

CITY OF NEWPORT 2060 1<sup>st</sup> Avenue Newport, MN 55055 (651) 459-5677 ci.newport.mn.us

MAYOR:	
COUNCIL:	

Laurie Elliott Kevin Chapdelaine Tom Ingemann Marvin Taylor Bill Sumner City Administrator: Supt. of Public Works: Fire Chief: Asst. to the City Admin: Law Enforcement (WCSO): Joe Hatch Matt Yokiel Steven Wiley Travis Brierley Bill Harrell

## CITY COUNCIL AGENDA September 21, 2023- 5:30 PM

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. ROLL CALL
- 4. ADOPT AGENDA
- 5. SOUTH WASHINGTON COUNTY SCHOOL BOARD PRESENTATION
- 6. 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.
- 7. ADOPT CONSENT AGENDA All items listed under this section are considered routine and noncontroversial 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 August 17, 2023 Regular Council
  - B. Minutes September 7, 2023 Regular Council
  - C. Washington County Law Enforcement Contract
  - D. Resolution No. 2023-45 Appointment of Emelia Westerberg to the Parks Board
  - E. Ordinance No. 2023-07 Ordinance Amending Chapter 6 to include Turkeys
  - F. List of Bills- \$174,567.27
  - G. Financial Statement August 2023

## 8. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT

- 9. FIRE CHIEF'S REPORT
- 10. ENGINEER'S REPORT
- 11. SUPERINTENDENT OF PUBLIC WORKS REPORT

## 12. ADMINISTRATION REPORT

- A. Red Rock Villa Application
  - 1. **Resolution No. 2023-41** Preliminary Plat and Planned Unit Development Approval for Red Rock Villas
  - 2. Resolution No. 2023-42 Final Plat and Planned Unit Development Approval for Red Rock Villas
  - 3. Ordinance No. 2023-06 Establishing the Planned Unit Development standards for Red Rock Villas
  - 4. **Resolution No. 2023-43** Approving the summary publication of Ordinance No. 2023-06
- B. Preliminary Levy
  - 1. Resolution No. 2023-44 Preliminary Levy Certification for Levy Year 2023, Payable 2024
- 13. MAYOR AND COUNCIL REPORTS
- 14. ADJOURNMENT



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## CITY COUNCIL MEETING MINUTES August 17, 2023

## 1. CALL TO ORDER

Mayor Elliott called the City Council meeting to order at 5:30 p.m. on August 17, 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

Kate Klossner, Government Affairs Manager for Marathon Petroleum, addressed the Council. Ms. Klossner informed the Council that the city and refinery have come to an agreement on a piece of land that will soon be used as a dog park. A lease has been signed that will allow the city to move forward with the creation of a dog park south of 3<sup>rd</sup> Street between 5<sup>th</sup> Avenue and 7<sup>th</sup> Avenue.

Ms. Klossner informed the Council about a road construction project from August 25<sup>th</sup> to August 28<sup>th</sup>. St. Paul Park Road will be closed for a railroad crossing replacement. Mayor Elliott stated that trucks will be detoured to 7<sup>th</sup> Avenue during this construction.

## 6. ADOPT CONSENT AGENDA

- 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

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

## 7. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT

Washington County Sheriff's Deputy Sergeant Bill Harrell stated several weeks ago City Administrator Joe Hatch requested a code enforcement sweep throughout the city for inoperable and unregistered vehicles. The deputies concluded the sweep last week and ended up with thirty-seven violations. The residents have until August 24<sup>th</sup> to make corrections. If the violations still exist after that date, there will be correction letters mailed form the city. Sergeant Harrell stated there has been theft at the Community Garden and so the deputies have been doing extra patrolling in that area. Sergeant Harrell stated they had a speed trailer on 7<sup>th</sup> Avenue, Glen Road, Hastings Avenue, and 1<sup>st</sup> Avenue where they were able to gather data on speed averages.

## 8. FIRE CHIEF'S REPORT

Fire Chief Steve Wiley stated they have a training burn coming up on Saturday, August 19<sup>th</sup>. The burn will take place in the 1600 Block of Cedar Lane between 8am and 2pm. There will be intermittent smoke in the area, so please be cautious. Washington County dispatch is aware of this training.

## 9. ENGINEER'S REPORT

City Engineer Jon Herdegen stated our lateral lining contractor has been cleaning the lateral lines and will do post cleaning televising. They are about 50% done with cleaning and 30% done televising. After cleaning they will order materials for the lining project. The contractor is working to get a list of the laterals that have a transition where it will be difficult to get the full 10-foot liner installed. Member Sumner inquired what kind of obstructions are in the lines. Engineer Herdegen stated mostly tree roots.

Engineer Herdegen stated the 21<sup>st</sup> Street water main improvements project is complete. The county continues working on their multi-purpose trail project.

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

Superintendent of Public Works Matt Yokiel stated they are working with insurance and moving forward to get the City Hall flag poles fixed from the car incident.

Member Chapdelaine stated Public Works did a great job getting the park ready for Pioneer Day.

## **11. ADMINISTRATION REPORT**

## A. Red Rock Square II Application

City Planner Nathan Fuerst gave the Council a presentation on the Red Rock Square II Application. The request is to approve the preliminary plat, final plat, and planned unit development (PUD). The location for this development is north of City Hall on Maxwell Avenue. This site is made up of two existing parcels. The zoning is MX-2 which is our transit oriented mixed-use district. The site is around six acres; however, the first phase is about 2.7 acres. The density is 36.17 units per acre. The plat is called Newport Station Second Edition. There was a wetland identified on this property and therefore the developer had to modify the concept plan. Initially there were two buildings and now there is only one building that is taller with a smaller footprint. The project was reviewed for building materials, building façade design, parking/loading, open space, site access, and landscaping/tree preservation. The project is about 3% shy of the building materials which include brick, stone, decorative masonry, etc. The city finds this acceptable with the intent of the ordinance and consistent with the existing Red Rock Square building and therefore would allow a PUD deviation. There is one parking deviation that is required which is the amount of landscaping within the parking lot. The developer is proposing to landscape 7% instead of 10% to accommodate the sizable wetland onsite and staff supports this request. Additional staff reviewed these plans and provided comments. The request for Council is to approve the preliminary plat, a planned unit development that has three deviations (multifamily building over 8 units, primary building exterior materials at 39.2%, and parking lot landscaping area at 7%), and a final plat. The Planning Commission had an opportunity to review this project at their August 8<sup>th</sup> meeting where they held a public hearing. The Planning Commission recommended conditional approval to the City Council in a 4-1 vote. Staff recommends approval of this project with eleven conditions as described in the staff report.

Matt Yetzer, with MWF Properties, addressed the Council. Mr. Yetzer stated they have a quality proposal that meets the goals of the zoning district and feel excited to bring these units to our community. Mayor Elliott inquired if they plan to build on the east half of the property. Mr. Yetzer stated the purchase agreement with the County includes that parcel and they plan to investigate possibilities for future development. Member Sumner inquired about the valuation of these units. Mr. Yetzer stated the value is around \$190,000 to \$200,000 per unit. Member Taylor inquired what percentage of area median income (AMI) do you expect these units to be marketed towards. Mr. Yetzer stated most of the units are 60% AMI and below. The rent would be around \$950 for a one-bedroom unit.

## 1. Resolution No. 2023-38 – Preliminary Plat and Planned Unit Development Approval for Red Rock Square II

Member Chapdelaine motioned to adopt Resolution No. 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. Seconded by Member Sumner. Approved 5-0.

## 2. Resolution No. 2023-39 – Final Plat and Planned Unit Development Approval for Red Rock Square II

<u>Member Ingemann motioned to adopt Resolution No. 2023-39 – Approving the Final Plat and Planned Unit</u> <u>Development for Red Rock Square II subject to the findings and conditions of approval therein</u>. Seconded by <u>Member Chapdelaine</u>. Approved 5-0.

## 3. Ordinance No. 2023-04 – Ordinance Amending Chapter 36

<u>Member Sumner motioned to adopt Ordinance No. 2023-04 – Establishing the Planned Unit Development standards</u> for the Red Rock Square II project. Seconded by Member Chapdelaine. Approved 5-0.

## 4. Resolution No. 2023-40 – Summary Publication of Ordinance No. 2023-04

<u>Member Taylor motioned to adopt Resolution No. 2023-40 – Approving summary publication of Ordinance No.</u> 2023-04. Seconded by Member Ingemann. Approved 5-0.

## **12. MAYOR AND COUNCIL REPORTS**

Mayor Elliott congratulated McDonough Landscaping as they received the Star Tribune 2023 Readers Choice Silver Award for Landscaping Design/Installation. Mayor Elliott congratulated State Senator Matt Klein as he was recognized as The League of Minnesota Cities Legislators of Distinction for 2023. Mayor Elliott stated we had a great turnout at Pioneer Day and thanked staff for getting the park ready for the event.

Member Chapdelaine stated he heard many positive comments for the band that played during Pioneer Day.

Member Taylor stated he attended the Red Rock Corridor Commission meeting on Tuesday. They are working with a consultant to re-envision the Red Rock Corridor.

Member Sumner stated he attended the HPC meeting and lecture on Pioneer Day and found out we celebrated the 51<sup>st</sup> Pioneer Day event. Member Sumner stated he hiked the Pig's Eye Lake site which is part of a location for a project he has been asked to represent Newport on. Member Sumner stated he attended the community advisory panel meeting at the refinery.

## **13. ADJOURNMENT**

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

The City Council meeting was adjourned at 6:26 p.m. on August 17, 2023.

Respectfully submitted: Jill Thiesfeld, Administrative Assistant II

Signed:

Joe Hatch, City Clerk

Signed:

Laurie Elliott, Mayor



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

## CITY COUNCIL MEETING MINUTES September 7, 2023

## 1. CALL TO ORDER

Mayor Elliott called the City Council meeting to order at 5:30 p.m. on September 7, 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 Sumner. Approved 5-0.

## 5. RAMSEY/WASHINGTON COUNTY RECYCLING AND ENERGY CENTER PRESENTATION

Sam Holl, Facility Manager and Nathan Klett, Engineer with the Recycling and Energy Center (R&E), along with County Commissioner Karla Bigham addressed the Council. Mr. Holl gave Council an update on what the R&E Center is doing to be a good neighbor. Their goal is to divert material from landfill and recover materials from waste. The R&E Center is in Newport and all trash from residents and businesses in Ramsey and Washington County is delivered to this facility. The R&E Center produces refuse-derived fuel (RDF) which is then used by Xcel Energy to generate electricity. There is a new food scrap pickup program. Residents can put food scraps in special green bags and robotic machines will pick those bags and send them to a compost facility. This program is currently in a pilot test but should be rolled out to our communities in mid-October. Mr. Klett discussed odor monitoring and explained how they are being proactive in managing odors. They have louvers, power roof vents, high-speed roll up doors, odor mitigation units, etc.

## 6. PUBLIC COMMENTS

No public comments were made.

## 7. ADOPT CONSENT AGENDA

- A. Minutes August 3, 2023 Council Workshop
- B. Minutes August 8, 2023 Special Council Meeting
- **C. List of Bills-** \$214,831.12

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

## 8. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT

Washington County Sheriff's Deputy Sergeant Bill Harrell gave Council an update on the code enforcement sweep that was done in the city for unregistered and inoperable vehicles. Initially they had thirty-seven violations, and when the deputies went back two weeks later to check those violations, the number dropped to eighteen violations. The city will send letters for these violations and the goal is to gain compliance without having to issue citations.

## 9. FIRE CHIEF'S REPORT

## A. Emergency Response Presentation

Fire Chief Steve Wiley gave Council a high-level overview of our emergency operation plan (EOP) for large-scale incidents in the city. The EOP is a 400-page document that provides guidelines on how to manage major emergencies that threaten health, functions, services, and operations. The incident command system (ICS) is a nationally accepted hierarchical management system used to manage emergencies. All Chief Officers are trained in ICS. Examples of emergencies that can trigger an EOP include large scale fires, mass casualty incidents, tornadoes, and hazardous materials. Doug Berglund, Emergency Services Manager for Washington County, addressed the Council. Mr. Berglund stated he has been in this role for twelve years and is here to support local municipalities, police, fire, EMS, schools, and hospitals when there is a large-scale incident that requires additional support.

Chief Wiley updated the Council on the live burn training they performed on August 19<sup>th</sup>. It was a long, hot day, but the training went very well. The Cottage Grove and St. Paul Park Fire Departments joined the Newport Fire Department for this training.

Chief Wiley stated that the Newport Fire Department will be hosting their annual Booya event on Sunday, September 17<sup>th</sup> from 11am to 4pm at the Fire Station.

## **10. ENGINEER'S REPORT**

City Engineer Jon Herdegen gave the Council a brief update on the Lateral Lining Project. They are waiting for the contractor to get them a list of properties they will have trouble lining due to offset connections. Staff will work directly with these property owners.

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

Superintendent of Public Works Matt Yokiel informed Council they plan to have the rest of the house removed by the end of the month that was recently used for the live training burn conducted by the Fire Department. Superintendent Yokiel gave a brief update on the new hockey rink. They are getting the site prepped, the lights are ordered, and the hockey boards should be coming soon.

## **12. ADMINISTRATION REPORT**

Mayor Elliott introduced David Assaf, who is our new City Attorney from Flaherty and Hood.

## A. Ordinance No. 2023-05- Cannabis Business Moratorium – Public Hearing

Attorney Assaf stated Ordinance No. 2023-05 is an interim ordinance authorizing a study period and prohibiting the operation of cannabis businesses in the city until January 1, 2025.

Mayor Elliott opened the Public Hearing the Cannabis Business Moratorium at 6:27 p.m. on September 7, 2023.

No public comments were made.

Mayor Elliott closed the Public Hearing the for the Cannabis Business Moratorium at 6:28 p.m. on September 7, 2023.

Member Chapdelaine motioned to adopt Ordinance No. 2023-05- Cannabis Business Moratorium. Seconded by Member Ingemann. Approved 5-0.

City Council Meeting Minutes September 7, 2023 // City of Newport, Minnesota 2 | Page

## B. Verizon Wireless Lease Agreement

Assistant to the City Administrator Travis Brierley stated he is requesting Councils consent to enter into a lease agreement. This is an obligation that the county has with the city to co-locate any communication equipment on the monopole at Public Works. That is a county tower and currently only houses the county radio equipment including our emergency services repeaters. The county has negotiated a contract with Truman Site Acquisitions for a Verizon antenna to be placed on the monopole. The city would have a structured revenue sharing with the county. Over the first five years the city would get 30% of the revenue, years six through ten the city would get 40%, and years 11 and beyond the city would get 50% of the revenue. Over the course of 20 years, the city would receive approximately \$316,000 and the maintenance and liability is managed by the county.

Member Ingemann motioned to approve the Verizon Wireless Lease Agreement. Seconded by Member Sumner. Approved 5-0.

## **13. MAYOR AND COUNCIL REPORTS**

Mayor Elliott stated residents can donate used skates to City Hall and staff would get them to the warming house to be used this winter by anyone without skates. Mayor Elliott attended a Great River Rail meeting this morning. This group has been working hard to get a second Amtrak train that would travel from Chicago to the Twin Cities. Mayor Elliott stated she is excited to report that Marathon Refinery has sent us a donation of \$100,000 to be used at Busy Beaver for updating the playground equipment. She thanked the group at Marathon Refinery for supporting our community in such a meaningful way.

Member Sumner stated the Refinery is hosting an event on Saturday, September  $23^{rd}$  from 11am - 3pm. There will be food, activities, and other events at the Refinery.

## **14. ADJOURNMENT**

Member Chapdelaine motioned to adjourn the City Council meeting. Seconded by Member Sumner. Approved <u>5-0.</u>

The City Council meeting was adjourned at 6:40 p.m. on September 7, 2023.

Respectfully submitted: Jill Thiesfeld, Administrative Assistant II

Joe Hatch, City Clerk

Signed:

Signed:

Laurie Elliott, Mayor

## AGREEMENT FOR LAW ENFORCEMENT SERVICES

This agreement ("Agreement") is made by and between the County of Washington ("County") and the City of Newport ("City") for the provision of law enforcement services to the City by the County.

**WHEREAS**, the City is desirous of contracting for the performance by the County of the hereinafter described law enforcement functions for and within the political boundaries of the City through the Washington County Sheriff's Office; and

**WHEREAS**, the County is agreeable to rendering such services on the terms and conditions hereinafter set forth; and

WHEREAS, this Agreement is authorized and provided for by the provisions of Minnesota Statutes, Sections 412.221, Subdivision 2, 471.59 and 436.05.

**NOW THEREFORE,** pursuant to the terms of the aforementioned statutes and in consideration of the mutual promises contained herein, it is mutually agreed between the County and City as follows:

### I. Scope of Services

- 1. The County through the Washington County Sheriff's Office ("Sheriff's Office"), agrees to provide law enforcement services within the corporate limits of the City, including but not limited to the following:
  - a. Patrol services with random patrolling of residential areas, businesses, parks, and other public property;
  - b. Enforcement of Minnesota Statutes and the ordinances of the City;
  - c. Traffic enforcement including the regular use of speed detection devices as a speed deterrent;
  - d. Criminal investigative and forensic laboratory services;
  - e. Responding to police, medical, fire, and other emergencies;
  - f. Dispatching and other necessary communication services;
  - g. Driver's license inspections, background checks, and license enforcement services as required under applicable state laws and city ordinances;
  - h. Enforcement of the Juvenile Code of the State of Minnesota, as applicable; and
  - i. Such other law enforcement functions and services as may be requested by the City and that encompass the duties and functions of the type customarily performed by a municipal police force except the County shall not be required to provide an animal control officer to the City.

- 2. The County shall furnish and supply all necessary labor, supervision, administration, equipment, communication facilities and dispatching, and supplies necessary to provide the services required by this Agreement. The City shall furnish a secure office for the employee(s) to work at no cost to the County.
- 3. Violations of laws or ordinances for which an arrest is made shall be prosecuted in the appropriate court(s) of the County under the laws of the State of Minnesota or ordinances of the City, and fines, if any, shall be remitted in accordance with the laws of the State of Minnesota.
- 4. The County shall submit to the City a monthly activity report detailing the activities of the Sheriff's Office within the City. Said reports shall contain at a minimum the number of calls answered and the number of citations issued.

## II. Assumption of Liability/Insurance

- 1. Except as otherwise provided herein the City shall not assume any liability for the direct payment of any salaries, wages, or other compensation to any County personnel providing law enforcement services to the City under this Agreement and the County hereby assumes said liabilities.
- 2. Except as otherwise provided herein the City shall not be liable for compensation or indemnity to any County employee for injury or sickness arising out of their employment with the County and/or provision of law enforcement services to the City and the County agrees to indemnify and hold harmless the City against any such claims.
- 3. The City and its officers and employees shall not be deemed to assume any liability for the intentional or negligent acts of the County or the County's agents, officers, or employees performing services pursuant to this Agreement and the County shall hold the City and its officers and employees harmless from and shall defend and indemnify the City, its officers, and employees, against any claim for damages arising out of the County's performance of this Agreement.
- 4. The County and its officers and employees shall not be deemed to assume any liability for the intentional or negligent acts of the City or of any of the officers, agents, or employees of the City, and the City shall hold the County and its officers and employees harmless from, and shall defend and indemnify the County and its officers and employees against any claim for damages arising out of the City's performance of this Agreement, up to the municipal tort limits found in Minnesota Statutes, Section 466.04.
- 5. The County agrees to maintain during the term of this Agreement automobile, general liability, workers' compensation, and professional liability insurance or self-insurance in amounts deemed appropriate by the County.
- 6. All deputy sheriffs, clerks, dispatchers, and all other County personnel performing duties pursuant to this Agreement shall at all times and for all purposes be considered employees of the County.

## III. Payment

1. The City agrees to pay to the County the direct costs and expenses of providing the City with the law enforcement services provided for by this Agreement, including the full-time services of one (1) full-time equivalent (FTE) deputy sheriff sergeant and five (5) full-time equivalent (FTE) deputy sheriffs.

- 2. Direct costs and expenses shall mean the salaries, payroll taxes, and fringe benefits of the dedicated employees of the County who perform the law enforcement services to the City under this Agreement as well as other related and customary costs incurred by the County as a direct result of providing the law enforcement services to the City under this Agreement. Direct costs and expenses shall not include items of cost and expense attributable to services and facilities provided or available to the City that by law the County must provide. Computation of costs hereunder shall be made by the Sheriff's Office Budgeting and Accounting Division.
- 3. The County shall bill the City on a semi-annual basis for the provision of services under this Agreement and the City shall pay the amount required of the City on a semi-annual basis by directing to the County a check or voucher payable to the County Treasurer.
- 4. The City's cost for law enforcement services under this Agreement for each subsequent year shall be furnished by the County to the City no later than August 1<sup>st</sup> of each year.

## IV. Cooperation of Parties

- 1. To facilitate the County's performance pursuant to this Agreement the City and County shall work together to achieve the objectives of this Agreement for the benefit of the residents of the City. Each party to this Agreement shall designate a liaison for the purposes stated above. Meetings of the liaisons can be called by any of the parties as requested.
- 2. The manner and standards of performance, discipline and control of personnel, methods of providing law enforcement services and other matters incident to the performance of law enforcement services under this Agreement, including personnel to be employed, shall be determined by the Sheriff's Office.
- 3. In the event the City through its governing body or authorized agent notifies the County it is dissatisfied with the assignment of personnel for the performance of services under the Agreement and requests a change in assigned personnel the County shall make a reasonable effort to effect a change in the assignment of personnel provided such a change does not jeopardize the ability of the County to provide services to other areas of Washington County in a timely and efficient manner.

## V. Additional Terms

- 1. It is understood this Agreement contains the entire agreement between the parties and that no statement, promises, or inducements made by any party hereto, or any officer, agent, or employee of any party hereto that is not contained in this written Agreement shall be valid and binding. This Agreement may not be modified except in writing, signed by all parties.
- 2. This Agreement shall supersede any and all preceding agreements between the County and the City for the provision of law enforcement services. Any and all preceding agreements shall terminate on the effective date of this Agreement.
- 3. The effective date of this Agreement is January 1, 2024.
- 4. This Agreement shall remain in effect for a period of two (2) years, unless earlier terminated by operation of law. This Agreement shall automatically renew for periods of one (1) year following the

expiration of the initial two (2) year term and/or any renewal term. The total duration of this Agreement including all renewal terms shall not exceed five (5) years.

- 5. This Agreement may not be terminated by any party during the first two (2) years from the effective date of the Agreement. This Agreement may be terminated at any time and without any financial penalty by any party during any renewal term of the Agreement by giving the other party written notice one hundred and eighty (180) days prior to the termination date.
- 6. The parties agree that any amendment to this Agreement which decreases the number of officers provided to the City shall not be effective until one hundred and eighty (180) days after the amendment has been executed by the parties.
- 7. Notices shall be sent:

a. To the County:	Washington County Attention: County Administrator 14949 62nd Street North P.O. Box 6 Stillwater, Minnesota 55082
	Washington County Sheriff's Office Attention: Sheriff 15015 62nd Street North P.O. Box 3801 Stillwater, Minnesota 55082
b. To the City:	City of Newport Attention: City Administrator 2060 1 <sup>st</sup> Avenue Newport, Minnesota 55055

- 8. This Agreement may not be assigned without the written consent of all parties.
- 9. This Agreement shall be construed under the laws of the State of Minnesota.
- 10. If any provision of this Agreement shall be held to be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

**IN WITNESS WHEREOF,** the City has caused this Agreement to be signed by its Mayor and attested to by its City Administrator and/or City Clerk and the County has caused this Agreement to be signed by the Chairperson of its Board of County Commissioners, its County Sheriff, and attested to by its County Administrator.

Dated: \_\_\_\_\_

## **CITY OF NEWPORT, MINNESOTA**

Ву: \_\_\_\_\_

Its Mayor

ATTEST:

Ву:\_\_\_\_\_

Its City Administrator and/or City Clerk

**IN WITNESS WHEREOF,** the City has caused this Agreement to be signed by its Mayor and attested to by its City Administrator and/or City Clerk and the County has caused this Agreement to be signed by the Chairperson of its Board of County Commissioners, its County Sheriff, and attested to by its County Administrator.

Dated:	COUNTY OF WASHINGTON, MINNESOTA
	Ву:
	Its Chairperson of the Board
	Ву:
	Its County Sheriff
ATTEST:	
Ву:	
Its County Administrator	
APPROVED AS TO FORM:	
Ву:	
Its County Attorney's Office	

## City of Newport, MN Resolution No. 2023-45 A Resolution Appointing Emelia Westerberg to the Parks Board

WHEREAS, the City of Newport City Council appoints members to serve on the Parks Board; and

WHEREAS, the Newport Parks Board is made up of five members as established by MN Statute 412.501; and

WHEREAS, the Newport Parks Board currently has one vacancy; and

WHEREAS, an application was submitted by Emelia Westerberg for the vacant position; and

WHEREAS, Ms. Westerberg was interviewed by two members of the City Council; and

WHEREAS, Ms. Westerberg has received a recommendation to be appointed to the Newport Parks Board; and

NOW, THEREFORE BE IT RESOLVED, that the Newport City Council hereby supports the recommendation and appoints Emelia Westerberg to the Newport Parks Board with the term expiring January 31, 2024.

Adopted this 21st day of September, 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

## City of Newport, MN Ordinance No. 2023-07 An Ordinance Amending Chapter 6- Animals, Article II- Care and Control, **Division 4 Deer**

### The City Council of the City of Newport Does Ordain that the following ordinances be amended:

Sec. 6-120. Designated hunting areas.

The city council shall determine, by resolution, areas for archery deer and turkey hunting. The resolution shall define the areas, by map, which may be hunted. This map shall be effective for the stated hunting seasons.

(Code 1997, § 760.02)

Sec. 6-121. Hunting permitted.

Archery deer and turkey hunting shall be permitted on private lots consisting of a minimum of five contiguous acres as allowed by resolution. A combination of parcels may be used to create five contiguous acres of land. All hunting must be done in accordance with archery deer and turkey hunting regulations set forth by state statutes and the ordinances of the city. Hunters must obtain written permission from the landowner to hunt on the property owner's land.

(Code 1997, § 760.03)

Sec. 6-122. Regulations.

- Persons who wish to conduct archery deer hunting in the city shall complete the Metro Bowhunters (a) Resource Base (MBRB) proficiency test certificate on an annual basis at an approved location. Individuals must possess the MBRB proficiency test certificate when conducting archery deer or turkey hunting oin the city property.
- Written permission from the landowners must be in the possession of the hunter at the time of (b) hunting, along with adequate identification.
- (c) Persons may hunt deer and turkeys with a bow and arrow on land approved by the map provided they are at least:
  - Twenty feet from any property with a zoning classification other than those areas identified by (1) the hunting map.
  - Twenty feet from any public right-of-way. (2)
  - Twenty feet from any land or building not owned by the landowner, unless permission has (3) been granted.
- (d) Deer and turkeys shall be the only animals allowed to be hunted within Minnesota department of natural resources regulations. No other small or large game hunting shall be permitted.
- Hunting on public land is prohibited unless authorized by the city. (e) (f)
- Persons successful in harvesting deer or turkey shall notify the city. (Code 1997, § 760.04)
- Sec. 6-123. Deer and turkey management program.

The city clerk-administrator may designate times and dates to conduct a controlled hunt on public property by resolution. after October 15 of each year.

(Code 1997, § 760.05)

## Sec. 6-124. Feeding.

- (a) No person may place or permit to be placed on the ground, or within five feet of the ground surface any grain, fodder, fruit, vegetables, nuts, hay or other edible materials (including feed for birds) which may reasonably be expected to intentionally result in deer or turkey feeding, unless such items are screened or protected in a manner that prevents deer from feeding on them. Living fruit trees and other live vegetation shall not be considered as deer and turkey feeding.
- (b) Exceptions. This prohibition shall not apply to:
  - (1) Veterinarians, city animal control officers or county, state or federal game officials who are in the course of their duties, or have deer <u>or turkeys</u> in custody or under their management;
  - (2) Persons authorized by the city to implement the deer management program approved by the city council; or
  - (3) Any food placed upon the property for purposes of trapping or otherwise taking deer <u>or turkeys</u> where such trapping or taking is pursuant to a permit issued by the state department of natural resources.

(Code 1997, § 760.06)

Sec. 6-125. Enforcement.

- (a) *Authority of peace officers*. A peace officer is authorized and empowered to enforce all requirements of this division and related state statutes.
- (b) Seizure, confiscation, and disposal of deer and property. A peace officer is authorized and empowered to seize and confiscate any deer taken in violation of this division and to seize, confiscate, and dispose of all guns, firearms, bows and arrows, boats, or vehicles used by the owner or any other person with his knowledge in unlawfully taking or transporting such deer or turkeys in violation of this division. Articles which have no lawful use may be summarily destroyed. Upon conclusion of the prosecution of any case, the guns, firearms, bows and arrows, boats, or vehicles seized pursuant to this section shall be returned to the lawful owner thereof upon payment to the city of all costs incurred by the city in the seizure, to include towing fees and storage or impound fees. In the event the lawful owner cannot be determined or located, the property shall be disposed of in compliance with court order.

(Code 1997, § 760.07)

Secs. 6-126—6-148. Reserved.

Adopted this 21<sup>st</sup> day of September , 2023 by the Newport City Council.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_ VOTE: Elliott

Elliott \_\_\_\_ Chapdelaine \_\_\_\_ Ingemann \_\_\_\_ Taylor \_\_\_\_ Sumner

Signed: \_

Laurie Elliott, Mayor

Attest:

Joe Hatch, City Administrator

Recurring		
2254e	MIDWESTONE BANK	31-Aug-23
2255e	UNITED STATES TREASURY	07-Sep-23
2256e	MN REVENUE	07-Sep-23
2257e	MSRS	07-Sep-23
2258e	PSN	07-Sep-23
2259e	WEX HEALTH	07-Sep-23
2260e	HEALTHPARTNERS	14-Sep-23
2261e	UNUM	14-Sep-23
25947	ALAN ANDERSON	07-Sep-23
25948	Metropolitan Council	07-Sep-23
25949	PERA	07-Sep-23
25950	TENNIS SANITATION LLC	07-Sep-23
25951	ATOMIC DATA, LLC	14-Sep-23
25952	INTERNATIONAL UNION OF OP. EN	14-Sep-23
25953	XCEL ENERGY	14-Sep-23
		Staff
Non-recurring		
25954	BADGER METER	21-Sep-23
25955	BIFFS INC.	21-Sep-23
25956	BOLTON & MENK, INC.	21-Sep-23
25957	Cardmember Services	21-Sep-23
25958	CINTAS	21-Sep-23
25959	COMPANION ANIMAL CONTROL	21-Sep-23
25960	CITY OF COTTAGE GROVE	21-Sep-23
25961	ECKBERG LAMMERS, P.C.	21-Sep-23
25962	FIRE SAFETY USA, INC.	21-Sep-23
25963	FLAHERTY & HOOD, P.A.	21-Sep-23
25964	GOPHER STATE ONE-CALL	21-Sep-23
25965	GRAINGER PARTS	21-Sep-23
25966	INSTRUMENTAL RESEARCH, INC.	21-Sep-23
25967	JAN PRO CLEANING SYSTEMS	21-Sep-23
25968	LEAGUE OF MINNESOTA CITIES	21-Sep-23
25969	MCMULLEN INSPECTIONS, INC.	21-Sep-23
25970	MENARDS - COTTAGE GROVE	21-Sep-23
25971	METROPOLITAN AREA MGMT ASSC	21-Sep-23
25972	MINNESOTA MAYORS ASSOC.	21-Sep-23
25973	MN FIRE SERVICE CERT. BOARD	21-Sep-23
25974	MSA PROFESSIONAL SERVICES, IN	21-Sep-23
25975	NAPA AUTO PARTS	21-Sep-23
25976	OXYGEN SERVICE CO.	21-Sep-23
25977	PATHFINDER CRM, LLC	21-Sep-23
25978	QUADIENT FINANCE USA, INC.	21-Sep-23
25979	ROTHER MACHINE	21-Sep-23
25980	SOUTH SUBURBAN RENTAL, INC.	21-Sep-23
25981	TWIN CITIES PIONEER PRESS	21-Sep-23
25982	TWIN CITY HARDWARE	21-Sep-23
25983	CITY OF WOODBURY	21-Sep-23
		'

\$74.80	Positive pay
\$11,980.11	SS, federal and medicare
\$1,934.50	State taxes
\$3,669.12	HCSP & voluntary retirement
\$114.15	Electronic utility payment fees
\$745.73	HSPA
\$13,396.13	Health insurance
\$557.04	Life and long-term disability insurance
\$54.18	Overpayment of final utility bill
\$28,864.99	Sewer water cleaning
\$5,333.63	Retirement
\$59.67	Garbage service for city hall & pw building
\$2,121.18	IT support
\$210.00	Union dues
\$2,771.61	Natural gas and electricity
\$36,203.18	
\$77.88	Badger services
	Port o potty
	City planning
\$2,124.61	Credit card purchases
\$612.72	Uniform cleaning
\$778.17	Dog catching
. ,	Live fire instruction
\$2,203.99	Legal fees
\$329.00	Engine 1 repair parts
	Legal fees
\$130.95	Dig markings
\$528.13	Opener, faucet, meter, corner guard and welding ppe
\$51.10	Water testing
\$1,275.00	Cleaning services
\$5,491.00	Membership dues
\$485.16	Electrical inspection
\$96.83	Library mailbox and Fire Dept stickers
\$25.00	Luncheon
\$30.00	Membership dues
\$131.25	Recertification-Pestegaard/Hennagir
\$27,524.65	City engineering
\$316.98	Auto parts and DEF fluid
\$16.12	Oxygen supply
\$1,500.00	Bi-monthly bill for HPC consultant
\$39.78	Postage supplies
\$118.33	Booster valve
\$40.98	Propane
\$68.60	Notice postings
\$345.00	PD key fobs
\$1,051.92	Summer rec mailer and registration summer 2022
\$174,567.27	

Wiley	NFPA National Fire Protection	Stickers, activity booklets and banner	\$ 208.95	yes
	Minn. Fire Service Cert.	Certifications	\$ 26.25	yes
	Minn. Fire Service Cert.	Certifications	\$ 157.50	yes
	Amazon.com	Batteries and eraser	\$ 36.08	yes
	Amazon.com	Booya purchase-Reimbursed	\$ 41.89	yes
Schulz	Amazon	3-ring dividers and electric pencil sharpner	\$ 113.86	yes
	Amazon	Pocket dividers and hinge	\$ 28.16	yes
	MN Dept. of Administration	HPC conference registration-Sumner	\$ 125.00	yes
	WalMart	Papertowels	\$ 18.19	yes
	Carstickers	Special vehicle permit	\$ 108.00	yes
Brierley	Adobe Acropro MicroCenter Adobe Acropro Adobe Acropro Cub Foods	Monthly software fee Monitor, dock station and cords Monthly software fee Monthly software fee Library supplies	<ul> <li>\$ 21.46</li> <li>\$ 288.95</li> <li>\$ 21.46</li> <li>\$ 21.56</li> <li>\$ 19.32</li> </ul>	yes yes yes yes yes
Yokiel	Sams Club	Bath tissue, paper towel, napkins and bags	\$ 210.84	yes
	American Flagpole	US Flag	\$ 39.90	yes
Marson	Amazon Marketplace	Small tools	\$ 107.32	yes
	Redzonesigns	No parking signs	\$ 103.36	yes
	A&B Auto Electric Inc.	Labor charge	\$ 83.19	yes
	Adobe Acropro	Monthly software fee	\$ 21.46	yes
	Adobe Acropro	Monthly software fee	\$ 21.46	yes
	Costco	Snacks and water for fire training	\$ 122.90	yes
	Dominos	Lunch for fire training	\$ 177.55	yes



# **City of Newport, MN**

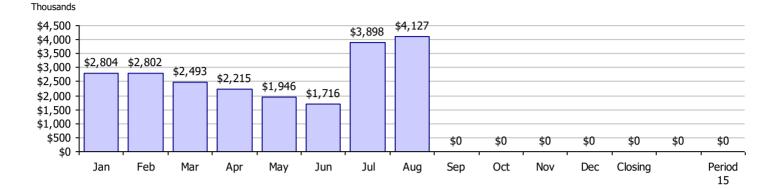
## Financial Status Report

## Period ended August 31, 2023

(Un-Audited)

Prepared by: Administration Department

## CITY OF NEWPORT \*Check Reconciliation© MidWest One 10100 CASH August 2023



\$138,732.02

\$52,546.93

\$0.00 \$181,258.69

\$0.22

-\$0.12

\$0.00

\$4,778.76

\$357,389.50

Account Summary			
Begin	ning Balance o 8/1/2023	\$3,932,724.56	
+	Receipts/Deposits	\$610,410.10	
-	Payments (Checks and Withdrawals)	\$399,344.15	
Endin	g Balance as of 8/30/2023	\$4,143,790.51	
Cash E	Balance		
Active	101-10100 GENERAL FUND	\$134,741.64	
Active	201-10100 PARKS SPECIAL FUND	\$687,698.39	
Active	204-10100 HERITAGE PRESERVATION COMM	\$5,080.79	
Active	205-10100 RECYCLING	\$23,128.45	
Active	206-10100 FIRE ENGINE	\$0.00	
Active	208-10100 BUY FORFEITURE	\$1,321.51	
Active	210-10100 GRANT AND AID MATCH FUNDS	\$81,074.38	
Active	211-10100 AMERICRESCPLAN	\$106,901.27	
Active	225-10100 PIONEER DAY	\$8,020.72	
Active	270-10100 EDA	-\$108,231.61	
Active	301-10100 2010A G.O. CAPITAL IMP. PLAN	\$3.27	
Active	302-10100 2018 BAILEY MEADOWS DEVELOP.	\$241,639.00	
Active	303-10100 2012 STREET NORTH RAVINE	\$19,849.94	
Active	304-10100 2016B GO BOND WATER RESEVOIR	-\$6,425.25	
Active	305-10100 2013 STREET ASSESSMENT	\$27,239.01	

306-10100 2014 STREET ASSESSMENT

Active 308-10100 CERIFICATES OF INDEBTEDNESS

Active 313-10100 2000B GO IMP BOND

Active 318-10100 CITY/FIRE HALL

Active 315-10100 2002A \$690,000 BOND

Active 316-10100 PFA/TRLF REVENUE NOTE

Active 321-10100 2006A EQUIP CERTIFICATE

307-10100 2016A GO BOND STREET ASSESS.

312-10100 2020 12TH ST & 12TH AVE PROJ

Active

Active

Active

Cleared	\$4,143,790.51			
Statement	\$4,143,790.51			
Difference	\$0.00			
Beginng Balance	\$3,932,724.56			

zeginnig zananee	<i>qo,oo=,i=ioo</i>
+ Total Deposits	\$611,306.70
- Checks Written	\$416,780.82
Check Book Balance	\$4,127,250.44
Difference	\$0.00

Active	322-10100 2011A GO BONDS		\$114,859.42
Active	401-10100 EQUIPMENT REVOLVING	i	\$402,675.14
Active	402-10100 2018 BAILEY MEADOWS	DEVEL	\$11,214.16
Active	405-10100 T.H. HWY 61		\$2.54
Active	407-10100 2016B GO BOND (WATER	R RESEVOIR)	\$0.00
Active	408-10100 2016A GO BOND STREET	CONST.	\$73,910.03
Active	409-10100 2013 STREET RECON.		\$0.00
Active	410-10100 2014 STREET RECON.		\$3,593.35
Active	411-10100 BUILDING FUND		\$224,255.16
Active	412-10100 2020 12TH ST & 12TH A	VE PROJ	\$36,094.01
Active	416-10100 4TH AVENUE RAVINE		\$12,884.56
Active	417-10100 NORTH RAVINE		\$12,644.32
Active	418-10100 CITY/FIRE HALL		-\$126,131.47
Active	422-10100 FEMA-17TH STREET & C	edar lane	\$0.00
Active	423-10100 2011A EQUIPMENT CAPI	TAL	\$0.00
Active	601-10100 WATER FUND		\$375,258.67
Active	602-10100 SEWER FUND		\$667,743.31
Active	603-10100 STREET LIGHT FUND		\$76,939.76
Active	604-10100 STORM WATER FUND		\$284,559.97
		Cash Balance	\$4,127,250.44

## City of Newport INVESTMENTS Aug-23

	BOUGHT	MATURITY	# OF				
TYPE	DATE	DATE	DAYS	<u>COST</u>	<u>RATE</u>	GASB #40 Val.	
RBC-Weath Manag	gement						
Texas Ex. Bank	6/19/2020	6/19/2025	1,820	120,000	1.00%	110,867.92	101
Accrued Interest	all CDs in Inv	restment					
			Sub-total	Investments	GASB 40	110,867.92	
<b>RBC-Wealth Mana</b>	gement						
Forbright Bank	11/2/2022	11/2/2026	1,460	150,000	4.60%	147,541.59	401
Accrued Interest	all CDs in Res	erve Investme	nt				
		Sub-tot	al Reserve	Investments	GASB 40	147,541.59	
Ehlers Inv-TDAme	ritrade						
Money Market	2/15/2019	N/A		8,350,000	Var.	8,389,012.08	
<b>CENTRAL BANK</b>							
Checking						4,143,790.51	
-							
		-	Total Cash	Investments	and CD's	12,791,212.10	
		•	otai Gasil,	investments		12,101,212.10	
Eblars Inv by Acat	101 67		¢120.000	225 \$20,000	270 62 0		
Ehlers Inv by Acct.	101-52			225-\$20,000		150,000	
		300-\$500,00	JU 410-ŞI	70,000 411-\$	425,000		

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 August 2023

				T	ransfers		Balance NO			
Fund	Begin 2023	Receipts	Disbursements	Rec/Disb	Journal Entries	JE Payroll	Investments	Investments	Balance	
<u> 10100 - MidWest One</u>										
101 - GENERAL FUND	\$966,596.24	\$1,943,461.17	(\$2,236,249.37)	\$0.00	(\$283,700.00)	(\$255,366.40)	\$134,741.64	\$2,403,680.03	\$2,538,421.67	In Balance
201 - PARKS SPECIAL FU	\$190,844.39	\$1,698.00	(\$34,844.00)	\$0.00	\$530,000.00		\$687,698.39	\$416,546.00	\$1,104,244.39	In Balance
204 - HERITAGE PRESER	\$7,039.56	\$1.09	(\$6,459.86)	\$0.00	\$4,500.00		\$5,080.79		\$5,080.79	In Balance
205 - RECYCLING	\$22,324.39	\$8,053.94	(\$5,776.00)	\$0.00		(\$1,473.88)	\$23,128.45		\$23,128.45	In Balance
206 - FIRE ENGINE	\$0.00			\$0.00			\$0.00	\$0.00	\$0.00	In Balance
208 - BUY FORFEITURE	\$1,319.30	\$2.21		\$0.00			\$1,321.51	\$0.00	\$1,321.51	In Balance
210 - GRANT AND AID MA	(\$0.18)	\$102,104.21	(\$21,029.65)	\$0.00			\$81,074.38		\$81,074.38	In Balance
211 - AMERICRESCPLAN	\$357,720.67		(\$250,819.40)	\$0.00			\$106,901.27	\$0.00	\$106,901.27	In Balance
225 - PIONEER DAY	\$28,657.53	\$14,261.74	(\$4,898.55)	\$0.00	(\$30,000.00)		\$8,020.72	\$19,988.00	\$28,008.72	In Balance
270 - EDA	\$280,469.51	\$337,519.84	(\$376,220.96)	\$0.00	(\$350,000.00)		(\$108,231.61)	\$1,991,287.89	\$1,883,056.28	In Balance
301 - 2010A G.O. CAPITAL	\$3.27	\$0.00		\$0.00			\$3.27	\$0.00	\$3.27	In Balance
302 - 2018 BAILEY MEADO	\$233,123.69	\$274,396.57	(\$265,881.26)	\$0.00			\$241,639.00	\$444.00	\$242,083.00	In Balance
303 - 2012 STREET NORT	\$19,815.58	\$34.36		\$0.00			\$19,849.94	\$0.00	\$19,849.94	In Balance
304 - 2016B GO BOND WA	(\$5,850.25)		(\$575.00)	\$0.00			(\$6,425.25)		(\$6,425.25)	In Balance
305 - 2013 STREET ASSES	(\$0.27)	\$129,208.98	(\$101,969.70)	\$0.00			\$27,239.01	\$0.00	\$27,239.01	In Balance
306 - 2014 STREET ASSES	\$181,675.85	\$174,189.93	(\$217,133.76)	\$0.00			\$138,732.02	\$496,451.00	\$635,183.02	In Balance
307 - 2016A GO BOND ST	\$75,829.91	\$24,282.02	(\$47,565.00)	\$0.00			\$52,546.93		\$52,546.93	In Balance
308 - CERIFICATES OF IN	\$0.00			\$0.00			\$0.00	\$0.00	\$0.00	In Balance
312 - 2020 12TH ST & 12T	\$248,258.31	\$24,300.38	(\$91,300.00)	\$0.00			\$181,258.69	\$0.00	\$181,258.69	In Balance
313 - 2000B GO IMP BOND	\$0.22			\$0.00			\$0.22	\$0.00	\$0.22	In Balance
315 - 2002A \$690,000 BON	(\$0.12)	\$0.00		\$0.00			(\$0.12)	\$0.00	(\$0.12)	In Balance
316 - PFA/TRLF REVENUE	\$4,771.29	\$7.47		\$0.00			\$4,778.76	\$0.00	\$4,778.76	In Balance
318 - CITY/FIRE HALL	\$294,699.10	\$478,705.40	(\$416,015.00)	\$0.00			\$357,389.50	\$0.00	\$357,389.50	In Balance
321 - 2006A EQUIP CERTI	\$0.00			\$0.00			\$0.00	\$0.00	\$0.00	In Balance
322 - 2011A GO BONDS	\$117,043.79	\$475.63	(\$2,660.00)	\$0.00			\$114,859.42		\$114,859.42	In Balance
401 - EQUIPMENT REVOL	\$402,055.13	\$131,512.20	(\$280,892.19)	\$0.00	\$150,000.00		\$402,675.14	\$156,117.00	\$558,792.14	In Balance
402 - 2018 BAILEY MEADO	\$11,195.94	\$18.22		\$0.00			\$11,214.16	\$0.00	\$11,214.16	In Balance
405 - T.H. HWY 61	\$2.54			\$0.00			\$2.54	\$0.00	\$2.54	In Balance
407 - 2016B GO BOND (W	\$0.00			\$0.00			\$0.00	\$0.00	\$0.00	In Balance
408 - 2016A GO BOND ST	\$73,581.51	\$328.52		\$0.00			\$73,910.03	\$0.00	\$73,910.03	In Balance
409 - 2013 STREET RECO	\$0.00			\$0.00			\$0.00	\$0.00	\$0.00	In Balance
410 - 2014 STREET RECO	\$3,587.13	\$6.22		\$0.00			\$3,593.35	\$0.00	\$3,593.35	In Balance
411 - BUILDING FUND	\$240,610.37	\$3,145.07	(\$44,500.28)	\$0.00	\$25,000.00		\$224,255.16	\$412,141.00	\$636,396.16	In Balance
412 - 2020 12TH ST & 12T	\$36,916.59	\$279.92	(\$1,102.50)	\$0.00			\$36,094.01	\$0.00	\$36,094.01	In Balance
416 - 4TH AVENUE RAVIN	\$12,862.25	\$22.31		\$0.00			\$12,884.56	\$0.00	\$12,884.56	In Balance

## **CITY OF NEWPORT**

09/06/23 3:49 PM Page 2

#### \*Cash Balance Investments Cash Account: 10100 August 2023

-----Transfers------**Balance NO** Fund Begin 2023 Receipts Disbursements Rec/Disb Journal Entries JE Payroll Balance Investments Investments 417 - NORTH RAVINE \$12,622.43 \$21.89 \$0.00 \$12,644.32 \$0.00 \$12,644.32 In Balance 418 - CITY/FIRE HALL \$86,628.84 \$0.00 (\$126,131.47) \$0.00 In Balance (\$212,760.31) (\$126,131.47) 422 - FEMA-17TH STREET \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 In Balance 423 - 2011A EQUIPMENT \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 In Balance 601 - WATER FUND \$143,074.70 \$614,831.31 (\$296,039.25) \$0.00 \$4,200.00 (\$90,808.09) \$375,258.67 \$780,483.61 \$1,155,742.28 In Balance 602 - SEWER FUND \$316,831.85 \$870,144.22 \$0.00 (\$94,586.15) \$667,743.31 \$1,269,836.86 \$1,937,580.17 In Balance (\$424,646.61) 603 - STREET LIGHT FUN \$107,398.51 \$64,437.21 (\$35,027.60) \$0.00 (\$50,000.00) (\$9,868.36) \$76,939.76 \$157,562.00 \$234,501.76 In Balance 604 - STORM WATER FUN \$146,356.43 \$260,368.89 (\$107,482.15) \$0.00 (\$14,683.20) \$284,559.97 \$96,673.00 \$381,232.97 In Balance \$4,618,066.00 \$5,457,818.92 (\$5,481,848.40) \$0.00 \$0.00 (\$466,786.08) \$4,127,250.44 \$8,201,210.39 \$12,328,460.83



Real People. Real Solutions.

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

## MEMORANDUM

Memo Date:	September 15, 2023
Meeting Date:	September 21, 2023
To:	Newport City Council
From:	Nathan Fuerst, AICP, City Planner
Subject:	Red Rock Villas - Preliminary & Final Plat, and Preliminary & Final PUD Review
Action Requested:	Provide a determination on the Preliminary Plat, Final Plat, Preliminary PUD, and Final PUD requests.

## Overview

Applicant: M & M Land Co, LLC Owner: MGM Development, LTD

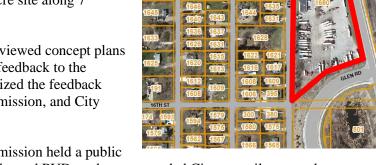
PIDs: 3602822220047and 3602822220022 Zoning: Mx-3 General Mixed-Use District Future Land Use: Mixed Commercial/Residential

## **Summary of Proposal**

The City has received a Preliminary and Final Plat and PUD request from M & M Land Co (Applicant) for a 143 unit, multifamily development on an 8.01 acre site along 7<sup>th</sup> Avenue.

On April 20, 2023, the City Council reviewed concept plans for the proposed project and provided feedback to the Applicant and staff. The Applicant utilized the feedback received from staff, the Planning Commission, and City Council to inform the current requests.

On August 8, 2023, the Planning Commission held a public



hearing for the proposed preliminary plat and PUD, and recommended City council approval.

The plans submitted by the applicant detail 4 multi-family residential buildings, ranging from 30 to 42 units each, to be built consecutively. The first phase would include 79 units between two buildings (Buildings A and B) proposed on the south side of the site. The remaining two buildings would be constructed in a second phase immediately following the first.

Https://boltonmenk-my.sharepoint.com/personal/nathan\_fuerst\_bolton-menk\_com/Documents/Desktop/Red Rock Villas/Staff Report/2023.9.18 Staff Report - Red Rock Villas PP -PPUD - FPUD.docx Bolton & Menk is an equal opportunity employer.

## **Applicant Narrative**

The Applicant describes the proposed development in the narrative submitted with this application. The proposed market rate rental units are described in the narrative as follows:

RED ROCK VILLAS provides two different lifestyle choices in our Courtyard Villa and Promenade Villa designs. The Courtyard Villa offers one-level living with a pet friendly private courtyard. The Promenade Villa offers a much larger two-level two and three bedroom choices and live/work environment opportunity. These units open onto our unique pedestrian Promenade with a snow-melt system enabling year-round use...

## Subdivision (Platting) Review Process

The Applicant is required to go through the platting process for this property to clean up the property boundaries and dedicate on the plat any required rights of way or easements as required by the City. The Subdivision ordinance establishes the subdivision process in 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.

### **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, subdivision ordinance, and 2040 Comprehensive Plan.

## Intent of the MX-3 Zoning District

City Code section 36-237 provides the intent of the General Mixed Use Zoning District as follows: The specific intent of the MX-3, General Mixed- Use District is to provide for a mix of residential and commercial uses that provide for a long-term transition from the auto-oriented uses that exist in the district based on past frontage on Highway 61, to uses that are compatible with adjacent residential and mixed-use districts. The city anticipates that commercial uses will cluster on and near Hastings Avenue and the Glen Road interchange, and that over the long-term redevelopment will include a variety of residential and commercial uses.

### Zoning

MX-3 Zoning allows this use, multifamily apartments, as a permitted use. Residential density permitted in this zoning district is consistent with the City's comprehensive plan at 8-20 units per acre.

### **Comprehensive Plan**

This proposed project would be consistent with the uses allowed in the Future Land Use category, and the range of allowable density in Mixed Residential Commercial areas zoned MX-3 (between 8-20 units/acre). This development will have a net density of 17.15 units per acre.

The proposed land use is seen to be consistent with the City's long-term vision for this area, which is to generate opportunities for housing in the city, with higher density housing along the 7<sup>th</sup> avenue corridor.

- <u>General Land Use Goal 1</u>: ...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.
- <u>General Land Use Goal 5</u>: 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.

Burk (Zonnig) Standarus:							
Standard	Required	Proposed					
Minimum Lot Area	5,400 square feet	348,916 sq ft (8.01 Acres)					
Minimum Lot Width	40 feet minimum	1006 - 1237 feet					
Minimum Lot Depth	130 feet minimum	261 – 436 feet					
Building Setbacks:							
Front	22 feet minimum	22 – 55 feet					
Side	5 feet minimum	10 feet					
Rear	20 feet minimum	N/A					
Parking Setbacks:							
Front	20 feet minimum	17 feet*					
Side	5 feet minimum	286 – 300 feet					
Rear	5 feet minimum	N/A					
Height	40 feet maximum	37 feet					
Lot Coverage	75% of the site	70.3%					
Lot coverage		10.570					

## **Bulk (Zoning) Standards:**

\*Deviation to front yard parking setback requested, this is discussed in the parking section of this report.

This development is unique as four separate buildings are located on one property. Staff are considering this development to have front yards on both 7<sup>th</sup> and 4<sup>th</sup> Avenues for the purposes of establishing setbacks. This is because the development needs to be oriented to each corridor. The above setback standards will be incorporated into the PUD ordinance which results from an approval, if granted.

### Lot Configuration and Site Control

As proposed, the project plans show all four structures on one lot. Staff note that this requires a PUD deviation to City Code Section 36-11 which limits each one lot to having only one principal structure. Staff are not opposed to this request given the fact that this would be a master planned development consisting of rental units.

This Applicant is required to replat the development, as opposed to combining the subject parcels through a lot combination, to clean up the legal description of this property and to provide for right of way or drainage and utility easements as required by the City and Washington County.

The Applicant has indicated the property owner at 1696 4<sup>th</sup> Avenue will be willing to sell their singlefamily residence and has a purchase agreement for the property. Without that property acquisition, the Applicant will need to revise the final plat. Staff recommend that the final plat be withheld from recording until such time as a property acquisition has been finalized or the development plans revised accordingly.

## **Site Design**

## **Building Locations**

The Applicant has located buildings to front primarily on either on 4<sup>th</sup> or 7<sup>th</sup> Avenues. Staff initially provided feedback suggesting that Building D be moved closer to 7<sup>th</sup> Avenue to reinforce the walkability of the corridor. The Applicant has moved the building slightly closer to 7<sup>th</sup> avenue and has provided significant landscaping to help buffer the building from Highway 61 to reduce noise. Enhanced landscaping would not be possible with the building at the desired setback distance. Staff find the location of the proposed buildings, including Building D, to be acceptable.

## **Trail Connection**

A key trail connection is being proposed with this project. Since concept plan review, the Applicant has revised the plans to include a trail running east to west across the southern boundary of the project. The Trail is primarily on Washington County Right of Way, and the County has had an opportunity to review and comment. As proposed, the trail would connect the future City Park on Cedar Lane with the Mississippi River Bike Trail by way of 16<sup>th</sup> Street and this site. Through a possible future extension south along 4<sup>th</sup> Avenue, the proposed trail will provide a link through this site to the City's Community Garden.

## **Parkland Dedication**

By adding 143 new dwelling units to the City, this development will create a demand on the City's existing parks and trails. Sec. 28-126 of the City's Subdivision Ordinance requires that 10% of the land in a new subdivision be provided to the City for the purpose of establishing parks, playgrounds, trails, or other open spaces. In cases where no lands are suitable or necessary for new parks, cash payments may be made to account for the burden that developments place on the City's park system.

At 8.01 acres in area, this development is required to provide .801 acres, or the cash equivalent, for parkland dedication. 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.

Staff are further recommending that the design and cost of the trail improvements be proposed by the Applicant and approved by the City Engineer. Washington County approval of the location and design shall also be required. If the improvement costs are equal to or greater than the required parkland dedication cash in lieu amount, parkland dedication shall be satisfied by the development. If the costs of trail improvements are less than the cash equivalent of parkland dedication, then the Applicant shall pay the difference. Any required fee in lieu of dedication will be required prior to release of the Final Plat for recording.

## Landscaping

This project is required to include one overstory tree for every 50 feet of lot frontage and one tree for every 1000 square feet of non-impervious lot cover (excluding storm basins). Both of those requirements appear to be met with a total of 206 trees proposed across the site. This breaks down into 124 deciduous

overstory trees, 41 evergreen trees, and 43 understory trees. Trees also meet the species diversity requirements established in City Code. Parking areas are proposed to be screened with shrub plantings that will provide an effective buffer at their mature height.

## **Tree Preservation**

Roughly the north half of this site is currently vegetated with a stand of mature trees. The Applicant has submitted a tree inventory which details the location and species of trees greater than 6 inches in diameter or 8 feet tall. According to the tree inventory, 75% of the total caliper inches on this site are Siberian Elm. Anticipating the City's tree replacement requirements, the Applicant requested that the City consider Siberian Elm trees as invasive and therefore exempt from protections and required replacement. Staff do find that this is a reasonable interpretation on the basis that the trees are listed as invasive by the MnDNR.

The Applicant is proposing to remove all of the trees on the site, resulting in a requirement to provide mitigation for a total of 108.5 caliper inches as calculated by staff. This would translate to 43 deciduous overstory trees using the minimum planting size requirements. Tree mitigation requirements are to be satisfied in addition to landscaping required by the zoning ordinance per section 18-42 (m). The Applicant has met this obligation by proposing a minimum of 43 deciduous overstory trees on the site.

### Noise

As part of a resubmittal dated July 12, 2023 the Applicant provided a noise study summarizing testing performed on the site to understand noise impacts from MN Highway 61 and the adjacent railway. The study tested noise levels at various locations across the site where the residential buildings are proposed. The measured ambient L10 noise level was 62 dBA and the L50 noise level was 58 dBA. The Applicant's team took measurements at various locations across the development, including at different heights along the east building faces to model the nose impacts on the second and third floors in addition to the street level.

Minnesota Rules Chapter 7030 provides administrative rules relating to noise produced by the Minnesota Pollution Control Agency. This chapter establishes noise standards for daytime and nighttime uses. According to the state's rules, residential areas are limited to 60 decibels or fewer as measured on average for a half hour period during the day (L50 measurement). The State also delegates the responsibility of controlling noise impacts generated by land uses to municipalities:

Any municipality having authority to regulate land use shall take all reasonable measures within its jurisdiction to prevent the establishment of land use activities listed in noise area classification (NAC) 1, 2, or 3 in any location where the standards established in part 7030.0040 will be violated immediately upon establishment of the land use.

The Applicant's consultant, Stantec, has clarified that the levels of sound do not exceed the daytime levels established by MPCA rules. City staff was able to present this information to the MPCA and have reached that same understanding with MPCA staff.

Using the best available information, Staff believe that this project is not exceeding noise levels established in the State rules.

### **Open Space**

City Code does not identify a specific amount of open space for developments in the MX-3 zoning district outside of requirements limiting lot coverage (impervious surface) and requiring landscaping. It is noted that the proposed buildings are unique in that they provide a shared open space in the form of a promenade designed to be available in all seasons.

## **Parking/Loading Requirements**

Parking standards are provided by City Code Section 36-161 for multifamily residential uses with more than eight units. Staff have reviewed the concept for conformance with parking and loading standards established in City Code Sections 36-161 and 36-162 for this use and have the following comments:

<u>Parking Screening</u> – The City Code requires parking areas to be screened from the street and surrounding properties with residential land uses. About half of the parking spaces are screened due to the location on the interior of the site. Parking stalls proposed to be easily visible from 7<sup>th</sup> and 4<sup>th</sup> Avenues are proposed to be screened with ornamental shrub plantings which will reach a mature height allowing vehicle headlights and taillights to be screened.

Number of stalls – The amount of parking required for this use is summarized in the following table:

	Building Makeup			Parking Stalls Required			
	Total Units	1br Units	2+br Units	Visitor	Enclosed	Unit Stalls	Total Required
Building A	37	15	22	18.5	37	66.5	85
Building B	42	18	24	21	42	75	96
Building C	34	14	20	17	34	61	78
Building D	30	12	18	15	30	54	69
TOTALS	143	59	84	71.5	143	256.5	328

Total Parking Provided					
	Enclosed	Exterior	Total		
Building A	60	-	60		
Building B	63	-	63		
Building C	51	-	51		
Building D	45	-	45		
Surface Parking	-	111	111		
Total	219	111	330		
Required Min.	143	-	328		

The Applicant has provided inconsistent application materials relative to the count of parking provided. Staff counted stalls on the available plans and find that the project still appears to be above the minimum parking requirement for the proposed number of units.

Staff suggest a condition requiring that final construction plans accurately reflect the number of proposed parking spaces above the City's minimums. Staff also suggest a condition that building plans be submitted with parking consistent with what is proposed. If those conditions cannot be met, then the applicant will need to request an amendment to their PUD.

### **Site Access**

The Applicant is proposing one primary access on 7<sup>th</sup> Avenue, and two accesses along 4<sup>th</sup> Avenue. The site will be addressed off of 7<sup>th</sup> Avenue in order to guide visitors and deliveries to the primary access on 7<sup>th</sup> Avenue. Upon initially forwarding the project to Washington County for review, a letter indicating that access would be denied on the Avenue was received by the City from the County.

In subsequent communication with the County team, City staff were able to communicate the importance of the CSAH 38 corridor (7<sup>th</sup> Avenue) as a primary North South route for traffic in Newport. The County has indicated that this development will be able to retain the access proposed along 7<sup>th</sup> Avenue but retains the right to modify or even eliminate that access in the future if warranted. Staff are seeking to find agreement with the County on the future conditions that would warrant any access modifications.

## Traffic

The Applicant has submitted a traffic impact memo summarizing the impacts of the proposed development on the surrounding public roadways. The study, by Stantec, indicates that the majority of trips to and from the site will utilize the Glen Road interchange by way of 7<sup>th</sup> Avenue. In was found that 80% of the trips will utilize the 7<sup>th</sup> Avenue access with the remaining 20% split evenly by the north and south access points on 4<sup>th</sup> Avenue. The study provides the following conclusion:

Based on available capacity on the surrounding roadways, trips generated by the proposed development are expected to have minimal impacts on traffic operations in this area

The City Engineer and MSA review staff have concluded that the study, and its conclusion, is acceptable.

### Sidewalks

Staff note that the site plan provides adequate pedestrian circulation both around and through the site. Critically, the development is providing public sidewalks along the 4<sup>th</sup> and 7<sup>th</sup> Avenue and 17<sup>th</sup> Street corridors. These public walkways will help the City realize its vision of a walkable neighborhood. Internal circulation is well managed on the site by providing access to all building entrances, parking areas, and the public right of way.

#### **Stormwater Management**

Stormwater management facilities are proposed to be provided on site. The developer is proposing a combination of retention ponds and underground storage. The City Engineer has requested, and the applicant has provided revised plans to determine whether the proposal can be supported. As of the writing of this report, staff are attempting to resolve concerns relating to an inconsistency between the stormwater and grading plans. It is possible that the site plan will be found acceptable, but if not, then changes could potentially be required to the site plan.

Review of the adequacy of stormwater treatment will also be performed by the South Washington Watershed District (SWWD). A permit will be required for this project from SWWD. Site work and improvements must be completed according to the rules and requirements of SWWD.

## Lighting

The Applicant has submitted a photometric plan detailing conformance with the City's lighting standards for footcandles across parking areas and at property boundaries. This plan does not include height of proposed light poles and the types of fixtures proposed for the exterior of the structure. Staff propose a condition of requirement that these materials shall be provided prior to the release of a building permit for City staff review and approval.

#### **Trash Enclosures**

Trash is proposed to be stored within the buildings outside of regular pickup. Therefore, no trash enclosures are required at this time.

## **Building Design**

The buildings in this development should be consistent with requirements established in City Code Section 36-163(b). The following section details, generally, conformance with the standards given the level of detail submitted.

## **Building Materials**

To meet the City Code's requirements for commercial structures established in Sec. 36-162.1, at least 60% of all building facades shall be covered in Class I or II materials. Class III materials, may only account for 30% of facades. Accent materials, including door and window frames, lintels, cornices, or other similar elements may comprise the remaining 10% of building surfaces.

Material Classes are defined as follows in Section 36-162 (1) as follows:

- Class I exterior building materials include brick, stone, marble or glass. Bronze-tinted or mirror glass are prohibited as exterior materials.
- Class II exterior building materials include architecturally treated concrete panels, cast-in-place concrete, or pre-cast concrete panels; specialty concrete block (such as textured, burnished, or rock-faced block) or stucco.
- Class III exterior building materials include unpainted or surface-painted concrete block (scored or unscored), unpainted or surface-painted plain or ribbed concrete panels, and unfinished or surface-painted metal.

It is noted that fiber cement siding is not expressly included with the list of Class I or II materials.

	Material Type	Material Class	Total	
ROMA + Mtl Doors + Trim	Surface painted metal	III	25,686	15%
Windows & Glass Doors	Glass	Ι	25,461	15%
Nichiha & Precast Concrete	Architecturally-finished fiber cement panels	III	122,011	70%

Exterior materials proposed on the project are as follows:

Staff find that the requested materials are consistent with the types of materials used in multifamily projects. The City's design standards appear to address low density residential and commercial properties without contemplating the exterior facade materials most commonly used in modern multifamily projects. To this end, staff are supportive of the proposed design as it appears to otherwise meet the City's design standards.

### **Roof Design**

The proposed flat roof is an acceptable design feature. With the exception of solar panels, which need to be bracket mounted, any mechanical equipment should be fully screened from the view, at ground level, of surrounding properties.

## **Building Color**

The proposed building colors are acceptable. Colors should remain earth tone or muted to be compatible with surrounding development.

## **Staff Review Comments**

## **City Engineer & Public Works**

The City Engineer's comments are provided in the memo dated September 14, 2023 and should be addressed by the Applicant prior to moving the project forward. Staff will ensure that the project adequately addresses the high level engineering concerns before recommending that the City Council approve the development.

## Washington County

Washington County comments are provided in a memo attached to this report. Staff suggest that the project be revised to satisfy the comments in the Washington County review memo. Any permitting required by Washington County for this project must be received prior to commencement of construction activities.

## South Washington Watershed District (SWWD)

The Applicant is in the process of working with the SWWD to receive a permit for the improvements. The Applicant will need to receive any required permits prior to beginning work on the site.

## **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 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".

For this project, both the preliminary and final plats are being reviewed concurrently. Staff have determined that there are no major concerns with this process as there will only be one resulting lot with no public right of way provided within the development. 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 all 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) <u>Consistency with the comprehensive plan</u>. 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 surrounding community were found to be negligible on the community's health and safety. Using available information, noise impacts from the Highway 61 corridor are understood to be within allowable limits. The development will otherwise provide landscaping, screening, stormwater treatment, and pedestrian connections to mitigate impacts on the surrounding community and environment while improving various aspects of the site along the 17<sup>th</sup> street and 7<sup>th</sup> and 4<sup>th</sup> avenue corridors.
- c) <u>Compliance with standards</u>. 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) <u>Public infrastructure services</u>. 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 applicant at no cost to the City. No improvements are required to the City's utilities in order to serve this land use.*
- *e)* <u>Screening and landscaping</u>. 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) <u>Architectural standards</u>. 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 deviations received through the PUD, the project will comply with the City's architectural standards.

Name: Red Rock Villas - Preliminary & Final Plat, and Preliminary & Final PUD Review

Date: September 21, 2023

Page: 11

- g) <u>Zoning</u>. 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) <u>Traffic</u>. 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. A traffic study was supplied by the applicant concluding that no traffic improvements are required. The City Engineer accepted the study and agreed with the conclusion.

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 multifamily community will use emerging best building practices to reduce energy use and provides efficient use of the land 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; Impacts of this development on the surrounding community were found to be negligible on the community's health and safety. Using available information, noise impacts from the Highway 61 corridor are understood to be within allowable limits. The development will otherwise provide landscaping, screening, stormwater treatment, and pedestrian connections to mitigate impacts on the surrounding community and environment while improving various aspects of the site along the 17th street and 7th and 4th avenue corridors.
  - 5. Benefit to the city and the public interest. *The proposed development will provide market rate housing units which are presently needed in the community as identified by the Comprehensive Plan. The development is proposed to create important pedestrian and bicycle connections and improvements to activate a presently underutilized site. This development will attenuate the sound impacts of the Highway 61 corridor on surrounding uses to the West.*
- 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.*

Name: Red Rock Villas - Preliminary & Final Plat, and Preliminary & Final PUD Review

Date: September 21, 2023

Page: 12

Sec. 36-267 Required PUD Findings:

- 1. The proposed PUD is designed to form a desirable and unified environmental within its own boundaries. The architecture of the buildings and design of the site are consistent with the City's design requirements. The site will be unified in its design with both buildings, parking, walkways, and open space.
- 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 applicant 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 Plans will provide for tree mitigation as required by the City's ordinance. The development will replace a large stand of invasive trees found with a mix of various acceptable plantings.*
- 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 Applicant is proposing a phased buildout of the proposed buildings on the site. All parking areas on site will be constructed in the first phase.*
- 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 Applicant is proposing a site which will provide for all landscaping, tree preservation and stormwater 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 Applicant has proposed a development that is consistent with the goals of the City's 2040 Comprehensive Plan. Strict adherence to the adopted zoning controls would prevent flexibility to building and site design including streetscape, landscaping, and trail connections, which are benefits to the City.*

## **Required Approvals and Next Steps**

The Applicant is requesting the following approvals.

- 1. Preliminary Plat
- 2. Planned Unit Development, with deviations for:
  - a. Multifamily buildings over 8 units
  - b. Four structures on one parcel
  - c. Parking lot front yard setback of 17 feet.
  - d. Class III building materials at or below 85% of the overall façade area.

Name: Red Rock Villas – Preliminary & Final Plat, and Preliminary & Final PUD Review
Date: September 21, 2023
Page: 13

3. Final Plat

## **PUBLIC HEARING**

A public hearing was noticed and held for this item at the City's Planning Commission meeting on August 8, 2023. At that meeting, the Planning Commission heard comments from four residents. The concerns of those residents are summarized, generally, as follows:

- Concerns about construction impacts including dust and debris, increased noise and other environmental impacts.
- Concern relating to the timeline and phasing of the project.
- Concern relating to the number of units being added to the city.
- Concern relating to the impacts of new residents including noise, parking, traffic, and pets.
- Concern relating to the impacts of traffic on 4<sup>th</sup> and 7<sup>th</sup> avenues, including speeds.

## **Planning Commission Recommendation**

At its regular meeting on August 8, 2023, the Planning Commission heard staff's report, testimony from residents, and asked questions of both staff and the Applicant. The Commission's discussion generally centered upon the public comments heard from residents. Most of the discussion related to traffic and access impacts. Some complaints were made about the 7<sup>th</sup> and 4<sup>th</sup> Avenue corridors generally, while some discussion centered upon traffic impacts created by the addition of residential units to the property.

After clarification on questions relating to the planning process and proposed development, the Planning Commission voted unanimously to recommend the City Council approve the development with two additional conditions:

- Staff review and revisit the City's policy of overnight parking on 4<sup>th</sup> Avenue.
- Staff review the options for traffic mitigation on the site.

Staff have reviewed and discussed the project and have the following comments relative to the Planning Commission's additional recommendations:

- The City should plan to revisit policy regarding parking after the development is completed and determine if any changes are warranted thereafter.
- The submitted plans appear to appropriately manage access and traffic. Changing the access points on 4<sup>th</sup> avenue is not anticipated to reduce the overall trips on that street.

## **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.

**Example Motions:** 

Move to adopt Resolution 2023-41 approving the Preliminary Plat and Conditional Use Permit Planned Unit Development for Red Rock Villas subject to the findings and conditions of approval therein.

And

Move to adopt Resolution 2023-42 approving Final Plat and Planned Unit Development for Red Rock Villas subject to the findings and conditions of approval therein. And

Name: Red Rock Villas – Preliminary & Final Plat, and Preliminary & Final PUD Review
Date: September 21, 2023
Page: 14

## Move to adopt Ordinance 2023-06 Establishing the PUD standards for the Red Rock Villas Project.

And

## Move to adopt Resolution 2023-43 approving the summary publication of Ordinance 2023-06.

Staff recommends that the development be approved with the following conditions:

- 1. Applicant must enter into a Development Agreement with the City prior to release of the final plat for recording.
- 2. Applicant must provide documentation of ownership of existing PID 3602822220022 prior to release of the final plat.
- 3. The Preliminary Plat approval shall expire one year from the date of City Council approval unless a Final Plat is recorded or an extension is received from the Newport City Council for good cause.
- 4. The Final Plat approval shall expire one year from the date of City Council approval unless the Final Plat is recorded or an extension is received from the Newport City Council for good cause.
- 5. Prior to the release of the final plat, the Applicant shall revise plans to address the City Engineer's memo dated September 14, 2023 and any subsequently revised memos.
- 6. Prior to the release of the final plat, the Applicant shall satisfy all conditions of Preliminary and Final Plat approval to the satisfaction of the City.
- 7. Prior to any work on site or issuance of any building permit, the Applicant is responsible for paying the parkland dedication fee and any required connection charges.
- 8. Prior to issuance of any building permit, Applicant must receive any required watershed permits prior to beginning any work on site.
- 9. Prior to issuance of any building permit, Applicant must receive any required permits from Washington County prior to beginning work on the site.
- 10. Prior to issuance of a building permit, Applicant shall provide a lighting plan, or manufacturer specifications, indicating conformance of proposed lighting, in all respects, with the City's standards.
- 11. Prior to issuance of a building permit, Applicant shall provide building plans which document parking that, when added to proposed surface parking stalls, is consistent with the minimum requirements for the development.
- 12. Prior to issuance of any building permit, the Applicant shall provide additional documentation on lighting pole height and fixture types proposed for the project which meet city standards for lighting.
- 13. 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.
- 14. No grading or site work may proceed prior to the issuance of a building permit for the project.

## **Resources**:

- Application Documents (attached)
- City Engineer Comment Memo, dated September 14, 2023, 2023
- Zoning Code (<u>link only</u>)
- Citywide Zoning Map (<u>link only</u>)
- 2040 Comprehensive Plan (<u>link only</u> Land Use chapter begins on pg 31)

## **RED ROCK VILLAS**

*RED ROCK VILLAS* is a market-rate rental, build-to-hold multi-family project in the heart of the Southeast Metro in Newport, Minnesota. . This 8+acre re-development site is conveniently located off Highway 61/10 and I494 exits. It is approximately 10-15 minutes from Downtown St. Paul, three airports, MOA, and Wisconsin state line. We are offering competitive rents and a "healthy living" environment featuring in-floor heating, high performance A.C. equipment, and highly energy efficient living units. Additional *site amenities* include rain gardens, premium landscaping, walking and bike paths connected to City trail system, and heated elevated Promenade's with gas grills, fire tables, bocce ball, and social areas, and handicap accessible.

*RED ROCK VILLAS* provides two different lifestyle choices in our Courtyard Villa and Promenade Villa designs. The Courtyard Villa offers one-level living with a pet friendly private courtyard. The Promenade Villa offers a much larger two-level two and three bedroom choices and live/work environment opportunity. These units open onto our unique pedestrian Promenade with a snow-melt system enabling year round use. On the Promenade are gas grilles, fire tables, social seating areas, outdoor kitchen, bocce ball court, and pet friendly surfaces.

COURTYARD VILLAS	PROMENADE VILLAS
Smaller floor plan designs	Larger floor plan designs
805 SF 1BR 1-Bath	1392 SF 2BR +Den 21/2-Bath
831 SF 2BR 11/2-Bath	1545 SF 3BR +Den 21/2-Bath
One-level at grade living	Two-level living with 2 <sup>nd</sup> Floor Deck
One Garage Parking Space	Two Garage Parking Spaces
Private Courtyard Entrance and Porch	Main Entrance Porch off outdoor Public Promenade
Garage heating, Promenade snow melt system, and on	-demand hot water are high efficiency hydronic heating.
All Villa HVAC are individual electric ductless heat pump	o system on individual smart thermostats (mini-splits).
ERV to provide healthy living and humidity control	ERV to provide healthy living and humidity control
Air Source Heat Pump Dryer/Washer	Air Source Heat Pump Dryer/Washer
9 foot ceiling heights	9 foot ceiling heights
Flat rate utility, sewer and water, high speed internet	Flat rate utility, sewer and water, high speed internet
Indoor heated storage available at your back door	Spacious design for Live/Work environment

*Net-Zero Energy Source Villa Amenities* include photovoltaic (PV) power generation, High Performance Building Envelopes, Sustainable and Green Building Design, fully sprinkled villa homes with secure heated storage rooms and assigned parking spaces directly located at each villa's back door, indoor bike storage and tune-up stations, indoor dog wash, Business Center, Event Room, secure mail and postal area, trash and recycle chutes, and elevator for accessibility.

High Performance Building Envelopes

- Structural Insulated Panel (SIP's) construction provides for a stronger, safer, more efficient with better
  insulation and a lower carbon footprint, and better indoor air quality. SIP's also provides long term high
  thermal resistance (Actual R-Value for 61/2" panel is R-25 and Performance Value R-38), mold resistant,
  air barrier, superior strength in horizontal and vertical load capabilities. SIP construction energy savings
  is 60-80% less than conventional stick framing, reduces air leakage by 85%, and allows for much smaller
  HVAC equipment design.
- Photovoltaic (PV) power generation system consisting of 720kw solar farm across the roof plane of four Red Rock Villa buildings.

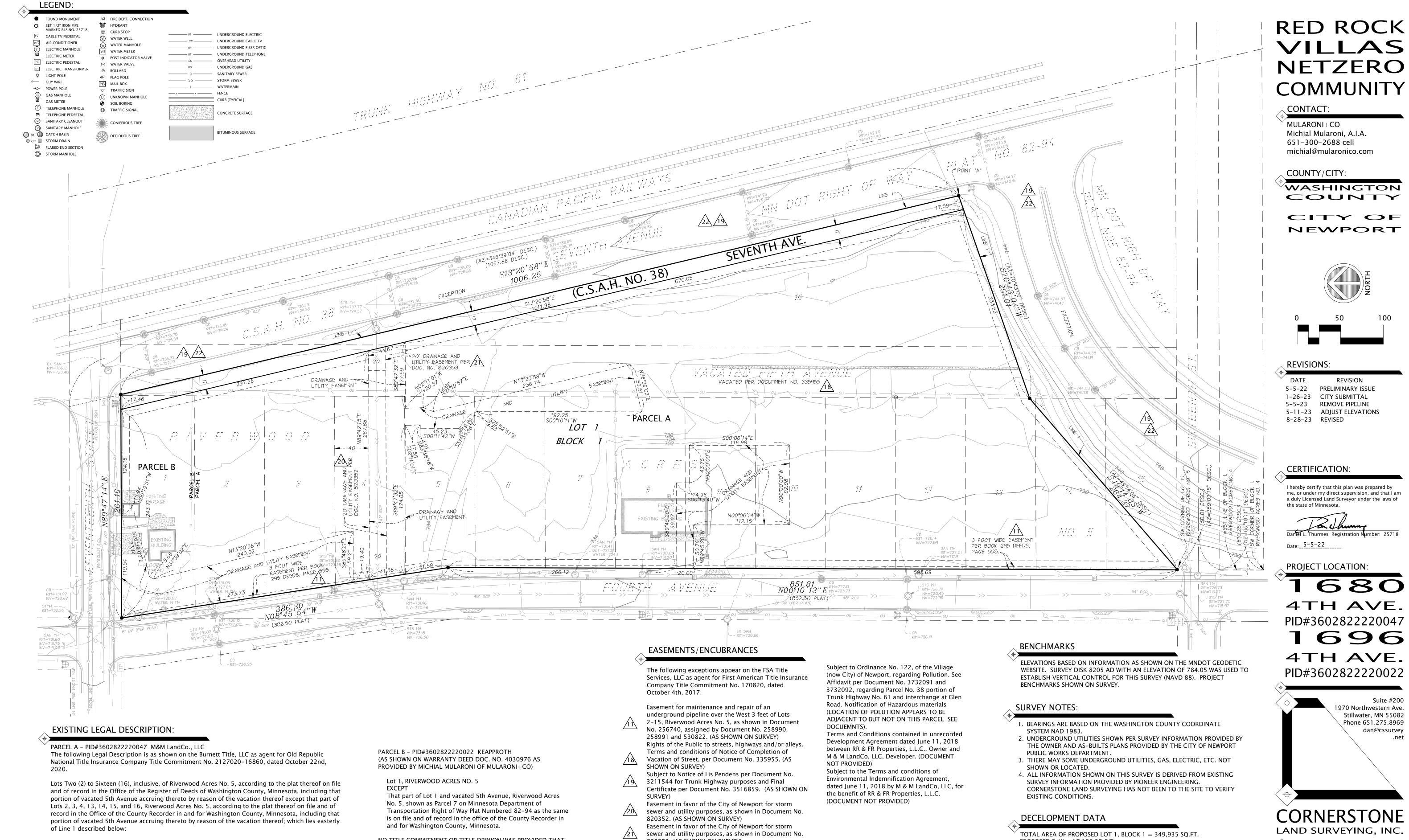
- High efficiency electric boiler on a boiler board provides in-floor hydronic heating cast in lightweight concrete and on-demand hot water.
- High performance ductless mini-split heat pumps that can provide both air conditioning ratings from 22-38. Anything over 20 is in the highest efficiency group.
- Energy Recovery Ventilation (ERV) systems improve indoor air quality, save energy, control humidity, and helps downsize heating and air components.
- High performance windows, triple glazed, and black PVC frames filled with closed cell foam for both sound and thermal quality.
- Air barrier systems liquid vapor barrier at exterior, closed cell foam, and TPO membrane.
- Daylighting, shading devices, careful selection of windows and glazing.
- Energy Star appliances all electric cooktop/oven, refrigerator/freezer, dishwasher, disposal, microwave, and ductless stack washer/dryer.
- Efficient L.E.D. lighting systems
- Exemplary building design to minimize energy requirements.

## Sustainable & Green Building Design

- SIP's uses 30% less lumber, 45% lower CO2 emissions, reduce job site waste, results in lower HERS index scores.
- Built with the highest quality materials and energy saving results. EPS, the type of foam core used inside of SIP's, is composed of 98% air and requires a minimal amount of petroleum byproduct to produce.
- Exteriors are predominantly Nichiha Architectural Wall Panels (MAS Certified Green products). A fiber cement siding product that provides multiple looks and striking exterior designs. Nichiha has a standard 15-year warranty for exposure to UV, heat, and moisture. This product is also an approved hurricane material.
- TPO Roofing (Thermoplastic Polyolefin) is a single-ply, mechanically fastened roofing membrane. TPO reflects UV rays and heat from the building and can last up to 30 years. TPO also provides both weather and air barriers.
- Exterior decks and porches are lightweight powder coated aluminum that will stand the test of time.

## Common Area Building Features

- Outdoor Promenade Terrace with snow-melt system, gas grills, outdoor kitchen, social areas with fire tables, bocce ball court, and K-9 turf areas, all available on each building for year round use.
- Elevator to Promenades for handicap accessibility.
- Secure and surveilled Mail/Parcel Post Room.
- On location office / business center for resident use.
- Event Room with full service kitchen, large screen TV and high quality sound system, gas fireplace.
- Indoor Dog Wash.
- Indoor secure bike storage and bike tune-up area.
- Indoor Trash and Recycle Room in each Parking Garage, and Trash/Recycle Chutes from the Promenade Level.
- Secure and surveilled heated Parking Garage with in-floor heat for our Minnesota winter.



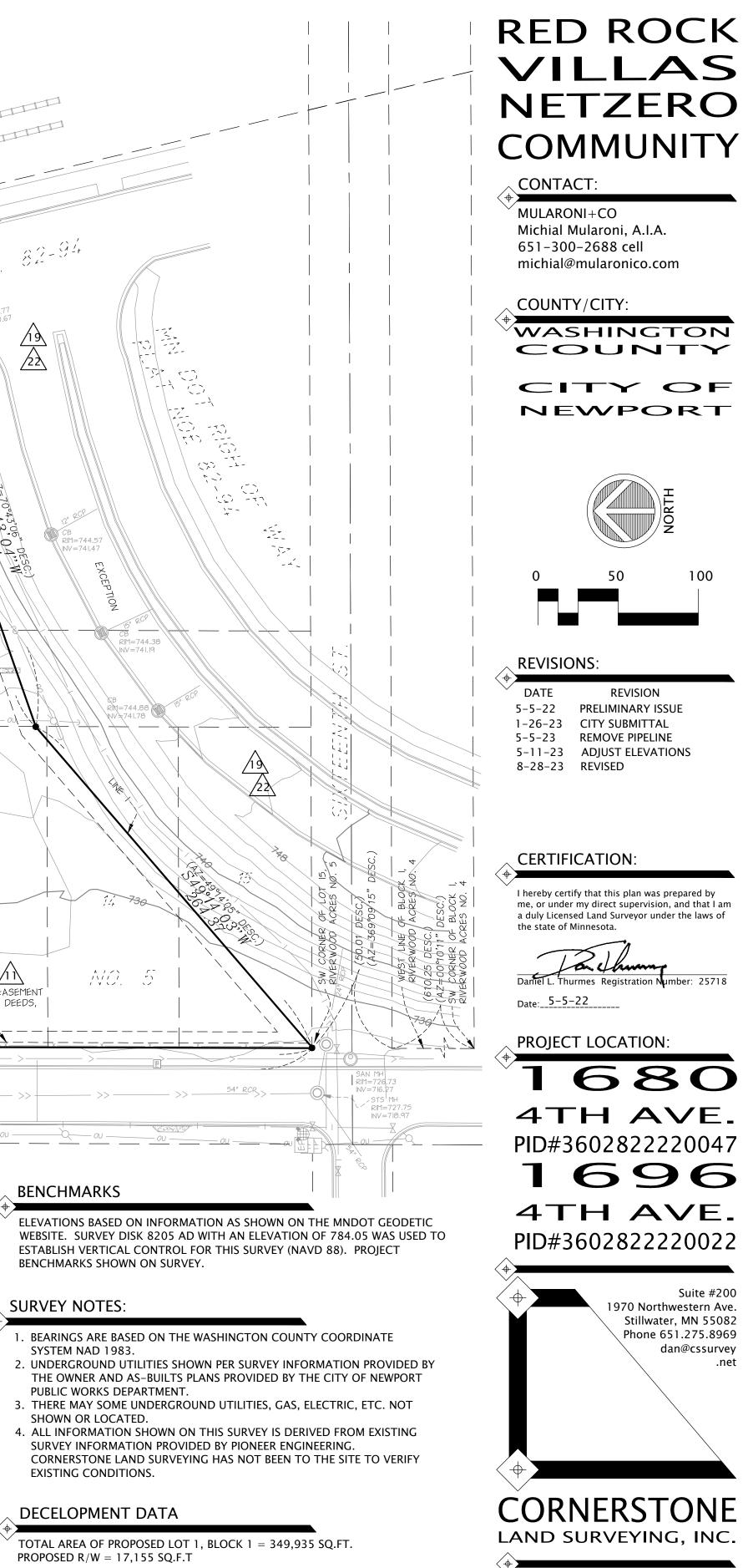
Line 1. Beginning at the southwest corner of Block 1, Riverwood Acres No. 4; thence northerly on an azimuth of 00 degrees 10 minutes 11 seconds along the west line thereof for 186.005 meters (610.25 feet); thence on an azimuth of 359 degrees 09 minutes 15 seconds for 15.242 meters (50.01 feet) to the southwest corner of Lot 15, said Riverwood Acres No. 5; thence on an azimuth of 49 degrees 14 minutes 05 seconds for 80.579 meters (264.37 feet); thence on an azimuth of 70 degrees 43 minutes 06 seconds for 76.509 meters (251.01 feet) to a point hereinafter referred to as "Point A"; thence on an azimuth of 346 degrees 39 minutes 04 seconds for 325.484 meters (1067.86 feet) and there terminating

NO TITLE COMMITMENT OR TITLE OPINION WAS PROVIDED THAT WOULD SHOW EASEMENTS OR ENCUMBRANCES OF RECORD FOR PARCEL B LISTED ABOVE. EASEMENTS MAY EXIST THAT ARE NOT SHOWN.

AT THE DIRECTION OF MICHIAL MULARONI PARCEL B WAS ADDED TO THIS SURVEY. SUBJECT TO PURCHASE OF PROPERTY.

820353. (AS SHOWN ON SURVEY)

Subject to Minnesota Department of Transportation Right of Way Plat No. 82-101, 82-99, 82-94, 82-93, 82-92, and 62-18. (AS SHOWN ON SURVEY) Subject to City of Newport 4th Avenue Right of Way Plat No. 2, Parcels 89 and 90, filed as Document No. 3589126. (NOT SHOWN ON SURVEY)(NO EXPIRATION DATE FOR TEMPORARY EASEMENTS ON SAID PLAT)



GS06015A

SURVGS15A

PRELIMINARY PLAT

FILE NAME

PROJECT NO.

# **RED ROCK VILLAS NETZERO COMUNNITY**

KNOW ALL PERSONS BY THESE PRESENTS: That M & M LandCo, LLC, a Minnesota limited liability company, fee owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

Lots One (1) to Sixteen (16), inclusive, of Riverwood Acres No. 5, according to the plat thereof on file and of record in the Office of the Register of Deeds of Washington County, Minnesota, including that portion of vacated 5th Avenue accruing thereto by reason of the vacation thereof except that part of Lots 1, 2, 3, 4, 13, 14, 15, and 16, Riverwood Acres No. 5, according to the plat thereof on file and of record in the Office of the County Recorder in and for Washington County, Minnesota, including that portion of vacated 5th Avenue accruing thereto by reason of the vacation thereof; which lies easterly of Line 1 described below:

Line 1. Beginning at the southwest corner of Block 1, Riverwood Acres No. 4; thence northerly on an azimuth of 00 degrees 10 minutes 11 seconds along the west line thereof for 186.005 meters (610.25 feet); thence on an azimuth of 359 degrees 09 minutes 15 seconds for 15.242 meters (50.01 feet) to the southwest corner of Lot 15, said Riverwood Acres No. 5; thence on an azimuth of 49 degrees 14 minutes 05 seconds for 80.579 meters (264.37 feet); thence on an azimuth of 70 degrees 43 minutes 06 seconds for 76.509 meters (251.01 feet) to a point hereinafter referred to as "Point A"; thence on an azimuth of 346 degrees 39 minutes 04 seconds for 325.484 meters (1067.86 feet) and there terminating

Have caused the same to be surveyed and platted as RED ROCK VILLAS NETZERO COMMUNITY and does hereby dedicate to the public for public use forever the easements created by this plat for drainage and utility purposes only.

In witness whereof said M & M LandCo, LLC, a Minnesota limited liability company, has caused these presents to be signed by this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

SIGNED: M & M LandCo, LLC, a Minnesota limited liability company

by: \_\_\_\_\_, its \_\_\_\_\_

STATE OF MINNESOTA COUNTY OF WASHINGTON The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_, by \_\_\_\_

M & M LandCo, LLC, a Minnesota limited liability company, on behalf of the company.

\_\_\_\_ (signature)

.\_\_\_ (print)

its

Notary Public \_\_\_\_\_ County, Minnesota My Commission Expires January 31, 2025.

I, Daniel L. Thurmes, do hereby certify that I have surveyed and platted or directly supervised the surveying and platting of the property described on this plat as RED ROCK VILLAS NETZERO COMMUNITY; 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 depicted on the plat have been correctly set; that all water boundaries and wet lands as of this date, as defined in Minnesota Statutes Section 505.01, Subd. 3, are shown and labeled; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Daniel L. Thurmes, Licensed Land Surveyor, Minnesota License No. 25718

STATE OF MINNESOTA COUNTY OF WASHINGTON The foregoing Surveyor's Certificate was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_, by Daniel L. Thurmes, Licensed Land Surveyor.

\_ (signature)

\_ (print)

Notary Public, Dakota County, Minnesota My Commission Expires January 31, 2025 PLANNING AND ZONING COMMISSION OF THE CITY OF NEWPORT The foregoing plat of RED ROCK VILLAS NETZERO COMMUNITY was approved and accepted by the Planning and Zoning Commission of the City of Newport, Minnesota, this \_\_\_\_\_\_day of\_\_\_\_\_\_, 202\_\_\_\_\_,

CITY COUNCIL OF THE CITY OF NEWPORT This plat of RED ROCK VILLAS NETZERO COMMUNITY was approved by the City Council of the City of Newport, Minnesota, this \_\_\_\_\_day of\_\_\_\_\_, 202\_\_\_ and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2

Ву \_\_\_\_\_

COUNTY BOARD I hereby certify that on the \_\_\_\_\_day of\_\_\_\_\_, 202\_\_\_ the Board of County Commissioners of Washington County, approved this plat.

County Board

WASHINGTON COUNTY SURVEYOR \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

Ву \_\_\_\_\_ Washington County Surveyor

Ву \_\_\_\_\_

WASHINGTON COUNTY AUDITOR/TREASURER Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable for the year 202\_\_\_, on the land hereinbefore described, have been paid. Also pursuant to Minnesota Statutes, Section 272.12, there are no delinguent taxes and transfer entered, on this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_\_\_.

By \_\_\_\_\_\_Washington County Auditor/Treasurer

By \_\_\_\_\_ Deputy

WASHINGTON COUNTY RECORDER Document Number \_\_\_\_\_

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_, at \_\_\_ o'clock \_\_\_\_. M., and was duly recorded in Washington County Records.

\_ its Chairperson

\_\_ its Secretary

\_\_\_, Mayor

, City Administrator

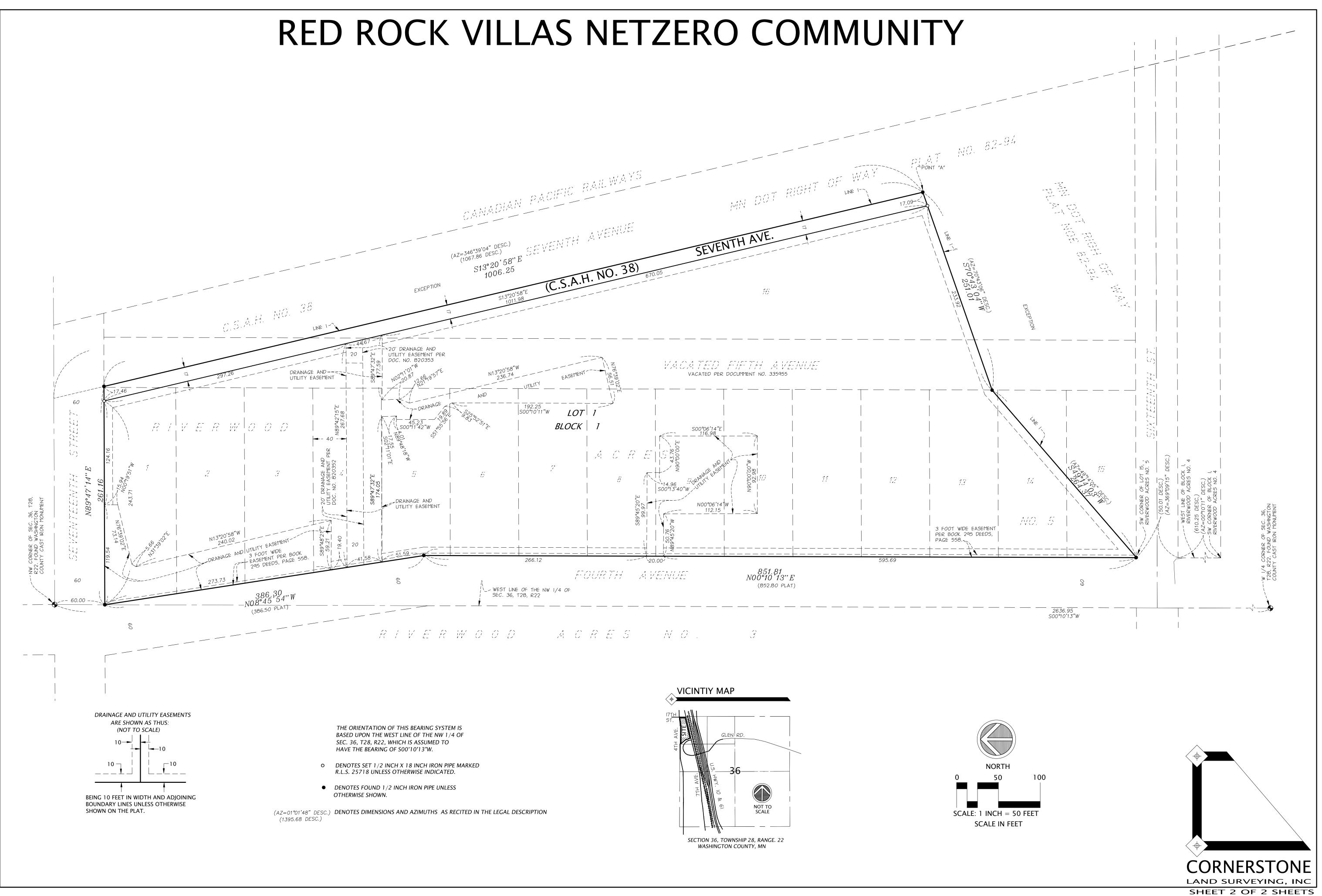
By \_\_\_\_\_, Chair,

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

\_\_\_\_\_ Washington County Recorder

\_ Deputy







## STANTEC

733 MARQUETTE AVENUE, SUITE 1000 MINNEAPOLIS, MN 55402 (P) - 763.252.6886 CONTACT: DAN LAVENDER, P.E.

## ARCHITECT

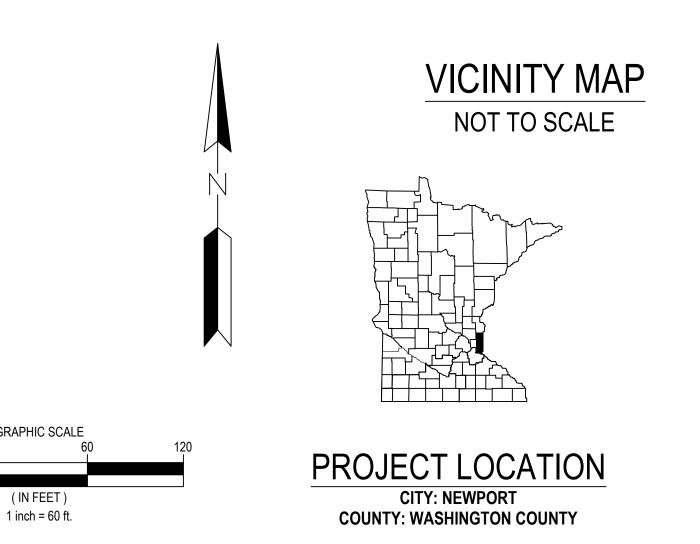
MULARONI + CO 6191 CRACKLEBERRY TRAIL WOODBURY, MN 55129 (651) 459-0074 CONTACT: MICHIAL MULARONI

## **PRELIMINARY CONSTRUCTION PLANS** FOR

## **RED ROCK VILLAS**

NEWPORT, MN 55055





(IN FEET)

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	G-001
	C-001
	C-002
	C-003
	C-004
	C-101
	C-102
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CALL BEFORE YOU DIG

	Stant 733 MARQUETTE AVENU SUITE 1000 MINNEAPOLIS, MN 5540 PHONE: 763-252-6886 WWW.STANTEC.COM CLIENT: MULARONI HO 6191 CRACKLEBERRY TRA WOODBURY, MN 55129 PHONE: 651-459-0074			JE )2		
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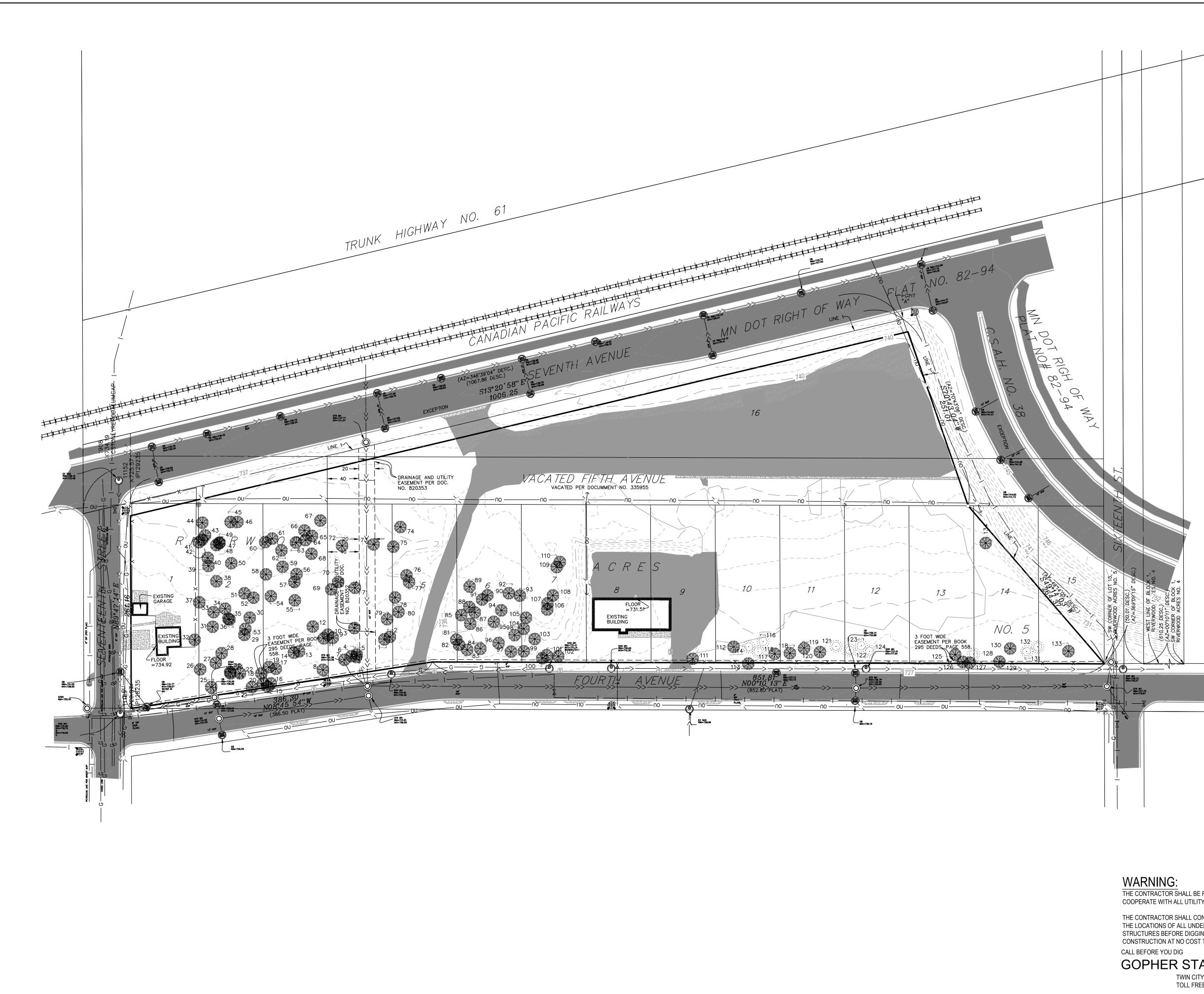
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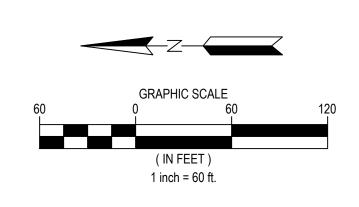
## WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.







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PROPERTY BOUNDARY LOT LINE EASEMENT LINE EXISTING RAILROAD TRACK EXISTING FENCE LINE EXISTING STORM SEWER EXISTING SANITARY SEWER EXISTING WATERMAIN EXISTING UNDERGROUND GAS LINE EXISTING UNDERGROUND COMMUNICATION L EXISTING UNDERGROUND FIBER OPTIC LINE EXISTING UNDERGROUND ELECTRIC LINE EXISTING OVERHEAD UTILITY LINE EXISTING EDGE OF PAVEMENT EXISTING EDGE OF GRAVEL EXISTING CURB AND GUTTER EXISTING ROAD CENTERLINE EXISTING CONCRETE SURFACE EXISTING ASPHALT SURFACE EXISTING GRAVEL SURFACE EXISTING BUILDING EXISTING MINOR CONTOUR EXISTING MAJOR CONTOUR EXISTING SANITARY MANHOLE EXISTING STORM SEWER MANHOLE EXISTING STORM SEWER INLET EXISTING STORM SEWER INLET EXISTING HYDRANT

Stantec 733 MARQUETTE AVENUE SUITE 1000 MINNEAPOLIS, MN 55402 PHONE: 763-252-6886 WWW.STANTEC.COM CLIENT: MULARONI + CO 6191 CRACKLEBERRY TRAIL WOODBURY, MN 55129 PHONE: 651-459-0074 CITY OF NEWPORT WASHINGTON COUNTY, MINNESOTA 55055 AS ROCK RED CERTIFICATION: I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER WY DIRECT SUPERVISION AND WAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE STATE OF MINNES IGENSE N

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

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**GOPHER STATE ONE CALL** TWIN CITY AREA: 651-454-0002 TOLL FREE 1-800-252-1166

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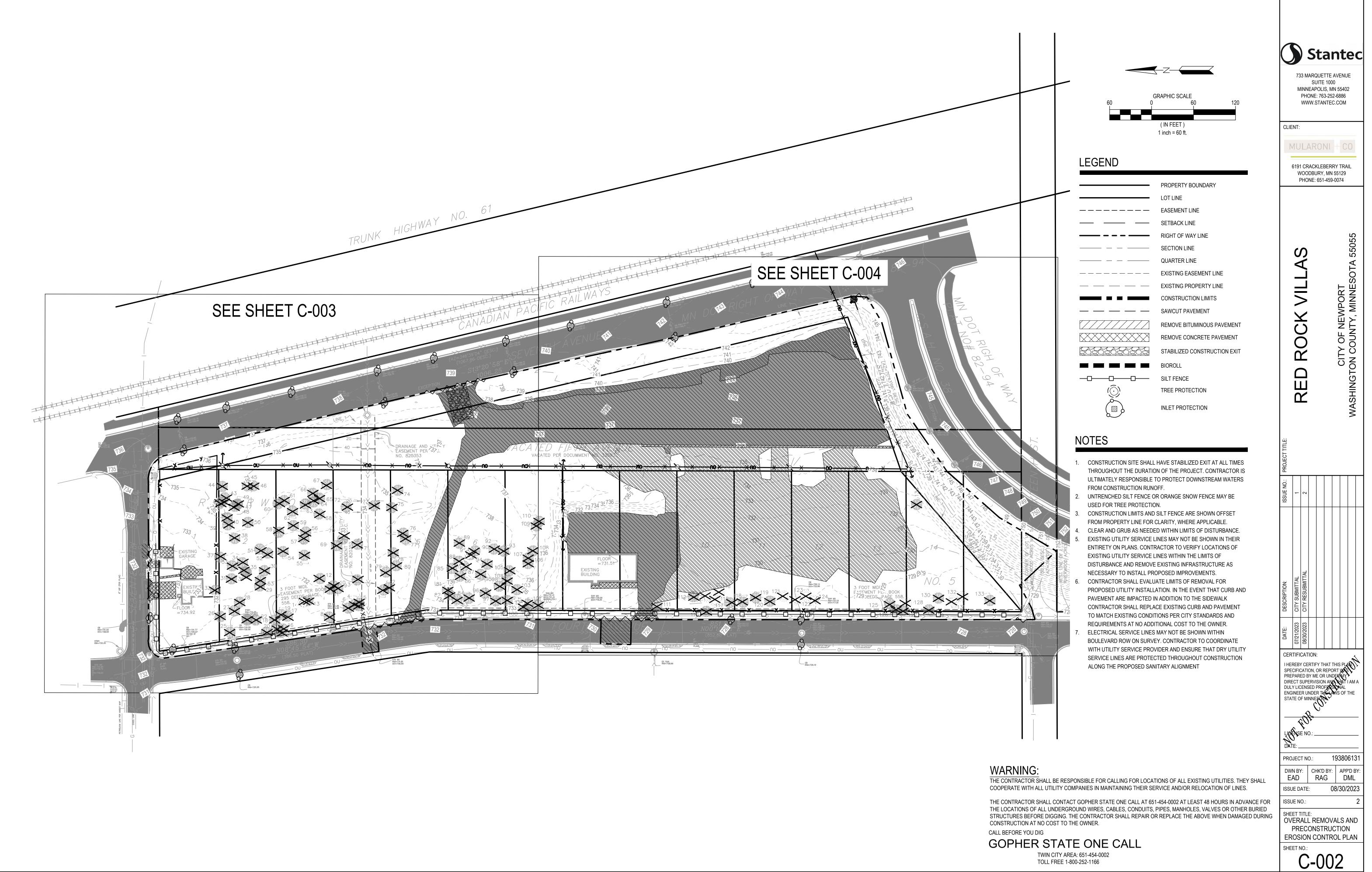
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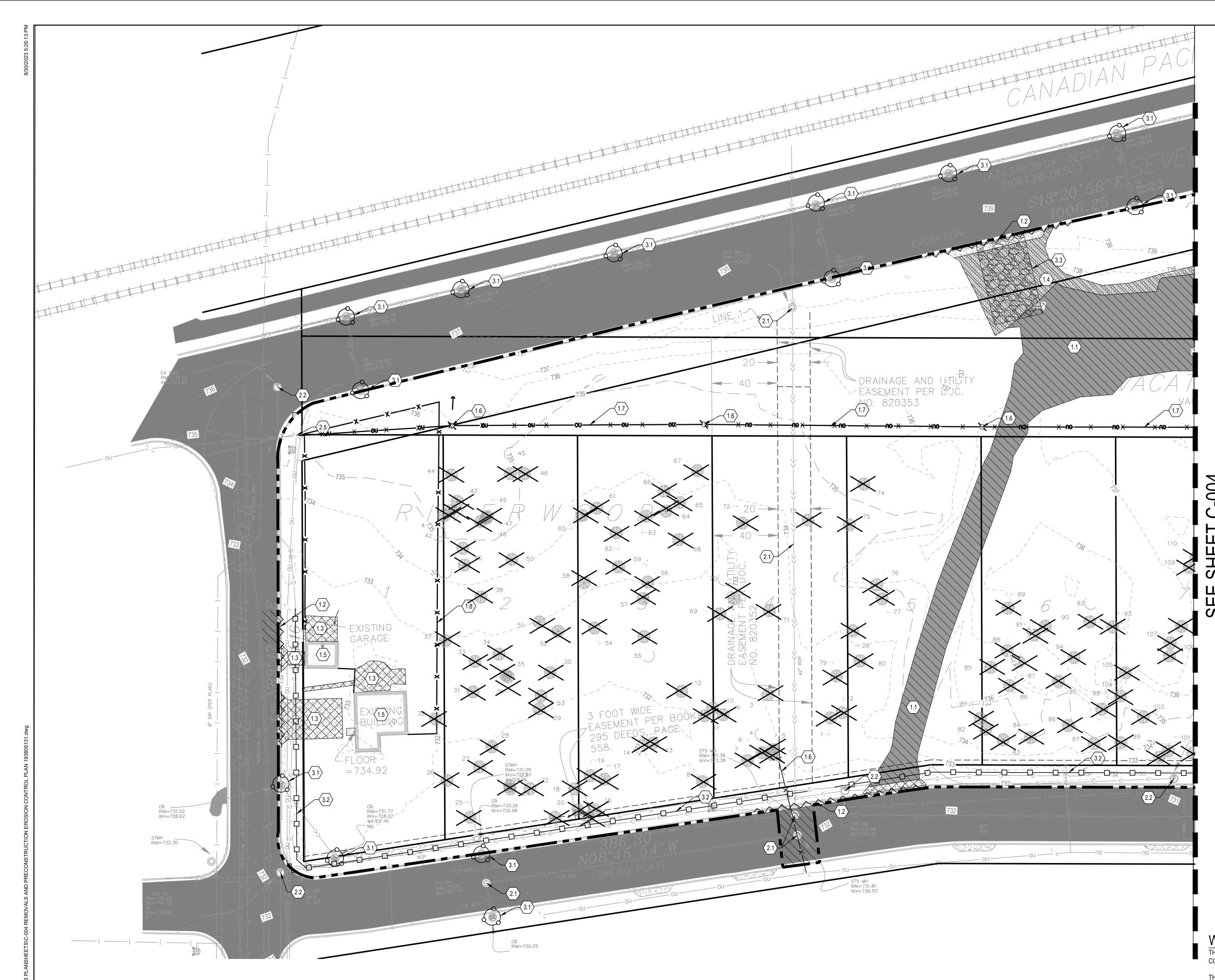
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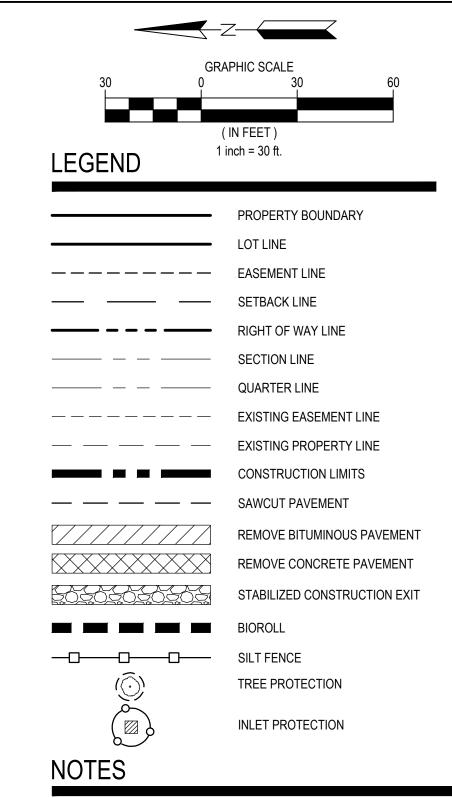
**EXISTING CONDITIONS** 





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CALL BEFORE YOU DIG



- 1. CONSTRUCTION SITE SHALL HAVE STABILIZED EXIT AT ALL TIMES THROUGHOUT THE DURATION OF THE PROJECT. CONTRACTOR IS ULTIMATELY RESPONSIBLE TO PROTECT DOWNSTREAM WATERS FROM CONSTRUCTION RUNOFF.
- 2. UNTRENCHED SILT FENCE OR ORANGE SNOW FENCE MAY BE USED FOR TREE PROTECTION.
- 3. CONSTRUCTION LIMITS AND SILT FENCE ARE SHOWN OFFSET FROM PROPERTY LINE FOR CLARITY, WHERE APPLICABLE.
- 4. CLEAR AND GRUB AS NEEDED WITHIN LIMITS OF DISTURBANCE. 5. EXISTING UTILITY SERVICE LINES MAY NOT BE SHOWN IN THEIR ENTIRETY ON PLANS. CONTRACTOR TO VERIFY LOCATIONS OF EXISTING UTILITY SERVICE LINES WITHIN THE LIMITS OF DISTURBANCE AND REMOVE EXISTING INFRASTRUCTURE AS NECESSARY TO INSTALL PROPOSED IMPROVEMENTS.
- 6. CONTRACTOR SHALL EVALUATE LIMITS OF REMOVAL FOR PROPOSED UTILITY INSTALLATION. IN THE EVENT THAT CURB AND PAVEMENT ARE IMPACTED IN ADDITION TO THE SIDEWALK CONTRACTOR SHALL REPLACE EXISTING CURB AND PAVEMENT TO MATCH EXISTING CONDITIONS PER CITY STANDARDS AND REQUIREMENTS AT NO ADDITIONAL COST TO THE OWNER.
- 7. ELECTRICAL SERVICE LINES MAY NOT BE SHOWN WITHIN BOULEVARD ROW ON SURVEY. CONTRACTOR TO COORDINATE WITH UTILITY SERVICE PROVIDER AND ENSURE THAT DRY UTILITY SERVICE LINES ARE PROTECTED THROUGHOUT CONSTRUCTION ALONG THE PROPOSED SANITARY ALIGNMENT
- 8. CONTRACTOR TO RELOCATE OR REPLACE EXISTING MAILBOXES AND SIGNS ALONG THE 4TH AVENUE RIGHT-OF-WAY.

## **KEYNOTES**

## 1. REMOVAL ITEMS

- 1.1. REMOVE BITUMINOUS PAVEMENT, SAW CUT TO FULL DEPTH
- 1.2. REMOVE CURB AND GUTTER 1.3. REMOVE CONCRETE PAVEMENT
- 1.4. REMOVE GRAVEL
- 1.5. REMOVE BUILDING
- 1.6. REMOVE UTILITY POLE
- 1.7. REMOVE/RELOCATE OVERHEAD UTILITY LINE 1.8. REMOVE FENCE
- 2. PROTECT ITEM

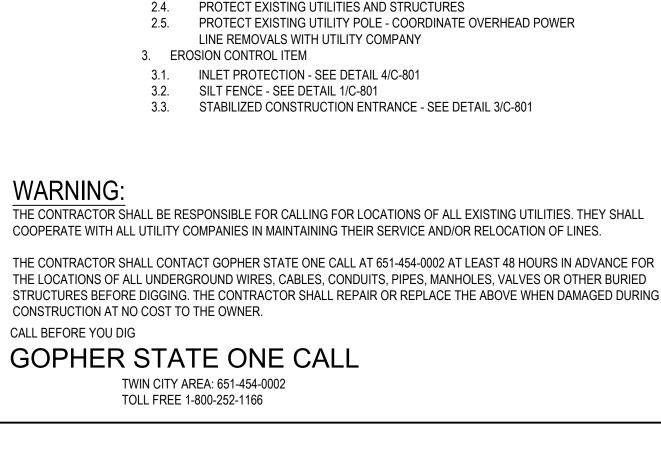
TOLL FREE 1-800-252-1166

- 2.1. PROTECT EXISTING STORM SEWER AND STRUCTURES
- 2.2. PROTECT EXISTING SANITARY SEWER AND STRUCTURES
- 2.3. PROTECT EXISTING WATERMAIN AND APPURTENANCES
- 2.4. PROTECT EXISTING UTILITIES AND STRUCTURES 2.5. PROTECT EXISTING UTILITY POLE - COORDINATE OVERHEAD POWER
- 3. EROSION CONTROL ITEM
- 3.1. INLET PROTECTION SEE DETAIL 4/C-801
- 3.2. SILT FENCE SEE DETAIL 1/C-801
- 3.3. STABILIZED CONSTRUCTION ENTRANCE SEE DETAIL 3/C-801

## WARNING:

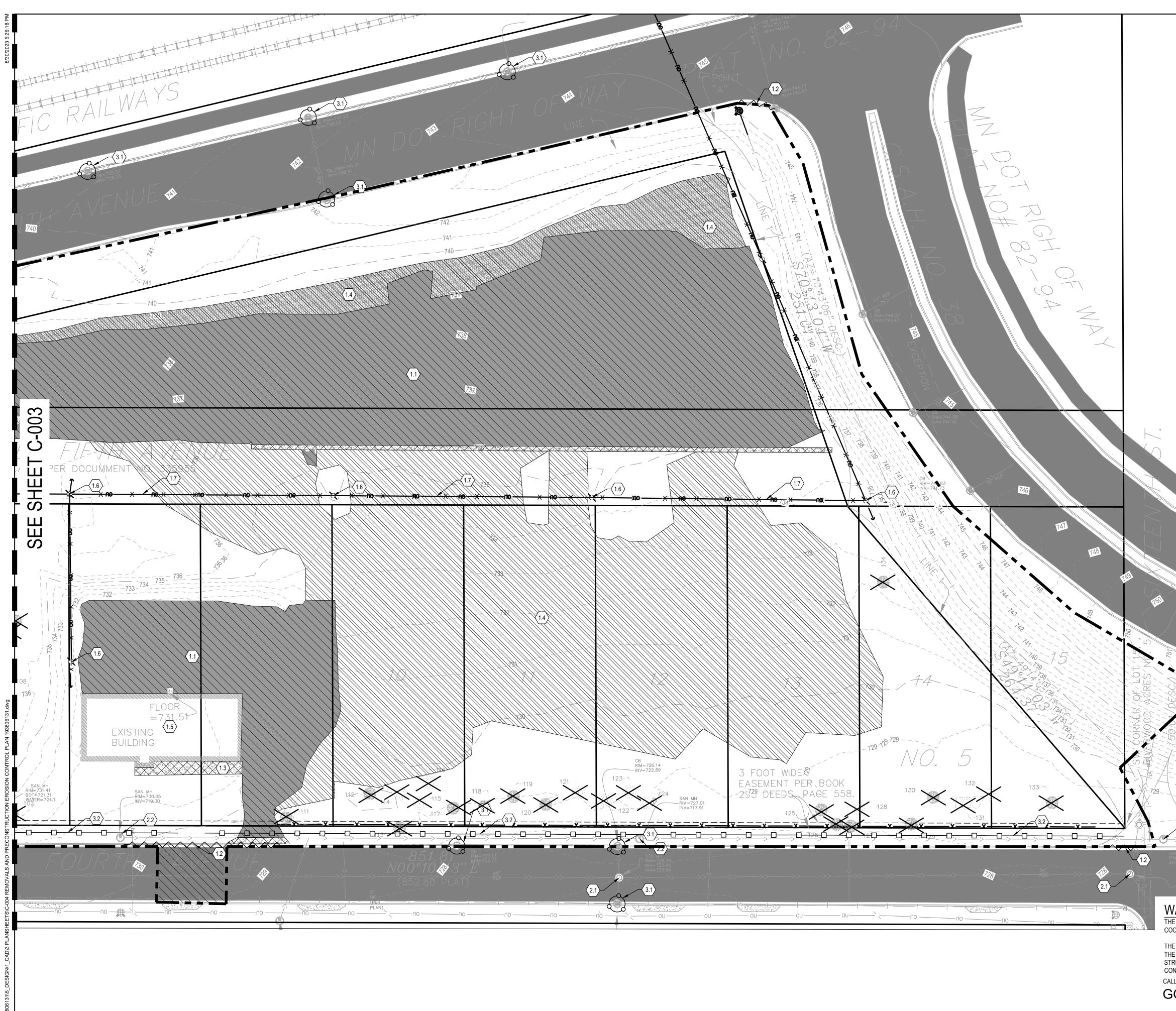
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( # )

<b>Stantec</b> 733 MARQUETTE AVENUE SUITE 1000 MINNEAPOLIS, MN 55402 PHONE: 763-252-6886 WWW.STANTEC.COM									
	MULARONI + CO 6191 CRACKLEBERRY TRAIL WOODBURY, MN 55129								
	RED ROCK VILLAS HONE: 651-459-0074 CITY OF NEWPORT MASHINGTON COUNTY, MINNESOTA 55055								
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ISSUE NO.:	-	2							
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DATE:	07/21/2023	08/30/2023							
I HE SPE PRE DIRE DUL ENG	CERTIFICATION: I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER WY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE SAME OF THE STATE OF MINNESSION LICENSE NO.:								
DW E, ISSL	DATE:								
PRECONSTRUCTION EROSION CONTROL PLAN SHEET NO.: C-003									



CALL BEFORE YOU DIG

GRAP 30 0	HIC SCALE						
•	I FEET ) ch = 30 ft.	C		St	a	nt	e
	PROPERTY BOUNDARY LOT LINE EASEMENT LINE SETBACK LINE RIGHT OF WAY LINE SECTION LINE QUARTER LINE EXISTING EASEMENT LINE EXISTING PROPERTY LINE		MIN P V IENT: MUI 6191 ( WC	MARQU SUI NNEAPC HONE: 1 WW.ST	TE 1000 DLIS, MI 763-252 CANTEC CANTEC	0 N 5540 2-6886 2.COM	2
<ul> <li>THROUGHOUT THE DURATION OF ULTIMATELY RESPONSIBLE TO F CONSTRUCTION RUNOFF.</li> <li>2. UNTRENCHED SILT FENCE OR OF TREE PROTECTION.</li> <li>3. CONSTRUCTION LIMITS AND SIL PROPERTY LINE FOR CLARITY, NO.</li> <li>4. CLEAR AND GRUB AS NEEDED VION FOR THE LINE ON PLANS. CONTRACTOR TO VE SERVICE LINES WITHIN THE LIME INFRASTRUCTURE AS NECESSA</li> </ul>	CONSTRUCTION LIMITS SAWCUT PAVEMENT REMOVE BITUMINOUS PAVEMENT REMOVE CONCRETE PAVEMENT STABILIZED CONSTRUCTION EXIT BIOROLL SILT FENCE TREE PROTECTION INLET PROTECTION INLET PROTECTION VE STABILIZED EXIT AT ALL TIMES OF THE PROJECT. CONTRACTOR IS PROTECT DOWNSTREAM WATERS FROM PRANGE SNOW FENCE MAY BE USED FOR T FENCE ARE SHOWN OFFSET FROM WHERE APPLICABLE. VITHIN LIMITS OF DISTURBANCE. S MAY NOT BE SHOWN IN THEIR ENTIRETY SRIFY LOCATIONS OF EXISTING UTILITY ITS OF DISTURBANCE AND REMOVE EXISTING RY TO INSTALL PROPOSED IMPROVEMENTS. ELIMITS OF REMOVAL FOR PROPOSED	PROJECT TITLE:	RED ROCK VILLAS			CITY OF NEWPORT	WASHINGTON COUNTY, MINNESOTA 55055
IMPACTED IN ADDITION TO THE EXISTING CURB AND PAVEMENT STANDARDS AND REQUIREMEN	EVENT THAT CURB AND PAVEMENT ARE SIDEWALK CONTRACTOR SHALL REPLACE TO MATCH EXISTING CONDITIONS PER CITY TS AT NO ADDITIONAL COST TO THE OWNER.	ISSUE NO.:	- 0	7			
ON SURVEY. CONTRACTOR TO ( PROVIDER AND ENSURE THAT D THROUGHOUT CONSTRUCTION ALIGNMENT	Y NOT BE SHOWN WITHIN BOULEVARD ROW COORDINATE WITH UTILITY SERVICE ORY UTILITY SERVICE LINES ARE PROTECTED ALONG THE PROPOSED SANITARY R REPLACE EXISTING MAILBOXES AND SIGNS -OF-WAY.						
KEYNOTES 1. REMOVAL ITEMS 1.1. REMOVE BITUMINOUS PAV 1.2. REMOVE CURB AND GUTTE 1.3. REMOVE CONCRETE PAVE 1.4. REMOVE GRAVEL 1.5. REMOVE BUILDING	#> EMENT, SAW CUT TO FULL DEPTH ER	DATE: DESCRIPTION:	CITY	08/30/2023 CITY RESUBMILLAL			
<ul><li>2.2. PROTECT EXISTING SANITA</li><li>2.3. PROTECT EXISTING WATER</li><li>2.4. PROTECT EXISTING UTILIT</li></ul>	I SEWER AND STRUCTURES ARY SEWER AND STRUCTURES RMAIN AND APPURTENANCES	I H SP PR DIF DU EN	RTIFIC EREBY PECIFICA EPAREI RECT SU	ATION: CERTIFY TION, OI D BY ME JPERVISI NSED PF	r repo or une Ion Ane Rof <b>r</b>	RT WA DER MY NHAT	I AM A

- 1.8. REMOVE FENCE 2. PROTECT ITEM
- 2.1. PROTECT EXISTING STORM SEWER AND STRUCTURES
- PROTECT EXISTING SANITARY SEWER AND STRUCTURES 2.2.
- PROTECT EXISTING WATERMAIN AND APPURTENANCES 2.3.
- 2.4.
- PROTECT EXISTING UTILITIES AND STRUCTURES PROTECT EXISTING UTILITY POLE COORDINATE OVERHEAD POWER LINE REMOVALS WITH UTILITY COMPANY 2.5.

LIGENSE NO .:

PROJECT NO .:

ISSUE DATE:

SHEET TITLE:

SHEET NO .:

ISSUE NO .:

193806131

08/30/2023

DWN BY: CHK'D BY: APP'D BY: EAD RAG DML

REMOVALS AND

PRECONSTRUCTION

EROSION CONTROL PLAN

C-004

DATE:

- 3. EROSION CONTROL ITEM
- 3.1. INLET PROTECTION SEE DETAIL 4/C-801
- 3.2. SILT FENCE SEE DETAIL 1/C-801
  3.3. STABILIZED CONSTRUCTION ENTRANCE SEE DETAIL 3/C-801

## WARNING:

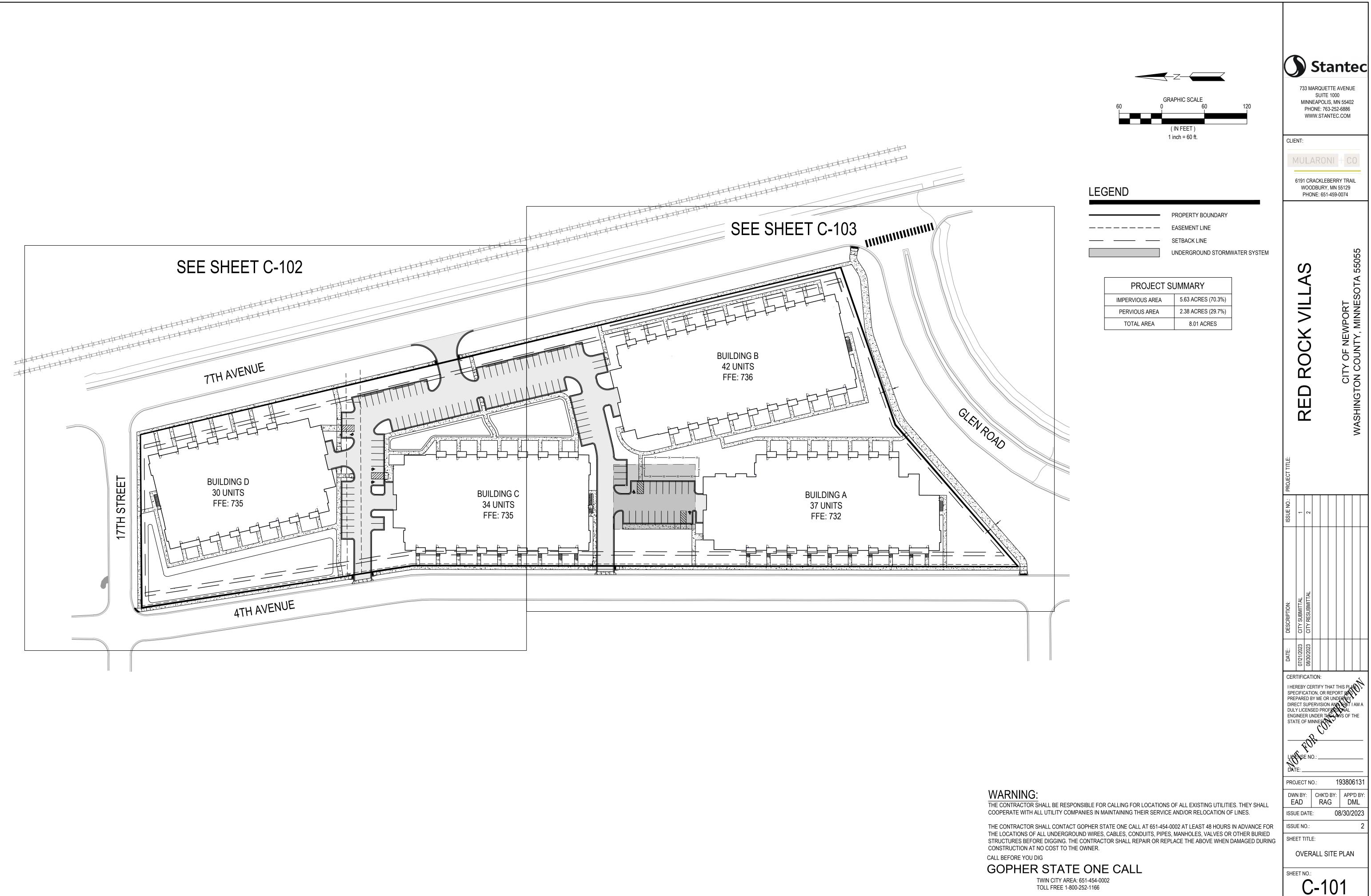
THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

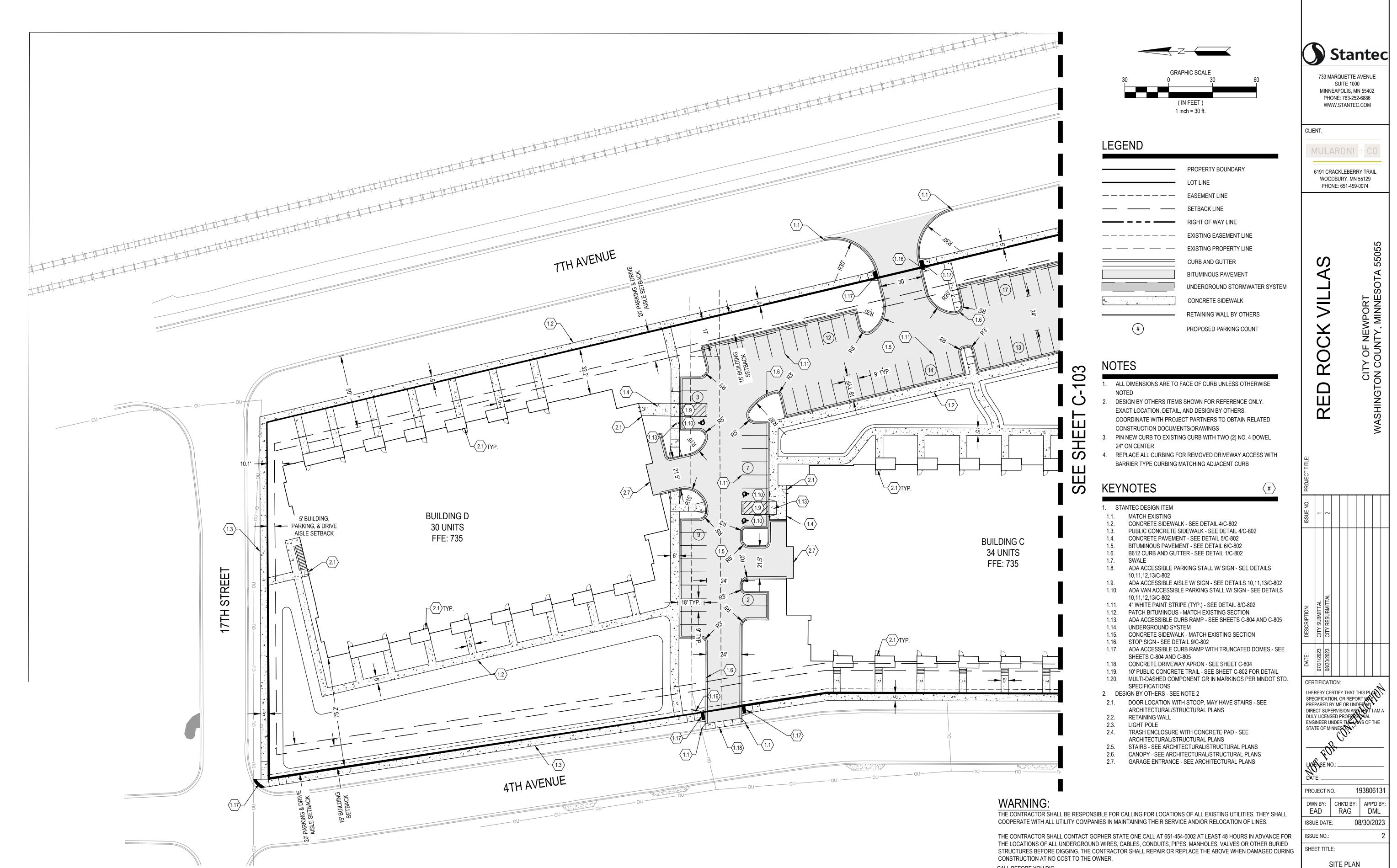
THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

GOPHER STATE ONE CALL TWIN CITY AREA: 651-454-0002

TOLL FREE 1-800-252-1166



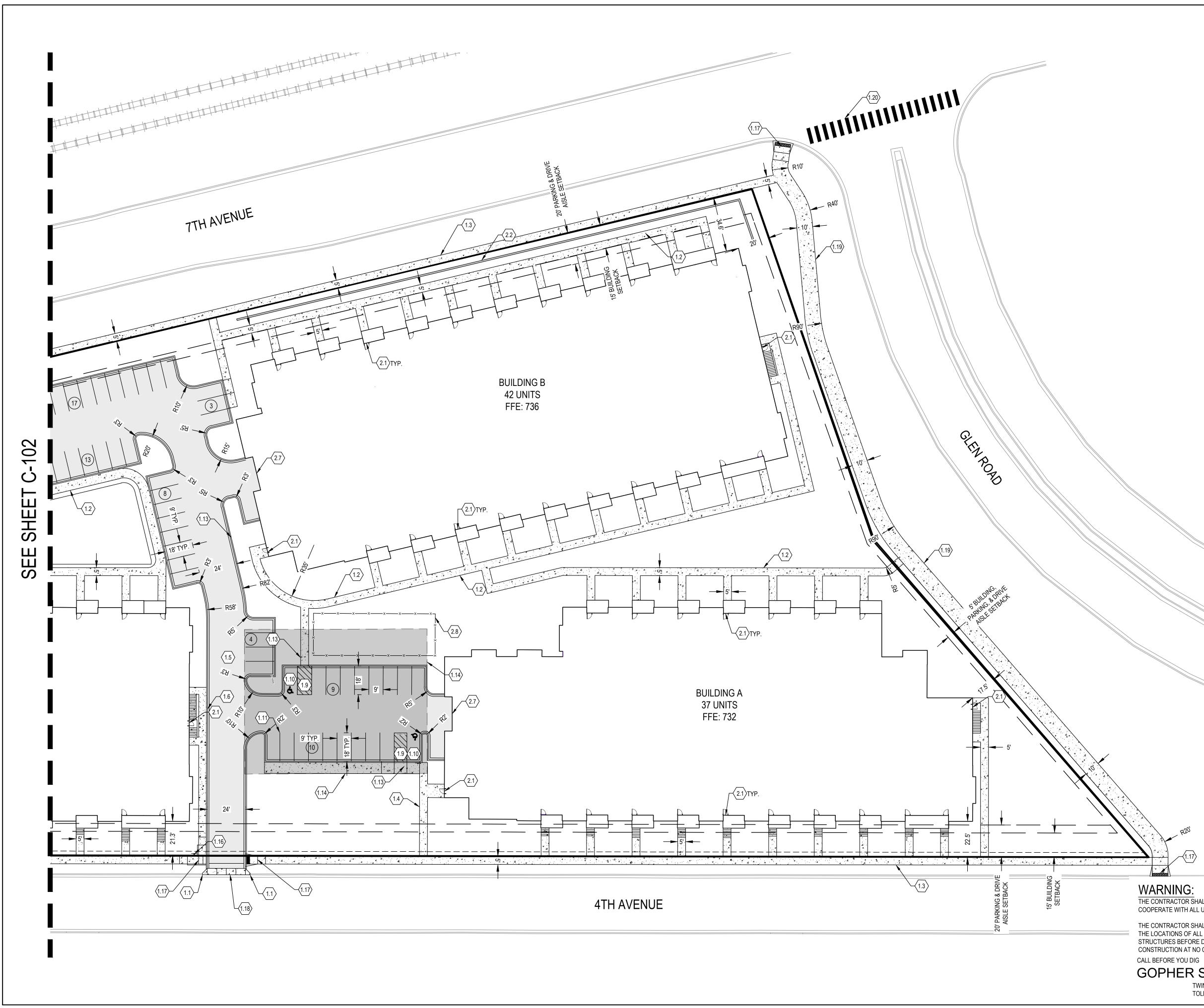


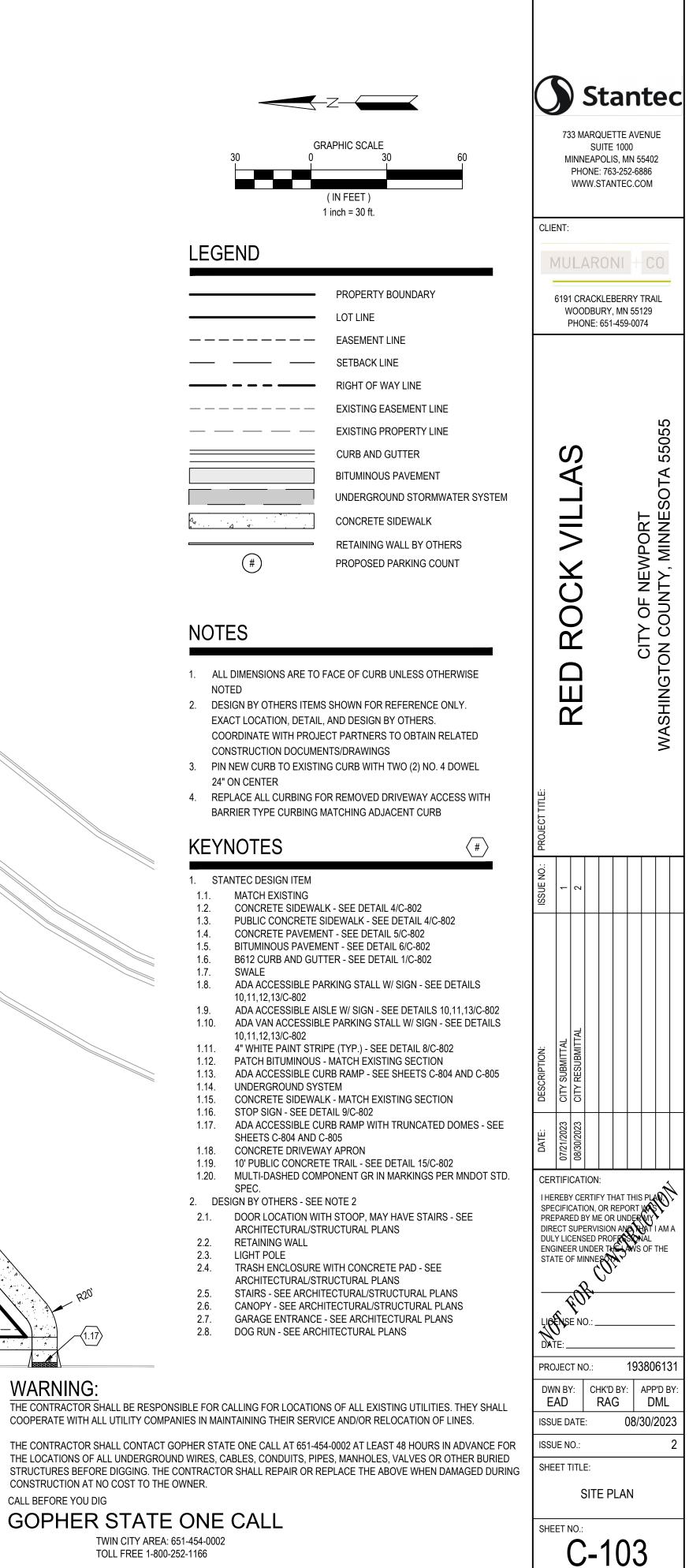


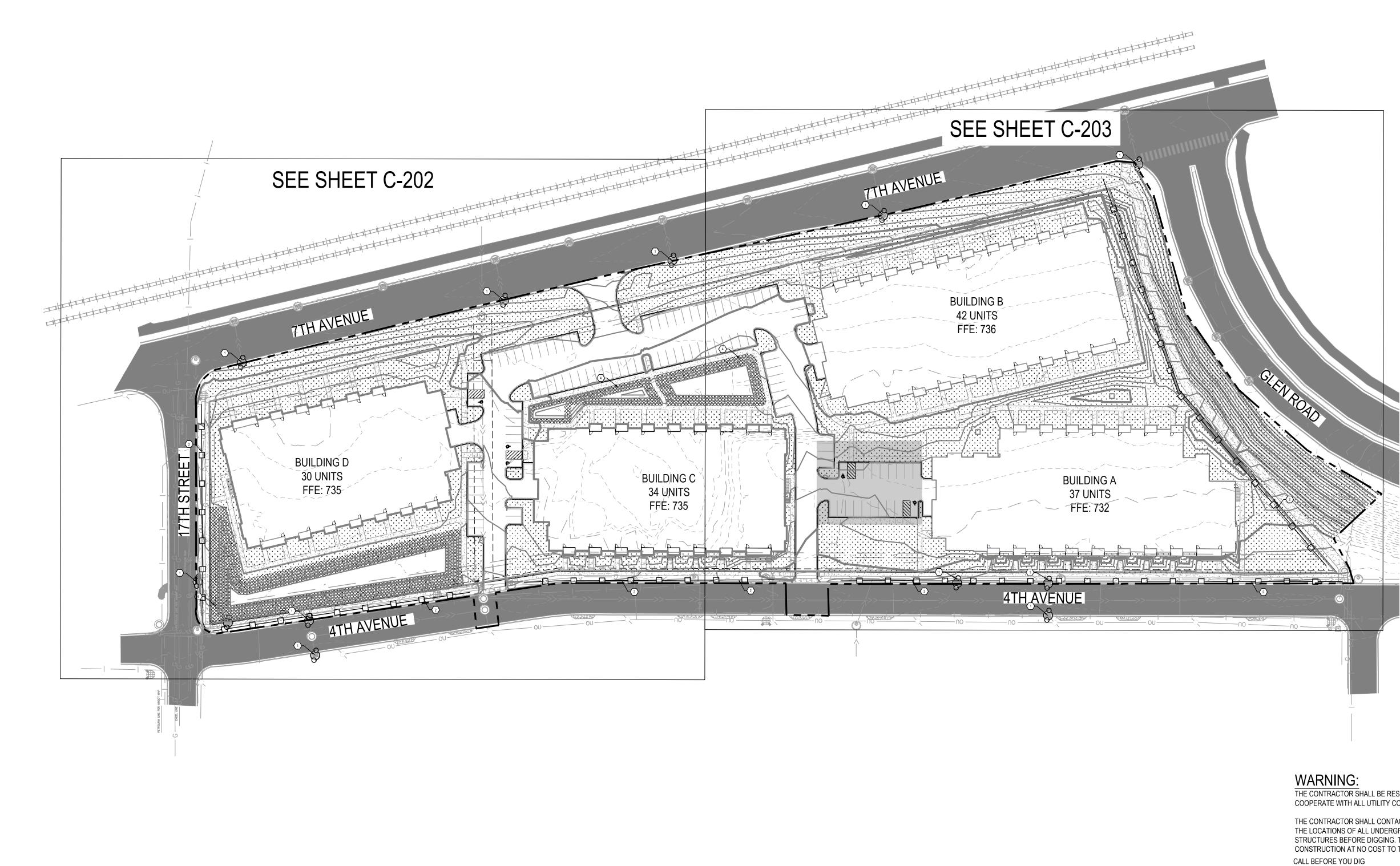
CALL BEFORE YOU DIG GOPHER STATE ONE CALL

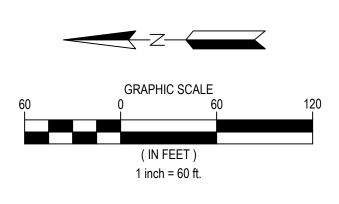
TWIN CITY AREA: 651-454-0002 TOLL FREE 1-800-252-1166 SHEET NO .:

C-102







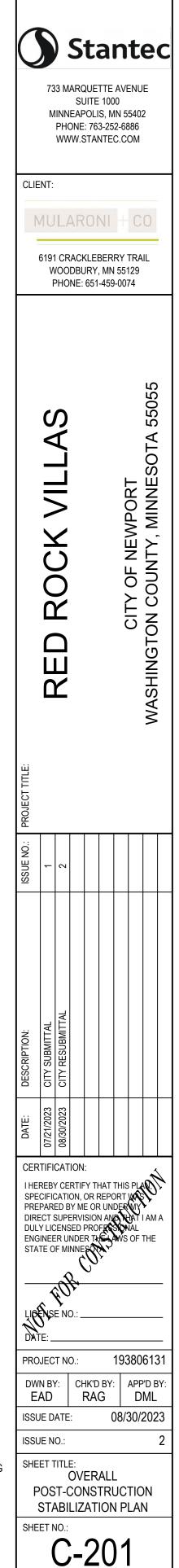


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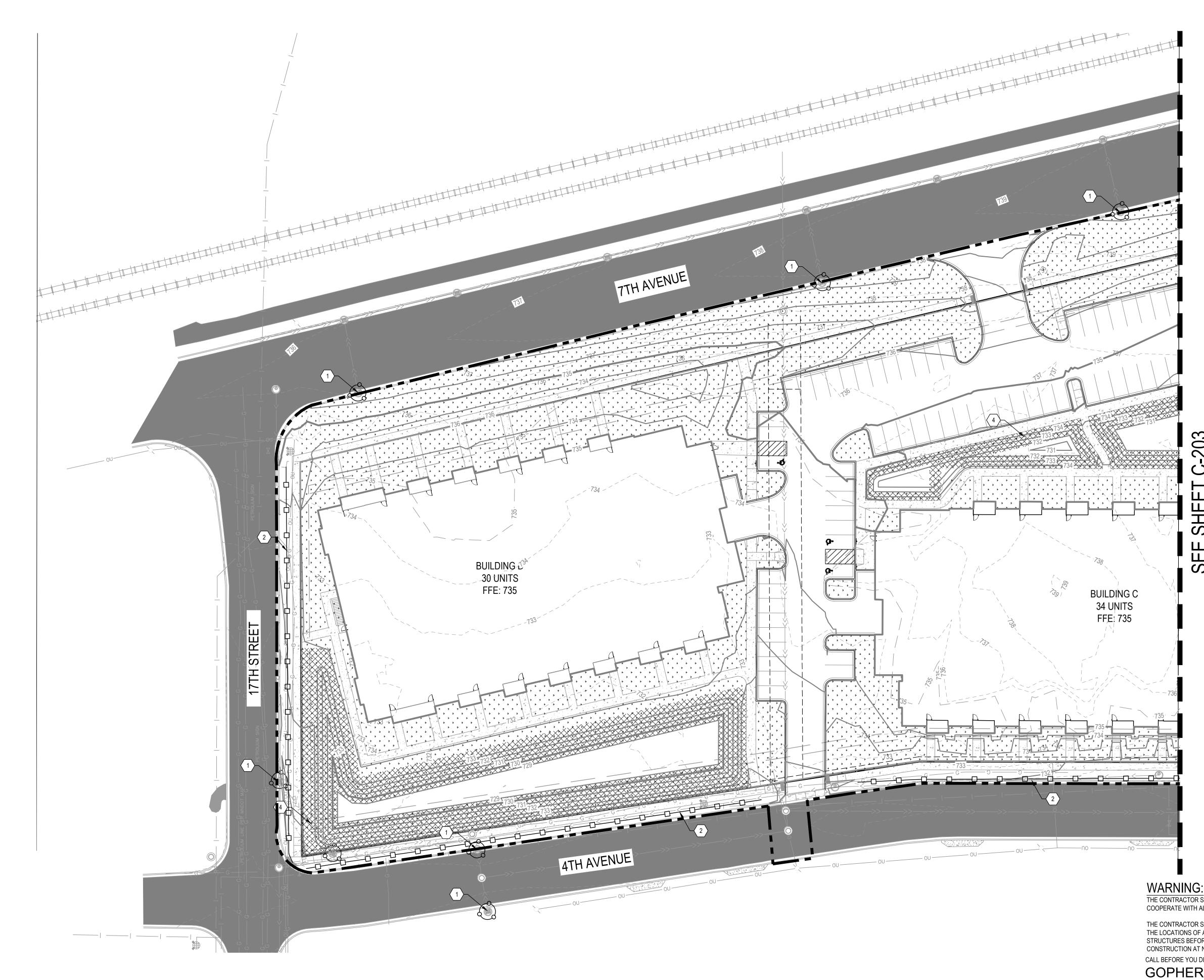
TREE PROTECTION



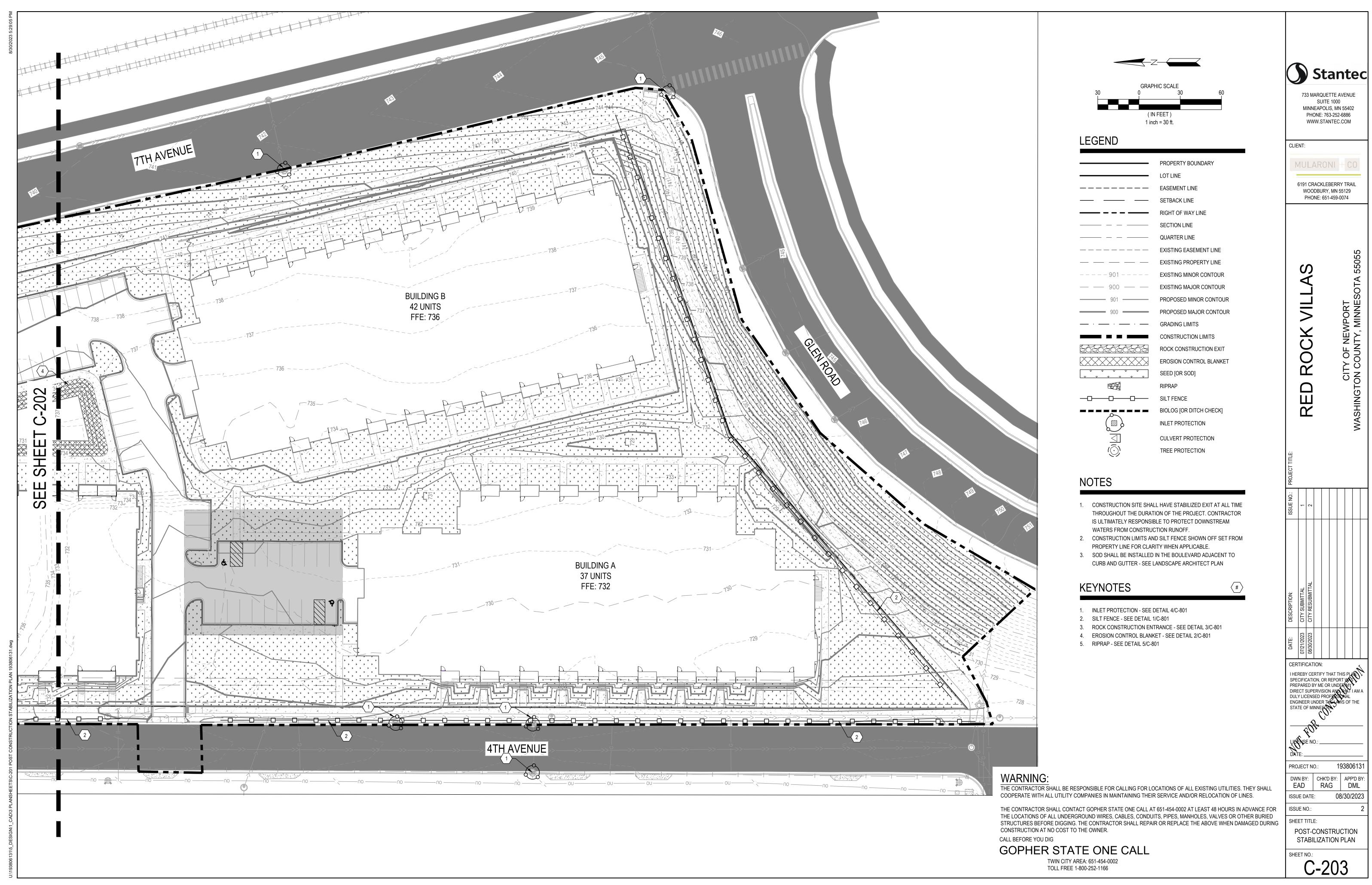
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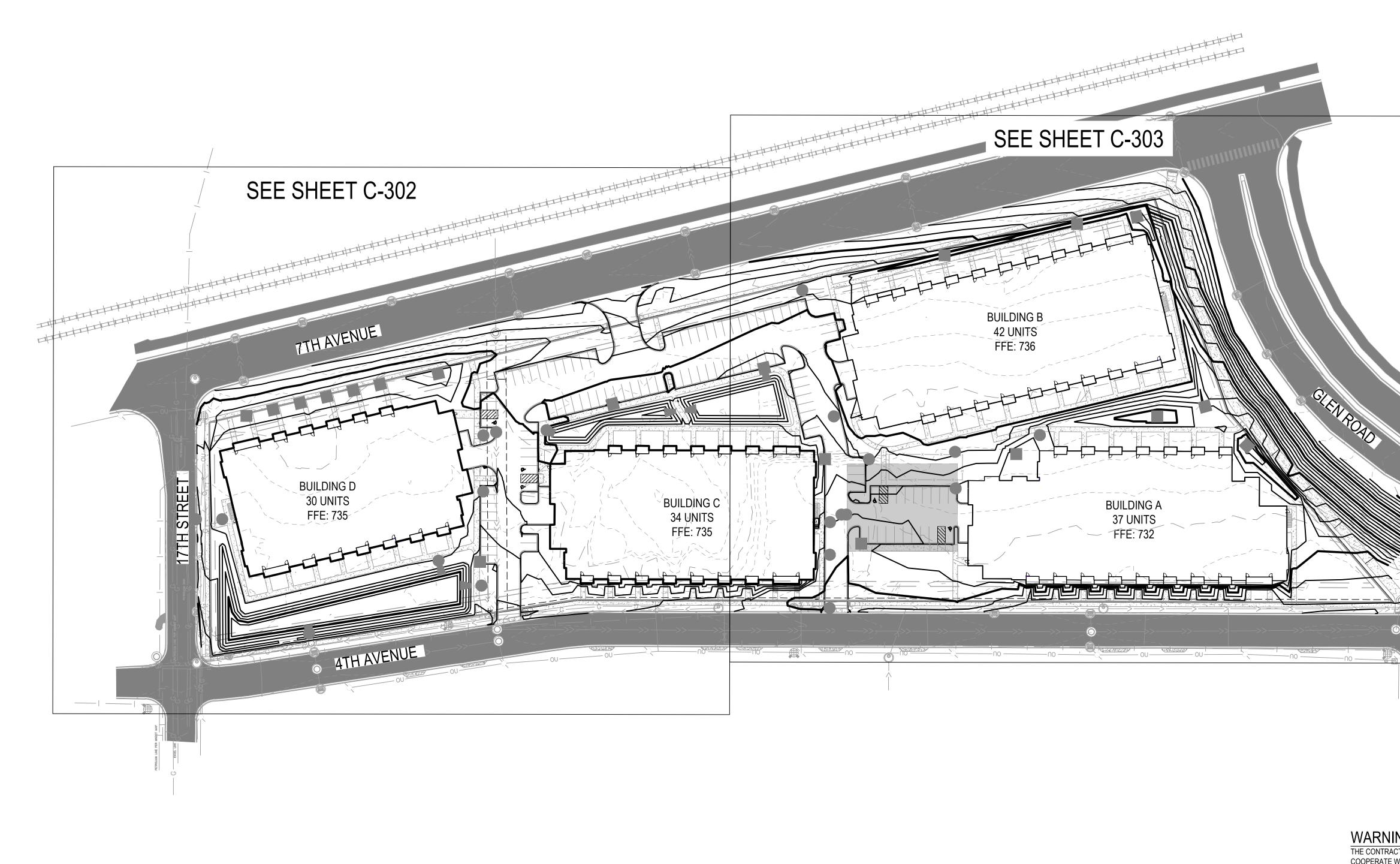
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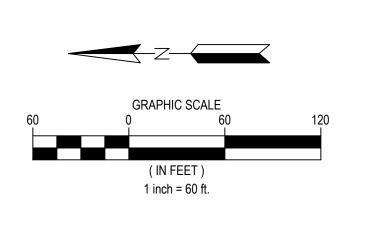


	30 0 	HIC SCALE 30 60 FEET ) n = 30 ft. PROPERTY BOUNDARY LOT LINE EASEMENT LINE	CLIENT	733 MARQUETT SUITE 1 MINNEAPOLIS, PHONE: 763- WWW.STANT	000 , MN 55402 252-6886 FEC.COM	
SHEET C-203		SETBACK LINE RIGHT OF WAY LINE SECTION LINE QUARTER LINE EXISTING EASEMENT LINE EXISTING PROPERTY LINE EXISTING PROPERTY LINE EXISTING MAJOR CONTOUR PROPOSED MINOR CONTOUR PROPOSED MAJOR CONTOUR PROPOSED MAJOR CONTOUR GRADING LIMITS CONSTRUCTION LIMITS ROCK CONSTRUCTION EXIT EROSION CONTROL BLANKET SEED [OR SOD] RIPRAP SILT FENCE BIOLOG [OR DITCH CHECK] INLET PROTECTION CULVERT PROTECTION TREE PROTECTION		KED KOCK VILLAS	CITY OF NEWPORT WASHINGTON COUNTY, MINNESOTA 55055	
	<ol> <li>CONSTRUCTION SITE SHAL THROUGHOUT THE DURAT IS ULTIMATELY RESPONSIB WATERS FROM CONSTRUCT</li> <li>CONSTRUCTION LIMITS AN PROPERTY LINE FOR CLAR</li> <li>SOD SHALL BE INSTALLED CURB AND GUTTER - SEE L</li> </ol> KEYNOTES 1. INLET PROTECTION - SEE D 2. SILT FENCE - SEE DETAIL 1	D SILT FENCE SHOWN OFF SET FROM RTY WHEN APPLICABLE. IN THE BOULEVARD ADJACENT TO ANDSCAPE ARCHITECT PLAN (ANDSCAPE ARCHITECT PLAN # DETAIL 4/C-801 /C-801 FRANCE - SEE DETAIL 3/C-801 (ET - SEE DETAIL 2/C-801	DATE: DESCRIPTION: ISSUE NO.: 07/04/2003 CITY SUBMITTAL	CITY RESUBMITTAL		
PERATE WITH ALL UTILITY COMPA CONTRACTOR SHALL CONTACT G LOCATIONS OF ALL UNDERGROUN	NIES IN MAINTAINING THEIR SER OPHER STATE ONE CALL AT 651-4 ND WIRES, CABLES, CONDUITS, PI CONTRACTOR SHALL REPAIR OR DWNER. ONE CALL 051-454-0002	ONS OF ALL EXISTING UTILITIES. THEY SHALL VICE AND/OR RELOCATION OF LINES. 454-0002 AT LEAST 48 HOURS IN ADVANCE FOR IPES, MANHOLES, VALVES OR OTHER BURIED REPLACE THE ABOVE WHEN DAMAGED DURING	CERTIF I HEREI SPECIF PREPAI DIRECT DULY L ENGINE STATE INSUE INSUE ISSUE ISSUE SHEET PROJE	ILLE: ST-CONSTI ST-CONSTI CATION: SUPERVISION, OR RE RED BY ME OR L SUPERVISION OF MINNES SE NO.: CT NO.: TITLE: ST-CONSTI CABILIZATIO	PORT WAS JINDER WY AND PART I AM A ANNS OF THE 193806131 BY: APP'D BY: DML 08/30/2023 2 RUCTION DN PLAN	





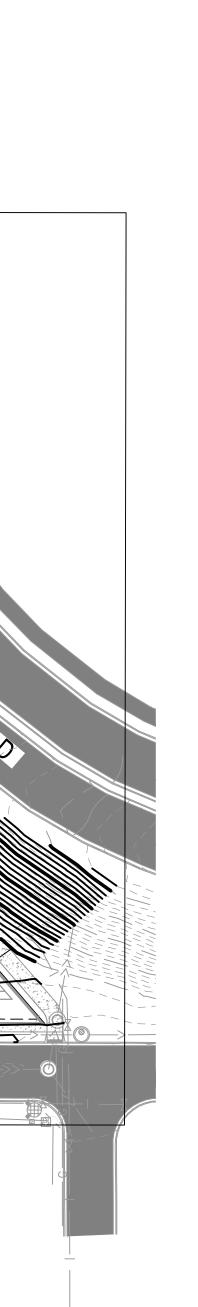
CALL BEFORE YOU DIG



## LEGEND

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PROPERTY BOUNDARY
LOT LINE
EASEMENT LINE
SETBACK LINE
RIGHT OF WAY LINE
SECTION LINE
QUARTER LINE
EXISTING EASEMENT LINE
EXISTING PROPERTY LINE
EXISTING MINOR CONTOUR
EXISTING MAJOR CONTOUR
PROPOSED MINOR CONTOUR
PROPOSED MAJOR CONTOUR
GRADING LIMITS



	DESCRIPTION:	CITY SUBMITTAL	<b>CITY RESUBMITTAL</b>								
	DATE:	07/21/2023	08/30/2023								
	CERTIFICATION: I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDERWY DIRECT SUPERVISION AND HAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE AWS OF THE STATE OF MINNESSION LIGENSE NO.:										
	PROJECT NO.: 193806131										
	dwi E/	N BN AD	<i>(</i> :		CHK'D BY: APP'D B' RAG DML						
	ISSU	)8/3	3/30/2023								
R	ISSUE NO.: 2 SHEET TITLE: OVERALL GRADING PLAN									2	
١G											
										1	
	SHE	ET N	10.:	, <b>-</b>	3	C	)1				

**Stantec** 

733 MARQUETTE AVENUE

SUITE 1000 MINNEAPOLIS, MN 55402 PHONE: 763-252-6886 WWW.STANTEC.COM

MULARONI + CO

6191 CRACKLEBERRY TRAIL WOODBURY, MN 55129 PHONE: 651-459-0074

CITY OF NEWPORT WASHINGTON COUNTY, MINNESOTA 55055

CLIENT:

AS

VILL

ROCK

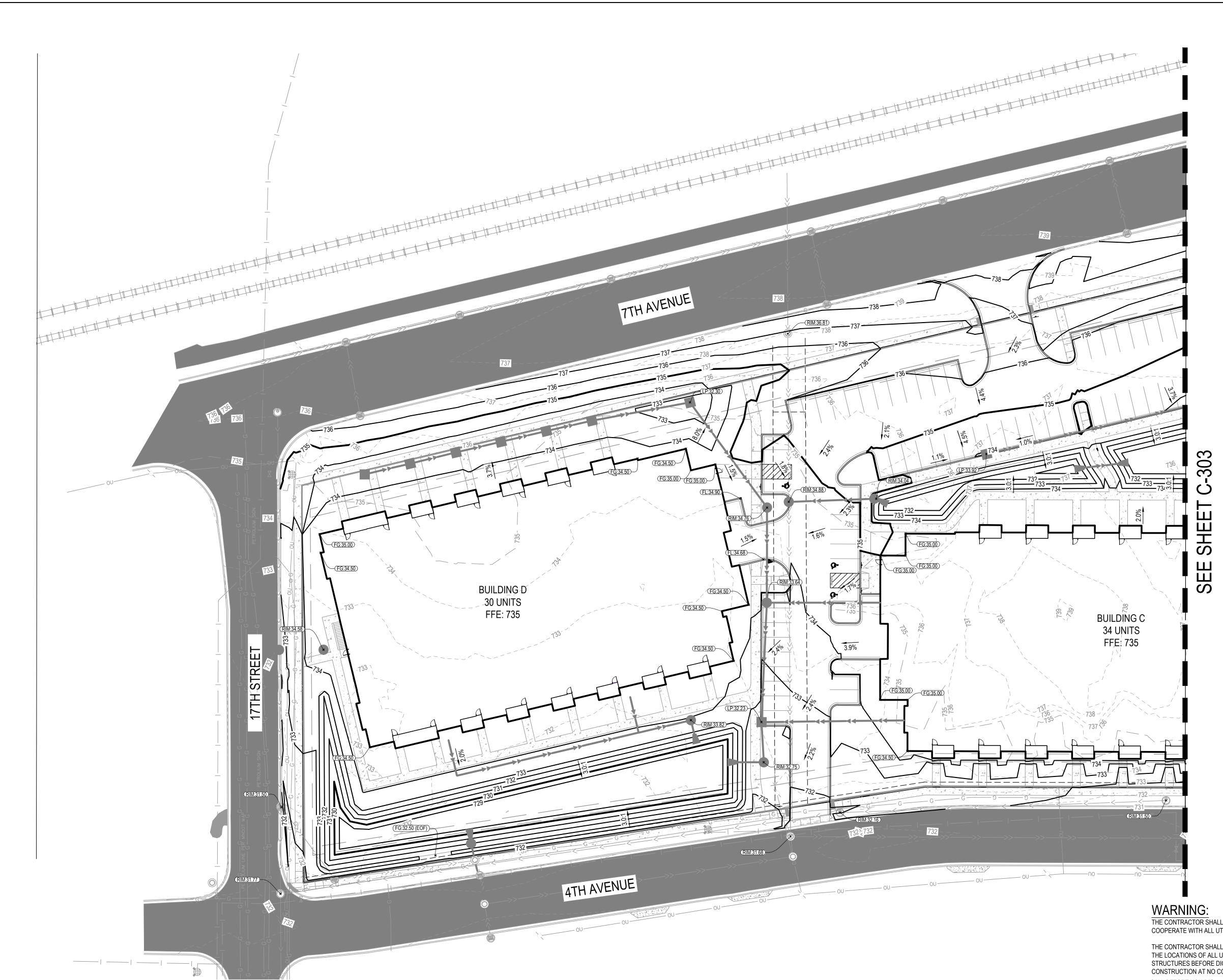
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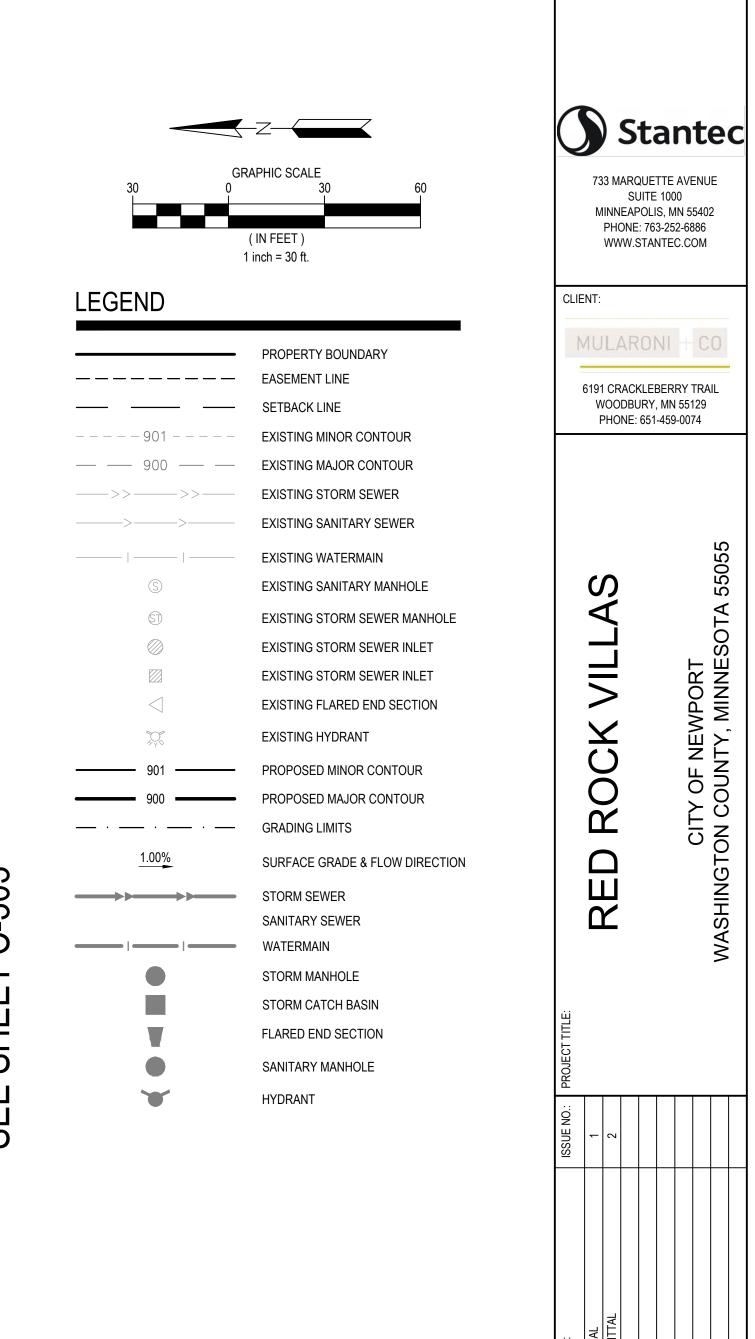
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GOPHER STATE ONE CALL TWIN CITY AREA: 651-454-0002 TOLL FREE 1-800-252-1166





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SHEET NO.: C-302
GRADING PLAN
SHEET TITLE:

DWN BY:CHK'D BY:APP'D BY:EADRAGDML

193806131

08/30/2023

CERTIFICATION:

LIGENSE NO

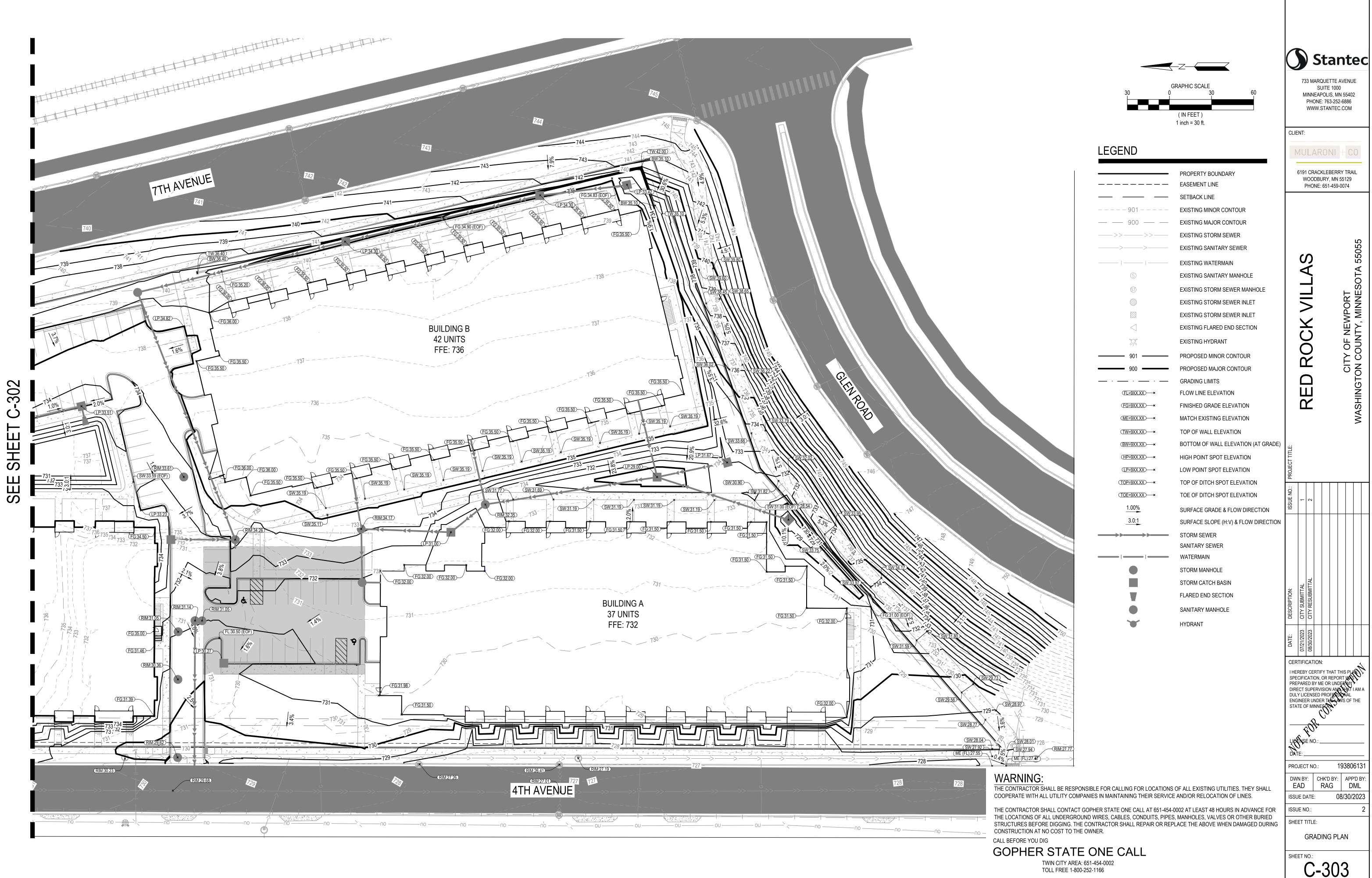
PROJECT NO .:

ISSUE DATE:

ISSUE NO .:

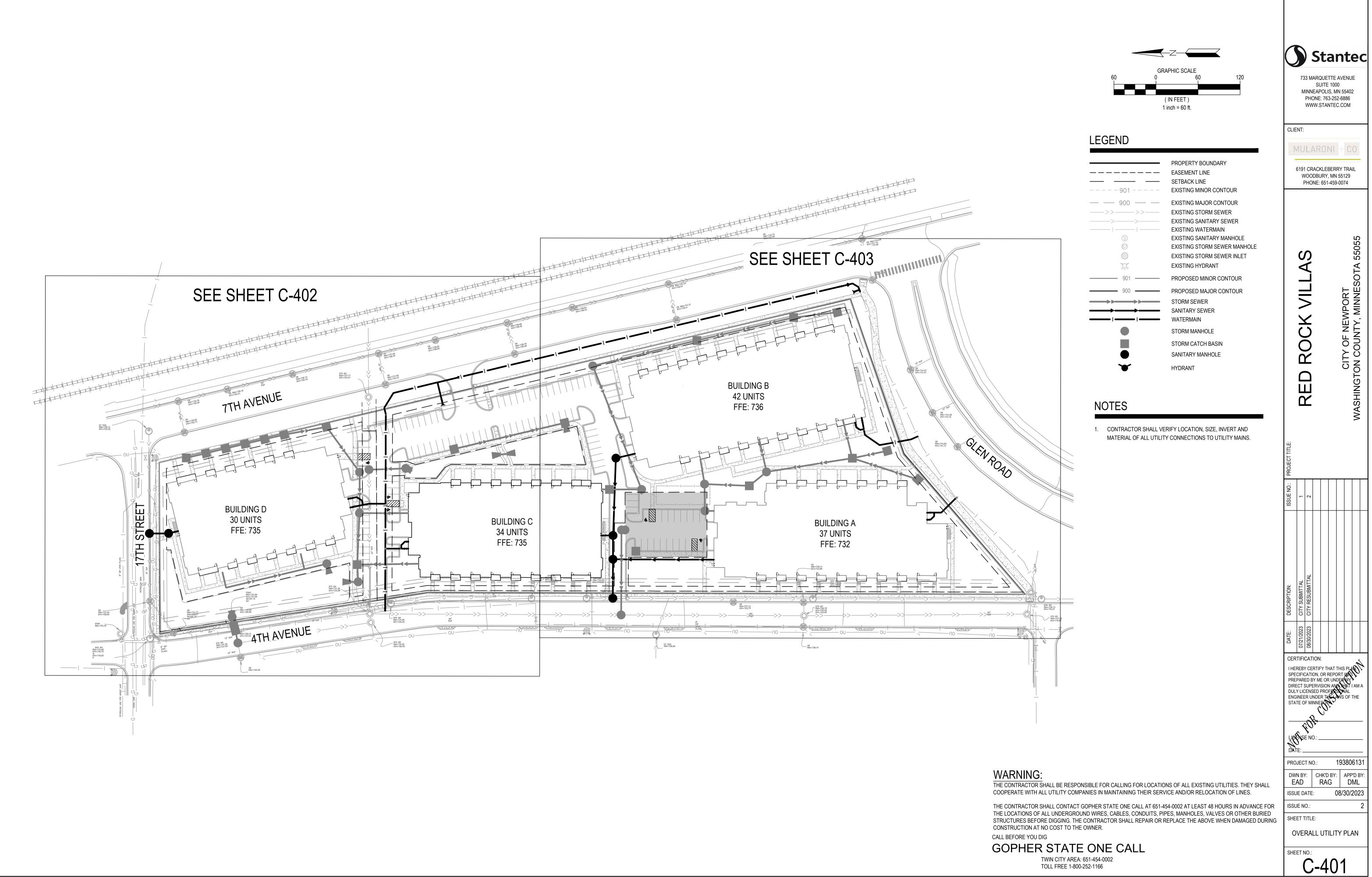
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55055

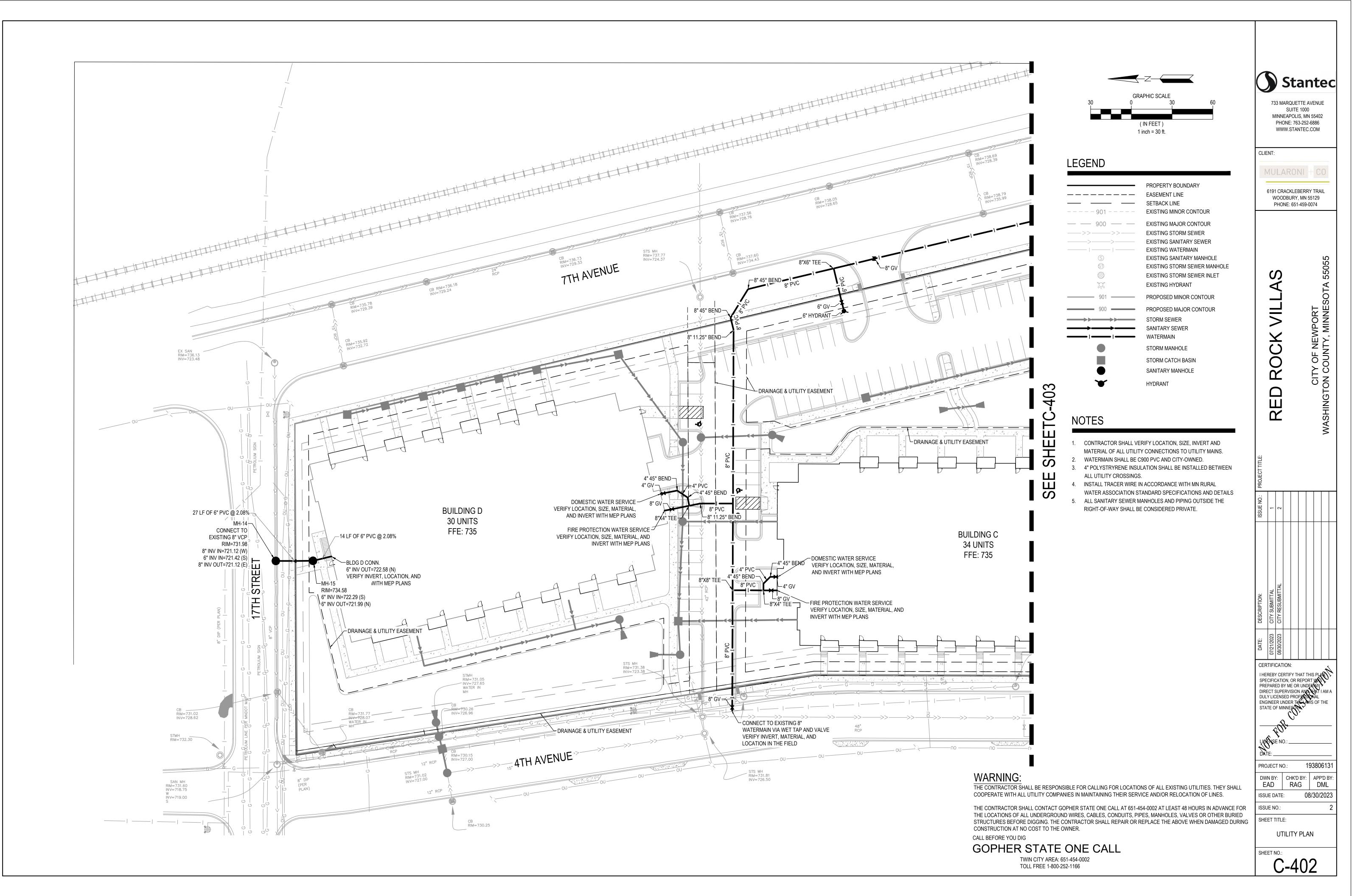


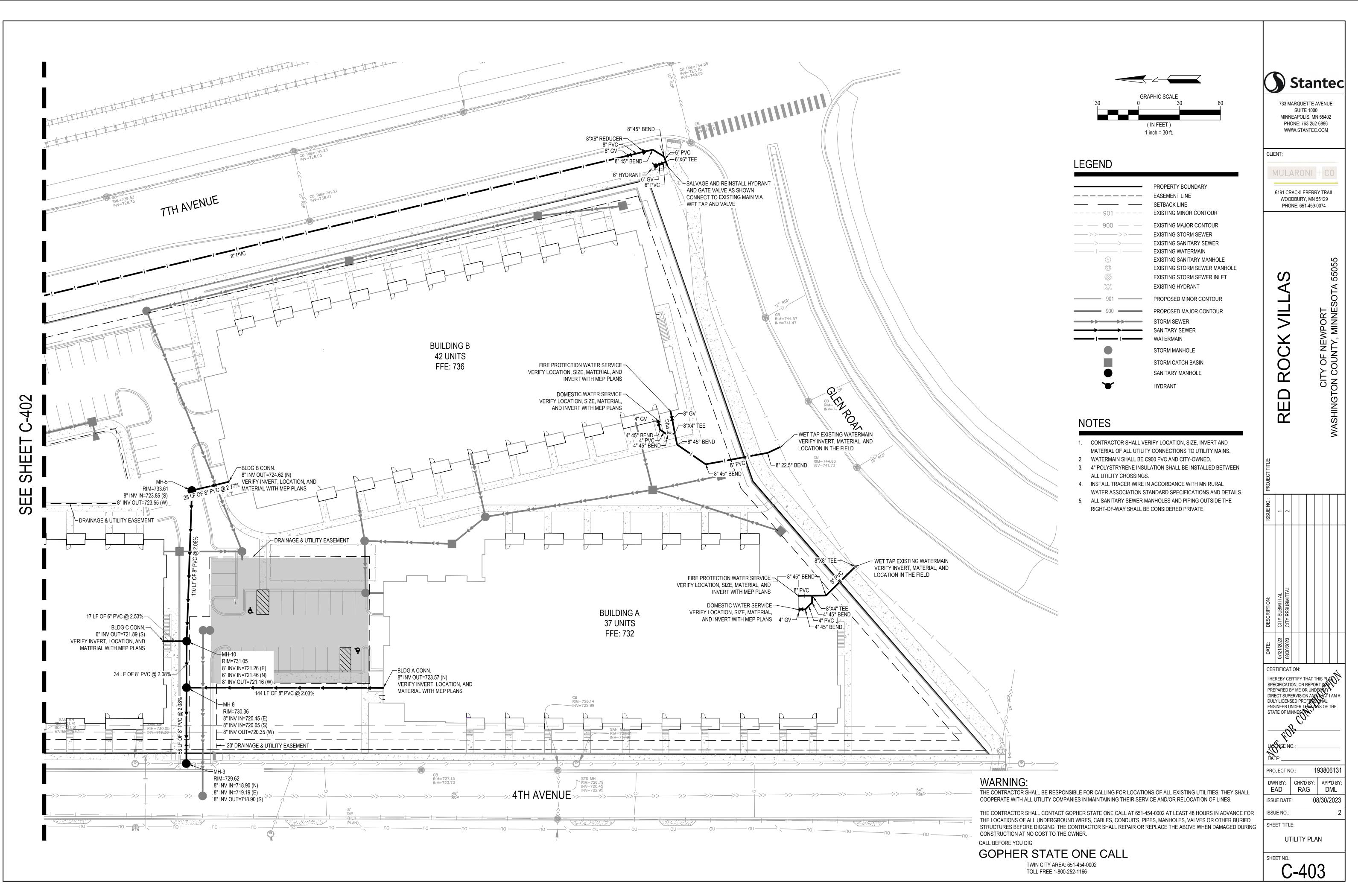
TOLL FREE 1-800-252-1166

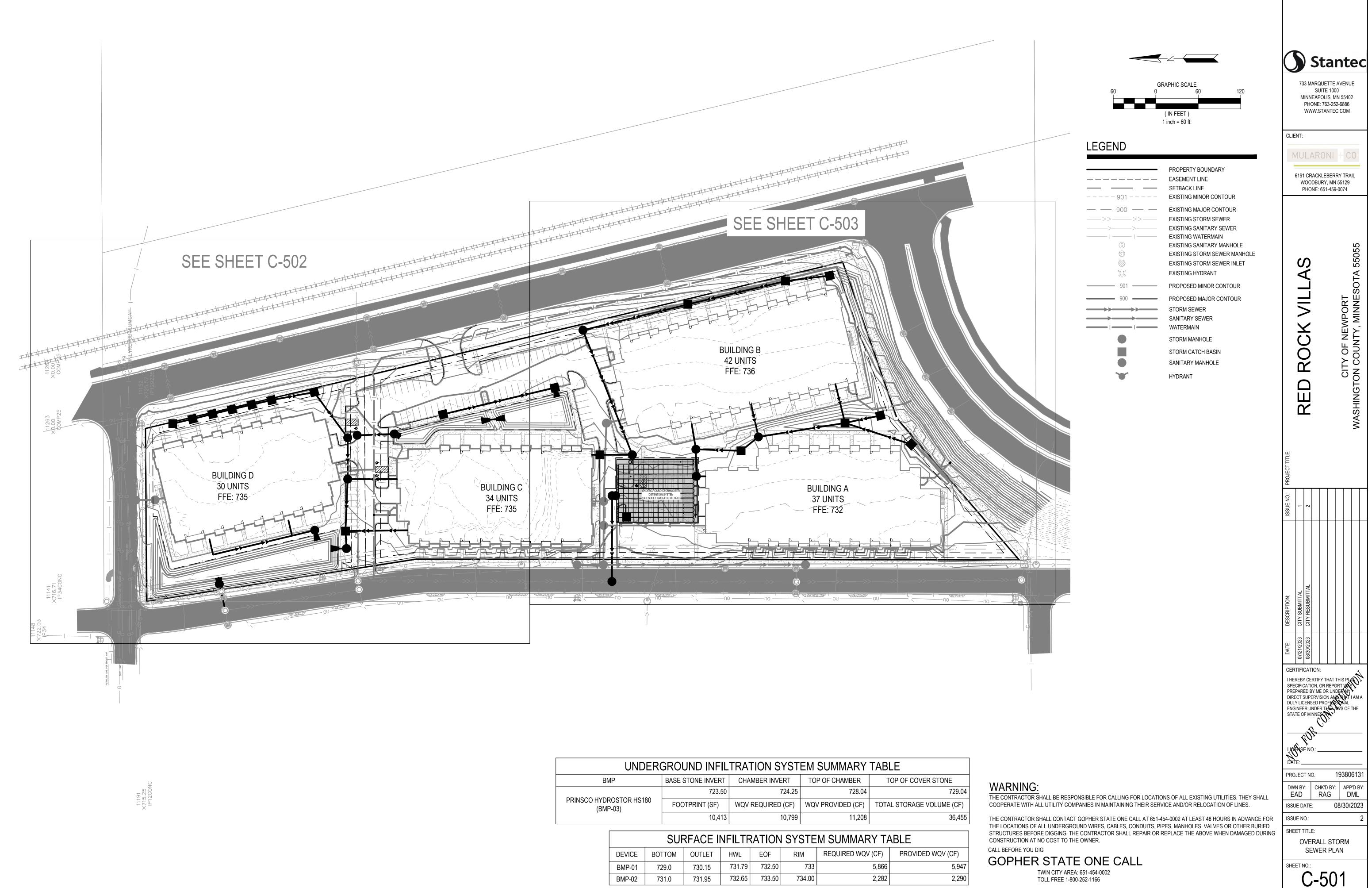






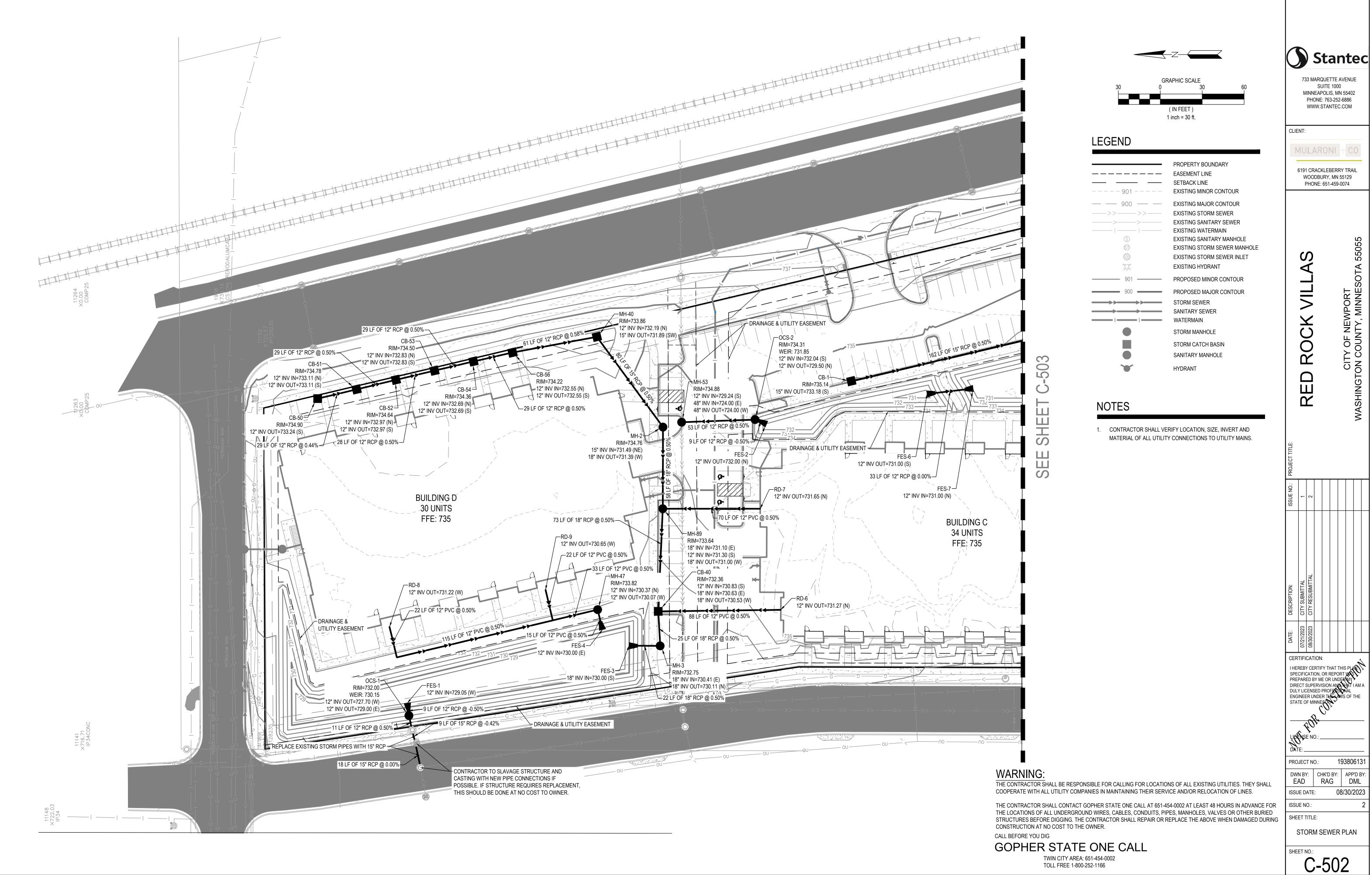


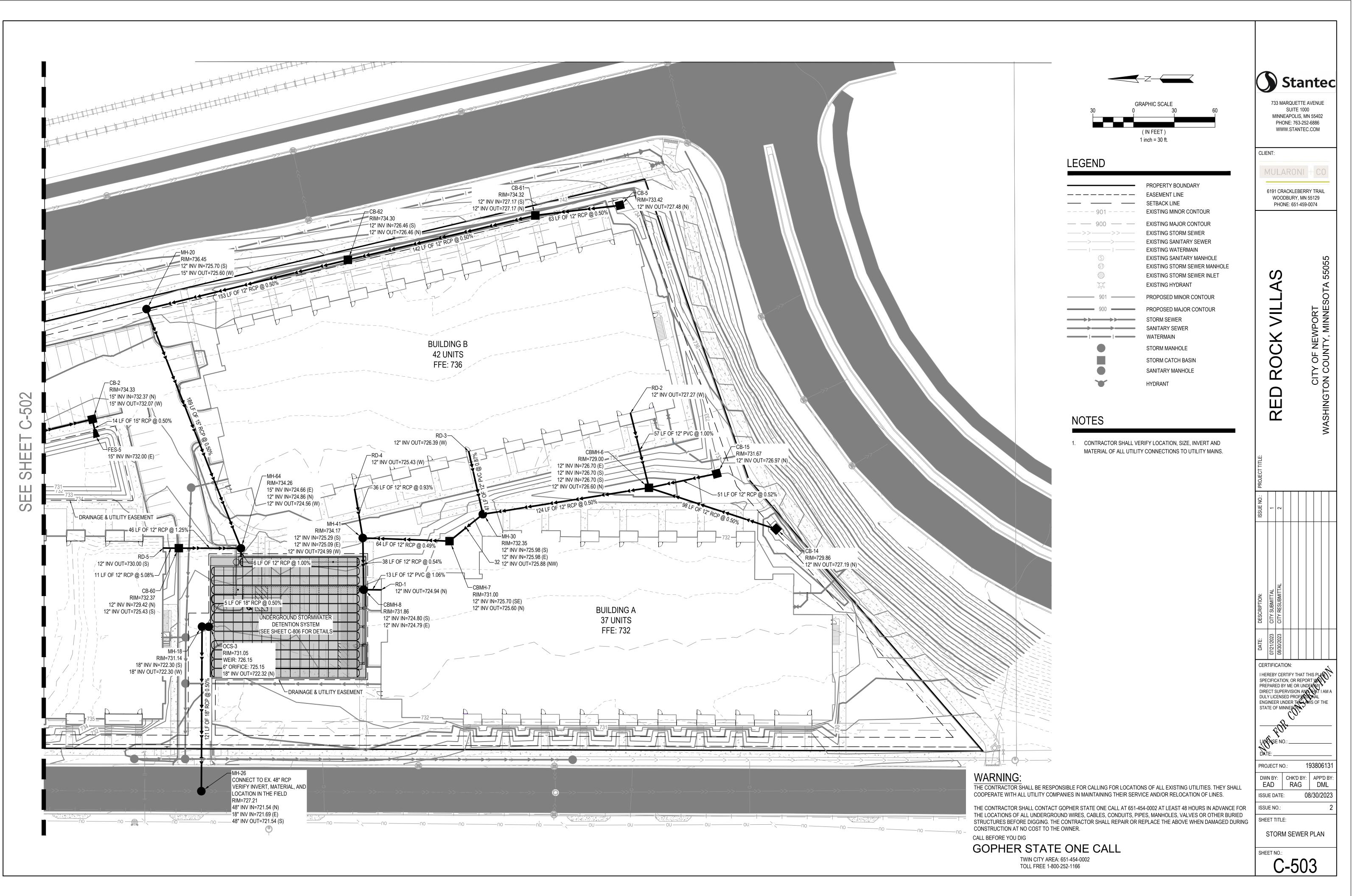


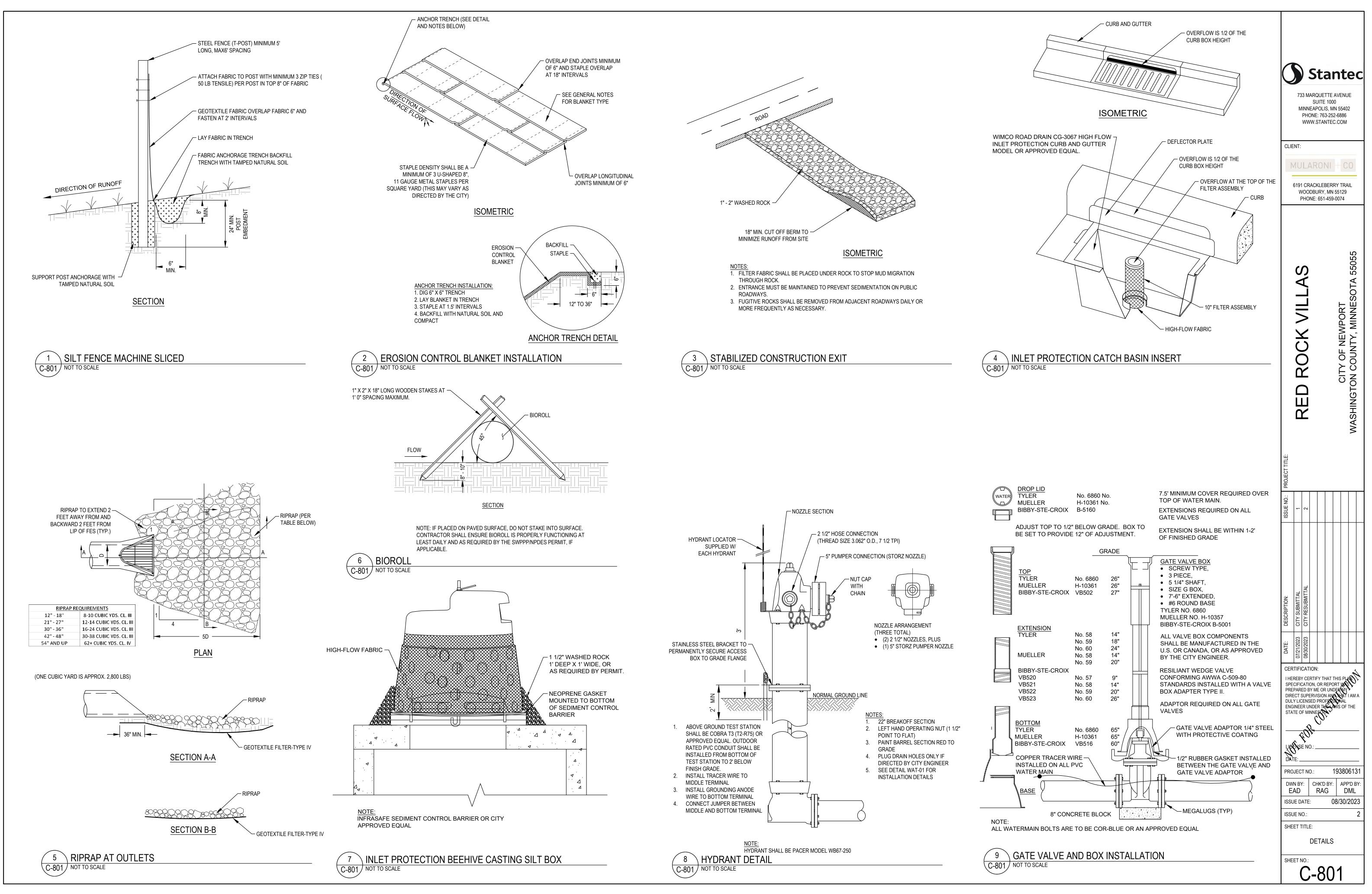


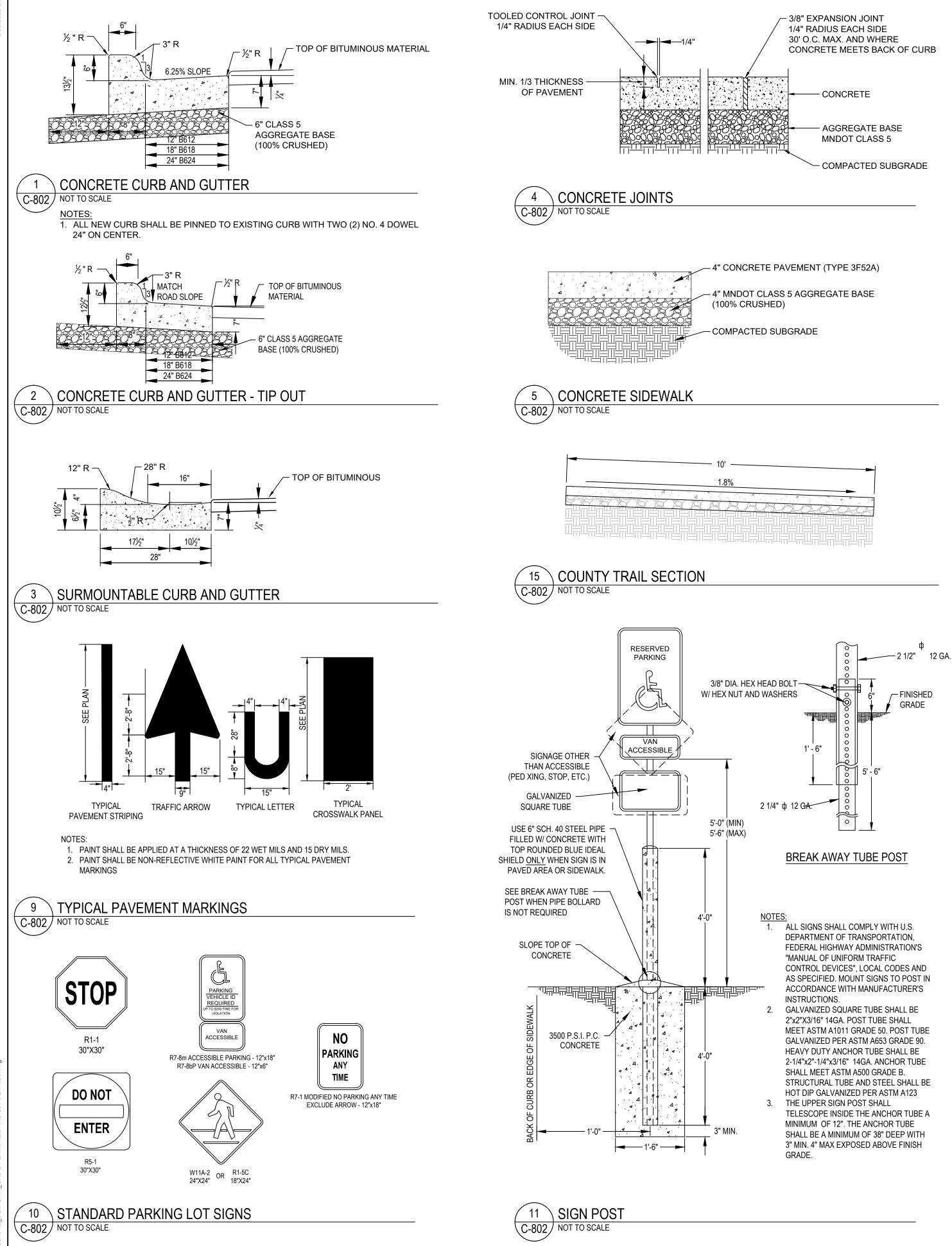
UNDERGROUND INFILTRATION SYSTEM SUMMARY TABLE											
BN	BMP		BASE STONE INVERT		CHAMBER INVERT			P OF CHAMBER TO		TOP OF COVER STONE	
PRINSCO HYDROSTOR HS180 (BMP-03)			723.50		724.25			728.04		729.04	
		<sup>80</sup> F	FOOTPRINT (SF) W		WQV REQUIRED (CF)		WQV	QV PROVIDED (CF) TOTA		TAL STORAGE VOLUME (CF)	
			10,413		10,799			11,208		36,455	
										BLE PROVIDED WQV (CF) 5,947	
	BMP-01 BMP-02	729.0	730.15	731.79 732.65			733 34.00	5,866 2,282			

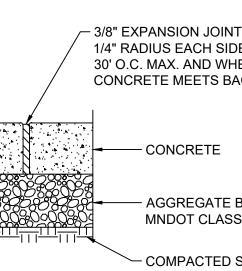
TOLL FREE 1-800-252-1166

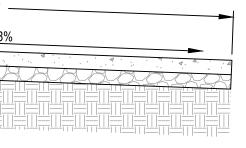


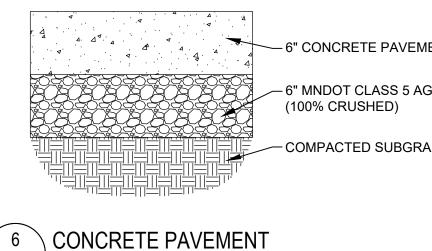








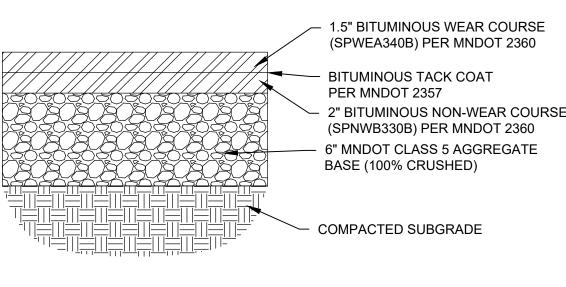




- 6" CONCRETE PAVEMENT (TYPE 3F52A)

- 6" MNDOT CLASS 5 AGGREGATE BASE

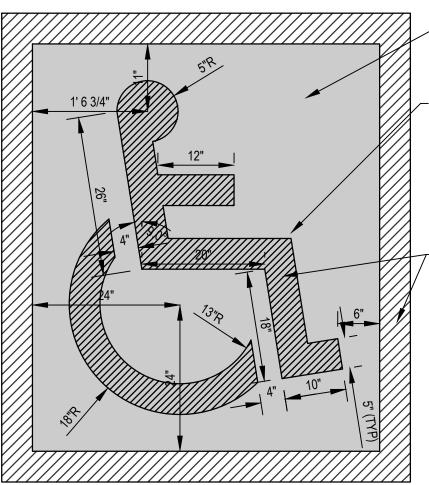
- COMPACTED SUBGRADE



## ackslash BITUMINOUS PAVEMENT C-802/ NOT TO SCALE

C-802 NOT TO SCALE

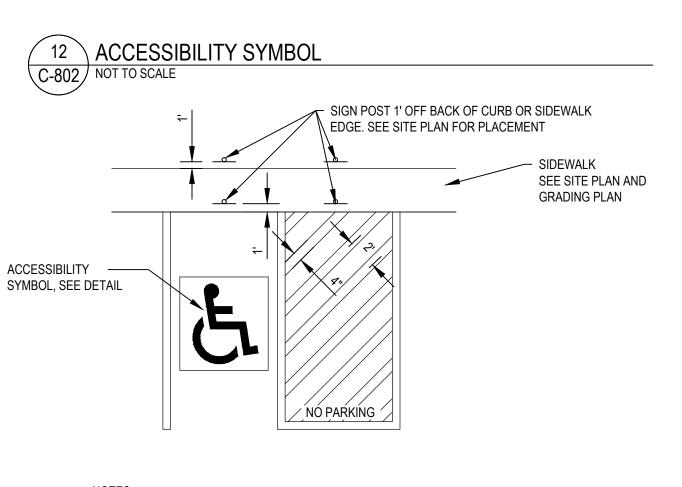
NOTES: 1. SEE SHEET G-002 FOR ADDITIONAL PAVEMENT REQUIREMENTS



BLUE HIGHWAY PAINT BACKGROUND 2 COATS (TYPICAL)

INTERNATIONAL SYMBOL OF ACCESSIBILITY APPLIED TO THE CENTER OF EACH REQUIRED ACCESSIBLE SPACE WITH BLUE PAINT BACKGROUND AND WHITE PAINT FOR SYMBOL AND PERIMETER EDGE

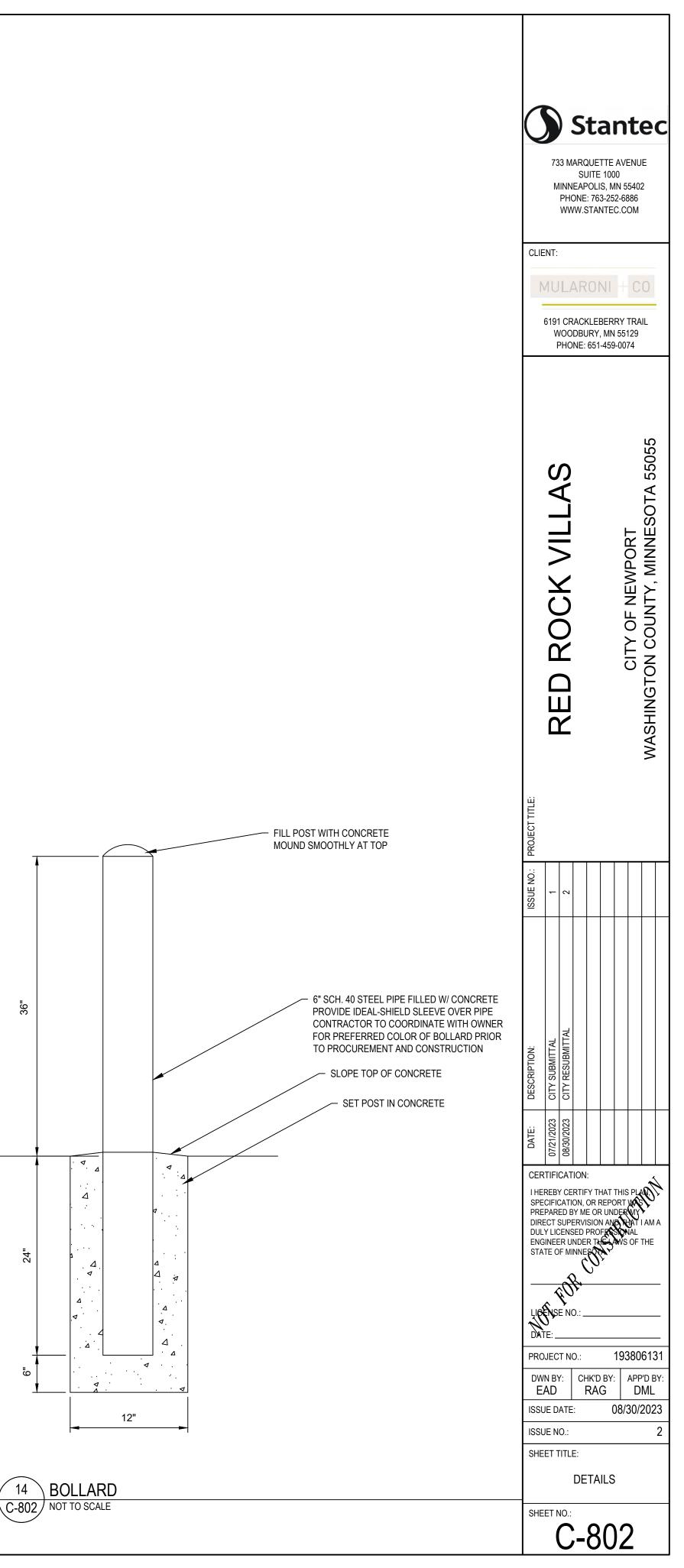
**5" WIDE WHITE STRIPING** 2 COATS (TYPICAL)

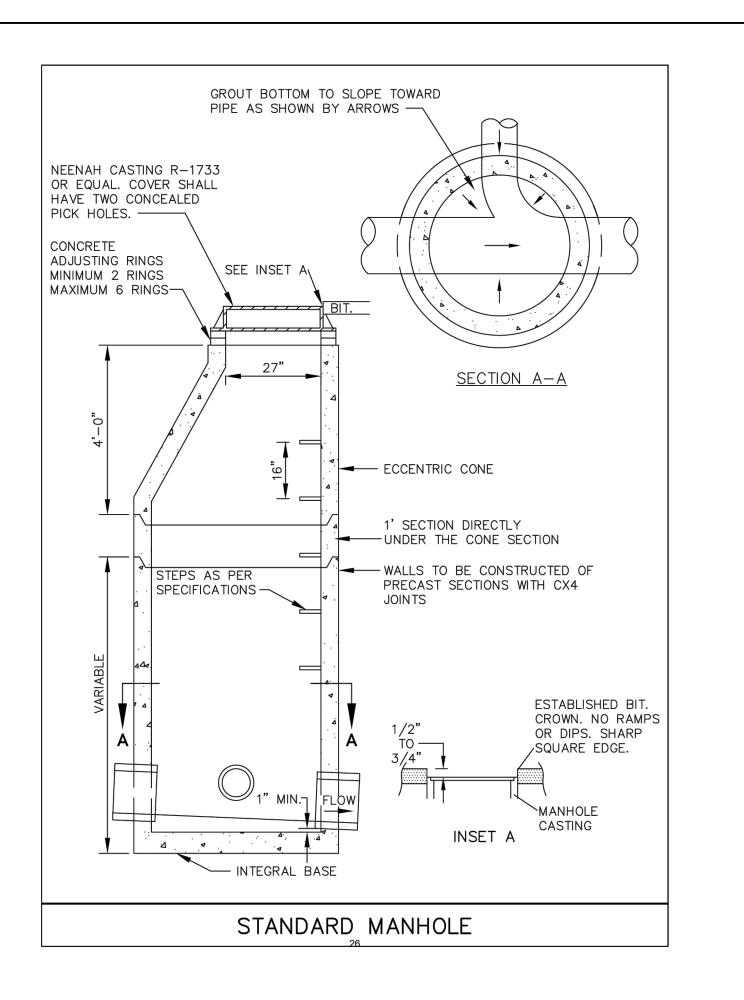


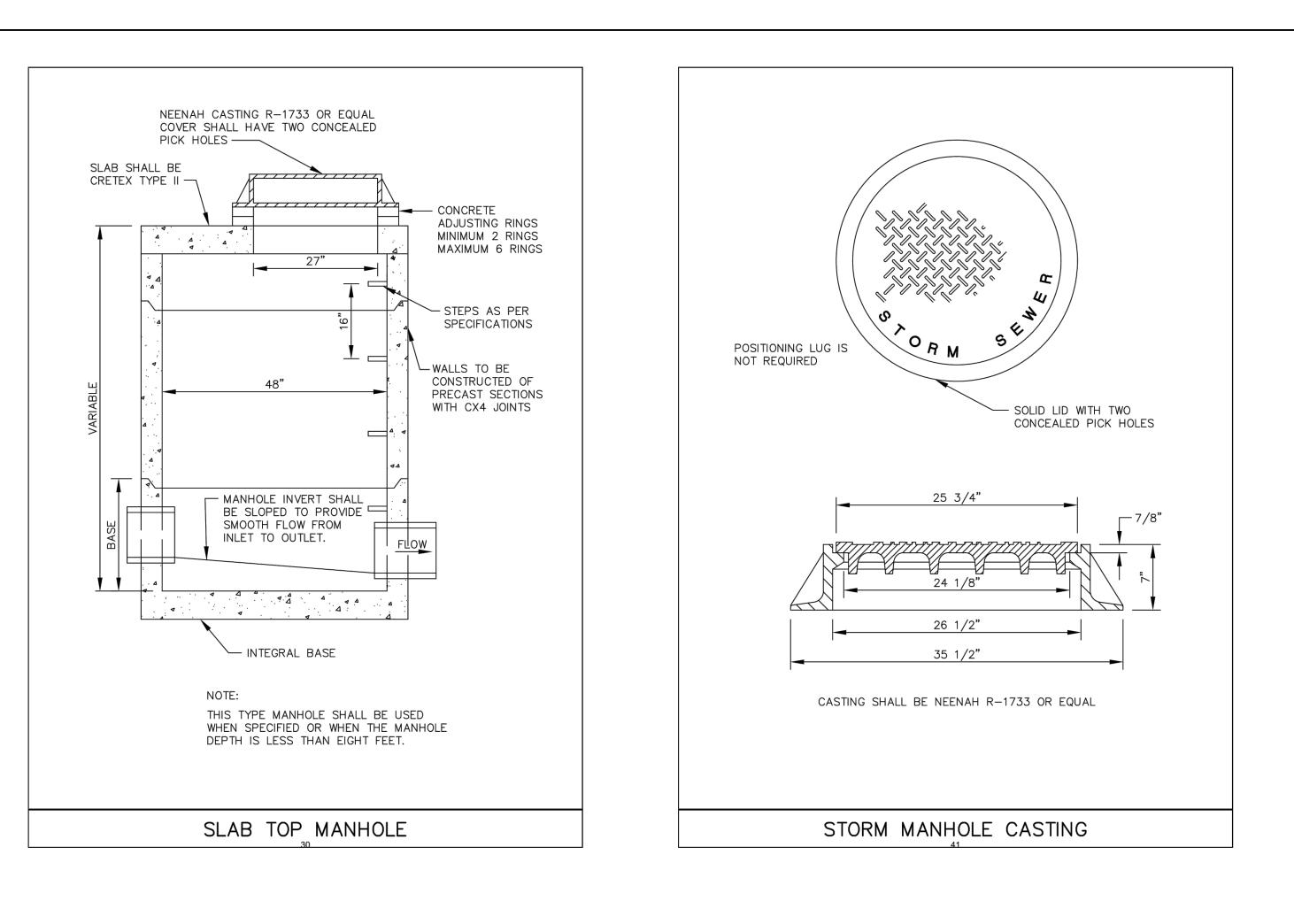
- STRIPING ADJACENT TO HANDICAP PARKING SHALL BE BLUE. DIMENSION HANDICAP SYMBOLS PER INTERNATIONAL SYMBOL OF ACCESSIBILITY DETAIL.
- SEE PLAN FOR STALL DIMENSIONS.
- 4. DIMENSION "NO PARKING" TO BE 1' TALL.

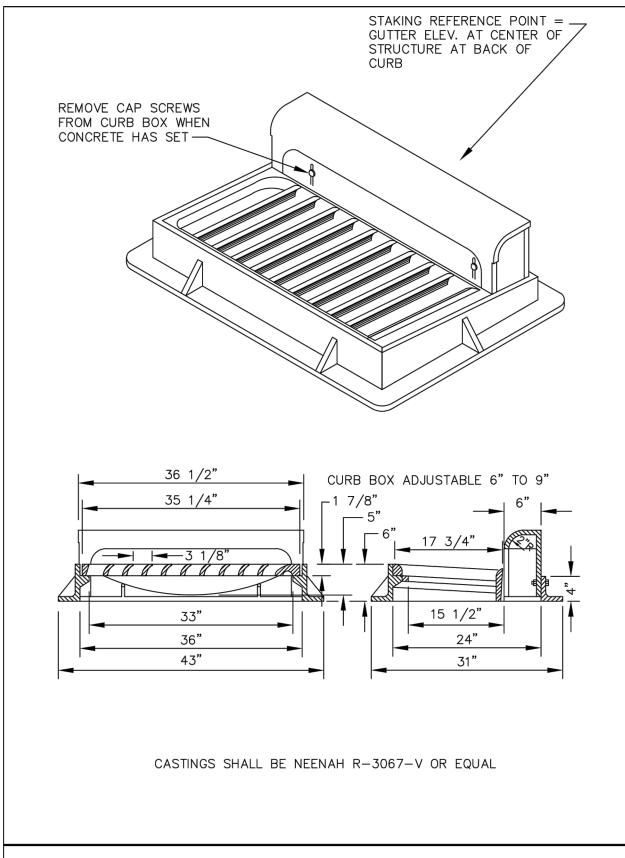
5. SIGNAGE AND MARKINGS TO BE IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS.

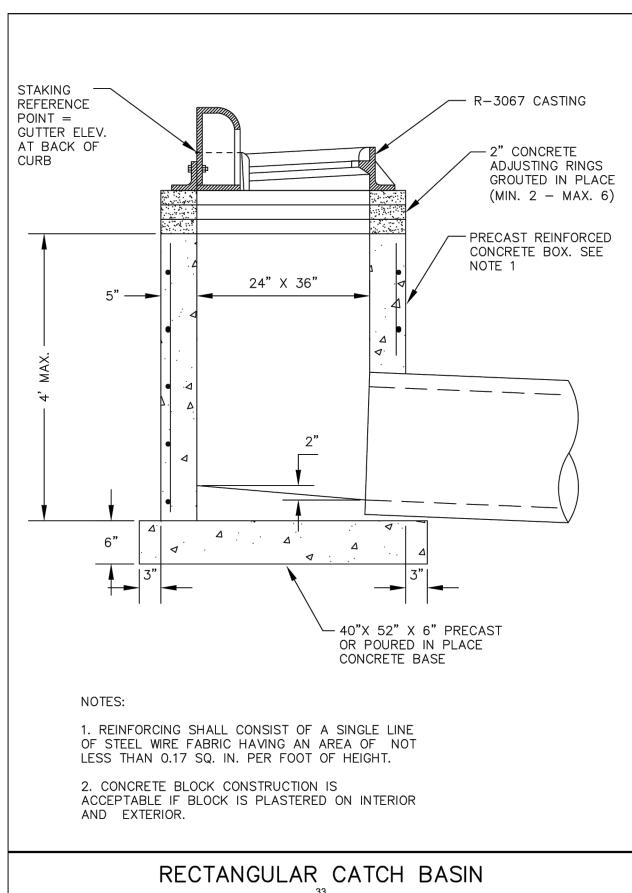




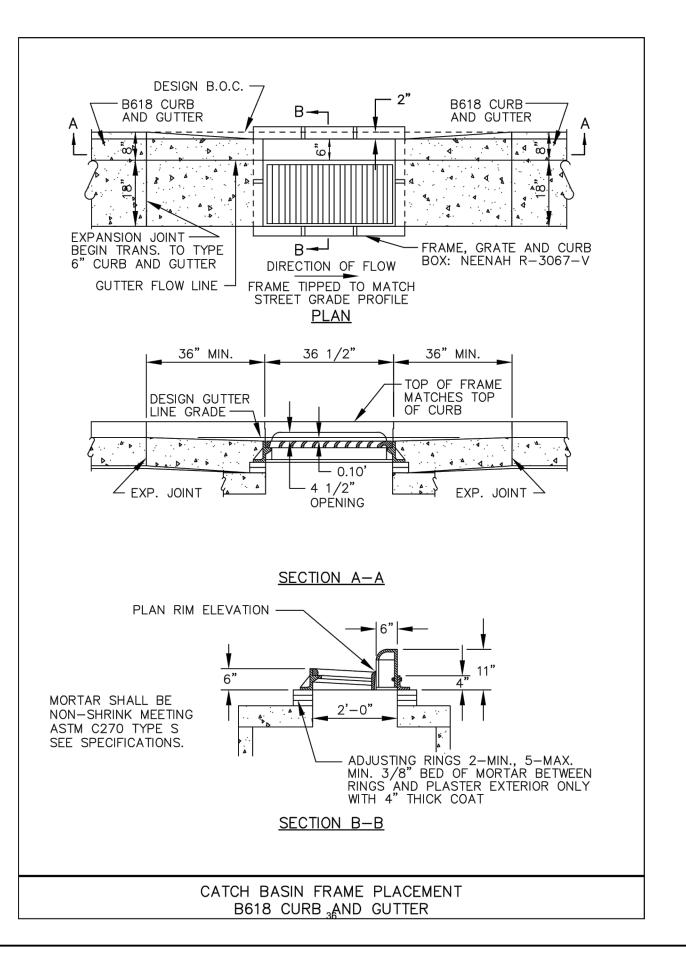


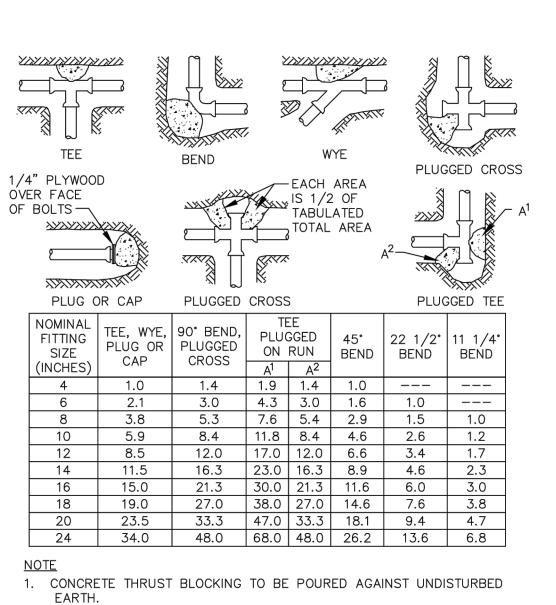






CATCH BASIN CASTING - R-3067-V





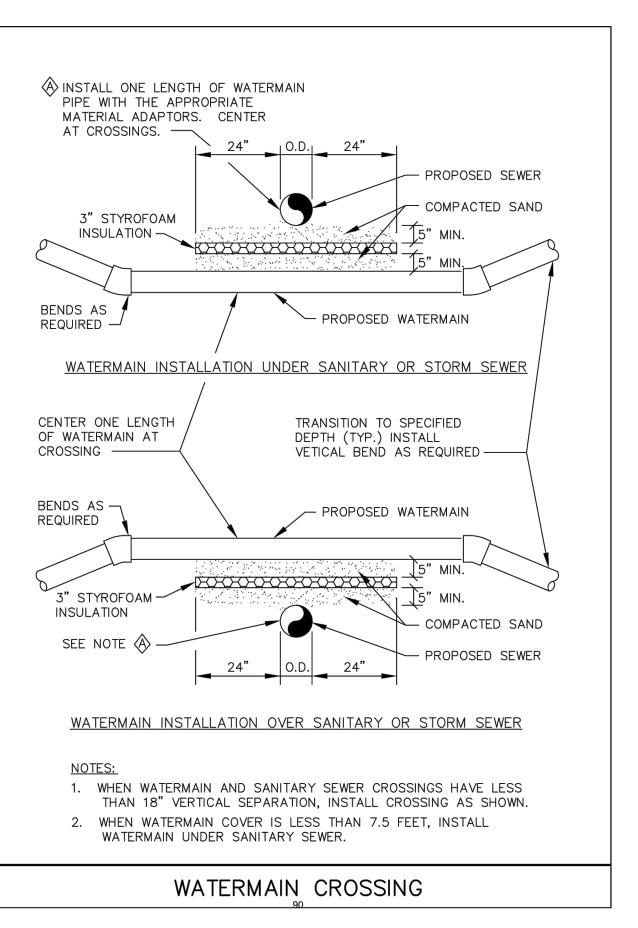
2. KEEP CONCRETE CLEAR OF JOINT AND ACCESSORIES.

3. IF NOT SHOWN ON PLANS, REQUIRED BEARING AREAS AT FITTING SHALL BE AS INDICATED ABOVE, ADJUSTED IF NECESSARY, TO CONFORM TO THE TEST PRESSURE(S) AND ALLOWABLE SOIL BEARING STRESS(ES).

4. BEARING AREAS AND SPECIAL BLOCKING DETAILS SHOWN ON PLANS TAKE PRECEDENCE OVER BEARING AREAS AND BLOCKING DETAILS SHOWN IN THIS STANDARD DETAIL.

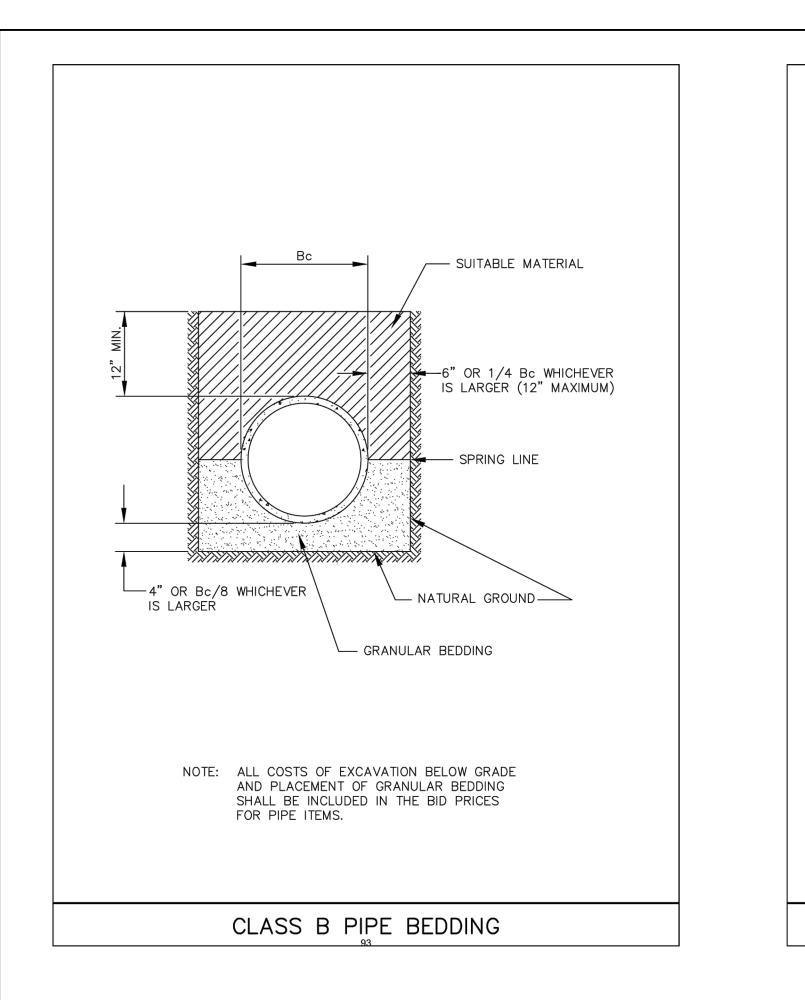
5. ABOVE BEARING AREAS BASED ON TEST PRESSURE OF 150 P.S.I. AND AN ALLOWABLE SOIL BEARING STRESS OF 2000 POUNDS PER SQUARE FOOT. TO COMPUTE BEARING AREAS FOR DIFFERENT TEST PRESSURES AND SOIL BEARING STRESSES, USE THE FOLLOWING EQUATION: BEARING AREA = (TEST PRESSURE/150) X (2000/SOIL BEARING STRESS) X (TABLE VALUE).

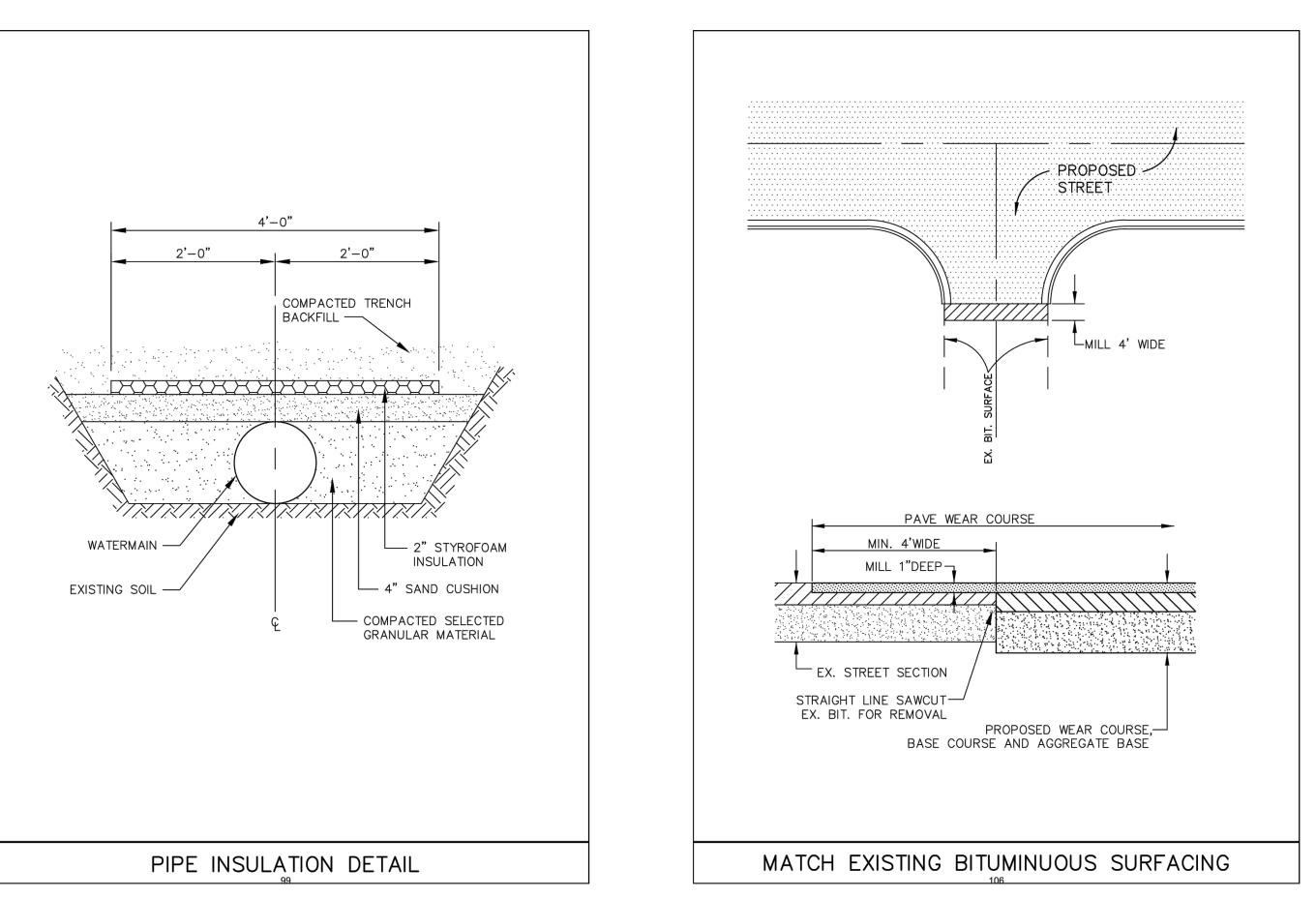
THRUST BLOCKING DETAIL

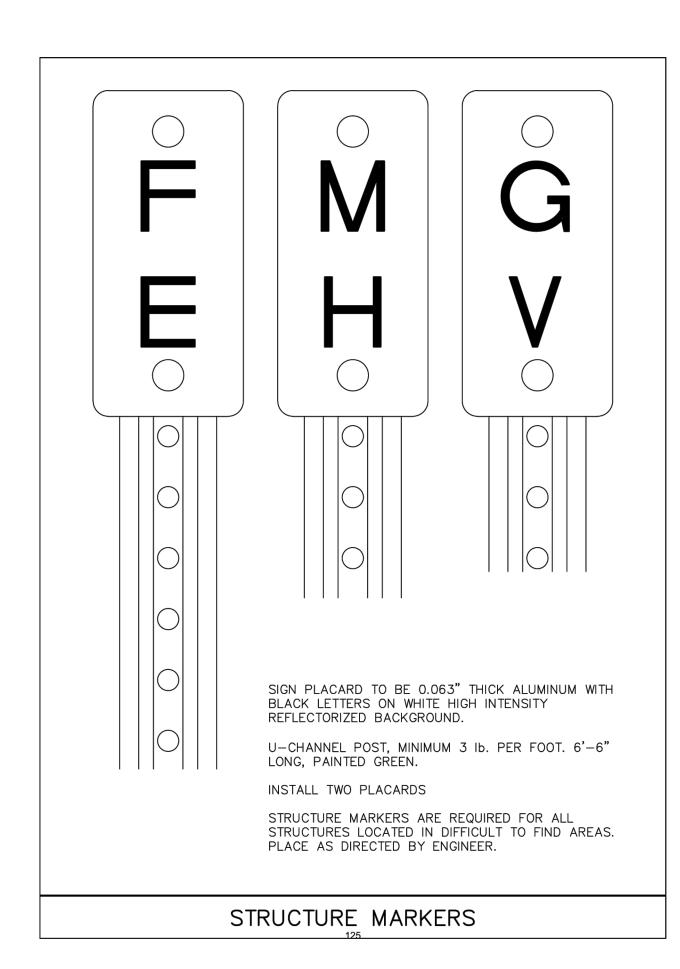


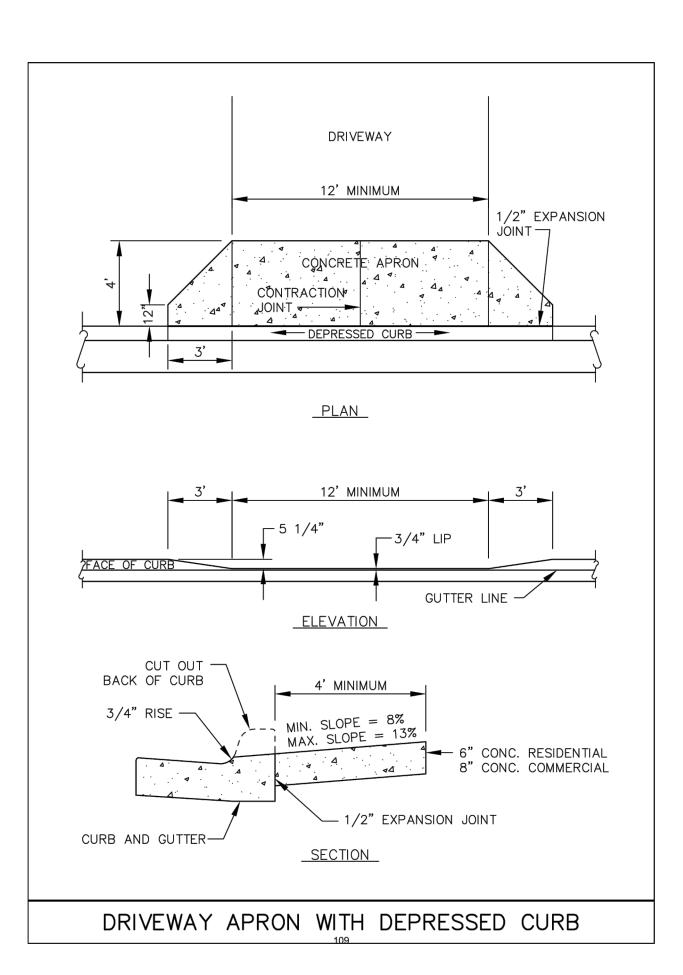
**Stantec** 733 MARQUETTE AVENUE SUITE 1000 MINNEAPOLIS, MN 55402 PHONE: 763-252-6886 WWW.STANTEC.COM CLIENT: MULARONI + CO 6191 CRACKLEBERRY TRAIL WOODBURY, MN 55129 PHONE: 651-459-0074 55055 S CITY OF NEWPORT WASHINGTON COUNTY, MINNESOTA 4 VILL OOK Ľ  $\square$ RE CERTIFICATION: I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER WY DIRECT SUPERVISION AND HAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE AWS OF THE STATE OF MINNESSION IGENSE NO.: 193806131 PROJECT NO .: DWN BY: CHK'D BY: APP'D BY: EAD RAG DML 08/30/2023 ISSUE DATE: ISSUE NO .: SHEET TITLE: DETAILS SHEET NO .: C-803



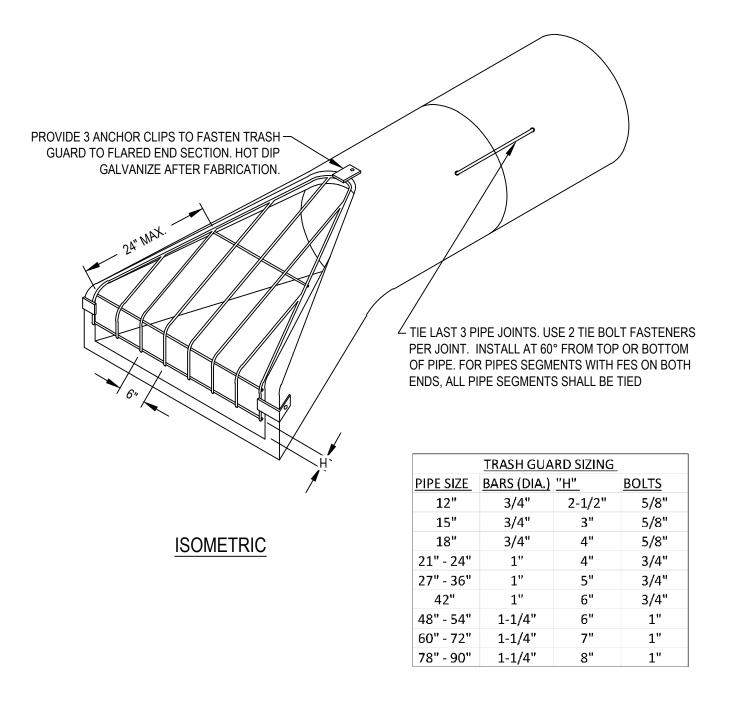




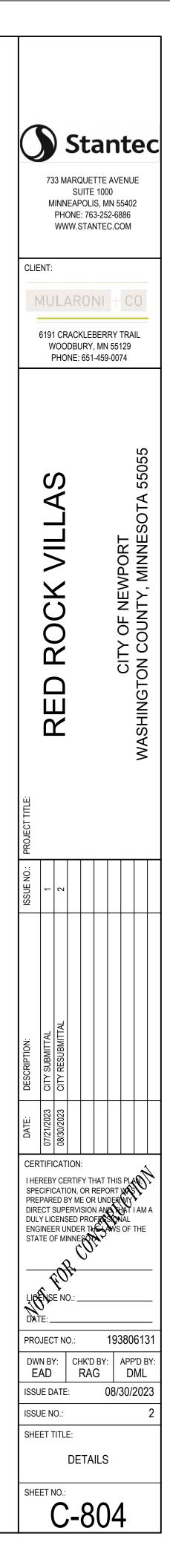


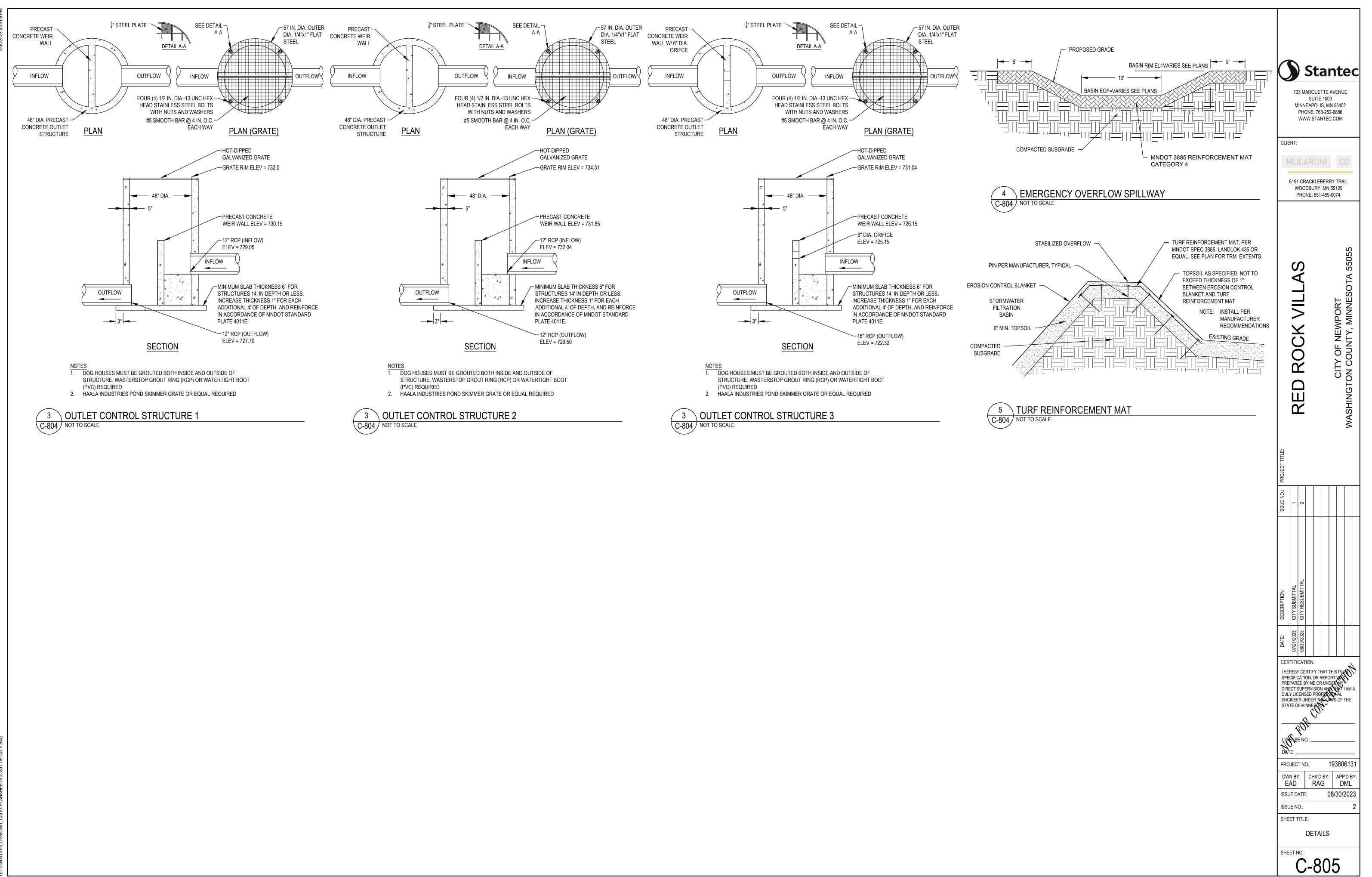


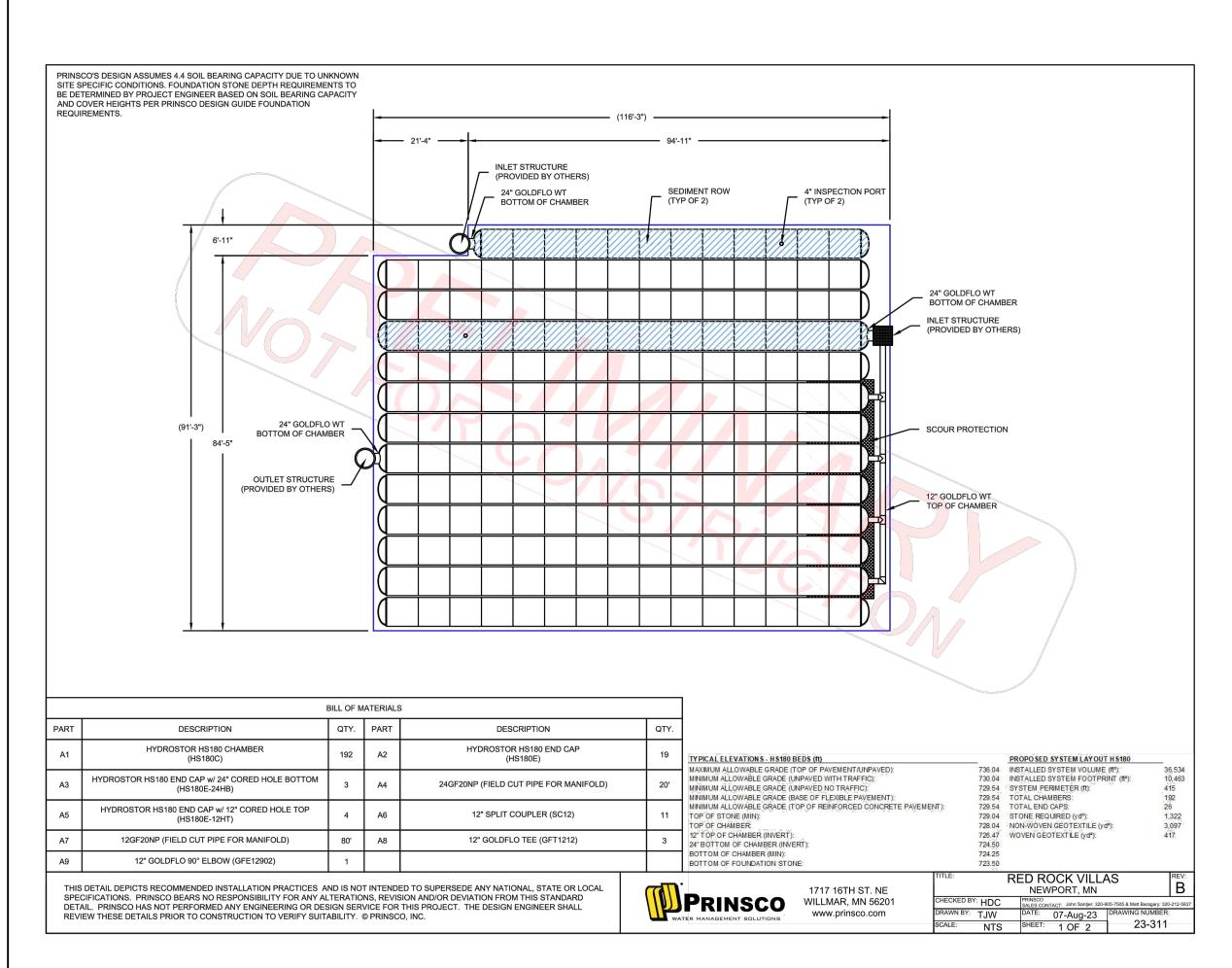
3806131\5\_DESIGN\1\_CAD\3 PLANSHEETS\C-801 DETAILS.dwg

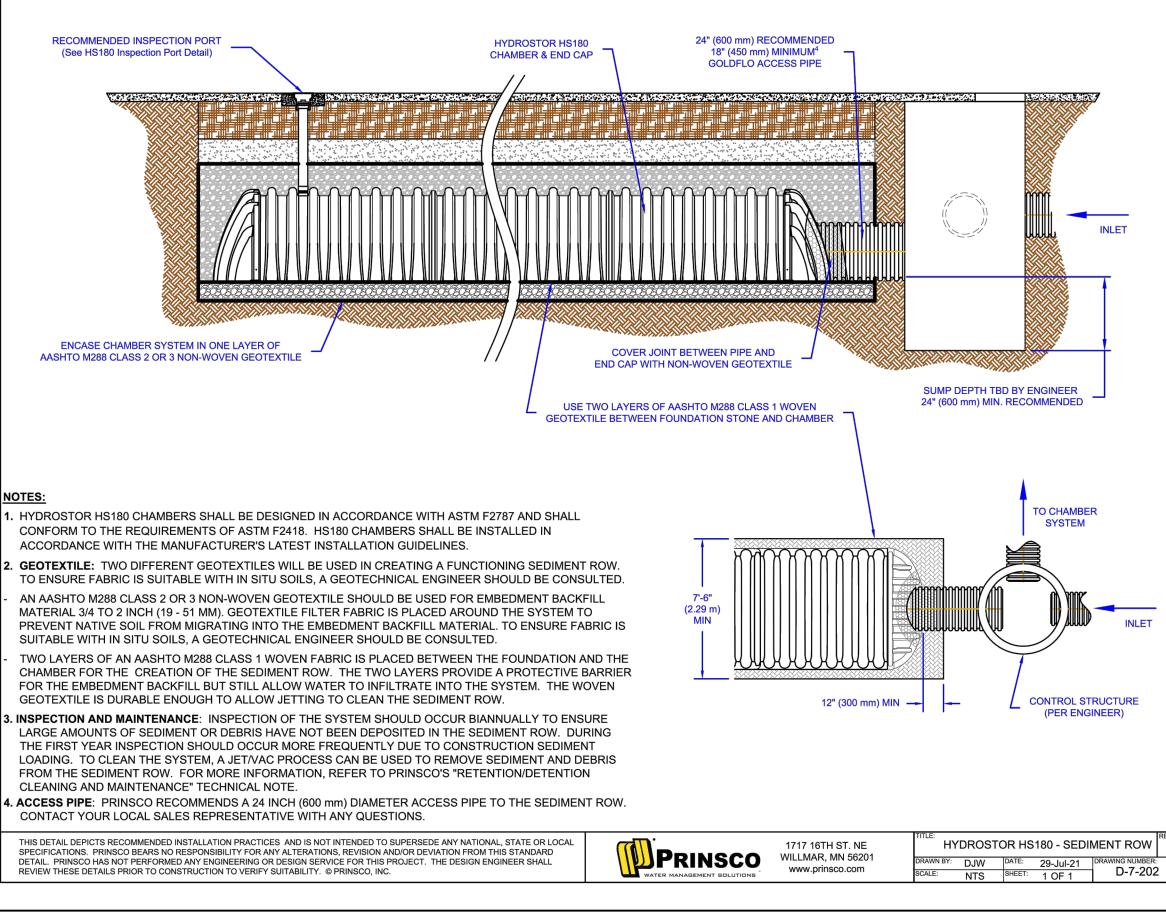


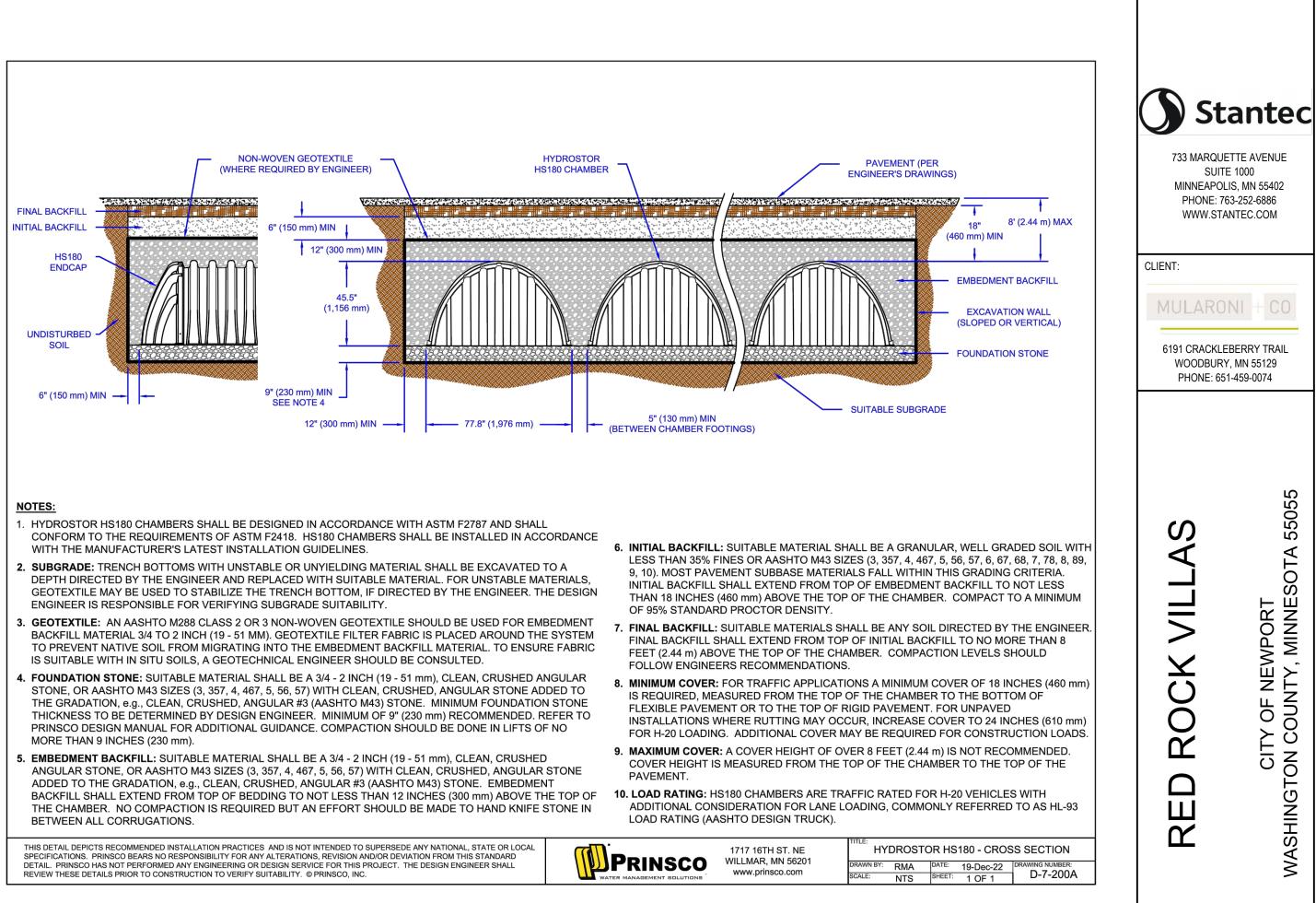
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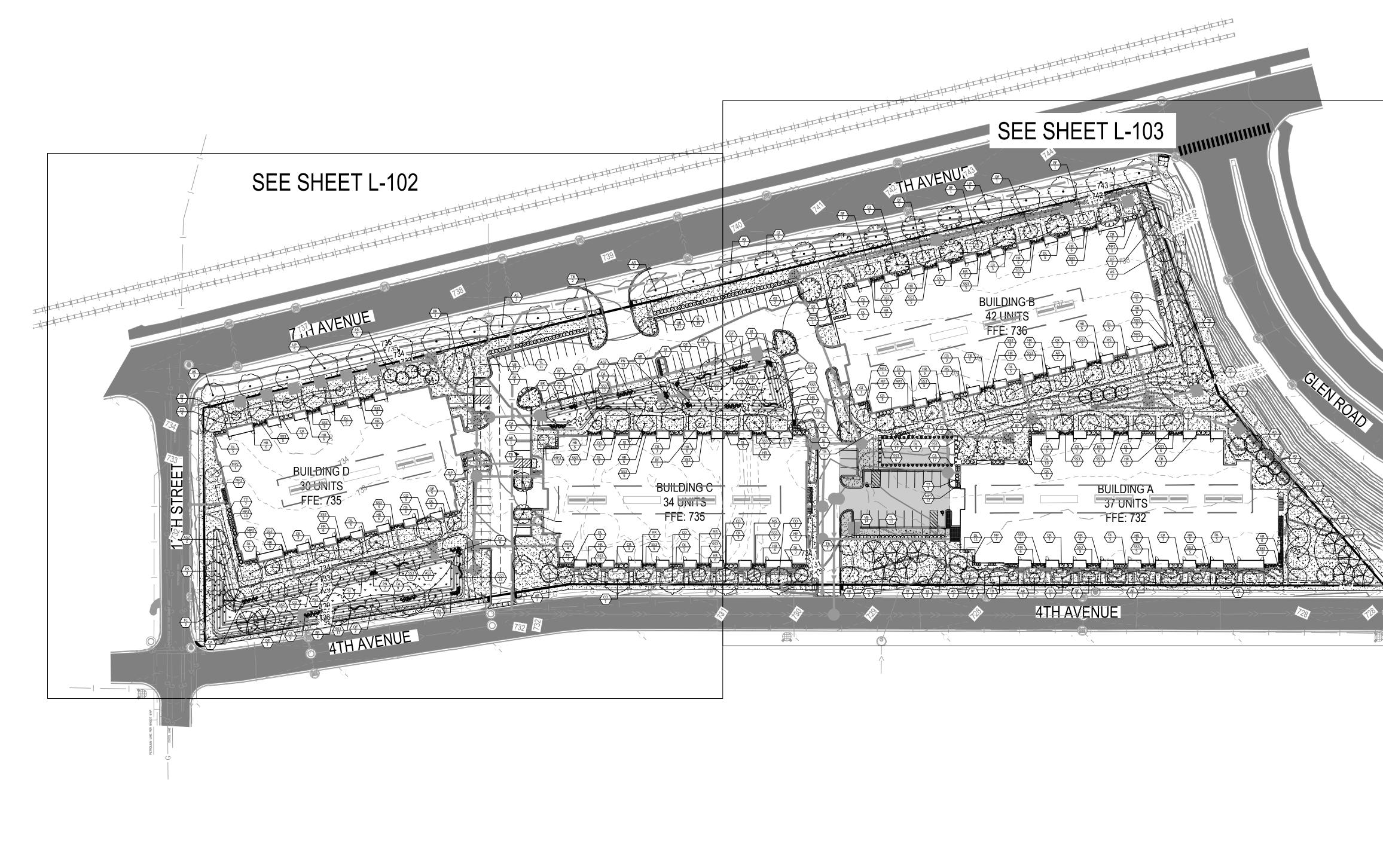






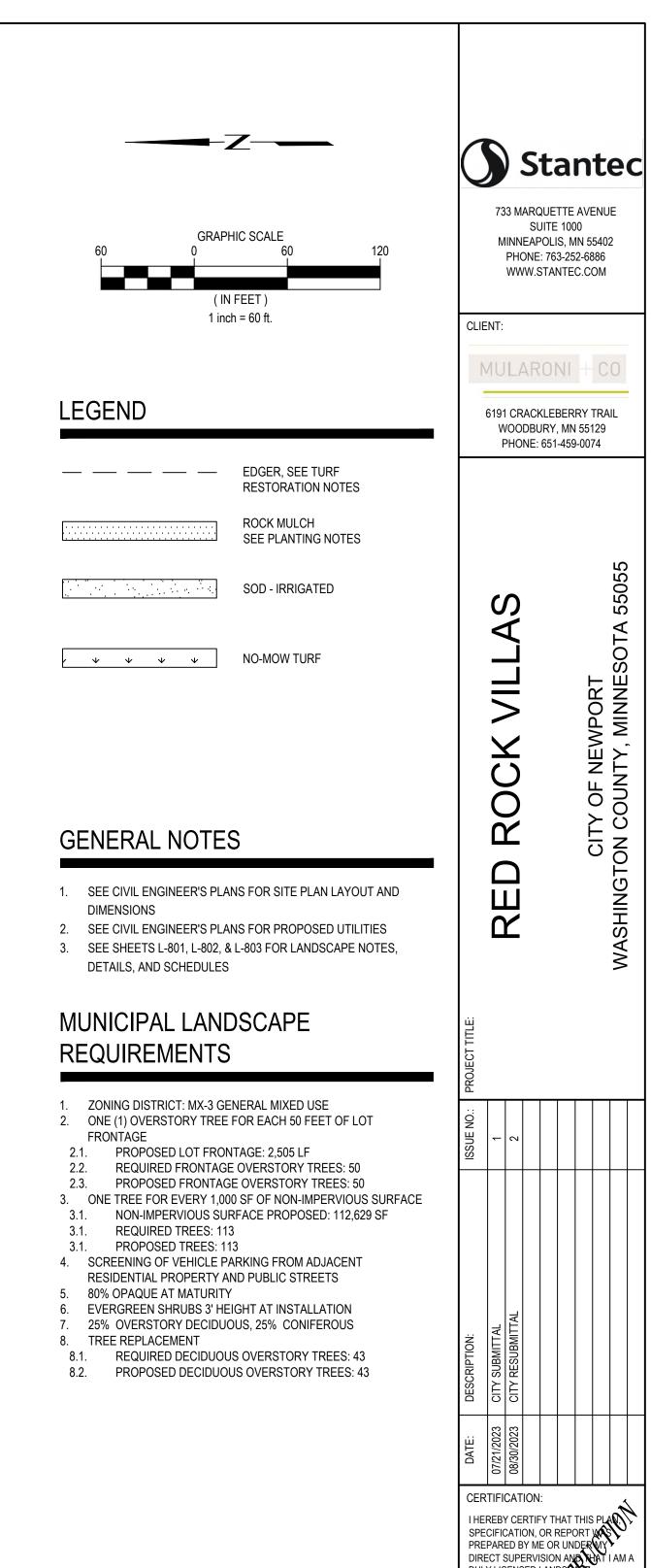
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CALL BEFORE YOU DIG





DWN BY: CHK'D BY: APP'D BY:

OVERALL LANDSCAPE PLAN

L-101

SEH

193806131

08/30/2023

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ARAHE NARDING

16ENSE NO.: 45592 DATE: 03/29/2023

PROJECT NO .:

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ISSUE NO .:

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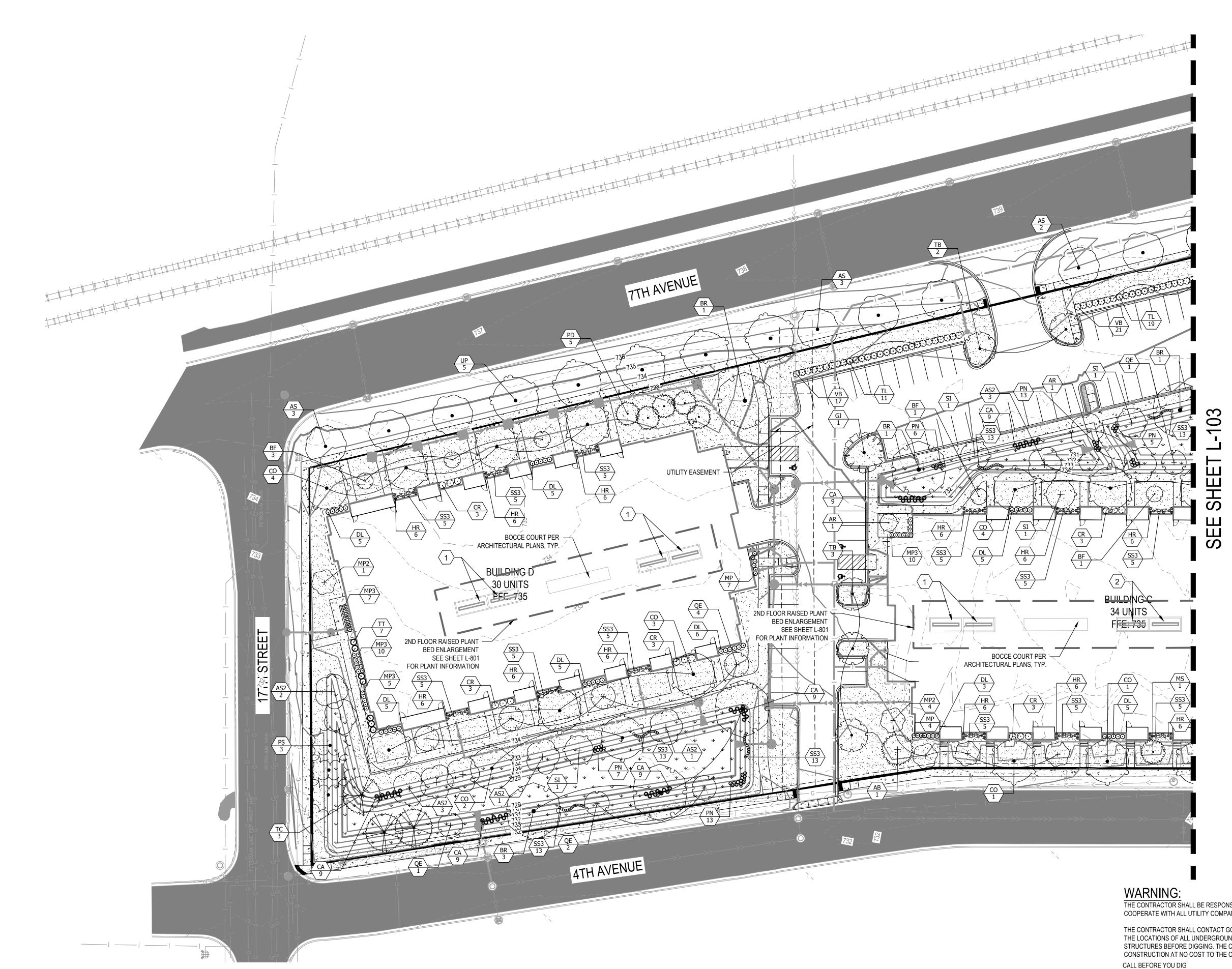
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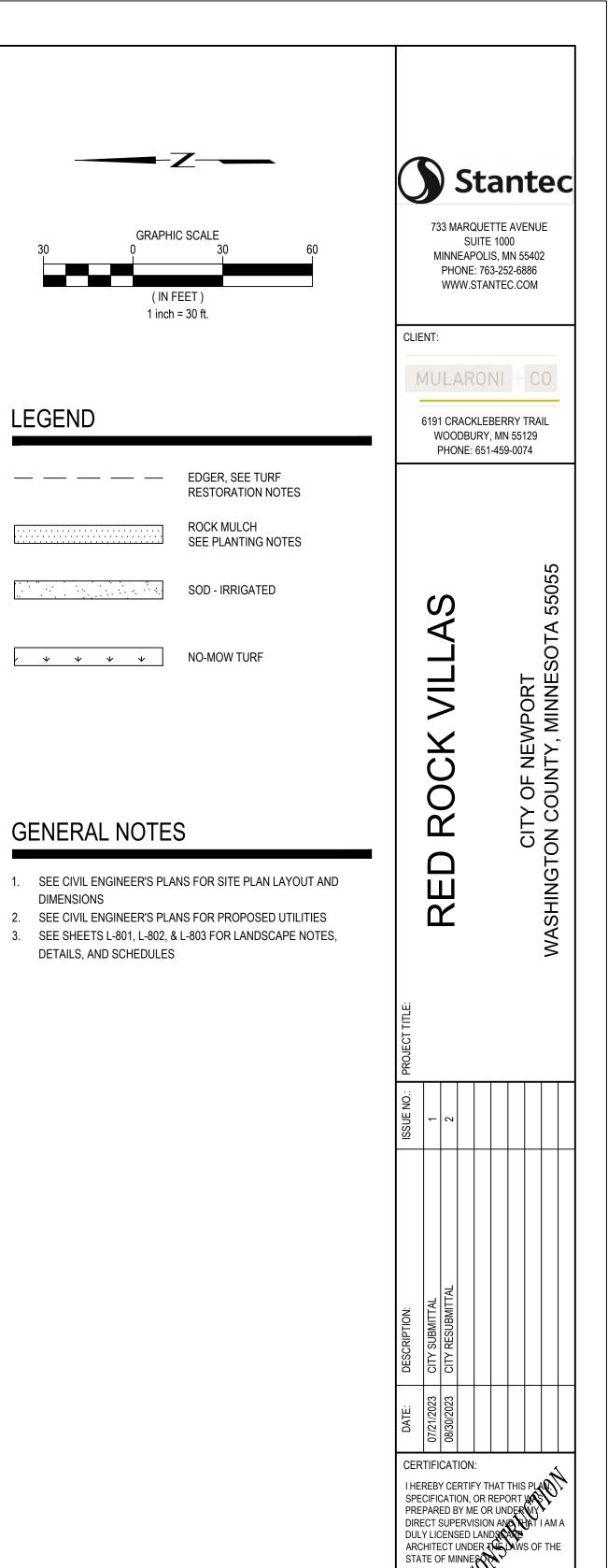
## WARNING:

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SARAHE NARDIN

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DATE: 03/29/2023

DWN BY:CHK'D BY:APP'D BY:MSFSEHSEH

LANDSCAPE PLAN

L-102

PROJECT NO .:

ISSUE DATE:

SHEET TITLE:

SHEET NO .:

ISSUE NO .:

193806131

08/30/2023

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

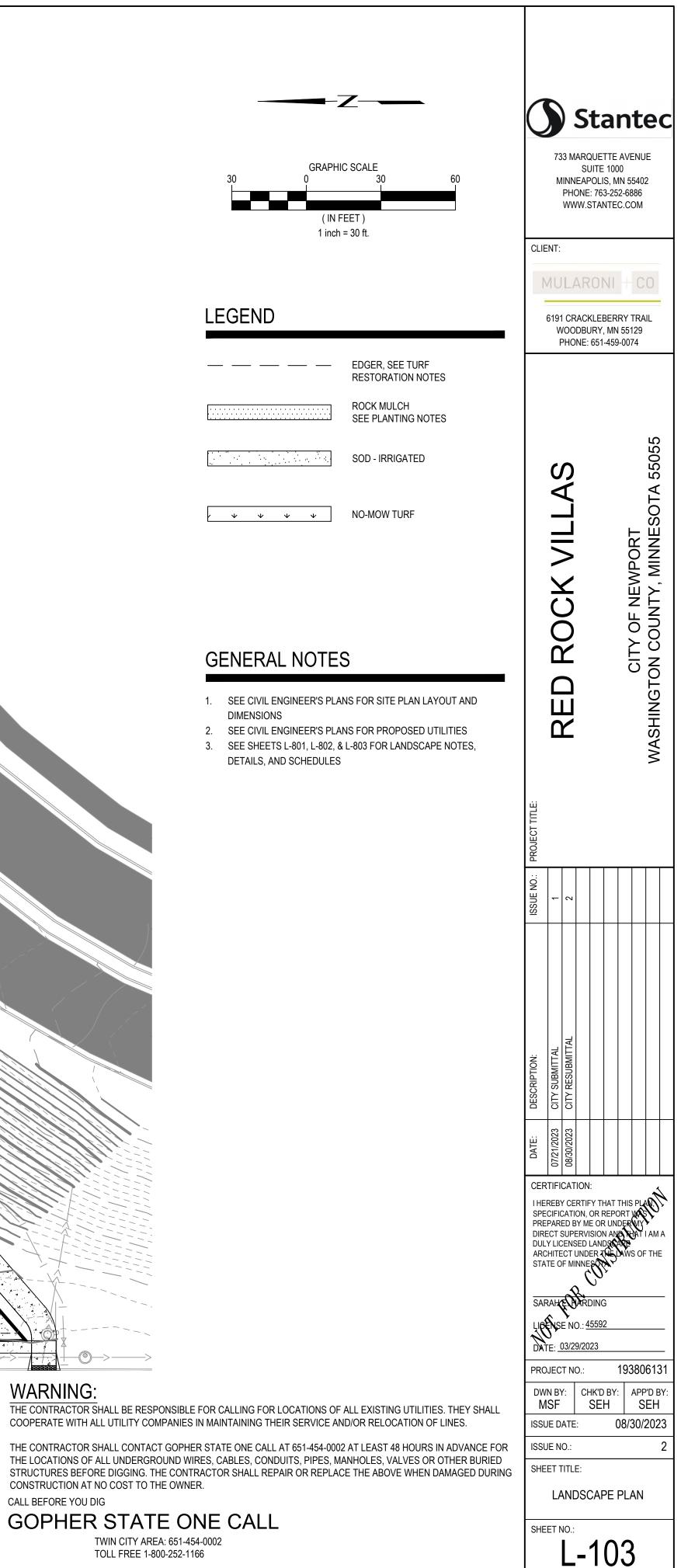
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# 2ND FLOOR RAISED PLANTER ENLARGEMENT

HC

CODE

CA2

CM

104

<u>QTY</u>

64

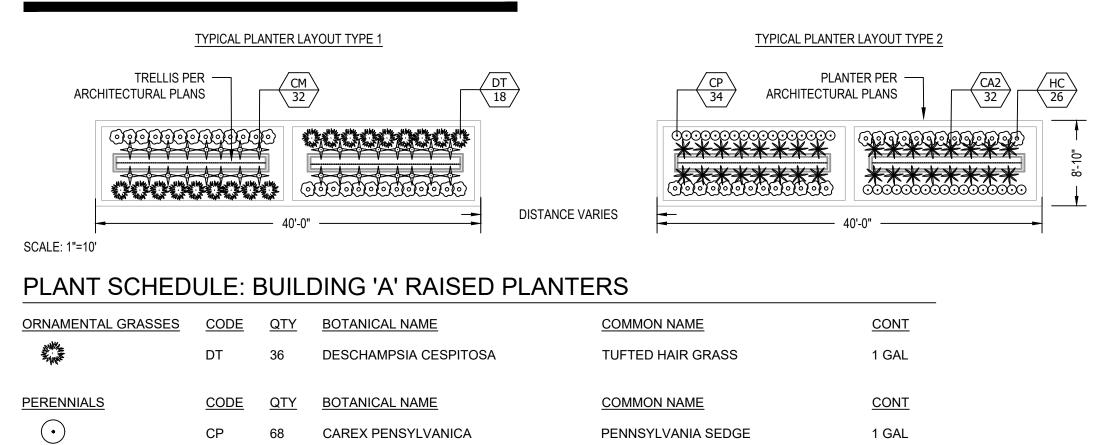
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CARAMEL CORAL BELLS

DIAMANTINA CLEMATIS

MADAME JULIA CORREVON CLEMATIS 1 GAL

COMMON NAME

1 GAL

<u>CONT</u>

1 GAL

PLANT SCHEDULE: BUILDING 'B' RAISED PLANTERS

HEUCHERA 'CARAMEL'

CLEMATIS 'DIAMANTINA'

CLEMATIS X 'MAAME JULIA CORREVON'

BOTANICAL NAME

ORNAMENTAL GRASSES	CODE	<u>QTY</u>	BOTANICAL NAME	COMMON NAME	CONT	
Elmes	DT	36	DESCHAMPSIA CESPITOSA	TUFTED HAIR GRASS	1 GAL	
PERENNIALS	CODE	<u>QTY</u>	BOTANICAL NAME	COMMON NAME	CONT	
$\odot$	СР	34	CAREX PENSYLVANICA	PENNSYLVANIA SEDGE	1 GAL	
$\bigcirc$	HC	78	HEUCHERA 'CARAMEL'	CARAMEL CORAL BELLS	1 GAL	
VINES	<u>CODE</u>	<u>QTY</u>	BOTANICAL NAME	COMMON NAME	<u>CONT</u>	
*	CA2	32	CLEMATIS 'DIAMANTINA'	DIAMANTINA CLEMATIS	1 GAL	
$\Rightarrow$	СМ	64	CLEMATIS X 'MAAME JULIA CORREVON'	MADAME JULIA CORREVON CLEMATIS	1 GAL	

# PLANT SCHEDULE: BUILDING 'C' RAISED PLANTERS

ORNAMENTAL GRASSES	CODE	<u>QTY</u>	BOTANICAL NAME	COMMON NAME	CONT
	DT	36	DESCHAMPSIA CESPITOSA	TUFTED HAIR GRASS	1 GAL
PERENNIALS	CODE	<u>QTY</u>	BOTANICAL NAME	COMMON NAME	CONT
$\odot$	СР	34	CAREX PENSYLVANICA	PENNSYLVANIA SEDGE	1 GAL
$\bigcirc$	НС	78	HEUCHERA 'CARAMEL'	CARAMEL CORAL BELLS	1 GAL
VINES	<u>CODE</u>	<u>QTY</u>	BOTANICAL NAME	COMMON NAME	CONT
*	CA2	32	CLEMATIS 'DIAMANTINA'	DIAMANTINA CLEMATIS	1 GAL
$\Rightarrow$	СМ	64	CLEMATIS X 'MAAME JULIA CORREVON'	MADAME JULIA CORREVON CLEMATIS	1 GAL

# PLANT SCHEDULE: BUILDING 'D' RAISED PLANTERS

ORNAMENTAL GRASSES	<u>CODE</u>	<u>QTY</u>	BOTANICAL NAME	COMMON NAME	<u>CONT</u>
	DT	36	DESCHAMPSIA CESPITOSA	TUFTED HAIR GRASS	1 GAL
<u>PERENNIALS</u>	<u>CODE</u>	<u>QTY</u>	BOTANICAL NAME	COMMON NAME	<u>CONT</u>
	HC	52	HEUCHERA 'CARAMEL'	CARAMEL CORAL BELLS	1 GAL
<u>VINES</u>	<u>CODE</u>	<u>QTY</u>	BOTANICAL NAME	<u>COMMON NAME</u>	<u>CONT</u>
	CM	64	CLEMATIS X 'MAAME JULIA CORREVON'	MADAME JULIA CORREVON CLEMATIS	1 GAL

# PLANT SCHEDULE

EVERGREEN TREES	CODE
yyyuuuuuu + E 	AB
yyuuuu maada	PD
	PS
	тс
OVERSTORY TREES	CODE
$\mathbf{\dot{\cdot}}$	AR
(•)	AS
	BR
	BF
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{·}	UP
UNDERSTORY TREES	CODE
$\left(\begin{array}{c} + \end{array}\right)$	AS2
(+)	CI
+	MP2
	MS
+	SI
SHRUBS	CODE
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$\bigcirc$	DL
	TT
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ORNAMENTAL GRASSES	<u>CODE</u> MP
$\bigcirc$	SS3
PERENNIALS	CODE
$\bigcirc$	HR
$\bigcirc$	MP3

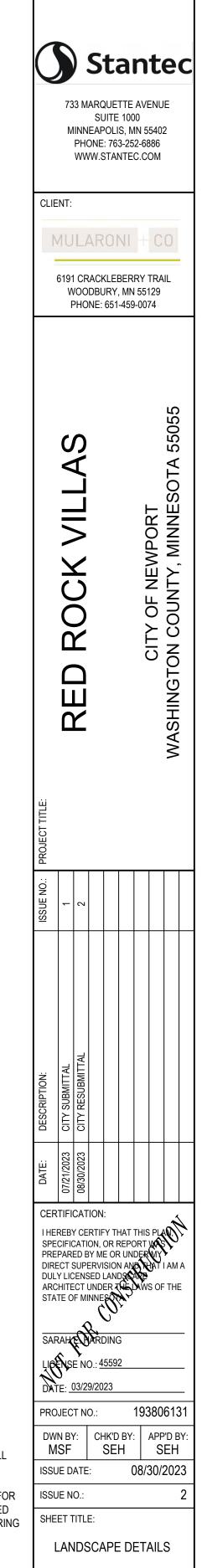
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DE	BOTANICAL NAME	COMMON NAME	<u>CONT</u>	CAL	<u>QTY</u>	REMARKS
5	ABIES BALSAMEA	BALSAM FIR	B&B	6` HT.	9	
)	PICEA GLAUCA 'DENSATA'	BLACK HILLS SPRUCE	B&B	6` HT.	11	
	PINUS RESINOSA	RED PINE	B&B	6` HT.	9	
	TSUGA CANADENSIS	EASTERN HEMLOCK	B&B	6` HT.	12	
DE	BOTANICAL NAME	COMMON NAME	CONT	CAL	<u>QTY</u>	REMARKS
	ACER RUBRUM 'RED ROCKET' TM	RED ROCKET RED MAPLE	B&B	2.5"	10	
	ACER X FREEMANII 'SIENNA' TM	SIENNA GLEN MAPLE	B&B	2.5"	14	
ł	BETULA NIGRA	RIVER BIRCH	B&B	6` HT.	7	CLUMP
	BETULA PLATYPHYLLA 'FARGO'	DAKOTA PINNACLE® ASIAN WHITE BIRCH	B&B	2.5"	12	
)	CELTIS OCCIDENTALIS	COMMON HACKBERRY	B&B	2.5"	17	
	GLEDITSIA TRIACANTHOS INERMIS 'SKYCOLE' TM	SKYLINE HONEY LOCUST	B&B	2.5"	15	
Ē	QUERCUS X 'CRIMSCHMIDT'	CRIMSON SPIRE™ OAK	B&B	2.5"	14	
	TILIA AMERICANA 'BOULEVARD'	BOULEVARD AMERICAN LINDEN	B&B	2.5"	23	
•	ULMUS AMERICANA 'LEWIS & CLARK'	PRAIRIE EXPEDITION ELM	B&B	2.5"	12	
DDE	BOTANICAL NAME	COMMON NAME	CONT	CAL	<u>QTY</u>	REMARKS
2	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	B&B	6` HGT.	11	CLUMP
	CRATAEGUS CRUS-GALLI INERMIS	THORNLESS COCKSPUR HAWTHORN	B&B	1.5"	3	
2	MALUS X 'PRAIRIE ROSE'	PRAIRIE ROSE CRABAPPLE	B&B	1.5"	11	
6	MALUS X 'SPRING SNOW'	SPRING SNOW CRABAPPLE	B&B	1.5"	5	
	SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK JAPANESE TREE LILAC	B&B	1.5"	13	SINGLE STEM
DE	BOTANICAL NAME	COMMON NAME	<u>CONT</u>		<u>QTY</u>	REMARKS
2	CORNUS ALBA 'REGNZAM'	RED GNOME DOGWOOD	5 GAL		64	
	DIERVILLA LONICERA	DWARF BUSH HONEYSUCKLE	5 GAL		129	
	TAXUS X MEDIA 'TAUNTONII'	TAUNTON'S YEW	5 GAL		13	
	THUJA OCCIDENTALIS 'LITTLE GIANT'	LITTLE GIANT ARBORVITAE	15 GAL		38	3' MINIMUM HEIGHT AT TIME OF PLANTING
	VIBURNUM TRILOBUM 'BAILEY COMPACT'	BAILEY'S COMPACT CRANBERRYBUSH	5 GAL		51	
DE	BOTANICAL NAME		CONT		<u>QTY</u>	REMARKS
,	MISCANTHUS PURPURASCENS	FLAME GRASS	1 GAL		29	
3	SCHIZACHYRIUM SCOPARIUM 'THE BLUES'	THE BLUES LITTLE BLUESTEM	1 GAL		168	
<u>DE</u>	BOTANICAL NAME		<u>CONT</u>		<u>QTY</u>	REMARKS
ł	HEMEROCALLIS X 'RUBY STELLA'	RUBY STELLA DAYLILY	1 GAL		200	
93	MATTEUCCIA PENNSYLVANICA	OSTRICH FERN	1 GAL		56	

CALL BEFORE YOU DIG GO

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SHEET NO .:

L-801

PHER STATE ONE CALL
TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166

# **INSPECTION AND ACCEPTANCE**

- LANDSCAPE WORK WILL BE INSPECTED FOR ACCEPTANCE IN PARTS AGREEABLE TO THE OWNER PROVIDED WORK OFFERED FOR INSPECTION IS COMPLETE, INCLUDING MAINTENANCE, FOR THE PORTION IN QUESTION.
- AT THE CONCLUSION OF THE ESTABLISHMENT PERIOD, WHICH WILL BE ONE YEAR FOLLOWING INITIAL INSTALLATION A FINAL INSPECTION OF PLANTING WILL BE MADE TO DETERMINE THE CONDITIONS OF AREAS SPECIFIED FOR LANDSCAPING.
- WHEN INSPECTED LANDSCAPE WORK DOES NOT COMPLY WITH REQUIREMENTS, REPLACE REJECTED WORK AND CONTINUE SPECIFIED MAINTENANCE UNTIL RE-INSPECTED BY OWNER AND FOUND TO BE ACCEPTABLE. REMOVE REJECTED PLANTS AND MATERIALS FROM SITE

# PLANTING NOTES

- UPON APPROVAL OF STAKING LOCATIONS CONTRACTOR SHALL EXCAVATE PLANTING HOLES CENTERED AT STAKED LOCATIONS.
- DIG HOLES AS DETAILED AND TO A DIAMETER A MINIMUM OF TWO TIMES THE DIAMETER OF THE ROOT BALL OR CONTAINER.
- REMOVE STICKS, RUBBISH, FOREIGN MATERIALS AND UNDESIRABLE PLANTS AND THEIR ROOTS. REMOVE STONES MEASURING OVER 1-1/2 INCHES IN ANY DIMENSIONS.
- SET BALLED AND BURLAPPED (B&B) STOCK ON LAYER OF COMPACTED PLANTING SOIL MIXTURE, PLUMB AND IN CENTER OF PIT OR TRENCH WITH TOP OF ALL AT SAME ELEVATION AS ADJACENT FINISHED LANDSCAPE GRADES.
- ROOT FLARE OF THE TREE MUST BE ABOVE FINISHED GRADE.
- CUT ALL CORDS AND TWIN AND REMOVE WIRE BASKET AND BURLAP FROM TOP AND SIDES OF BALLS; RETAIN BURLAP ON BOTTOMS.
- WHEN SET, PLACE ADDITIONAL PLANTING SOIL BACKFILL AROUND BASE AND SIDES OF BALL, AND WORK EACH LAYER TO SETTLE BACKFILL AND ELIMINATE VOIDS AND AIR POCKETS.
- WHEN EXCAVATION IS APPROXIMATELY 2/3 FULL, WATER THOROUGHLY BEFORE PLACING REMAINDER OF BACKFILL.
- REPEAT WATERING UNTIL NO MORE IS ABSORBED. WATER AGAIN AFTER PLACING FINAL LAYER OF BACKFILL
- FOR CONTAINER GROWN STOCK, SAME AS FOR BALLED AND BURLAPPED STOCK, EXCEPT CUT 10. CONTAINERS ON SIDES INTO QUARTERS WITH SHEAR. REMOVE CONTAINER BEFORE SETTING PLANT SO AS NOT TO DAMAGE ROOT BALLS.
- WATER EACH PLANT WITHIN 2 HOURS OF PLANTING.
- 12. ALL PLANTINGS TO BE MULCHED UNLESS OTHERWISE NOTED ON THE PLAN.
- PLACE 3-INCH THICKNESS OF MULCH AROUND TREES AND SHRUBS WITHIN A PERIOD OF 48 HOURS 13. AFTER THE SECOND WATERING. DO NOT PLACE MULCH IN DIRECT CONTACT WITH TRUNKS OR STEMS. 14. PLACE 3-INCH THICKNESS LOCALLY AVAILABLE DOUBLE SHRED HARD WOOD MULCH AROUND ALL
- TREES OUTSIDE OF PLANT BEDS. 15. UNLESS OTHERWISE NOTED / INDICATED, ALL PLANT BEDS SHALL RECEIVE LOCALLY AVAILABLE 3" DEPTH OF 3/4" BUFF LIMESTONE ROCK MULCH OVER WEED BARRIER FABRIC. SUBMIT MULCH SAMPLE
- FOR OWNER APPROVAL ROOFTOP PLANTERS: PLANT BEDS SHALL RECEIVE 3" DEPTH OF DOUBLE SHRED HARDWOOD MULCH. 16 SOIL SHALL BE PLAISTED PREMIUM GARDEN MIX OR EQUAL. AVAILABLE AT
- WWW.PLAISTEADCOMPANIES.COM INSTALL NATIVE SEED MIXES PER MANUFACTURER RECOMMENDATIONS. SUBMIT SEED MIXTURES FOR 17 APPROVAL. ADD 20LBS PER ACRE OF MNDOT 21-111 OATS COVER CROP FOR EACH SEED MIX.

# MAINTENANCE NOTES

- WHEN INSPECTED LANDSCAPE WORK DOES NOT COMPLY WITH REQUIREMENTS, REPLACE REJECTED WORK AND CONTINUE SPECIFIED MAINTENANCE UNTIL RE-INSPECTED BY OWNER AND FOUND TO BE ACCEPTABLE. REMOVE REJECTED PLANTS AND MATERIALS FROM SITE
- BEGIN MAINTENANCE IMMEDIATELY AFTER PLANTING.
- MAINTAIN TREES AND BUSHES INCLUDING WATERING FOR ONE YEAR AFTER ACCEPTANCE BY OWNER. IT IS CONTRACTORS RESPONSIBILITY FOR COORDINATE WATERING.
- TRIM, PRUNE, REMOVE CLIPPINGS AND DEAD OR BROKEN BRANCHES, AND TREAT PRUNED AREAS AND OTHER WOUNDS.
- IT IS THE CONTRACTOR'S OPTION WHETHER OR NOT TO STAKE TREES. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING TREES IN AN UPRIGHT POSITION THROUGHOUT THE ONE-YEAR GUARANTEE PERIOD.

# **GUARANTEE AND REPLACEMENTS**

- PLANT MATERIAL SHALL BE GUARANTEED FOR ONE FULL YEAR AFTER OWNER ACCEPTANCE AND SHALL BE ALIVE AND IN SATISFACTORY CONDITION AT THE END OF THE GUARANTEE PERIOD. SUCH GUARANTEE EXCLUDES VANDALISM.
- AT THE END OF THE ONE-YEAR GUARANTEE PERIOD, INSPECTION WILL BE MADE BY THE OWNER UPON WRITTEN NOTICE BY THE CONTRACTOR AT LEAST FIVE DAYS BEFORE THE ANTICIPATED DATE. ANY PLANT MATERIAL REQUIRED UNDER THE CONTRACT THAT IS DEAD OR NOT IN SATISFACTORY CONDITION, AS DETERMINED BY THE OWNER, SHALL BE REMOVED FROM THE SITE, AND SHALL BE
- REPLACED AS SOON AS CONDITIONS PERMIT DURING THE NORMAL PLANTING SEASONS. THE OPINION OF THE OWNER SHALL GOVERN IN ANY AND ALL DISPUTES BY THE CONTRACTOR REGARDING THE CONDITION AND DISPOSITION OF UNSATISFACTORY MAINTENANCE PROCEDURES OR REJECTED PLANTS.
- ALL REPLACEMENTS SHALL BE PLANT MATERIAL OF THE SAME KIND AND SIZE AS SPECIFIED IN THE PLANT LIST. REPLACEMENT COSTS SHALL BE BORNE BY THE CONTRACTOR.
- REPLACEMENT PLANTINGS REQUIRED AT THE END OF THE GUARANTEE PERIOD ARE NOT TO BE GUARANTEED. THE PLANT MATERIAL IS SUBJECT TO INSPECTION AND REJECTION BY THE OWNER BEFORE AND AFTER PLANTING.

# LANDSCAPE NOTES

- TREES AND SHRUBS SHALL BE PROVIDED IN THE QUANTITY, SIZE, GENUS, SPECIES, AND VARIETY AS CHOSEN BY THE OWNER/OWNER AS LISTED ON THE PLANT SCHEDULE ON L-801.
- TREES AND SHRUBS SHALL BE HEALTHY, VIGOROUS STOCK, GROWN IN RECOGNIZED NURSERY IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICE AND FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS.
- OWNER RETAINS THE RIGHT TO INSPECT TREES AND SHRUBS FOR SIZE AND CONDITION OF BALLS AND ROOT SYSTEMS, INSECTS, INJURIES, AND LATENT DEFECTS, AND TO REJECT UNSATISFACTORY OR DEFECTIVE MATERIAL AT ANY TIME DURING PROGRESS OF WORK
- NURSERY STOCK SHALL BE DELIVERED DIRECTLY FROM NURSERY. HEEL IN IMMEDIATELY UPON DELIVERY IF NOT TO BE PLANTED WITHIN FOUR HOURS, COVERING WITH MOIST SOIL OR MULCH TO PROTECT FROM DRYING. STORE PLANTS IN SHADE AND PROTECT FROM WEATHER
- PROTECTION FROM EXTREMES IN EXPOSURE AND ROUGH HANDLING SHALL BE PROVIDED FOR ALL PLANT MATERIALS DURING TRANSPORT AND STORAGE.
- THE CONTRACTOR SHALL NOTIFY THE OWNER 48 HOURS PRIOR TO PLANTING SO THAT A MUTUALLY AGREEABLE TIME MAY BE ARRANGED FOR INSPECTION.
- LAY OUT INDIVIDUAL TREE AND SHRUB LOCATIONS WITH STAKES CENTERED AT PROPOSED PLANTING LOCATIONS FOR APPROVAL BY OWNER.
- DO NOT START PLANTING WORK UNTIL LAYOUT IS APPROVED BY THE OWNER TO ENSURE PROPER INFILTRATION THE LANDSCAPE CONTRACTOR MUST PROVE THE OPEN SUB-GRADE OF ALL PLANTING AREAS AFTER THEIR EXCAVATION IS COMPACTED LESS THAN 200 PSI. THE OWNER OR OWNER'S REPRESENTATIVE MUST BE ONSITE DURING COMPACTION TESTING.
- ALL GRADED AREAS OF THE SITE THAT ARE DESIGNATED FOR SHRUBS, TREES AND PERENNIALS SHALL HAVE NO LESS THAN 12" OF IMPORTED TOPSOIL CONFORMING TO MNDOT SPEC 3877.2B TOP SOIL BORROW

# **TURF RESTORATION NOTES**

- EDGE RESTRAINT BETWEEN PLANTING BEDS AND TURF SHALL BE SURE-LOC STEEL EDGING OR
- APPROVED EQUAL, 3/16" X 4" X16'. INSPECTION.
- SOD SHALL CONFORM TO MNDOT SPEC. 3878.2.A MINERAL SOD. FERTILIZER SHALL CONFORM TO MNDOT SPEC. 3881, TYPE 2 PHOSPHOROUS-FREE FERTILIZER SHALL HAVE A FORMULA (N-P-K) AS DETERMINED BY THE RESULTS OF A SOIL TEST
- FORMULA TO OWNER FOR REVIEW AND APPROVAL PRIOR TO APPLICATION. TOPSOIL SHALL BE IMPORTED, IT SHALL CONFORM TO MNDOT SPEC. 3877.2B LOAM TOPSOIL BORROW.
- AREAS.
- PLACE ALL SOD STRIPS WITH LONG EDGES PARALLEL TO THE CONTOURS. STAGGER ALL JOINTS SYSTEMS
- 10. CONTRACTOR SHALL BE RESPONSIBLE FOR WATER DURING THE PLANTING ESTABLISHMENT PERIOD.

# IRRIGATION

THE IRRIGATION SYSTEM CONTRACTOR SHALL BE RESPONSIBLE FOR THE FOLLOWING:

- COORDINATION WITH ALL OTHER TRADES. DETAILED DESIGN OF AN IRRIGATION SYSTEM TO INCLUDE ALL TURF SOD AND PLANT BED AREAS... DESIGN SHALL INCLUDE PIPE SIZING, HEAD SELECTION, LOCATIONS OF HEADS, ZONING, AND CONTROL SYSTEMS. DESIGN SHALL PROVIDE NO OVERSPRAY ONTO WALKS. IRRIGATION PLAN, DESIGN DETAILS AND PRODUCT SHEETS SHALL BE SUBMITTED TO THE ENGINEER AND OWNER FOR REVIEW AND
- APPROVAL PRIOR TO PURCHASING ANY MATERIALS. 3. LABOR AND MATERIALS NECESSARY TO INSTALL A NEW IRRIGATION SYSTEM. THE IRRIGATION CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR FURNISHING AND INSTALLING THE IRRIGATION CONTROL SYSTEM ALONG WITH ANY CONNECTIONS MADE TO THE WATER SERVICE.
- TESTING OF THE COMPLETE IRRIGATION SYSTEM. STARTUP AND ADJUSTMENT OF THE SYSTEM.
- 6. PROVIDE OWNER'S EMPLOYEES WITH OPERATIONAL TRAINING ONSITE AND SUBMIT OPERATION AND MAINTENANCE MANUALS FOR ALL COMPONENTS.
- AS-BUILT DRAWINGS SHOWING THE LOCATION AND FEATURES OF ALL IRRIGATION COMPONENTS.

# CODES AND INSPECTION

- THE ENTIRE INSTALLATION SHALL FULLY COMPLY WITH ALL LOCAL AND STATE LAWS AND ORDINANCES
- AND WITH THE ESTABLISHED CODES ALLOCABLE THERETO.
- 2. THE CONTRACTOR SHALL TAKE OUT ALL REQUIRED PERMITS, ARRANGE FOR ALL NECESSARY INSPECTION, AND PAY ANY FEES AND EXPENSES IN CONJUNCTION WITH THE SAME AS PART OF THE WORK UNDER THIS CONTRACT.

# QUALITY ASSURANCE

- WITH DISABILITIES, AND OTHER APPLICABLE LAWS OR REGULATION.
- CONFORMING TO THESE CODES. 3. FURNISH, WITHOUT EXTRA CHARGE, ANY ADDITIONAL MATERIAL AND LABOR AS REQUIRED TO COMPLY
- WITH THESE RULES AND REGULATIONS, THOUGH THE WORK IS NOT MENTIONED IN THESE PARTICULAR CONSTRUCTION DOCUMENTS.

# **PROTECTION OF EXISTING CONDITIONS**

- BECOME ACQUAINTED WITH ALL SITE CONDITIONS. LOCATE EXISTING UTILITIES AND EQUIPMENT TO REMAIN. SHOULD UTILITIES OR OTHER WORK NOT SHOWN ON THE DRAWINGS BE FOUND DURING EXCAVATIONS, PROMPTLY NOTIFY ENGINEER, FAILURE TO DO SO WILL MAKE CONTRACTOR LIABLE FOR SHOWN ON DRAWINGS.
- TAKE NECESSARY PRECAUTIONS TO PROTECT EXISTING SITE CONDITIONS. REPAIR ANY DAMAGED ITEM TO ITS ORIGINAL CONDITION OR FURNISH AND INSTALL EQUIVALENT REPLACEMENT AT NO ADDITIONAL COST TO OWNER.

# COORDINATION

- 1. SCHEDULE AND COORDINATE WORK WITH OTHER TRADES TO FACILITATE WORK AND AVOID CONFLICTS IN
- CONSTRUCTION SEQUENCE AND EQUIPMENT INSTALLATION. 2. REVIEW ENTIRE PLAN SET AND COORDINATE WITH OTHER TRADES AS REQUIRED BY SEQUENCE OF CONSTRUCTION TO ENSURE PROVISION OF MAINLINE AND ELECTRICAL CONDUIT STUB-OUTS AT ALL REQUIRED LOCATIONS.

THE ESTABLISHMENT PERIOD FOR SEED AND SOD SHALL BEGIN IMMEDIATELY AFTER INSTALLATION. WITH THE APPROVAL OF THE OWNER, AND CONTINUE UNTIL THE DATE THAT THE OWNER PERFORMS A FINAL

CONTRACTOR TO CONDUCT SOIL TEST AND PROVIDE RESULTS ALONG WITH RECOMMENDED FERTILIZER

6" OF TOPSOIL SHALL BE PLACED IN ALL SEED AND SOD AREAS. SEE LANDSCAPE NOTES FOR PLANTING

INSTALLATION OF SEED AND SOD SHALL OCCUR WITHIN ONE (1) WEEK OF COMPLETING THE GRADING. ALTERNATELY WITHOUT SPACE BETWEEN. SECURE THE SOD TO SLOPES WITH BIODEGRADABLE ANCHOR

ALL WORK AND MATERIALS TO BE IN FULL ACCORDANCE WITH LATEST RULES AND REGULATIONS OF THE DIVISION OF INDUSTRIAL SAFETY, THE UNIFORM PLUMBING CODE, NATIONAL ELECTRIC CODE, AMERICANS

2. NOTHING IN THESE DRAWINGS OR SPECIFICATIONS IS TO BE CONSTRUED TO PERMIT WORK NOT

ANY AND ALL DAMAGE ARISING FROM OPERATIONS SUBSEQUENT TO DISCOVERY OF SUCH UTILITIES NOT

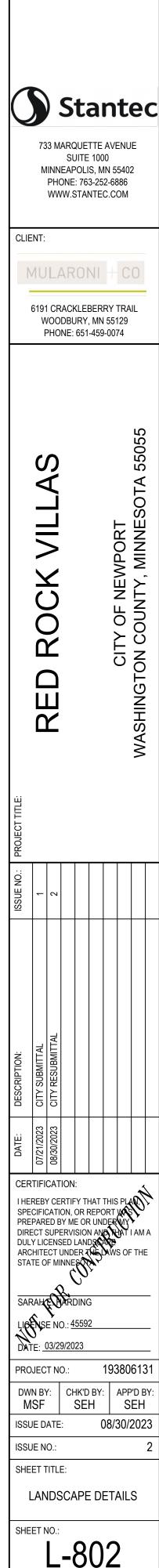
# NATIVE SEED REQUIRED MAINTENANCE - 3 YEARS

# ESTABLISHMENT (SPRING SEEDING):

- PREPARE SITE LATE APRIL MAY. 2. SEED - MAY 1 - JUNE 1
- MAINTENANCE:
- MOW (6-8 INCHES) EVERY 30 DAYS AFTER PLANTING UNTIL SEPTEMBER 30. WEED CONTROL - MOWING SHOULD HELP CONTROL ANNUAL WEEDS. SPOT SPRAY THISTLES ETC.
- ESTABLISHMENT (FALL SEEDING)
- PREPARE SITE LATE AUGUST EARLY SEPTEMBER.
- 2. SEED LATE SEPTEMBER TO FREEZE-UP.
- MAINTENANCE (FOLLOWING SEASON): 1. MOW (6-8") - ONCE IN MAY, JUNE AND JULY.
- 2. WEED CONTROL MOWING SHOULD KEEP ANNUAL WEEDS DOWN. SPOT SPRAY THISTLES ETC. EVALUATION:
- COVER CROP GROWING WITHIN 2 WEEKS OF PLANTING (EXCEPT DORMANT PLANTINGS).
- SEEDLINGS SPACED 1-6 APART IN DRILL ROWS.
- NATIVE GRASS SEEDLINGS MAY ONLY BE 4-6 INCHES TALL 4. IF THERE IS A FLUSH OF GROWTH FROM FOXTAIL ETC., MOW AS NECESSARY.
- YEAR 2 MAINTENANCE:
- MOW (6-8 INCHES) ONE TIME BETWEEN JUNE 1 AUGUST 15 BEFORE WEEDS SET SEED. WEED CONTROL - MOWING SHOULD KEEP ANNUAL WEEDS DOWN. SPOT SPRAY THISTLES ETC. SOME SITES MAY NOT REQUIRE MUCH MAINTENANCE THE SECOND YEAR.
- EVALUATION:
- COVER CROP WILL BE GONE UNLESS WINTER WHEAT WAS USED IN A FALL PLANTING. GRASSES FORMING CLUMPS 1-6 INCHES APART IN DRILL ROWS, BUT STILL SHORT.
- SOME FLOWERS SHOULD BE BLOOMING (BLACK EYED SUSANS, BERGAMOT ETC.).
- 4. IF THERE IS A FLUSH OF GROWTH FROM FOXTAIL ETC., MOW SITE.
- YEAR 3 MAINTENANCE:
- MOW ONLY IF NECESSARY
- WEED CONTROL SPORT SPRAY THISTLES, ETC. SITES USUALLY DO NOT REQUIRE MUCH MAINTENANCE THE THIRD YEAR.
- EVALUATION:
- PLANTING SHOULD BEGIN LOOKING LIKE A PRAIRIE TALL GRASSES, FLOWERS ETC. LONG-TERM -MAINTENANCE:
- WEED CONTROL SPOT SPRAY THISTLES ETC.
- BURNING (3-5 YEAR ROTATION) ALTERNATE SPRING AND FALL IF POSSIBLE.
- HAYING (3-5 YEAR ROTATION) LATE SUMMER OR EARLY FALL. ALTERNATE WITH BURNING (MAY SUBSTITUTE FOR BURNING).
- 4. BURNING TWO YEARS IN A ROW WILL REALLY "CLEAN UP" ROUGH-LOOKING SITES.

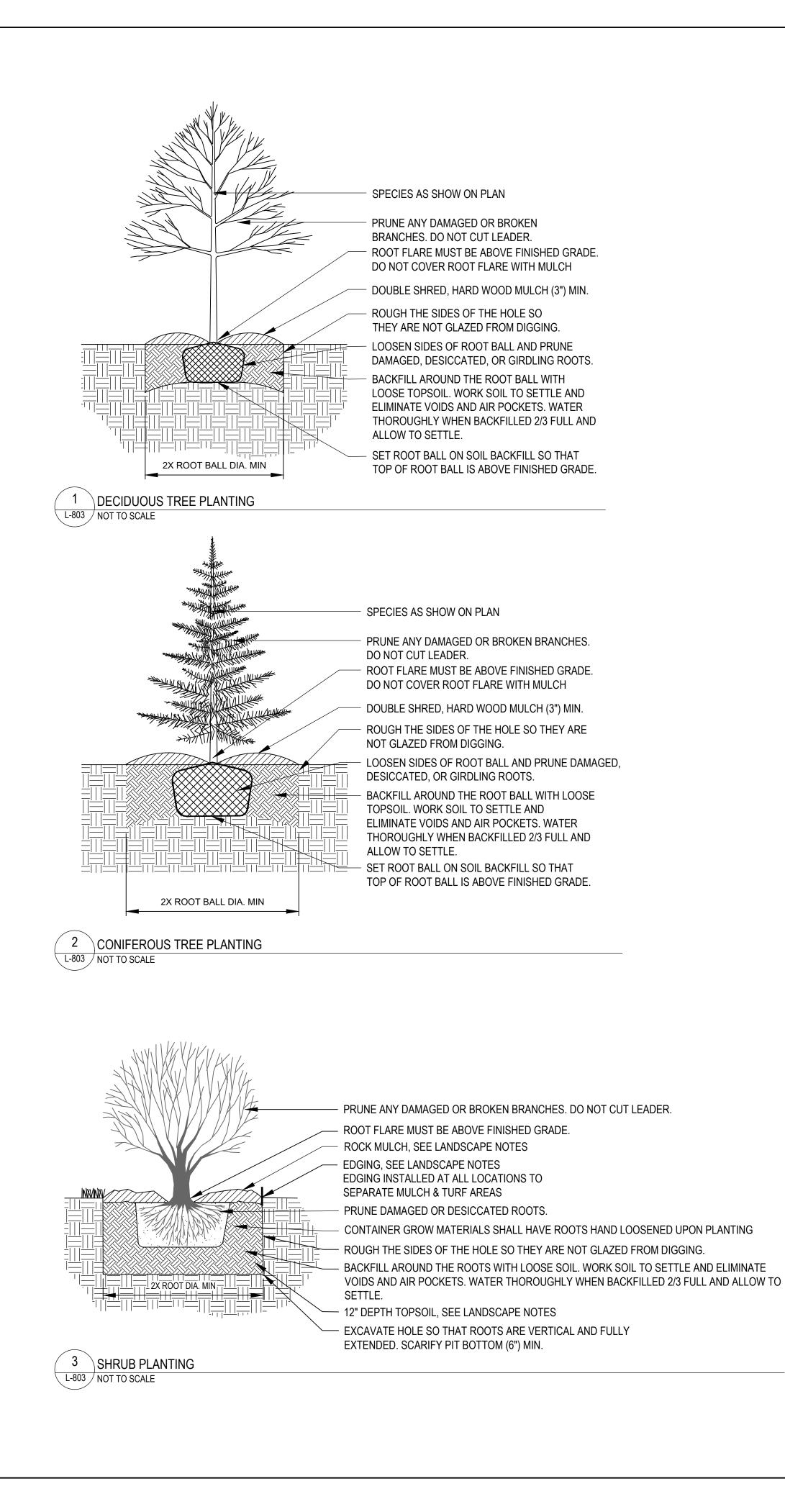
WARNING: THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

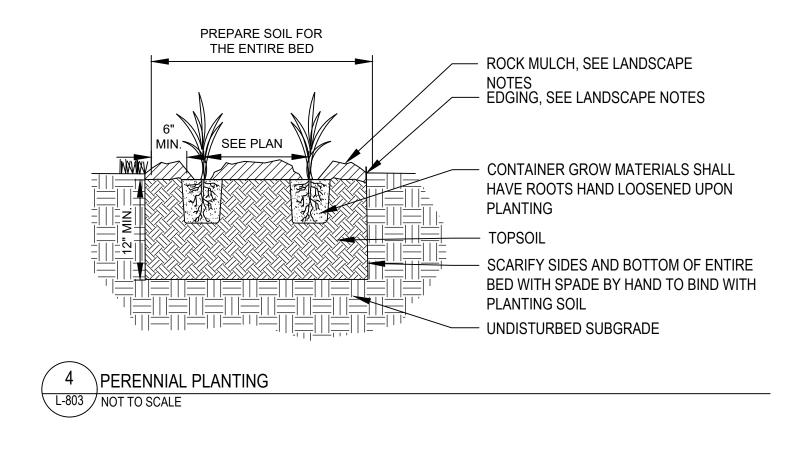
CALL BEFORE YOU DIG

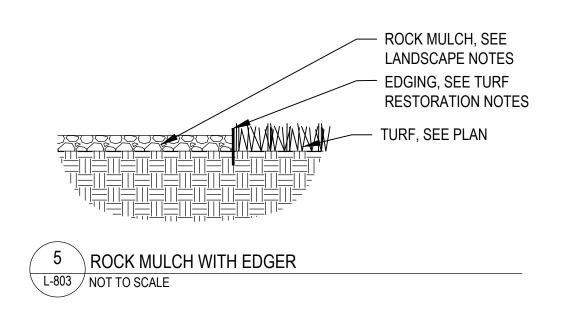


THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

**GOPHER STATE ONE CALL** TWIN CITY AREA: 651-454-0002 TOLL FREE 1-800-252-1166

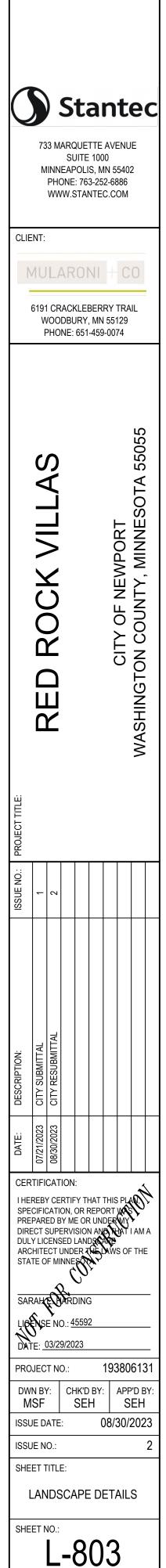






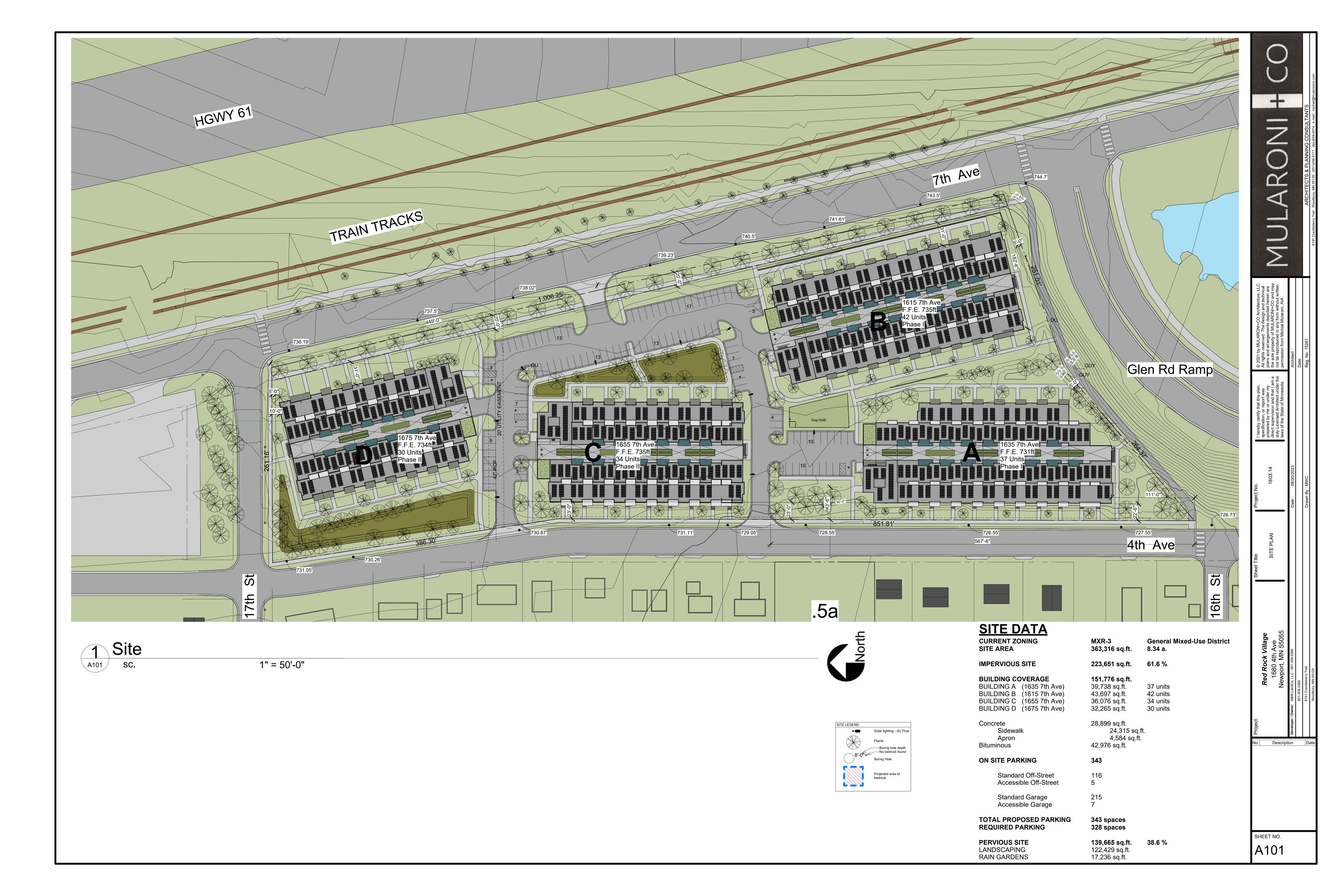
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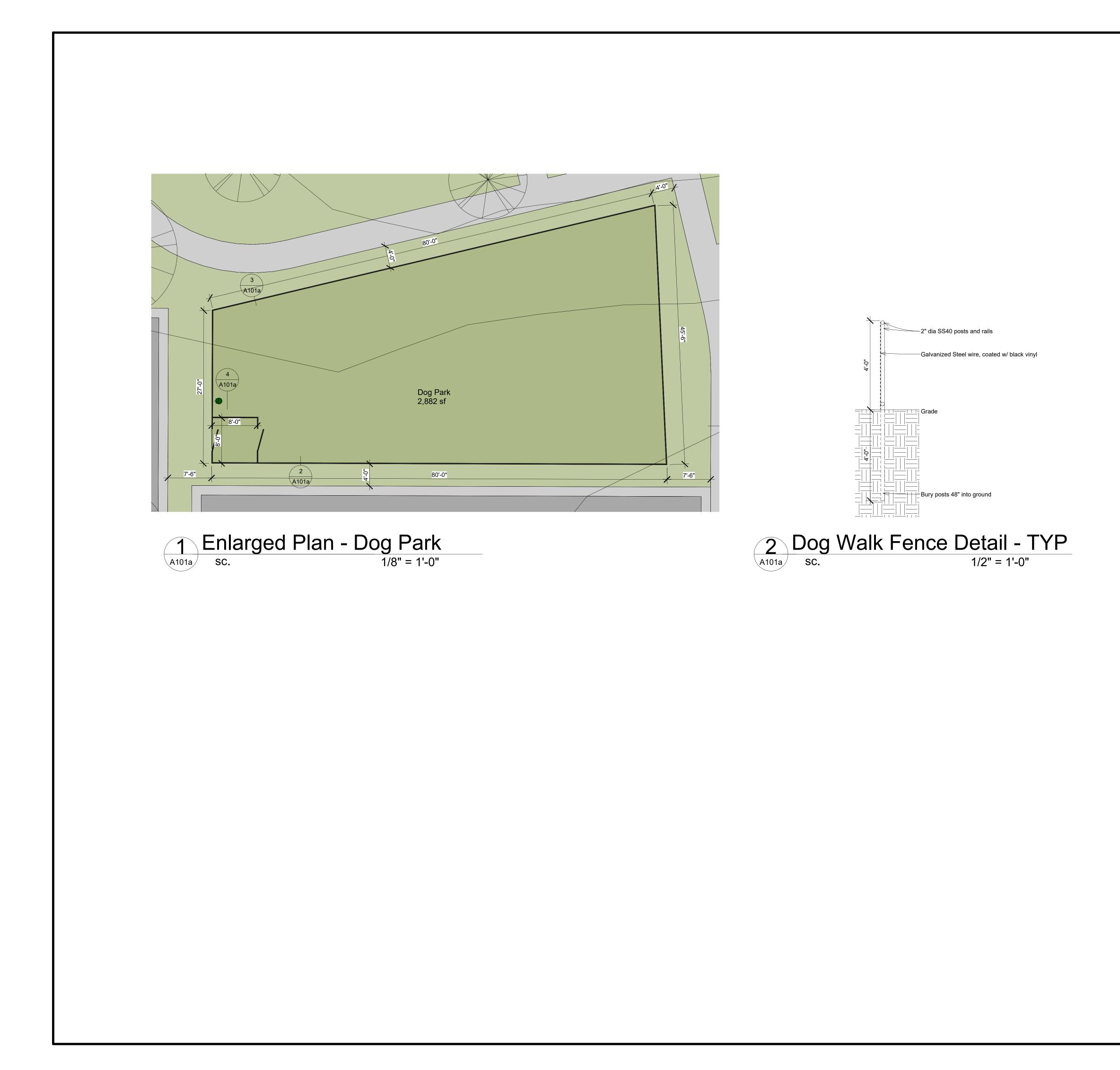
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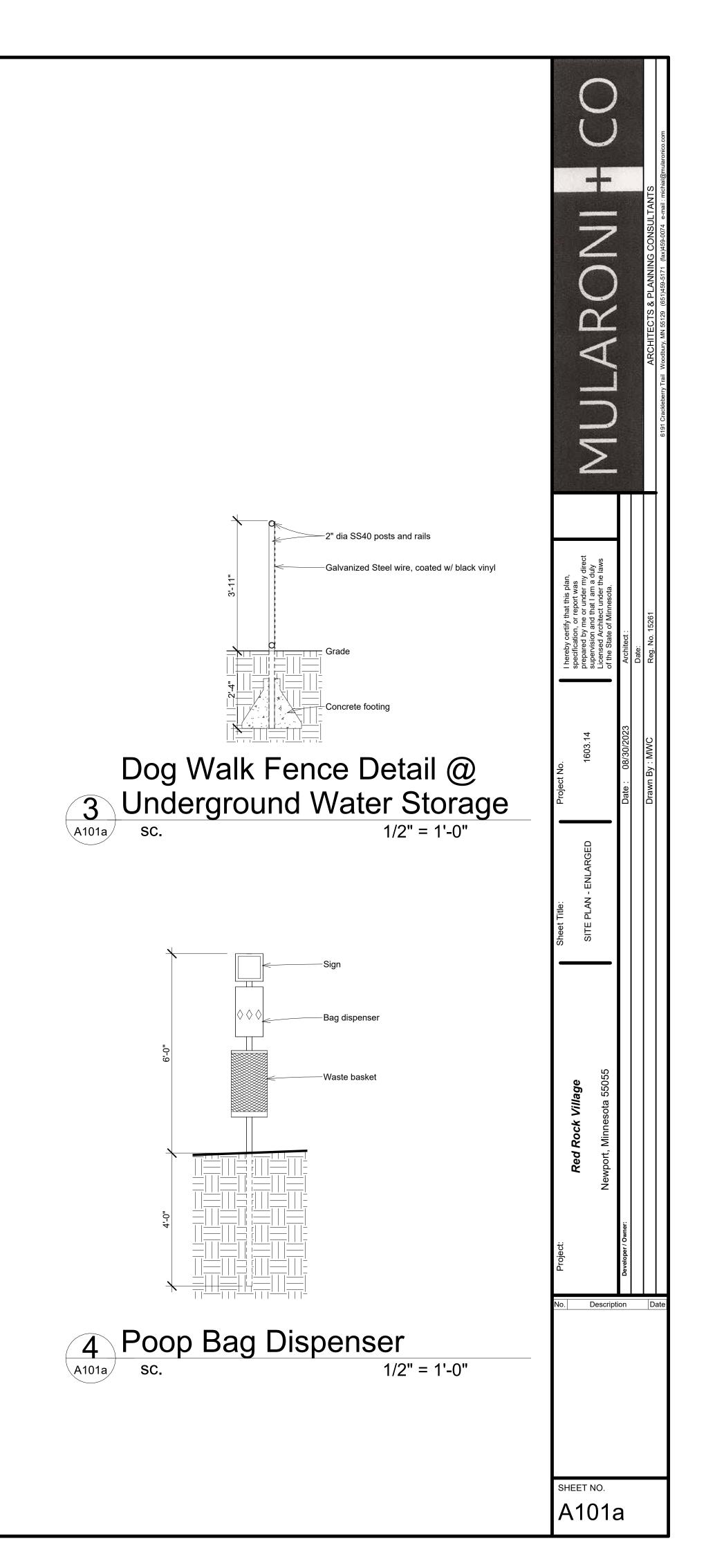


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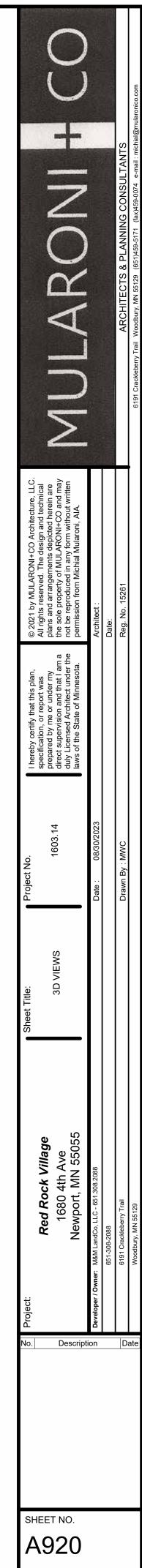
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© 2021 by MULARONI+CO Architecture, LLC. All rights reserved. The design and technical plans and arrangements depicted herein are the sole property of MULARONI+CO and may not be reproduced in any form without written permission from Michial Mularoni, AIA.	Architect :	Date:	Reg. No. 15261	
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 Architect under the laws of the State of Minnesota.				
Project No. 1603.14	Date : 08/30/2023		Drawn By : MWC	
Sheet Title: 3D VIEWS				
Project: Red Rock Village 1680 4th Ave Newport, MN 55055	Developer / Owner: M&M LandCo, LLC - 651.308.2088	651-308-2088	6191 Crackleberry Trail	Woodbury, MN 55129
No. Descript	ion		D	ate
SHEET NO. <b>A922</b>				



То:	Mr. Joe Hatch, City Administrator
	Mr. Nathan Fuerst, City Planner
From:	Jon Herdegen, P.E. – City Engineer
Subject:	Red Rock Villas – Plan Review
Date:	August 1, 2023 September 14, 2023

We received a planning application and plan review documents for the Red Rock Villas located along 7<sup>th</sup> Street between 17<sup>th</sup> and 16<sup>th</sup> Avenues. Among the documents received were **revised 8/30/2023** and included the civil package plan set including existing conditions, removals plans, erosion control plans, site plans, post construction plans, grading plans, utility plans, storm sewer plans, and landscaping plans. Also reviewed were the preliminary and final plat documents and the associated title work for the property.

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 watermain facilities shall be encompassed within a 20-foot wide drainage and utility easement.
- 3. All stormwater basins and associated access isles shall be contained within a drainage and utility easement that encompass the 100-year high water level.
- 4. The application shall submit a stormwater maintenance plan for City review and approval.
- 5. The applicant must submit a Stormwater Pollution prevention Plan (SWPPP) in accordance with MPCA General Construction Stormwater Permit Requirements for review and consideration.
- 6. The applicant shall submit an approved DRAP report from MPCA
- 7. The applicant shall obtain a street access permit from Washington County.

### <u>Part Two</u>

## Preliminary Plat & Final Plat

- 1. The existing storm sewer line over the northwesterly portion of the proposed subdivision must be encompassed within a drainage and utility easement.
  - a. The proposed easement does not appear to have been added to the plans or the preliminary or final plats.
- CSAH 38 requires preserving 120 feet of right of way as a minor reliever road. Since there
  is 85 feet of Right of Way along this section of roadway, an additional 17 feet should be
  either dedicated on the plat or a road easement can be recorded at the time the plat is
  filed. The civil plans should be updated with the additional Right of Way or easement
  dedication and associated setbacks.
  - a. Construction plans have been updated to include the revised right-of-way dedication, but the preliminary and draft final plat do not appear to be updated.
- 3. "Community" is spelled incorrectly on the title of the final plat.
  - a. "Community" is spelled "Comunity" on the title of page 1 of the draft final plat.
- The draft final plat contains a detail that indicates there will be a 10' & 5' easement dedicated for drainage and utility purposes, this needs to be added to the plat and construction plans to graphically show the layout of the easement.
- 5. All watermain facilities shall be encompassed within a 20-foot wide drainage and utility easement.
  - a. Extend DU easements to include isolation valves for domestic and fire suppression services.
- 6. All stormwater basins and associated access isles shall be contained within a drainage and utility easement that encompass the 100 year high water level.

## Civil Plan Set

## A. Cover Sheet

7. Change "Voyageur Highway" to "Trunk Highway 10/61" on the Vicinity Map.

## B. Existing Conditions

## 8. No comments

### C. Removals and Erosion Control Plan

- 9. All pavement removals shall be saw cut to full depth and extend to the center line of the road at minimum or full width of road as needed.
- 10. Add curb and pavement removals for the installation of proposed sanitary MH-14.
- 11. Add curb removals for driveway removal on 17<sup>th</sup> Street.
- 12. Add curb removals for trail construction at 4<sup>th</sup> Avenue and 7<sup>th</sup> Avenue.

## D. Overall Site Plan

- 13. Indicate pavement and sidewalk types using the provided legend.
  - a. Hatch features on plan to correspond with legend or remove items from legend for clarity.
- 14. Add hatched item in legend for underground stormwater BMP.

### E. Site plans

15. Update setback locations based on additional Right of Way or easement dedication.

### Page 2 of 7

- 16. All new curb shall be pinned to existing curb with two (2) No. 4 dowel 24" on center.a. Add note to detail.
- 17. Stop signs shall be installed at each entrance.
- 18. All sidewalks across driveway entrances shall be a minimum of 6" concrete placed on a minimum 6" gravel base.
  - a. Update detail or keynote 1.15
- 19. Add crosswalk striping (multi dashed component GR IN) at trail crossings at 7<sup>th</sup> Avenue and Glenn Road ramp.
  - a. Add callout in keynote section 1.20 for "Multi-Dashed Component GR IN Markings" per MnDOT Standard Specifications.
  - b. Add crosswalk striping across 7<sup>th</sup> Avenue just north of Glen Road and at each driveway entrance.
- 20. Additional design information is required for the proposed trail connection across the south side of the parcel from 4<sup>th</sup> Avenue to 7<sup>th</sup> Avenue. All trail improvements and pedestrian landings shall meet ADA requirements. The trail pavement may be constructed within Washington County Right of Way, but no retaining walls or railings shall be allowed in the Right of Way. Existing slopes between trail and Glenn Road ramp shall match existing to the greatest extent feasible, but in no case shall exceed 3H:1V slope.
- 21. Several leaders and dimensions on the site plan do not appear to connect to features in the drawing. Remove unneeded dimension labels and adjust leader arrows as needed.
- 22. Provide a description for keynote note 1.19 in the keynotes section of sheet C 103.
- 23. Hatch features on plan to correspond with legend or remove items from legend for clarity.
- 24. Add general note or keynote to replace all curbing for removed driveway access with barrier type curbing matching adjacent curb.

### F. Post Construction Stabilization Plans

### 25. No comments

- G. Grading Plan
  - 26. Add or adjust existing contour labels for clarity.
    - a. Existing contours don't have labels
  - 27. Provide proposed spot elevations at building corners.
  - 28. Applicant is responsible for minimum 6" elevation drop within the first 10 feet extending from the building face.
  - 29. Additional grading detail must be provided around building A due to the relative lower Finished Floor Elevation (FFE) than building B and steep slope of adjacent Glenn Road ramp. The applicant shall provide a swale with a minimum grade of 2% and sized to effectively convey the adjacent runoff without adversely impacting building A.
  - **30**. The depression contained with a 730 contour between building A & B does not appear to have an outlet. The catch basins in the low points around Building A do not appear to connect to anything.
  - 31. Provide additional trail elevations, geometry, or profile data to clarify design intent.
    - a. Cross-slope grades appear to be reversed.

# b. Confirm cross-slope does not exceed 2.0% and longitudinal slope does not exceed 5% on trail. Adjust cross-slope labels accordingly.

32. Label storm structures and rim elevations for clarity.

### H. <u>Utility Plan</u>

- **33**. Maintain a 10 ft horizontal and 1.5 ft vertical separation between watermain and all sanitary and storm sewer facilities.
- 34. Revise manhole labeling and symbology for manholes 6, 9, 11, and 16 as manholes but do not appear to be manhole structures.
- 35. Loop the watermain along the east side of building B to dead end watermain stub adjacent to Glenn Road ramp. Watermain may be constructed within 7<sup>th</sup> Avenue Right of Way. Continue watermain within 7<sup>th</sup> Avenue ROW north and connect to proposed extension between Building C & D. Include hydrant at mid-block on 7<sup>th</sup> Avenue.
  - a. Watermain alignment between Building C & D should be extended east to intersect proposed watermain along 7<sup>th</sup> Avenue with a single bend.
- **36.** Include isolation gate valves on main at corner of 7<sup>th</sup> Avenue and Glen Road ramp and at mid-block hydrant.
  - a. Add gate valve at watermain connection on 4<sup>th</sup> Avenue between Buildings C & D.
  - b. Change note: "Connection to Existing Hydrant w/ Isolation Gate Valve" to "Salvage and reinstall Hydrant and Gate Valve as shown".
    - i. Add 6x6 TEE to existing watermain for hydrant lead. Reinstall hydrant and gate valve on 6x6 TEE directed north. Install 8x6 reducer and 8" gate valve on east side of TEE. Install two (2) 45° bends to align watermain north along 7<sup>th</sup> Avenue. A portion of the existing watermain may need to be removed to accommodate new configuration.
  - c. Add hydrant and hydrant gate valve on north side of 7<sup>th</sup> Avenue driveway between parking lot and sidewalk.
  - d. Add mainline gate valve in 7<sup>th</sup> Avenue driveway.
- 37. All watermain shall be C900 PVC and shall be owned by the City following acceptance.
- **38.** Connections to existing watermain on 4<sup>th</sup> Avenue and Glen Road Ramp shall be made via wet tap and valve.
  - a. Add to notes section or indicate on plans.
- **39**. Provide separate water services for domestic and fire suppression services to each building. Provide independent gate valves for both services.

## a. Add gate valve for fire protection service for building A

- 40. Install tracer wire in accordance with MN Rural Water Association standard specifications and details.
- 41. Connect Building B service directly to sanitary manhole 5.
- 42. All sanitary sewer manholes and piping outside the public right of way shall be considered private.
  - a. Add to notes section or indicate on plan.
- 43. Provide 4" polystyrene insulation between all utility crossings.

### Page 4 of 7

- 44. Sanitary MH-8 & MH-10 appear to be manhole structures, but a manhole symbol is not provided.
- 45. Adjust rim elevation for sanitary MH-14.
- I. Storm Sewer Plan
  - 46. Add watermain to the storm sewer plans for clarity.
  - **47.** Review and revise manhole labeling and symbology for manholes 33, 34, 45, 49, 69, 70, 71, and 72 as manholes but do not appear to be manhole structures.
    - a. MH 4, MH 48 and MH 51 appear to be flared end section not manhole. We suggest that the labels are modified (FES # and rim elevation) and symbology added to legend for clarity.
  - 48. Storm manhole 12 and 64 do not appear to connect to any existing storm manhole, network, or filtration basin.
  - 49. Storm sewer between MH 53 and MH 54 should be connected to new storm sewer rather than existing.
  - 50. Confirm sufficient clearance between proposed storm sewer and existing storm sewer at crossings.
  - 51. Roof drain leader for Building D should be connected to storm with two (2) 45 degree bends rather than perpendicularly. A cleanout should be added to the north end of the storm sewer line.
  - 52. The existing storm sewer at the northwest corner of the property must be contained within an easement as described in item 1 in this section.
  - 53. Add rim/invert elevations for existing sanitary and storm structures for clarity.
  - 54. Connect storm pipe from MH-43 to existing storm manhole east of 4<sup>th</sup> Avenue. Replace existing 12" RCP between existing storm manhole and catchbasin (east curb line fo 4<sup>th</sup> Avenue) with 15" RCP. Replace existing 12" RCP between catchbasin (east curb line fo 4<sup>th</sup> Avenue) and storm manhole in center of 4<sup>th</sup> Avenue with 15" RCP.
  - 55. Additional clarification for surface water capture efficiency is required for driveway/parking lot between Buildings C & D. It appears that the proposed storm inlets are limited to at-grade inlets positioned in the center of the driveway. It does not appear that the number of proposed inlets will capture the stormwater runoff generated onsite without discharging to 4<sup>th</sup> Avenue.
  - 56. Constructing storm sewer piping over the existing 48" RCP culvert does not appear to be feasible while providing sufficient coverage to top of pipe.
    - a. Consider directing roof drains for Building C to underground BMP or storm basin on west side of building rather than storm basin on east side of Building D to avoid crossing.
    - b. Consider moving storm MH 40 to northeast corner of parking lot (north of existing 48" RCP storm) and extending proposed 15" RCP storm directly west to northwest corner of parking lot adjacent to storm water basin to avoid crossing existing 48" RCP storm and aid with capture efficiency.
  - 57. Provide an equalization culvert under sidewalk within storm basin east of Building D.

58. Confirm the depth, size, location of the petroleum line on the Northwest edge of the property with the utility's owner.

## J. <u>Details</u>

- **59.** The details provided appear to meet Newport standard details. The City of Newport reserves the ability to revise details to conform with City standard details as needed.
- 60. Call out location of the trench drain detail.
- 61. Add attached City standard details to plans.
  - a. Construct a 4-foot concrete driveway apron per City standard detail in lieu of curb radii.

## K. Landscape Plan

62. MSA did not review the landscaping plan in detail. Circled notes do not appear to correspond to the general notes legend.

## Stormwater Management Plan

- 63. Revise the stormwater management plan to meet the Total Phosphorus removal requirements as described in South Washington Watershed District Rule 7.3.4.
  - a. Drainage subcatchment areas shown in stormwater management plan do not coincide with grading plan. Adjust subcatchment areas, grading plan and/or storm sewer collection system to reflect proposed condition. Provide updated design calculations to demonstrate compliance with SWWD rules.
- 64. Provide details for underground stormwater BMP for review.
- 65. Update HydroCAD and/or plans so that the model and the plans match.
  - a. Include outlet control structures MH 43 and MH 54 in HydroCAD modeling.
  - b. BMP-01 and BMP-02 include drain tiles in the HydroCAD model that are not shown on the plans. Either remove from the model or add to the plans.
  - c. BMP 01 and BMP 02 have emergency overflow weirs in the HydroCAD model that are not shown on the plans. Either remove from the model or add to the plans.
  - d. BMP-01 and BMP-02 use different filtration rates. If different soil types are to be used, this should be reflected in the HydroCAD model and plans.
  - e. BMP-02 is shown as two unconnected cells in the plans, but as a single pond in the HydroCAD model. Update the plans to include an equitation culvert.
  - f. Provide sizing and details for BMP-03 in the plans so the HydroCAD model can be verified.
  - g. The 18" primary outlet pipe from BMP-03 outlet invert elevation in the HydroCAD model does not match the plans. Update either the model or the plans to match.

## Part Three

- 1. Prior to commencement of any construction activities, the applicant shall:
  - a. Obtain MDH watermain extension plan review approval.
  - b. Obtain an MPCA Sewer Extension Permit
  - 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 <u>iherdegen@msa-ps.com</u>. Thank you.

# City of Newport, MN Resolution No. 2023-41

# A Resolution Approving a Preliminary Plat and Planned Unit Development Conditional Use Permit for Red Rock Villas NetZero Community

**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**, M & M Land Co, LLC (the "Applicant") submitted preliminary plat and preliminary planned unit development (PUD) requests for properties on PIDs 3602822220047 and 3602822220022 legally described on **Exhibit A** (the "Property") attached hereto, consisting of approximately 8.01 acres of property for development of 143 multiple family units; and

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

WHEREAS, the property is zoned as MX-3 General 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 September 21, 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) <u>Consistency with the comprehensive plan</u>. 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 surrounding community were found to be negligible on the community's health and safety. Using available information, noise impacts from the Highway 61 corridor

are understood to be within allowable limits. The development will otherwise provide landscaping, screening, stormwater treatment, and pedestrian connections to mitigate impacts on the surrounding community and environment while improving various aspects of the site along the  $17^{th}$  street and  $7^{th}$  and  $4^{th}$  avenue corridors.

- c) <u>Compliance with standards</u>. 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)* <u>Public infrastructure services</u>. 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 applicant at no cost to the City. No improvements are required to the City's utilities in order to serve this land use.*
- *e)* <u>Screening and landscaping</u>. 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)* <u>Architectural standards</u>. 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 deviations received through the PUD, the project will comply with the City's architectural standards*.
- g) <u>Zoning</u>. 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)* <u>Traffic</u>. 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. *A traffic study was supplied by the applicant concluding that no traffic improvements are required. The City Engineer accepted the study and agreed with the conclusion*.

### 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 multifamily community will use emerging best building practices to reduce energy use and provides efficient use of the land 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; *Impacts of this development on the surrounding community were found to be negligible on the community's health and safety. Using available information, noise impacts from the Highway 61 corridor are understood to be within allowable limits. The development will otherwise provide landscaping, screening, stormwater treatment, and pedestrian connections to mitigate impacts on the surrounding community and environment while improving various aspects of the site along the 17th street and 7th and 4th avenue corridors.*

- 5. Benefit to the city and the public interest. The proposed development will provide market rate housing units which are presently needed in the community as identified by the Comprehensive Plan. The development is proposed to create important pedestrian and bicycle connections and improvements to activate a presently underutilized site. This development will attenuate the sound impacts of the Highway 61 corridor on surrounding uses to the West.
- 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 environmental within its own boundaries. The architecture of the buildings and design of the site are consistent with the City's design requirements. The site will be unified in its design with both buildings, parking, walkways, and open space.
- 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 applicant 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 Plans will provide for tree mitigation as required by the City's ordinance. The development will replace a large stand of invasive trees found with a mix of various acceptable plantings.*
- 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 Applicant is proposing a phased buildout of the proposed buildings on the site. All parking areas on site will be constructed in the first phase.*
- 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 Applicant is proposing a site which will provide for all landscaping, tree preservation and stormwater 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 Applicant has proposed a development that is consistent with the goals of the City's 2040 Comprehensive Plan. Strict adherence to the adopted zoning controls would prevent flexibility to building and site design including streetscape, landscaping, and trail connections, which are benefits to the City.*

**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 must enter into a Development Agreement with the City prior to release of the final plat for recording.
- 2. The Preliminary Plat approval shall expire one year from the date of City Council approval unless a Final Plat is recorded or an extension is received from the Newport City Council for good cause.
- 3. The Final Plat approval shall expire one year from the date of City Council approval unless the Final Plat is recorded or an extension is received from the Newport City Council for good cause.
- 4. The Final Plat approval shall expire one year from the date of City Council approval unless the Final Plat is recorded.
- 5. Prior to the release of the final plat, the Applicant shall revise plans to address the City Engineer's memo dated September 14, 2023 and any subsequently revised memos.
- 6. Prior to the release of the final plat, the Applicant shall satisfy all conditions of Preliminary and Final Plat approval to the satisfaction of the City.
- 7. Prior to any work on site or issuance of any building permit, the Applicant is responsible for paying the parkland dedication fee and any required connection charges.
- 8. Prior to issuance of any building permit, Applicant must receive any required watershed permits prior to beginning any work on site.
- 9. Prior to issuance of any building permit, Applicant must receive any required permits from Washington County prior to beginning work on the site.
- 10. Prior to issuance of a building permit, Applicant shall provide a lighting plan, or manufacturer specifications, indicating conformance of proposed lighting, in all respects, with the City's standards.
- 11. Prior to issuance of a building permit, Applicant shall provide building plans which document parking that, when added to proposed surface parking stalls, is consistent with the minimum requirements for the development.
- 12. Prior to issuance of any building permit, the Applicant shall provide additional documentation on lighting pole height and fixture types proposed for the project which meet city standards for lighting.
- 13. 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.
- 14. No grading or site work may proceed prior to the issuance of a building permit for the project.

Adopted this 21<sup>st</sup> day of September, 2023 by the Newport City Council.

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

VOTE:

Elliott \_\_\_\_\_ Chapdelaine \_\_\_\_\_ Ingemann \_\_\_\_\_ Taylor \_\_\_\_\_ Sumner \_\_\_\_\_

Signed: \_

Laurie Elliott, Mayor

Attest:

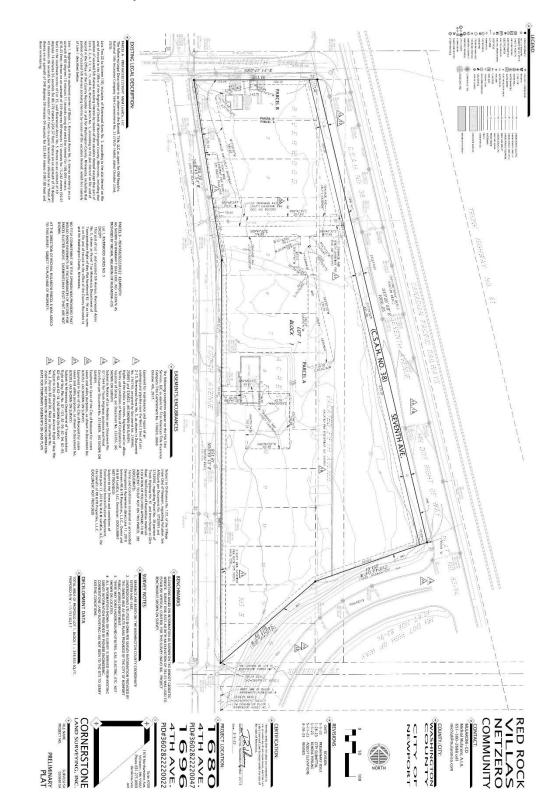
Joe Hatch, City Administrator

# **EXHIBIT** A

### Legal Description of Development Property Being Final Platted as RED ROCK VILLAS NETZERO COMMUNITY

Lots One (1) to Sixteen (16), inclusive, of Riverwood Acres No. 5, according to the plat thereof on file and of record in the Office of the Register of Deeds of Washington County, Minnesota, including that portion of vacated 5th Avenue accruing thereto by reason of the vacation thereof except that part of Lots 1, 2, 3, 4, 13, 14, 15, and 16, Riverwood Acres No. 5, according to the plat thereof on file and of record in the Office of the County Recorder in and for Washington County, Minnesota, including that portion of vacated 5th Avenue accruing thereto by reason of the vacation thereof; which lies easterly of Line 1 described below:

Line 1. Beginning at the southwest corner of Block 1, Riverwood Acres No. 4; thence northerly on an azimuth of 00 degrees 10 minutes 11 seconds along the west line thereof for 186.005 meters (610.25 feet); thence on an azimuth of 359 degrees 09 minutes 15 seconds for 15.242 meters (50.01 feet) to the southwest corner of Lot 15, said Riverwood Acres No. 5; thence on an azimuth of 49 degrees 14 minutes 05 seconds for 80.579 meters (264.37 feet); thence on an azimuth of 70 degrees 43 minutes 06 seconds for 76.509 meters (251.01 feet) to a point hereinafter referred to as "Point A"; thence on an azimuth of 346 degrees 39 minutes 04 seconds for 325.484 meters (1067.86 feet) and there terminating



# Preliminary Plat of RED ROCK VILLAS NETZERO COMMUNITY

**EXHIBIT B** 

# City of Newport, MN Resolution No. 2023-42 A Resolution Approving a Final Plat and Planned Unit Development for Red Rock Villas NetZero Community

**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**, M & M LandCo, LLC (the "Applicant") submitted final plat and planned unit development (PUD) requests for properties on PIDs 3602822220047 and 3602822220022 legally described on **Exhibit A** (the "Property") attached hereto, consisting of approximately 8.01 acres of property for development of 143 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-3 General 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 September 21, 2023, and conditionally approved the Preliminary Plat and Planned Unit Development Conditional Use Permit through Resolution 2023-41; and

**WHEREAS,** The Newport City Council reviewed the request for a Final Plat and PUD at its regular meeting on September 21, 2023, and has determined the following findings of fact:

- a) That the Red Rock Villas NetZero Community Final Plat and PUD plan will consist of 143 multiple family residential units on Lot 1, Block 1 of the proposed final plat.
- b) That the Red Rock Villas NetZero Community Final Plat is generally consistent with the Preliminary Plat and PUD plans as approved by the City of Newport on September 21, 2023.
- c) That the Red Rock Villas NetZero Community Final Plat and PUD Plan are consistent with the intent of the City of Newport's adopted 2040 Comprehensive Plan.

- d) That the Red Rock Villas NetZero Community Final Plat and PUD Plans comply with the general intent of the MX-3 zoning district with the PUD modifications.
- e) That the Red Rock Villas NetZero Community 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 Final Plat and Planned Unit Development proposed by the Applicant on the Property, with the following conditions:

- 1. Applicant must enter into a Development Agreement with the City prior to release of the final plat for recording.
- 2. The Preliminary Plat approval shall expire one year from the date of City Council approval unless a Final Plat is recorded or an extension is received from the Newport City Council for good cause.
- 3. The Final Plat approval shall expire one year from the date of City Council approval unless the Final Plat is recorded or an extension is received from the Newport City Council for good cause.
- 4. The Final Plat approval shall expire one year from the date of City Council approval unless the Final Plat is recorded.
- 5. Prior to the release of the final plat, the Applicant shall revise plans to address the City Engineer's memo dated September 14, 2023 and any subsequently revised memos.
- 6. Prior to the release of the final plat, the Applicant shall satisfy all conditions of Preliminary and Final Plat approval to the satisfaction of the City.
- 7. Prior to any work on site or issuance of any building permit, the Applicant is responsible for paying the parkland dedication fee and any required connection charges.
- 8. Prior to issuance of any building permit, Applicant must receive any required watershed permits prior to beginning any work on site.
- 9. Prior to issuance of any building permit, Applicant must receive any required permits from Washington County prior to beginning work on the site.
- 10. Prior to issuance of a building permit, Applicant shall provide a lighting plan, or manufacturer specifications, indicating conformance of proposed lighting, in all respects, with the City's standards.
- 11. Prior to issuance of a building permit, Applicant shall provide building plans which document parking that, when added to proposed surface parking stalls, is consistent with the minimum requirements for the development.
- 12. Prior to issuance of any building permit, the Applicant shall provide additional documentation on lighting pole height and fixture types proposed for the project which meet city standards for lighting.
- 13. 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.
- 14. No grading or site work may proceed prior to the issuance of a building permit for the project.

Adopted this 21st day of September, 2023 by the Newport City Council.

Motion by:	, Seco	onded 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 RED ROCK VILLAS NETZERO COMMUNITY

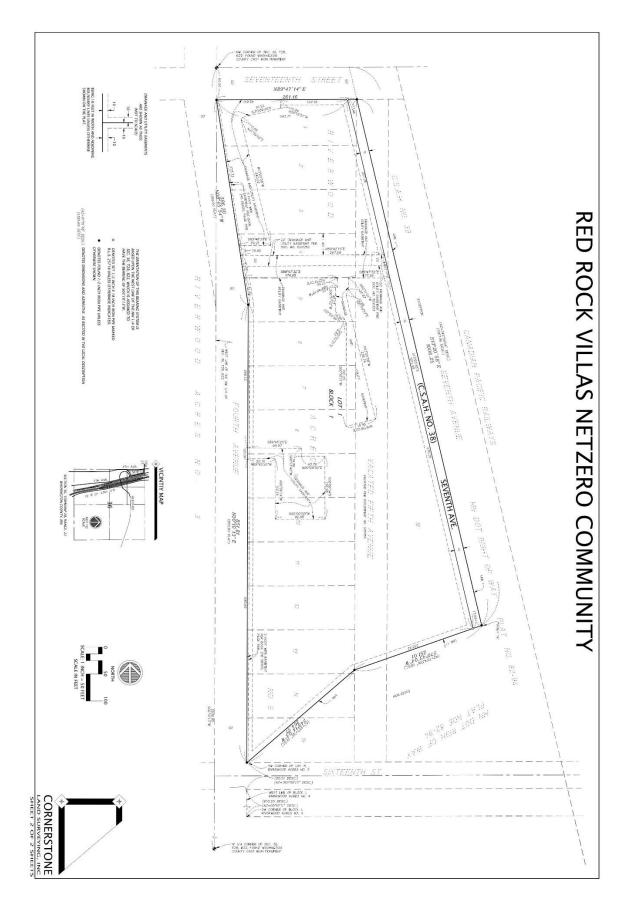
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# NETZE foree e same to be surveyed and platted as RED ROCK VILLAS 40NITY and does hereby dedicate to the public for public use ements created by this plat for drainage and utility purposes That M & M LandCo, LLC, a owner of the following describes gton, State of Minnesota, to wit **RED ROCK VILLAS NETZERO COMUNNITY** od Acres No. 5. Lin the Office of th t A"; thens 325,484 Notary Public, Dakota County, Minnesota My Commission Expires January 31, 2025 aid M & M LandCo, LLC, a Mine ts to be signed by this (print - day of . 25718 202 r BOARD certify that on the L OF THE CITY OF NEWPOR ED ROCK VILLAS NETZERO Newport, Minnesota, this Subd. 505.021, Subd. VTV RECORDER Minnesota, 1971, and in accordance with Minnesot 11, this plat has been reviewed and approved this day of \_\_\_\_\_ THE CITY OF NUMPOR IN NETZERO COMMUNITY was approved and minission of the City of Newport, Minneso Mayo Subd. 9, taxes per-ve been paid. Also pur-vet taxes and transfer approved his plat. y the City Cound 202 and sota Statutes, CORNERSTONE

# EXHIBIT B

## Final Plat of RED ROCK VILLAS NETZERO COMMUNITY



# City of Newport, MN Ordinance No. 2023-06

# An Ordinance Amending Chapter 36 of the Newport City Code of Ordinances by Rezoning All Property at PIDs 3602822220047 and 3602822220022 from MX-3 to MX-3-PUD.

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

**SECTION 1.** The following property is hereby rezoned from MX-3 (General Mixed Use District) to MX-3-PUD (General Mixed Use Planned Unit Development):

Lots One (1) to Sixteen (16), inclusive, of Riverwood Acres No. 5, according to the plat thereof on file and of record in the Office of the Register of Deeds of Washington County, Minnesota, including that portion of vacated 5th Avenue accruing thereto by reason of the vacation thereof except that part of Lots 1, 2, 3, 4, 13, 14, 15, and 16, Riverwood Acres No. 5, according to the plat thereof on file and of record in the Office of the County Recorder in and for Washington County, Minnesota, including that portion of vacated 5th Avenue accruing thereto by reason of the vacation thereof; which lies easterly of Line 1 described below:

Line 1. Beginning at the southwest corner of Block 1, Riverwood Acres No. 4; thence northerly on an azimuth of 00 degrees 10 minutes 11 seconds along the west line thereof for 186.005 meters (610.25 feet); thence on an azimuth of 359 degrees 09 minutes 15 seconds for 15.242 meters (50.01 feet) to the southwest corner of Lot 15, said Riverwood Acres No. 5; thence on an azimuth of 49 degrees 14 minutes 05 seconds for 80.579 meters (264.37 feet); thence on an azimuth of 70 degrees 43 minutes 06 seconds for 76.509 meters (251.01 feet) to a point hereinafter referred to as "Point A"; thence on an azimuth of 346 degrees 39 minutes 04 seconds for 325.484 meters (1067.86 feet) and there terminating

**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 over 8 units.
  - b. Four principal structures on one lot.
  - c. Uses listed as "Permitted" within Section 36-241
  - d. 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 36-240(1) by providing a front yard parking setback of 17 feet.
  - b. Section 36-162(1)(a) by allowing a maximum of 85% of overall façade areas to be covered in Class I and II building materials but also including fiber cement siding products.
- 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-3 General Mixed Use 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.** Sunset Clause. This ordinance shall become null and void without further City Council action if: (1) a building permit is not issued for the project, as approved by the City Council through Resolutions 2023-41 and 2023-42, within one year of the date of approval of this ordinance; or (2) an extension of the time period for completion for good cause shown is not received and approved by the Newport City Council.

**SECTION 5. Effective Date**. This ordinance shall become effective immediately upon the adoption and publication in the official newspaper of the City of Newport.

**SECTION 6.** 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 21th day of September 2023.

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

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

VOTE:

Elliott	
Chapdelaine	
Ingemann	
U U	
Taylor	
Sumner	

Signed: \_\_\_\_

Laurie Elliott, Mayor

Attest: \_\_\_\_

Joe Hatch, City Administrator

# City of Newport, MN Resolution No. 2023-43 A Resolution Approving Summary Publication of Ordinance 2023-06

**WHEREAS**, the Newport City Council has adopted Ordinance No. 2023-06, an ordinance that amends the City's Zoning Code Chapter 36 of the Newport City Code by rezoning all property at PIDs 3602822220047 and 3602822220022 from MX-3 (General Mixed Use District) to MX-3-PUD (General Mixed Use Planned Unit Development).

WHEREAS, the ordinance is lengthy; and

**WHEREAS**, <u>Minnesota Statutes</u>, 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. 2023-06 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. 2023-06, an ordinance that amends the Zoning Ordinance by rezoning all property at PIDs 3602822220047 and 3602822220022 from MX-3 (General Mixed Use District) to MX-3-PUD (General Mixed Use Planned Unit Development). This ordinance creates land use standards consistent with the requested Planned Unit Development for the Red Rock Villas NetZero Community project by M & M LandCo, which was approved by the Newport City Council on September 21, 2023.

The full text of Ordinance 2023-06 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. 2023-43

Adopted this 21<sup>st</sup> day of September, 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



# MEMO

TO: Mayor and CouncilFROM: Joe Hatch, City AdministratorDATE: September 21, 2023SUBJECT: 2024 Preliminary Levy

# Background

The City of Newport is required to approve and certify to Washington County the 2024 preliminary levy by September 30, 2023. Once the preliminary levy is passed, the levy may not be increased, it can only be decreased between now and final levy approval. Staff have worked with the City Council at several work sessions this year. On September 7, 2023, staff received directions on the preliminary levy from the City Council and will continue to finalize the budget and financial impacts between now and the end of the year.

## **Items of Note**

- City staff implemented a new team approach for budget planning this year. \* All numbers below are for 2024.
- Residential assessed property values increased by 9.6%
- The median home value increased by \$27,900 to \$318,900.
- Debt service decreased by \$8,080 to \$1,139,094.
- Local Government Aid (LGA) increased by \$41,584 to \$494,059.
- Deficit spending is a significant part of the general fund budget.

## Highlights of 2024 Proposed Budget

- Continued investments in Newport parks and trails/quality of life.
  - Newport dog park.
  - Busy Beaver playground equipment and redesign.
  - Cedar Lane.
  - o Trails.
  - Future Investments.
    - Loveland Park.
    - Lions Park.

- Trails.
- Cedar Lane.
- Emergency Response Focus
  - Ability for city to respond to loss of power.
  - Overall response to any emergency incident.
  - Safety gear for river rescue.
  - Functional safety vehicles for response.
- Some Budget Items are Estimated and Not Final
  - $\circ$  CIP and other interfund transfers
  - Health Insurance Costs for 2024
  - o Labor Union Contract Negotiations

2024 Levy Options for	Council and the Impacts
-----------------------	-------------------------

	2023 Levy	2024 Proposed Levy
Levy Increase Percent		10.00%
Levy Increase		\$ 348,678
Proposed Levy	\$ 3,486,781	\$ 3,835,459
Tax Rate	49.69%	46.26%
Annual Tax Impact on MVH*		\$ 45
Monthly Tax Impact on MVH*		\$ 3.75
Fund Balance (%)	61.6%	54.5%
Deficit Spending	\$ (557,061)	\$ (303,272)
Dollar: Annual Tax Impact on 202	24 Home Value	
Proposed Levy		\$ 3,835,459
Median Value Home (MVH)	\$1,327	\$ 45
\$250,000	\$1,156	\$ 38
\$300,000	\$1,424	\$ 43
\$350,000	\$1,691	\$ 48
\$400,000	\$1,959	\$ 53
Percent: Annual Tax Impact on 2	024 Home Value	
Proposed Levy		\$ 3,835,459
Median Value Home (MVH)	10.0%	3.2%
\$250,000	10.5%	3.6%
\$300,000	9.8%	3.3%
\$350,000	9.3%	3.1%
\$400,000	9.0%	2.9%

\*Median Value Home (MVH) 2024- \$318,900

## **Staff Recommendation**

In review, staff wanted to balance the following:

- Tax impacts for residents
- Tax rate
- Fund Reserve Balance (focusing on trying to be close to 60%)
- Reducing deficit spending. The goal is to eliminate within three (3) years.

Staff recommends council approve a preliminary levy in the amount of \$3,835,459 and adopt Resolution No. 2023-44.

# City of Newport, MN Resolution No. 2023-44 A Resolution Establishing A Proposed Preliminary Levy Certification For Levy Year 2023, Payable 2024

**WHEREAS,** the City Council of Newport annually establishes a draft general fund operating budget and approves a preliminary levy certification on or before September 30<sup>th</sup> as per State Statute; and

WHEREAS, the total proposed preliminary levy certification for levy year 2023, payable 2024 is \$3,835,459; and

**WHEREAS**, the total proposed preliminary levy certification for levy year 2023, payable 2024 is an increase of 10.0% over last year's final certified levy; and

**WHEREAS**, the total proposed preliminary levy certification for levy year 2023, payable 2024 is an increase of \$348,678 over last years final certified levy; and

**WHEREAS**, the prior year's tax rate was 49.7% and the proposed tax rate for levy year 2023, payable 2024 is \$46.3%; and

**WEHREAS**, the median value home in Newport is \$318,900 and the resulting tax impact from the preliminary levy for levy year 2023, payable 2024, is 3.2%; and

**WHEREAS**, the proposed preliminary levy for levy year 2023, payable 2024 can stay the same or may be reduced, but not increased, at the City's Truth in Taxation hearing set for December 7, 2023.

**NOW, THEREFORE, BE IT RESOLVED,** that the Newport City Council hereby establishes a proposed preliminary levy certification for levy year 2023, payable 2024, upon the taxable property in the City of Newport as follows:

General Fund	\$2,696,365
2014A General Obligation Bond	\$198,488
2016A General Obligation Bond	\$46,110
2018A General Obligation Bond	\$263,106
2021A City Hall/Fire Hall; 12th/12th; Refunding 2011A/2013A	\$631,390
Total Levy Certification:	\$3,835,459

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** that the City Clerk/Administrator is hereby instructed to transmit a certified copy of this resolution to the County Auditor, Washington County, Minnesota.

Adopted this 21<sup>st</sup> day of September, 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