconded by Commissioner Fuelling. Approved 4-0.

The Planning Commission Meeting was adjourned at 5:45 p.m. on December 14, 2021.

Respectfully Submitted:  
Jill Thiesfeld,  
Administrative Assistant II

Signed: \_\_\_\_\_  
Anthony Mahmood, Chairman



City of Newport, MN  
Resolution No. 2022-10

A Resolution Re-Establishing Unchanged Precincts and Polling Places In The  
City Of Newport, Washington County

**WHEREAS**, the boundaries of the City of Newport precinct, which consists of the territory of the City of Newport, remain unchanged following state legislative redistricting; and

**WHEREAS**, the City Council of the City of Newport want to re-establish the City of Newport precinct with the same boundaries as permitted and required by Minnesota Statutes 204B.14, Subdivision 3(c); and

**WHEREAS**, the City of Newport wants to re-established the polling place for the City of Newport precinct and have it remain at Newport Elementary School, 851 6<sup>th</sup> Avenue, Newport, MN 55055; and

**NOW THEREFORE BE IT RESOLVED**, that the City Council re-establishes that the boundaries of the City of Newport precinct are unchanged and re-establishes said district with the same boundaries pursuant to Minnesota Statues 204B.14, subdivision 3(c); and

**BE IF FURTHER RESOLVED**, that the designated polling place for the City of Newport precinct is re-established and remains located at Newport Elementary School, 851 6<sup>th</sup> Avenue, Newport, MN 55055 in accordance with Minnesota Statutes 204B.16.

Attached to this resolution, for illustrative purposes, is a map showing said precincts and the location of polling place.

Adopted this 3<sup>rd</sup> day of March, 2022 by the Newport City Council.

Motion by: \_\_\_\_\_,                      Seconded by: \_\_\_\_\_

VOTE:	Elliott	_____
	Chapdelaine	_____
	Ingemann	_____
	Taylor	_____
	Johnson	_____

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

Attest: \_\_\_\_\_  
Deb Hill, City Administrator

MINNESOTA LAWFUL GAMBLING  
**LG220 Application for Exempt Permit**

11/17  
Page 1 of 2

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization Name: Cottage Grove Ducks Unlimited Previous Gambling Permit Number: 82007

Minnesota Tax ID Number, if any: \_\_\_\_\_ Federal Employer ID Number (FEIN), if any: \_\_\_\_\_

Mailing Address: 7100 Knox Avenue South

City: Richfield State: MN Zip: 55423 County: Hennepin

Name of Chief Executive Officer (CEO): Robyn Jenzen

CEO Daytime Phone: 612-749-5386 CEO Email: rjenzen@gmail.com  
(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): \_\_\_\_\_

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):

☐ Fraternal ☐ Religious ☐ Veterans ☒ Other Nonprofit Organization

**Attach a copy of one of the following showing proof of nonprofit status:**

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- ☐ **A current calendar year Certificate of Good Standing**  
Don't have a copy? Obtain this certificate from:  
MN Secretary of State, Business Services Division  
60 Empire Drive, Suite 100  
St. Paul, MN 55103  
Secretary of State website, phone numbers:  
[www.sos.state.mn.us](http://www.sos.state.mn.us)  
651-296-2803, or toll free 1-877-551-6767
- ☐ **IRS income tax exemption (501(c)) letter in your organization's name**  
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- ☒ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**  
If your organization falls under a parent organization, attach copies of both of the following:  
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and  
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted  
(for raffles, list the site where the drawing will take place): Tinuucci's

Physical Address (do not use P.O. box): 396 21st St

Check one:

☒ City: Newport Zip: 55055 County: Washington

☐ Township: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Date(s) of activity (for raffles, indicate the date of the drawing): March 24, 2022

Check each type of gambling activity that your organization will conduct:

☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards ☒ Raffle

**Gambling equipment** for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to [www.mn.gov/gcb](http://www.mn.gov/gcb) and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

**LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)**
**CITY APPROVAL  
for a gambling premises  
located within city limits**

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- ☐ The application is denied.

Print City Name: \_\_\_\_\_

Signature of City Personnel: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**The city or county must sign before  
submitting application to the  
Gambling Control Board.**

**COUNTY APPROVAL  
for a gambling premises  
located in a township**

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- ☐ The application is denied.

Print County Name: \_\_\_\_\_

Signature of County Personnel: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**TOWNSHIP (if required by the county)**

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

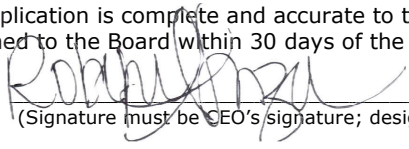
Print Township Name: \_\_\_\_\_

Signature of Township Officer: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)**

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature:  Date: 2/24/2022

(Signature must be CEO's signature; designee may not sign)

Print Name: Robyn Jenzen
**REQUIREMENTS**
**Complete a separate application for:**

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

**Financial report to be completed within 30 days after the gambling activity is done:**

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

**MAIL APPLICATION AND ATTACHMENTS**
**Mail application with:**

- \_\_\_\_\_ a copy of your proof of nonprofit status; and
- \_\_\_\_\_ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

**To:** Minnesota Gambling Control Board  
1711 West County Road B, Suite 300 South  
Roseville, MN 55113

**Questions?**

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

## Recurring

1849e	UNUM	14-Feb-22	\$545.73 Long-term disability and life insurance
1850e	QUADIENT FINANCE USA, INC.	15-Feb-22	\$500.00 Postage
1851e	QUADIENT FINANCE USA, INC.	15-Feb-22	\$164.97 Postage meter quarterly leasing
1852e	UNITED STATES TREASURY	23-Feb-22	\$9,534.32 SS, Federal and Medicare
1853e	FURTHER	23-Feb-22	\$598.22 HSPA
1854e	FURTHER	23-Feb-22	\$45.00 Monthly fee
1855e	MN REVENUE	23-Feb-22	\$1,641.22 State taxes
1856e	MSRS	23-Feb-22	\$4,592.26 HCSP & voluntary retirement
1857e	COMCAST	23-Feb-22	\$712.62 Phone line and rental
24413	H & U CCONSTRUCTION	14-Feb-22	\$216,815.67 Pay application #13 for City/Fire Hall construction
24414	XCEL ENERGY	15-Feb-22	\$8,561.57 Electricity and natural gas
24415	PERA	24-Feb-22	\$5,222.11 Retirement
24416	AMANDA SHIRLEY	24-Feb-22	\$63.68 Overpayment of final water utility
24417	VERIZON	24-Feb-22	\$425.95 Cell phones and hot spots
	Staff		\$22,156.37

## Non-recurring

24418	ANCHOR SOLAR INVESTMENTS, LL	03-Mar-22	\$372.26 Solar leasing
24419	APWA	03-Mar-22	\$277.50 Subscription membership
24420	BOLTON & MENK, INC.	03-Mar-22	\$1,249.00 City planning
24421	COMPASS MINERALS AMERICA	03-Mar-22	\$5,904.10 Road salt
24422	COMPUTER INTEGRATION TECH	03-Mar-22	\$2,160.00 Annual software-Office
24423	CORE & MAIN	03-Mar-22	\$1,685.99
24424	CITY OF COTTAGE GROVE	03-Mar-22	\$150.00 Fire alarm review
24425	DALCO	03-Mar-22	\$213.61 towels/soap city hall
24426	EHLERS	03-Mar-22	\$2,500.00 Arbitrage for 2016A G.O. Bond
24427	LUBE TECH ESI	03-Mar-22	\$336.50 Used oil pickup and hoist inspections
24428	MENARDS - COTTAGE GROVE	03-Mar-22	\$92.71 GSR 3 insulation/library stain and paint
24429	MINUTEMAN PRESS	03-Mar-22	\$135.58 Business cards
24430	MMKR	03-Mar-22	\$3,500.00 Audit progress through Jan. 31, 2022
24431	MORRIS LEATHERMAN COMPANY	03-Mar-22	\$6,000.00 Parks Survey-2nd half payment
24432	NCPERS GROUP LIFE INS.	03-Mar-22	\$32.00 Addt. Life insurance
24433	PERMIT WORKS	03-Mar-22	\$2,100.00 Software annual fee
24434	RITEWAY BUSINESS FORMS	03-Mar-22	\$110.00 W2 forms
24435	RIVER COUNTRY COOPERATIVE	03-Mar-22	\$499.35 LP
24436	CITY OF SAINT PAUL	03-Mar-22	\$6,861.56 Main break repair-2
24437	SAMS CLUB DIRECT	03-Mar-22	\$107.76 Paper towels and cleaning supplies
24438	SCHLOMKAS PORTABLE RESTROO	03-Mar-22	\$110.00 Port o potty
24439	SOUTH SUBURBAN RENTAL, INC.	03-Mar-22	\$92.56 LP gas
24440	STAR TRIBUNE	03-Mar-22	\$272.90 Newspaper subscription
24441	TACONIC MAINTANCE	03-Mar-22	\$1,254.00 Ice B gone
			\$307,597.07



Real People. Real Solutions.

12224 Nicollet Avenue  
Burnsville, MN 55337-1649

Ph: (952) 890-0509  
Fax: (952) 890-8065  
Bolton-Menk.com

## MEMORANDUM

**Memo Date:** February 24, 2022  
**Meeting Date:** March 3, 2022  
**To:** City of Newport, City Council  
**From:** Nathan Fuerst, City Planner  
**Subject:** Comprehensive Plan Amendment – Newport Transit Station Area  
**Action Requested:** Review and make a determination on the proposed Comprehensive Plan Amendment.

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**Applicant:** City of Newport

### Background

This item is being presented to the City Council due to the need to correct an inconsistency between Newport's Zoning Ordinance and its adopted 2040 Comprehensive. This item was preliminarily discussed and supported by the City Council at its regularly scheduled meeting on January 20, 2022.

### Planning Commission Review & Recommendation

The item was reviewed by the Planning Commission at its regular meeting on February 8, 2022. A public hearing notice was posted for this item and the hearing held at that meeting. No members of the public presented public comments. The Planning Commission discussed the proposed changes, asked staff questions about the comprehensive plan amendment process, and voted unanimously to recommend the item for City Council approval.

### Overview

The Newport Transit Station area, identified on the attached map, is currently located in the City's MX-2, Transit Oriented Mixed Use District. The intent of this zoning district is to allow a mix of land uses, residential and commercial, that have densities and intensities complementary to transit service and walkable, livable, neighborhoods.

Newport's 2040 Comprehensive Plan guides this area with a future land use of Commercial/Business Park. In these areas, the Comprehensive Plan only provides for commercial or business uses, and specifically prohibits residential development. This discrepancy between the zoning district and Comprehensive Plan will need to be corrected if residential development is to be compatible with both the zoning ordinance and Comprehensive Plan.

### Proposed Amendments

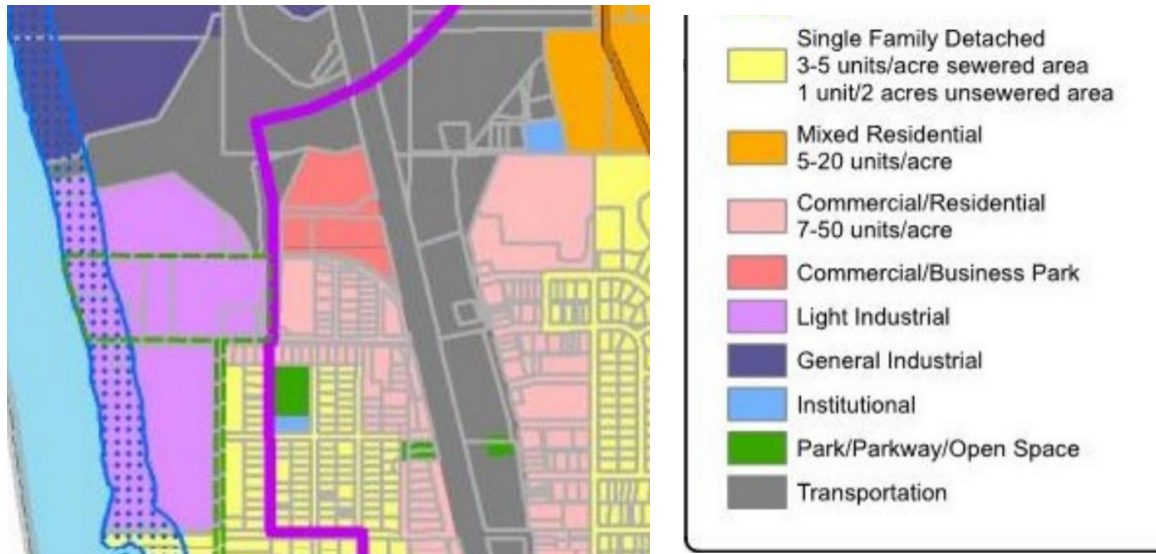
In addition to the future land use designation, Staff have identified two other related discrepancies in review of the zoning ordinance and Comprehensive Plan that will be corrected as part of this amendment process. All three proposed corrections are summarized below:

1. **Map:** Re-guide the Newport Transit Station area as Mixed Commercial/Residential, a mixed-use category which includes the MX-2 Zoning District.

2. **Text:** Align the Comprehensive Plan and Zoning Ordinance by removing the Residential/Commercial zoning district from the comprehensive plan (listed there as MX-2), and renumbering the zoning districts listed therein accordingly
3. **Text:** Update the allowable densities in the Comprehensive Plan's Mixed Commercial/Residential future land use category by changing the densities listed to reflect those permitted in the City's zoning ordinance.

## Comprehensive Plan Review:

Image below from adopted 2040 Comprehensive Plan:



**Future Land Use Category descriptions from the Comp Plan:** (Highlights are staff emphasis)

***Mixed Commercial/Residential** areas will allow for development of new housing units and a variety of commercial, office, business, service, restaurant, and entertainment uses. The integration could be vertical (within the same buildings) or horizontal (with residential and commercial uses in separate buildings).*

*The City will permit a variety of multi-family uses including apartments, condominiums, and townhomes in these areas. Residential densities permitted in these areas range from 7-50 units per acre, depending on the zoning district (proposed future zoning is shown on Figure 12-1). The Mixed Commercial/Residential land use areas include several zoning districts with the following permitted densities:*

- **MX-1 (Downtown) and MX-4 (General Mixed Use)** zoning districts permits residential units with densities of 7-18 units per acre.
- **MX-2 (Residential/Commercial) and MX-5 (Mixed Use Buffer)** zoning districts permit residential units with a minimum density of 10 units per acre.
- **MX-3 (Transit-Oriented)** zoning district around the Newport Transit Station, permits densities between 20-50 units per acre to support transit service.

*The City anticipates a 60/30/10 mix of residential/commercial/office land uses in the Mixed Commercial/Residential areas, with a higher proportion of residential uses west of Highway 61 (in the MX-3 and MX-4 zoning districts), and higher proportions of commercial and office uses in the Mixed*



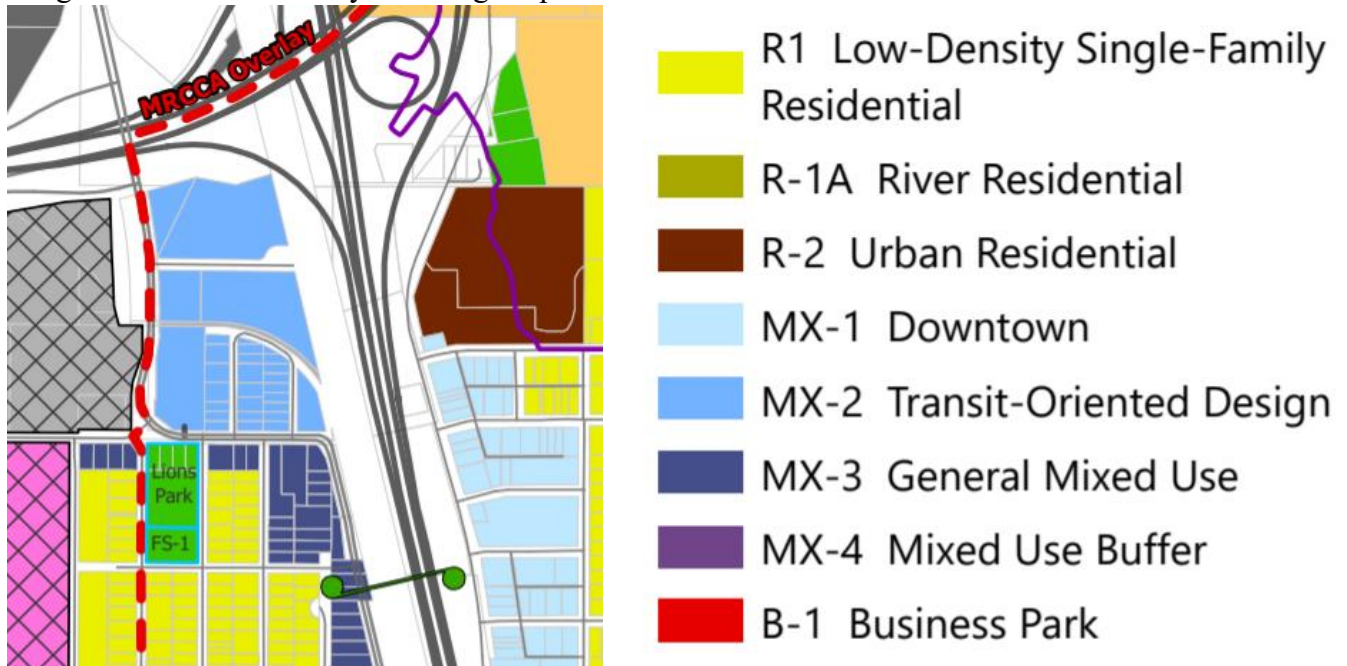
*Commercial/Residential areas along Hastings Avenue (MX-1 and MX-2 zoning districts east of Highway 61). The MX-1, MX-2, and MX-5 districts are nearly fully developed, while the MX-3 and MX-4 districts include large vacant and underdeveloped sites near the Newport Transit Station and along 7th Avenue. New housing in the MX-1, MX-2, and MX-5 districts may be redeveloped by combining and redeveloping the smaller parcels in these districts. The MX-3 and MX-4 districts offer potential for larger-scale new development and redevelopment housing and mixed-use projects.*

*Allowed and permitted uses in the Mixed/Commercial/Residential Districts include single-family homes, two-family homes, townhomes, and multifamily residential uses. These areas also allow a wide range of commercial, retail, office, civic, institutional, park, and public uses that are compatible in type and scale with residential uses.*

*Commercial/Business Park areas provide locations for a variety of office, retail, warehouse, and related business uses. Residential uses are not permitted in these areas.*

### **Zoning Map/Ordinance Review:**

Images below from the City's Zoning Map



#### **Sec. 36-236. - Specific intent of the MX-2, Transit-Oriented Mixed-Use District.**

*The specific intent of the MX-2, Transit-Oriented Mixed-Use District is to encourage a mixture of residential, commercial, office, and civic uses in proximity to the Newport Transit Station at densities and intensities that support and increase transit use. The district is also intended to encourage a safe and pleasant pedestrian environment, maximize access to transit, provide parking in an efficient and unobtrusive manner, and encourage a sense of activity and liveliness at street level.*

The City's zoning ordinance specifically calls the areas in proximity to the Newport Transit station out within the description of the MX-2 district's intent. This is consistent with the Comprehensive Plan's definition of the Future Land Use category, MX-3 Transit Oriented Mixed Use, found on page 37.

### Comparison of Comp. Plan and Zoning Ordinance Mixed Use Districts

Mixed Commercial/Residential Land Use	Density	Zoning Districts (Sec. 36-240)	Density
MX-1 Downtown	7-18 units/acre	MX-1 Downtown Mixed-Use	8-20 units/acre
MX-2 Residential/Commercial	10+ units/acre	MX-2 Transit-Oriented Mixed-Use	20-50 units/acre
MX-3 Transit Oriented	20-50 units/acre	MX-3 General Mixed-Use	8-20 units/acre
MX-4 General Mixed-Use	7-18 units/acre	MX-4 Mixed-Use Buffer	8-20 units/acre
MX-5 Mixed-Use Buffer	10+ units/acre		

### Consistency with the Comprehensive Plan

Similar to updating any ordinance, a Comprehensive Plan Amendment needs to consider how the proposed changes will impact various sections, tables, or figures in the Plan.

In this case, the change appears to be consistent with the existing tables and forecasts found in the plan. The changes proposed to the Newport Station Area's land use guidance appears to be consistent with the Development and Redevelopment Priorities map (figure 4-3) and the Residential Density forecast found in table (4-4).

The changes in the permitted density above are not anticipated to measurably change the City's density in Mixed Commercial/Residential Land use areas, nor are they expected to reduce the City's ability to meet its overall density goals. In addition, the corrections proposed above align with the land use goals established in the Comprehensive Plan, specifically General Land Use Goal #1.

### Comprehensive Plan Amendment Process and Next Steps

The Met Council will review the following process for Comprehensive Plan Amendments:

- ~~1. Review period for Adjacent Governments and Affected Districts – Notice Sent 1/25/2022~~
- ~~2. February 8 – City Planning Commission for review and approval~~
3. March 3 - City Council for review and approval
4. March 4 - Submittal to Met Council for review.
5. TBD –Met Council Review Determination

The process and timeline for Comprehensive Plan Amendment can be simplified and accelerated depending upon two determinations. A Met Council decision to waive the adjacent review requirement and a determination to allow administrative review of the amendment.

It does appear that this amendment request could meet the criteria established for both an adjacent review waiver and administrative review. Staff met with Newport's Sector Representative and confirmed that both are possible, but each determination will ultimately be made by the Met Council after they begin review.

### Actions Requested:

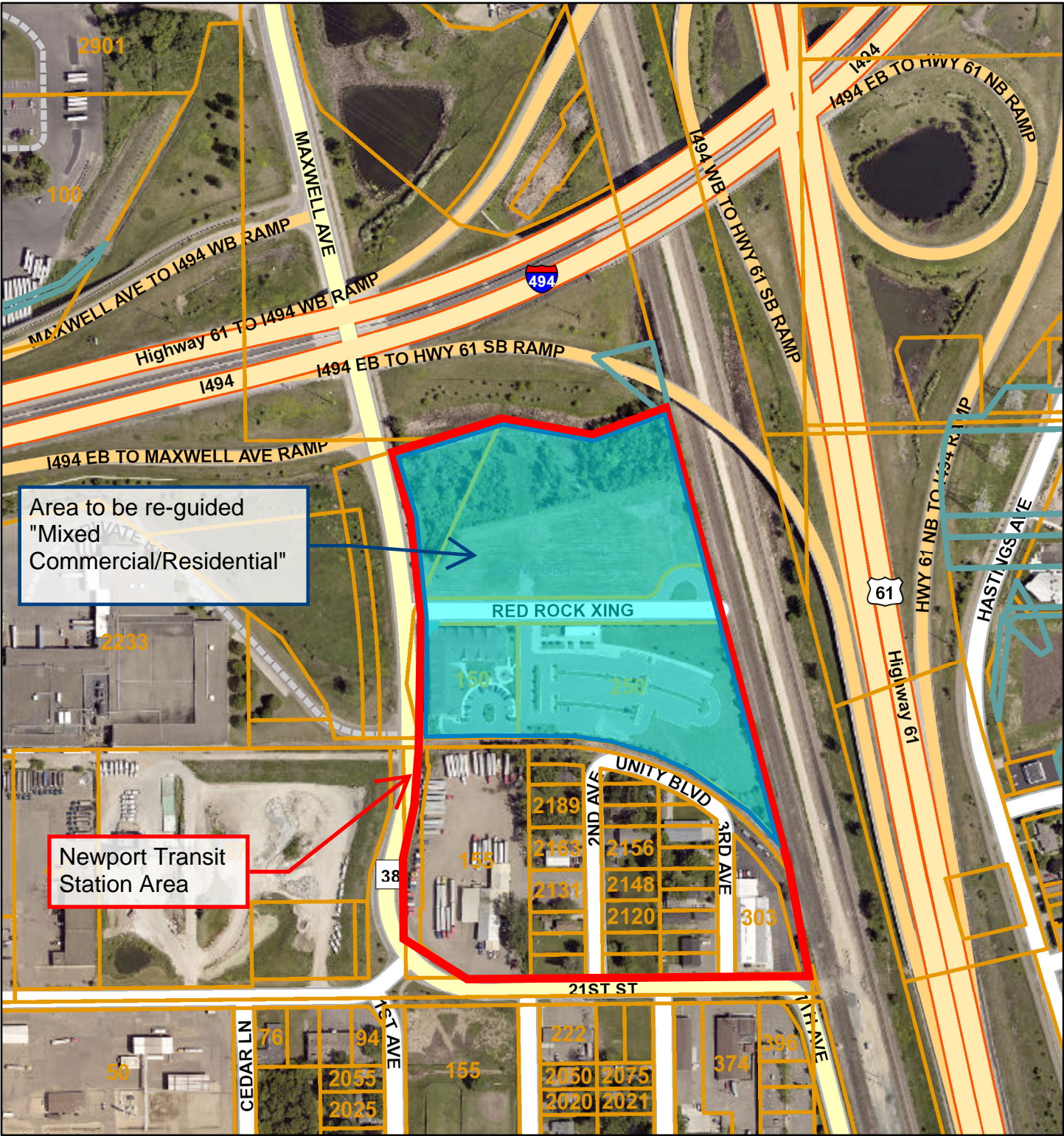
Motion to adopt the resolutions 2022-11 and 2022-12 approving the comprehensive plan amendments as identified therein.

### Resources Used:

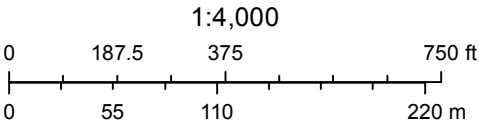
- City of Newport 2040 Comp Plan – [link here](#)
- City of Newport Zoning Map – [link here](#)
- City of Newport Zoning Code – Article V, Nonresidential Uses – [link here](#)
- Metropolitan Council – Comprehensive Plan Amendment – [link here](#)



# Newport Station Area

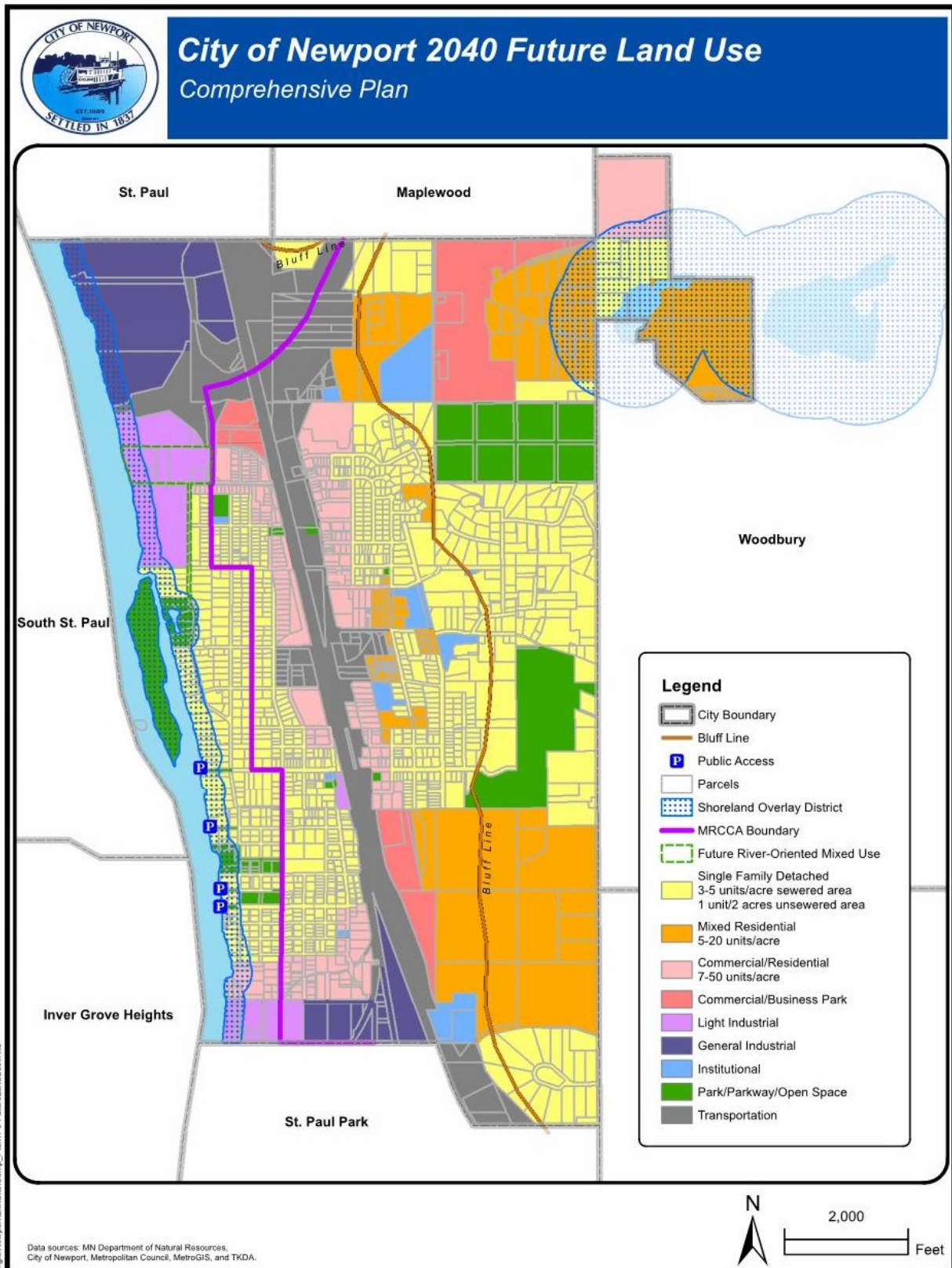


January 14, 2022

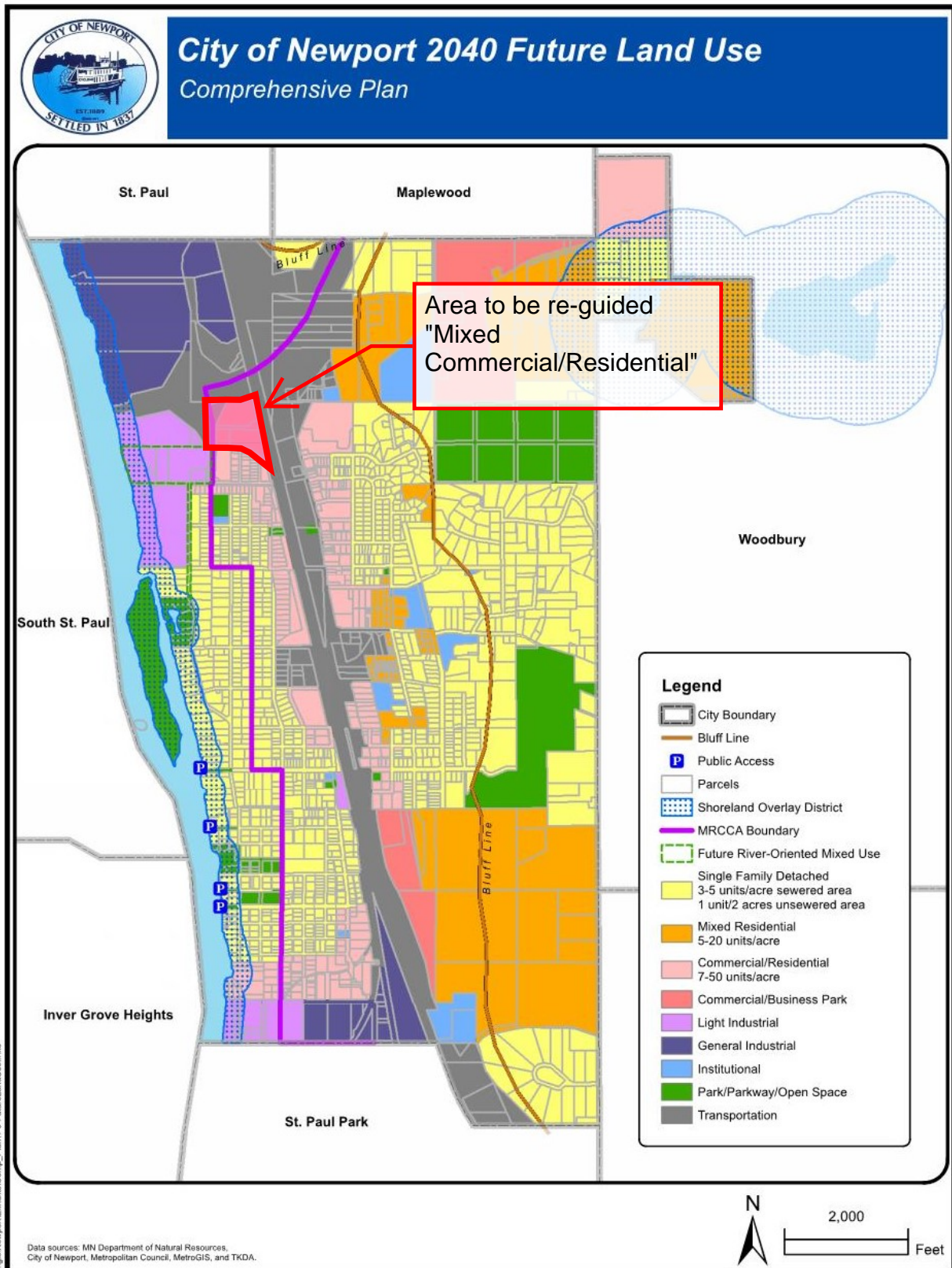




**Figure 4-2:  
Future Land Use (2020-2040)**



**Figure 4-2:  
Future Land Use (2020-2040)**

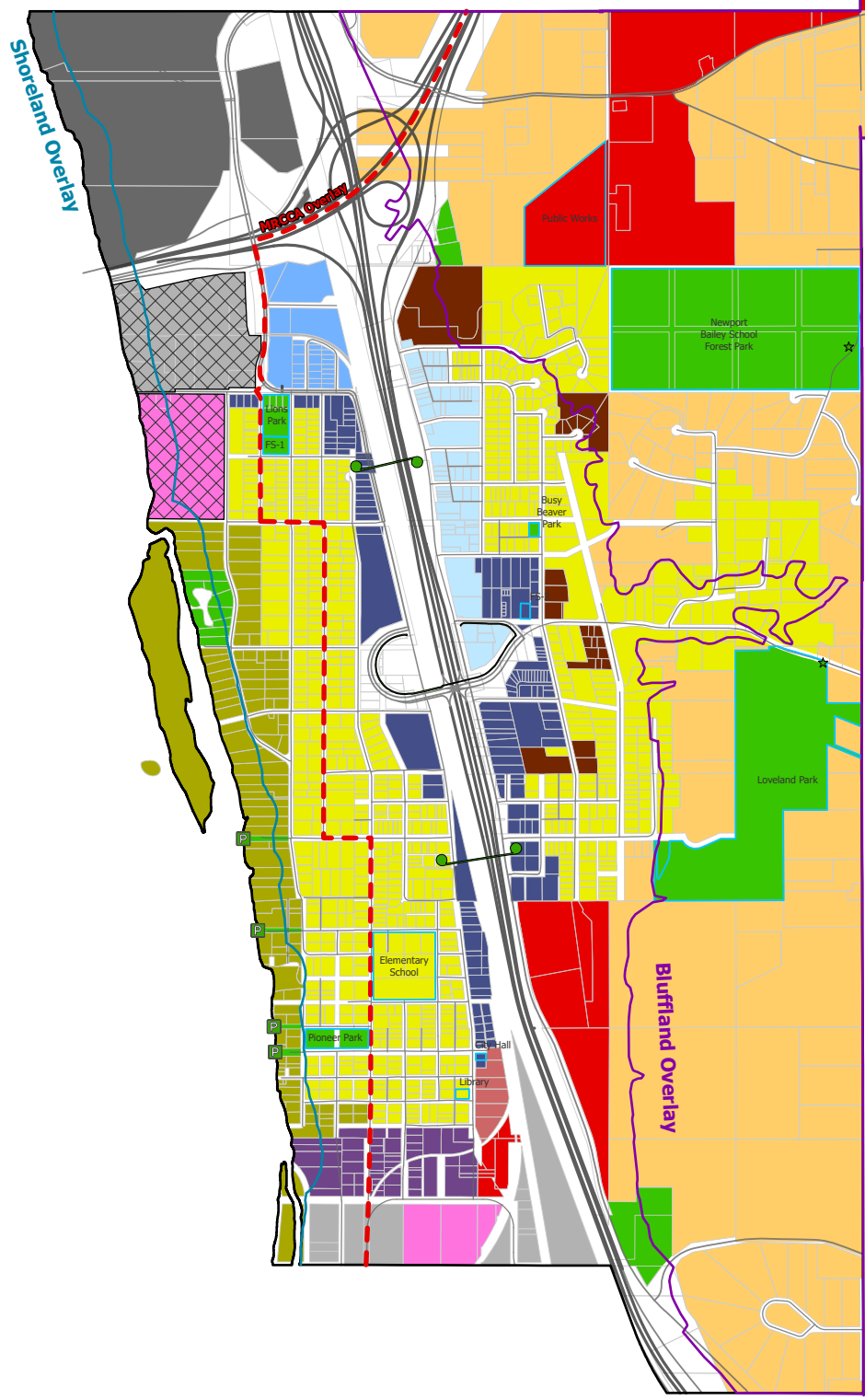






# City of Newport Zoning Map

Print Date: 2/19/2021



## Zoning Districts

- OS Open Space
- RE Residential Estate
- R1 Low-Density Single-Family Residential
- R-1A River Residential
- R-2 Urban Residential
- MX-1 Downtown
- MX-2 Transit-Oriented Design
- MX-3 General Mixed Use
- MX-4 Mixed Use Buffer
- B-1 Business Park
- B-2 General Business
- I-S Industrial Storage
- I-1 Light Industrial
- I-2 General Industrial

## Overlay Districts

- River Development
- Mississippi River Critical Area (MRCCA) Boundary
- Bluffland Area\*\*
- Shoreland Area\*\*

Floodplain Overlay District: see current FEMA Floodplain map.  
\*\*Estimated boundary. Exact boundary to be determined by survey at time of development.

## Other Public Features

- ★ Park Entrance
- Public Access/Overlook
- Public Facility
- Hwy 61 Pedestrian Crossing



Data Sources:  
City of Newport  
Washington County  
Met. Council  
MN DNR

## Other Map Features

- City of Newport Municipal Boundary
- Parcels, Spring 2019



## ZONING MAP

CITY OF NEWPORT  
WASHINGTON CO., MN

City of Newport, MN  
Resolution No. 2022-11  
A Resolution Approving an Amendment to the City of Newport's  
2040 Comprehensive Plan

**WHEREAS**, the 2040 Comprehensive Plan was prepared by the City of Newport in conjunction with various community members for the purpose of providing community-based policies and guidelines which enable public officials to enhance the future by implementing planning action steps; and

**WHEREAS**, the Comprehensive Plan contains goals, recommendations and action steps relating to the future growth of the community that fulfills the vision set by the Comprehensive Plan; and

**WHEREAS**, The Newport City Council desires to amend the Comprehensive Plan in the area of the Newport Transit Station which includes the parcels identified with a Parcel Identification Numbers 2602822410043, 2602822410044, 2602822410049, and 2602822410045 (hereafter "Parcels"); and

**WHEREAS**, the Parcels are zoned as MX-2, Transit-Oriented Design; and

**WHEREAS**, the Parcels have a Future Land Use Designation of either Transportation or Commercial/Business Park; and

**WHEREAS**, the permitted uses in the MX-2 zoning district do not align with the Commercial/Business Park or Transportation Future Land Use Designations for the Parcels; and

**WHEREAS**, developments must meet the goals, policies, and requirements of the City's Comprehensive Plan and Zoning Ordinance in order to be approved; and

**WHEREAS**, the City Council desires to correct the inconsistencies identified herein by amending the adopted 2040 Comprehensive Plan to change the Future Land Use Category of the Parcels to be Mixed Commercial/Residential.

**WHEREAS**, the subject area consisting of the Parcels to be guided as Mixed Commercial/Residential are identified on pages attached to this resolution; and

**WHEREAS**, the City's Planning Commission held a public hearing at its regular meeting on February 8, 2022, regarding the amendment to the 2040 Comprehensive Plan's Future Land Use Map and voted unanimously to recommend City Council approval.

**WHEREAS**, the City Council considered the recommendation of the Planning Commission at their regular meeting on March 3, 2022, and voted to approve the Comprehensive Plan Amendment.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Newport approves the Comprehensive Plan Amendments to change the Future Land Use Category of the Parcels to be Mixed Commercial/Residential.

Adopted this 3<sup>rd</sup> day of March, 2022 by the Newport City Council.

Motion by: \_\_\_\_\_,

Seconded by: \_\_\_\_\_

VOTE:

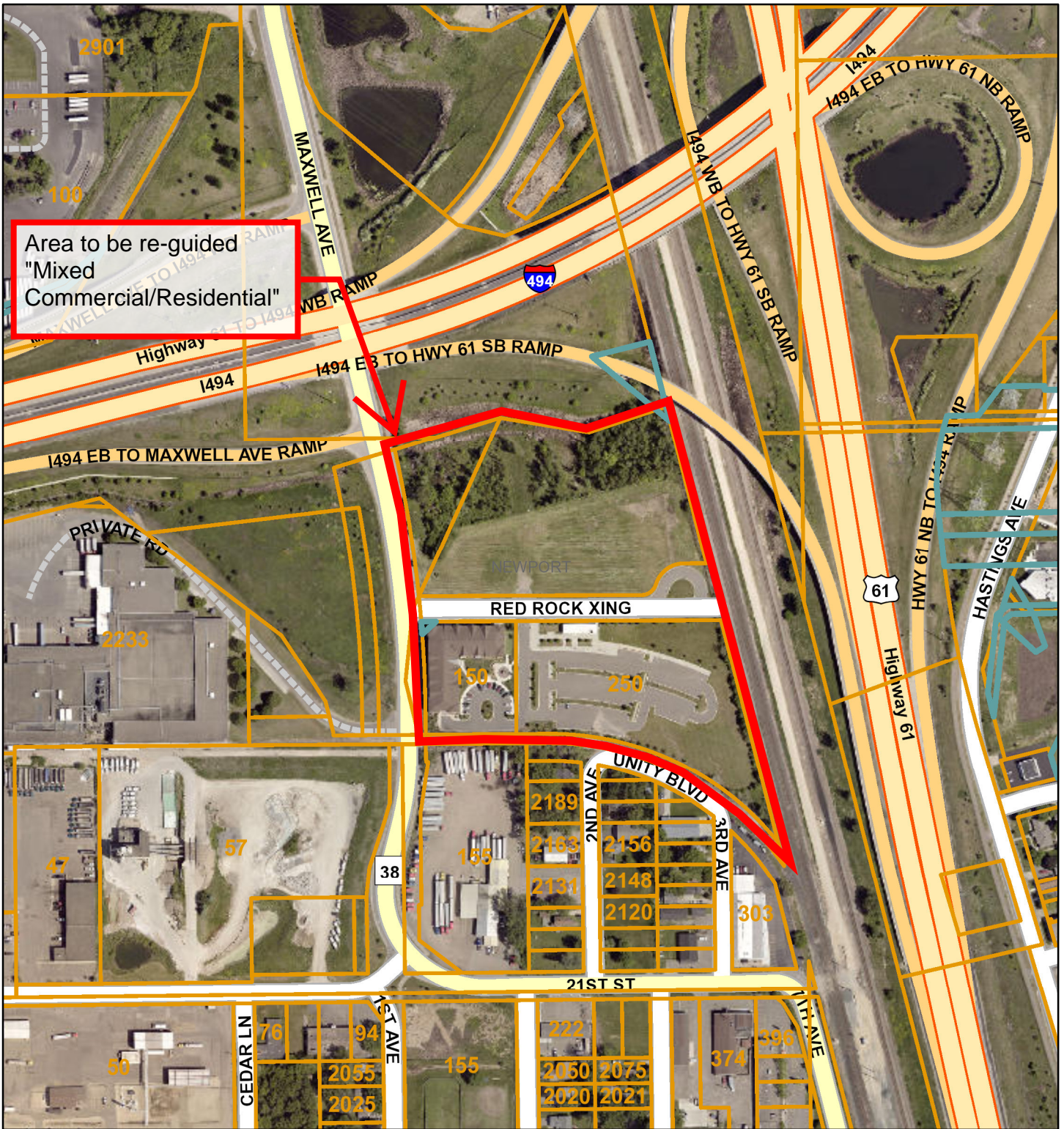
Elliott	_____
Chapdelaine	_____
Ingemann	_____
Taylor	_____
Johnson	_____

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

Attest: \_\_\_\_\_  
Deb Hill, City Administrator

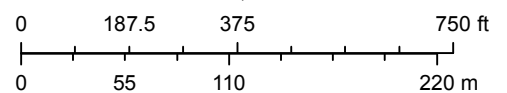


# Newport Station Area



January 14, 2022

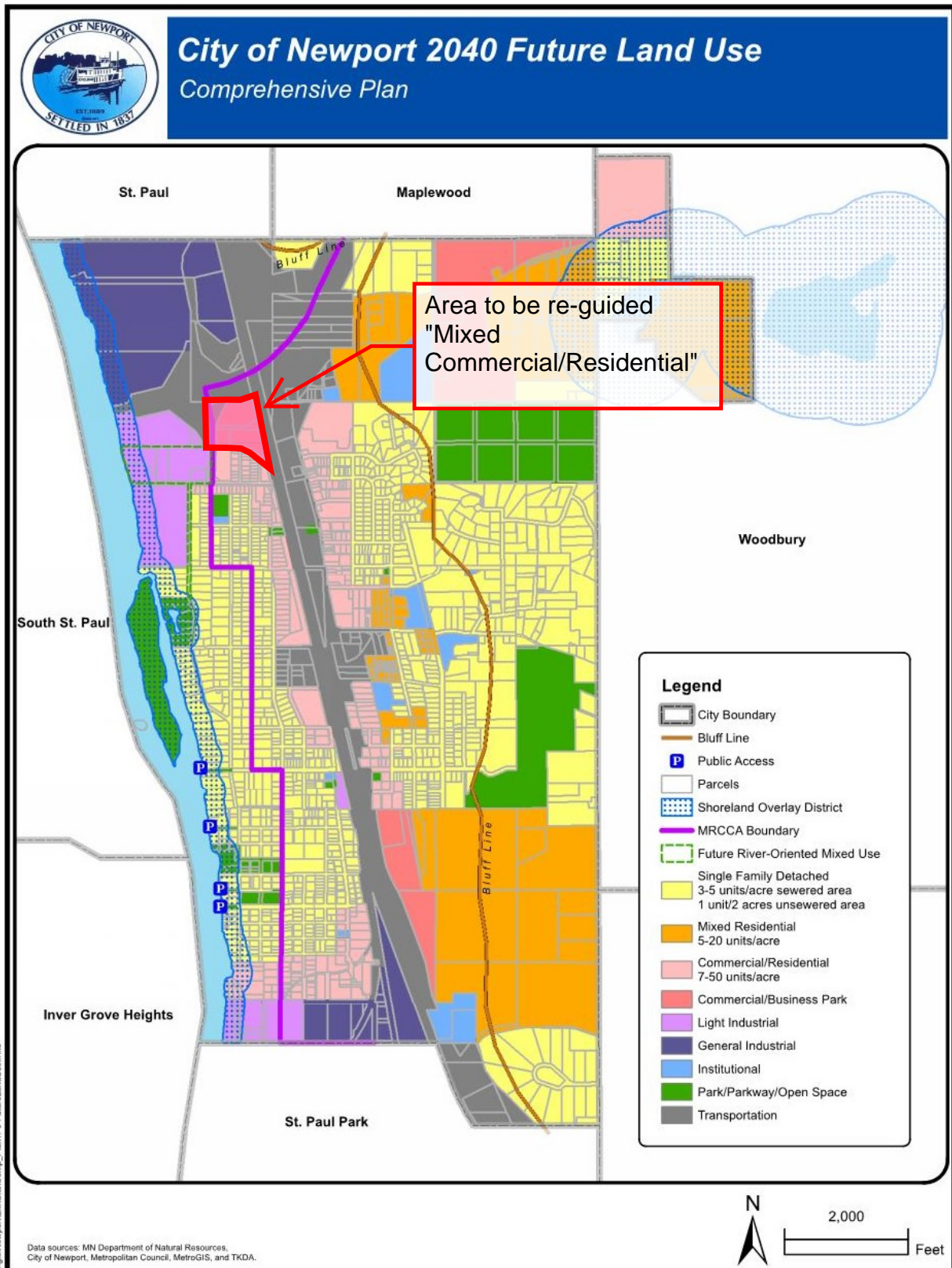
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Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.



**Figure 4-2:  
Future Land Use (2020-2040)**





City of Newport, MN  
Resolution No. 2022-12  
A Resolution Approving an Amendment to the City of Newport's  
2040 Comprehensive Plan

**WHEREAS**, the 2040 Comprehensive Plan was prepared by the City of Newport in conjunction with various community members for the purpose of providing community-based policies and guidelines which enable public officials to enhance the future by implementing planning action steps; and

**WHEREAS**, the Comprehensive Plan contains goals, recommendations and action steps relating to the future growth of the community that fulfills the vision set by the Comprehensive Plan; and

**WHEREAS**, the Mixed Use Zoning Districts established in the Zoning Ordinance do not align with those found in the Future Land Use section of the 2040 Comprehensive Plan's Land Use Chapter; and

**WHEREAS**, the densities established for the Downtown Mixed-Use, General Mixed-Use, and Mixed-Use Buffer Zoning Districts do not align with those found in the Future Land Use section of the 2040 Comprehensive Plan's Land Use Chapter; and

**WHEREAS**, developments must meet the goals, policies, and requirements of the City's Comprehensive Plan and Zoning Ordinance in order to be approved; and

**WHEREAS**, the City Council desires to correct the inconsistencies identified herein by amending the adopted 2040 Comprehensive Plan to:

1. Amend the zoning districts established in the adopted 2040 Comprehensive Plan to match those established in the City's Zoning Ordinance.
2. Amend the permitted densities in the adopted 2040 Comprehensive Plan to match those established in the City's Zoning Ordinance.

**WHEREAS**, the proposed amendments are detailed in pages attached to this resolution; and

**WHEREAS**, the City's Planning Commission held a public hearing at its regular meeting on February 8, 2022, regarding the Comprehensive Plan Amendments and voted unanimously to recommend City Council approval.

**WHEREAS**, the City Council considered the recommendation of the Planning Commission at their regular meeting on March 3, 2022, and voted to approve the Comprehensive Plan Amendments.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Newport approves the following Comprehensive Plan Amendments:

1. Amend the zoning districts established in the adopted 2040 Comprehensive Plan to match those established in the City's Zoning Ordinance.
2. Amend the permitted densities in the adopted 2040 Comprehensive Plan to match those established in the City's Zoning Ordinance.

Adopted this 3<sup>rd</sup> day of March, 2022 by the Newport City Council.

Motion by: \_\_\_\_\_,                      Seconded by: \_\_\_\_\_

VOTE:	Elliott	_____
	Chapdelaine	_____
	Ingemann	_____
	Taylor	_____
	Johnson	_____

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

Attest: \_\_\_\_\_  
Deb Hill, City Administrator

## Land Use Categories for Future Land Use Map

The land use areas on the Future Land Use Map are defined as follows:

Single Family Detached areas in Newport provide for a variety of lot sizes, detached single family housing uses, and a limited set of allowed uses (such as home occupations and small group homes) that are compatible with or support residential uses. The permitted residential densities in the Single-Family Detached areas include:

Unsewered areas: Maximum density 1 unit/2 acres

Sewered areas: Minimum densities 3-5 units per acre

*Allowed and permitted uses* in the Single-Family Detached areas include single-family residential, parks and open space, places of worship, day care facilities, public facilities, public utilities, group homes, and bed and breakfast uses.

Mixed Residential (R-4 Zoning District-Figure 12-1) areas provide for flexibility to develop a range of residential uses, including single-family, duplex, townhome, and condominium units. The permitted densities in these areas range from 5-20 units per acre. The City expects to extend sewer and water services to these areas in phases between 2019 and 2040.

*Allowed and permitted uses* in the Mixed Residential areas include single-family homes, two-family homes, detached townhomes, attached townhomes, multifamily residential developments, PUD's, parks and open space, places of worship, day care facilities, public facilities, public utilities, group homes, and bed and breakfast uses. 100% of the uses in the mixed residential areas are expected to be residential and related uses.

Mixed Commercial/Residential areas will allow for development of new housing units and a variety of commercial, office, business, service, restaurant, and entertainment uses. The integration could be vertical (within the same buildings) or horizontal (with residential and commercial uses in separate buildings).

The City will permit a variety of multi-family uses including apartments, condominiums, and townhomes in these areas. *Residential densities* permitted in these areas range from ~~7~~ 8-50 units per acre, depending on the zoning district (proposed future zoning is shown on Figure 12-1). The Mixed Commercial/Residential land use areas include several zoning districts with the following permitted densities:

- **MX-1 (Downtown)** and ~~MX-4~~ **MX-3 (General Mixed Use)** zoning districts permits residential units with densities of ~~7-18~~ 8-20 units per acre.

- ~~MX-2 (Residential/Commercial) and MX-5~~ **MX-4 (Mixed Use Buffer)** zoning districts permit residential units with a minimum density of ~~40~~ **8-20** units per acre.
- ~~MX-3~~ **MX-2 (Transit-Oriented)** zoning district around the Newport Transit Station, permits densities between 20-50 units per acre to support transit service.

The City anticipates a 60/30/10 mix of residential/commercial/office land uses in the Mixed Commercial/Residential areas, with a higher proportion of residential uses west of Highway 61 (in the MX-3 and MX-4 zoning districts), and higher proportions of commercial and office uses in the Mixed Commercial/Residential areas along Hastings Avenue (MX-1 and MX-2 zoning districts east of Highway 61). The MX-1, MX-2, and MX-5 districts are nearly fully developed, while the MX-3 and MX-4 districts include large vacant and underdeveloped sites near the Newport Transit Station and along 7<sup>th</sup> Avenue. New housing in the MX-1, MX-2, and MX-5 districts may be redeveloped by combining and redeveloping the smaller parcels in these districts. The MX-3 and MX-4 districts offer potential for larger-scale new development and redevelopment housing and mixed-use projects.

*Allowed and permitted uses* in the Mixed/Commercial/Residential Districts include single-family homes, two-family homes, townhomes, and multifamily residential uses. These areas also allow a wide range of commercial, retail, office, civic, institutional, park, and public uses that are compatible in type and scale with residential uses.

Commercial/Business Park areas provide locations for a variety of office, retail, warehouse, and related business uses. Residential uses are not permitted in these areas.

Light Industrial areas provide locations for research, manufacturing, processing, assembly, and storage uses that are non-polluting, not excessively noisy, produce limited traffic and do not produce hazardous materials.

General Industrial areas provide locations for heavy industry near major transportation corridors where public utilities are available.

Institutional areas include city facilities and other private institutions such as fire stations, churches, and cemeteries.

Parks, Parkways and Open Space areas include city-owned parks and open space areas, streets designed as parkways, and several city-owned overlooks on the Mississippi River.

Transportation areas include routes of freeways, major highways, and rail corridors.



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Burnsville, MN 55337-1649

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Fax: (952) 890-8065  
Bolton-Menk.com

## MEMORANDUM

**Memo Date:** February 21, 2022  
**Meeting Date:** March 3, 2022  
**To:** City of Newport, City Council  
**From:** Nathan Fuerst, City Planner  
**Subject:** Comprehensive Plan Amendment - 910 12<sup>th</sup> Street  
**Action Requested:** Make a determination on the proposed Comprehensive Plan Amendment.

---

**Applicant:** City of Newport

**Proposed amendment:** This amendment will re-guide the parcel at 910 12<sup>th</sup> Street from a Single Family Detached designation to Mixed Commercial/Residential.

### Overview

This item is being presented to the City Council to correct an oversight that occurred during the 2040 Comprehensive Planning process and subsequent rezoning process. The subject property was initially rezoned in June, 2011, from R-1 Residential Single-Family to MX-1 Mixed Use Downtown. During the 2040 planning process, the property should have been re-guided to reflect the Mixed-Use zoning district designation.

The rezoning and associated future land use were not reflected on the 2040 Future Land Use Map, and the property was subsequently rezoned back to Single Family Residential in the Zoning Code update following adoption of the 2040 plan. Omissions like this one do sometimes occur during the comprehensive planning process as future land use maps are frequently revised and may be created, revised, or reviewed by various staff throughout the process.

Staff have further researched this item since the Planning Commission's review on February 8, 2022, attempting to confirm whether the property was an omission or if the land use guidance was intentional. After that review, this parcel is still believed to be an oversight which occurred during the planning process.

The zoning district designation was identified by City Staff and the property owners, Jim and Vicky Murr, who then submitted a rezoning request to the City seeking to bring the property back to a Mixed-Use District zoning. In recognition of the apparent oversight, and to correct an inconsistency between the adopted future land use map and desired zoning district, the City has initiated this Comprehensive Plan Amendment Process.

Newport's adopted 2040 Future Land Use map guides this property for Single Family Detached. In these areas, the Comprehensive Plan only provides residential land uses along with *parks and open space, places of worship, day care facilities, public facilities, public utilities, group homes, and bed and breakfast uses.*

This discrepancy between the Comprehensive Plan and desired zoning district will need to be corrected if the use of the property is to align with the former and desired zoning designation.

### Planning Commission Review & Recommendation

The item was reviewed by the Planning Commission at its regular meeting on February 8, 2022. A public hearing notice was posted for this item and the hearing held at that meeting. The only members of the public present for the discussion were the property owners who found staff's presentation of this case to the commission suitable. The Planning Commission discussed the proposed change and ultimately voted unanimously to recommend the item for City Council approval. The Commission asked staff to research this item in greater detail to ensure that the discrepancy was not an intentional part of the Comprehensive Planning Process.

### Comprehensive Plan Review:

Image below from adopted 2040 Comprehensive Plan:



### Allowed Uses in Future Land Use Categories

#### Single Family Detached:

*Allowed and permitted uses in the Single-Family Detached areas include single-family residential, parks and open space, places of worship, day care facilities, public facilities, public utilities, group homes, and bed and breakfast uses.*

#### Mixed Commercial/Residential

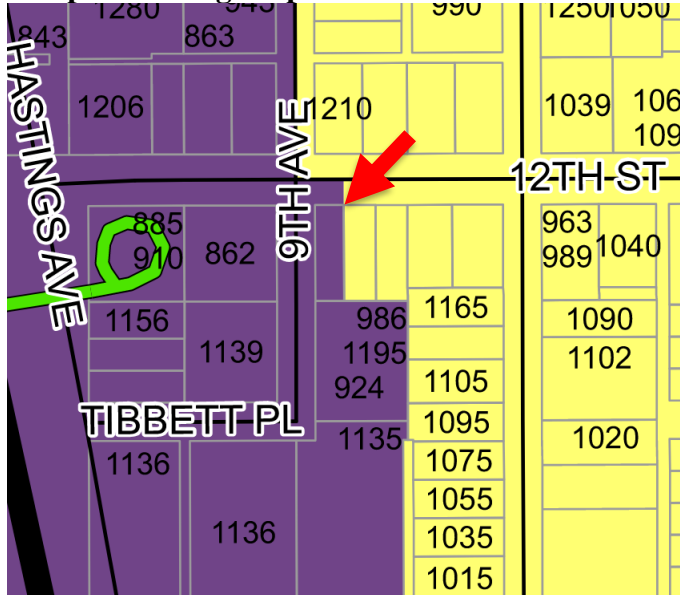
*Allowed and permitted uses in the Mixed/Commercial/Residential Districts include single-family homes, two-family homes, townhomes, and multifamily residential uses. These areas also allow a wide range of commercial, retail, office, civic, institutional, park, and public uses that are compatible in type and scale with residential uses.*

## 2040 Comprehensive Plan Figure 12-1 – Future Zoning Map



The subject property is included in the Comprehensive Plan's Future Zoning Map as MX-4 General Mixed Use. This is different from the property's present zoning, R-1, and the MX-1 designation established in the 2011 rezone.

Newport Zoning Map – 6/30/2013



- R-1 Low Density Single Family Residential
- R-1A River Residential
- R-3 High Density Residential
- MX-1 Downtown
- MX-2 Commercial
- MX-3 Transit-Oriented Design
- MX-4 General
- B-1 Business Park/Office/Warehouse



### Newport Zoning Map – 2/19/2021



### Consistency with the Comprehensive Plan

Similar to updating any ordinance, a Comprehensive Plan Amendment needs to consider how the proposed changes will impact various sections, tables, or figures in the Plan.

The proposed amendment is not anticipated to measurably impact the City's density in Mixed Commercial/Residential or Single Family Detached Land Use areas. It is also not expected to reduce the City's ability to meet its overall density goals. Lastly, the amendment is consistent with the General Land Use Goals established in the 2040 Comprehensive Plan.

### Rezoning

The subject property will ultimately also be rezoned to allow for the property to match the former zoning designation. If the Council approves this comprehensive plan amendment, a public hearing will be posted and held with a final rezoning approval possible in April. This should align with the Met Council's review and determination on the comprehensive plan amendment.

### Comprehensive Plan and Rezoning Amendment Process and Next Steps

The Met Council will review the following process for Comprehensive Plan Amendments:

1. ~~February 8 – Planning Commission for review and approval of comp. plan amendment~~
2. March 3 – City Council for review and approval of comp. plan amendment
3. March 4 – Submittal to Met Council for review
4. April 2022 – Planning Commission review and decision on rezoning
5. April 2022 – City Council review and decision on rezoning
6. TBD – Met Council Review Determination
7. TBD – Review period for Adjacent Governments and Affected Districts (this may be waived)

The process and timeline for Comprehensive Plan Amendment can be simplified and accelerated depending upon two determinations. A Met Council decision to waive the adjacent review requirement and a determination to allow administrative review of the amendment.

It does appear that this amendment request could meet the criteria established for both an adjacent review waiver and administrative review. Staff met with Newport's Sector Representative and confirmed that



Name: Newport Comprehensive Plan Amendment – 910 12<sup>th</sup> Street

Date: January 28, 2022

Page: 5

both are feasible, but each determination will ultimately be made by the Met Council after they begin review.

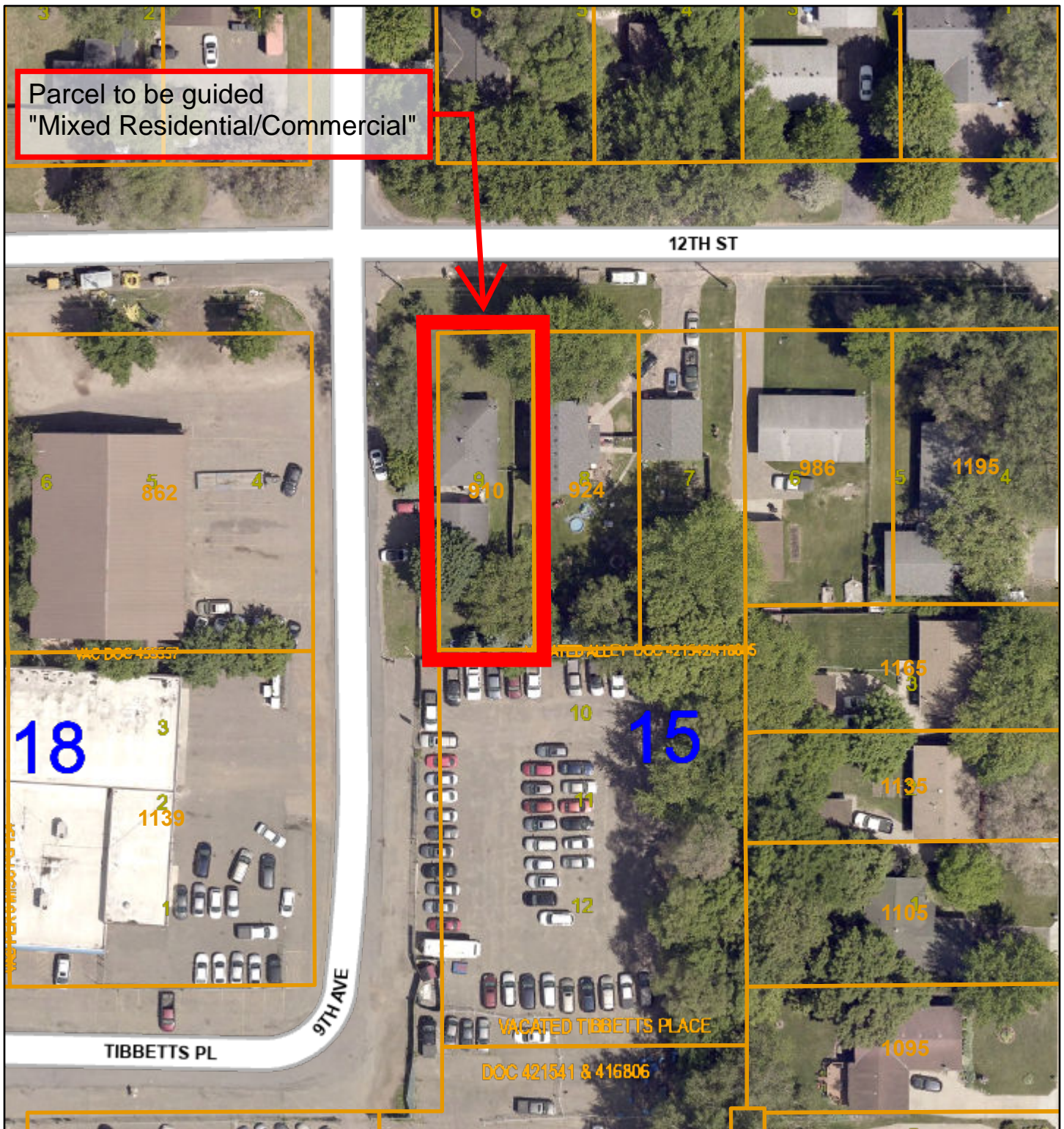
**Action Requested:**

Motion to adopt resolution 2022-13 approving the comprehensive plan amendment as identified therein.

**Resources Used:**

- City of Newport 2040 Comp Plan – [link here](#)
- City of Newport Zoning Map – [link here](#)
- City of Newport Zoning Code – Article V, Nonresidential Uses – [link here](#)
- Metropolitan Council – Comprehensive Plan Amendment – [link here](#)

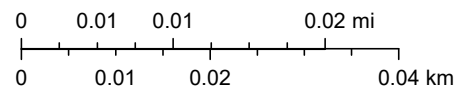
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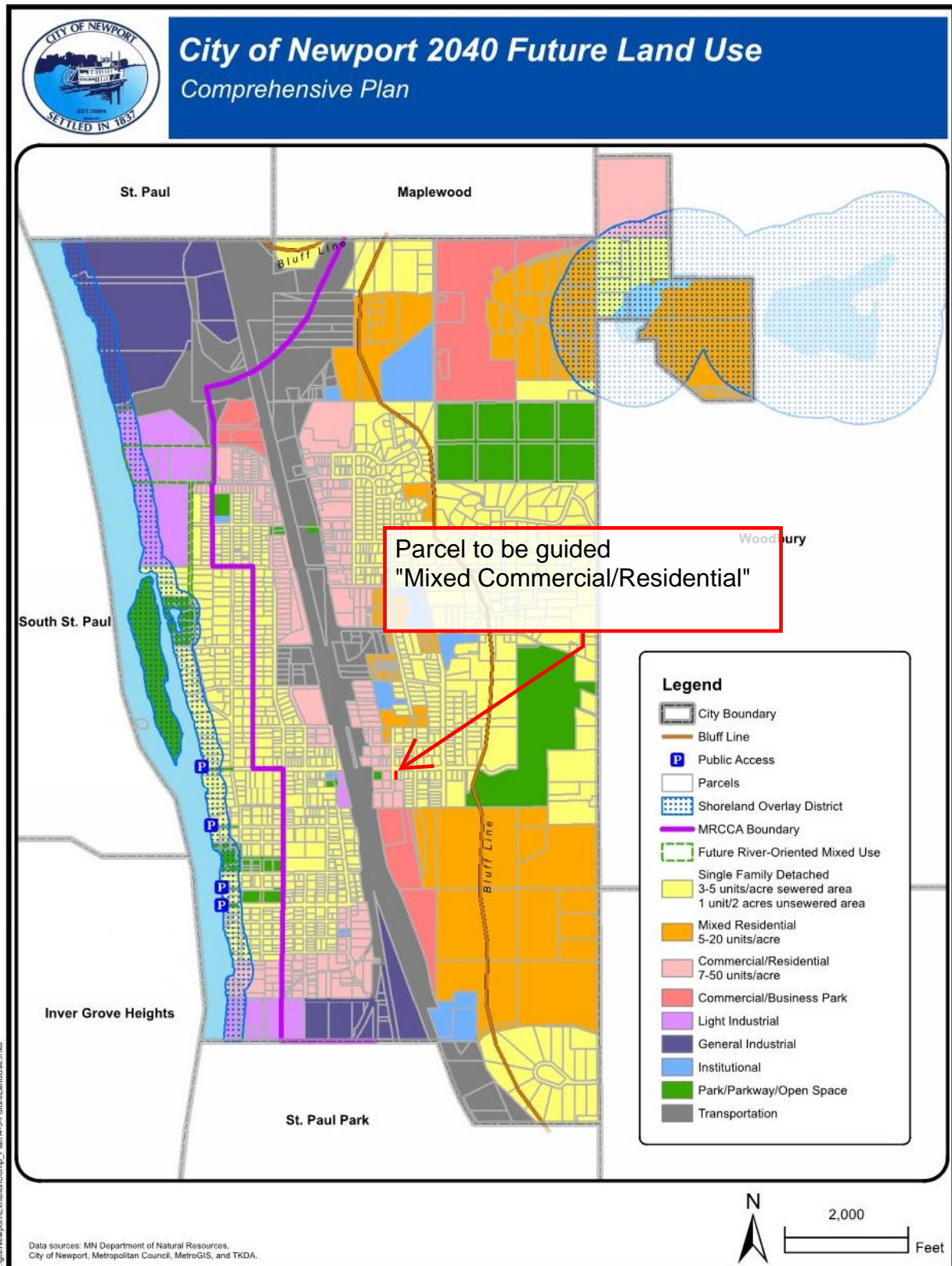
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Red: Band_1	Blue: Band_3	Red: Band_1	



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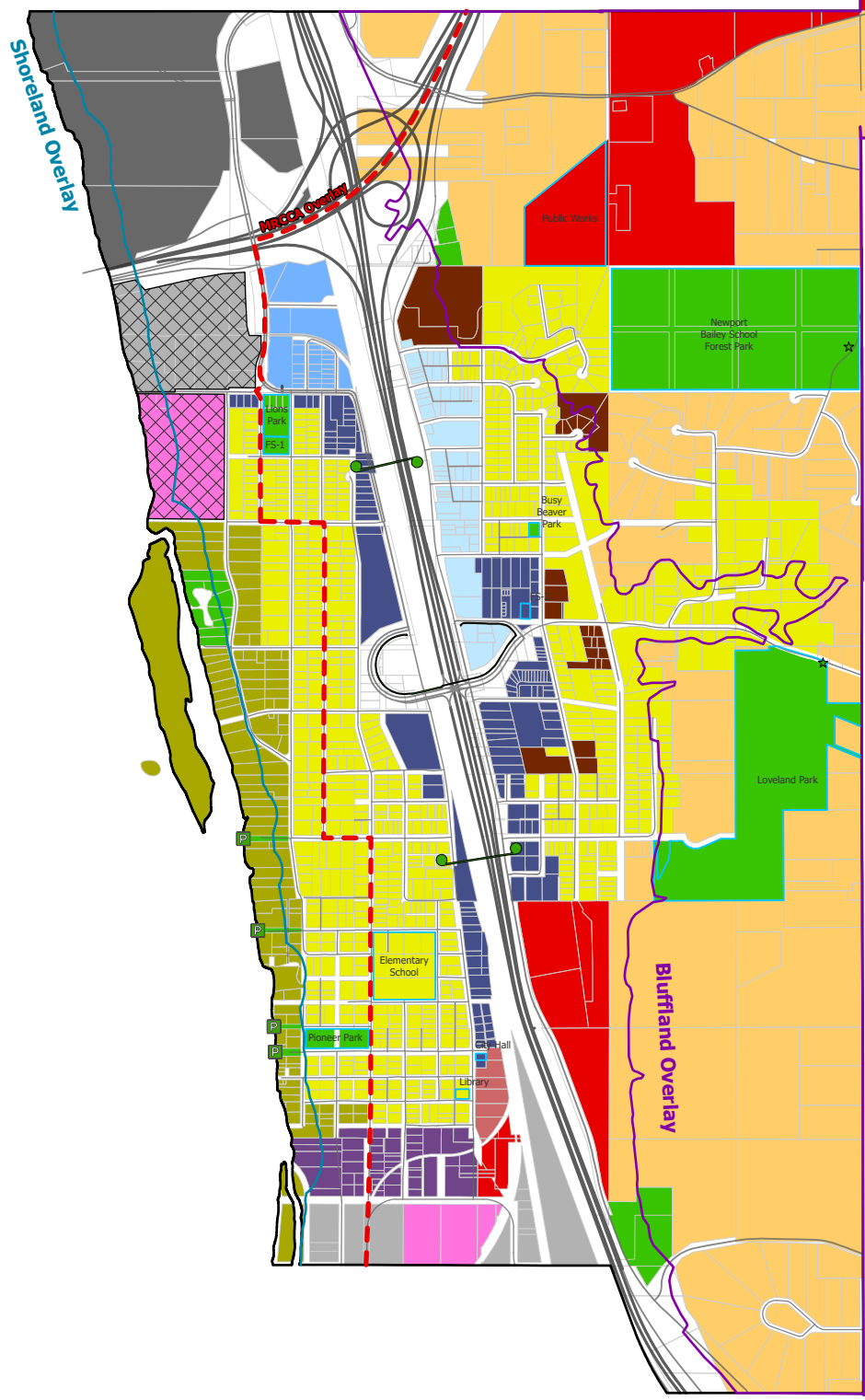
**Figure 4-2:  
Future Land Use (2020-2040)**





# City of Newport Zoning Map

Print Date: 2/19/2021



## Zoning Districts

- OS Open Space
- RE Residential Estate
- R1 Low-Density Single-Family Residential
- R-1A River Residential
- R-2 Urban Residential
- MX-1 Downtown
- MX-2 Transit-Oriented Design
- MX-3 General Mixed Use
- MX-4 Mixed Use Buffer
- B-1 Business Park
- B-2 General Business
- I-S Industrial Storage
- I-1 Light Industrial
- I-2 General Industrial

## Overlay Districts

- River Development
- Mississippi River Critical Area (MRCCA) Boundary
- Bluffland Area\*\*
- Shoreland Area\*\*

Floodplain Overlay District: see current FEMA Floodplain map.  
\*\*Estimated boundary. Exact boundary to be determined by survey at time of development.

## Other Public Features

- ★ Park Entrance
- Public Access/Overlook
- Public Facility
- Hwy 61 Pedestrian Crossing



Data Sources:  
City of Newport  
Washington County  
Met. Council  
MN DNR

## Other Map Features

- City of Newport Municipal Boundary
- Parcels, Spring 2019

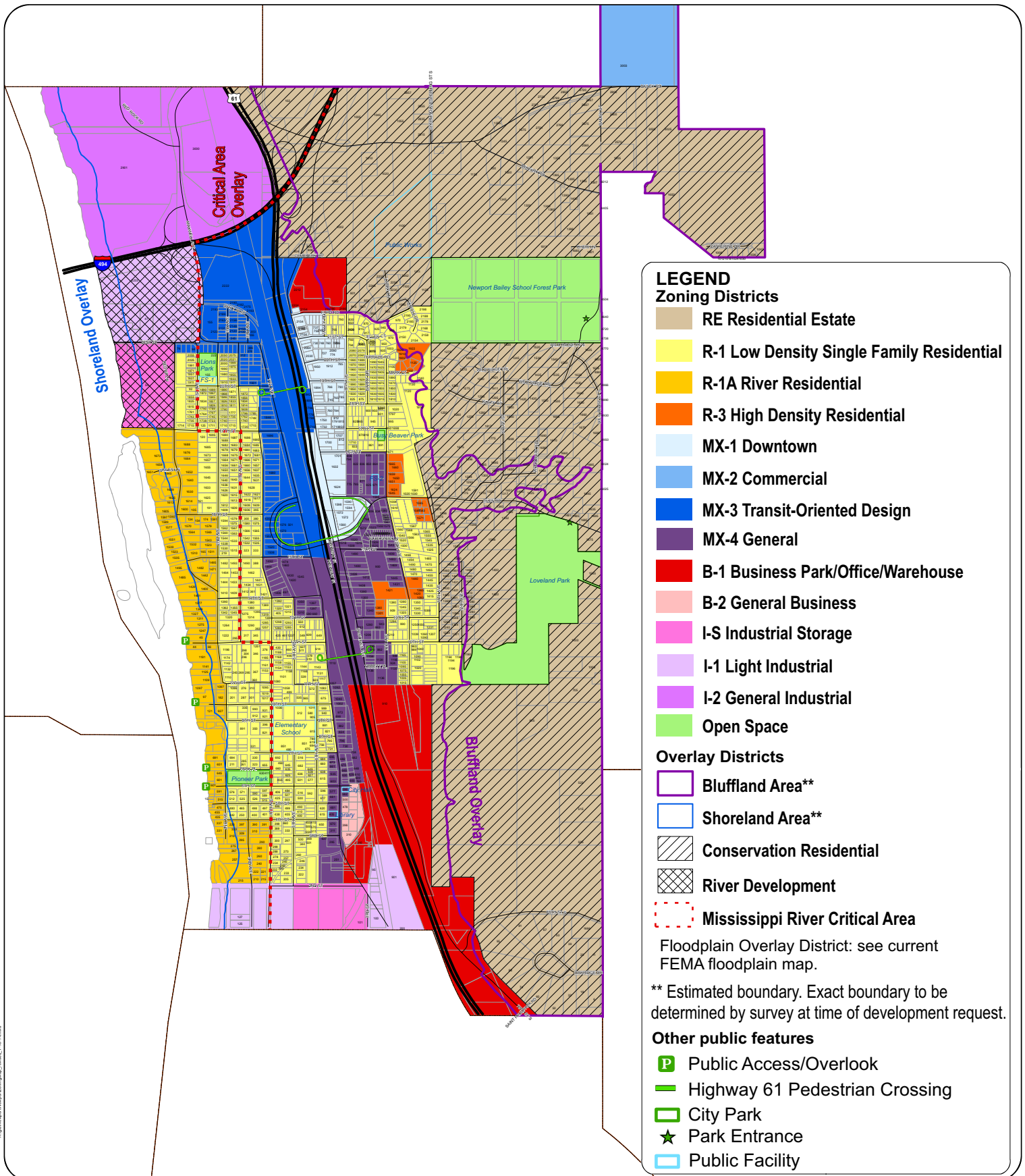


## ZONING MAP

CITY OF NEWPORT  
WASHINGTON CO., MN



# City of Newport Zoning Map



Data sources: City of Newport, Washington County, Metropolitan Council  
Zoning Map Adopted June 20, 2013  
Map printed July 21, 2015



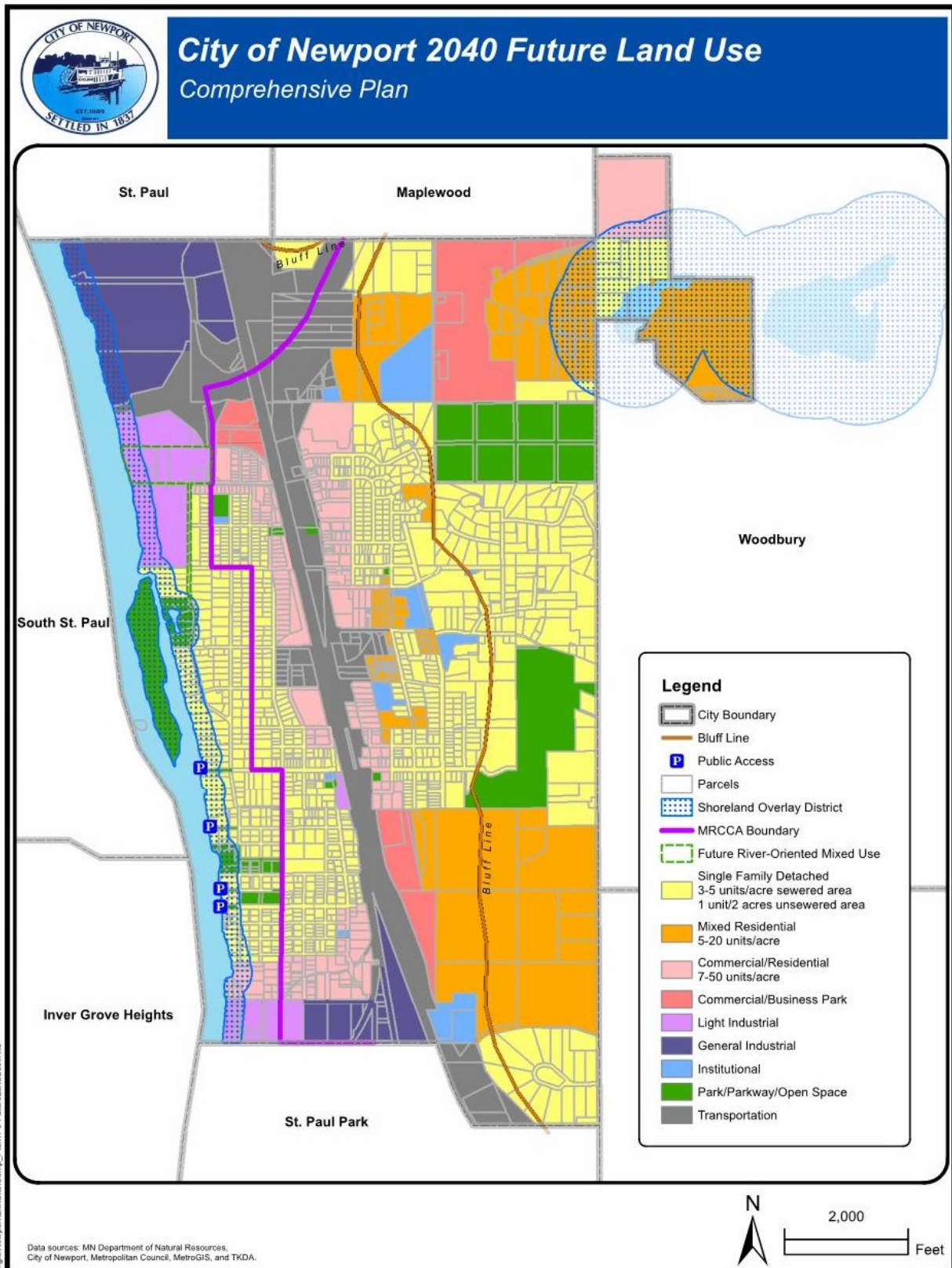
2,000

Feet

1 inch = 500 feet



**Figure 4-2:  
Future Land Use (2020-2040)**





**City of Newport  
Planning Commission Minutes  
June 9, 2011**

**1. CALL TO ORDER**

Chairperson McElwee-Stevens called the meeting to order at 7:00 P.M.

**2. ROLL CALL**

**Commissioners present** – Katy McElwee-Stevens, Susan Lindoo, Janice Anderson, David Engfer, Daniel Flood

**Commissioners absent** –

**Also present** – Brian Anderson, City Administrator; Brenda Beissel, Administration Analyst; Tom Ingemann, Council Liaison; Sherri Buss; TKDA Planner, Tim Geraghty; Mayor; Steven Gallagher, Council Member, Tracy Rahm, Council Member

**3. APPROVAL OF PLANNING COMMISSION MINUTES OF MARCH 10, 2011.**

**Motion by Anderson, seconded by Engfer, to approve Minutes of April 14, 2011. With 5 Ayes, 0 Nays, the motion carried.**

**4. APPOINTMENTS WITH COMMISSION**

**Public Hearing** – To consider an application from Jim Murr, 9270 Inver Grove Trail, Inver Grove Heights, MN 55076, for a Re-zoning of property located at 910 12<sup>th</sup> Street, Newport, MN 55055. The property is located in an R-1 (Residential Single-Family) Zoning District.

**Chairperson McElwee-Stevens opened the Public Hearing at 7:04 P.M.**

**Administrator Anderson** – Jim and Vicky Murr approached the City of Newport on May 17, 2011, to apply for a zoning amendment, rezoning 910 12<sup>th</sup> Street from an R-1 (Residential Single-Family) District to a MX-1 (Mixed Use Downtown) District. The property area is approximately 6,750'. To the south, to the west, and kitty-corner to Mr. and Mrs. Murr's property, are properties that are all zoned MX-1. South of the Murr's property is Imperial Camper Sales. The Murrs have been trying to sell their property and have not had any luck; realtors have said this is because of the location and due to what's across the street and behind the Murrs' property.

Across the street from the Murr's property is where a lot of activity takes place; a lot of campers go in and out of those doors. There is constant traffic in the area. If you look kitty-corner across the street, a business operates out of here as well, so there's a little activity that's moving around over there.

Staff met with Jim several times to discuss the rezoning of the property and the opportunity for commercial development on the property. He finds his request suitable for the property and surrounding area. The proposed use and building expansion for his plumbing business will require

him to meet the dimensional standards, such as setbacks, performance standards, etc. of the MX-1 District. His proposal does not require a CUP.

Mr. Murr wants to enlarge his garage for more office space so he can operate out of there. The neighbor to the east would be looking at a larger garage. The current garage takes up one-third of what's already there, so the garage would simply be extended. However, you saw how small his yard was to begin with; there would still be a 20' buffer zone. The property bordering Mr. Murr's property on the west is also commercially zoned. What would happen if this is approved is that the proposed rezoning of the property would require submittal of a Comprehensive Land Use Plan amendment to Metropolitan Council staff; it does not have to be fully reviewed.

It is the recommendation of City staff that the Planning Commission approve Draft Resolution No. P.C. 2011-6, recommending that the Newport City Council rezone 910 12<sup>th</sup> Street from R-1 to MX-1.

**Al Schwartz, 924 12<sup>th</sup> Street** – My name is Al Schwartz; I live right next door to the property that you're talking about. I'd just like to say what he said about they tried to sell it, but couldn't because of the commercial property around there, well, that's gonna affect my property when I try to sell it. I don't know, I just don't feel it's a good spot for commercial. There's enough around them already. There's empty buildings already, commercial buildings around there that are empty. For me, it's just, I don't see it being a good idea.

**Elizabeth & Louie Richards, 986 12<sup>th</sup> Street** – (Louie) We're also in opposition of this rezoning because all of the other commercial property around us. There's empty buildings, there's commercial property all the way around; it's too much.

(Elizabeth) – You showed kitty-corner for the explanation, but you didn't show right across the street where there is another nice house and behind it where we're living. Another commercial area is going to bring down our houses even more than the economy has. We're against this.

**Jim & Vicky Murr, 910 12<sup>th</sup> Street** – (Vicky) – We own the property at 910 12<sup>th</sup> Street. I see it as an improvement if we're allowed to have it rezoned. Any activity that we would have would be only imposed on Imperial Camper Sales, which is already a commercial space; it shouldn't have any negative effect on the people that live on 12<sup>th</sup> Street. We have no intention of having an empty building; it would be operational. I see it as positive.

(Jim) – We've been operating out of 78 19<sup>th</sup> Street, across from Fritz's. That property was in three times worse shape than what we're looking at. We've extensively remodeled, put a garage on. The next door neighbor, she's actually fallen in love with me, because we're never there. We show up at 7:30; we're gone at 4:30. There's no weekends, no noise, there's no vehicles. I think the people to the east of us, I think it would be an advantage to block Imperial Campers. They're not going to deal with the noise and seeing all this activity moving. I had a newer neighbor who moved in in November across the street from my present shop who came over and he didn't even know we ran an operation there. He thought the house was vacant. We have the opportunity to sell the property we're in, so that's going to bring another business into town. We're offsite; we don't work at the building. We're simply office and material. The employees are all gone; the vehicles are all gone. Actually, where we're at presently, I believe, brought the values of the existing homes up, the improvements we made to our property. Like I say, the neighbors, we've been here eight years, I've never had a complaint for anything. It's a quality run business. The yards are kept up; everything's maintenance free.



**Susan Lindoo** – How you'd use that property...is it a sales operation? I know where you are down in the other spot and I've walked by there and it is pretty quiet.

**Jim Murr** – One reason we moved to Newport, we were in downtown South St. Paul on Southview. My father started the business and the traffic was insane. We couldn't get anything done; we had people coming in for five cent parts. I don't deal with any of this anymore. Once in a blue moon we might sell something as far as retail, but it's not the principle of our operation. We've actually been in Apple Valley for the last year and a half.

**Susan Lindoo** – So, the people who work for you are working elsewhere? They're out on call?

**Jim Murr** – Yes.

**Susan Lindoo** – And they don't return to that location every morning or every night.

**Vicky Murr** – Sometimes they do, but all of the activity would be centered around 9<sup>th</sup> Avenue, which shouldn't affect anybody else because the way the property sits now, it faces Imperial Camper Sales.

**Jim Murr** – We've honestly had three realtors look at it and we picked it up as a bank repo and have done extensive work to the interior. The outside doesn't show it, but it's been reroofed, and honestly it still looks like hell. It needs siding.

**Susan Lindoo** – Would the house be used as office space?

**Jim Murr** – Eventually. Presently my daughter's living there.

**Administrator Anderson** – A couple thoughts: It would still keep with the integrity of the neighborhood, being that the house is still there. Basically, then what would happen is that a new garage would go in, so the size of the garage would increase. One item we could work with if this were approved is putting buffering between the neighbor to the east and this area (referring to map) with greenery or something else.

**Susan Lindoo** – Presently someone's living in the house, but eventually the house would be converted into an office?

**Vicky Murr** – Not necessarily, no. It's residential now; I expect it to remain that way.

**Susan Lindoo** – The house?

**Vicky Murr** – Yes.

**Janice Anderson** – The existing property – I thought at one time somebody came in and I thought at that time the trucks would be going into and loading up and coming out of the garage area, the building that you are in now. Looking at the property that you are asking to move to, do you expect the same...

**Vicky Murr** – All the activity would occur on 9<sup>th</sup> Avenue. It wouldn't occur on any other street.

**Janice Anderson** – It wouldn't be a drive-through...

**Vicky Murr** – No, and actually we don't have a drive-through now. I think what you're referring to...there's a driveway in the back that we really don't use.

**Jim Murr** – Originally we were going to do a drive-through, but that never panned out because it didn't make any sense.

**Vicky Murr** – So, everything would occur on 9<sup>th</sup> Avenue.

**Jim Murr** – Weekends, nights, everything's undercover, locked up. If anybody wants to drive by our present location, right at the moment it's got a dumpster and a few things because we are actually moving out. It doesn't look like it normally does.

**Dan Flood** – I actually drove by the property and it always looks very nice. Is the new location going to house vehicles? Can we expect to see service vehicles there?

**Vicky Murr** – The trucks are generally inside at our current location, but because of the move they're not.

**Susan Lindoo** – I have one question for Administrator Anderson. This using one lot, is that not too unusual in a rezoning? I usually think of a whole block in terms of a rezoning.

**Administrator Anderson** – I think the concern would come in if it were a spot zone. We don't consider it a spot zone, as directly across the street and directly behind it are used for commercial, so it wouldn't really stand out.

**Janice Anderson** – Right now there's a fence between the street and the house, according to the picture that you have. So, that would be removed and my question I had when you had that picture up is where that boat was sitting, is that property part of Imperial?

**Administrator Anderson** – I think the fence can be considered to be removed so they can get their vehicles over there.

**Janice Anderson** – My question really is, that grassy area between the fence and the street, whose property is that?

**Administrator Anderson** – That's actually the City's right-of-way.

**Ed Schwartz** – When you drove by my house, did you notice my house was really nice?

**Dan Flood** – Yeah, actually, I did.

**Ed Schwartz** – And I'm sure Jim's got good plans and he's gonna take care of it, but a concern for me is what happens when he sells it and somebody else gets in there and is maybe gonna run a tire shop or work on cars. That's another concern I had being right next door.

**Janice Anderson** – I think there are Ordinances to time limits.

**Administrator Anderson** – A lot of auto body is not even permitted in MX.

**Dan Flood** – Auto repair is.

**Administrator Anderson** – Right and a lot of the others require a CUP.

**Ed Schwartz** – That’s just a concern I had, and looking at the big building, too. They say it will block my view, but it will block my view, you know. There’s a lot of theft that goes on in the trailer park because there’s nobody there. Newport just caught somebody about a month ago; I called it in. Somebody was stealing stuff out of the trailers back there. That’s one less set of eyes being in that neighborhood.

**Dan Flood** – On a lighter note, thank you for being a watchful citizen and a good neighbor.

**Vicky Murr** – If approved, we’d look at putting in a camera system.

**Chairperson McElwee-Stevens closed the Public Hearing at 7:26 P.M.**

**Susan Lindoo** – This is a hard one, but how I’m thinking now is that this is probably a lot that would be hard to put another residence in because of where it is. It sounds like it’s hard to sell as a residence because it does face Imperial Camper Sales. So in some ways I think about this maybe as a linking between hardcore sales, a quieter business, kind of linking into a residential area that is split between residential and non-residential. There’s always a line there somewhere, there always has got to be an edge and that’s always a difficult edge. This might be...

**Katy McElwee-Stevens** – The buffer?

**Susan Lindoo** – Yes, I’m kind of thinking that.

**Administrator Anderson** – In talking to Jim, I learned that the business at Imperial Campers has picked up over the years and things kept going and going and going. I don’t know how long that shed has been there, but there’s a lot of negative impact to his property. It’s good for business and good for the community, etc. He is just trying to see if there is a way, as you are alluding to, that there is a better use for that property. He feels that it is not strictly residential any more because of the impact that he has to put up with from Imperial Camper Sales.

**Daniel Flood** – In looking through the various uses of MX-1, and obviously we can’t label every business imaginable, but I don’t see it in there anywhere. Permitted, CUP, or anything else. I’m not sure which one you guys used to decide that.

**Admin. Anderson** – Professional Office.

**Daniel Flood** – But we are going to be storing vehicles in a four-car garage. That is not a professional office...that is more a storage or some kind of operation. But, I can get around that, but my other concern...and I’m not saying I’m opposed to this because I think actually the property will look nicer in the end than what it does right now....but in our MX-1 Downtown District it says this District is primarily intended for more pedestrian oriented uses such as specialty retail stores, professional services, sit down restaurants, coffee shops, floral shops, etc. I don’t believe we are necessarily meeting the intent of our own MX-1 if we are allowing this rezoning specifically for that

type of business. If we are going after what our MX-1 is that is a different story but I don't see that this business fits what we currently want in an MX-1. That is my point for everybody else. I'm not saying it wouldn't be a great business to move in there. It would actually make the property look better.

**Susan Lindoo** – At one point we were going to combine MX-1 and MX-2 because we thought the differences between them were sort of semantic. During the Comp Plan we knew that we needed something else in transit or the Red Rock.

**Sheri Buss** – I think the uses were almost identical in the two district which is why we felt comfortable just making one district instead of trying to divide and decide which lot belonged where. The difference was the descriptor that the MX-1 had a little more of the “downtown” boutique look, and the MX-2 had a little more of a descriptor that was just about commercial business, neighborhood level, but non-highway. Both districts were intended to get away from the highway oriented use and to allow mixed residential and commercial. We didn't think about it too much and I think the trend in Zoning right now is to try to have less districts. People have started to recognize that you start splitting hairs when you have a lot of districts. When we combined them on the Zoning Map we didn't go through a lot of that thinking. The challenge for this site is...try to imagine that next to the businesses that are there would you really get pedestrian oriented retail given what are the surroundings. If the whole area was a redevelopment zone that at this point we might think about it differently but it's not so it becomes a little bit of a challenge. Quite often we don't have a use that comes in isn't a perfect fit with any use that's listed in your Use List. We are not going to find a list that say, 'plumbing office/vehicle storage'. So, Brian gets to make a call, in your Ordinance, about which use this is most like. The Zoning Administrator, which in this case is Brian, is that person.

**Admin. Anderson** – Right now they could park vans there and work for X Electric or X Plumbing. There is nothing to say that they can't in a residential area.

**Dave Engfer** – I don't want to do anything to discourage any business from staying here in the City of Newport. We have a quality business guy here who has been operating as a responsible citizen and I want to keep him here. We need more.

**Motion by Lindoo, seconded by Engfer, to adopt P.C. No. 2011-6, recommending that the City Council approve Ordinance No. 2011-4 to amend the Newport Zoning Ordinance and Map. With 4 Ayes, Flood voting Nay, the motion carried.**

## **5. VISITORS PRESENTATION / PETITIONS / CORRESPONDENCE**

## **6. STAFF REPORTS AND OTHER BUSINESS**

**At this time the video portion of the meeting was completed.**

Hay Dobbs gave their presentation for the developer's forum discussion.

## **7. COMMITTEE REPORTS / CITY COUNCIL ACTION**

## **8. ADJOURNMENT**

**Motion by Engfer, seconded by Flood, to adjourn the Planning Commission Meeting at 8:56P.M. With 5 Ayes, 0 Nays, the motion carried.**

Signed: \_\_\_\_\_  
Katy McElwee-Stevens, Chairperson

Respectfully submitted,

Brenda Beissel  
Planning Commission Secretary

City of Newport, MN  
Resolution No. 2022-13  
A Resolution Approving an Amendment to the City of Newport's  
2040 Comprehensive Plan

**WHEREAS**, the 2040 Comprehensive Plan was prepared by the City of Newport in conjunction with various members of the community for the purpose of providing community-based policies and guidelines which enable public officials to enhance the future by implementing planning action steps; and

**WHEREAS**, the Comprehensive Plan contains goals, recommendations and action steps relating to the future growth of the community that fulfills the vision set by the Comprehensive Plan; and

**WHEREAS**, the planning process for establishment of the Comprehensive Plan involved citizen participation and input and a public meeting; and

**WHEREAS**, The City Council desires to amend the Comprehensive Plan's 2040 Future Land Use Map to guide the parcel located at 910 12<sup>th</sup> Street as Mixed Commercial-Residential and recognizes this is consistent with the goals of the Comprehensive Plan; and

**WHEREAS**, the subject property is identified on the pages attached to this resolution; and

**WHEREAS**, the City's Planning Commission held a public hearing at its regular meeting on February 8, 2022, regarding the Comprehensive Plan Amendments and voted unanimously to recommend City Council approval.

**WHEREAS**, the City Council considered the recommendation of the Planning Commission at their regular meeting on March 3, 2022, and voted to approve the Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Newport approves the Comprehensive Plan Amendment as incorporated herein.

Adopted this 3<sup>rd</sup> day of March, 2022 by the Newport City Council.

Motion by: \_\_\_\_\_,

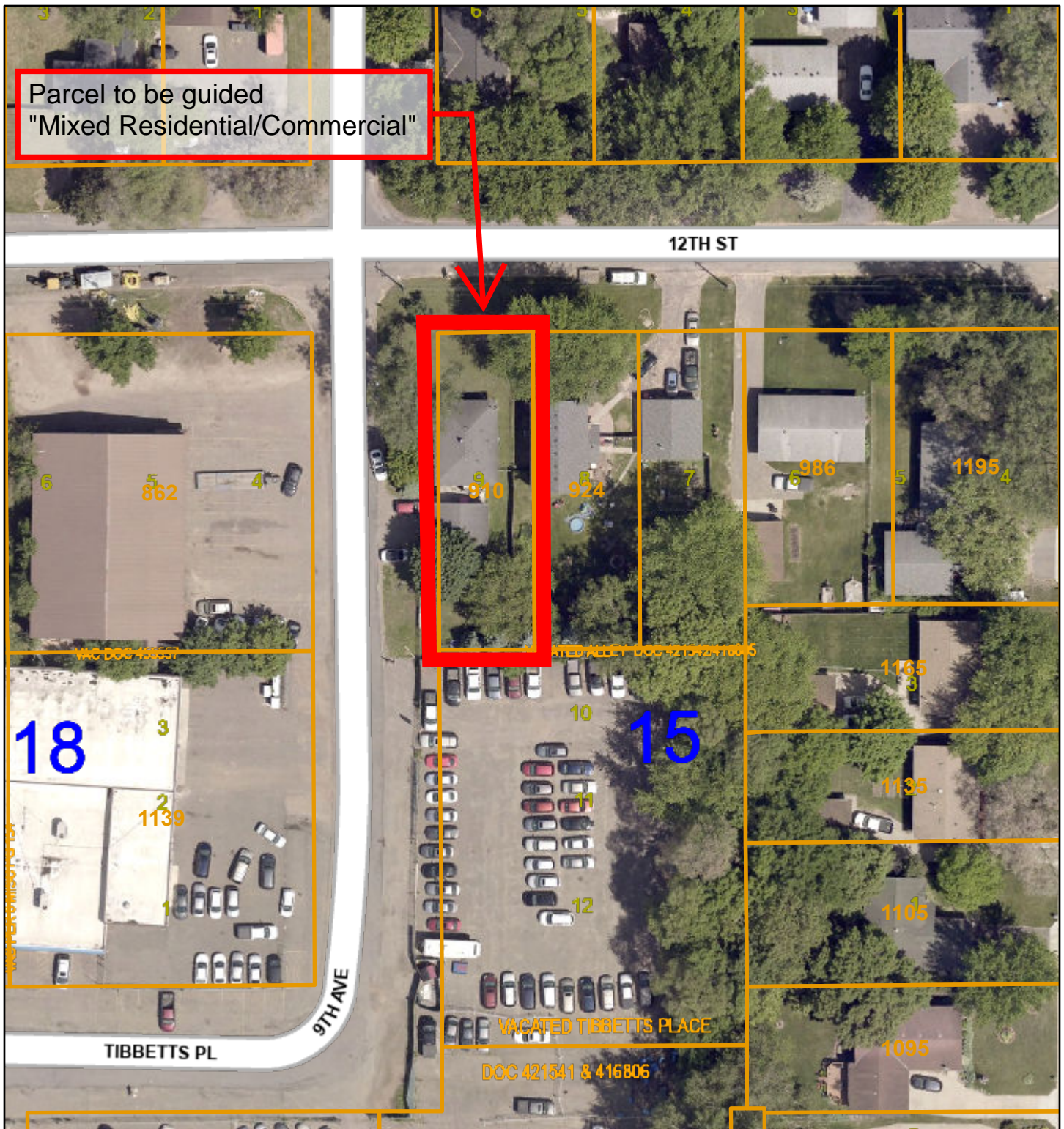
Seconded by: \_\_\_\_\_

VOTE:	Elliott	_____
	Chapdelaine	_____
	Ingemann	_____
	Taylor	_____
	Johnson	_____

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

Attest: \_\_\_\_\_  
Deb Hill, City Administrator

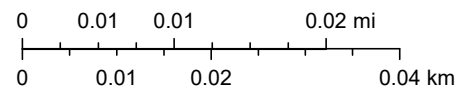
# 910 12th Street



1/28/2022, 3:27:00 PM

1:1,128

Parcels	MNWASH032009.sid	Green: Band_2	MNWASH016007.sid
MNWASH038007.sid	Red: Band_1	Blue: Band_3	Red: Band_1
Red: Band_1	Green: Band_2	MNWASH020009.sid	Green: Band_2
Green: Band_2	Blue: Band_3	Red: Band_1	Blue: Band_3
Blue: Band_3	MNWASH026009.sid	Green: Band_2	MNWASH011007.sid
Red: Band_1	Blue: Band_3	Red: Band_1	



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**Figure 4-2:  
Future Land Use (2020-2040)**

