



CITY OF NEWPORT
2060 1ST Avenue
Newport, MN 55055
(651) 459-5677
ci.newport.mn.us

MAYOR: Laurie Elliott
COUNCIL: Kevin Chapdelaine
Tom Ingemann
Marvin Taylor
Bill Sumner

City Administrator: Joe Hatch
Supt. of Public Works: Matt Yokiell
Fire Chief: Steven Wiley
Asst. to the City Admin: Travis Brierley
Law Enforcement (WCSO): Bill Harrell

CITY COUNCIL AGENDA
August 17, 2023- 5:30 PM

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- July 19, 2023 Council Workshop
 - B. Minutes- August 3, 2023 Regular Council
 - C. **Resolution No. 2023-37** – Approving a Change to the 2023 Capital Improvement Plan
 - D. List of Bills- \$181,642.27
 - E. Financial Statement – July 2023
7. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT
8. FIRE CHIEF'S REPORT
9. ENGINEER'S REPORT
10. SUPERINTENDENT OF PUBLIC WORKS REPORT

11. ADMINISTRATION REPORT

A. Red Rock Square II Application

1. **Resolution No. 2023-38** – Preliminary Plat and Planned Unit Development Approval for Red Rock Square II
2. **Resolution No. 2023-39** – Final Plat and Planned Unit Development Approval for Red Rock Square II
3. **Ordinance No. 2023-04** – Ordinance Amending Chapter 36
4. **Resolution No. 2023-40** – Summary Publication of Ordinance No. 2023-04

12. MAYOR AND COUNCIL REPORTS

13. ADJOURNMENT



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COUNCIL WORKSHOP MINUTES

July 19, 2023

1. CALL TO ORDER

Mayor Elliott called the City Council Workshop to order at 6:15 p.m. on July 19, 2023.

2. ROLL CALL

Present (5): Mayor Laurie Elliott, Council Member Kevin Chapdelaine, Council Member Tom Ingemann, Council Member Marvin Taylor, and Council Member Bill Sumner.

Not Present (0): None.

3. 2024 BUDGET DISCUSSION

City Administrator Joe Hatch gave Council a high-level overview of the 2024 budget. Administrator Hatch explained it is early in the process, but assumptions include fiscal disparities remain constant, health insurance will increase about 15%, local government aid will increase about \$41,000, and our overall revenue is expected to increase approximately \$108,000. We are anticipating an increased need for professional services and an increase to general government. Public Safety will increase about 3.99% and we will increase fire to accommodate a full twenty-five member staff. The city is working to keep transfers consistent. The wastewater charge from Met Council went up to 6.1%. The city is working on the lining project to help reduce I/I in problematic areas. The city will begin labor negotiations and calculate those impacts to the budget.

4. CLOSED SESSION TO DISCUSS LABOR RELATIONS STRATEGY (Minnesota Statutes, section 13D.03, subdivision 1, clause (b)).

Meeting closed on July 19, 2023 at 6:36 p.m. under Minnesota Statute, section 13D.03, subdivision 1, clause (b).

Meeting opened on July 19, 2023 at 7:11 p.m.

5. AREA STUDY UPDATE

Mayor Elliott gave Council an overview on the 2023 area study with HKGi. The city is in the process of developing a plan to facilitate redevelopment on the commercial corridors along Hastings Avenue and 7th Avenue. The community had chances to get involved by filling out a survey, using social pinpoint, and attending the public listening session. Our consultants are researching potential options for redevelopment by using the primary market area (PMA), which is defined as a 10-minute drive time. They researched apartment vacancy rates, average monthly rent costs, commercial costs, retail, and housing. They will give recommendations along with strategies and suggestions to the city. The city has been interested in attracting a grocer, but study shows it is not feasible based on our low population densities. Council discussed there are many ideas, and we will need to determine what is feasible based on our goals.

6. FUTURE MEETING AGENDA ITEMS

Administrator Hatch stated future meeting agenda items include Cannabis discussion, Emergency Response presentation, Area Study, Keller Fence update, and the future Dog Park.

7. ADJOURNMENT

Mayor Elliott adjourned the City Council Workshop at 7:45 p.m. on July 19, 2023.

Respectfully Submitted:
Jill Thiesfeld,
Administrative Assistant II

Signed: _____
Laurie Elliott, Mayor



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CITY COUNCIL MEETING MINUTES
August 3, 2023

1. CALL TO ORDER

Mayor Elliott called the City Council meeting to order at 5:30 p.m. on August 3, 2023

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 Bill Sumner.

Not Present (0): None.

4. ADOPT AGENDA

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

5. PUBLIC COMMENTS

No public comments were made.

6. ADOPT CONSENT AGENDA

- A. Minutes – July 11, 2023 Special Council
- B. Minutes – July 19, 2023 Regular Council
- C. Resolution No. 2023-32- Appointment of Election Judges
- D. Resolution No. 2023-33 – Recognizing Vacation Leave Balance
- E. Resolution No. 2023-34- Accepting Pioneer Day Donations
- F. Park Reservation Application- Wilczek
- G. List of Bills - \$166,079.88

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

7. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT

City Administrator Joe Hatch stated Sergeant Bill Harrell is not present, but wanted to inform Council that the deputies are conducting sweeps of the city regarding code enforcement.

8. FIRE CHIEF'S REPORT

Fire Chief Steve Wiley stated there was a great turnout at Night to Unite. They had about twenty firefighters throughout the city attending different events including Bailey Meadows, High Street, and Newport Lutheran Church.

Chief Wiley thanked Marathon Refinery for their generous donation of \$50,000 to help offset the costs of the new air packs, compressor, and fill station.

Mayor Elliott inquired about fire calls last month. Chief Wiley stated they had a vehicle fire, medical calls, and assisted Cottage Grove with a structure fire for a home that was hit by lightning.

9. ENGINEER'S REPORT

City Engineer Jon Herdegen stated the 21st Street water main replacement project is underway. They hope to be done within a couple of weeks. There were two scheduled water main shutdowns, but unfortunately, they had one yesterday that was not scheduled. The temporary watermain line crossing the road got hit and cracked one of the valves. They were able to replace the valve, but the water was out until 4:30 p.m. Engineer Herdegen stated he will check with the County as there may be a partial payment coming to the August 17th meeting.

Engineer Herdegen stated the lateral lining contractor will be mobilizing on site at the beginning of next week to start the cleaning work. Mayor Elliott reminded residents that two-million dollars of this project is being funded by the state.

10. SUPERINTENDENT OF PUBLIC WORKS REPORT

Superintendent of Public Works Matt Yokiell stated we have a DNR grant for removing trees that are diseased by the emerald ash borer and are currently working at Loveland Park. Once the diseased trees are removed, they will replant new trees. Mayor Elliott inquired if this work is only being done at Loveland Park. Superintendent Yokiell stated it will be on public property in parks and boulevards. The largest percentage of diseased trees is at Loveland and Busy Beaver.

11. ADMINISTRATION REPORT

Administrator Hatch stated our fire department will be burning the home at 1651 Cedar Lane on August 19th for training purposes. Administrator Hatch stated the City Hall has new hours. City Hall will be open Monday through Friday from 8:00am to 4:00pm.

12. MAYOR AND COUNCIL REPORTS

Mayor Elliott stated we shifted the date of the last Council meeting to attend an award ceremony for the construction of City Hall. Newport received a "Top Projects of 2022" award, which also came with a feature in the Finance and Commerce magazine. Brunton Architect and H+U Construction were both recognized for their work on this project.

Mayor Elliott thanked Representative Rick Hansen as put another \$67,000 in funding for emerald ash borer issues for Newport into a bill that was approved with the last session in 2023.

Member Chapdelaine stated the Minnesota Department of Health (MDH), the Minnesota Department of Natural Resources (DNR), and the Minnesota Pollution Control Agency (MPCA) released a notice guiding fish consumption out of the Mississippi River from the Ford Dam in St. Paul to the Hastings Dam (Pool 2). Any children under the age of fifteen or anyone that could become pregnant, or breastfeeding should not consume any fish from Pool 2 due to PFAS.

Member Sumner stated the Red Cross needs blood donations and encouraged anyone who can to donate. Member Sumner attended the National Night out celebration and stated Tony Mahmood put on a wonderful BBQ feed. On Wednesday, August 9th, the HPC will have a meeting at City Hall followed by a presentation by our Historian at the Newport Library at 6:30pm. Member Sumner reminded residents that the farmers market is open on Sundays from 9am to 1pm at the Newport Shopping Center.

13. ADJOURNMENT

Member Ingemann motioned to adjourn the City Council meeting. Seconded by Member Chapdelaine. Approved 5-0.

The City Council meeting was adjourned at 5:47 p.m. on August 3, 2023.

Respectfully submitted:
Jill Thiesfeld,
Administrative Assistant II

Signed: _____
Laurie Elliott, Mayor

City of Newport, MN
Resolution No. 2023-37
A Resolution Approving a Change to the
2023 City of Newport Capital Improvement Plan

WHEREAS, The City of Newport approved a 2023 Capital Improvement Plan (CIP) budget; and

WHEREAS, the 2023 CIP budget included funding for a number of Fire Department purchases including mobile radios and self-contained breathing apparatuses (SCBA's); and

WHEREAS, the Fire Department was successful in applying for and receiving grants in the amount of \$170,000 to help pay for purchases in 2023; and

WHEREAS, the Fire Department proposed including the replacement of the Crown Victoria in the 2024 CIP budget and would like to move the purchase into the 2023 CIP budget; and

WHEREAS, the mobile radios budgeted to be purchased in 2023 have increased in cost because of inflation; and

WHEREAS, authorizing the purchase of the mobile radios at the higher price and including the replacement of the Crown Victoria fire vehicle would decrease the 2024 CIP by \$40,000 and still allow the 2023 and 2024 CIP budgets to be under budget by approximately \$78,000 because of the increase in grant revenue in 2023; and

NOW, THEREFORE BE IT RESOLVED, that the City of Newport, Minnesota, authorizes the inclusion of the Crown Victoria replacement for \$60,000 into the 2023 CIP and the slight increase to \$58,000 for the purchase of the mobile radios.

BE IT FURTHER RESOLVED, the City Council authorizes staff to begin the procurement process for the replacement of the Crown Victoria and the mobile radios.

Adopted this 17th day of August, 2023 by the Newport City Council.

Motion by: _____,

Seconded by: _____

| | | |
|-------|-------------|-------|
| VOTE: | Elliott | _____ |
| | Chapdelaine | _____ |
| | Ingemann | _____ |
| | Taylor | _____ |
| | Sumner | _____ |

Signed: _____
Laurie Elliott, Mayor

Attest: _____
Joe Hatch, City Administrator

Recurring

| | | | |
|-------|-------------------------------|-----------|---|
| 2228e | MIDWESTONE BANK | 31-Jul-23 | \$81.00 Positive pay |
| 2229e | COMCAST | 04-Aug-23 | \$210.52 PW garage Internet and analog lines |
| 2230e | COMCAST | 04-Aug-23 | \$268.68 City hall Internet and analog lines |
| 2231e | UNITED STATES TREASURY | 04-Aug-23 | \$1,422.63 SS, Federal and Medicare |
| 2232e | MN REVENUE | 04-Aug-23 | \$102.96 State taxes |
| 2233e | WEX BANK | 04-Aug-23 | \$2,078.72 Petrol |
| 2236e | UNITED STATES TREASURY | 10-Aug-23 | \$9,885.18 SS, federal and medicare |
| 2237e | HEALTHPARTNERS | 10-Aug-23 | \$13,396.13 Health insurance |
| 2238e | MN REVENUE | 10-Aug-23 | \$1,762.31 State taxes |
| 2239e | MSRS | 10-Aug-23 | \$3,669.12 HCSP & voluntary retirement |
| 2240e | PSN | 10-Aug-23 | \$283.00 Monthly utility bill payment charges |
| 2241e | WEX HEALTH | 10-Aug-23 | \$745.73 HSPA |
| 25862 | ATOMIC DATA, LLC | 04-Aug-23 | \$1,301.00 Addt IT support |
| 25863 | JOE HATCH | 04-Aug-23 | \$61.31 Mileage reimbursement |
| 25864 | JAN PRO CLEANING SYSTEMS | 04-Aug-23 | \$1,275.00 Cleaning services |
| 25865 | Metropolitan Council | 04-Aug-23 | \$28,864.99 Sewer water cleaning charges |
| 25866 | TENNIS SANITATION LLC | 04-Aug-23 | \$59.67 PW garage and city hall garage |
| 25867 | JILL THIESFELD | 04-Aug-23 | \$64.85 Mileage reimbursement |
| 25868 | BIFFS INC. | 10-Aug-23 | \$846.00 Port o potty |
| 25869 | BINDER HEATING | 10-Aug-23 | \$192.40 Reimburse review fee not needed |
| 25870 | JOE HATCH | 10-Aug-23 | \$115.21 Lunch for area study |
| 25871 | INTERNATIONAL UNION OF OP. EN | 10-Aug-23 | \$210.00 Union dues |
| 25872 | PERA | 10-Aug-23 | \$5,338.11 Retirement |
| | | Staff | \$35,504.36 |

Non-recurring

| | | | |
|-------|-------------------------------|-----------|--|
| 25873 | ADVANCED GRAPHIX INC. | 17-Aug-23 | \$987.74 Pioneer Day banners and signage |
| 25874 | ASTLEFORD INTERNATIONAL TRUC | 17-Aug-23 | \$287.70 Plow truck maintenance |
| 25875 | ATOMIC DATA, LLC | 17-Aug-23 | \$821.68 Monthly IT support |
| 25876 | BADGER METER | 17-Aug-23 | \$27.36 Hosting fee |
| 25877 | Cardmember Services | 17-Aug-23 | \$8,984.83 Credit card purchases |
| 25878 | CENTURY COLLEGE | 17-Aug-23 | \$975.00 Quarter 3 CEU program |
| 25879 | CINTAS | 17-Aug-23 | \$788.40 Uniform cleaning |
| 25880 | COMPANION ANIMAL CONTROL | 17-Aug-23 | \$655.68 Dog catching |
| 25881 | DALEY ELECTRIC | 17-Aug-23 | \$819.25 Wiring for SCBA compressor |
| 25882 | EARL F. ANDERSEN | 17-Aug-23 | \$550.45 Training sign |
| 25883 | ECKBERG LAMMERS, P.C. | 17-Aug-23 | \$2,203.39 Legal fees |
| 25884 | FAIR OFFICE WORLD | 17-Aug-23 | \$29.90 Color paper |
| 25885 | FERGUSON WATERWORKS #2516 | 17-Aug-23 | \$690.27 CSAH 38 Watermain parts |
| 25886 | FLAHERTY & HOOD, P.A. | 17-Aug-23 | \$3,985.00 Legal fees |
| 25887 | GOPHER STATE ONE-CALL | 17-Aug-23 | \$130.95 Dig markings |
| 25888 | H&L MESABI | 17-Aug-23 | \$9,543.00 Plow cutting edge |
| 25889 | INSTRUMENTAL RESEARCH, INC. | 17-Aug-23 | \$51.10 Water testing |
| 25890 | INVER GROVE FORD | 17-Aug-23 | \$399.14 Chief 2 seatbelt repair |
| 25891 | MCMULLEN INSPECTIONS, INC. | 17-Aug-23 | \$797.94 Electrical inspections |
| 25892 | MENARDS - COTTAGE GROVE | 17-Aug-23 | \$322.82 Supplies |
| 25893 | MIDWEST MACHINERY CO. | 17-Aug-23 | \$119.57 Backpack blower |
| 25894 | MSA PROFESSIONAL SERVICES, IN | 17-Aug-23 | \$30,311.95 City engineering |
| 25895 | NAPA AUTO PARTS | 17-Aug-23 | \$89.73 Explorer parts |
| 25896 | OXYGEN SERVICE CO. | 17-Aug-23 | \$16.12 Oxygen supplies |
| 25897 | QUALITY LOCKSMITH SERVICES | 17-Aug-23 | \$1,073.35 Replace all utility pad locks-GS3 contractor reimbursed |
| 25898 | SAFE-FAST, INC. | 17-Aug-23 | \$119.00 Rehydration drink mix |
| 25899 | SKYLINE SALT SOLUTIONS | 17-Aug-23 | \$8,242.27 Road salt |
| 25900 | TWIN CITIES PIONEER PRESS | 17-Aug-23 | \$42.14 Notice posting |
| 25901 | WATER CONSERVATION SERVICE | 17-Aug-23 | \$713.71 Leak locate |
| 25902 | WHEELCO | 17-Aug-23 | \$123.95 Chief 1 battery |
| | | | \$181,642.27 |

July - 23

| | | | | |
|----------|----------------------------------|---|-------------|-----|
| Wiley | Amazon Marketplace | Step ladder | \$ 58.97 | yes |
| | Amazon Marketplace | Plastic pump | \$ 13.12 | yes |
| | Amazon Marketplace | Dry erase board | \$ 45.68 | yes |
| Schulz | J.P. Cooke | Dog licenses | \$ 89.35 | yes |
| | WM Supercenter | Office supplies | \$ 30.57 | yes |
| | MN Govt. Finance Officers Assoc. | Annual conference fee | \$ 250.00 | yes |
| Brierley | MCFOA | Membership dues | \$ 50.00 | yes |
| | MCFOA | Membership dues | \$ 50.00 | yes |
| | Adobe Acropro | Monthly software fee | \$ 21.46 | yes |
| | Legue of Minnesota Cities | Training fee | \$ 250.00 | yes |
| | Adobe Acropro | Monthly software fee | \$ 21.56 | yes |
| | Best Buy | TV and power supply | \$ 689.96 | yes |
| | Adobe Acropro | Monthly software fee | \$ 21.46 | yes |
| | Department of Labor and Indust. | 2nd quarter permit surcharge | \$ 886.98 | yes |
| | OfficeMax | Sheet protectors | \$ 152.42 | yes |
| Marson | Adobe Acropo | Monthly software fee | \$ 21.46 | yes |
| | Amazon Marketplace | Water supplies | \$ 21.57 | yes |
| | Adobe Acropo | Monthly software fee | \$ 21.46 | yes |
| | Dominos | Pizzas for training | \$ 113.29 | yes |
| | Burggrafs Ace Hardware | Lock replacement reimbursed by contractor | \$ 1,363.16 | yes |
| | Summit Racing | Mechanical plan | \$ 88.03 | yes |
| | Duffys | LP gas | \$ 71.96 | yes |
| | Duffys | LP gas | \$ 75.00 | yes |
| | Duffys | LP gas | \$ 75.00 | yes |
| | SP PRX Performance | Weights for fitness room | \$ 3,984.39 | yes |
| | Ramsey Wash. Rec. Center | Dispose of items from 1651 Cedar Lane | \$ 4.93 | yes |
| | Ramsey Wash. Rec. Center | Dispose of items from 1651 Cedar Lane | \$ 164.39 | yes |
| | eBay | Parts for superintendent truck | \$ 182.54 | yes |
| | Ramsey Wash. Rec. Center | Dispose of items from 1651 Cedar Lane | \$ 4.84 | yes |
| | Ramsey Wash. Rec. Center | Dispose of items from 1651 Cedar Lane | \$ 161.26 | yes |



City of Newport, MN

Financial Status Report

Period ended July 31, 2023

(Un-Audited)

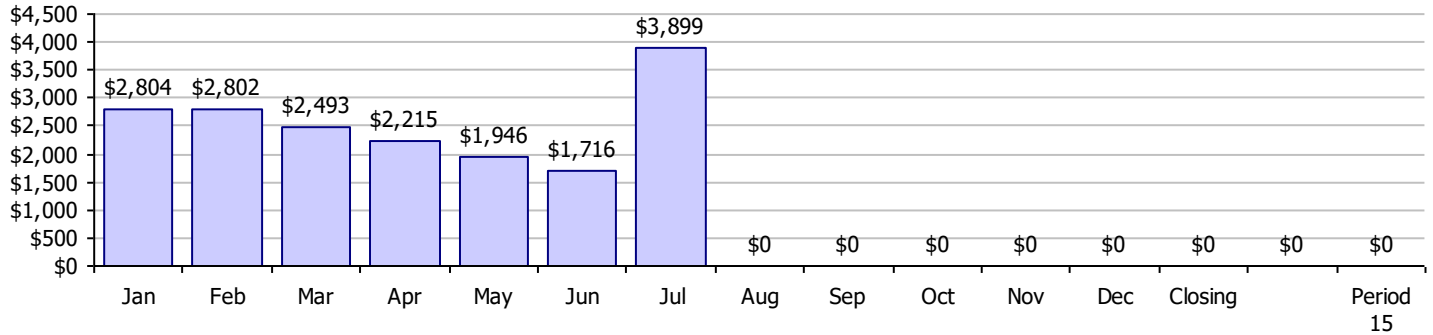
Prepared by:
Administration Department

CITY OF NEWPORT
***Check Reconciliation©**
MidWest One
10100 CASH
July 2023

08/04/23 12:22 PM

Page 1

Thousands



Account Summary

| | | |
|----------------------|-----------------------------------|----------------|
| Beginning Balance o | 7/1/2023 | \$1,829,089.63 |
| + | Receipts/Deposits | \$3,116,686.60 |
| - | Payments (Checks and Withdrawals) | \$1,013,051.67 |
| Ending Balance as of | 7/30/2023 | \$3,932,724.56 |

| | |
|------------|----------------|
| Cleared | \$3,932,724.56 |
| Statement | \$3,932,724.56 |
| Difference | \$0.00 |

Cash Balance

| | | |
|--------|--|--------------|
| Active | 101-10100 GENERAL FUND | \$253,230.57 |
| Active | 201-10100 PARKS SPECIAL FUND | \$258,493.86 |
| Active | 204-10100 HERITAGE PRESERVATION COMM | \$5,540.65 |
| Active | 205-10100 RECYCLING | \$23,267.63 |
| Active | 206-10100 FIRE ENGINE | \$0.00 |
| Active | 208-10100 BUY FORFEITURE | \$1,319.55 |
| Active | 210-10100 GRANT AND AID MATCH FUNDS | -\$12,492.33 |
| Active | 211-10100 AMERICRESCPLAN | \$106,901.27 |
| Active | 225-10100 PIONEER DAY | \$40,814.40 |
| Active | 270-10100 EDA | \$246,492.56 |
| Active | 301-10100 2010A G.O. CAPITAL IMP. PLAN | \$3.27 |
| Active | 302-10100 2018 BAILEY MEADOWS DEVELOP. | \$241,281.47 |
| Active | 303-10100 2012 STREET NORTH RAVINE | \$19,820.57 |
| Active | 304-10100 2016B GO BOND WATER RESEVOIR | -\$6,425.25 |
| Active | 305-10100 2013 STREET ASSESSMENT | \$27,198.71 |
| Active | 306-10100 2014 STREET ASSESSMENT | \$138,526.75 |
| Active | 307-10100 2016A GO BOND STREET ASSESS. | \$52,469.18 |
| Active | 308-10100 CERIFICATES OF INDEBTEDNESS | \$0.00 |
| Active | 312-10100 2020 12TH ST & 12TH AVE PROJ | \$180,990.50 |
| Active | 313-10100 2000B GO IMP BOND | \$0.22 |
| Active | 315-10100 2002A \$690,000 BOND | -\$0.12 |
| Active | 316-10100 PFA/TRLF REVENUE NOTE | \$4,771.69 |
| Active | 318-10100 CITY/FIRE HALL | \$356,860.70 |
| Active | 321-10100 2006A EQUIP CERTIFICATE | \$0.00 |

| | |
|--------------------|----------------|
| Beginng Balance | \$1,829,089.63 |
| + Total Deposits | \$3,147,356.75 |
| - Checks Written | \$1,077,414.39 |
| Check Book Balance | \$3,899,031.99 |
| Difference | \$0.00 |

| | | |
|--------|--|----------------|
| Active | 322-10100 2011A GO BONDS | \$114,689.47 |
| Active | 401-10100 EQUIPMENT REVOLVING | \$463,398.11 |
| Active | 402-10100 2018 BAILEY MEADOWS DEVEL | \$11,197.57 |
| Active | 405-10100 T.H. HWY 61 | \$2.54 |
| Active | 407-10100 2016B GO BOND (WATER RESEVOIR) | \$0.00 |
| Active | 408-10100 2016A GO BOND STREET CONST. | \$73,800.67 |
| Active | 409-10100 2013 STREET RECON. | \$0.00 |
| Active | 410-10100 2014 STREET RECON. | \$3,588.03 |
| Active | 411-10100 BUILDING FUND | \$223,923.35 |
| Active | 412-10100 2020 12TH ST & 12TH AVE PROJ | \$36,105.59 |
| Active | 416-10100 4TH AVENUE RAVINE | \$12,865.50 |
| Active | 417-10100 NORTH RAVINE | \$12,625.61 |
| Active | 418-10100 CITY/FIRE HALL | -\$126,131.47 |
| Active | 422-10100 FEMA-17TH STREET & CEDAR LANE | \$0.00 |
| Active | 423-10100 2011A EQUIPMENT CAPITAL | \$0.00 |
| Active | 601-10100 WATER FUND | \$309,350.57 |
| Active | 602-10100 SEWER FUND | \$549,232.19 |
| Active | 603-10100 STREET LIGHT FUND | \$124,182.38 |
| Active | 604-10100 STORM WATER FUND | \$151,136.03 |
| | Cash Balance | \$3,899,031.99 |

INVESTMENTS

Jul-23

| <u>TYPE</u> | <u>BOUGHT DATE</u> | <u>MATURITY DATE</u> | <u># OF DAYS</u> | <u>COST</u> | <u>RATE</u> | <u>GASB #40 Val.</u> | |
|---------------------------------------|--|--------------------------|----------------------|-------------|-------------|----------------------|-----|
| RBC-Weath Management | | | | | | | |
| ENERBank USA | 7/22/2019 | 7/21/2023 | 1,456 | 125,000 | 2.30% | 124,788.75 | 101 |
| Texas Ex. Bank | 6/19/2020 | 6/19/2025 | 1,820 | 120,000 | 1.00% | 110,110.80 | 101 |
| Accrued Interest | all CDs in Investment | | | | | | |
| Sub-total Investments GASB 40 | | | | | | 234,899.55 | |
| RBC-Wealth Management | | | | | | | |
| Forbright Bank | 11/2/2022 | 11/2/2026 | 1,460 | 150,000 | 4.60% | 146,464.50 | 401 |
| Accrued Interest | all CDs in Reserve Investment | | | | | | |
| Sub-total Reserve Investments GASB 40 | | | | | | 146,464.50 | |
| Ehlers Inv-TDAmeritrade | | | | | | | |
| Money Market | 2/15/2019 | N/A | | 8,350,000 | Var. | 8,358,706.85 | |
| CENTRAL BANK | | | | | | | |
| Checking | | | | | | 3,932,724.56 | |
| Total Cash, Investments and CD's | | | | | | 12,672,795.46 | |
| Ehlers Inv by Acct. | 101-\$2,250,000 201-\$420,000 225-\$20,000 270-\$2,050,000 306-\$500,000 410-\$170,000 411-\$425,000 601-\$890,000 602-\$1,365,000 603-\$160,000 604-\$100,000 | | | | | | |

CITY OF NEWPORT
***Cash Balance Investments**
Cash Account: 10100
July 2023

08/04/23 2:55 PM

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| Fund | Begin 2023 | Receipts | Disbursements | -----Transfers----- | | JE Payroll | Balance NO Investments | Investments | Balance | |
|---------------------------|--------------|----------------|------------------|---------------------|-----------------|----------------|---------------------------|----------------|----------------|------------|
| | | | | Rec/Disb | Journal Entries | | | | | |
| 10100 - MidWest One | | | | | | | | | | |
| 101 - GENERAL FUND | \$966,596.24 | \$1,877,944.01 | (\$2,086,512.50) | 0 | (\$283,700.00) | (\$221,097.18) | \$253,230.57 | \$2,403,680.03 | \$2,656,910.60 | In Balance |
| 201 - PARKS SPECIAL FU | \$190,844.39 | \$680.47 | (\$33,031.00) | 0 | \$100,000.00 | | \$258,493.86 | \$416,546.00 | \$675,039.86 | In Balance |
| 204 - HERITAGE PRESER | \$7,039.56 | \$1.09 | (\$6,000.00) | 0 | \$4,500.00 | | \$5,540.65 | | \$5,540.65 | In Balance |
| 205 - RECYCLING | \$22,324.39 | \$8,019.72 | (\$5,776.00) | 0 | | (\$1,300.48) | \$23,267.63 | | \$23,267.63 | In Balance |
| 206 - FIRE ENGINE | \$0.00 | | | 0 | | | \$0.00 | | \$0.00 | In Balance |
| 208 - BUY FORFEITURE | \$1,319.30 | \$0.25 | | 0 | | | \$1,319.55 | | \$1,319.55 | In Balance |
| 210 - GRANT AND AID MA | (\$0.18) | \$0.00 | (\$12,492.15) | 0 | | | (\$12,492.33) | | (\$12,492.33) | In Balance |
| 211 - AMERICRESCPLAN | \$357,720.67 | | (\$250,819.40) | 0 | | | \$106,901.27 | \$0.00 | \$106,901.27 | In Balance |
| 225 - PIONEER DAY | \$28,657.53 | \$12,946.87 | (\$790.00) | 0 | | | \$40,814.40 | \$19,988.00 | \$60,802.40 | In Balance |
| 270 - EDA | \$280,469.51 | \$337,519.84 | (\$371,496.79) | 0 | | | \$246,492.56 | \$1,991,287.89 | \$2,237,780.45 | In Balance |
| 301 - 2010A G.O. CAPITAL | \$3.27 | \$0.00 | | 0 | | | \$3.27 | | \$3.27 | In Balance |
| 302 - 2018 BAILEY MEADO | \$233,123.69 | \$274,039.04 | (\$265,881.26) | 0 | | | \$241,281.47 | \$444.00 | \$241,725.47 | In Balance |
| 303 - 2012 STREET NORT | \$19,815.58 | \$4.99 | | 0 | | | \$19,820.57 | \$0.00 | \$19,820.57 | In Balance |
| 304 - 2016B GO BOND WA | (\$5,850.25) | | (\$575.00) | 0 | | | (\$6,425.25) | | (\$6,425.25) | In Balance |
| 305 - 2013 STREET ASSES | (\$0.27) | \$129,168.68 | (\$101,969.70) | 0 | | | \$27,198.71 | \$0.00 | \$27,198.71 | In Balance |
| 306 - 2014 STREET ASSES | \$181,675.85 | \$173,984.66 | (\$217,133.76) | 0 | | | \$138,526.75 | \$496,451.00 | \$634,977.75 | In Balance |
| 307 - 2016A GO BOND ST | \$75,829.91 | \$24,204.27 | (\$47,565.00) | 0 | | | \$52,469.18 | | \$52,469.18 | In Balance |
| 308 - CERIFICATES OF IN | \$0.00 | | | 0 | | | \$0.00 | | \$0.00 | In Balance |
| 312 - 2020 12TH ST & 12T | \$248,258.31 | \$24,032.19 | (\$91,300.00) | 0 | | | \$180,990.50 | \$0.00 | \$180,990.50 | In Balance |
| 313 - 2000B GO IMP BOND | \$0.22 | | | 0 | | | \$0.22 | | \$0.22 | In Balance |
| 315 - 2002A \$690,000 BON | (\$0.12) | \$0.00 | | 0 | | | (\$0.12) | | (\$0.12) | In Balance |
| 316 - PFA/TRLF REVENUE | \$4,771.29 | \$0.40 | | 0 | | | \$4,771.69 | | \$4,771.69 | In Balance |
| 318 - CITY/FIRE HALL | \$294,699.10 | \$478,176.60 | (\$416,015.00) | 0 | | | \$356,860.70 | \$0.00 | \$356,860.70 | In Balance |
| 321 - 2006A EQUIP CERTI | \$0.00 | | | 0 | | | \$0.00 | | \$0.00 | In Balance |
| 322 - 2011A GO BONDS | \$117,043.79 | \$305.68 | (\$2,660.00) | 0 | | | \$114,689.47 | | \$114,689.47 | In Balance |
| 401 - EQUIPMENT REVOL | \$402,055.13 | \$130,349.27 | (\$219,006.29) | 0 | \$150,000.00 | | \$463,398.11 | \$156,117.00 | \$619,515.11 | In Balance |
| 402 - 2018 BAILEY MEADO | \$11,195.94 | \$1.63 | | 0 | | | \$11,197.57 | \$77,567.77 | \$88,765.34 | In Balance |
| 405 - T.H. HWY 61 | \$2.54 | | | 0 | | | \$2.54 | \$0.00 | \$2.54 | In Balance |
| 407 - 2016B GO BOND (W | \$0.00 | | | 0 | | | \$0.00 | | \$0.00 | In Balance |
| 408 - 2016A GO BOND ST | \$73,581.51 | \$219.16 | | 0 | | | \$73,800.67 | | \$73,800.67 | In Balance |
| 409 - 2013 STREET RECO | \$0.00 | | | 0 | | | \$0.00 | \$0.00 | \$0.00 | In Balance |
| 410 - 2014 STREET RECO | \$3,587.13 | \$0.90 | | 0 | | | \$3,588.03 | \$169,906.00 | \$173,494.03 | In Balance |
| 411 - BUILDING FUND | \$240,610.37 | \$2,813.26 | (\$44,500.28) | 0 | \$25,000.00 | | \$223,923.35 | \$412,141.00 | \$636,064.35 | In Balance |
| 412 - 2020 12TH ST & 12T | \$36,916.59 | \$226.50 | (\$1,037.50) | 0 | | | \$36,105.59 | \$0.00 | \$36,105.59 | In Balance |
| 416 - 4TH AVENUE RAVIN | \$12,862.25 | \$3.25 | | 0 | | | \$12,865.50 | | \$12,865.50 | In Balance |

CITY OF NEWPORT
***Cash Balance Investments**
Cash Account: 10100
July 2023

08/04/23 2:55 PM
Page 2

| Fund | Begin 2023 | Receipts | Disbursements | -----Transfers----- | | JE Payroll | Balance NO Investments | Investments | Balance | |
|------------------------|----------------|----------------|------------------|---------------------|-----------------|----------------|---------------------------|----------------|-----------------|------------|
| | | | | Rec/Disb | Journal Entries | | | | | |
| 417 - NORTH RAVINE | \$12,622.43 | \$3.18 | | 0 | | | \$12,625.61 | \$432.00 | \$13,057.61 | In Balance |
| 418 - CITY/FIRE HALL | \$86,628.84 | | (\$212,760.31) | 0 | | | (\$126,131.47) | \$0.00 | (\$126,131.47) | In Balance |
| 422 - FEMA-17TH STREET | \$0.00 | | | 0 | | | \$0.00 | | \$0.00 | In Balance |
| 423 - 2011A EQUIPMENT | \$0.00 | | | 0 | | | \$0.00 | | \$0.00 | In Balance |
| 601 - WATER FUND | \$143,074.70 | \$512,351.19 | (\$270,065.60) | 0 | \$4,200.00 | (\$80,209.72) | \$309,350.57 | \$855,757.00 | \$1,165,107.57 | In Balance |
| 602 - SEWER FUND | \$316,831.85 | \$706,592.26 | (\$390,703.86) | 0 | | (\$83,488.06) | \$549,232.19 | \$1,320,019.12 | \$1,869,251.31 | In Balance |
| 603 - STREET LIGHT FUN | \$107,398.51 | \$58,934.35 | (\$33,455.16) | 0 | | (\$8,695.32) | \$124,182.38 | \$157,562.00 | \$281,744.38 | In Balance |
| 604 - STORM WATER FUN | \$146,356.43 | \$124,658.66 | (\$106,955.14) | 0 | | (\$12,923.92) | \$151,136.03 | \$96,673.00 | \$247,809.03 | In Balance |
| | \$4,618,066.00 | \$4,877,182.37 | (\$5,188,501.70) | \$0.00 | \$0.00 | (\$407,714.68) | \$3,899,031.99 | \$8,574,571.81 | \$12,473,603.80 | |



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MEMORANDUM

Memo Date: August 11, 2023
Meeting Date: August 17, 2023
To: Newport City Council
From: Nathan Fuerst, AICP, City Planner
Subject: Preliminary & Final Plat and PUD Review – Newport Station Second Addition
(Red Rock Square II)

Action Requested: Review and take action on the development requests.

Overview

Applicant: MWF Properties
Owner: Washington County Regional Railroad Authority

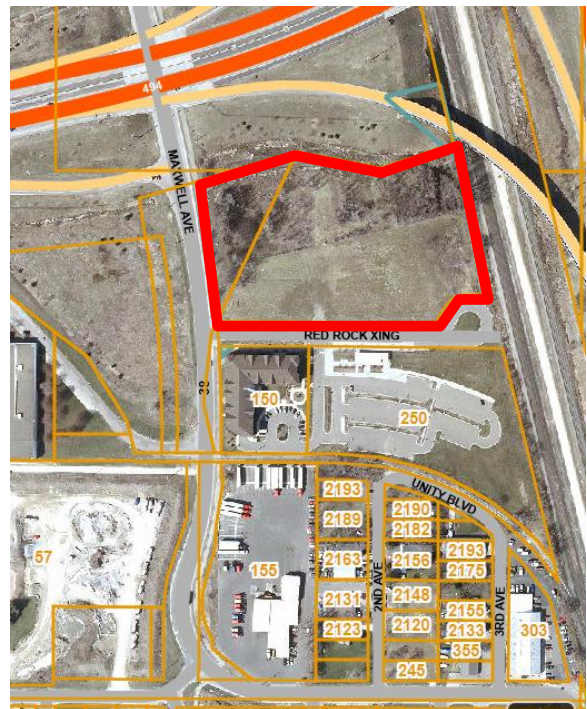
PIDs: 2602822410049 and 2602822410045
Zoning: Mx-2 Transit Oriented Mixed-Use District
Future Land Use: Mixed Commercial/Residential

Summary of Proposal

MWF properties is proposing a 51 unit multifamily building at the northeast corner of Maxwell Avenue and Red Rock Crossing.

Following a concept plan review of the proposed Red Rock Square II project on March 16, 2023, the Developer incorporated feedback into the proposed development and has now requested Preliminary and Final Plat and PUD approval from MWF Properties (Developer) for the second phase of the Red Rock Square development.

The plat will entail one existing outlot of the Newport Station First Addition plat, and one unplatted lot, both currently owned by the Washington County CDA.



Due to a wetland discovered on site during the development process, the Developer has been required to compress the area of the proposed building and is now unable to build the proposed “future” residential building originally shown in the concepts reviewed by the City. The proposed building is now proposed at 4 stories, as opposed to 3, to fit the 51 units in a smaller footprint.

At its meeting on August 8, 2023, the City's Planning Commission reviewed the request(s) and held a dually noticed public hearing. The Planning Commission voted 4-1 to recommend approval of the project.

Subdivision (Platting) Review Process

The developer is required to go through the platting process to subdivide this property. The Subdivision ordinance establishes the subdivision process in City Code Sec. 28-37 as follows:

All subdivisions are subject to platting requirements unless otherwise provided for in this article. Platting requires two sequential reviews and approvals by council. A preliminary plat is required for overall public infrastructure phasing and capital improvement planning, and a final plat is required for recording each phase or addition.

Preliminary plats are the most detailed reviews and are brought to both the Planning Commission and City Council, while Final Plats are only reviewed by the City Council. Due to the fact that this development will be completed in one phase, and there are not considerable public improvements or public right of way required, staff have reviewed both the preliminary and final plats concurrently.

PUD Plan Review Process

The purpose of this process is established in City Code Sec. 36-259 as follows:

A planned unit development (PUD) is a tract of land developed as a unit under single or unified ownership or control, and which generally includes two or more principal buildings or uses, but may consist of one building containing a combination of principal and supportive uses. The planned unit development (PUD) process is an approach to development that provides a comprehensive procedure intended to allow greater flexibility in the zoning process than would be possible under conventional district standards. A PUD may allow modifications to zoning and subdivision requirements such as lot size and dimensions, rights-of-way and street widths, housing types and building setbacks, as well as allow zero-lot line development.

Land Use and Density

Application materials submitted with this request have been reviewed by staff for conformance with the zoning code and 2040 Comprehensive Plan.

Intent of the MX-2 district (Sec 36-236):

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.

Zoning

MX-2 Zoning allows this use (MFH over 8 units) as a conditional use, necessitating a Conditional Use Permit. Density is calculated below and is consistent with a requirement of 20-50 units per acre.

Comprehensive Plan

This use is consistent with the range of uses allowed within the Mixed Commercial/Residential future land use category. Furthermore, the proposed development meets the Future Land Use Guidance and range of allowable density (20-50 units/acre). This development contains a net density of 36.17 units per acre.

The proposed land use would meet the City's long-term vision for this area, which is to locate higher density residential development around the Newport Transit Station.

- General Land Use Goal 1: *...Support new development and redevelopment of the Red Rock Redevelopment Area and areas along 7th Avenue south of the Newport Transit Station that include jobs and housing to implement the City's vision and master plan for redevelopment of this area.*
- General Land Use Goal 5: *Provide housing and jobs to attract younger people and young families. Provide "life cycle" housing opportunities that serve empty nesters and older residents while recycling family housing to attract younger families.*

Plan Review

Application materials submitted with this request have been reviewed by staff for conformance with the zoning code's performance standards. A summary of this review is below.

| Zoning (Bulk) Standards | Required | Proposed |
|----------------------------|------------------------------|-------------------------------|
| Minimum Lot Area | None | 2.7 acres |
| Minimum Lot Width | 30 feet minimum | 272 feet |
| Setbacks: | | |
| Front | 15 feet maximum | 13.1 – 16.7 feet |
| Side | 10 feet minimum | 18.7 + feet |
| Rear | 15 feet minimum | 213 + feet |
| Height | 2 stories minimum, 4 maximum | 4 stories |
| Lot Coverage | 75% of the site | 61% |
| Net FAR (Floor Area Ratio) | .5 Minimum | 1.11 (floor area : net acres) |

Building Design

Staff note that while the submitted building elevations do strictly adhere to all requirements in City Code for the MX-2 District. The following section details, generally, conformance with the standards given the level of detail submitted. Staff are supportive of the PUD request for deviations to allow for this building to complement the existing Red Rock Square building opposite the subject property on Red Rock Crossing.

Building Materials

City Code requirements for structures in the MX-2 District are established in Sec. 36-162.18.f.2.(vi), which states that the opaque (non-window or entrance) areas on building facades be primarily covered in materials to include: *brick, stone, decorative masonry, or similar materials, or a combination thereof.* Staff interpret that this section is intended to ensure that at least 50% or more of facades are covered in the materials referenced above. Other materials such as Lap and Panel siding proposed by the developer are common in modern residential and mixed-use building construction and allowable provided they are not a majority of the exterior facades.

Overall Building Material coverage has been tabulated by the Applicant as follows:

| Overall Exterior Material Areas | | |
|---------------------------------|--------------------|------|
| Material | Area (Square Feet) | % |
| Lap Siding | 3,175 | 11.7 |
| Panel Siding | 4,841 | 17.9 |
| Stone | 10,577 | 39.2 |
| CMU | 2,128 | 7.9 |
| Windows & Doors | 6,308 | 23.3 |

The Structure will provide stone materials at just under 40% of the overall exterior façade area. If CMU (Concrete Masonry Units) are included, this total is still less than the area required by City Code. As part of the PUD application, the developer is seeking flexibility in meeting this standard. The exterior material compositions have been found by staff to meet the intent of the ordinance and allow consistency with the existing Red Rock Square one building. A PUD ordinance has been drafted providing flexibility to this standard.

Street Walls

As proposed, the elevations meet the following standards in Sec. 36-162.18.f.2.(i):

... buildings shall be designed so that the first-floor street facade along all streets includes the use of clear glass windows and doors arranged so that the uses are visible from or accessible to the street on at least 25 percent of the length of the first floor street frontage;

AND

.. expanses of blank walls shall not exceed 20 continuous feet in length.

Building Entrances & Canopies

Building entrances meet City standards. Entrances are clearly visible and delineated with elements such as canopy overhangs. Minimum canopy clearance from the ground must be 8 feet with a projection of no greater than 4 feet. Entrances are oriented towards both the sidewalk and street along Red Rock Crossing and Maxwell Avenue, and internal to the site's surface parking area.

Site Design

Open Space

Developers in the Mx-2 district must provide a minimum of 10% open space. Open space can include squares, plazas, terraces, greens (lawns), or landscaped or paved surfaces with seating areas. This development does contain a 'tot lot' which partially satisfies this requirement. The Developer has also proposed a seating area that would allow residents and visitors to overlook the conservation area required by the watershed's wetland preservation rules. Staff find that this development satisfies the requirement for open space by providing landscaping or conservation area around 50% of the site's area.

Wetland

A wetland was discovered on the site after the Developer received concept plan review and a preliminary plat application was filed with the City. The Developer worked with South Washington Watershed District to identify the rules and requirements for the wetland and ultimately removed the proposed "future building" from the site plan. Newport City Code does provide a buffer requirement for wetlands of 16.5 feet, and staff note that that buffer distance requirement is met by the Developer's plans.

Lighting

The City has adopted standards for site and building lighting specific to the MX-2 zoning district. The Developer submitted photometric lighting plans documenting fixtures and light intensities consistent with what is allowed by the zoning code for this property.

Parking/Loading Areas

Parking standards are provided by City Code which are specific to the MX-2 zoning district. This is in recognition of the reduced necessity for parking in close proximity to transit rich nodes. Staff have reviewed the proposal against parking standards established in City Code Section 36-162 for this use and have the following comments:

- Parking location – The City Code encourages parking areas to be screened from the street and surrounding properties to the extent possible. The proposed arrangement of building on the lot meets required setbacks and allows for the surface parking to be screened from Maxwell Avenue and Red Rock Crossing.
- Number of stalls – Parking provided in the plans meets code requirements with 88 total parking stalls, made up of 42 enclosed stalls and 46 surface lot stalls. The minimum parking required for this use is 82 stalls, with a maximum of 133 stalls allowed.
- Parking Lot Landscaping – City Code requires that parking lots serving over eight vehicles provide 10% of the area as landscaping. The Developer is proposing to landscape only 7% of this area due to the need to accommodate the sizable wetland on site. Given that the landscaping areas proposed provide adequate landscaping, and that the parking lot area is reduced to accommodate a large wetland, staff are supportive of this request.
- Circulation – Staff note that this plan appears to appropriately balance internal pedestrian and vehicle circulation. To the extent feasible, the site design appears to reduce conflict points between people walking and people driving.
- Future Shared parking and access – Should the undeveloped outlot in this plat be developed, the City should review for shared parking and access. It may be determined that a shared access and/or parking agreement will be necessary at the time of future development.

Site Access

This is generally addressed by the “lot configuration” section above. As proposed, this development is showing access from Red Rock Crossing. This is acceptable and it is noted that the drive will be considered a private street to be maintained by the property owner. The plans provide opportunities for shared access for the undeveloped outlot, this is supported by staff.

Landscaping

Specific to the MX-2 zoning district, the proposed landscaping is consistent with the requirements to include a variety of plantings and landscaping features. Foundation and tree plantings are well utilized to break up the view of the building and site from surrounding areas. Features such as benches, the tot lot, and overlook area will be tied into the rest of the site with landscaping features. Importantly, the proposed landscaping will be consistent with the surrounding development and with the intent of the MX-2 zoning district.

This property is also subject to the City’s minimum landscaping requirements. This includes one tree for every 1000 square feet of non-imperious lot cover (excluding storm basins), and one overstory tree for every 50 feet of lot frontage. The Development plans meet the minimum requirements of tree plantings for both landscaping and woodland preservation, which is in addition to the minimum landscaping requirements.

Tree Preservation

A tree preservation plan, meeting the requirements of City Code Section 18-42 was submitted and reviewed by staff. The Developer is removing 17 softwood trees which qualify as significant trees. After allowed removals, the Developer is required to provide an additional 9.3 trees. This was identified in the landscaping plans and suitable replacement trees are provided in the landscaping plan to address the mitigation requirement.

Staff note that several plantings are shown to remain close to the proposed grading limits. It is possible that incidental tree loss could occur if grading or construction activities impair the critical root zone of existing trees. Therefore, staff is recommending a condition of approval requiring inspection of the trees and revision of the tree mitigation plan if any incidental loss occurs.

Screening

The residential building proposed on site effectively screen the parking area. However, unless the parking and circulation area will be shared in common with the future development east of this property, landscaping or screening of the surface lot will be required. Staff suggest any additional required landscaping to screen the area along the private drive until the remaining parcel to the east is developed.

Additional screening is not required by city code for this site unless a trash enclosure is located outside of the buildings. Fencing or other screening is not detailed on the site plan. Should the Developer propose any additional screening, it will be reviewed for conformance with city standards.

Parkland Dedication

The City's Subdivision ordinance requires that park land be provided to the City from developments which create a demand on the City's park system. This development will create a demand on the City's system of parks and trails. Notably, residents of this 51 unit building will have close access to Lions Park, the future Cedar Lane Park, and the City and county trail network. Although a small tot lot is proposed, that is considered to be a private park and will not fully satisfy the needs of future residents for larger parks with associated improvements.

For the purposes of this development, City staff are recommending that the City allow for a cash fee in lieu of the dedication of park lands. This is due to the proximity of this development to existing public facilities and provision of a private tot lot for residents.

The fee in lieu of parkland dedication will be calculated using the methodology in the City's ordinance and must be paid prior to the release of the final plat for recording.

Staff Review Comments

City Engineer & Public Works

The City Engineer has provided a memo dated July 30, 2023. The memo is inclusive of Public Works review comments. Staff are suggesting that the comment memo should be addressed by the developer prior to moving the project forward. A summary of a few key comments is below:

- An existing easement was identified on the site, if deemed necessary, that easement should be vacated prior to recording the final plat.
- Graphic depiction of certain easements is required in revised preliminary and final plat plans.
- Permits from the City, County, State, Watershed, and other agencies must be received prior to commencement of any construction activities.

City Fire Chief

The City's Fire Chief had an opportunity to review the proposed development and provided comments on the submitted plans. Notably, the Fire Chief is suggesting that standpipes are required in the building with the proposal going from 3 to 4 stories. Hydrants are located on either side of the building.

Washington County

Washington County is aware of this project given that the county is working on the stormwater ponding facilities. To date, no comments have been received from Washington County on the project. Any permits required from the county should be identified by the developer prior to beginning work on site.

South Washington Watershed District (SWWD)

The Developer has worked with the SWWD in order to navigate the rules relating to wetland preservation and stormwater management. A permit from SWWD will be required prior to any grading activities or the release of a building permit.

Required Approvals and Findings

The City will need to make the following approvals and supporting findings of fact for this proposed development:

Preliminary Plat

The Planning Commission shall recommend the approval of the proposed development if it meets all of City Code and Comprehensive Plan requirements. Staff are recommending a finding that the project does not meet any of the findings for denial which are established in the City's subdivision ordinance (Sec. 28-63) as follows, below:

- a) That the proposed subdivision is in conflict with the city's comprehensive plan, zoning regulations, capital improvements program, or other policy or regulation, except as such regulations may be modified within a duly approved planned unit development (PUD).
- b) That the proposed subdivision is in conflict with the purpose and intent of this article.
- c) That the physical characteristics of the site are such that the site is not physically suitable for the type of development or use contemplated. Such physical characteristics may include, but are not limited to, topography, vegetation, susceptibility to erosion, susceptibility to flooding, and similar characteristics.
- d) That the design of the subdivision or the proposed improvements is likely to cause substantial and irreversible environmental damage.
- e) That the design of the subdivision or the type of improvements will be detrimental to the health, safety, or general welfare of the public.
- f) That the design of the subdivision or the type of improvement will conflict with easements on record or with easements established by judgment of a court.

Final Plat

Final Plat requests are typically only reviewed by the City Council. The reason is final plats are required to be in "substantial compliance with the approved preliminary plat, including any required modifications". In nearly every case, the City must approve the final plat if found to be in substantial compliance with the preliminary plat approval.

For this project, both the preliminary plat and final plat are being reviewed concurrently. Staff have determined that there are no major concerns with this as there are no changes anticipated to be required to the property boundaries. This project will create only one lot, with remaining developable area in one outlot. There is no public right of way required from this developer. The Council will need to find that the final plat is consistent with the preliminary plat. Suggested conditions of approval are identified at the end of this report.

If approved, staff will not allow for the release of the final plat for recording with Washington County unless and until any required conditions of approval have been met.

Planned Unit Development

Planned Unit Developments in the City of Newport are processed as Conditional Use Permits. In addition to those findings established for Conditional Use Permits, there are findings specific to Planned Unit Developments which must be made supporting City approval. All required findings are provided below with staff recommendations following in italics.

Sec. 36-45 Conditional Use Permit Criteria:

- a) Consistency with the comprehensive plan. The proposed use shall be consistent with the comprehensive plan. *The proposed land use is consistent with the land uses and densities allowed by the City's 2040 Comprehensive Plan.*
- b) Health and safety. The proposed use shall not negatively impact the health, safety, and general welfare of occupants of surrounding lands and general welfare of the city, including, but not limited to the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions; parking facilities on adjacent streets and land; the effect on surrounding properties including valuation, aesthetics and scenic views; land uses and character and integrity of the neighborhood; impacts on governmental facilities and services including roads, sanitary sewer, water, and police and fire; effects on sensitive environmental features including lakes, surface and groundwater supply and quality, wetlands, slopes, floodplains and soils; and other factors found relevant by the city. *Impacts of this development on the community were found by the City staff to be negligible on the community's health and safety. The development will provide landscaping, screening, stormwater treatment, and pedestrian connections to mitigate impacts on the surrounding community and environment.*
- c) Compliance with standards. The city shall consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in the regulations and ordinances of the city or other governmental bodies having jurisdiction over the city. *With this requested PUD, this project will meet the City's requirements for this land use on this site.*
- d) Public infrastructure services. Adequate public facilities and services shall be able to be provided to the site where the use is proposed, and/or existing infrastructure shall be able to absorb the additional demand for public services such as utilities, streets, parks, schools, etc. *Public utilities will be available to serve this site and connections will be made at the cost of the developer at no cost to the City.*
- e) Screening and landscaping. Incompatible impacts of the proposed use shall be screened and buffered from adjacent property and the surrounding neighborhood. The city council may require additional landscaping or screening above that required in the zoning ordinance. *Appropriate landscaping and screening are provided as part of the proposed site plan.*
- f) Architectural standards. The site or building associated with the proposed use shall meet or exceed the architectural design and landscaping standards for the district in which it is located. The city council may require additional architectural standards above those required in the zoning ordinance. *The Development meets the intent of the City's design standards. With the deviation received through the PUD, the project will comply with the City's architectural standards.*
- g) Zoning. The use shall be consistent with the requirements of the zoning ordinance and the requirements of the zoning district in which the applicant intends to locate the proposed use. *With the deviations received through the PUD, the project will comply with the City's zoning standards*
- h) Traffic. The city shall evaluate the potential generation and characteristics of the traffic associated with the use and its impact on traffic volumes and safety based on the proposed driveway locations, the existing and proposed capacity of adjacent roads, sidewalks, and trail connections. The City shall determine that the existing transportation infrastructure is adequate to address the potential traffic or shall require that the potential impacts shall be mitigated. *Staff have determined that existing City and County transportation infrastructure are sufficient to serve the use proposed on this site.*

Sec. 36-261 Required PUD Standards:

- a) The city shall consider the proposed PUD from the point of view of all standards and purposes of the comprehensive land use plan to achieve:
 1. Coordination between the proposed development and surrounding land uses; *The proposed land use is consistent with both the zoning code and comprehensive plan. The development provides adequate consideration of the existing land uses surrounding the project site.*
 2. The protection and conservation of woodlands, wetlands, blufflands, and primary conservation areas within the Mississippi River Corridor; *The proposed project is consistent with the City's tree mitigation requirements.*
 3. The potential for more efficient use of land, energy, infrastructure, and natural resources, protection of water resources and conservation of natural resources. *The proposed project will preserve a wetland and associated buffer while allowing residential units at densities allowed by the City's zoning ordinance and comprehensive plan.*
 4. The protection of health, safety, and welfare of the community and residents of the PUD; *The proposed development adequately addresses the health, safety, and welfare of the future residents and those land uses surrounding the proposed development.*
 5. Benefit to the city and the public interest. *The proposed development will provide affordable housing units which are presently needed at this location in the community as identified by the Comprehensive Plan.*
- b) To these ends, the city council shall consider the location and compatibility of buildings, parking areas and other features with respect to the topography of the area and existing natural features; the efficiency, adequacy and safety of the proposed layout of internal streets and driveways; the adequacy and location of green areas; the adequacy, location and screening of parking areas; and such other matters as the council may find to have a material bearing upon the stated standards and objectives of the comprehensive land use plan. *The proposed development meets the intent of city design and landscaping requirements and provides important connections through and around the site. The site plan adequately considers the context of the site not limited to noise mitigation, screening, parking, and access.*

Sec. 36-267 Required PUD Findings:

1. The proposed PUD is designed to form a desirable and unified environment within its own boundaries. *The design of the site is consistent with the City's design requirements. Building facades are largely compliant with City requirements and will compliment existing development.*
2. The PUD is consistent with the planned and efficient provision of public improvements and would not burden the existing tax base or create development in areas without adequate infrastructure or public facilities. *The proposed development will be adequately served by the surrounding roadway network, city utilities, and is not requesting financial assistance from the City.*
3. The PUD can be planned and developed to harmonize with any existing or proposed development in the areas surrounding the project site. The proposed uses will not be detrimental to potential surrounding uses. *The site plan is determined to be harmonious with the surrounding land uses. Landscaping and screening along with building massing and location are consistent with both the intent of the zoning code and the existing development pattern.*
4. The tract under consideration is under single ownership or control. *The project area will be under control by the developer if and once entitlements are received.*
5. The PUD plan provides for the creation, preservation, or restoration of natural resources such as valuable habitat, lakes, streams, shorelands, floodplains, woodlands, steep slopes, and similar areas. *The proposed project will meet tree mitigation requirements and preserve a wetland and associated buffer consistent with South Washington Watershed District rules.*

6. Each phase of the development, as it is proposed to be completed, is of sufficient size, composition, and arrangement that its construction, marketing, and operation are feasible as a complete unit, and that provision and construction of dwelling units and common open space are balanced and coordinated. *The development is consistent with density, lot area, site design, and open space requirements.*
7. Any common elements proposed as part of the PUD are appropriate for the scale, location, shape, size, density, and topography of the development and must be suitably improved for the intended use(s) except that significant natural features may be preserved or restored. *The proposed development adequately preserves natural features and provides programmed open space meeting the intent of city requirements.*
8. The project area is at least ten acres in size unless the applicant can show that a PUD of less acreage meets the standards and purposes of the comprehensive plan, that the proposal better adapts itself to the site and with the surrounding land uses than could be developed using strict standards within the underlying zoning district. *The Developer has demonstrated plans that are consistent with Land Use Goals 1 & 5 as articulated in the adopted Comprehensive Plan. Deviations requested are determined to be reasonable, and not reasonably met under strict interpretation of the zoning ordinance.*

Required Approvals and Next Steps

The Developer is requesting the following approvals.

1. Preliminary Plat
2. Planned Unit Development, with deviations to be identified by the developer, but anticipated for:
 - a. Multifamily buildings over 8 units
 - b. Primary building exterior materials at 39.2% of the overall façade area.
 - c. Parking lot landscaping area at 7%
3. Final Plat

Public Hearing

A public hearing was noticed for this item and held at the Planning Commission's regular meeting on August 8, 2023. Several members of the public were present, and a summary of comments as heard from staff is below:

- Members of the public asked about the presence and location of the wetland identified through the development process.
- Members of the public asked about the demand or need for additional housing in the community.
- Staff did not hear any comments expressly opposing or supporting the development.

Planning Commission Recommendation

At its regular meeting on August 8, 2023, the Planning Commission heard staff's presentation, held a public hearing, and discussed the Applicant's requests. Commissioners asked questions relating to the wetland and wetland buffer, along with the development process and conditions of approval. After a public hearing and discussion, the commission voted 4-1 to recommend the Applicant's request to the City Council for approval with the findings and conditions suggested by staff.

Staff Recommended Action

Staff is supportive of the project on the basis that it is consistent with the guidance and policies found in the City Code and Comprehensive Plan. Findings can be made in support of the approval of a Preliminary Plat, PUD, and Final Plat.

The following actions and motions are therefore recommended by City Staff:

Move to adopt Resolution 2023-38 approving the Preliminary Plat and Conditional Use Permit Planned Unit Development for Red Rock Square II subject to the findings and conditions of approval therein.

AND

Move to adopt Resolution 2023-39 approving the Final Plat and Planned Unit Development for Red Rock Square II subject to the findings and conditions of approval therein.

AND

Move to adopt Ordinance 2023-04 Establishing the PUD standards for the Red Rock Square II Project.

AND

Move to adopt Resolution 2023-40 approving summary publication of Ordinance 2023-04

Staff recommends that the development be approved with the following conditions which have been incorporated into Resolutions 2023-38 and 2023-39:

1. Applicant shall enter into a Development Agreement with the City prior to release of the final plat for recording.
2. Applicant shall revise the final plat to plat Lot 2 as an outlot and dedicate drainage and utility easements required by the City per the City Engineer's memo dated July 30, 2023.
3. Prior to the release of the final plat, the Applicant shall revise plans to address the City Engineer's memo dated July 30, 2023.
4. Prior to the release of the final plat, the Applicant is responsible for filing an easement or Right of Way vacation application if vacation of the easements on the property is required by the City, or documentation verifying vacation has occurred.
5. Applicant is responsible for paying the parkland dedication fee and any required connection charges prior to the release of the final plat for recording.
6. Applicant shall submit plans consistent with the Fire Chief's comments as articulated in this memo.
7. Applicant must receive any required watershed permits prior to beginning any work on site.
8. Applicant must receive any required permits from Washington County prior to beginning work on the site.
9. Applicant must receive any required state permits or licenses, keep such permits or licenses up to date, and furnish documentation of permits or licenses to the city upon request.
10. Any incidental loss of existing trees through grading or construction activities will necessitate revision of the tree mitigation plan, and if additional mitigation is required, a cash in lieu fee shall be paid by the Developer.
11. No grading or site work may proceed prior to the issuance of a building permit for the project.

Name: Red Rock Square II – Preliminary and Final Plat and PUD Plan Review
Date: August 17, 2023
Page: 12

Resources:

- Application Documents (attached)
- City Engineer Comment Memo, dated July 30, 2023
- Proposed Resolutions and Ordinance
- Zoning Code ([link only](#))
- Citywide Zoning Map ([link only](#))
- 2040 Comprehensive Plan ([link only](#) - Land Use chapter begins on pg 31)

CivilSite
G R O U P
Civil Engineering • Surveying • Landscape Architecture
5000 Glenwood Avenue
Golden Valley, MN 55422
civilsitegroup.com 612-615-0060

**PROPERTY DESCRIPTION:**

Parcel 1: (Registered Property - Certificate of Title No. 70078)
Outlot A, NEWPORT STATION ADDITION, according to the recorded plat thereof, Washington County, Minnesota.

Parcel 2: (Registered Property - Certificate of Title No. 3019)

All that part of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 26, Township 28 North, Range 22 West of the Fourth Principal Meridian, Washington County, Minnesota, described as follows:

Beginning at Right of Way Boundary Corner B12 as shown on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-105 on file and of record in the office of County Recorder, Washington County Minnesota; thence Northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds 75 feet to boundary corner B15; thence Southerly on an azimuth of 151 degrees 16 minutes 29 seconds continuing northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds along the boundary of said plat a distance of 48.80 feet to Right of Way Boundary Corner B10 of said plat; thence Southwesterly on an azimuth of 254 degrees 01 minutes 13 seconds a distance of 261.05 feet; thence Southerly a distance of 100 feet on a non-grade curve having a chord length of 100 feet, having a radius of 200.77 feet, a central angle of 54 degrees 54 minutes 58 seconds, ending at a chd curve; thence easterly on an azimuth of 171 degrees 36 minutes 48 seconds and a chord length of 351.62 feet to the point of beginning.

This preliminary plat was prepared with the benefit of a Commitment for Title Insurance issued by First American Title Insurance Company File No. NCS-1112686-MPLS, dated January 28, 2022.

DATE OF PREPARATION:

04-17-2023

Please note that the background information shown hereon is per ALTA/INSPS LAND TITLE SURVEY, prepared by Civil Site Group, and dated 2-21-2023.

Please note that wetlands are shown hereon per information provided to us from a delineation performed by Moore Engineering, Inc. on May 4, 2023

APPLICANT:

MWF Properties
Matt Yetzer
612-314-7652
7645 Lyndale Ave. S.,
Minneapolis, MN 55423

BENCHMARKS:


Elevations are based on the NGVD 29 Datum. Site Benchmark is the top nut of the fire hydrant located on the north side of Red Rock Crossing, approximately 170 feet easterly of the drive entrance to the subject property, as shown hereon. Elevation = 729.74.

AREAS:

Proposed Lot 1 = 117,805 Sq. Ft. or 2.705 Acres
Proposed Lot 2 = 144,979 Sq. Ft. or 3.328 Acres
Total Property Area = 262,784 Sq. Ft. or 6.033 Acres

FLOOD ZONE:

This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27163C0319E, effective date of February 3rd, 2010.


Rory L. Synstelen Minnesota License No. 44565
rory@civilsitegroup.com

MWF - Redrock Square II

Address Unassigned, Red Rock Crossing,
Newport, Washington County, Minnesota, 55055

MWF Properties

7645 Lyndale Avenue South, Minneapolis, MN 55423

PROJECT

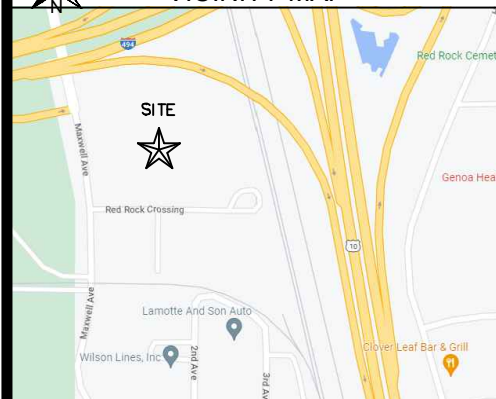
CLIENT

I HEREBY CERTIFY THAT THIS SURVEY,
PLAN, OR REPORT WAS PREPARED BY ME
OR UNDER MY DIRECT SUPERVISION AND
THAT I AM A DULY LICENSED LAND
SURVEYOR UNDER THE LAWS OF THE
STATE OF MINNESOTA.


RORY L. SYNSTELIEN
DATE 4-17-2023 LICENSE NO. 44565

QA/QC

| | |
|-------------|----|
| FIELD CREW | . |
| DRAWN BY | SW |
| REVIEWED BY | CJ |
| UPDATED BY | . |

 VICINITY MAP

REVISION SUMMARY

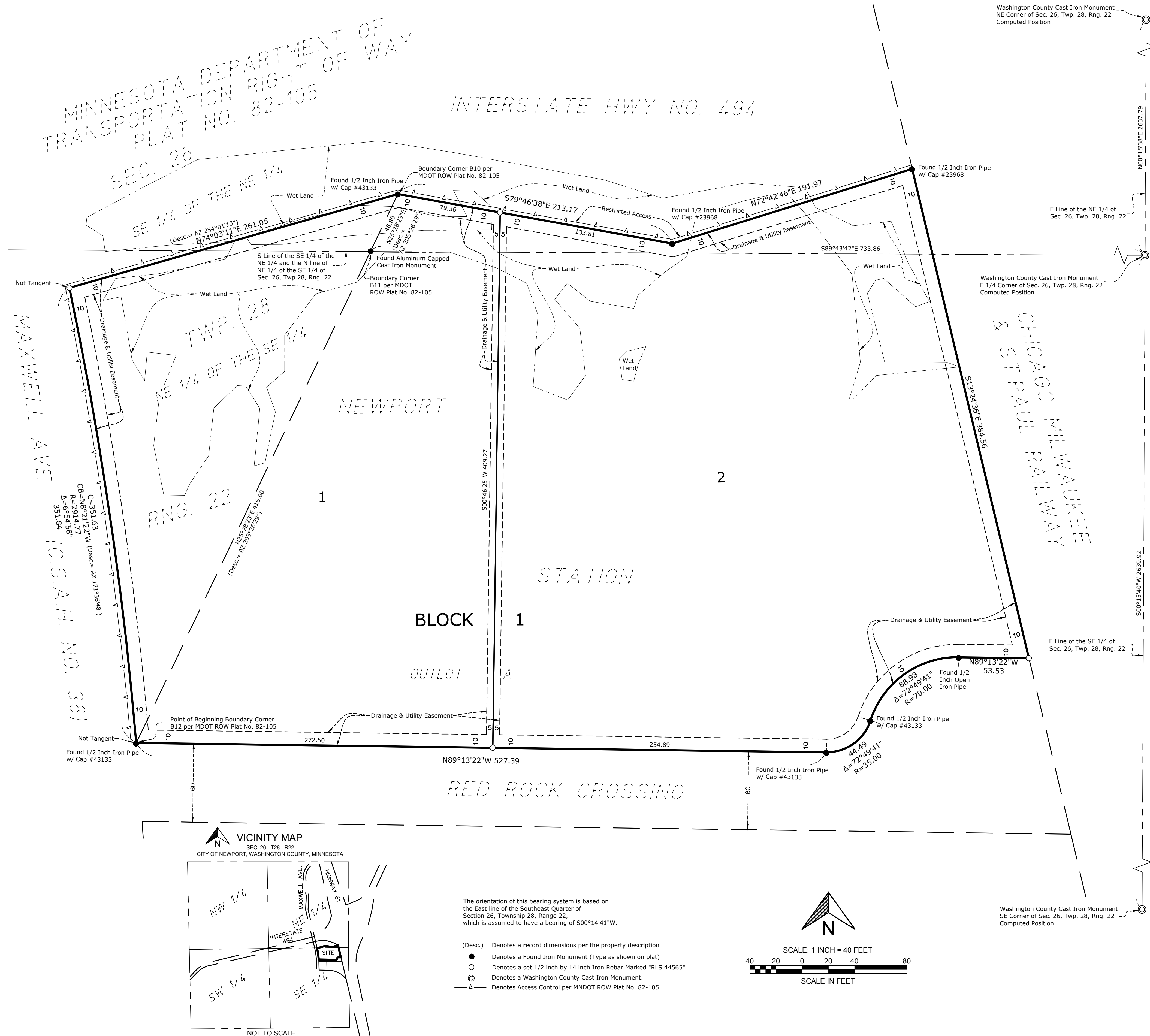
[illegible]

PRELIMINARY PLAT

V2.0

©COPYRIGHT 2023 CIVIL SITE GROUP INC

NEWPORT STATION SECOND ADDITION



KNOW ALL PERSONS BY THESE PRESENTS: That Norman Group LLC, a Minnesota limited liability company, fee owner of the following described property:

Outlot A, NEWPORT STATION ADDITION, according to the recorded plat thereof, Washington County, Minnesota.

AND

All that part of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 26, Township 28 North, Range 22 West of the Fourth Principal Meridian, Washington County, Minnesota, described as follows:

Beginning at Right of Way Boundary Corner B12 as shown on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-105 on file and of record in the office of County Recorder, Washington County Minnesota; thence Northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds along the boundary of said plat a distance of 416.00 feet to Right of Way Boundary Corner B11 of said plat; thence continuing Northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds along the boundary of said plat a distance of 48.80 feet to Right of Way Boundary Corner B10 of said plat; thence Southwesterly on an azimuth of 254 degrees 01 minutes 13 seconds a distance of 261.05 feet; thence Southerly a distance of 351.84 feet on a non-tangent curve, concave to the west, having a radius of 2914.77 feet, a central angle of 6 degrees 54 minutes 58 seconds and said curve having a chord having an azimuth of 171 degrees 36 minutes 48 seconds and a chord length of 351.62 feet to the point of beginning.

Has caused the same to be surveyed and platted as NEWPORT STATION SECOND ADDITION and does hereby dedicate to the public for public use forever drainage and utility easements as created by this plat for drainage and utility purposes only.

In witness whereof said Norman Group LLC, a Minnesota limited liability company,, has caused these presents to be signed by its proper officer

this _____ day of _____, 20____.

Norman Group, LLC

By _____ Its _____

STATE OF MINNESOTA, COUNTY OF _____

This instrument was acknowledged before me on this _____ day of _____, 20____, by _____

its _____ of Norman Group LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, Signature

Notary Public, Printed Name

My Commission Expires: _____

Notary Public _____ County, _____

SURVEYORS CERTIFICATE

I Rory L. Synstellen, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments shown on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of the surveyor's certification are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Rory L. Synstellen, Licensed Land Surveyor
Minnesota License No. 44565

STATE OF MINNESOTA, COUNTY OF _____

This instrument was acknowledged before me on this _____ day of _____, 20____, by Rory L. Synstellen, Licensed Land Surveyor.

Notary Public, Signature

Notary Public, Printed Name

My Commission Expires: _____

Notary Public _____ County, _____

NEWPORT PLANNING COMMISSION

Approved by the Planning Commission of the City of Newport, Minnesota, this _____ day of _____, 20____,

Signed _____ Signed _____
Chairperson, Planning Commission Secretary, Planning Commission

NEWPORT CITY COUNCIL

This plat was approved by the City Council of Newport, Minnesota this _____ day of _____, 20____, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

Signed _____ Signed _____
Mayor Clerk

WASHINGTON COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subdivision 11, this plat has been reviewed and approved this _____ day of _____, 20____.

By _____ By _____
Washington County Surveyor

WASHINGTON COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subdivision 9 and Section 272.12, taxes payable in the year _____ on real estate hereinbefore described, have been paid; and there are no delinquent taxes, and transfer has been entered on this _____ day of _____, 20____.

By _____ By _____
Washington County Auditor/Treasurer Deputy

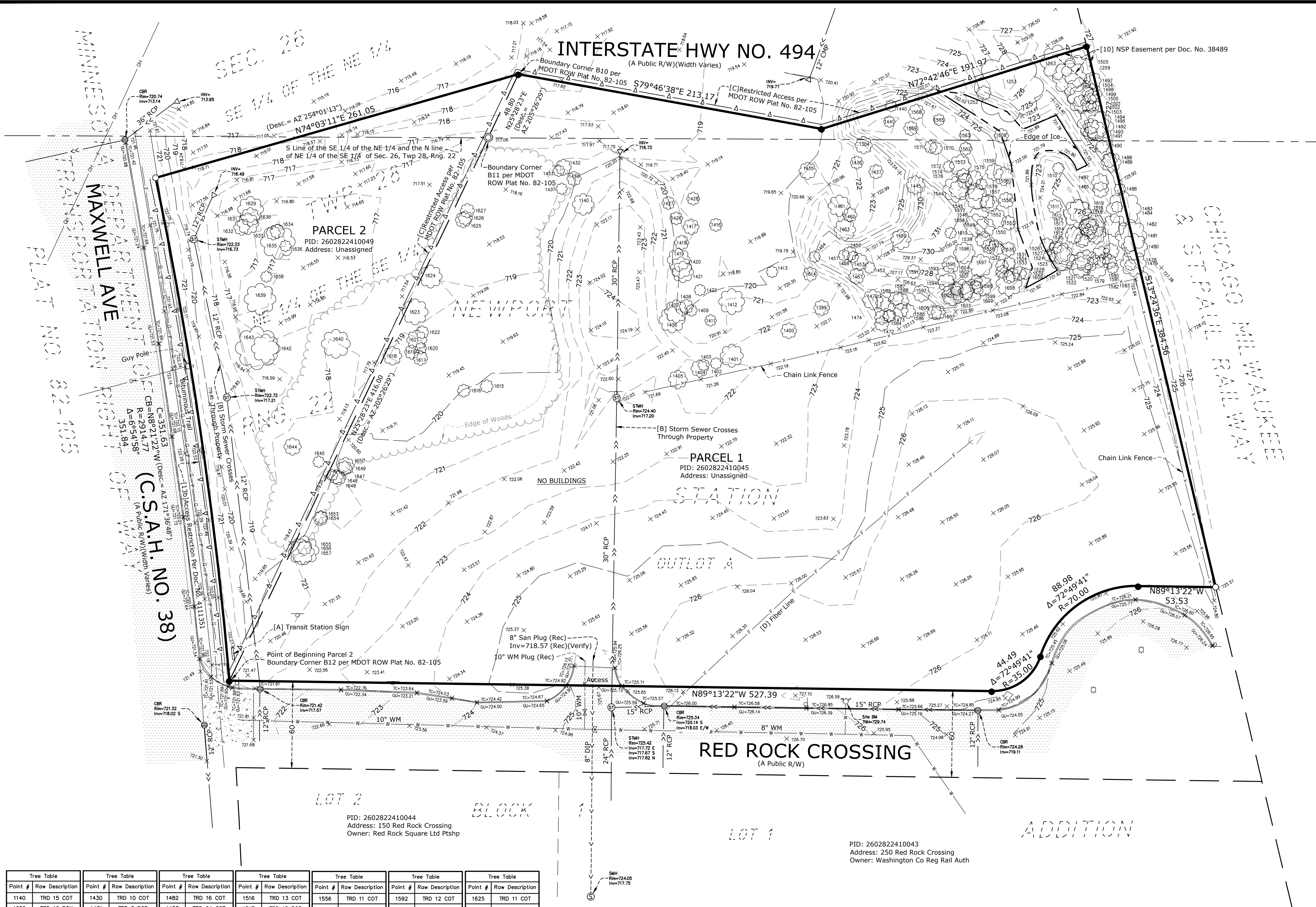
WASHINGTON REGISTRAR OF TITLES

Document Number _____

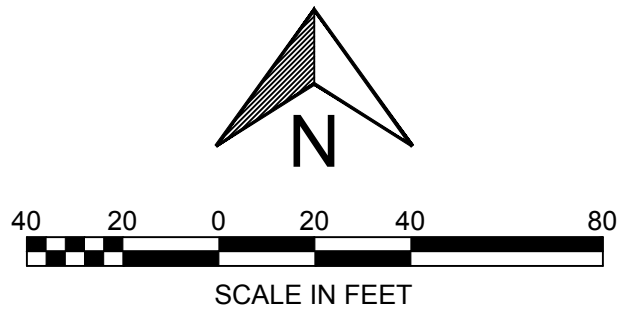
I hereby certify that this instrument was filed in the Office of the Registrar of Titles for record on this _____ day of _____, 20____,

at _____ o'clock _____ M. and was duly filed in Washington County Records.

By _____ By _____
Washington County Registrar of Titles Deputy



| Tree Table | | Tree Table | | Tree Table | | Tree Table | | Tree Table | | Tree Table | | Tree Table | |
|------------|-----------------|------------|-----------------|------------|-----------------|------------|-----------------|------------|-----------------|------------|-----------------|------------|-----------------|
| Point # | Row Description | Point # | Row Description | Point # | Row Description | Point # | Row Description | Point # | Row Description | Point # | Row Description | Point # | Row Description |
| 1140 | TRD 15 COT | 1430 | TRD 10 COT | 1482 | TRD 16 COT | 1516 | TRD 13 COT | 1556 | TRD 10 COT | 1592 | TRD 12 COT | 1625 | TRD 11 COT |
| 1252 | TRD 10 BOX | 1431 | TRD 8 POP | 1483 | TRD 24 COT | 1517 | TRD 18 POP | 1557 | TRD 11 COT | 1593 | TRD 14 COT | 1626 | TRD 10 COT |
| 1253 | TRD 48 COT | 1432 | TRD 11 COT | 1484 | TRD 8 COT | 1518 | TRD 12 COT | 1558 | TRD 13 COT | 1594 | TRD 12 COT | 1627 | TRD 10 COT |
| 1259 | TRD 24 COT | 1433 | TRD 8 COT | 1485 | TRD 11 WILLOW | 1519 | TRD 13 COT | 1559 | TRD 12 COT | 1595 | TRD 12 COT Z | 1629 | TRD 18 COT |
| 1263 | TRD 24 COT | 1435 | TRD 12 COT | 1486 | TRD 8 POP | 1520 | TRD 16 COT | 1562 | TRD 9 COT | 1596 | TRD 15 COT | 1630 | TRD 13 COT |
| 1304 | TRD 12 POP | 1436 | TRD 9 POP | 1487 | TRD 12 COT | 1521 | TRD 18 COT | 1563 | TRD 8 COT Z | 1597 | TRD 16 COT | 1631 | TRD 15 COT |
| 1399 | TRD 11 POP | 1437 | TRD 10 POP | 1488 | TRD 10 COT | 1522 | TRD 14 COT | 1565 | TRD 8 COT | 1598 | TRD 14 COT | 1632 | TRD 11 COT |
| 1400 | TRD 11 COT | 1440 | TRD 8 OAK | 1489 | TRD 14 COT | 1523 | TRD 18 COT | 1568 | TRD 11 COT | 1599 | TRD 8 COT Z | 1633 | TRD 10 COT |
| 1401 | TRD 16 POP | 1441 | TRD 8 ASH | 1490 | TRD 9 BOX | 1524 | TRD 16 COT | 1569 | TRD 10 COT | 1600 | TRD 9 COT Z | 1634 | TRD 10 COT |
| 1402 | TRD 8 COT | 1445 | TRD 13 BOX | 1491 | TRD 10 COT | 1525 | TRD 9 BOX | 1570 | TRD 9 ASH | 1601 | TRD 16 COT | 1635 | TRD 24 COT |
| 1403 | TRD 8 COT | 1448 | TRD 12 COT | 1492 | TRD 11 COT | 1526 | TRD 10 COT | 1571 | TRD 9 COT | 1602 | TRD 11 COT | 1636 | TRD 8 COT |
| 1404 | TRD 12 COT | 1450 | TRD 14 BOX | 1493 | TRD 14 COT Z | 1527 | TRD 9 COT | 1572 | TRD 8 COT | 1603 | TRD 16 COT | 1638 | TRD 8 COT |
| 1405 | TRD 13 COT | 1452 | TRD 8 POP | 1494 | TRD 22 COT Z | 1528 | TRD 10 COT Z | 1573 | TRD 15 COT | 1604 | TRD 9 COT | 1639 | TRD 22 COT |
| 1406 | TRD 18 WILLOW | 1453 | TRD 12 POP | 1495 | TRD 20 COT | 1529 | TRD 8 COT Z | 1574 | TRD 10 COT | 1605 | TRD 15 COT | 1640 | TRD 20 ELM |
| 1407 | TRD 16 WILLOW | 1455 | TRD 8 POP | 1497 | TRD 12 COT | 1531 | TRD 9 COT | 1575 | TRD 11 COT | 1606 | TRD 10 COT | 1642 | TRD 20 ELM |
| 1408 | TRD 10 COT | 1456 | TRD 10 POP | 1498 | TRD 14 COT | 1532 | TRD 9 COT | 1576 | TRD 11 COT Z | 1607 | TRD 10 COT | 1643 | TRD 30 COT |
| 1409 | TRD 8 COT | 1457 | TRD 8 POP | 1499 | TRD 10 COT | 1533 | TRD 9 COT Z | 1577 | TRD 12 COT | 1608 | TRD 18 COT | 1644 | TRD 12 COT |
| 1411 | TRD 8 COT | 1461 | TRD 15 POP | 1500 | TRD 14 COT Z | 1534 | TRD 9 COT Z | 1578 | TRD 8 COT Z | 1609 | TRD 10 COT | 1645 | TRD 8 ELM |
| 1412 | TRD 18 COT | 1462 | TRD 10 POP | 1501 | TRD 8 COT Z | 1535 | TRD 10 COT | 1579 | TRD 16 COT | 1610 | TRD 8 BOX | 1646 | TRD 8 ELM |
| 1413 | TRD 8 COT | 1463 | TRD 15 POP | 1502 | TRD 12 COT Z | 1536 | TRD 10 COT | 1580 | TRD 8 COT | 1611 | TRD 10 ASH | 1647 | TRD 10 COT |
| 1416 | TRD 9 COT | 1464 | TRD 8 POP | 1503 | TRD 20 COT | 1537 | TRD 11 COT Z | 1581 | TRD 10 COT | 1615 | TRD 9 COT | 1648 | TRD 10 COT |
| 1417 | TRD 11 WILLOW | 1467 | TRD 11 POP | 1504 | TRD 20 COT | 1538 | TRD 11 COT | 1582 | TRD 14 COT Z | 1616 | TRD 9 COT | 1649 | TRD 10 COT |
| 1418 | TRD 10 COT | 1470 | TRD 14 COT | 1505 | TRD 22 COT | 1544 | TRD 18 COT | 1583 | TRD 11 COT | 1617 | TRD 10 COT | 1650 | TRD 12 COT |
| 1419 | TRD 16 COT | 1472 | TRD 10 COT | 1508 | TRD 10 COT | 1545 | TRD 13 COT | 1584 | TRD 8 COT | 1618 | TRD 13 COT | 1653 | TRD 9 COT |
| 1420 | TRD 15 WILLOW | 1473 | TRD 9 COT | 1510 | TRD 8 POP | 1546 | TRD 16 COT Z | 1585 | TRD 10 COT | 1619 | TRD 10 POP | 1654 | TRD 10 COT |
| 1421 | TRD 15 COT | 1474 | TRD 10 COT | 1511 | TRD 10 COT | 1549 | TRD 16 COT Z | 1586 | TRD 10 COT | 1620 | TRD 8 POP | 1655 | TRD 10 COT |
| 1422 | TRD 8 COT | 1478 | TRD 8 COT | 1512 | TRD 20 COT | 1550 | TRD 14 COT | 1587 | TRD 10 BOX | 1621 | TRD 14 POP | 1656 | TRD 20 COT |
| 1426 | TRD 9 COT | 1479 | TRD 18 COT | 1513 | TRD 16 COT | 1552 | TRD 14 COT | 1588 | TRD 12 COT | 1622 | TRD 9 COT | 1657 | TRD 28 COT |
| 1427 | TRD 9 ASH | 1480 | TRD 18 COT | 1514 | TRD 12 COT | 1553 | TRD 10 COT | 1589 | TRD 10 COT | 1623 | TRD 18 COT | | |
| 1428 | TRD 9 POP | 1481 | TRD 22 COT | 1515 | TRD 10 COT | 1554 | TRD 13 COT Z | 1591 | TRD 10 COT | 1624 | TRD 16 COT | | |



| Linetype & Symbol Legend | |
|--------------------------|---------------------------|
| | ELECTRIC LINE |
| | ELECTRIC LINE (RECORD) |
| | FIBER/COMM. LINE |
| | FIBER/COMM. LINE (RECORD) |
| | GASMAIN (RECORD) |
| | OVERHEAD UTILITIES |
| | SANITARY SEWER |
| | SANITARY SEWER (RECORD) |
| | STORM SEWER (RECORD) |
| | TELEPHONE LINE |
| | TELEPHONE LINE (RECORD) |
| | WATERMAIN |
| | WATERMAIN (RECORD) |
| | CHAINLINK FENCELINE |
| | WOODEN FENCELINE |
| | GUARDRAIL |
| | RESTRICTED ACCESS |
| | CONCRETE SURFACE |
| | PAVER SURFACE |
| | BITUMINOUS SURFACE |
| | GRAVEL/LANDSCAPE SURFACE |
| | AIR CONDITIONER |
| | CABLE TV BOX |
| | ELECTRIC MANHOLE |
| | ELECTRIC TRANSFORMER |
| | ELECTRICAL METER |
| | FIBER/COMM. MANHOLE |
| | POWER POLE |
| | GUY WIRE |
| | GAS METER |
| | GAS MANHOLE |
| | GAS VALVE |
| | ROOF DRAIN |
| | SEWER CLEAN OUT |
| | SANITARY MANHOLE |
| | STORM MANHOLE |
| | CATCH BASIN |
| | FLARED END SECTION |
| | TELEPHONE BOX |
| | TELEPHONE MANHOLE |
| | TRAFFIC SIGNAL |
| | HYDRANT |
| | FIRE CONNECTION |
| | POST INDICATOR VALVE |
| | WATER MANHOLE |
| | WATER VALVE |
| | WELL |
| | UTILITY VAULT |
| | UTILITY MANHOLE |
| | ELECTRICAL OUTLET |
| | HAND HOLE |
| | BOLLARD |
| | FLAG POLE |
| | FUEL TANK |
| | HANDICAP SYMBOL |
| | LIGHT POLE |
| | MAIL BOX |
| | SIGN |
| | CONIFEROUS TREE |
| | DECIDUOUS TREE |
| | SOIL BORING |
| | FOUND IRON MONUMENT |
| | SET IRON MONUMENT |
| | CAST IRON MONUMENT |

DESCRIPTION OF PROPERTY SURVEYED

Parcel 1: (Registered Property - Certificate of Title No. 70078)
Outlot A, NEWPORT STATION ADDITION, according to the recorded plat thereof, Washington County, Minnesota.

Parcel 2: (Registered Property - Certificate of Title No. 3019)

All that part of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 26, Township 28 North, Range 22 West of the Fourth Principal Meridian, Washington County, Minnesota, described as follows:

Beginning at Right of Way Boundary Corner B12 as shown on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-105 on file and of record in the office of County Recorder, Washington County Minnesota; thence Northeasterly on an azimuth of 25 degrees 26 minutes 39 seconds along the boundary of said plat a distance of 416.00 feet to Right of Way Boundary Corner B11 of said plat; thence continuing Northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds along the boundary of said plat a distance of 48.80 feet to Right of Way Boundary Corner B10 of said plat; thence Southerly on an azimuth of 254 degrees 01 minutes 13 seconds a distance of 251.05 feet; thence Southerly a distance of 351.84 feet on a non-tangent curve, concave to the west, having a radius of 2914.77 feet, a central angle of 6 degrees 54 minutes 58 seconds and said curve having a chord having an azimuth of 171 degrees 36 minutes 48 seconds and a chord length of 351.62 feet to the point of beginning.

GENERAL SURVEY NOTES

- Bearings are based on the Washington County Coordinate System (1986 Adjustment).
- Elevations are based on the NGVD 29 Datum. Site Benchmark is the top nut of the fire hydrant located on the north side of Red Rock Crossing, approximately 170 feet easterly of the drive entrance to the subject property, as shown hereon. Elevation = 725.74.
- We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property.

ALTA/NSPS LAND TITLE SURVEY NOTES

(numbered per Table A)

- Monuments placed and/or found at all major corners of the boundary of the surveyed property as shown hereon.
- Site Address: Address Unassigned, Red Rock Crossing, Newport, MN 55055.
- This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27163C0319E, effective date of February 3rd, 2010.
- The Gross land area is 262,784 +/- square feet or 6.033 +/- acres.
- (a) Exterior dimensions of buildings at ground level as shown hereon. Please note we did not observe any buildings on the subject property while conducting the fieldwork.
- Substantial features observed in the process of conducting the fieldwork as shown hereon. Please note that seasonal conditions may inhibit our ability to visibly observe all site features located on the subject property.
- We did not observe any striped parking stalls on the subject property while conducting the field work.
- The names of the adjoining owners of the platted lands, as shown hereon, are based on information obtained from the Washington County Interactive Property Map.

SURVEY REPORT

- This map and report was prepared with the benefit of a Commitment for Title Insurance issued by First American Title Insurance Company File No. NCS-1112686-MPLS, dated January 28, 2022. We note the following with regards to Schedule B II Exceptions of the herein referenced Title Commitment:
 - Item no's 1-9, and 16 are not survey related.
- The following are numbered per the referenced Title Commitment:
 - [10] Terms, conditions and easement for electrical transmission purposes, including any incidental rights, in favor of Northern States Power Company, a Minnesota corporation, as contained in the Easement, dated March 29, 1974, recorded April 1, 1974, as Document No. 38489. (Parcel 1) **This easement is located in the northeast corner of Parcel 1 as shown hereon.**
 - Terms, conditions, restrictions and encumbrances as contained in the unrecorded Grant Agreement dated February 12, 2010, between the Washington County Regional Railroad Authority, and the Counties Transit Improvement Board, and in the Declaration, recorded November 29, 2010, as Document No. 1203099. (Parcel 1) **Document refers to the property being subject to all the terms, conditions, provisions and limitations contained in an agreement between Washington County Railroad Authority and the CTIB dated February 12, 2010. We have not been provided with said agreement and therefore are unable to determine what restrictions apply to the subject property.**
 - Terms, conditions and easement for public street purposes, including any incidental rights, in favor of the Village of Newport, as contained in the Easement, dated February 19, 1944, recorded June 15, 1944, as Document No. 2926. (Parcel 2) **Said easement lies west of and does not appear to affect the subject property. Not shown hereon.**
 - Terms, conditions and easement for highway purposes, including access limitations, the right to construct temporary snow fences, and other incidental rights, in favor of the State of Minnesota, as contained in the Final Certificate, dated December 20, 1949, recorded January 6, 1949, as Document No. 4461. (Parcel 2) **Parcel 2 was part of lands condemned for trunk highway purposes.**
- The following appear as memorials on the current Certificate of Title for Parcel 1, and will be carried forward to any subsequent certificate(s):
 - Easement, dated July 28, 1925, recorded August 3, 1925, as Document No. 692. **Easements described lie west and south of and do not appear to affect the subject property. Not shown hereon.**
 - Easement, dated February 19, 1944, recorded June 15, 1944, as Document No. 2926. **Said easement lies west of and does not appear to affect the subject property. Not shown hereon.**
- The following appears as a memorial on the current Certificate of Title for Parcel 2, and will be carried forward to any subsequent certificate(s):
 - Easement, dated July 28, 1925, recorded August 3, 1925, as Document No. 692. **Easements described lie west and south of and do not appear to affect the subject property. Not shown hereon.**

ALTA CERTIFICATION

To: Washington County Regional Railroad Authority; MWF Properties, LLC, a Minnesota limited liability company; and First American Title Insurance Company:
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9, and 13 of Table A thereof.
The fieldwork was completed on 02-03-2023.
Date this 21st day of February, 2023.

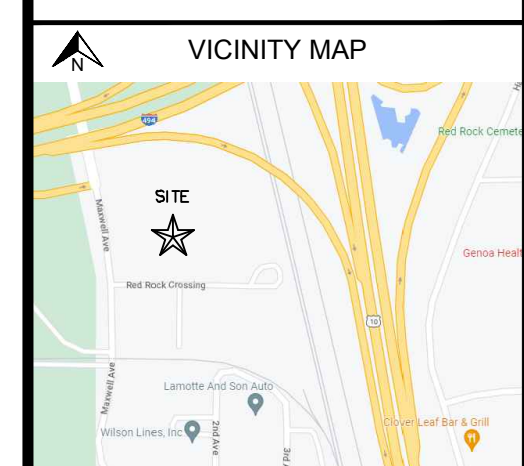
Rory L. Systelien
rory@civilsitegroup.com

Minnesota License No. 44565

PROJECT
CLIENT
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

RORY L. SYSTELIEN
DATE 2-21-2023 LICENSE NO. 44565

| QA/QC | |
|-------------|--------------------|
| FIELD CREW | DO |
| DRAWN BY | GF |
| REVIEWED BY | Cody J. & Craig J. |
| UPDATED BY | |
| | |
| | |



| REVISION SUMMARY | |
|------------------|-------------|
| DATE | DESCRIPTION |
| | |
| | |
| | |
| | |

PROJECT NO. - 23002
ALTA/NSPS LAND TITLE SURVEY

V1.0
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PRELIMINARY:
NOT FOR
CONSTRUCTION

PROJECT
**RED ROCK SQUARE II
APARTMENTS**

RED ROCK CROSSING & MAXWELL AVENUE, NEWPORT, MN 55055

MWF PROPERTIES
7646 LYNDALE AVENUE SOUTH, MINNEAPOLIS, MN 55423

I HEREBY CERTIFY THAT THIS PLAN,
SPECIFICATION, OR REPORT WAS
PREPARED BY ME OR UNDER MY DIRECT
SUPERVISION AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF
MINNESOTA.

David J. Knaeble
David J. Knaeble
DATE: 06/30/23 LICENSE NO. 48776

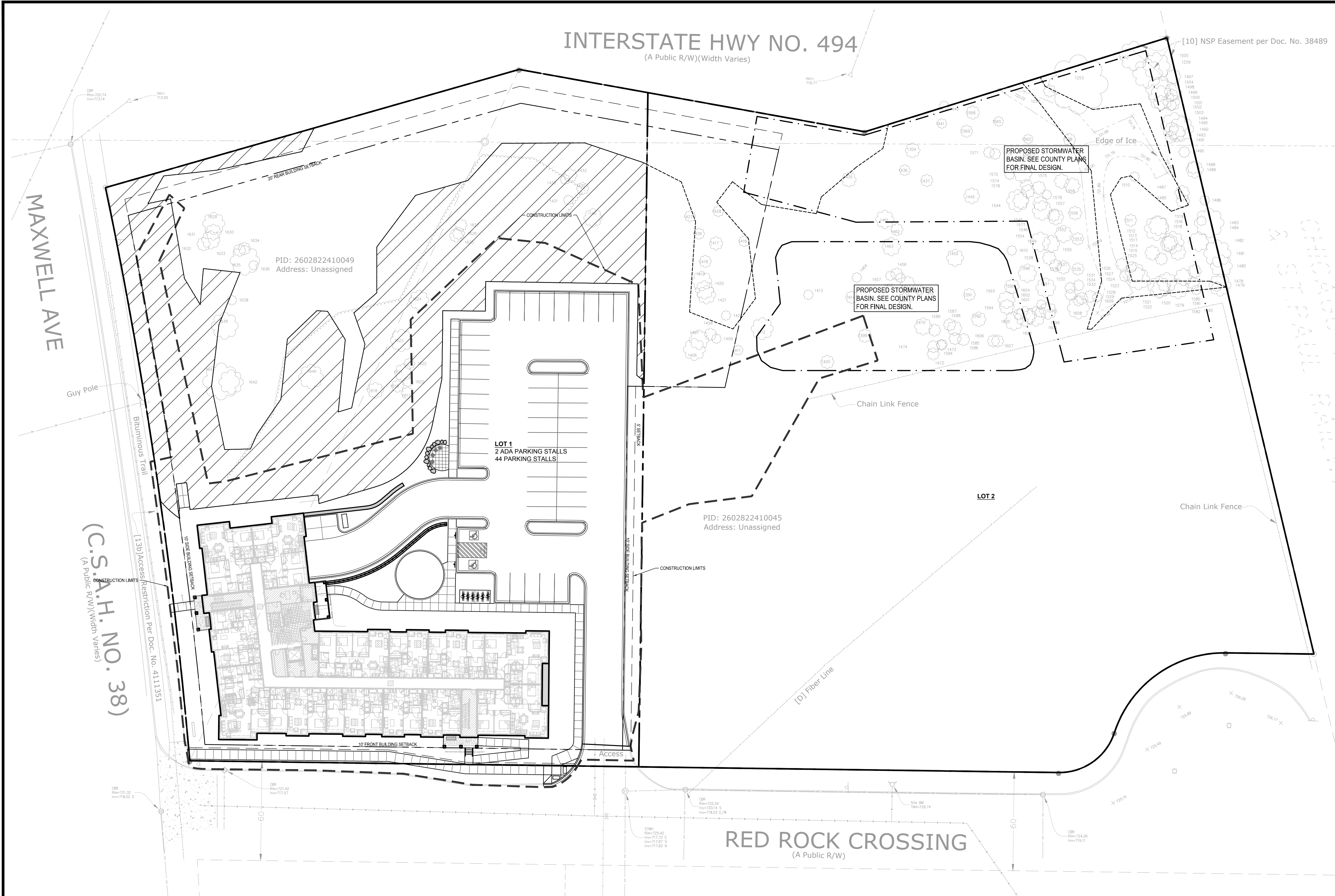
| ISSUE/SUBMITTAL SUMMARY | |
|-------------------------|------------------|
| DATE | DESCRIPTION |
| 04/17/23 | CITY SUBMITTAL |
| 06/27/23 | OWNER REVIEW |
| 06/30/23 | CITY RESUBMITTAL |

DRAWN BY: AM, JL REVIEWED BY: DK
PROJECT NUMBER: 23002

| REVISION SUMMARY | |
|------------------|-------------|
| DATE | DESCRIPTION |
| | |
| | |
| | |
| | |

OVERALL SITE PLAN

C2.0

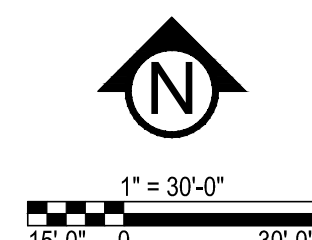


| SITE AREA CALCULATIONS- LOT 1 | | | | | | |
|---|------------|--------|--------------------|--------|--------|--|
| EXISTING CONDITION | | | PROPOSED CONDITION | | | |
| IMPERVIOUS SURFACES | | | | | | |
| BUILDING COVERAGE | 0 SF | 0.0% | 17,026 SF | 14.5% | | |
| PAVEMENT | 206 SF | 0.2% | 29,031 SF | 24.6% | | |
| TOTAL | 206 SF | 0.2% | 46,057 SF | 39.1% | 1.1 AC | |
| PERVIOUS SURFACES | | | | | | |
| LANDSCAPED | 94,143 SF | 79.9% | 48,292 SF | 41.0% | | |
| WETLAND | 23,456 SF | 19.9% | 23,456 SF | 19.9% | | |
| TOTAL | 117,599 SF | 99.8% | 71,748 SF | 60.9% | 1.6 AC | |
| TOTAL SITE AREA | 117,805 SF | 100.0% | 117,805 SF | 100.0% | 2.7 AC | |
| IMPV. DIFFERENCE (EX. VS PROP DISTURBED AREA) | 45,851 SF | 38.9% | | | | |
| | 80,716 SF | 1.9 AC | | | | |

| SITE AREA CALCULATIONS- LOT 2 | | | | |
|-------------------------------|------------|--------|--------|--|
| EXISTING CONDITION | | | | |
| IMPERVIOUS SURFACES | | | | |
| BUILDING COVERAGE | 0 SF | 0.0% | | |
| PAVEMENT | 0 SF | 0.0% | | |
| TOTAL | 0 SF | 0.0% | 0.0 AC | |
| PERVIOUS SURFACES | | | | |
| LANDSCAPED | 131,481 SF | 90.7% | | |
| WETLAND | 13,498 SF | 9.3% | | |
| TOTAL | 144,979 SF | 100.0% | 0.0 AC | |
| TOTAL SITE AREA | 144,979 SF | 100.0% | 3.3 AC | |

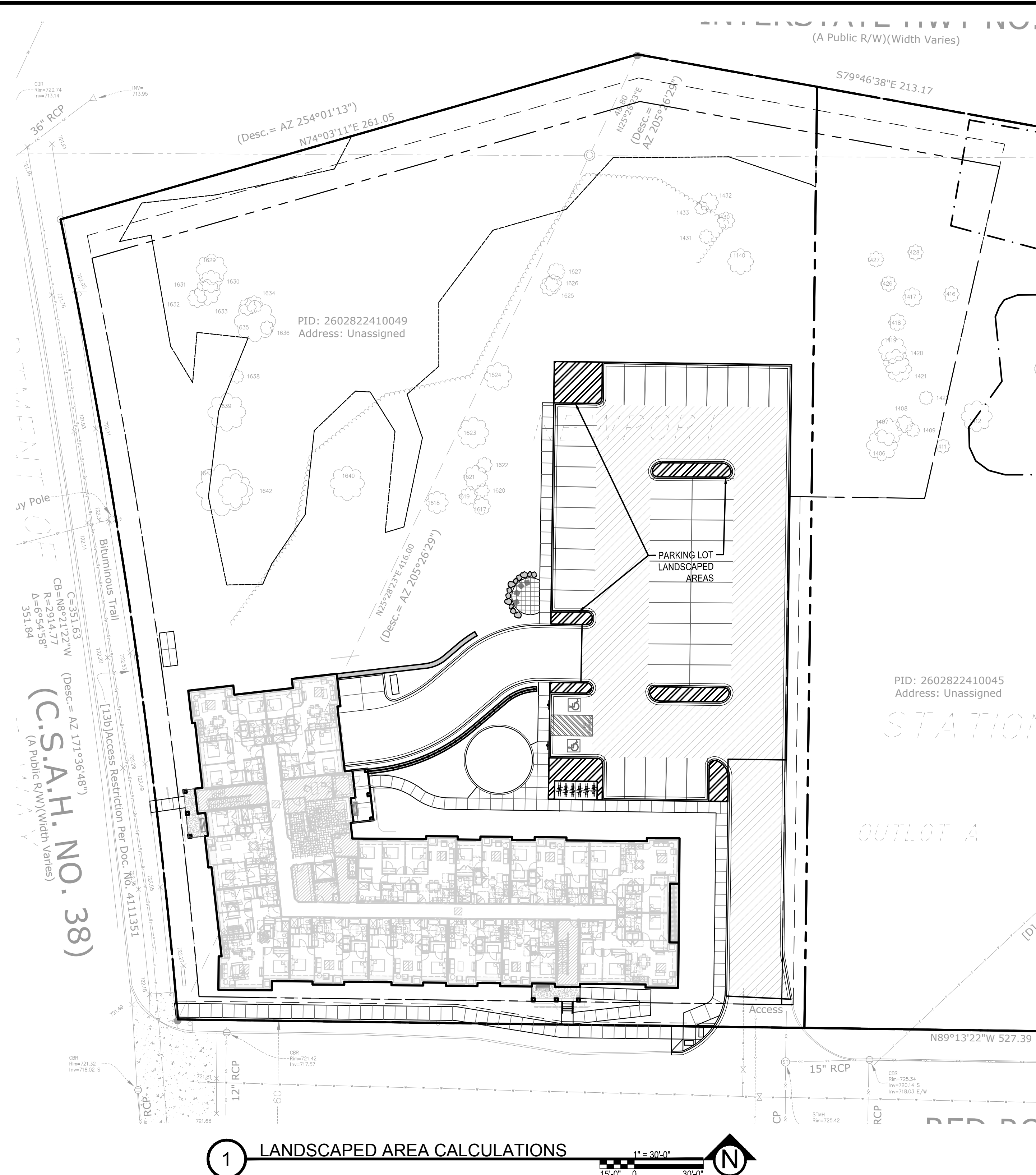
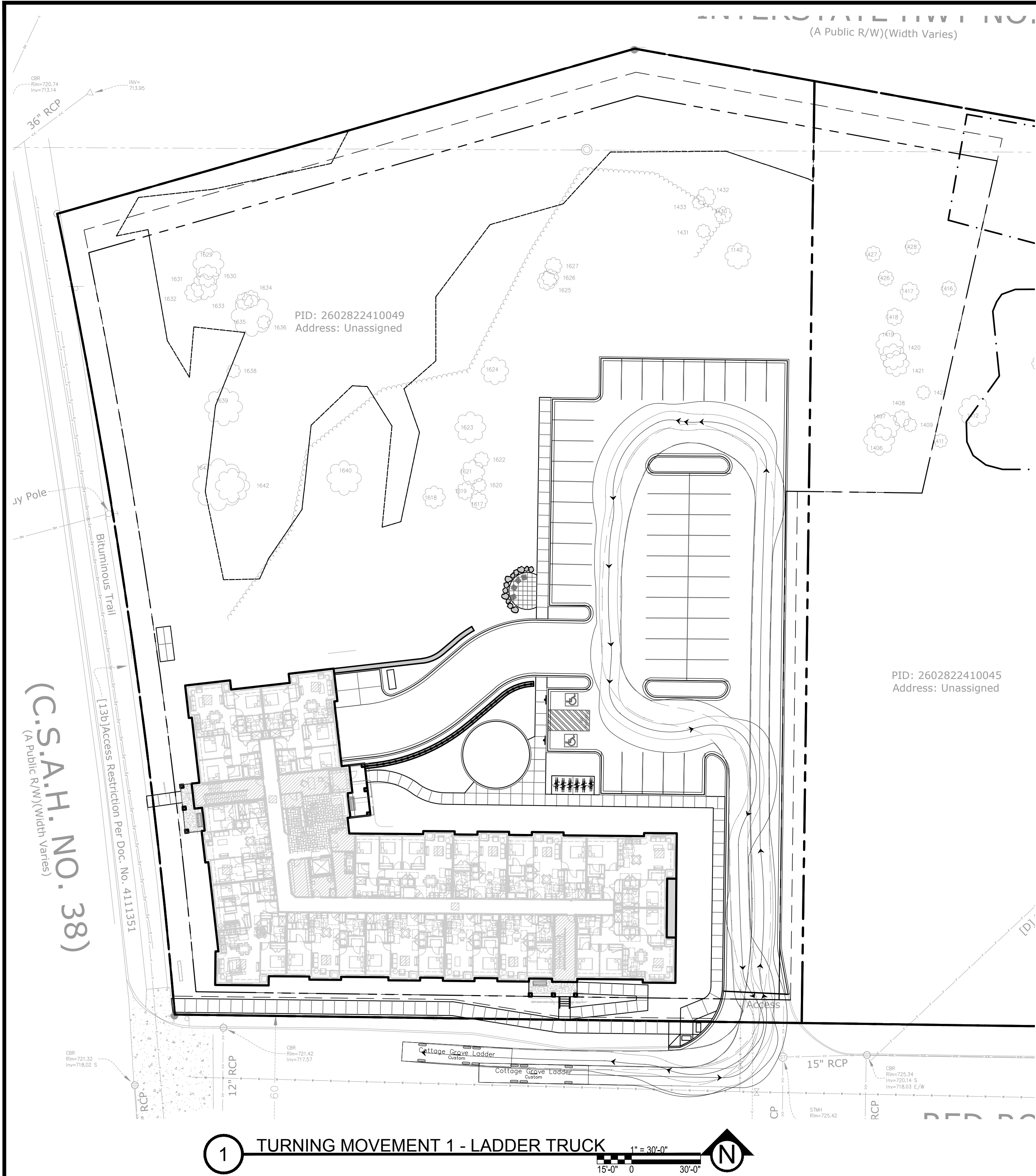


Know what's below.
Call before you dig.





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PARKING LOT LANDSCAPED AREA TABLE:

| PARKING LOT LANDSCAPING CALCULATIONS | |
|--------------------------------------|-----------|
| LANDSCAPED AREA | 1,358 SF |
| TOTAL PARKING LOT | 18,845 SF |
| PERCENT LANDSCAPED AREA | 7% |

CivilSite
Civil Engineering • Surveying • Landscape Architecture
5000 Glenwood Avenue
Golden Valley, MN 55422
civilsitegroup.com612-615-0060

PRELIMINARY:
NOT FOR
CONSTRUCTION

PROJECT

RED ROCK SQUARE II
APARTMENTS

RED ROCK CROSSING & MAXWELL AVENUE, NEWPORT, MN 55055

MWF PROPERTIES
7646 LYDALE AVENUE SOUTH, MINNEAPOLIS, MN 55423

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

David J. Knaeble
David J. Knaeble
DATE: 06/30/23 LICENSE NO. 48776

ISSUE/SUBMITTAL SUMMARY

| DATE | DESCRIPTION |
|----------|------------------|
| 04/17/23 | CITY SUBMITTAL |
| 06/27/23 | OWNER REVIEW |
| 06/30/23 | CITY RESUBMITTAL |

DRAWN BY: AM, JL REVIEWED BY: DK
PROJECT NUMBER: 23002

REVISION SUMMARY

| DATE | DESCRIPTION |
|------|-------------|
| | |
| | |
| | |
| | |

SITE EXHIBITS

C2.2

811
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PRELIMINARY:
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PROJECT
**RED ROCK SQUARE II
APARTMENTS**

RED ROCK CROSSING & MAXWELL AVENUE, NEWPORT, MN 55055

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David J. Knaeble
David J. Knaeble
DATE: 06/30/23 LICENSE NO. 48776

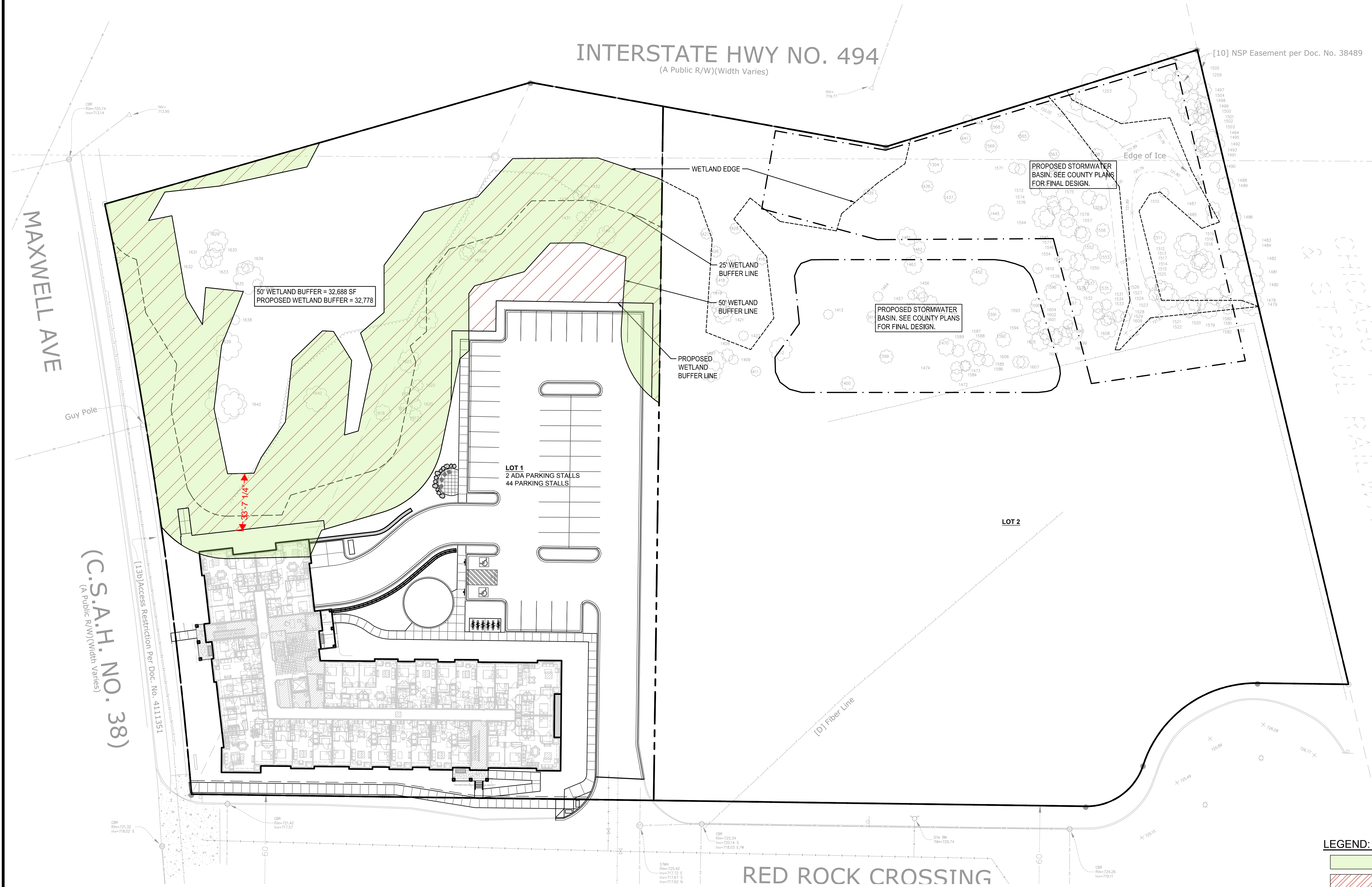
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| 06/27/23 | OWNER REVIEW |
| 06/30/23 | CITY RESUBMITTAL |

DRAWN BY: AM, JL REVIEWED BY: DK
PROJECT NUMBER: 23002

| REVISION SUMMARY | |
|------------------|-------------|
| DATE | DESCRIPTION |
| | |
| | |
| | |

WETLAND BUFFER PLAN

C2.3



- LEGEND:**
- 50' AVERAGE WETLAND BUFFER AREA
 - PROPOSED WETLAND BUFFER AREA
 - PROPERTY LINE
 - CONSTRUCTION LIMITS





ALTERNATING CMU:
ONE COURSE SMOOTH
CMU, TWO COURSES
ROCKFACE CMU

CAST STONE
ALTERNATING CMU

CAST STONE
TOP COURSE SMOOTH CMU
ROCKFACE CMU
ALTERNATING CMU

CAST STONE
TOP COURSE SMOOTH CMU
ROCKFACE CMU
ALTERNATING CMU

CAST STONE
TOP COURSE SMOOTH CMU
ROCKFACE CMU
ALTERNATING CMU

CAST STONE
TOP COURSE SMOOTH CMU
ROCKFACE CMU
ALTERNATING CMU

CAST STONE
TOP COURSE SMOOTH CMU
ROCKFACE CMU

SMOOTH CMU
CAST STONE
STANDING SEAM
METAL ROOF

CFB LAP SIDING 1
PT COLOR 1
TOP COURSE
SMOOTH CMU
ROCKFACE CMU
CAST STONE

1

SOUTH EXTERIOR ELEVATION

1/8" = 1'-0"



ALTERNATING CMU:
ONE COURSE SMOOTH
CMU, TWO COURSES
ROCKFACE CMU

CAST STONE
ALTERNATING CMU
ROCKFACE CMU
TOP COURSE SMOOTH CMU

HOLLOW METAL
DOOR & FRAME

CAST STONE
ALTERNATING CMU
ROCKFACE CMU
TOP COURSE SMOOTH CMU

ROCKFACE CMU
TOP COURSE SMOOTH CMU

CAST STONE
ALTERNATING CMU

2

SOUTHWEST EXTERIOR ELEVATION

1/8" = 1'-0"



ISSUE & REVISION
MHA: 07/16/20
CUP/PI/DI/BD: 04/17/23
PROGRESS SET: 06/22/23
CITY SUBMITTAL: 06/30/23

COMM #1919

DEVELOPER:
MWF PROPERTIES
7646 Lyndale Ave. S.
Minneapolis, MN 55423
Tel: 612-243-4637

CIVIL ENGINEER:

LANDSCAPE ARCHITECT:

STRUCTURAL ENGINEER: MEF ENGINEERS

**RED ROCK
SQUARE II
NEWPORT, MN**

218 Washington Avenue North
Suite 230
Minneapolis, Minnesota 55401
612-332-5420
www.millerhanson.com

**MILLER
HANSON
architects**

I HEREBY CERTIFY THAT THE PLAN SPECIFICATION OR
SUPERVISION AND THAT I AM A REGISTERED ARCHITECT
UNDER THE LAWS OF THE STATE OF MINNESOTA

NAME: KENT SIMON
DATE: JUNE 30, 2023
NO. 16390

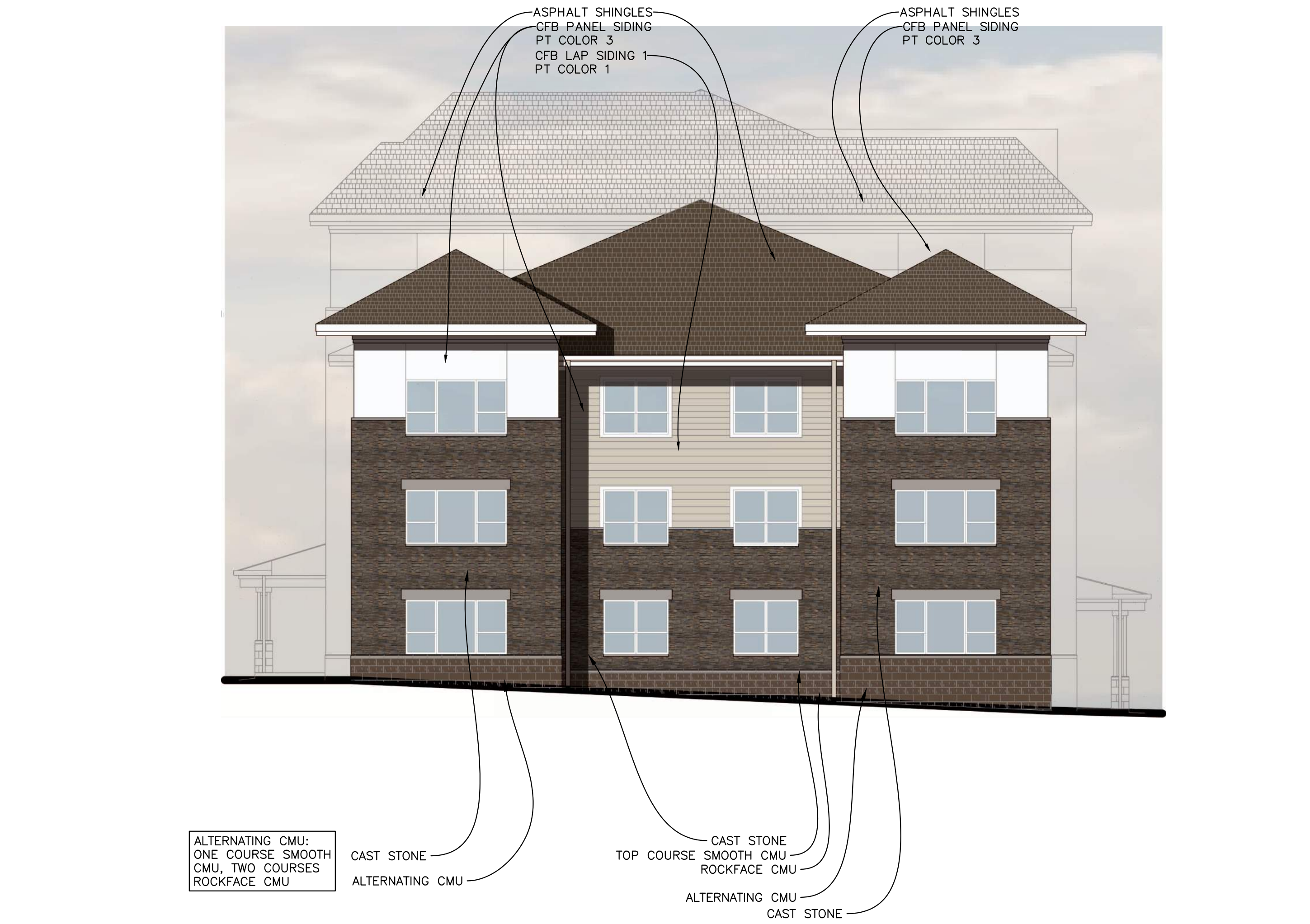
DRAWN BY: AF
CHECKED BY: BH

**COLOR
EXTERIOR ELEVATIONS**

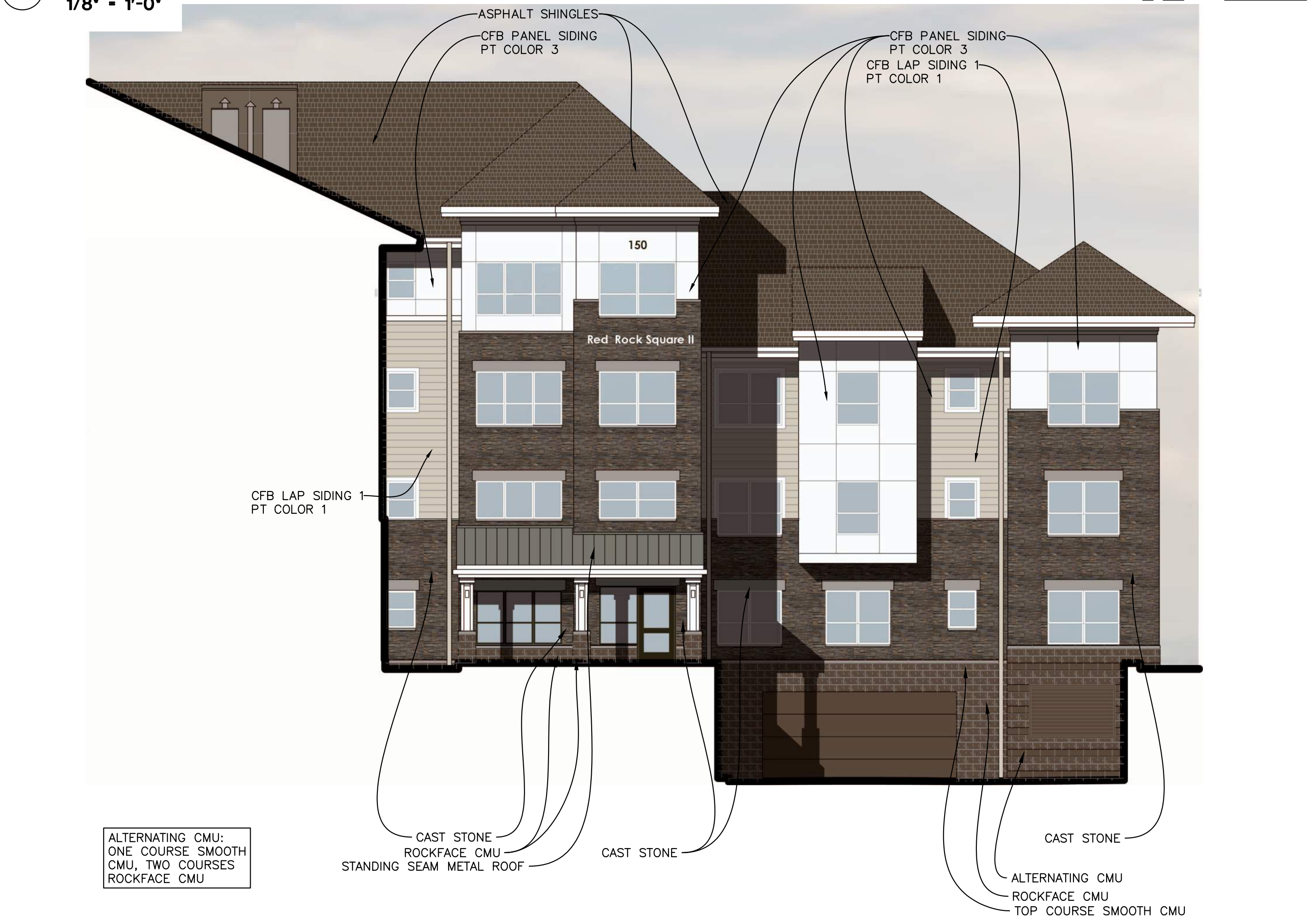
A500

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PRELIMINARY NOT FOR CONSTRUCTION



1 NORTHWEST EXTERIOR ELEVATION
1/8" = 1'-0"



2 NORTHEAST EXTERIOR ELEVATION
1/8" = 1'-0"

ISSUE & REVISION
MHA: 07/16/20
CJP/PJ/D/S/RD: 04/17/23
PROGRESS SET: 06/22/23
CITY SUBMITTAL: 06/30/23

COMM #1919

DEVELOPER: MWFP PROPERTIES
7646 Lyndale Ave. S.
Minneapolis, MN 55423
Tel: 612-243-4637
CIVIL ENGINEER
LANDSCAPE ARCHITECT
STRUCTURAL ENGINEER
MEP ENGINEERS

RED ROCK
SQUARE II
NEWPORT, MN

218 Washington Avenue North
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Minneapolis, Minnesota 55401
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www.millerhanson.com
MILLER
HANSON
architects

I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION OR
SUPERVISION AND THAT I AM A REGISTERED ARCHITECT
UNDER THE LAWS OF THE STATE OF MINNESOTA
NAME: KENT SIMON
DATE: JUNE 30, 2023
NO. 16390

DRAWN BY: AF
CHECKED BY: BH

COLOR
EXTERIOR ELEVATIONS

A501

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PRELIMINARY NOT FOR CONSTRUCTION



1 **NORTH EXTERIOR ELEVATION**
1/8" = 1'-0"



2 **EAST EXTERIOR ELEVATION**
1/8" = 1'-0"

| ISSUE & REVISION | |
|------------------|----------|
| DATE | 07/16/20 |
| DESCRIPTION | 04/17/23 |
| PROGRESS SET | 06/22/23 |
| CITY SUBMITTAL | 06/30/23 |

COMM #1919

| | |
|---------------------|--|
| DEVELOPER | MMF PROPERTIES 7646 Lyndale Ave. S. Minneapolis, MN 55423 Tel: 612-243-4637 |
| CIVIL ENGINEER | |
| STRUCTURAL ENGINEER | |
| MEP ENGINEER | |
| LANDSCAPE ARCHITECT | |

RED ROCK
SQUARE II
NEWPORT, MN

| | |
|--|--------------------------------------|
| 218 Washington Avenue North Suite 200 Minneapolis, Minnesota 55401 | 612-332-5420 www.millerhanson.com |
| MILLER HANSON architects | |

| | |
|---|-----------|
| I HEREBY CERTIFY THAT THE PLAN SPECIFICATION OR SUPERVISION AND THAT I AM A REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA | |
| NAME: KENT SIMON | NO. 16390 |
| DATE: JUNE 30, 2023 | |

| | |
|-------------|----|
| DRAWN BY: | AF |
| CHECKED BY: | BH |

COLOR
EXTERIOR ELEVATIONS

A502

To: Mr. Joe Hatch, City Administrator
Mr. Nathan Fuerst, City Planner

From: Jon Herdegen, P.E. – City Engineer

Subject: Red Rock Square II – Plan Review

Date: August 1, 2023

We received a civil plan set including a title sheet, removals plan, tree preservation plan, overall site plan, site plan, truck turning plan, grading plan, utility plan, civil details 1-4, landscape plan and details, and Storm Water Pollution Prevention Plan for Red Rock Square II Apartments located at the South West intersection of HWY 10 and Interstate 494. Additional documents received include architectural drawings, preliminary plat, final plat, legal description, and soil borings. The plans were prepared by Civil Site Group on behalf of MWF Properties.

We have separated our review comments into three (3) parts. Part 1 identifies conditional approval items. Part 2 identifies comments that pertain to constructability and design concerns. Part 3 identifies additional documentation needed as the project moves through the design and construction phases.

Part One

1. All municipal utilities and public improvements shall be constructed in accordance with applicable City Public Works Design Manual and industry design standards.
2. All utilities shall be contained with a drainage and utility easement such that the utility can be exposed with a 4-foot-wide trench (centered on utility) and 1.5V:1H trench slope.
3. The application shall submit a stormwater maintenance plan for City review and approval.
4. The applicant shall obtain a street access permit from Washington County.

Part Two

Preliminary Plat/Final Plat

1. There is an existing easement in favor of NSP per document number 38489 which lies on the northeast corner of proposed Lot 3, Block 1.
 - a. If this easement is to be vacated, provide documentation of the easement vacation.

MEMO

August 1, 2023

- b. If this easement is to remain in place it needs to be added to the preliminary and final plat.
2. Provide documentation of the release of the access restriction per the underlying MNDOT 82-105 plat, and the vacation of the easement on the northeast corner of proposed Lot 3 Block 1 if the easement is to be vacated.
3. Graphically depict easement for all public utilities including watermain, sanitary sewer extension and storm sewer in accordance with Item 4 from Part 1 above.
4. Graphically depict proposed sidewalk easement on preliminary and final plat.
5. All existing wetland and existing/proposed stormwater basins shall be contained in a drainage and utility easement completely encompassing the top of the basin. The applicant may consider platting Lot 2 as an Outlot and dedicate a drainage and utility easements over the entire Outlot.
6. Include the proposed site plan and utilities on the preliminary plat to verify all site facilities and utilities

Civil Plan Set

A. Title Sheet

7. Reviewed. No Comments

B. Removals Plan & Tree Preservation Plan

8. Shown concrete and bituminous pavement removals necessary to construct proposed watermain long Maxwell Avenue.

C. Overall Site Plan

9. Reviewed. No Comments

D. Site Plan, Site Exhibits & Wetland Buffer Plan

10. Shown concrete and bituminous pavement improvements necessary to construct proposed watermain long Maxwell Avenue.
11. Provide stop sign and detail for access drive.

A. Grading Plan

12. All retaining walls measuring 4 feet tall or taller must be designed by an engineer licensed in the State of MN. The applicant shall provide design calculations for City records prior to commencing work.
13. Add drainage and utility easements.

B. Utility Plan

14. Add drainage and utility easements to utility plan sheet.
15. Connect to existing watermain at west end of Red Rock Crossing by replacing existing 90° bend with TEE. Install gate valve on north side of TEE.
16. Install TEE in lieu of two (2) 45° bends on north extent of watermain along Maxwell Avenue. Plug north side of Tee for future use. Proposed hydrant may be installed on north end of TEE if desired. Install gate valve on east side of TEE. Proposed gate valve within access driveway may be eliminated.
17. Provide at least 10 feet of horizontal separation between watermain and utility pad near north west corner of building.

MEMO

August 1, 2023

18. Provide separate water lines for domestic and fire suppression services to the building. Provide independent exterior gate valves for both services.
19. Consider an 8x8 cross and 8x6 reducer for parking lot hydrant in lieu of specialty pipe fitting.
20. Provide 2" polystyrene insulation at all utility crossing where watermain is placed below sanitary or storm sewer lines.
21. The proposed storm sewer on the east edge of lot 1 does not appear to be contained in a drainage and utility easement.
22. Replace existing catchbasin on north side of Red Rock Crossing near SW corner of the proposed building. Align storm sewer directly east within the existing right-of-way and to minimize future conflict with sidewalk. Increase proposed storm pipe to 15-inch RCP to provide a sufficient scouring velocity at a slope of 0.27%.
23. Verify diameter of Storm MH 3 to accommodate acute angle for roof drain leader.
- C. Civil Details 1-4
 24. Reviewed. No Comments
- D. Landscape Plan and Details
 25. Not reviewed.
- E. Storm Water Pollution Prevention Plan
 26. Reviewed. No Comments

Soil Borings

27. No Comment

Part Three

1. Prior to commencement of any construction activities, the applicant shall:
 - a. Obtain MDH watermain extension plan review approval.
 - b. Obtain MDH sanitary sewer extension plan review approval.
 - c. Obtain an MPCA General Construction Stormwater Permit.
 - d. Install all erosion control BMP's in accordance with the SWPPP and MPCA Permit.
 - e. Coordinate a Gopher State One Call to locate all existing public/private utilities adjacent to the site.
 - f. Coordinate preconstruction meeting with City Public Works Department.
2. Prior to issuance of the certificate of occupancy, the applicant shall:
 - a. Submit an as-built survey that demonstrates the constructed improvements are consistent with the approved construction plans and design modeling.
 - b. File approved stormwater maintenance plan with City.
 - c. Submit a developers agreement including terms and conditions regarding the operations and maintenance of outlots, private roads, stormwater management, etc. shall be prepared and agreed upon between the developer and the city.

If you have any questions or concerns, please contact me directly at 612-548-3124 or jherdegen@msa-ps.com. Thank you.

City of Newport, MN
Resolution No. 2023-38

A Resolution Approving a Preliminary Plat and Planned Unit Development
Conditional Use Permit for Newport Station Second Addition

WHEREAS, the City of Newport (the "City") is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a comprehensive plan in 2019 to guide the development of the community; and

WHEREAS, the City has adopted a zoning and subdivision ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, MWF Properties (the "Applicant") submitted preliminary plat and preliminary planned unit development (PUD) requests for properties on PID's 2602822410045 and 2602822410054 legally described on **Exhibit A** (the "Property") attached hereto, consisting of approximately 2.7 acres of property for development of 51 multiple family units; and

WHEREAS, the preliminary plat is further depicted on **Exhibit B** attached hereto; and

WHEREAS, the property is zoned as MX-2 Transit Oriented Mixed Use District; and

WHEREAS, Chapter 28, Article 2, of the city code governs the subdivision process including findings required for approval; and

WHEREAS, Section 36-266 of the city code governs Planned Unit Development Conditional Use Permits, including the process and findings required for approval; and

WHEREAS, The Planning Commission held a public hearing at its regular meeting on August 8, 2023, and found the request to be consistent with the criteria and findings for approval, and has recommended that the City Council conditionally approve the plan proposed by the Applicant for the development of the Property.

WHEREAS, The Newport City Council reviewed the Planning Commission's recommendation and findings on August 17, 2023, and made the following findings in support of approving the Preliminary Plat and Planned Unit Development Conditional Use Permit with conditions:

Sec. 36-45 Conditional Use Permit Criteria:

- a) Consistency with the comprehensive plan. The proposed use shall be consistent with the comprehensive plan. *The proposed land use is consistent with the land uses and densities allowed by the City's 2040 Comprehensive Plan.*
- b) Health and safety. The proposed use shall not negatively impact the health, safety, and general welfare of occupants of surrounding lands and general welfare of the city, including, but not limited to the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions; parking facilities on adjacent streets and land; the effect on surrounding properties including valuation, aesthetics and scenic views; land uses and character and integrity of the neighborhood; impacts on governmental facilities and services including roads, sanitary sewer, water, and police and fire; effects on sensitive environmental features including lakes, surface and groundwater supply and quality, wetlands, slopes, floodplains and soils; and other factors found relevant by the city. *Impacts of this development on the community were found by the City staff to be negligible on the community's health and safety. The development will provide landscaping, screening, stormwater*

treatment, and pedestrian connections to mitigate impacts on the surrounding community and environment.

- c) Compliance with standards. The city shall consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in the regulations and ordinances of the city or other governmental bodies having jurisdiction over the city. *With this requested PUD, this project will meet the City's requirements for this land use on this site.*
- d) Public infrastructure services. Adequate public facilities and services shall be able to be provided to the site where the use is proposed, and/or existing infrastructure shall be able to absorb the additional demand for public services such as utilities, streets, parks, schools, etc. *Public utilities will be available to serve this site and connections will be made at the cost of the developer at no cost to the City.*
- e) Screening and landscaping. Incompatible impacts of the proposed use shall be screened and buffered from adjacent property and the surrounding neighborhood. The city council may require additional landscaping or screening above that required in the zoning ordinance. *Appropriate landscaping and screening are provided as part of the proposed site plan.*
- f) Architectural standards. The site or building associated with the proposed use shall meet or exceed the architectural design and landscaping standards for the district in which it is located. The city council may require additional architectural standards above those required in the zoning ordinance. *The Development meets the intent of the City's design standards. With the deviation received through the PUD, the project will comply with the City's architectural standards.*
- g) Zoning. The use shall be consistent with the requirements of the zoning ordinance and the requirements of the zoning district in which the applicant intends to locate the proposed use. *With the deviations received through the PUD, the project will comply with the City's zoning standards*
- h) Traffic. The city shall evaluate the potential generation and characteristics of the traffic associated with the use and its impact on traffic volumes and safety based on the proposed driveway locations, the existing and proposed capacity of adjacent roads, sidewalks, and trail connections. The City shall determine that the existing transportation infrastructure is adequate to address the potential traffic or shall require that the potential impacts shall be mitigated. *Staff have determined that existing City and County transportation infrastructure are sufficient to serve the use proposed on this site.*

Sec. 36-261 Required PUD Standards:

- a) The city shall consider the proposed PUD from the point of view of all standards and purposes of the comprehensive land use plan to achieve:
 - 1. Coordination between the proposed development and surrounding land uses; *The proposed land use is consistent with both the zoning code and comprehensive plan. The development provides adequate consideration of the existing land uses surrounding the project site.*
 - 2. The protection and conservation of woodlands, wetlands, bluffslands, and primary conservation areas within the Mississippi River Corridor; *The proposed project is consistent with the City's tree mitigation requirements.*
 - 3. The potential for more efficient use of land, energy, infrastructure, and natural resources, protection of water resources and conservation of natural resources. *The proposed project will preserve a wetland and associated buffer while allowing residential units at densities allowed by the City's zoning ordinance and comprehensive plan.*
 - 4. The protection of health, safety, and welfare of the community and residents of the PUD; *The proposed development adequately addresses the health, safety, and welfare of the future residents and those land uses surrounding the proposed development.*
 - 5. Benefit to the city and the public interest. *The proposed development will provide affordable housing units which are presently needed at this location in the community as identified by the Comprehensive Plan.*
- b) To these ends, the city council shall consider the location and compatibility of buildings, parking areas and other features with respect to the topography of the area and existing natural features; the efficiency, adequacy and safety of the proposed layout of internal streets and driveways; the adequacy and location of green areas; the adequacy, location and screening of parking areas; and such other matters as the council may find to have a material bearing upon the stated standards and objectives of the comprehensive land use plan. *The proposed development meets the intent of city design and landscaping*

requirements and provides important connections through and around the site. The site plan adequately considers the context of the site not limited to noise mitigation, screening, parking, and access.

Sec. 36-267 Required PUD Findings:

1. The proposed PUD is designed to form a desirable and unified environment within its own boundaries. *The design of the site is consistent with the City's design requirements. Building facades are largely compliant with City requirements and will compliment existing development.*
2. The PUD is consistent with the planned and efficient provision of public improvements and would not burden the existing tax base or create development in areas without adequate infrastructure or public facilities. *The proposed development will be adequately served by the surrounding roadway network, city utilities, and is not requesting financial assistance from the City.*
3. The PUD can be planned and developed to harmonize with any existing or proposed development in the areas surrounding the project site. The proposed uses will not be detrimental to potential surrounding uses. *The site plan is determined to be harmonious with the surrounding land uses. Landscaping and screening along with building massing and location are consistent with both the intent of the zoning code and the existing development pattern.*
4. The tract under consideration is under single ownership or control. *The project area will be under control by the developer if and once entitlements are received.*
5. The PUD plan provides for the creation, preservation, or restoration of natural resources such as valuable habitat, lakes, streams, shorelands, floodplains, woodlands, steep slopes, and similar areas. *The proposed project will meet tree mitigation requirements and preserve a wetland and associated buffer consistent with South Washington Watershed District rules.*
6. Each phase of the development, as it is proposed to be completed, is of sufficient size, composition, and arrangement that its construction, marketing, and operation are feasible as a complete unit, and that provision and construction of dwelling units and common open space are balanced and coordinated. *The development is consistent with density, lot area, site design, and open space requirements.*
7. Any common elements proposed as part of the PUD are appropriate for the scale, location, shape, size, density, and topography of the development and must be suitably improved for the intended use(s) except that significant natural features may be preserved or restored. *The proposed development adequately preserves natural features and provides programmed open space meeting the intent of city requirements.*
8. The project area is at least ten acres in size unless the applicant can show that a PUD of less acreage meets the standards and purposes of the comprehensive plan, that the proposal better adapts itself to the site and with the surrounding land uses than could be developed using strict standards within the underlying zoning district. *The Developer has demonstrated plans that are consistent with Land Use Goals 1 & 5 as articulated in the adopted Comprehensive Plan. Deviations requested are determined to be reasonable, and not reasonably met under strict interpretation of the zoning ordinance.*

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NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Newport approves the Preliminary Plat and Planned Unit Development Conditional Use Permit proposed by the Applicant on the Property, with the following conditions:

- 1. Applicant shall enter into a Development Agreement with the City prior to release of the final plat for recording.
- 2. Applicant shall revise the final plat to plat Lot 2 as an outlot and dedicate drainage and utility easements required by the City per the City Engineer’s memo dated July 30, 2023.
- 3. Prior to the release of the final plat, the Applicant shall revise plans to address the City Engineer’s memo dated July 30, 2023.
- 4. Prior to the release of the final plat, the Applicant is responsible for filing an easement or Right of Way vacation application if vacation of the easements on the property is required by the City, or documentation verifying vacation has occurred.
- 5. Applicant is responsible for paying the parkland dedication fee and any required utility fees prior to the release of the final plat for recording.
- 6. Applicant shall submit plans consistent with the Fire Chief’s comments as articulated in the staff report presented to the City Council on August 17, 2023.
- 7. Applicant must receive any required watershed permits prior to beginning any work on site.
- 8. Applicant must receive any required permits from Washington County prior to beginning work on the site.
- 9. Applicant must receive any required state permits or licenses, keep such permits or licenses up to date, and furnish documentation of permits or licenses to the city upon request.
- 10. Any incidental loss of existing trees through grading or construction activities will necessitate revision of the tree mitigation plan, and if additional mitigation is required, a cash in lieu fee shall be paid by the Developer.
- 11. No grading or site work may proceed prior to the issuance of a building permit for the project.

Adopted this 17th day of August, 2023 by the Newport City Council.

Motion by: _____, Seconded by: _____

| | | |
|-------|-------------|-------|
| VOTE: | Elliott | _____ |
| | Chapdelaine | _____ |
| | Ingemann | _____ |
| | Taylor | _____ |
| | Sumner | _____ |

Signed: _____
Laurie Elliott, Mayor

Attest: _____
Joe Hatch, City Administrator

EXHIBIT A

Legal Description of Development Property Being Final Platted as Newport Station Second Addition

Outlot A, NEWPORT STATION ADDITION, according to the recorded plat thereof, Washington County, Minnesota.

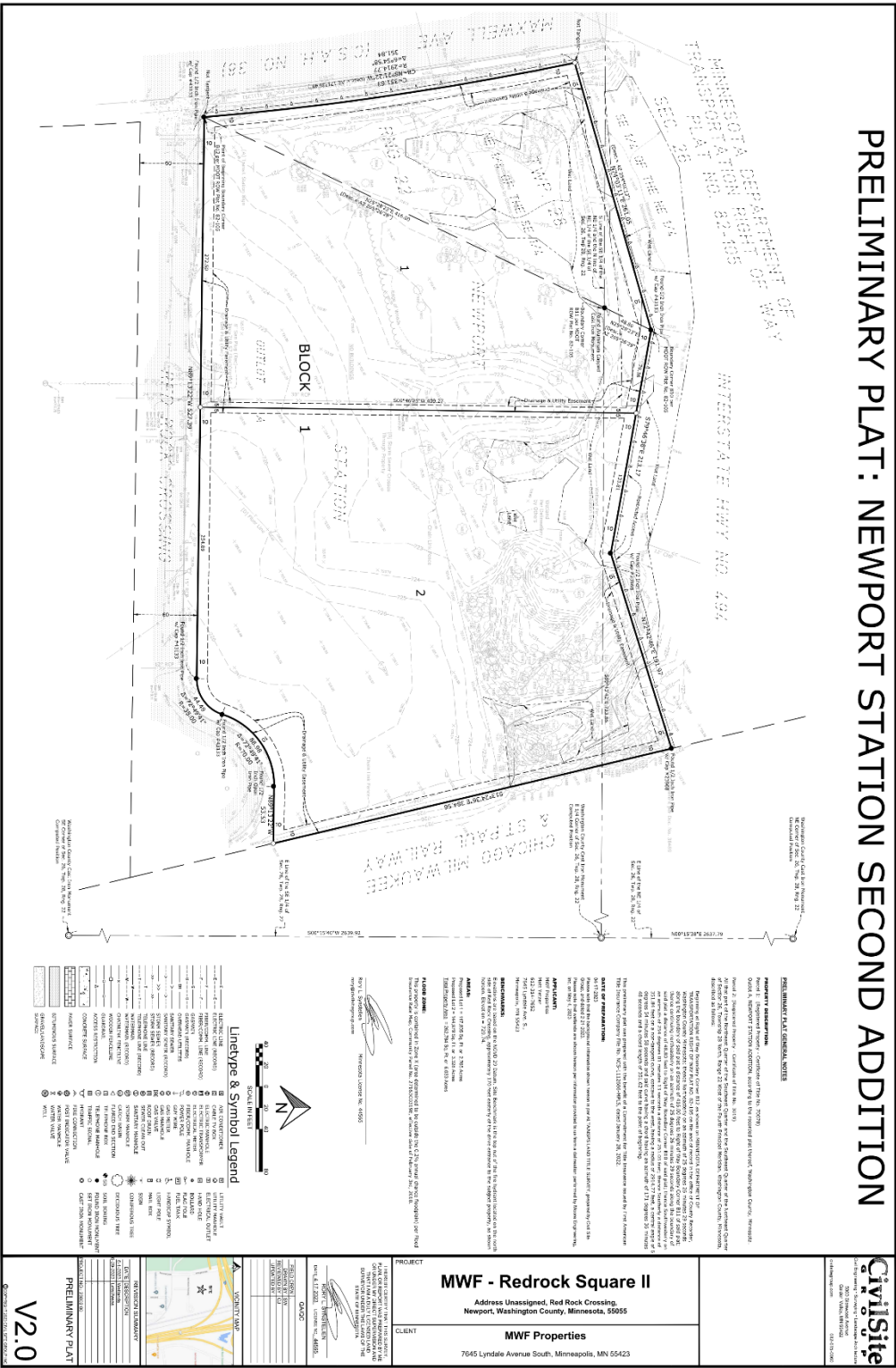
AND

All that part of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 26, Township 28 North, Range 22 West of the Fourth Principal Meridian, Washington County, Minnesota, described as follows:

Beginning at Right of Way Boundary Corner B12 as shown on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-105 on file and of record in the office of County Recorder, Washington County Minnesota; thence Northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds along the boundary of said plat a distance of 416.00 feet to Right of Way Boundary Corner B11 of said plat; thence continuing Northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds along the boundary of said plat a distance of 48.80 feet to Right of Way Boundary Corner B10 of said plat; thence Southwesterly on an azimuth of 254 degrees 01 minutes 13 seconds a distance of 261.05 feet; thence Southerly a distance of 351.84 feet on a non-tangent curve, concave to the west, having a radius of 2914.77 feet, a central angle of 6 degrees 54 minutes 58 seconds and said curve having a chord having an azimuth of 171 degrees 36 minutes 48 seconds and a chord length of 351.62 feet to the point of beginning.

EXHIBIT B

Preliminary Plat of Newport Station Second Addition



City of Newport, MN
Resolution No. 2023-39

A Resolution Approving a Final Plat and Planned Unit Development for
Newport Station Second Addition

WHEREAS, the City of Newport (the "City") is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a comprehensive plan in 2019 to guide the development of the community; and

WHEREAS, the City has adopted a zoning and subdivision ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, MWF Properties (the "Applicant") submitted final plat and planned unit development (PUD) requests for properties on PID's 2602822410045 and 2602822410054 legally described on **Exhibit A** (the "Property") attached hereto, consisting of approximately 2.7 acres of property for development of 51 multiple family units; and

WHEREAS, the City has agreed to process the Preliminary Plat and Final Plat concurrently due to the fact that no public streets or utilities are required or included in the proposed development; and

WHEREAS, the final plat is further depicted on **Exhibit B** attached hereto; and

WHEREAS, the property is zoned as MX-2 Transit Oriented Mixed Use District; and

WHEREAS, Chapter 28, Article 2, of the city code governs the subdivision process including findings required for approval; and

WHEREAS, Section 36-266 of the city code governs Planned Unit Development Conditional Use Permits, including the process and findings required for approval; and

WHEREAS, The Planning Commission held a public hearing at its regular meeting on August 8, 2023, and found the request to be consistent with the criteria and findings for approval, and has recommended that the City Council conditionally approve the preliminary plat and PUD proposed by the Applicant for the development of the Property; and

WHEREAS, The Newport City Council reviewed the Planning Commission's recommendation and findings on August 17, 2023, and conditionally approved the Preliminary Plat and Planned Unit Development Conditional Use Permit through Resolution 2023-38; and

WHEREAS, The Newport City Council reviewed the request for a Final Plat and PUD at its regular meeting on August 17, 2023, and has determined the following findings of fact:

- a) That the Newport Station Second Addition Final Plat and PUD plan will consist of 51 multiple family residential units on Lot 1, Block 1 of the proposed final plat
- b) That the Newport Station Second Addition Final Plat is generally consistent with the Preliminary Plat and PUD plans as approved by the City of Newport on August 17, 2023.
- c) That the Newport Station Second Addition Final Plat and PUD Plan are consistent with the intent of the City of Newport's adopted 2040 Comprehensive Plan.

- d) That the Newport Station Second Addition Final Plat and PUD Plans comply with the general intent of the MX-2 zoning district with the PUD modifications.
- e) That the Newport Station Second Addition Final Plat and PUD will comply with the City's Subdivision regulations.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Newport approves the Preliminary Plat and Planned Unit Development Conditional Use Permit proposed by the Applicant on the Property, with the following conditions:

1. Applicant shall enter into a Development Agreement with the City prior to release of the final plat for recording.
2. Applicant shall revise the final plat to plat Lot 2 as an outlot and dedicate drainage and utility easements required by the City per the City Engineer's memo dated July 30, 2023.
3. Prior to the release of the final plat, the Applicant shall revise plans to address the City Engineer's memo dated July 30, 2023.
4. Prior to the release of the final plat, the Applicant is responsible for filing an easement or Right of Way vacation application if vacation of the easements on the property is required by the City, or documentation verifying vacation has occurred.
5. Applicant is responsible for paying the parkland dedication fee and any required connection charges prior to the release of the final plat for recording.
6. Applicant shall submit plans consistent with the Fire Chief's comments as articulated in this memo.
7. Applicant must receive any required watershed permits prior to beginning any work on site.
8. Applicant must receive any required permits from Washington County prior to beginning work on the site.
9. Applicant must receive any required state permits or licenses, keep such permits or licenses up to date, and furnish documentation of permits or licenses to the city upon request.
10. Any incidental loss of existing trees through grading or construction activities will necessitate revision of the tree mitigation plan, and if additional mitigation is required, a cash in lieu fee shall be paid by the Developer.
11. No grading or site work may proceed prior to the issuance of a building permit for the project.

Adopted this 17th day of August, 2023 by the Newport City Council.

Motion by: _____, Seconded by: _____

| | | |
|-------|-------------|-------|
| VOTE: | Elliott | _____ |
| | Chapdelaine | _____ |
| | Ingemann | _____ |
| | Taylor | _____ |
| | Sumner | _____ |

Signed: _____
Laurie Elliott, Mayor

Attest: _____
Joe Hatch, City Administrator

EXHIBIT A

Legal Description of Development Property Being Final Platted as Newport Station Second Addition

Outlot A, NEWPORT STATION ADDITION, according to the recorded plat thereof, Washington County, Minnesota.

AND

All that part of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 26, Township 28 North, Range 22 West of the Fourth Principal Meridian, Washington County, Minnesota, described as follows:

Beginning at Right of Way Boundary Corner B12 as shown on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-105 on file and of record in the office of County Recorder, Washington County Minnesota; thence Northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds along the boundary of said plat a distance of 416.00 feet to Right of Way Boundary Corner B11 of said plat; thence continuing Northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds along the boundary of said plat a distance of 48.80 feet to Right of Way Boundary Corner B10 of said plat; thence Southwesterly on an azimuth of 254 degrees 01 minutes 13 seconds a distance of 261.05 feet; thence Southerly a distance of 351.84 feet on a non-tangent curve, concave to the west, having a radius of 2914.77 feet, a central angle of 6 degrees 54 minutes 58 seconds and said curve having a chord having an azimuth of 171 degrees 36 minutes 48 seconds and a chord length of 351.62 feet to the point of beginning.

City of Newport, MN
Ordinance No. 2023-04

An Ordinance Amending Chapter 36 of the Newport City Code of Ordinances
by Rezoning All Property at PIDs 2602822410054 and 2602822410045 from
MX-2 to MX-2-PUD.

THE CITY COUNCIL OF THE CITY OF NEWPORT DOES ORDAIN THE FOLLOWING:

SECTION 1. The following property is hereby rezoned from MX-2 (Transit Oriented Mixed Use District) to MX-2-PUD (Transit Oriented Mixed Use Planned Unit Development):

Outlot A, NEWPORT STATION ADDITION, according to the recorded plat thereof, Washington County, Minnesota.

AND

All that part of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 26, Township 28 North, Range 22 West of the Fourth Principal Meridian, Washington County, Minnesota, described as follows:

Beginning at Right of Way Boundary Corner B12 as shown on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-105 on file and of record in the office of County Recorder, Washington County Minnesota; thence Northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds along the boundary of said plat a distance of 416.00 feet to Right of Way Boundary Corner B11 of said plat; thence continuing Northeasterly on an azimuth of 25 degrees 26 minutes 29 seconds along the boundary of said plat a distance of 48.80 feet to Right of Way Boundary Corner B10 of said plat; thence Southwesterly on an azimuth of 254 degrees 01 minutes 13 seconds a distance of 261.05 feet; thence Southerly a distance of 351.84 feet on a non-tangent curve, concave to the west, having a radius of 2914.77 feet, a central angle of 6 degrees 54 minutes 58 seconds and said curve having a chord having an azimuth of 171 degrees 36 minutes 48 seconds and a chord length of 351.62 feet to the point of beginning.

SECTION 2. PUD District Regulations. Permitted uses and regulations acceptable to the PUD are hereby established as follows:

1. Principal Land Use – Uses permitted within this PUD shall be:
 - a. Multiple Family Dwellings
 - b. Uses listed as “Permitted” within Section 36-241
 - c. Uses listed as “Permitted with a conditional use permit” within Section 36-241, consistent with requirements for a CUP in Section 36-45
2. Accessory Land Use – Accessory uses shall be incidental to the principal uses of the property and as allowed in the MX-2 District in Section 36-241.
3. Design Standards – The Use permitted within this PUD is allowed to deviate from the following design standards:
 - a. Section 36-162(18)(f)(2)(iv)(A) by providing at least 39.2% of the overall façade area as decorative masonry or a similar material in quality and appearance.
4. Other Standards – Unless a PUD deviation has been granted or conditions imposed, the standards for this property shall be those found for the MX-2 Transit Oriented Development District in Chapter 36 of the City Code.

SECTION 3. Zoning Map. The zoning map of the City of Newport shall be republished to show the aforesaid zoning, and in the interim, the Clerk shall appropriately mark the zoning map on file with the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance, and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made part of this ordinance.

SECTION 4. Effective Date. This ordinance shall become effective immediately upon the adoption and publication in the official newspaper of the City of Newport.

SECTION 5. This Ordinance shall take effect following its passage and publication with an effective date of _____, 2023.

Passed by the City Council of Newport, Minnesota this 17th day of August 2023.

Motion by: _____,

Seconded by: _____

VOTE:

| | |
|-------------|-------|
| Elliott | _____ |
| Chapdelaine | _____ |
| Ingemann | _____ |
| Taylor | _____ |
| Sumner | _____ |

Signed: _____
Laurie Elliott, Mayor

Attest: _____
Joe Hatch, City Administrator

City of Newport, MN
Resolution No. 2023-40
A Resolution Approving Summary Publication of Ordinance 2023-04

WHEREAS, the Newport City Council has adopted Ordinance No. 2023-04, an ordinance that amends the City's Zoning Code Chapter 36 of the Newport City Code by rezoning all property at PIDs 2602822410054 and 2602822410045 from MX-2 (Transit Oriented Mixed Use District) to MX-2-PUD (Transit Oriented Mixed Use Planned Unit Development).

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newport that the City Clerk shall cause the following summary of Ordinance No. 2023-04 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Newport has adopted Ordinance No. 2023-04, an ordinance that amends the Zoning Ordinance by rezoning all property at PIDs 2602822410054 and 2602822410045 from MX-2 (Transit Oriented Mixed Use District) to MX-2-PUD (Transit Oriented Mixed Use Planned Unit Development). This ordinance creates land use standards consistent with the requested Planned Unit Development for the Newport Station Second Addition project by MWF Properties, also known as Red Rock Square II, which was approved by the Newport City Council on August 17, 2023.

The full text of Ordinance 2023-04 is available for inspection at Newport City Offices during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Newport that the City Clerk keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

[remainder of page intentionally blank]

Resolution No. 2023-40

Adopted this 17th day of August, 2023 by the Newport City Council.

Motion by: _____, Seconded by: _____

| | | |
|-------|-------------|-------|
| VOTE: | Elliott | _____ |
| | Chapdelaine | _____ |
| | Ingemann | _____ |
| | Taylor | _____ |
| | Sumner | _____ |

Signed: _____
Laurie Elliott, Mayor

Attest: _____
Joe Hatch, City Administrator